

4.5 Amendment to Facilities and Expenses for Councillors Policy

TRIM REFERENCE: F2004/07011 - D03335706

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Meg Newington; Admin Team and Civic Centre Coordinator

SUMMARY

This report details submissions received on Council's proposal to amend the Facilities and Expenses for Councillors Policy.

RECOMMENDATION

- 1** *That Council note that two submissions were received on the proposal.*
- 2** *That Council adopt the amended Facilities and Expenses for Councillors for Councillors Policy.*

BACKGROUND

Council at its Ordinary Meeting on 13 February 2013, considered a report on proposed amendments to the Facilities and Expenses policy, and resolved as follows:

"RESOLVED unanimously on the motion of Councillor GREENWALD and seconded by Councillor TAYLOR:

- 136/13 That Council note that no submissions were received during the exhibition period.*
- 137/13 That Council adopt the Facilities and Expenses Policy for Councillors as exhibited.*
- 138/13 That Council provide the Department of Local Government with a copy of the adopted policy.*
- 139/13 That Council propose further amendments to the policy as follows:*
- a Reimbursement of costs of up to \$500 per annum for communications and media information accessed for Council business and/or Councillor professional development (for example: professional journals, news and current affairs publications)*
 - b Reimbursement of costs up to \$600 per annum for electricity charges associated with use of private facilities to conduct Council business.*
- 140/13 That Council advertise the proposed amendment in accordance with the provisions of the Local Government Act."*

4.5 Amendment to Facilities and Expenses for Councillors Policy (contd)

As required by Sections 361(2) and 361(3) of the Local Government Act 1993, Council advertised the proposed further amendment for 28 days from to 6 March 2013 to 17 April 2013.

CURRENT STATUS

Two submissions were received in response as follows:

Doc Number	Issue
D03323704 D03323860	Objection raised about “skyrocketing expenses” being imposed on ratepayers.
D03310484 D03310507	Objection raised as these items represent extra expenses incurred in addition to items in existing policy while Council is making decisions in relation to increasing rates.

The purpose of the Policy is to ensure that Councillors receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties. It ensures that these are provided in an accountable and transparent manner.

The amendments proposed cover expenses that would be incurred as part of undertaking the duties of Councillor and are therefore reasonable matters to be included in Council’s Facilities and Expenses Policy.

Council’s Code of Conduct requires that WSC resources must be used be used ethically, effectively, efficiently and carefully.

By including these items in its Facilities and Expenses Policy for Councillors, Council has provided a mechanism for the reimbursement of expenses in an accountable and transparent manner.

THE PROPOSAL

It is proposed that the amendment as advertised be adopted.

CONSULTATION

The proposal was advertised for a period of 28 days from to 6 March 2013 to 17 April 2013.

GOVERNANCE AND POLICY IMPLICATIONS

If adopted, the amendment will be included, as outlined in the attached revised Policy. Council is required to forward a copy of the revised policy and any submissions to the DLG for information.

CONCLUSION

The amendment as advertised is recommended for inclusion in the Policy for Facilities and Expenses for Councillors.

ATTACHMENTS

- 1 Facilities and Expenses for Councillors Policy D03335585



POLICY No: WSC003

POLICY FOR FACILITIES & EXPENSES FOR COUNCILLORS

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AUTHORITY	NAME & TITLE	SIGNATURE	DATE
AUTHOR	Team Leader, Governance and Councillor Services		
MANAGER	Lesley Crawley, Manager Corporate Governance		
DIRECTOR			
GENERAL MANAGER	Michael Whittaker		
MAYOR (IF APPLICABLE)			

History of Revisions:

Version	Date	TRIM Doc. #
1	23/11/2011	D02903521
2	03/10/2012	D03143334
3	26/4/2013	D03335585

A. POLICY SUMMARY

- A1 This Policy provides for the payment or reimbursement of expenses and the provision of facilities by WSC to the Mayor and Councillors of Wyong Shire.

