Wyong Shire Council

ORDINARY COUNCIL MEETING

ENCLOSURES – PART 5, PAGES 139- 156

Wednesday, 14 March, 2012

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
1	Environment and Planning Services	 9.5 - Notice of Motion – Sea Level Rise Notification 1 Write to all property owners affected by the State Governments sea level rise policies. 2 Text of the letter be endorsed by Council. 	24 February 2010 Cr Eaton / Cr Graham	F2009/00067 A report will be submitted to Council once additional information has been provided by the General Counsel.
2	General Manager's Department - Major Projects	7.6 - Notice of Motion – Warnervale Town Centre Viability Staff report on the viability of developing the 1,100 units proposed for Warnervale Town Centre and possible variation of proposed densities to ensure viable town centre development.	12 May 2010 Cr Eaton / Cr Best	F2004/00535-07 A consultant has been engaged and commenced work on the report responding to this question.
3	Environment and Planning Services	8.1 - Notice of Motion – Clause 14 Fund Improving Conservation Outcomes Investigate and report back to Council on the best use of the Clause 14 (3) (b), funds for improving conservation outcomes.	14 July 2010 Cr Wynn / Cr Eaton	F2004/12208 Report drafted and being reviewed taking into account the CLEP template and proposed CLEP clauses. A report is being prepared for mid 2012.
4	Corporate Services	Q109/10 – Regional Hospital Cutbacks "It has been reported in the media that the Federal Government has redirected hospital funding into the regions, reportedly resulting in substantial cutbacks to our regional hospital at Gosford. As the Central Coast is a region and that the Federal Government funding adjustment was indicated to favour the regions how is it that this region appears to have suffered a health funding cutback?"	13 October 2010 Cr Best	F2004/11290 A response will be made to the meeting of 28 March 2012.
5	Community and Recreation Services	8.2 - Notice of Motion — Acknowledgement of the Darkinjung People <u>Defer</u> this item to allow time to further consider this matter and receive further information.	27 October 2010 Cr Graham / Cr Eaton	F2004/06248 Councillor briefing has been postponed. A Councillor Business update has been issued on this matter.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
6	Infrastructure Management	 7.1 - Notice of Motion - Regional Push to Reinstate F3 Link 1 That Council form a whole of Government Regional Partnership to include Gosford City Council, Wyong Shire Council and appropriate Sydney Councils (if required), Central Coast State Government Members and Federal Government Members with a view to organising a deputation to raise this issue with the Federal Government. 2 That Council urge the Regional Partnership to take-up Mr Swan's offer to receive representation from the Central Coast Regional Partnership to have the F3 Link funding reinstated in the 12-13 budget. 	25 May 2011 Cr Best / Cr Eaton	F2004/06677 A letter has been issued to the Minister for Resources and Energy. A report will be submitted to Council once a response has been received. A follow up email has been sent from the General Manager to the Minister for the Central Coast and Minister for Resources and Energy. Still waiting on a response from the Minister for the Central Coast. It is understood that he is waiting on advice from the Minister for Roads and Ports. It is intended that a status report be submitted to Council in March, following a possible meeting between the Mayor and General Manager with the Federal Minister for Infrastructure and Transport.

