
WYONG SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 27 April 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 (arrived at 7.04pm), D P Vincent, L D Webster and S A Wynn.

IN ATTENDANCE

Acting General Manager, Director Environment and Planning Services, Director Infrastructure Management, Director Community and Recreation Services, General Counsel and Manager Development Assessment.

Chief Financial Officer, Manager Integrated Planning, Business Improvement Officer, Manager Finance, Development Planner and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.02 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

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

Councillor Wynn advised that has been asked to be part of a panel at the Public Sector Fraud and Corruption Congress being held in Canberra on 9 and 10 May 2011 and will be representing Wyong Shire Council.

APOLOGY

An apology for late arrival at the meeting was submitted by Cr McBride on behalf of Councillor Symington.

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

That Council accept the apology for late arrival submitted on behalf of Councillor Symington and grant approval for Councillor Wynn's request for leave of absence from the 22 June 2011 and 27 July 2011 Council meetings.

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

AGAINST: NIL

At the commencement of the ordinary meeting report nos 1.1, 1.2, 1.3, 1.4, 2.1, 4.2 and 11.1 were 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 Disclosures of Interest

6.1 Contract CPA/182359 - Provision of Security Services to The Entrance Town Centre

Councillor Webster declared a non-pecuniary insignificant conflict of interest in the matter for the reason that she is a Director of The Entrance Town Centre Management 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."

8.2 Central Coast Mariners - Final Report on 2010-11 Sponsorship

Councillor Graham declared a non-pecuniary significant conflict of interest in the matter for the reason that he is a member of the Central Coast Mariners Board of Directors left the chamber at 8.49pm, took no part in discussion, did not vote and returned to the chamber at 8.52pm.

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

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

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

AGAINST: NIL

1.2 Proposed Inspections and Briefings

Councillor Matthews left the chamber at 5.08pm and returned to the chamber at 5.09pm and as a result took no part in voting.

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

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

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

AGAINST: NIL

1.3 Address by Invited Speaker

Councillor Matthews left the chamber at 5.08pm and returned to the chamber at 5.09 pm during consideration of this item.

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

1 That Council receive the amended report on Invited Speakers and with the inclusion of the following additional speakers:

<i>Speaker</i>	<i>Report</i>
<i>Mr Ben Baker, United Services Union, available to answer questions</i>	<i>Item 2.1 Mayoral Minute - Consideration of Wyong Shire and Gosford City Councils Amalgamation at the June Central Coast Regional Organisation of Councils (CCROC).</i>
<i>Mr Malvin Gordon, resident, in favour of the motion</i>	<i>Item 11.1 Rescission Motion - Trial Closure of Tristram and Renee Close Access Way</i>

2 *That Council agree meeting practice be varied to allow Items 2.1, 4.2 and 11.1 to be dealt with following an Invited Speaker's address.*

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

AGAINST: NIL

1.4 Confirmation of Minutes of Previous Meeting

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

That Council confirm the minutes of the previous Ordinary Meeting held on 23 March 2011.

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

AGAINST: NIL

Business Arising

Councillor Best referred to Item 8.2 Notice of Motion – Doubling and Promoting Council's \$10,000 Vandalism Reward and asked for details of the media campaign carried out to increase public awareness of this reward. The Mayor advised that a specific media release was postponed until after the Easter holiday period. However, this item was given media coverage in the local newspapers and was also broadcast on ABC Radio when he spoke about it during his Thursday afternoon slot.

Councillor Best referred to a Question on Notice Q4/11 Call Centre Congratulations and asked if the Customer Contact Section had been congratulated. The Director Community and Recreation Services responded that this item had been allocated to the appropriate Manager for action.

2.1 Mayoral Minute - Consideration of Wyong Shire and Gosford City Councils Amalgamation at the June Central Coast Regional Organisation of Councils (CCROC)

Councillor Best left the chamber at 5.44pm and returned to the chamber at 5.45pm during consideration of this item.

MINUTES OF THE Ordinary Meeting OF COUNCIL 27 April 2011 contd

Mr Ben Baker, representing the United Services Union, addressed the meeting at 5.15pm and retired at 5.35pm.

