



The historic ocean baths at The Entrance were recently revamped to protect the concrete walls and brighten up the overall look. Council grip blasted (pictured) and repainted all three baths. The works were done during May to minimise the disruption to locals and visitors.

# Business Paper

ORDINARY MEETING

**08 June 2011**



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# MEETING NOTICE

**The ORDINARY MEETING  
of Wyong Shire Council  
will be held in the Council Chamber,  
Wyong Civic Centre, Hely Street, Wyong on  
WEDNESDAY 8 JUNE 2011 at 5.00 pm,  
for the transaction of the business listed below:**

**OPENING PRAYER**

**ACKNOWLEDGEMENT OF COUNTRY**

**RECEIPT OF APOLOGIES**

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- 8.3 General Manager's Performance Appraisal  
(Councillors and General Manager Only)

**9 QUESTIONS ON NOTICE ASKED**

At the conclusion of the meeting and at the discretion of the Mayor, Council may meet with staff in an informal, non-decision making mode for a period of no more than 30 minutes.

Michael Whittaker  
**GENERAL MANAGER**

## 1.1 Disclosures of Interest

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TRIM REFERENCE: F2011/00027 - D02618085

AUTHOR: Susanna Gardiner; Administration Assistant

MANAGER: Lesley Crawley; Manager Corporate Governance

The provisions of Chapter 14 of the *Local Government Act, 1993* regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions, voting on that matter, and require that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

### RECOMMENDATION

***That Councillors now disclose any conflicts of interest in matters under consideration by Council at this meeting.***

## 1.2 Proposed Inspections and Briefings

TRIM REFERENCE: F2011/00027 - D02618090

AUTHOR: Susanna Gardiner; Administration Assistant

MANAGER: Lesley Crawley; Manager Corporate Governance

### SUMMARY

Inspections conducted on 1 June 2011 were as follows:

Date of Inspection	Location	Requested By
1 June 2011	Request to close access point at Phillip Street Shelly Beach	Director Infrastructure Management
1 June 2011	DA 736/2010 – two stage residential flat development of 41 units, 31-33 Ocean Parade and 11 Bayview Avenue, The Entrance	Director Environment and Planning Services
1 June 2011	DA 308/2011 residential flat building consisting of 53 units at 35-41 Wilfred Barrett Drive, The Entrance North	Director Environment and Planning Services
1 June 2011	Request to Close Walkway between Scribbly Gum Close and Northlakes Shopping Centre Carpark, San Remo	Director Infrastructure Management

Briefings proposed for this meeting and future meetings to be held in the Wilfred Barrett and Tim Farrell Committee Rooms:

Date	Briefing	Description	Time	Presented by
8 June 2011	(Confidential) Department of Local Government S430	Provide preliminary report to Councillors on the draft report of the Section 430 investigation into Wyong Shire Council	12.00 noon – 12.30 pm	Legal Counsel
8 June 2011	Norah Head Boat Ramp replacement	Consider options for replacement and present results of design project for boat ramp	12.30 pm – 1.00 pm	Manager, Sport Leisure Recreation and Landscape Architect
8 June 2011	Cabbage Tree Harbour	Capital works	1.00 pm – 1.30 pm	Manager Environment and Natural Resources
8 June 2011	Joint Water authority	Paper discussion prior to Water Board Authority meeting of 16 June 2011	1.30 pm – 1.45 pm	Manager Headworks, Gosford Wyong Joint Water Authority

Date	Briefing	Description	Time	Presented by
8 June 2011	Strategic Plan post exhibition	Results of exhibition of Strategic Plan 2011-2015 and Community Strategic Plan 2011	1.45 pm – 2.15 pm	Director Corporate Services and Manager Integrated Planning
8 June 2011	Skills Centre	Update on the progress and status of the proposed Skills Centre project located in the Wyong Town Centre	2.15 pm – 2.30 pm	Director Community and Recreation Services and Manager Major Projects
8 June 2011	Shirewide Heritage Review	Summary of findings of the review, public consultation and recommendations	2.30 pm – 3.00 pm	Director Environment and Planning Services, Manager Place Management and Strategic Planner
8 June 2011	DCP Chapter 14 Tree Management	Summary of changes proposed following exhibition and the gazettal of amendment to SEPP	3.00 pm – 3.30 pm	Manager Land Use Planning and Policy Development and Senior Planner Land Use Planning

A full list of Councillor Briefings for 2011 was adopted by Council at its meeting on 9 February 2011. The latest version of Briefings for 2011 list is available upon request to the General Manager's office.

## RECOMMENDATION

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

## ATTACHMENT

- 1 Updated Briefing Schedule 2nd, 3rd & 4th Quarters 2011 D02631207

PROPOSED QUARTER	PROPOSED DATE	AAA Briefing Title	Director
2nd quarter	08-Jun	Norah Head boatramp replacement	Community & Recreation Services
2nd quarter	08-Jun	Strategic Plan Post Exhibition	Corporate Services
2nd quarter	08-Jun	Shire-wide Heritage Review	Environment and Planning Services
2nd quarter	08-Jun	Cabbage Tree	Environment and Planning Services
2nd quarter	08-Jun	DLG S430 Confidential	Brian Glendenning
2nd quarter	08-Jun	Skills Centre	GM's Unit
2nd quarter	08-Jun	DCP Chapter 14 Tree Management	Environment and Planning Services
2nd quarter	08-Jun	Joint Water Board Authority	Infrastructure Management
2nd quarter	22-Jun	Detail matching fund guidelines and framework	Community & Recreation Services
2nd quarter	22-Jun	Lakes Beach eco feasibility	Garry McLachlan
2nd quarter	22-Jun	Engagement Strategy	Community & Recreation Services
2nd quarter	22-Jun	Economic Development Agreements	Corporate Services
2nd quarter	22-Jun	The Entrance Town Centre Masterplan	Environment and Planning Services
2nd quarter	22-Jun	CCROC water Corporation amalgamation	GM's Unit
2nd quarter	22-Jun	RTA Proposed works	Infrastructure Management
2nd quarter	22-Jun	Ausgrid- on electricity pricing	Infrastructure Management
2nd quarter	22-Jun	Annual Plan	Corporate Services
3rd quarter	27-Jul	Social Enterprise Plan for Central Coast	Corporate Services
3rd quarter	27-Jul	Wyong Civic & Cultural Masterplan	Environment and Planning Services
3rd quarter	27-Jul	Community Feedback and Complaint Management Policy (Draft)	Legal And Risk GM's Unit
3rd quarter	27-Jul	Vision and Values	Corporate services
3rd quarter	27-Jul	NSW Taxi Council and the Central Coast Taxis	Infrastructure Management
3rd quarter	24-Aug	Chinese Cultural Village	Corporate Services
3rd quarter	24-Aug	Q4 Annual Plan and Budget	Corporate Services
4th Quarter	26-Oct	Central Coast Sports field Management Strategy	Community & Recreation Services
4th Quarter	09-Nov	Learning Community Strategies	Community & Recreation Services
4th Quarter	23-Nov	Q1 Annual Plan and Budget	Corporate Services
4th Quarter	14-Dec	Community Facilities Strategy	Community & Recreation Services
3rd quarter	Aug	Plan of Management Central Coast Caravan Parks	Community & Recreation Services
3rd quarter	Aug	Present information on traditional custodians of lands and acknowledgement of country	Community & Recreation Services
3rd quarter	Aug	Provide update of plans and financial viability of The Art House and Cultural Development	Community & Recreation Services
3rd quarter	Aug	Wyong Loyalty card	GM's Unit
3rd quarter	Aug	Enterprise Risk Management	Legal And Risk
3rd quarter	July	*The Entrance, Wyong & Toukley Town Centre management agreements	Corporate Services Environment & Planning Services
3rd quarter	July	*Climate Change Adaptation Report – March 2011.	Environment and Planning Services
3rd quarter	July	*CCRF	GM's Unit



PROPOSED QUARTER	PROPOSED DATE	AAA Briefing Title	Director
4th Quarter	October	Code of Conduct revision training	Corporate Services
3rd quarter	Sept	Precinct 7A Masterplan - Feedback following exhibition	Environment and Planning Services
3rd quarter		Greenhouse Mitigation Plan/Green Energy Funds Projects - May 2011	Environment and Planning Services
3rd quarter		Iconic Development Sites DCP & Current Proposals	Environment and Planning Services
3rd quarter		RZ/7/2009 Chittaway Point Rezoning	Environment and Planning Services
3rd quarter		Sustainability Update (Policy, Framework, Principles Review)	Environment and Planning Services
3rd quarter		The Entrance Town Centre Masterplan	Environment and Planning Services
3rd quarter		Tuggerah Town Centre Masterplan	Environment and Planning Services
3rd quarter		Sea Level Rise Notification & 149 Certificate	General Counsel/Environment and Planning Services
3rd quarter		Desalination	Infrastructure Management
3rd quarter		Lower Ourimbah Creek Floodplain Risk Mgt Strategy	Infrastructure Management
3rd quarter		Tuggerah Lakes Floodplain Risk Mgt Plan	Infrastructure Management
3rd quarter		Tumbi Creek Floodplain Risk Mgt Plan	Infrastructure Management
4th Quarter		Review of Grants	Community & Recreation Services
4th Quarter		Committee structure	Corporate Services
4th Quarter		Councillor attendance at formal dinners	Corporate Services
4th Quarter		Biobanking	Environment and Planning Services
4th Quarter		Biodiversity Management Plan	Environment and Planning Services
4th Quarter		Comprehensive LEP	Environment and Planning Services
4th Quarter		DCP 113 – Flood prone Land	Environment and Planning Services
4th Quarter		DCP 2011	Environment and Planning Services
4th Quarter		DCP 97 - Water Sensitive Urban Design	Environment and Planning Services
4th Quarter		Development Control Plan 61 – Car parking	Environment and Planning Services
4th Quarter		Draft Shire-Wide Contributions Plan	Environment and Planning Services
4th Quarter		Draft Wyong Employment Zone contributions plan	Environment and Planning Services
4th Quarter		Natural Resources Strategy	Environment and Planning Services
4th Quarter		RZ/17/2009 Bundeena Road, Glenning Valley	Environment and Planning Services
4th Quarter		Settlement Strategy	Environment and Planning Services
4th Quarter		The Entrance, Wyong and Toukley Town Centre Masterplan	Environment and Planning Services
4th Quarter		Wyong Employment Zone – Results of exhibition of DCP & S94 Contributions Plan / Biocertification update, DCP amendment update	Environment and Planning Services
4th Quarter		Wyong town centre planning proposal and car parking study	Infrastructure Management

### **1.3 Confirmation of Minutes of Previous Meeting**

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TRIM REFERENCE: F2011/00027 - D02618092

AUTHOR: Susanna Gardiner; Administration Assistant

MANAGER: Lesley Crawley; Manager Corporate Governance

#### **SUMMARY**

Confirmation of minutes of the previous Ordinary Meeting held on 25 May 2011.

#### **RECOMMENDATION**

*That Council confirm the minutes of the previous Ordinary Meeting held on 25 May 2011.*

#### **ATTACHMENTS**

1 Minutes of Council's meeting of 25 May 2011      D02621898

**WYONG SHIRE COUNCIL**

**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBER  
WYONG CIVIC CENTRE, HELY STREET, WYONG  
ON 25 May 2011  
COMMENCING AT 5.00PM**

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**PRESENT**

Councillors D J Eaton (Chairperson), G P Best, R L Graham, L A Matthews, E M McBride (5.17 pm), J J McNamara, W R Symington, D P Vincent, L D Webster and S A Wynn.

**IN ATTENDANCE**

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

Assets and Planning Manager – Roads and Drainage, Manager Environment and Natural Resources, Arborist and Landscape Design Assessment Officer and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.00pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

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

**APOLOGY**

The were no apologies.

## 1.1 Disclosures of Interest

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Councillor McBride arrived at the chamber at 5.17pm and as a result was not present during discussions on this item and took no part in voting.

### Item 1.4 – Confirmation of Minutes of Previous Meeting

Discussions Relating to Item 8.1 Aerial Inspection of Power Site

Councillor Vincent declared a non-pecuniary significant interest in the matter for the reason that he is an employee of Delta Electricity left the chamber at 5.12 pm, took no part in discussion, did not vote and returned to the chamber at 5.17 pm.

### Item 2.1 Mayoral Minute – Changes to Wyong Banking Service

Councillor McBride declared a pecuniary interest in the matter for the reason that she is a director of Wyong Town Financial Services which operates Wyong Community Bendigo Bank, left the chamber at 5.19 pm, took no part in discussion, did not vote and returned to the chamber at 5.42 pm.

### Item 3.2 – Coastline Management Plan

Councillor Wynn declared a non-pecuniary insignificant conflict of interest in the matter for the reason that, her extended family live in the affected zone, and participated in consideration of this matter.

Councillor Wynn stated:

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

### Item U24/11 Motion of Urgency – Changes to State Solar Rebate

Councillor Wynn declared a non-pecuniary insignificant conflict of interest in the matter, for the reason that extended family members and friends are affected by the retrospective legislation, and participated in consideration of this matter.

Councillor Wynn stated:

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

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

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

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

AGAINST: NIL

## **1.2 Proposed Inspections and Briefings**

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Councillor McBride arrived at the chamber at 5.17pm and as a result was not present during discussions on this item and took no part in voting.

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

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

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

AGAINST: NIL

## **1.3 Address By Invited Speakers**

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Councillor McBride arrived at the chamber at 5.17pm and as a result was not present during discussions on this item and took no part in voting.

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

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

***2 That the Committee agree meeting practice be varied to allow reports from Directors and/or the General Manager to be dealt with following an Invited Speaker's address***

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

AGAINST: NIL

## **1.4 Confirmation of Minutes of Previous Meeting**

---

Councillor Vincent declared a non-pecuniary significant interest in the matter for the reason that he is an employee of Delta Electricity left the chamber at 5.12 pm, took no part in discussion, did not vote and returned to the chamber at 5.17 pm.

Councillor McBride arrived at the chamber at 5.17pm and as a result was not present during discussions on this item and took no part in voting.

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

***That Council confirm the minutes of the previous Ordinary Meeting held on 11 May 2011.***

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

AGAINST: NIL

**Business Arising****Item 8.1 Notice of Motion – Aerial Inspection of 640Ha Power Station Site**

The Mayor advised that he has spoken to Mr Chris Hartcher MP, Minister for Resources and Energy regarding this matter. He further advised that he has since been contacted by Mr Glenn Sharrack, General Manager, Delta Electricity Central Coast, who advised that the Mayor, Deputy Mayor and the General Manager were now invited to inspect the power station at Lake Munmorah. The Mayor invited all Councillors to provide details of any issues they wish him to investigate during this inspection.

The Mayor indicated to Mr Sharrack that his attendance at a briefing in Council Chambers would provide all Councillors with an opportunity to get an update on this matter. Mr Sharrack has yet to confirm if he will accede to this request.

It was suggested that the Mayor write to the Minister for Resources and Energy expressing his appreciation of the support he provided in resolving this issue.

**1.5 Notice of Intention to Deal with Matters in Confidential Session**

---

Councillor Matthews left the chamber at 5.16pm and returned to the chamber at 5.17pm during consideration of this item.

Councillor McBride arrived at the chamber at 5.17pm during consideration of this item.

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

***1 That Council consider the following matters in Confidential Session, pursuant to Sections 10A(2)(c) of the Local Government Act 1993:***

***9.1 Proposed Acquisition of land at Watanobbi***

***2 That Council note its reason for considering Item 9.1 in confidential session is that it contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct business should the discussions be held in a non-confidential environment.***

***3 That Council request the General Manager to report on this matter in open session of Council.***

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

AGAINST: NIL

**2.1 Mayoral Minute - Changes to Wyong Banking Services**

Councillor McBride declared a pecuniary interest in the matter for the reason that she is a director of Wyong Town Financial Services which operates Wyong Community Bendigo Bank, left the chamber at 5.19 pm, took no part in discussion, did not vote and returned to the chamber at 5.42 pm.

**RESOLVED unanimously on the motion of Councillor EATON:**

- 1 That Council's note Westpac Banking Corporation's intention to close their Wyong Branch on 3 June 2011 and endorses the Mayor's action in requesting Westpac to retain their Wyong Branch.**
- 2 That Council review its banking arrangements with a view to supporting those banking institutions that maintain or improve local services.**
- 3 That Council invite the surviving Wyong banking interests to offer banking solutions that support and advance the Community's development of the Wyong locality through the Wyong Town Centre planning Proposal.**
- 4 That the Mayor write to the CEO of Westpac Banking Corp, Ms Gail Kelly, and request that she personally meets with Council to explain why they are closing the Westpac Wyong branch.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, 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 defer consideration of item 3.1 pending the arrival of Mr Fisk, the speaker.**

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

AGAINST: NIL

### 3.1 TA 126/2011 - Removal of Three Trees at 58A Gordon Avenue, Summerland Point

---

Mr Richard Fisk, the applicant, addressed the meeting at 5.43pm, answered questions and retired at 6.08pm.

Councillor McNamara left the meeting at 5.57pm and returned to the meeting at 5.59pm during consideration of this item.

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

***That Council, refuse the application on the basis that the development is prohibited, subject to the reasons for refusal 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.***

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

AGAINST: COUNCILLORS MATTHEWS, MCNAMARA AND VINCENT

### 3.2 Coastline Management Plan

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Councillor Wynn declared a non-pecuniary insignificant conflict of interest in the matter for the reason that, her extended family live in the affected zone, and participated in consideration of this matter.

Councillor Wynn stated:

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

Councillor Matthews left the meeting at 6.26pm and returned to the meeting at 6.28pm during consideration of this item.

Councillor Vincent left the meeting at 6.42pm and returned to the meeting at 6.44pm during consideration of this item.

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

- 1 ***That Council exhibit the draft Wyong Shire Coastal Zone Management Plan from 6 June to 26 August 2011.***
- 2 ***That Council decline the option to authorise an appropriate Council officer under the Coastal Protection Act (1979) as amended to certify and regulate emergency protection works at certain locations and beaches.***
- 3 ***That Council shall consider all development applications in the various affected coastal areas during the exhibition period and beyond until Council has completed its consideration of submissions.***
- 4 ***That Council notify all affected land owners, by individual letters, of this Draft Plan and invite them to a series of public meetings. The content of such letters is to be determined by the General Manager in consultation with the Mayor.***
- 5 ***That Council seek an extension of time from the relevant Minister for the Emergency Management Plans to be adopted until January 2012.***



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

AGAINST: NIL

**4.1 Contract CPA/158359 New Ourimbah Rural Fire Station - Lots 6 and 19 DP 224433, Ourimbah Creek Road Ourimbah**

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

- 1 That Council receive the report on Contract CPA/158359 New Ourimbah Rural Fire Station - Lots 6 and 19 DP 224433, Ourimbah Creek Road Ourimbah.**
- 2 That Council make available \$200,000.00 (excl. GST) from the Brigade Station line of the budget and \$20,000.00 (excl. GST) from the reimbursement received from the (volunteer and state wide support) State Government Rural Bushfire Fire Fighting Fund to cover completion of this project.**

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

AGAINST: NIL

**PROCEDURAL MOTION**

**SUSPENSION OF MEETING PRACTICE**

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

- 1 That Council allow meeting practice to be varied.**
- 2 That Council use the exception method to deal with the balance of the Agenda.**

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

AGAINST: NIL

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

**That with the exception of report numbers 5.1, 5.2, 5.3, 5.5, 5.6, 6.6, 6.8, 7.1, U24/11 and 9.1 Council adopt the recommendations contained in the remaining reports.**

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

AGAINST: NIL

**5.1 2010-11 Annual Plan - March Quarter Review**

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

- 1 That Council receive the third Quarterly Review report on progress against the WSC 2010-11 Annual Plan.**
- 2 That Council note that Council's Responsible Accounting Officer has declared the financial position of Wyong Shire Council to be satisfactory.**
- 3 That Council approve budget variations as contained in the detailed report enclosure.**

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

AGAINST: NIL

**5.2 Contract Variations and Finalisation - April 2011**

Councillor Matthews left the meeting at 7.27pm and returned at 7.31pm and as a result took no part in voting.

