
WYONG SHIRE COUNCIL
MINUTES OF THE
EXTRAORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 1 OCTOBER 2008,
COMMENCING AT 5.00 PM

PRESENT

COUNCILLORS W J WELHAM (CHAIRPERSON), G P BEST, D J EATON, R L GRAHAM, E M McBRIDE, J J McNAMARA, L A MATTHEWS, W R SYMINGTON, D P VINCENT, L D WEBSTER AND S A WYNN.

IN ATTENDANCE

GENERAL MANAGER, DIRECTOR SHIRE PLANNING, DIRECTOR CORPORATE SERVICES, ACTING DIRECTOR SHIRE SERVICES, MANAGER DEVELOPMENT ASSESSMENT, ACTING MANAGER FUTURE PLANNING, AND TWO ADMINISTRATION STAFF.

MANAGER, BUSINESS IMPROVEMENT AND TECHNOLOGY AND ACTING MANAGER CORPORATE AND ADMINISTRATION SERVICES.

THE MAYOR, COUNCILLOR W J WELHAM, DECLARED THE MEETING OPEN AT 5.00 PM AND PASTOR JOHN BETTS DELIVERED THE OPENING PRAYER.

APOLOGIES

THERE WERE NO APOLOGIES.

424 Disclosures of Interest

F2008/01064 SG

430 – ELECTION OF DELEGATES AND REPRESENTATIVES ON VARIOUS EXTERNAL COMMITTEES AND ASSOCIATIONS

COUNCILLOR EATON DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE IS CHAIR OF CENTRAL COAST GROUP TRAINING, A MEMBER OF WYCRA BOARD AND MEMBER / MENTOR OF CENTRAL COAST BUSINESS MENTOR SERVICES 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 BECAUSE THE REPORT CONCERNS APPOINTMENT OF COUNCIL DELEGATES AND HAS NO EFFECT ON THE ORGANISATIONS."

430 – ELECTION OF DELEGATES AND REPRESENTATIVES ON VARIOUS EXTERNAL COMMITTEES AND ASSOCIATIONS

COUNCILLOR BEST DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE WORKS FOR CENTRAL COAST GROUP TRAINING AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR BEST STATED:

"I CHOOSE TO REMAIN IN THE CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY BECAUSE THE REPORT CONCERNS APPOINTMENT OF COUNCIL DELEGATES AND HAS NO EFFECT ON THE ORGANISATION."

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

That the report be received and advice of disclosures noted.

425 Mayoral Report for Past Term

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

That the report by the Mayor for the past term, September 2007 to October 2008 be received.

Minutes of the Extraordinary Meeting of Council held on 1 October 2008 (contd)

426 Election of Mayor and Voting Procedure

F2004/06511 ED:SG

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

- 1 That in accordance with the provisions of Section 290(a) of the Local Government Act 2003, Council hold an election for the Office of Mayor by all councillors.***
- 2 That the election for the Office of Mayor be determined by the method of open voting.***
- 3 That the election of Mayor be for the term October 2008 to September 2009.***

IN ACCORDANCE WITH SCHEDULE 7 OF THE LOCAL GOVERNMENT (GENERAL) REGULATIONS 2005, THE GENERAL MANAGER ASSUMED THE ROLE OF RETURNING OFFICER FOR ELECTION OF THE MAYOR AND DEPUTY MAYOR.

THE GENERAL MANAGER ADVISED THAT THREE NOMINATIONS HAD BEEN RECEIVED FOR THE POSITION OF MAYOR. COUNCILLOR GRAHAM RECEIVED TWO NOMINATIONS AND COUNCILLOR WYNN ONE NOMINATION. COUNCILLORS GRAHAM AND WYNN ACCEPTED THEIR RESPECTIVE NOMINATIONS.

THE GENERAL MANAGER REQUESTED THOSE COUNCILLORS SUPPORTING THE NOMINATION OF COUNCILLOR GRAHAM TO RAISE THEIR RIGHT HAND. COUNCILLORS VOTING IN SUPPORT OF COUNCILLOR GRAHAM WERE COUNCILLORS BEST, EATON, GRAHAM, MCBRIDE, MCNAMARA, MATTHEWS, SYMINGTON, VINCENT AND WEBSTER.

THE GENERAL MANAGER DECLARED COUNCILLOR GRAHAM ELECTED AS MAYOR FOR THE TERM OCTOBER 2008 TO SEPTEMBER 2009.

THE MAYOR, COUNCILLOR GRAHAM THEN ASSUMED THE CHAIR.

