
WYONG SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 25 FEBRUARY 2009,
COMMENCING AT 5.01 PM

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, S A WYNN.

IN ATTENDANCE

GENERAL MANAGER, 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 ESTUARY MANAGEMENT, MANAGER WATER AND WASTE, MANAGER REGULATION AND COMPLIANCE, MANAGER PLANNING – LEGAL AND POLICY AND DEVELOPMENT PLANNER.

THE MAYOR REPORTED THAT:

- * A TOTAL OF OVER \$30,000 HAS BEEN RAISED FOR THE RED CROSS VICTORIAN BUSHFIRE APPEAL. THIS HAS BEEN A RESULT OF THE COUNCIL DONATION FROM THE 11 FEBRUARY 2009 ORDINARY MEETING, COUNCIL STAFF FUNDRAISING AND DONATIONS MADE THROUGH THE COUNCILLORS COMMUNITY IMPROVEMENT GRANTS.

HE WOULD LIKE TO THANK COUNCILLORS McNAMARA AND MATTHEWS IN SUPPORTING HIM WITH THEIR DONATIONS AND WOULD LIKE TO ENCOURGE OTHER COUNCILLORS TO ALSO DONATE.

- * A NUMBER OF COUNCIL STAFF WHO ARE MEMBERS OF THE RURAL FIRE SERVICE HAVE BEEN GRANTED PAID LEAVE OF ABSENCE TO ASSIST AND RELIEVE THE FIREFIGHTERS IN THE BUSHFIRE DEVASTATED AREAS IN VICTORIA.

COUNCILLOR WYNN ADDRESSED THE CHAMBER;

- * ON BEHALF OF COUNCIL SHE WOULD LIKE TO CONGRATULATE THE CENTRAL COAST TEAMS IN THEIR ACHIEVEMENT AT THE WATER POLO CHAMPIONSHIPS WHICH WAS RECENTLY HELD AT WYONG AQUATIC CENTRE.

THE MAYOR REPORTED THAT:

- * COUNCIL HAS A UNIVERSITY SCHOLARSHIP PROGRAM FOCUSING ON THE SKILLS SHORTAGE AREAS. THE SCHOLARSHIP PROGRAM OFFERS SUPPORT FOR FOUR LOCAL FIRST YEAR STUDENTS INCLUDING \$2,500 AND THE OPPORTUNITY TO UNDERTAKE PAID CASUAL EMPLOYMENT WITH COUNCIL DURING THEIR UNIVERSITY BREAKS COMPLEMENTARY TO THEIR STUDIES. THE 2009 UNIVERSITY SCHOLARSHIPS WERE PRESENTED TO:

- MISS JAIMIE HAWKSFORD – BACHELOR OF BUSINESS/FINANCE
- MR JORDAN FRIEZE – BACHELOR OF BUSINESS/COMMERCE
- MISS SAMANTHA MILLICAN – BACHELOR OF TEACHING/EARLY CHILDHOOD TEACHING
- MISS TAHLIA ALEXANDER – BACHELOR OF URBAN AND REGIONAL PLANNING

THE MAYOR, COUNCILLOR GRAHAM, DECLARED THE MEETING OPEN AT 5.01 PM AND ADVISED IN ACCORDANCE WITH THE CODE OF MEETING PRACTICE THAT THE MEETING IS BEING RECORDED.

JOHN HARDWICK READ AN ACKNOWLEDGMENT OF COUNTRY STATEMENT AND DELIVERED THE OPENING PRAYER.

APOLOGIES

THERE WERE NO APOLOGIES.

AT THE COMMENCEMENT OF THE ORDINARY MEETING REPORT NOS 1.1, 1.2, 1.3, 1.4, 1.5, 2.1, 3.1, 4.1 AND 8.2, 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 Disclosure of Interest

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

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

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

AGAINST: NIL.

1.2 Proposed Briefings

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

That Council receive the report on Proposed Briefings.

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

AGAINST: NIL.

1.3 Proposed Inspections

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

That Council receive the report on inspections conducted on Wednesday, 25 February 2009.

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

AGAINST: NIL.