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

- 1 That Council receive the Contract Variations and Finalisation April report (Attachment 1).**
- 2 That Council approve additional expenditure above resolved estimates for the following contracts:**

<b>Contract Title</b>	<b>Contract No</b>	<b>Adjusted Contract Value (excl GST)</b>	<b>Additional Budget Approval</b>
<b>Provision of Cleaning Services</b>	<b>178719</b>	<b>\$190,160.00 per annum</b>	<b>\$6,770.00 per annum</b>
<b>Sewer Main Rehabilitation Various Locations in Wyong Shire</b>	<b>173205</b>	<b>\$953,000.00</b>	<b>\$33,000.00</b>
<b>Asphaltic Concrete Works</b>	<b>147662</b>	<b>\$6,255,213.00</b>	<b>\$1,000,000.00</b>

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

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

AGAINST: NIL

### **5.3 Determination of Fees and Charges 2011 - 2012**

---

Councillor Matthews left the meeting at 7.27pm and returned at 7.31pm during consideration of this item.

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

- 1 That Council approve the water, sewerage and drainage Service Charges set out in Attachment 1**
- 2 That Council note the amount of revenue to be raised by way of the Service Charges is estimated at \$71,130,000.**
- 3 That Council classify all land for the purpose of levying Services Charges according to the following factors:**
  - a whether the land is residential or non residential;**
  - b where the land is residential, by the intensity of the use of the land; and**
  - c the nature and extent of the water or sewerage services connected to each individual allotment.**
- 4 That Council determine the Service Charges shall be levied in accordance with the Water Management Act 2000.**

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

AGAINST: NIL

### **5.4 Draft Minutes - Gosford-Wyong Councils' Water Authority Board Meeting held on 18 May 2011**

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

- 1 That Council receive the draft minutes of the Gosford-Wyong Councils' Water Authority Board Meeting conducted on 18 May 2011.**
- 2 That Council adopt the recommendations included in the draft minutes of the Gosford-Wyong Councils' Water Authority Board Meeting conducted on 18 May 2011.**
- 3 That Council consider holding:**
  - a A Gosford Wyong Councils' Water Authority Board meeting on 16 June 2011 to consider a handover package to the Water Corporation Board.**
  - b A joint meeting of the current Gosford Wyong Councils' Water Authority Board members and the Water Corporation Board members on 14 July 2011.**
- 4 That Council endorse the proposed water restriction triggers and restriction rules detailed in this report, as amended to remove the data relating to the 2050 trigger and target reductions, and refer it to the new Central Coast Water Corporation Board for final adoption.**

- 5 That Council enter into a memorandum of understanding to explore the water supply opportunities that may result from the Porters Creek Catchment Stormwater Harvesting Scheme and consider how the scheme may relate to WaterPlan 2050.
- 6 That Council, in relation to item 2.4 Project report Update on Capital Works in the minutes below, recommend the following:
- a **Hunter Link Pipeline and Link Road Project**
    - i That the cost to repair the Hunter Link pipeline crossing of Link Road including the associated consequential cost to the Link Road be recognised as a Joint Water Cost.
    - ii That the estimated final cost for the pipeline repairs including the consequential cost to the Link Road is \$1.43M.
    - iii That a report be prepared advising on the potential to recover the costs for the repairs including a budget to pursue those costs.
  - b **Gosford Distribution Works for the Mardi Lift Pump Station**
    - i That a budget increase of \$350,000 (excl GST) be approved for the Gosford Distribution Works for the Mardi Dam Lift Pump Station representing a total approved budget of \$1,870,000.
    - ii That the increase in budget for these works be provided from the approximate \$1.3M of remaining unallocated funds from the completed Mardi Suite of Works Project'
- 7 That Council recommend the Water Corporation review water tank rebates in conjunction with an overall review of water demand management.

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

AGAINST: NIL

**5.5 Draft Minutes of the Senior Citizens' Council - 28 April 2011 and confirmed minutes of 24 February 2011**

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

- 1 That Council receive the report on the Draft Minutes – Wyong Shire Senior Citizens' Council Meeting of 28 April 2011, adopt the recommendations contained therein.**
- 2 That Council note that, in the event of a review of Council's Committee Structure, the Senior Citizens' Council members strongly recommend that the monthly meeting structure be maintained.**
- 3 That Council receive the report on the Confirmed Minutes – Wyong Shire Senior Citizens' Council Meeting of 24 February 2011 and adopt the recommendations contained therein.**
- 4 That minutes of the Senior Citizens' Council be submitted to Council only when an action is required for Council's consideration.**

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

AGAINST: NIL

**5.6 Draft Minutes Wyong Shire Grants Committee Meeting - 18 May 2011**

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

- 1 That Council receive the draft minutes of the Wyong Shire Grants Committee Meeting held on 18 May 2011.**
- 2 That Council adopt the recommendations included in the draft minutes of the Wyong Shire Grants Committee Meeting held on 18 May 2011.**
- 3 That Council allocate \$7,980 from the 2010-11 Sports Person Grant program as follows:**

<b>Applicant</b>	<b>Selection</b>	<b>Amount</b>
S Aston	State Netball Championships and CC Academy of Sport NSW Academy Games	\$190
A Bailey	Joss State Zone Trials AFL	\$190
M Buchanan	U15 Country Championships Rugby Union	\$190
K Burke	State Netball Championships	\$190
S Byfield	Central Junior League	\$190
Z Crowe	State Netball Championships	\$190
J Faimanu	State Netball Championships	\$190
C Farrelly	State Netball Championships	\$190
L Ferreira	State Netball Championships	\$190
E Free	State Netball Championships	\$190
S Free	State Netball Championships	\$190
B Goddard	State Netball Championships	\$190
L Gorrie	CC Junior League Basketball Competition	\$190
S Gorrie	CC Junior League Basketball Competition	\$190

<i>K Hally</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>S Harper</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>B Hoolihan</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>K Hynes</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>M Jeffrey</i>	<i>Central Junior League</i>	<i>\$190</i>
<i>T Jeffrey</i>	<i>Central Junior League</i>	<i>\$190</i>
<i>D Judge</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>G Keevill</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>I Kelly</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>C Maher</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>T Martin</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>B Mashman</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>M Mashman</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>C Mills</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>B Nelson</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>S O'Hagan</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>A Power</i>	<i>AFL Northern Coast Regional Team</i>	<i>\$190</i>
<i>T Simpson</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>J Stonestreet</i>	<i>CC Junior Rugby Union and CC Academy of Sport Rugby</i>	<i>\$190</i>
<i>D Tahn</i>	<i>Central Basketball Junior League</i>	<i>\$190</i>
<i>T Tangitu</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>L Tapsell</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>A Walker</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>Y Walker</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>J L Williams</i>	<i>CJL Basketball NSW</i>	<i>\$190</i>
<i>J Williams</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>C Whyburn</i>	<i>Tuggerah Lakes U18M Division 1 representative team</i>	<i>\$190</i>
<i>L Whyburn</i>	<i>Tuggerah Lakes U14M Division 2 representative team</i>	<i>\$190</i>
<b>Total</b>		<b>\$7,980</b>

**4 That Council note the withdrawal of application from S McKinnon.**

**5 That Council decline applications as indicated in the table below:**

<b>Applicant</b>	<b>Selection</b>	<b>Reason</b>
<i>K Campbell</i>	<i>State Netball Championships</i>	<i>Proof of residency not provided</i>
<i>O Duffy</i>	<i>State Netball Championships</i>	<i>CCROC grant provided for same event</i>
<i>J Grange</i>	<i>Central Coast Academy 2011 Clubs NSW Academy Games</i>	<i>Previous funding for same sport already provided in current financial year</i>
<i>M Reed</i>	<i>State Netball Championships</i>	<i>Not Shire resident</i>
<i>B Sloane</i>	<i>State Netball Championships</i>	<i>CCROC grant provided for same event</i>
<i>F Watene</i>	<i>State Netball Championships</i>	<i>Proof of residency not provided</i>

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

AGAINST: NIL

**5.7 Goods and Services Tax Report**

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

- 1 That Council receive the report on Goods and Services Tax.
- 2 That Council submit the Goods and Services Tax compliance certificate for the period 1 May 2010 to 30 April 2011, signed by the Mayor, Deputy Mayor, General Manager and Director of Corporate Services, to NSW Department of Local Government before 1 June 2011.

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

AGAINST: NIL

**5.8 Boutique Street Lighting Poles in Wyong Shire**

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

- 1 That Council receive the report on the 42 condemned decorative street light poles within Wyong Shire.
- 2 That Council advise Ausgrid that the 42 condemned decorative poles be transferred from AUSGRID's Rate 2 tariff to AUSGRID's Rate 1 tariff and an additional number (approximately 25) of unaffected poles in the vicinity of those that have been condemned also be transferred.
3. That Council note that the implementation of resolution 2 will result in the 42 condemned decorative poles being replaced by AUSGRID with standard galvanised poles and an additional number (approximately 25) of unaffected poles in the vicinity of those that have been condemned also being replaced.
- 4 That Council advise Ausgrid that it will consider further the steps that it will take in relation to other decorative poles as those poles require replacement.

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

AGAINST: NIL

**5.9 Conference Attendance - National Public Sector Fraud & Corruption Congress**

---

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

- 1 That Council confirm the approval given by the Mayor and Acting General Manager for Councillor Wynn to attend the National Public Sector Fraud & Corruption Congress.
- 2 That Council authorise the reasonable expenses incurred by Councillor Wynn in attending the above Congress.

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

AGAINST: NIL

### **5.10 Conference Attendance - Planning for Community Outcomes**

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

- 1 That Council authorise Councillor Symington, and any interested Councillor/s, to attend the Planning for Community Outcomes conference being held in Sydney on Thursday 2 June 2011.**
- 2 That Council meet reasonable expenses incurred by Councillors attending the above conference 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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**RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor MCNAMARA:**

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

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

AGAINST: NIL

### **6.2 Investments For April 2011**

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

**That Council receive the report on Investments For April 2011.**

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

AGAINST: NIL



**6.3 General Works in Progress**

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

***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

**6.4 Activities of the Development Assessment Unit and Building Certification and Health Unit**

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

***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

**6.5 Results on Water Quality Testing for Beaches and Lake Swimming Locations**

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

***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

**6.6 Warnervale Town Centre April 2011 Progress Report**

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

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

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

AGAINST: NIL

**6.7 Works in Progress - Water Supply and Sewerage**

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

***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

**6.8 Local Government & Shires Association Cost Shifting Survey**

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Councillor Webster left the chamber at 7.54 pm and returned to the chamber at 7.56pm during consideration of this item.

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

- 1 *That Council receive the report on Local Government & Shires Association Cost Shifting Survey.***
- 2 *That Council include the NSW Government climate change funds contributions of \$950,000 in the Wyong Shire Council cost shifting document.***
- 3 *That Council write to the local State and Federal Members and the Minister for Local Government expressing its dissatisfaction with the practice of cost shifting and request the Government minimize this cost burden on the Shire's rate payers.***

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

AGAINST: NIL

**6.9 Central Coast Tourism - Update**

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

***That Council receive the March Quarter report on Central Coast Tourism - Update.***

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

AGAINST: NIL

**6.10 Mardi to Mangrove Link Project Status**

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

**That Council receive the report on Mardi to Mangrove Link Project Status.**

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

AGAINST: NIL

**6.11 Outstanding Questions without Notice and Notice of Motions**

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

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

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

AGAINST: NIL

**7.1 Notice of Motion - Regional Push to Reinstate F3 Link**

---

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

- 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.**

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

AGAINST: NIL

**LEAVE TO INTRODUCE A MOTION OF URGENCY**

Councillor Wynn sought leave to introduce a Motion of Urgency concerning changes to the State Solar Rebate Scheme.

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

***That Council consider a motion of urgency objecting to proposed changes to the solar rebate scheme currently being debated in State Parliament.***

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

AGAINST: COUNCILLORS MCNAMARA AND WEBSTER

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

**U24/11 Motion of Urgency - Changes to State Solar Rebate Scheme**

Councillor Wynn declared a non-pecuniary insignificant conflict of interest in the matter, for the reason that extended family members and friends are affected by the retrospective legislation, and participated in consideration of this matter.

Councillor Wynn stated:

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

Councillor Matthews left the meeting at 8.25pm and returned to the meeting at 8.26pm during consideration of this item.

*It was MOVED by Councillor WYNN and seconded by Councillor VINCENT:*

*That Council write to the State Government condemning its decision to not honour the previous government's contracts with 11,000 residents of NSW under the Solar Bonus Scheme and for lowering the payment from 60 cents to 20 cents per kilowatt hour. Council also request that the State Government reconsider its position in an effort to restore community trust in the government.*

*An AMENDMENT was MOVED by Councillor EATON and SECONDED by Councillor GRAHAM:*

*That Council receive an urgent report on the ramifications of the reductions on the various solar bonus schemes.*

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

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

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

***The AMENDMENT became the MOTION.***

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

***That Council receive an urgent report on the ramifications of the reductions on the various solar bonus schemes.***

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

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

***The MOTION was put to the vote and declared CARRIED on the casting vote of the Mayor.***

## **QUESTIONS ON NOTICE**

**Q12/11 Proposed Units at 35-41 Wilfred Barrett Drive, The Entrance North  
Councillor Wynn**

*"Given the State Government's recent announced changes to the (SEPP Affordable Residential Housing), where does that leave the proposed development of 53 units at 35-41 Wilfred Barrett Drive, The Entrance North?"*

**Q13/11 Disabled Mini Train Tourist Project  
Councillor Doug Vincent**

*"Could staff please provide an update on the issues surrounding the proposed sites identified in the North of the Shire for the Disabled Mini Train Tourism Project?"*

**Q14/11 Suggested sites for Disabled Mini Train Tourist Project  
Councillor Doug Vincent  
F2004/06893**

*"Could staff also suggest any additional sites that may be suitable in the North of the Shire for the Disabled Mini Train Tourism Project?"*

**Q15/11 Apex Park at Wyong  
Councillor Matthews**

*"Can staff please advise if any plans exist to upgrade Apex Park at Wyong on the Pacific Highway?"*

**CONFIDENTIAL SESSION**

At this stage of the meeting being 8.29pm council moved into Confidential Session with the members of the press and public excluded from the meeting of the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993 as the items listed come within the following provisions:-

- 1 *A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:*
- 2 *The matters and information are the following:*
  - (c) *information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

**OPEN SESSION**

Council resumed in open session at 8.51pm and the General Manager reported on proceedings of the confidential session of the ordinary meeting of council as follows:

**9.1 Proposed Acquisition of land at Watanobbi**

---

- 1 ***That Council authorise the General Manager, or his delegate, to attend the auction and bid on behalf of Council for the purchase of Lot 33 DP 21032, 204-214 Pacific Highway Watanobbi.***
- 2 ***That Council exempt this motion from the provisions of the Code of Meeting Practice to allow the motion to be actioned from 9.00am on 26 May 2011 for the reason that the mortgagee in possession proposes an auction sale of the land to be held on 26 May 2011.***

**THE MEETING** closed at 8.51pm.

To the Ordinary Meeting

## **2.1 Mayoral Minute - Attendance at Leaders of Local Government Workshop "Local Government - Destination 2036"**

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TRIM REFERENCE: F2004/06517 - D02631411

AUTHOR: Doug Eaton; Councillor

An invitation has been received from the Chief Executive, Local Government - A Division of the Department of Premier and Cabinet to attend a workshop for all Mayors and General Managers to be held in Dubbo on 17 and 18 August 2011 to discuss and consider options for the future of local government in NSW.

The primary object of the workshop will be to produce a roadmap for an effective and sustainable local government sector through to the year 2036 with particular emphasis on the requirement to develop a share action plan for local government, with a strong focus on the next four years.

*I formally move:*

- 1 That Council authorise the attendance of the Mayor and General Manager at the "Local Government – Destination 2036" workshop at Dubbo on 17 and 18 August 2011.**
- 2 That Council meet reasonable expenses incurred in their attendance at the above workshop.**

### **3.1 Notice of Intention to Deal with Matters in Confidential Session**

---

TRIM REFERENCE: F2011/00027 - D02622383  
AUTHOR: Susanna Gardiner; Administration Assistant  
MANAGER: Lesley Crawley, Manager Corporate Governance

#### **SUMMARY**

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the "Confidential" business paper which has been circulated to Councillors.

The Local Government Act, 1993 requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the Local Government Act, 1993.

#### **RECOMMENDATION**

- 1 That Council consider the following matters in Confidential Session, pursuant to Sections 10A(2)(a, c, d & g) of the Local Government Act 1993:**

***Report no 8.1 – Electricity Contract Arrangements from 1 July 2011  
Report no 8.2 – Woongarra Waters Development – Water Quality Credit  
Report no 8.3 – General Manager's Performance Appraisal***

- 2 That Council note its reason for considering Report Nos 8.1, 8.2 and 8.3 confidential session is that it contains:**

***Report no 8.1***

- (d) commercial information of a confidential nature that would, if disclosed:**
- (i) prejudice the commercial position of the person who supplied it, or***
  - (ii) confer a commercial advantage on a competitor of the Council, or***
  - (iii) reveal a trade secret,***

***Report no 8.2***

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,**
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,**

***Report no 8.3***

- (a) personnel matters concerning particular individuals (other than Councillors),**

- 3 That Council request the General Manager to report on this matter in open session of Council.**



Note: Explanation - Section 10A of the Local Government Act 1993 states:

- “2(a) personnel matters concerning particular individuals (other than Councillors),*
- 2(b) the personal hardship of any resident or ratepayer,*
- 2(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,*
- 2(d) commercial information of a confidential nature that would, if disclosed:*
  - (i) prejudice the commercial position of the person who supplied it, or*
  - (ii) confer a commercial advantage on a competitor of the Council, or*
  - (iii) reveal a trade secret,*
- 2(e) information that would, if disclosed, prejudice the maintenance of law,*
- 2(f) matters affecting the security of the Council, Councillors, Council staff or Council property,*
- 2(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,*
- 2(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.”*

#### **4.1 DA 736/2010 - Proposed Residential Flat Building at The Entrance - Application to the Joint Regional Planning Panel**

---

TRIM REFERENCE: DA/736/2010 - D02620401

AUTHOR: Mark Greer; Senior Development Planner

MANAGER: Peter Fryar, Manager Development Assessment

#### **SUMMARY**

A development application has been received for a Residential Flat Building at The Entrance comprising two stages - Building 'A' of six (6) storeys and Building 'B' of eight (8) storeys containing a total of forty-one (41) units. Due to the value of this application,(\$15m) it will be determined by the Hunter & Central Coast Region Joint Planning Panel (JRPP) at its meeting to be held on 16 June 2011.

#### **RECOMMENDATION**

- 1 That Council receive the report on DA 736/2010 - Proposed Residential Flat Building at The Entrance - Application to the Joint Regional Planning Panel.**
- 2 That Council determine whether it wishes to make a submission to the Joint Regional Planning Panel regarding the Application.**

Attached is the report being forwarded to the Joint Regional Planning Panel's meeting to be held at Council on 16 June 2011.

#### **ATTACHMENTS**

- |          |  |           |           |
|----------|--|-----------|-----------|
| <b>1</b> | Copy of Report to JRPP 16 June 2011                                  | Enclosure | D02625460 |
| <b>2</b> | Development Plans - Attachment to Council Business Paper 8 June 2011 | Enclosure | D02620642 |

## **5.1 Request to Close Walkway between Scribbly Gum Close and Northlakes Shopping Centre Car Park San Remo**

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TRIM REFERENCE: F2010/01750 - D02584219

AUTHOR Toni Lee; Asset Management Systems Analyst

MANAGER: Andrew Pearce, Manager Roads and Stormwater

### **SUMMARY**

Report on the proposed closure of the walkway between Scribbly Gum Close, San Remo and the Northlakes Shopping Centre Car Park in response to resident concerns of alleged increased acts of vandalism and anti-social behaviour in the area.

### **RECOMMENDATION**

- 1 That Council endorse the closure of the pedestrian walkway between Scribbly Gum Close and Coles Supermarket Car Park San Remo.**
- 2 That Council advise residents and neighbouring schools and businesses in the immediate area of the decision.**

### **BACKGROUND**

Council regularly receives representations from residents requesting the installation of bollards and closure of the many pedestrian walkways located throughout the Shire. These requests are usually in response to concerns with malicious damage to properties from users of the walkway, noise from motor cycles and motorised pushbikes, and general anti social behaviour.

The origin of these pedestrian walkways typically dates back to the original subdivision design whereby provision was made to facilitate pedestrian access between residential streets to adjoining locations, including bus routes, sporting facilities and shopping centres. These walkways also typically served as service conduits for water, sewer and drainage infrastructure.

Each representation in relation to requests for implementation of access restrictions to pedestrian walkways is considered on its merits given the large number of variables involved. In the majority of instances, devices such as bollards have already been installed in most of the walkways in the Shire to restrict usage by motorised items.

