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# WYONG SHIRE COUNCIL

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 09 DECEMBER 2009 COMMENCING AT 5:00:00 PM

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### 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, L D WEBSTER AND S A WYNN.

### IN ATTENDANCE

GENERAL MANAGER, DIRECTOR SHIRE PLANNING, DIRECTOR SHIRE SERVICES, DIRECTOR CORPORATE SERVICES, PROJECT DIRECTOR MARDI TO MANGROVE LINK PROJECT, ACTING MANAGER FUTURE PLANNING, MANAGER DEVELOPMENT ASSESSMENT AND TWO ADMINISTRATION STAFF.

MANAGER CONTRACTS AND SPECIAL PROJECTS, MANAGER PLANNING – LEGAL AND POLICY, EXECUTIVE MANAGER, MANAGER SUSTAINABILITY, ACTING MANAGER GOVERNANCE AND ADMINISTRATION, SENIOR TRANSPORT ENGINEER, SENIOR DEVELOPMENT PLANNER, CULTURAL PLANNER, SENIOR OFFICER - TERRESTRIAL ECOLOGY AND SUSTAINABILITY, CONTRACTOR AND ADMINISTRATION OFFICER

THE MAYOR REPORTED THAT:

- \* THE SUBMISSION THAT WYONG COUNCIL PUT IN TO HOST THE NSW SURF LIFESAVING CHAMPIONSHIPS AT SHELLY BEACH IN 2011, 2012 AND 2013 WAS NOT SUCCESSFUL AND THE EVENT WAS WON BY TWEED HEADS WHICH HAS HOSTED THIS EVENT FOR THREE YEARS IN A ROW. A PROTEST HAS BEEN LODGED WITH THE SURF LIFESAVING ORGANISATION.
- \* AN AWARD WAS PRESENTED TO LANDSCAPE ARCHITECTS FROM WYONG COUNCIL BY THE FORMER MINISTER FOR PLANNING, MS KRISTINA KENEALLY, IN RECOGNITION OF WORKS CARRIED OUT AT SALTWATER CREEK PARK WHICH INCLUDE A PLAYGROUND FOR DISABLED CHILDREN.

THE MAYOR INVITED COUNCILLORS TO REPORT ON RECENT EVENTS AS FOLLOWS:

COUNCILLOR MATTHEWS REPORTED ON THE TUGGERAH LAKES MARDI GRAS PARADE WHICH WAS HELD LAST SATURDAY. WYONG COUNCIL'S ENTRANT, MS REBECCA CHAFFER, WAS CROWNED THE MARDI GRAS QUEEN. COUNCILLOR MATTHEWS PRESENTED A PLAQUE TO THE MAYOR WHICH WAS PRESENTED TO WYONG COUNCIL IN RECOGNITION OF ITS SUPPORT FOR THIS EVENT.

COUNCILLOR SYMINGTON REPRESENTED THE MAYOR AT THE NSW EXCELLENCE IN THE ENVIRONMENT AWARDS WHERE COUNCIL WAS PRESENTED WITH A NUMBER OF AWARDS.

COUNCILLOR McBRIDE ACCEPTED A CERTIFICATE OF APPRECIATION FROM THE CENTRAL COAST COMMUNITY CONGRESS WHICH WAS PRESENTED TO WYONG SHIRE COUNCIL IN RECOGNITION OF ITS SUPPORT.

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.

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

### APOLOGIES

THERE WERE NO APOLOGIES.

**1.1 Disclosure of Interest**

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**3.1 PROBITY REPORT - MARINERS FC DEVELOPMENT**

COUNCILLOR GRAHAM DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS A DIRECTOR ON THE BOARD OF THE CENTRAL COAST MARINERS FOOTBALL CLUB, LEFT THE CHAMBER AT 5.51 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.36 PM.

**3.2 LEASE OF COUNCIL LAND AT CHURCH ROAD, TUGGERAH BY MARINERS FC UNIT TRUST**

COUNCILLOR GRAHAM DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS A DIRECTOR ON THE BOARD OF THE CENTRAL COAST MARINERS FOOTBALL CLUB, LEFT THE CHAMBER AT 5.51 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.36 PM.

**3.3 ODOUR STUDY AT WYONG SOUTH SEWERAGE TREATMENT PLANT**

COUNCILLOR GRAHAM DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS A DIRECTOR ON THE BOARD OF THE CENTRAL COAST MARINERS FOOTBALL CLUB, LEFT THE CHAMBER AT 5.51 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.36 PM.

**3.4 DA 1114/2009 - PROPOSED CONSTRUCTION OF A RECREATIONAL AREA, PARKING AND LANDSCAPING AT TUGGERAH**

COUNCILLOR GRAHAM DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS A DIRECTOR ON THE BOARD OF THE CENTRAL COAST MARINERS FOOTBALL CLUB, LEFT THE CHAMBER AT 5.51 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.36 PM.

