
WYONG SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 28 MARCH 2007,
COMMENCING AT 5.25 PM

PRESENT

COUNCILLORS R L GRAHAM (CHAIRPERSON), D J EATON, B J PAVIER, N T ROSE, R E STEWART, R C STEVENS, C W VEUGEN AND W J WELHAM.

IN ATTENDANCE

GENERAL MANAGER, DIRECTOR CORPORATE SERVICES, DIRECTOR SHIRE PLANNING, DIRECTOR SHIRE SERVICES, MANAGER DEVELOPMENT ASSESSMENT, ACTING MANAGER FUTURE PLANNING AND AN ADMINISTRATION OFFICER.

COUNCILLOR ROSE ADVISED THAT HE ATTENDED A PROFESSIONAL SURFING EVENT, THE HOT TUNA CENTRAL COAST PRO, ON COUNCIL'S BEHALF. COUNCILLOR ROSE CONGRATULATED SURFING NSW FOR A SUCCESSFUL EVENT AND HOT TUNA FOR THEIR CONTINUED COMMITMENT. IT WAS A GREAT EVENT FOR THE SHIRE, PROVIDING AN OPPORTUNITY TO SHOWCASE THE CENTRAL COAST, WYONG SHIRE AND SOLDIERS BEACH.

THE MAYOR, COUNCILLOR R L GRAHAM, DECLARED THE MEETING OPEN AT 5.25 PM AND JOHN HARDWICK READ THE OPENING PRAYER.

APOLOGY

APOLOGY FOR THE INABILITY TO ATTEND THIS MEETING AND REQUEST FOR A LEAVE OF ABSENCE FOR THE MEETING OF 11 APRIL 2007 WAS RECEIVED ON BEHALF OF COUNCILLOR BEST.

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

That the apology be accepted and Councillor BEST, be granted leave of absence until Council's meeting on 9 May 2007.

COUNCILLOR FORSTER HAS BEEN GRANTED LEAVE OF ABSENCE UNTIL 11 APRIL 2007.

THE REPORTS WERE CONSIDERED IN THEIR CORRECT AGENDA SEQUENCE.

Minutes of the Ordinary Meeting of Council held on 28 March 2007 (contd)

125 Disclosure of Interests

F2006/02282 MW:SW

126 PROPOSED INSPECTIONS

COUNCILLOR EATON DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT THE ARCHITECT FOR CAMP TOUKLEY OWED HIS BUSINESS MONEY AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

126 PROPOSED INSPECTIONS

COUNCILLOR WELHAM DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT THE DENYJENKO FIRM ARE INVOLVED IN THE PLANS PREPARED FOR CAMP TOUKLEY AND HE WAS INVOLVED IN A LONG RUNNING LEGAL CASE AGAINST THEM IN REGARDS TO THE POOR CONSTRUCTION OF HIS HOUSE AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

132 PROPOSED COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS

COUNCILLOR STEWART DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HER GRANDSON ATTENDS BERKELY VALE PUBLIC SCHOOL AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

132 PROPOSED COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS

COUNCILLOR GRAHAM DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE IS A MEMBER OF THE SCHOOL COUNCIL AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

133 GOSFORD AND WYONG COUNCILS' WATER AUTHORITY BOARD MEETING

COUNCILLOR VEUGEN DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT THE RECYCLED WATER MAIN RUNS ALONG THE SIDE OF HIS PLACE OF WORK AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

133 GOSFORD AND WYONG COUNCILS' WATER AUTHORITY BOARD MEETING

COUNCILLOR EATON DECLARED A PECUNIARY CONFLICT OF INTEREST IN ITEM 5.5 – PROGRESS ON TEMPORARY DESALINATION CONTINGENCY SUPPLY PROJECT – ANNEXURE E, FOR THE REASON THAT THE RECYCLED WATER MAIN RUNS ALONG THE BOUNDARY OF HIS RUTLEYS ROAD PROPERTY, LEFT THE CHAMBER AT 6.10 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.11 PM FOR THE REMAINDER OF THE ITEM.

RESOLVED unanimously on the motion of Councillor PAVIER and seconded by Councillor STEVENS:

That the report be received and advice of disclosures noted.

Minutes of the Ordinary Meeting of Council held on 28 March 2007 (contd)

126 Proposed Inspections

F2006/02282 MW:SW

COUNCILLOR EATON DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT THE ARCHITECT FOR CAMP TOUKLEY OWED HIS BUSINESS MONEY AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR WELHAM DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT THE DENYJENKO FIRM ARE INVOLVED IN THE PLANS PREPARED FOR CAMP TOUKLEY AND HE WAS INVOLVED IN A LONG RUNNING LEGAL CASE AGAINST THEM IN REGARDS TO THE POOR CONSTRUCTION OF HIS HOUSE AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor WELHAM:

That the amended report on inspections conducted on Wednesday, 28 March 2007 be received and the information noted.

