



To celebrate National Reconciliation Week last week, Council signed a Principles of Co-operation Agreement with the Darkinjung Local Aboriginal Land Council. The historic document formalises the working relationship between the two organisations.

Business Paper

ORDINARY MEETING

09 June 2010



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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 9 JUNE 2010 at **5.00 pm,**
for the transaction of the business listed below:

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY

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10 QUESTIONS WITHOUT 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

TRIM REFERENCE: F2010/00009 - D02243906

AUTHOR: MR

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 Inspections

TRIM REFERENCE: F2010/00009 - D02243912

AUTHOR: MR

SUMMARY

Inspections held on 2 June 2010 are listed as follows:

Date of Inspection	Location	Requested By
2 June 2010	DA 127/2010 1/7 Enterprise Drive, Berkeley Vale - Use of Unit 1 as a Gymnastics & Movement Centre	Director, Shire Planning
2 June 2010	The Entrance Community Cafe	Director, Shire Services
2 June 2010	Chittaway Road, Chittaway Bay	Director, Shire Services
2 June 2010	Mardi - Mangrove	Director, Shire Services
2 June 2010	Buttonderry Waste Facility	Director, Shire Services

RECOMMENDATION

That Council receive the report on Inspections.

1.3 Address By Invited Speakers

TRIM REFERENCE: F2010/00009 - D02243918

AUTHOR: MR

SUMMARY

There have been no requests to address the Ordinary Meeting at the time of printing the Business Paper.

RECOMMENDATION

That Council receive the report on Invited Speakers.

1.4 Confirmation of Minutes of Previous Meeting

TRIM REFERENCE: F2010/00009 - D02243925

AUTHOR: MR

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on 26 May 2010.

RECOMMENDATION

That Council confirm the minutes of the previous Ordinary Meeting of Council held on 26 May 2010.

ATTACHMENTS

- 1 Minutes Ordinary Meeting - 26 May 2010 D02250073

WYONG SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 26 MAY 2010
COMMENCING AT 5:00:00 PM

PRESENT

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

IN ATTENDANCE

General Manager, Director Shire Planning, Director Shire Services, Director Corporate Services, Acting Manager Future Planning, Manager Development Assessment and Project Director Mardi to Mangrove Project.

Executive Manager Shire Services, Manager Community and Customer Services, Manager Governance and Administration, Landscape Architect and three administration staff.

The Mayor introduced the new General Manager, Mr Michael Whittaker who is the fourth General Manager in the 63 year history of Wyong Shire Council.

The Mayor, Councillor Graham, declared the meeting open at 5.01 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

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

APOLOGIES

There were no apologies.

1.1 Disclosures of Interest

2.3 Report on the Future Directions for the Body Hire Services for Wyong Shire Council

Councillor Eaton declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is Chairperson of Central Coast Group Training Ltd (CCGT) that provides apprentice services to Wyong Shire Council.

Councillor Eaton stated:

"I choose to remain in the Chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because services provided by CCGT are not subject to department of local government enquiries and are not body hire arrangements."

Councillor Best declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is the General Manager of Central Coast Group Training Ltd (CCGT) that provides apprentices and trainees to Wyong Shire Council.

Councillor Best stated:

"I choose to remain in the Chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because services provided by CCGT are not subject to department of local government enquiries and are not body hire arrangements."

5.4 Proposed Councillors' Community Improvement Grants

Councillor Matthews declared a non-pecuniary insignificant conflict of interest in the matter for the reason that she is on the Working Party of Central Coast Community Congress.

Councillor Matthews stated:

"I choose to remain in the Chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I don't hold any positions on the board of management."

Councillor Matthews declared a non-pecuniary insignificant conflict of interest in the matter for the reason that she is a volunteer of 2261 Out of the Box Inc.

Councillor Matthews stated:

"I choose to remain in the Chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I am only a volunteer and don't hold any positions on the board of management."

5.5 2009-10 Management Plan - March 2010 Quarter Review

Councillor Eaton declared a non-pecuniary significant conflict of interest in item 2 of the report on legal disputes for the reason that he is the solicitor engaged in a legal dispute with Wyong Shire Council, left the chamber at 07:09 pm, took no part in voting and returned to the chamber at 07:10 pm.

Councillor Eaton stated:

"I will be leaving the chamber in terms of the voting and if there are any discussions on legal issues. However, I choose to remain in the Chamber and participate in discussion on other non legal items within the report."

9.3 Notice of Motion - Central Coast Tourism Annual Funding

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

Councillor Webster stated:

"I choose to remain in the Chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because the Town Centre Management works side by side with Central Coast Tourism Inc."

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

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

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

AGAINST: NIL

1.2 Proposed Inspections

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

That Council receive the report on Proposed Inspections with an additional inspection to be included on Chittaway Road.

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

AGAINST: NIL

1.3 Address By Invited Speakers

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

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

2 *That Council 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, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

1.4 Confirmation of Minutes of Previous Meeting

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

That Council confirm the minutes of the previous Ordinary Meeting of Council held on 12 May 2010.

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

AGAINST: NIL

Business Arising

Councillor Best noted that Q81/10 was addressed to the Acting General Manager and asked that the minutes reflect this.

2.1 Determination of Water Supply, Sewerage and Drainage Charges for 2010-11

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

- 1 That Council determine as the Water Supply Authority, the annual Water, Sewerage & Drainage Service Charges for 2010-2011 to be levied will be in accordance with Schedule 1 (see Attachment 1).**
- 2 That Council note the estimated amount of money to be raised by way of the annual Water, Sewerage & Drainage Service Charges for 2010-2011 as set out in Schedule 1 to be \$68,232,000.**
- 3 That Council approve the amount of \$68,232,000.00 for inclusion in the budget contained in the final Management Plan for 2010-2011.**
- 4 That Council classify land as residential or non residential for the purpose of levying water, sewerage or drainage service charges in accordance with the Water Management Act 2000.**
- 5 That Council note that charges for residential land are determined by the intensity of the use of the land and the nature and extent of the water, sewerage or drainage services connected to each individual allotment.**

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

AGAINST: NIL

2.2 Waste and Sustainability Improvement Payments - Waste Action Plan

It was MOVED by Councillor EATON and SECONDED by Councillor BEST:

- 1 *That Council endorse the following strategies to be submitted to DECCW as part of the Strategic Waste Action Plan:*
 - a *Investigate use of an Alternative Waste Technology (AWT) for processing domestic waste and garden organics / food waste.*
 - b *Develop and deliver a Waste and Recycling Education Program to increase waste diversion rates.*
- 2 *That Council seek a meeting with the relevant State Minister and State Shadow Minister to discuss the impact of the tip tax (DECCW levy) on our community.*

An AMENDMENT was MOVED by Councillor WYNN and SECONDED by Councillor VINCENT:

That Council endorse the following strategies to be submitted to DECCW as part of the Strategic Waste Action Plan:

- a *Investigate use of an Alternative Waste Technology (AWT) for processing domestic waste and garden organics / food waste.*
- b *Develop and deliver a Waste and Recycling Education Program to increase waste diversion rates.*

The AMENDMENT was put to the vote and declared CARRIED.

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

The AMENDMENT became the MOTION.

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

That Council endorse the following strategies to be submitted to DECCW as part of the Strategic Waste Action Plan:

- a ***Investigate use of an Alternative Waste Technology (AWT) for processing domestic waste and garden organics / food waste.***
- b ***Develop and deliver a Waste and Recycling Education Program to increase waste diversion rates.***

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

2.3 Report on the Future Directions for the Body Hire Services for Wyong Shire Council

Councillor Eaton declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is Chairperson of Central Coast Group Training Ltd (CCGT) that provides apprentice services to Wyong Shire Council.

Councillor Eaton stated:

"I choose to remain in the Chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because services provided by CCGT are not subject to department of local government enquiries and are not body hire arrangements."

Councillor Best declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is the General Manager of Central Coast Group Training Ltd (CCGT) that provides apprentices and trainees to Wyong Shire Council.

Councillor Best stated:

"I choose to remain in the Chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because services provided by CCGT are not subject to department of local government enquiries and are not body hire arrangements."

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

- 1 That Council endorse the proposed corrective actions to:
 - a Phase out the current "Body Hire" arrangements and only use a public tender process and/or the tendering exempt State Contract Control Board and Local Government Procurement contracts for any new temporary professional services.
 - b As a matter of urgency, advertise to recruit specialist Project Managers as staff under fixed term employment contracts or the Award.
 - c As a matter of urgency, ensure project management services contracts for specific projects or groups of projects are on a fixed time and price basis by either open public tender or tender exempt Crown entities.
- 2 That Council decline to accept any of the tender/s dated 3 September 2009 for contract CPA/166101 – Provision of Temporary Professional Services and cancel the proposal for the contract.
- 3 That Council report to the Department of Local Government on its actions associated with the current "Body Hire" arrangements.
- 4 That a further report be provided to Council on the implementation of the corrective actions in July 2010.
- 5 That Council reaffirm its position of preferring standard wage based employment and avoiding so called "Body Hire" arrangements.

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

AGAINST: NIL

3.1 DA/123/2010 - Proposed Two Storey Dwelling House at Lot 211 Karalee Street, Wadalba

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

- 1 That Council refer the application to the General Manager for determination having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues with an indication that based on the information available to it, Council favours support.**
- 2 That Council vary Development Control Plan 2005 Chapter 100 (Quality Housing) to permit the development.**

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

AGAINST: NIL

4.1 Contract Variations and Finalisation - April 2010

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

- 1 That Council note the variations to contracts in Attachment 1 of the Contract Variations and Finalisation April 2010 report.**
- 2 That Council approve expenditure above contract estimates but within approved program budgets for the following contract:**

2a	Supply of Electrical Maintenance Services for Council's Four Holiday Parks	CPA/134172	\$25,000.00
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- 3 That Council note the contracts that reached a finalised status in Attachment 2 of the Contract Variations and Finalisation – April 2010 report.**
- 4 That Council again express its disappointment that these contract variations are beyond the prescribed limits.**

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

AGAINST: NIL

5.1 Central Coast Regional Organisation of Councils - additional member of Executive Group

The Mayor asked for nominations for the position of delegate on the Central Coast Regional Organisation of Councils.

Nominations were received for Councillors Vincent and Wynn and Councillors accepted their respective nominations.

The Mayor requested those Councillors supporting the nomination of Councillor Vincent to raise their right hand. Councillors voting in support of Councillor Vincent were Councillors Graham, McBride, Matthews, Symington and Vincent.

The Mayor requested those Councillors supporting the nomination of Councillor Wynn to raise their right hand. Councillors voting in support of Councillor Wynn were Councillors Best, Eaton, McNamara, Webster and Wynn.

The Mayor advised that no Councillor had a clear majority and therefore requested the General Manager to proceed to draw lots for the election of one of the two councillors nominated.

Councillor Wynn was declared duly elected as delegate to the Central Coast Regional Organisation of Councils.

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

That Council nominate Councillor Wynn as a delegate to represent Wyong Shire Council on the Central Coast Regional Organisations of Councils.

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

AGAINST: NIL

5.2 Shire Civic Garden

COUNCILLOR VINCENT LEFT THE MEETING AT 06:32 PM AND RETURNED TO THE MEETING AT 06:33 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 ***That Council give further consideration to the creation of a Civic Garden as part of its deliberations on the Wyong Town Centre Civic Precinct Master Plan to be undertaken during 2010-11.***
- 2 ***That Council, where appropriate, include in the Master Plan the use of native plantings as part of the overall design of the Civic Garden.***
- 3 ***That Council consider establishing lower scale civic gardens in other Town Centres within the Shire as part of their redevelopment subject to capital and operational funding issues being addressed.***

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

AGAINST: NIL

5.3 Goods and Services Tax Certificate

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

- 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 2009 to 30 April 2010, signed by the Mayor, Deputy Mayor, General Manager and Director of Corporate Services, to NSW Department of Local Government before 1 June 2010.**

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

AGAINST: NIL

5.4 Proposed Councillors' Community Improvement Grants

Councillor Matthews declared a non-pecuniary insignificant conflict of interest in the matter for the reason that she is on the Working Party of Central Coast Community Congress.