**3.5 DA 612/2009 - PROPOSED ENTERTAINMENT FACILITY AND ANCILLARY USES, PARKING AND LANDSCAPING AT TUGGERAH**

COUNCILLOR GRAHAM DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS A DIRECTOR ON THE BOARD OF THE CENTRAL COAST MARINERS FOOTBALL CLUB, LEFT THE CHAMBER AT 5.51 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.36 PM.

**7.2 PROPOSED COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS**

COUNCILLOR MATTHEWS DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT SHE IS AN EMPLOYEE OF WYONG PUBLIC SCHOOL BUT NOT A MEMBER OF THE P & C ASSOCIATION AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

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 HAVE NOT CONTRIBUTED ANY FUNDS."*

**10.3 NOTICE OF MOTION - ELECTION OF NEW DELEGATE FOR THE BOARD OF CENTRAL COAST TOURISM INC**

COUNCILLOR WEBSTER DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT SHE IS THE COUNCIL DELEGATE ON THE ENTRANCE TOWN CENTRE MANAGEMENT BOARD AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR WEBSTER STATED:

*"I CHOOSE TO REMAIN IN THE CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY."*

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

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

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

AGAINST: NIL

## **1.2 Inspections**

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

***That Council receive the report on Inspections.***

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

AGAINST: NIL

## **1.3 Address by Invited Speakers**

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

**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, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

#### **1.4 Confirmation of Minutes of Previous Meeting**

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

***That Council confirm the minutes of the previous Ordinary Meeting of Council held on 25 November 2009.***

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

AGAINST: NIL

#### **BUSINESS ARISING FROM THE MINUTES**

THERE WAS NO BUSINESS ARISING FROM THE MINUTES

#### **1.5 Mayoral Minute - Bus Servicing Review**

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COUNCILLOR VINCENT LEFT THE CHAMBER AT 5.22 PM AND RETURNED TO THE CHAMBER AT 5.23 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR VINCENT LEFT THE CHAMBER AT 5.26 PM AND RETURNED TO THE CHAMBER AT 5.33 PM DURING CONSIDERATION OF THIS ITEM.

**RESOLVED unanimously on the motion of Councillor GRAHAM:**

**1 That Council advise New South Wales Transport and Infrastructure that the consultation process is seriously flawed.**

**2 That Council support the request for the following additional services:**

- ***Express buses from Belmont stopping on the Highway at Gwandalan/Summerland Point, Lake Munmorah, Chain Valley Bay across to Mannering Park (loop with one stop on Vales road) to Morisset Railway Station.***
- ***Express bus services (with limited stops) along the Highway from Gwandalan to Wyong Railway Station,***
- ***Express bus services (with limited stops) along the Highway from Budgewoi to Wyong Railway Station,***
- ***Express bus services (with limited stops) along Wallarah Road between Norah Head and Wyong Railway Station (by-passing Lake Haven Shops),***
- ***Express bus services (with limited stops) along the Central Coast Highway between Doyalson and Gosford,***
- ***A loop service incorporating Doyalson, Ruttleys Road and both Morisset and Wyee Railway Stations***
- ***Improved late night shopping services***

- **Sunday services to match those on Saturdays.**

**3 That Council write to all Local State and Federal Members seeking their support in getting a significantly improved Bus Service in Wyong Shire and what they are prepared to do to achieve these outcomes.**

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

AGAINST: NIL

## **2.1 Notice of Intention to Deal with Matters in Confidential Session**

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THE GENERAL MANAGER ADVISED THAT THIS ITEM, AND CONFIDENTIAL ITEM 12.1, LISTED IN THIS REPORT, HAVE NOW BEEN WITHDRAWN PENDING LEGAL MATTERS YET TO BE RESOLVED.

## **3.1 Probity Report - Mariners FC Development**

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COUNCILLOR GRAHAM DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS A DIRECTOR ON THE BOARD OF THE CENTRAL COAST MARINERS FOOTBALL CLUB, LEFT THE CHAMBER AT 5.51 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.36 PM.

COUNCILLOR MATTHEWS ASSUMED THE CHAIR FOR CONSIDERATION OF THIS ITEM.

THE GENERAL MANAGER STATED, IN REGARD TO RECOMMENDATIONS R5 AND R6 IN THE PROBITY REPORT, THAT THE DEPARTMENT OF LOCAL GOVERNMENT HAS POINTED OUT THAT ANY MATTERS IN REGARD TO PECUNIARY INTEREST SHOULD BE REFERRED TO IT. HE CONFIRMED THAT THE PROBITY REPORT HAS BEEN SENT TO THE DEPARTMENT AND HE NOTED THAT, REGARDLESS OF THE NATURE OF THE DECLARATION MADE, COUNCILLOR GRAHAM HAD TAKEN APPROPRIATE ACTION BY LEAVING THE CHAMBER AND NOT VOTING ON THE MATTER AND THIS IN EFFECT MAY CONSTITUTE A TECHNICAL BREACH.

