
WYONG SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 28 April 2010 COMMENCING AT 5:00:00 PM

PRESENT

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

IN ATTENDANCE

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

Manager Contracts and Special Projects, Manager Customer and Community Services and two administration staff.

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.

Councillor McNamara presented a plaque from the Central Coast Sports Federation to Wyong Shire Council as one of the sponsors of the Central Coast Sports Awards.

Councillor Graham commented on a meeting that he attended on the Regional Development of Australia – Focus on the Coast at the University with the focus on Warnervale Town Centre on 15 April 2010.

The Mayor, Councillor Graham acknowledged the General Manager, Mr Kerry Yates and outlined his local government career and achievements including his 28 years at Wyong Shire Council and wished him and his family well in his retirement.

General Manager thanked everyone for the acclamation.

Councillors McNamara, Eaton and McBride spoke briefly on the General Manager's achievements and his service to Council.

The Mayor, Councillor Graham acknowledged ANZAC Day 2010, read the Prologue and The Ode. The Chamber and Gallery stood for a minute's silence.

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

APOLOGIES

There were no apologies.

All reports were dealt with in their correct agenda sequence.

1.1 Disclosures of Interest

4.1 Proposed Councillors' Community Improvement Grants

Councillor Matthews declared a non-pecuniary insignificant conflict of interest in the matter for the reason that she is a member of the Central Coast Community Congress Working Party.

Councillor Matthews 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 because I hold no prominent position in that committee and make no decisions."

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

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

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

AGAINST: NIL

1.2 Proposed Inspections

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

That Council receive the report on Proposed Inspections including the two additional inspections:

- **DA/790/2009 – Proposed Boundary Adjustment, Yarramalong Road, Wyong Creek**
- **DA/123/2010 – Proposed Two Storey Dwelling, Karalee Street, Wadalba**

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

AGAINST: NIL

1.3 Address By Invited Speakers

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

1 That Council receive the 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, MCBRIDE, 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 MCBRIDE:

That Council confirm the minutes of the previous Ordinary Meeting of Council held on 14 April 2010.

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

AGAINST: NIL

Business Arising

There was no business arising.

1.5 Mayoral Minute - Call for Wyong Police Station to remain in public ownership

RESOLVED unanimously on the motion of Councillor GRAHAM:

That Council make urgent representations to the local State Members of Parliament, the Minister for the Central Coast and the Premier to retain this historic building under public ownership and cancel the proposed auction.

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

AGAINST: NIL

2.1 Review of Policy B1 - Bonding of Development Works

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

1 That Council adopt the amended policy and that appropriate public notice being given.

2 That Council update the policy manual and the policy be made available to the public and staff via Council's webpage.

3 That the adopted policy come into effect following public notice being given.

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

AGAINST: NIL

3.1 Contract CPA/174323 - Sludge Dewatering at Gwandalan and Charmhaven Sewage Treatment Plants

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

- 1 That Council accept tender No 6 from Waste Processing Solutions for Contract CPA/174323 for the Sludge Dewatering of No 1 and No 2 Sludge Lagoons at Gwandalan STP and No 1 Sludge Lagoon at Charmhaven STP in the estimated total amount of \$179,110 excl GST.**
- 2 That Council approve a contingency amount of \$18,000 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 Contract CPA/174323.**

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

AGAINST: NIL

3.2 Contract Variations and Finalisation - March 2010

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

- 1 That Council note the variations to contracts in Attachment 1 of the Contract Variations and Finalisation March 2010 report.**
- 2 That Council approve expenditure above contract estimates but within approved program budgets for the following contract:**

2a	Warnervale Water Supply & Sewerage - Review of Environmental Factors	CPA/122995	\$20,000.00
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- 3 That Council note the contracts that reached a finalised status in Attachment 2 of the Contract Variations and Finalisation – March 2010 report.**

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

AGAINST: NIL

4.1 Proposed Councillors' Community Improvement Grants

Councillor Matthews declared a non-pecuniary insignificant conflict of interest in the matter for the reason that she is a member of the Central Coast Community Congress Working Party.

Councillor Matthews 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 because I hold no prominent position in that committee and make no decisions."

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

That Council allocate an amount of \$3,450.00 from the 2009-10 Councillors' Community Improvement Grants as outlined in the report.

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

4.2 Establishment of Alcohol Free Zone - San Remo

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

1 That Council prepare a proposal for the establishment of an Alcohol Free Zone at the following location for a period up to 30 June 2013:

San Remo: The Alcohol Free Zone would include the whole of Scribbly Gum Close and Brava Avenue and part of Goorama Avenue, Costa Avenue and Pacific Highway.