Councillor Matthews stated:

"I choose to remain in the Chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I don't hold any positions on the board of management."

Councillor Matthews declared a non-pecuniary insignificant conflict of interest in the matter for the reason that she is a volunteer of 2261 Out of the Box Inc.

Councillor Matthews stated:

"I choose to remain in the Chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I am only a volunteer and don't hold any positions on the board of management."

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

That Council allocate an amount of \$10,424.00 from the 2009-10 Councillors' Community Improvement Grants as outlined in the report.

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

AGAINST: NIL

5.5 2009-10 Management Plan - March 2010 Quarter Review

Councillor Eaton declared a non-pecuniary significant conflict of interest in item 2 of the report on legal disputes for the reason that he is the solicitor engaged in a legal dispute with Wyong Shire Council, left the chamber at 07:09 pm, took no part in voting and returned to the chamber at 07:10 pm.

Councillor Eaton stated:

"I will be leaving the chamber in terms of the voting and if there are any discussions on legal issues. However, I choose to remain in the Chamber and participate in discussion on other non legal items within the report."

COUNCILLOR MATTHEWS LEFT THE MEETING AT 06:49 PM AND RETURNED TO THE MEETING AT 06:51 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR MCNAMARA LEFT THE MEETING AT 06:49 PM AND RETURNED TO THE MEETING AT 06:51 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR MATTHEWS LEFT THE MEETING AT 06:52 PM AND RETURNED TO THE MEETING AT 06:53 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR WYNN LEFT THE MEETING AT 06:54 PM AND RETURNED TO THE MEETING AT 06:56 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council receive the report 2009-10 Management Plan – March 2010 Quarter Review.**
- 2 That Council note the advice from Council's Responsible Accounting Officer that in accordance with the Local Government (General) Regulation 2005 (Part 9 Division 3; Clause 203) that Council's financial position is satisfactory.**

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

AGAINST: NIL

6.1 Minutes - Wyong Shire Governance Committee - 12 May 2010

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

That Council receive the minutes of the Wyong Shire Governance Committee Meeting held on 12 May 2010 and adopt the recommendations contained therein.

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

AGAINST: NIL

6.2 Minutes - Gosford-Wyong Councils' Water Authority Board Meeting - 19 May 2010

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

That Council receive the minutes of the Gosford-Wyong Councils' Water Authority Board Meeting held on 19 May 2010 and adopt the recommendations contained therein.

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

AGAINST: NIL

7.1 Information Reports

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

That with the exception of report numbers 7.2, 7.5, 7.6, 7.8, 7.9 and 7.10 Council receive the information reports and adopt the recommendations.

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

AGAINST: NIL

7.2 Proposed Liquor Outlet Norah Head and Toukley

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

- 1 That Council receive the report on Proposed Liquor Outlet Norah Head and Toukley.**
- 2 That Council thank the Member for Wyong, Mr David Harris MP for his support for this important community issue and request that any feedback from the Minister is reported.**

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

AGAINST: NIL

7.3 Activities of the Development Assessment Unit

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

That Council receive the report on Activities of the Development Assessment Unit.

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

AGAINST: NIL

7.4 Investments for April 2010

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

That Council receive the report on Investments for April 2010.

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

AGAINST: NIL

7.5 Green Fleet Initiatives

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

- 1 That Council receive the report on Green Fleet Initiatives.**
- 2 That Council thank the Manager Depots and Fleet Services for his efforts to date and his continuing diligence to improve our fleet by reducing its fuel consumption and hence our carbon footprint.**

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

AGAINST: NIL

7.6 Outstanding Mine Subsidence Claims Chain Valley Bay South - response from Member for Swansea

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

- 1 That Council receive the report on Outstanding Mine Subsidence Claims Chain Valley Bay South - response from Member for Swansea.**
- 2 That Council thank the Member for Swansea, Mr Robert Coombs MP for his efforts in assisting the residents of the north end of the Shire regarding the LDO coal application.**

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

AGAINST: NIL

7.7 Works in Progress Report - Water Supply and Sewerage

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

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

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

AGAINST: NIL

7.8 General Works in Progress

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

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

7.9 Mardi to Mangrove Link Project Status

COUNCILLOR MCBRIDE LEFT THE MEETING AT 07:30 PM AND RETURNED TO THE MEETING AT 07:33 PM DURING CONSIDERATION OF THIS ITEM.

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

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

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

AGAINST: NIL

7.10 Outstanding Questions Without Notice and Notices of Motion

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

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

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

AGAINST: NIL

9.1 Notice of Motion - Warnervale City Project Team

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

That further to recent funding announcements and Council's resolution of 28 April 2010 Report 7.3 Warnervale Road Commencement, staff now report recommending the most appropriate management structure that will assist Council in facilitating the delivery of the \$2b Warnervale city project.

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

AGAINST: NIL

9.2 Notice of Motion - Central Coast Policing Resources

It was *MOVED* by Councillor *BEST* and *SECONDED* by Councillor *EATON*:

- 1 That Council note with great concern the recent announcement that despite some 200 new police recruits recently graduating from the Goulburn Policy Academy only one new officer was deployed to the Central Coast region.
- 2 That staff urgently report to Council providing a Shire profile of anti-social trends and emerging social demographics that may impact on the need for greater policing resources.
- 3 That further, Council recognise the outstanding contribution to our community of our local police officers with their current level of resources.

The MOTION was put to the vote and declared LOST.

FOR: COUNCILLORS BEST, EATON, MCNAMARA AND WEBSTER

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

9.3 Notice of Motion - Central Coast Tourism Annual Funding

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

Councillor Webster stated:

"I choose to remain in the Chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because the Town Centre Management works side by side with Central Coast Tourism Inc."

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

- 1 That Council congratulate Central Coast Tourism Inc (CCTI) on the restructuring, rebranding and improved servicing of the important local tourism industry.
- 2 That Council in recognition of such improvement review CCTI core operational funding.
- 3 That Council receive a briefing on 23 June 2010 with CCTI to discuss operational issues with a report to 23 June 2010 meeting documenting service improvements identifying how operational funding from Council should be improved to around \$150,000 (excl GST) per annum.

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

AGAINST: NIL

9.4 Notice of Motion - Exhibition Period of Policies and Strategies

COUNCILLOR WEBSTER LEFT THE MEETING AT 08:12 PM AND RETURNED TO THE MEETING AT 08:13 PM DURING CONSIDERATION OF THIS ITEM.

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

That Council staff prepare a report on the viability of the exhibition period for significant policies and strategies (excluding development applications) be for a minimum of two months.

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

AGAINST: NIL

9.5 Notice of Motion - Community Twenty20 (T20) Cricket

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

That Council request a report on how it may be able to support the proposed creation of a Community Twenty20 (T20) cricket competition to be organised by the Warnervale Wildcats Cricket Club or other organisations in the 2010-11 summer season.

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

AGAINST: NIL

9.6 Notice of Motion - Public Ownership of Wyong Police Station

Councillors Best and Eaton withdrew their motion.

LEAVE TO INTRODUCE A MOTION OF URGENCY

Councillor Eaton sought leave to introduce a motion of urgency concerning the proposed sale of the Grand Hotel, Wyong.

The Mayor ruled that the matter was of great urgency and could be introduced as a motion of urgency.

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

That Council consider a Motion of Urgency regarding the proposed sale of the Grand Hotel, Wyong.

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

AGAINST: NIL

U19/10 Grand Hotel, Wyong

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

- 1 That Council urgently perform a preliminary heritage assessment on the Grand Hotel Wyong.**
- 2 That the General Manager be authorised to take actions to protect any heritage aspects of the hotel.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

QUESTIONS WITHOUT NOTICE**Q83/10 Library Cards
Councillor Matthews**

“Could staff please explain why library cards expire if they are not used within a year?”

**Q84/10 Tacoma Public School
Councillor Best**

“I table this correspondence dated 25 May 2010 from the Principal of Tacoma Public School seeking advice as to the necessary steps to have footpaths installed in sections of Hillcrest and Wolseley Avenues, Tacoma as children as young as five have no alternative but to walk on the carriageway to get to school.”

THE MEETING closed at 8.34 pm.

2.1 Proposed lease of Part of Lot 103 DP 877557 at Pacific Highway, Wyong to Wyong Golf Club for Car Parking

TRIM REFERENCE: F2009/01639 - D02169386

AUTHOR: JT

SUMMARY

It is proposed that Council endorse a development application and subject to approval, enter into a lease with Wyong Golf Club Ltd (the Club) of Part of Lot 103 DP 877557 Pacific Highway Wyong to construct a new car park and 18th green.

RECOMMENDATION

- 1 That Council endorse, as the owner Lot 103 DP 877557, a development application by Wyong Golf Club Limited to construct a carpark and a new 18th green.**
- 2 That Council lease part of Lot 103 DP 877557 at Pacific Highway, Wyong to Wyong Golf Club Limited for a term of 10 years at nominal rent for the purpose of car parking subject to development consent being obtained.**
- 3 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the Lease between Wyong Shire Council and Wyong Golf Club Limited.**
- 4 That Council authorise the Mayor and General Manager to execute all documents relating to the Lease between Wyong Shire Council and Wyong Golf Club Limited.**

BACKGROUND

Wyong Golf Club Limited (the Club) is the owner of Lot 104 DP 877557 at Pacific Highway, Wyong upon which the Club has erected a club house and existing car park. The golf links is located on adjoining land, Lot 103 DP 877557 (Lot 103). Lot 103 is owned by Council and held in trust for the purpose of golf pursuant to a Proclamation by NSW Government at the time under Ordinance No 80 of the Local Government Act 1919

Ordinance 80 allows Council to approve the use of Lot 103 by a golf club and the terms of its use. Such approval may be withdrawn at any time. Other than the provisions of Ordinance 80 no other terms of use have been applied and there is no current lease.

Lot 103 has an area of approximately 47.05 hectares, is zoned 6(a) Open Space and Recreation and 7(g) Wetlands Management and is classified as Community Land, categorised under Plan of Management No 10 Natural Areas as natural area, bushland/creek.

THE PROPOSAL

The Club has sought to lease part of Lot 103 for redevelopment and use as a car park. In association with the construction of the new car park, it will be necessary to shorten the 18th hole from a par 5 to a par 4 hole. If the lease is approved, the Club proposes to lodge a Development Application in respect of Lot 103 to construct the new car park and to construct

2.1 Proposed lease of Part of Lot 103 DP 877557 at Pacific Highway, Wyong to Wyong Golf Club for Car Parking (contd)

a new 18th green. The area of Lot 103 proposed to be leased for the car park is approximately 1700 square metres.

The Club is seeking to lease part of Lot 103 for a period of ten years at nominal rent. The terms of the lease will provide for the Club to be responsible for maintenance of the land, insurance and rates. Lot 103 is classified as Community Land and Council's ability to allow the use, change the use, sell or re-classify the land is governed by the Local Government Act 1993.

The area proposed to be leased for car park is part of the existing trust arrangement. As it is proposed the use will change to car parking, and will be aligned to the use of the adjoining club house premises owned by the golf club, a lease is appropriate. The lease will define the area to be used for car parking and the specific terms of use which differ from that provided for pursuant to Ordinance No 80.

