
WYONG SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 23 June 2010 COMMENCING AT 5:00:00 PM

PRESENT

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

IN ATTENDANCE

General Manager, Director Shire Planning, Director Shire Services, Director Corporate Services, Manager Development Assessment, Acting Manager Future Planning, and Project Director Mardi to Mangrove Project.

Manager Planning – Legal and Policy, Executive Manager Shire Services, Manager Customer and Community Services, Manager Contracts and Special Projects, Landscape Architect – Future Planning and two administration staff.

The Mayor advised that on Tuesday the General Manager attended a meeting of the Wyong Chamber of Commerce as a guest speaker and invited him to give Council an update.

The General Manager reported that both he and Councillor McBride attended the meeting which was well attended by over one hundred people. He was impressed by the level of enthusiasm shown by the business community. The Chamber views Wyong Shire Council as a business partner and is looking to have a better and more transparent relationship with Council to overcome a misleading public perception that it is wrong for someone from the business community to talk to Councillors. In reality Councils in regional areas and the business community need to form alliances and work in partnership in order to get the best possible outcome to compete against other metropolitan areas such as Sydney. Efforts should be made to improve relationships and change perceptions via the media to inform the public and take Wyong Shire forward.

Councillor Emma McBride, in her capacity as the Wyong Council representative on the Wyong Chamber of Commerce, thanked the General Manager for the presentation he gave.

The Mayor, Councillor Graham, declared the meeting open at 5.04 pm and advised in accordance with the Code Of Meeting Practice that the meeting is being recorded.

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

APOLOGIES

There were no apologies.

1.1 Disclosure of Interest

2.3 A Van Stappen Pty Limited – V – Wyong Shire Council Deed of Settlement and Release

Councillor Eaton declared a pecuniary interest in the matter for the reason that he is the solicitor for the plaintiff, left the meeting at 5.53 pm, took no part in voting and returned to the meeting at 6.05 pm.

2.4 DA 1396/2009 – Proposed Health Services Facility at Woongarra

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that he is a member of the Joint Regional Planning Panel which is determining the application, vacated his chair at 6.05 pm, took a seat in the public gallery during consideration of this matter and returned to his chair at 6.28 pm after voting was completed.

2.4 DA 1396/2009 – Proposed Health Services Facility at Woongarra

Councillor Symington declared a non-pecuniary significant conflict of interest in the matter for the reason that he is a member of the Joint Regional Planning Panel which is determining the application, vacated his chair at 6.05 pm, took a seat in the public gallery during consideration of this matter and returned to his chair at 6.28 pm after voting was completed.

4.1 Contract Variations and Finalisation – May 2010

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that with regard to Contract No 158914 he is the Chair of WYCRA that has a management agreement with YMCA for bingo and had one with LeisureCo, left the meeting at 7.38 pm, took no part in voting and returned to the meeting at 7.39 pm.

5.4 Proposed Councillors Community Improvement Grants

Councillor Wynn declared a non-pecuniary insignificant conflict of interest in the matter for the reason that her husband is a member of the Masters Cricket Team for Doyalson Wyee Cricket Club which is an applicant and in respect of the application from Tracey Maguire in conjunction with San Remo Neighbourhood Centre, the events will be held in her community of Mannering Park.

Councillor Wynn 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 EATON and seconded by Councillor WEBSTER:

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

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

AGAINST: NIL

1.2 Proposed Inspections

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

That Council receive the report on Proposed Inspections.

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

AGAINST: NIL

1.3 Address By Invited Speakers

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

That Council receive the report on Invited Speakers.

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

AGAINST: NIL

1.4 Confirmation of Minutes of Previous Meeting

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

That Council confirm the minutes of the previous Ordinary Meeting of Council held on 9 June 2010.

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

AGAINST: NIL

Business Arising

There was no business arising.