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7	Environment and Planning Services	 6.5 - Notice of Motion - Destruction of Natural Environment and Indigenous Heritage at Norah Head 1 That Council <u>acknowledge</u> the community groups that contribute to the highly successful phenomena of whale watching at Norah Head. 2 That Council <u>request</u> the General Manager to provide a staff report on the resultant human impact on the natural environment around Soldiers Beach at Norah Head and the report should cover preliminary details of current and proposed initiatives available for Council's consideration in managing the escalating damage to the natural and indigenous heritage. 3 That Council <u>request</u> the report be prepared in partnership with the appropriate agencies and indigenous community. 4 That, upon consideration of the requested report, the local land council be <u>invited</u> to address the Council meeting. 	13 July 2011 Cr Best / Cr Vincent	F2004/00580 A report is currently being prepared and will be reported to Council in mid 2012.
8	Corporate Services	Q23/11 - Projected Additional Revenue Raised by Charging School to Utilise Sports Grounds "Could Council staff please advise on the projected additional annual revenue that will be raised by charging local schools to utilise Council's sports grounds and facilities?"	24 August 2011 Cr Vincent	F2004/07006 An answer to this question will be submitted to a Council meeting in March 2012.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
9	Environment and Planning Services	 8.2 - Notice of Motion - Coal Seam Gas (CGS) Inquiry That Wyong Shire Council: 1 Write and thank the State Government for banning the chemicals used in the tracking process. 2 Support the Coal Seam Gas (CSG) inquiry being undertaken by the NSW Legislative Council; 3 Call on the NSW Government to ensure the role of councils is adequately considered in dealing with CSG exploration and production; and independently assessed. 4 Calls on the government to institute a full moratorium on all forms of coal seam gas drilling until the environmental, social and health impacts have been rigorously and 5 5 Rejects suggestions by industry that coal seam gas development is appropriate in residential areas, and calls on the government to rescind exploration licences over residential areas. 6 Place a prohibition on coal seam gas exploration and mining in important bushland, valuable farmland, groundwater aquifers and public lands. 	14 September 2011 Cr Wynn / Cr Vincent	F2004/11916 Letter has been sent and awaiting response.
10	Environment and Planning Services	Q26/11 - Pioneer Dairy "Could staff provide a 'Councillor Update' on the current status of Wyong Shire Council in relation to the Pioneer Dairy Trust (community access / progress of site)?"	14 September 2011 Cr McBride	F2009/00193 Information has now been gathered, a report being prepared for March round of meetings.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
11	Environment and Planning Services	 5.3 - Notice of Motion - Submission to the Planning System Review Committee 1 That Council request the General Manager to make a submission to the planning system review committee highlighting problems with the current planning system including: a delays particularly with rezonings, but also with other government agencies, b uncertain outcomes even after land has been rezoned for development, c infrastructure provision including alternative funding mechanisms such as muni bonds, d more local flexibility, one size does not fit all, e more local authority, empowering council to make decisions on minor rezonings and rezonings in line with adopted strategic plans f cheaper, simpler system. 2 Council request the General Manager to schedule a briefing, in late January or early February, on the issues paper with a view to developing a Council submission to the issues paper. 	26 October 2011 Cr Eaton / Cr Wynn	F2004/00550 Councillor Briefing held on 1 February 2012. Submission prepared and referred to Councillors for comment.

No Departmen	ut Q	Question Asked / Resolution	Meeting Asked/ Councillor	Status
12 Environmer Services	f F	 8.2 - Notice of Motion - Development Applications for Retail Liquor Outlets & 8.6 Notice of Motion - Proliferation of Alcohol Outlets 1 That Wyong Shire Council make representation to the Crime Prevention Partnership Committee to establish a working party of this group to provide advice on any Development Application submitted for a Retail Liquor Outlet. 2 If the crime prevention partnership Committee group can not form a working party then Council will establish a licensed premises reference group comprising of: a) Council Officers, including Rangers b) NSW Police Local Area Commander c) A NSW Office of Liquor and Gaming Representative d) Central Coast Area Health Representative 3 That Council reject the further proliferation of alcohol availabilities through the recent push by the Australian Association of Convenience Stores to sell alcohol in local petrol stations. 4 That Council make formal representation on behalf of its residents and ratepayers to the current Productivity Commission's Inquiry into the industry's proposal with the grounds for objection to include but not limited to: (Please see minutes for complete resolution.) 	12 October 2011 Cr Wynn / Cr Best	F2004/07052 Letters have been sent in respect of Resolutions 1, 2, 3 & 4; awaiting responses.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
13	Infrastructure	5.1 - Notice of Motion - Waste Levy Charges	26 October 2011	F2004/06762
	Management	1 That Council <u>note</u> with concern the continued State Government cost shifting and rate pegging and its effects on the social and economic status of the Shire.	Cr Webster / Cr McNamara	Report is being prepared for 28 March 2012 paper.
		2 That Council request the General Manager to formally request the NSW Minister for the Environment to amend the Protection of the Environment Operations (Waste) Regulation 2005, or whatever other mechanism is available, to ensure the following:		
		a Exemption from the payment of the waste and sustainability levy for the receival and/or disposal of mixed waste, ENM (Excavated Natural Material), and VENM(Virgin Excavated Natural Material), from Wyong Shire Council's road construction works at its Buttonderry Waste Management Facility.		
		b Return of 50% of the total annual Waste Levy paid by Wyong Shire Council for use on local road maintenance and environmental initiatives.		
		c Future Waste and Sustainability Levy increases being limited to the official CPI figure.		
14	Corporate Services	Q29/11 - Carbon Tax on Council	9 November 2011	F2004/06579
		"Mr General Manager, now that the Federal Government has levied its new carbon tax and that the costing methodology is clearer, could staff please update Council on what extra costs will now likely be passed on to the ratepayers and also as to what compensation is available to offset this new tax on Council?"	Cr Best	Monitoring impacts forecasted will be included in the 2012-16 CSP, Annual Plan, 4YDP and LTFP. A response will be submitted to 28 March 2012 meeting.