A review of records shows that in the past 10 years Council has been in receipt of approximately 30 representations requesting the closure of pedestrian walkways. Council has subsequently resolved to close 11 of these.

Council has been in receipt of a number of representations from residents, Councillors and the Wallarah North Precinct Committee requesting the closure of the subject laneway.

## 5.1 Request to Close Walkway between Scribbly Gum Close and Northlakes Shopping Centre Car Park San Remo (contd)

Residents have raised issues of graffiti, littering, damaging of property, anti social behaviour, harassment and bullying.

### Investigation and assessment

An investigation and assessment into the possible closure of the walkway at Scribbly Gum Close has been completed. The investigation was undertaken in accordance with a methodology which involves the collection of information from a variety of sources which are assessed against formulated criteria.

The Scribbly Gum Close walkway consists of a concrete path which was originally intended to allow the overland flow of water as well as a concrete footpath area to the adjoining reserve area. The walkway is bounded by residential properties and the southern side bounded by the passive reserve. At the time of inspections by staff as part of this assessment, the walkway was relatively free of debris and litter although there was some graffiti sprayed on the fencing.

A plan of the walkway is attached showing the relevant information, walkway links, bus stops and services. Another plan shows the existing concrete pathway and adjoining alternative concrete pathway areas.

The concrete path through reserve was originally constructed to act as both an overland flow path and a passive walkway from the residential area to the Pacific Highway and future Shopping Centre. Most recently the walkway has been extended through the construction of concrete pathway as part of the development of the Northlakes Shopping Centre.

In accordance with the methodology information was collected from a variety of sources to assess against the criteria as shown in the following table:

Criteria	Data source
Pedestrian usage	Pedestrian counts at both am and pm times of day
Resident Survey	Distribution of a survey to residents in the immediate area who are likely to be users and or be impacted by the usage of the walkway.
Proximity of land uses and services to the walkway.	Review of Geographical information System to identify the benefit to users for accessing such facilities as bus routes, nursing homes, shopping centres, schools, sporting ovals and other local facilities etc
Alternative routes	An assessment of availability and suitability of alternative routes from the walkway to surrounding land uses and services
Location and type of service in the walkways	Whether the walkways provide ancillary services e.g. overland flow paths, water and sewer etc
Construction and condition of walkway	Inspection of physical characteristics and condition of the asset and associated signage etc
Lighting - street and walkway	The provision of lighting and its effectiveness
Incidents of anti social behaviour, vandalism and other incidents reported to Police	Information provided by NSW Police
Complaints of incidents reported directly to Council	Search of Council records

**5.1 Request to Close Walkway between Scribbly Gum Close and Northlakes Shopping Centre Car Park San Remo (contd)**

Any proposed future usage.	Review of future development proposals in the area which may be impacted by any proposal to change the walkway status or proposed usages within Council's individual Directorates
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**THE PROPOSAL**

The following table provides a summary of the results of assessment of the walkway against the criteria.

Criteria	Results
Pedestrian usage	<p>Two (2) pedestrian surveys were undertaken. The results of the pedestrian count indicate that a total of thirty seven (37) people used the walkways between 8.00 – 10.00am (with twenty three (23) being children), and a hundred and twenty seven (127) people used it between 2.00 – 4.00pm (with a hundred and fourteen (114) being children). The number of pedestrians using the walkway is considered to be extremely high with the dominate users being school children from the neighbouring schools.</p>
Resident Survey	<p>30 resident surveys were distributed of which 15 residents completed and returned the survey to Council. Of these 15 residents:</p> <ul style="list-style-type: none"> <li>• 13 survey respondents acknowledged that they and/or other householders used the walkway.</li> <li>• 8 respondents requested the walkway remain open</li> <li>• 7 requested it be closed.</li> </ul> <p>A summary of the resident surveys is located further within the report together with other relevant data collected.</p> <ul style="list-style-type: none"> <li>• In addition to residents, Council has also sought advice from the Shopping Centre Manager, Coles Store Manager and the North Lakes High School Principal endorsing closure.</li> </ul>
Proximity of land uses and services to the walkway.	<p>The walkway provides a pedestrian access link to the school, the shopping centre, the reserve, the community centre, local residences, the adjoining street, bus stops and the network of other walkways in the vicinity.</p> <p>Many school children use this walkway as it is seen as quick route to the shopping centre. Many parents also utilise the car park area to drop off and pick up their children from the neighbouring schools.</p> <p>It is also utilised as an overland drainage route which becomes part the passive reserve area when excess stormwater flows are not being experienced.</p>

Alternative routes	Alternative access to the walkway is available via the concrete footpaths to the east at the intersection of Brava Avenue and Goorama Avenue, along to the Pacific Highway into the shopping centre comprising an additional distance of approximately 200 metres (see attached map). These pathways have only recently been constructed.
Location and type of service in the walkway	The walkway is crossed at right angles by a sewer main. It also utilised as a stormwater overland concrete flowpath, allowing excess storm water to flow from Scribbly Gum Close to discharge into the Council reserve. This concrete flowpath also contains a 375 diameter pipe for approximately forty metres that intersects at a pit in the walkway with a 675 diameter pipe into a 900 diameter pipe past the length of the concrete walkway
Construction and condition of walkway	The walkway between Scribbly Gum and the Supermarket car park consists of a one and a half metres wide concrete and kerbed overland flow path used as footpath within a designated easement to drain water at a variable width (approximately three and half metres wide and approximately ninety five meters in length. The remaining area is partially maintained grass. The walkway area from the residential property boundaries has been fenced either side to the exit/entry point within the car park area of the supermarket.
Lighting	Street lighting currently exists adjacent to the walkway in the cul de sac bowl; however, there is none at the reserve end because low voltage electricity connection is unavailable at this location.
Reported police incidents of vandalism	The following incidents were reported to Police. It should be noted these incidents occur within Scribbly Gum Close not necessarily at the specific walkway. <ul style="list-style-type: none"> <li>• Brawl/Noise 3</li> <li>• Malicious Damage 1</li> <li>• Stealing 2</li> <li>• Hoodlums 3</li> </ul>
Complaints reported directly to Council	Three (3) representations exist in Councils records system requesting closure of the walkway.
Any proposed future usage	N/A

## OPTIONS

### Close walkway

Considering the extent of anti social behaviour, the local area complaints and the close proximity of alternative routes via concrete surfaced footpaths/walkways, it is recommended to close the walkway.

**5.1 Request to Close Walkway between Scribbly Gum Close and Northlakes Shopping Centre Car Park San Remo (contd)**

Subject to Council agreement to closure of the walkway, advice to residents and the advertising of the proposal in the local newspaper, the erection of an open design “man proof” coloured steel security type fence with integral locked gates at both ends would be considered the appropriate method of securing the facilities.

This treatment would also maintain the location as an overland flowpath and facilitate future maintenance. This method of closure would also allow Council to reopen the walkways at any time in the future should the circumstances alter. The standard of fencing and gate has been previously used on a number of walkway closures, for example, Nisic Close, Bateau Bay, Bon Mace Close, Berkeley Vale and Morgan Avenue, Tumbi Umbi.

**STRATEGIC LINKS**

**Annual Plan**

<i>Principal Activity</i>	<i>Strategy or Program</i>	<i>Financial Line Item No and Description</i>
A More Sustainable Community	N/A	
A More Sustainable Economy	N/A	
A More Sustainable Environment	N/A	
Infrastructure	N/A	
Organisation	N/A	

**Contribution of Proposal to the Principal Activity**

As this report concerns resident representations regarding existing infrastructure there is no link to an identified proposal in Council’s strategic documents other than generally the community having walkways to access public transport, amenities, infrastructure, facilities and services.

**Link to Shire Strategic Vision**

<i>Priority Objective</i>	<i>How the proposal contributes or links to the Priority Objectives in Shire Strategic Vision and Annual Plan</i>
<b>Communities</b> - Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood.	It is considered that the closure will reduce malicious damage and anti-social behaviour in the community and facilitate the wellbeing of the residents in Scribbly Gum Close.

<b>Priority Objective</b>	<b>How the proposal contributes or links to the Priority Objectives in Shire Strategic Vision and Annual Plan</b>
<b>Travel</b> - There will be ease of travel within the Shire, and to other regional centres and cities. Travel will be available at all hours and will be safe, clean and affordable.	The closure of the walkway will have a minor adverse affect on some local residents who regularly use this walkway and consider it to be a quicker route within their local community. The availability of recently constructed footpath routes along the main road network is however considered to represent an alternate travel option.
<b>Facilities and Services</b> - Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.	The closure of the walkway will not adversely affect as an alternate safer route is available to access local facilities.
<b>Education</b> - The community will be well educated, innovative and creative. People will attain full knowledge potential at all stages of life.	N/A
<b>Employment</b> - There will be a strong and sustainable business sector and increased local employment built on the Central Coast's business strengths.	N/A
<b>Telecommunications</b> - Information communication technology will be consistent with world's best practice and adaptive to technological advances across all sectors.	N/A
<b>Natural Areas</b> - Areas of natural value in public and private ownership will be enhanced and retained to a high level in the context of ongoing development.	N/A
<b>Environmental Programs</b> - There will be a sense of community ownership of the natural environment through direct public involvement with environmental programs.	N/A



## 5.1 Request to Close Walkway between Scribbly Gum Close and Northlakes Shopping Centre Car Park San Remo (contd)

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### Financial Implications

There will be a minor financial impact due the installation of “man proof”/vandal proof fencing across both access points of the walkway. This would likely need to be funded from Council’s footpath budget and would be approximately \$3,000.00.

### Principles of Sustainability

The installation of fencing would result in increased capital expenditure.

### CONSULTATION

A pedestrian count was undertaken at each end of the walkway in Scribbly Gum Close.

A survey form was distributed to the residents in the immediate area of the walkways whom were considered to be either users of the walkway or had the potential to be impacted from the activities of people using the walkway providing an explanation of Council’s investigations and seeking their input into the process.

Both the Coles Supermarket Manager and Retail Operations Manager were consulted and reported the area is used as an escape route for theft and have requested the closure of the walkway.

Consultation with the Acting Principal of North Lakes High School and the School has indicated they fully support to the closure of the walkway.

NSW Police were also consulted and information provided in relation to reported incidents.

A plan of the area showing the infrastructure is attached. A plan of the area showing the alternative pathway through the reserve is attached

The results of these investigations and reports are shown below

### Survey Results

Total Survey Delivered	Total Returned
31	15
With Reported Problems and Concerns	Total – 11

### Walkway usage

Personal use	Total - 13
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### Incidences that occurred

Noise	Total – 10
Vandalism of fenced/property	Total – 8
Abusive Language	Total – 10
Graffiti	Total – 8
Throwing/dumping of rubbish	Total – 13

**5.1 Request to Close Walkway between Scribbly Gum Close and Northlakes Shopping Centre Car Park San Remo (contd)**

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**When incidences occur**

Weekends (at night)	Yes
Weekdays	Yes

**What is your preference for the walkway?**

To remain open	Total – 8 *
To close walkway	Total – 7

\* The results indicate that the local residents prefer to have the walkways remain open and barriers be installed in the walkways to deny/restrict motorcycle use.

**Reported incidents**

On 2 February 2011 the NSW Police Service provided the following number of reported incidents for streets in the vicinity of Scribbly Gum Close for the period January 2010 to January 2011.

Nine (9) incidents were recorded by Police within the months of 1 January 2010 to 31 January 2011.

Name of Street	Reported incidents
Scribbly Gum	Malicious Damage x 1
	Stealing x 2
	Hoodlums x 3
	Brawl/Street Noise x 3

These incidents although occurring in the vicinity can't be directly related to the walkways.

**GOVERNANCE**

Nil impact

**CORPORATE RISKS**

Nil impact

**CONCLUSION**

Considering the extent of anti social behaviour, and the significant level of usage, the local area complaints and the close proximity of alternative routes via concrete surfaced footpaths/walkways, it is recommended to close the walkway.

Subject to the resolution, the erection of an open design coloured steel security type fence with integral locked gates at both ends would be considered the appropriate method of closing the walkway.

**Disposal of the Walkway**

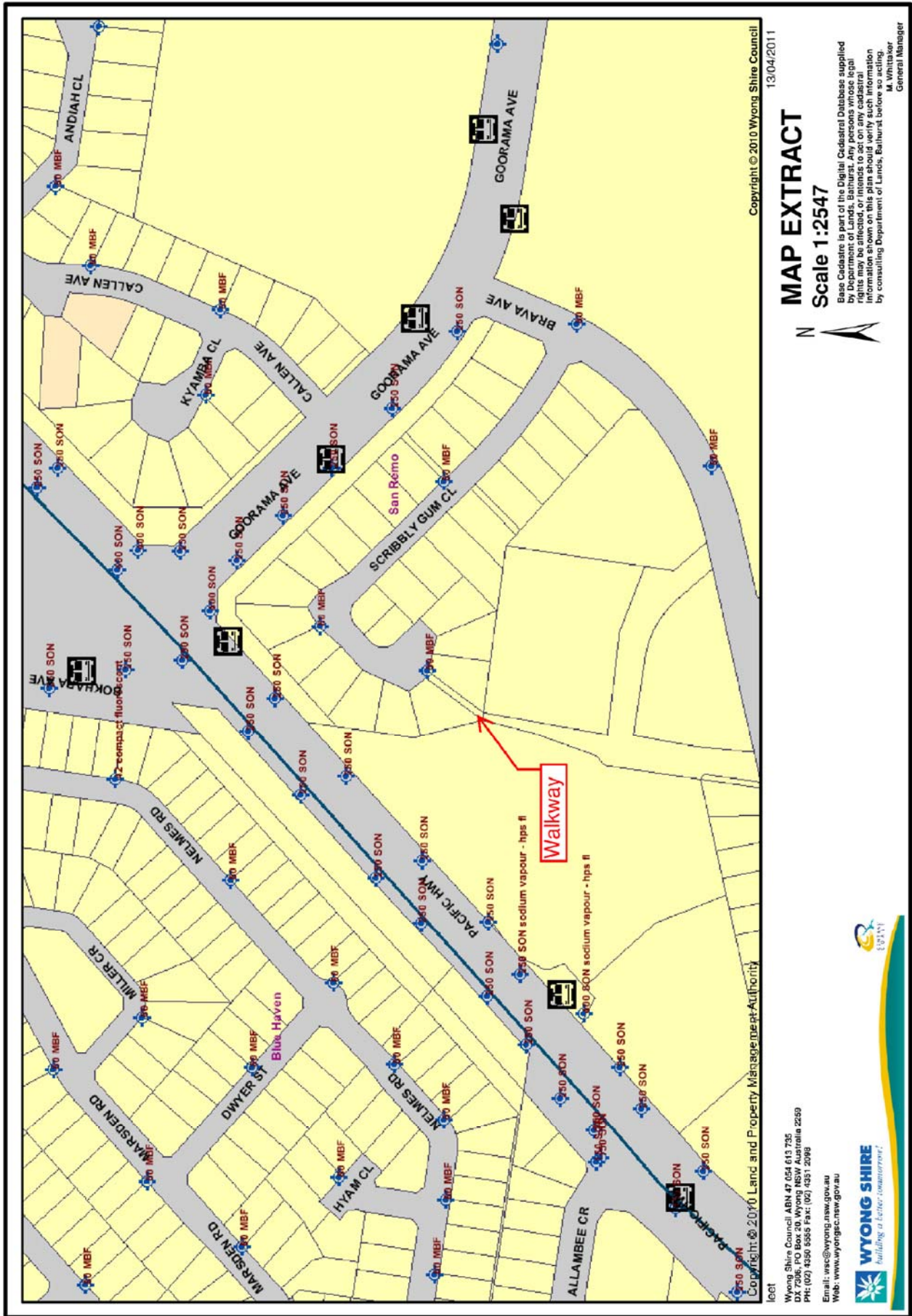
Currently no expressions of interest to purchase the land have been received from the adjoining residents.

As the walkway is designed as an overland flow path there is no benefit in selling the land to adjoining owners as it cannot be split evenly or accessed, maintained or may even be built over if purchased by adjoining owners.

**ATTACHMENTS**

- |   |   |           |
|---|---|-----------|
| 1 | Plan of Scribbly Gum showing path details   | D02584191 |
| 2 | Plan of Scribbly Gum Infrastructure Details | D02584197 |





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13/04/2011

**MAP EXTRACT**  
Scale 1:2547



Base Cadastre is part of the Digital Cadastral Database supplied by Department of Lands, Bathurst. Any persons whose legal rights may be affected or injured to act on any cadastral information should consult the Department of Lands, Bathurst before so acting.  
M. Whitaker  
General Manager

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## **5.2 Sustainable Event Management Policy**

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TRIM REFERENCE: F2004/06179 - D02491631

AUTHOR: Ashlee Abbott; Events Coordinator

MANAGER: Julie Vaughan, Manager Community Development

### **SUMMARY**

A Council adopted Sustainable Events Management Policy is required to satisfy the requirements of the Waste and Sustainable Improvement Payment program (WaSIP) and addresses the key issues of sustainability at Council managed and community managed events. The objective of the policy is to provide a framework for best practice sustainability strategies to support events held by Wyong Shire Council (WSC) and the community on WSC public managed land or WSC public buildings or those events funded through WSC Grant programs. The policy also aims to fulfil community expectations that events will be held in a sustainable manner and reduce the impact on the environment.

### **RECOMMENDATION**

- 1 That Council receive the report on a Sustainable Event Management Policy.**
- 2 That Council adopt the Sustainable Event Management Policy.**
- 3 That Council grant delegation for future amendments to the policy to the General Manager.**

### **BACKGROUND**

#### **Waste and Sustainability Improvement Payment (WaSIP) Requirements**

Although the Sustainable Event Management Policy is classified as operational, the 2010-2011 WaSIP programs require that a Sustainable Events Management Policy be adopted by Council prior to 30th June 2011. A copy of the Council minutes passing this policy must be supplied to the Department of Premier and Cabinet – Office of Environment and Heritage prior to 30 June 2011.

It is proposed that due to these requirements the operational policy is firstly endorsed by Council to satisfy WaSIP requirements and all future amendments be dealt with under the delegation of the General Manager as per Council's Policy for the Establishment of Policies. As this policy is an operational policy it is not required to go on public exhibition.

### THE PROPOSAL

The report seeks Council's approval for the adoption of the Sustainable Event Management Policy. The policy sets out Wyong Shire Council's key objectives to ensure events delivered by WSC and the community within the Local Government Area (LGA) are managed to conform with Quadruple Bottom Line management practices, and are consistent with the principles of Ecologically Sustainable Development (ESD), as required by the LGA.

Council desires all events to be planned and implemented with the goal of reducing the impact of the event on the environment. The policy will be implemented in conjunction with the production of a Sustainable Event Management Guide produced by Council and Event Seminars to assist with community education. The policy will also be built into current grant and event application processes.

The Policy identifies the following areas that must be considered when organising and conducting a sustainable event;

- Waste minimisation
- Resource recovery
- Greenhouse gas reduction
- Energy conservation
- Water conservation.

### OPTIONS

Giving consideration to planning requirements, current standards, perceived needs and reviews of alternative approaches, the following options are presented for consideration by Council:

#### **1 Endorse the Sustainable Event Management Policy**

The Sustainable Event Management Policy is essential in meeting the objectives of WaSIP requirements and targets identified in the Wyong Shire Council Annual Management Plan and will improve the social, economic and/or environmental wellbeing of the Wyong Shire community. This policy is consistent with Council's Sustainability Guiding Principles.

This option has been identified as the preferred option.

#### **2 Decline the Sustainable Event Management Policy**

Continue to run and improve events on Council managed public land in line with current procedures without taking into account sustainability. The current system has been identified as inadequate in meeting the needs of Council's sustainability goals and would also make WSC ineligible for WaSIP funding until the policy is adopted. As a result this option is not preferred.

**STRATEGIC LINKS****Annual Plan**

<i>Principal Activity</i>	<i>Strategy or Program</i>	<i>Financial Line Item No and Description</i>
A More Sustainable Community	<ul style="list-style-type: none"> <li>- Expand and Support programs that increase participation among all ages.</li> <li>- To build a sense of community in both the new and established areas of Wyong Shire</li> <li>- To engage the community in a range of cultural activities</li> </ul>	1.1.11 – Community Financial Support 1.1.15 – Major event sponsorship
A More Sustainable Economy	Promote a positive regional identity	2.1.11- Marketing and promotions
A More Sustainable Environment	Establish and Maintain projects and programs to encourage more active participation in community based environmental activities	
Organisation	<ul style="list-style-type: none"> <li>- To be an effective and efficient organisation delivery of quality service.</li> <li>- To provide the framework to facilitate transparent and sound decision making</li> </ul>	

**Contribution of Proposal to the Principal Activity****A more sustainable community**

Events create a sense of community spirit and bring people and families of all age groups to gather together in a common purpose.