2.1 Adoption of Annual Plan 2010-11

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

- 1 That Council receive the submissions concerning the Draft 2010-11 Annual Plan.**
- 2 That Council adopt the Draft 2010-11 Annual Plan and the estimates of income and expenditure inclusive of changes as detailed in this report.**
- 3 That Council set the rate and charge rebates to pensioners for the year 2010-11 in accordance with relevant legislation and Council policy.**
- 4 That Council is of the opinion that the following rateable land will derive benefit from the business related costs of The Entrance Town Centre Management as detailed in Attachment 1:**
 - a All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburb known as The Entrance.**
 - b All land used as Major Facilities servicing tourists including Service Stations, Camp or Caravan Sites, Registered Clubs, Tourist Accommodation and Hotels/Motels as defined in Council's current Local Environmental Plan (LEP) and District Shopping Centres as defined in Council's current Retail Strategy in the suburbs known as The Entrance North, The Entrance, Blue Bay, Long Jetty, Toowoan Bay, Shelly Beach, Bateau Bay and Magenta.**
 - c All land used as rental accommodation and which is categorised as Residential under Section 516 of the Local Government Act, 1993 which is rented or leased for periods of three months or less in the suburbs known as The Entrance North, The Entrance, Blue Bay and Toowoan Bay.**
- 5 That Council is of the opinion that the following rateable land will derive benefit from the business related costs of the Greater Toukley Vision as detailed in Attachment 2:**

All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburbs known as Toukley, Canton Beach, Noraville and Norah Head.
- 6 That Council is of the opinion that the following rateable land will derive benefit from the business related costs of the Wyong-Tuggerah Chamber of Commerce as detailed in Attachment 3:**
 - a All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburb known as Watanobbi.**
 - b All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburb known as Wyong, bounded by the following:**
 - North of the Wyong River from Tacoma in the east to the F3 Freeway in the west;**

- **East of the F3 Freeway from the Wyong River to the suburb boundary between Wyong and Warnervale but to exclude Lot 32 DP 814964;**
 - **South of the northern Wyong boundary to its intersection with the Pacific Highway and then south of the Pacific Highway to the intersection of Pollock Avenue, but to include Lot 400 DP 1114793, Lot 1 DP 411020, Lot 3 DP 607756 and Lot 1 DP 1090455 (these lots being to the north of the Pacific Highway; and**
 - **The eastern boundary of the suburb of Wyong from Johns Road to Wyong River.**
- 7 **That Council set the fees and charges for 2010-11 as detailed in the Revenue Policy and incorporating the changes outlined in this report.**
- 8 **That Council authorise the General Manager to borrow up to a total of \$27,750,000 from financial institutions with an Australian banking licence and \$2,457,000 from the Department of Lands in accordance with the Annual Plan.**
- 9 **That Council fully fund the position of an Indigenous Community Development Worker permanently whilst also seeking additional funds from the State/Federal Governments and the Darkinjung Land Council.**
- 10 **That Council be presented with a works program including a budget for the Indigenous Community Development Worker.**

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

AGAINST: NIL

2.2 Making and Fixing of Rates and Charges for 2010-11

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

- 1 **That Council make the following ordinary rates for 2010-11 consisting of a base amount to which an ad valorem amount is added, pursuant to Sections 492-494, 497-500, 535-537 of the Local Government Act 1993:**

Ordinary Rate Category Under Section 493	Base Amount	% revenue sourced from base amount for each category	Ad Valorem Amount (cents in the \$)
<i>Farmland</i>	\$158.00	7.73%	0.1953
<i>Residential</i>	\$158.00	19.07%	0.3366
<i>Mining</i>	\$158.00	0.33%	3.7399
<i>Business</i>	\$158.00	5.63%	0.6130

- 2 That Council **make** the following special rates and amounts for 2010-11 consisting of a base amount to which an ad valorem amount is added, pursuant to Sections 492, 495, 497-500, 535-538 of the Local Government Act 1993:

Special Rate	Base Amount	% revenue sourced from base amount for each category	Ad Valorem Amount (cents in the \$)
<i>The Entrance Town Centre</i>	\$71.00	13.53%	0.2238
<i>Non Residential Properties Toukley Area</i>	\$71.00	10.13%	0.2134
<i>Non Residential Properties Wyong Area</i>	\$71.00	17.97%	0.0874

- 3 That Council **adopt** the following descriptions of rateable land to which each special rate will apply for 2010-11, pursuant to Section 495 of the Local Government Act 1993:

- a **The Entrance Town Centre Special Rate will apply to the following rateable land:**

- i All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburb known as The Entrance.*
- ii All land used as Major Facilities servicing tourists including Service Stations, Camp or Caravan Sites, Registered Clubs, Tourist Accommodation and Hotels/Motels as defined in Council's current Local Environmental Plan (LEP) and District Shopping Centres as defined in Council's current Retail Strategy in the suburbs known as The Entrance North, The Entrance, Blue Bay, Long Jetty, Toowoan Bay, Shelly Beach, Bateau Bay and Magenta.*
- iii All land used as rental accommodation and which is categorised as Residential under Section 516 of the Local Government Act, 1993 which is rented or leased for periods of three months or less in the suburbs known as The Entrance North, The Entrance, Blue Bay and Toowoan Bay.*

