
WYONG SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 27 MAY 2009,
COMMENCING AT 5.01 PM

PRESENT

COUNCILLORS R L GRAHAM (CHAIRPERSON), G P BEST, D J EATON, E M McBRIDE, J J McNAMARA, L A MATTHEWS, W R SYMINGTON, D P VINCENT AND L D WEBSTER.

IN ATTENDANCE

GENERAL MANAGER, DIRECTOR SHIRE PLANNING, DIRECTOR CORPORATE SERVICES, DIRECTOR SHIRE SERVICES, MANAGER DEVELOPMENT ASSESSMENT, ACTING MANAGER FUTURE PLANNING, AND TWO ADMINISTRATION STAFF.

MANAGER CONTRACTS, MANAGER FINANCE, MANAGER LEGAL AND POLICY, ACTING MANAGER CORPORATE AND ADMINISTRATION SERVICES, SENIOR TRANSPORTATION ENGINEER, CONTRACTOR CONTRACTS AND CULTURAL PLANNER.

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

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

APOLOGY

AN APOLOGY FOR THE INABILITY TO ATTEND THE MEETING WAS RECEIVED ON BEHALF OF COUNCILLOR WYNN AS SHE WAS REPRESENTING WYONG COUNCIL IN CANBERRA IN REGARD TO COAL MINING IN THE VALLEYS.

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

That the apology be accepted and leave of absence from the meeting be granted.

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

AGAINST: NIL.

AT THE COMMENCEMENT OF THE ORDINARY MEETING REPORT NOS 1.1, 1.2, 1.3, 1.4, 5.1, 2.1, 7.2 AND 6.1 WERE DEALT WITH FIRST THEN THE REMAINING REPORTS IN ORDER. HOWEVER FOR THE SAKE OF CLARITY THE REPORTS ARE RECORDED IN THEIR CORRECT AGENDA SEQUENCE.

1.1 Disclosure of Interest

4.2 CPA 158914 - MANAGEMENT OF TOUKLEY AQUATIC CENTRE, WYONG OLYMPIC POOL, THE ENTRANCE OCEAN BATHS AND / OR LAKE HAVEN RECREATION CENTRE

COUNCILLOR EATON DECLARED A NON-PECUNIARY SIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE IS CHAIR OF WYCRA WHO ARE INVOLVED IN BINGO OPERATIONS WITH LEISURECO, ONE OF THE TENDERERS. HE ELECTED TO TAKE NO PART IN THE DISCUSSION OR VOTING AND TO REMOVE HIMSELF FROM THE CHAMBER DURING CONSIDERATION OF THIS ITEM.

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

That the report on Disclosure of Interest be received and advice of disclosure noted.

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

AGAINST: NIL.

1.2 Proposed Inspections

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

That Council receive the report on Proposed Inspections.

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

AGAINST: NIL.

1.3 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 held on 13 May 2009.

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

AGAINST: NIL.

BUSINESS ARISING FROM THE MINUTES

THERE WAS NO BUSINESS ARISING FROM THE MINUTES.

1.4 Address By Invited Speakers

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

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

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

AGAINST: NIL.

2.1 Notice of Intention to Deal with Matters in Confidential Session

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

- 1 That Council consider the following matters in Confidential Session, pursuant to Sections 10A(2)(c) of the Local Government Act 1993:**
 - 11.1 Contract CPA 160553 – Supply and Delivery of Drainage Gravel for Bateau Bay Landfill Site**
- 2 That Council note its reason for considering Report No 9.1 as it may confer a commercial advantage (Section 10A(2)(c)) should the discussions be held in a non-confidential environment.**
- 3 That Council request the General Manager to report on this matter in open session of Council.**

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

AGAINST: NIL.

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

That standing orders be varied to enable item 7.2 Minutes – Gosford-Wyong Councils' Water Authority Board Meeting – 20 May 2009 to be considered.

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

AGAINST: NIL.

3.1 Wyong Shire Cultural Centre Business Plan and Location

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

- 1 That Council rescind Points 2 and 5 of its resolution of 26 August 2006 regarding the location of a Performing Arts Centre at River Road and the commencement of a process for the appropriate disposal of the Memorial Hall on a commercial sale.**
- 2 That Council approve the Memorial Hall site and neighbouring property as owned by Council, as the preferred location for the Wyong Shire Cultural Centre.**
- 3 That Council approve the purchase of services by tender in accordance with budget to complete sketch designs and development application for the Wyong Shire Cultural Centre (ie Stage II of the Cultural Centre project). That the design incorporate all potential staging options for the project and the construction value of the initial stage of the project be in order of \$10-\$15m.**
- 4 That Council pursue liaison with Gosford City Council to enable the development of a Central Coast Regional Cultural Strategy during Stage II.**
- 5 That Council adopt amended Option B as the preferred model for a Working Party from the options proposed with the Mayor to Chair and all interested Councillors to participate in the Working Party.**
- 6 That the development of a Central Coast Regional Cultural Strategy be submitted as an agenda item at the next Joint Councils Meeting.**

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

AGAINST: NIL.