**A more sustainable environment**

Events are an ideal way to encourage the community to consider the environment and conservation issues and also provide access to information on what is impacting the local environment. The Sustainable Event Management Policy will also assist to reduce waste at events having a positive impact on the environment.

**A more sustainable economy**

Events have the ability to attract tourists to the area, allowing for economic contributions to the local economy.

**Organisation**

This document provides the strategic framework to guide Wyong Shire Council's efforts and decisions for events.



### Link to Shire Strategic Vision

<b>Priority Objective</b>	<b>How the proposal contributes or links to the Priority Objectives in the Shire Strategic Vision and Annual Plan</b>
<b>Communities</b> - Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood.	Events allow communities to connect and take pride in the community
<b>Facilities and Services</b> - Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.	The majority of events in the Shire are free events, accessible to all community members with organised activities and entertainment
<b>Education</b> - The community will be well educated, innovative and creative. People will attain full knowledge potential at all stages of life.	Events have the ability to have educational talks, stalls and messages
<b>Employment</b> - There will be a strong and sustainable business sector and increased local employment built on the Central Coast's business strengths.	Events can increase visitor numbers to the local area. Local businesses report an increase in business at the time of events
<b>Environmental Programs</b> - There will be a sense of community ownership of the natural environment through direct public involvement with environmental programs.	Events allow the community to become involved with the natural environment through programs and activities

### Financial Implications

This recommendation will require no additional funding.

### Principles of Sustainability

The adoption of the policy promotes sustainability by endorsing a sustainable events management policy that promotes best practice waste management and encourages sustainable events.

### CONSULTATION

As this is a cross organisational policy, extensive consultation was carried out with relevant departments to ensure the plan meets their departmental objectives and to ensure their departments have the resources and staff to commit to meeting these goals and objectives.

## **5.2 Sustainable Event Management Policy (contd)**

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The following units were consulted, Community & Cultural Development, Sustainability Unit, Waste Management and Corporate Governance.

### **GOVERNANCE**

Nil Impact

### **CORPORATE RISKS**

Nil impact

### **CONCLUSION**

The Sustainable Event Management Policy is designed to guide the direction of Council run events and provide criteria for assessment of approval for community run events on WSC public managed land, buildings and grant funded events. The policy allows for greater transparency of Council decision making processes whilst reducing the impact of events on the environment.

### **ATTACHMENTS**

1 Sustainable Event Management Policy Draft D02605133

***Policy***

***on***

***Sustainable Event Management***

		<b>Date</b>
<b>Policy No</b>		
<b>Written By</b>	Ashlee Abbott	
<b>Gazette Date</b>		
<b>Authority Signature – General Manager</b>		
<b>Adopted by Council Resolution (if required)</b>		
<b>Reviewed Date</b>		
<b>Approved By</b>		

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**A**

## POLICY SUMMARY

- A.1.** Each year in Wyong Shire Council (WSC) Local Government Area (LGA) a range of special events are held in public places to celebrate the diverse social, cultural, sporting and business aspects of our community. This policy has been formulated to provide a framework for best practice sustainability strategies to support events held by WSC and the community on and in WSC public managed land or buildings and fulfil community expectations that they will be held in a sustainable manner. The policy also applies to any event funded through WSC Grant programs.

## B POLICY BACKGROUND

- B.1** WSC permits the public to hire WSC managed public land and buildings for events after appropriate fees and application processes are followed.
- B.2** WSC holds numerous events including catered functions, event openings, education seminars and workshops.
- B.3** WSC funds various events via its current Grant Programs.
- B.4** WSC has developed a sustainable events guide available for event organisers to assist with event organisation.
- B.5** WSC is committed to building a better tomorrow through our efforts today. We do this by focusing on long term sustainability in all that we do. We seek to meet our needs and aspirations without compromising the ability of future generations to meet theirs. Our guiding principles are;
- a) **Think holistically, Act responsibly** - a sustainable Wyong Shire recognises that people, nature and the economy are affected by our actions. We plan for the long-term and recognise shorter term needs. We integrate these considerations into our decision making, working with the forms and functions of the natural environment and with our social and economic attributes as the basis of our planning and development.
  - b) **Smart, local, adaptable** – a sustainable Wyong Shire responds to future challenges by embracing innovation and acting in a timely and effective manner. We base our actions locally, mindful of our place in the world, building on our strengths and special qualities of place and community.
  - c) **Care for nature** – a sustainable Wyong Shire recognises the intrinsic value of biodiversity and natural ecosystems, protecting the environment for the benefit of all life forms. We commit to the sustainable use of natural resources to maintain healthy ecological systems for the benefit of present and future generations.
  - d) **Good processes. Improved outcomes** – a sustainable Wyong Shire demonstrates leadership, accountability, transparency and financial responsibility in all decision making. We measure our prosperity by the health and wellbeing of our people, environment and economy and strive for continuous improvement.
  - e) **Work together** – a sustainable Wyong Shire community builds partnerships by engaging with and listening to all facets of society,

working together for the benefit of the whole. We have a culture of collaboration and participation that encourages innovation, sharing of resources, engagement in decision making and shared accountability for all results.

- f) **Lead by example** – a sustainable Wyong Shire leads by example with actions for positive change and supports visionary policies and practices within the community. We involve people with the relevant skills and knowledge in our projects and recognise there are many ways to achieve our goals. We embrace the opportunity to learn from our actions and the actions of others.

## C DEFINITIONS

- C.1 Council and Councillors** means the elected members that form the governing body (Council) of WSC.
- C.2 Wyong Shire Council (WSC)** means the organisation established to administer Council affairs and operations and Council policy and strategies.
- C.3 Council Policy** means policy created and approved by the elected members of the WSC.
- C.4 Local Government Area (LGA)** means the area governed by WSC.
- C.5 Events** for the purpose of this policy means organised activities open to attendance by members of the general public (whether by payment or not) on private or public land (or a combination of the two) with over 500 attendees or any internal event run by WSC. Events include cultural celebration, public rally, street parade, street march, fun run, cycling race, community festival, music festival, sporting event, open air theatre, concert, charitable ball, dance party, business events and workshops, carnival or circus.
- C.6 Sustainability** means meeting the needs of the present without compromising the needs of future generations.
- C.7 Event organiser means** the person responsible for organising the event.
- C.8 Recyclable** means to put a used substance through a particular process so that it is fit to be used again.
- C.9 Grant Funding** An award of financial assistance in the form of money or in-kind support.

## D POLICY STATEMENTS

### Jurisdiction

- D.1** This policy covers all elected members of the WSC, all personnel employed by WSC, any person or organisation contracted to or acting on behalf of the WSC, any person or organisation employed to work on WSC premises or facilities and all activities of the WSC.
- D.2** This policy does not confer any delegated authority upon any person.

- D.3** Covers any 'event' as defined in which WSC is involved beyond ownership or management of the facility or space.
- D.4** Covers any 'event that receives Grant funding for an event from WSC
- D.5** The Policy identifies the following areas that must be considered when organising and conducting a sustainable event;
- i. Waste minimisation
  - ii. Resource recovery
  - iii. Greenhouse gas reduction
  - iv. Energy conservation
  - v. Water conservation

### General Provisions

- D.6** All events should comply with the sustainability objectives of WSC where possible and the principles of the Waste Avoidance and Resource Recovery Act 2001.
- D.7** All events should comply with the NSW Local Government Act (Section 7a) which states the purpose of the act is "to provide the legal framework for an effective, efficient, environmentally responsible open system of local government in NSW". Another stated purpose of the Act (Section 7e) is "to require Councils, Councillors and Council employees to have regard to the principles of Ecologically Sustainable Development in carrying out their responsibilities".
- D.8** Where appropriate, events should incorporate waste avoidance and waste recovery strategies as an integral part of special event planning processes.
- D.9** Where appropriate, events should minimise the amount of waste generated and maximise the amount of recyclable materials recovered.
- D.10** Where appropriate, events should implement sustainable purchasing.
- D.11** Where possible, all food-ware used at events such as plates, food containers, cups, cutlery and wrapping should be reusable or biodegradable.
- D.12** Where appropriate events should be used as educational opportunities to raise community awareness on sustainability.
- D.13** All events on WSC managed public land must comply with the waste management strategies incorporated in the event application form.
- D.14** Where appropriate delegates or event attendees should be encouraged to car pool.
- D.15** Name badges and printed material should be reused where possible.
- D.16** Event sponsors will be actively sought who reflect a positive environmental message where possible.

- D.17** Event organisers should ensure when planning an event the following sustainability issues are taken into consideration when selecting a venue; (see Sustainable Event Management Guide for assistance)
- i. Existing infrastructure - for example toilets, stage, electricity to avoid the need for equipment to be transported in.
  - ii. Water use – all events must comply with current water restrictions unless a formal exemption has been granted. Does the venue have tank water or alternate water sources?
  - iii. Energy Use – does the venue have adequate natural light or solar panels, use green power or have a carbon emission offset scheme.
  - iv. Transport – is the location close to public transport. Is event accommodation within walking distance to the event?
  - v. Event Future – events should give strong consideration to the event theme, image and focus. Incorporating singular innovative ideas into your marketing and promotion will help distinguish your event from other events and potentially provide better opportunities for attendance and support.
- D.18** Where possible events should aim to reduce greenhouse emissions by implementing WSC's Carbon Management Hierarchy by avoiding, reducing, replacing and offsetting.

## **E POLICY IMPLEMENTATION - PROCEDURES**

- E.1** WSC has implemented a set of criteria for sustainable waste management into approvals to hold events on WSC managed public land and WSC managed buildings.
- E.2** WSC has implemented a set of criteria for sustainable event management into WSC grant applications.
- E.3** Advice and assistance to event organisers will be provided by WSC's Event Coordinator on how to hold more sustainable events.
- E.4** A sustainable events management guide has been produced by WSC and will be distributed to event organisers holding events on WSC managed public land and buildings.
- E.5** Event recycling bins are available for hire from WSC's Waste Officer by phoning (02) 43 505555.



### **5.3 The Art House, Wyong Shire Performing Arts and Conference Centre Logo Design Competition Winner**

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TRIM REFERENCE: CPA/159128 - D02609874

AUTHOR: Stuart Slough; Cultural Planner

MANAGER: Julie Vaughan, Manager Community and Cultural Development

#### **SUMMARY**

At the Ordinary Meeting of 14 July 2010 Council resolved to undertake a competition to determine a name and logo for the Central Coast Arts and Conference Centre planned for Wyong township.

The naming competition was run between 29 September to 29 October 2010 with Council resolving on 8 December 2010 to name the centre 'The Art House, Wyong Shire Performing Arts and Conference Centre'. The logo design competition for the Art House was run between 7 February and 11 March 2011, receiving 128 entries.

Logo 1 is The Art House Logo Design Competition Judging Panel's first choice and proposed winner. Logo 2 and Children's Entry are the proposed runners up, with the Children's Entry proposed to be awarded a Children's Prize (Attachment 1).

#### **RECOMMENDATION**

- 1 That Council accept The Art House Logo Design Competition Judging Panel's recommendation that the winning prize be awarded to Logo 1 and the two runner up prizes (including The Children's Entry) be awarded to Logo 2.***
- 2 That Council resolve to adopt Logo 1 as The Art House, Wyong Shire Performing Arts and Conference Centre logo.***

#### **BACKGROUND**

##### **History**

The Art House in Wyong Township is a multi-arts facility for a range of art forms whilst focusing primarily on the performing arts.

In response to the Wyong Performing Arts Feasibility Study (TZG 2006) and Wyong Performing Arts Centre Business Case (2007 Positive Solutions) Council resolved to develop designs for an Arts Centre in Wyong township to serve the Shire's identified arts needs, and compliment existing arts facilities in Gosford, as a flagship facility for the growing population in the region's north. Arts, business, community and education stakeholders and a Councillor Advisory Working Party were established to guide and inform the development process through to construction.

### 5.3 The Art House, Wyong Shire Performing Arts and Conference Centre Logo Design Competition Winner (contd)

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A competition for the Arts Centre name and logo is considered an effective means of maintaining community awareness and involvement in the project as well as allowing a community member to name such a significant new facility.

At the Ordinary Meeting of 14 July 2010 Council:

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

- 1 That Council endorse changing the name of ‘Wyong Shire Cultural Centre’ to the ‘Central Coast Arts and Conference Centre’ in the interim until the public competition is decided.*
- 2 That Council endorse the centre concept design including a 500 seat theatre venue with construction and design cost estimates at approximately \$18.0M (building only cost approximately \$11.7M) for Stage 1 and approximately \$24.0M (building only cost approximately \$15.5M) for Stages 1 and 2.*
- 3 That Council note there is likely to be an estimated annual gross recurrent cost to Council of approximately \$2.0M (including, staffing, running costs, maintenance and depreciation).*
- 4 That Council endorse the implementation of the Fund Raising and Promotional Strategy outlined within this report to secure funds to construct Stages 1 and 2.*
- 5 That Council undertake a public competition to name and create a logo for the new Centre.*
- 6 That Council aim to achieve a 6 star National Australian Build Environment Rating System (NABERS) rating for the building.*
- 7 That Council consider a report with regards to the Wyong Town Centre Car Parking Arrangements.*

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

*AGAINST: NIL”*

### **APPROACH**

In order to implement the resolution for a naming and logo competition it has been necessary to run two competitions. The first competition was to establish a name and the second competition was to establish a logo. Both competitions require Council to endorse the judging panel’s recommendation before a winner can be confirmed.

The naming competition was run between 29 September to 29 October 2010 with Council resolving on 8 December 2010 to name the centre The Art House, Wyong Shire Performing Arts and Conference Centre.

### **5.3 The Art House, Wyong Shire Performing Arts and Conference Centre Logo Design Competition Winner (contd)**

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Competition criteria specifies that the logo design entries could consist of text, a graphic, or a combination of both. The design entries were to be judged on the degree to which they could successfully be adopted as a logo which reflects The Art House vision, as follows:

The Art House will have a focus on the performing arts, but will also be a place:

- To develop and show fine art, multi-media, dance, music and theatre
- To see national and international shows and exhibitions
- For amateur and professional cultural activities
- For new ideas, learning and enterprise
- To share stories, creativity and make connections
- To socialise and network.

The entry conditions specify that Council retains the right to modify the winning design to ensure it can be used as a logo on stationery and signage. The original design submissions were modified and placed in corporate style mock-ups by the Community Engagement Unit to test the designs suitability as logos.

First prize is an Apple iPad (16GB with Wi-Fi + 3G) with two highly commended prizes of a \$100 Westfield Gift Voucher each. The naming competition terms and conditions and entry form are attached (Attachment 2).

#### **Time frame**

The logo design competition for the Art House was run between 7 February and 11 March 2011.

#### **Advertising**

The competition was promoted on Council's website, in Shire Wide, through press releases, an email out through the Working Party network and two half page advertisements in the Express Advocate.

#### **Judging Panel**

At the meeting of 7 March 2011 The Art House Working Party recommended the following Logo Design Competition judging panel members:

- Bruce Kirkness, Seniors Council
- Patti Gleeson, Central Dance Company
- The Mayor, Councillor Doug Eaton
- Councillor Emma McBride
- Robyn Weidlich, XtrAct Drama Academy

#### **Entries and Judging**

128 design entries were received for the logo competition. These were judged at a meeting by the Judging Panel on 25 March 2011.

Councillors were provided with an opportunity to view the original and modified designs, via a Councillor Business Update on 11 April, 2011, and to raise any significant objections to the designs with the Manager Community and Cultural Development. No objections were received.

### **THE PROPOSAL**

This report proposes that Council endorse the winning entry of The Art House Logo Design Competition to become the logo design for the Art House, as recommended by the Logo Design Competition Judging Panel.

If adopted, as per the terms and conditions, Council will notify the winner and promote the new logo.

### **CONSULTATION**

All stages of The Art House development, from the Business Plan through to the current DA design stage, have included the project advisory Working Party. The Working Party provided comment and advice regarding The Art House Naming and Logo Design Competitions at the meetings held on 16 August 2010, 18 October 2010 and 7 March 2011.

The Working Party consists of the following arts, government, community, education and business stakeholders:

- Central Dance Company
- Darkinjung Land Council
- Fusion Arts Inc
- Gorokan High School
- Gosford City Council Arts and Culture Unit
- Grey Wolf Film Studio
- Lee Dance Academy
- NAISDA (Aboriginal Dance College)
- School of Creative Arts,
- University of Newcastle
- Supa Art: artist collective
- Wyong Chamber of Commerce
- Wyong Drama Group
- Wyong High School
- Wyong Musical
- Theatre Company
- Wyong Shire Councillors
- Wyong Youth Arts
- XtrAct Drama Academy

## STRATEGIC LINKS

The proposal is linked to the Annual Plan.

### Annual Plan

<b><i>Principal Activity</i></b>	<b><i>Strategy or Program</i></b>	<b><i>Financial Line Item No and Description</i></b>
A More Sustainable Community	<p>3.1 Provide and maintain local and regional community facilities for recreation, culture, health and education.</p> <p>3.2 Provide and maintain a range of community programs focused on community development, recreation, culture, environment, education and other issues.</p> <p>3.1.6 Continue the planning and design for the Wyong Shire Cultural Centre.</p>	1.1.7 Community Buildings Construction

### Contribution of Proposal to the Principal Activity

This proposal will raise the profile and support the awareness and funding strategy for this significant community and business facility.

### Link to Shire Strategic Vision

<b><i>Priority Objective</i></b>	<b><i>How the proposal contributes or links to the Priority Objectives in Shire Strategic Vision and Annual Plan</i></b>
<p><b>Communities -</b> Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood.</p>	<p>The Business Plan and Design Brief for The Art House focuses on creating a place that will support and enhance community, cultural and business connections and increase opportunities for cultural exchange and expression, contributing to local pride and identity.</p> <p>The Art House will be positioned to support and provide leadership for promotion, programming and securing funding for a network of accessible community cultural facilities across the Shire.</p>
<p><b>Facilities and Services -</b> Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.</p>	<p>Providing and maintaining local and regional community facilities for recreation, culture, health and education.</p> <p>Providing and maintaining a range of community programs focussed on community development, recreation, culture, environment, education and other issues.</p> <p>Promoting community facilities to help maximise their benefits and use.</p>

<b>Priority Objective</b>	<b>How the proposal contributes or links to the Priority Objectives in Shire Strategic Vision and Annual Plan</b>
<b>Education</b> - The community will be well educated, innovative and creative. People will attain full knowledge potential.	The Business Plan for the proposed Art House in Wyong commits funds and programming for performing arts skills development, professional development and education partnerships.
<b>Employment</b> - There will be a strong and sustainable business sector and increased local employment built on the Central Coast's business strengths.	The Business Plan for the proposed Art House in Wyong commits funds and programming for creative industry mentoring, professional development, work experience and business partnerships as well as a new venue for business events and conferences that can be globally linked via new technology.

### **Financial Implications**

There is no additional cost to Council for adopting the recommended logo design for The Art House, Wyong Shire Performing Arts and Conference Centre.

### **Principles of Sustainability**

The design of The Art House logo is part of a strategy to ensure the centre has an identity that has come from the community. The strategy is to maintain awareness and ownership of the facility by the community beyond the Working Party as this is crucial to the facility being considered for capital funding by State and Federal Governments.

### **CONCLUSION**

It is recommended that Council endorse the winning entry, runner up and Children's Entry of The Art House Logo Design Competition and award prizes in accordance with the competition conditions. It is also recommended that Council adopt the winning design as the logo for The Art House, Wyong Shire Performing Arts and Conference Centre.

The logos will be utilised to commence the branding and create a sense of identity for The Art House.

### **ATTACHMENTS**

- |   |   |           |           |
|---|---|-----------|-----------|
| 1 | Logo Design Competition Recommended Winning and Runner Up Entries (A4 Colour) | Enclosure | D02609981 |
| 2 | Logo Design Competition Terms and Conditions                                  |           | D02609975 |

# Design 'The Art House' logo and WIN an iPad!

Wyong Shire Council is looking for a logo for the The Art House, Wyong Shire Performing Arts and Conference Centre planned for Wyong Shire. Designs for the state-of-the-art centre have been developed, the model is available to view at Council Chambers, and now it's up to the community to design it's logo.

