
WYONG SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 09 FEBRUARY 2011 COMMENCING AT 5:00:00 PM

PRESENT

Councillors D J Eaton (Chairperson), G P Best, R L Graham, 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 Environment and Planning, Director Infrastructure Management, Director Community and Recreation Services, Director Corporate Services and General Counsel.

The Manager of Development Assessment and three administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.01 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

Mr John Hardwick delivered the opening prayer.

Councillor Matthews read an acknowledgment of country statement.

Councillor Graham advised Council that Jacko Smith, a prominent local resident, Aboriginal Activist and personal friend, recently passed away. Councillor Graham shared some of his fond memories of Jacko Smith with Council and advised that Jacko's funeral and last "walk about" (a journey on foot undertaken in order to live in the traditional Aboriginal way) will be taking place in his home town of Moree on Friday 11 February 2011.

A moment of silence was given to honor the loving memory of Jacko Smith.

Councillor Eaton advised that he, Michael Whittaker, Councillor Graham, Garry McLachlan and representatives from Tourism and Business attended a presentation last night where they received a gift, from the Vice Governor of the Hubei Providence in China. Councillor Eaton advised that this statue will be placed on display in Council's front cabinet for all to see.

Councillor Eaton advised that he and the General Manager have sanctioned a number of fundraising events to raise money for the recent flood disaster in Queensland. There will be a free concert Saturday 12 February 2011 at Memorial Park, The Entrance and an auction of goods donated by staff on Wednesday 16 February 2011. Council staff hope to raise \$15,000 toward the Flood Appeal, which will be matched by Council to hopefully make the total of Wyong Shire Council and staff donation to \$30,000. The funds will then be submitted to the Premier's Appeal, which will also match this donation making a final total of \$60,000.

Councillor Eaton, on behalf of the Council, congratulated the staff on their efforts to raise this significant sum. Councillor Eaton also advised that the General Manager has extended offers of assistance consisting of staff, and plant equipment resources to various Local Government areas affected by the disaster.

In addition, Councillor Eaton advised that \$4,150 was raised at the Mayor's Christmas party which was donated to Wyong Hospital.

Councillor Wynn commented on all the recent natural disasters and that we should take a moment to remember all the lives lost in those disasters.

APOLOGIES

There were no apologies.

1.1 Disclosure of Interest

1.4 Confirmation of Minutes of Previous Meeting

Councillor Eaton declared a non-pecuniary insignificant conflict of interest in item 3.2 for the reason that discussions have been held with a possibility of him being part of a Salvation Army Advisory Board and participated in consideration of this matter.

Councillor Eaton 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 no appointment has been made."

4.7 Contract CPA/187074 – Provision of Project Management Services for the Mardi to Mangrove Project Link

Councillor Wynn declared a pecuniary conflict of interest in the matter for the reason that a family member works for one of the companies that tendered for the above project, left the chamber at 5.55 pm, took no part in discussion, did not vote and returned to the chamber at 5.57 pm.

5.3 Proposed Councillors' Community Improvement Grants

Councillor McBride declared a pecuniary conflict of interest in the matter for the reason that she is a director of Wyong Town Financial Services Limited (Wyong Community Bendigo Bank), left the chamber at 6.10 pm, took no part in discussion, did not vote and returned to the chamber at 6.12 pm.

5.3 Proposed Councillors' Community Improvement Grants

Councillor Wynn declared a non-pecuniary insignificant conflict of interest in the matter for the reason that she is a resident of the Mannering Park community and knows the applicants personally and participated in consideration of this matter.

Councillor Wynn stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."

7.3 Central Coast Business Enterprise Centre

Councillor Best declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is a past Council representative on the BEC and participated in consideration of this matter.

Councillor Best 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."

7.3 Central Coast Business Enterprise Centre

Councillor Eaton declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is a past board member on the BEC and participated in consideration of this matter.