3.2 Request for Nominations - Joint Regional Planning Panels

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

That Council nominate the following persons to be members of the Hunter Joint Regional Planning Panel:

- a Councillor Eaton and alternate Councillor Symington;**
- b Ms Gina Vereker – Director, Shire Planning,**
- c Mr Martin Johnson – Manager, Legal and Policy Unit as Council’s Alternate Nominee.**

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

AGAINST: NIL.

4.1 Contract Variations - April 2009

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

That Council note the variations to contracts (Attachment 1).

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

AGAINST: NIL.

4.2 CPA 158914 - Management of Toukley Aquatic Centre, Wyong Olympic Pool, The Entrance Ocean Baths and/or Lake Haven Recreation Centre

COUNCILLOR EATON DECLARED A NON-PECUNIARY SIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE IS CHAIR OF WYCRA WHO ARE INVOLVED IN BINGO OPERATIONS WITH LEISURECO, ONE OF THE TENDERERS, LEFT THE CHAMBER AT 6.27 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.28 PM.

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

- 1 That Council accept Tender number 5 from the YMCA of Sydney in the extended Schedule of Rates amount of \$462,882.36 (excl GST) in the first year, and an estimated \$1,261,375.00 (excl GST and CPI increases) over three years.**
- 2 That Council approve an annual contract budget of \$510,000.00 (excl GST and CPI adjustments) that provides for an annual contingency amount of \$47,000.00 (excl GST), representing approximately 10% of the contract value, to provide for any unforeseen additional works that may become necessary during the course of the project.**

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

AGAINST: NIL.

5.1 Shire Strategic Vision (SSV) Community Engagement

MR ALLEN ARKINS, CHAIRMAN REPRESENTING SHIRE STRATEGIC VISION COMMUNITY LIAISON COMMITTEE, ADDRESSED THE MEETING AT 5.06 PM, ANSWERED QUESTIONS AND RETIRED AT 5.11 PM.

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

- 1 That Council undertake a comprehensive program of community engagement in respect of the SSV document from 1 June 2009 until 27 July 2009.***
- 2 That the results of the community engagement be reported to Council.***

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

AGAINST: NIL.

5.2 Temporary Food Stall Fees

COUNCILLOR BEST LEFT THE CHAMBER AT 6.30 PM AND RETURNED TO THE CHAMBER AT 6.32 PM AND AS A RESULT TOOK NO PART IN VOTING.

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

That Council approve the immediate application of a \$70.00 fee for a single event "Approval to Operate" food stall.

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

AGAINST: NIL.

5.3 Kulnura Pioneer Memorial Hall

COUNCILLOR BEST LEFT THE CHAMBER AT 6.30 PM AND RETURNED TO THE CHAMBER AT 6.32 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council appoint a Committee in terms of Section 355 of the Local Government Act, to assume the care, control and management of the Kulnura Pioneer Memorial Hall.***
- 2 That Council invite nominations for appointment to the Kulnura Pioneer Memorial Hall 355 Committee.***

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

AGAINST: NIL.

5.4 Goods and Services Tax Compliance

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

- 1 That Council authorise the signing of the Goods and Services Tax Compliance Certificate for the period 1 May 2008 to 30 April 2009 by the Mayor, Deputy Mayor, General Manager and Director Corporate Services and submit to NSW Department of Local Government before 1 June 2009.**
- 2 That Council exempt this from the provisions of the Code of Meeting Practice to allow the motion to be actioned from 9.00 am on 28 May 2009.**

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

AGAINST: NIL.

5.5 Determination of Water Supply, Sewerage and Drainage Charges for 2009-10

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

AT THIS STAGE OF THE MEETING 6.47 PM COUNCIL SUSPENDED CONSIDERATION OF THIS ITEM.

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

- 1 That Council (as the Water Supply Authority) determine the service charges as set out in Attachment 1.**
- 2 That Council determine \$63,583,000 as the estimated amount of money to be raised by way of the services charges set out in Attachment 1.**
- 3 That Council classify land for the purpose of levying services charges set out in Attachment 1 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 that service charges shall be levied in accordance with the charges set out in Attachment 1.**

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

AGAINST: COUNCILLORS BEST AND EATON.

5.6 Proposed Councillors' Community Improvement Grants

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

That Council allocate an amount of \$4,030 from the 2008-09 Councillors' Community Improvement Grants as outlined in the report.