B. POLICY BACKGROUND

- B1 Section 252 of the Local Government Act 1993 requires the Council to adopt a Policy concerning the payment of expenses incurred or to be incurred by the provision of facilities to elected members in relation to discharging the functions of Civic Office.
- B2 WSC recognises that elected members and senior management staff often expend considerable personal time and inconvenience in conducting WSC business away from the Shire in the best interests of the community.
- B3 The Act's conditions recognise that some personal, additional contribution goes with the position, however where such good-will is provided by individuals materially in excess of reasonable contributions, the transparent reimbursement of expenses is appropriate.
- B4 The purpose of the Policy is to ensure that Councillors receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties. It ensures that these are provided in an accountable and transparent manner.
- B5 Councillors must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out their functions under the Local Government Act or any other Act (s349 the Act).
- B6 The WSC Code of Conduct provides that WSC resources must be used ethically, effectively, efficiently and carefully. WSC property including intellectual property, official services and facilities must not be misused by any person or body for private benefit or gain. Councillors must also avoid any action or situation that could create the appearance that WSC resources are being used inappropriately.
- B7 Section 382 of the Act requires that WSC makes arrangements for adequate insurance against public and professional liability.

C. DEFINITIONS

- C1 **The Act** means the Local Government Act 1993
- C2 **The Regulation** means the Local Government (General) Regulation 2005.
- C3 **Council** means the elected members who form the governing body (Council) of the Wyong Shire Council.
- C4 **Wyong Shire Council (WSC)** means the organisation established to administer Council affairs and operations and Council policy and strategies.
- C5 **Councillor** means an elected member of the governing body (Council) including the Mayor.
- C6 **Council Policy** means policy created and approved by the elected members of the WSC.

- C7 **Functions of civic office/civic functions** means functions that Councillors are required to undertake to fulfil their legislated role and responsibilities for WSC that should result in a direct benefit for WSC and/or for the Wyong Shire community.
- C8 **Council Business** means WSC and Committee meetings, community meetings within the Shire, attendance at officially sanctioned conferences, functions, seminars and training courses and shall include the attendance at functions/meetings by Councillors on behalf of the Mayor.
- C9 **Expenses** mean payments made by WSC to reimburse Councillors for reasonable costs or charges incurred or to be incurred for discharging their civic functions. Reasonable private use is allowable. Expenses must be outlined in this policy and may be either reimbursed to a Councillor or paid directly by WSC for something that is deemed to be a necessary expense to enable them to perform their civic functions. Expenses are separate and additional to annual fees.
- C10 **General Expense Allowance** means a sum of money paid by WSC to a Councillor to expend on an item or a service that is not required to be receipted and/or otherwise reconciled according to a set procedure and within a specific timeframe. In accordance with Section 403 of the Regulation this policy does not permit the payment of general expenses.
- C11 **Facilities** means equipment and services that are provided by WSC to Councillors to enable them to perform their civic functions with relative ease and at a standard appropriate to their professional role as Councillors.
- C12 **Greater Significance** means meetings with State or Federal Parliamentarians, networking with other Councillors or special interest groups, inspection of a public works or facility, attendance at urgent Council meetings and/or any other incident of WSC business considered urgent or more important.

D. POLICY STATEMENTS

Jurisdiction

- D1 This policy covers all elected members of WSC
- D2 This policy does not confer any delegated authority upon any person.

General Provisions

- D3 No payment or allowance will be made for general expenses.
- D4 Reimbursement will only be paid for expenses incurred by Councillors for the conduct of their civic duties.

Attendance at Conferences, Workshops, Seminars and Training Courses

- D5 WSC will reimburse expenses for attendance at eligible conferences, seminars, workshops and professional development courses for each elected member including attendance at the annual NSW Local Government Association Conference and National General Assembly.
- D6 WSC will reimburse expenses for six (6) attendances per Councillor, per financial year, at conferences, seminars, workshops and professional development courses which consist of sessions conducted over one or more consecutive days.