427 Election of Deputy Mayor

F2004/06511 ED:SG

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

That the election of Deputy Mayor be conducted in the same manner as the election of Mayor for the term October 2008 to September 2009.

THE GENERAL MANAGER ADVISED THAT THREE NOMINATIONS HAD BEEN RECEIVED FOR THE POSITION OF DEPUTY MAYOR. COUNCILLOR MCNAMARA RECEIVED TWO NOMINATIONS AND COUNCILLOR WYNN ONE NOMINATION. COUNCILLORS MCNAMARA AND WYNN ACCEPTED THEIR RESPECTIVE NOMINATIONS.

Minutes of the Extraordinary Meeting of Council held on 1 October 2008 (contd)

THE GENERAL MANAGER REQUESTED THOSE COUNCILLORS SUPPORTING THE NOMINATION OF COUNCILLOR MCNAMARA TO RAISE THEIR RIGHT HAND. COUNCILLORS VOTING IN SUPPORT OF COUNCILLOR MCNAMARA WERE COUNCILLORS BEST, EATON, GRAHAM, MCBRIDE, MCNAMARA, MATTHEWS, SYMINGTON, VINCENT AND WEBSTER.

THE GENERAL MANAGER DECLARED COUNCILLOR MCNAMARA ELECTED AS DEPUTY MAYOR FOR THE TERM OCTOBER 2008 TO SEPTEMBER 2009.

MAYOR GRAHAM THANKED FORMER COUNCILLOR WELHAM FOR HIS CONTRIBUTION OVER THE PAST FOUR YEARS OF COUNCIL INCLUDING HIS TERM AS MAYOR. HE ACKNOWLEDGED THOSE PEOPLE WHO SUPPORTED HIS RE-ELECTION CAMPAIGN AND HAD MENTORED HIM OVER MANY YEARS AND HE THANKED HIS WIFE LORRAINE AND HIS FAMILY FOR THEIR SUPPORT. HE EXTENDED CONGRATULATIONS TO ALL COUNCILLORS ON THEIR ELECTION.

COUNCILLOR EATON REFLECTED ON 17 YEARS AS A COUNCILLOR AND THE CHALLENGING ECONOMIC TIMES AHEAD. HE OFFERED ASSISTANCE AND ADVICE TO THE NEWLY ELECTED COUNCILLORS.

COUNCILLOR BEST ALSO OFFERED TO HELP AND SUPPORT THE NEWLY ELECTED COUNCILLORS AND WAS LOOKING FORWARD TO WORKING WITH THEM. HE THANKED THOSE WHO HAD SUPPORTED HIM DURING HIS TIME AS A COUNCILLOR.

COUNCILLOR WYNN INDICATED HER PRIDE IN HER ELECTION AND HOPED THAT ALL COUNCILLORS WOULD WORK TOGETHER FOR THE BENEFIT OF THE COMMUNITY.

COUNCILLOR SYMINGTON EXPRESSED HIS DISAPPOINTMENT THAT FORMER COUNCILLOR WELHAM WAS NOT RE-ELECTED AND ACKNOWLEDGED THE SUPPORT AND MENTORING PROVIDED TO HIM BY MEMBERS OF THE COMMUNITY OVER THE YEARS.

COUNCILLOR MCBRIDE ACKNOWLEDGED THE LEADERSHIP, PASSION AND CARE FOR THE COMMUNITY OF FORMER MAYOR WELHAM AND EXTENDED HER BEST WISHES FOR HIS FUTURE ENDEAVOURS. SHE CONGRATULATED MAYOR GRAHAM AND DEPUTY MAYOR MCNAMARA AND OTHER COUNCILLORS ON THEIR ELECTION. SHE THANKED HER FAMILY FOR THEIR SUPPORT AND ENCOURAGEMENT.

COUNCILLOR MCNAMARA THANKED HIS FAMILY, THE LIBERAL PARTY AND HIS TEAM FOR THEIR COMMITMENT AND FAITH IN HIM AND LOOKED FORWARD TO WORKING TOGETHER WITH COUNCILLORS.