- b **The Non Residential Properties Toukley Area Special Rate will apply to all rateable land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in suburbs known as Toukley, Canton Beach, Noraville and Norah Head.**

- c **The Non Residential Properties Wyong Area Special Rate will apply to all rateable land used for business purposes and categorised as such in accordance with Section 518 of the Local Government 1993 in the following areas:**

- i The suburb known as Watanobbi.*
- ii The suburb known as Wyong, bounded by the following:*
 - North of the Wyong River from Boyce Avenue in the east to the F3 Freeway in the west.*
 - East of the F3 Freeway from the Wyong River to the suburb boundary between Wyong and Warnervale but to exclude Lot 32 DP 814964.*

- **South of the northern Wyong boundary to its intersection with the Pacific Highway and then south of the Pacific Highway to the intersection of Pollock Avenue, but to include Lot 400 DP 1114793, Lot 1 DP 411020, Lot 3 DP 607756 and Lot 1 DP 1090455 (these lots being to the north of the Pacific Highway).**
- **The eastern boundary of the suburb of Wyong from Johns Road to Wyong River.**

4 That Council make the following schedule of annual charges for stormwater management services for 2010-11, pursuant to Sections 496(A) and 510(A) of the Local Government Act 1993:

Stormwater Management Charge	Unit of Charge	Charge
<i>Residential</i>	<i>Per property</i>	<i>\$25.00</i>
<i>Residential Strata</i>	<i>Per lot</i>	<i>\$12.50</i>
<i>Residential Company Title</i>	<i>Per Company Title complex apportioned according to the number of shares in the company owned by each shareholder</i>	<i>\$25.00</i>
<i>Business</i>	<i>Per 850 square metres or part thereof of the land area of the property to a maximum of \$5,000 per property</i>	<i>\$25.00</i>
<i>Business Strata</i>	<i>Per 850 square metres or part thereof of the land area of the strata complex to a maximum of \$5,000 per strata complex, apportioned equally to each lot within the strata complex</i>	<i>\$25.00</i>
<i>Business Company Title</i>	<i>Per 850 square metres or part thereof of the land area of the Company Title complex to a maximum of \$5,000 per Company Title complex, apportioned according to the number of shares in the company owned by each shareholder</i>	<i>\$25.00</i>

5 That Council make the following Domestic Waste Management Charges for 2010-11, pursuant to Section 496 of the Local Government Act 1993:

Description	Charge each
<i>Domestic Waste Management Charge</i>	<i>\$348.50</i>
<i>Domestic Waste Management Availability Charge</i>	<i>\$ 51.75</i>
<i>Domestic Waste Management Charge – Additional 240 litre Vegetation Bin Service</i>	<i>\$ 75.70</i>
<i>Domestic Waste Management Charge – 240 litre Waste Upgrade</i>	<i>\$ 76.50</i>
<i>Domestic Waste Management Charge – Additional 240 litre Waste Bin Service</i>	<i>\$287.60</i>
<i>Domestic Waste Management Charge – Additional 140 litre Waste Bin Service</i>	<i>\$188.90</i>
<i>Domestic Waste Management Charge – Additional 240 litre Recycling Bin Service</i>	<i>\$ 63.40</i>
<i>Domestic Waste Management Charge – West of F3 Freeway</i>	<i>\$286.20</i>
<i>Domestic Waste Management Charge – Additional Short Term Extra Service – 140 litre Waste Bin - price per service</i>	<i>\$ 13.35</i>
<i>Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Waste Bin - price per service</i>	<i>\$ 14.10</i>
<i>Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Recycling Bin - price per service</i>	<i>\$ 12.35</i>
<i>Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Vegetation Bin - price per service</i>	<i>\$ 13.00</i>

6 That Council **continue** the current policy of not providing a Domestic Waste Management service to parcels of land which have no Council approval for a residential building.