A Development Application will also be required in relation to the construction of the 18th hole.

The Club's proposal is the first step in its Master Plan for the redevelopment of the golf course. The Master Plan is being developed to overcome flooding problems, improve water storage and expand practice facilities for members.



OPTIONS

Council has the following practical options:

- Approve a lease to the Club for ten years or such other term deemed reasonable
- Refuse the lease to the Club in which event the Club's proposed development will not proceed as proposed.
- Endorsement of the Club's Development Application
- Refuse endorsement of the Club's Development Application in which event the proposed lease and the development will not proceed.

STRATEGIC LINKS**Contribution of Proposal to the Principal Activity**

The proposal supports the Shire Strategic Vision in contributing to Priority Objective (E) to the Principal Activities of the Management Plan by providing a more sustainable community by improving leisure and recreation facilities and contributing to Council's environmental objectives through the maintenance of natural areas.

Financial Implications

The golf course is a community asset owned by Council and set aside for golf by virtue of legislation. The Club currently invests approximately \$670,000 in annual maintenance and development which substantively exceeds the estimated market rental (based on unimproved value). It is to Council's advantage to maintain the arrangement of the golf links land for nominal rent.

There will be no cost to Council to enter into the lease with the Club and the Club will continue to be responsible for the maintenance of the land, insurance and rates.

Principles of Sustainability

The proposal will have a positive effect on the development of a healthy, equitable, active and involved community.

The proposal does not contravene the terms of Ordinance 80.

Other sustainability were identified at a pre development consultation meeting with the applicant and are described in the Consultation section below.

CONSULTATION

The Club proposes to submit a Development Application and if approved, enter into a lease of part of Lot 103 for the use of the land. Council will have the opportunity to consider the merits of the proposal during the development application process.

At a preliminary application meeting with WSC the Club was advised that in submitting a development application matters to be considered include landscaping, setbacks, drainage and appearance from the Pacific Highway in respect of the car park proposal and drainage, fill and tree removal in respect of the construction of the new 18th green.

2.1 Proposed lease of Part of Lot 103 DP 877557 at Pacific Highway, Wyong to Wyong Golf Club for Car Parking (contd)

Neighbouring owners will be consulted during the Development Application process.

GOVERNANCE

The Conveyancing Act 1919 applies in respect to leases. Section 46 of the Local Government Act 1993 authorises the lease of Community Land for up to 21 years. Plan of Management No 10 Natural Areas authorises lease of the land.

CONCLUSION

Endorsement by Council, as the owner of the land, of a Development Application by the Club to construct the new 18th green and car park will enable the Club to lodge a Development Application.

In association with any development consent, the Club will be required to enter into a lease with Council authorising the use of part of Lot 103 for car parking at the golf club.

ATTACHMENTS

Nil.

3.1 Contract CPA/139071 - Supply and Delivery of Stationery and Ancillary products

TRIM REFERENCE: cpa/139071 - D02233263

AUTHOR: JM

SUMMARY

This report recommends that Council exercise its option to extend Contract CPA/139071 for the Supply and Delivery of Stationery and Ancillary Products with Corporate Express Pty Ltd for a further 12 months.

RECOMMENDATION

That Council exercise its option to extend contract CPA/139071 for the Supply and Delivery of Stationery and Ancillary Products for one year effective from the 1 July 2010 at an estimated annual cost of \$226,611 (excl. GST).

BACKGROUND

At the Ordinary Meeting of Council held on 25 June 2008 Council considered a report for the provision of Stationery and Ancillary Products tendered by Hunter Councils Inc. on behalf of nine regional Councils.

Resolved unanimously on the motion of Councillor FORSTER and seconded by Councillor STEVENS:

- "1 That subject to all participating Councils of Hunter Councils Inc agreeing to participate, Council agree to the contract between Hunter Councils Inc and Corporate Express for the supply and delivery of General Stationery and Ancillary products from the date of acceptance by Hunter Councils Inc until 30 June 2010.*
- 2 That Council note the annual estimated expenditure against this contract is \$249,273 including GST (\$226,611 excluding GST)."*

The provision of Stationery and Ancillary Products was tendered by Hunter Councils Inc. on behalf of nine regional Councils including Gosford City Council. The contract was for an initial two year period expiring on 30 June 2010 with an optional one year extension.

This report reviews Council's option to extend the contract for a further period of 12 months to Corporate Express Pty Ltd.

DISCUSSION

In considering whether to either call new tenders or exercise their option to extend the existing agreement, Hunter Councils Inc. conducted a supplier performance review with all successful contracted suppliers. On the basis of satisfactory supplier performance obtained from all participating Councils, it has agreed to exercise its option to extend the agreements for a further 12 months.

OPTIONS

- 1 Extend existing arrangement with Hunter Councils.
- 2 Call for new tenders.
- 3 Utilise other prescribed agreements similar to Hunter Councils.

It is recommended that WSC remain with the Hunter Councils Inc. contract as it is unlikely that Council would obtain better rates tendering on its own given the combined buying power under the Hunter arrangement is approximately \$2.0m and targeted at stationery suppliers capable of local servicing. Calling for new tenders would incur an additional administrative cost and negatively affect further participation in future (stationery) contracts offered by Hunter Councils due to differences in contract periods.

In considering the merits of extending the contract, Council has conducted a benchmarking exercise by comparing the rates offered under the Hunter Council Inc. contract to those offered by the recently announced NSW Department of Services, Technology & Administration Department (STAD) contract for Work Place supplies.

The following table compares the expenditure of the top 50 items acquired by WSC under the existing Hunter Councils Inc. contract relative to pricing offered by suppliers under the newly offered (STAD) agreements.

Tenderer	Estimated value based on STAD (top 50 items)	Estimated value of Hunter Councils Inc. (top 50 items)
Corporate Express Pty Ltd	\$160,283.37	\$ 153,923.96
Complete Office Supplies Pty Ltd	\$166,872.64	
OfficeMax Pty Ltd	\$154,624.46	

On this basket of goods, Corporate Express' pricing under the existing Hunter Councils Inc. contract is cheaper than what is offered under the recently announced (STAD) agreements.

ENVIRONMENTALLY FRIENDLY PRODUCTS

The current contract with Corporate Express also offers a range of environmentally friendly stationery products. New products, such as 100% Recycled Photocopier Paper are available under the agreement. In addition, Corporate Express's online ordering system allows for easy product redirection, allowing for product substitution to occur where a "greener" stationery alternative exists. This feature is a valuable tool, allowing Council to drive sustainable procurement initiatives.

CONCLUSION

The existing contract from Corporate Express still continues to meet all of Council's requirements and represents the best value-for-money for Council. Based on the performance of Corporate Express Pty Ltd to date, the current contractor is considered to be providing a high standard of service and competitive rates. It is recommended that the option for a one year extension of the Hunter Councils Inc. contract for the provision of Stationery and Ancillary Products be exercised.

ATTACHMENTS

Nil.

4.1 Government Review of Joint Regional Planning Panels

TRIM REFERENCE: F2004/00526 - D02248030

AUTHOR: GV

SUMMARY

The State Government commenced operation of Joint Regional Planning Panels (JRPP) across NSW on 1 July 2009. The Government has now released an "*Interim Review Of Operation of the Regional Panels*" and as part of this review has proposed amendments to the way the Panels operate. The Government now intends to amend State Environmental Planning Policy (SEPP) (Major Development) 2005 to return to Council's the consent authority role for certain applications. The offer from the State Government is however subject to Council agreeing to delegate the consent authority role to the General Manager and therefore to senior staff. The Minister's offer is clear in that, should the elected Council wish to retain the consent authority role in regard to the specific types of applications proposed, the additional delegation will not be given, but will remain with the JRPP. It is recommended that Council advise the Minister that it will accept the amendments as proposed by the Minister and issue a revised delegation to the General Manager reflecting these amendments.

RECOMMENDATION

- 1 That Council advise the Minister for Planning that Council accepts the proposal to return the consent authority role to Council by way of a delegation to the General Manager in respect of the applications as outlined in the table contained in the report.**

- 2 That Council advise the Minister for Planning that the Specific Precincts within Wyong Shire are:**
 - ***The Entrance Peninsular Planning Strategy***
 - ***Wyong/Tuggerah Strategy***
 - ***Tuggerah Business Park
Warnervale Town Centre***

- 3 That Council delegate to the General Manager the determination of development applications as outlined in the table contained in the report being applications that currently are referred to the JRPP for determination.**

- 4 That Council approach the Local Members of State Parliament requesting that they make representations to the Premier and Minister for Planning regarding the return of all JRPP applications to Council.**

BACKGROUND

The NSW Governments' Planning Reforms included the establishment of JRPP's to determine development applications of regional significance. The Panels commenced operation on 1 July 2009 with the State divided into six regions. Wyong Shire was included with Gosford City and the Hunter Region into one regional panel.

The Panels were to deal with development applications for projects classed as being regionally significant. The applications are assessed by Council Officers, with the Council Officer's assessment and recommendations being referred to the JRPP for determination. Regional Development is defined as:

- Retail, residential, mixed use, commercial and tourism projects with a Capital Investment Value (CIV) between \$10 million and \$100 million. (Those above \$100 million will automatically be determined by the Minister, following assessment by the Department of Planning, under Part 3A of the EP&A Act, 1979);
- Public and private community infrastructure and ecotourism with a CIV of more than \$5 million, e.g., schools, community halls, libraries, etc;
- Designated Development (Environmental Impact Statement (EIS) required);
- Certain major coastal developments; and
- If Council is the proponent or is conflicted in relation to a development with a CIV of more than \$5 million.

Since the commencement of the Hunter Central Coast Regional Panel, one development application has been determined for Wyong Shire.

THE PROPOSAL

The Interim Review of Operations for the Regional Panels proposes the following changes to the determination process for development applications currently considered by JRPPs.

Applications for Modification ie: Applications under Section 96 (1a)

The Minister has advised that amendments to SEPP (Major Development) are currently under way to return to Council's the consent authority role for modification applications where the original development application was determined by the JRPP. This change will enable amendments to regionally significant applications to be dealt with by Council rather than a Panel. Within Wyong Council such modifications will be processed in accordance with existing delegations, therefore, whilst most would be determined under current staff delegations, there may be instances where the more major Section 96 Amendments will be reported to Council.

In addition, the Minister has proposed to delegate three types of development applications that would currently be considered by regional panels. This delegation will only be given subject to Council agreeing that these types of applications will be determined by appropriate senior staff and not by the full Council. The types of applications to be delegated are outlined below:

Type of Development	Proposed Change to Determining Authority	Restriction on Use of Delegation
Straightforward Application	Delegated to appropriate Senior Staff and not the full Council.	<ul style="list-style-type: none"> • Where no objections have been received • Where the assessment reports recommends approval (with or without conditions) • Does not apply where the JRPP Chair advises in advance that the delegation will not apply.
Designated Development	Delegated to appropriate Senior Staff and not the full Council.	<ul style="list-style-type: none"> • Where the assessment report recommends approval with or without conditions. • Does not apply where the JRPP Chair advises in advance that the delegation will not apply. •
Specific Precincts	Delegated to appropriate Senior Staff and not the full Council.	<ul style="list-style-type: none"> • Where the proposed development is strictly in accordance with key planning controls. • Where the assessment report recommends approval with or without conditions. • Does not apply where the JRPP Chair advises in advance that the delegation will not apply.