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

AGAINST: NIL.

5.7 Closed Circuit Television - Toukley

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

- 1 That Council note the Community Safety Audit Action Plan.**
- 2 That Council prepare a suitable funding application in partnership with key stake holders in anticipation of applying for Federal or State funds when available.**
- 3 That Council staff approach major new developments in the greater Toukley business districts with a view to seeking their assistance in supporting the community CCTV in tandem with their commercial CCTV systems.**

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

AGAINST: NIL.

AT THIS STAGE OF THE MEETING 7.07 PM COUNCIL RESUMED CONSIDERATION OF ITEM 5.5 DETERMINATION OF WATER SUPPLY, SEWERAGE AND DRAINAGE CHARGES 2009-10.

5.8 Pacific Highway/Burns Road Connection, Ourimbah

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

- 1 That Council support the RTA proposal for the construction of a connector road linking Burns Road to the "Old" Pacific Highway at Ourimbah.**
- 2 That Council accept the new connector road linking Burns Road to the "Old" Pacific Highway as a "local road" under Council's maintenance responsibility upon completion of the Construction Works.**

- 3 That Council not agree to contribute to the works referred to in Recommendation 1 with the exception of a part contribution to the cost of the kerb and gutter works immediately adjacent to the "Big Flower" retail nursery.**
- 4 That Council carry out low cost improvement works to the Burns Road/Chittaway Road intersection.**
- 5 That Council apply for relevant grants to undertake the improvement works to the Burns Road/Chittaway Road intersection.**

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

AGAINST: NIL.

5.9 2008-09 Management Plan - March 2009 Quarter Review

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

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

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

AGAINST: NIL.

5.10 Remuneration of Independent Members of Governance Committee

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

That Council approve the proposed basis for setting the remuneration of the independent members of the Governance Committee with effect from 1 July 2009.

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

AGAINST: NIL.

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

That standing orders be varied to enable item 6.1 to be considered.

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

AGAINST: NIL.

6.1 Current Funding Agreement Between Wyong Shire Council and Central Coast Tourism Incorporated (CCTI)

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

1 That Council in considering adoption of the 2009-10 Management Plan, consider amending it so that the \$175K allocated to CCTI be reallocated to a program providing for project funding, relating to tourism marketing and promotions, that generates significant employment opportunities.

2 That Council staff report on the implementation of this resolution.

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

AGAINST: NIL.

7.1 Minutes - Wyong Shire Governance Committee Meeting - 13 May 2009

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

1 That Council receive the minutes of the Wyong Shire Governance Committee meeting held on 13 May 2009 and adopt the recommendations contained therein.

2 That Council appoint the Mayor and two Councillor Delegates and an Alternate Delegate to the Wyong Shire Governance Committee.

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

AGAINST: NIL.

THE MAYOR CONDUCTED AN ELECTION USING THE OPEN VOTING METHOD TO DETERMINE THE DELEGATES AND ALTERNATE DELEGATE TO THE WYONG SHIRE GOVERNANCE COMMITTEE.

FOLLOWING THE ELECTION THE MAYOR DECLARED COUNCILLOR SYMINGTON AND COUNCILLOR WYNN AS APPOINTED DELEGATES AND COUNCILLOR VINCENT AS AN ALTERNATE DELEGATE TO THE WYONG SHIRE GOVERNANCE COMMITTEE.

7.2 Minutes - Gosford-Wyong Councils' Water Authority Board Meeting - 20 May 2009

MR DENNIS COELLI, RESIDENT, ADDRESSED THE MEETING AT 5.41 PM, ANSWERED QUESTIONS AND RETIRED AT 5.43 PM.

COUNCILLOR VINCENT LEFT THE CHAMBER AT 5.27 PM AND RETURNED TO THE CHAMBER AT 5.29 PM DURING CONSIDERATION OF THIS ITEM.

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

That Council receive the minutes of the Gosford-Wyong Councils' Water Authority Board meeting held on 20 May 2009 and adopt the recommendations contained therein.

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

AGAINST: NIL.

8.1 Information Reports

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

That with the exception of report number 8.2 the information reports be received and the recommendations adopted.

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

AGAINST: NIL.

8.2 "E" Coal Poll

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

- 1 That Council receive the report on "E" Coal Poll.***
- 2 That Council engage a suitably qualified polling organisation to conduct a statistically valid community poll to determine the community's views in regards to the Kores Long Wall Coal mining proposal.***

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

AGAINST: COUNCILLORS McBRIDE, MATTHEWS AND VINCENT.

8.3 Activities of the Development Assessment 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.

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

AGAINST: NIL.