428 Appointment of Committees

F2004/06395 SG

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

- 1 That the Charter of the Wyong Shire Beach Liaison Committee be amended to provide for three Councillor delegates to the Committee.***

Minutes of the Extraordinary Meeting of Council held on 1 October 2008 (contd)

- 2 That Council appoint the following committees and elect representatives, for the term of Council, in accordance with the Charter of the following Committees:**
- | | | |
|----------|--|---|
| a | General Manager – Performance Review Panel | Mayor, Deputy Mayor and one Councillor |
| b | Wyong Shire Consultative Committee | Two Councillors |
| c | Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee | Three Councillors |
| d | Wyong Shire Beach Liaison Committee | Three Councillors |
| e | Wyong Shire Council Sports Committee | Three Councillors |
| f | Wyong Shire Governance Committee | Three Councillors and independent members, Mr David Holmes and Mr Bruce Turner |
| g | Wyong Shire Sister City Committee | Two Councillors |
| h | Wyong Shire Senior Citizens Council | One Councillor and an alternate Councillor |
- 3 That previous community representatives as at September 2008 be reappointed as members of Council's committees in accordance with the various Community Committee charters.**
- 4 That a further report be brought back to the Council meeting in November 2008 on the proposed charter of the Wyong Shire Grants Committee including membership on the Committee.**
- 4 That each Committee elect a Deputy Chairperson annually to conduct Committee business in the absence of or at the request of the Mayor.**
- 5 That all business of the Committees be conducted in accordance with Council's adopted Code of Meeting Practice.**

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

That Councillor Matthews be appointed as a delegate to the General Manager – Performance Review Panel.

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

That Councillor Matthews and Councillor Symington be appointed as delegates to the Wyong Shire Consultative Committee.

Minutes of the Extraordinary Meeting of Council held on 1 October 2008 (contd)

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

That appointment of delegates to the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee be held over until the Council meeting to be held on 22 October 2008 with a view to increasing the number of Councillors on the committee to four.

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

That Councillor Graham, Councillor Matthews and Councillor McNamara be appointed as delegates to the Wyong Shire Beach Liaison Committee.

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

That Councillor McBride, Councillor McNamara and Councillor Symington be appointed as delegates to the Wyong Shire Council Sports Committee.

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

That Councillor Symington, Councillor Vincent and Councillor Wynn be appointed as delegates to the Wyong Shire Governance Committee.

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

That Councillor Matthews and Councillor Webster be appointed delegates to the Wyong Shire Sister City Committee.

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

That Councillor Best be appointed as delegate and Councillor Eaton as alternate delegate to the Wyong Shire Senior Citizens Council.

Minutes of the Extraordinary Meeting of Council held on 1 October 2008 (contd)

429 Review of Inactive Committees

F2004/06395 SG

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

- 1 That Council not elect representation on the following Committees:**
 - a Disability Access Committee**
 - b Farmland Rating Review Committee**
 - c Tree Management Committee**

- 2 That should the above Committees become active again, a report be submitted to Council calling for representation by Councillors.**

430 Election of Delegates and Representatives on Various External Committees and Associations

F2004/06395 SG

COUNCILLOR EATON DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE IS CHAIR OF CENTRAL COAST GROUP TRAINING, A MEMBER OF WYCRA BOARD AND MEMBER / MENTOR OF CENTRAL COAST BUSINESS MENTOR SERVICES 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 BECAUSE THE REPORT CONCERNS APPOINTMENT OF COUNCIL DELEGATES AND HAS NO EFFECT ON THE ORGANISATIONS."

COUNCILLOR BEST DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE WORKS FOR CENTRAL COAST GROUP TRAINING AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR BEST STATED:

"I CHOOSE TO REMAIN IN THE CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY BECAUSE THE REPORT CONCERNS APPOINTMENT OF COUNCIL DELEGATES AND HAS NO EFFECT ON THE ORGANISATION."

Minutes of the Extraordinary Meeting of Council held on 1 October 2008 (contd)

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

- 1 That Council elect delegates and representatives as required for the bodies listed in the report with the amendment of:**

Australian Sister Cities Associations – two Councillors and one alternate

Wyong Regional Chamber of Commerce – one Councillor and one alternate.

- 2 That the delegates and representatives elected hold the positions for the term of the Council.**

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

That Councillor Matthews and Councillor Webster be appointed as delegates to the Australian Sister Cities Association.

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

That the Manager, Open Space and Recreation, be appointed as delegate to the Australian Springtime Flora Festival.

Two nominations were received for the position of delegate to the Bushfire Management Committee, one for Councillor Vincent and one for Councillor Wynn, necessitating a ballot. Following the ballot, Councillor Vincent was declared the successful delegate to the Bushfire Management Committee.

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

That Councillor Vincent be appointed as delegate to the Bushfire Management Committee.

FOR: COUNCILLORS GRAHAM, MCBRIDE, MCNAMARA, MATTHEWS, SYMINGTON, VINCENT AND WEBSTER.

AGAINST: COUNCILLORS BEST, EATON AND WYNN.