OPTIONS

The amendments to the range of applications currently determined by the JRPP are subject to Council's agreement to the following:

- 1 *A written commitment from the Council to confer the delegations to determine the subject types of development applications to an appropriate level of officer.*

What this means is that if Council is to accept the Minister's offer to return the consent authority role on the above applications to Council, it must delegate the determining authority to the General Manager with the understanding that the General Manager will sub-delegate that role to appropriate planning staff. These types of applications will therefore not be reported to Council for consideration, nor will a Councillor have the ability to call any of these applications up to Council for determination. Any development application in the above categories must be dealt with under staff delegation. Council, therefore has the option of accepting the Minister's proposal or not.

- 2 *Information on Specific Precincts as outlined in the table above.*

Should Council determine to accept the Minister's proposal as outlined above, Council needs to advise the Minister of the specific precincts in the Wyong Shire where detailed strategic planning has occurred, specific planning strategies exist and key planning controls have been established. It is recommended that the Specific Precincts within Wyong Shire incorporate the following:

- The Entrance Peninsular Planning Strategy
- Wyong/Tuggerah Strategy
- Tuggerah Business Park
- Warnervale Town Centre

CONCLUSION

As an outcome of the "Interim Review of Operation of the Regional Panels" the Minister for Planning has proposed to delegate back to local government certain types of applications. The offer from the Minister is subject to a written commitment from Council that the determination of those types of applications to be returned to Council must be delegated to the General Manager and on to relevant planning staff. It is recommended that Council accept the Minister's offer and delegate to the General Manager the determination of those applications as outlined the body of the report.

ATTACHMENTS

- 1 Letter from the Minister dated 19 May 2010 including the JRPP Review of Operations Enclosure D02247862

4.2 Tuggerah Lakes Estuary Coastal and Floodplain Management Committee - Water Quality Testing for Beaches and Lake Locations

TRIM REFERENCE: F2004/07986 - D02241425

AUTHOR: JD

SUMMARY

Reporting on recommendations from the Tuggerah Lakes Estuary Coastal and Floodplain Management Committee (TLECFMC).

RECOMMENDATION

That Council adopt the recommendations of the Tuggerah Lakes Estuary Coastal and Floodplain Management Committee being:

- a That all lake water quality testing sites that are not designated "lake swimming locations", be removed from future Beachwatch programs commencing 1 July 2010.***
- b That future results of water quality testing for lake locations that are not designated swimming locations continue to be monitored to detect changes in water quality and the results of such testing be submitted to the Estuary Management Unit.***

BACKGROUND

Council at its meeting held 24 February 2010 resolved unanimously on the motion of Councillor Best and seconded by Councillor Graham:

- "1 That Council receive the report on Results of Water Quality Testing for Beaches and Lake Locations.***
- 2 That Council urgently seek advice from the Tuggerah Lakes Estuary Coastal and Floodplain Management Committee with regards to the issue of 50% of test sites are now un-swimmable in the Tuggerah Lakes system.***
- 3 That Council also seek advice regarding the three locations on the Lake Macquarie area of Wyong Shire."***

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

AGAINST: NIL

4.2 Tuggerah Lakes Estuary Coastal and Floodplain Management Committee - Water Quality Testing for Beaches and Lake Locations (contd)

On the 6 May 2010, staff provided a report to the TLECFMC seeking advice regarding the issue of test sites which are now un-swimmable in the Tuggerah Lakes system and the three locations on the lake Macquarie area of Wyong Shire.

The Committee resolved as follows:

- “1 That the Committee recommend to Council that all lake water quality testing sites that are not designated “lake swimming locations”, be removed from future Beachwatch programs commencing 1 July 2010.
- 2 That the Committee recommend to Council that future results of water quality testing for lake locations that are not designated swimming locations continue to be monitored to detect changes in water quality and the results of such testing be submitted to the Estuary Management Unit.”

Current Program

Beachwatch is a program run by the Department of Environment, Climate Change and Water (DECCW) and is based upon the National Health and Medical Research Council (NHMRC) *Guidelines for Managing Risks in Recreational Water* (2008). This program provides an indication of the potential human health risk of a water body by measuring for the presence of faecal contamination. Council has been participating in the Beachwatch Partnership Program with DECCW since 2004.

Council monitors 29 sites throughout the Shire including 17 ocean beach sites from Frazer Park in the north to Bateau Bay in the south. These sites were chosen for their popularity for swimming and also as a part of the Environmental Protection License for Council's ocean outfalls at Norah Head and Wonga Point. Council also monitors 12 estuary sites which include three in Lake Macquarie, six spread throughout The Tuggerah Lakes and three river/creek sites. The lakes/creek sites were originally chosen to be a part of this program due to the proximity of sewage pump stations and mains adjacent to areas that people may use for swimming.

Beachwatch involves monitoring recreational waters by taking water samples at various sites and testing for the faecal indicator organism *enterococci*. *Enterococci* are now the sole faecal indicator recommended by the World Health Organisation (WHO) and the NHMRC. However, they only provide an indication of the presence of faecal contamination and do not discriminate between the different faecal sources that could potentially be contributing to the pollution i.e. human, bird, dog, cow. When sampling for *Enterococci* a waiting period of 48 hours is required. Therefore, the results provide a retrospective view of the swimming conditions at the time that the sample was taken. It cannot provide a predictive or on the spot result of what conditions are like at that moment in time.

Beachwatch uses a star rating based on the *enterococci* density for each sample as can be seen in Table 1. Any *enterococci* density of 200cfu/100mL (cfu= Colony Forming Unit) or less is considered safe for swimming. This is indicated as a good or fair rating.

Table 1: NHMRC Star Rating Interpretation

Star Rating		Enterococci (cfu/100mL)	Interpretation
****	Good	≤ 40	NHMRC indicates site safe for swimming
***	Fair	41 – 200	NHMRC indicates site is safe for swimming
**	Poor	201- 500	NHMRC indicates swimming at site is not recommended.
*	Bad	>500	NHMRC indicates swimming at site is not recommended.

The NHMRC 2008 Guidelines estimate that a person has a 5% chance of contracting a gastrointestinal illness from swimming in a water body with an *enterococci* density of 200cfu/100mL. For this purpose *enterococci* are used as an indicator of the likelihood of pathogens/viruses being present in a water body.

2009/10 Results - Ocean Beaches

Of the 247 samples that have been taken across the 17 beach sites for the 2009/10 Beachwatch season only one has recorded a failed star rating. This failed rating was not attributed to any particular event and when sampled the following week received a 4 star rating. The remaining 246 samples all recorded star ratings of 3 or 4. These results are consistent with previous years with all sites recording high compliance since Council joined the Beachwatch program in 2004.

Lake Macquarie Sites

For the 2009/10 Beachwatch season there were a total of 57 samples taken across the three Lake Macquarie sites which can be found at Summerland Point, Gwandalan and Chain Valley Bay. All samples taken at these three sites received a 3 or 4 star rating which indicates that these sites have been safe for swimming.

Tuggerah Lakes Estuary Sites

For the 2009/10 season there was a total of 113 samples taken from across the six sites located throughout the Tuggerah Lakes system. The sites are Elizabeth Bay, San Remo, Toukley, Canton Beach, The Entrance Channel and Long Jetty. Of the 113 samples taken only five instances of non-compliance with the NHMRC 2008 guidelines were recorded. All five results have links with high rainfall being recorded up to 72 hours previous and high numbers of birds present at the site while the samples were being taken.

The Beachwatch sites of the Tuggerah Lakes and Lake Macquarie at times do record instances of non-compliance with the NHMRC 2008 guidelines, on most occasions this can be linked to rainfall events. However, this is not consistent with all sites. Some sites appear to react to run-off, while others will react at times or not at all.

River/Creek Sites

For the 2009/10 season there was a total of 58 samples taken from across the three sites located throughout the river and creeks that feed the Tuggerah Lakes system. The sites are Tumbi creek, Ourimbah creek and Wyong River. A total of 10 of the 58 samples that have been taken since October 2009 received a 2 star rating and as a result swimming was not recommended during these times. Nine of these samples were from the Tumbi creek site. This site often has quite high turbidity and a large number of birds present at the site which would influence the quality of the water.

Another contributing source of potential pollution for these three sites is the amount of stormwater entering these systems. The land use and size of the upper catchments is another potential source of pollution with a large number of differing types of pollution inputs potentially affecting water quality.

What is being done?

In 2008 a study was conducted by Council's Regulation & Compliance and Estuary Management units to attempt to identify the source of faecal pollution at 10 sites throughout The Tuggerah Lakes system. As discussed above, *enterococci* does not differentiate between contamination sources i.e. between human or bird or herbivore. A method known as faecal sterol analysis (FSA) can be used to do this. This method examines the different chemical signatures that are found in faeces of different sources. This means that human faeces have a different chemical make up to birds, cows, dogs etc. Therefore, the source can be differentiated through this analysis technique.

A total of 120 samples were taken from across the 10 sites as a part of this study. Only five were able to positively identify the source of pollution. The five samples were from Wyong River (three samples) and Ourimbah creek (two samples) and all indicated that contamination was from an herbivorous source. The results of this study indicated that this herbivorous faecal contamination most likely originated in the upper catchments of these sites as it fits the predominant land use (agricultural) of each catchment. The results for the remaining eight sites could not positively identify a contamination source, it did however, rule out human and herbivorous faecal contamination. Therefore, based on the results, local knowledge and previous FSA studies in the area the study concluded that the most likely source of faecal contamination in the remaining 8 sites is birds and dogs endemic to the area.

The FSA study indicated that Council can be confident that the source of the high *enterococci* levels that are consistent at some sites are not the result of human faecal contamination, therefore, posing a lower health risk to the public using the sites. Even though there is a lower health risk associated with faecal contamination from a non-human source, swimming should still be avoided up to 72 hours after rain.

4.2 Tuggerah Lakes Estuary Coastal and Floodplain Management Committee - Water Quality Testing for Beaches and Lake Locations (contd)

The FSA result also re-enforces the need for stormwater treatment to be undertaken to ensure that the level and concentration of contaminants are minimised before stormwater enters the lakes. The Estuary Management Plan Program (EMP) therefore includes an annual budget of \$1.5 million to construct stormwater treatment devices in priority locations of the Tuggerah Lakes Estuary including the catchments of Wyong, Ourimbah and Tumbi creeks.

Overall the Beachwatch program is a useful long term monitoring tool that can inform the EMP on the overall success of the stormwater treatment program. It is however, limited in its usefulness as it cannot be used as a predictive tool. This is why NHMRC 2008 advocates the use of management strategies at sites that are known to have incidents of faecal contamination. Advisory signage is a useful management tool in limiting the use of a site in times of potential contamination. Signs have been placed at a number of Beachwatch sites throughout the Lake Macquarie and Tuggerah Lakes systems advising the public that 'swimming at these sites is not advised up 72 hours after rainfall'. Advisory signs are a tool recommended by WHO, NHMRC and Beachwatch for managing sites that are at times known to have conditions that may be unsuitable for swimming e.g. after rainfall.

As mentioned above, the Beachwatch program is a useful long term monitoring tool used to assess the suitability of a site for swimming. As a result, it is recommended that the lake locations that are not designated swimming sites be dropped from the Beachwatch program. Monitoring of these sites will still occur, albeit at a lesser frequency, so that any changes in water quality will continue to be detected. This recommendation has been endorsed by Beachwatch. This is due to the fact that these lake locations are not designated swimming sites known to be popular for swimming.

Therefore, it is recommended that the monthly reports put to Council only include results of the ocean beaches and the designated lake swimming sites. The results from the remaining sites will be forwarded to the Estuary Management Unit as this information can be used to assess the overall success of the stormwater treatment program.

ATTACHMENTS

Nil.

4.3 NSW Local Government Association Conference 2010

TRIM REFERENCE: F2004/06351 - D02190254

AUTHOR: ED

SUMMARY

The Local Government Association of NSW Annual Conference will be held between Sunday 24 and Wednesday 27 October 2010. Council has the opportunity to submit motions and nominate any interested Councillors to attend.