7 That Council **make** the following Waste Management Charges for 2010-11, pursuant to Section 501 of the Local Government Act 1993:

Description	Charge each
Waste Management Charge – 140 litre Waste Bin Service	\$ 204.70
Waste Management Charge – 240 litre Recycling Bin Service	\$ 63.40
Waste Management Charge –240 litre Vegetation Bin Service	\$ 75.70
Waste Management Charge - 240 litre Waste Bin Service	\$ 311.40
Waste Management Charge - 660 litre Waste Bin Service	\$1,242.00
Waste Management Charge - 1.1 cubic metre Waste Bin Service	\$1,794.00
Waste Management Charge - 1.5 cubic metre Waste Bin Service	\$2,422.00
Waste Management Charge - 3.0 cubic metre Waste Bin Service	\$4,174.00

8 That Council **apply** a proportional charge adjustment, calculated on a weekly basis, where Domestic Waste Management or Waste Management services commence or cease during the year.

9 That Council **charge** the maximum interest rate as specified by the Minister for Local Government and published in the Government Gazette in respect of overdue rates and charges levied under the Local Government Act 1993 and this interest be calculated on a daily basis using the simple interest method in accordance with Section 566 of the Local Government Act 1993, for the period of 1 July 2010 to 30 June 2011.

10 Incentive Scheme

a That Council **offer** an incentive scheme for those eligible ratepayers who elect to pay, their 2010-11 Rates and Charges in full by 31 August 2010 and for those ratepayers who elect to pay by direct debit.

b That Council **implement** the incentive scheme in accordance with the rules detailed in Attachment 1.

c That Council **consider** a report detailing the success or otherwise of the scheme following the scheme period.

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

AGAINST: NIL

**2.3 A Van Stappen Pty Limited -V- Wyong Shire Council
Deed of Settlement and Release**

Councillor Eaton declared a pecuniary interest in the matter for the reason that he is the solicitor for the plaintiff, left the meeting at 5.53 pm, took no part in voting and returned to the meeting at 6.05 pm.

The General Manager noted that a date mentioned in the report in the first paragraph under the heading of Legal Options Available to Council, on page 61 of the Business Paper, was incorrectly stated as "Friday, 21 May" when it should have been "Friday, 14 May 2010".

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

- 1 That Council endorse the Settlement Agreement outlined in the Deed of Settlement and Release.**
- 2 That Council authorise the General Manager to execute the Deed of Settlement and Release.**
- 3 That Council seek an appropriate contribution from HWL Ebsworth towards the settlement of the matter.**

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

AGAINST: NIL

2.4 DA 1396/2009 - Proposed Health Services Facility at Woongarra

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that he is a member of the Joint Regional Planning Panel which is determining the application, vacated his chair at 6.05 pm, took a seat in the public gallery during consideration of this matter and returned to his chair at 6.28 pm after voting was completed.

Councillor Symington declared a non-pecuniary significant conflict of interest in the matter for the reason that he is a member of the Joint Regional Planning Panel which is determining the application, vacated his chair at 6.05 pm, took a seat in the public gallery during consideration of this matter and returned to his chair at 6.28 pm after voting was completed.

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

- 1 That Council provide a submission, in the form of this report, to the Hunter and Central Coast Joint Regional Planning Panel indicating its strong support for the application.**
- 2 That Council request the Hunter and Central Coast Joint Regional Planning Panel vary the height requirements specified in SEPP (Major Development) 2005 to permit the development.**

- 3** *That Council request the Director-General/ Hunter and Central Coast Joint Regional Planning Panel to grant concurrence to the variation to the maximum height of the building.*

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

AGAINST: NIL

2.5 Waste Levy - Section 88 Audit Negotiations

Councillor Best left the chamber at 6.28 pm and returned to the chamber at 6.33 pm during consideration of this item.

Councillor Matthews left the chamber at 6.29 pm and returned to the chamber at 6.31 pm during consideration of this item.

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

That Council endorse the agreement reached between the parties.

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

AGAINST: NIL

2.6 Wyong Shire Council ats Environment Protection Authority Land and Environment Court Proceedings No 50014, 50015 and 50016 of 2010

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

- 1** *That Council endorse the agreement reached between the parties.*
- 2** *The Council authorise the General Manager to action the agreement.*
- 3** *That a report be submitted to Council in December 2010 outlining the status of the implementation of the proposed cultural change.*

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

AGAINST: NIL

2.7 Proposed Funding Agreement between Wyong Shire Council and Central Coast Tourism Incorporated

Councillor Wynn left the chamber at 6.45 pm and returned to the chamber at 6.47 pm during consideration of this item.