Minutes of the Extraordinary Meeting of Council held on 1 October 2008 (contd)

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

That Councillor Matthews be appointed as delegate and Councillor Webster as alternate delegate to the Central Coast Area Assistance Scheme Regional Advisory Committee.

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

That Councillor Matthews and Councillor Webster be appointed as delegates to the Central Coast Area Assistance Scheme Local Ranking Committee.

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

That Councillor Best be appointed as delegate and the General Manager or his nominee as alternate delegate to the Central Coast Business Mentor Services Board.

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

That the Mayor be appointed as delegate to attend the Central Coast Group Training annual general meeting.

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

That no delegate be appointed to the Central Coast Community Chest.

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

That the Mayor, Councillor McNamara and Councillor Webster be appointed as delegates to the Central Coast Regional Organisation of Councils.

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

That Councillor Vincent and Councillor Wynn be appointed as delegates to the Fire Control District Liaison Committee.

Minutes of the Extraordinary Meeting of Council held on 1 October 2008 (contd)

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

That the Mayor, Deputy Mayor and Councillor Symington be appointed as delegates and Councillor Vincent be appointed as alternate delegate to the Gosford Wyong Councils' Water Authority Board.

Two nominations were received for the position of delegate to Greater Toukley Vision Inc, one for Councillor McNamara and one for Councillor Wynn, necessitating a ballot. Following the ballot, Councillor McNamara was declared the successful delegate to Greater Toukley Vision Inc.

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

That Councillor McNamara be appointed as delegate to Greater Toukley Vision Inc.

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

AGAINST: COUNCILLOR WYNN.

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

That Councillor Vincent be appointed as alternate delegate to Greater Toukley Vision Inc.

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

That Councillor Webster be appointed as delegate to the Hand Brake Turn – Central Coast Advisory Group.

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

That Councillor McBride be appointed as delegate to Public Libraries NSW - Country.

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

That Councillor Wynn be appointed as delegate to the Regional Environmental Management Strategy Information Committee.

Minutes of the Extraordinary Meeting of Council held on 1 October 2008 (contd)

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

That Councillor Webster be appointed as delegate to The Entrance Town Centre Management Board.

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

That Councillor Symington be appointed as delegate to the Wyong Community Liaison Committee.

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

That Councillor Eaton, former Councillor Stewart and the General Manager or his nominee be appointed as appointees to the Wyong Community Recreation Association.

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

That Councillor McBride be appointed as delegate and Councillor Eaton as alternate delegate to the Wyong Regional Chamber of Commerce.

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

That Councillor Matthews be appointed as delegate and Councillor Webster be appointed as alternate delegate to the Wyong Shire Traffic Committee.

431 Delegates on Various External Committees or Boards by Appointment

F2004/06395 SG

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

That the General Manager or his nominee be appointed representative of Council on the Norah Head Lighthouse Reserve Trust.

Minutes of the Extraordinary Meeting of Council held on 1 October 2008 (contd)

432 Nominations Sought for Representation on Executive Committee of the Local Government Association of NSW

F2007/01531 SG

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

That any interested Councillors lodge their intention to nominate to the 2008 election of the Executive Committee of the Local Government Association of NSW.

433 Times and Dates of Meetings, Councillor Induction Training and Site Visits

F2004/06502 SG

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

- 1 That Clause 6 of the Adopted Code of Meeting Practice in relation to the holding of Ordinary Meetings of Council and meetings of Committees which all Councillors are members be adopted.***
- 2 That the Schedule of Inductions, Briefings and Site Visits for the remainder of 2008 be endorsed and the Mayor be empowered to make any changes as become necessary.***
- 3 That Council due to the general election of Councillors in September, vary its Code of Meeting Practice and not hold the Ordinary Meeting scheduled for 8 October 2008.***
- 4 That, in accordance with Council's Code of Meeting Practice, Council give public notice of that it will not hold an Ordinary Meeting on Wednesday 8 October 2008.***

Minutes of the Extraordinary Meeting of Council held on 1 October 2008 (contd)

434 Facilities and Expenses Policy for Councillors

F2004/06497 ED

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

- 1 That Council adopt the current Facilities and Expenses Policy for the provision of facilities to the Mayor, Deputy Mayor and other Councillors in relation to discharging the functions of civic office subject to a review of the clause covering payment of spousal attendance at the Local Government Association conference as outlined in the Department of Local Government Circular No 06/57.**
- 2 That Council provide the Department of Local Government with a copy of the adopted policy.**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.14 PM.

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CHAIRPERSON