- D7 The maximum number of elected members authorised to attend a conference or seminar is three.
- D8 The maximum attendance restriction on numbers will not apply to attendance by elected members at the annual conference or a special conference of the NSW Local Government Association or National Congress of the Australian Local Government Association or as resolved by Council.
- D9 WSC will meet sustenance and attendance expenses for Councillors' attendance at meals and other non-Council functions which provide briefings to Councillors from key members of the community, politicians and business.
- D10 No expenses will be paid for functions that are:
- i not relevant to Council business
 - ii where expenses incurred would be directed towards any political fundraising event
 - iii for any donation to a political party or candidate's electoral fund
 - iv for any other private or personal benefit
- D11 Authorisation for attendance at conferences will be by Council resolution or when in compliance with policy or impractical, then by approval of the Mayor (Deputy Mayor when attendee is Mayor) and/or General Manager.
- D12 WSC will pay costs in accordance with this policy relating to the attendance by authorised delegates at conferences, workshops and seminars for the following:
- i Registration fees
 - ii Accommodation
 - iii Travelling to and from the location
 - iv Out-of-pocket expenses (meals, fares, etc) incurred in attending the various sessions of conference etc
 - v Spouse or partner and family accompaniment.
- D13 Where WSC has incurred costs and a replacement is not nominated by the Mayor/Deputy Mayor and the elected member's non-attendance is not a family or employment or medical emergency, all costs incurred by WSC will be charged to the elected member.
- D14 Before registration and payment of fees, elected members must satisfy themselves:
- a that the program is likely of benefit to WSC, the Community and/or to his/her professional development as an elected member
 - b that he/she is able to commit the time necessary to attend the conference sessions in the terms of this policy
- D15 Elected members shall attend all conference sessions for which they are registered other than in the following circumstances:
- i to attend to a family, employment or medical emergency
 - ii where the session demonstrably has no benefit/interest to both WSC and the particular Councillor
 - iii to attend to other matters of greater significance to the WSC
- D16 WSC will pay for the attendance at training courses where the total expense for attendance of

each Councillor is less than \$10,000, subject to Council Resolution or compliance with this policy. The monetary limit does not apply to the AICD Company Director's Course and a maximum of three (3) Councillors may attend a course unless resolved by Council.

- D17 Out-of-pocket or incidental expenses associated with Councillors attending conferences, seminars or training courses will be reimbursed.
- D18 WSC will reimburse Councillors the cost of membership to professional organisations associated with the conduct of Council business up to \$1,500 per annum.

Spouses and Partners

- D19 WSC will pay the following expenses for spouses/partners or family accompanied by a Councillor at events or functions officially sanctioned by the Council or Mayor and General Manager:
- i attendance/ticket cost if in the company of a Councillor
 - ii accommodation if in the company of a Councillor
 - iii travel if in the company of a Councillor
 - iv meals and refreshments excluding room fridges.

D20 Partner tours and incidental costs will not be paid by WSC.

Motor Vehicle Costs

- D21 WSC will pay for the use of a Councillor private motor vehicle for the conduct of business relating to the Council, including attendance at Council, Council Committee and community meetings, inspections and official functions / meetings either:
- i an annual allowance, paid monthly for use up to 5,000 km per annum, at the Local Government State Award rate for WSC staff for under/over 2.5 ct. A statutory declaration for use is required
 - ii by claim for usage, paid monthly for use at the Local Government State Award rate for WSC staff for under/over 2.5 ct

D22 Councillors shall comply with WSC's Motor Vehicle Policy.

Travel

- D23 WSC will reimburse Councillors for travel undertaken on WSC business.
- D24 WSC will not reimburse travelling expenses where a Councillor attends a community meeting or undertakes an inspection that has not been formally approved by Council or the Mayor.
- D25 Overseas travel by a Councillor must be approved by resolution which shall include clear and tangible benefits to the community.
- D26 Approval by the Council for overseas travel will be on an individual trip basis.
- D27 Councillors shall ensure travel by the most direct route and use the most practical and economic means of transport.
- D28 WSC will reimburse costs for tolls associated with travel on WSC business.

D29 WSC will reimburse parking fees associated with travel on WSC business.

D30 In accordance with WSC Motor Vehicle policy, no reimbursement of traffic or parking fines incurred while travelling on WSC business will be given.

Travel outside WSC Local Government Area, Interstate and International

D31 Air Travel shall be at economy rate unless approved by the General Manager and/or the Mayor.

D32 WSC will pay for air travel insurance.

D33 The General Manager and/or the Mayor may determine any corporate membership arrangements (eg Qantas Club).

D34 WSC will pay for use of a rental car at locations where air travel is undertaken for WSC business.