1.4 Address By Invited Speakers

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

- 1 That Council receive the amended report on Invited Speakers.**
- 2 That Council agree standing orders be varied to allow reports from Director's and/or the General Manager to be dealt with following an Invited Speaker's address.**

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

AGAINST: NIL.

1.5 Confirmation of Minutes of Previous Meeting

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

That Council confirm the minutes of the previous Ordinary Meeting of Council held on 11 February 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

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

- 1 That pursuant to Section 10A(2)(d) and 10A(2)(c) of the Local Government Act, 1993, the following report be dealt with in Confidential Session:**

10.1 – “Body Hire” Employees

10.2 – Mardi – Mangrove Link

- 2 *That the reason for dealing with Report No 10.1 – “Body Hire” Employees confidentially is that it contains personnel matters concerning particular individuals and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*
- 3 *That the reason for dealing with the Report No 10.2 – Mardi - Mangrove Link confidentially is that it is information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*
- 4 *That Council request the General Manager in accordance with Section 253 of the Local Government Regulations 2005 report on this matter to the meeting in Open Session.*

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

AGAINST: NIL.

3.1 Granting of Easements for Electricity Purposes over Council Land at Ourimbah, Glenning Valley and Tumbi Umbi

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

- 1 *That Council grant easements for electricity and other purposes over Council’s land, Lot 1 DP 1122895 at 39 Chittaway Road, Ourimbah and Lot 6 DP 241138 at Brush Road, Ourimbah to Energy Australia to accommodate a 132kv overhead transmission line.*
- 2 *That Council approve variation of the existing easements for transmission line over Council’s land, Lot 2 DP 580104 at Edye Road, Ourimbah, Lot 20 DP 735022 at Beckingham Road, Glenning Valley and Lot 2 DP 700153 at 21 Leetes Lane, Tumbi Umbi to Energy Australia to accommodate a 132kv overhead transmission line.*
- 3 *That Council grant an easement for access over Council’s land, Lot 20 DP 735022 at Beckingham Road, Glenning Valley to Energy Australia to provide access to the existing easement.*
- 4 *That Council grant a licence over Council’s land, Lot 2 DP 700153 at 21 Leetes Lane, Tumbi Umbi and Lot 101 DP 790685 at 19 Leetes Lane, Tumbi Umbi to Energy Australia to provide access over the land to the existing easement.*
- 5 *That Council authorise the Common Seal of the Wyong Shire Council to be affixed to related documents as required.*

- 6 That Council authorise the Mayor and the General Manager to execute all documents relating to the grant of easements and licences between Wyong Shire Council and Energy Australia.**

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

AGAINST: NIL.

4.1 Contract CPA 157279 - Development of the Tuggerah Lakes Hydrodynamic Modelling

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

That Council approve the engagement of the NSW Department of Environment and Climate Change for the contract in the amount of \$633,000 excluding GST.

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

AGAINST: NIL.

AT THIS STAGE OF THE MEETING COUNCIL CONSIDERED ITEM 8.2 - RESULTS OF WATER QUALITY TESTING FOR BATHING BEACHES.

4.2 Contract Variations - January 2009

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

- 1 That Council note the variations to contracts in Attachment 1.**
- 2 That Council approve additional contingency amounts for the following contracts to provide for further potential variations (values are excl GST).**

Contract Name	Contract No.	Contingency (ex GST)
Design and Tender Documentation of No 3 Aeration Tank at Charmhaven Sewage Treatment Plant	CPA/145814	\$16,000
Concept, Detail Design and Tender Documentation for Toukley STP Inlet Works Upgrade	CPA/136486	\$25,000

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

AGAINST: NIL.

5.1 Proposed Council Policy Review - Shire Planning Policies "F6 - Operation of Temporary Food Premises" and "E3 - Enforcement Policy"

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

- 1 That Council's draft Policies E3 Enforcement and F6 Operation of Temporary Food Premises be placed on public exhibition for a period of 28 days for public comment.**
- 2 That Council, subject to there being no objections that cannot be resolved by minor amendments to the policies, the policies be adopted under the delegation of the General Manager and appropriate public notice be given.**
- 3 That Council's Policy Manual be updated and made available to the public and staff via Council's webpage once the policies are adopted.**

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

AGAINST: NIL.