RECOMMENDATION

- 1 That Council authorise interested Councillors to attend the Local Government and Shires Association Annual Conference 2010.**
- 2 That Council pay reasonable expenses incurred in Councillors attending the conference in accordance with Council's policy.**
- 3 That Council determine the five delegates with voting entitlements should more than five Councillors indicate their intention to attend the conference.**
- 4 That Council consider any motions to be submitted to the conference prior to August 2010.**

BACKGROUND

The Conference entitled *Modernising Local Government* will be held in Albury between 24 and 27 October 2010.

Delegate's Entitlements

Councils are entitled to nominate voting delegates on a population basis. Council is entitled to nominate five voting delegates.

In accordance with Section 1.3 of Council's Facilities and Expenses Policy for Councillors the following applies:

"The maximum number of Councillors that may be authorised to attend a conference or seminar is three. However, this restriction on numbers will not apply to attendance by Councillors at the annual conference or a special conference of the NSW Local Government Association or National Congress of the Australian Local Government Association.

A Councillor may attend a maximum of three conferences per year excluding the NSW Local Government Association annual conference."

THE PROPOSAL

No program is yet available and accordingly no Councillors have expressed an interest in attending the Conference. However, once a program is available, it would assist if registrations could be made as soon as an interest is expressed and for that reason approval is sought to confirm attendance.

Motions to Local Government Associations Conference 2010

Motions should deal with aspects of the identified Conference issues / themes which are:

- 1 Modernising the Financing of Local Government
- 2 Modern approaches to Community Wellbeing; and
- 3 Modern approaches to the Natural and Built Environment.

Only Category 1 Motions will be considered by the Conference. A Category 1 motion:

- * must relate to an identified conference issue / theme;
- * must not attempt to enforce one council's position on other councils;
- * must not cause detriment to one council over another;
- * must deal with the issues/ themes at a regional / state or national level; and
- * must address the conference theme of "modernising local government".

Motions which do not meet the guidelines above will be deemed as Category 2 motions and will be considered by the Executive prior to the Conference.

Late motions will be received up to close of business on Friday 8 October 2010 and will be published in the LG Weekly on Friday 15 October 2010. Late motions will be categorised using the same methodology as motions received prior to the cut off date. Only late motions which are determined to be Category 1 motions will be dealt with by the Conference and will only be dealt with at the final session on the final morning of Conference and only by approval of Conference delegates.

OPTIONS

- 1 Approving attendance of Councillors would involve a cost to Council but would ensure that necessary professional development is achieved.
- 2 Not approving attendance of Councillors would delay achievement of Councillors professional development.

STRATEGIC LINKS

Management Plan

Principal Activity	Key Issue(s) and Objective (s)	Financial Line Item No and Description
Organisation	Governance - provide the framework to facilitate sound decision making.	5.4.4 Councillor Support

Contribution of Proposal to the Principal Activity

Councillors are encouraged to attend conferences, seminars and external training sessions that will support their professional development as a Councillor. The NSW Local Government Association Conference is an opportunity for Councillors to extend their understanding of local government and to learn about views and opinions on modernising its operation

Link to Key Focus Areas

Nil

Financial Implications

The table below indicates the cost for attendance at the Conference and associated travel expenses per Councillor:

2010 NSW Local Government Association Conference	(\$)
Registration (early bird rate)	\$900
Travel (Council vehicle / petrol)	(\$100)
Travel (flight) and parking, approximately	\$400
Accommodation (based on approx \$160 per night for 3 nights)	\$480
Other disbursements (meals, taxis etc) say	\$400
Total - estimate	\$2,180

Principles of Sustainability

Nil.

CONSULTATION

The Facilities and Expenses Policy for Councillors has been advertised with no submissions received.

GOVERNANCE

Conference attendance is permitted under Clause 1.3 of the *Facilities and Expenses Policy for Councillors*.

CONCLUSION

The Conference is an opportunity for Council to ensure issues of concern are debated widely and for Councillors to network with other elected representatives from throughout New South Wales.

Attendance by Councillor(s) would be necessary if motions are submitted to the Conference for consideration.

ATTACHMENTS

Nil.

4.4 Determination by the Local Government Remuneration Tribunal on Councillor Fees for 2010-11

TRIM REFERENCE: F2004/06505 - D02240706

AUTHOR: SW

SUMMARY

Report on a Determination made by the Local Government Remuneration Tribunal in respect of Councillor fees for the 2010-11 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 \$53,980 for the period 1 July 2010 to 30 June 2011.**
- 3 That Council set the annual Deputy Mayoral fee at \$7,710.15 for the period 1 July 2010 to 30 June 2011 in accordance with Clause 6.2 of Council's Facilities and Expenses Policy.**
- 4 That Council reduce the paid annual Mayoral Fee by \$7,710.15 to fund the annual Deputy Mayoral fee.**
- 5 That Council reduce the paid annual Mayoral Fee by \$1,798.13 for use of the Mayoral Motor Vehicle in accordance with Clause 5.3 of the Council's Facilities and Expenses Policy for Councillors.**
- 6 That Council set the Annual Councillor Fee at \$20,320 for the period 1 July 2010 to 30 June 2011.**

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 2010 to 30 June 2011. The determination has provided for a fee increase of 3% 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.

4.4 Determination by the Local Government Remuneration Tribunal on Councillor Fees for 2010-11 (contd)

THE PROPOSAL

The Tribunal conducted the 2010 annual review between January and April 2010.

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 3% in the fees for Councillors and Mayors for the year 1 July 2010 to 30 June 2011. WSC is included in the Metropolitan Centre category.

Category Title	Councillor / Member Annual Fee		Mayor / Chairperson Additional Fee *	
	Minimum	Maximum	Minimum	Maximum
Principal City	21,770	31,930	133,190	175,250
Major City	14,500	23,950	30,840	69,780
Metropolitan Major	14,500	23,950	30,840	69,780
Metropolitan Centre	10,880	20,320	23,130	53,980
Metropolitan	7,250	15,970	15,430	34,860
Regional Rural	7,250	15,970	15,430	34,860
Rural	7,250	9,570	7,700	20,890
County Council – Water	1,440	7,980	3,090	13,110
County Council - Other	1,440	4,780	3,090	8,710

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

The current Mayoral fee for Wyong Shire Council is \$52,410 and the current Councillor fee is \$19,730.

The Deputy Mayoral fee for the 2010-11 year will increase from \$7,485.58 to \$7,710.15 subject to the Mayoral fee increasing by 3%.

OPTIONS

- 1 Pay the fees as outlined above. This increase has been taken into account when preparing the Management Plan for 2010-11.
- 2 Retain the current fee structure resulting in a saving of \$7,470 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 \$125,250.

4.4 Determination by the Local Government Remuneration Tribunal on Councillor Fees for 2010-11 (contd)

Financial considerations

There is minimal impact on the 2010-2011 Management Plan – estimates of the determination are included in the financial projections.

CONCLUSION

No obligation exists for Council to pass on the determination of 3%, 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.

4.5 Proposed Councillors' Community Improvement Grants

TRIM REFERENCE: C2010/01723 - D02242244

AUTHOR: SG

SUMMARY

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

RECOMMENDATION

That Council allocate an amount of \$17,080.00 from the 2009-10 Councillors' Community Improvement Grants as outlined in the report.

BACKGROUND

Provision has been made in Council's Management 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

Management Plan

<i>Principal Activity</i>	<i>Key Issue(s) and Objective (s)</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.

4.5 Proposed Councillors' Community Improvement Grants (contd)

Link to Key Focus Areas

Funding is available specifically to projects outside of Council's Management Plan.

Financial Implications

Expenditure is approved until the end of the 2009-10 financial year. Unspent approvals lapse 30 June 2010.

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.

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 2009-10

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION	Best	Eaton	Graham	Mathews	McBride	McNamara	Symington	Vincent	Webster	Wynn	SUB TOTAL
Allocation 01/07/2009 - 30/06/2010	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 26/05/2010	10,247	11,250	10,748	10,049	10,191	10,350	9,408	11,825	14,320	13,975	112,363
Available allocation as at 26/05/2010	4,753	3,750	4,252	4,951	4,809	4,650	5,592	3,175	680	1,025	37,637
Proposed Allocations for 9 June 2010											
Australian Volunteer Coast Guard (\$3,000)	500										500
Central Coast Chinese Association (\$2,500) (\$1,500 already allocated)								250			250
Central Coast Group Training (\$4,500)		1,000		500	200	500	200		680	100	3,180
Central Coast Rugby Referees Association (\$4,800) (\$1,750 already allocated)	100										100
Greek (Hellenic) Community of Central Coast Inc (\$2,400)		250	500	500	300						1,550
Killarney Vale Australian Football Club Inc (\$900) (\$300 already allocated)	100										100

4.5 Proposed Councillors' Community Improvement Grants (contd)

Councillors' Community Improvement Grants 2009-10 (contd)

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION	Best	Eaton	Graham	Matthews	McBride	McNamara	Symington	Vincent	Webster	Wynn	SUB TOTAL
Allocation 01/07/2009 - 30/06/2010	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 26/05/2010	10,247	11,250	10,748	10,049	10,191	10,350	9,408	11,825	14,320	13,975	112,363
Available allocation as at 26/05/2010	4,753	3,750	4,252	4,951	4,809	4,650	5,592	3,175	680	1,025	37,637
Proposed Allocations for 9 June 2010											
Lions Club of Gwandalan (\$2,000)	200						750				950
Northern Lakes Junior Rugby League Football Club (\$10,000)	250						750	800			1,800
Ocean and Coastal Care Initiatives (\$2,000)	1,000	500								250	1,750
Ourimbah Rugby Club (\$4,840)	200	500	500								1,200
St Mary's Catholic Primary School (\$3,000) (\$750 already allocated)	500										500
The Ambassadors (\$500)	50	100		100						250	500
The Entrance Amateur Swimming Club (\$1,500)		200	500	500	250						1,450
The Lakes Surf Life Saving Club (\$4,170) (\$3,500 already allocated)								300			300
Toukley & District Senior Citizens Club Inc (\$2,000)	500							300			800
Toukley Haven Scout Group (\$2,000)	200										200
Warnervale Family & Community Centre (\$350) (\$250 already allocated)	50										50
Wyong High School (\$1,800)	100			1,000	300		400				1,800

4.5 Proposed Councillors' Community Improvement Grants (contd)

Councillors' Community Improvement Grants 2009-10 (contd)

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION	Best	Eaton	Graham	Matthews	McBride	McNamara	Symington	Vincent	Webster	Wynn	SUB TOTAL
Allocation 01/07/2009 - 30/06/2010	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 26/05/2010	10,247	11,250	10,748	10,049	10,191	10,350	9,408	11,825	14,320	13,975	112,363
Available allocation as at 26/05/2010	4,753	3,750	4,252	4,951	4,809	4,650	5,592	3,175	680	1,025	37,637
Proposed Allocations for 9 June 2010											
Wyong Zone Primary Schools Sports Association (\$1,069) (\$250 already allocated)	100										100
Computer software (Meet Manager) to be used to facilitate swimming and athletics carnivals											
Total Proposed Allocations for 09/06/2010	3,850	2,550	1,500	2,600	1,050	500	2,100	1,650	680	600	17,080
Total Accumulated Allocations as at 09/06/2010	14,097	13,800	12,248	12,649	11,241	10,850	11,508	13,475	15,000	14,575	129,443
Balance Uncommitted as at 09/06/2010	903	1,200	2,752	2,351	3,759	4,150	3,492	1,525	0	425	20,557

ATTACHMENTS

Nil

5.1 Central Coast Mariners Funding Report

TRIM REFERENCE: f2004/07942 - D02256695

AUTHOR: GM

SUMMARY

Reporting on a proposal to continue a sponsorship arrangement with the Central Coast Mariners for the 2010/2011 season.