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

**1 That Council note the probity report from O'Connor and Marsden.**

**2 That Council adopt the recommendations 1-4 and 7 therein namely:-**

**Recommendation 1:**

**That Council implement the draft Sponsorship Policy that has recently been prepared as soon as possible to ensure that there is a documented and consistent approach to determining sponsorship arrangements including pre-determined criteria for assessing sponsorship proposals.**

**Recommendation 2:**

**That Council seek legal advice regarding the sponsorship agreement entered into with the Mariners Football Club to ensure that the specific terms of the sponsorship agreement are clearly articulated and there are sufficient provisions in the agreement to allow Council the ability to terminate the agreement if the terms of the agreement are not met.**

**Any amendments to be made to the sponsorship agreement should be consistent with the ICAC's sponsorship principles, particularly Principle 6 (refer below).**

**Recommendation 3:**

***That Council adopt a clear separation of roles between the individuals and divisions involved in the management of the sponsorship arrangement and those involved in planning and assessment of the Mariners development applications.***

***The separation of these roles will assist Council in adhering to ICAC sponsorship Principle 3 and promote an open and transparent process for the development application assessment.***

**Recommendation 4:**

***That Council ensure that its Annual Report contains information in relation to all sponsorship arrangements entered into during the financial year, including the amount of the sponsorship and the benefits provided to Council and the other parties to the agreement in response for the financial sponsorship.***

**Recommendation 7:**

***That Council seek independent assistance with the assessment of a development application where there are elements of Council having dual roles. The consideration of the risks associated with dual roles should be properly documented and any decisions made on the strategies to be adopted to manage the risks should be approved by the relevant authority, such as the General Manager or the relevant Director.***

- 3** ***That Council note recommendations 5 and 6 have been forwarded to the Dept of Local Government for its consideration.***

**Recommendation 5:**

***That Council ensures that it is appropriately documented the reasons why Cr Graham's interest changed from non-pecuniary to pecuniary and that the management strategies to be adopted to manage the interest are clearly documented.***

**Recommendation 6:**

***That Council seek input from Cr Graham supported, where appropriate, by legal advice in relation to the declaration by him in Council meetings leading up to and including 11 February 2009 of a non-pecuniary interest in light of his position as an office holder on the Mariners' Board of Directors.***

- 4** ***That a draft sponsorship policy be reported to Council as soon as practicable for its consideration and adoption.***

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

AGAINST: NIL

**3.2 Lease of Council Land at Church Road, Tuggerah by Mariners FC Unit Trust**

COUNCILLOR GRAHAM DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS A DIRECTOR ON THE BOARD OF THE CENTRAL COAST MARINERS FOOTBALL CLUB LEFT THE CHAMBER AT 5.51 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.36 PM.

COUNCILLOR MATTHEWS ASSUMED THE CHAIR FOR CONSIDERATION OF THIS ITEM.

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

- 1 That Council grant a lease to Mariners FC Unit Trust of Lots 61 - 64, 71 – 73 and 80 - 89 DP 4008 and part of the unformed public roads Mooramba Avenue and Delamere Avenue, Tuggerah for a period of 10 years with an option to renew for a further 10 years at market rent (based on the unimproved land value) to be determined by a qualified valuer.**
- 2 That Council approve the use of Council land Lot 3A DP 367658 and Lot 3 DP650650 Titania Avenue for the planting of trees required as an offset to the proposed loss of vegetation on Council land to be leased to the Mariner's FC Unit Trust.**
- 3 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the formal documents as required between Wyong Shire Council and Mariners FC Unit Trust.**
- 4 That Council authorise the Mayor and the General Manager to execute all documents.**
- 5 That Council restrict the use of the land to that of playing fields and associated facilities only, as being a purpose compatible with the Zoning 5(a) Sewage Buffer.**
- 6 That Council classify Lots 61 - 64, 71 – 73 and 80 - 89 DP 4008 as operational land.**

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

AGAINST: NIL

### **3.3 Odour Study at Wyong South Sewerage Treatment Plant**

COUNCILLOR GRAHAM DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS A DIRECTOR ON THE BOARD OF THE CENTRAL COAST MARINERS FOOTBALL CLUB LEFT THE CHAMBER AT 5.51 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.36 PM.

COUNCILLOR MATTHEWS ASSUMED THE CHAIR FOR CONSIDERATION OF THIS ITEM.

