



Eleven students recently graduated from Council's Ngura Program. This successful program promotes Indigenous health for young people and is delivered in partnership with Mingara. Pictured: Council's Indigenous Community Development Worker Matthew Sonter and Kane Bligh who was recognised for his outstanding leadership qualities.

Business Paper

EXTRAORDINARY MEETING

21 September 2011



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MEETING NOTICE

The **EXTRAORDINARY MEETING**
of **Wyong Shire Council**
will be held in the **Council Chamber**,
Wyong Civic Centre, Hely Street, Wyong on
WEDNESDAY 21 SEPTEMBER 2011 at **5.00 pm**,
for the transaction of the business listed below:

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY

RECEIPT OF APOLOGIES

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

Michael Whittaker
GENERAL MANAGER

1.1 Mayoral Report for 2010-11

TRIM REFERENCE: F2004/06511 - D02743984

AUTHOR: Doug Eaton; Councillor

Wyong Shire Council has recorded a number of achievements in the past 12 months that has made me extremely proud to be Mayor of an organisation that is moving forward and making a real difference to our community.

There have been some significant achievements and progress made in a number of areas, including the completion of the \$120 million Mardi to Mangrove Link, formation of the Central Coast Water Corporation, construction of two new surf clubs and a reduction of our operating deficit.

I would like to thank my fellow Councillors; Cr Greg Best, Cr Lisa Matthews, Cr Emma McBride, Cr John McNamara, Cr Bill Symington, Cr Doug Vincent, Cr Lynne Webster and Cr Sue Wynn for their support, hard work and dedication to Wyong Shire.

I also wish to specially thank my Deputy Mayor, Cr Bob Graham, for his assistance and dedication to his role and the organisation over the past 12 months. Your continued hard work has been appreciated.

To all Councillors who have represented the Mayor, and Council, at various functions throughout the Shire over the past 12 months, again thank you.

I would also like to thank Council's four directors; Greg McDonald (Infrastructure Management), Gina Vereker (Environment and Planning), Maxine Kenyon (Community and Recreation Services) and David Jack (Corporate Services) for their support. Their expertise, and that of their staff, has been greatly appreciated.

To our General Manager Michael Whittaker, I also say thanks.

Mr Whittaker has overseen some significant changes in the organisation since taking up his position in May, 2010.

The Service Delivery Review he implemented resulted in a much needed and overdue shake up of the organisation in an effort to position us as one of the leading Council's in not just the state, but the Country.

Mike is passionate about his work, has boundless energy and enthusiasm and some great ideas that are taking us forward and positioning us for the many challenges ahead.

Under our leadership, we can be safe in the knowledge that Wyong Shire Council is certainly in great hands.

Finally, I wish to thank Sue Sampson. As Personal Assistant to the Mayor, Sue is the person who ensures the office runs smoothly and she does this professionally with a minimum of fuss. Her skills are greatly appreciated and she is certainly an asset to this organisation.

Achievements:

The **Mardi to Mangrove Link** was officially opened at the end of last month and will secure the Central Coast's water supply for the next 30 years.

Mangrove Creek Dam is now 37 per cent full and, with the pump now turned on officially, should reach 70 per cent over the next five years. This will result in water restrictions being relaxed.

I would like to thank the public for their patience during the drought period and adhering to the restrictions.

I would also like to thank the people of the Yarramalong Valley for their support and patience during the construction period.

This \$120 million project is an incredible feat of engineering. The total pipeline length is 21.1 kilometres, which comprises 2.1 kilometres from Wyong River to Mardi Dam and 19 kilometres from Mardi Dam to Boomerang Creek Tunnel.

The pipe is one metre in diameter and it crosses 56 properties. It also includes four river crossings and 17 smaller tributary crossings.

It is the first time a pipe of this size, length and diameter was successfully installed using horizontal directional drilling. The first sod was turned in March 2010 and construction took 18 months and was completed in a timely and cost effective way.

I congratulate all involved in this remarkable project.

In the past 12 months, since the establishment of the General Manager's **Service Delivery Review**, Council's \$30 million operating loss has been reduced to \$17 million. We are also on track to reduce this further by the end of the current financial year.

