



The 2015 Wyong Shire Citizen of the Year, Lieutenant Commander Steven Reynolds, with 2014 winner Edna Wacher at the Australia Day Awards dinner.

**VALUE. CREATE. LEAD.**

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# MEETING NOTICE

The **ORDINARY COUNCIL MEETING**  
of **Wyong Shire Council**  
will be held in the **Council Chamber,**  
**Wyong Civic Centre, Hely Street, Wyong** on  
**Wednesday 11 February 2015 at 5.00pm,**  
for the transaction of the business listed below:

## OPENING PRAYER

## ACKNOWLEDGEMENT OF COUNTRY

## RECEIPT OF APOLOGIES

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### 7 QUESTIONS ON NOTICE ASKED

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

Greg McDonald  
**ACTING GENERAL MANAGER**

## 1.1 Disclosure of Interest

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TRIM REFERENCE: F2013/02042-02 - D11834649

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jacquie Elvidge; Councillor Services Officer

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

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

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

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

### RECOMMENDATION

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

## 1.2 Proposed Inspections and Briefings

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TRIM REFERENCE: F2013/02042-02 - D11834653  
MANAGER: Lesley Crawley, Manager Corporate Governance  
AUTHOR: Jade Maskiewicz; Councillor Services Officer

### SUMMARY

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

Date	Briefing	Directorate
11 February 2015	Community Facilities Strategy Update	Community and Recreation Services
11 February 2015	Regional Skate Park	Community and Recreation Services
11 February 2015	Brand	Community and Recreation Services
11 February 2015	Waterfront Structures Policy	Development and Building

### RECOMMENDATION

*That Council receive the report on Proposed Inspections and Briefings.*

### ATTACHMENTS

- 1 Councillor Proposed Briefings - Ordinary Meeting 28 January 2014 D11843433

### Proposed Briefings List to date

Briefing Title:	Directorate:	Proposed Month:	Proposed Date:
Community Facilities Strategy Update	Community and Recreation Services		11/02/2015
Regional Skate Park	Community and Recreation Services		11/02/2015
Brand	Community and Recreation Services		11/02/2015
Waterfront Structures Policy	Development and Building		11/02/2015
Q2 Report	GM Unit		25/02/2015
Lakeside Plaza Redevelopment	Development and Building		25/02/2015
Library Strategy	Community and Recreation Services		25/02/2015
INSPECTION - Frank Ballance Park, Wyong - Drainage Project	Infrastructure Management		04/03/2015
Ward Forums Annual Review	Community and Recreation Services		11/03/2015
Status Update of the I&O Business Review	Infrastructure Management		11/03/2015
Workshop on Lake Macquarie – Wyong Air Quality Monthly Reports 2013-2015	GM Unit		11/03/2015
Final draft plan changes and considerations	GM Unit		25/03/2015
Motorbike Farm	Community and Recreation Services		25/03/2015
Magenta Shared Pathway	Community and Recreation Services		22/04/2015
Tuggerah Sports Precinct	Community and Recreation Services		22/04/2015
Future communication and marketing approach	Community and Recreation Services		22/04/2015
Discuss and consider submissions -- Q3	GM Unit		27/05/2015
Voice of Customer Program	Community and Recreation Services		27/05/2015
INSPECTION: Rezoning 10 Oscar Drive, Chittaway Point - RZ/7/2009	Development and Building	May	
INSPECTION: RZ/6/2014 - 216-220 Main Road Toukley - Rustrum Key Site & Part Toukley Gardens	Development and Building	June	
Development Infrastructure - Porters Creek Stormwater Diversion Project	Property and Economic Development	March	
INSPECTION - Arthouse, Wyong	Community and Recreation Services	March	
New Buttonderry Landfill Cell and Building - Inspection	Property and Economic Development	February	
Norah Head Boat Ramp - Inspection	Community and Recreation Services	March	
Gross Pollutant Traps - Inspection	Infrastructure Management	March	
DA/1179/2014 - Proposed Masters Development - Tuggerah Gateway Site	Development and Building	March	

### **1.3 Address By Invited Speakers**

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TRIM REFERENCE: F2013/02042-02 - D11834663  
MANAGER: Lesley Crawley, Manager Corporate Governance  
AUTHOR: Jacquie Elvidge; Councillor Services Officer

#### **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.*

#### **ATTACHMENTS**

Nil.

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

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TRIM REFERENCE: F2013/02042-02 - D11834681  
MANAGER: Lesley Crawley, Manager Corporate Governance  
AUTHOR: Jacquie Elvidge; Councillor Services Officer

### **SUMMARY**

Confirmation of minutes of the previous Ordinary Meeting of Council held on Wednesday 28 January 2015.

### **RECOMMENDATION**

*That Council **confirm** the minutes of the previous Ordinary Meeting of Council held on Wednesday 28 January 2015.*

### **ATTACHMENTS**

1 Minutes of the Ordinary Meeting 28 January 2015      D11832332



**WYONG SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY COUNCIL MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBER**  
**WYONG CIVIC CENTRE, HELY STREET, WYONG**  
**ON 28 JANUARY 2015**  
**COMMENCING AT 5.00PM**

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**PRESENT**

Councillors D J Eaton (Chairperson), G P Best, R L Graham, K G Greenwald, L A Matthews, L R Y Nayna, A Troy, D P Vincent and L D Webster.

**IN ATTENDANCE**

Acting General Manager, Director Development and Building, Acting Director Infrastructure and Operations, Director Property and Economic Development, Director Community and Recreation Services, General Counsel, Manager Corporate Governance, Communications Coordinator, Chief Financial Officer, IT Infrastructure Administrator and two administration staff.

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

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

**APOLOGY**

An apology for the inability to attend the meeting was received on behalf of Councillor Taylor due to family commitments.

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

***1/15 That Council accept the apology and grant leave of absence from the meeting.***

At the commencement of the ordinary meeting report nos 1.1, 1.2, U1/15 and 7.1 were dealt with first then the remaining reports in order. However for the sake of clarity the reports are recorded in their correct agenda sequence.

## 1.1 Disclosures of Interest

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### Item 3.1 - CPA/222145 - Construction - Mannering Park RFS Station Upgrade

Councillor Troy declared a non-pecuniary insignificant interest in the matter for the reason that he is a member of the Rural Fire Services (RFS) and participated in consideration of this matter.

Councillor Troy 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 not a member of Mannering Park Brigade."*

### Item 4.1 - Appointment of Representative to The Entrance Town Centre Management Committee

Councillor Webster declared a non-pecuniary significant conflict of interest in the matter for the reason that her daughter works at The Entrance Visitors Centre. Councillor Webster left the chamber at 6.30pm, took no part in discussion, did not vote and returned to the chamber at 6.44pm.

### Item 4.4 - Director Attendance - IPWEA / IFME International Conference - Rotorua - June 2015

Mr Greg McDonald declared a pecuniary significant conflict of interest in the matter for the reason that the report directly benefits him. This item was resolved by the exception method.

## U1/15 Australia Day Honours

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that the motion refers to the OAM he received and participated in consideration of this matter, although vacated the chair.

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."*

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

**2/15 That Council receive the report on Disclosure of Interest and note advice of disclosures.**

## 1.2 Proposed Inspections and Briefings

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**RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor GREENWALD:**

**3/15 That Council receive the report on Proposed Inspections and Briefings.**

**PROCEDURAL MOTION**

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

***4/15 That Council allow meeting practice to be varied.***

***5/15 That Council use the exception method to deal with the balance of the Agenda.***

***RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TROY:***

***6/15 That, with the exception of report numbers 2.1, 3.1, 3.2, 4.1, 4.3, 4.5, 5.2, 5.3, 5.4, 7.1, 7.2 and 7.3, Council adopt the recommendations contained in the remaining reports.***

**PROCEDURAL MOTION**

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

***7/15 That Council suspend standing orders to consider an urgency motion.***

Councillor Eaton vacated the chair at 5.09pm and Councillor Webster assumed the Chair for consideration of this item.

Councillor Best sought leave to introduce a motion of urgency concerning events which occurred over the Australia Day weekend.

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

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

***8/15 That Council consider a Matter of Urgency concerning events which occurred over the Australia Day weekend.***

**U1/15 Australia Day Honours  
Councillor Greg Best**

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Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that the motion refers to the OAM he received and participated in consideration of this matter, although vacated the chair.

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."*

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

**9/15 That Council congratulate Mayor Eaton on his OAM recognition in this year's 2015 Australia Day honours for service to his community over the past 24 years.**

**10/15 That Council recognise and congratulate all other local award recipients, including our Australia Day Ambassador and Citizen of the Year Lieutenant Commander Steven Reynolds, through holding a suitable civic reception in their honour.**

**11/15 That Council thank all those involved in the highly successful shire wide 2015 Australia Day events enjoyed by thousands of local residents.**

**PROCEDURAL MOTION**

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

**12/15 That Council resume standing orders.**

Councillor Eaton resumed the chair at 5.30pm.

**1.3 Address By Invited Speakers**

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**RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TROY:**

**13/15 That Council receive the amended report on Invited Speakers.**

**14/15 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.**

**1.4 Confirmation of Minutes of Previous Meeting**

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**RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TROY:**

**15/15 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 10 December 2014.**

**Business Arising**

There was no business arising.

**2.1 RZ/1/2014 - Planning Proposal - Additional Permitted Use - Service Station - 211 Wallarah Rd Kanwal - Outcome of Exhibition**

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Councillor Best left the meeting at 6.24pm and returned to the meeting at 6.27pm during consideration of this item.

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

**16/15 That Council request the General Manager to exercise the Written Authorisation to Exercise Delegation for RZ/1/2014 and proceed with the steps for drafting and making of the amendment to Wyong Local Environmental Plan 2013.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**3.1 CPA/222145 - Construction - Mannering Park RFS Station Upgrade**

---

Councillor Troy declared a non-pecuniary insignificant interest in the matter for the reason that he is a member of the Rural Fire Services (RFS) and participated in consideration of this matter.

Councillor Troy 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 not a member of Mannering Park Brigade."*

Councillor Greenwald left the meeting at 6.30pm and returned to the meeting at 6.32pm and as a result took no part in voting.

**RESOLVED unanimously on the motion of Councillor TROY and seconded by Councillor NAYNA:**

**17/15 That Council defer this matter for further information from staff for a redesign of works to fit available funding and/or commitment from the NSW Government Rural Fire Service to fully fund the works.**

### 3.2 CPA/246157 - The Entrance Town Centre Tile Replacement Project - Stage 3b/c (Granite Paving)

---

Councillor Greenwald left the meeting at 6.30pm and returned to the meeting at 6.32pm during consideration of this item.

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

**18/15 That Council accept the tender from Sam The Paving Man Pty Ltd, for the lump sum amount of \$392,845.00 (excl GST) for Contract CPA/246157 The Entrance Town Centre Tile Replacement Project - Stage 3b/c.**

**19/15 That Council determine the Tender Evaluation Report in Attachment A, remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature, except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.**

**20/15 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.**

### 4.1 Appointment of Representative to The Entrance Town Centre Management Committee

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Councillor Webster declared a non-pecuniary significant conflict of interest in the matter for the reason that her daughter works at The Entrance Visitors Centre. Councillor Webster left the chamber at 6.30pm, took no part in discussion, did not vote and returned to the chamber at 6.44pm.

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

**21/15 That Council note the resignation of Councillor Lynne Webster as Council representative on The Entrance Town Centre Management Corporation Board.**

**22/15 That Council elect a Councillor representative, for the term of Council to The Entrance Town Centre Management Corporation Board.**

**23/15 That council formerly thank Councillor Webster for her many years of dedication to the ETC committee.**

The Mayor advised that nominations for Council representative on The Entrance Town Centre Management Corporation Board had been received for Councillors Graham and Taylor. Councillors Graham and Taylor accepted their respective nominations.

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

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

Councillor Taylor was declared as Council representative on The Entrance Town Centre Management Corporation Board on the casting vote of the Mayor.

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**4.2 Councillor Attendance - Floodplain Management Association Quarterly Meeting and Workshop**

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**RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TROY:**

**24/15 That Council authorise those interested Councillors to attend The Floodplain Management Association Quarterly Meeting and Workshop in accordance with the Council's Facilities and Expenses Policy for Councillors.**

**25/15 That Council authorise the reimbursement of expenses for Councillors in accordance with the Council's Facilities and Expenses Policy for Councillors.**

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**4.3 Councillor Attendance - Local Government NSW Seminar**

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

**26/15 That Council authorise those interested Councillors to attend the Local Government NSW (LGNSW) Seminar 'Amalgamations: To Merge or not to Merge?' in accordance with the Council's Facilities and Expenses Policy for Councillors.**

**27/15 That Council authorise the reimbursement of expenses for Councillors in accordance with the Council's Facilities and Expenses Policy for Councillors.**

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**4.4 Director Attendance - IPWEA / IFME International Conference - Rotorua - June 2015**

---

Mr Greg McDonald declared a pecuniary significant conflict of interest in the matter for the reason that the report directly benefits him. This item was resolved by the exception method.

**RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TROY:**

**28/15 That Council recognise that Wyong Shire Council will benefit from Mr Greg McDonald attending the IPWEA / IFME International Conference in Rotorua in June 2015 through improvements to our engineering, asset management and project management practices.**

**29/15 That Council authorise Mr Greg McDonald to attend the IPWEA / IFME International Conference in Rotorua in June 2015.**

**30/15 That Council reimburse Mr Greg McDonald's travel and conference expenses in accordance with Council's policy for Employee Travelling Allowances and Expenses.**

#### **4.5 Commercial Fishing on Tuggerah Lakes**

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

- 31/15 That Council receive the report on Commercial Fishing on Tuggerah Lakes.**
- 32/15 That Council note the attached report on Lakes Management Operations.**
- 33/15 That Council request the General Manager contact NSW Fisheries to provide the information previously offered in relation to the environmental impact study of commercial fishing on the sea grass in coastal lakes.**
- 34/15 That Council request the General Manager contact NSW Fisheries to extend the existing commercial fishing closure at Canton Beach to 12 months of the year to enhance the recreational value of the area.**
- 35/15 That Council convey to the State Government that it's preferred fishing option is to protect Tuggerah lakes fishery by limiting commercial fishing access to local fishermen that reside in Wyong Shire and that licenses are not to be transferable.**

#### **5.1 Draft Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee - 4 December 2014**

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**RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TROY:**

- 36/15 That Council receive the Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 4 December 2014.**

#### **5.2 General Works in Progress**

---

Councillor Troy left the meeting at 7.04pm and returned to the meeting at 7.07pm and as a result took no part in voting.

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

- 37/15 That Council receive the report on General Works in Progress.**

#### **5.3 Activities of the Development and Rezoning and Building Certification Compliance and Health Units**

---

Councillor Troy left the meeting at 7.04pm and returned to the meeting at 7.07pm during consideration of this item.

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

- 38/15 That Council receive the report on Activities of the Development and Rezoning and Building Certification Compliance and Health Units for the month of November and December 2014.**



**5.4 Results of Water Quality Testing for Beaches and Lake Swimming Locations**

---

Councillor Vincent left the meeting at 7.22pm and returned to the meeting at 7.23pm and as a result took no part in voting.

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

**39/15 That Council receive the report on Results of Water Quality Testing for Beaches and Lake Swimming Locations.**

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

---

**RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TROY:**

**40/15 That Council receive the report on Works in Progress - Water Supply and Sewerage.**

**5.6 Investment Report for December 2014**

---

**RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TROY:**

**41/15 That Council receive the Investment Report for December 2014.**

**5.7 Disclosure of Interest Returns - 1 October to 31 December 2014**

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**RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TROY:**

**42/15 That Council receive the amended report on Disclosure of Interest Returns 1 October to 31 December 2014.**

**5.8 Outstanding Questions on Notice and Notices of Motion**

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**RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TROY:**

**43/15 That Council receive the amended report on Outstanding Questions on Notice and Notices of Motion.**

**7.1 Notice of Motion - Supporting Mascord Park**

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Catherine Harris, Resident, addressed the meeting at 5.31pm, answered questions and retired at 5.33pm.

