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**WYONG SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBER**  
**WYONG CIVIC CENTRE, HELY STREET, WYONG**  
**ON WEDNESDAY, 13 MAY 2008,**  
**COMMENCING AT 5.02 PM**

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**PRESENT**

COUNCILLORS R L GRAHAM (CHAIRPERSON), G P BEST, D J EATON, 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, ACTING DIRECTOR SHIRE PLANNING, DIRECTOR CORPORATE SERVICES, DIRECTOR SHIRE SERVICES, MANAGER DEVELOPMENT ASSESSMENT, ACTING MANAGER FUTURE PLANNING, AND TWO ADMINISTRATION STAFF.

ACTING MANAGER CORPORATE AND ADMINISTRATION SERVICES, MANAGER WATER AND WASTE AND MANAGER CONTRACTS AND SPECIAL PROJECTS.

THE MAYOR INVITED COUNCILLOR WYNN TO REPORT ON EVENTS SHE HAD ATTENDED ON COUNCIL'S BEHALF AS FOLLOWS:

COUNCILLOR WYNN ATTENDED TWO FUNCTIONS ON BEHALF OF THE MAYOR AND ACCEPTED TWO PLAQUES PRESENTED BY MANNERING PARK PROGRESS ASSOCIATION IN RECOGNITION OF COUNCIL'S SUPPORT FOR THE FOLLOWING PROJECTS:

- \* THE COMMUNITY MAZE PROJECT AT MANNERING PARK.
- \* CARING FOR OUR COUNTRY PROJECT AT SOUTH BUDGEWOI BEACH – 5,000 TREES PLANTED WITH THE ASSISTANCE OF DUNECARE.

THE MAYOR, COUNCILLOR GRAHAM, DECLARED THE MEETING OPEN AT 5.02 PM AND ADVISED IN ACCORDANCE WITH THE CODE OF MEETING PRACTICE THAT THE MEETING IS BEING RECORDED.

THE MAYOR, COUNCILLOR GRAHAM, DELIVERED THE OPENING PRAYER AND READ AN ACKNOWLEDGMENT OF COUNTRY STATEMENT.

**APOLOGIES**

THERE WERE NO APOLOGIES.

## **1.1 Disclosure of Interest**

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### **6.5 – FEDERAL GOVERNMENT JOBS FUND GRANT PROGRAM**

COUNCILLOR EATON DECLARED A NON-PECUNIARY SIGNIFICANT CONFLICT OF INTEREST IN THAT PART OF THE MATTER REFERRING TO THE BUSINESS INCUBATOR FOR THE REASON THAT HE IS CHAIR OF CENTRAL COAST GROUP TRAINING LTD, WHICH IS INVOLVED AS A JOINT VENTURE PARTNER WITH THE INCUBATOR, LEFT THE CHAMBER AT 5.36 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 5.46 PM.

### **6.5 – FEDERAL GOVERNMENT JOBS FUND GRANT PROGRAM**

COUNCILLOR BEST DECLARED A PECUNIARY INTEREST IN THAT PART OF THE MATTER REFERRING TO THE BUSINESS INCUBATOR FOR THE REASON THAT HE IS GENERAL MANAGER OF CENTRAL COAST GROUP TRAINING LTD, LEFT THE CHAMBER AT 5.36 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 5.46 PM.

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

***That Council receive the report on Disclosure of Interest and note advice of disclosures.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

## **1.2 Proposed Inspections**

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

***That Council receive the report on Proposed Inspections.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

### **1.3 Address by Invited Speakers**

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

***That Council receive the amended report on Invited Speakers.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

### **1.4 Confirmation of Minutes of Previous Meeting**

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

***That Council confirm the minutes of the previous Ordinary Meeting of Council held on 22 April 2009.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

### **BUSINESS ARISING FROM THE MINUTES**

THERE WAS NO BUSINESS ARISING FROM THE MINUTES.

## **2.1 Notice of Intention to Deal with Matters in Confidential Session**

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

**1 That Council consider the following matter in Confidential Session, pursuant to Section 10A(2)(c) of the Local Government Act 1993:**

**10.1 Warnervale Airport**

**2 That Council note its reason for considering Report No 10.1 as it may confer a commercial advantage (Section 10A(2)(c)) should the discussions be held in a non-confidential environment.**

**3 That Council request the General Manager to report on this matter in open session of Council.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

## **3.1 Draft LEP (Amendment No 172) and Draft DCP 2005 Chapter 110 - Centre Support Development, Bateau Bay**

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THE GENERAL MANAGER WITHDREW THIS ITEM DUE TO LODGEMENT OF AN ABORIGINAL LAND CLAIM. COUNCIL IS NOW REQUIRED TO OBTAIN LEGAL ADVICE ON THIS MATTER.