Councillor Eaton 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 unanimously on the motion of Councillor MCNAMARA and seconded by Councillor GRAHAM:

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 Proposed Inspections and Briefings

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

1 That Council receive the report on Proposed Inspections and Briefings and endorse the recommended inspections and briefings.

2 That Council endorse the list of 70 proposed briefings in attachment 1 and note that other matters may arise throughout the year that may require a briefing.

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 WYNN:

That Council receive the amended report on Invited Speakers.

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

AGAINST: NIL

1.4 Confirmation of Minutes of Previous Meeting

Councillor Eaton declared a non-pecuniary insignificant conflict of interest in item 3.2 for the reason that discussions have been held with a possibility of him being part of a Salvation Army Advisory Board and participated in consideration of this matter.

Councillor Eaton 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 no appointment has been made."

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

That Council confirm the minutes of the previous Ordinary Meeting of Council held on 8 December 2010.

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

AGAINST: NIL

2.1 DA/1285/2010 - Proposed Torrens Title Subdivision located at 3 Cochrane Avenue, Canton Beach

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

- 1 *That Council, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, grant consent subject to the conditions detailed in the schedule attached to the report.***
- 2 *That Council vary Clause 42D of Wyong Local Environmental Plan 1991 to permit the development.***
- 3 *That Council assume the concurrence of the Director-General of the Department of Planning for the use of State Environmental Planning Policy No 1 to vary the development standard of Clause 42D of Wyong Local Environmental Plan 1991 to permit the proposed development.***

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

AGAINST: NIL

2.2 DA/893/2010 Proposed Boundary Adjustment at Ourimbah

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

- 1 That Council, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, grant consent subject to the conditions detailed in the schedule attached to the report.**
- 2 That Council assume the concurrence of the Director General of the Department of Planning for the use of State Environmental Planning Policy No 1 to vary the development standard of Clause 13(3)(b) of Wyong Local Environmental Plan 1991 to permit the proposed development.**

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

AGAINST: NIL

3.1 Classification of Land - Lot 733 DP 1157871 Hakone Road, Woongarra

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

- 1 That Council classify Council land Lot 733 DP 1157871, Hakone Road, Woongarra as Operational Land.**
- 2 That Council adopt the classification if no adverse submissions are received.**

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

AGAINST: NIL

3.2 Delegation of Authority to Dispose of Council Land at Killarney Vale

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

- 1 That Council delegate authority to the General Manager for the sale of Lots 1 and 2 DP 732182 at 14-15 Boorana Close, Killarney Vale for an amount not less than market value for each parcel as determined by a qualified registered valuer.**
- 2 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the formal documents for the sale and transfer of the land.**
- 3 That Council authorise the Mayor and the General Manager to execute all documents.**
- 4 That Council create a Property Investment Reserve and any funds from this sale will be used for future land purchases, subject to Council approval.**

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

AGAINST: NIL

3.3 Acquisition of Easements and Land for Warnervale Town Centre Sewerage Infrastructure at Virginia Road, Warnervale Road and Minnesota Road

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

1 That Council acquire easements to drain sewage, generally 5m wide, over the following land:

Lot 22 DP 803506 157-179 Minnesota Road, Hamlyn Terrace
Lot 49 DP 7091 Minnesota Road, Hamlyn Terrace
Lot 48 DP 7091 107-171 Virginia Road, Hamlyn Terrace
Lot 76 DP 7091 107-171 Virginia Road, Warnervale
Lot 75 DP 7091 107-171 Virginia Road, Warnervale
Lot 74 DP 7091 107-171 Virginia Road, Warnervale
Lot 73 DP 7091 95-105 Virginia Road, Warnervale
Lot 72 DP 7091 77-91 Warnervale Road, Warnervale
Lot 101 DP 829060 93-123 Warnervale Road, Hamlyn Terrace
Lot 14 DP 371162 112-116 Warnervale Road, Hamlyn Terrace

2 That Council authorise the payment of compensation, if necessary, for the acquisition of the easements in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 and based on assessment by a qualified valuer.

3 That Council proceed to compulsorily acquire the easements in the event that negotiations with the property owners cannot be satisfactorily resolved.