### Some Helpful Guidelines on Logos

- A logo is the visual name, mark or symbol of a company or organization or entity.
- Logos can be made up of text arranged in a particular way or it can be an illustration or symbol that can include or be used with the company's name.
- A logo can consist of a combination of all of the above to project the company's intended image.

### The Art House Vision

The Art House will have a focus on the performing arts, but will also be a place:

- **To develop and show fine art, multi-media, dance, music and theatre**
- **To see national and international shows and exhibitions**
- **For amateur and professional cultural activities**
- **For new ideas, learning and enterprise**
- **To share stories, creativity and make connections**
- **To socialise and network**

It will be a place for imagination and surprises! And it's up to you to give it a logo.

### Competition requirements: Factors you must consider when coming up with a logo:

The logo design must be unique, respond to the Centre's name, and reflect the facility as a place for quality, innovation, networking and creativity

- It must be able to be adapted for reproduction in b+w as well as colour
- It must be relevant to The Art House Vision
- No images of individuals or commercial entities will be eligible
- The logo design entry must be submitted as a hard copy even if it was produced digitally
- All submissions sizes must be between A5 (210mm x 147.5mm) and A4 (210mm x 297mm)
- The hard copy of all submission become the property of Wyong Shire Council
- The logo design may, but is not required to, include the blue or green colours of Council's logo

Criteria for judging is based on the The Art House Vision and the competition requirements.

First Prize: Apple iPad (16GB with Wi-Fi + 3G)

Two highly commended entries will receive a \$100 Westfield Gift Voucher each.

**Entries close 5pm Friday, 11<sup>th</sup> March 2011.** Entries will be judged by a panel. The winner will be notified by phone after Council's final decision, by 11 June, 2011. The winning entry will be published in the Express Advocate and on Council's website. Entry forms are also available at Wyong Shire libraries, at Council's Administration building, and each week in the Express Advocate.

### How to enter:

Fill in the entry form below and attach it to the back of the hard copy of your design entry and hand it to Council Customer Contact staff at Council Chambers, Hely Street Wyong; or post to:

The Art House Logo Design Competition  
Wyong Shire Council  
PO Box 20, Wyong 2259

.....  
The Art House, Wyong Shire Performing Arts and Conference Centre Logo Design Competition

Name:..... Address.....

.....Age (optional).....

Phone ..... Email.....

## The Art House, Wyong Shire Performing Arts and Conference Centre Logo Design Competition **Terms and Conditions**

The following points include the conditions of entry:

1. Information on how to enter forms part of the terms and conditions of entry. Participation in the competition is deemed acceptance of the terms and conditions of entry.
2. Entry to the competition is free and subject to clause 3 below.
3. The competition to design a logo for The Art House, Wyong Shire Performing Arts and Conference Centre. Entries will be judged anonymously.
4. The competition commences at 9.00 am Thursday 3<sup>rd</sup> February, 2011 and closes at 5.00 pm Friday 11<sup>th</sup> March, 2011.
5. To enter, submit a hard copy of a logo design between the sizes of A5 and A4 with an official entry form attached to the back. The logo design may consist of text only, a symbol, illustration or mark. An entry which includes objectionable content or is inflammatory or defamatory will be disqualified.
6. Entry forms are available online at [www.wyong.nsw.gov.au](http://www.wyong.nsw.gov.au), at Council Chambers and Wyong Shire libraries.
7. Entries will be accepted by attaching to the back of a hard copy logo design the completing official entry form and posting to The Art House Logo Competition, Wyong Shire Council, PO Box 20, Wyong 2259, or delivering to the Customer Contact desk in the foyer of Wyong Shire Council, 2 Hely Street Wyong (9.00am-5.00pm)
8. Entries including the names of commercial entities and individuals will not be accepted. Entries that do not fulfil all the conditions of entry will not be accepted.
9. Entries must be received by 5pm Friday 11<sup>th</sup> March, 2011. Late entries will not be considered and Council accepts no responsibility for late, lost or misdirected entries.
10. At the close of the competition, all entries will be reviewed by the Judging Panel, Entries will be judged against the criteria and one design will be recommended to Council for adoption.
11. If the Judging Panel cannot decide on one entry, Council reserves the right to undertake a further process from a shortlisted selection provided by the Judging Panel.
12. The Council's decision will be final and no correspondence will be entered into.
13. Council reserves the right to adapt the design to ensure it is of a professional finish (if required).
14. The competition winner will be notified by telephone and in writing by 13 June 2011. The winning entry will be published in the Express Advocate and on Council's website. This is to allow Council to complete the necessary processes to adopt the design.
15. Entrants cannot claim any rights or proprietorship to the design entered into the competition.
16. Council will be eligible to register the Trading Mark and Copyright on any designs entered into the competition.
17. Employees of Wyong Shire Council are not eligible to enter The Art House Logo Design Competition
18. The winning entry will receive a 16GB Apple iPad with Wi-Fi and 3G. Two highly commended entries will receive a \$100 Westfield Gift Voucher each.



## **5.4 Vandalism of The Entrance Ocean Baths**

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TRIM REFERENCE: F2004/06262 - D02589877

AUTHOR / MANAGER: Tara Mills; Manager Sport Leisure Rec

### **SUMMARY**

This report provides information regarding current and future initiatives which have been considered that may minimise vandalism at The Entrance Ocean Baths.

### **RECOMMENDATION**

- 1 That Council receive the report on Vandalism of The Entrance Ocean Baths.**
- 2 That Council continue to monitor the levels of anti social behaviour and vandalism at The Entrance Ocean Baths.**

### **BACKGROUND**

At its Ordinary Meeting held on 23 March 2011 Council resolved unanimously on the motion of Councillor BEST and seconded by Councillor MCNAMARA:

- "1 That, with ratepayers now funding \$1,474,825.00 for vandalism repairs over the term of a Council, Council support the good work of the community and Police through a public awareness campaign promoting the existing \$10,000.00 Council Vandalism Reward Program.*
- 2 That Council now double the vandalism reward to \$20,000.00 for a conviction for selected major and repeat malicious damage attacks.*
- 3 That Council make any such reward also available where repeat offences compromise public safety, such as the current deliberate glassing of The Entrance Baths.*
- 4 That having regard to the above, staff report to Council where necessary, vandalism events for Council's consideration and inclusion in the Vandalism Rewards Program.*
- 5 That Council urgently consider further initiatives that may be available to minimize the continuing vandalism attacks at The Entrance Ocean Baths at its meeting on 27 April 2011.*

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

AGAINST: NIL"

**Operations**

The Entrance Ocean Baths are a State Heritage listed facility built on Crown land under the care and control of Wyong Shire Council. The Ocean Baths facility was constructed between 1938 and 1965. The baths began as a low maintenance rock pool and has now developed into an exceptionally popular training and recreational venue utilised by an array of sports groups and the general public.

The Entrance Ocean Baths consist of a wading pool, intermediate pool, 50 metre pool, club house and amenities block. Although the attached amenities block is secured after hours, the entire Ocean Baths complex is unfenced and open to the public 24 hours a day, year round.

The facility has been managed by contractors on Council's behalf for the past 24 years. Prior to this the facility was managed directly by Council. Since August 2007 YMCA have been the approved contractors. Under this arrangement lifeguards patrol six months of the year from 1 October – 26 April, 8:30am – 5:00pm. YMCA maintain and conduct a weekly pool clean during the summer season and fortnightly the remainder of the year. Every five to six years the Ocean Baths are closed for two weeks at the end of the season for repainting.

**Utilisation**

On average 45,000 people visit the baths each year, during the six months when YMCA lifeguards are on patrol. During the summer months it is common practice for locals and holiday makers to use the facility during the evening and early mornings outside summer lifeguarding hours.

Tuggerah Tuffs Swimming Club and The Entrance Swimming Club use the pool and club house regularly. The club house is also available for rent to community groups.

**Anti Social Behaviour**

YMCA have reported that during the past 4 years anti social behaviour has been experienced on average once per month during the season, typically on Thursday, Friday or Saturday nights. These statistics are consistent with information from Council staff that have been involved with the pools for a number of years. These incidents range from graffiti, rubbish and broken bottles left behind to break-in's and minor property destruction.

During this current swimming season, there were ten instances of anti social behaviour reported, as outlined in the table below. Nuisance incidents consisted of graffiti and rubbish left behind. There were no attempted break-ins or damage to structures.

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
<b>Nuisance</b>						2	1		1			
<b>Broken glass</b>					1		2	1	2			
<b>Injuries first aid</b>							1 (cut toe)					
<b>Injuries medical attention</b>												

## 5.4 Vandalism of The Entrance Ocean Baths (contd)

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
<b>Additional clean required</b>								1	2			

On six occasions during the current swimming season of 1 October 2010 to 26 April 2011, broken glass bottles were found at the facility by YMCA whilst opening The Ocean Baths at 6am. A risk assessment was carried out and resulted in short term closure of the 50 metre pool for inspection. Where the pool required draining, the pool was closed for the day. On three of these occasions the pool was closed outside the normal weekly pool cleaning schedule for draining. During these drains the two remaining pools were open to the public. On no occasion has the entire facility needed to be shut down due to emergency cleaning as a result of anti social behaviour.

### THE PROPOSAL

During the past six months, Council has considered and implemented a number of options to alleviate the problem of overnight anti social behaviour and vandalism.

Following the incident of broken bottles in November 2010, YMCA employed lifeguards to patrol the baths every Friday and Saturday night leading up to Christmas. The lifeguards reported only social swimmers using the pools with no evidence of anti-social behaviour.

Following the two incidents in January 2011, Council Rangers were asked to include the Ocean Baths in their patrol. The patrols were carried out randomly each day until 7pm and Rangers have not reported any incidents of anti-social behaviour.

In March 2011, Council initiated an additional trial security presence at the facility during predicted periods of possible anti social behaviour. The extra measures included static guards on Friday and Saturday nights from 7:00pm to 11:00pm over two weekends, which cost Council \$1,000.00. Considering there was no significant activity, the cost of continuing this trial was not warranted.

Council has since requested YMCA to provide a report back on the recent spike in anti social behaviour. The report details procedures undertaken in the event of vandalism and what key measures have been taken to help prevent them from re-occurring.

In addition to the above, Council has undertaken a public awareness campaign offering a generous reward for information leading to the arrest and conviction of vandals in the Shire. This reward has recently doubled to \$20,000.00. The anti social behaviour reported over the past five months seems to have escalated following media coverage in November 2010.

By the nature of outdoor ocean baths and rock pools being open to the elements, it is not uncommon for some minor anti social behaviour to take place. Neither Lake Macquarie nor Gosford have ocean baths, but they do have rock pools. Both councils have advised they have not had any significant anti social behaviour problems. Newcastle however does have ocean baths and has frequently had anti social behaviour reported. The local police now regularly patrol the area which has assisted in reducing the number of incidences.

## 5.4 Vandalism of The Entrance Ocean Baths (contd)

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Options considered, in consultation with other stakeholders to minimise the extent of overnight anti social behaviour at The Ocean Baths include:

1. Provide perimeter security fencing around the facility:
  - The site is State Heritage listed and any changes to the structure must go through an approval process with Heritage NSW and would change the aesthetics of the historic baths.
  - Fencing would change the dynamics of the open facility and limit use by swimmers outside of patrolled hours. The baths are also extremely popular after hours when the gates would be locked.
  - Fencing would not eliminate people throwing items into the pools.
  - The wave action caused by storms could potentially cause regular damage to the fence.
  - Based on fencing costs at another Council facility, fencing for this site is estimated at over \$150,000.00.
  - Due to the cost and limitations on access and usage, this option is not being considered.
2. Provide static guard:
  - YMCA contract does not include security.
  - The cost of providing permanent static guards seven months a year, eight hours per day, would be approximately \$100,000.00 excluding GST. This is not included in Council's budget and is excessive for the number of incidents.
  - Rangers have no capacity within their current hours and any additional patrols after 6:00pm would attract overtime rates.
  - Due to the cost and limited value, this option is not being considered.
3. Provide fixed hard covers on the pools overnight:
  - We are unaware of examples of these types of covers suitable to being in a marine environment.
  - There is no storage for these types of covers on the site.
  - Fixed covers would change the dynamics of the open facility and limit use by swimmers outside of patrolled hours. The baths are also extremely popular after hours when the covers would be in place.
  - Due to the potential cost and limitations on access and usage, this option is not being considered.
4. Renovate the existing club house to accommodate an on-site care taker:
  - The cost of renovating the building would be substantial and the building is currently being used by the swimming clubs as a club house.
  - A caretaker does not guarantee that there will be no anti-social behaviour.
  - This building is also Heritage Listed and it would be difficult to demonstrate the need.
  - Due to the cost and limited value, this option is not being considered.
5. Installation of Close Circuit Television (CCTV)
  - The cost to install CCTV recently at another facility was in the vicinity of \$35,000.00. CCTV records to a DVD and if there is an incident, the DVD would be available for the Police.
  - Infrared lighting would be required with the installation of the CCTV system at an approximate cost of \$10,000.00.

- This could be an option considered by Council, however due to the number of incidents and cost it is not recommended.
6. Additional floodlighting:
- The potential impact on the heritage value could be high and this would also impact on nearby residents. Motion sensors could be installed at a cost, but even infrequent lighting would impact on residents.
  - At times lighting may entice people to an area.
  - Due to the cost and limited value, this option is not being considered.
7. Signage / Promotion
- Currently regulatory signage is installed in and around the facility. Additional security / regulatory signage could be installed however to date the signage that has been erected has not aided in the prevention of vandalism.
  - Encouraging residents to report any anti social behaviour to the Police can be undertaken through letter box drops or media particularly at the start of the season or in times where incidents increase.

In light of the limited number of incidents, the cost and the impact on the community, Council and YMCA staff will continue to inspect and react to incidents as they arise. Monitoring and recording incidents will continue and staff will undertake further investigations of new security technology as it becomes available. During periods of high level anti social behaviour, staff will consider similar options to what has been undertaken this year including Ranger patrols, static guards and signage.

### **Other Options**

Council could allocate funds to undertake any of the above strategies to assist in addressing anti social behaviour at The Entrance Ocean Baths. Due to the limited number of incidents over the course of the season and the costs associated with the strategies, this is not the preferred option.

### **Financial Implications**

Monitoring will not require any additional budget. However, any future changes to the facility or the management of the facility will have costs associated, as outlined above, and would require a budget variation.

### **CONSULTATION**

Extensive consultation with YMCA management and the staff running The Entrance Ocean Baths facility was undertaken during this investigation on anti social behaviour and vandalism. Several other organisations were also consulted to a lesser degree including: The Entrance Police, The Entrance Town Centre Management, Council's Risk Management Unit and Council's Rangers.

### **CORPORATE RISKS**

A risk analysis has been completed on the hazards associated with after hours vandalism at The Entrance Ocean Baths. All risks to public safety and Council's possible exposure are minimised through detailed facility operations procedures and daily facility checks.

**CONCLUSION**

By the open nature of The Ocean Baths facility, anti social behaviour is difficult to eliminate entirely. However through encouraging residents to report anti social behaviour to the Police outside of operating hours and regular assessment from staff, any potential impacts on users of the facility can be minimised. Since 23 March 2011 no broken glass, anti social behaviour or vandalism has occurred at the facility.

The identified options proposed in this report are all costly and will not ensure that vandalism is entirely eliminated from The Entrance Ocean Baths other than a permanent 24 hour static guard.

All cleaning costs associated with this season's vandalism attacks were paid for by the YMCA. YMCA has not and is not intending to claim recovery cost for the three emergency pool cleans required at The Entrance Ocean Baths this season.

Council staff will continue to monitor and report on any further anti social behaviour or vandalism attacks at the facility. Discretion will be made should there be a requirement to provide further security patrols in future periods of concentrated vandalism attacks.

**ATTACHMENTS**

*Nil.*

## **5.5 Determination by the Local Government Remuneration Tribunal on Councillor Fees for 2011-12**

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TRIM REFERENCE: F2004/06505 - D02569825

AUTHOR:: Sonia Witt; TL Governance and Councillor Services

MANAGER: Lesley Crawley, Manager Corporate Governance

### **SUMMARY**

Report on a Determination made by the Local Government Remuneration Tribunal in respect of Councillor fees for the 2011-12 financial year.

### **RECOMMENDATION**

- 1** *That Council implement the determination made by the Local Government Remuneration Tribunal in respect of Councillor and Mayoral fees.*
- 2** *That Council set the annual Mayoral Fee at \$56,250 for the period 1 July 2011 to 30 June 2012.*
- 3** *That Council set the annual Deputy Mayoral fee at \$8,033.98 for the period 1 July 2011 to 30 June 2012.*
- 4** *That Council reduce the paid annual Mayoral Fee by \$8,033.98 to fund the annual Deputy Mayoral fee.*
- 5** *That Council reduce the paid annual Mayoral Fee by \$1,840.39 for use of the Mayoral Motor Vehicle.*
- 6** *That Council set the Annual Councillor Fee at \$21,170 for the period 1 July 2011 to 30 June 2012.*

### **BACKGROUND**

The Local Government Act 1993 (the Act) sets out the requirements governing the payment of fees to elected members (s.239-s241). Payments to the Deputy Mayor are further prescribed by s.249 of the Act.

The Local Government Remuneration Tribunal (the Tribunal) has made determinations under Section 239 and 241 of the Local Government Act 1993 for fees payable to the Mayor and Councillors from 1 July 2011 to 30 June 2012. The determination has provided for a fee increase of 4.2% to all Councillors and Mayors throughout New South Wales.

Categories of councils must be determined at least once every three years by the Tribunal the last determination being in 2009.

Each financial year the Local Government Remuneration Tribunal sets a minimum / maximum fee for the Mayor and Councillors within each local government category. It is a matter for each Council to fix the fees payable to the Mayor and Councillors within the range set by the Tribunal. Since June 2002, Council has resolved that payments be fixed at the maximum allowable fees for the Mayor and Councillors.

## THE PROPOSAL

The Tribunal conducted the 2011 annual review between January and April 2011.

After considering all submissions and reviews, the Tribunal found that there was no strong case to significantly alter the current categories of Councillor and Mayoral offices or to move individual councils between categories.

The Tribunal has determined an increase of 4.2% in the fees for Councillors and Mayors for the year 1 July 2011 to 30 June 2012. WSC is included in the Metropolitan Centre category.

Category Title	Councillor / Member Annual Fee		Mayor / Chairperson Additional Fee *	
	Minimum	Maximum	Minimum	Maximum
Principal City	22,680	33,270	138,780	182,610
Major City	15,110	24,960	32,140	72,710
Metropolitan Major	15,110	24,960	32,140	72,710
Metropolitan Centre	11,340	21,170	24,100	56,250
Metropolitan	7,550	16,640	16,080	36,320
Regional Rural	7,550	16,640	16,080	36,320
Rural	7,550	9,970	8,020	21,770
County Council – Water	1,500	8,320	3,220	13,660
County Council - Other	1,500	4,980	3,220	9,080

## NB

- This fee must be paid in addition to the fee paid to the Mayor as a Councillor (Section 249(2))
- A copy of the report and determinations made by the Tribunal is available at [http://www.remtribunals.nsw.gov.au/local\\_government/current\\_determinations](http://www.remtribunals.nsw.gov.au/local_government/current_determinations)

The current Mayoral fee for Wyong Shire Council is \$53,980 and the current Councillor fee is \$20,320.

The Deputy Mayoral fee for the 2011-12 year will increase from \$7,710.15 to \$8,033.98 subject to the Mayoral fee increasing by 4.2%.

## OPTIONS

- 1 Pay the fees as outlined above. This increase has been taken into account when preparing the Annual Plan for 2011-12.



## **5.5 Determination by the Local Government Remuneration Tribunal on Councillor Fees for 2011-12 (contd)**

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- 2 Retain the current fee structure resulting in a saving of \$10,770 on forecast maximum level expenditure.
- 3 Pay a fee structure anywhere between the new minimum and maximum levels set by the Tribunal.
- 4 Reduce the fees paid to the minimum (or any amount between that and the maximum) at a corresponding saving of \$130,450.

### **Financial Implications**

There is minimal impact on the 2011-2012 Management Plan – estimates of the determination are included in the financial projections.

### **CONCLUSION**

No obligation exists for Council to pass on the determination of 4.2%, provided that the Councillor and Mayoral fees are set within the range determined by the Tribunal.

Council has the opportunity to establish any other level it so chooses for any reason.

Council has historically chosen to set the fees at the maximum allowable rate and the recommendation has been established on that basis.