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

- 1 That Council allocate a further \$55,000 to Central Coast Tourism Inc (CCTI) for the 2010-11 financial year bringing the total subsidy for the 2010-11 financial year to \$150,000 and that Council determine the source of funding from the list of allocations made to their priority list projects which are attached to the report.**
- 2 That Council enter into a Memorandum Of Understanding with CCTI that addresses funding, reporting and compliance with the destination management plan prior to allocation of funding in the 2011-12 Management Plan.**

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

AGAINST: NIL

3.1 DA/664/2009 Proposed Dual Occupancy at Lakeside Parade, Long Jetty

Councillor Vincent left the chamber at 6.59 pm and returned to the chamber at 7.00 pm during consideration of this item.

It was MOVED by Councillor WYNN and SECONDED by Councillor GRAHAM:

That Council refer the application to the General Manager for determination having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, with an indication that based on the information available to it, Council is not supportive of the proposed development.

An AMENDMENT was MOVED by Councillor EATON and SECONDED by Councillor BEST:

- 1 That Council defer this matter for negotiations between the General Manager, The Mayor and the applicant.*
- 2 That, in the absence of any successful negotiations, Council refer the application to the General Manager for determination having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, with an indication that based on the information available to it, Council is not supportive of the proposed development.*

The AMENDMENT was put to the vote and declared LOST.

FOR: COUNCILLORS BEST AND EATON

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

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

That Council refer the application to the General Manager for determination having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, with an indication that based on the information available to it, Council is not supportive of the proposed development.

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

AGAINST: COUNCILLORS BEST AND EATON

3.2 Comprehensive Local Environmental Plan Review Project

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

- 1 *That Council continue to progress the Comprehensive Local Environmental Plan Review Project in accordance with Option 4 outlined within this report such that the LEP, the North Wyong Structure Plan and the Central Coast Regional Conservation Plan are exhibited concurrently.***
- 2 *That Council continue to lobby the Department of Planning and Department of Environment, Climate Change and Water regarding the importance of finalising the North Wyong Shire Structure Plan and Central Coast Regional Conservation Plan.***
- 3 *That staff prepare and implement a community education program that details the contents of the Standard Instrument and its applicability to the Comprehensive LEP.***

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

AGAINST: NIL

4.1 Contract Variations and Finalisation - May 2010

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that with regard to Contract No 158914 he is the Chair of WYCRA that has a management agreement with YMCA for bingo and had one with LeisureCo, left the meeting at 7.38 pm, took no part in voting and returned to the meeting at 7.39 pm.

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

- 1 That Council note the Contract Variations and Finalisation May 2010 report (Attachment 1).
- 2 That Council approve additional expenditure above resolved estimates for the following contracts:

Contract Title	Contract No	Additional Expenditure
Wyong Coastline Management Plan	2328	\$10,000.00
Local Area Newspaper Advertising	CPA/132383	\$100,000.00

- 3 That Council note the additional expenditure requested is within approved program budgets.

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

AGAINST: NIL

5.1 Review of All Boat Ramps within Wyong Shire

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

- 1 That the Future Planning Unit work programme for 2010/2011 be amended to incorporate the development of a Boat Ramp/Aquatic Infrastructure Strategy for Council's consideration.
- 2 That the Draft Strategy include the following:
 - Locational principles;
 - Levels of Service;
 - Priorities for upgrading, maintenance, replacement or removal;
 - Work program to be incorporated into the 4 year Delivery Plan.
- 3 That the Draft Strategy (and pending preparation of the Strategy, any proposal for upgrading boat ramp infrastructure) be subject to a comprehensive community engagement process.

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

AGAINST: NIL

5.2 Policies on Grants and Sponsorship

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

- 1 That Council adopt the Policy, as amended, on Grants and Sponsorship (Outward).**
- 2 That Council adopt the Policy, as amended, on Corporate Sponsorships and Donations (Inward).**
- 3 That Council agree the Grants Committee Charter be amended to include the oversight of all outward grants and sponsorships and the amendment subsequently approved by Council resolution.**
- 4 That Council authorise staff to reflect the change to the Charter in the Grant Committee's internal procedural document.**
- 5 That Council promote and advertise these Policies.**

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

AGAINST: NIL

5.3 Minutes - Wyong Shire Seniors Citizens Council meeting - 27 May 2010

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

That Council receive the report on Minutes – Wyong Shire Senior Citizens' Council Meeting – 22 April 2010 and adopt the recommendations contained therein.