4 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the formal documents relevant to the acquisition.

5 That Council authorise the Mayor and the General Manager to execute all documents.

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

AGAINST: NIL

PROCEDURAL MOTION

SUSPENSION OF MEETING PRACTICE

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

1 That Council allow meeting practice to be varied.

2 That Council use the exception method to deal with the balance of the Agenda.

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

AGAINST: NIL

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

That with the exception of report numbers 4.6, 4.7, 5.1, 6.1, 7.3, 7.6, 8.1, 8.2 and 8.3 Council adopt the recommendations contained in the remaining reports.

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

AGAINST: NIL

4.1 Contract CPA/132383 - Contract Extension for the Provision of Local Area Newspaper Advertising

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

- 1 That Council exercise its option to extend the contract for the provision of local area newspaper advertising with Nationwide News Pty Ltd (trading as Central Coast Express Advocate) for a further two years to 1 January 2013.**
- 2 That Council note the estimated total annual expenditure is \$191,000 (excl. GST) however actual expenditure may vary significantly with fluctuations in demand.**

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

AGAINST: NIL

4.2 Contract CPA/145091 - Hire of Minor Plant & Equipment, Contract CPA/145088 - Hire of Plant & Machinery and Contract CPA/145089 - Hire of Tipping Trucks - Option to Extend Contracts for a Further 12 Months

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

- 1 That Council exercise its option to extend Contract CPA 145091 - Hire of Minor Plant and Equipment for the period 1 February 2011 to 31 January 2012.**
- 2 That Council exercise its option to extend Contract CPA 145088 - Hire of Plant and Machinery for the period 1 February 2011 to 31 January 2012.**
- 3 That Council exercise its option to extend Contract CPA 145089 - Hire of Tipping Trucks for the period 1 February 2011 to 31 January 2012.**

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

AGAINST: NIL

4.3 Contract CPA/149745 - Contract Extension for the Supply, Delivery and Lay of Cultivated Turf

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

- 1 That Council exercise its option to extend contract CPA/149745 for the Supply, Delivery and Lay of Cultivated Turf with Yarra Turf Supplies Pty Ltd, WE & G Keegan T/as Dooralong Valley Turf and GJ'S Landscapes Pty Ltd for a further period of 12 months from 1 December 2010.**
- 2 That Council note the estimated total annual expenditure is \$100,000 (excl GST) although actual amount may vary depending upon demand.**

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

AGAINST: NIL

4.4 Contract CPA/149748 - Contract Extension for the Supply and Delivery of Traffic Control Equipment and Signage Products

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

- 1 That Council exercise its option to extend contract CPA/149748 for the Supply and Delivery of Traffic Control Equipment and Signage with Road Signs and Marking Supplies Pty Ltd for a further period of 12 months from 1 December 2010.**
- 2 That Council note the estimated total annual expenditure is \$180,000.00 (excl. GST) but may vary due to actual demand requirements.**

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

AGAINST: NIL

4.5 Contract CPA/174013 - Surface Preparation and Repainting of The Entrance Reservoir

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

- 1 That Council accept the tender from Cape (CHS) Pty Ltd for the lump sum amount of \$499,985.00 (excl GST) for Contract CPA/174013 – Surface Preparation and Repainting of The Entrance Reservoir.**
- 2 That for Contract CPA/174013 Council approve a contract budget of \$599,982.00 (excl GST) that provides for a contingency amount of \$99,997.00 (excl GST), representing approximately 20% 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

4.6 Contract CPA/184454 - Soldiers Beach Surf Life Saving Club - Alterations Proposed by the Club

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

- 1 That subject to approval being given for an appropriate modification under Section 96 of the EP&A Act, Council agree to proceed with alterations to the approved design of the new Soldiers Beach Surf Life Saving Club building.***
- 2 That Council note the alteration costs to be paid for by the Club, on a deferred payment basis with full payment to be made on 1 July 2011.***

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

AGAINST: NIL

4.7 Contract CPA/187074 - Provision of Project Management Services for the Mardi to Mangrove Project Link

Councillor Wynn declared a pecuniary conflict of interest in the matter for the reason that a family member works for one of the companies that tendered for the above project, left the chamber at 5.55 pm, took no part in discussion, did not vote and returned to the chamber at 5.57 pm.