RECOMMENDATION

- 1 ***That, subject to Gosford City Council and the Department of Industry and Investment each contributing \$100,000 (this may be in-kind), Council also contribute \$100,000 towards sponsoring the Central Coast Mariners for the 2010/2011 A League season.***
- 2 ***That Council allocate \$12,000 to Regional Development Australia to project manage Council's investment in the Central Coast Mariners.***
- 3 ***That Council allocate the funds subject to the Central Coast Mariners entering into an acceptable sponsorship agreement with Council within 30 days of the payment of the sponsorship.***

BACKGROUND

In 2006, Council resolved to provide partnership funding together with Gosford City Council and the Department of State and Regional Development (now known as the Department of Industry and Investment) to the Central Coast Mariners. In the initial year both Gosford and Wyong Councils contributed \$100,000 in funding and the Department of State and Regional Development provided \$80,000. In the second and third years all three parties contributed \$100,000 each. This sponsorship allowed the branding of an elite sports team representing the Central Coast to be known as the Central Coast Mariners. The decision to sponsor the Mariners was considered brave and innovative by many astute commentators particularly when considering the size of the Central Coast community and a market that was dominated by Australia's biggest city, Sydney. The funding agreement ended at the end of the 2008/2009 A League season, however after a request from the Mariners further funding was provided for the 2009/2010 A League season with this funding ending in February 2010.

The Central Coast Mariners have formerly requested Council to continue the sponsorship arrangement for the upcoming 2010/2011 A League season. In addition a request has been received from Regional Development Australia enquiring as to whether Council will continue the sponsorship for the upcoming season.

During the time of the partnership between Council and the Central Coast Mariners, the Mariners have consistently made the semi-finals of the national A League competition. In 2009 the Mariners qualified to play in the Champions League in Asia and this competition alone exposed the Central Coast region to a worldwide audience of over 2 billion people.

5.1 Central Coast Mariners Funding Report (contd)

Over the past three years the Central Coast Mariners have realised annually a 4% increase in attendance at home games with an average crowd of approximately 11,000 people for the 2008/2009 and 2009/2010 seasons.

It has been said that prior to the establishment of the Central Coast Mariners that the Central Coast, as a region lacked an identity and a community pride. It was often said that our neighbours to the north, Newcastle, had these characteristics however the formation of the Central Coast Mariners has created an opportunity for the community of the Central Coast to unite behind the Mariners and deliver this sense of community pride, an opportunity that has been taken.

The Central Coast Mariners have developed a professional sporting club supported by a sound management team and a strong code of ethics. The Mariners support a number of local charities by arranging player attendance to fundraising activities, speaking engagements and guest appearances at community events. Many of the players and officials are regarded as excellent role models within the community, with many of the young children of the Central Coast aspiring to follow in the footsteps of these professional sportsmen and women.

During the period of the partnership, the Central Coast Mariners have forged many associations with local businesses that have generated a number of employment opportunities, for instance over 500 direct and indirect local jobs are attributed to the Mariners' home games. These jobs include security, catering, tourism and accommodation to mention a few.

The Mariners were formed in 2005 and since that time they had been a great ambassador for the Central Coast, they have provided a platform to promote tourism and economic development within the region and have captured the imagination and support of a vast majority of the residents of the Central Coast.

The Mariners have also established a well structured and well-run club that is the envy of all other clubs within the A League competition. The Mariners have established a network that feeds players from all over Australia into their club; they also have close links with major clubs in England, China and Korea.

They have adopted a sound business plan that has resulted in an increase in membership and have recently purchased club Tuggerah and gained development approval for a \$50 million centre of excellence which when completed will create over 200 part and full time jobs and a focal point for the local community.

THE PROPOSAL

The current funding arrangement between Wyong Shire Council and the Central Coast Mariners ended in February 2010. Since that time the Mariners have had extensive discussions with all members of the tripartite agreement being Gosford City Council, the Department of Industry and Investment and Wyong Shire Council. Whilst no formal position from either of these partners has been declared, verbal discussions have indicated that the Department of Industry and Investment are likely to support the sponsorship arrangement, however, Gosford City Council have indicated that they are unwilling to continue the sponsorship. Considering that most home games attract an average crowd of 11,000 people with the majority of visitors staying overnight within Gosford city, and that up to 500 direct and indirect jobs are associated with the home games, it is a surprising decision from Gosford City Council.

Council sponsorship and support of the Mariners has created a unique opportunity to market the Central Coast as a desirable location to both live and work. The benefits of this partnership to Wyong Shire Council include the creation of jobs, the opportunity to both attract and develop businesses and social and community benefits when the Mariners attend community events, sporting events and hospitals.

Council also receives other ancillary benefits such as ground signage, an opportunity for jersey signage, exposure of the region throughout many of the media outlets and access to a corporate box where many of the new or proposed businesses to the Central Coast are invited to attend and experience the community pride and identity which is generated by the Central Coast Mariners.

Council has previously engaged Business Central Coast (now known as Regional Development Australia) to project manage Council's investment in the Mariners and should Council support the application for the 2010/2011 season it is recommended that Council would again engage Regional Development Australia to manage Council's interests and the provision for a further allocation of \$12,000 to undertake this task should made.

OPTIONS

FUNDING

Initially Council entered into a three-year sponsorship arrangement the Central Coast Mariners which ended in February 2009. At this time a request was received from the Central Coast Mariners to sponsor the club for the 2009/2010 A League season. Funding for this activity was not provided for in the 2009/2010 budget, however Council had recently resolved to cease the funding of Business Central Coast and in doing so established a recurrent project budget of \$100,000 within the Management Plan for Council to partner with public or private organisations in projects that would promote the Shire. Council allocated this line item to fund the Mariners for the 2009/2010 season.

The draft 2010/2011 Management Plan has not allocated any funding to the Central Coast Mariners within for the upcoming financial year. However, the recurrent funding for Council to partner with organisations in projects to promote the Shire is available and there is currently \$113,000 allocated to this line item. Should Council choose to support the Central Coast Mariners for the 2010/2011 A League season funding could be acquired from this line item to not only fund the Mariners but also the project management fee required by Regional Development Australia to oversee Council's sponsorship.

CONCLUSION

The Central Coast Mariners are recognized as the Central Coast's only National sporting team and as such there is no other person, company or team that has the opportunity to showcase the Central Coast, not only to a local and national audience but also a worldwide audience through its participation in global sporting events such as the Champions League and the coverage it receives from sporting channels such as FOX Sports.

The Mariners have created an identity that the majority of residents of the Central Coast have embraced. Each year has seen growth in the number of people attending the games and club membership. The structure of the club is admired by competitors and one that other clubs within the A League aspire to equal.

With the purchase of Club Tuggerah the Mariners have entered into a lifelong association with the residents of Wyong Shire, they have chosen a location within our community to establish their home and provide a centre of excellence that will not only be utilised by the Mariners and soccer fraternity but also the community in general.

Council should not be discouraged by the fact that the other members of the tripartite agreement have not as yet supported the Mariners for the upcoming season, rather Wyong Council should lead the way and declare that we are willing to support the Mariners subject to the Department of Industry and Investment and Gosford City Council also contributing a similar amount for the 2010/2011 season.

ATTACHMENTS

Nil.

6.1 Delegate's Report - The Place of the Child in Community Building

TRIM REFERENCE: F2004/06517 - D02242530

AUTHOR: ED

SUMMARY

Report submitted by Councillor Matthews on attendance at The Place of the Child in Community Building Conference held in Bendigo on 15 April 2010.

RECOMMENDATION

That Council receive the Delegate's Report - The Place of the Child in Community Building.

In accordance with Council's Facilities and Expenses Policy for Councillors, Councillors attending conferences must provide a written report detailing the proceedings of conferences attended.

Councillor Matthews attended The Place of the Child in Community Building Conference held in Bendigo, Victoria, on 15 April 2010. The attached formal report has been submitted by Councillor Matthews regarding her attendance at the Conference:

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Delegate's Report Cr Matthews - The Place of the Child in Community Building | D02242547 |
|---|--|-----------|

Information Report- Cr Lisa Matthews
Attendance at the The Place of the Child in Community Building
Conference
Bendigo- Melbourne
April15th 2010

The conference has certainly set the bar at a high standard for future conferences I may attend either on behalf of Council or in my professional career.

Delegates were welcomed by the Mayor of Bendigo, giving a brief overview of their city and how they have become the first city to adopt the Child Friendly status. I was impressed from then on!

The key note speaker was Richard Louv who suggested that our Children suffer from Nature Deficit disorder and that soon our children will no longer know what it is like to play in nature! Interesting thought maybe but as he progressed with his keynote I began to relate to what he was saying.

I attended 3 sessions based on a child's place in community development. Engaging with Children, should we? How should we? Lastly what expectations and outcomes do we set for all parties. Then if we engage with them how should we engage, and what outcomes do we hope to achieve by consulting at all with them. No more tokenistic conversations, promising the world and delivering nothing.

Another interesting session was how we must look at how we plan estates and how we should be considering what open space should look like.

The dinner key note was Julie Gale. Her performance on the sexualisation of children was fantastic. Julie's work instigated changes to the children advertising codes. She also has generated lots of media around this topic. Julie has been known to email companies and advise them that their product for children is being sold right next to rated material. In fact she made contact with the Wiggles to advise them that Dorothy was being sold right next to an apron displaying women's breast.

A high point of the conference was that I met a Director from South Australia whose directorate was Community Wellness, perhaps something we could aspire to. Our Shire Vision would certainly support this don't you think!

Lisa Matthews

7.1 Information Reports

TRIM REFERENCE: F2010/00009 - D02243995

AUTHOR: MR

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.

7.2 Mardi to Mangrove Link Project Status

TRIM REFERENCE: F2010/00500 - D02241661

AUTHOR: CC

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
- Mardi-Mangrove transfer pumping station
- Mardi Dam to Mangrove Creek Dam 19 kilometre pipeline

CURRENT STATUS

Expenditure to date	\$38.0m
Project Estimate	\$120.6m

Construction Status

	Scheduled Start	Scheduled Completion	% Complete
Pre-construction – Management Plans & Approvals	4 January 2010	2 June 2010	100%
Work Package 1 – Wyong River Off-take	7 April 2010	14 January 2011	12%
Work Package 2 – Wyong River Pump Station	19 February 2010	16 January 2011	10%
Work Package 3 – Wyong Mardi Rising Main 3	16 February 2010	3 August 2010	5%
Work Package 4 – Wyong Mardi Inlet	6 May 2010	2 December 2010	8%
Work Package 6 – Mardi Mangrove Transfer Pump Station	21 June 2010	14 January 2011	2%
Work Package 7 – Mardi Mangrove Transfer Main	1 March 2010	12 January 2011	9%
Work Package 18 – Wyong Weir, Fishway & Gauging	4 August 2010	25 November 2010	
Commissioning	17 January 2011	19 April 2011	

7.2 Mardi to Mangrove Link Project Status (contd)

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	12 January 2011		<input type="checkbox"/>
Transfer Pump Station Construction	14 January 2011		<input type="checkbox"/>
Commissioning	19 April 2011		<input type="checkbox"/>
Project Completion	June 2011		<input type="checkbox"/>

Land Matters

- Individual Property Management Plans (PMP) are currently being prepared for each property and will include all items agreed between each landowner and Council. Thirty-eight (38) out of fifty five (55) PMPs have been finalised and agreed with property owners.
- Three (3) out of four (4) landowners whose easements were compulsory acquired have accepted their compensation offers (as determined by the Valuer General). This means these acquisitions will be shortly finalised without any appeals. A compensation offer was made to the remaining owner on 28 May based on the Valuer General's assessment.