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15	Community and Recreation Services	 8.1 - Notice of Motion - Improved Library Services 1 That Council recognise the rapid adoption of e-book reader technology and likely phasing out of paper books and the implications of this for Council's Library Service. 2 That Council consider a report on: a entry into this technology possibly by way of trials, b benefits and disbenefits c budgetary implications (if any). 	23 November 2011 Cr Eaton / Cr McNamara	F2006/00444 A Library Strategic Plan will be completed in the 2012/13 Financial Year that addresses these issues.
16	Environment and Planning Services	Q33/11 - Powerful Owl "Who is responsible for the protection of a species listed in the National Parks and Wildlife Service Atlas and who could have had this land on Wadalba Hill excised and added to the wildlife corridor when it has been known that the Powerful Owl existed and rested in this tree since 2008?"	23 November 2011 Cr Wynn	SCC/61/2011 A report is being prepared for a Council meeting in March.
17	Environment and Planning Services	 Notice of Motion – Wildlife Corridor Road Kill That Council note that its planned east-west major wildlife corridor is now being formalised. That Council confirm that it seeks to provide safe aerial and terrestrial passage through the corridor by addressing safety in the 2 major road networks (the F3 and the Pacific Highway) that cut through the corridor causing major wild life road kill issues. That Council seek assistance from the NSW RTA and the Federal Government to address the issue of safer wild life corridor crossings as seen on the NSW mid north coast. That Council receive a report on the outcomes with regard to the request for assistance from the NSW RTA and the Federal Government. 	14 December 2011 Cr Best / Cr Wynn	F2004/06946 Letters sent.

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18	Environment and Planning Services	 Notice of Motion – State of the Shire Studies That Council reiterate the significance of the State of the Shire report (now encompassing the State of the Environment report) in providing a meaningful indicator of the health of our environment and our environmental performance. That Council acknowledge the results of the State of the Shire report outlining a continuing decline in seven out of eleven environmental indicators and utilise these results to inform Council's deliberations in relation to its Strategic and Annual Plan for 2012/2013. That Council consider the following at the February 2012 Workshop: A as part of the Annual Plan deliberations, resourcing specific studies that will provide baseline data to enable more precise reporting and measurement on the health of our environment, in responding to these declining environmental indicators. B give specific consideration, as part of the 2012/2013 Annual Plan process, to the resourcing of projects that will address current information gaps and enhance Council's ability to assess the decisions it makes in relation to the principle of 'improve and maintain'. 	14 December 2011 Cr Wynn / Cr Best	F2004/07518 The action required in A and B are incorporated in Environment and Natural Resources Business Plan for 2012/2013 and after, and internal movements are being undertaken to provide the necessary resources.

