
WYONG SHIRE COUNCIL

REPORTS TO THE
EXTRAORDINARY MEETING OF COUNCIL
TO BE HELD IN THE COUNCIL CHAMBER, HELY STREET, WYONG
ON WEDNESDAY, 19 SEPTEMBER 2007
COMMENCING AT 5.00 PM

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Opening Prayer

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WYONG SHIRE COUNCIL

19 September 2007
To the Extraordinary Meeting of Council

Mayor's Report

389 Mayoral Report for the Past Term

F2004/06511

It has been an honour to serve as Mayor for the past two terms, particularly during this historic 60th anniversary, and also during such an eventful year.

Tuggerah Lakes

A major milestone for Council and our community during 2006-07 has been the adoption of the Tuggerah Lakes Estuary Management Plan.

This means we now have a clear direction on how to manage our lakes, wetlands, creeks and broader catchment to improve water quality and recreation facilities.

I was pleased to negotiate and get commitment from both the Federal Government and Federal Opposition for funding assistance with implementing the Tuggerah Lakes Plan. The Federal Government has committed \$20 million over four years and the Federal Opposition has also committed \$20 million if they come to office. A further \$3 million a year will come from our own stormwater levy and holiday parks revenue, while the State Government is also contributing some funds.

Water Supply

Another key focus has been our water supply. This has included the very extensive drought works undertaken by Wyong Shire and Gosford City Councils, including sourcing more groundwater and commissioning the \$37 million Hunter pipeline link which can deliver an annual daily average of 30 million litres of treated drinking water to our region.

In the new year we focused on keeping our total dam storage levels from falling below 10%. This involved some tough decisions about temporary desalination and other issues however we succeeded in our goal and our lowest total storage in early February was to 12.8%. After that time we gradually started to receive more rain and, together with the benefits of our drought works and ongoing demand management program, our total storage is now about 23.5%.

We are not out of the woods yet and still need to be careful with how much water we use, but at least we are out of the danger zone and back-up projects like temporary desalination are now very much on the backburner. Personally I believe this is also now the right time to ease water restriction levels from Level 4 to Level 3 to allow our residents to use buckets and watering cans outside. While many in Wyong Shire agree with my stance, we are still negotiating with our colleagues in Gosford to ensure a consistent approach across the region.

Mayoral Report for the Past Term (contd)

WaterPlan 2050, Mardi-Mangrove Link

In addition to our drought works we also developed and adopted our long term water supply strategy, known as *WaterPlan 2050*. This includes a number of actions such as continuing to use water efficiently, irrespective of restriction levels.

A key feature is the Mardi-Mangrove Link project to link Wyong River with Mangrove Creek Dam. This will be the single biggest infrastructure project for our water supply system in 25 years – since we built Mangrove Creek Dam in the early 1980s.

Once again I was pleased to be able to negotiate with the Federal Government and Federal Opposition to obtain \$80 million towards this significant project. The Federal commitment is fantastic and will mean a lesser burden on our ratepayers. Preliminary work has started with corridor options now being looked at, and planning, design and contracts under discussion. Construction could start in late-2008 and completion is scheduled for mid-2010.

State Government Issues

While the Federal Government has helped us out considerably in recent months, the State Government has made only nominal contributions to our Shire.

State Cabinet visited the Central Coast in September 2006 and then came to our Shire in July this year. On both occasions I presented a number of issues to the Premier and his Ministers while they were here. Very little was announced during their visit, however. The State Election campaign in March also offered little significance.

It is disappointing that our State members cannot provide more for our Shire, no doubt because we are in such safe ALP seats.

Even our plans for Warnervale are on hold. Both the Warnervale Employment Zone and the Warnervale District Centre are stuck in the corridors of State Government. This is despite their potential to create thousands of local jobs in the Shire and more on-ground services for local residents. Last June and July 2006 the NSW Planning Minister Frank Sartor 'called in' these important projects and offered to 'fast-track' them, but clearly that has not happened.