THE DIRECTOR SHIRE SERVICES ADVISED THAT THE STATEMENTS MADE IN THE REPORT REGARDING THE EXISTING LAND USE AND ZONINGS MEETING THE NSW DEPARTMENT OF ENVIRONMENT, CLIMATE CHANGE AND WATER (DECCW) ARE CORRECT FOR THE LEVEL OF INTENSITY THAT IT IS CURRENTLY DEVELOPED FOR, BUT AS DEVELOPMENT INCREASES THE AREAS TO THE NORTH AND WEST WOULD DEMAND ADDITIONAL WORKS.

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

- 1 That Council develop an appropriate odour mitigation and avoidance strategy for land surrounding Wyong South Sewerage Treatment Plant.**
- 2 That Council note this report and its conclusions outlined at page five of this report.**

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

AGAINST: NIL

### **3.4 DA 1114/2009 - Proposed Construction of a Recreational Area, Parking and Landscaping at Tuggerah**

COUNCILLOR GRAHAM DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS A DIRECTOR ON THE BOARD OF THE CENTRAL COAST MARINERS FOOTBALL CLUB, LEFT THE CHAMBER AT 5.51 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.36 PM.

COUNCILLOR MATTHEWS ASSUMED THE CHAIR FOR CONSIDERATION OF THIS ITEM.

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

- 1 That subject to Council endorsing the use of Lot 3A in DP 367658 and Lot 3 in DP 650650 for offsetting the impacts of clearing associated with this development, the application be referred to the General Manager for determination with an indication that based on the information available to it, Council favours approval of the application subject to appropriate conditions. This recommendation has given 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 80 – Tuggerah Precinct, to permit the development.**
- 3 That Council request the proposed vegetation management plan be commenced prior to the clearing of the endangered ecological community.**

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

AGAINST: NIL



**3.5 DA 612/2009 - Proposed Entertainment Facility and Ancillary Uses, Parking and Landscaping at Tuggerah**

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COUNCILLOR GRAHAM DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS A DIRECTOR ON THE BOARD OF THE CENTRAL COAST MARINERS FOOTBALL CLUB, LEFT THE CHAMBER AT 5.51 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.36 PM.

COUNCILLOR MATTHEWS ASSUMED THE CHAIR FOR CONSIDERATION OF THIS ITEM.

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

- 1 That subject to Council endorsing the use of Lot 3A in DP 367658 and Lot 3 in DP 650650 for offsetting the impacts of clearing associated with this development, and considering the implications of the November 2009 Wyong South Sewer Treatment Plant Odour Study, that the application be referred to the General Manager for determination with an indication that based on the information available to it, Council favours approval of the application subject to appropriate conditions. This recommendation has given 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-Carparking to permit the development.**
- 3 That those who made written submissions be advised of Council's decision.**

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

AGAINST: NIL

THE DEPUTY MAYOR, COUNCILLOR MATTHEWS, VACATED THE CHAIR AND CALLED FOR A SHORT RECESS AT 6.34 PM.

THE MEETING RESUMED AT 6.39 PM AND THE MAYOR RESUMED THE CHAIR.

**4.1 Wyong Shire Cultural Centre - DA Design**

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COUNCILLOR VINCENT LEFT THE CHAMBER AT 6.39 PM AND RETURNED TO THE CHAMBER AT 6.41 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council accept the tender from Tonkin Zulaikha Greer Architects for the lump sum amount of \$1,080,746 excluding GST.**
- 2 That a contingency of \$108,075 excluding GST (\$118,882 including GST) be approved for this work. This provides an allowance of 10% of the Tender Sum for additional work that may be required under the contract.**

**3 That the balance of \$799,821 required to fund Option 2 be allocated from Section 94 funds.**

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

AGAINST: NIL

**4.2 Draft Climate Change Policy**

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MR PETER MITCHELL FROM MACQUARIE UNIVERSITY, ADDRESSED THE MEETING AT 6.48 PM, ANSWERED QUESTIONS AND RETIRED AT 7.05 PM.

COUNCILLOR MCBRIDE LEFT THE CHAMBER AT 7.10 PM AND RETURNED TO THE CHAMBER AT 7.13 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR WEBSTER LEFT THE CHAMBER AT 7.16 PM AND RETURNED TO THE CHAMBER AT 7.17 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR MCNAMARA LEFT THE CHAMBER AT 7.57 PM AND RETURNED TO THE CHAMBER AT 7.59 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR VINCENT LEFT THE CHAMBER AT 7.59 PM AND RETURNED TO THE CHAMBER AT 8.01 PM DURING CONSIDERATION OF THIS ITEM.