Stakeholder Liaison

Community

- A media release was issued on the pipe-laying work which has now begun. This received positive media coverage.
- Traffic updates continue to be given to local emergency services, schools and bus companies every week.
- Traffic updates are also uploaded on the Mardi-Mangrove Link (MML) Project pages of the GWCWA website and issued to the media.
- The MML 'Construction Progress' page of the GWCWA website has been updated with text and photos to reflect project activities during recent months.
- Traffic information has now begun airing on local radio including 2GO and SeaFM. These are being updated each week and will run throughout the construction period.

- Traffic information has also been running in Councils' ShireWide News column every fortnight. An update on the shopping centre displays was also included in a recent column item.
- General project information is also running in the Gosford Council news column approximately once per month.

Landholder

- Traffic updates were issued to landholders each week who have signed up to receive regular traffic updates. Other landholders have been invited to join this email list.
- A mailout is due to be issued to landholders in relation to general construction issues and traffic management issues.
- A project update was provided to the Rural Grapevine publication, which is widely read by Valley residents.
- Direct landholder liaison is continuing as required.

Government

- A mailout is due to be issued to all local MPs in relation to general construction issues and traffic management issues.

Incidents

- There have been no OH&S or environmental incidents during the last reporting period.

Major Achievements / Issues

- Following the Body Hire report to Council on 26 May, arrangements have been made for Mr Mike Achelles and Ms Lisa McDermott to relinquish their existing positions as Project Manager and Communications Manager respectively. Mr Rod Jewell has assumed the role of Project Manager. Further investigations are being made in regard to the most suitable and least disruptive method of undertaking the resolution of Council in respect of the rest of the Project Team.
- A test bore is being drilled in land of Stinsons Lane in preparation for underbore work required to cross Wyong River in Sector 8 of the pipeline route.
- Work is continuing on the new Mardi Dam inlet structure located at the saddle dam (northern end of the Mardi Dam facility).
- Sheet piling for the Wyong River off-take structure are expected to be completed early June and excavations for the off-take structure commenced.

ATTACHMENTS

Nil.

7.3 Outstanding Questions Without Notice and Notices of Motion

TRIM REFERENCE: F2010/00009 - D02244059

AUTHOR: MR

SUMMARY

Report on outstanding Questions Without Notice and Notices of Motion.

RECOMMENDATION

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

Question Asked / Councillor	Department	Meeting Asked	Status
Q78/10 Dredging of The Entrance Channel	Shire Services/Shire Planning	28 April 2010 Cr Best	A response will be submitted to Council during July 2010.
Q081/10 Details of Council's Legal Costs over the Past Five Years	Shire Planning	12 May 2010 Cr Best	A response will be submitted to Council's meeting of 23 June 2010.
Q082/10 Residential Suburb of the Minister for the Central Coast	Corporate Services	12 May 2010 Cr Eaton	Awaiting a response from the Minister's office
Q083/10 Library Cards	Shire Services	26 May 2010 Cr Matthews	A response will be submitted to Council's meeting of 14 July 2010.
Q84/10 Tacoma Public School	Shire Services	26 May 2010 Cr Best	A response will be submitted to Council's meeting of 14 July 2010.

7.3 Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
326 - National Natural Disaster Funding	Shire Planning	8 August 2007 Cr Eaton / Cr Best	<p>Letter sent to Local Government Association (LGA) applying for funding. Reply received advising Council was unsuccessful. Letter sent to the LGA requesting coastal erosion and risk management issues to be included in future funding. No response received.</p> <p>A report will be submitted to Council once the project plan for the Coastline Management Plan has been finalised.</p>
298 - The Long Jetty Commercial Options Initiative	Shire Planning	25 June 2008 Cr Best / Cr Eaton	<p>Currently preparing the project Management documentation to initiate the commencement of the project for masterplanning the Long Jetty Village Centre. This project will consider the matters raised in Council's resolution. The Masterplan project is expected to commence in 2011/2012.</p>
9.2 - Notice of Motion - Community Gardens	Shire Planning	22 July 2009 Cr Wynn / Cr Graham	<p>A report will be prepared for Council's consideration once community consultation has been completed.</p> <p>The draft Policy has been incorporated within the Legal and Policy Unit Work Program to be developed in the third quarter of 2009-10.</p>
9.3 - Notice of Motion - Review of All Boat Ramps with Lake Macquarie Frontage.	Shire Planning	26 August 2009 Cr Symington / Cr Graham	<p>The report has been broadened to incorporate a review of all boat ramps within the Shire.</p> <p>A report will be submitted for June round of Council Meetings.</p>

7.3 Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
8.1 - Notice of Motion – Energy Reduction Targets	Shire Planning	9 September 2009 Cr Wynn / Cr Best	This report has not been finalised due to other earlier priorities such as Climate Change requiring an additional resource. A secondment from Shire Services has now commenced. A draft report has been prepared, however taking into account the broad range of issues that effect energy usage and energy reduction, the report is being rewritten to canvass a broader range of options than requested in Council's resolution. A report is likely to be presented in June.
8.4 - Notice of Motion – Proposed Additional Development Policy	Shire Planning	11 November 2009 Cr Best / Cr Webster	The drafting of this policy has been placed on Legal and Policy Works program for 2010/2011. Commencement of drafting this policy will occur when current projects are completed.
5.1 - Notice of Motion – Planning Disputes Mediation Process Trial	Shire Planning	10 February 2010 Cr Eaton / Cr Graham	This item has been included in the Legal and Policy Works Program to be commenced mid 2010.
5.2 - Notice of Motion – Elected Council Independent Legal Advisor	Shire Planning	10 February 2010 Cr Eaton / Cr Graham	Brief finalised. Tenders being called.

7.3 Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
10.1 – Notice of Motion – LDO Coal Chain Valley Bay Colliery	Shire Planning	10 March 2010 Cr Wynn / Cr Vincent	A letter has been issued to the LDO informing it of the Council resolution. A letter was forwarded to Department of Planning in relation to Resolution 4. To address Resolution 5, an audit and assessment of roads impacted by the proposal has been completed. Impact considered to be negligible. Council will continue to monitor. DOP have requested an Adequacy Review be undertaken by Council. A letter of response has been prepared incorporating Council's comments.
10.5 - Notice of Motion – Traffic Gridlock San Remo	Shire Planning	10 March 2010 Cr Matthews / Cr Vincent	A letter has been issued to the RTA. A report will be forwarded to Council once a response has been received from the RTA.
9.4 - Notice of Motion – Costs of the Survey and Preliminary Design to the Entry Road and Intersection at Warnervale Town Centre	Shire Planning	24 March 2010 Cr Graham / Cr Vincent	Ongoing discussions being held with all relevant stakeholders to facilitate cost of survey and preliminary designs to Warnervale Town Centre.
8.1 - Notice of Motion – Bike Racks on buses	Shire Planning	14 April 2010 Cr Best / Cr Wynn	A report will be submitted to Council in July 2010.
8.2 - Notice of Motion – Access to Council Information – Anywhere, Anyhow, Anytime	Corporate Services	14 April 2010 Cr McNamara / Cr Graham	A briefing has been scheduled for 23 June 2010. A report will be submitted to Council following the briefing.

7.3 Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
8.4 - Notice of Motion – Public Access to Coast via Tuggerah Lakes Golf Course	Corporate Services	14 April 2010 Cr Eaton / Cr Best	A report will be prepared for Councils consideration once legal advice has been received.
7.1 Notice of Motion - Traffic Jams Priority List	Shire Planning	28 April 2010 Cr Eaton / Cr Best	A report will be submitted to Council in August 2010.
7.2 Notice of Motion – Shared Pathway	Shire Services	12 May 2010 Cr Wynn / Cr Vincent	In reference to Resolution 4, draft guidelines will be prepared for a briefing of Councillors in July with the aim to report the guidelines to Council in August 2010.
7.3 Notice of Motion – Proposed Closure – Tristram Close and Renee Close Laneway, Lakehaven	Shire Services	12 May 2010 Cr Best / Cr McNamara	Staff have initiated investigations. Actions to date include research into the purpose of the laneway and its existing condition, the mailout of a survey to residents, requests for information from NSW Police. Investigations are anticipated to be completed by the end of June 2010.
7.6 Notice of Motion – Warnervale Town Centre Viability	Shire Planning	12 May 2010 Cr Eaton / Cr Best	A report will be submitted to Council in August 2010.
9.1 Notice of Motion – Warnervale City project Team	Shire Planning	26 May 2010 Cr Best / Eaton	A report will be submitted to Council in July 2010.
9.1 Notice of Motion – Central Coast Tourism Annual Funding	General Manager's Unit	26 May 2010 Cr Webster/Graham	A briefing has been scheduled for 23 June 2010. A report will be submitted to Council's meeting of 23 June 2010.
9.4 Notice of Motion – Exhibition Period of Policies and Strategies	Shire Planning	26 May 2010 Cr Wynn/Eaton	A report will be submitted to Council in July 2010.
9.5 Notice of Motion – Community Twenty20 (T20) Cricket	Shire Services	26 May 2010 Cr McNamara/ Graham	A report will be submitted to Council's meeting of 14 July 2010.

7.3 Outstanding Questions Without Notice and Notices of Motion (contd)

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

Question without Notice / Notice of Motion	Date Asked / Resolved	Outcome
Q77/10 Cost of Synthetic Surfaces for Sportsgrounds	28 April 2010 Cr Eaton	Response included in this business paper.
Q79/10 Works Planned for the Use of the Environmental Levy in the Lake Macquarie Area	12 May 2010 Cr Wynn	Response included in this business paper.
Q080/10 RTA Proposals for Beautification of Median Strip at San Remo	12 May 2010 Cr Wynn	Response included in this business paper.
7.2 Notice of Motion - Coal Mining Environmental Impact Study Public Input	28 April 2010 Cr Eaton and Wynn	A public forum conducted on 18 May 2010. A web blog has been established on Councils' website.
U19/10 Grand Hotel Wyong	26 May 2010 Cr Eaton and Best	Heritage Assessment has been completed. A letter has been issued to the Owner and Auctioneer advising of the Heritage Status of this building.

ATTACHMENTS

Nil.

8.1 Answers to Question Without Notice

TRIM REFERENCE: F2005/00936 - D02230555 AUTHOR: MC

8.1 Q77/10 - Cost of Synthetic Surfaces for Sportsgrounds

The following question was asked by Councillor Eaton at the Ordinary Meeting on 28 April 2010:

"I table an excerpt from the Local Government Focus on the largest synthetic surface sportsground in Australia consisting of four ovals, constructed for \$1.6m. Could Council staff verify this cost and description and advise on the huge cost discrepancy between this Council's sportsground projects?"

Whittlesea Council advised that the Mill Park Secondary College multipurpose sportsground and amenities block was constructed for approximately \$1.6 million; they also provided a project expenditure breakdown for verification. As a comparison Council used the soon to be completed Woongarra Sporting Complex as a comparable Council project.

If Wyong Council's Woongarra Sporting Complex project (currently under construction) was evaluated using the same cost parameters and equivalent area as the Mills Park project the price, including excavation, would be \$1.478M. A detailed cost comparison was provided in a recent Councillor update.

A cost benefit analysis of synthetic turf verses natural turf has not been undertaken by Council to date.

ATTACHMENTS

Nil

8.2 Answers to Question Without Notice

TRIM REFERENCE: F2009/01865 - D02247851 AUTHOR: PS

8.2 Q079/10 - Works planned for the Use of the Environmental Levy in the Lake Macquarie Area

The following question was asked by Councillor Wynn at the Ordinary Meeting on 12 May 2010:

“Could the Director of Shire Services please provide a list of forward works planned for the use of the Environmental Levy for the Lake Macquarie portion in the 4 year Management Plan?”

