
WYONG SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 26 OCTOBER 2011 COMMENCING AT 5:00:00 PM

PRESENT

Councillors D J Eaton (Chairperson), G P Best, R L Graham, L A Matthews, 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.

Chief Financial Officer, Project Director and Project Manager CMP Team 1 and two administration staff.

ANNOUCEMENTS

Women in Local Government' Award

The Director Community Services and Recreation, announced that at the Central Coast Women in Business Awards for 2011 held on Saturday 24th September Kerryn-Austen Gray and Julie Vaughan were both finalists in the 'Women in Local Government' Award category with Julie declared as the winner in this category.

NSW Water Safety Award

Wyong Council's "Stay Safe at the Beach" program was recognised as NSW "Event of the Year" at the New South Wales Water Safety Awards presented in Sydney on Thursday 29 September 2011.

Northlakes Care and Education Centre was a finalist in the Australian Childcare Week.

Norah Head Holiday Park won an award in the Hunter Central Coast Tourism Awards and are now included in the NSW Tourism Awards.

Councillor Wynn, Deputy Mayor, congratulated staff on their achievements and presented an award to the Mayor from Soldiers Beach Surf Life Saving Club.

Councillor Vincent who was also in attendance at the opening of the Soldiers Beach Surf Life Saving Club thanked the Mayor on behalf of the community.

Councillor Webster gave an update on – Chromefest at The Entrance and the level of positive feedback received from visitors and artists and passed on thanks to Council from the Manager of The Entrance Town Centre Management.

Councillor Matthews recently took part in a Shire Tour which she recommended as an excellent tour for new residents of the Shire.

Councillor Best commented on the Multicultural Expo, held at Council today, which represented the rich diversity of residents in the Shire.

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

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

APOLOGY

The Mayor noted a continuing apology from Councillor Mc Bride for her inability to attend the meeting.

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

That Council note the apology from Councillor McBride who is absent on annual leave.

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

AGAINST: NIL

At the commencement of the ordinary meeting report nos 2.1, 3.5 and 3.7, were dealt with first then the remaining reports in order also report nos 2.4 and 4.12 were considered after the close of the Confidential Session. However for the sake of clarity the reports are recorded in their correct agenda sequence.

1.1 Disclosures of Interest

2.4 DA/204/2007/A - Application to modify the design of a new access driveway and intersection required for an existing timber product manufacturing/storage operation

Councillor Wynn declared a non-pecuniary insignificant interest in the matter, for the reason that she lives in Mannering Park and therefore frequently drives on that part of the road (Ruttleys Road), 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."

2.4 DA/204/2007/A - Application to modify the design of a new access driveway and intersection required for an existing timber product manufacturing/storage operation

1st Resolution

Councillor Eaton declared a pecuniary interest in the matter, for the reason that his family company owns this site, left the chamber at 7.32 pm, took no part in discussion, did not vote and returned to the chamber at 7.56 pm.

2nd Resolution

Councillor Eaton declared a pecuniary interest in the matter, for the reason that his family company owns this site, left the chamber at 10.51 pm, took no part in discussion, did not vote and did not return to the chamber.

3.4 Exhibition of Porters Creek Floodplain Risk Management Plan

Councillor McNamara declared a pecuniary interest in the matter, for the reason that he lives in the affected area of the Porters Creek Wetland and this Plan may affect his house value, left the chamber at 8.45 pm, took no part in discussion, did not vote and returned to the chamber at 9.00 pm.

4.12 Improvement of Road Safety - Ruttleys Road - Mannering Park

Councillor Eaton declared a pecuniary interest in the matter for the reason that his family company owns this site, left the chamber at 10.51 pm, took no part in discussion, did not vote and did not return to the chamber.

5.2 Notice of Motion - Central Coast Bears - Foundation Membership

Councillor Graham declared a non-pecuniary insignificant interest in the matter, for the reason that he is a Board member of the Central Coast Mariners F.C. Pty Ltd which is mentioned in the Councillor's note attached to this Notice of Motion, and participated in consideration of this matter.

Councillor Graham 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."

8.1 Review of Process - 464 Ruttleys Road, Mannering Park

Councillor Wynn declared a non-pecuniary insignificant interest in the matter, for the reason that she lives in Mannering Park and therefore frequently drives on that part of the road (Ruttleys Road), 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."

8.1 Review of Process - 464 Ruttleys Road, Mannering Park

Councillor Eaton declared a pecuniary interest in the matter for the reason that his family company owns this site, left the chamber at 10.51 pm, took no part in discussion, did not vote and did not return to the chamber.

RESOLVED unanimously on the motion of Councillor MATTHEWS 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 Address by Invited Speakers

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

1 That Council receive the amended report on Invited Speakers.

2 That Council 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

1.3 Proposed Inspections and Briefings

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

That Council receive the report on Proposed Inspections and Briefings.

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

AGAINST: NIL

1.4 Confirmation of Minutes of Previous Meeting

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

That Council confirm the minutes of the previous Ordinary Meeting of Council and Confidential session held on 12 October 2011.