Accommodation

D35 Councillors shall be accommodated in minimum four-star level facilities and higher if practicality determines the need. A higher level than four star is to be approved by the Mayor and/or General Manager.

D36 WSC will pay for accommodation costs commencing from the night before the conference or seminar commences, throughout the conference and the night after it concludes and any other night required by travel arrangements.

Care and other related expenses

D37 WSC will reimburse registered carer's expenses necessary to enable elected members, General Manager and Directors to attend WSC business up to \$3,000 per annum, including:

- i child care expenses
- ii care of disabled and/or sick immediate family members
- iii special requirements of councillors such as disability and access needs to allow performance of normal civic duties and responsibilities

Insurance

D38 WSC will provide insurance to protect the interest and welfare of all Councillors in carrying out the duties of Civic Office and to protect equipment issued to Councillors under this policy as follows:

- i Public liability (for matters arising out of Councillors' performance of their civic duties and/or exercise of their functions)
- ii Professional indemnity (for matters arising out of Councillors' performance of their civic duties and or exercise of their functions).
- iii Personal injury while on Council business
- iv Travel insurance for approved interstate and overseas travel on Council business
- v Property insurance for WSC facilities issued to Councillors
- vi Other insurance as required to ensure normal work/family arrangements can continue to be maintained for the Councillors.

All insurances are to be subject to any limitations or conditions set out in the WSC policy for insurance.

Legal Expenses

- D39 WSC will indemnify or reimburse the reasonable legal expenses of a Councillor in the circumstances described below:
- i a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act (section 731 refers), as distinguished from merely something a Councillor has done during his/her term of office
 - ii a Councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the Act
 - iii a Councillor for proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body provided the subject of the proceedings arises from the performance in good faith of a function under the Act, and the Tribunal or investigative body makes a finding substantially favourable to the Councillor
- D40 WSC will also reimburse legal costs for an inquiry, investigation or hearing into a Councillor's conduct by an appropriate investigative or review body including:
- Local Government Pecuniary Interest and Disciplinary Tribunal
 - Independent Commission Against Corruption
 - Office of the NSW Ombudsman
 - Division of Local Government, Department of Premier and Cabinet
 - NSW Police Force
 - Director of Public Prosecutions
 - Council's Conduct Review Committee/Reviewer
- provided that the subject of the inquiry, investigation or hearing arises from the performance in good faith of a Councillor's functions under the Act and the matter before the investigative or review body has proceeded past any initial assessment phase to a formal investigation or review.
- D41 A Councillor/s may be reimbursed up to \$1,500 (including GST) for external legal services only where all of the following circumstances exist:
- (a) the legal advice is not on a matter excluded from being reimbursed by the Local Government Act and/or Regulations, or any other clause in this Policy
 - (b) the matter about which advice has been sought is a serious matter affecting the proper administration of WSC
 - (c) more than four Councillors have requested that Council staff provide legal advice on the subject matter of the advice, and Council staff have been unable to provide those Councillors with legal advice, due to a conflict of interest or similar prohibition that precludes those staff from providing that advice, or where staff are unwilling to obtain independent legal advice
 - (d) the matter had not already been the subject of independent legal advice to Council
 - (e) the legal advice is proven to be valuable towards Council's decision making

- (f) no more than one payment is to be paid to any one or more of the Councillors in respect to advice provided by Councillors on the subject matter
- (g) the request for reimbursement, under this clause, has been authorised by the Council:
- the written brief, original written legal advice and tax receipt will need to be provided to Council as its record to allow consideration of payment
- D42 A conduct complaint made against a Councillor, resulting in legal costs for a Councillor shall only qualify for reimbursement where a matter has been referred by the General Manager to a conduct reviewer/committee to make formal enquiries into that matter in accordance with the procedures in the Code of Conduct.
- D43 Pecuniary interest or misbehaviour matters, shall qualify for reimbursement of legal costs if a formal investigation has been commenced by the Division of Local Government.
- D44 WSC will only reimburse legal costs where the investigative or review body makes a finding that is not substantially unfavourable to the Councillor.
- D45 WSC will not meet the legal costs of legal proceedings initiated by a Councillor under any circumstance.
- D46 WSC will not meet the legal costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.
- D47 WSC will not meet legal costs in the following circumstances:
- An action in defamation taken by a Councillor as plaintiff
 - A Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation

Mayoral Expenses

- D48 The Mayor may provide reasonable hospitality to Councillors, senior staff, politicians, dignitaries, community leaders, accompanied by family and the like at WSC's expense to the same level as approved for the GM.
- D49 WSC will provide, maintain and fuel a fuel efficient motor vehicle appropriate to the Office of the Mayor, for use by the Mayor for WSC business.
- D50 Private Use of the vehicle is paid for by the Mayor by the reduction of the Mayoral allowance of \$1,906.64 per annum (2012/13 base year). Such amount to be varied on 1 October each year in line with movement in the Consumer Price Index for the 12 months ending 30 June previous.

Telecommunications

- D51 WSC will provide initial installation, rental/lease and maintenance costs for approved equipment.
- D52 WSC will provide communications hardware, to use for WSC business:

- i Laptop or Desktop PC

- ii Tablet computer
- iii Printer
- iv Facsimile
- v Scanner
- vi USB or WIFI broadband modem
- vii Digital camera
- viii Mobile phone or smart phone
- ix Mobile phone car kit

- D53 The brand/type of equipment will be to WSC standards purchased in accordance with the provisions of WSC Procurement Policy.
- D54 For each Councillor using WSC equipment, WSC will provide for the combined cost of calls, internet access and message bank service, including reasonable private use, up to \$3,600 per year.
- D55 Councillors may provide some or all private equipment in lieu of WSC equipment and receive reimbursement for capital costs, cost of calls and internet access up to \$7,200 per year. This will cover:
- Laptop or Desktop PC
 - Tablet computer
 - Printer, Facsimile, Scanner, Digital camera
 - USB or WIFI broadband modem
 - Mobile phone or smart phone and car kit
 - Other related expenses.

Privately provided equipment must be to WSC standards.

- D56 WSC will provide for WSC equipment, a standard operating environment of software to facilitate Council business (for example email, internet, mapping, MS office suite and other WSC corporate appropriate applications as necessary).
- D57 WSC will not provide for subsequent installation costs (eg as a result of moving house or changing vehicles) unless WSC has initiated a change to the equipment or service.
- D58 Elected members using WSC telecommunications equipment or their own private equipment for Council business must comply with WSC's Communications Media Policy (Internet and Email) and Appropriate Use of Email and the Internet Guidelines.
- D59 At the conclusion of a local government term and where a Councillor does not intend to stand for re-election or is not re-elected, a Councillor may purchase WSC supplied equipment and software at an agreed market price. Leased equipment is not available for purchase.

Postal Expenses

- D60 WSC will reimburse actual postage expenses for WSC business up to \$500 per annum.

Stationery

- D61 WSC will provide stationery to be used for WSC business, upon request. Stationery includes:

- i Writing pads, envelopes, box files writing pens / diary / folders up to \$200 per annum
- ii Business cards 1000 per annum
- iii Letterhead 1000 per annum

- iv Paper and printer cartridges 1 set of colour and black per month
- v Current edition of Bluett's Local Government Handbook, NSW for Councillors (newly elected Councillors only)
- vi One filing cabinet

Corporate Uniform

D62 WSC will provide a "premium quality" Corporate Uniform on an annual basis except for the issue in the year in which the local government election is held. Corporate Uniform shall consist of:

- Formal clothing – one set including the costs of alterations
- Climate clothing (shirts and jackets) – one set
- Protective clothing – one set

D63 WSC will provide an additional Corporate Dress allocation to the Mayor to facilitate the duties of the office as follows:

- Three shirts
- One pair of trousers or skirt or dress
- One tie
- Such other clothing as is required to perform the duties of a Councillor

Civic Centre Parking

D64 WSC will provide an allocated parking space each Council meeting day.

Sustenance

D65 Councillors will be provided with appropriate sustenance on meeting/briefing/function days, including bottled beverages.

General

D66 WSC will reimburse Councillors for costs of up to \$500 per annum for communications and media information accessed for WSC business and/or Councillor professional development (for example: professional journals, news and current affairs publications).

D67 WSC will reimburse Councillors up to \$600 per annum for electricity charges associated with use of private facilities to conduct WSC business.