This is a great credit to Mr Whittaker and his staff, and also to the decisions and measures taken by Councillors in this Chamber.

Putting more dollars into the repair of roads, bridges, sewers and community facilities over the next four years while keeping the financial impact on ratepayers to a minimum, is the thrust of Council's four-year Strategic Plan.

After five consecutive years of operating shortfalls in the millions, the draft Wyong Shire Council Strategic Plan 2011-2015 needed to place Council firmly on the path to financial sustainability.

There is no greater challenge facing Wyong Shire Council than the need to become sustainable – financially, socially and environmentally.

Council continues to deliver such a broad range of services, from footpaths to libraries, lifeguards to flood planning.

In the last year we've taken a hard look at where we spend money to ensure that it aligns with what the community has told us they value and we are making every effort to ensure that link translates to our day-to-day operations.

1.1 Mayoral Report for 2010-11 (contd)

The Strategic Plan includes the 2011/12 Annual Plan and Budget, as well as a Long Term Financial Strategy, Asset Management Strategy, Workforce Management Strategy, Key Performance Indicators and a list of Major Projects.

Highlights for 2011/12 include:

- \$12.2 million for the renewal and upgrading of local roads including Minnesota and Louisiana Roads in the Warnervale area.
- More than \$9 million for upgrades and renewals of the sewer system to minimise blockages, plus an additional \$7.2 million for new sewer infrastructure.
- Repairs to footbridges, timber bridges, boat ramps and jetties (\$4.7 million).
- \$5.7 million into stormwater management and \$9.8 million into water infrastructure.
- \$2.8 million on lake and estuary management works.
- \$4.4 million for remediation of former Council landfill sites (with total of \$49.6 million over 10 years) and a \$0.9 million upgrade to Buttonderry Waste Management Facility to meet expected demand and legislative compliance.
- \$1.5 million to upgrade emergency and Rural Fire Service equipment.
- \$0.8 million renewal of community buildings and recreation facilities.
- Formation of the Central Coast Water Corporation.

One project that really excites me is the **Iconic Development Sites**, which has been rolled out in the past 12 months.

The project saw Council become a finalist in the recent Urban Development Institute of Australia awards in the category Government Leadership for Urban Development. The Awards recognise excellence in urban development.

Council has identified 28 sites throughout the Shire with the ability to generate significant economic return and revitalise our town centres.

This project is a way in which Council can play a greater role in facilitating economic growth in the Shire and the recognition from the peak development organisation in our State is a great indicator of the amount of work that has gone into this exciting project.

Councillors unanimously endorsed the Iconic Development Sites concept in November, 2010. In doing so, Council also voted to seek the Department of Planning's written support for the process.

The Department of Planning responded in early January 2011, giving their support to the project.

It is my view that this concept has the potential to bring billions of dollars into the economy in future years and create thousands of local jobs. I'm expecting some DA's to come before us by Christmas and I know there has also been Expressions of Interest regarding many of the sites.

The **Chinese Cultural Village Theme Park** is another enormous project that will boost the local economy and employment.

I travelled to China during the Christmas break at my own expense to visit family, but organised meetings with local Mayors and businessmen while I was there to gauge support for the proposal.

1.1 Mayoral Report for 2010-11 (contd)

I returned very encouraged and the officials I spoke to demonstrated strong support at both business and Government levels for this idea.

I had a meeting with the Mayor of Nantong, which is 100km north of Shanghai with a population of 7 million.

We discussed possible cooperative arrangements in education and investment including this exciting tourist proposal.

The concept is for a \$500 million Chinese Museum, cultural facilities, restaurants and shops on Council land near the freeway at Warnervale. The Park will be entirely financed from Chinese money.

I am also planning trips to China in December, 2011 and March/April, 2012 as we need to work with the Australia China Cultural Foundation in China to deliver this proposal, which will not come to fruition without Council at its highest levels demonstrating support for the project.

Last month, I travelled to Sydney to sign an agreement between the Australia China Cultural Foundation (ACCFI) and Council to investigate a site at Warnervale as the potential home of a Chinese Theme Park.

Council is allowing the proponents to investigate a potential 15 hectare site, on Council land, for the purpose of constructing the \$500 million Cultural Theme Park.

