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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 9 SEPTEMBER 2009 COMMENCING AT 5:15:00 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, ACTING MANAGER FUTURE PLANNING, MANAGER DEVELOPMENT ASSESSMENT, MANAGER PLANNING - LEGAL AND POLICY, MANAGER COMMUNITY STRATEGIC VISION, SENIOR STRATEGIC PLANNER, TEAM CO-ORDINATOR – LAND USE PLANNING, EXECUTIVE MANAGER SHIRE SERVICES. AND TWO ADMINISTRATION STAFF.

THE MAYOR ADVISED THAT:

- 1 COUNCIL'S GENERAL MANAGER, KERRY YATES, HAD RECENTLY ANNOUNCED THAT HE WOULD NOT BE SEEKING RENEWAL OF HIS CONTRACT AND WOULD RETIRE FROM COUNCIL IN JUNE 2010. THE MAYOR GAVE A RESUME OF KERRY'S CAREER IN COUNCIL OUTLINING HIS ACHIEVEMENTS AND THANKED HIM FOR HIS YEARS OF SERVICE.
- 2 AT YESTERDAY'S POLICE PRESENTATION HELD AT COUNCIL, COMMISSIONER OF POLICE PRESENTED A CITATION TO COUNCIL FOR ASSISTANCE TO LOCAL COMMAND.

CR VINCENT REPORTED ON THE GATHERING OF THE CLANS WHICH WAS HELD RECENTLY AND WAS AN OUTSTANDING SUCCESS WITH HIGH PARTICIPATION FROM PIPE BANDS AND DANCERS SOME OF WHICH CAME FROM AS FAR AWAY AS VICTORIA AND QUEENSLAND. A SPECIAL THANK YOU WAS MADE TO COUNCIL STAFF WHO ASSISTED IN THE CO-ORDINATION OF THIS EVENT AND ALSO TO CR WEBSTER WHO SUPPORTED THE ORGANISING COMMITTEE. THE MAYOR ALSO ACKNOWLEDGED CR VINCENT'S CONTRIBUTION TO THE RUNNING OF THIS EVENT AND ACCEPTED A PLAQUE FROM THE COMMITTEE ON BEHALF OF COUNCIL.

CR WYNN REPORTED ON:

- 1 THE RESPONSE RECEIVED FROM *MAYORS FOR PEACE* ORGANISATION IN RECOGNITION OF COUNCIL'S REQUEST FOR REGISTRATION ACKNOWLEDGING COUNCIL'S SUPPORT.
- 2 ATTENDANCE AT THE CENTRAL COAST FOOD FORUM HELD IN WYONG MEMORIAL HALL RECENTLY – WHICH HIGHLIGHTED FOOD SUSTAINABILITY AND BRANDING OF FOOD WHICH ACKNOWLEDGES THE ORIGIN OF FOOD AND SUPPORTS LOCAL GROWERS.

THE MAYOR, COUNCILLOR GRAHAM, DECLARED THE MEETING OPEN AT 5.15 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.

AT THE COMMENCEMENT OF THE ORDINARY MEETING REPORT NO 2.3, WAS DEALT WITH FIRST THEN THE REMAINING REPORTS IN ORDER. HOWEVER FOR THE SAKE OF CLARITY THE REPORTS ARE RECORDED IN THEIR CORRECT AGENDA SEQUENCE.

## 1.1 Disclosure of Interest

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### 1.2 PROPOSED INSPECTIONS

COUNCILLOR EATON DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS A DIRECTOR OF THE HARDWARE STORE REFERRED TO IN THE REPORT, LEFT THE CHAMBER AT 05:18 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 05:19 PM.

THE MANAGER DEVELOPMENT ASSESSMENT DECLARED A PECUNIARY INTEREST IN THE MATTER, FOR THE REASON THAT HER HUSBAND'S FIRM, ANDREWS NEAL, PRODUCED THE ARCHITECTURAL PLANS THAT FORM PART OF THE APPLICATION FOR DA/527/2007, REMAINED IN THE CHAMBER BUT DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER.