E. POLICY IMPLEMENTATION - PROCEDURES**Approval**

E1 Approval for the payment of expenses and provision of facilities not specified will be by the General Manager and/or the Mayor.

E2 Disputes in relation to the payment of expenses and provision of facilities shall be resolved by the General Manager.

Adoption

E3 This Policy will be adopted by Council resolution after public notification of 28 days.

E4 This policy will be reviewed and readopted annually in accordance with WSC Policy.

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Amendment

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E5 Mandatory amendments to this Policy due to an amendment to the Local Government Act or Regulations will be made administratively and a report detailing the amendment will be submitted to an Ordinary Meeting of Council.

E6 Optional amendments to this Policy due to an amendment of the Local Government Act or Regulations will be reported to an Ordinary Meeting of Council for determination.

E7 This Policy will be amended annually in accordance with the CPI. The amendment will be made administratively and will not be reported to Council.

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Reporting

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E8 In accordance with clause 271 of the Regulation and for the purposes of transparency and accountability, WSC is required to include detailed information in its Annual Report about the payment of expenses and facilities to councillors. This will be reported as a total cost for all Councillors.

E9 Section 253 of the Act requires Council to submit a copy of this policy annually to the Division of Local Government.

E10 The Policy must be publically notified in accordance with Section 253 of the Local Government Act

Reconciliation

E11 Claims for reimbursement of expenses will include receipts or via a statutory declaration and be made in the financial year in which the expense has been incurred, unless otherwise specified in this Policy.

E12 Approval, reconciliation and reimbursement for all expenses and facilities must occur in accordance with WSC procedure.

E13 The processes for claim and reconciliation may be varied by the Manager Corporate Governance.

E14 Amounts owing by an elected member relating to fees or expenses for reimbursements and/or accompanying partner's expenses are to be deducted from amounts due to the elected member under this Policy.

Conferences

E15 The Mayor may nominate a replacement if an elected member authorised to attend a conference, seminar, external training session or function outside the area is unable to attend the event due to ill health or family emergency.

E16 The Mayor and/or the General Manager will determine and subsequently report to Council,

attendance at a conference, seminar, external training or functions outside the Central Coast if time does not permit submission to a Council meeting prior to the event.

- E17 Elected members attending conferences must provide a report to the GM detailing the proceedings of the conference. No report is required for the annual conference of the NSW Local Government and Shires Association or conferences approved by Council.
- E18 Authorisation of attendance at conferences for a spouse or partner will be included in the Council resolution for attendance of the Councillor unless specified by this policy.
- E19 Elected members may request advance expense payments for trips and conferences. The costs are required to be reconciled through receipts and excess advances returned to WSC.

Motor Vehicles

- E20 The reimbursement of private motor vehicle expenses above 5,000km per annum will require the submission and reconciliation of a log book.
- E21 WSC will provide a vehicle for use by Councillors in undertaking official duties. Availability of this vehicle will be considered when determining the most direct route and the most practicable and economical mode of transport.

Legal

- E22 The payment of legal costs is required to be approved by the General Manager.

Interview Room

- E23 Elected members will contact WSC reception to reserve an interview room.

Communications

- E24 Each elected member is allowed \$1,500 per year for mobile phone car kit installation.
- E25 Expenses reimbursed for use of private equipment will be added to Councillors' fees on a monthly basis.
- E26 Upon ceasing to hold Civic Office an elected member may purchase WSC equipment at an amount determined by an independent valuation or return the equipment to Council except in the case where equipment is leased.

E28 Associated documents:

- WSC Code of Conduct
- NSW Local Government Act 1993
- WSC Motor Vehicle Policy
- WSC Procurement Policy

4.6 Minutes of the Estuary Management, Coastal and Floodplain Management Committee held on 9 May 2013

TRIM REFERENCE: F2004/07986 - D03362284

MANAGER: Greg McDonald, Director Infrastructure and Operations

AUTHOR: Sonia Witt; TL Governance and Councillor Services

SUMMARY

Confirmation of minutes of the previous Tuggerah Lakes Estuary Management, Coastal and Floodplain Management Committee held on Thursday 9 May 2013.