To fully develop a proposal that would have a detailed business plan, financial strategy, benefits and costs, the ACCFI requires access to our land. Access will be required for up to 12 months to enable them to conduct environmental and planning studies. This information will enable the ACCFI to go back to China and source additional funding to raise the necessary capital for the project.

The whole project is still in the early stages, but we have certainly made significant progress. The project already has the support of sectors of the Chinese Government which is critical for getting corporate support in China.

Clearly, this is a very exciting concept and the biggest tourism development in New South Wales in a number of years.

The **Central Coast Water Corporation** is now set up and will ensure a regional approach to the planning and delivery of water related services and will help tackle issues such as water security and demand management, develop and improve vital infrastructure and services, streamline the delivery of services, protect public health and the environment and improve the quality of services provided to customers.

Eventually, once all functions and responsibilities have been transferred, residents will see more accountability for water and wastewater delivery, NSW government enforced regulatory standards and service levels, consistent planning decisions based on what benefits the Central Coast as a whole, better maintenance of the system and consistent pricing and service standards across the whole region.

However, a cost benefit analysis is still to be completed and the current estimate is a \$9 million negative impact on Council's Budget.

1.1 Mayoral Report for 2010-11 (contd)

Our **road infrastructure** will also be improved. This year's budget has gone back to basics. Council has allocated \$24 million to renewing and improving the existing road network over the next four years and \$7 million over eight years for timber bridges.

Construction has finally started on Minnesota Road at Warnervale, while Louisiana Road has been resealed. In fact, Council is intending to spend more than \$4.5 million on roadworks in the Hamlyn Terrace area over the next 18 months.

Stage One of the Minnesota Road upgrade will include a 500 metre section of road encompassing a wider road pavement, street lighting and footpath. The works will take place on the northern end of Minnesota Road and integrate with the frontage of the Sports fields and it is proposed that the road will remain open while the works are carried out.

Works across the floodplain, incorporating a major culvert crossing are proposed to start in mid 2012, and it is proposed that the road will be closed for part of this construction.

In time, residents will start to see improvements to our roads.

The construction of **new surf clubs** at the two most popular beaches in the Shire will be a huge boost to beach goers come summer.

Recently, I had the pleasure of opening the new club at Soldiers Beach and next month, Shelly Beach will be officially opened.

These buildings are certainly very impressive and much needed.

In September 2010 Council approved a contract for just over \$5 million for the construction of the Shelly Beach and Soldiers Beach Surf Clubs, with money coming primarily from the Australian Government's \$5 million grant courtesy of its Regional and Local Community Infrastructure Program.

Council is contributing \$3 million to overall Surf Club refurbishment programs in the Shire, with \$1.6 million allocated to the new club houses at Soldiers and Shelly Beach.

The balance is being spent on infrastructure to support the two new buildings including roads, drainage and landscaping, a new lifeguard tower at Soldiers Beach, and some refurbishment work at The Entrance, The Entrance North and Lakes Beach Surf Clubs.

The two new clubs will provide an income stream to ensure the financial sustainability of both Soldiers and Shelly Beach into the future.

Work has also commenced on the **Central Coast Mariners Centre of Excellence at Tuggerah**.

Last month, I joined Federal Sports Minister Mark Arbib for the official turning of the first sod of soil to mark the start of the construction of the centre. This centre will become a great asset for the local community and I thank the Federal Government for following through with its election commitment of \$10 million towards funding the facility.

In the future, the community will be able to take advantage of a high performance training centre, while the Mariners will also have a state-of-the-art training facility.

1.1 Mayoral Report for 2010-11 (contd)

I also had the pleasure of following the Mariners through the finals series and was in Brisbane for their heartbreaking Grand Final loss to the Roar.

I congratulate the Mariners for another wonderful A League season and I look forward to a continuing association this season through our sponsorship of the club.

The Mariners will also compete in the Asian Champions League this year, which will give the region great exposure.

Other Projects:

Work is now completed on the **Toe Drainage Structure at Cabbage Tree Harbour**.

The structure will allow us to ensure the cliff face at Cabbage Tree is relatively stable and act to minimise public safety risk as a result of a slump.