*It was MOVED on the motion of Councillor BEST and SECONDED by Councillor EATON:*

- 1 *That Council note the NSW Department of Environment, Climate Change and Water's projected upper sea level rises for the year 2100 of up to .91m as the basis for Council staff and the community to proceed with risk assessment, policy development and community empowerment decisions.*
- 2 *That Council continue to monitor, review and manage the risks associated with climate change relating to local government functions.*
- 3 *That Council review the above figures if and when the NSW Government recommends a level under it's planning policies, guidelines, or manuals, and/or in the light of new scientific evidence.*
- 4 *That Council will continue to undertake community consultation and community empowerment activities in partnership with adjoining councils and other key stakeholder partners.*
- 5 *That Council defer consideration of a Climate Change Policy pending;*
  - a *Further legal advice on all methods to minimise all possible risks and on the legal necessity to adopt new flood levels.*
  - b *Data series on local sea levels and lake levels.*
  - c *Reports on physical barriers to protect property from sea level/lake level rise.*
  - d *Valuation reports on the risk to the community on property values in adoption of the proposed draft climate change policy.*

- 6 *That Council commission MHL to produce lake level data and adopt on a continuing basis with biannual reporting to Council and the community.*
- 7 *That Council staff cease using the proposed draft climate change policy in planning applications.*

*An AMENDMENT was MOVED by Councillor Graham:*

- 1 *That this item be deferred pending a further briefing by experts including our lawyers.*
- 2 *That Staff cease applying the Draft Sea Level Rise Guidelines.*

***The Amendment LAPSED for want of a SECONDER***

*An AMENDMENT was MOVED by Councillor Graham and SECONDED by Councillor Matthews:*

- 1 *That Council place the draft Climate Change Policy and Technical Guidelines on public exhibition for a period of 56 days for public comment.*
- 2 *That the draft policy be reported back to Council with details of submissions received following the close of the exhibition period.*
- 3 *That Council acknowledge its legislative responsibility to apply the precautionary principle to planning and management decision – making when considering the risks associated with Climate Change.*
- 4 *That Council acknowledge that as a consequence of the requirement to apply the precautionary principle and in recognition of the State Government Policy Statement, the planning benchmarks within the draft Climate Change Policy and Technical Guidelines are currently being applied.*
- 5 *That Council lobby the State and Federal Government through its Local Members and the Local Government and Shires Associations for a whole of government approach to address the significant broad implications in adapting to Climate Change.*
- 6 *That Council receive a further briefing from experts, including its lawyers, whilst this policy is on exhibition.*

***The AMENDMENT was put to the VOTE and declared CARRIED.***

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

AGAINST: COUNCILLORS BEST, EATON AND MCNAMARA.

***The AMENDMENT became the MOTION.***

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

- 1 That Council place the draft Climate Change Policy and Technical Guidelines on public exhibition for a period of 56 days for public comment.**
- 2 That the draft policy be reported back to Council with details of submissions received following the close of the exhibition period.**
- 3 That Council acknowledge its legislative responsibility to apply the precautionary principle to planning and management decision – making when considering the risks associated with Climate Change.**
- 4 That Council acknowledge that as a consequence of the requirement to apply the precautionary principle and in recognition of the State Government Policy Statement, the planning benchmarks within the draft Climate Change Policy and Technical Guidelines are currently being applied.**
- 5 That Council lobby the State and Federal Government through its Local Members and the Local Government and Shires Associations for a whole of government approach to address the significant broad implications in adapting to Climate Change.**
- 6 That Council receive a further briefing from experts, including its lawyers, whilst this policy is on exhibition.**

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

AGAINST: COUNCILLORS BEST, EATON AND MCNAMARA

#### **5.1 Granting of Additional Easements for Access over Council Land at Ourimbah and Tumbi Umbi**

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

- 1 That Council grant easements to Energy Australia for access over Council land to existing easements.**  
  
**The easements to be over Lot 6 DP 241138 Brush Road, Ourimbah, Lot 2 DP 700153 21 Leetes Lane, Tumbi Umbi and Lot 101 DP 790685 19 Leetes Lanes, Tumbi Umbi.**
- 2 That Council authorise the Common Seal of Wyong Shire Council to be affixed to related documents as required.**
- 3 That Council authorise the Mayor and the General Manager to execute all documents relating to the grant of easements between Wyong Shire Council and EnergyAustralia.**

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

AGAINST: NIL

**6.1 Contract CPA 171473 - Estuary Management Plan - Stormwater Treatment Works Project - Loxley Close, Berkeley Vale**

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

- 1 That Council accept Tender No 2 from Scape Constructions Pty Ltd in the lump sum amount of \$203,350.00 (excl GST)**
- 2 That Council approve a contract budget of \$233,350.00 (excl GST) that provides for a contingency amount of \$30,000.00 (excl GST) representing approximately 15% of the contract value, to provide for any unforeseen additional works that may become necessary during the course of the project.**