### 2.1 DA527/2007 – STAGED MASTER PLAN FOR INDUSTRIAL DEVELOPMENT AND STAGE 1 – CIVIL WORKS AND RETENTION AND RENOVATION OF EXISTING HARDWARE STORE

COUNCILLOR EATON DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS A DIRECTOR OF THE HARDWARE STORE ON LAND AFFECTED BY THE PROPOSED PLAN, LEFT THE CHAMBER AT 5.51 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.11 PM.

THE MANAGER DEVELOPMENT ASSESSMENT DECLARED A PECUNIARY INTEREST IN THE MATTER, FOR THE REASON THAT HER HUSBAND'S FIRM, ANDREWS NEAL, PRODUCED THE ARCHITECTURAL PLANS THAT FORM PART OF THE APPLICATION FOR DA/527/2007, REMAINED IN THE CHAMBER BUT DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER.

### 2.2 ADOPTION OF THE WYONG ACTIVE RIVER FORESHORE AND BAKER PARK MASTERPLANS

COUNCILLOR EATON DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS THE OWNER OF PROPERTY WITHIN THE MASTERPLAN AREA, LEFT THE CHAMBER AT 5.51 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.11 PM.

THE MANAGER DEVELOPMENT ASSESSMENT DECLARED A PECUNIARY INTEREST IN THE MATTER, FOR THE REASON THAT HER HUSBAND, ANDREW DICKSON, HAS PREPARED DESIGN PLANS FOR THE RACE CLUB, HAS RECENTLY MADE REPRESENTATIONS TO COUNCIL ON BEHALF OF THE CLUB AND THE RACE COURSE IS PART OF THE AREA COVERED BY THE MASTERPLAN, REMAINED IN THE CHAMBER BUT DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER.

### 3.2 RENEWAL OF LEASE TO THE SCOUT ASSOCIATION OF AUSTRALIA OF PART OF LOT 123 DP 27299 AT PANORAMA PARADE, BERKELEY VALE

COUNCILLOR MATTHEWS DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HER SON IS A MEMBER OF THE SCOUT GROUP 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 DO NOT HOLD ANY POSITION ON THE COMMITTEE."*

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

**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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COUNCILLOR EATON DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS A DIRECTOR OF THE HARDWARE STORE REFERRED TO IN THE REPORT, LEFT THE CHAMBER AT 05:18 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 05:19 PM.

THE MANAGER DEVELOPMENT ASSESSMENT DECLARED A PECUNIARY INTEREST IN THE MATTER, FOR THE REASON THAT HER HUSBAND'S FIRM, ANDREWS NEAL, PRODUCED THE ARCHITECTURAL PLANS THAT FORM PART OF THE APPLICATION FOR DA/527/2007, REMAINED IN THE CHAMBER BUT DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER.

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

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

FOR: COUNCILLORS BEST, 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 MCNAMARA:***

***1 That Council receive the amended report on Invited Speakers.***

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

FOR: COUNCILLORS BEST, EATON, GRAHAM, 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 MATTHEWS and seconded by Councillor MCNAMARA:***

***That Council confirm the minutes of the previous Ordinary Meeting of Council held on 26 August 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.

**2.1 DA 527/2007 - Staged Master Plan for Industrial Development and Stage 1 - Civil Works and Retention and Renovation of Existing Hardware Store**

COUNCILLOR EATON DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS A DIRECTOR OF THE HARDWARE STORE ON LAND AFFECTED BY THE PROPOSED PLAN, LEFT THE CHAMBER AT 5.51 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.11 PM.

THE MANAGER DEVELOPMENT ASSESSMENT DECLARED A PECUNIARY INTEREST IN THE MATTER, FOR THE REASON THAT HER HUSBAND'S FIRM, ANDREWS NEAL, PRODUCED THE ARCHITECTURAL PLANS THAT FORM PART OF THE APPLICATION FOR DA/527/2007, REMAINED IN THE CHAMBER BUT DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER.

