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# WYONG SHIRE COUNCIL

MINUTES OF THE  
**EXTRAORDINARY COUNCIL MEETING OF COUNCIL**  
HELD IN THE COUNCIL CHAMBER  
WYONG CIVIC CENTRE, HELY STREET, WYONG  
ON 11 April 2012  
COMMENCING AT 4:00PM

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## PRESENT

Councillors R L Graham (Chairperson), G P Best, D J Eaton, L A Matthews, E M McBride (arrived at 4.17 pm), J J McNamara, W R Symington, D P Vincent, L D Webster and S A Wynn.

## IN ATTENDANCE

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

Manager Integrated Planning, Senior Manager Hydrology, Corporate Planning Executive, Chief Financial Officer, Officer Integrated Planning and two administration staff.

The Mayor, Councillor Graham, declared the meeting open at 4.00 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

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

## APOLOGIES

There were no apologies.

### **1.1 Disclosures of Interest**

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Councillor McBride entered the meeting at 4.17 pm and as a result did not take part in voting for this item.

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

***That Council receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.***

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

AGAINST: NIL

**PROCEDURAL MOTION**

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

**That Council consider item 2.1, Exhibition of Draft Wyong Shire Council Strategic Plan 2012/16 (incorporating the Annual Plan and 4 year Delivery Plan), in seriatim.**

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

**2.1 Exhibition of Draft Wyong Shire Council Strategic Plan 2012/16  
(incorporating the Annual Plan and 4 year Delivery Plan)**

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Councillor McBride entered the meeting at 4.17 pm during consideration of this item.

Councillor Vincent left the meeting at 4.39 pm and returned to the meeting at 4.40 pm during consideration of this item.

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

- 1 That Council adopt the Draft Wyong Shire Council Strategic Plan 2012/16 (the Draft Plan) for public exhibition.**
- 2 That Council receive submissions from the community and interested groups or stakeholders concerning the Draft Plan for consideration and possible inclusion in the final plan to be adopted by Council in May 2012.**
- 3 That Council note that no loan monies will be required during 2012/13 to support the planned activities.**
- 4 That Council authorise the General Manager to make appropriate corrections in the Draft Plan to eliminate numerical inconsistencies and typing errors.**
- 5 That Council approve the minor corrections to the draft Strategic Plan as tabled at the meeting.**
- 6 That Council prepare an Executive Summary to accompany the draft Strategic Plan.**

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

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

- 7 That Council place the following notation on the face of all 2012-13 rate notices in minimum 12 point bold type "carbon tax increase included in this years rates".**

**The MOTION was put to the vote and declared CARRIED on the casting vote of the Mayor.**

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

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

- 8 That Council seek expert legal advice on the legality of the proposed \$25 storm water management charge.**

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

AGAINST: COUNCILLORS GRAHAM, WEBSTER AND WYNN

## **2.2 Reconsideration of - CPA/205510 Wyong River Catchments Flood Study**

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

- 1 That Council accept tender no. 3 from BMT WBM Pty Ltd in the lump sum amount of \$156,260.00 ex GST.**
- 2 That Council approve a contingency amount of \$15,600 excluding GST representing approximately 10% of the contract value, to provide for any unforeseen additional works that may become necessary during the course of the project.**

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

AGAINST: COUNCILLORS BEST AND EATON

## **2.3 Strategic Plan 2012-2016 - Emergency Works**

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

- 1 That Council receive the report on Wyong River Streambank Rehabilitation.**
- 2 That Council endorse the proposed tender strategy to undertake the works as a regulated open tender.**
- 3 That Council endorse to undertake the works as "emergency works" exempt from the Regulated Tendering Process under the provisions of s55(3)(k) of the Local Government Act 1993 in the event that further bank instability necessitates an acceleration of the tendering process.**
- 4 That Council endorse the General Manager approving a contract for the proposed works under delegation in the event recommendation 3 above is required.**
- 5 That Council approve the proposed project budget of \$2,195,000 (excl. GST), that provides for a contingency amount of \$350,000 (excl. GST)**
- 6 That Council direct the General Manager to seek funding from the other utility providers who have affected infrastructure.**

**MINUTES OF THE Extraordinary Council Meeting OF COUNCIL 11 April 2012 contd**

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

AGAINST: NIL

**THE MEETING** closed at 5.05 pm.