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

- 1 That Council decline to accept any of the tenders for the proposed contract.***
- 2 That Council cancel the proposal for the contract.***
- 3 That Council endorse the continuation of the current project management arrangements to Easter 2011 due to the material public benefit.***
- 4 That Council call for competitive quotes to deal with any outstanding contract/property matters.***

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

AGAINST: NIL

4.8 Contract CPA/188701 - Supply and Delivery of Bulk Cationic Rapid Setting Grade Bitumen Emulsion

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

- 1 That Council agree to the contract between Hunter Councils Inc. and Downer EDI Works for the supply and delivery of Bulk Cationic Rapid Setting Grade Bitumen Emulsion, subject to all member Councils of Hunter Councils Inc. agreeing to participate.**
- 2 That Council authorise the estimated expenditure on Bulk Cationic Rapid Setting Grade Bitumen Emulsion for Wyong Shire at \$828,000.00 (ex GST) for the contract period.**
- 3 That Council authorise the General Manager to agree to an option to extend the contract for a further 12 month period based on satisfactory performance and price.**
- 4 That Council note that whilst this Council's estimated annual expenditure against this contract is \$276,000.00 (excl GST), actual expenditure may vary significantly with fluctuations in demand.**

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

AGAINST: NIL

5.1 Contract Variations and Finalisation - October, November and December 2010

Councillor Graham left the meeting at 5:58 pm and returned to the meeting at 5:59 pm during consideration of this item.

Councillor Vincent left the meeting at 6:02 pm and returned to the meeting at 6:04 pm and as a result took no part in voting.

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

- 1 That Council receive the Contract Variations and Finalisation October, November and December 2010 report.**
- 2 That Council approve additional expenditure above resolved estimates for the following contract:**

Contract Title	Contract No	Additional Expenditure
Detailed Design, Goorama Avenue, San Remo. Emu Drive to Highview Avenue upgrading	2477	\$160,068.70

- 3 That Council note the additional expenditure requested has been funded through both previous and current years Roads & Drainage rolling work programs.**

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

AGAINST: NIL

5.2 Proposal to Seal a Length of Palmdale Road near the Intersection with Toobys Creek Road

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

- 1 That Council approve a proposal for it to seal a length of about 250m of unsealed road on Palmdale Road, near its intersection with Toobys Creek Road, along the frontage of two properties, owned by Mr and Mrs B Davies and Mr and Mrs J Swain , subject to the landowners contributing an amount of \$2,500 each toward the work, with the amount to be paid prior to the work proceeding**
- 2 That Council vote total funds of \$10,000 to allow the sealing work to proceed in the 2010/11 budget, with \$5,000 to come from the landowner contributions and \$5,000 to come from a transfer of funds from the road maintenance budget to the roads capital budget.**

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

AGAINST: NIL

5.3 Proposed Councillors' Community Improvement Grants

Councillor McBride declared a pecuniary conflict of interest in the matter for the reason that she is a director of Wyong Town Financial Services Limited (Wyong Community Bendigo Bank), left the chamber at 6.10 pm, took no part in discussion, did not vote and returned to the chamber at 6.12 pm.

Councillor Wynn declared a non-pecuniary insignificant conflict of interest in the matter for the reason that she is a resident of the Mannering Park community and knows the applicants personally and participated in consideration of this matter.

Councillor Wynn stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."

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

That Council allocate an amount of \$10,802.00 from the 2010-11 Councillors' Community Improvement Grants as outlined in the report.

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

AGAINST: NIL

6.1 Draft Minutes - Wyong Shire Governance Committee Meeting of 24 November 2010

Councillor Vincent left the meeting at 6:02 pm and returned to the meeting at 6:04 pm during consideration of this item.