It will provide a rock and gravel base at the toe of the slope to resist slumping and act as a filter to allow groundwater to flow onto the beach without eroding the sand.

The rocks on the face of the structure will protect the dune slope from future erosion as a result of tides and wave attack.

Council worked closely with local resident groups and the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee throughout the development of the design.

The total project budget is \$1.9 million made up from equal contributions by Council and the State Government through the Office of Environment and Heritage.

Last November I put forward a proposal that was voted on by my colleagues that has the potential to turn the Wyong Shire into a major centre for **aged housing**, and creating thousands of local jobs.

My target was to creating 5000 jobs in 10 years by marketing the Shire as a nationally recognised district of excellence in aged housing.

The influx of new aged housing will provide a host of local job opportunities meaning our youth do not have to leave the coast to find employment. This initiative will revitalise our local economies and alleviate many of the current social problems besetting us.

A 'Senior's Paradise' translates into a significantly enhanced local community for all.

Our unemployment rates have historically been between two and five per cent higher than the State and National rates while our youth unemployment rate is significantly higher.

Recent Central Coast Research Foundation Economic Indicators show industrial or goods producing industries provide less than 10 per cent of the total employment on the Central Coast.

The obvious conclusion is that we need to provide more opportunities for service based employment if we are to provide additional local employment and the provision of aged housing and associated medical facilities is an example of a growing serviced based employment sector.

1.1 Mayoral Report for 2010-11 (contd)

Along with other Councillors, I have been to a number of workshops conducted by Council's planning staff and attended by a number of influential groups across the Shire.

The workshops could loosely be termed a '**Developers Forum**' and have involved local developers, real estate agents, land owners, and representatives from the retirement industry.

The idea was to seek ideas for Wyong Shire's new **Local Environmental Plan (LEP)** that is currently being developed.

Council wanted to consult as wide a group as possible and think outside the square to promote employment and the local economy.

I have made comment on the key economic figures for the Coast in terms of employment, participation rates and building approvals released by the Central Coast Research Foundation were very bad.

The workshops are just one example of Council doing its best to stimulate the local economy to bring jobs, money and investment into the area.

Some of the ideas discussed include housing in employment areas, rural hamlets, development west of the freeway and smaller lot sizes to encourage redevelopment.

It is a priority of this Council to do all it can to boost employment and our economy.

Council also updated its **Heritage Review** and included the Carousel at The Entrance, Wyong Fire Station, Yarramalong Cemetery and the Old Toukley Bridge on the list.

The Noraville General Store, Ourimbah Railway Station and Strathavon Country Club are also new listings while the Carousel, Ourimbah Station and Strathavon are recommended for listing on the State Heritage Register.

The latest review builds on the Shire wide heritage studies undertaken in 1994 and 1996.

Helping our communities:

Council has done a lot in the past 12 months to improve our communities, by opening new toilet blocks at Budgewoi, approving a new supermarket at Noraville, introducing road safety measures at Mardi and Ourimbah, supporting a new precinct committee at Toukley and fighting the closure of the Westpac Bank at Wyong.

Last October, I opened a new \$70,000 **amenities building at Budgewoi** in response to community feedback from the Budgewoi/Buff Point/Halekulani Precinct Committee, who raised concerns there were no amenities in the busy shopping area, especially for elderly people and mothers with young children.

In April, I approached the University at **Ourimbah** on behalf of residents to ensure a **public toilet block** near the shopping strip wasn't closed down.

The toilet block, which has been maintained by Council for many years, is located on Glen Road and sits on land now owned by the university.

1.1 Mayoral Report for 2010-11 (contd)

The university indicated it intends to demolish the buildings located on the block and sell the land. However, a petition was organised by the Ourimbah Precinct Committee in an effort to save the toilets and in a short space of time, more than 270 names lent their support to keeping the block open.

I became aware of the residents' plight at my regular attendance at the Precinct Committee meetings and took up the issue with university staff. I'm hopeful a toilet block will be provided for the community, as well as satisfying the university's needs.

Woolworths lodged a Development Application in June for a new supermarket at **Lake Munmorah** that will create an additional 450 local jobs.

The application consists of a supermarket and medical centre and community benefits including shared pathways that will be constructed with each stage of the development.

