
WYONG SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 25 May 2011
COMMENCING AT 5.00PM

PRESENT

Councillors D J Eaton (Chairperson), G P Best, R L Graham, L A Matthews, E M McBride (5.17 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, Director Infrastructure Management, Director Corporate Services, Director Community and Recreation Services General Counsel and Manager Development Assessment.

Assets and Planning Manager – Roads and Drainage, Manager Environment and Natural Resources, Arborist and Landscape Design Assessment Officer and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.00pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

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

APOLOGY

The were no apologies.

1.1 Disclosures of Interest

Councillor McBride arrived at the chamber at 5.17pm and as a result was not present during discussions on this item and took no part in voting.

Item 1.4 – Confirmation of Minutes of Previous Meeting

Discussions Relating to Item 8.1 Aerial Inspection of Power Site

Councillor Vincent declared a non-pecuniary significant interest in the matter for the reason that he is an employee of Delta Electricity left the chamber at 5.12 pm, took no part in discussion, did not vote and returned to the chamber at 5.17 pm.

Item 2.1 Mayoral Minute – Changes to Wyong Banking Service

Councillor McBride declared a pecuniary interest in the matter for the reason that she is a director of Wyong Town Financial Services which operates Wyong Community Bendigo Bank, left the chamber at 5.19 pm, took no part in discussion, did not vote and returned to the chamber at 5.42 pm.

Item 3.2 – Coastline Management Plan

Councillor Wynn declared a non-pecuniary insignificant conflict of interest in the matter for the reason that, her extended family live in the affected zone, and participated in consideration of this matter.

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.”

Item U24/11 Motion of Urgency – Changes to State Solar Rebate

Councillor Wynn declared a non-pecuniary insignificant conflict of interest in the matter, for the reason that extended family members and friends are affected by the retrospective legislation, and participated in consideration of this matter.

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 GRAHAM and seconded by Councillor MCNAMARA:

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

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

AGAINST: NIL

1.2 Proposed Inspections and Briefings

Councillor McBride arrived at the chamber at 5.17pm and as a result was not present during discussions on this item and took no part in voting.

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

That Council receive the report on Proposed Inspections and Briefings and endorse the recommended inspections and briefings.

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

AGAINST: NIL

1.3 Address By Invited Speakers

Councillor McBride arrived at the chamber at 5.17pm and as a result was not present during discussions on this item and took no part in voting.

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

1 That the Committee receive the amended report on Invited Speakers.

2 That the Committee agree meeting practice be varied to allow reports from Directors and/or the General Manager to be dealt with following an Invited Speaker's address

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

AGAINST: NIL

1.4 Confirmation of Minutes of Previous Meeting

Councillor Vincent declared a non-pecuniary significant interest in the matter for the reason that he is an employee of Delta Electricity left the chamber at 5.12 pm, took no part in discussion, did not vote and returned to the chamber at 5.17 pm.

Councillor McBride arrived at the chamber at 5.17pm and as a result was not present during discussions on this item and took no part in voting.

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

That Council confirm the minutes of the previous Ordinary Meeting held on 11 May 2011.

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

AGAINST: NIL

Business Arising

Item 8.1 Notice of Motion – Aerial Inspection of 640Ha Power Station Site

The Mayor advised that he has spoken to Mr Chris Hartcher MP, Minister for Resources and Energy regarding this matter. He further advised that he has since been contacted by Mr Glenn Sharrack, General Manager, Delta Electricity Central Coast, who advised that the Mayor, Deputy Mayor and the General Manager were now invited to inspect the power station at Lake Munmorah. The Mayor invited all Councillors to provide details of any issues they wish him to investigate during this inspection.

The Mayor indicated to Mr Sharrack that his attendance at a briefing in Council Chambers would provide all Councillors with an opportunity to get an update on this matter. Mr Sharrack has yet to confirm if he will accede to this request.

It was suggested that the Mayor write to the Minister for Resources and Energy expressing his appreciation of the support he provided in resolving this issue.

1.5 Notice of Intention to Deal with Matters in Confidential Session

Councillor Matthews left the chamber at 5.16pm and returned to the chamber at 5.17pm during consideration of this item.