RESOLVED unanimously on the motion of Councillor EATON:

- 1 That Council note the Gosford City Council resolution of 5 April 2011, detailed below:**
 - A The provision of independent, comprehensive, objective, quality information on a possible merger/ amalgamation of GCC and WSC as the basis for extensive consultation, be placed on the agenda of the next CCROC meeting.**
 - B The information should include factors such as:**
 - **Examples of similarly sized Councils as an amalgamated GCC/WSC would be**
 - **Examples of similarly sized Councils that have amalgamated**
 - **The suggested make up of such an amalgamated Council**
 - **The impact on residents and Councillors**
 - **The process of how the senior management and elected representative positions would be divided up (especially the GM and the Mayor).**
- 2 That both Councils reassure staff that:**
 - a Consideration of the above report will be on the basis of a guarantee of job security for permanent award staff for five years after the proclamation of any new Council;**
 - b Any major restructure would be through extensive consultation and participation with the Unions.**
 - c Core numbers within the two Councils would be protected and movement of staff between the Central Coast Water Corporation and the amalgamated Councils be handled as internal applicants.**
 - d No employee would be financially worse off through permanent worksite/depot/administration building location changes.**
 - e There would be no forced redundancies for award staff and any downsizing to be through natural attrition.**
- 3 That the Report takes into account:**
 - a The process and criteria detailed in Sections 218 and 263 of the Local Government Act (refer attached copies of these Sections).**
 - b In addition the report should examine the organisational outcome for:**
 - **Governance and appropriate Councillor representation for the community;**
 - **Financial Sustainability; and**
 - **Community Engagement (local identity, local community sustainability etc).**
 - c The report should discuss an engagement strategy to ensure appropriate involvement of staff, Consultative Committee and stakeholders.**
 - d The report should include the results of a statistically valid poll of the residents of the Central Coast.**
 - e That the report also include a SWOT analysis.**

4 That, in the event of Gosford and Wyong Councils pursuing amalgamation, Council request the Minister to consider a referendum on this issue.

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

AGAINST: NIL

3.1 Exhibition of Updated Shire Strategic Vision

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

- 1 That Council adopt the draft Community Plan (revised Shire Strategic Vision) for exhibition.**
- 2 That Council consider submissions on the community Plan on 8 June 2011.**
- 3 That Council pursue, in partnership with the Central Coast Community, State Government and Gosford City Council to formulate a Regional Community Strategic Plan by 30 June 2013.**

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

AGAINST: NIL

The Director Corporate Services, advised that the Recommendation for Item 3.2 Exhibition of Draft Wyong Shire Council Strategic Plan 2011/12 (incorporating the Annual Plan and 4 year Delivery Plan) had been amended to add three additional points, numbered 8 – 10.

3.2 Exhibition of Draft Wyong Shire Council Strategic Plan 2011/12 (incorporating the Annual Plan and 4 year Delivery Plan)

Councillor Webster left the chamber at 8.17pm and returned to the chamber at 8.19pm during consideration of this item.

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

- 1 That Council place the Draft Wyong Shire Council Strategic Plan 2011/15 (the Draft Plan) on public exhibition.**
- 2 That Council receive submissions from the community concerning the Draft Plan for consideration and possible inclusion in the final plan to be adopted by Council in June 2011.**
- 3 That Council advise its intention to apply a Stormwater Management Charge to “urban” properties west of the F3 Freeway.**
- 4 That Council advise its intention to borrow \$18.575m in 2011-12 from approved institutions.**
- 5 That Council advise that a major change has been applied to its organisational planning methodology.**

- 6 That Council advise its intention to change the Ordinary Rating Categories (defined in the Draft Plan) as follows;
- a Farmland
 - b Residential
 - c Business
 - d Business – major commercial
 - e Mining
- 7 That Council advise its intention to investigate amalgamation with Gosford City.
- 8 That Council advise the Community that the Draft Plan accommodates the intentions of Council to reduce the annual operating deficit to zero as a consequence of interventions yet to be finalised.
- 9 That Council authorise the General Manager to make appropriate corrections in the Draft Plan to eliminate numerical inconsistencies and typing errors – prior to its release for public exhibition on 4 May 2011.
- 10 That Council adopt Version #2 of the Revenue Policy provided as a late enclosure.