Lindsay Hensby, Resident, addressed the meeting at 5.33pm, answered questions and retired at 5.39pm.

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

- 44/15 That Council note the importance of establishing a variety of integrated housing opportunities across the Shire, particularly to assist in accommodating our seniors.**
- 45/15 That Council note that the proposal to re-identify a portion of the land adjoining Mascord Park for integrated housing commenced on 25 February 2011 via a resolution of the previous Council.**
- 46/15 That Council note the strong community support for Council to reconsider this proposal.**
- 47/15 That Council resolve to have the proposed rezoning of Lot 1 DP369486, 155 Louisiana Road Wadalba (part thereof Mascord Park) as part of Amendment 1 to the Wyong LEP 2013 withdrawn so that the park can be retained in its current RE1 Public Recreation zoning.**
- 48/15 That Council thank the local community for their submissions and representations that have assisted Council in its deliberation and consideration of this important matter.**
- 49/15 That Council request the General Manager to review the park maintenance in consultation with the local community.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TROY, VINCENT AND WEBSTER

AGAINST: COUNCILLOR TAYLOR

At this stage of the meeting, the Mayor adjourned the meeting for a period of 2 minutes to allow the public gallery to clear.

The Mayor resumed the meeting at 6.26pm.

**7.2 Notice of Motion - Government Rating Outrage**

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Councillor Vincent left the meeting at 7.22pm and returned to the meeting at 7.23pm during consideration of this item.

Councillor Matthews left the meeting at 7.34pm and returned to the meeting at 7.36pm during consideration of this item.

Councillor Best left the meeting at 7.36pm and returned to the meeting at 7.37pm during consideration of this item.

Councillor Greenwald left the meeting at 7.38pm and returned to the meeting at 7.39pm during consideration of this item.

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

**50/15 That Council note with great concern the likely significant escalation of the 2015 rate burden on the local lower to mid-market property sector.**

**51/15 That Council note the significant escalation is as a consequence of the recent property market increases and unfair rerating formulas dictated to Council by the State Government Valuer General and Office of Local Government.**

**52/15 That Council call on the State Government to conduct a thorough review into the Valuer General's and Office of Local Government's outdated and discriminatory rating methods that will place undue hardship on many in our community.**

**53/15 That Council investigate a shire wide, online petition in partnership with the community, to give ratepayers a voice to call upon the State Government to reject this outrageous and out of touch taxing.**

**54/15 That Council include in its 2015 Strategic Planning Process a review of all options to assist in reducing the impact of the Government's looming rerating charges.**

**7.3 Notice of Motion - Local Procurement and Employment Preference Policies - Major Projects**

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

**55/15 That Council recognise the outstanding results around local procurement and employment opportunities recently achieved through the development of the new \$6.7 million dollar Lake Haven Cinemas resulting in over 100 construction jobs and 30 permanent positions.**

**56/15 That Council seek to further encourage major projects to take a more proactive approach in providing local employment and economic opportunities via the delivery of various projects and ongoing operations.**

**57/15** That Council direct the General Manager to formally request the Shire's three current largest developments (at Development Application stage) and future developments exceeding \$20million to submit Local Procurement and Employment Preference plans for their proposals so that Council may better understand the major project policies around economics and employment in the Shire.

**58/15** That Council refer the important issue of Local Procurement and Employment Preference to the Employment and Economic development Committee for review and recommendations to strengthen policy.

## QUESTIONS ON NOTICE

**Q1/15** Street Side Pick Ups  
Councillor Ken Greenwald

*"Can the General Manager inform Council how they monitor items that have been left out on the footpaths past the time allowed for street side pickups of garbage. Such items are causing hazards and blocking free access of our footpaths?"*

**Q2/15** Speed Limits on Speedboats and Jet skis in Wyong River  
Councillor Lynette Webster

*"Would Council staff please liaise with Maritime Services to patrol the Wyong River, particularly the area near Golding Grove, to check the speed of speedboats and jet skis. The 4 knot limit is being abused and puts the safety of the many children enjoying the waterway in danger?"*

**Q3/15** Illegal Camping Over Christmas in our Public Parks  
Councillor Lynette Webster

*"Mr Mayor,*

*Councillor Best and I both raised the issue of the escalation of illegal camping in and around our public parks in the lead up to Christmas with our Ranger's management.*

*I note that there were clearly a large number of illegal campers flouting the law, setting up camp in our parks, leaving litter and damage behind.*

*Could you please have staff report how many fines were levied across the shire for illegal camping, particularly around The Entrance and Norah Head, during the Christmas holidays, thank you?"*

**Q4/15 Council's Photo Competition 2015 Calendar  
Councillor Adam Troy**

*"Mr Mayor,*

*I am pleased to report that over the Christmas break I received numerous comments and congratulatory feedback on our inaugural photo completion calendar.*

*May I take this opportunity to ask you to pass on my and indeed council's thanks to staff who developed such an outstanding shire showcase?*

*Also, I'd like to acknowledge my colleague Cr Best for this progressive initiative?"*

**Q5/15 Steel Band-Aid on Main Road Toukley  
Councillor Greg Best**

*"Mr Mayor,*

*I have received numerous representations on what many would think was somewhat of a minor matter. However, it has been keeping residents at Main Road Toukley awake at night for months and causing a significant traffic risk to vehicles motor cycles and particularly push bikes.*

*I am referring to a massive slab of steel that the RMS has placed on the road surface as a result of some road works.*

*Could you please enquire of the RMS how long this danger and annoyance need be in place?"*

**THE MEETING** closed at 7.54pm.

## **2.1 Review of Waterfront Structures Policy**

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TRIM REFERENCE: F2013/02016 - D11744262

MANAGER: Tanya O'Brien, Manager

AUTHOR: Chris Ferry; Strategic Planner

### **SUMMARY**

Waterfront structures are those structures such as seawalls, retaining walls and boat ramps constructed on land that adjoins a lake, creek or estuary, but does not include structures on land adjoining lakes and estuaries. This report discusses the review of the existing Waterfront Structures Policy W2 and recommends that the Policy should be repealed. It also recommends that appropriate controls for waterfront structures on private land be provided as a chapter of Wyong Development Control Plan (DCP) 2013 to control waterfront development in these sensitive locations.

### **RECOMMENDATION**

- 1 That Council amend Development Control Plan 2013 to include a new chapter 2.9 Waterfront Structures.**
- 2 That Council place on public exhibition for a period of 28 days the proposed amendment to Development Control Plan 2013.**
- 3 That Council repeal the Waterfront Structures Policy upon commencement of WDCP chapter 2.9.**
- 4 That Council receive a further report outlining any submissions received, and if none are received within the exhibition period proceed with the amendments to WDCP 2013 as shown within attachment 1.**

### **BACKGROUND**

Council's Waterfront Structures Policy was developed to ensure a coordinated management of waterfront developments and in doing so protect the waterfront land for public enjoyment. The current policy was adopted by Council 11 June 1986 and was amended 31 May 1990.

A number of documents and legislation which apply to waterfront structures have been introduced since the Waterfront Structures Policy was adopted; the following is a list of those documents:

- Water Management Act 2000
- Protection of the Environment Operations Act 1997
- Fisheries Management Act 1994
- Australian Standard – Guidelines for the design of maritime structures AS4997-2005
- Domestic Waterfront Facility Policy (February 2014) issued by Trade and Investment – Crown Lands

## **2.1 Review of Waterfront Structures Policy (contd)**

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- Engineering Standards and Guidelines for Maritime Structures (March 2005) issued by NSW Maritime - Roads and Maritime Services

The documents and legislation listed above have been introduced to ensure waterfront structures are constructed and maintained to protect marine ecology and provide personal safety.

### **CURRENT STATUS**

The current policy, W2 Waterfront Structures, has generally remained unchanged since May 1990. The current policy is due for review in order to provide clear guidelines to the public in relation to development on private land. It is recommended that the Policy W2 Waterfront Structures be repealed and replaced by development requirements for waterfront structures within a chapter of WDCP 2013.

This will ensure that appropriate controls are in place to manage development of sensitive waterfront locations, and protect these areas for public enjoyment as well as providing consistency in the requirements for these structures.

The incorporation of development controls relating to waterfront structures within WDCP will provide landowners and developers with a single source document which outlines Council requirements relating to the development of private land including waterfront structures in Wyong.

### **Proposed Amendments**

The draft WDCP chapter establishes Council's development requirements for waterfront structures such as boat ramps, jetties, seawalls and retaining walls when assessing development applications. Without these controls there would be no minimum controls or standards against which to assess applications for waterfront structures, and manage development of these important waterfront areas.

The WDCP chapter aims to facilitate the ongoing and future enjoyment of the Shire's waterways by establishing development controls which apply to waterfront structures on private and public land.

The objectives and requirements of the Waterfront Policy W2 are retained within the draft WDCP chapter. Additional objectives, requirements and definitions were added to provide landowners and developers with clearer guidelines when developing waterfront structures to provide for better management of waterfront land (see Attachment 1 chapter 2.9 Waterfront Structures).

### **STRATEGIC LINKS**

#### **Link to Community Strategic Plan (2030)**

The proposed amendment to the Waterfront Structures Policy and WDCP 2013 is linked to the Community Strategic Plan under the section "Civic Leadership" by providing regulatory requirements with an aim to provide for safe and environmentally sound access to waterways and lakes while protecting the amenity of Wyong's waterfront areas.

## **2.1 Review of Waterfront Structures Policy (contd)**

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The repeal of the Policy W2 Waterfront Structures and proposed WDCP amendment is in line with Council corporate objective, to not have any policy or procedures older than 5 years.

### **CONSULTATION**

Internal comment has been received from various internal departments including engineers, waterways and coastal management and landscape architecture. The feedback received has been used in preparing the draft WDCP chapter 2.9.

Generally the requirements contained within the current policy have been addressed in the draft WDCP chapter.

The Draft WDCP chapter will be placed on public exhibition for 28 days to allow interested parties to provide comment. A report outlining any comments received will be prepared following the exhibition period. If no comments are received this report seeks resolution to proceed with making the amendment to WDCP 2013.

### **CONCLUSION**

It is necessary for Council to provide development controls for waterfront structures to ensure the orderly development of areas directly adjoining the Shire's waterways and to protect the visual character and natural landscape of the waterways. The current Waterfront Structures Policy was introduced in 1986. Since that time many policy and legislation amendments have been made. It is recommended to repeal this policy and address the issue through a chapter in WDCP 2013. The proposed WDCP chapter 2.9 will provide clear requirements for waterfront structures on private land and streamline the assessment and approval process.

### **ATTACHMENTS**

- 1 Chapter 2.9 Waterfront Structures D11841965



## CHAPTER 2.9 WATERFRONT STRUCTURES

### 1.0 INTRODUCTION

This chapter aims to facilitate the ongoing and future enjoyment of the Shire's waterways by establishing development controls which apply to waterfront structures on private land.

#### 1.1 Objectives of this Chapter

- To provide for the use of the lakes and rivers whilst not adversely affecting the amenity of the area or the possible future use of the lake system.
- To protect the visual character and natural landscape of the Shire's waterways.
- To promote the co-ordinated management of waterfront developments.
- To ensure navigable area of waterways are not obstructed.

#### 1.2 Land to which this Chapter Applies

This Chapter applies to all land within the Shire of Wyong with a property boundary adjoining a waterbody, waterway or watercourse as defined in the Dictionary of Wyong Local Environmental Plan 2013.

#### 1.3 Relationship to other Chapters and Policies

- Chapter 3.5 Coastal Hazards
- Part 4 – Subdivision
- Council's Civil Works – Design Guideline and Construction Specification
- Fisheries Management Act 1994
- Protection of the Environment Operations Act 1997
- Water Management Act, 2000
- NSW Trade & Investment – Crown Lands Domestic Waterfront Facility Policy 2014
- AS4997-2005 Guidelines for the Design of Maritime Structures

## 1.4 Glossary

Where a term is defined within the WLEP 2013, it is not repeated here. Additional clarifications beyond those defined terms are as follows (note that the relevant Chapter from which the term originates is in brackets for each term, unless the term appears within several Chapters):

**Boat Ramp** a ramp or other device or structure used or capable of use or designed or intended for use for the purpose of launching and retrieving trailable vessels

**Retaining Wall also referred to as a seawall** a wall that holds back earth or water from a lake or estuary.

**Trailable Vessel** any vessel capable of being transported overland by trailer and launched or recovered on or by the use of a ramp or sloping surface leading into a waterway.

## GENERAL REQUIREMENTS

- a Any material excavated from below low tide or the natural water table must be tested for potential acid-sulphate soils and, if found, treated to neutralise prior to disposal.
- b Compliance with the requirements of the Fisheries Management Act 1994 is required with particular regard to development affecting aquatic reserves.
- c Appropriate measures are to be in place to minimise and mitigate pollution of waterways.
- d The design of the waterfront structure shall comply with the requirements of relevant Government Departments having an interest in the proposed works including but not limited to:-
  - i. The Department of Trade and Investment – Crown lands
  - ii. Department of Transport – Roads and Maritime Services
  - iii. Department of Primary Industries
  - iv. Mines Subsidence Board

## General Objectives

- To preserve natural foreshore vegetation in order to retain the visual character of the Shire's waterways
- To maintain the stability of shorelines and to protect against erosion and siltation
- To minimise potential for environmental contamination and impacts.
- To provide for safe and appropriate public access to waterways for public and private purposes.
- To facilitate enjoyment of natural areas for recreational purposes.

## 2.0 BOAT RAMPS AND SLIPWAYS

### Objective

- To mitigate the impact of domestic boat ramps on the integrity of ecological assets.

## Requirements

- a The length of a boat ramp shall not exceed 5 metres when measured from the deemed high water mark into the waterway.
- b The width of a boat ramp shall not exceed 3 metres.
- c A boat ramp shall be constructed directly on the bed of the waterway. Reclamation of the bed of the waterway is not permitted under any circumstances. Minor excavation of the waterway bed, so as to produce a more even grade, is acceptable. Any excavated material is to be disposed of on private land.
- d A boat ramp shall be constructed flush with the natural level of the foreshore. That part of the boat ramp which is below the mean high water mark shall not project more than 150 mm above the bed of the waterway.
- e Boat ramps shall be constructed of concrete with a grooved non-slip surface.
- f A boat ramp shall enter the waterbody at the property boundary where it meets the mean high water mark.
- g Where retaining walls have been / are to be constructed the foreshore must be excavated such that each side of the boat ramp is reformed to a gentle batter (not greater than 1:8) so as to enable pedestrian access along the foreshore.

## 3.0 JETTIES

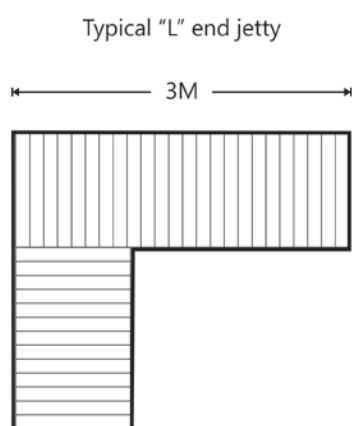
### Objectives

- To facilitate enjoyment of natural areas for recreation through jetty access to boats where reasonable depth of water can be obtained without dredging.
- To minimise disturbance to the lakes and waterways by mitigation of adverse impacts of jetties on ecological process and marine life.
- To facilitate public access to the lakes and waterways.
- To minimise public liability related to private jetties.