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

- 1 ***That Council receive the draft minutes of the Wyong Shire Governance Committee Meeting held on 24 November 2010 and adopt the recommendations contained therein.***
- 2 ***That Council adopt the following schedule of dates and standard agenda items for 2011.***
- 3 ***That Council note that the proposed agenda items and dates have been agreed by the external members of the Governance Committee.***

Governance Committee Date	Standard Agenda Items in addition to procedural requirements	Ordinary Meeting Date
Wed 16 March	• Quarterly Budget Review & Annual Plan	27 April
	• Strategic Finance Committee (minutes for information)	
	• Internal Audit Report	
	• Corporate Risk Register	
	• Major Significant/Project Update	
	• ERM project update	
	• Ombudsman Report	
	• Service Delivery Review	
Wed 8 June	• Quarterly Budget Review & Annual Plan	27 July
	• Strategic Finance Committee (minutes for information)	
	• Internal Audit Report	
	• Corporate Risk Register	
	• Major Significant/Project Update	
	• ERM project update	
	• Ombudsman Report	
	• Service Delivery Review	
Wed 21 September	• Quarterly Budget Review & Annual Plan	26 October
	• Strategic Finance Committee (minutes for information)	
	• Internal Audit Report	
	• Corporate Risk Register	
	• Major Significant/Project Update	
	• ERM project update	
	• Ombudsman Report	
	• Service Delivery Review	
	• Other Matters	

Governance Committee Date	Standard Agenda Items in addition to procedural requirements	Ordinary Meeting Date
Extraordinary Meeting subject to Audit timetable (5 October - tentative)	<ul style="list-style-type: none"> • Annual Financial Statements 	Next available meeting
Wed 7 December	<ul style="list-style-type: none"> • Quarterly Budget Review & Annual Plan • Strategic Finance Committee (minutes) • Internal Audit Report • Corporate Risk Register • Major Significant/Project Update • ERM project update • Ombudsman Report • Service Delivery Review • Other Matters 	8 Feb 2012

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

AGAINST: NIL

PROCEDURAL MOTION

SUSPENSION OF MEETING PRACTICE

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

- 1 That Council allow meeting practice to be varied.**
- 2 That Council reconvene item 5.3 to allow Councillor McBride to leave the chamber during voting on this item due to a conflict of interest.**

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

AGAINST: NIL

7.1 Information Reports

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

That Council deal with the following Information Reports by the Exception Method.

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

AGAINST: NIL

7.2 Mardi to Mangrove Link Project Status

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

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

7.3 Central Coast Business Enterprise Centre

Councillor Best declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is a past Council representative on the BEC and participated in consideration of this matter.

Councillor Best 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."

Councillor Eaton declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is a past board member on the BEC and participated in consideration of this matter.

Councillor Eaton 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."

It was MOVED by Councillor MCNAMARA and seconded by Councillor GRAHAM:

- 1 *That Council receive the report on the Central Coast Business Enterprise Centre.*
- 2 *That Council review as part of its 2011-12 Annual Plan development its future funding commitment to the Central Coast Business Enterprise Centre.*

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

- 1 *That Council receive the report on the Central Coast Business Enterprise Centre (BEC).*
- 2 *That Council acknowledge the valuable work that the BEC undertakes with small business and the business community.*
- 3 *That Council indicate its willingness to further fund the BEC as a priority.*
- 4 *That Council request the BEC to enter into an appropriate contract with Council.*
- 5 *That Council request a urgent briefing from the BEC on the merits of its operations.*
- 6 *That Council review the operations of the BEC.*

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

The AMENDMENT was put to the vote and declared LOST on the casting vote of the Mayor.

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

- 1 That Council receive the report on the Central Coast Business Enterprise Centre.***
- 2 That Council review as part of its 2011-12 Annual Plan development its future funding commitment to the Central Coast Business Enterprise Centre.***

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

7.4 Investments for November and December 2010

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

That Council receive the report on Investments for November and December 2010.