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

AGAINST: NIL

4.1 DA 315/2006 - Proposed Residential Flat Development at Mardi

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

- 1 That Council note the withdrawal of DA 315/2006 by the applicant, Woodbury Park Estates.
- 2 That Council acknowledge that the withdrawal of the application removes the ability for Council to determine the development pursuant to Clause 52(2) of the Environment Planning and Assessment Regulation, 2000.

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 MCNAMARA and seconded by Councillor GRAHAM:

That with the exception of report numbers 6.1, 7.1, 7.2, 8.2, 8.7, 8.9 and 9.1 and Council adopt the recommendations contained in the remaining reports.

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

AGAINST: NIL

4.2 DA 1340/2010 - Demolition of Existing Structures, Removal of Six Trees and Construction of a Dwelling, Machinery Shed and Inground Pool at Wyong

Councillor McNamara left the meeting at 6.44pm returned at 6.45pm during consideration of this item.

Councillor Graham left the meeting at 6.45pm returned at 6.46pm during consideration of this item.

Councillor Best left the chamber at 6.59pm and returned to the chamber at 7.00pm during consideration of this item.

Councillor Symington joined the meeting at 7.04pm during consideration of this item

Councillor Matthews left the chamber at 7.06pm and returned to the chamber at 7.07pm during consideration of this item.

Mr Matthew Lusted, applicant, addressed the meeting at 6.44pm, and retired at 6.56pm.

It was MOVED by Councillor WYNN:

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, refuse the application subject to the reasons for refusal detailed in the schedule attached to the report.*

2 *That those who made written submissions be advised of the decision.*

The MOTION lapsed for want of a SECONDER.

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

1 ***That Council indicate its intention to approve Development Application 1340/2010 subject to the imposition of appropriate conditions.***

2 ***That Council consider a report on appropriate conditions at the Council meeting of 11 May 2011.***

3 That Council outline its reasons for dissenting from the staff recommendation, as follows:

a Discrepancies in flood reports

b The proposed new dwelling will increase safety for inhabitants.

4 That Council consider an engineer's report on the flood compatibility of the method of construction and the materials to be used in construction which is to be provided by the applicant within seven days.

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

AGAINST: COUNCILLOR WYNN

4.3 DA/1544/2010 - Proposed Secondary Dwelling at Killarney Vale

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

1 That Council, grant consent subject to the conditions detailed in the schedule attached to the report, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues.

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 State Environmental Planning Policy (Affordable Rental Housing) Clause 22(3)(b) to permit the development.

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

AGAINST: NIL

5.1 Proposed Acquisitions - New Requirements from the Division of Local Government

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

That Council authorise any necessary applications for the approval of the Minister for Local Government and for the consent of the Governor to proceed with compulsory acquisition in the event that agreement cannot be reached with the owners of land affected by the following acquisition proposals previously approved by Council adjacent to Mildon and Gavenlock Roads Tuggerah;

a a drainage easement over an existing constructed drainage line over part Lots 8 and 9 DP 1014170, Lot 3 DP 841170 and Lots 3 and 4 DP 877668;

- b** *part of Lot 2 DP 586364 and part of Lot 504 DP 1134328 Berkeley Road, Fountaindale as public road;*
- c** *part of Lot 5 DP 4097 at Brush Road, Ourimbah as public road.*

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

AGAINST: NIL

5.2 Proposed Acquisition of Lot 10 Section 6 DP 3136, 11 Margaret Street, Wyong

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

- 1** *That Council authorise the acquisition of Lot 10 Section 6 DP 3136 at 11 Margaret Street, Wyong for an amount to be negotiated having regard to market value as determined by an independent qualified valuer.*
- 2** *That Council propose classification of Lot 10 DP 14527 as Operational Land.*
- 3** *That, Council confirm the classification as Operational subject to no adverse submissions being received.*
- 4** *That Council authorise the Common Seal of Wyong Shire Council to be affixed to the Transfer between the owner of Lot 10 Section 6 DP 3136 and Wyong Shire Council.*
- 5** *That Council authorise the Mayor and the General Manager to execute all documents relating to the Transfer between Wyong Shire Council and the owner of Lot 10 Section 6 DP 3136.*