Councillor McBride arrived at the chamber at 5.17pm during consideration of this item.

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

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

9.1 Proposed Acquisition of land at Watanobbi

2 That Council note its reason for considering Item 9.1 in confidential session is that it contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct business 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, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

2.1 Mayoral Minute - Changes to Wyong Banking Services

Councillor McBride declared a pecuniary interest in the matter for the reason that she is a director of Wyong Town Financial Services which operates Wyong Community Bendigo Bank, left the chamber at 5.19 pm, took no part in discussion, did not vote and returned to the chamber at 5.42 pm.

RESOLVED unanimously on the motion of Councillor EATON:

- 1 That Council's note Westpac Banking Corporation's intention to close their Wyong Branch on 3 June 2011 and endorses the Mayor's action in requesting Westpac to retain their Wyong Branch.**
- 2 That Council review its banking arrangements with a view to supporting those banking institutions that maintain or improve local services.**
- 3 That Council invite the surviving Wyong banking interests to offer banking solutions that support and advance the Community's development of the Wyong locality through the Wyong Town Centre planning Proposal.**
- 4 That the Mayor write to the CEO of Westpac Banking Corp, Ms Gail Kelly, and request that she personally meets with Council to explain why they are closing the Westpac Wyong branch.**

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

AGAINST: NIL

PROCEDURAL MOTION

SUSPENSION OF MEETING PRACTICE

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

- 1 That Council allow meeting practice to be varied.**
- 2 That Council defer consideration of item 3.1 pending the arrival of Mr Fisk, the speaker.**

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

AGAINST: NIL

3.1 TA 126/2011 - Removal of Three Trees at 58A Gordon Avenue, Summerland Point

Mr Richard Fisk, the applicant, addressed the meeting at 5.43pm, answered questions and retired at 6.08pm.

Councillor McNamara left the meeting at 5.57pm and returned to the meeting at 5.59pm during consideration of this item.

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

That Council, refuse the application on the basis that the development is prohibited, subject to the reasons for refusal detailed in the schedule attached to the report, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues.

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

AGAINST: COUNCILLORS MATTHEWS, MCNAMARA AND VINCENT

3.2 Coastline Management Plan

Councillor Wynn declared a non-pecuniary insignificant conflict of interest in the matter for the reason that, her extended family live in the affected zone, and participated in consideration of this matter.

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."

Councillor Matthews left the meeting at 6.26pm and returned to the meeting at 6.28pm during consideration of this item.

Councillor Vincent left the meeting at 6.42pm and returned to the meeting at 6.44pm during consideration of this item.

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

- 1 That Council exhibit the draft Wyong Shire Coastal Zone Management Plan from 6 June to 26 August 2011.**
- 2 That Council decline the option to authorise an appropriate Council officer under the Coastal Protection Act (1979) as amended to certify and regulate emergency protection works at certain locations and beaches.**
- 3 That Council shall consider all development applications in the various affected coastal areas during the exhibition period and beyond until Council has completed its consideration of submissions.**
- 4 That Council notify all affected land owners, by individual letters, of this Draft Plan and invite them to a series of public meetings. The content of such letters is to be determined by the General Manager in consultation with the Mayor.**

5 That Council seek an extension of time from the relevant Minister for the Emergency Management Plans to be adopted until January 2012.

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

AGAINST: NIL

4.1 Contract CPA/158359 New Ourimbah Rural Fire Station - Lots 6 and 19 DP 224433, Ourimbah Creek Road Ourimbah

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

1 That Council receive the report on Contract CPA/158359 New Ourimbah Rural Fire Station - Lots 6 and 19 DP 224433, Ourimbah Creek Road Ourimbah.

2 That Council make available \$200,000.00 (excl. GST) from the Brigade Station line of the budget and \$20,000.00 (excl. GST) from the reimbursement received from the (volunteer and state wide support) State Government Rural Bushfire Fire Fighting Fund to cover completion of this project.