127 Proposed Briefings

F2006/02282 MW:SW

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor WELHAM:

That the amended report be received and the information noted with the exception of the Briefing scheduled for 28 March 2007 between 2.00pm and 3.00pm on computer access which has been deferred.

128 Address by Invited Speakers

F2006/02282 MW:SW

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

That the report on Invited Speakers be received and the information noted.

Minutes of the Ordinary Meeting of Council held on 28 March 2007 (contd)

129 Confirmation of Minutes of Previous Meeting

F2006/02282 MW:SW

IT IS ANTICIPATED THAT THE MINUTES OF THE ORDINARY MEETING OF 14 MARCH 2007 WILL BE PRESENTED TO COUNCIL FOR CONFIRMATION AT THE ORDINARY MEETING OF 11 APRIL 2007.

RESOLVED unanimously on the motion of Councillor STEVENS and seconded by Councillor STEWART:

That the information be noted.

LEAVE TO INTRODUCE MOTION OF URGENCY

COUNCILLOR ROSE SOUGHT AND WAS GRANTED LEAVE TO INTRODUCE A MOTION OF URGENCY.

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

RESOLVED unanimously on the motion of Councillor ROSE and seconded by Councillor STEVENS:

That Council consider a Motion of Urgency regarding the Crown Land at Lake Road, Tuggerah.

129A Motion of Urgency – Crown Land at Lake Road, Tuggerah

F2004/08318

RESOLVED unanimously on the motion of Councillor ROSE and seconded by Councillor STEVENS:

That in light of the current tender by the State Government for a feasibility study of developing or disposing of Crown Land in Lake Road, Tuggerah adjacent to the Pioneer Dairy, Council make urgent representations to the State Government for a significant amount of the proceeds of any sale or development of this land, be directed back into the restoration and improvement of the Pioneer Dairy site.

Minutes of the Ordinary Meeting of Council held on 28 March 2007 (contd)

130 Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace

DA/2444/2005 WKW:WKW

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

- 1 That Council note the Minister's direction.**
- 2 That Council seek an urgent meeting with the new Minister for Planning and the new Minister for the Central Coast, as soon as the Ministerial appointments are made, together with the newly elected Member for Wyong, Mr David Harris, to discuss the financial impact on the ratepayers caused by this and future State Government developments in Wyong Shire.**

131 Establishment of an Alcohol Free Zone – Lake Haven

F2006/00420 MW

RESOLVED unanimously on the motion of Councillor WELHAM and seconded by Councillor PAVIER:

That Council formally adopt the proposal to establish an Alcohol Free Zone in the following location for the period up to June 30 2009:

Lake Haven: Goobarabah Avenue, Lake Haven Drive, Lake Haven Recreation Centre Carpark

132 Proposed Councillors' Community Improvement Grants

F2006/00788 JL

COUNCILLOR STEWART DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HER GRANDSON ATTENDS BERKELY VALE PUBLIC SCHOOL AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR GRAHAM DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE IS A MEMBER OF THE SCHOOL COUNCIL AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

RESOLVED unanimously on the motion of Councillor STEVENS and seconded by Councillor ROSE:

That an amount of \$8350.00 be allocated from the 2006/2007 Councillors' Community Improvement Grants as outlined in Attachment 1, with the exception of the grant to Berkeley Vale Public School.

Minutes of the Ordinary Meeting of Council held on 28 March 2007 (contd)

RESOLVED on the motion of Councillor STEVENS and seconded by Councillor ROSE:

That the Berkeley Vale Public School be allocated \$1500.00 from the 2006/2007 Councillors' Community Improvement Grants as outlined in Attachment 1.

FOR: COUNCILLORS GRAHAM, PAVIER, ROSE, STEVENS AND WELHAM.

AGAINST: COUNCILLORS EATON, STEWART AND VEUGEN.

133 Gosford and Wyong Councils' Water Authority Board Meeting

F2004/06808

COUNCILLOR VEUGEN DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT THE RECYCLED WATER MAIN RUNS ALONG THE SIDE OF HIS PLACE OF WORK AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR EATON DECLARED A PECUNIARY CONFLICT OF INTEREST IN ITEM 5.5 – PROGRESS ON TEMPORARY DESALINATION CONTINGENCY SUPPLY PROJECT – ANNEXURE E, FOR THE REASON THAT THE RECYCLED WATER MAIN RUNS ALONG THE BOUNDARY OF HIS RUTLEYS ROAD PROPERTY, LEFT THE CHAMBER AT 6.10 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.11 PM FOR THE REMAINDER OF THE ITEM.