5.2 Proposed Councillors' Community Improvement Grants

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

That Council allocate an amount of \$7,416 from the 2008-09 Councillors' Community Improvement Grants as outlined in Attachment 1.

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

AGAINST: NIL.

6.1 2008-09 Management Plan - December 2008 Quarter Review

COUNCILLOR BEST LEFT THE CHAMBER AT 5.43 PM AND RETURNED TO THE CHAMBER AT 5.44 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR VINCENT LEFT THE CHAMBER AT 5.53 PM AND RETURNED TO THE CHAMBER AT 5.56 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council receive the report on the 2008-09 Management Plan - December 2008 Quarter Review.**

- 2** *That Council approve and endorse budget amendments proposed in this report in accordance with the December Quarter Review – 2008-09 Management Plan.*
- 3** *That Council note the advice from Council's Responsible Accounting Officer that in accordance with the Local Government (General) Regulation 2005 (Part 9 Division 3; Clause 203) that Council's financial position is satisfactory.*

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

AGAINST: NIL.

7.1 Minutes of the Wyong Shire Governance Committee Meeting – 11 February 2009

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

That Council receive the minutes of the Wyong Shire Governance Committee meeting held on 11 February 2009 and the recommendations contained therein be adopted.

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

AGAINST: NIL.

7.2 Minutes of the Gosford-Wyong Councils' Water Authority Board Meeting - 18 February 2009

COUNCILLOR McNAMARA LEFT THE CHAMBER AT 6.34 PM AND RETURNED TO THE CHAMBER AT 6.36 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR WYNN LEFT THE CHAMBER AT 6.36 PM AND RETURNED TO THE CHAMBER AT 6.37 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR MATTHEWS LEFT THE CHAMBER AT 6.41 PM AND RETURNED TO THE CHAMBER AT 6.43 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1** ***That Council receive the minutes of the Gosford-Wyong Councils' Water Authority Board meeting held on 18 February 2009 and the recommendations contained therein be adopted.***

2 That Council reconsider item 3.3 – Rainwater Tank Rebate Program at the Joint Meeting with Gosford City Council in light of the new Commonwealth Government Water Tank Rebate.

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

AGAINST: NIL.

8.1 Information Reports

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

That with the exception of report numbers 8.3, 8.5, 8.6 and 8.7 the information reports be received and the recommendations adopted.

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

AGAINST: NIL.

8.2 Results of Water Quality Testing for Bathing Beaches

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

That Council receive the report on Results of Water Quality Testing for Bathing Beaches.

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

AGAINST: NIL.

8.3 Activities of the Development Assessment Unit

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

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

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

AGAINST: NIL.

8.4 Water and Sewerage - Works in Progress

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

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

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

AGAINST: NIL.

8.5 General Works in Progress

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

That Council receive the report on General Works in Progress and note that the estimated completion date for Eastern Road, Tumbi Umbi roadworks and drainage construction is amended to 31 March 2009.

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

AGAINST: NIL.

8.6 Dredging of Boat Harbour Summerland Point

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

- 1 That Council receive the report on Dredging of Boat Harbour Summerland Point.***
- 2 That dredging of the channel proceed at the earliest possible date following receipt of all approvals and permits.***
- 3 That staff make application for funding assistance through State Member Robert Coombs MP and any other alternative sources of funding possibly available.***
- 4 That further consultation take place with the community to identify possible alternatives.***
- 5 That appropriate funds be made available in the upcoming draft budget.***

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

AGAINST: NIL.

8.7 Workforce Status and Movements

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

That Council receive the report on Workforce Status and Movements.

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

AGAINST: NIL.

8.8 Outstanding Questions Without Notice and Notices of Motion

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

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 - Motor Sports and Driver Education Facility

MR GRAHAM WATSON, RESIDENT, ADDRESSED THE MEETING AT 7.13 PM, ANSWERED QUESTIONS AND RETIRED AT 7.28 PM.