**4.1 Deed of Agreement for Consolidation of Public Road Closure Land at Ravensdale**

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

- 1 That Council enter into a Deed of Agreement with Zardon Pty Limited, Ronald Laurence Scott and Lynn Lawes Scott that will ensure the consolidation of public road closure land with adjoining land, Lots 5, 126 and 214 DP 755271 at Ravensdale Road, Ravensdale.***
- 2 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the formal documents as required between Wyong Shire Council and Zardon Pty Limited, Ronald Laurence Scott and Lynn Lawes Scott.***
- 3 That Council authorise the Mayor and the General Manager to execute all documents.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

**4.2 Renewal of Lease to The Entrance Pre-School Kindergarten Association Inc - Lots 92 - 93 DP 18372 Norberta Street The Entrance**

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

- 1 That Council renew the lease of Lots 92 and 93 DP 18372 Norberta Street, The Entrance to The Entrance Pre-School Kindergarten Association Inc for a period of five years at a nominal rental.***
- 2 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the Lease between Wyong Shire Council and The Entrance Pre-School Kindergarten Association Inc.***
- 3 That Council authorise the Mayor and the General Manager to execute all documents relating to the Lease.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

#### 4.3 Proposed Easements for Chittaway Point Pump Station and Boomerang Creek Tunnel

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

- 1 That Council acquire Lot 1 DP 1042059 within Lot 515 DP 755266 Tall Timbers Road Lake Munmorah for the purpose of Oxygen Injection Facility (shown in Figure 1).**
- 2 That Council acquire Lot 1 DP 1006585 associated with Chittaway Point Pump Station Chittaway Point Rising Main and Gwandalan-Mannering Park Effluent Disposal Main by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 by authority contained in the Water Management Act 2000 for the purposes of Wyong Shire Sewage Scheme (shown in Figure 2).**
- 3 That Council acquire the following easements over Crown Land by compulsory Process under the Land Acquisition (Just Terms Compensation) Act 1991 by authority contained in the Water Management Act 2000 for the Purposes of Wyong Shire Sewage Scheme (shown in Figures 2 and 3 ).**
  - Easements for sewer pipeline shown in DP 1006585 (Figure 2)**
  - An easement for sewer pipeline shown in DP 647728 (Figure 3).**
- 4 That Council acquire the following easements by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 by authority contained in the Water Management Act 2000 for the purposes of Gosford Wyong Outstanding Land Matters:**
  - An easement for Water Supply Pipeline (beneath the surface only over the site shown as "Proposed Stratum Easement for Water Supply Tunnel" shown in DP 649792.**
- 5 That Council authorise the Common Seal of Wyong Shire Council to be affixed to all documents relating to the application for approval by the Minister and Governor to proceed with the compulsory acquisition.**
- 6 That Council authorise the Mayor and the General Manager to execute all documents relating to above application.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

#### **4.4 Proposed Sale of Council Land at Charmhaven**

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

***That the sale of Lot 83 DP 27286 Charmhaven Avenue, Charmhaven and Lot 94 Section 1 DP 11824 Moala Parade, Charmhaven be deferred pending a report by staff as to the usage of the informal path through these properties.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT AND WEBSTER.

AGAINST: COUNCILLOR WYNN.

#### **5.1 Contract CPA 127662 - Construction of Mardi Dam Transfer and High Lift Systems**

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

- 1 That Council accept in accordance with the approved Tender Evaluation and Negotiation Plan, the negotiated tender from Baulderstone Pty Ltd in the amount of \$41,464,576.36 (excl GST) for Contract CPA/127662.***
- 2 That Council approve a contract budget of \$45,664,576.36 (excl GST) that provides for a contingency amount of \$4,200,000.00 (excl 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 BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

**5.2 Contract CPA 157278 - Replacement of 600 Metres of 250mm Asbestos Concrete Water Main - McDonagh Road, Wyong**

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

- 1 That Council accept Tender No 7 from Mudix Pty Ltd in the lump sum amount of \$302,148.00 (excl GST).***
- 2 That Council approve a contingency amount of \$30,214.80 (excl 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 BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

**5.3 Contract CPA 158361 - Estuary Management Plan - Rehabilitation and Bush Regeneration Works Saltwater Creek - Reach 2**

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

- 1 That Council accept Tender number 2 from Hunter Land Management Pty Ltd in the lump sum amount of \$522,000.00 (excl GST).***
- 2 That Council approve a contract budget of \$574,200.00 (excl GST) that provides for a contingency amount of \$52,200.00 (excl 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 BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.