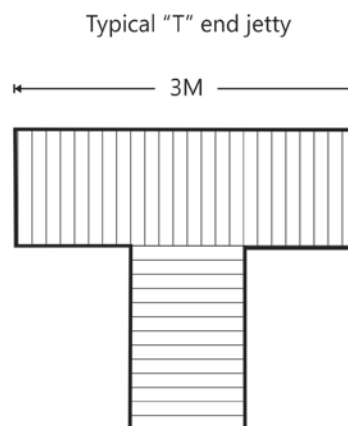
### Requirements

- a Council will not grant consent to the construction of jetties from foreshores where a public reserve exists on the land above high water mark which is directly adjacent/inland from the jetty.
- b Council will only grant consent to the construction, extension or rebuilding of jetties which are subject to shared use and entitlement between two or more adjoining waterfront properties.
- c Legal access to the jetty must be available from each participating allotment. Legal access can be achieved by constructing the jetty from the common side boundary, in the case of shared use between two parties, or by the creation of a legal right of way.
- d A jetty shall be constructed in such a manner as to not adversely affect the natural movement of water and not cause the accumulation of weed or other material.

- e A jetty should generally form a right angle with the shoreline, but may form some other angle where appropriate to the circumstances.
- f The length of a jetty, as measured from the deemed high water mark into the waterway, shall not exceed:
  - i. the minimum length necessary to provide a water depth of 1.2 metres at mean high water; or
  - ii. 25 metres;
  - whichever is the lesser.
- g The length of "L" or "T" ends shall not exceed 3 metres (See Figure 1 and Figure 2).
- h The width of a jetty shall be not more than 1.2 metres.
- i The finished surface of a jetty shall be at least 0.6 metres, but not more than 0.75 metres, above the mean high water mark.
- j Upon the grant of development consent that jetties be constructed to a standard as detailed by Council and that the applicant provide Council with a Deed of Release indemnifying Council against future claims as a result of the construction of the jetties.



**Figure 1** "L" end Jetty



**Figure 2** "T" end Jetty

## 4.0 RETAINING WALLS

### Objectives

- Minimise risk to public safety
- To ensure foreshore stabilisation works are designed and constructed to minimise environmental and visual impacts
- To re-establish the environmental integrity of the foreshore by providing erosion control

### Requirements

- a Domestic foreshore stabilisation treatment such as retaining walls must only be used to control erosion or landslip, retain authorised reclamation fill and prevent inundation.
- b Retaining walls and must be located wholly within private land above the deemed high water

mark and not exceed 1 metre in height.

- c Retaining walls and shall be designed by an appropriately qualified practicing structural engineer.
- d Retaining walls and shall be designed with a minimum life expectancy of 50 years.
- e The design of retaining wall and is to consider and provide for appropriate stormwater management.

### **3.1 CPA/243076 Provision of Local Government Election Services**

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TRIM REFERENCE: F2014/00009 - D11835203  
MANAGER: Brian Glendenning, General Counsel  
AUTHOR: Lesley Crawley; Manager Corporate Governance

#### **SUMMARY**

Evaluation and selection of tenders for Contract CPA/243076 – Election Services Provider 2016:

*“Councillors are reminded that the name of the successful tenderer will be released after resolution of this item. This means that the contents of Attachment A cannot be disclosed during discussion in the open session of the Council meeting.”*

#### **RECOMMENDATION**

- 1 That Council accept the tender from the company nominated as Tenderer No 1 in the attached Tender Evaluation Report, for the lump sum amount of \$748,367.02 (excl GST) for Contract CPA/243076 – Provision of Local Government Election Services for Wyong Shire for the period 1 July 2016 to 30 June 2019 with a provision for a two year extension to 30 June 2021 subject to satisfactory performance.**
- 2 That Council determine the Tender Evaluation Report in Attachment 1, remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature, except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.**
- 3 That Council approve the contingency sum as detailed in Attachment 3.**

#### **BACKGROUND**

Section 296 of the Local Government Act enables Council to either conduct its own election (election administered by the General Manager) or enter into an election arrangement with the Electoral Commissioner for the conduct its election.

If Council chooses to have the NSW Electoral Commission (NSWEC) conduct its election the Council must resolve to enter into an arrangement with NSWEC at least 18 months before the next Ordinary Election and the actual election arrangement is to be entered into at least 15 months prior to that Election.

For the next Council election due in 2016, the following critical dates are applicable:

Task	Date
Resolve to enter into an election arrangement with NSW Electoral Commission	10 March 2015
Enter into an election arrangement with NSW Electoral Commission	June 2015
Ordinary Election of Wyong Shire Councillors 2016	September 2016

Council must make an unconditional resolution by March 2015, which means that it cannot impose qualification such as 'subject to cost' on its resolution. If Council does not resolve to engage the NSWEC March 2015 Council will, by default, be responsible for the conduct of its own election. There are no provisions in the legislation enabling an extension to be granted or to approach the NSWEC at a later date.

In order to ascertain what other alternatives were available to Council it resolved to undertake an expression of interest process (EOI). Council received interest from one commercial provider, the Hunter Regional Organisation of Councils (HROC) Regional Procurement Initiative (RPI) (a division of HROC inc) which invited Council to participate in a joint tender process with a number of other councils.

That RPI has conducted the tender process on behalf of Council for the provision of Local Government Election Services to participating member Councils on an 'as required' basis for a period of 36 months from 1/07/2016 to 30/06/2019 with provision for a 2 year option. The results of the tender are included in this report and confidential attachments.

### Popularly Elected Mayor

On 9 November 2011 Council resolved to confirm its current ward structure and conduct a constitutional referendum at the 2012 Election in relation to a popularly elected Mayor as an eleventh Councillor.

- “5 That Council retain its current wards and Councillor numbers, such that a popularly elected Mayor becomes the eleventh Councillor and forms Wyong Shire Council, subject to constitutional referendum being passed.
- 6 That Council conduct a constitutional referendum on a popularly elected Mayor and 11 Councillors; being the number to form Wyong Shire Council, be held in conjunction with the 2012 Wyong Shire Council Local Government Elections.”

In his report for the Conduct of the 2012 Local Government Elections, the NSW Electoral Commissioner confirmed that the result of the Referendum question for Wyong was 'Yes' meaning that the referendum becomes effective at the 2016 Local Government Election.

The Tender and the estimate received from the NSWEC for the conduct for the 2016 election includes provision for the Election of a popularly elected Mayor as an eleventh councillor.

## CONTRACT PLAN

The tender documents for this tender process were approved by the General Manager before the Request for Tender was issued.

## INVITATION TO TENDER

The tender was advertised in the Sydney Morning Herald and TenderLink on 25 November 2014. Participating Councils in this tender were:

Bathurst Regional	Blayney Shire
Boorowa Shire	Cabonne
Cowra	Forbes Shire
Greater Taree City	Lachlan Shire
Lithgow City	Muswellbrook Shire
Oberon Shire	Orange City
Parkes Shire	Singleton
Wyong Shire	Young Shire

(note: other Councils using this process in 2012 were Lake Macquarie, Maitland City, Port Stephens, Newcastle City, Cessnock City. Those Councils have an option to extend any existing contract).

The invitation documents called for lump sum tenders, based on a detailed specification.

Three options were tendered however given the size and complexity of the Wyong Shire Election only Option 1 is applicable for Wyong:

- **Option 1\*** – Stand Alone – This option provides participating councils with the total cost for the provision election services using a dedicated Returning Officer for each council.
- **Option 2\*** – This option provides participating councils with separate costings for various categories that may be undertaken by an individual council.
- **Option 3** – This option provides selected councils with pricing for an ‘Election Kit that will be provided by Australian Election Company to allow councils to undertake the election process itself.

\*Options 1 and 2 also include sub costings for use of “shared returning” officer for selected councils.

A compulsory pre-tender meeting was held at Hunter Councils, 59 Bonville Avenue Thornton at 10:30am on Tuesday 9 December 2014.

Tenders closed at 10:00am on Tuesday 16 December 2014.

## TENDER SUBMISSIONS

One (1) conforming tender was received  
 One (1) non-conforming tender was received  
 No late submissions were received.



## TENDER EVALUATION

### Tender evaluation meetings:

Two separate evaluation panel meetings were conducted to meet requirements of participating CENTROC member councils and other participating Hunter, Central and Mid-North Coast member councils.

- CENTROC evaluation panel meeting was conducted on Thursday 8 January 2015 at Bathurst Regional Council
- Hunter, Central Coast and Mid-North Coast evaluation panel meeting was conducted on Friday 9 January 2015 at Singleton Council.

All members of the Tender Evaluation Panel signed Pecuniary Interest Declarations. No pecuniary interests were noted.

The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Report – Attachment 1. The detailed Regional Procurement tender evaluation report is recorded in TRIM D1138191.

All submissions were assessed in accordance with the approved evaluation criteria being:

- a) Price;
- b) Quality Assurance;
- c) WH&S
- d) Ecologically Sustainable Development
- e) Previous Experience;
- f) Referees

## FINANCIAL IMPLICATIONS

Funding will be allocated to the service as part of the integrated planning process for the 2016/17 Strategic Plan.

## RELEVANT LEGISLATION

The tender has been conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005*.

Information provided by tenderers which is commercial-in-confidence has been protected and will not be disclosed in accordance with section 10A(2)(d) of the *Local Government Act 1993*. A consistent standard for all tenderers has been used in assessing any request for confidentiality by a tenderer.

## RISK

This contract has been assessed as a low risk contract. The key risks and mitigations measures have been addressed in the Contract Plan.

## REGULATORY APPROVALS

Nil.

## OPTIONS/ALTERNATIVES

Council has the option of not proceeding with this proposal by resolving not to accept an offer from any of the Tendering parties. If this option is taken Council will need to either:

- Resolve to enter into an election arrangement with NSW Electoral Commissioner for the conduct of its own election by March 2015.
- Conduct the election itself.

## Estimate Received from the NSW Electoral Commission

The NSWEC did not participate in the Tender process and it has previously advised that in accordance with the Local Government Act, it is exempt from the tender process. NSWEC was requested to provide a quote to conduct the Election. The estimate provided is attached (Attachment 2).

An analysis of the conforming tender and the NSWEC estimate is provided as Attachment 3.

## PUBLIC CONSULTATION

No public consultation specific to this contract was necessary and none has occurred.

## CONCLUSION

Council may resolve to accept the tender as recommended, enter into an election agreement with the NSW Electoral Commission or conduct its own election.

## ATTACHMENTS

1	REGPRO Tender Evaluation Schedule -	D11838224
2	NSWEC LGE 2016 Election Estimate + Mayoral Election- Wyong 20150120v2 Confidential -	D11842468
3	CPA 243076 Provision of Local Government Election Services - Comparison of Quotes - CONFIDENTIAL (PDF Version) -	D11838273

### **3.2 CPA/250224 - Redevelopment of Frank Ballance Park**

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TRIM REFERENCE: CPA/250224 - D11809690

MANAGER: Robert Fulcher, Manager Contracts & Project Management

AUTHOR: Claire Ashby; Project Manager, CPM Team 1

#### **SUMMARY**

Evaluation and selection of tenders for Contract CPA/250224 - Redevelopment of Frank Ballance Park:

*“Councillors are reminded that the name of the successful tenderer will be released after resolution of this item. This means that the contents of Attachment A cannot be disclosed during discussion in the open session of the Council meeting.”*

#### **RECOMMENDATION**

- 1 That Council accept the tender from the company nominated as Tenderer No ‘6’ in the attached Tender Evaluation Report, for the lump sum amount of \$1,305,774.26 (excl GST) for Contract CPA/250224 – Redevelopment of Frank Ballance Park.**
- 2 That Council determine the Tender Evaluation Report in Attachment A, remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature, except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.**
- 3 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.**

#### **BACKGROUND**

The Redevelopment of Frank Ballance Park supports the adopted masterplan for the Wyong Cultural and Civic Centre Precinct. The adopted masterplan is consistent with the (30 September 2011) gazetted LEP for Wyong Town Centre that will facilitate increased residential and commercial densities including the masterplan precinct area. The Redevelopment of Frank Ballance Park has the benefit of creating a cultural and civic heart to Wyong town centre.

This construction contract is for the Redevelopment of Frank Ballance Park. This includes the ordering, supply and co-ordination of delivery of all materials and the cost of all labour, equipment, machinery, all applications, testing, certificates, supervision, profits, overheads and making good as necessary to complete the works as detailed in the Contract Documents.

### **CONTRACT PLAN**

The Contract Plan for this tender process was approved by the Acting Director Property & Economic Development, before the Request for Tender was issued. The approved Contract Plan is in TRIM D11717925

### **INVITATION TO TENDER**

The tender was advertised in the Sydney Morning Herald, Express Advocate and eTender on *11<sup>th</sup> November 2014* and closed on *18<sup>th</sup> December 2014*.

The invitation documents called for lump sum tenders, based on a detailed specification.

A compulsory pre-tender meeting was held at Frank Ballance Park on *2<sup>nd</sup> December 2014* to allow tenderers to become familiar with site conditions.

Tenders closed at Council's Chambers at 2.00pm on *18<sup>th</sup> December 2014*.

### **TENDER SUBMISSIONS**

The following tenders were received and are listed in alphabetical order:

- Design Landscapes Pty Ltd
- Hargraves Urban Pty Ltd
- Landscape Solutions Australia Pty Ltd
- Michilis Pty Limited
- Quality Management & Constructions Pty Ltd
- Scape Constructions Pty Ltd

No late submissions were received.

### **TENDER EVALUATION**

All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.

The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Report – Attachment A.

All submissions were assessed in accordance with the approved evaluation criteria being:

- a) Price;
- b) Methodology;
- c) Experience;
- d) Performance.

### **FINANCIAL IMPLICATIONS**

There are sufficient funds allocated for this contract within the current year's capital works program under project number 16873.

**RELEVANT LEGISLATION**

The tender has been conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Council's Procurement Policy.

Information provided by tenderers which is commercial-in-confidence has been protected and will not be disclosed in accordance with section 10A(2)(d) of the *Local Government Act 1993*. A consistent standard for all tenderers has been used in assessing any request for confidentiality by a tenderer.

**CRITICAL DATES / TIME FRAMES**

Construction is expected to commence in April 2015 and is expected to be completed in November 2015. This date fits with the planned completion of The Art House building.

**RISK**

This overall risk rating for this contract has been assessed as moderate. The key risks and mitigations measures have been addressed in the Contract Plan and detailed Risk Assessment which is in TRIM D11716265.

**REGULATORY APPROVALS**

The following regulatory approvals have been obtained for this Contract:

- Part V Assessment

**PROCESS REVIEW**

The Tender evaluation and this Report and recommendations have been endorsed in TRIM by the Commercial Manager, Contracts and Project Management.