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

AGAINST: NIL

PROCEDURAL MOTION

SUSPENSION OF MEETING PRACTICE

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

1 That Council allow meeting practice to be varied.

2 That Council use the exception method to deal with the balance of the Agenda.

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

AGAINST: NIL

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

That with the exception of report numbers 5.1, 5.2, 5.3, 5.5, 5.6, 6.6, 6.8, 7.1, U24/11 and 9.1 Council adopt the recommendations contained in the remaining reports.

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

AGAINST: NIL

5.1 2010-11 Annual Plan - March Quarter Review

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

- 1 That Council receive the third Quarterly Review report on progress against the WSC 2010-11 Annual Plan.
- 2 That Council note that Council's Responsible Accounting Officer has declared the financial position of Wyong Shire Council to be satisfactory.
- 3 That Council approve budget variations as contained in the detailed report enclosure.

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

AGAINST: NIL

5.2 Contract Variations and Finalisation - April 2011

Councillor Matthews left the meeting at 7.27pm and returned at 7.31pm and as a result took no part in voting.

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

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

Contract Title	Contract No	Adjusted Contract Value (excl GST)	Additional Budget Approval
Provision of Cleaning Services	178719	\$190,160.00 per annum	\$6,770.00 per annum
Sewer Main Rehabilitation Various Locations in Wyong Shire	173205	\$953,000.00	\$33,000.00
Asphaltic Concrete Works	147662	\$6,255,213.00	\$1,000,000.00

- 3 That Council note the additional expenditure requested has been funded through both current and future years rolling work programs.

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

5.3 Determination of Fees and Charges 2011 - 2012

Councillor Matthews left the meeting at 7.27pm and returned at 7.31pm during consideration of this item.

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

- 1 That Council approve the water, sewerage and drainage Service Charges set out in Attachment 1***
- 2 That Council note the amount of revenue to be raised by way of the Service Charges is estimated at \$71,130,000.***
- 3 That Council classify all land for the purpose of levying Services Charges according to the following factors:***
 - a whether the land is residential or non residential;***
 - b where the land is residential, by the intensity of the use of the land; and***
 - c the nature and extent of the water or sewerage services connected to each individual allotment.***
- 4 That Council determine the Service Charges shall be levied in accordance with the Water Management Act 2000.***

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

5.4 Draft Minutes - Gosford-Wyong Councils' Water Authority Board Meeting held on 18 May 2011

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

- 1 That Council receive the draft minutes of the Gosford-Wyong Councils' Water Authority Board Meeting conducted on 18 May 2011.***
- 2 That Council adopt the recommendations included in the draft minutes of the Gosford-Wyong Councils' Water Authority Board Meeting conducted on 18 May 2011.***

- 3 That Council consider holding:
- a A Gosford Wyong Councils' Water Authority Board meeting on 16 June 2011 to consider a handover package to the Water Corporation Board.
 - b A joint meeting of the current Gosford Wyong Councils' Water Authority Board members and the Water Corporation Board members on 14 July 2011.
- 4 That Council endorse the proposed water restriction triggers and restriction rules detailed in this report, as amended to remove the data relating to the 2050 trigger and target reductions, and refer it to the new Central Coast Water Corporation Board for final adoption.
- 5 That Council enter into a memorandum of understanding to explore the water supply opportunities that may result from the Porters Creek Catchment Stormwater Harvesting Scheme and consider how the scheme may relate to WaterPlan 2050.
- 6 That Council, in relation to item 2.4 Project report Update on Capital Works in the minutes below, recommend the following:
- a Hunter Link Pipeline and Link Road Project
 - i That the cost to repair the Hunter Link pipeline crossing of Link Road including the associated consequential cost to the Link Road be recognised as a Joint Water Cost.
 - ii That the estimated final cost for the pipeline repairs including the consequential cost to the Link Road is \$1.43M.
 - iii That a report be prepared advising on the potential to recover the costs for the repairs including a budget to pursue those costs.
 - b Gosford Distribution Works for the Mardi Lift Pump Station
 - i That a budget increase of \$350,000 (excl GST) be approved for the Gosford Distribution Works for the Mardi Dam Lift Pump Station representing a total approved budget of \$1,870,000.
 - ii That the increase in budget for these works be provided from the approximate \$1.3M of remaining unallocated funds from the completed Mardi Suite of Works Project'
- 7 That Council recommend the Water Corporation review water tank rebates in conjunction with an overall review of water demand management.