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19	Environment and Planning Services	 8.4 - Notice of Motion - Westfield \$750m Tuggerah Development (JOBS, JOBS, JOBS) 1 That Council note the preparedness of Westfield Group to commence its 750 million dollar Tuggerah Gateway development adjoining the F3 Freeway. 2 That Council note that the development will be modelled on the highly successful Norwest Business Park concept and will deliver some 2,000 jobs during construction, over 7,000 jobs on completion and delivering a total of 35,000 jobs in the region over the next 20 years. 3 That Council reaffirm its commitment to local job generation, having regard to this region's unemployment rate of twice the state average and a youth unemployment rate of a massive 32%. 4 That Council seek to further advocate to have the necessary State Government zonings and approvals expedited, while recognising that it is not the consent authority. 5 That Council request the General Manager to report on the progress of the development to date and any impediments which are delaying the delivery of this key infrastructure and job generating project. 	14 December 2011 Cr Best / Cr Eaton	F2009/00960 Letter sent to DoPI 21 December 2011. Council report will be prepared following a response from DoPI.
20	Environment and Planning Services	Q34/11 — Purchase of Sections of Remaining Undeveloped Land at Wadalba Hill "Could staff please advise on any State or Federal funding schemes that may be available to purchase sections of the remaining undeveloped land at Wadalba Hill for conservation purposes?"	14 December 2011 Cr Vincent	F2005/00562 A report is being prepared for a Council meeting in April 2012.

No	Department		Question Asked / Resolution	Meeting Councillor	Asked/	Status
21	Community Recreation Services	and	Q35/11 – Assistance to Wyong Historical Society "Could staff please advise on the assistance that can be provided by Council to the Wyong Historical Society in their endeavours to recover from the recent fire at the Alison Homestead?"		r 2011	C2011/05301 Assistance initially provided by Community Buildings Maintenance team to reconnect water and electricity to site. Still awaiting investigation/outcome from insurance company. Meeting to be held between Community & Cultural Development, Cultural Planning, Properties, Insurance, and Heritage planner to develop way forward. Meeting scheduled for 28/2/12.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
22	Infrastructure Management	 8.4 - Notice of Motion - Fast Tracking Warnervale Road 1 That Council note its current commitment of \$2.08M to the reconstruction of Minnesota Road and the upgrade of Louisiana Road. 2 That Council consider as a matter of urgency, all options to fast track the total reconstruction of the former rural road, now urban highway, known as Warnervale Road. 3 That Council support in principle and encourage staff to thoroughly investigate the recently announced state government "infrastructure renewal scheme" which seeks to assist councils to fast track critical infrastructure projects within the 12-13 budgetary cycle. 4 That Council list this important strategic infrastructure program as a matter of urgency for discussion and consideration at Council's upcoming annual budgetary and strategic planning workshop. 5 That in the event that Council does not seek to pursue the State Government's "infrastructure renewal scheme" funding or as the project may be ineligible, Council recognises its responsibility to fund this critical infrastructure via Section 94 Funds or other revenue streams within the 2012-2013 Management Plan. 	8 February 2012 Cr Best / Cr Eaton	Council has submitted an expression of interest to the DLG for subsidised loan funding for the renewal and upgrade of Warnervale Road and Minnesota Road as part of its 2012/13 budget process. The process involves the Department forwarding Council a detailed application form which needs to be completed by March. All this action is in hand. The matter of Warnervale Road reconstruction was discussed at the Councillor Workshop. Funds of \$3.2M are allocated in the draft 2012/13 capital expenditure for this work between Ebony Drive and Monarch Drive.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
23	Environment and Planning Services	 8.5 - Notice of Motion - Granny Flat, Second Dwelling Contribution Waiver 1 That Council reaffirm its commitment to the principles of affordable housing and its importance in assisting a broad cross section of our community and recognise that Section 94 contributions may be prohibitive to many affordable housing projects. 2 That Council note the decision of Gosford City Council to assist in facilitating affordable housing through the trial waiver of Section 94 contributions for granny flats. 3 That Council support this initiative thereby establishing a regional approach to affordable housing. 4 That Council also waive Section 94 contributions for granny flats on a trial basis till September 2012, concurrent with Gosford City Council and that the outcome of this be reported to Council. 5 That Council receive the report in a timeframe for inclusion in the 2012-13 Annual Plan. 6 That Council implement the trial by way of reporting those relevant development applications to Council for determination. 	Cr Best /	F2004/00552 Councillor update issued 23 February 2012 outlining the implementation of this resolution.