The new **Aldi Building at East Toukley** was officially opened in June and it is a significant economic boost to the Toukley area. This \$4 million development and created around 30 local jobs in an area that needs an influx of economic support.

The new Aldi store will ensure local residents do not have to go out of the area to shop while it should also bring more people into the area which will boost the local economy.

I congratulate Aldi on their investment in Toukley and I'm sure their arrival will create competition, resulting in cheaper prices and savings for local residents.

While that building was opening, another one closed.

Westpac Bank decided to abandon the Wyong community with the decision to close its Wyong branch in June.

The move by Westpac leaves the Wyong Town Centre without a major bank, at a time when formal plans to revitalise the Town Centre are taking shape.

Despite Council being one of Westpac's clients, I only found out about the closure when I received a letter at home as a customer of the bank. The lack of consultation flies in the face of all their recent marketing about local branch managers and keeping things local.

Despite speaking to Westpac's Regional Manager about the plans for the Town Centre and to see if I could get them to take a longer term view, they didn't budge and the branch was closed.

After extensive community consultation, **traffic calming devices were installed at Woodbury Park Drive Mardi and Coachwood Drive/Shirley Street at Ourimbah** in February.

The road cushions resulted in an average 15 per cent reduction in speed along this route with most vehicles now travelling at the posted 50km/h speed limit. They were installed in response to ongoing community feedback.

While some of the Ourimbah cushions were recently removed for strengthening pavement repair work, they will be reinstated in asphalt and become a permanent traffic calming measure in the area.

1.1 Mayoral Report for 2010-11 (contd)

In April, I was present at the opening of a **permanent recycling collection** point for all types of **e-waste**.

This permanent disposal site will build on the success of Council's efforts in e-waste recycling over the last few years, where 127,135 kilograms of computer equipment, video recorders, mobile phones, televisions and the like was gathered at three previous collection days.

Recycling these products delivers important environmental benefits because it prevents a variety of toxic material from ending up in landfill.

I know the Shire's residents are great recyclers, and this collection point has already proved popular.

It replaces Council's biannual electronic waste collection days and is funded by Council and the NSW Government under its Waste and Sustainability Improvement Payment (WaSIP) program.

In April Council piloted a program where residents received a free kit enabling them to remove **graffiti** from private property.

Our approach when it comes to graffiti has always been one of rapid removal and these kits allow residents to literally clean up their communities as soon as they spot any graffiti. This is a great way of allowing communities to work with us when it comes to keeping their areas clean.

In August, Council adopted a **Graffiti Management Strategy** that outlines key priorities for removal and prevention of graffiti.

By developing this strategy, Council aims to work with businesses and community groups to create and maintain neighbourhoods that are effective in preventing and managing graffiti for residents, businesses and visitors.

Working with Government's at all levels:

During the past 12 months, I have travelled to Canberra twice to seek funding for major programs.

I was successful in securing the **\$2 million underspend from Stage One of the Estuary Management Plan**, which we were able to roll into the second stage of works for this important program.

I congratulate Cr Graham, as chair of the Tuggerah Lakes Estuary Management and Floodplain Committee and Estuary Management staff for the work they are continuing to do on our Lakes system.

The Government provided \$8.6 million for Stage One of the Estuary Management Program, which was part of a 2007 Election commitment to continue improving the water quality of our Lakes. The total commitment was for \$20 million over a five year period.

1.1 Mayoral Report for 2010-11 (contd)

Council was able to start a number of projects funded by the \$2.05 million return. These projects include almost \$700,000 on streambank rehabilitation and establishment, \$490,000 on saltmarsh rehabilitation and establishment, \$78,000 on wetland rehabilitation and \$45,000 on education activities and environmental monitoring.

Our proposal regarding the [savings](#) was about informing the Government that we would continue to put that money towards the long-term improvements in water quality of the Tuggerah Lakes.

We are grateful the Federal Government saw fit to return this money and the report we received back from the Department was that our on-ground Estuary works have been considered as best practice.

On my initiative, we have now set up a **Central Coast Forum** involving both Mayors and all local State Members of Parliament to discuss Central Coast Issues. I like to refer to it as the Central Coast Forum. These involve regular meetings to discuss a number of important issues in our region and the first one was held in Parliament House soon after the State Election in March.