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

AGAINST: NIL

1.5 Notice of Intention to Deal with Matters in Confidential Session

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

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

Report no Item 8.1 Review of Process - 464 Ruttleys Road, Mannering Park

2 That Council note its reason for considering Report No 8.1 in confidential session is because it contains:

- * information that would, if disclosed, prejudice the maintenance of law (Section 10A(2)(e))**
- * advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege (Section 10A(2)(g)).**

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

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

AGAINST: NIL

1.6 Mayoral Minute - KORES

Councillor Best left the chamber at 5.34 pm and returned to the chamber at 5.36 pm during consideration of this item.

Councillor Symington left the chamber at 5.35 pm and returned to the chamber at 5.36 pm during consideration of this item.

RESOLVED unanimously on the motion of Councillor GRAHAM:

I formally move:

- 1 That Council request the General Manager write to the NSW Premier seeking the introduction of 'special legislation' to protect the Wyong Shire water catchment and valleys from mining.**
- 2 That Council request the General Manager to include, in Council's response to the Director-General of the DoP & I, a request that the Director-General's Requirements not be issued and the application by the Wyong Areas Coal Joint Venture for State Significant Development be refused.**
- 3 That taking into account the previous commitment by Gosford City Council in opposing the earlier application by KORES, Council request the General Manager write to Gosford City Council, the Central Coast Water Corporation and Lake Macquarie City Council requesting their support for the matters outlined in 1 & 2 above.**
- 4 That Council request the General Manager write to the Federal Member for Dobell, Minister for the Central Coast and State Members for Wyong, The Entrance, Gosford and Lake Macquarie calling on their support in opposing this new application for coal mining in our valleys and water catchment.**
- 5 That Council direct the General Manager to also write to the Federal Member for Dobell on the status of his Private Members Bill.**
- 6 That Council direct the General Manager write to the Minister for Primary Industries requesting that the current exploration licence for Kores P/L not be renewed.**

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

AGAINST: NIL

2.1 DA/ 574/2011 - Proposed Disability Access Ramp and Deck at Lakes Beach Surf Club, Budgewoi

Mr Dave Galea, representing the Budgewoi Surf Club Project Committee, addressed the meeting at 5.55 pm, answered questions and retired at 6.02 pm.

It was MOVED by Councillor Graham:

That the MOTION be put.

The MOTION was put to the vote and declared LOST.

FOR: COUNCILLORS BEST, EATON, GRAHAM AND MCNAMARA,

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

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

- 1 That Council grant consent subject to the conditions 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.***
- 2 That Council request the General Manager to forward a copy of the development consent to the NSW State Property Authority for information.***
- 3 That Council request the General Manager to congratulate and thank the Northern Lakes Disability Tourism Committee and staff for progressing the Lakes Beach Surf Club disability access project and note that if this project proceeds it will be a "world first".***
- 4 That Council reaffirm its continued support for the Northern Lakes Disability Tourism Committee and the committee's disability tourism projects.***

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

AGAINST: NIL

2.2 DA/1486/2010 Proposed Restaurant and Drive-Through Facility at Ourimbah

Councillor Matthews left the chamber at 6.54 pm and returned to the chamber at 6.55 pm during consideration of this item.

Councillor Best left the chamber at 7.20 pm and returned to the chamber at 7.22 pm during consideration of this item.

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

- 1 That Council grant consent subject to the conditions, as amended, 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.***
- 2 That Council vary Development Control Plan 2005 Chapter 61 and 65 to permit the development.***
- 3 That Council delete from the list of proposed conditions attached to the report, the second bullet point under Condition 11 – Landscaping Design Requirements which states:***

“The landscape architect is to nominate trees and shrubs that will provide a dense screen to the front of the property. The planting is to achieve tree heights greater than 10 metres and shrubs that will achieve a height greater than 2 metres upon maturity.”

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

AGAINST: NIL

2.3 DA/1112/2009 - Proposed Change of Use from a Carpet Warehouse and Showroom to a Retail Premises (Liquor Shop) under Existing Use Provisions at Kanwal

Councillor McNamara left the chamber at 7.32 pm and returned to the chamber at 7.33 pm during consideration of this item.

The Director Environment and Planning Services advised that the owner/applicant has now withdrawn his application.

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

The Council note that the owner/applicant has now withdrawn his application.

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

AGAINST: NIL

2.4 DA/204/2007/A - Application to Modify the Design of a new Access Driveway and Intersection required for an Existing Timber Product Manufacturing/Storage Operation

Councillor Eaton declared a pecuniary interest in the matter, for the reason that his family company owns this site, left the chamber at 7.32 pm, took no part in discussion, did not vote and returned to the chamber at 7.56 pm.

1st Resolution

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

That Council discuss Item 2.4 and 4.12 in conjunction with the consideration of Item 8.1 in Confidential session.

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

AGAINST: NIL

2nd Resolution

Councillor Eaton declared a pecuniary interest in the matter, for the reason that his family company owns this site, left the chamber at 10.51 pm, took no part in discussion, did not vote and did not return to the chamber.