8.4 Results of Water Quality Testing for Beaches and Lake Locations

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

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

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

AGAINST: NIL.

8.5 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, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT AND WEBSTER.

AGAINST: NIL.

8.6 Annual Water Supply and Sewerage Performance Reporting

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

That Council receive the report on Annual Water Supply and Sewerage Performance Reporting.

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

AGAINST: NIL.

8.7 Water and Sewerage - Works in Progress

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

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

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

AGAINST: NIL.

8.8 Outstanding Questions Without Notice and Notices of Motion

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

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

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

AGAINST: NIL.

10.1 Notice of Motion - Support for Council Law Enforcement Officers

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

1 That Council write to all local State Members of Parliament, urging them to support the Crimes (Sentencing Procedure) Amendment (Council Law Enforcement Officers) Bill 2009.

2 That Council conduct a PR campaign in support of the work their members do on behalf of Councils and their communities.

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

AGAINST: NIL.

10.2 Notice of Motion - Planning Agreements Policy

COUNCILLOR McNAMARA LEFT THE CHAMBER AT 7.53 PM AND RETURNED TO THE CHAMBER AT 7.54 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 formulate a policy on accepting planning agreements as an alternative to Section 94 Contributions to aid in flexibility for development and economic outcomes in current times.

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

AGAINST: NIL.

10.3 Notice of Motion - Improved Communication Protocols

COUNCILLOR McNAMARA LEFT THE CHAMBER AT 7.53 PM AND RETURNED TO THE CHAMBER AT 7.54 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council amend its Facilities and Expenses Policy for Councillors to include the provision of a wireless portable modem to allow internet / email usage of laptops away from home / Council.**
- 2 That Council publicly exhibit this amendment as required by legislation.**
- 3 That Council offer this modem to senior staff.**

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

AGAINST: NIL.

10.4 Notice of Motion - Local Employment Preference Policy

COUNCILLOR EATON AND GRAHAM WITHDREW THEIR NOTICE OF MOTION.

10.5 Notice of Motion - Local Preference Policy

COUNCILLOR BEST LEFT THE CHAMBER AT 7.59 PM AND RETURNED TO THE CHAMBER AT 8.00 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council adopt a local preference policy to be included in the evaluation of tenders, quotations and Council procurement.**
- 2 That the potential impact of this criteria on stimulating the local economy and creating local jobs be evaluated.**
- 3 That a policy be prepared and submitted to Council for consideration.**

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

AGAINST: NIL.

10.6 Notice of Motion - Federal Fast Tracking of Warnervale

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

- 1 That with the community of the greater Warnervale district now in desperate need of the proposed Warnervale town centre and its supporting community infrastructure, Council through the assistance of Mr Craig Thomson the local Federal Member for Dobell, seek to access the Federal Government's nation building infrastructure funding initiatives with a view to fast tracking the commencement of this much needed new community infrastructure.**
- 2 That Council in partnership with the Federal Member seek a joint delegation to the Federal Minister for Infrastructure to lobby for Federal assistance.**

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

AGAINST: NIL.

QUESTIONS WITHOUT NOTICE ASKED**Q034 - Status of the Kanwal Village carpark
Councillor McBride**

"Could Council staff please report on the current status of the Kanwal Village carpark in front of the pharmacy and video store? Could staff please indicate when the carpark is likely to be completed to allow safe access to the pharmacy and other businesses for local residents?"

**Q035 - Organisational Structure
Councillor Eaton**

"The Local Government Act requires, I believe, Council to consider its structure within 1 year of the Council election. Can the General Manager advise when he intends to put this matter on the agenda?"

CONFIDENTIAL SESSION

AT THIS STAGE OF THE MEETING BEING 8.12 PM COUNCIL MOVED INTO CONFIDENTIAL SESSION WITH THE PRESS AND THE PUBLIC EXCLUDED.

OPEN SESSION

COUNCIL RESUMED IN OPEN SESSION AT 8.19 PM AND THE GENERAL MANAGER REPORTED ON PROCEEDINGS OF THE CONFIDENTIAL SESSION OF THE ORDINARY MEETING OF COUNCIL AS FOLLOWS:

11.1 Contract CPA 160553 - Supply and Delivery of Drainage Gravel for Bateau Bay Landfill Site

- 1 That Council decline to accept any of the tenders received.**
- 2 That Council authorise the General Manager to enter into negotiations with John E Hogan Pty Ltd, Leckey's Pty Ltd, M Collins & Sons Pty Ltd, and Specialised Sand and Soil Pty Ltd with a view to entering into a contract for the supply and delivery of a fully conforming drainage gravel for the Bateau Bay landfill project.**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.20 PM.

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CHAIRPERSON