I look forward to these continuing as we take a united approach to tackle the regions problems head on and move forward.

The State Government recently announced some funding for **traffic improvements along Wyong Road**. This followed a report at a Council meeting last year which showed six of the top 10 worst traffic congestion areas in the Shire were found on Wyong Road.

Our research highlighted the problems as well as the solutions and the State Liberal Party used this as part of their election campaign. The promise is now being delivered as traffic lights will replace some of the roundabouts along Wyong Road.

This is a great example of how different levels of Government can work together for the benefit of the community.

The challenges ahead:

Whilst there has been some progress regarding the **Warnervale Town Centre**, the project remains disappointingly slow.

Woolworths has lodged its Development Application with the State Government which is a great step forward, but there are several issues still to be resolved including funding for the access road intersection and environmental difficulties with the Lower Hunter Spotted Gum Ironbark.

Recently further environmental issues have arisen via the classification of the Lower Hunter Spotted Gum Ironbark as likely present in the Greater Warnervale district. Potentially this affects 10,000 lots and 805 ha, further impacting on the viability of development of much of Warnervale.

I am in discussions with the Member for Wyong on this issue. Council ecologists believe this species is not present and the issue needs urgent resolution.

The Sparks Road intersection was initially going to cost \$8 million, however that figure jumped to \$12 million following a meeting with Council staff the RTA.

1.1 Mayoral Report for 2010-11 (contd)

In July, I attended a meeting chaired by Central Coast Minister, The Hon. Chris Hartcher MP, involving all relevant stakeholders including representatives from the RTA and Department of Planning and managers from Woolworths and Landcom.

At this meeting, I was able to introduce an interim solution from local property developer David Hannan regarding problems about the funding of the North Warnervale Rail Station, which is still 10 years away in my view.

Mr Hannan plans to fund extensions and works to the existing rail station at Warnervale.

This would involve extending the platform, building an overhead pedestrian walkway and having lifts for disabled access, plus the construction of hundreds of extra commuter carparking spaces.

It would mean trains could terminate at Warnervale. In my view, it's a viable interim option given the anticipated time to construct the new station at North Warnervale.

The Arthouse Project in Wyong remains a disappointment.

We have the name, we have the logo, we have the design, but we still don't have the necessary funding and I don't think there is any real prospect of federal funding until the next Federal Election at least.

This is a terrific project that was recently nominated as a finalist in the Urban Development Institute of Australia Awards.

Our performing arts community is crying out for a facility just like the one we have proposed in the northern section of the Central Coast.

I will continue to fight for funding for this important community project.

The **rejection of the Kores Coalmine** by former State Planning Minister Tony Kelly was met with a strong round of applause a fortnight out from the March State Election.

It was the community who stopped this mine from going ahead.

Council conducted a survey a couple of years ago that showed 82 per cent of our community were against this mine and everyone kept that level of pressure bubbling along to help get this result.

There was a clear and longstanding opposition to this mine and its people power that has won on the day.

This is only the second coal mine ever refused in this state after the Bickham proposal in the Hunter Valley and full marks should go to everyone who fought against this proposal to lump a coal mine in our backyard. In my 20 years in public life, I have never seen so much opposition to one single proposal

While the Planning Assessment Commission recommended the approval of the project, the PAC report admitted disappointment at the level of information provided in the Environmental Assessment by the proponents.

1.1 Mayoral Report for 2010-11 (contd)

One of the Minister's key points in refusing the proposal was the issue of insufficient ground water modelling. Council experts were able to demonstrate this clearly to the PAC, who held a hearing in this very Chamber last October. It was one of the critical findings of the report.

However, I am expecting another application to mine in our Valley's and I'm calling on the State Government to pass on the promised legislation to stop any company from mining our valley's and water catchment areas in the future.

I also remain concerned the PAC remains the determining body for approval, given it has already recommended in favour of a mine once.

I have been working on organising a meeting with State Environment Minister, Robyn Parker to progress the **missing link of our shared pathway network**.

Through the office of local State MPs, Darren Webber and Chris Spence, I would like to speak to Minister Parker to put pressure on the National Parks to approve a five kilometre section of shared pathway through the Wyrabalong National Park.