COUNCILLOR SYMINGTON LEFT THE CHAMBER AT 7.30 PM AND RETURNED TO THE CHAMBER AT 7.31 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1** ***That Council recognise in principle the need to establish a regional motor sport and driver education facility with a view to catering for a broad range of activities including driver education and training opportunities.***
- 2** ***That Council determine, in partnership with the relevant Government Departments and various peak motor sport organisations, the level of industry support for the establishment of such a regional community facility.***

- 3 ***That Council seek Expressions of Interest from potential user groups to provide User Group requirements including their potential usage level of such a facility and an indicative list of potential events which may be attracted including races showcasing vehicles using alternative technologies.***
- 4 ***That Council investigate possible locations for a motor sport and driver education facility based on user group requirements.***
- 5 ***That Council seek Expressions of Interest to build, operate and manage the facility including any alternate Financial Models including any benefits and revenue to the community and Council. Responses should include how they intend to offset green house gas emissions to make the motor sport carbon neutral.***

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

AGAINST: NIL.

9.2 Notice of Motion - The Entrance Channel WebCam

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

- 1 ***That Council investigate the possible benefits of utilising the growing web technology known as “webcam” in The Entrance Channel to assist various organisations, departments and the general public to gain important information vital to improved channel management.***
- 2 ***That Council also investigate the possibility of sponsorship financing the channel webcams, instead of Council funding.***

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

AGAINST: NIL.

9.3 Notice of Motion - Recycle/Re-use Initiative

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

That staff provide a preliminary report to Council on the recycle/re-use initiative of Cessnock and Lake Macquarie City Councils known as the Tip Shop/Re-use Centre hosted at the Councils’ respective waste management facilities.

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

AGAINST: NIL.

9.4 Notice of Motion - Council's Animal Care Facility Review

MR GLENN SIGLEY, REPRESENTING TOUKLEY VETERINARY CLINIC, ADDRESSED THE MEETING AT 7.42 PM, ANSWERED QUESTIONS AND RETIRED AT 7.48 PM.

COUNCILLOR VINCENT LEFT THE CHAMBER AT 7.42 PM AND RETURNED TO THE CHAMBER AT 7.43 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR McNAMARA LEFT THE CHAMBER AT 7.42 PM AND RETURNED TO THE CHAMBER AT 7.43 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR WYNN LEFT THE CHAMBER AT 7.47 PM AND RETURNED TO THE CHAMBER AT 7.49 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR McBRIDE LEFT THE CHAMBER AT 7.56 PM AND RETURNED TO THE CHAMBER AT 7.58 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR VINCENT LEFT THE CHAMBER AT 8.10 PM AND RETURNED TO THE CHAMBER AT 8.13 PM AND AS A RESULT TOOK NO PART IN VOTING.

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

- 1 That Council acknowledge the strategic and operational review of the Animal Care Facility undertaken by the Regulation and Compliance Unit in late 2008.***
- 2 That Council reiterate the earlier congratulations extended to the Manager of Regulation and Compliance and his team for "the complex review" undertaken which led to the Wyong Animal Care Facility "being nationally identified as a best case example of restructure and operation" as advised by Councillor Best in his Question Without Notice to the Ordinary Meeting held on 12 November 2008.***
- 3 That staff report to Council on further options for the future management of the facility following the completion of the RSPCA's strategic review of its operations which Council is advised will take approximately 12 months.***
- 4 That in response to the success of the joint efforts of staff and animal rescue groups resulting in increased re-homing rates, Council acknowledge the need to provide additional kennels and cattery space and therefore give consideration to the provision of capital funds for the extension of the facility as part of its consideration of the 2009/2010 Management Plan. However, should additional funds be voted, that the expenditure of such funds not occur until the outcome of the RSPCA strategic review.***
- 5 That Council embark on a public awareness campaign focusing on responsible pet ownership.***

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

AGAINST: NIL.

9.5 Notice of Motion - Extending the Lapsing Period of a Consent

MR DAVID KETTLE, REPRESENTING THE URBAN DEVELOPMENT INSTITUTE OF AUSTRALIA, ADDRESSED THE MEETING AT 8.12 PM, ANSWERED QUESTIONS AND RETIRED AT 8.17 PM.