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

AGAINST: NIL

5.3 Council-owned Iconic Development Sites

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

- 1** *That Council seek expressions of interest to partner Council in the development of Council-owned iconic development sites.*
- 2** *That a further report be presented to Council at the completion of the expressions of interest process.*

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

AGAINST: NIL

6.1 Contract CPA/182359 - Provision of Security Services to The Entrance Town Centre

Councillor Webster declared a non-pecuniary insignificant conflict of interest in the matter for the reason that she is a Director of The Entrance Town Centre Management 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."

Councillor Vincent left the chamber at 8.31pm and returned to the chamber at 8.33 pm during consideration of this item.

Councillor Best left the chamber at 8.36pm and returned to the chamber at 8.37 pm and as a result took no part in voting.

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

- 1 That Council decline to accept any of the tenders received for contract CPA/182359 – Provision of Security Services to The Entrance Town Centre, in accordance with sub-clause 178(1)(b), Local Government (General) Regulation 2005.**
- 2 That Council invite, in accordance with clause 167 fresh tenders based on the same or different details.**
- 3 That Council thank the tenderers for their interest and invite them to re-tender when fresh tenders are called.**

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

AGAINST: NIL

7.1 Contract Variations and Finalisation - February and March 2011

Councillor Best left the chamber at 8.36pm and returned to the chamber at 8.37pm during consideration of this item.

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

- 1 That Council receive the Contract Variations and Finalisation February and March 2011 report (Attachment 1 and 2).**

- 2 That Council approve additional expenditure above resolved estimates for the following contracts:

Contract Title	Contract No	Adjusted Contract Value (excl GST)	Additional Budget Approval
Concept Design, Details & Tender Documentation - Sewer Pump Station T8, Norah Head	147230	\$160,506.50	\$10,506.50
Options Report, Detail Design & Tender Documentation - Sewer Pump Station T22 Upgrade - Budgewoi	144772	\$171,421.00	\$21,421.00
Sub Division 150 - 190 Sparks Rd Warnervale - Land Clearing	171824	\$160,791.99	\$10,791.99
Construction of Link Road Sparks Road to Lakes Grammar Senior School, Warnervale	160794	\$11,101,735.96	\$302,000.00

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

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

AGAINST: NIL

7.2 Conferences 2011

Cr Matthews advised that due to her mismanagement of her diary and also because she has been unwell she will be unable to attend the Persuasive Writing Skills for Councillors Workshop scheduled to be held on Friday 29 April 2011. She indicated that she is still interested in attending but at a later date.

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

- 1 That Council authorise interested Councillor/s to attend the Persuasive Writing Skills for Councillors Workshop.
- 2 That Council authorise interested Councillor/s to attend the 2011 Australian Local Government Women's Association Conference SWIFT.
- 3 That Council authorise interested Councillor/s to attend the 2011 Asia Pacific Cities Summit.

- 4 That Council meet reasonable expenses incurred in Councillors attending the above workshop, conference and summit 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

7.3 Central Coast Bears' bid to gain admission into National Rugby League (NRL) in 2013.

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

That Council provide in kind support to the Central Coast Bears' bid to gain admission into the National Rugby League in 2013 and the development of the Mt Penang Parklands Sporting Precinct.

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 MCBRIDE and seconded by Councillor BEST:

That Council allow meeting practice to be varied to allow for discussions to take place on Item 7.4 Draft Minutes of the Strategic Finance Committee prior to discussions on Item 3.2 Exhibition of Draft Wyong Shire Council Strategic Plan 2011/12 (incorporating the Annual Plan and 4 year Delivery Plan).