This would all but complete the Shire's 110 kilometre shared pathway network and enable residents to ride off-road from Chittaway Bay right to Blue Haven.

Work is also underway to replace worn out bridges at Tumbi and Saltwater Creeks.

I have also been in conversation with the Government regarding the **Alison Road freeway connection** upgrade, and a **\$6 million upgrade of Old Maitland Road**.

Rehabilitating our old landfill sites remains including Mardi, Gwandalan and Toukley remains a major liability to Council.

These former tips need to be remediated in order to comply with Government legislation. So we have an obligation to get our landfill practices right and budgeting for this responsibility means a \$50 million liability.

The largest impact of the rate rises is due to increased domestic waste charges, which include a 21 per cent increase in the **NSW State Government imposed Waste Levy**. Price increases have also been impacted by increasing costs of environmental compliance and monitoring, and costs to remediate these closed landfills.

A third of the tonnage fee at our Buttonderry Waste Management Facility goes to the State Government's Waste Levy which we are forced to collect from our residents.

I have opened up discussions with the new State Government about reducing the impact of the waste tax on our ratepayers.

In June, our **Coastal Zone Management Plan** was placed on public exhibition.

The plan was prepared in accordance with the NSW Government's requirements, including its Coastal Zone Management Plan Guidelines, the Coastal Protection Act (1979), the NSW Coastal Policy (1997) and the NSW Coastal Zone Manual (1990).

It aimed to manage risks associated with coastal hazards, such as coastal erosion and landslip.

1.1 Mayoral Report for 2010-11 (contd)

Complying with State Government Legislation, while also trying to be fair to our residents, will be a delicate balancing act over the next few years and I hope that a common sense approach can be taken by both residents and staff.

The future:

Wyong Shire continues to be a place of great change as more residents move into the area.

The problems we face are stretching our budget to keep up with community expectations and requirements in terms of providing the necessary infrastructure and jobs for our residents.

Council has made some tough decisions in the past 12 months in order for the organisation to move forward.

There are a number of exciting projects with the potential to revitalise areas including detailed **Masterplanning projects for The Entrance and Wyong**.

Last month, Council gave its support for a strategic partnership between with the University of Newcastle and TAFE Hunter Institute through a Memorandum of Understanding.

The organisations will work together on a master planning process which will look at the potential to develop **Ourimbah Town Centre** into a true 'university town' that supports and enhances the growth of the university.

Together, with the Iconic Development Sites proposal, Council is working to establish a strong local economy for all residents to enjoy.

Staff and Councillors will continue to work hard to ensure Wyong Shire remains the No.1 region on the Central Coast, and one of the most pre-eminent and progressive Local Governments in the country.

I formally move:

That Council receive the Mayoral report for the past 12 month term, 2010 – 2011.

2.1 Election of Mayor and Voting Procedure

TRIM REFERENCE: F2004/06505 - D02744008

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Sonia Witt; TL Governance and Councillor Services

SUMMARY

Nominations are invited for the Office of Mayor for the 2011-12 term. The election of Mayor of Wyong Shire Council must be held in accordance with Schedule 7 of the Local Government (General) Regulation, 2005 and Council's Code of Meeting Practice. The Office of Mayor commences on the day the person is elected and becomes vacant when the person's successor is declared elected.

RECOMMENDATION

- 1** *That should an election for the Office of Mayor be required, Council determine whether the vote is to proceed by preferential ballot, by ordinary ballot or by open voting.*
- 2** *That Council confirm its previous decision to pay a fee to the Mayor and Deputy Mayor in accordance with the fee set by the Local Government Remuneration Tribunal.*
- 3** *That Council confirm its previous decision to pay a fee to the Deputy Mayor, deducted from the Mayoral Fee.*
- 4** *That Council determine the amount of the fee payable to the Deputy Mayor as a percentage deduction of the Mayoral Fee.*

BACKGROUND

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

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

Returning Officer

In accordance with the provisions of Schedule 7, the General Manager (or a person appointed by the General Manager) is the Returning Officer.

Nomination

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

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

Election

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

Ordinary Ballot

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

Open Voting

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

Preferential Ballot

- 1 This Part applies if the election proceeds by preferential ballot.