2 That Council complete the required public consultation process and advise the NSW Anti-Discrimination Board of the proposal.

3 That Council determine the establishment of an Alcohol Free Zone upon receipt of a report at a later date, following the public consultation process.

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

5.1 Information Reports

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

That with the exception of report numbers 5.2, 5.4, 5.6, 5.7, and 5.8, Council receive the information reports and adopt the recommendations.

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

5.2 Warnervale Airport and Associated Lands

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

That Council receive the report on Warnervale Airport and Associated Lands.

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

AGAINST: NIL

5.3 Activities of the Development Assessment Unit

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

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

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

AGAINST: NIL

5.4 Investments for March 2010

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

That Council receive the report on Investments for March 2010.

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

AGAINST: NIL

5.5 Water and Sewerage - Works in Progress

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

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

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

AGAINST: NIL

5.6 General Works in Progress

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

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

5.7 Mardi to Mangrove Link Project Status

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

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

5.8 Outstanding Questions Without Notice and Notices of Motion

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

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

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

AGAINST: NIL

7.1 Notice of Motion - Traffic Jams Priority List

Councillor Wynn left the meeting at 06:17 pm and returned to the meeting at 06:19 pm during consideration of this item.

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

1 *That Council in consultation with the RTA prepare a priority listing of the 10 worst traffic jam locations in the Shire judged on a set of objective criteria.*

2 *That Council consider a report on the listing as soon as practical.*

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

AGAINST: COUNCILLORS GRAHAM, MATTHEWS, MCBRIDE AND VINCENT

7.2 Notice of Motion - Coal Mining Environmental Impact Study Public Input

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

- 1 That Council hold a public forum by mid May to seek public input and consultation to go into Council's response to the Wallarah 2 Environmental Impact Study (EIS).**
- 2 That Council establish a web blog or similar electronic feedback system to facilitate public comment on the EIS for adoption into Council's response.**

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

AGAINST: NIL

7.3 Notice of Motion - Warnervale Road Commencement

Councillor Best left the meeting at 06:53 pm and returned to the meeting at 06:55 pm during consideration of this item.

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

- 1 That Council thank the Member for Wyong, Mr David Harris MP for securing the State Grant of \$2m towards construction costs of the Warnervale entry road.**
- 2 That Council urgently proceed to construct the entry road subject to confirmation of contributions to be paid by Landcom and Woolworths equivalent to the length of the road over their landholdings but generally in accordance with the following percentages:**

Owner	Percentage	Approx Cost*
Wyong Shire Council	8%	\$288,000
Landcom	56%	\$2,016,000
Woolworths	18%	\$648,000
Section 94 – Half Road Fronting Railway	18%	\$648,000
TOTAL	100%	\$3,600,000

* Based on a cost of \$5.6m for Stage 1 of the entry road and allowing for the grant of \$2m. The final figure is subject to the completion of design.

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

AGAINST: NIL

7.4 Notice of Motion - Central Coast Business Development Link

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

1 That Council, in partnership with Gosford City Council and our region's peak Departmental Agencies, develop a web link to the Councils' sites showcasing the region's business and development opportunities through profiling data such as:

- **Central Coast Investment Profile**
- **Population Facts**
- **Competitive Property Opportunities**
- **Competitive Costs**
- **Gross Regional Products**
- **Significant Key Points**
- **Key Business Sectors**
- **Key Business Sector Averages**
- **Types/Categories of Current Employment**
- **Employment Forecasts**
- **Transport and Work Journey Data**
- **Employment Precincts**
- **Corporate Numbers Estimates**
- **Residential Development Activities**
- **Commercial Development**
- **Commercial Property Directory**

2 That Council recognise the urgent need for a targeted and managed Regional Profile as an important tool in attracting and expanding new and existing organisations that will boost much needed local employment.

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

AGAINST: NIL

QUESTIONS WITHOUT NOTICE

Q77/10 Cost of Synthetic Surfaces for Sportsgrounds

Councillor Eaton

F2005/00936

"I table an excerpt from the Local Government Focus on the largest synthetic surface sportsground in Australia consisting of four ovals, constructed for \$1.6m. Could Council staff verify this cost and description and advise on the huge cost discrepancy between this Council's sportsground projects?"

Q78/10 Dredging of The Entrance Channel
Councillor Best
F2004/11029

“ Further to the recent staff advice that the now almost completely closed Entrance channel will now be dredged and the impact of the closure has understandably impacted on locals and holiday makers alike, not to mention the environment within of our lake. Could staff please provide information and background as to the processes that resulted in the channel closing including actions, authorities and approvals from other Government Departments and why the original decision to service the dredge, whilst coming into its operational season, was made?”

THE MEETING closed at 7.06 pm.