#### **5.4 Contract CPA 158923 - Estuary Management Plan - Stormwater Treatment Works - Lowana Avenue, Charmhaven**

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

- 1 That Council accept Tender number 3 from Enviropacific Services Pty Ltd in the lump sum amount of \$342,396.60 (excl GST).**
- 2 That Council approve a contract budget of \$376,636.00 (excl GST) that provides for a contingency amount of \$34,239.00 (excl 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 BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

#### **6.1 Proposed Councillors' Community Improvement Grants**

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

**That Council allocate an amount of \$10,800 from the 2008-09 Councillors' Community Improvement Grants as outlined in the report.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

#### **6.2 Precinct Support Program**

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

- 1 That Council receive the report on support for precinct committees.**
- 2 That Council receive a further report from staff following the Community Precinct Committee workshop scheduled for 26 May 2009.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

### **6.3 Proposed Loan Financing to The Entrance District Cricket Club Inc**

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

- 1 That Council provide to The Entrance District Cricket Club Inc an interest free loan of \$5,900 over a four year period for the purchase of an ex-Council roller.**
- 2 That Council authorise the General Manager to execute the loan agreement.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

### **6.4 Councillor Attendance at Training**

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

**That Council note the Mayor and General Manager's approval for Councillor Vincent to attend the Local Government Learning Solutions "Advanced Media Skills" workshop in Sydney, 12 May 2009 and for payment of expenses in accordance with Council Policy.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

## 6.5 Federal Government Jobs Fund Grant Program

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COUNCILLOR EATON DECLARED A NON-PECUNIARY SIGNIFICANT CONFLICT OF INTEREST IN THAT PART OF THE MATTER REFERRING TO THE BUSINESS INCUBATOR FOR THE REASON THAT HE IS CHAIR OF CENTRAL COAST GROUP TRAINNG LTD, WHICH IS INVOLVED AS A JOINT VENTURE PARTNER WITH THE INCUBATOR, LEFT THE CHAMBER AT 5.36 PM, TOOK NO PART IN DISCUSSION ON THIS PARTICULAR MATTER, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 5.46 PM.

COUNCILLOR BEST DECLARED A PECUNIARY INTEREST IN THAT PART OF THE MATTER REFERRING TO THE BUSINESS INCUBATOR FOR THE REASON THAT HE IS GENERAL MANAGER OF CENTRAL COAST GROUP TRAINNG LTD, LEFT THE CHAMBER AT 5.36 PM, TOOK NO PART IN DISCUSSION ON THIS PARTICULAR MATTER, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 5.46 PM.

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

***That Council adopt the business incubator project identified in modified Attachment 1 – Proposed Jobs Funding Projects.***

FOR: COUNCILLORS GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

COUNCILLOR MATTHEWS LEFT THE CHAMBER AT 6.01 PM AND RETURNED TO THE CHAMBER AT 6.02 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council adopt the remaining projects identified in modified Attachment 1 – Proposed Jobs Funding Projects.***
- 2 That Council formally thank the Federal Government through its local Federal Members, Craig Thomson MP and Jill Hall MP for the opportunity to tender under this important funding program for new community infrastructure. Further that the list attached in Item 1 be forwarded to the Federal Members for their information.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

## **7.1 Information Reports**

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

***That each report be dealt with individually.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

## **7.2 Investments for February and March 2009**

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COUNCILLOR VINCENT LEFT THE CHAMBER AT 6.17 PM AND RETURNED TO THE CHAMBER AT 6.19 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR SYMINGTON LEFT THE CHAMBER AT 6.17 PM AND RETURNED TO THE CHAMBER AT 6.19 PM DURING CONSIDERATION OF THIS ITEM.