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24	Environment and Planning Services	 8.6 - Notice of Motion - Ongoing Approval from State Government for Part 5 Assessments for Maintenance Works 1 That Council request the General Manager to investigate options contained within relevant legislation to enable longer term approvals (including licences) to be issued for annual and repeat activities undertaken by Council within, on the foreshore and adjacent to the Shire's lakes, and other locations in relation to Part 5 Assessments. 2 That Council request the General Manager to report back on the current costs borne by Council due to the need to apply for approvals and licences on an individual basis, with a view to minimising and/or avoiding any unnecessary waste of staff resources and ratepayer funds. 	8 February 2012 Cr Symington / Cr Eaton	F2004/07773 A report will be submitted to a meeting in May 2012.
25	Environment and Planning Services	 8.7 - Notice of Motion - Tree Vandalism Norah Head 1 That Council note with concern acts of environmental vandalism in relation to the poisoning of several mature trees in Mazlin Reserve at Norah Head. 2 That Council direct the General Manager to urgently prepare a report regarding the actions and responses available to Council concerning acts of environmental vandalism in general, and specifically in relation to the poisoning of several mature trees in Mazlin Reserve at Norah Head. 3 That Council direct the General Manager to discuss the possibility and capacity of Council to erect and maintain a "view blocking" barrier in the report. 	8 February 2012 Cr Symington / Cr Wynn	F2012/00194 A report is being prepared for second meeting in March 2012.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
26	Infrastructure Management	Q1/12 - Culvert Erosion of Creek at Bruce Crescent, Warnervale "Could staff confirm: a) That Council previously gave a written undertaking to Ms Kylie Albanese of Bruce Crescent, Warnervale to rock stabilise the creek from Council's road culvert at the front of her property for some 30 metres. b) That this work would be performed in the 2011/12 financial year. c) That this work has not been performed, and can I be advised when this work will be performed?"	8 February 2012 Cr Eaton	M2012/01919 A report will be submitted to Council on 28 March 2012.
27	Community and Recreation Services	 5.1 - Notice of Motion - Status of Women Committee 1 That Council <u>acknowledge</u> the significance of the United Nations International Women's Day. 2 That Council <u>launch</u> the WSC "Status of Women Committee" on United Nations International Women's Day", Thursday 8 March 2012. 3 That Council <u>promote</u> International Women's Day through the media and community networks. 	22 February 2012 Cr Matthews / Cr McBride	F2012/00343 Council will be hosting a breakfast for International Women's Day acknowledging the significance contribution women make in our community. An EOI was advertised for the Status of women Committee with 20 applications received. Successful applicants will be announced at the breakfast. Council is also supporting the Successful Business Women's Network luncheon.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
28	Infrastructure Management	 5.2 - Notice of Motion - Subsidised Tipping for Residential Ratepayers 1 That Council note the current entitlement for ratepayers to dispose of bulk waste is 6 free kerbside pick ups per household, per annum. 2 That Council note that some ratepayers who choose to transport their waste directly to the Buttonderry Waste Management Facility are being charged in accordance with WSC fees and charges schedule. 3 That Council consider broadening the current waste management regime to accommodate those residents that transport their waste directly to the Buttonderry Waste Management Facility. 4 That Council direct the General Manager to report on flexible options to facilitate a more equitable waste disposal regime, such as, but not limited to, providing subsidised tipping coupons in rate notices. 5 That Council recognise the benefits of a flexible waste management policy that is more equitable and encourages responsible waste disposal. 6 That Council consider a report on the recycling targets set by the State Government, the cost 	22 February 2012 Cr Best / Cr McNamara	F2004/06747 Information needed to be obtained. It is anticipated that a report will be submitted to Council in April.
29	Corporate Services	to ratepayers and alternative schemes available. Q4/12 - Status of Alison Homestead "Can staff please report on the status of Alison Homestead in relation to the recent event?"	22 February 2012 Cr Matthews	F2011/02693 A response will be provided for 28 March 2012 meeting.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
30	Environment and Planning Services	Q5/12 - Wadalba Wildlife Corridor (WWC) Management Plan "Mr General Manager, further to Q36/11 answered on 22 February 2012, may I further seek advice as to; who took the decision to defer monitoring, when was the decision made, and what meeting was it reported to Council? Also did Council seek concurrence from DECC/OEH/EPA as I understand they are parties to this matter and did they concur with deferring monitoring commencement of the WWC?"	22 February 2012 Cr Best	F2005/00562 Report being prepared by 28 March 2012 meeting.
31	Community and Recreation Services	Q7/12 - Submissions to Access Federal Government's Graffiti Grants Scheme "Could staff please advise if Council has made a submission to access the Federal Government's new Graffiti Grant scheme? The Federal Government has allocated \$3 million from the Proceeds of Crime Fund to help local councils clean up and prevent graffiti. Grants of \$50,000 to \$150,000 are currently being offered to local governments to invest in measures including cleaning up graffiti, reducing graffiti through improved lighting, CCTV in graffiti hotspots and preventing graffiti through better education."	22 February 2012 Cr Vincent	F2004/07937 Staff have reviewed grant guidelines against Wyong Shire Graffiti Strategy to identify possible projects. Staff will be attending Northern Wyong Graffiti forum to explore parternship opportunities on 28/2/12. Grant applications due 16/3/12. Funding eligibility between \$50,000 and \$150,000
32	Corporate Services	Q8/12 - Employment and Replacement of Apprentices and Trainees "Can staff please report on the details, over the past 5 years, of the employment and placement of all apprentices and trainees employed by WSC?"	22 February 2012 Cr Symington	F2004/07718 Details will be provided for 26 April 2012 meeting. HR Manager will seek clarification directly from Councillor Symington on the specific details sought to ensure an appropriate response is provided.
33	Environment and Planning Services	Q9/12 Contributions Raised from Section 94A Fees "Can staff please report on the level of contributions raised by the implementation of Section 94A fees?"	22 February 2012 Cr Symington	F2005/03091 Report being prepared by 28 March 2012 meeting.

QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE 22 FEBRUARY 2012

	Department	Question on Notice / Notice of Motion	Date Asked/ Councillor	Status
1	Community and Recreation Services	8.2 - Notice of Motion – Acknowledgement of the Darkinjung People	27 October 2010 Cr Graham / Cr Eaton	A Councillor Business update has been issued on this matter.
2	Community and Recreation Services	U26/11 - Proposed Grant Application for the Wyong Skills Centre	24 August 2011 Cr McNamara / Cr Symington	EOI conducted and sites identified. Refer to Councillor Briefing and subsequent report on 22 February.
3	Environment and Planning Services	Q32/11 - Sun Orchids	23 November 2011 Cr Wynn	Answer included in this business paper.
4	Environment and Planning Services	Q37/11 – State of the Lake	14 December 2011 Cr Best	Answer included in this business paper.
5	Community and Recreation Services	Q38/11 – Shire Wide Security Contract – Relocatable Security Cameras	14 December 2011 Cr Symington	Relocatable security cameras installed at Kuruba Hall and Wadalba amenities as part of a trial
6	Environmental and Planning Services	Q2/12 - Rezoning of Wadalba Estate as a New Housing Area	8 February 2012 Cr Eaton	Item answered as late report to 22 February 2012 meeting.
7	Corporate Services	Q3/12 - Service Delivery Review - Direct Employment of Apprentices and Trainees	22 February 2012 Cr Matthews	Answer included in this business paper.
8	Community and Recreation Services	Q6/12 - Recognition of Staff with regarding to Craigie Park Reserve	22 February 2012 Cr Best	Letters of thanks have been sent to lan Clarke and David Norbury.