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

AGAINST: NIL

**6.2 Contract CPA 158359 - Ourimbah Rural Fire Station - Building Construction**

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

- 1 That Council accept the Tender No 8 from GWH Construction (NSW) Pty Ltd for the lump sum amount of \$378,000.00 (excl GST).**
- 2 That Council approve a contract budget of \$416,000.00 (excl GST) that provides for a contingency amount of \$38,000.00 (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.**
- 3 That Council provide \$250,000.00 funding for the project which the Rural Fire Service advise will be reimbursed when their grant funding becomes available.**

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

AGAINST: NIL

**6.3 Contract CPA 171474 - Estuary Management Plan - Stormwater Treatment Works Project - Parkside Drive, Charmhaven**

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

- 1 That Council accept Tender No 1 from Environmental Land Contracting Pty Ltd in the lump sum amount of \$475,034.50 (excl GST.)**
- 2 That Council approve a contract budget of \$545,034.00 (excl GST) that provides for a contingency amount of \$70,000.00 (excl GST) representing approximately 15% of the contract value, to provide for any unforeseen additional works that may become necessary during the course of the project.**

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

AGAINST: NIL

**6.4 Contract CPA 159131 - Evaluation and Selection of Tenders for Construction of Mardi to Mangrove Link Project**

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COUNCILLOR MATTHEWS LEFT THE CHAMBER AT 8.29 PM AND RETURNED TO THE CHAMBER AT 8.30 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council accept Tender No. 3 from John Holland Pty Ltd in the estimated combined Schedule of Rates and Lump Sum contract amount of \$64,156,933.09 (excl GST).**
- 2 That Council approve a contract budget of \$77,000,000.00 (excl GST), that provides for a contingency amount of \$12,843,066.91 (excl GST), representing approximately 20% of the contract value, to provide for any unforeseen circumstances, including additional works, that may become necessary during the course of the project.**
- 3 That Council engage the Department of Public Works as Construction Manager at an estimated amount of \$4,200,000.**

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

AGAINST: NIL

**7.1 Tuggerah Lakes Estuary Coastal and Floodplain Management Committee -  
The Entrance Beach Re-Nourishment**

---

COUNCILLOR VINCENT LEFT THE CHAMBER AT 8.44 PM AND RETURNED AT 8.46 PM AND AS A RESULT TOOK NO PART IN VOTING.

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

- 1 That Council accept the recommendations of the Tuggerah Lakes Estuary Coastal and Floodplain Management Committee and specifically;**
- 2 That no further action be taken and no further staff resource be committed to investigating an additional seawall at The Entrance Beach.**

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

AGAINST: NIL

**7.2 Proposed Councillors' Community Improvement Grants**

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COUNCILLOR MATTHEWS DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT SHE IS AN EMPLOYEE OF WYONG PUBLIC SCHOOL BUT NOT A MEMBER OF THE P & C ASSOCIATION AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

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 HAVE NOT CONTRIBUTED ANY FUNDS."*

COUNCILLOR SYMINGTON LEFT THE CHAMBER AT 8.39 PM AND RETURNED AT 8.42 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR VINCENT LEFT THE CHAMBER AT 8.44 PM AND RETURNED AT 8.46 PM DURING CONSIDERATION OF THIS ITEM.

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

**That Council allocate an amount of \$7,325 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

**7.3 Events Co-Ordination - Maximisation of Council's ability to Attend, Support, Manage and Attract events.**

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COUNCILLOR WYNN LEFT THE CHAMBER AT 8.50 PM AND RETURNED TO THE CHAMBER AT 8.52 PM DURING CONSIDERATION OF THIS ITEM.

**RESOLVED on the motion of Councillor MATTHEWS and seconded by Councillor MCBRIDE:**

- 1 That Council receive the report on maximisation of Council's ability to attend, support, manage and attract events.**
- 2 That Council consider the level of service desired for event co-ordination as part of its deliberations on the four year delivery plan.**
- 3 That Council amend the 2009/2010 Management Plan to accommodate an Event Co-ordinator position.**
- 4 That Council endorse management's proposal to support the following events in accordance the 2009/2010 Management Plan:**
  - Central Coast Festival of Golf**
  - NSW U15/16 Rugby League Championships**

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

AGAINST: COUNCILLORS BEST, EATON AND WYNN

**7.4 Competitive Grant Funding Surf Life Saving Clubs**

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

**That Council approve the two surf life savings clubs, Soldiers Beach and Shelly Beach, to be the selected redevelopment projects for the competitive component Commonwealth Government Regional and Local Community Infrastructure Program (RLCIP) Grant Fund to a total value of \$5,000,000.**