Discussion on this item occurred in Confidential Session and this item was resolved in Open Session when Council Resumed in Open Session at 11.27pm

It was MOVED by Councillor SYMINGTON and SECONDED by Councillor BEST:

- 1 *That Council note receipt of the Applicant's request for deferral of determination of the Section 96 Application to enable submission of a modified application.*
- 2 *That Council defer consideration of Section 96(1A) 204/2007/A pending:*
 - a) *An opportunity being afforded to the applicant to lodge an amended application under S96 of the Environmental Planning and Assessment Act.*
 - b) *The amended application being received by Council within 21 days, i.e. by the 14 November 2011.*
- 3 *That Council consider the Section 96 Application no later than the Ordinary Meeting of 14 December 2011.*
- 4 *That Council request the applicant to institute a Traffic Management Plan that contains "left-in" "left-out" until such time as the Section 96 application has been resolved.*

An AMENDMENT was MOVED by Councillor WYNN and SECONDED by Councillor VINCENT:

1 That Council, having regard to the matters for consideration detailed under Section 96(1A) and Section 79C of Environmental Planning and Assessment Act, 1979, modify Development Consent No 204/2007 in the following manner:

A Delete Condition 9 and insert in that place a new condition 9 to read as follows:

“9 The driveway/intersection onto Ruttleys Road shall be relocated approximately 135 metres south of the existing unsealed site access.

Detailed construction design plans and specifications shall be prepared in accordance with the following requirements and submitted for approval by Council prior to issue of a Construction Certificate.

- A Detail Design Road Safety Audit (RSA) prepared by a qualified Level 3 Road Safety Auditor shall be undertaken on the intersection design. The RSA is to be submitted to Council and all issues identified in the RSA shall be addressed to the satisfaction of Council as the Roads Authority prior to the release of the Construction Certificate.*
- The design shall be prepared in accordance with Austroads 2009 “Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections “BAR” treatment on a major road and Wyong Shire Council’s Development Control Plan 2005, Chapter 67 Engineering Requirements for Development.*
- The design shall be supported by a Geotechnical Investigation and pavement design report prepared by a suitably qualified practising Geotechnical Engineer.*
- The design of additional civil works necessary to ensure satisfactory transitions to existing work as a result of work conditioned for the development.*
- The design of the intersection should take into account the location of the existing large power poles and guard fencing. Note: The widened pavement required in accordance with the BAR (Austroads Figure 7.5 treatment) should be formed, sealed and the outside edge line a sufficient offset from any guard fencing.*

B Delete Condition 10 and insert in that place a new condition 10 to be read as follows:

“10 The preparation and submission to the Council as the Roads Authority of a ‘pre-opening stage’ Road Safety Audit for the works within the Ruttley’s Road prepared by a Level 3 Road Safety Auditor recognised on the NSW Register of Road Safety Auditors. Any deficiencies identified within the audit must be resolved in consultation with Council prior to the acceptance of the works and release of a Construction Certificate.”

C Delete Condition 11 and insert in that place a new Condition 11 to read as follows:

"11 Detailed construction design plans and specifications shall be prepared for the construction of the internal roadway providing vehicular access from the new Ruttleys Road access intersection connecting to the carparking and loading area within the site. The construction shall include the sealing and drainage of the existing carpark area. The design shall be in accordance with the following requirements and shall be submitted and approved by Council/Accredited Certifier prior to issue of any Construction Certificate:

- The driveway accessway shall be a minimum 7.5 metres wide sealed pavement in accordance with the requirements of the current Australian Standard AS2890 and Council's Development Control Plan 2005, Chapter 67 – Engineering Requirements for Development.*
- The driveway accessway is to be of sufficient width to ensure heavy vehicles /semi trailers can pass at any point along the driveway access with adequate clearances.*
- The design plans shall include a pavement design prepared by a suitably qualified Geotechnical Engineer.*
- The internal driveway construction works shall be completed, surveyed and identified by "Works as Executed" information in accordance with Council's Development Control Plan 2005, Chapter 67 – Engineering Requirements for Development to Council's satisfaction prior to the issue of an Occupation Certificate.*

D Delete Condition 36 and insert in that place a new Condition 36 to read as follows:

"36 The completion of the construction of the new access/intersection onto Ruttleys Road approximately 135 metres south of the existing unsealed access in accordance with the plans approved under Condition No 9 and 10.

In this regard, all access construction works and associated "BAR" intersection works within Ruttleys Road shall be completed, surveyed and identified by "Works as Executed" information in accordance with Council's Development Control Plan 2005, Chapter 67 – Engineering Requirements for Development to Council's satisfaction prior to the issue of an Occupation Certificate. Note: All recommendations of the Road Safety Audit approved under Condition 10 shall be implemented to the satisfaction of Council prior to the issue of the Occupation Certificate.