June Long Weekend Storms

The June long weekend storms were a devastating one-in-30 year event and caused havoc across our Shire. Some 300 Council staff worked around the clock to help with rescues, respond to enquiries and support other agencies. I also spent every day of that long weekend supporting staff who worked and answering calls.

Mayoral Report for the Past Term (contd)

I have already spoken to many of the staff of Council and other agencies who worked so hard during that time, and have attended numerous thank you functions for staff and volunteers. But I would like to formally place on record here my thanks and appreciation to everyone involved.

Council also hosted the Disaster Recovery Centre at the Civic Centre immediately after the storms. This was another amazing show of how everyone pulled together during times of great need in a truly united effort.

Thank you to all the staff who helped make the centre operational, and also to Leoni Baldwin from the Department of Premier and Cabinet who pulled the whole operation together.

Council Projects

Council has undertaken a number of important community projects over the past financial year. These have included:

- Progress on the Performing Arts Centre including discussions with the Federal Government on possible financial assistance options and also a funding application lodged with Arts NSW.
- Dredging Tumbi Creek after numerous delays and State Government hurdles. Again, thank you to the Federal Government for helping to fund this project.
- Building a new state-of-the art \$4.8 million community centre at Blue Haven which is already being utilised by a number of local groups.
- Spending \$19 million to build and maintain our roads around the Shire
- Building a new \$6.3 million multi-purpose sports complex at Wadalba including soccer fields, a cricket wicket and oval, a multi-purpose hard court, amenities building and two purpose-built water storage dams.
- Completing \$3.4 million worth of works to upgrade Jubilee Oval at Long Jetty to provide senior and junior soccer fields, a cricket pitch, a new amenities block and tank water irrigation. Testament to the high quality of this facility is that the Central Coast Mariners and the Qantas Men's Under 23s Football Team use the oval for training purposes.

In relation to other Council projects and the related staff involvement, I was proud to make a stand in support of members of the Transport Workers Union to secure a good outcome during the tender process for our waste contract. I am also continuing to fight for the job security of 300 United Services Union workers caught up in the establishment of the new Central Coast Water Board.

Mayoral Report for the Past Term (contd)

And Finally

In conclusion, I would like to extend my thanks to my Deputy Mayor, Cllr Kath Forster, and my fellow Councillors for their support during the past year and their own ongoing work for the Shire.

I would also like to thank the General Manager Kerry Yates and his three Directors David Cathers, Gina Vereker and James Brown, as well as all the many hard working staff around this building and in our libraries, childcare centres and depots for making Wyong Shire a great place to live and work.

Also, of course, a big thank you to the people of Wyong Shire for the support they have given to me personally and the support they have given to everyone involved in Council.

Thank you

I formally MOVE,

That the Mayoral report for the past 12 month term, 2006 - 2007, be received.

WYONG SHIRE COUNCIL

19 September 2007
To the Extraordinary Meeting of Council

General Manager's Report

390 Election of Mayor and Voting Procedure

F2004/06511 ED

SUMMARY

Nominations are invited for the Office of Mayor for the 2007/2008 term. The election of Mayor of Wyong Shire Council must be held in accordance with Schedule 7 of the Local Government (General) Regulation, 2005 and Council's Code of Meeting Practice. The Office of Mayor commences on the day the person is elected and becomes vacant when the person's successor is declared elected.

RECOMMENDATION

That should an election for the Office of Mayor be required, Council determine whether the vote is to proceed by preferential ballot, by ordinary ballot or by open voting.

In accordance with Section 227(a) and 282(2) of the Local Government Act, 1993 the Mayor of Wyong Shire Council is elected by the Councillors from among their number.

Schedule 7 of the Local Government (General) Regulation, 2005, outlines the following procedures for the election of a Mayor.

Returning Officer

The General Manager (or a person appointed by the General Manager) is the Returning Officer.

Nomination

A Councillor may be nominated without notice for election as Mayor. The nomination is to be made in writing by two or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

The nomination is to be delivered or sent to the Returning Officer, who shall announce the names of the nominees at the Council meeting at which the election is to be held.