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

***That Council refer the application to the General Manager for determination having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues with an indication that based on the information available to it, Council favours the granting of a "deferred commencement" consent pursuant to Section 80 (3) of the Environmental Planning and Assessment Act, 1979.***

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

AGAINST: NIL

**2.2 Adoption of the Wyong Active River Foreshore and Baker Park Masterplans**

COUNCILLOR EATON DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS THE OWNER OF PROPERTY WITHIN THE MASTERPLAN AREA, LEFT THE CHAMBER AT 5.51 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.11 PM.

THE MANAGER DEVELOPMENT ASSESSMENT DECLARED A PECUNIARY INTEREST IN THE MATTER, FOR THE REASON THAT HER HUSBAND, ANDREW DICKSON, HAS PREPARED DESIGN PLANS FOR THE RACE CLUB, HAS RECENTLY MADE REPRESENTATIONS TO COUNCIL ON BEHALF OF THE CLUB AND THE RACE COURSE IS PART OF THE AREA COVERED BY THE MASTERPLAN, REMAINED IN THE CHAMBER BUT DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER.

MR TONY DREW, CEO WYONG RACE CLUB WAS AVAILABLE TO ANSWER QUESTIONS, ADDRESSED THE MEETING AT 6.00 PM AND RETIRED AT 6.09 PM

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

***That Council defer consideration of this item to the meeting of 23 September 2009 to allow discussions with Wyong Race Club.***

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

AGAINST: NIL

### **2.3 Shire Strategic Vision - Results of Community Engagement**

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MR ALLAN ARKIN, FORMER CHAIRPERSON REPRESENTING SHIRE STRATEGIC VISION COMMUNITY LIAISON COMMITTEE, ADDRESSED THE MEETING AT 5.20PM, ANSWERED QUESTIONS AND RETIRED AT 5.38PM.

COUNCILLOR EATON RETURNED TO THE CHAMBER AT 6.11 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council adopt the Wyong Shire Strategic Vision with amendments as detailed in this report and:**
  - a change the speech bubble on page 5 to a positive statement about the new state of the art playground at Canton Beach.**
  - b change paragraph 3 on page 21 to reflect the couples intention to work towards retrofitting their house with all the things they believe will make it sustainable and**
  - c change page 19 to reverse the speech bubble comment to make it a positive comment.**
- 2 That Council advise those who made written comments during the community engagement process of Council's decision.**
- 3 That Council commence development of a Four Year Delivery Plan, including appropriate community engagement, to identify how it intends to prioritise, fund and otherwise resource required actions to commence the achievement of the adopted SSV.**

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

AGAINST: NIL

### **2.4 Council Policy Review - Local Approvals Policy and Local Orders Policy**

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COUNCILLOR BEST LEFT THE CHAMBER AT 6.12 PM AND RETURNED TO THE CHAMBER AT 6.13 PM AND AS A RESULT TOOK NO PART IN VOTING.

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

- 1 That Council adopt the Local Orders Policy and Local Approvals Policy and public notice be given.**
- 2 That Council update the Policy Manual and make available to public and staff.**

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

AGAINST: NIL

**3.1 Renewal of Lease to Long Jetty and District Senior Citizens Club Inc of Lots 2, 3, 10, 11 and 12 DP 13225 Thompson Street, Long Jetty**

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COUNCILLOR BEST LEFT THE CHAMBER AT 6.12 PM AND RETURNED TO THE CHAMBER AT 6.13 PM AND AS A RESULT TOOK NO PART IN VOTING.

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

- 1 That Council renew the lease of Lots 2, 3, 10, 11 and 12 DP 13225 Thompson Street Long Jetty to Long Jetty and District Seniors Citizens Club Incorporated for a term of five years commencing on 1 December 2009 on the same terms as the previous lease.**
- 2 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the Lease between Wyong Shire Council and Long Jetty and District Seniors Citizens Club Incorporated.**
- 3 That Council authorise the Mayor and the General Manager to execute all documents relating to the Lease.**

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

AGAINST: NIL

**3.2 Renewal of Lease to the Scout Association of Australia of Part of Lot 123 DP 27299 at Panorama Parade, Berkeley Vale**

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COUNCILLOR MATTHEWS DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HER SON IS A MEMBER OF THE SCOUT GROUP 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 DO NOT HOLD ANY POSITION ON THE COMMITTEE."*

COUNCILLOR BEST RETURNED TO THE CHAMBER AT 6.13 PM DURING CONSIDERATION OF THIS MATTER.