### **ATTACHMENTS**

*Nil.*

## **5.6 Proposed Councillors' Community Improvement Grants**

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TRIM REFERENCE: C2011/01723 - D02614842

AUTHOR: Lisa Martin; Grants Officer

MANAGER: Lesley Crawley; Manager Corporate Governance

### **SUMMARY**

Councillors propose the following allocation of funds for expenditure from Councillors' Community Improvement Grants (CCIG).

### **RECOMMENDATION**

*That Council allocate an amount of \$5,800 from the 2010-11 Councillors' Community Improvement Grants as outlined in the report.*

### **BACKGROUND**

Provision has been made in Council's Annual Plan for each Councillor to recommend to Council the donation of funds to individuals, local service, charitable or community organisations that operate in the Shire or provide a benefit specifically to the residents of the Shire.

Donations may also be made to individuals or groups in pursuit of excellence, including sporting and cultural excellence, subject to CCIG Policy. Funds may also be allocated for emergency assistance in the event of natural disasters such as bushfires, flood or drought anywhere in Australia, subject to CCIG Policy. The funds are granted subject to approval of the Council as a whole.

### **THE PROPOSAL**

Under Council's Policy, all proposed allocations are subject to the approval of the Council as a whole.

### **OPTIONS**

- 1 Approval of applications as submitted will provide a community benefit residents of the Shire.
- 2 Non approval could result in assistance not being provided to the community.

**STRATEGIC LINKS**

**Annual Plan**

<i>Principal Activity</i>	<i>Strategy or Program</i>	<i>Financial Line Item No and Description</i>
A More Sustainable Community	Enhance the quality of life of the Shire's residents	1.1.11 – Community Financial Support

**Contribution of Proposal to the Principal Activity**

The Councillors' Community Improvement Grants were developed to help charitable community groups and in doing so helping the broader community.

**Link to Shire Strategic Vision**

<i>Priority Objective</i>	<i>How the proposal contributes or links to the Priority Objectives in Shire Strategic Vision and Annual Plan</i>
<b>Communities</b> - Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood.	Funding is available to projects not specifically nominated in Council's Annual Plan that contribute to the priority objective.
<b>Facilities and Services</b> - Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.	Funding is available to projects not specifically nominated in Council's Annual Plan that contribute to the priority objective.

**Financial Implications**

Expenditure is approved until the end of the 2010-11 financial year. Unspent approvals lapse 30 June 2011.

**Principles of Sustainability**

The CCIG program is aligned with the principles of sustainability in that it would:

- Improve and maintain safety, wellbeing and sense of community
- Use locally available resources to increase our self-reliance
- Support local and regional economic prosperity
- Build and strengthen partnerships and alliances

**CONSULTATION**

Applications that met the criteria were distributed to Councillors for their consideration.

**GOVERNANCE**

All expenditure recommended is permissible under Section 24 and 356(1) of the Local Government Act 1993.

**CORPORATE RISKS**

Nil impact.

**CONCLUSION**

The proposed allocations contained in this report are permissible under the Council's policy on Councillors' Community Improvement Grants. The process has been correct and Council may confirm the grants at its option.

**Councillors' Community Improvement Grants 2010-11**

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION	Best	Eaton	Graham	Matthews	McBride	McNamara	Symington	Vincent	Webster	Wynn	SUB TOTAL
Allocation 01/07/2010 - 30/06/2011	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	150,000
Expenditure up to and including Ordinary Council Meeting of 11/05/2011	10,918	13,026	11,793	12,532	8,911	6,806	4,393	11,085	11,393	7,293	98,147
Available allocation as at 11/05/2011	4,082	1,974	3,207	2,468	6,089	8,194	10,607	3,915	3,607	7,707	51,853
Proposed Allocations for June 2011	8										
Anglican Parish of Gorokan (\$800)	100				200			500			800
Doyalson Wyee RSL Cricket Club (\$1600)	200				250						450
Killarney Vale AFC Inc. (\$2500)	200				500						700
Northlakes High School P&C Association (\$5000) (Emergency payment approved by GM)	250					250					500
Marine Rescue Norah Head Unit	250										250

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION		Best	Eaton	Graham	Mathews	McBride	McNamara	Symington	Vincent	Webster	Wynn	SUB TOTAL
Allocation 01/07/2010 - 30/06/2011		15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	150,000
Expenditure up to and including Ordinary Council Meeting of 11/05/2011		10,918	13,026	11,793	12,532	8,911	6,806	4,393	11,085	11,393	7,293	98,147
Available allocation as at 11/05/2011		4,082	1,974	3,207	2,468	6,089	8,194	10,607	3,915	3,607	7,707	51,853
Proposed Allocations for June 2011												
The Entrance Peninsula Community Precinct Committee (\$200)	To promote and facilitate the holding of a community event on 23 July 2011 where residents can meet WSC elected representatives	50	50									100
The Entrance Rugby Club Inc (\$4,500)	Sporting Equipment (Safety Training Equipment including body suits, hit pads, tackle bags, seniors and juniors)	250	500	1,000			1,000					2,750
Woongarra Wildcats Football Club (\$1500)	To assist with purchase of sporting equipment.	500					500					1,000
Wyong District Museum and Historical Society (\$2000)	A disabilities and public path 18m x 1.2m to connect main Alison Homestead building to Flower Shed display building.	200			250	500						950
2261 Out of the Box (\$2,500) (\$2,250 already allocated)	To assist with ongoing weekly activities and help support volunteer training	250										250
Total Proposed Allocations for 08/06/2011		1,750	500	1,000	250	500	1,500	0	500	0	0	5,800
Total Accumulated Allocations as at 08/06/2011		12,668	13,526	12,793	12,782	9,411	8,306	4,393	11,585	11,393	7,293	103,947
Balance Uncommitted as at 08/06/2011		2,332	1,474	2,207	2,218	5,589	6,694	10,607	3,415	3,607	7,707	46,053

## ATTACHMENTS

Nil.

## **5.7 Regional Waste Collaboration**

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TRIM REFERENCE: F2009/01275 - D02609284

AUTHOR: Elfi Blackburn; Coordinator Waste Management

DIRECTOR: Greg McDonald, Director Infrastructure Management

### **SUMMARY**

This report provides an overview of the joint waste services provided by Wyong Shire Council (WSC) and Gosford City (GCC) Council and opportunities for close collaboration in the future with the objective of providing further regional waste programs to the Central Coast Community.

### **RECOMMENDATION**

- 1 That Council receive the report on Regional Waste Collaboration between Wyong Shire Council and Gosford City Council.**
- 2 That Council endorse WSC and GCC continuing to work together to explore and provide regional waste programs to the Central Coast community.**

### **BACKGROUND**

In late 2009, GCC invited tenders for the construction and operation of an Alternative Waste Technology (AWT) system and Composting Facility at the Woy Woy Waste Management Facility. Tenders closed in August 2010 and two tenders were received.

The proposed AWT would have had an operating capacity of 70,000 tonnes of municipal solid waste (MSW) per annum. Initially this capacity would have exceeded GCC's domestic waste needs and WSC was therefore approached to utilise the excess capacity. In September 2008, Wyong advised GCC that it would favourably consider utilising the facility if it offered financial and environmental benefits could be achieved.

WSC initiated a comprehensive financial analysis as part of the development of the Commercial Strategy for Buttonderry Waste Management Facility. This financial analysis included a number of scenarios such as:

- 1 Transferring MSW to the proposed AWT at Woy Woy Waste Management Facility and;
- 2 Constructing and Operating an AWT at the Buttonderry Waste Management Facility.

The financial analysis determined that the Woy Woy AWT would not offer sufficient economic benefits to WSC and that the establishment of an AWT at the Buttonderry Waste Management Facility would be significantly more advantageous to WSC. As a result of this analysis, WSC advised GCC in October 2010 that WSC would not participate in the proposed AWT at the Woy Woy Waste Management Facility.

A financial analysis of the tendered gate fees for the proposed AWT undertaken by GCC indicated that the AWT project was only viable with the inclusion of WSC's MSW. Since WSC declined to participate in the proposed AWT, GCC resolved in November 2010 to reject all tenders and to cancel the proposal for the contract for the AWT and Composting Facility at the Woy Woy Waste Management Facility. In addition GCC resolved in part that:

*"A further report being presented to Council reviewing the remaining life of the Woy Woy Landfill and Council's future waste management option, including further discussions with Wyong Shire Council."*

## **THE PROPOSAL**

It is proposed that WSC continues to collaborate with GCC to provide regional waste programs and initiatives to the Central Coast community. Close collaboration between the two Councils and the subsequent delivery of regional programs has the potential for significant cost savings by creating economies of scale and increasing efficiency. The current Waste Collection and Recycling Contract was procured as a joint initiative and resulted in substantial savings compared to awarding individual contracts. In addition, the two Councils conduct regional household chemical collections and have delivered joint e-waste collections. The regional contract and joint promotion for these collections resulted in greater efficiencies and subsequently cost savings.

At present, GCC is aligning its next organics processing contract with the terms of WSC's organics processing contract. Aligning the contract terms will allow the establishment of a regional composting facility in 2015 after the expiry of the contract for the Operation of an Organics Processing Facility at Buttonderry Waste Management Facility currently awarded to Australian Native Landscapes (ANL).

Opportunities for additional collaboration may include:

- Development of a Regional Waste Strategy
- Establishment of a regional AWT facility
- Establishment of a regional soil processing facility
- Regional contracts for the purchase of scrap metal
- Regional contracts for the collection of e-waste and other recyclables

## **CONCLUSION**

Regional waste programs and initiatives can offer significant cost advantages through economies of scales and greater efficiencies. Delivering regional waste programs requires fostering close working relationships and collaboration between WSC and GCC. To exploit cost savings offered by regional arrangements, it is therefore proposed to continue to collaborate with GCC to explore and provide regional waste programs to the Central Coast Community.

## **ATTACHMENTS**

- 1 Gosford City Council Waste Report and Resolution Enclosure D02609289

## **5.8 Proposed 'Adopt a Drain' Program**

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TRIM REFERENCE: F2004/06937 - D02571816

AUTHOR / MANAGER: Luke Sulkowski; Operations Manager

### **SUMMARY**

This report identifies the environmental and social benefits of establishing an 'Adopt a Drain' program. It assesses the health and safety concerns associated with community volunteers working in these locations and recommends undertaking an 'Adopt a Waterway' program within the existing resources of the Landcare program.

### **RECOMMENDATION**

- 1 That Council implement an 'Adopt a Waterway' volunteer program using the existing resources of the Landcare program commencing 2011/12 financial year.**
- 2 That Council develop a procedure that captures the water quality monitoring data collected by volunteer groups, with assistance from the Central Coast Environmental Network.**

### **BACKGROUND**

At its meeting of 3 March 2011, the Tuggerah Lakes Coastal, Estuary and Floodplain Management Committee (TLCEFMC) discussed the contribution that the Long Jetty 'Waterwatch' group make to catchment protection. Discussions centred on the opportunity to extend the programme Shire wide under the auspices of Landcare. The committee recommended the following:

- "1 That the Committee acknowledge the potential environment and social benefits of establishing an "Adopt a Drain" program.*
- 2 That the Committee acknowledge the safety, insurance and resourcing issues of establishing such a program and therefore recommend that consideration be given to establishing such a program under the auspices of its existing Landcare model.*
- 3 That the Committee recommend that a further report be provided outlining the additional resource required within the Landcare section to enable it to establish an 'Adopt a Drain' program and options for funding the required resource."*

At the Ordinary Meeting of 9 March 2011 Council:

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

- 1 That the Council acknowledge the potential environment and social benefits of establishing an "Adopt a Drain" program.*



- 2 *That the Council acknowledge the safety, insurance and resourcing issues of establishing such a program and therefore recommend that consideration be given to establishing such a program under the auspices of its existing Landcare model.*
- 3 *That Council recommend that a further report be provided outlining the additional resource required within the Landcare section to enable it to establish an 'Adopt a Drain' program and options for funding the required resource.*

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

This report aims to address item 3 of this resolution.

### Discussion

An 'Adopt a Drain' program could allow community involvement in protecting the health of local waterways and contributing to the sustainable management of stormwater. Community groups could 'Adopt a Drain' or a local waterway by monitoring and reporting on the health and quality of water at a specific site, with results being used by Council to continually monitor and improve stormwater management. However, there are a number of potential risks associated with this type of program.

Drains and other Storm Water Management Devices such as Constructed Wetlands, Gross Pollutant Traps (GPT's) and Storm Water Treatment Zones (STZ's) often contain biological hazards, pollutants and contaminated physical objects that may cause serious illness to human health upon exposure. Through the utilisation of selective recruitment (medical appraisals prior to appointment of staff), appropriate Personal Protective Equipment (PPE) and work practices, the risk to Council staff of injury or infection during maintenance activities has been minimised. The practices for working in proximity of these hazards requires training, significant support resources and a keen and willing attitude by those involved to ensure the controls are implemented on a day to day basis.

The following list summarises those main hazards commonly encountered whilst executing maintenance activities in drains and associated storm water management devices:

- Needle stick injury - possible contact with syringes.
- Injury to persons caused by exposure to contaminated hidden sharp objects such as glass, tin, wire etc.
- Exposure to pathogens occurring in contaminated water known to have elevated nutrient levels, high faecal coliform counts, decomposing food stuff, dead animals, nappies etc.
- Exposure to hazardous substances causing illness i.e. pesticides, petroleum's, heavy metals etc.
- Increased exposure to mosquitoes which are known vectors of several viruses that may cause serious illness.
- Increased risk of slip and fall causing injury with the casualty having difficulty climbing out of a drain or deep water. This is particularly important for those elderly in the community, most likely to volunteer.
- Accidental fall into isolated holes obscured by murky/turbid water.
- Slips and trips from working on steep or uneven ground.

- Drowning.

For these reasons, it is not generally considered appropriate to place community volunteers in these known hazardous environments to undertake physical works without training, equipment and support. Partly because of the nature of these environments, it is also not expected that there would be large community volunteer interest in physically maintaining drains.

Council's existing Landcare Program co-ordinates 42 groups across the Shire representing 420 volunteers. These groups receive training, equipment and support from two Council staff and are located in specific sites which have undergone appropriate risk assessments.

### **THE PROPOSAL**

In order to provide greater opportunities for safe volunteer involvement in catchment protection, rather than limiting the focus on an "Adopt a Drain" program, it is recommended that the proposal be amended to an "Adopt a Waterway" Program and be incorporated into the existing Landcare program.

The 'Adopt a Waterway' program would include drains but increase opportunities for community volunteers to undertake a wider range of physical maintenance and water monitoring activities within a safer waterway environment. This will allow for greater flexibility in allowing community volunteers to select from many existing Landcare sites adjacent to waterways. To focus on drains alone may result in very little community interest with few drainage sites suitable for volunteer involvement.

By encouraging volunteers to connect with existing Landcare groups and undertake various waterway maintenance and monitoring activities at these locations it will enhance a co-ordinated approach and will not require additional resources for Council's Landcare program.

Additionally, by limiting the sites to existing Landcare sites, the increased cost and resource required to support the additional groups should be minimal with no additional staff required to be employed. Using the existing Landcare program will also provide an opportunity to gauge the level of interest from the community in this type of activity prior to requesting additional resources.

If there is no Landcare group in the area, the potential volunteer could be directed to the Community Environment Network (CEN) to undertake ongoing water quality monitoring programs only at their preferred location.

It is envisaged that the water quality monitoring component would be a collaboration between Council and the Catchment Management Authority's (CMA) "Waterwatch" program managed through the Central Coast Environmental Network (CEN).

## Options

Council could:

### **1. Incorporate 'Adopt a Waterway' volunteers with Existing Landcare Groups**

This will enable a more co-ordinated approach through existing Landcare groups at existing and approved sites and will provide an opportunity to further develop the Waterwatch partnership program. This option will enable staff to gauge the level of interest from the community in this type of work without requiring increased resources.

This is the option proposed in the recommendation.

### **2. Implement an Adopt a Drain or Waterway program outside of the existing Landcare program**

This option is not recommended due to the potential hazards associated with working in drains and the anticipated level of interest in undertaking this specific type of work. This would require further resources to develop, promote and facilitate a specific program which addresses the risks and gains interest from the community.

This is not the preferred option.

### **3. Status Quo**

Under this option current Landcare operations would remain the same with no change. This would result in volunteers wanting to participate in this type of program being limited to direct involvement with the CEN 'Waterwatch' program with no support by Council Landcare staff. Due to the hazardous nature of drains, physical works would be limited to minor rubbish removal from a firm, stable ground using scoops and 'litter clamps' during coordinated events such as Clean Up Australia Day.

The main aim of this option would be to include the community in catchment management by involving volunteers in environmental education, water quality monitoring and reporting. This would be managed through the CEN 'Waterwatch' program partly funded by the Catchment Management Authority.

Regardless of which option is preferred, discussions with CEN and the Long Jetty 'Waterwatch' group revealed the need to ensure that water quality monitoring data is analysed and used as required to guide both Council maintenance activities and education campaigns to change certain land use practices in the catchment. As a result, it is recommended that Council and CEN work together to develop a procedure that enables the water quality information to be captured and analysed.

**STRATEGIC LINKS****Annual Plan**

<b><i>Principal Activity</i></b>	<b><i>Strategy or Program</i></b>	<b><i>Financial Line Item No and Description</i></b>
A More Sustainable Community	<p>Priority Objective 1. Communities</p> <p>1.1. Expand and support programs that increase participation among all ages.</p> <p>Support programs and activities that encourage and enhance neighbourhood connections.</p> <p>Priority Objective 3 – Facilities and Services</p> <p>3.2. Provide and maintain arrangement of community programs focused on community development, recreation, culture, environment, education and other issues.</p> <p>3.3. Provide recurrent funding for community support and development services.</p>	<p>Although there are several priority objectives that would align with an 'Adopt a Waterway' Program, there are no specific line items that best align with the program.</p>
A More Sustainable Environment	<p>Priority Objective 7. Natural Areas</p> <p>7.2. Expand and continue programs focused on restoring degraded natural areas in our community.</p> <p>7.2.1 Continue to support and co-ordinate Landcare and other volunteering programs in the Shire.</p>	<p>3.2.7 Pollution monitoring and health. This item includes health administration and water testing.</p> <p>3.1.1 Landare</p>

**Contribution of Proposal to the Principal Activity**

This proposal links and contributes to the Principal Activity 'A More Sustainable Community' by providing a community based program that enables volunteers with similar interests to be connected, with the aim of caring and enhancing our natural environment. The program will aim to raise community awareness, encouraging more responsible behaviour in relation to stormwater pollution. This program would play a key role in shifting the focus of stormwater management to pollution prevention.

This proposal links and contributes to the Principal Activity 'A More Sustainable Environment' by assisting in the management of storm water run off, enhancing riparian vegetation, stabilising soils and protecting down stream environments. Over time, this program may reduce the reliance on built storm water quality devices and play a key role in shifting the focus of stormwater management to pollution prevention, reducing resources required and providing an improved sustainable outcome.

### Link to Shire Strategic Vision

<b>Priority Objective</b>	<b>How the proposal contributes or links to the Priority Objectives in Shire Strategic Vision and Annual Plan</b>
<b>Communities</b> - Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood.	This proposal contributes to the Communities Priority Objective by providing a community based program enabling volunteers with similar interests to be connected with the aim of caring and enhancing our natural environment.

### Financial Implications

The financial implications of each considered option are listed as follows:

#### **Option 1: Incorporate 'Adopt a Waterway' volunteers and functions with Existing Landcare Groups**

This option allows for implementation of a program with little additional impact on Council resources. Recurrent costs would be met through the existing Landcare resources.

#### **Option 2: Implement an Adopt a Drain or Waterway program outside of the existing Landcare program**

There would be one-off establishment costs associated with volunteer recruitment workshops, publicity and promotional material, training and water quality monitoring kits of approximately \$15,000.00. This program would require recurrent costs of approximately \$6,000.00 per year for administration, supervision, insurance, equipment etc.

#### **Option 3: Status Quo**

Under this option the operation would remain the same with no change. There would be a minor cost to support the CEN 'Waterwatch' program that could be generally funded through a variety of Council programs.

### Alternative Opportunities for Funding

If adopted, further funding for this program could be sought through a number of grant opportunities. Government Grant funding sources could include:

- Federal – Caring for our Country grant fund scheme
- State - The Environmental Trust grant fund scheme
- Regionally – The CMA Small Projects Incentives grant fund scheme
- Local - Delta Electricity Landcare Sponsorship Program

In addition, seeking local corporate sponsorship may be an option. Council's Landcare section is considering this as an option to further support community Landcare operations more broadly in 2011/12.