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

AGAINST: NIL



**7.5 CCTI Funding Alternatives**

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*It was MOVED on the motion of Councillor EATON and seconded by Councillor GRAHAM:*

*That \$22,000 be granted to The Entrance Town Centre Management and \$23,000 to Greater Toukley Vision from the Tourism Marketing Fund in conformity with their applications.*

*An AMENDMENT was MOVED by Councillor MCBRIDE and SECONDED by Councillor SYMINGTON.*

*That \$22,000 be granted to The Entrance Town Centre Management from the Tourism Marketing Fund and consideration of \$23,000 to Greater Toukley Vision be deferred pending submission of additional information.*

***The AMENDMENT was put to the vote and declared LOST.***

FOR: COUNCILLORS MATTHEWS, MCBRIDE, SYMINGTON AND WYNN

AGAINST: COUNCILLORS BEST, EATON, GRAHAM, MCNAMARA, VINCENT AND WEBSTER

**PROCEDURAL MOTION**

*It was MOVED on the motion Councillor VINCENT and SECONDED by Councillor MATTHEWS:*

*That Council consider this matter after the Notice of Rescission on this matter listed as Item 11.1 on this business paper has been considered.*

***The MOTION was LOST on the casting vote of the Mayor.***

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

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

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

***That \$22,000 be granted to The Entrance Town Centre Management and \$23,000 to Greater Toukley Vision from the Tourism Marketing Fund in conformity with their applications.***

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

AGAINST: COUNCILLORS MATTHEWS, MCBRIDE, SYMINGTON AND WYNN

**8.1 Minutes - Wyong Shire Grants Committee Meeting - 27 November 2009**

---

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

**That Council receive the minutes of the Wyong Shire Grants Committee Meeting held on 27 November 2009 and adopt the recommendations contained therein.**

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

AGAINST: NIL

**9.1 Information Reports**

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

**That with the exception of report numbers 9.4 and 9.6 Council receive the information reports and adopt the recommendations.**

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

AGAINST: NIL

**9.2 Minutes - Wyong Shire Senior Citizens' Council Meeting - 22 October 2009**

---

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

**That Council receive the report on Minutes - Wyong Shire Senior Citizens' Council Meeting - 22 October 2009 and adopt the recommendations contained therein.**

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

AGAINST: NIL

**9.3 Mardi to Mangrove Link Project Status**

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

**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

**9.4 Investments for October 2009**

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

***That Council receive the report on Investments for October 2009.***

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

AGAINST: NIL

**9.5 Review of Council's Project Management Processes**

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

***That the Report be noted.***

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

AGAINST: NIL

**9.6 Access for Refilling Water Containers from Public Drinking Facilities in the Wyong Shire**

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

***That Council receive and note the report on Access for Refilling Water Containers from Public Drinking Facilities in the Wyong Shire.***

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

AGAINST: NIL

**9.7 Outstanding Questions Without Notice and Notices of Motion**

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

***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

**10.1 Notice of Motion - Protocol for Proposals Submitted for Naming of Public Reserves**

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

- 1 That in order to avoid any potential embarrassment to people, requests from the community to recognise a person by naming of a geographical feature etc, (e.g. a park) be sent to the Mayor and the Mayor informally sound out Councillors before any action is taken in regard to the matter.**
- 2 That Council develop a guideline for the recognition of a person by the naming of a geographical feature/landmark and that the guideline include the criteria for consideration including:**
  - \* significant contribution to Wyong Shire**
  - \* the affiliation with the area/landmark.**

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

AGAINST: NIL

**10.2 Notice of Motion - Pilot Program for Construction of Local Footpaths by Work for the Dole Recipients**

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

**That Council prepare a report, working within the existing Federal Government framework, for the implementation of a pilot program for the construction of local footpaths using "Work for the Dole" recipients.**

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

AGAINST: NIL

**10.3 Notice of Motion - Election of New Delegate for the Board of Central Coast Tourism Inc**

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COUNCILLOR GRAHAM WITHDREW HIS MOTION

**11.1 Notice of Rescission - Central Coast Tourism Inc**

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MR BARTON LAWLER, CHAIRPERSON CENTRAL COAST TOURISM INC, ADDRESSED THE MEETING AT 9.22 PM, ANSWERED QUESTIONS AND RETIRED AT 10.20 PM.

COUNCILLOR VINCENT LEFT THE CHAMBER AT 10.10 PM AND RETURNED TO THE CHAMBER AT 10.11 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR EATON LEFT THE CHAMBER AT 10.12 PM AND RETURNED TO THE CHAMBER AT 10.13 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR BEST LEFT THE CHAMBER AT 10.12 PM AND RETURNED TO THE CHAMBER AT 10.20 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR WYNN LEFT THE CHAMBER AT 10.16 PM AND RETURNED TO THE CHAMBER AT 10.17 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR EATON LEFT THE CHAMBER AT 10.19 PM AND RETURNED TO THE CHAMBER AT 10.20 PM DURING CONSIDERATION OF THIS.