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

AGAINST: NIL

7.4 Draft Minutes of the Strategic Finance Committee

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

1 That Council note the draft minutes of the Strategic Finance Committee held on 23 March 2011.

2 That Council adopt a Long Term Financial Strategy target for Working Capital equal to >3% of Operating Cash Expenses.

- 3 That Council **adopts** a target Liquidity Ratio of above 1.5 to be included in the Long Term Financial Strategy.
- 4 That Council **authorises** the Long Term Financial Strategy to include guidelines for Council's borrowing which:
 - I Allow for external debt to be used to finance long term inter-generational assets or where the return on investment inclusive of financing costs is positive.
 - II Comply with directives of IPART in the case of water and sewer.
 - III Establish a target for the Consolidated Debt Service Ratio of below 15% and a General Fund Indebtedness Ratio of less than 80% of revenue.
 - IV Articulate a strategy to use Internal Borrowings over External Borrowings to capture any financial benefit between investment returns and financing costs - where available funds exist.
- 5 That Council **increase** the Ordinary and Special Rates for 2011-2012 by the maximum 2.8% allowable "rate-pegging" adjustment set by the State Government.
- 6 That Council **adopt** a Base Rate of \$162.00 for the 2011-2012 year.
- 7 That Council **change** the Ordinary Rating system from a "Base Rate plus Ad Valorem amount" to one of "Minimum Rate plus Ad Valorem amount" from 1 July 2012.
- 8 That Council **adopt** a Minimum Rate of \$430.00 in addition to an Ad Valorem Rate from 1 July 1 2012.
- 9 That Council **increase** the Mining Rate by 100% and apply the increased revenue to a reduction of residential rates.
- 10 That Council **establish** sub-categories of business rates based on the key business "centres of activity" for;
 - a Bay Village Bateau Bay Shopping Precinct,
 - b Lake Haven Shopping Precinct,
 - c Westfield Shopping Centre.
- 11 That Council **continue** to apply Special Rates for;
 - a Special Rate - The Entrance Town Centre
 - b Special Rate - Non-Residential Properties Toukley Area
 - c Special Rate - Non-Residential Properties Wyong Area
- 12 That Council **continue** to levy the Stormwater Management Charge to fund management of stormwater:
 - a inclusion of properties west of the Freeway
 - b with no change to business properties.
- 13 That Council **increase** Waste charges as outlined in the Revenue Policy including the increase in the Domestic Waste Annual Charge to \$409.00 and Tipping Fee increase to \$212.60.
- 14 That Council **endorse** a maximum 5% increase to non-regulated fees for inclusion in the Annual Plan.

- 15 ***That Council endorse the inclusion of the proposed new fees as the basis of the draft 2011/12 Annual Plan Revenue Policy.***
- 16 ***That Council defer the election of permanent members to the Committee until the Committee Structure Review has been completed.***

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

AGAINST: NIL

8.1 Information Reports

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

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

8.2 Central Coast Mariners - Final Report on 2010-11 Sponsorship

Councillor Graham declared a non-pecuniary significant conflict of interest in the matter for the reason that he is a member of the Central Coast Mariners Board of Directors left the chamber at 8.49pm, took no part in discussion, did not vote and returned to the chamber at 8.52pm.

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

That Council receive the Central Coast Mariners - Final Report on 2010-11 Sponsorship of the Central Coast Mariners.

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

AGAINST: NIL

8.3 Disclosure of Interest Returns - 1 January to 31 March 2011

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

That Council receive the report on Disclosure of Interest Returns - 1 January to 31 March 2011.

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

AGAINST: NIL

8.4 Mardi to Mangrove Link Project Status

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

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

8.5 General Works in Progress

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

That Council receive the report on General Works in Progress.

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

AGAINST: NIL

8.6 Works in Progress - Water Supply and Sewerage

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

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

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

AGAINST: NIL

8.7 Mobile Concierge Grant Application with Optus

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

That Council receive the report on Mobile Concierge Grant Application with Optus.

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

AGAINST: NIL

8.8 Results on Water Quality Testing for Beaches and Lake Swimming Locations

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

That Council receive the report on Results on Water Quality Testing for Beaches and Lake Swimming Locations.

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

AGAINST: NIL

8.9 Warnervale Town Centre March 2011 Progress Report

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

That Council receive the report on Warnervale Town Centre March 2011 Progress Report.