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

AGAINST: NIL

5.5 Draft Minutes of the Senior Citizens' Council - 28 April 2011 and confirmed minutes of 24 February 2011

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

- 1 That Council receive the report on the Draft Minutes – Wyong Shire Senior Citizens' Council Meeting of 28 April 2011, adopt the recommendations contained therein.**
- 2 That Council note that, in the event of a review of Council's Committee Structure, the Senior Citizens' Council members strongly recommend that the monthly meeting structure be maintained.**
- 3 That Council receive the report on the Confirmed Minutes – Wyong Shire Senior Citizens' Council Meeting of 24 February 2011 and adopt the recommendations contained therein.**
- 4 That minutes of the Senior Citizens' Council be submitted to Council only when an action is required for Council's consideration.**

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

AGAINST: NIL

5.6 Draft Minutes Wyong Shire Grants Committee Meeting - 18 May 2011

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

- 1 That Council receive the draft minutes of the Wyong Shire Grants Committee Meeting held on 18 May 2011.**
- 2 That Council adopt the recommendations included in the draft minutes of the Wyong Shire Grants Committee Meeting held on 18 May 2011.**
- 3 That Council allocate \$7,980 from the 2010-11 Sports Person Grant program as follows:**

Applicant	Selection	Amount
S Aston	State Netball Championships and CC Academy of Sport NSW Academy Games	\$190
A Bailey	Joss State Zone Trials AFL	\$190
M Buchanan	U15 Country Championships Rugby Union	\$190
K Burke	State Netball Championships	\$190
S Byfield	Central Junior League	\$190
Z Crowe	State Netball Championships	\$190
J Faimanu	State Netball Championships	\$190
C Farrelly	State Netball Championships	\$190
L Ferreira	State Netball Championships	\$190
E Free	State Netball Championships	\$190
S Free	State Netball Championships	\$190
B Goddard	State Netball Championships	\$190

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L Gorrie	CC Junior League Basketball Competition	\$190
S Gorrie	CC Junior League Basketball Competition	\$190
K Hally	State Netball Championships	\$190
S Harper	State Netball Championships	\$190
B Hoolihan	State Netball Championships	\$190
K Hynes	State Netball Championships	\$190
M Jeffrey	Central Junior League	\$190
T Jeffrey	Central Junior League	\$190
D Judge	State Netball Championships	\$190
G Keevill	State Netball Championships	\$190
I Kelly	State Netball Championships	\$190
C Maher	State Netball Championships	\$190
T Martin	State Netball Championships	\$190
B Mashman	State Netball Championships	\$190
M Mashman	State Netball Championships	\$190
C Mills	State Netball Championships	\$190
B Nelson	State Netball Championships	\$190
S O'Hagan	State Netball Championships	\$190
A Power	AFL Northern Coast Regional Team	\$190
T Simpson	State Netball Championships	\$190
J Stonestreet	CC Junior Rugby Union and CC Academy of Sport Rugby	\$190
D Tahn	Central Basketball Junior League	\$190
T Tangitu	State Netball Championships	\$190
L Tapsell	State Netball Championships	\$190
A Walker	State Netball Championships	\$190
Y Walker	State Netball Championships	\$190
J L Williams	CJL Basketball NSW	\$190
J Williams	State Netball Championships	\$190
C Whyburn	Tuggerah Lakes U18M Division 1 representative team	\$190
L Whyburn	Tuggerah Lakes U14M Division 2 representative team	\$190
Total		\$7,980

4 That Council note the withdrawal of application from S McKinnon.

5 That Council decline applications as indicated in the table below:

Applicant	Selection	Reason
K Campbell	State Netball Championships	Proof of residency not provided
O Duffy	State Netball Championships	CCROC grant provided for same event
J Grange	Central Coast Academy 2011 Clubs NSW Academy Games	Previous funding for same sport already provided in current financial year
M Reed	State Netball Championships	Not Shire resident
B Sloane	State Netball Championships	CCROC grant provided for same event
F Watene	State Netball Championships	Proof of residency not provided