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

7.5 Delegate's Report - The Australian Local Government Women's Association - National Conference - Women Going Places

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

That Council receive the Delegate's Report - The Australian Local Government Women's Association - National Conference - Women Going Places.

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

7.6 Warnervale Town Centre Progress Report December 2010 - January 2011

Councillor Symington left the meeting at 7:21 PM and returned to the meeting at 7:24 pm during consideration of this item.

Councillor Webster left the meeting at 7:22 PM and returned to the meeting at 7:23 pm during consideration of this item.

Councillor Matthews left the meeting at 7:24 PM and returned to the meeting at 7:25 pm during consideration of this item.

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

That Council receive the report on Warnervale Town Centre Progress Report December 2010 - January 2011.

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

AGAINST: NIL

7.7 Outstanding Questions without Notice and Notice of Motions

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

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

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

AGAINST: NIL

8.1 Notice of Motion - Access to Schools

Councillor Best left the meeting at 7:37 PM and returned to the meeting at 7:38 pm during consideration of this item.

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

That staff prepare a report on access in and around all schools within the Local Government area including but not limited to safety, parking and disability access.

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

1 *That Council approach the State Government to fund this audit to provide a holistic approach to making our schools safe and accessible for all stake holders.*

2 *That, subject to funding being available, Council receive a report on access in and around all schools within the Local Government area including but not limited to safety, parking and disability access.*

FOR: COUNCILLORS BEST, MCNAMARA, WEBSTER AND WYNN

AGAINST: COUNCILLORS EATON, GRAHAM, MATTHEWS, MCBRIDE, SYMINGTON AND VINCENT

The AMENDMENT was put to the vote and declared LOST.

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

That staff prepare a report on access in and around all schools within the Local Government area including but not limited to safety, parking and disability access.

FOR: COUNCILLORS MATTHEWS, MCBRIDE, SYMINGTON AND VINCENT

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

The MOTION was put to the vote and declared LOST.

8.2 Notice of Motion - Graffiti Outrage

Councillor McBride left the meeting at 8:15 pm and returned to the meeting at 8:16 pm during consideration of this item.

Councillor Graham left the meeting at 8:20pm and returned to the meeting at 8:21pm during consideration of this item.

Councillor Matthews left the meeting at 8:27pm and returned to the meeting at 8:29pm during consideration of this item.

It was MOVED by Councillor BEST and seconded by Councillor MCNAMARA:

- 1 That Council recognise the significant efforts to date by staff, business and the broader community in their endeavours to curb and repair escalating graffiti and malicious damage costing this Shire millions as a result of anti-social behaviour.*
- 2 That, whilst the efforts to educate and curb this behaviour are to be applauded, Council concludes that further and fresh initiatives need to be considered in response to the rampant escalation of this vandalous behaviour.*
- 3 That Council urgently make representation to our respective State Members highlighting this Community's utter frustration at the lack of legislative support provided by the State to assist law enforcement and Council in curbing the alarming escalation.*
- 4 That it is with this understanding that Council endeavour to take a whole of community approach to this social assault through formally tabling an appropriate resolution in partnership with staff, at the upcoming Local Government and Shires Association*
- 5 That Council recognise the significant efforts to date by staff and the Northern Wyong Graffiti Forum in their endeavours to address the Shire's graffiti situation.*
- 6 That Council continue to support the initiatives of the community "Draft" Graffiti Strategy" and relevant forums in community education, youth engagement and provision of graffiti removal materials.*
- 7 That Council, in conjunction with these forums, and local business people support the implementation of the forums' initiative for provision of two pilot relocatable CCTV cameras to assist in identifying and apprehending graffiti offenders across the Shire.*

8 That Council note that the forum comprises of community members, local Chambers of Commerce, welfare and social action groups, business owners and managers, Police, Council staff, Councillors and State Government representatives who have met monthly for the last two years, and have been productive in the development of pilot programs to combat graffiti such as;

- Graffiti trailer
- Posters
- Supply of removal kits for residents
- Development of Council Shirewide strategy
- National Graffiti Action Day
- Rapid removal program

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

1 That Council recognise the significant efforts to date by staff and the Northern Wyong Graffiti Forum in their endeavours to address the Shire's graffiti situation.