- E Delete Condition No 40 and insert in that place a new condition 40 to read as follows:*

“40 Upon completion of the construction of the new access intersection the existing unsealed access is to be closed. The works shall include the restoration of the damaged carriageway pavement within Ruttleys Road, reinstatement of the line marking, removal of excess road base material and the stabilisation of the area with suitable mulch and the planting of native vegetation prior to the issue of an Occupation Certificate”

- F Delete Condition 41 and inserting in that place a new condition 41 to read as follows:*

“41 The construction of the carpark and internal driveways detailed on the design plans approved in accordance with the requirements of Condition 11 within six (6) months from the date of issue of the modified consent. Certification of the construction by a suitably qualified consultant is to be provided to Council prior to the issue of an Occupation Certificate.”

The AMENDMENT was put to the vote and declared CARRIED.

The AMENDMENT became the MOTION.

FOR: COUNCILLORS MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: COUNCILLORS BEST, GRAHAM AND MCNAMARA

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

- 1 That Council, having regard to the matters for consideration detailed under Section 96(1A) and Section 79C of Environmental Planning and Assessment Act, 1979, modify Development Consent No 204/2007 in the following manner:***

- A Delete Condition 9 and insert in that place a new condition 9 to read as follows:***

“9 The driveway/intersection onto Ruttleys Road shall be relocated approximately 135 metres south of the existing unsealed site access.

Detailed construction design plans and specifications shall be prepared in accordance with the following requirements and submitted for approval by Council prior to issue of a Construction Certificate.

- A Detail Design Road Safety Audit (RSA) prepared by a qualified Level 3 Road Safety Auditor shall be undertaken on the intersection design. The RSA is to be submitted to Council and all issues identified in the RSA shall be addressed to the satisfaction of Council as the Roads Authority prior to the release of the Construction Certificate.***

- *The design shall be prepared in accordance with Austroads 2009 “Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections “BAR” treatment on a major road and Wyong Shire Council’s Development Control Plan 2005, Chapter 67 Engineering Requirements for Development.*
- *The design shall be supported by a Geotechnical Investigation and pavement design report prepared by a suitably qualified practising Geotechnical Engineer.*
- *The design of additional civil works necessary to ensure satisfactory transitions to existing work as a result of work conditioned for the development.*
- *The design of the intersection should take into account the location of the existing large power poles and guard fencing. Note: The widened pavement required in accordance with the BAR (Austroads Figure 7.5 treatment) should be formed, sealed and the outside edge line a sufficient offset from any guard fencing.*

B *Delete Condition 10 and insert in that place a new condition 10 to be read as follows:*

“10 The preparation and submission to the Council as the Roads Authority of a ‘pre-opening stage’ Road Safety Audit for the works within the Ruttley’s Road prepared by a Level 3 Road Safety Auditor recognised on the NSW Register of Road Safety Auditors. Any deficiencies identified within the audit must be resolved in consultation with Council prior to the acceptance of the works and release of a Construction Certificate.”

C *Delete Condition 11 and insert in that place a new Condition 11 to read as follows:*

“11 Detailed construction design plans and specifications shall be prepared for the construction of the internal roadway providing vehicular access from the new Ruttleys Road access intersection connecting to the carparking and loading area within the site. The construction shall include the sealing and drainage of the existing carpark area. The design shall be in accordance with the following requirements and shall be submitted and approved by Council/Accredited Certifier prior to issue of any Construction Certificate:

- *The driveway accessway shall be a minimum 7.5 metres wide sealed pavement in accordance with the requirements of the current Australian Standard AS2890 and Council’s Development Control Plan 2005, Chapter 67 – Engineering Requirements for Development.*
- *The driveway accessway is to be of sufficient width to ensure heavy vehicles /semi trailers can pass at any point along the driveway access with adequate clearances.*

- *The design plans shall include a pavement design prepared by a suitably qualified Geotechnical Engineer.*
- *The internal driveway construction works shall be completed, surveyed and identified by “Works as Executed” information in accordance with Council’s Development Control Plan 2005, Chapter 67 – Engineering Requirements for Development to Council’s satisfaction prior to the issue of an Occupation Certificate.*

D *Delete Condition 36 and insert in that place a new Condition 36 to read as follows:*

“36 *The completion of the construction of the new access/intersection onto Ruttleys Road approximately 135 metres south of the existing unsealed access in accordance with the plans approved under Condition No 9 and 10.*

In this regard, all access construction works and associated “BAR” intersection works within Ruttleys Road shall be completed, surveyed and identified by “Works as Executed” information in accordance with Council’s Development Control Plan 2005, Chapter 67 – Engineering Requirements for Development to Council’s satisfaction prior to the issue of an Occupation Certificate. Note: All recommendations of the Road Safety Audit approved under Condition 10 shall be implemented to the satisfaction of Council prior to the issue of the Occupation Certificate.