**OPTIONS/ALTERNATIVES**

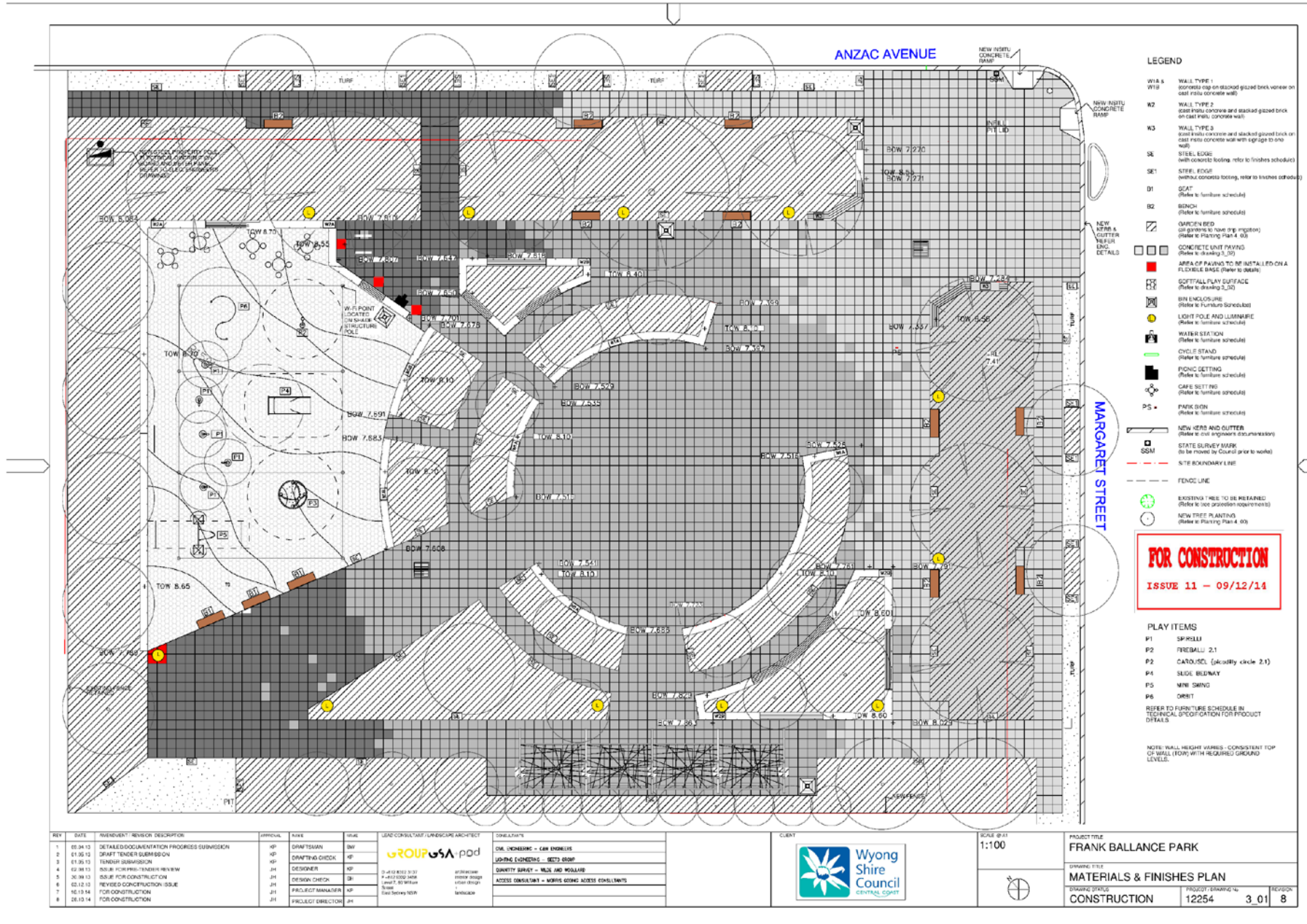
Council has the option of not proceeding with this contract by resolving not to accept an offer from any of the Tendering parties. This option is not recommended.

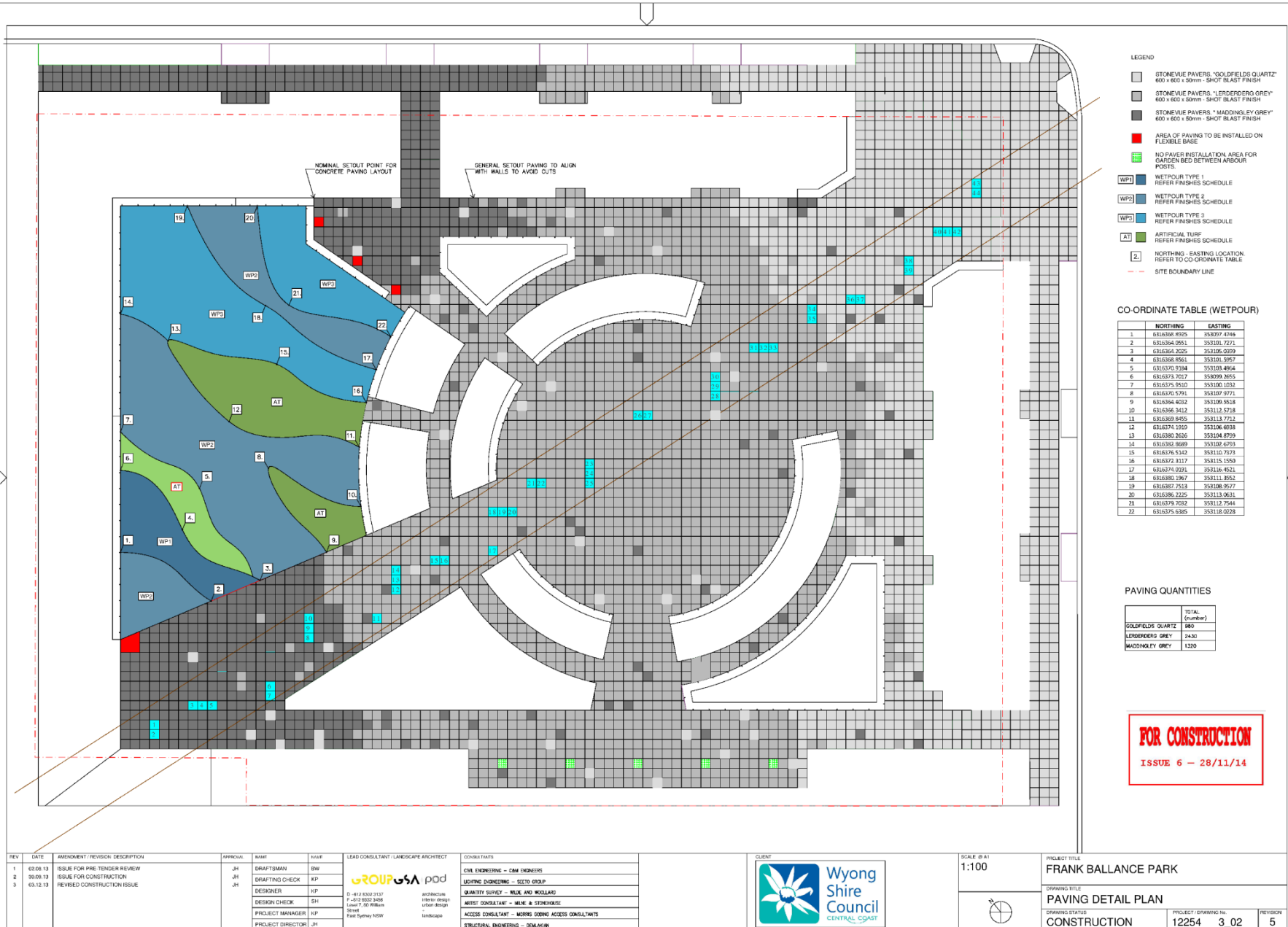
**PUBLIC CONSULTATION**

No public consultation specific to this contract was necessary and none has occurred.

**ATTACHMENTS**

1	T144 - Confidential Tender Evaluation Report - CPA 250224 -	D11834756
2	CPA/250224 - Drawings - Materials plan - 3_01	D11842100
3	CPA/250224 - Drawings -Paving Plan - 3_02	D11842130
4	CPA/250224 - Drawings -Landscape plan - 4_00	D11842131
5	CPA/250224 - Drawings -montage_view 1	D11842132
6	CPA/250224 - Drawings -montage_view2	D11842134





REV	DATE	AMENDMENT / REVISION DESCRIPTION	APPROVAL	NAME	ROLE
1	02.08.13	ISSUE FOR PRE-TENDER REVIEW	JH	DRAFTSMAN	SW
2	09.09.13	ISSUE FOR CONSTRUCTION	JH	DRAFTING CHECK	KP
3	03.12.13	REVISED CONSTRUCTION ISSUE	JH	DESIGNER	HP
				DESIGN CHECK	SH
				PROJECT MANAGER	KP
				PROJECT DIRECTOR	JH

APPROVAL	NAME	ROLE
JH	DRAFTSMAN	SW
JH	DRAFTING CHECK	KP
	DESIGNER	HP
	DESIGN CHECK	SH
	PROJECT MANAGER	KP
	PROJECT DIRECTOR	JH

**LEAD CONSULTANT - LANDSCAPE ARCHITECT**

**GROUP USA** pod

2/411-413/333-3337  
P-012-0222-3486  
Level 7, 80 Williams Street  
East Sydney NSW

architectural info: design urban design landscape

**CONSULTANTS**

- CIVIL ENGINEERING - CDM ENGINEERS
- LANDSCAPE ARCHITECTURE - SITE & GROUP
- QUANTITY SURVEY - HUXE AND HOLLAND
- ARTIST CONSULTANT - HUXE & HOLLAND
- ACCESS CONSULTANT - MORRIS DENNIS ACCESS CONSULTANTS
- STRUCTURAL ENGINEERING - DALRYMPH

**CLIENT**

**Wyong Shire Council**  
CENTRAL COAST

**SCALE** 1:100

**PROJECT TITLE** FRANK BALLANCE PARK

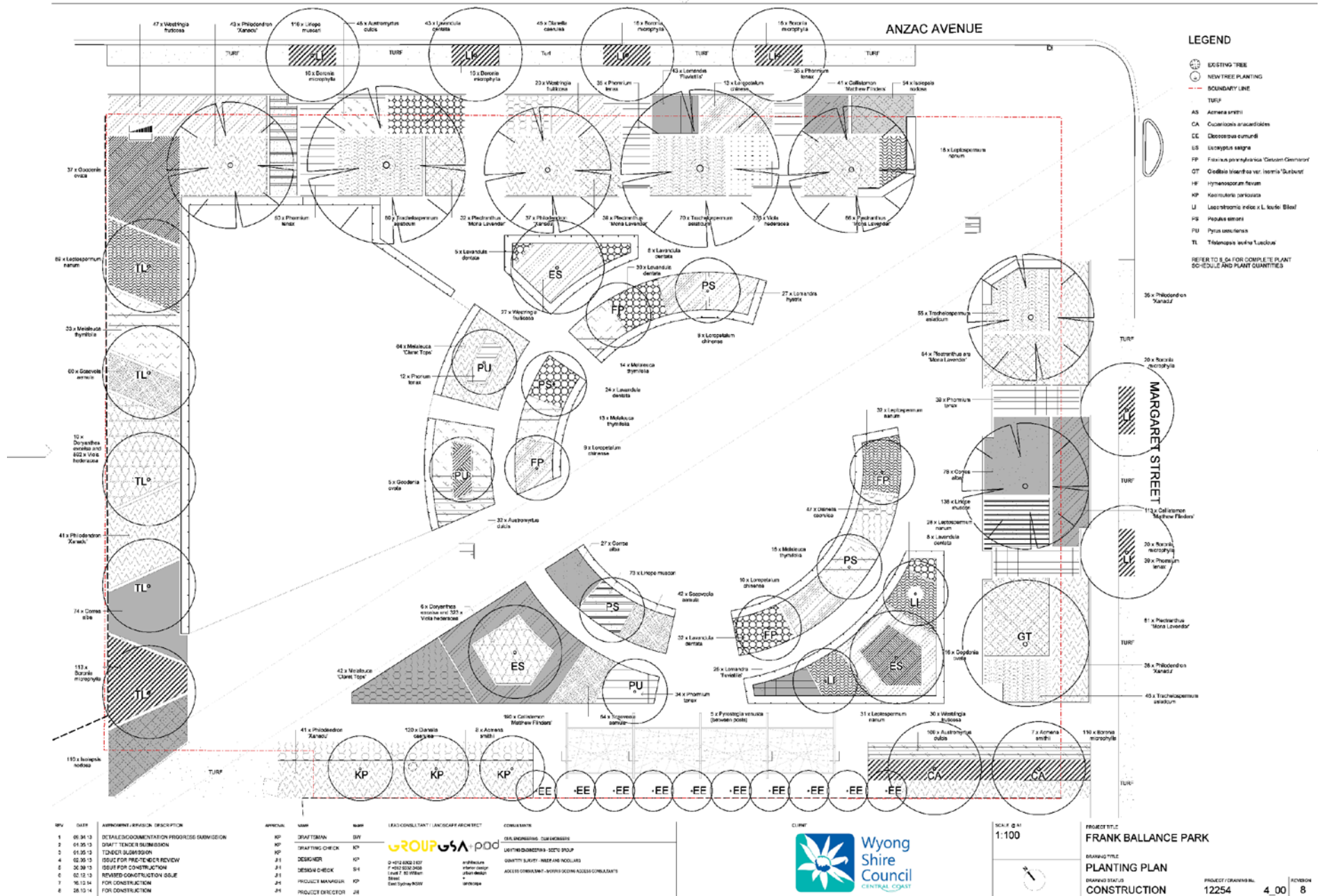
**DRAWING TITLE** PAVING DETAIL PLAN

**DRAWING STATUS** CONSTRUCTION

**PROJECT / DRAWING No.** 12254 3\_02

**REVISION** 5









#### 4.1 Proposed Councillors' Community Improvement Grants

---

TRIM REFERENCE: C2014/01723 - D11800000  
MANAGER: Lesley Crawley; Manager Corporate Governance  
AUTHOR: Lisa Martin; Administration Assistant

##### SUMMARY

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

##### RECOMMENDATION

***That Council allocate an amount of \$1,450 from the 2014-15 Councillors' Community Improvement Grants as follows:***

<b><i>Mannering Park Amateur Sailing Club (\$1000)</i></b>	<b><i>To pay for a Yachting Australia instructor to conduct the Start Sailing component of our Discover Sailing Program.</i></b>	<b><i>450</i></b>
<b><i>Northlakes United Rugby Union Club (\$1060)</i></b>	<b><i>Insurance Costs</i></b>	<b><i>650</i></b>
<b><i>YMCA Lake Haven on behalf of Autism Projects Central Coast (\$4000) (\$1400 already allocated)</i></b>	<b><i>Special Needs Christmas Party</i></b>	<b><i>350</i></b>

##### BACKGROUND

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

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.

Each Councillor is allocated a one tenth share of a total amount identified annually in Council's Annual Plan.

The amount allocated in the 2014-15 Annual Plan is \$130,000 with a reallocation by Council of additional \$20,000 at its meeting held on 24 July 2013. The total amount allocated for 2014/2015 is \$150,000.

## 4.1 Proposed Councillors' Community Improvement Grants (contd)

The proposed allocations are listed below:

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION		Best	Eaton	Graham	Greenwald	Matthews	Nayna	Taylor	Troy	Vincent	Webster	SUB TOTAL
Allocation 01/07/2014 - 30/06/2015		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 10 December 2014		5,810	6,090	5,500	4,400	3,000	6,050	4,550	8,710	4,900	8,912	57,922
Available allocation as at 10 December 2014		9,190	8,910	9,500	10,600	12,000	8,950	10,450	6,290	10,100	6,088	92,078
11 February 2015												
Manning Park Amateur Sailing Club (\$1000)	To pay for a Yachting Australia instructor to conduct the Start Sailing component of our Discover Sailing Program.	100								350		450
Northlakes United Rugby Union Club (\$1060)	Insurance Costs	100	200							350		650
YMCA Lake Haven on behalf of Autism Projects Central Coast (\$4000) (\$1400 already allocated)	Special Needs Christmas Party									350		350
Total Proposed Allocations for 11 February 2015		200	200	0	0	0	0	0	0	1,050	0	1,450
Total Accumulated Allocations as at 11 February 2015		6,010	6,290	5,500	4,400	3,000	6,050	4,550	8,710	5,950	8,912	59,372
Balance Uncommitted as at 11 February 2015		8,990	8,710	9,500	10,600	12,000	8,950	10,450	6,290	9,050	6,088	90,628

### OPTIONS

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

### STRATEGIC LINKS

#### Annual Plan

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

#### Contribution of Proposal to the Principal Activity

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

**Link to Shire Strategic Vision**

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

**Financial Implications**

Expenditure is approved until the end of the 2013-14 financial year. Unspent approvals lapse 31 May 2014.

**Principles of Sustainability**

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

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

**CONSULTATION**

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

**GOVERNANCE**

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

**CORPORATE RISKS**

Nil Impact.

**CONCLUSION**

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

**ATTACHMENTS**

Nil.

## 4.2 Community Subsidy Program and Sport and Cultural Sponsorship Program

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TRIM REFERENCE: F2008/02110 - D11805636

MANAGER: Julie Vaughan, Manager

AUTHOR: Kay Matthews; Administration Assistant

### SUMMARY

Consideration of applications and recommendations for Community Subsidy Program and Sport and Cultural Sponsorship Program funding for period ending 26 December 2014.