COUNCILLOR VINCENT LEFT THE CHAMBER AT 8.10 PM AND RETURNED TO THE CHAMBER AT 8.13 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR BEST LEFT THE CHAMBER AT 8.13 PM AND RETURNED TO THE CHAMBER AT 8.19 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR BEST LEFT THE CHAMBER AT 8.40 PM AND RETURNED TO THE CHAMBER AT 8.42 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council, in determining applications for employment generating development extend the lapsing period of a Consent under Section 95 of the Environmental Planning and Assessment Act 1979 to three years for the purpose of assisting local employment during the current economic downturn.***
- 2 That the fees for extending a consent for a further one year period be reviewed in conjunction with the next Management Plan.***

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

AGAINST: COUNCILLORS McBRIDE, MATTHEWS AND VINCENT.

POINT OF ORDER

COUNCILLOR EATON RAISED A POINT OF ORDER AGAINST COUNCILLOR VINCENT FOR THE INAPPROPRIATE COMMENTS COUNCILLOR VINCENT MADE ABOUT HIS MOTIVES FOR AMENDING THE NOTICE OF MOTION AT THE MEETING.

THE MAYOR UPHELD THE POINT OF ORDER AGAINST COUNCILLOR VINCENT. COUNCILLOR VINCENT FORMALLY APOLOGISED TO COUNCILLOR EATON FOR THE INAPPROPRIATE COMMENTS.

QUESTIONS WITHOUT NOTICE ASKED**Q008 - Draft Community Facilities Strategy
Councillor Matthews**

“Can staff advise when Councillors should expect to receive the Draft Community Facilities Strategy?”

**Q009 – Recreation Smoke Free Policy Publicity
Councillor Webster**

“I have received representations from business owners, particularly outdoor dining, stating that they are unaware of Wyong Shire Council’s recreation smoke free policy – could staff advise what future actions could be taken to educate the community about the policy?”

**Q010 – Central Community Group Database
Councillor Vincent**

“As part of Council’s ongoing effort to improve community consultation, could staff please advise if there is a central community group database that has been compiled and regularly maintained for community consultation purposes, for example, Precinct, Progress, Rate Payers, Enviro Groups, Business Groups?”

**Q011 – Waste Management Facility Telephone Number
Councillor Wynn**

“As our waste management facility only provides a 1300 number and in light of the fact that 1300 numbers cost 27 cents per call from a landline, and a local call is approximately 18 cents, could Wyong Shire Council publicise the fact that the public can ring Council and be transferred to waste services and save the extra cost to the ratepayers of our Shire, or suggest the waste facility provide its own local number?”

**Q012 – Maintenance of Fire Trails
Councillor Eaton**

“Can staff advise on the maintenance of fire trails throughout the Shire?”

**Q013 – Hazard Reduction in the Shire
Councillor Eaton**

“Can staff in conjunction with the RFS, provide information on the amount of hazard reduction carried on in the Shire over the last three years?”

**Q014 – Costs Incurred for Performing Arts Centre
Councillor McBride**

“In supporting the Performing Arts, what has been the total cost incurred by Council thus far for investigation/planning/reports in respect to the proposed Performing Arts Centre?”

**Q015 – Thanks for Assistance to New Council
Councillor Best**

“Could the Director Corporate Services please pass on our thanks to Kerryn Austen-Gray for her great assistance to the new Council?”

CONFIDENTIAL SESSION

AT THIS STAGE OF THE MEETING BEING 9.16 PM COUNCIL MOVED INTO CONFIDENTIAL SESSION WITH THE PRESS AND THE PUBLIC EXCLUDED.

OPEN SESSION

COUNCIL RESUMED IN OPEN SESSION AT 10.42 PM AND THE GENERAL MANAGER REPORTED ON PROCEEDINGS OF THE CONFIDENTIAL SESSION OF THE ORDINARY MEETING OF COUNCIL AS FOLLOWS:

10.1 "Body Hire" Employees

- 1 That Council only use short term contract hired staff on an extraordinary basis and only where conventional employment prospects have been exhausted and where the circumstances are fully reported to and authorised by Council.**
- 2 That contracts for employment that exceed the government tender limit be tendered.**

10.2 Mardi - Mangrove Link

That the General Managers verbal report be received and the information be noted.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 10.43 PM.

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CHAIRPERSON