E *Delete Condition No 40 and insert in that place a new condition 40 to read as follows:*

“40 *Upon completion of the construction of the new access intersection the existing unsealed access is to be closed. The works shall include the restoration of the damaged carriageway pavement within Ruttleys Road, reinstatement of the line marking, removal of excess road base material and the stabilisation of the area with suitable mulch and the planting of native vegetation prior to the issue of an Occupation Certificate”*

F *Delete Condition 41 and inserting in that place a new condition 41 to read as follows:*

“41 *The construction of the carpark and internal driveways detailed on the design plans approved in accordance with the requirements of Condition 11 within six (6) months from the date of issue of the modified consent. Certification of the construction by a suitably qualified consultant is to be provided to Council prior to the issue of an Occupation Certificate.”*

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

AGAINST: COUNCILLORS BEST AND MCNAMARA

3.1 Establishment of a Status of Women Advisory Committee

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

- 1 That Council establish a Status of Women Advisory Committee under Section 355 (c) of the Local Government Act, 1993.**
- 2 That Council adopt the Status of Women Advisory Committee Terms of Reference attached to this report.**
- 3 That Council appoint Councillors Matthews, Vincent and Webster as the elected Councillor delegates on the Advisory Committee and Councillors McBride and Wynn as the alternate delegates.**
- 4 That Council note that the General Manager will determine community membership of the Committee in accordance with the Terms of Reference.**
- 5 That Council consider including a budget of \$10,000 per annum, for this Committee, in the September Quarterly Review.**

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

AGAINST: NIL

3.2 Establishment of an Environment Committee

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

- 1 That Council defer adopting a Charter for the Strategic Environment Committee pending revision of the Charter such that the Strategic Environment Committee forms an "Advisory" Committee to Council and incorporates external experts within the draft membership of the Committee.**
- 2 That upon receipt of a report incorporating the amended Charter, Council determine the membership of the Strategic Environment Committee.**
- 3 That Council note the Tuggerah Lakes Estuary Coastal and Floodplain Management Committee will continue to operate as a separate advisory committee.**

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

AGAINST: NIL

3.3 Opportunity to increasing the Level of Service to Parks, Reserves and Roadside Vegetation Maintenance

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

- 1 That Council agree to maintain the level of service to roadside vegetation maintenance to entries to the Shire, townships, high usage roads and high volume intersections that was increased at July 1, 2011, as outlined in this report.**
- 2 That Council agree to maintain the current level of service for parks and reserves for the 2011/12 financial year.**
- 3 That Council request the General Manager to prepare a budget that allows for a higher level of service for parks and reserves to be considered as part of the 2012/13 business planning process. This should also include a report on operational efficiencies that may enhance our levels of service. This report and budget is to be presented to the Councillors Budget Workshop in February 2012.**
- 4 That Council authorise the Mayor and the General Manager to make representations to the Minister for Roads to fully fund the existing standard of service on State Roads in Wyong Shire.**

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

AGAINST: NIL

3.4 Exhibition of Porters Creek Floodplain Risk Management Plan

Councillor McNamara declared a pecuniary interest in the matter, for the reason that he lives in the affected area of the Porters Creek Wetland and this Plan may affect his house value, left the chamber at 8.45 pm, took no part in discussion, did not vote and returned to the chamber at 9.00 pm.

Councillor Symington left the chamber at 8.48 pm and returned to the chamber at 8.49 pm during consideration of this item.

Councillor Webster left the chamber at 8.49 pm and returned to the chamber at 8.50pm during consideration of this item.

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

- 1 That Council adopt the Porters Creek Floodplain Risk Management Study.**
- 2 That Council endorse the Porters Creek Floodplain Risk Management Plan for public exhibition.**
- 3 That Council endorse the public exhibition period to extend from 15 November 2011 to 15 February 2011.**

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

AGAINST: COUNCILLORS BEST, EATON

PROCEDURAL MOTION

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

- 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, MCNAMARA,
SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

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

That with the exception of report numbers 2.4, 3.6, 3.9, 3.11, 4.3, 4.5, 4.6, 4.9, 4.10, 4.12, 5.1, 5.2, 5.3, 5.4, 5.5, 5.5, 6.1 and 8.1 Council adopt the recommendations contained in the remaining reports.

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

AGAINST: NIL

3.5 Presentation on 2010-11 Annual Financial Reports

Mr Dennis Banicevic, External Auditor – PricewaterhouseCoopers, addressed the meeting at 6.25 pm, answered questions and retired at 6.29 pm.

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

- 1 That Council present the Audited Financial Reports for 2010-11 in accordance with the Local Government Act 1993.**
- 2 That Council invite the External Auditor, Mr Dennis Banicevic (representing Price Waterhouse Coopers) to formally present the Auditor's report on Council's Annual Financial Reports for 2010-11.**

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

AGAINST: NIL

3.6 Contract Variations and Finalisation - September 2011

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

- 1 That Council receive the Contract Variations and Finalisation September 2011 report (Attachment 1 and 2).**
- 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
<i>Provision of Property Manager Services – Mardi to Mangrove Link Project</i>	<i>CPA/146302</i>	<i>\$775,245.00</i>	<i>\$700.00</i>
<i>Construction of Hamlyn Terrace Community Centre & Sporting Facility</i>	<i>CPA/172612</i>	<i>\$7,640,811.82</i>	<i>\$330,000.00</i>
<i>Soldiers Beach Surf Lifesaving Club (SLSC)</i>	<i>CPA/184454</i>	<i>\$3,094,344.00</i>	<i>\$310,000.00</i>
<i>Shelley Beach Surf Lifesaving Club (SLSC)</i>	<i>CPA/184446</i>	<i>\$3,307,804.00</i>	<i>\$480,000.00</i>

- 3 That Council note the additional expenditures requested are within approved program budgets.**

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

AGAINST: NIL

3.7 Governance Committee Chairman's Report

Mr David Holmes, Chairman Council's Governance Committee, addressed the meeting at 6.34 pm, answered questions and retired at 6.40 pm.