The Community Subsidy Program provides in-kind assistance to support community efforts to maintain the quality of life of the Wyong Shire Community.

The Sport and Cultural Sponsorship Program assists Wyong Shire residents to participate in sporting and cultural events which they may not be able to attend due to financial hardship.

### RECOMMENDATION

- 1 ***That Council allocate \$3,087.10 from the 2014-15 Community Subsidy Program as follows:***

<i>Applicant</i>	<i>Project Name Summary</i>	<i>Staff Funding Recommended</i>
<i>Long Jetty/The Entrance Branch of Country Women's Association</i>	<i>Rates Subsidy</i>	<i>\$825.85</i>
<i>Central Coast Lapidary Club Inc</i>	<i>Rates Subsidy</i>	<i>\$571.75</i>
<i>Gwandalan-Summerland Point Rural Fire Brigade</i>	<i>Venue hire of Mannering Park Oval</i>	<i>\$191.00</i>
<i>Marine Rescue Norah Head</i>	<i>Digital Printing</i>	<i>\$599.50</i>
<i>The Central Coast Collective</i>	<i>Digital Printing and Venue Hire</i>	<i>\$899.00</i>
<i>Total</i>		<i>\$3,087.10</i>



**4.2 Community Subsidy Program and Sport and Cultural Sponsorship Program (contd)**

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- 2 That Council allocate \$500.00 from the 2014-15 Sport and Cultural Sponsorship Program as follows:**

<i>Applicant</i>	<i>Project Name Summary</i>	<i>Staff Funding Recommended</i>
<i>Bryce Calderon</i>	<i>National Under 16's Baseball Championships at Blacktown, representing NSW</i>	<i>\$500.00</i>
<i>Total</i>		<i>\$500.00</i>

**BACKGROUND**

Council currently provides \$30,000.00 annually for the Community Subsidy Program, which supports community efforts to maintain the quality of life of the Wyong Shire Community. Council does this through the provision of assistance to events, activities and programs which express community and cultural values, protect our natural environment, improve the urban environment and create jobs. The available balance for this program as at 26 December 2014 is \$23,810.53.

Council currently provides \$20,000.00 annually for the Sport and Cultural Sponsorship Program, which assists Wyong Shire residents to participate in sporting and cultural events of regional, State and/or National significance, for which they may not be able to attend due to financial hardship. The available balance for this program as at 26 December 2014 is \$8,025.00.

Funding is provided every two months for these two programs.

This report provides details on the applications and recommendations for funding.

**ATTACHMENTS**

Nil.

### 4.3 Delegations of Authority under the Noxious Weeds Act 1993

TRIM REFERENCE: F2004/06923 - D11826751  
 MANAGER: Lesley Crawley, Manager Corporate Governance  
 AUTHOR: Meg Newington; Senior Governance Officer

#### SUMMARY

This report recommends changes to the current delegations of authority under the Noxious Weeds Act and requests that Council delegate functions to the positions listed in the attachment in order to comply with the Act.

#### RECOMMENDATION

*That Council acting as the Local Control Authority for Wyong Shire:*

- 1 **Rescind all previous delegations under the Noxious Weeds Act 1993.**
- 2 **Delegate powers under that Act to positions as outlined below:**

<b>SECTION</b>	<b>SECTION TITLE</b>	<b>POWERS CONFERRED</b>	<b>DELEGATED POSITIONS</b>
12	<b><i>Failure to Control Noxious Weeds</i></b>	<b><i>Subsection (1) The power to initiate prosecution</i></b>	<b><i>General Manager Director, Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i></b>
		<b><i>Subsection (2) The power to issue a notice under this provision</i></b>	<b><i>Director, Community &amp; Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development Manager, Open Space Noxious Weeds and Pest Species Officer</i></b>
14	<b><i>LCAs' obligations to control noxious weeds on own land</i></b>	<b><i>Authority to control noxious weeds on land subject to a weed control order</i></b>	<b><i>General Manager Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i></b>

<b>SECTION</b>	<b>SECTION TITLE</b>	<b>POWERS CONFERRED</b>	<b>DELEGATED POSITIONS</b>
17	<i>Obligation to control aquatic weeds</i>	<i>Authority to control noxious weeds located on a watercourse, river or inland water in the local area</i>	<i>General Manager Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i>
18a	<i>Prior Notice of Weed Control Notice</i>	<i>The power to issue a notice of a proposed weed control</i>	<i>General Manager Noxious Weeds and Pest Species Officer Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i>
		<i>Subsection (2) (c) and (d) The power to consider submissions from occupiers regarding a proposed weed control notice</i>	<i>General Manager Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i>
		<i>Subsection (3) to give oral or written notice of an emergency weed control notice</i>	<i>General Manager Noxious Weeds and Pest Species Officer Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i>
18	<i>Weed Control Notices</i>	<i>The power to issue and to amend or revoke a weed control notice</i>	<i>General Manager Director, Community and Recreation Services Manager, Open Space Noxious Weeds and Pest Species Officer Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i>

<b>SECTION</b>	<b>SECTION TITLE</b>	<b>POWERS CONFERRED</b>	<b>DELEGATED POSITIONS</b>
20	<i>Noxious Weed Control by Local Control Authority after Weed Control Notice not complied with</i>	<i>Subsection (1) The power to authorise such work</i>	<i>General Manager Director Infrastructure and Operations Director Development and Building Director Property and Economic Development Director, Community and Recreation Services</i>
		<i>Subsection (2) The power to carry out such work</i>	<i>Noxious Weeds and Pest Species Officer Council Spray Operators Contractor working on Council's behalf</i>
		<i>Subsection (3) The power to issue notices to occupiers, prior to action under this section</i>	<i>General Manager Noxious Weeds and Pest Species Officer Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i>
21	<i>Recommended Weed control notice be given to public authority</i>	<i>Authority to recommend to the Minister that weed control notices be given by the Minister to a public authority or another local control authority</i>	<i>General Manager Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i>
22	<i>Weed control notices given by Minister</i>	<i>Power to take all necessary action and authorise all such work to comply with a notice given by the Minister</i>	<i>General Manager Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i>
26	<i>Expenses</i>	<i>The power of recovery expenses in accordance with this section</i>	<i>General Manager General Counsel Chief Financial Officer</i>

<b>SECTION</b>	<b>SECTION TITLE</b>	<b>POWERS CONFERRED</b>	<b>DELEGATED POSITIONS</b>
<b>27</b>	<b>Notice of Control of Prohibited Plants</b>	<b>Authority to give notices under this section</b>	<b>General Manager Noxious Weeds and Pest Species Officer Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</b>
<b>36</b>	<b>Noxious weed control functions of local authorities</b>	<b>Authority to exercise the noxious weed control functions of Council in relation to the area for which it is the local control authority</b>	<b>Noxious Weeds and Pest Species Officer Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</b>
<b>36a</b>	<b>Temporary restrictions during noxious weed control</b>	<b>Authority to impose restrictions under this section</b>	<b>General Manager Noxious Weeds and Pest Species Officer Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</b>
<b>37</b>	<b>Record Keeping Obligations</b>	<b>Subsection (1) Responsibility to monitor presence of noxious weeds and to keep records</b>	<b>General Manager Noxious Weeds and Pest Species Officer Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</b>
		<b>Subsection (2) Responsibility to report to the Director General on the presence and distribution of noxious weeds if required</b>	<b>General Manager Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</b>

<b>SECTION</b>	<b>SECTION TITLE</b>	<b>POWERS CONFERRED</b>	<b>DELEGATED POSITIONS</b>
<b>38</b>	<b><i>Aquatic Weeds</i></b>	<b><i>The power to consider objections and authorise the draining of a swamp</i></b>	<b><i>General Manager Director, Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i></b>
<b>41</b>	<b><i>Appointment of Inspectors</i></b>	<b><i>The power to appoint inspectors under the Noxious Weeds Act for the local control authority</i></b>	<b><i>General Manager Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i></b>
<b>43</b>	<b><i>Power of Entry</i></b>	<b><i>Authority to enter premises</i></b>	<b><i>Noxious Weeds and Pest Species Officer Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i></b>
<b>44</b>	<b><i>Inspections and Investigations</i></b>	<b><i>The power to undertake inspections and investigations under this section</i></b>	<b><i>Noxious Weeds and Pest Species Officer Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i></b>
<b>45</b>	<b><i>Notice of Entry</i></b>	<b><i>The duty to give occupiers notice prior to entry</i></b>	<b><i>Noxious Weeds and Pest Species Officer Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i></b>

<b>SECTION</b>	<b>SECTION TITLE</b>	<b>POWERS CONFERRED</b>	<b>DELEGATED POSITIONS</b>
46	<i>Use of Force</i>	<i>The power to authorise use of force to gain entry to premises</i>	<i>General Manager Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i>
47	<i>Notification of Use of Force</i>	<i>The responsibility to notify an occupier of the use of force</i>	<i>General Manager Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i>
49	<i>Compensation</i>	<i>The responsibility to authorise payment of compensation</i>	<i>General Manager Chief Financial Officer</i>
50	<i>Certificates of Authority</i>	<i>The power to issue Certificates of Authority for Inspectors under the Noxious Weeds Act 1993 (the General Manager must also sign the Certificate of Authority)</i>	<i>General Manager Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i>
59	<i>Recovery of fees and expenses</i>	<i>The power to recover expenses in accordance with this section</i>	<i>General Counsel Chief Financial Officer</i>
64	<i>Certificates as to Weed Control Notices etc</i>	<i>The power to issue such certificates</i>	<i>Noxious Weeds and Pest Species Officer Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development Chief Financial Officer Natural Areas Supervisor</i>

<b>SECTION</b>	<b>SECTION TITLE</b>	<b>POWERS CONFERRED</b>	<b>DELEGATED POSITIONS</b>
<b>68</b>	<b><i>Delegation by local control authorities</i></b>	<b><i>The power to delegate</i></b>	<b><i>General Manager Director Community and Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development</i></b>

## **BACKGROUND**

Legal and Governance is currently reviewing delegations from the General Manager to staff, as part of the implementation of a delegations database provided by Local Government Legal, a legal service provider owned by Hunter Councils. The use of this database will allow for more efficient administration of delegations.

In the course of that review Legal and Governance has identified an issue with the delegation of powers under the *Noxious Weeds Act 1993*. Council is a "local control authority" for the purposes of the *Noxious Weeds Act 1993*, and under s. 36 of that Act Council has the following functions:

- (a) responsibility for the control of noxious weeds by occupiers of land (other than public authorities or local control authorities),*
- (b) control of noxious weeds on land owned or occupied by the local control authority and on certain roads and watercourses, rivers or inland waters as provided by this Act,*
- (c) to ensure, so far as practicable, that owners and occupiers of land (other than public authorities or other local control authorities) carry out obligations to control noxious weeds imposed under this Act,*
- (d) to develop, implement, co-ordinate and review noxious weed control policies and noxious weed control programs,*
- (e) inspection of land within the local area in connection with its noxious weed control functions,*
- (f) to report, at the request of the Minister, on the carrying out of the local control authority's functions under this Act,*
- (g) to co-operate with local control authorities of adjoining areas to control noxious weeds, where appropriate,*
- (h) any other functions that are conferred or imposed on the local control authority by or under this Act.*

Section 68 of the *Noxious Weeds Act 1993* provides "A local control authority may delegate to a person any of the local control authority's functions under this Act (other than this power of delegation) but only under this power of delegation". Section 68 of the *Noxious Weeds Act 1993* conflicts with sections 377 and 378 of the *Local Government Act 1993*, which empower Council to delegate functions to its General Manager, who in turn can then delegate functions to others (including Council staff).



### **4.3 Delegations of Authority under the Noxious Weeds Act 1993 (contd)**

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As Council has done previously, it is proposed that functions under the *Noxious Weeds Act 1993* will be delegated directly to those staff by resolution of Council, and also by the General Manager pursuant to s. 378 of the *Local Government Act 1993*. This will ensure that the delegation of those functions to Council staff is beyond challenge. This “belts and braces” approach is consistent with advice previously provided to the Council by its General Counsel, and confirmed by subsequent advice from Local Government Legal.

Under this premise, at its meeting of 27 March 2013, Council delegated various powers under the *Noxious Weeds Act 1993* to the General Manager, Director Community and Recreation Services, Manager Open Space, Noxious Weeds and Pest Species Officer, Council Spray Operators and to Contractors working on Council’s behalf.

Following the Delegations process review, it has been determined that there is a need for the other three Directors, General Counsel and the Chief Financial Officer to be delegated those functions.

#### **CURRENT STATUS**

The General Manager, Director Community and Recreation Services, Manager Open Space, Noxious Weeds and Pest Species Officer, Council Spray Operators and Contractors working on Council’s behalf have delegations of authority to carry out various functions under the Noxious Weeds Act.

#### **THE PROPOSAL**

It is proposed that Council delegate powers under the Noxious Weeds Act to additional selected positions as per Attachment 1. These additional positions are highlighted in red on the table.

#### **STRATEGIC LINK**

##### **Link to Community Strategic Plan (2030)**

The proposal is linked to the overriding principle of Civic Leadership in the Community Strategic Plan:

Restore Accountability to Government

29 – Restore confidence and integrity in the planning system

30 – Restore trust in State and Local Government as a service provider

#### **Budget Impact**

Nil Impact

**CONSULTATION**

Consultation was undertaken with Local Government Legal, the legal entity which administers and provides support for the new Delegations process.

**GOVERNANCE AND POLICY IMPLICATIONS**

Good governance practices ensure that staffs are carrying out their functions in accordance with the relevant legislation.

**MATERIAL RISKS AND ISSUES**

Nil

**CONCLUSION**

That Council, acting as the Local Control Authority, delegate the powers under the Act as set out in Attachment 1.