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

***That Council rescind the following resolutions carried at the Ordinary Meetings of Council held on 13 December 2006 and 27 May 2009:***

***"RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor WELHAM:***

- 1 That Wyong Council decline to contribute to this project as:
  - a No business case has been developed to justify the expenditure of such significant funds.***
  - b There is no demonstrated advantage to the ratepayers of Wyong Shire in providing such a facility at Mount Penang.***
  - c This is a "State Centre" as stated by Central Coast Tourism Inc and Tourism NSW and as such should be the responsibility of the New South Wales State Government, not the ratepayers of Wyong Shire.******
- 2 That Council ask the Central Coast Tourism CEO as to why the business case documents and the plans for the centre were not provide as promised in the recent briefing.***

***"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 \$175,000 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, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

*It was MOVED on the motion of Councillors VINCENT and seconded by Councillor WYNN:*

*That Council endorse the position reached with Gosford City Council at the Joint Workshop held on 19 August 2009:*

- 1 That Council support CCTI and a continuing regional approach to tourism.*
- 2 That Council fund CCTI for \$100,000 for operational funding initially.*
- 3 That Council jointly fund CCTI on an ongoing basis by means of operational funding.*
- 4 That any presentations or documentation on the issues of tourism by CCTI should be made before the Joint Meetings of Wyong and Gosford Councils.*
- 5 That CCTI be requested to forward to an electronic copy of the current Business Plan to all councillors as soon as possible.*
- 6 That CCTI be requested to forward to an electronic copy the business plan, marketing plan, strategic plan and any other plans to all councillors as soon as possible.*
- 7 That ongoing funding is dependant on significant restructure of the operation.*

*An AMENDMENT was MOVED by Councillor EATON and seconded by Councillor GRAHAM:*

- 1 That Council support Central Coast Tourism Inc (CCTI) and a continuing regional approach to tourism.*
- 2 That, subject to*
  - (a) CCTI entering into an agreement with The Entrance Town Centre Management (TETCM) for TETCM to take over the lease of The Entrance Visitors' Centre and provide regional tourism services from the centre on behalf of CCTI for an amount of \$70,000 per annum; and*
  - (b) CCTI agreeing to revise membership categories to ensure that all bodies that fund CCTI or purchase CCTI services become members on an equal basis; and*
  - (c) CCTI agreeing to restructure the board to be skills based; and*
  - (d) CCTI providing a business plan and marketing plan with KPIs to measure performance and a monthly report to all stakeholders.*

*The balance of funds of \$130,000 provided in the 2009-10 management plan for tourism marketing and promotion be allocated as follows:*

- (i) \$35,000 to TETCM to operate The Entrance Visitors Centre and provide regional tourism services on behalf of CCTI in accordance with a service agreement between the two bodies*
  - (ii) \$95,000 to CCTI to cover furniture and fittings in The Entrance Visitors Centre and as a contribution to organisational restructuring costs.*
- 3 That Council consider ongoing core funding to CCTI in conjunction with the 2010-11 and 2011-12 Management Plans.*

**The AMENDMENT was CARRIED on the casting vote of the Mayor.**

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

**The AMENDMENT became the MOTION**

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

- 1 That Council support Central Coast Tourism Inc (CCTI) and a continuing regional approach to tourism.**
- 2 That, subject to**
  - (a) CCTI entering into an agreement with The Entrance Town Centre Management (TETCM) for TETCM to take over the lease of The Entrance Visitors' Centre and provide regional tourism services from the centre on behalf of CCTI for an amount of \$70,000 per annum; and**
  - (b) CCTI agreeing to revise membership categories to ensure that all bodies that fund CCTI or purchase CCTI services become members on an equal basis; and**
  - (c) CCTI agreeing to restructure the board to be skills based; and**
  - (d) CCTI providing a business plan and marketing plan with KPIs to measure performance and a monthly report to all stakeholders.**

**That Council allocate the balance of funds of \$130,000 provided in the 2009-10 Management Plan for tourism marketing and promotion:**

- (i) \$35,000 to TETCM to operate The Entrance Visitors Centre and provide regional tourism services on behalf of CCTI in accordance with a service agreement between the two bodies**
  - (ii) \$95,000 to CCTI to cover furniture and fittings in The Entrance Visitors Centre and as a contribution to organisational restructuring costs.**
- 3 That Council consider ongoing core funding to CCTI in conjunction with the 2010-11 and 2011-12 Management Plans.**

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

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 10.40 PM.

.....  
CHAIRPERSON