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

- 1 That Council renew the lease of Part of Lot 123 DP 27299 at Panorama Parade, Berkeley Vale to the Scout Association of Australia for a period of 10 years at nominal rent.**
- 2 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the Lease between Wyong Shire Council and the Scout Association of Australia.**

- 3 That Council authorise the Mayor and the General Manager to execute all documents relating to the Lease.**

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

AGAINST: NIL

**3.3 Renewal of Lease to Wyong Pre-School Kindergarten Associated Inc of Lot 31 DP 800087 9 Rose Street, Wyong**

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

- 1 That Council renew the lease of Lot 31 DP 800087, 9 Rose Street, Wyong to Wyong Pre-School Kindergarten Association Incorporated for a period of two years at nominal rent plus a right of renewal for a further two years.**
- 2 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the Lease between Wyong Shire Council and Wyong Pre-School Kindergarten Association Incorporated.**
- 3 That Council authorise the Mayor and the General Manager to execute all documents relating to the Lease.**

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

AGAINST: NIL

**4.1 CPA 149736 - The Supply, Delivery and Installation of Growing Medium and Turf at Bateau Bay Sports Complex**

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COUNCILLOR VINCENT LEFT THE CHAMBER AT 6.17 PM AND RETURNED TO THE CHAMBER AT 6.19 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council accept Tender no. 19 from The Green Horticultural Group Pty Ltd for Contract CPA/149736 – The Supply, Delivery and Installation of Growing Medium and Turf at Bateau Bay Sports Complex in the extended schedule of rates amount of \$919,400.00 (excl GST).**
- 2 That Council approve a contract budget of \$1,009,400.00 (excl GST) that provides a contingency amount of \$90,000.00 (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 approve an increase in project funding of \$265,120.00 (excl GST) to the current approved budget of \$16,366,651.00 (excl GST).**

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

AGAINST: NIL

**4.2 CPA 163632 Tender In Situ Stabilisation Works on Council Roads**

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

***That Council accept the tender from Stabilised Pavements of Aust. Pty Ltd for an initial period of two years with an option for Council to extend by one year. The estimated annual expenditure against this contract is \$2,155,215.00 (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



**5.1           Reviews required under Local Government Act 1993**

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COUNCILLOR MATTHEWS LEFT THE CHAMBER AT 6.27 PM AND RETURNED TO THE CHAMBER AT 6.28 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1     That Council confirm the current delegations to the General Manager as listed in the attached document.***
- 2     That Council determine the existing organisational structure is appropriate for the time being.***
- 3     That Council reconsider the organisational structure and the current delegations to the General Manager at its meeting on 14 October 2009.***
- 4     That Council hold a briefing on 14 October 2009 on the delegations and senior staff classifications.***

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

AGAINST:            NIL

**5.2           Proposed Councillors' Community Improvement Grants**

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

***That Council allocate an amount of \$5,200 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

**5.3 Proposal to assign a district name - Central Coast Plateau**

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

**That Council take no further action with the proposal to assign a district name - Central Coast Plateau.**

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

AGAINST: NIL

**5.4 Conference attendance**

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

**1 That Council authorise interested Councillors to attend the 10<sup>th</sup> International Cities, Town Centres and Communities Society Conference and the Local Government Information Technology Conference.**

**2 That Council meet reasonable expenses incurred in Councillors attending the conferences in accordance with Council's Facilities and Expenses Policy for Councillors.**

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

AGAINST: NIL

**6.1 Information Reports**

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COUNCILLOR MCNAMARA LEFT THE MEETING AT 6:42 PM AND AS A RESULT TOOK NO PART IN VOTING.

COUNCILLOR BEST LEFT THE MEETING AT 6:42 PM AND RETURNED TO THE MEETING AT 6.43 PM AND AS A RESULT TOOK NO PART IN VOTING.