**ATTACHMENTS**

1 Noxious Weeds Delegations Table D11827040

**Noxious Weeds Delegations 2015**  
Table 1

<b>SECTION</b>	<b>SECTION TITLE</b>	<b>POWERS CONFERRED</b>	<b>DELEGATED POSITIONS</b>
12	Failure to Control Noxious Weeds	Subsection (1) The power to initiate prosecution	General Manager Director, Community & Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development
		Subsection (2) The power to issue a notice under this provision	Director, Community & Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development Manager, Open Space Noxious Weeds & Pest Species Officer
14	LCAs' obligations to control noxious weeds on own land	Authority to control noxious weeds on land subject to a weed control order	General Manager Director Community & Recreation Services Director Infrastructure and Operations Director Development and Building Director Property and Economic Development
17	Obligation to control aquatic weeds	Authority to control noxious weeds located on a watercourse, river or inland water in the local area	General Manager Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
18a	Prior Notice of Weed Control Notice	The power to issue a notice of a proposed weed control	General Manager Noxious Weeds & Pest Species Officer Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building

SECTION	SECTION TITLE	POWERS CONFERRED	DELEGATED POSITIONS
			Director Property & Economic Development
		Subsection (2) (c) & (d) The power to consider submissions from occupiers regarding a proposed weed control notice	General Manager Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
		Subsection (3) to give oral or written notice of an emergency weed control notice	General Manager Noxious Weeds & Pest Species Officer Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
18	Weed Control Notices	The power to issue and to amend or revoke a weed control notice	General Manager Director, Community & Recreation Services Manager, Open Space Noxious Weeds & Pest Species Officer Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
20	Noxious Weed Control by Local Control Authority after Weed Control Notice not complied with	Subsection (1) The power to authorise such work	General Manager Director Infrastructure & Operations Director Development & Building Director Property & Economic Development Director, Community & Recreation Services
		Subsection (2) The power to carry out such work	Noxious Weeds & Pest Species Officer Council Spray Operators Contractor working on Council's behalf
		Subsection (3) The power to issue notices to occupiers,	General Manager

SECTION	SECTION TITLE	POWERS CONFERRED	DELEGATED POSITIONS
		prior to action under this section	Noxious Weeds & Pest Species Officer Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
21	Recommend Weed control notice be given to public authority	Authority to recommend to the Minister that weed control notices be given by the Minister to a public authority or another local control authority	General Manager Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
22	Weed control notices given by Minister	Power to take all necessary action and authorise all such work to comply with a notice given by the Minister	General Manager Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
26	Expenses	The power of recovery expenses in accordance with this section	General Manager General Counsel Chief Financial Officer
27	Notice of Control of Prohibited Plants	Authority to give notices under this section	General Manager Noxious Weeds & Pest Species Officer Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
36	Noxious weed control functions of local authorities	Authority to exercise the noxious weed control functions of Council in relation to the area for which it is the local control authority	Noxious Weeds & Pest Species Officer Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building

SECTION	SECTION TITLE	POWERS CONFERRED	DELEGATED POSITIONS
			Director Property & Economic Development
36a	Temporary restrictions during noxious weed control	Authority to impose restrictions under this section	General Manager Noxious Weeds & Pest Species Officer Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
37	Record Keeping Obligations	Subsection (1) Responsibility to monitor presence of noxious weeds and to keep records	General Manager Noxious Weeds & Pest Species Officer Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
		Subsection (2) Responsibility to report to the Director General on the presence and distribution of noxious weeds if required	General Manager Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
38	Aquatic Weeds	The power to consider objections and authorise the draining of a swamp	General Manager Director, Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
41	Appointment of Inspectors	The power to appoint inspectors under the Noxious Weeds Act for the local control authority	General Manager Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building

SECTION	SECTION TITLE	POWERS CONFERRED	DELEGATED POSITIONS
			Director Property & Economic Development
43	Power of Entry	Authority to enter premises	Noxious Weeds & Pest Species Officer Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
44	Inspections and Investigations	The power to undertake inspections and investigations under this section	Noxious Weeds & Pest Species Officer Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
45	Notice of Entry	The duty to give occupiers notice prior to entry	Noxious Weeds & Pest Species Officer Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
46	Use of Force	The power to authorise use of force to gain entry to premises	General Manager Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
47	Notification of Use of Force	The responsibility to notify an occupier of the use of force	General Manager Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development

SECTION	SECTION TITLE	POWERS CONFERRED	DELEGATED POSITIONS
49	Compensation	The responsibility to authorise payment of compensation	General Manager Chief Financial Officer
50	Certificates of Authority	The power to issue Certificates of Authority for Inspectors under the <i>Noxious Weeds Act 1993</i> (the General Manager must also sign the Certificate of Authority)	General Manager Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development
59	Recovery of fees and expenses	The power to recover expenses in accordance with this section	General Counsel Chief Financial Officer
64	Certificates as to Weed Control Notices etc	The power to issue such certificates	Noxious Weeds & Pest Species Officer Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development Chief Financial Officer Natural Areas Supervisor
68	Delegation by local control authorities	The power to delegate	General Manager Director Community & Recreation Services Director Infrastructure & Operations Director Development & Building Director Property & Economic Development



#### **4.4 Councillor Attendance - Business Women Connect International Women's Day Cocktail Party**

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TRIM REFERENCE: F2004/06517 - D11838963

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jade Maskiewicz; Councillor Services Officer

#### **SUMMARY**

The Business Women Connect International Women's Day Cocktail Party being held 5 March 2015 at the Glass House Function Centre, The Entrance.

#### **RECOMMENDATION**

- 1** *That Council authorise the attendance of interested Councillors at the Business Women Connect International Women's Day Cocktail Party in accordance with the Council's Facilities and Expenses Policy for Councillors.*
- 2** *That Council authorise the reimbursement of expenses for Councillors in accordance with the Council's Facilities and Expenses Policy for Councillors.*

#### **BACKGROUND**

Business Women Connect are in their 10th year on the Central Coast. They are a professional platform for like-minded business women to network and empower themselves in their personal lives and professional careers. They provide motivation and education for women in business and the community on the Central Coast via networking luncheons, workshops, forums and events.

Celebrating International Women's Day, this event will celebrate the achievements of women on the Central Coast. It will highlight their participation in all areas of our community including local, national and international women's issues.

#### **THE PROPOSAL**

The Business Women Connect International Women's Day Cocktail Party is being held at the Glass House Function Centre, The Entrance, 5 March 2015.

Councillors have expressed interest in attending this event.

#### **STRATEGIC LINKS**

##### **Wyong Shire Council Strategic / Annual Plan**

Nil impact.

#### 4.4 Councillor Attendance - Business Women Connect International Women's Day Cocktail Party (contd)

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##### **Budget Impact**

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

<b>The Business Women Connect International Women's Day Cocktail Party</b>	<b>Councillor Fees</b>
Registration	\$ 80.00
Travel	\$ 30.00
<b>Total (estimate)</b>	<b>\$ 110.00</b>

##### **CONSULTATION**

This submission complies with Council's adopted Facilities and Expenses Policy for Councillors.

##### **GOVERNANCE AND POLICY IMPLICATIONS**

In accordance with the provisions of Council's Facilities and Expenses Policy for Councillors, Councillors are encouraged to attend non-Council events and functions that will support their position as a Councillor.

Reasonable expenses incurred in Councillors attending non-Council events and functions are met in accordance with that policy.

*"D14 Council will meet sustenance and attendance expenses for Councillors' attendance at non-Council functions related to Council business which provide briefings to Councillors from key members of the community, politicians and business. Approval for reimbursement will be by Council resolution. The maximum reimbursement of total attendance costs is \$200 per Councillor per event. Councillors may attend a maximum of 6 of these events in a year. The total maximum expenditure is \$1200. Note the Mayor's attendance and expenditure is covered by Clause D57."*

##### **CONCLUSION**

Attendance at this event is in accordance with Council's Facilities and Expenses Policy for Councillors.

##### **ATTACHMENTS**

Nil.

## 5.1 Road Capital Works Program

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TRIM REFERENCE: F2011/00879 - D11815300

MANAGER: Peter Murray, Manager

AUTHOR: Wayne Blackmore; Supervisor

### SUMMARY

Council's 2014/15 Strategic Plan commits Council to a road pavement renewal, upgrade and resealing rolling works program with the objective of improving the overall pavement network condition and corresponding levels of service. The following report summarises the timing of projects planned for the following 12 month period.

### RECOMMENDATION

***That Council receive the report on the status of the Council's Road Capital Rolling Works Program.***

### BACKGROUND

Council's 2014/15 Strategic Plan has committed \$26.24M to road related asset capital works. The majority of these funds (\$17.0M) are committed to road pavement upgrade, or road drainage works (\$5.4M). The remaining \$3.84M is allocated to shared pathways, footpath, kerb & gutter, bridges and road safety improvement projects.

#### **The target volume output for 2014/15 is:**

- Pavement resealing = 45 km                      16.7 km achieved to date.
- Road upgrade / renewal = 13.5 km            6.5 km achieved to date
- Footpath = 3.2 km                                1 km achieved to date

Council continues to operate an advanced Pavement Management System which is used to measure and model network condition and to develop optimised works programs. The allocation of funding is consistent with the strategically developed optimised works program that continues to see an overall improvement in network condition towards the 2014/15 target Pavement Condition Index (PCI) of 7.1.

The following table provides a listing and timing of proposed works for the remainder of this financial year, sorted by suburb.

## 5.1 Road Capital Works Program (contd)

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During December 2014 and January 2015 the following major achievements in the Road Capital Works program were achieved;

- Ashton Avenue, The Entrance - road and drainage completed
- Darri Road, Tuggerawong - drainage project completed
- Bay Road, Blue Bay - road & drainage project continuing
- Panorama Ave, Charmhaven - road & drainage project continuing
- Quinalup Sreett, Gwandalan Stage 3 - drainage works commenced.
- Wyong Central Business District Stage 5 Frank Ballance Park Drainage works commenced
  
- Road pavement renewal works were completed on the following local roads;
  - Geoffrey Road, Chittaway Point
  - Hinemoa Avenue , Killarney Vale
  - Papala Avenue, Bateau Bay

### ATTACHMENTS

- |  |           |
|--|-----------|
| 1 Attachment to Roads & Drainage Capital Works Report to 11 February<br>2015 Council Meeting | D11815303 |
|--|-----------|

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR																
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects														
Suburb Location	Capital RC Name	Published Project Description	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Completed	
Bateau Bay	Footpath Construction	MARLOWE ROAD Footpath Programme														
	Local Roads Rehab Works/Road Pavement Renewals	GERMAINE AVENUE. Road Pavement Renewal														✓
		NEPEAN STREET. Road Pavement Renewal														✓
		VISTA PARADE. Road Pavement Renewal														✓
		PAPALA AVENUE. Road Pavement Renewal														✓
	Reseals Local Roads-General	BURRAWONG ST : From Bateau Bay Rd to Reserve Dr														✓
		CURZON AVE : From Cresthaven Ave to Promenade Ave														✓
		CURZON AVE : From Promenade Ave to Margherita Ave														✓
		MARLOWE RD : From Change Of Seal to Shakespear Ave														✓
		MOSSMAN AVE : From Mr 336 The Entrance Rd to Valley View Rd														
		RICKARD ST : From Bateau Bay Rd to Change Of Width														✓
		RICKARD ST : From Change Of Width to Pasadena Ave														✓
		RICKARD ST : From Pasadena Ave to Change Of Seal														✓
		ROTHERHAM ST : From Sherry St to Debra Anne Dr														✓
		STEPHENSON RD : From Kipling Dr to Dead End														✓
VALLEY VIEW RD : From Lumby Rd to Berne St																
WOODSIDE CT : From Cresthaven Ave to Dead End																
YARUGA ST : From Hilltop St to Reserve Dr														✓		
Roads To Recovery Program	CRESTHAVEN AVENUE. Road Pavement Renewal (Roads to Recovery)															
Berkeley Vale	Capital Local Roads Rehab - General/Roads Upgrade	BERKELEY ROAD. Road Upgrade														✓
		BLENHIEM AVENUE, BUCKINGHAM ROAD, ST JAMES AVENUE, WINDSOR STREET. Road upgrades (separate project for stormwater drainage upgrade, projects will be delivered in conjunction for efficiencies)														
	Footpath Construction	JUBILEE PARADE – Footpath Programme														
	Reseals Local Roads-General	TAROONA AVE : From Chetwynd Ave to Dead End														

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR															
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Completed
Suburb Location	Capital RC Name	Published Project Description													
Blue Bay	Capital Local Roads Rehab - General/Roads Upgrade	BAY ROAD. Road upgrade (separate project for stormwater drainage upgrade, projects will be delivered in conjunction for efficiencies)					■	■							
	Footpath Construction	BAY ROAD. Footpath Programme								■					
Blue Haven	Reseals Local Roads-General	BIRDWOOD DR : From Penguin Rd to Local Boundary No 101\103								■					
		BIRDWOOD DR : From Local Boundary No 101\103 to Penguin Rd													
Budgewoi	Capital Local Roads Rehab - General/Roads Upgrade	33 SUNRISE AVENUE									■				
	Reseals Local Roads-General	DELIA AVE : From Lukela Ave to Ullana Ave									■				
		DELIA AVE : From Natuna Ave to Lukela Ave									■				
		DELIA AVE : From Ullana Ave to Lilo Ave									■				
		DELIA AVE : From Woolana Ave to Natuna Ave									■				
		KAILUA AVE : From Change Of Width to Diamond Head Dr									■				
		KAILUA AVE : From Diamond Head Dr (West) to Change Of Width									■				
	Shared Pathways	KAILUA AVE : From Change Of Width to Change Of Width (Left)									■				
		LAKES BEACH TO BUDGEWOI – shared Pathway Programme (renewal)							■						
Buff Point	Capital Local Roads Rehab - General/Roads Upgrade	ELOUERA AVENUE. - Road Upgrade with Stormwater drainage upgrade												■	
	Footpath Construction	NICOLI CLOSE – Footpath Programme					■								✓
	Reseals Local Roads-General	MOOLA RD : From Bruce Rd to Matumba Rd									■				
		MOOLA RD : From Buff Point Ave to Dead End									■				
	MOOLA RD : From Matumba Rd to Buff Point Ave									■					

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR																
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects														
Suburb Location	Capital RC Name	Published Project Description	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Completed	
Charmhaven	Capital Local Roads Rehab - General/Roads Upgrade	PANORAMA AVENUE/HOBSON AVENUE. Road Upgrade														
	Footpath Construction	MOALA PARADE. Footpath Programme													✓	
		UNA AVENUE TO PACIFIC HWY. Footpath Programme													✓	
	Local Roads Rehab Works/Road Pavement Renewals	LOWANA AVENUE. Road Pavement Renewal														
	Reseals Local Roads-General	RESTLEA AVE : From Alan Ave to Panorama Pde WYREEMA AVE : From Sh 10 Pacific Hwy to Panorama Ave														
Chittaway Bay	Reseals Local Roads-General	SOVEREIGN CR : From James Watt Dr to Sophia Jane St THOMAS WALKER DR : From Kinsey Cr to Platypus Rd THOMAS WALKER DR : From Lakedge Ave to Kinsey Cr SOVEREIGN CR : From Sovereign to Dead End														
	Local Roads Rehab Works/Road Pavement Renewals	GEOFFREY ROAD. Road Pavement Renewal														
	Reseals Local Roads-General	GEOFFREY RD : From Change Of Seal to Change Of Seal GEOFFREY RD : From Ansell Cl to Local Boundary 98/100 GEOFFREY RD : From Change Of Seal to Local Boundary 79/81 GEOFFREY RD : From Local Boundary 116/118 to Change Of Seal GEOFFREY RD : From Local Boundary 117/119 to Ansell Cl GEOFFREY RD : From Local Boundary 79/81 to Local Boundary 117/119 GEOFFREY RD : From Local Boundary 98/100 to Local Boundary 116/118														

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR																
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Completed	
Suburb Location	Capital RC Name	Published Project Description														
Dooralong	Roads Rehab Minor Rolling Works	YAMBO ROAD. Road upgrade (seal)					■								✓	
		PHIL TUNKS LANE. Road upgrade (seal)			■										✓	
Doyalson	Roads Rehab Minor Rolling Works	WYEE ROAD. Road upgrade (seal)								■						
Durren Durren	Roads Rehab Minor Rolling Works	DICKSONS ROAD. Road upgrade (seal)								■						
Fountaindale	Reseals Local Roads-General	HEATHCLIFF CL : From Manns Rd to Dead End					■								✓	
		JENNY LNE : From Change Of Seal to Dead End					■									
		OLD CHITTAWAY RD : From Enterprise Dr to Station St East					■								✓	
		OLD CHITTAWAY RD : From Power Pole Bv329 to Enterprise Dr					■								✓	
		OLD CHITTAWAY RD : From Station St East to Power Pole Bv325					■								✓	
		OLD CHITTAWAY (LANE)RD : From Old Chittaway Rd to Dead End					■								✓	
		VALERIE CL : From Heathcliff to Dead End					■							✓		
Glenning Valley	Reseals Local Roads-General	BOWER BIRD CL : From Glenning Rd to Dead End					■									
		CORONA LNE : From Berkeley Rd to Power Pole Bv1485					■									
		CORONA LNE : From Change Of Seal to Dead End					■									
		CORONA LNE : From Power Pole Bv1489 to Change Of Seal					■									
		ROXBURGH CL : From Rutherford Dr to Dead End					■								✓	
		RUTHERFORD DR : From Corona Ln to Dead End					■								✓	



ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR															
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects													
Suburb Location	Capital RC Name	Published Project Description	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Completed
Gorokan	Capital Local Roads Rehab - General/Roads Upgrade	GASCOIGNE AVENUE. Road upgrade (separate project for stormwater drainage upgrade, projects will be delivered in conjunction for efficiencies)													
	Footpath Construction	ROBSON AVENUE - Footpath Programme													
		GILBERT AVENUE. Footpath Programme													
		SUNCREST AVENUE. Footpath Programme													
	Reseals Local Roads-General	BRENNON RD : From Change Of Seal to Power Pole T0681													
		BRENNON RD : From Power Pole T0681 to Leichhardt Rd													
		ESSEX ST : From Change Of Width to Middlesex St													
		ESSEX ST : From Cornwall Ave to Change Of Width													
		GRANDVIEW PDE : From Mr 509 Wallarah Rd to Ruby St													
		GRANDVIEW PDE : From Ruby St to Glendale St													
	MARY ST : From Western End to Lakeview St														
	MAXWELL AVE : From Clucas Ave to Ocean View St														
	SPRING VALLEY AVE : From Dudley St to Malvina Pde														
Gwandalan	Capital Local Roads Rehab - General/Roads Upgrade	QUINALUP STREET (IMGA STREET). Road upgrade (separate project for stormwater drainage upgrade, projects will be delivered in conjunction for efficiencies)													
	Reseals Local Roads-General	COLLENDINA RD : From Aldinga Rd to Pinaroo Rd													
		NOAMUNGA CR : From Koowong Rd to Orana Rd													
		NOAMUNGA CR : From Murraba Pde to Dead End													
		NOAMUNGA CR : From Orana Rd to Murraba Pde YILLEEN ST : From Parraweena Rd to Dulkara Rd													
Halekulani	Reseals Local Roads-General	LILLO AVE : From Woolana Ave to Sunrise Ave													
Jilliby	Reseals Local Roads-General	HUE HUE RD : From Bushells Ridge Rd to Woods Rd													
		HUE HUE RD : From Culvert to Bushells Ridge Rd													
		HUE HUE RD : From Kiar Ridge Rd to Culvert													

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR																
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects														
Suburb Location	Capital RC Name	Published Project Description	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Completed	
Kangy Angy	Reseals Local Roads-General	OLD MAITLAND (NORTH)RD : From End Of Gravel to Cobbs Rd													✓	
		OLD PACIFIC HWY: Carpark														
Kanwal	Reseals Local Roads-General	PEARCE RD : From Craigie Ave to Hopetown Rd														
		PEARCE RD : From Hopetown Rd to Wahroonga Rd														
		ROLFE AVE : From Craigie Ave to Stephen St														
Killarney Vale	Capital Local Roads Rehab - General/Roads Upgrade	HUME BOULEVARD. Road Upgrade														
	Local Roads Rehab Works/Road Pavement Renewals	ARMSTRONG AVENUE. Road Pavement Renewal														
		CORNISH AVENUE. Road Pavement Renewal													✓	
		GEORGE HELY CRESCENT. Road Pavement Renewal													✓	
	Reseals Local Roads-General	HINEMOA AVENUE . Road Pavement Renewal													✓	
TURANA AVE : From Yimbala St (Southern Entry) to Yimbala St														✓		
WARRATTA RD : From Cornish Ave to Power Pole Bv2766														✓		
Kingfisher Shores	Reseals Local Roads-General	WARRATTA RD : From Power Pole Bv2766 to Adelaide St												✓		
		KAROOA AVE : From Tall Timbers Rd to Lakeshore Ave														
Lake Haven	Local Roads Rehab Works/Road Pavement Renewals	GOOBARABAH AVENUE. Road Pavement Renewal													✓	
Lake Munmorah	Footpath Construction Shared Pathways	ANITA AVENUE. Footpath Programme														
		PACIFIC HIGHWAY - Shared Pathway (New Construction)														

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR																
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Completed	
Suburb Location	Capital RC Name	Published Project Description														
Lemon Tree	Roads Rehab Minor Rolling Works	DOORALONG ROAD. Road upgrade (gravel)														
Long Jetty	Local Roads Rehab Works/Road Pavement Renewals	TUGGERAH PARADE. Road Pavement Renewal														
	Reseals Local Roads-General	ALFRED ST : From Nirvana St to Dead End													✓	
		ALFRED ST : From Watkins St to Nirvana St													✓	
		BONNIEVIEW ST : From Bellevue St to Grandview St													✓	
		BONNIEVIEW ST : From Lindsay St to Lord St													✓	
		BONNIEVIEW ST : From Lord St to Bellevue St													✓	
		BONNIEVIEW ST : From Mayfair St to Lindsay St													✓	
		BONNIEVIEW ST : From Western End to Mayfair St													✓	
		CAPTAIN COOK CR : From Bonnieview St to Endeavour Dr													✓	
		ELOORA RD : From Toowoan Bay Rd to Anzac Rd														
		ELOORA RD : From Anzac Rd to Boomerang St														
		MINTO AVE : From Mr 336 The Entrance Rd to Tuggerah Pde													✓	
		REDMYRE ST : From Shelly Beach Rd														
	SHELLY BEACH RD : From Local Boundary 60 to Local Boundary 65															
	SHELLY BEACH RD : From Local Boundary 65 to Golf Club Entry															
	WATKINS ST : From Toowoan Bay Rd to Local Boundary No 18 - 20													✓		
Magenta	Shared Pathways	MAGENTA – shared pathway construction (subject to external matching funding being secured)														
Magenta Total																
Manning park	Reseals Local Roads-General	GYMEA CR : From Barclay Ave to Barclay Ave GYMEA CR : From Vales Rd to Barclay Ave														

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR																
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects														
Suburb Location	Capital RC Name	Published Project Description	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Completed	
Mardi	Reseals Local Roads-General	COBBS RD : From Mr 335 Wyong Rd to Dead End														
		COLLIES LNE : From Bridge Abutment to Power Pole WY308C														✓
		COLLIES LNE : From Power Pole Wy3080 to Dead End														✓
		LAMONTCL : From Mardi to Dead End														✓
		COLLIES LNE : From Old Maitland Rd to Bridge Abutment														✓
Norah Head	Local Roads Rehab Works/Road Pavement Renewals	DENISON STREET. Road Pavement Renewal													✓	
Noraville	Local Roads Rehab Works/Road Pavement Renewals	HAMMOND ROAD. Road Pavement Renewal													✓	
	Reseals Local Roads-General	PANDORA PDE : From Change Of Width to Birrigast PANDORA PDE : From Mr 509 Main Rd to Change Of Width													✓	
Ourimbah	Footpath Construction	COACHWOOD DRIVE. Footpath Programme														
	Reseals Local Roads-General	OURIMBAH CREEK RD : From Driveway 604 to Driveway 668														✓
		OURIMBAH CREEK RD : From Driveway 668 to Power Pole Ou715														✓
		RESERVOIR RD : From Change Of Width to Dead End														✓
		RESERVOIR RD : From Glen Rd to Change Of Width														✓
		TURPENTINE RD : From Enterprise Dr to Ourimbah Rd														✓
Roads Rehab Minor Rolling Works	OLD FOOTES ROAD. Road upgrade (seal)															
Ravensdale	Reseals Local Roads-General	RAVENSDALE RD : From Power Pole 11101 to End Of Seal														
		RAVENSDALE RD : From Power Pole Ka190 to Power Pole 11101														

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR																
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects														
Suburb Location	Capital RC Name	Published Project Description	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Completed	
San Remo	Capital Local Roads Rehab - General/Roads Upgrade	GOORAMA AVENUE. Road upgrade (separate project for stormwater drainage upgrade, projects will be delivered in conjunction for efficiencies)														
	Reseals Local Roads-General	CLARIDGE CR : From Dead End (South) to Dead End														
		LIAMENA AVE : From Iluka Ave to Richardson Rd														
		LIAMENA AVE : From Kallaroo Rd to Iluka Ave														
		LIAMENA AVE : From Richardson Rd to Highview St														
		RICHARDSON RD : From Eyre Cr to Wills Rd														
		RICHARDSON RD : From Goorama Ave to Eyre Cr														
	ALPINE AVE : From Wills Rd to Claridge Cr															
Shelly Beach	Reseals Local Roads-General	BELLEVUE ST : From Bonnieview St to Liddell St													✓	
		BELLEVUE ST : From Liddell St to Swadling St													✓	
		BELLEVUE ST : From Shelly Beach Rd to Bonnieview St													✓	
Shire Wide	Footpath Construction	FOOTPATH renewal Programme														
	Shared Pathways	SHARED PATHWAY PROGRAMME – new construction dependent on grant funding														
Summerland Point	Footpath Construction	CAMS BOULEVARD. (Nth). Footpath Programme														
Tacoma	Footpath Construction	BRAITHWAITE /HILLCREST. Footpath programme													✓	
	Local Roads Rehab Works/Road Pavement Renewals	JENSEN ROAD. Road Pavement Renewal													✓	
Tacoma South	Reseals Local Roads-General	KINGSLAND CL : From South Tacoma Rd to Dead End														
		RAYMOND ST : From South Tacoma Rd to Dead End														

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR																
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects														
Suburb Location	Capital RC Name	Published Project Description	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Completed	
The Entrance	Capital Local Roads Rehab - General/Roads Upgrade	ASHTON AVENUE. Road upgrade (separate project for stormwater drainage upgrade, projects will be delivered in conjunction for efficiencies)														
		LAKESIDE PARADE. Road Upgrade														
	Footpath Construction	CORAL STREET - Footpath Renewal													✓	
	Local Roads Rehab Works/Road Pavement Renewals	VICTORIA STREET. Road Pavement Renewal													✓	
	Roads To Recovery Program	GOSFORD AVENUE. Road Pavement Renewal (Roads to Recovery)													✓	
	Shared Pathways	PICNIC POINT - shared Pathway Programme (new)													✓	
The Entrance North	Reseals Local Roads-General	SIMPSON ST : From Hutton Rd to Dead End													✓	
Toowoan Bay	Footpath Construction	TOOWOON BAY – Car park access road. Footpath Programme														
Toukley	Footpath Construction	HOLMES AVENUE. Footpath Programme – renewal														
		VICTORIA AVENUE. Footpath Programme – renewal														
	Local Roads Rehab Works/Road Pavement Renewals	FRAVENT STREET. Road Pavement Renewal													✓	
	Reseals Local Roads-General	CROSS ST : From Main Rd to Dead End														
		CROSS ST : From Southern End to Main Rd														
		EVANS RD : From Oleander St to Belbowrie St														
		ROWLAND TCE : From Peel St to Dead End														
		SEVENTH AVE : From Fravent St to Change Of Seal														
		SEVENTH AVE : From Leonard Ave to Fravent St														
		SEVENTH AVE : From Western End to Leonard Ave														
	TAMAR AVE : From Mr 509 Main Rd to Dunleigh St															

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR																
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects														
Suburb Location	Capital RC Name	Published Project Description	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Completed	
Tuggerah	Reseals Local Roads-General	FOWLER RD : From Change Of Seal to Bridge Abutment														
	Roads To Recovery Program	JOHNSON ROAD. Road Pavement Renewal (Roads to Recovery)														
Tuggerawong	Reseals Local Roads-General	THURSDAY ST : From Cadonia Rd to Tuggerawong Rd														
		THURSDAY ST : From Tuggerawong Rd to Dead End														
Tumbi Umbi	Capital Local Roads Rehab - General/Roads Upgrade	THE RIDGEWAY. Road Upgrade														
	Local Roads Rehab Works/Road Pavement Renewals	FLORENCE AVENUE. Road Pavement Renewal													✓	
	Reseals Local Roads-General	BERTRAM RD : From Eastern Rd to Northumbland St														
		CAROL ANNE CL : From Bertram Rd to Dead End														
		KARENA ST : From The Avenue to Highview St													✓	
Watanobbi	Reseals Local Roads-General	CASEY DR : From Hasluck Dr to Somers Dr														
		COWAN ST : From De L'Isle Dr to Stonehaven Ave														

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR																
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects														
Suburb Location	Capital RC Name	Published Project Description	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Completed	
Woongarah	Local Roads Rehab Works/Road Pavement Renewals	HIAWATHA ROAD. Road Pavement Renewal													✓	
Wyang	Local Roads Rehab Works/Road Pavement Renewals	PETERS LANE. Road Pavement Renewal													✓	
		POLLOCK AVENUE. Road Pavement Renewal													✓	
	Reseals Local Roads-General	BOYCE AVE : From Mcdonagh Rd to Riverview Dr														
		BOYCE AVE : From Panonia Rd to Mcdonagh Rd														
		BOYCE AVE : From Riverview Dr to Dead End														
		NORTHCOTT AVE : From Cutler Dr to Partridge Ave														
		NORTHCOTT AVE : From Partridge Ave to Casey Dr														
		RIVERVIEW DR : From Boyce Ave to Change Of Width														
	Shared Pathways	RIVER RD - shared Pathway Programme (new)													✓	
Wyang Creek	Roads Rehab Minor Rolling Works	LAUFFS LANE. Road upgrade (seal)												✓		



## **5.2 Outstanding Questions on Notice and Notices of Motion**

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TRIM REFERENCE: F2015/00040 - D11836869

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jade Maskiewicz; Councillor Services Officer

### **SUMMARY**

Report on Outstanding Questions on Notice and Notices of Motion.

### **RECOMMENDATION**

*That Council receive the amended report on Outstanding Questions on Notice and Notices of Motion.*