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

That Council receive the Governance Committee Chairman's Report.

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

AGAINST: NIL

3.8 Delegates Report - 2011 ALGWA Conference - SWIFT - Strong Women Influencing Trends

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

That Council receive the Delegates Report - 2011 ALGWA Conference - SWIFT - Strong Women Influencing Trends.

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

AGAINST: NIL

3.9 Australia Day Awards 2012

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

- 1 That Council form an Australia Day Advisory Committee, comprising of staff and Councillors, to determine the winners of the Australia Day Citizen Awards.***
- 2 That Council appoint the Mayor, Deputy Mayor and Councillor Webster as delegates on this Committee.***
- 3 That Council coordinate a meeting with representatives from Wyong Regional Chamber of Commerce, The Entrance Town Centre Management and Greater Toukley Vision to coordinate marketing and promotion activities for Australia Day events to be held in Wyong, The Entrance and Canton Beach with an aim to increase participation.***
- 4 That Council authorise the General Manager to adopt a charter for the Advisory Committee.***

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

AGAINST: NIL

3.10 Draft Minutes - Extraordinary Governance Committee Meeting held on 5 October 2011

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

- 1 That Council **receive** the draft minutes of the Extraordinary Committee Meeting of the Wyong Shire Governance held on 5 October 2011.
- 2 That Council **note** the Committee's advice, whereby upon reviewing the Council's accounts,
 - a a number of presentation items, including Note 17, were yet to be agreed with the External Auditor, and
 - b that the accounts show a difficult financial position.

Assuming these outstanding matters are resolved, the Governance Committee's recommendations to Council areas follows:

- 3 That Council **adopt** the draft Wyong Shire Council financial statements for 2010/11.
- 4 That Council **refer** the draft Wyong Shire Council financial statements for 2010/11 to external audit.
- 5 That Council **authorise** the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to execute all documents related to the draft 2010/11 financial reports as required by legislation.
- 6 That Council **fix** 26 October 2011 as the date for the presentation of the audited 2010/2011 financial statements and external audit report in accordance with section 419(1) of the Local Government Act 1993.
- 7 That Council **note** that whilst there has been an improvement in the financial situation there are still significant financial risks in relation to assets and revenue.
- 8 That Council **congratulate** staff for their significant contribution towards the improved financial position.
- 9 That Council **request** management to continue to advise and recommend strategies to improve the financial position of Wyong Council.
- 10 That Council **recognise** that further work is required to achieve the long term financial goal of a break even operating result 2014-2015.
- 11 That Council **endorse** the Committee's recommendation that Council recognise the excellent contribution and professionalism of the outgoing Chairman, Mr David Holmes, over the past four years and that Council give consideration to formal recognition for his efforts.
- 12 That Council **appoint** Mr Bruce Turner as the Chair of the Governance Committee.

- 13 That Council note the resignation of Councillor Symington from the Committee and thank him for the support he has given the Committee over the past three years.

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

AGAINST: NIL

3.11 Draft Minutes - Gosford-Wyong Councils' Water Authority Board Meeting held on 12 October 2011

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

- 1 That Council receive the draft minutes of the Gosford-Wyong Councils' Water Authority Board Meeting conducted on 12 October 2011.
- 2 That Council adopt the recommendations included in the draft minutes of the Gosford-Wyong Councils' Water Authority Board Meeting conducted on 12 October 2011.
- 3 That Council, in regards to Water Restrictions, endorse the following:
 - a The easing of the water restrictions from Level 3 to Level 2 as per the refined Level 2 water restriction rules detailed in Table 2,
 - b The new water restrictions to take effect from 14 November 2011, acknowledging the time taken to print brochures, designing and booking advertising placements etc,
 - c The community be congratulated for their ongoing efforts to save water on the Central Coast,
 - d That the communication program ensure that the community is aware that, although water restrictions have been relaxed, community support is still required in conserving our precious water supply.
 - e That the Waterwise education program, as part of the summer campaign, runs in parallel to the easing of restrictions particularly emphasising the efficient use of water in the home and business.
 - f The endorsement of the new restriction triggers as outlined in Table 1 of the report.
- 4 That Council, in regards to the Transfer of joint Water Authority Functions, endorse the following:
 - a That the functions, agreements and arrangements of the Joint Water Authority be transferred from the committee structure to the Councils' General Managers until the Directors of the Central Coast Water Corporation are proclaimed by the Governor or 31 December 2011, whichever occurs first.

- b That the General Managers report, to their respective Councils, the impact of each of the functions, agreements and arrangements to be transferred across to the Central Coast Water Corporation.*

5 That Council, in regards to WaterWatch, endorse the following:

- a That the Community Environment Network (CEN) be invited to submit a proposal regarding the provision of the Waterwatch program on the Central Coast.*

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

AGAINST: NIL

4.1 Information Reports

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

That Council receive the information reports and adopt the recommendations.