2.1 Election of Mayor and Voting Procedure (contd)

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

Count

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

Tied Candidates

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

Ballot Papers

Ballot papers will be issued at the election as required. The Returning Officer will decide the manner in which votes are to be marked on the ballot papers.

Formality of Ballot Paper

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

- 345 (1) *A ballot-paper of an elector at an election is informal if:*
- (b) *it has not been initialled on the front by an election official, or*
 - (c) *it contains a mark or writing that, in the returning officer's opinion, would enable the elector to be identified.*

- (6) *Despite subclause (1), a ballot-paper of an elector at an election is not informal by virtue of the existence of an unnecessary mark on the ballot-paper if, in the opinion of the returning officer, the elector's intention is clearly indicated on the ballot-paper.*
- (6A) *Despite subclause (1), a ballot-paper is not informal by reason only that the elector has placed one or more numbers, a tick or one or more crosses, adjacent to but outside a square or squares, if, in the opinion of the returning officer, the elector's intention is clearly indicated on the ballot-paper. In such a case, each such number, tick or cross is taken to have been placed within the relevant square.*

General

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

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

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

Determination of Annual Fee for Deputy Mayor

Council at its meeting held on 14 May 1997 resolved that the payment for the Councillors and Mayoral annual fee be fixed at the maximum allowable determination made by the Local Government Remuneration Tribunal for Category 1. In accordance with Council's policy at the time for the payment of fees, the Mayoral Allowance was reduced by 10% which was paid to the Deputy Mayor.

Council at its meeting held on 24 June 1998 resolved that the annual Mayoral fee of \$31,500.00 be reduced by a flat rate of \$5,000.00 and payable to the Deputy Mayor.

Council has continued to increase the Deputy Mayoral fee each year in line with the Tribunal's recommendations. Currently the percentage of the Mayoral fee payable to the Deputy Mayor is approximately 14%.

At its meeting of 8 June 2011 Council determined to adopt the maximum fee increase determined by the Local Government Remuneration Tribunal in respect of Councillor and Mayoral fees. Currently the percentage of the Mayoral fee payable to the Deputy Mayor is approximately 14% (\$8,033.98). This is paid in addition to the Councillor fee of \$21, 170.

In accordance with the Local Government Act, Council has no other avenue to pay a fee to a Councillor.

2.1 Election of Mayor and Voting Procedure (contd)

Other Councils pay the following percentage Deputy Mayoral fee;

Council	Percentage
Bankstown	-
Baulkham Hills	0%
Campbelltown	-
Fairfield	0%
Gosford	15%
Hornsby	0%
Hurstville	-
Lake Macquarie	0%
Liverpool	0%
North Sydney	0%
Randwick	-
Ryde	10%
Sutherland	15%
Warringah	-
Willoughby	0%

Note: - indicates no response received

Annual Deputy Mayoral Fee Options

- 1 Continue the annual Deputy Mayoral fee (currently set at \$8,033.98 per annum) with an annual increase as determined by the Local Government Remuneration Tribunal.
- 2 Increase the paid annual Deputy Mayoral fee to 15% of the Mayoral fee (\$8,437.50 per annum).
- 3 Reduce the paid annual Deputy Mayoral fee to 10% of the Mayoral Fee (\$5,650.00 per annum).
- 4 No longer continue with the annual Deputy Mayoral fee.

ATTACHMENTS

- 1 Mayoral Election Nomination Form Enclosure D02762008

2.2 Election of Deputy Mayor

TRIM REFERENCE: F2004/06511 - D02744019

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Sonia Witt; TL Governance and Councillor Services

SUMMARY

Nominations are invited for the Office of Deputy Mayor for the 2011-12 term. The election is held in accordance with Schedule 7 of the Local Government (General) Regulation, 2005 and Council's Code of Meeting Practice.

Clause 2.2.12 of Council's Code of Meeting Practice provides that the procedures will be the same as those which apply to the election of the Mayor.

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

RECOMMENDATION

That Council conduct the election of Deputy Mayor in the same manner as the election of Mayor for the 2011-12 term.

ATTACHMENTS

1 Deputy Mayor Election Nomination Form Enclosure D02762009