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

**That with the exception of report numbers 6.2 and 6.4, Council receive the information reports and adopt the recommendations.**

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

AGAINST: NIL

## **6.2 E-Waste Collection**

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COUNCILLOR MCNAMARA RETURNED TO THE CHAMBER AT 6.45 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR SYMINGTON LEFT THE CHAMBER AT 6.43 PM AND RETURNED TO THE CHAMBER AT 6.44 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council receive the report on E-Waste Collection.***
- 2 That Council hold a bi-annual E-waste collection each March and August at Council's Depots in conjunction with the chemical collections.***
- 3 That Council promote its current linkages with E-waste programs via the internet, newspaper and Shirewide column.***

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

AGAINST: NIL

## **6.3 Mardi to Mangrove Link Project Status**

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***RESOLVED unanimously on the motion of Councillor BEST 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

## **6.4 Investments for July 2009**

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COUNCILLOR WYNN LEFT THE CHAMBER AT 7.00 PM AND RETURNED TO THE CHAMBER AT 7.03 PM DURING CONSIDERATION OF THIS ITEM.

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

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

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

AGAINST: NIL

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

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

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

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

AGAINST: NIL

**8.1 Notice of Motion - Energy Reduction Targets**

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COUNCILLOR MCBRIDE LEFT THE CHAMBER AT 7.09 PM AND RETURNED TO THE CHAMBER AT 7.11 PM DURING CONSIDERATION OF THIS ITEM.

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

**That the Shire Planning Department, in consultation with Shire Services Department, provide a report to Council that outlines the implications (social, economic and environmental) of applying a minimum 30% reduction by 2030 or earlier in greenhouse emissions based on 1999-2000 performance levels to:**

- **the top 10 sites for energy consumption as identified in Council's Energy Saving Action Plan (as these sites consume two-thirds of all electricity consumed by Council);**
- **vehicle and small plant fleet; and**
- **Buttonderry landfill site.**

**Further, that the report include the implications (social, economic and environmental) of achieving carbon neutrality for these sites and activities by 2050 based on 1999-2000 performance levels.**

**The report is to take into account but not be limited to, the effects of population growth, drought mitigation actions and staff retention and attraction issues.**

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

AGAINST: NIL

**8.2 Notice of Motion - Possibility for the Establishment of an Environmental Committee**

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

**That the Shire Planning Department provide a report that outlines the possibilities for establishment of an Environment Committee. The report should include, but not be limited to:**

- **The Terms of Reference (charter, roles, responsibilities and function);**
- **Possible membership;**
- **Whether it should be a committee of Council; and**
- **Report on environment committees that have been established in other Council areas, their roles, functions and achievements.**

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

AGAINST: NIL

**8.3 Notice of Motion - North Entrance Surf Club premises**

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

- 1 That Council staff complete the current investigation of the existing metal deck roof leaking on the North Entrance Surf Club's function hall/auditorium and identify and undertake appropriate cost effective repairs.**
- 2 That if staff determine replacement of the roof is necessary, the replacement cost is part funded from resale of the existing metal deck roofing and the balance of the costs, up to a maximum of \$30,000, is re-allocated from other general fund activities as determined at the September quarterly review. Council's Building Maintenance Section to source additional competitive industry quotes and manage the repair works.**

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

AGAINST: NIL

#### **8.4 Notice of Motion - Management of Water Supply**

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COUNCILLOR MATTHEWS LEFT THE CHAMBER AT 7.43 PM AND RETURNED TO THE CHAMBER AT 7.44 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR VINCENT LEFT THE CHAMBER AT 7.44 PM AND RETURNED TO THE CHAMBER AT 7.47 PM DURING CONSIDERATION OF THIS ITEM.