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

AGAINST: NIL

5.7 Goods and Services Tax Report

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

- 1 That Council receive the report on Goods and Services Tax.**
- 2 That Council submit the Goods and Services Tax compliance certificate for the period 1 May 2010 to 30 April 2011, signed by the Mayor, Deputy Mayor, General Manager and Director of Corporate Services, to NSW Department of Local Government before 1 June 2011.**

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

AGAINST: NIL

5.8 Boutique Street Lighting Poles in Wyong Shire

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

- 1 That Council receive the report on the 42 condemned decorative street light poles within Wyong Shire.**
- 2 That Council advise Ausgrid that the 42 condemned decorative poles be transferred from AUSGRID's Rate 2 tariff to AUSGRID's Rate 1 tariff and an additional number (approximately 25) of unaffected poles in the vicinity of those that have been condemned also be transferred.**
- 3. That Council note that the implementation of resolution 2 will result in the 42 condemned decorative poles being replaced by AUSGRID with standard galvanised poles and an additional number (approximately 25) of unaffected poles in the vicinity of those that have been condemned also being replaced.**
- 4 That Council advise Ausgrid that it will consider further the steps that it will take in relation to other decorative poles as those poles require replacement.**

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

AGAINST: NIL

5.9 Conference Attendance - National Public Sector Fraud & Corruption Congress

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

- 1 That Council confirm the approval given by the Mayor and Acting General Manager for Councillor Wynn to attend the National Public Sector Fraud & Corruption Congress.**

- 2 That Council authorise the reasonable expenses incurred by Councillor Wynn in attending the above Congress.**

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

AGAINST: NIL

5.10 Conference Attendance - Planning for Community Outcomes

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

- 1 That Council authorise Councillor Symington, and any interested Councillor/s, to attend the Planning for Community Outcomes conference being held in Sydney on Thursday 2 June 2011.**

- 2 That Council meet reasonable expenses incurred by Councillors attending the above conference in accordance with Council's Facilities and Expenses Policy for Councillors.**

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

AGAINST: NIL

6.1 Information Reports

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

That Council deal with the following Information Reports by the Exception Method.

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

AGAINST: NIL

6.2 Investments For April 2011

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

That Council receive the report on Investments For April 2011.

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

AGAINST: NIL

6.3 General Works in Progress

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

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

6.4 Activities of the Development Assessment Unit and Building Certification and Health Unit

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

That Council receive the report on Activities of the Development Assessment Unit and Building Certification and Health Unit.

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

AGAINST: NIL

6.5 Results on Water Quality Testing for Beaches and Lake Swimming Locations

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

That Council receive the report on Results on Water Quality Testing for Beaches and Lake Swimming Locations.

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

AGAINST: NIL

6.6 Warnervale Town Centre April 2011 Progress Report

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

That Council receive the report on Warnervale Town Centre April 2011 Progress Report.

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

6.7 Works in Progress - Water Supply and Sewerage

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

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

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

6.8 Local Government & Shires Association Cost Shifting Survey

Councillor Webster left the chamber at 7.54 pm and returned to the chamber at 7.56pm during consideration of this item.

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

- 1 That Council receive the report on Local Government & Shires Association Cost Shifting Survey.***
- 2 That Council include the NSW Government climate change funds contributions of \$950,000 in the Wyong Shire Council cost shifting document.***
- 3 That Council write to the local State and Federal Members and the Minister for Local Government expressing its dissatisfaction with the practice of cost shifting and request the Government minimize this cost burden on the Shire's rate payers.***

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

6.9 Central Coast Tourism - Update

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

That Council receive the March Quarter report on Central Coast Tourism - Update.

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

6.10 Mardi to Mangrove Link Project Status

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

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

6.11 Outstanding Questions without Notice and Notice of Motions

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

That Council receive the report on Outstanding Questions without Notice and Notice of Motions.