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

AGAINST: NIL

4.2 Works in Progress - Water Supply and Sewerage

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

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

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

AGAINST: NIL

4.3 General Works in Progress

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

That Council receive the report on General Works in Progress.

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

AGAINST: NIL

4.4 Response from Minister for Sport and Recreation on Administration of Water Safety

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

That Council receive the response from the Minister for Sport and Recreation on Administration of Water Safety.

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

AGAINST: NIL

4.5 Trial Extension of Lifeguard Service

Councillor Vincent left the chamber at 9.49 pm and returned to the chamber at 9.50 pm during consideration of this item.

Councillor Best left the chamber at 9.53 pm and returned to the chamber at 9.54 pm during consideration of this item.

It was MOVED by Councillor MATTHEWS and SECONDED by Councillor BEST:

- 1 *That Council receive the report on the Trial Extension of Lifeguard Service to Soldiers Beach and Shelly Beach.*
- 2 *That Council request the General Manager to operate a seven day extended lifeguard service during May and September 2012 at Soldiers Beach and Shelly Beach.*
- 3 *That Council request the General Manager to provide a report on flexible service options with regard to the July school holiday period as a response to variable weather patterns.*

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

- 1 *That Council request the General Manager to report on the cost of extending Lifeguard services over the period of May and September for Soldiers Beach and Shelly Beach.*
- 2 *That Council consider a report on this subject, early in 2012, which includes the cost thereof and the opportunity costs thereof including community consultation.*

The AMENDMENT was put to the vote and declared LOST .

FOR: COUNCILLORS EATON, GRAHAM AND MCNAMARA

AGAINST: COUNCILLORS BEST, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN

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

- 1 That Council receive the report on the Trial Extension of Lifeguard Service to Soldiers Beach and Shelly Beach.**
- 2 That Council request the General Manager to operate a seven day extended lifeguard service during May and September 2012 at Soldiers Beach and Shelly Beach.**
- 3 That Council request the General Manager to provide a report on flexible service options with regard to the July school holiday period as a response to variable weather patterns.**

FOR: COUNCILLORS BEST, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: COUNCILLORS EATON, GRAHAM AND MCNAMARA

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

Councillor Matthews left the chamber at 10.00 pm and returned to the chamber at 10.02 pm during consideration of this item.

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

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

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

AGAINST: NIL

4.7 Operational Activities and Trends Associated with the Animal Care Facility at Charmhaven

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

That Council receive the report on Operational Activities and Trends Associated with the Animal Care Facility at Charmhaven.

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

AGAINST: NIL

4.8 Results of Water Quality Testing for Beaches and Lake Swimming Locations

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

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

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

AGAINST: NIL

4.9 Mardi to Mangrove Link Project Status

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

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

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

AGAINST: NIL

4.10 Investment Report for September 2011

Councillor McNamara left the chamber at 10.07 pm and returned to the chamber at 10.08 pm and as a result took no part in voting.

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

That Council receive the report on Investment Report for September 2011.

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

AGAINST: NIL

4.11 Outstanding Questions without Notice and Notice of Motions

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

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

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

AGAINST: NIL

4.12 Improvement of Road Safety - Ruttleys Road - Mannering Park

Councillor Eaton declared a pecuniary interest in the matter for the reason that his family company owns this site, left the chamber at 10.51 pm, took no part in discussion, did not vote and did not return to the chamber.

Discussion on this item occurred in Confidential Session and this item was resolved in Open Session when Council Resumed in Open Session at 11.27pm

Councillor Matthews left the chamber at 11.32 pm and returned to the chamber at 11.33 pm during consideration of this item.

Councillor Webster left the chamber at 11.47 pm and returned to the chamber at 11.48 pm during consideration of this item.

Councillor Matthews left the chamber at 11.47 pm and returned to the chamber at 11.48 pm during consideration of this item.

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

That Council receive and note the report on the Traffic Risk Assessment.

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

AGAINST: NIL

5.1 Notice of Motion - Waste Levy Charges

Cr McNamara returned at 10.08 pm during consideration of this item.

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

- 1 That Council note with concern the continued State Government cost shifting and rate pegging and its effects on the social and economic status of the Shire.**

- 2 That Council request the General Manager to formally request the NSW Minister for the Environment to amend the Protection of the Environment Operations (Waste) Regulation 2005, or whatever other mechanism is available, to ensure the following:**
 - a Exemption from the payment of the waste and sustainability levy for the receipt and/or disposal of mixed waste, ENM (Excavated Natural Material) and VENM (Virgin Excavated Natural Material), from Wyong Shire Council's road construction works at its Buttonderry Waste Management Facility.**

 - b Return of 50% of the total annual Waste Levy paid by Wyong Shire Council for use on local road maintenance and environmental initiatives.**

 - c Future Waste and Sustainability Levy increases being limited to the official CPI figure.**

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

AGAINST: NIL

5.2 Notice of Motion - Central Coast Bears - Foundation Membership

It was MOVED by Councillor MCNAMARA and SECONDED by Councillor WEBSTER:

That Council become a Foundation Member of the Central Coast Bears Rugby League Club.