### **ATTACHMENTS**

- |   |  |           |
|---|--|-----------|
| 1 | Outstanding Questions on Notice and Notices of Motion - 11 February 2015 | D11829819 |
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No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
56	General Managers Unit	Brian Glendenning	Mayoral Minute – Central Coast Water Board General Meeting  1259/13 <i>That Council <u>direct</u> the General Manager to investigate and report the governance options around the Wyong Water Authority.</i>	23 October 2013 Cr Eaton	CCROC Executive agreed between GCC and WSC, to be the governing body for joint water assets.
84	Community and Recreation Services	Brett Sherar	5.1 Notice of Motion - Council Policy Results in Vandalism  497/14 <i>That Council <u>note</u> further reports of large scale public tree poisoning at Mazlin Reserve Norah Head.</i> 498/14 <i>That Council <u>investigate</u> the complaints and report on this and other similar recent vandalism events.</i> 499/14 <i>That Council <u>recognise</u> that policing this type of vandalism is often unproductive and that the catalyst for such acts may well be a consequence of past Council Policy.</i> 500/14 <i>That Council <u>note</u> its previous resolution to undertake a common sense review of its Tree Policy for private land.</i> 501/14 <i>That Council <u>undertake</u> a review of its Tree Policy for Public Lands with a view to developing a more balanced approach to future planting and species choice, particularly around the issue of 'View Sharing' and how that is legislated for in the area of construction and building."</i>	Clrs Best, Taylor, Troy  14 May 2014	Response to be provided at Ordinary Meeting held 11 March 2015.
92	General Manager's Unit	Brian Glendenning	Q69/14 Vandalism and Penalties  "Mr Mayor,  <i>I note in a recent press article that wilful and wanton destruction of earthmoving equipment was carried out at Council's Lake Haven cinema construction site, allegedly by a gang of youths that were captured on CCTV footage, causing thousands of dollars in damages.</i>  <i>Council appreciates the good work of Staff and the Police in apprehending these individuals and recognises the hundreds and thousands of dollars Council has poured into CCTV surveillance across the shire.</i>  <i>Mr Mayor, could staff please, at the appropriate time, advise</i>	28 May 2014 Cr Best	Investigations into this matter are continuing and a response will be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>Council of the outcome / any court determinations around these acts of vandalism? I do hope the court is in step with Community expectations?"</i>		
100	Community and Recreation Services	Brett Sherar	2.1 Mayoral Minute - Consideration for Further Patrolled Beach in North of Shire to Meet Future Growth Needs  1169/14 <i>That Council request staff to provide a report on:</i>  <ul style="list-style-type: none"> <li>• <i>The need for a further patrolled beach in the north of the Shire</i></li> <li>• <i>The appropriate timing of provision of a patrolled beach in that area</i></li> <li>• <i>Cost to deliver this service to the community.</i></li> </ul>	Cr Eaton 22 October 2014	Response to be provided March 2015.
107	Development and Building	Scott Cox	Q81/14 Effects of the Planning Proposal for Jilliby 2 on Buttonderry Waste Facility  <i>"Could the General Manager please advise when the report into the effects of the Planning Proposal for Jilliby 2 on the Buttonderry Waste Facility will be tabled to Council?"</i>  <i>Why is this report taking so long?"</i>	Cr Troy 12 November 2014	Response to be provided April 2015.
112	General Manager's Unit	Lesley Crawley	Q85/14 Speakers call lights for Council Chambers  <i>"Could staff please report on the costs associated with providing a set of viewable speakers call lights so all in the chamber can see which Councillors have elected to speak on a matter and in which order?"</i>	10 December 2014 Cr Vincent	Response to be provided at a future meeting.
113	Community and Recreation Services	Maxine Kenyon	U1/15 Australia Day Honours  9/15 <i>That Council congratulate Mayor Eaton on his OAM recognition in this year's 2015 Australia Day honours for service to his community over the past 24 years.</i> 10/15 <i>That Council recognise and congratulate all other local award recipients, including our Australia Day Ambassador and Citizen of the Year Lieutenant Commander Steven Reynolds, through holding a suitable civic reception in their honour.</i> 11/15 <i>That Council thank all those involved in the highly successful shire wide 2015 Australia Day events enjoyed by thousands of local residents.</i>	28 January 2015 Cr Best	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
114	Development and Building	Jane Doyle	<p>7.1 Notice of Motion - Supporting Mascord Park</p> <p>44/15 <i>That Council note the importance of establishing a variety of integrated housing opportunities across the Shire, particularly to assist in accommodating our seniors.</i></p> <p>45/15 <i>That Council note that the proposal to re-identify a portion of the land adjoining Mascord Park for integrated housing commenced on 25 February 2011 via a resolution of the previous Council.</i></p> <p>46/15 <i>That Council note the strong community support for Council to reconsider this proposal.</i></p> <p>47/15 <i>That Council resolve to have the proposed rezoning of Lot 1 DP369486, 155 Louisiana Road Wadalba (part thereof Mascord Park) as part of Amendment 1 to the Wyong LEP 2013 withdrawn so that the park can be retained in its current RE1 Public Recreation zoning.</i></p> <p>48/15 <i>That Council thank the local community for their submissions and representations that have assisted Council in its deliberation and consideration of this important matter.</i></p> <p>49/15 <i>That Council request the General Manager to review the park maintenance in consultation with the local community.</i></p>	28 January 2015 Cr Best	Response to be provided at a future meeting.
115	General Manager's Unit	Stephen Naven	<p>7.2 Notice of Motion - Government Rating Outrage</p> <p>50/15 <i>That Council note with great concern the likely significant escalation of the 2015 rate burden on the local lower to mid-market property sector.</i></p> <p>51/15 <i>That Council note the significant escalation is as a consequence of the recent property market increases and unfair rerating formulas dictated to Council by the State Government Valuer General and Office of Local Government.</i></p> <p>52/15 <i>That Council call on the State Government to conduct a thorough review into the Valuer General's and Office of Local Government's outdated and discriminatory rating methods that will place undue hardship on many in our community.</i></p> <p>53/15 <i>That Council investigate a shire wide, online petition in partnership with the community, to give ratepayers a voice to call upon the State Government to reject this</i></p>	28 January 2015 Cr Best	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>outrageous and out of touch taxing.</i> 54/15 That Council include in its 2015 Strategic Planning Process a review of all options to assist in reducing the impact of the Government's looming rerating charges.		
116	Development and Building	Scott Cox	7.3 Notice of Motion - Local Procurement and Employment Preference Policies - Major Projects  55/15 That Council recognise the outstanding results around local procurement and employment opportunities recently achieved through the development of the new \$6.7 million dollar Lake Haven Cinemas resulting in over 100 construction jobs and 30 permanent positions. 56/15 That Council seek to further encourage major projects to take a more proactive approach in providing local employment and economic opportunities via the delivery of various projects and ongoing operations. 57/15 That Council direct the General Manager to formally request the Shire's three current largest developments (at Development Application stage) and future developments exceeding \$20million to submit Local Procurement and Employment Preference plans for their proposals so that Council may better understand the major project policies around economics and employment in the Shire. 58/15 That Council refer the important issue of Local Procurement and Employment Preference to the Employment and Economic development Committee for review and recommendations to strengthen policy.	28 January 2015 Cr Best	Response to be provided at a future meeting.
117	Property and Economic Development	Darryl Rayner	Q1/15 Street Side Pick Ups  "Can the General Manager inform Council how they monitor items that have been left out on the footpaths past the time allowed for street side pickups of garbage. Such items are causing hazards and blocking free access of our footpaths?"	28 January 2015 Cr Greenwald	Response to be provided at a future meeting.
118	Infrastructure and Operations	Andrew Pearce	Q2/15 Speed Limits on Speedboats and Jet skis in Wyong River  "Would Council staff please liaise with Maritime Services to patrol the Wyong River, particularly the area near Golding Grove, to check the speed of speedboats and jet skis. The 4 knot limit is being abused and puts the safety of the many	28 January 2015 Cr Webster	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>children enjoying the waterway in danger?"</i>		
119	Development and Building	Jane Doyle	<p>Q3/15 Illegal Camping Over Christmas in our Public Parks</p> <p><i>"Mr Mayor,</i></p> <p><i>Councillor Best and I both raised the issue of the escalation of illegal camping in and around our public parks in the lead up to Christmas with our Ranger's management.</i></p> <p><i>I note that there were clearly a large number of illegal campers flouting the law, setting up camp in our parks, leaving litter and damage behind.</i></p> <p><i>Could you please have staff report how many fines were levied across the shire for illegal camping, particularly around The Entrance and Norah Head, during the Christmas holidays, thank you?"</i></p>	28 January 2015 Cr Webster	Response to be provided at a future meeting.
120	Community and Recreation Services	Julie Vaughan	<p>Q4/15 Council's Photo Competition 2015 Calendar</p> <p><i>"Mr Mayor,</i></p> <p><i>I am pleased to report that over the Christmas break I received numerous comments and congratulatory feedback on our inaugural photo completion calendar.</i></p> <p><i>May I take this opportunity to ask you to pass on my and indeed council's thanks to staff who developed such an outstanding shire showcase?</i></p> <p><i>Also, I'd like to acknowledge my colleague Cr Best for this progressive initiative?"</i></p>	28 January 2015 Cr Troy	Response to be provided at a future meeting.
121	Infrastructure and Operations	Peter Murray	<p>Q5/15 Steel Band-Aid on Main Road Toukley</p> <p><i>"Mr Mayor,</i></p> <p><i>I have received numerous representations on what many would think was somewhat of a minor matter. However, it has been keeping residents at Main Road Toukley awake at night for months and causing a significant traffic risk to vehicles motor cycles and particularly push bikes.</i></p>	28 January 2015 Cr Best	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p><i>I am referring to a massive slab of steel that the RMS has placed on the road surface as a result of some road works.</i></p> <p><i>Could you please enquire of the RMS how long this danger and annoyance need be in place?"</i></p>		

**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE  
28 JANUARY 2015**

	Department	Question on Notice / Notice of Motion	Date Asked/ Councillor	Status
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Nil



## 6.1 Notice of Motion - Wyong and Gosford Councils Regional Rejection of Coal Seam Gas Proposal

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TRIM REFERENCE: F2004/07086 - D11838856

AUTHORS: Greg Best; Councillor  
Adam Troy; Councillor

Councillors G Best and A Troy have given notice that at the Ordinary Council Meeting to be held on Wednesday 11 February 2014 they will move the following Motion:

- “1 That Council reaffirm its strident opposition to the current Coal Seam Gas proposal.
- 2 That Council work with Gosford City Council to oppose the Coal Seam Gas proposal in order to take a regional approach in protecting our water supply and catchment from this potentially devastating proposal.
- 3 That Council promote, support and encourage (within existing budget and media channels) community participation in the upcoming, 28 February 2015, Mountain Rally to be held at Kulnura Hall and hosted by key environmental and community groups to highlight the likely impact of such a massive and untested mining proposal.”

### COUNCILLORS NOTE

Background from the Gasfield Free Mountain District group:

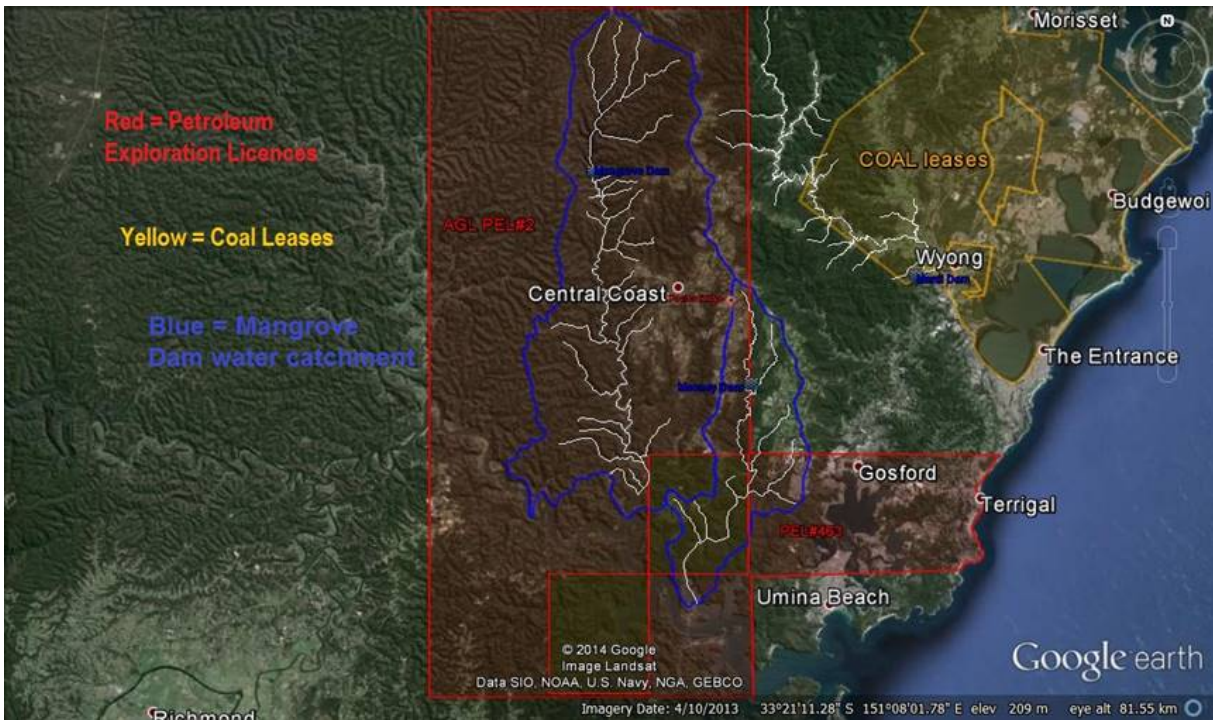
*“Our Central Coast water supply, productive farmlands, communities and high-value conservation areas are at risk from coal and coal seam gas mining. Approximately 80% of the Central Coast is covered by exploration licences, including our water catchment areas in the Wyong and Gosford LGA's.*

*Coal and CSG mining both pose unacceptable risks to our aquifers and ground water, and to sustainable water management. Significant impacts of depressurisation, depletion and contamination are likely and the risks cannot be adequately mitigated to ensure the safety of our Central Coast water supply.*

*A recent survey of over 1200 households in the Central Coast mountain districts resulted in 98.2% of respondents agreeing that the coal seam gas industry is not welcome in our fertile and productive mountains. The mountain districts overlay our pristine aquifer and includes the Mangrove Dam catchment which holds 90% of the drinking water supply for the Central Coast. Further surveying of residents in urban areas of the coast also shows wide community support to remain coal and gas free.*

*The map below shows the extent of the threat to our Coast. The data comes from the NSW Government Trade and Investment website, MinView database <http://minview.minerals.nsw.gov.au/mv2web/mv2> overlaid with Google Earth with the assistance of a GIS expert. I have included only what sits within the Wyong and*

*Gosford LGA's, but it is important to note that the licences to mine and explore also surround us at every boundary – even offshore!”*



## **6.2 Notice of Motion - Intersection Band Aid Upgrade - Louisiana Road/Pacific Highway**

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TRIM REFERENCE: F2007/01673 - D11839100

AUTHORS: Greg Best; Councillor  
Adam Troy; Councillor

Councillors G Best and A Troy have given notice that at the Ordinary Council Meeting to be held on they will move the following Motion:

- "1 That Council note with great concern this intersections history of serious and fatal accidents.*
- 2 That Council request the RMS to review its funding formula/criteria around scoring deaths and serious accidents for a more sophisticated and humane approach to funding allocations.*
- 3 That Council urgently request the RMS to install full traffic signals that will afford safety particularly for our children whilst providing maximum traffic turning movements for our community's convenience, before this intersection claims further lives."*

### **COUNCILLORS NOTE**

As the local area Councillor I have received strong community concern around the RMS's "budget" intersection fix. At least the RMS's original proposal allowed for pedestrian traffic signals, particularly for children to cross the busy pacific HWY to Council's skate park. This safety measure has now been removed under the RMS's funding formula that is predicated on the number of accidents and deaths at any location. In a band aid measure to alleviate intersection congestion due to no traffic signals, the RMS has proposed, I believe for the first time anywhere in Wyong Shire, a u-turn bay that will force motorists to undertake a complicated turning movement across the busy pacific HWY used by some 20,000 cars a day and located with poor sight lines. There have been enough deaths and accidents at this intersection and it is my view council must stand up for the local community and call on the RMS to provide a serious and genuine attempt at managing this intersection.

## Pacific Highway at Kanwal



Transport  
Roads & Maritime  
Services

NOVEMBER 2014

### Update on safety improvements on Pacific Highway at Kanwal

\$500,000 has been provided for this upgrade under the Federal Government's Blackspot Program.

Roads and Maritime Services would like to thank the local community for providing feedback on the proposed safety and traffic flow improvements on the Pacific Highway at the intersection with Louisiana Road, Kanwal.

The upgrade will involve banning the through and right turn movements out of the southern leg of Louisiana Road for all vehicles except buses and emergency vehicles, which addresses the main crash pattern at this intersection.

The community comment period for the proposed design closed on 19 May 2014. During this period the community participated in a community information session and provided more than a dozen comments, which have been considered in finalising the intersection upgrade concept design.

The finalised concept design is located over the page and includes the following changes based on community feedback:

- Allow through and right turn movements out of the northern leg of Louisiana Road. There is no current crash pattern related to these movements and allowing them maintains local connectivity. Changes to the management of traffic from the northern leg of Louisiana Road may be necessary in the future with further housing development.
- Removal of the proposed mid-block pedestrian traffic signals west of Louisiana Road and maintaining the existing pedestrian refuge west of Louisiana Road. Traffic lights are not needed at this time but may be necessary in the future with further housing development.
- Provide storage bays for vehicles turning right into Louisiana Road in both directions to improve safety for turning motorists.
- Provide a deceleration lane for vehicles turning left into the northern leg of Louisiana Road.
- Provide a u-turn facility west of Louisiana Road to allow local traffic to left turn out of the southern leg of Louisiana Road, then u-turn to head east on the Pacific Highway if necessary.

Work is scheduled to start in January 2015 and is expected to take up to 6 weeks to complete, weather permitting. The community will be provided with notification ahead of work starting.

If you have any queries about the intersection improvements please contact Ben Konetschnik, Manager Program Delivery on (02) 4924 0618 during business hours or email via [ben.konetschnik@rms.nsw.gov.au](mailto:ben.konetschnik@rms.nsw.gov.au).

[www.rms.nsw.gov.au](http://www.rms.nsw.gov.au)

For information on scheduled road work, visit [www.livetraffic.com](http://www.livetraffic.com) or outside business hours call the Transport Management Centre on 132 701

Pacific Highway, Kanwal - Linemarking improvements and u-turn bay installation



Concrete Median   Concrete Footpath   Bus Only Right Turn Lane