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

AGAINST: NIL

7.1 Notice of Motion - Regional Push to Reinstate F3 Link

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

- 1 That Council form a whole of Government Regional Partnership to include Gosford City Council, Wyong Shire Council and appropriate Sydney Councils (if required), Central Coast State Government Members and Federal Government Members with a view to organising a deputation to raise this issue with the Federal Government.***
- 2 That Council urge the Regional Partnership to take-up Mr Swan's offer to receive representation from the Central Coast Regional Partnership to have the F3 Link funding reinstated in the 12-13 budget.***

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

AGAINST: NIL

LEAVE TO INTRODUCE A MOTION OF URGENCY

Councillor Wynn sought leave to introduce a Motion of Urgency concerning changes to the State Solar Rebate Scheme.

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

That Council consider a motion of urgency objecting to proposed changes to the solar rebate scheme currently being debated in State Parliament.

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

AGAINST: COUNCILLORS MCNAMARA AND WEBSTER

THE MAYOR RULED THAT THE MATTER WAS OF GREAT URGENCY AND COULD BE INTRODUCED AS A MOTION OF URGENCY.

U24/11 Motion of Urgency - Changes to State Solar Rebate Scheme

Councillor Wynn declared a non-pecuniary insignificant conflict of interest in the matter, for the reason that extended family members and friends are affected by the retrospective legislation, and participated in consideration of this matter.

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."

Councillor Matthews left the meeting at 8.25pm and returned to the meeting at 8.26pm during consideration of this item.

It was MOVED by Councillor WYNN and seconded by Councillor VINCENT:

That Council write to the State Government condemning its decision to not honour the previous government's contracts with 110,000 residents of NSW under the Solar Bonus Scheme and for lowering the payment from 60 cents to 20 cents per kilowatt hour. Council also request that the State Government reconsider its position in an effort to restore community trust in the government.

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

That Council receive an urgent report on the ramifications of the reductions on the various solar bonus schemes.

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

AGAINST: COUNCILLORS MATTHEWS, MCBRIDE, SYMINGTON, VINCENT AND WYNN

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

The AMENDMENT became the MOTION.

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

That Council receive an urgent report on the ramifications of the reductions on the various solar bonus schemes.

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

AGAINST: COUNCILLORS MATTHEWS, MCBRIDE, SYMINGTON, VINCENT AND WYNN

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

QUESTIONS ON NOTICE

**Q12/11 Proposed Units at 35-41 Wilfred Barrett Drive, The Entrance North
Councillor Wynn**

"Given the State Government's recent announced changes to the (SEPP Affordable Residential Housing), where does that leave the proposed development of 53 units at 35-41 Wilfred Barrett Drive, The Entrance North?"

**Q13/11 Disabled Mini Train Tourist Project
Councillor Doug Vincent**

"Could staff please provide an update on the issues surrounding the proposed sites identified in the North of the Shire for the Disabled Mini Train Tourism Project?"

**Q14/11 Suggested sites for Disabled Mini Train Tourist Project
Councillor Doug Vincent**

"Could staff also suggest any additional sites that may be suitable in the North of the Shire for the Disabled Mini Train Tourism Project?"

**Q15/11 Apex Park at Wyong
Councillor Matthews**

"Can staff please advise if any plans exist to upgrade Apex Park at Wyong on the Pacific Highway?"

CONFIDENTIAL SESSION

At this stage of the meeting being 8.29pm council moved into Confidential Session with the members of the press and public excluded from the meeting of the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993 as the items listed come within the following provisions:-

- 1 *A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:*
- 2 *The matters and information are the following:*
 - (c) *information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

OPEN SESSION

Council resumed in open session at 8.51pm and the General Manager reported on proceedings of the confidential session of the ordinary meeting of council as follows:

9.1 Proposed Acquisition of land at Watanobbi

- 1 ***That Council authorise the General Manager, or his delegate, to attend the auction and bid on behalf of Council for the purchase of Lot 33 DP 21032, 204-214 Pacific Highway Watanobbi.***
- 2 ***That Council exempt this motion from the provisions of the Code of Meeting Practice to allow the motion to be actioned from 9.00am on 26 May 2011 for the reason that the mortgagee in possession proposes an auction sale of the land to be held on 26 May 2011.***

THE MEETING closed at 8.51pm.