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

**1 That further to:**

***the Gosford Wyong Councils' Water Authority's 24 August water storage report (shown below) indicating our prime water storage facility Mangrove Creek Dam (MCD) is now at 28.4% and that actual consumption data indicates a clear trend of increased consumption against 2008 despite current restriction initiatives; and***

***this situation has a high probability of being exacerbated through advice from both the Bureau of Meteorology & Department of Primary Industries that the Southern Oscillation Index (SOI) in the Pacific is consistent with the early stages of developing El Nino & that the odds of this event are more than 50%, double the normal risk of an El Nino in any year;***

***That Council, now as a matter of urgency in partnership with the GWCWA, review water supply, consumption and trigger level policies with a view to better managing remaining stocks while avoiding a repeat of the 2006-07 events leading to MCD deteriorating to 10.3% and the need for planning to construct costly desalination plants.***

**2 That with the prospect of a repeat El Nino and the emerging effects of climate change on water supplies, staff provide a briefing to Council on the current supply status/durability and as to how water plan 2050 is performing against changing conditions.**

**3 That Council refer this item to the next meeting of the Gosford Wyong Councils' Water Authority.**

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

AGAINST: NIL

**8.5 Notice of Motion - Approval to Disperse Dredged Material from Boat Harbour**

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*It was MOVED by Councillor SYMINGTON and SECONDED by Councillor MCBRIDE:*

- 1 *That Council commence investigations into obtaining approval to disperse dredged material from Boat Harbour channel onto the bed of Lake Macquarie.*
- 2 *That Council consider a preliminary report when available.*

***The MOTION was put to the vote and declared LOST***

FOR: COUNCILLORS GRAHAM, MCBRIDE, SYMINGTON AND VINCENT

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

**8.6 Notice of Motion - North Wyong Shire Structure Plan and Central Coast Regional Conservation Plan**

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

***That taking into account recent verbal advice from the Department of Planning and Department of Environment, Climate Change and Water (DECCW) regarding the delays associated with the preparation of the North Wyong Shire Structure Plan (NWSSP) and Central Coast Regional Conservation Plan (CCRCP):***

- 1 *That Council express its concerns to the DECCW and the Minister for Climate Change regarding the delays associated with the preparation of the CCRCP.***
- 2 *That Council recognise that any delay will impact upon the timing of the completion of the Shire wide Settlement Strategy, and consequently the gazettal of Wyong LEP 2011.***
- 3 *That Council request that the Department of Planning, DECCW and the two relevant Ministers to publicly exhibit both the draft NWSSP and draft CCRCP concurrently to ensure that the Wyong Shire community is made fully aware of content of both documents and is given an opportunity to comment on both documents at the same time.***
- 4 *That Council also raise its concerns that should the two documents not be finalised concurrently, the implications of this will be that Council will be faced with the responsibility of assessing the environmental attributes of a development site on a case by case (ie individual development application) basis, thereby putting conservation outcomes at risk and placing additional cost to the development industry.***
- 5 *That Council thank the Members for Wyong and Swansea for their support on this issue.***
- 6 *That Council staff report on the implications of the delay of the Gazettal of the Wyong LEP 2011 in particular in bringing forward appropriate spot rezonings.***

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

AGAINST: NIL

**LEAVE TO INTRODUCE A MOTION OF URGENCY**

COUNCILLOR BEST SOUGHT LEAVE TO INTRODUCE A MOTION OF URGENCY CONCERNING AN APPEAL TO BE MADE TO THE PREMIER REGARDING THE APPOINTMENT OF THE MINISTER FOR THE CENTRAL COAST .



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

***That Council consider a Motion of Urgency regarding the appointment of the Minister for the Central Coast.***

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

AGAINST: NIL

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

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**U15/09 Motion of Urgency - Appointment of the Minister for the Central Coast**

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

***That Council make representation, as a matter of urgency, to the Premier seeking his support to appoint a Minister for the Central Coast selected from our local State Government Members.***

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

AGAINST: NIL.

**QUESTIONS WITHOUT NOTICE**

**Q52/09 Condition of the Date Palm Tree at The Entrance  
Councillor Webster**

F2004/06947

*“Could an arborist investigate the condition of the date palm tree on Yallara Island which is located next to The Entrance bridge and outside the Dunleith Caravan park (in Tuggerah Lake)?”*

**Q53/09 Tsunami Evacuation Location  
Councillor Webster**

F2004/00210

*“Could information be added to the Council website on locations within Wyong Shire that people should evacuate to in the event of a tsunami warning?”*

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.43 PM.

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CHAIRPERSON