Election of Mayor and Voting Procedure (contd)

Election

If only one Councillor is nominated for the position of Mayor, that Councillor is elected. If more than one Councillor is nominated Council must determine if voting is to be by preferential ballot, by ordinary ballot (both secret ballots) or by Open Voting (voting by a show of hands or similar means). The elections of Mayor and Deputy Mayor are the only times Council can choose to vote by way of secret ballot. In all other matters open voting must be used. The election is to be held at the Council meeting at which the Council resolves on the method of voting.

Ordinary Ballot

- 1 If the election proceeds by ordinary ballot, the Returning Officer is to decide the manner in which votes are to be marked on the ballot-papers.
- 2
 - a If there are only 2 candidates, the candidate with the higher number of votes is elected.
 - b If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.
- 3
 - a If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
 - b If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
 - c If, after that, 3 or more candidates still remain, the procedure set out in subclause 3 (b) is to be repeated until only 2 candidates remain.
 - d A further vote is to be taken of the 2 remaining candidates.
 - e Clause 2 of the above then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
 - f If at any stage during a count under subclause 3 (a) or 3 (b), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

Open Voting

Follows the same procedures as for ordinary ballot excepting it is by a show of hands or similar means.

Election of Mayor and Voting Procedure (contd)

Preferential Ballot

- 1 This Part applies if the election proceeds by preferential ballot.
- 2 The ballot papers are to contain the names of all the candidates. The Councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names so as to indicate the order of their preference for all the candidates.

Count

- 1 If a candidate has an absolute majority of first preference votes, that candidate is elected.
- 2 If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- 3 A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.
- 4 In this clause "absolute majority" in relation to votes means a number which is more than one-half of the number of formal unexhausted ballot-papers.

Tied Candidates

- 1 If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- 2 If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Election of Mayor and Voting Procedure (contd)

Ballot Papers

Ballot papers will be issued at the election as required. The names of candidates will be listed on the ballot paper in alphabetical order.

Formality of Ballot Paper

Under Schedule 7 of the Local Government (General) Regulation, 2005, (Clause 5(2)), the formality of a ballot paper will be determined in accordance with Clause 345 (1)(b) and (c) and (6) of that Regulation, as follows:

“345 (1) A ballot-paper of an elector at an election is informal if:

- (b) it has not been initialled on the back by the returning officer or an electoral official, or*
 - (c) it contains a mark or writing that, in the returning officer’s opinion, would enable the elector to be identified.*
- (6) Despite subclause (1), a ballot-paper of an elector at an election is not informal by virtue of the existence of an unnecessary mark on the ballot-paper if, in the opinion of the returning officer, the elector’s intention is clearly indicated on the ballot-paper.”*

General

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the Returning Officer, the slips are folded by the Returning Officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the Returning Officer and the candidate whose name is on the drawn slip is chosen.

It is custom at Wyong Council that each nominee for the Office of Mayor may appoint one scrutineer who is not a Councillor.

Two Nomination Forms for the position of Mayor have been enclosed with the Business Paper.

Enclosure

Nomination Forms for the Position of Mayor.

WYONG SHIRE COUNCIL

19 September 2007
To the Extraordinary Meeting of Council

General Manager's Report

391 Election of Deputy Mayor

F2004/06511 ED

SUMMARY

Nominations are invited for the Office of Deputy Mayor for the 2007/2008 term. The election is held in accordance with Schedule 7 of the Local Government (General) Regulation, 2005 and Council's Code of Meeting Practice.

Council's Manual of Standard Procedures requires that a Deputy Mayor be elected. Clause 10 (2) of Council's Code of Meeting Practice provides that the procedures will be the same as those which apply to the election of the Mayor.

Two Nomination Forms for the position of Deputy Mayor have been enclosed with the Business Paper.

RECOMMENDATION

That the election of Deputy Mayor be conducted in the same manner as the election of Mayor for the 2007/2008 term.

Enclosure

Nomination Forms for the Position of Deputy Mayor.