There are presently five projects being funded by the Waterways Environmental Levy within the Lake Macquarie catchment:

- Noamunga Crescent, Gwandalan - Gross Pollutant Trap (GPT)/outlet channel and structure. Construction completed April 2010. Actual Expenditure \$81,000.
- Catherine Street, Mannering Park – Installation of water level control device within existing water quality control pond. Design complete. Construction 2010/11. Estimated expenditure \$10,000.
- Government Road, Summerland Point - GPT. Presently being designed. Construction 2010/11. Estimated expenditure \$50,000.
- Removal of sediment plume at the Government Road stormwater outlet, Summerland Point by long reach excavator as part of the GPT works. Design Complete. All approvals obtained. Estimated expenditure \$60,000.
- Gamban Road, Gwandalan - GPT. Investigation complete. Design not started.

Further to the above works there are also foreshore protection projects at Chain Valley Bay, Mannering Park and Summerland Point which aim to protect the water quality in the lake. These have been funded through a grant from the Lake Macquarie Improvement Program. Designs and approvals are complete and construction will begin this financial year.

ATTACHMENTS

Nil.

8.3 Answers to Question Without Notice

TRIM REFERENCE: F2005/01739 - D02242558 AUTHOR: KA

8.3 Q80/10 Roads and Traffic Authority Proposals for Beautification of Median Strip at San Remo

The following question was asked by Councillor Wynn at the Ordinary Meeting on 12 May 2010:

“Could the Director of Shire Services provide information if the Roads and Traffic Authority (RTA) proposes any median strip beautification for the Pacific Highway, north of San Remo?”

The Central Coast Manager, Roads and Traffic Authority has advised that there are no current plans for beautification works for the Pacific Highway, north of San Remo.

A letter has been forwarded to the RTA suggesting that beautification works at this location be considered as part of a future works program.

ATTACHMENTS

Nil.

9 June 2010

To the Ordinary Meeting

Councillor

9.1 Notice of Motion - Department of Housing Expansion

TRIM REFERENCE: F2004/09609 - D02238036

AUTHOR: GB; DE

Councillors Best and Eaton have given notice that at the Ordinary Meeting to be held on 9 June 2010 they will move the following Motion:

“That Council request the Department of Housing to brief Council on the Department’s current and future programs of delivering housing stock in this region.”

9 June 2010

To the Ordinary Meeting

Councillor

9.2 Notice of Motion - Installation of Disabled Beach Access at the Lakes Beach Surf Club

TRIM REFERENCE: F2004/06214 - D02250550

AUTHOR: DV

Councillors Vincent, Matthews and McBride have given notice that at the Ordinary Meeting to be held on 9 June 2010 they will move the following Motion:

“That Council support in principle the installation of disabled beach access facilities at the Lakes Beach Surf Club”

9 June 2010

To the Ordinary Meeting

Councillor

9.3 Notice of Motion - Health Studies Mining and Power Stations

TRIM REFERENCE: f2004/07518 - D02250566

AUTHOR: SW

Councillor Wynn has given notice that at the Ordinary Meeting to be held on 9 June 2010 she will move the following Motion:

“That Council write to the Premier, Health Minister, Planning Minister and Environment Minister, and ask them to;

- a Agree to design and undertake a comprehensive independent population health study to assess the impact of coalmining and coal-fired power stations on the health of residents in the Wyong Shire and any impact on the local water supply and food chain,*
- b Ensure the monitors to be used for air quality monitoring in Wyong Shire can measure particles to 2.5 microns, and can test and analyse the composition and toxic properties of dust pollution in the Wyong Shire,*
- c Make the findings of the health study and all pollution monitoring and any pollution testing data readily available to the public in an accessible format via the internet, in real time,*
- d Establish a permanent and well resourced EPA office in Wyong Shire to investigate and monitor coal mining and coal-fired power related pollution.”*

COUNCILLOR'S NOTE

We have three coal fire powered in close proximity to each other, Lake Munmorah, Vales Point and Eraring Power Stations and our residents in the north of the Shire plus collieries at Mannering, Chain Valley Bay and Mandalong.

There is also the spectre of a large sand mine on the Somersby plateau. If this sand mine goes ahead it will crush sandstone to extract the sand. This will put silica into the atmosphere as a by-product which is the element for silicosis.

9 June 2010

To the Ordinary Meeting

Councillor

9.4 Notice of Motion - Calga Sand Mining Proposal - Support to Local Residents

TRIM REFERENCE: F2010/00500 - D02250678

AUTHOR: BG

Councillor Graham has given notice that at the Ordinary Meeting to be held on 9 June 2010 he will move the following Motion:

- "1 That Council support residents of the Central Coast and in particular the residents of Somersby in their fight against the proposed extension of the Calga Sand Mine. The proposed extension of mine operations is expected to have significant impacts on surface water and groundwater, Aboriginal heritage, air quality and noise as well as the destruction of a number of hanging swamps and endangered ecological communities. The proposal is being assessed by the Minister for Planning as a Part 3A application. The situation is quite similar to that of Wyong Council and the residents of the Dooralong and Yarramalong Valleys in their fight against the proposed Kores Coal Mine;*
- 2 That Council send a letter of support to the Mayor of Gosford City Council."*

9 June 2010

To the Ordinary Meeting

Councillor

9.5 Notice of Motion - Water Corporation Impact Assessment

TRIM REFERENCE: F2004/08792 - D02251237

AUTHOR: DE; GB

Councillors Eaton and Best have given notice that at the Ordinary Meeting to be held on 9 June 2010 they will move the following Motion:

- "1 That Council prepare an internal impact assessment report on the impacts to Council arising from the formation of the proposed Central Coast Water Board and consequent loss by Council or its water authority status.*
- 2 That the impact assessment be reported to a Council meeting as soon as practicable."*

9 June 2010

To the Ordinary Meeting

Councillor

9.6 Notice of Motion - Drug and Alcohol Clinic Toukley Area

TRIM REFERENCE: F2010/00915 - D02252276

AUTHOR: GB

Councillors Best and Eaton have given notice that at the Ordinary Meeting to be held on 9 June 2010 they will move the following Motion:

- "1 That Council note with concern the recent public announcement proposing the establishment of a Drug and Alcohol Clinic at Toukley / Canton Beach as it is not in keeping with the local residential amenity and does not meet the aims and objectives of the new Draft Toukley Strategy.*
- 2 That Council call on the State Government and local Area Health Service as the funding body of this service to have urgent discussions with the proponents to identify a more suitable location."*

1 Newspaper Article re Drug & Alcohol Clinic Toukley Area D02252272

CENTRAL COAST NEWS

30-bed drug recovery centre to help addicts

ALISON EUCKLAND

A DRUG and alcohol recovery centre will be built at Canton Beach.

The Australian Council on Alcohol and Drug Dependence partnered with ACS Integrated Services to buy the 30-bed unit.

The drug council is a not-for-profit organisation that provides emergency, crisis, transitional and recovery accommodation to individuals and families suffering from alcoholism, addiction or heroin.

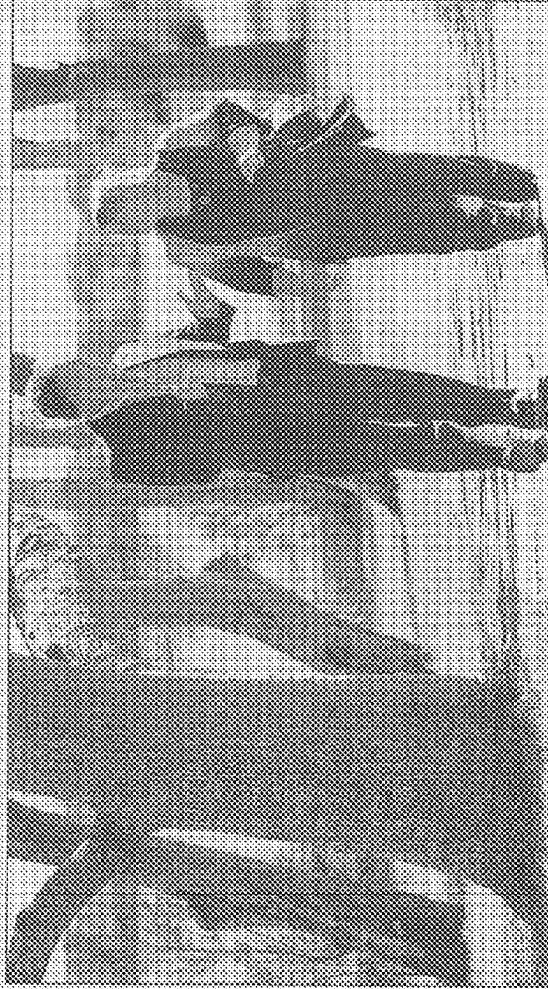
"We help create a pathway to recovery for families, individuals and the community," co-ordinator Christa Bishop said.

"This 30-bed unit will greatly increase the number of people we are able to assist."

The funds for the unit were donated by ACS.

"Acquiring this unit would not have been possible without the overwhelming generosity of Warren Hughes, of ACS Integrated Services," Ms Bishop said.

"We have identified more than 15 ways to create a family recovery centre that can provide comfort, love and understanding to homeless families leading from



Warren Hughes, of funding body ACS Integrated Services, and Christa Bishop, of the Australian Council on Alcoholism and Drug Dependence, discuss the new drug recovery unit for Canton Beach.

hardship. While the unit has been funded, money is still needed to relocate the current recovery unit from leave to Canton Beach.

A fundraiser will be held

tomorrow at Lizotte's Restaurant, at Warrumbidgee.

There will be entertainment and an auction of items, including a limited edition autographed Ken Dwan print, an acoustic guitar

signed by Eric Clapton, a 1973 Classic Yamaha bike and autographed football memorabilia. Tickets are \$75 with dinner. Inquiries: lizzottes.com.au or 0883 807.

Council lists 25 sites for super clinic

A WYONG Council report has listed 25 sites in the Warrumbungle and Yandarra areas as suitable for a new super clinic.

The information surprised Wyong councillors who had been opposed to the location of a new \$18 million super clinic at Sparks Rd, near Mackillop Catholic College.

Council staff received their findings last week after Cr Drug Edson called for an urgent investigation. Cr Edson had been concerned about the processes associated with the sale of land at Sparks Rd and had referred the matter to the Independent Commission Against Corruption for investigation.

Cr John McNamara, who lives in the Warrumbungle area, and the Mackillop College's Parents and Friends Association had been told there was only one suitable site and this was the reason it had supported the plan.

Earlier the council had been told the Sparks Rd land was not suited for a super clinic but the site went ahead anyway.

The council report said given the Federal Government's grant funding time constraints, the suitability of other sites had to be considered in the context of the time required to purchase the site, prepare a new development application and undertake a new assessment and referral period.

WARRUMBUNGLES (2/9/2007) 3/3

9.7 Notice of Motion - Open Letter to the NSW Parliament in Support of No New Coal Power

TRIM REFERENCE: F2006/01080 - D02253276

AUTHOR: BG

Councillor Graham has given notice that at the Ordinary Meeting to be held on 9 June 2010 he will move the following Motion:

“That taking into account the potential significant risk to Wyong Shire from the Proposed Wallarah 2 Coal Mine, Council join with Greenpeace Australia Pacific and the growing number of environmental organisations, community groups and NSW Government to stop further approvals of the new coal fired power stations.

In this regard, Council become a signatory to the Open Letter to the NSW Parliament in support of no new coal power.”