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

AGAINST: NIL

5.4 Proposed Councillors' Community Improvement Grants

Councillor Wynn declared a non-pecuniary insignificant conflict of interest in the matter for the reason that her husband is a member of the Masters Cricket Team for Doyalson Wyee Cricket Club which is an applicant and in respect of the application from Tracey Maguire in conjunction with San Remo Neighbourhood Centre, the events will be held in her community of Mannering Park.

Councillor Wynn 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 EATON and seconded by Councillor SYMINGTON:

That Council allocate an amount of \$10,736.00 from the 2009-10 Councillors' Community Improvement Grants as outlined in the report.

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

AGAINST: NIL

5.5 Amendment to Delegation of Authority to General Manager

Councillor Best left the chamber at 8.22 pm and returned to the chamber at 8.23 pm and as a result took no part in voting.

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

- 1 That Council revoke any previous delegation or sub-delegation of the functions of the Council to the General Manager of the Council.**
- 2 That Council delegates to the General Manager of the Council all of its functions except for those functions which must not be delegated pursuant to section 377(1) of the Local Government Act, 1993 or those specifically excluded within this instrument.**
- 3 That Council sub-delegates to the General Manager of the Council all functions delegated to the Council except as provided in the relevant instrument of delegation to the Council.**
- 4 That Council authorise these delegations to be effective from 23 June 2010.**
- 5 That the General Manager provide a report on the sub delegations to other Council positions in the organisation by September 2010.**

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

AGAINST: NIL

6.1 Information Reports

Councillor Best left the chamber at 8.22 pm and returned to the chamber at 8.23 pm during consideration of this item.

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

That with the exception of report numbers 6.2 and 6.8 Council receive the information reports and adopt the recommendations.

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

AGAINST: NIL

6.2 Central Coast Capital - Response from the Minister for Planning

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

- 1 That Council receive the report on Central Coast Capital - Response from the Minister for Planning.**
- 2 That Council direct staff to note the need for a submission in this regard at the appropriate time prior to the next version of the Central Coast Regional Strategy.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MCNAMARA, SYMINGTON AND WEBSTER

AGAINST: COUNCILLORS MATTHEWS, MCBRIDE, VINCENT AND WYNN

6.3 Activities of the Development Assessment Unit

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

That Council receive the report on Activities of the Development Assessment Unit.

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

AGAINST: NIL

6.4 General Works in Progress

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

That Council receive the report on General Works in Progress.

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

AGAINST: NIL

6.5 Works in Progress Report - Water Supply and Sewerage

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

That Council receive the report on Works in Progress Report - Water Supply and Sewerage.

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

AGAINST: NIL

6.6 Mardi to Mangrove Link Project Status

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

That Council receive the report on Mardi to Mangrove Link Project Status.

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

AGAINST: NIL

6.7 Investments for May 2010

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

That Council receive the report on Investments for May 2010.

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

AGAINST: NIL

6.8 Update on the Formation of the Central Coast Water Corporation

Councillor Webster left the chamber at 8.38 pm and returned to the chamber at 8.39 pm during consideration of this item.

It was MOVED on the motion of Councillor EATON and seconded by Councillor BEST:

- 1 *That Council note the report on the update on the formation of the Central Coast Water Corporation.*
- 2 *That Council defer the formation of a project team pending the preparation of an internal impact assessment as set out in Notice Of Motion 8.1 – Water Corporation Impact Assessment included in this business paper.*

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

That Council note the report on the Update on the Formation of the Central Coast Water Corporation.

The AMENDMENT was put to the vote and declared CARRIED.

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

The AMENDMENT became the MOTION

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

That Council note the report on the Update on the Formation of the Central Coast Water Corporation.

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

6.9 Outstanding Questions Without Notice and Notices of Motion

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

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

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

8.1 Notice of Motion - Water Corporation Impact Assessment

Councillor Eaton requested that this item be discussed and considered in conjunction with Item 6.8 -Update on the Formation of the Central Coast Water Corporation.

QUESTIONS WITHOUT NOTICE

Q86/10 Extension of Consent Period for Current Development Consents

Councillor Eaton

F2004/07052

“Could Council staff confirm that all current live Development Applications now have a five year consent period due to new State Government Regulation?”

Q87/10 Fees payable by Central Coast Triathlon and Multi Sports Club for use of Council facilities

Councillor Best

F2010/00500

I table a letter from Central Coast Triathlon and Multi Sports Club seeking review of fees charged by Council to a not for profit community organisation to hold an event. Could the currently outstanding amount be held in abeyance pending review by staff?

THE MEETING closed at 9.15 pm.