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

AGAINST: NIL

8.10 Activities of the Development Assessment Unit and Building Certification and Health Unit

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

That Council receive the report on Activities of the Development Assessment Unit and Building Certification and Health Unit.

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

AGAINST: NIL

8.11 Outstanding Questions without Notice and Notice of Motions

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

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

10.1 Notice of Motion - Storage of Dinghies on Foreshores in Wyong Shire

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

- 1 That Council consult with the community and potential stakeholders to develop a policy for the storage of dinghies on foreshores in Wyong Shire.
- 2 That, following community consultation, Council develop a policy on this matter and submit it to Council for consideration.
- 3 That Council consider a report which includes the cost/return/savings of implementing the policy.
- 4 That, if the policy is adopted, Council communicate it thoroughly to the broader community prior to any implementation.

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

AGAINST: NIL

10.2 Notice of Motion - Extension of Lifeguard Season at Soldiers and Shelly Beach

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

That Council extend the Lifeguard season for an additional four weeks, ending on Friday 20 May 2011, at Soldiers Beach and Shelly Beach.

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

AGAINST: NIL

11.1 Rescission Motion - Trial Closure of Tristram and Renee Close Access Way

Councillor Wynn left the chamber at 7.26pm and returned to the chamber at 7.28pm during consideration of this item.

Councillor McBride left the chamber at 7.30pm and returned to the chamber at 7.32pm during consideration of this item.

Councillor McNamara left the chamber at 7.40pm and returned to the chamber at 7.42pm during consideration of this item.

Mr Malvin Gordon, resident, addressed the meeting at 7.26pm, and retired at 7.30pm.

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

That Council rescind the following resolution carried at the Ordinary Meeting of Council held on 27 October 2010:

- 1 ***That Council trial the closure of the pedestrian walkway between Tristram Close and Renee Close Lake Haven for the period of six months, as described in this report.***
- 2 ***That Council review the success of the trial closure (including a summary of residents) after three months of the closure and consider a report on that review before making a final decision.***
- 3 ***That Council notify the residents consulted on the outcomes of the investigation process.***
- 4 ***That Council endorse the criteria and consultative methodology undertaken as part of this report when considering future requests for the closure of pedestrian walkways.***

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

AGAINST: COUNCILLORS GRAHAM AND WYNN

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

- 1 ***That, further to the strong community feedback and concerns (details attached) at the trial closure of this access way, Council cease the trial and immediately re-open the access way permanently.***
- 2 ***That Council install appropriate fencing and vehicular/motorcycle barriers to assist residents in close proximity of the access way. Further, that Council staff advise local residents of Council's free graffiti removal kits now available.***
- 3 ***That Council request staff to trim vegetation in the area near the street lights to improve lighting.***
- 4 ***That Council request staff to plant dense native vegetation along the fences of premises which have been experiencing graffiti attacks.***

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

AGAINST: NIL

QUESTIONS ON NOTICE

Councillor Graham left the chamber at 9.04pm and returned to the chamber at 9.05pm during consideration of this item.

Councillor McNamara left the chamber at 9.04pm and returned to the chamber at 9.05pm during consideration of this item.

Councillor Matthews left the chamber at 9.05pm and returned to the chamber at 9.06pm during consideration of this item.

**Q5/11 Land on Beach Side, South of Lakes Surf Club
Councillor Best**

“Mr General Manager,

Could you provide Councillors with an update on this site and its future use?”

**Q6/11 Carbon Tax
Councillor Best**

“Mr General Manager,

If the Federal Government introduces a carbon tax what will be the cost to Council?”

**Q7/11 Central Coast Tourist Parks
Councillor Wynn**

“When and why have the Wyong Shire Tourist Parks been renamed Central Coast Tourist Parks?”

**Q8/11 Control of Rabbit Plague
Councillor Wynn**

What is the Council’s management plan for the control of the rabbit plague that is being experience by the Commonwealth funded, in partnership with WSC, rehabilitation of the coastal foreshore by Budgewoi Dune Care threatening the work by killing the immature plants?”

THE MEETING closed at 9.07pm.