Many of these grant fund schemes change frequently, investigation would be required to determine if the objectives and outcomes of an 'Adopt a Waterway' program meet grant application guidelines.

### **Principles of Sustainability**

The Principles of Sustainability have been considered in this proposal by providing for the collection of storm water quality information that can be used to guide and refine WSC drainage maintenance activities. Water quality monitoring data shall be used to raise community awareness and encourage more responsible behaviour in relation to stormwater pollution. Over time, this may reduce the reliance on built storm water quality devices and play a key role in shifting the focus of stormwater management to pollution prevention, reducing resources required and allowing for an improved, more sustainable outcome.

### **CONSULTATION**

Consultation for this report involved speaking with Project Managers or representatives from:

- Lake Macquarie's 'Adopt a SQUID' program
- The CEN 'Waterwatch' program.
- The Long Jetty 'Waterwatch' group through The Entrance Precinct Committee.

Internal Consultation occurred between Council's Community and Cultural Development Unit (Environmental Education section), Open Space Unit, Environment and Natural Resources Unit and the Manager Estuary Management.

The proposed program has also been discussed with the broader public via the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee.

Although Council's Landcare groups have not specifically been asked about this proposal, at the Landcare Muster held with Landcare representatives across the Shire on 5 February 2011, volunteers made it clear that they sought to recruit additional volunteers whenever and however they had the opportunity. It is not expected that WSC's Landcare volunteers would be adverse to the proposal outlined in the recommendation.

### **GOVERNANCE**

No variation or amendments to any WSC policy or procedures shall be necessary as a result of this proposal. However, this proposal will require that special attention be given to OHS Legislation, due to the hazardous nature of the work sites. Environmental Legislation will also need consideration because some work practices may impact upon water quality and some sites may be affected by the Threatened Species Conservation Act. Some work practices and sensitive ecological waterway foreshores may require formal approvals for specific licences or permits to carry out land management (restoration) activities.

### **CORPORATE RISKS**

No infrastructure will be built as part of this proposal, nor will any contracts or consultancies be tendered. Occupational Health and Safety (OH&S) issues have been cited as a possible risk to community volunteers, OH&S issues will be strictly controlled through a hazard identification and risk analysis framework. The corporate risk of this proposal is considered to be low.

**CONCLUSION**

This report concludes that an 'Adopt a Drain' program, may limit interest and opportunities for community groups to undertake physical maintenance activities in a safe working environment. It is recommended that the scope be expanded to 'Adopt a Waterway' program that will be more consistent with the Landcare Program. The program would include drains and increase opportunities for community volunteers to undertake a wider range of physical maintenance activities within a safer waterway environment.

By initially limiting the scope of the program to existing Landcare groups, the cost to Council will be minimised. Should there be significant community demand for such a program in future, Council could then consider if expansion or an alternate program be developed is warranted. As outlined in option 2 of this report this will require resources.

An 'Adopt a Waterway' program would include the community in catchment management activities and encourage community pride. This program may reduce the reliance on aggressive, expensive forms of waterway maintenance by raising community awareness and encourage more responsible behaviour in relation to stormwater pollution.

Council's Landcare Program is at its operating capacity in terms of the number of different groups and sites it can sustain, although it can sustain additional volunteers within existing groups and Landcare sites. If the recommended option is adopted, this level of service will be able to be provided by WSC with little impact on existing staff resources.

**ATTACHMENTS**

*Nil.*

## **6.1 Information Reports**

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TRIM REFERENCE: F2011/00027 - D02581576  
AUTHOR: Monica Redmond; Administration Assistant  
MANAGER: Lesley Crawley, Manager Corporate Governance

### **SUMMARY**

In accordance with Council's Code of Meeting Practice reports for the Information of Council are provided for adoption either by nominated exception or in total.

### **RECOMMENDATION**

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

### **ATTACHMENTS**

*Nil.*



## 6.2 Mardi to Mangrove Link Project Status

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TRIM REFERENCE: F2007/01120 - D02611027

AUTHOR: Daniel Kemp; Engineer

MANAGER: Daryl Mann; Acting Manager Water and Sewerage

### SUMMARY

Report on status of Mardi to Mangrove Link Project.

### RECOMMENDATION

*That Council receive the report on Mardi to Mangrove Link Project Status.*

### PROJECT SCOPE

- Wyong River off-take structure and pumping station
- Wyong River to Mardi-Dam 2.1 kilometre pipeline
- Inlet works at Mardi Dam
- Mardi-Mangrove transfer pumping station
- Mardi Dam to Mangrove Creek Dam 19 kilometre pipeline
- Lower Wyong River Weir, Fishway and Gauging

### CURRENT STATUS

<b>Expenditure to date</b>	End May 2011	\$99.6m
<b>Value of works Complete</b>	May 2011 (est)	\$104.1m
<b>Approved Budget</b>		\$120.6m
<b>Overall Construction Status (excluding Commissioning)</b>	<b>Completion Date:</b> <u>25 June 2011</u>	<b>% Work Complete:</b> <u>96%</u>

### Construction Status

	<b>Scheduled Start</b>	<b>Scheduled Completion</b>	<b>% Work Complete</b>
<b>Milestone 1:</b>		21 June 2011	98%
Pre-construction – Management Plans & Approvals	4 January 2010		100%
Work Package 1 – Wyong River Off-take	7 April 2010		99%
Work Package 2 – Wyong River Pump Station	19 February 2010		99%

## 6.2 Mardi to Mangrove Link Project Status (contd)

Work Package 3 – Wyong Mardi Rising Main 3	16 February 2010		100%
Work Package 4 – Wyong Mardi Inlet	6 May 2010		99%
Work Package 7 – Mardi Mangrove Transfer Main	1 March 2010		97%
Work Package 18 – Wyong Weir, Fishway & Gauging	5 August 2010		100%

<b>Milestone 2:</b>		25 June 2011	100%
Work Package 6 – Mardi Mangrove Transfer Pump Station	21 June 2010		100%
<b>Milestone 3:</b>		16 Aug 2011*	30%
Commissioning	1 August 2011		

*(Dates as per JH latest program C17) \* excl 2 week contractor's float*

### Key Dates

	Scheduled Completion	Actual Completion	Complete
Review of Environmental Factors (REF) submitted	30 June 2009	30 June 2009	<input checked="" type="checkbox"/>
Call for Expressions of Interest (EOI)	9 July 2009	9 July 2009	<input checked="" type="checkbox"/>
EOI closes	30 July 2009	30 July 2009	<input checked="" type="checkbox"/>
Determination Approval	14 October 2009	23 September 2009	<input checked="" type="checkbox"/>
Issue Request for Tenders (RFT)	16 October 2009	16 October 2009	<input checked="" type="checkbox"/>
Tenders close	12 November 2009	12 November 2009	<input checked="" type="checkbox"/>
Council consider Award of Construction Contract	9 December 2009	9 December 2009	<input checked="" type="checkbox"/>
Expiry of PAN 90 day notification period	31 December 2009	31 December 2009	<input checked="" type="checkbox"/>
Minister/Governor determination of compulsory acquisition applications	27 January 2010	27 January 2010	<input checked="" type="checkbox"/>
Pipeline Construction	27 January 2011		<input type="checkbox"/>
Transfer Pump Station Construction	31 January 2011		<input type="checkbox"/>
Commissioning	6 May 2011		<input type="checkbox"/>
Project Completion	June 2011		<input type="checkbox"/>

### Land Matters

- Pipe laying has been completed on 54/56 properties.
- 44/56 properties have been restored (excluding minor outstanding works).
- Works have been 100% completed by John Holland on 14/56 properties (assuming hydro testing is satisfactory and valves have been completed). A further 7 properties appear to be completed by JHG subject to confirmation by landholders.

## **6.2 Mardi to Mangrove Link Project Status (contd)**

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- Final landholder release negotiations have commenced with 45/56 landholders.
  - 16 landholders have signed releases.
  - Easement Plans have been prepared for 17/53 properties. Council's surveyors have agreed to provide easement plans for a further 26 properties this week.
  - Key property and landholder issues at present include:
    - Slow progress of 100% completion of restoration
    - Handover arrangements when property team leaves
    - Corridor maintenance arrangements after landholders have signed releases
    - On-going delays associated with the HDD problems
- 

### **Stakeholder Liaison**

#### **Media**

- Traffic updates, including details of restoration works, continue to be issued weekly to the media. The updates are provided to residents, emergency services, local schools, bus companies and relevant staff.

#### **Resident communication**

- Weekly traffic emails continue to be sent to more than 30 households who have sought direct updates. The focus of these updates has changed from construction to restoration.
- Direct liaison with affected landholders is ongoing via the project's Property Team.

#### **Other**

- Planning has started for a series of project completion events.
- 

### **Incidents**

- No significant safety incidents occurred in the last period.

**Major Achievements / Issues**

- Work Package 1: The river off-take structure is effectively complete and bank restoration work is well advanced
- Work Package 2: Pre-commissioning works, including running the six pumps, is nearing completion. Site landscaping works is nearing completion.
- Work Package 3: Work on this package is essentially complete.
- Work Package 4: This work package is also essentially complete. Pre-commissioning works are progressing
- Work Package 6: Construction works are effectively complete and pre-commissioning works, including running the two transfer pumps, is progressing well.
- Work Package 7: All pipe is laid except for 260m HDD, which is scheduled to be installed within the next week. Work on the rectification of the rotational joints located on the pipe bridges, has commenced and is anticipated to take approximately 4 weeks to complete. The hydrostatic pressure testing of the pipeline is progressing well with approximately  $\frac{3}{4}$  of the line now successfully tested. The new Bunning Creek Road bridge is now “open” for public use.
- Work Package 18: Work on this package is essentially complete.



Wyong River Off-take Structure nearing completion  
(Work Package 1)

## ATTACHMENTS

*Nil.*

### **6.3 Impact of the Power Industry on Lake Macquarie, Lake Munmorah and Lake Budgewoi**

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TRIM REFERENCE: F2006/00249 - D02615834

AUTHOR: Jane Doyle; Senior Administration Support Officer

MANAGER: Gina Vereker, Director Environment and Planning Services

#### **SUMMARY**

Reporting on a response from Mr Greg Sullivan, Deputy Chief Executive, Environment Protection and Regulation, Office of Environment and Heritage, Department of Premier and Cabinet relating to regulation of Power Stations.

#### **RECOMMENDATION**

***That Council receive the report on Impact of the Power Industry on Lake Macquarie, Lake Munmorah and Lake Budgewoi.***

#### **BACKGROUND**

Council, at its meeting held on 9 March 2011 resolved on the motion of Councillor Wynn and seconded by Councillor Best;

- "1 That Council receive the report on Impact of the Power Industry on Lake Macquarie, Lake Munmorah and Lake Budgewoi.*
- 2 That Council express its disappointment at the generic level of response and request more details i.e results of the audit.*

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

AGAINST: COUNCILLORS MATTHEWS AND MCBRIDE"

Correspondence has now been received from Deputy Chief Executive, Environment Protection and Regulation, Office of Environment and Heritage, Department of Premier and Cabinet, which is attached.

#### **ATTACHMENTS**

- 1 Letter from Greg Sullivan D02592683



Office of  
Environment  
& Heritage

Our reference: Doc11/14641; FIL06/928-07

Ms Gina Vereker  
Director – Environment and Planning Services  
Wyang Shire Council  
PO Box 20  
WYONG NSW 2259

1 8 APR 2011

Dear Ms Vereker

I refer to your letter dated 15 March 2011 advising the Office of Environment and Heritage (OEH) of Council's resolutions with regard to the advice provided in my letter of 4 February 2011 relating to the regulation of power stations in the Wyong Local Government area. Your letter requests further assurance that the power stations in the Wyong Local Government area meet a satisfactory level of environmental performance.

Delta Electricity is required, as a condition of the Environment Protection Licences issued to it by OEH, to submit an annual return, summarising the environmental performance of the power station the preceding year. The return provides information on the level of compliance achieved with regards to pollutant limits and reporting requirements over the twelve month reporting period.

The annual returns submitted for the 2010 reporting period indicate that the concentration of pollutants discharged from the power stations to Lake Macquarie, Lake Munmorah and Lake Budgewoi and from the power station stacks to the atmosphere complied with the licence limits. Monitoring results for the ambient air quality monitoring sites at Wyee and Lake Munmorah indicate that ambient air quality is well within the relevant National Environment Protection (Ambient Air Quality) Measure (NEPM) standards and goals. On this basis, an audit of the power stations is not justified and, as such, is not a priority for OEH at this time.

OEH will continue to review the monitoring results on a regular basis, and if necessary take appropriate action to address any non-compliance with licence requirements and any downward trend in ambient air quality compared to the NEPM standards and goals. Should a breach of licence condition be reported, or become evident, then OEH will take immediate action.

Should you wish to discuss this advice further please contact Gary Davey, Director, North East Branch on 6659 8230.

Yours sincerely

**GREG SULLIVAN**  
Deputy Chief Executive  
Environment Protection and Regulation  
Office of Environment and Heritage  
Department of Premier and Cabinet

The Department of Environment, Climate Change and Water is now known as the Office of Environment and Heritage, Department of Premier and Cabinet

PO Box A290 Sydney South NSW 1232  
59-61 Goulburn St Sydney NSW 2000  
Tel: (02) 9995 5000 Fax: (02) 9995 5999  
TTY (02) 9211 4723  
ABN 30 841 387 271  
[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

## 6.4 Wyong LEP 2012 - Zoning for Infrastructure

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TRIM REFERENCE: F2008/00774 - D02621000  
AUTHOR: Jenny Mewing; Strategic Planner  
MANAGER: Martin Johnson, Land Use Planning Policy Development

### SUMMARY

This report outlines the response received from the Department of Planning and Infrastructure regarding the zoning of infrastructure within Wyong Shire through the standard instrument Local Environmental Plan process.

### RECOMMENDATION

***That Council receive the report on Wyong LEP 2012 - Zoning for Infrastructure.***

At its meeting held on 23 February 2011, Council resolved the Notice of Motion moved by Councillor Eaton and seconded by Councillor Webster:

- "1 That Council express its concern as to the current State Government's policy to force Councils to change the zoning of schools, hospitals, and public facilities from the protective zoning of 'Special Use' or 'Special Purpose' to new zonings that match the surrounding area, normally allowing for residential or commercial development.*
- 2 That Council's view is that these issues should be dealt with on a case by case basis with community consultation.*

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

AGAINST: COUNCILLORS GRAHAM, SYMINGTON AND WYNN"

In accordance with this resolution, correspondence was issued to the Director General of the then Department of Planning (DoP) outlining Council's concerns in relation to this matter. This letter is provided as Attachment 1.

The correspondence provided in Attachment 2 was received in response to Council's concerns.

### ATTACHMENTS

- |   |  |           |
|---|--|-----------|
| 1 | Letter to DG Department of Planning re NOM 23 February 2011  | D02568606 |
| 2 | Reply - 24/03/2011 - zoning infrastructure Wyong standard instrument local environmental plan - Department Planning Infrastructure | D02618785 |





JLM/Jenny Mewing  
F2008/00774

24 March 2011

Director General  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

Attention: Mr Sam Haddad

Dear Mr Haddad

**Local Environmental Plan Standard Instrument  
Zoning for Infrastructure**

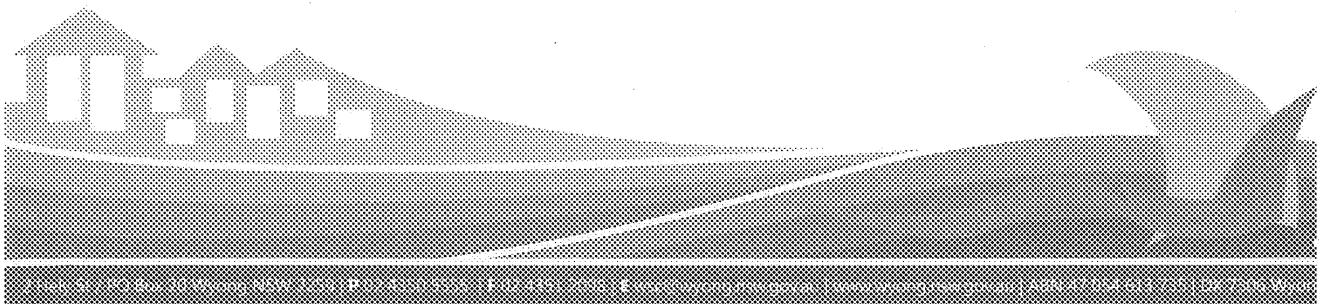
As you would be aware, Wyong Shire Council is currently in the process of drafting a new Local Environmental Plan (LEP) to be consistent with the Standard Instrument developed by the Department of Planning (DoP).

During this drafting process, it has become apparent that the requirements within the instrument for the zoning of public infrastructure (as detailed in the DoP LEP Practice Note PN 10\_001) are of serious concern. At its meeting of 23 February 2011, Council resolved:

1. That Council *express* its concern as to the current State Government's policy to force Councils to change the zoning of schools, hospitals, and public facilities from the protective zoning of 'Special Use' or 'Special Purpose' to new zonings that match the surrounding area, normally allowing for residential or commercial development.
2. That Council's view is that these issues should be dealt with on a case by case basis with community consultation.

Primarily, Council is concerned that the zoning of public infrastructure to the adjoining land use zone (where it is a prescribed zone under State Environmental Planning Policy (Infrastructure) 2007 for that type of infrastructure) will lead to the ability for the disposal of these assets without thorough community consultation.

Whilst Council appreciates that its new LEP will undergo extensive community consultation, it is uncertain that the land use zone changes for public infrastructure, and its subsequent implications, will be fully understood or appreciated by the general community.



**Page 2**  
**Department of Planning**

It is therefore requested further consideration be given to this issue by the DoP, in particular, it is requested that the future zoning of public infrastructure be able to deal with on a case by case basis in consultation with the community.

Should you require further information in relation to the above, please contact me on 02 4350 5400.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Michael Whittaker', written in a cursive style.

Michael Whittaker  
**General Manager**  
**WYONG SHIRE COUNCIL**



Office of the Director General

Mr Michael Whittaker  
General Manager  
Wyong Shire Council  
PO Box 20  
WYONG NSW 2259

11/05900

Dear Mr Whittaker

I refer to your letter of 24 March 2011 concerning zoning for infrastructure in Wyong's Standard Instrument local environmental plan.

A number of approaches have previously been taken in zoning infrastructure land in local environmental plans. These approaches often restricted new infrastructure developments and the redevelopment of sites for alternative uses.

To enable greater flexibility and adaptive management of land used for the provision of public or private infrastructure, including educational establishments such as schools, there is a move away from the general application of 'special use' or 'special purpose' zones. Councils are encouraged to apply a suitable adjoining zone which permits the infrastructure type (such as the RU5 Village, R1 General Residential or B4 Mixed Use zones in the case of schools). This approach enables the infrastructure providers to respond to changing demographic trends to provide the public with infrastructure and services outside existing locations.

The intent of this approach is not to remove the protection of critical infrastructure as the release of land for such purposes is subject to the Department of Premier and Cabinet memorandum (M2008-06) *State Property Authority and Government Property Principles*. Principle 9 of this memorandum recognises "All proposals that involve sale...must be referred to the [State Property] Authority and will require Treasury's specific approval". Applying a 'Special Purpose' zone to public infrastructure is therefore unlikely to affect surplus public land.

It is acknowledged that some councils, including Wyong, are wary that despite the above process, the advocated approach may still lead to the disposal of public assets without thorough community consultation. The Department already advised of some instances where the retention of a Special Purpose zone can be justified, and this has been further expanded on, particularly in relation to educational establishments, in the

updated Practice Note 'Zoning for Infrastructure in LEPs' (PN 10-001) on the Department's website.

Where there is a sound justification behind the proposed retention of a Special Purpose zone, it is strongly recommended that Wyong Council discusses this with the Department of Planning and Infrastructure's Hunter regional team at the earliest opportunity and that Council proceeds with the remainder of its Standard Instrument LEP preparation in the interim.

Should you have any further enquiries about this matter, I have arranged for Cheramie Marsden, Manager, Policy, Planning Systems and Reform, Corporate Governance and Policy of the Department of Planning and Infrastructure to assist you. Ms Marsden can be contacted on telephone number (02) 9228 6458.