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

That Council endorse involvement with any National Rugby League team located on the Central Coast, after the team has been admitted to the NRL, in the same manner that Council has supported other national sporting codes on the Central Coast.

The AMENDMENT was put to the vote and declared LOST.

FOR: COUNCILLORS GRAHAM, WYNN AND VINCENT

AGAINST: COUNCILLORS BEST, EATON, MATTHEWS, MCNAMARA, SYMINGTON, AND WEBSTER

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

That Council become a Foundation Member of the Central Coast Bears Rugby League Club.

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

AGAINST: COUNCILLOR GRAHAM

5.3 Notice of Motion - Submission to the Planning System Review Committee

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

1 That Council request the General Manager to make a submission to the planning system review committee highlighting problems with the current planning system including:

a delays particularly with rezonings, but also with other government agencies,

b uncertain outcomes even after land has been rezoned for development,

c infrastructure provision including alternative funding mechanisms such as muni bonds,

d more local flexibility, one size does not fit all,

e more local authority, empowering council to make decisions on minor rezonings and rezonings in line with adopted strategic plans

f cheaper, simpler system.

2 Council request the General Manager to schedule a briefing, in late January or early February, on the issues paper with a view to developing a Council submission to the issues paper.

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

AGAINST: NIL

5.4 Notice of Motion - Reducing the Graffiti Canvas

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

- 1 That Council note with concern the escalating costs to Council and its ratepayers as a result of the local graffiti epidemic.**
- 2 That Council request the General Manager to report on any emerging urban planning initiatives that may reduce graffiti on boundary fences in new subdivision areas which front public domain areas such as parks and reserves.**

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

AGAINST: NIL

5.5 Notice of Motion - Warnervale Key Road Project

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

- 1 That Council note the completion of the 1.3 M upgrade and traffic light installation at the intersection of Warnervale and Minnesota Roads and the subsequent \$4.6 M reconstruction of the southern section of Minnesota Road.**
- 2 That Council request the General Manager provide a report detailing the traffic management initiatives that will be implemented during the construction phase to assist local residents and ratepayers.**
- 3 That Council note that as Minnesota Road is being completely reconstructed, closures and partial closures may be necessary, which will have a significant impact on movements in neighbouring Louisiana Road and particularly at the dangerous Pacific Highway intersection.**
- 4 That Council request the General Manager to seek urgent advice from the State regarding the measures proposed to minimise risk and increase safety at the Pacific Highway intersection.**
- 5 That Council recognise the efforts of the WSC Infrastructure Unit in delivering the much needed \$250,000 upgrade of Louisiana Road.**
- 6 That Council thank the local community for its patience and understanding throughout the period of construction of these important safety upgrade works.**
- 7 That Council request the General Manager to report on options and opportunities, including possible partnership with the State and Federal Governments, to upgrade Warnervale Road as a priority.**

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

AGAINST: NIL

6.1 Rescission Motion - Joint Regional Planning Panel Representation

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

1 That Council rescind the following resolution carried at the Ordinary Meeting of Council held on 12 October 2011:

“1 That Council, noting its commitment to engaging the community in the development process and having regard to the State Government selection criteria applicable to all Panel members, proceed to invite expressions of interest from appropriately experienced and qualified members of the Community to be appointed as Council representatives and alternative representatives on the Hunter/Central Coast JRPP. That Council note that the community representatives will replace the current Councillor and staff and Councillor Panel members.

2 That Council advise the secretariat of the JRPP of those changes to its representation.

3 That Council remunerate its delegates to JRPP meetings at the rate paid in most other Councils of \$650 per meeting.”

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

AGAINST: COUNCILLORS VINCENT AND WYNN

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

1 That Council recognise that its representatives to the Joint Regional Planning Panel (JRPP) should be Councillors, as they are the elected representatives of the community, and endorse a change to its current representation to reflect this principle such that Councillors Symington and Eaton be appointed as delegates to the JRPP.

2 That Council appoint Councillor Wynn as an alternate delegate to the JRPP.

3 That Council advise the secretariat of JRPP of these changes to its representation.

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

AGAINST: COUNCILLOR WYNN

QUESTIONS ON NOTICE

Q27/11 Shire Wide Security Contract - Relocatable Security Cameras
Councillor William Symington
F2004/07937

“Following the recent adoption of the Shire Wide Security Contract, can staff report on the status of, and the prioritised locations for, the installation of the re-locatable security cameras, that was adopted by resolution of Council in February 2011?”

CONFIDENTIAL SESSION

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

That Council move into Confidential Session.

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

At this stage of the meeting being 10.51 pm 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:-

OPEN SESSION

Council resumed in open session at 11.27 pm and the General Manager reported on proceedings of the confidential session of the ordinary meeting of council as follows:

8.1 Review of Process - 464 Ruttleys Road, Mannering Park

That Council receive and note the report on Review of Process – 464 Ruttleys Road, Mannering Park.

THE MEETING closed at 12.20 am.