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor STEVENS:

That item 5.5 – Progress Report on Temporary Desalination Contingency Supply Project – Annexure E be received and the recommendations contained therein, adopted.

RESOLVED unanimously on the motion of Councillor PAVIER and seconded by Councillor ROSE:

That the remainder of the minutes of the Gosford and Wyong Councils' Water Authority Board meeting held on 21 March 2007, be received and the recommendations contained therein, adopted.

134 Central Coast Regional Organisation of Councils

F2004/06390 MW:SW

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor STEVENS:

That the minutes of the Central Coast Regional Organisation of Councils meeting held on 7 February 2007 be received and the recommendations contained therein, adopted.

Minutes of the Ordinary Meeting of Council held on 28 March 2007 (contd)

135 Information Reports

F2006/02282 MW:SW

RESOLVED unanimously on the motion of Councillor WELHAM and seconded by Councillor STEWART:

That the Information Reports of the Ordinary Meeting of Council be dealt with by the exception method.

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

That the Information Reports and recommendations of the Ordinary Meeting of Council, with the exception of report numbers 138 and 139, be received and the information noted.

136 Activities of the Development Assessment Unit

F2004/07830 NL:NL

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

That the report be received and the information noted.

137 Results of Water Quality Testing for Bathing Beaches

F2004/06822 RHM

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

That the report be received and the information noted.

138 Picnic Shelters at Jenny Dixon Reserve

F2004/05301 KS

RESOLVED unanimously on the motion of Councillor ROSE and seconded by Councillor WELHAM:

That this item be deferred pending a briefing on the options which is to include answers to Q014 and Q015 regarding similar issues at sites at The Entrance.

Minutes of the Ordinary Meeting of Council held on 28 March 2007 (contd)

139 General Works in Progress Report

F2004/07830 CS

RESOLVED unanimously on the motion of Councillor VEUGEN and seconded by Councillor STEWART:

That the report be received and the information noted.

140 Works in Progress Report – Water and Sewerage

F2004/07830 KRG:DP

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

That the report be received and the information noted.

141 Wyong Shire Library Statistics

F2004/11651 JM/JM

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

That the report be received and the information noted.

142 Outstanding Questions Without Notice and Notices of Motion

F2005/00926 MW:SW

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

That the report be received and the information noted.

Minutes of the Ordinary Meeting of Council held on 28 March 2007 (contd)

QUESTIONS WITHOUT NOTICE ASKED

Q032 – Premature Electrification of Street Lights in New Estates

Councillor Eaton

F2004/00189

Council liase with Energy Australia in relation to the premature of electrification of street lights in New Estates.

Q033 – Attendance and Profitability of Child Care Centres

Councillor Eaton

F2004/07558

Could Council report monthly on attendance and profitability of its child care centres?

Q034 – Member for Wyong, Mr David Harris Address Council

Councillor Veugen

F2004/06395

That the Mayor invite the newly elected Member for Wyong, Mr David Harris to address the full Council to outline his commitment on how he is going to work with Council. This will allow all Councillors to question Mr Harris on what he is going to do regarding issues that are concerning our residents and ratepayers.

Q035 – Possible Interests for Councillor Graham Relating to any Up Coming or Past Developments

Councillor Veugen

F2004/06507

Can Councillor Robert Graham please provide Council with a full list of all developers and developer agents he has had and is currently doing business with to clarify any possible interests relating to any up coming or past developments?

Q036 – Transcript of Ordinary Meeting 14 February 2007, Regarding Declared Interests in Councillors' Community Improvement Grants Report

Councillor Welham

F2004/06507

On the meeting of 14 March 2007, Councillor Best requested in debate that the transcript be checked for the 14 February 2007 regarding whether he did or didn't declare an interest in the CCIG report dealing with a donation to 'Friends of Wyong Hospital'. Could the results of this checking please be reported in writing to Council?

Minutes of the Ordinary Meeting of Council held on 28 March 2007 (contd)

Q037 – Extreme Sports Park at San Remo

Councillor Welham

F2004/09092

Council staff review the current state and operation of the Extreme Sports Park at San Remo and opportunities to involve the community more at the site in a structured way.

Q038 – International Cities, Town Centres and Communities Organisation and Conference

Councillor Pavier

F2004/06466

Could Councillor Welham report on the benefits of the (International Cities, Town Centres and Communities) ICTC organisation and Conference he and Councillor Forster have attended?

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.30 PM.

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CHAIRPERSON