2 That Council continue to support the initiatives of the community "Draft" Graffiti Strategy" and relevant forums in community education, youth engagement and provision of graffiti removal materials.

3 That Council, in conjunction with these forums, and local business people support the implementation of the forums' initiative for provision of two pilot relocatable CCTV cameras to assist in identifying and apprehending graffiti offenders across the Shire.

4 That Council note that the forum comprises of community members, local Chambers of Commerce, welfare and social action groups, business owners and managers, Police, Council staff, Councillors and State Government representatives who have met monthly for the last two years, and have been productive in the development of pilot programs to combat graffiti such as;

- Graffiti trailer
- Posters
- Supply of removal kits for residents
- Development of Council Shirewide strategy
- National Graffiti Action Day
- Rapid removal program

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

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

The AMENDMENT was put to the vote and declared LOST on the casting vote of the Mayor.

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

1 That Council recognise the significant efforts to date by staff, business and the broader community in their endeavours to curb and repair escalating graffiti and malicious damage costing this Shire millions as a result of anti-social behaviour.

- 2 ***That, whilst the efforts to educate and curb this behaviour are to be applauded, Council concludes that further and fresh initiatives need to be considered in response to the rampant escalation of this vandalous behaviour.***
- 3 ***That Council urgently make representation to our respective State Members highlighting this Community's utter frustration at the lack of legislative support provided by the State to assist law enforcement and Council in curbing the alarming escalation.***
- 4 ***That it is with this understanding that Council endeavour to take a whole of community approach to this social assault through formally tabling an appropriate resolution in partnership with staff, at the upcoming Local Government and Shires Association Annual Conference with a view to gaining state wide support for a fresh approach.***
- 5 ***That Council recognise the significant efforts to date by staff and the Northern Wyong Graffiti Forum in their endeavours to address the Shire's graffiti situation.***
- 6 ***That Council continue to support the initiatives of the community "Draft" Graffiti Strategy" and relevant forums in community education, youth engagement and provision of graffiti removal materials.***
- 7 ***That Council, in conjunction with these forums, and local business people support the implementation of the forums' initiative for provision of two pilot relocatable CCTV cameras to assist in identifying and apprehending graffiti offenders across the Shire.***
- 8 ***That Council note that the forum comprises of community members, local Chambers of Commerce, welfare and social action groups, business owners and managers, Police, Council staff, Councillors and State Government representatives who have met monthly for the last two years, and have been productive in the development of pilot programs to combat graffiti such as;***
 - ***Graffiti trailer***
 - ***Posters***
 - ***Supply of removal kits for residents***
 - ***Development of Council Shirewide strategy***
 - ***National Graffiti Action Day***
 - ***Rapid removal program***

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

AGAINST: COUNCILLORS MATTHEWS, MCBRIDE, SYMINGTON AND VINCENT

8.3 Notice of Motion - Myrtle Rust Epidemic

Councillor Vincent left the meeting at 8:45 pm and returned to the meeting at 8:47 pm during consideration of this item.

Ms Deidre Jinks, local resident in support of the item, addressed the meeting at 8.45 pm, answered questions and retired at 8.50 pm.

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

- 1 That Council receive a report on what steps have been taken to date and that are proposed in this Council's endeavours to combat the pending epidemic of Myrtle Rust, a fungal disease from South America that was detected on the Central Coast in April 2010, that could result in devastating our local flora and associated industries and their supporting employment.***

- 2 That Council seek advice from Government experts as to the best way to be able to regenerate species from the Myrtaceae Taxonomy whether it be through seed stock or plants grown to an advance stage that may be able to combat the Myrtle Rust infestation to reforest areas and/or re-establish bio diversity in an area to ensure the survival of these iconic Australian species.***

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

AGAINST: NIL

THE MEETING closed at 8.54 pm.