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

***That Council receive the report on Investments for February and March 2009.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

## **7.3 Community Recycling Initiative "freecycle.com"**

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

***That Council receive the report on Community Recycling Initiative "freecycle.com".***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

#### **7.4 Legal Advice - Stop the Coal Mine**

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

- 1 That Council receive the report on Legal Advice - Stop the Coal Mine.**
- 2 That Council forward this advice to the Federal Member for Dobell, Mr Craig Thomson MP and ask him, in light of this advice, when he will be proposing his Private Members Bill to Stop the Coal Mine.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

#### **7.5 Outstanding Questions Without Notice and Notices of Motion**

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

**That Council receive the report on Outstanding Questions Without Notice and Notices of Motion.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

## **9.1 Notice of Motion - Corporate Uniform**

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COUNCILLOR BEST LEFT THE CHAMBER AT 6.32 PM AND RETURNED TO THE CHAMBER AT 6.34 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR WYNN LEFT THE CHAMBER AT 6.45 PM AND RETURNED TO THE CHAMBER AT 6.45 PM DURING CONSIDERATION OF THIS ITEM 6.47 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council investigate and report on sourcing an Australian owned and produced corporate uniform.***
- 2 That the report identify whether the full range of the corporate uniform can be sourced from a single or multiple supplier.***
- 3 That Council also report on existing supply contracts and the way Council supports Australian and locally produced goods and services.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

## **9.2 Notice of Motion - Recording of Council Meetings**

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COUNCILLOR BEST LEFT THE CHAMBER AT 6.48 PM AND RETURNED TO THE CHAMBER AT 6.49 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council seek legal advice on the legal exposure of Councillors and staff associated with the current practice of recording Council meetings and any future proposal to webcast Council meetings.***
- 2 That a report on the legal advice be presented to Council at the earliest opportunity.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

### **9.3 Notice of Motion - Review of Briefing Schedule**

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

***That Council set aside at the conclusion of staff briefings (3:30pm) a 60 minute Councillor discussion session that will afford Councillors the opportunity to discuss key and emerging issues.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

### **9.4 Notice of Motion - Monthly Payment of Rates**

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

- 1 That in order to minimise the hardship of the rate increases proposed to be introduced by Council in the 2009-10 financial year, Council promote the option for ratepayers to pay their rates by monthly or fortnightly instalments.***
- 2 That Council publicise the option in 1 above at the time the 2009-10 rate notices and instalment reminders are posted to ratepayers.***
- 3 That Council publicity include the provision of a leaflet with the rate notice explaining the option to pay by monthly or fortnightly instalments together with press and website promotion.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

## **9.5 Notice of Motion - "E" Coal Poll**

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MR JOHN LEWER, ON BEHALF OF STOP KOREAN COAL MINING, ADDRESSED THE MEETING AT 7.12 PM, ANSWERED QUESTIONS AND RETIRED AT 7.37 PM.

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

**That Council reiterate its objection to the coal mine and request staff to:**

- a conduct an IT security review in relation to the validity of the results of an Epoll and**
- b report findings to the next Council meeting on 27 May 2009.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: COUNCILLORS McBRIDE AND MATTHEWS.

### **QUESTIONS WITHOUT NOTICE ASKED**

#### **Q030 – DA for Proposed Shared Pathway at Mannering Park Foreshore Councillor Symington**

LA/55/2009

*“Can staff please provide a report on the status of “development assessment” for the proposed shared path at Mannering Park Foreshore?”*

#### **Q031 – Community Art Structure at Watanobbi Councillor Matthews**

F2007/00792

*“Can staff please advise what is happening with community art structure of the W now a V at Watanobbi?”*

#### **Q032 – Maintenance of Wadalba School Oval Councillor Eaton**

F2004/12560

*“Could staff advise on level of maintenance at Wadalba School Oval and/or other reasons for its unserviceability?”*



**Q033 – Audited Accounts of Australian Coal Alliance’s Expenditure and Income  
Councillor Eaton**

F2004/07086

*“Could the Mayor or staff obtain audited accounts as to Australian Coal Alliance’s expenditures and income given Council’s support of it with public money?”*

**CONFIDENTIAL SESSION**

AT THIS STAGE OF THE MEETING BEING 8.23 PM COUNCIL MOVED INTO CONFIDENTIAL SESSION WITH THE PRESS AND THE PUBLIC EXCLUDED.

**OPEN SESSION**

COUNCIL RESUMED IN OPEN SESSION AT 8.33 PM AND THE GENERAL MANAGER REPORTED ON PROCEEDINGS OF THE CONFIDENTIAL SESSION OF THE ORDINARY MEETING OF COUNCIL AS FOLLOWS:

**10.1 Warnervale Airport**

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- 1 That Council reject the offer by Mirvac.**
- 2 That Council instruct the General Manager to pursue discussions with the Central Coast Aero Club.**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.34 PM.

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CHAIRPERSON