Yours sincerely

  
Sam Haddad  
**Director General**

17/5/2011

## **6.5 Outstanding Questions without Notice and Notice of Motions**

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TRIM REFERENCE: F2011/00027 - D02618229  
AUTHOR: Monica Redmond; Administration Assistant  
MANAGER: Lesley Crawley; Manager Corporate Governance

### **SUMMARY**

Report on outstanding Questions without Notice and Notices of Motion.

### **RECOMMENDATION**

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

### **ATTACHMENTS**

- |   |   |           |
|---|---|-----------|
| 1 | Table of Outstanding Questions without Notice & Notices of Motion - 8 June 2011 | D02618235 |
|---|---|-----------|

No	Department	Question Asked / Councillor	Meeting Asked	Status
1	Environment and Planning Services	<p>8.2 - Notice of Motion – Possibility for the Establishment of an Environmental Committee</p> <p><i>Provide a report that outlines the possibilities for establishment of an Environment Committee.</i></p> <ul style="list-style-type: none"> <li>• <i>The Terms of Reference (charter, roles, responsibilities and function);</i></li> <li>• <i>Possible membership</i></li> <li>• <i>Whether it should be a committee or Council; and report on environment committees that have been established in other Council areas, their roles, functions and achievements</i></li> </ul>	9 September 2009 Cr Wynn / Cr Best	A report will be submitted to Council on 22 June 2011.
2	Environment and Planning Services	<p>5.1 - Notice of Motion – Planning Disputes Mediation Process Trial</p> <p>1 <i>Recognise in principle that the establishment of a Mediation process may reduce litigation and expedite dispute resolution in cases.</i></p> <p>2 <i>Report required on the establishment of Mediation process/planning disputes.</i></p>	9 February 2010 Cr Eaton / Cr Graham	This item has been deferred, date of meeting to be advised.
3	Environment and Planning Services	<p>9.5 - Notice of Motion – Sea Level Rise Notification</p> <p>1 <i>Write to all property owners affected by the State Governments sea level rise policies.</i></p> <p>2 <i>Text of the letter be endorsed by Council.</i></p>	24 February 2010 Cr Eaton / Cr Graham	Affected properties identified. Council's Senior Counsel to submit additional information for inclusion in the report which will be submitted to the 22 June Council meeting.
4	Community and Recreation Services	<p>7.2 - Notice of Motion – Shared Pathway (matching funds for Pathways and Various Council Facilities)</p> <p>1 <i>Build partnerships with community in building and extending the network of shared pathways throughout the Shire identified in the Draft On-Road Bicycle and Shared Pathway Strategy policy document.</i></p> <p>2 <i>Consider the inclusion of this scheme in the 2011 – 2012 Management Plan or during the Quarterly Review if the opportunity arises.</i></p> <p>3 <i>Advertise the Scheme widely multiple times throughout the year.</i></p> <p>4 <i>Staff develop a set of guidelines for consideration of these projects and submit to Council for adoption.</i></p>	12 May 2010 Cr Wynn / Cr Vincent	Community consultations held on draft guidelines for Matching Funds. Councillor Briefing scheduled for 8 June 2011.

No	Department	Question Asked / Councillor	Meeting Asked	Status
5	General Manager's Department - Major Projects	<p>7.6 - Notice of Motion – Warnervale Town Centre Viability</p> <p><i>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.</i></p>	<p>12 May 2010 Cr Eaton / Cr Best</p>	<p>Department of Planning (DOP) agree to design amendments and road rationalisation drawing referred to as "Proposed Amended Road Layout" dated 13 May 2011. The road rationalisation plan reduces overall road lengths by approximately 700 lineal metres (a cost saving of approximately \$2.8M) and deletes roads through the contaminated tree fill tip.</p> <ul style="list-style-type: none"> <li>* DOP has now introduced B4 zoning on council land. B4 zoning allows for greater permissible land use than the previous B2 and R1 zones.</li> <li>* DOP is reviewing proposed amendments to the Development Control Plan (DCP) and State Environmental Planning Policy (SEPP) submitted by various landholders.</li> <li>* DOP advised Council amendments to the SEPP should be completed by end of May 2011 followed by amendments to the DCP mid June 2011.</li> </ul> <p>A feasibility report should be compiled by an external independent consultant in regards to the viability of the project.</p>
6	Environment and Planning Services	<p>8.1 - Notice of Motion – Clause 14 Fund Improving Conservation Outcomes</p> <p><i>Investigate and report back to Council on the best use of the Clause 14 (3) (b), funds for improving conservation outcomes.</i></p>	<p>14 July 2010 Cr Wynn / Eaton</p>	<p>A briefing was held on 11 May 2011. A report is being prepared for the July 2011 meetings.</p>

No	Department	Question Asked / Councillor	Meeting Asked	Status
7	Community and Recreation Services	<p>10.2 – Notice of Motion – San Remo Xtreme Sports Park</p> <p>1 <i>Consult with the community and potential stakeholders to develop a sustainable management mode of operation for the San Remo Disability Friendly Xtreme Sport.</i></p> <p>2 <i>Following initial community consultation conduct an on-site meeting.</i></p> <p>3 <i>Consider a report on the outcome of the above, including the financial and recourse implications to Council.</i></p>	25 August 2010 Cr McBride / Wynn	Information relating to this Notice of Motion will be distributed as a Councillor Business Update
8	Community and Recreation Services	<p>8.2 Notice of Motion – Acknowledgement of the Darkinjung People</p> <p><i>Defer this item to allow time to further consider this matter and receive further information.</i></p>	27 October 2010 Cr Graham / Cr Eaton	A Councillor briefing has been planned for the next financial year.
9	General Manager's Department - Major Projects	<p>2.1 - Mayoral Minute – Local Job Creation – the Shire of the Third Age</p> <p><i>Adopt a strategic target of creating 5,000 local jobs over 10 years. The following strategies would be involved in reaching this target:</i></p> <p>a <i>Establish a register of sites appropriate for development of aged housing.</i></p> <p>b <i>Increasing flexibility in the new Local Environmental Plan to encourage aged housing for example consider allowing aged housing and associated medical facilities in the Wyong Employment Zone.</i></p> <p>c <i>Amend dual occupancy DCP to encourage the redevelopment of single cottages more than 30 years old in existing urban areas.</i></p> <p>d <i>In conjunction with the public and private sector identify and market the advantages of Wyong Shire for aged housing.</i></p> <p>e <i>Reviewing Council owned sites for possible aged housing including the Warnervale Country Music site.</i></p> <p>f <i>Work with local registered clubs to encourage their participation.</i></p> <p>g <i>Call for expressions of interest to form an expert panel to advise Council on this initiative.</i></p>	10 November 2010 Cr Eaton	<p>Landuse Planning and Policy are working with Environmental and Planning Services/ Major Projects Section to develop a project outline. Resolutions (b) and (c) to be implemented as part of the Comprehensive LEP and DCP 2011 process. Council is preparing expressions of interest to form an expert panel.</p> <p>Council is also preparing a comprehensive business case.</p>



No	Department	Question Asked / Councillor	Meeting Asked	Status
10	Corporate Services	<p>9.1 - Notice of Motion – Women’s Committee</p> <p>1 <i>Include</i> consideration of a Status of Women Committee during their deliberations on the whole committee structure.</p> <p>2 <i>Consider</i> participation / membership to include Councillors, staff and community reps.</p>	<p>10 November 2010</p> <p>Cr Matthews / Cr Webster</p>	A report will be submitted to Council on 22 June 2011.
11	Infrastructure Management	<p>11.2 - Notice of Motion – Improved Taxi Services</p> <p><i>Council invite NSW Taxi Council and Central Coast Taxis to brief Council on their service delivery model and plans for future improvement.</i></p>	<p>23 February 2011</p> <p>Best / Webster</p>	Date of briefing to be advised.
12	Community and Recreation Services	<p>Q114/11 – Memorandum of Understanding with Department of Housing</p> <p><i>Progress on the development of an MOU between Council and NSW Department of Housing Central Coast division regarding the affordable housing undertaking/initiative?</i></p>	<p>23 February 2011</p> <p>Cr Best</p>	MOU has been drafted and forwarded to Housing NSW further discussions are underway.
13	Infrastructure Management	<p>Q2/11 – Odour in Water at Chain Valley Bay North</p> <p><i>Residents in the Chain Valley Bay North area have reported that their town water smells “fishy”. Could Council staff please advise if there is any <u>link</u> between the recently reported manganese levels in the water and the fishy smell. If no <u>link</u> exists, could staff please advise what might be causing the fishy smell?</i></p>	<p>9 March 2011</p> <p>Cr Vincent</p>	Investigation to take place after locations determined and response will be provided to a future Council meeting.
14	Community and Recreation Services	<p>10.1 - Notice of Motion - Storage of Dinghies on Foreshore in Wyong Shire</p> <p>1 <i>That Council consult with the community and potential stakeholders to develop a policy for the storage of dinghies on foreshores in Wyong Shire.</i></p> <p>2 <i>That following community consultation a policy is developed and reported to council for adoption.</i></p> <p>3 <i>That the report includes the cost/return/savings of implementing the policy.</i></p> <p>4 <i>That, if the policy is adopted it be communicated thoroughly to the broader community prior to any implementation.</i></p>	<p>27 April 2011</p> <p>Cr Wynn</p>	A report will be submitted to Council at its meeting on 14 September 2011.

No	Department	Question Asked / Councillor	Meeting Asked	Status
15	Corporate Services	Q5/11 - Land on Beach Side, South of Lakes Surf Club <i>Mr. General Manager, Could you provide Councillors with an update on this site and its future use?</i>	27 April 2011 Cr Best	A Councillor Briefing has been scheduled for 8 June 2011 to provide an update on this site and its future use. Interested Councillors are encouraged to attend, as there will be the opportunity to ask questions.
16	Corporate Services	Q6/11 - Carbon Tax <i>Mr General Manager, if the Federal Government introduces a carbon tax what will be the cost to Council?</i>	27 April 2011 Cr Best	A response to this question will be submitted when the Federal Government releases details of the proposed Carbon Tax.
17	Environment and Planning Services	Q8/11 - Control of Rabbit Plague <i>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?</i>	27 April 2011 Cr Wynn	A response to this question will be submitted to Council after a report has been forwarded to the Tuggerah Lakes Estuary and Coastal Management Committee for their consideration.
18	Environment and Planning Services	8.1 - Notice of Motion – Aerial Inspection of 640Ha Power station Site <i>1 That Council <u>reinforce</u> the intent its previous resolutions (10 November 2010 and 23 February 2011 (attached)) which requested staff actions be taken to facilitate the closure of the Lake Munmorah Coal-Fired Power Station. 2 That Council <u>notes</u> with disappointment and deep concern, Delta Electricity's recent refusal of its request for a site inspection on behalf of Wyong residents. 3 That Council <u>asserts</u> the massive 640ha PowerStation site is highly environmentally degraded and has substantially impacted the surrounding air, soil and water (lake) quality. 4 That Council <u>repeat</u> its formal request of Delta Electricity to allow a Council inspection of the site on behalf of Wyong residents and in the best interests of transparency in the community. 5 That Council <u>formally urges</u> Delta Electricity to cease attempts to block public scrutiny, effectively denying public transparency of their activities. 6 That the Mayor <u>approach</u> the Minister for Energy's office with a view to facilitating a Council and senior staff inspection/tour of the Munmorah Power Station.</i>	11 May 2011 Cr Best/McNamara	Delta Electricity have invited the Mayor, Deputy Mayor and General Manager to inspect the Lake Munmorah Coal-Fired Power Station. Councillors will be advised if a briefing by Delta is to be convened.  A letter has been issued to the Minister for Energy thanking him for his assistance in this matter.

No	Department	Question Asked / Councillor	Meeting Asked	Status
19	Infrastructure Management	<p>Q9/11 - Condition of Louisiana and Minnesota Roads, Hamlyn Terrace</p> <p><i>".. on behalf of the good people of the greater Warnervale district. As a long-standing local Councillor, I have received numerous representations, concerns and complaints over the condition of the farm roads, now urban highways, known as Louisiana and Minnesota Roads. My position regarding the upgrade of these roads is a matter of the public record and in my view, it is now time to definitively act on these road replacements. In recently reviewing these roads with local residents, it would be remiss of me if I did not raise the issue of safety. Could you please provide a thorough update as to when these roads will be rebuilt and as to what suggestions or recommendations could be made in the interim to improve safety?"</i></p>	<p>11 May 2011 Cr Best</p>	A response to this question will be submitted to Council's meeting on 22 June 2011.
20	Corporate Services	<p>Q10/11 - Federal Government Deferring Feasibility Study into F3 Orbital Project</p> <p><i>"I understand, with great concern that in last night's Federal Budget the Federal Government will defer its contribution to a feasibility study into the F3 to Sydney Orbital Project until 2015 – 2016. This will reduce expenses by \$150m in 2013 – 2014 budget whilst redirecting funds to support other government initiatives. Could you please seek to confirm this redirection?"</i></p>	<p>11 May 2011 Cr Best</p>	A response to this question will be submitted to Council's meeting on 22 June 2011.
21	Infrastructure Management	<p>Notice of Motion - Regional Push to Reinstate F3 Link</p> <p><i>1 That Council <u>form</u> 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.</i></p> <p><i>2 That Council <u>urge</u> 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.</i></p>	<p>25 May 2011 Cr Best/Eaton</p>	A letter has been issued to the Minister for Energy thanking him on this matter.

No	Department	Question Asked / Councillor	Meeting Asked	Status
22	Environment and Planning Services	U24/11 Motion of Urgency - Changes to State Solar Rebate Scheme <i>That Council <u>receive</u> an urgent report on the ramifications of the reductions on the various solar bonus schemes.</i>	25 May 2011 Cr Wynn/Vincent	A response to this question will be submitted to Council's meeting on 27 July 2011.
23	Environment and Planning Services	Q12/11 <i>Proposed Units at 35-41 Wilfred Barrett Drive, The Entrance North</i> <i>Given the State Government's recent announced changes to the (SEPP Affordable Residential Housing), where does that leave the proposed development of 53 units at 35-41 Wilfred Barrett Drive, The Entrance North?</i>	25 May 2011 Cr Wynn	A response to this question will be submitted to Council's meeting on 27 July 2011.
24	Community and Recreation Services	Q13/11 Disabled Mini Train Tourist Project <i>Could staff please provide an update on the issues surrounding the proposed sites identified in the North of the Shire for the Disabled Mini Train Tourism Project?</i>	25 May 2011 Cr Vincent	A response to this question will be submitted to Council's meeting on 27 July 2011
25	Community and Recreation Services	Q14/11 Suggested sites for Disabled Mini Train Tourist Project <i>Could staff also suggest any additional sites that may be suitable in the North of the Shire for the Disabled Mini Train Tourism Project?"</i>	25 May 2011 Cr Vincent	A response to this question will be submitted to Council's meeting on 27 July 2011
26	Community and Recreation Services	Q15/11 Apex Park at Wyong <i>Can staff please advise if any plans exist to upgrade Apex Park at Wyong on the Pacific Highway?"</i>	25 May 2011 Cr Matthews	A response to this question will be submitted to Council's meeting on 27 July 2011

**Questions Without Notice and Notices of Motion Removed from the Above Lists since the Previous Meeting**

Question without Notice / Notice of Motion	Date Asked/ Councillor	Outcome
<p>Q7/11 - Central Coast Tourist Parks <i>When and why have the Wyong Shire Tourist Parks been renamed Central Coast Tourist Parks?</i></p>	<p>27 April 2011 Cr Wynn</p>	<p>A Councillor Business Update was provided to Councillors on 18 May 2011.</p>
<p>8.2 - Notice of Motion - Doubling and Promoting Council's \$10,000 Vandalism Reward</p> <ol style="list-style-type: none"> <li>1 <i>That, with ratepayers now funding \$1,474,825.00 for vandalism repairs over the term of a Council, Council <u>support</u> the good work of the community and Police through a public awareness campaign promoting the existing \$10,000 Council Vandalism Reward Program.</i></li> <li>2 <i>That Council now <u>double</u> the vandalism reward to \$20,000 for a conviction for selected major and repeat malicious damage attacks.</i></li> <li>3 <i>That Council <u>make</u> any such reward also available where repeat offences compromise public safety, such as the current deliberate glassing of The Entrance Baths.</i></li> <li>4 <i>That having regard to the above, staff <u>report</u> to Council where necessary, vandalism events for Council's consideration and inclusion in the Vandalism Rewards Program.</i></li> <li>5 <i>That Council urgently <u>consider</u> further initiatives that may be available to minimize the continuing vandalism attacks at The Entrance Ocean Baths at its meeting on 27 April 2011.</i></li> </ol>	<p>23 March 2011 Cr Best</p>	<p>A report titled <i>Vandalism of The Entrance Ocean Baths</i> is included in this Business Paper</p>
<p>11.2 – Notice of Motion – Drains along Long Jetty Foreshore</p> <ol style="list-style-type: none"> <li>1 <i><u>Research</u> the potential to develop a program similar to “Adopt a Road” within the Shire.</i></li> <li>2 <i><u>Refer</u> the issue to the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee for consideration.</i></li> <li>3 <i><u>Express</u> its thanks to Messrs Darlington, Bond and Bevege for their initiative in suggesting the scheme.</i></li> </ol>	<p>24 November 2010 Cr Graham / Cr Webster</p>	<p>A report titled “<i>Adopt a Drain</i>” dealing with this item is included in this Business Paper.</p>

Question without Notice / Notice of Motion	Date Asked/ Councillor	Outcome
<p>9.2 - Notice of Motion – Lot 1 DP 450166 Main Road, Toukley</p> <p>1 Council <u>reiterate</u> on behalf of its residents and ratepayers its serious concern regarding the unsightly and potentially unsafe condition of the partially built structure locally know as the Toukley Taj Mahal on Lot 1 DP 450166, Main Road, Toukley at the bridge.</p> <p>2 That acknowledging the substantial period of time that has lapsed since any work has taken place on the property and noting that a Notice of Intent has been issued requiring the completion of the development:</p> <p>a Council <u>proceed</u> to issue a formal Order for completion.</p> <p>b Council's legal counsel <u>investigate</u> any other avenues to achieve completion.</p> <p>c Should the owners not comply with the terms of the Order upon its expiry, Council <u>commence</u> legal action in the Land and Environment Court.</p>	<p>10 November 2010 Cr Best / Cr McNamara</p>	<p>All legal action completed. Time frame of 6 weeks has been provided to undertake necessary site improvements.</p>
<p>8.1 – Notice of Motion – Drains along Long Jetty Foreshore</p> <p>1 <u>Acknowledge</u> the potential environment and social benefits of establishing an "Adopt a Drain" program.</p> <p>2 <u>Acknowledge</u> the safety, insurance and resourcing issues of establishing such a program and recommend consideration be given to establishing program under the auspices of its existing Landcare model.</p> <p>3 <u>Recommend</u> that a report be provided outlining the additional resource required within the Landcare section to enable it to establish an 'Adopt a Drain' program and options for funding the required resource.</p>	<p>9 March 2011 Cr Graham / Cr Webster</p>	<p>A report titled "Adopt a Drain" dealing with this item is included in this Business Paper.</p>

8 June 2011

Councillor

To the Ordinary Meeting

**7.1 Notice of Motion - Closure of Coal Fired Power Station at Lake Munmorah**

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TRIM REFERENCE: F2010/00500 - D02622675

AUTHOR: Sue Wynn; Councillor

Councillors Wynn and Best have given notice that at the Ordinary Meeting to be held on 8 June 2011 they will move the following Motion:

*“That Council reiterate its position requesting the closure of the coal fired power station at Lake Munmorah as soon as practicably possible”*

To the Ordinary Meeting

## **7.2 Notice of Motion - Approvals at Gwandalan and Catherine Hill Bay by the Planning Assessment Commission**

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TRIM REFERENCE: F2010/00500 - D02622693

AUTHOR: Sue Wynn; Councillor

Councillors Wynn and Vincent have given notice that at the Ordinary Meeting to be held on 8 June 2011 they will move the following Motion:

- "1 That Council write to the NSW Premier and the Minister for Planning and Infrastructure with regard to the recent approval under Part 3A of the developments at Gwandalan and Catherine Hill Bay by the Planning Assessment Commission:*
- a Condemning the decision to approve the development;*
  - b Condemning the decision to not return these matters to Council for determination*
  - c Outlining its concerns regarding the number of lots retained and the fact that the approval was issued prior to the finalisation of the relevant Development Control Plan.*
- 2 That Council be advised of the current status of the proposed Coal and Allied Part 3A application and request that application be returned to Council for determination."*