RECOMMENDATION

- 1 That Council receive the Minutes of the Estuary Management, Coastal and Floodplain Management Committee held on 9 May 2013.**
- 2 That Council maintain the existing hazard lines removing reference to 2050 and 2100, adopting an immediate high and low Coastal Planning Zone.**
- 3 That Council amend the development control plan to reflect a risk based approach to develop land rather than sterilise it, which requires the applicant to demonstrate suitability within the zone.**
- 4 That Council consider minor development in front of the immediate hazard line and within the Coastal Planning Zone these developments to be defined in the CP when amended and not require significant engineering coastal studies.**
- 5 That Council endorse the committee's recommendations.**

ATTACHMENTS

- 1 MINUTES - Tuggerah Lakes Estuary & Coastal Mgt Committee Meeting - 9 May 2013 D03355198**

WYONG SHIRE COUNCIL

**MINUTES OF THE
TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN
MANAGEMENT COMMITTEE OF COUNCIL**

**HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 09 MAY 2013
COMMENCING AT 5:00 PM**

PRESENT

Mayor D Eaton (Wyang Shire Council)
Councillor A Troy (Wyang Shire Council) –Chairperson
Councillor L Webster (Wyang Shire Council)
Mr K Derry (Community Representative)
Mr B Davies (Community Representative)
Mr D Ryan (Wyang Shire Council)*
Mr A Beavis (Wyang Shire Council)*
Mr P Sheath (Wyang Shire Council)*
Mr N Kelleher (Office of Environment and Heritage)*
Ms L Davis (Office of Environment and Heritage)*
*non voting members

IN ATTENDANCE

Councillor L Nayna (Wyang Shire Council)
Mr G McDonald (Wyang Shire Council)
Mr A Pearce (Wyang Shire Council)
Mr S Naven (Wyang Shire Council)
Mrs S Witt (Wyang Shire Council)

APOLOGIES

Councillor L Taylor (Wyang Shire Council)

The meeting was declared open by Councillor Troy at 5.00 pm.

1.1 Disclosure of Interest

RESOLVED unanimously on the motion of Councillor Troy and seconded by Councillor Webster:

That Members now disclose any conflicts of interest in matters under consideration at this meeting.

1.2 Confirmation of Minutes of Previous Meeting

RESOLVED unanimously on the motion of Councillor Troy and seconded by Councillor Webster:

That the Committee confirm the minutes of the previous Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 4 April 2013 with the following amendments;

- ***Correction to the spelling of Ms Lara Davis surname***
- ***Mr Ken Derry submitted an apology***

1.3 Address By Invited Speakers

RESOLVED unanimously on the motion of Councillor Troy and seconded by Ms Marlene Pennings:

That the Committee receive the report on Invited Speakers.

2.1 Monthly Reporting on the Estuary Management Plan

RESOLVED unanimously on the motion of Councillor Troy and seconded by Ms Marlene Pennings:

That the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee receive the March 2013 Financial Expenditure Report.

2.2 Report on Navigation of Ourimbah Creek, Chittaway Point

RESOLVED unanimously on the motion of Councillor Troy and seconded by Ms Marlene Pennings:

That the Committee receive and note the report on navigation of Ourimbah Creek, Chittaway Point

3.1 Floodplain Risk Management Report

RESOLVED unanimously on the motion of Councillor Troy and seconded by Ms Marlene Pennings:

That the Committee receive and note the Floodplain Risk Management Report.

3.2 Coastal Zone Management Plan Status Report

Ms Lara Davis arrived at 5.12pm during consideration of this item.

Mr Andrew Shirley, representing Shirley Consulting, addressed the meeting at 5.09 pm, answered questions and retired at 6.00 pm.

RESOLVED unanimously on the motion of Councillor Troy and seconded by Councillor Webster:

- 1 That the Committee receive and note the report on the Coastal Zone Management Plan Status Report.***
- 2 That the Committee recommend to Council that staff maintain the existing hazard lines removing the reference to 2050 and 2100, adopting an immediate high and low Coastal Planning Zone.***
- 3 That the Committee recommend to Council that the DCP be amended to reflect a risk based approach to develop land rather than sterilise it and that requires the applicant to demonstrate suitability within the zone.***
- 4 That the Committee recommend that Minor development should be considered in front of the immediate hazard line and within the Coastal Planning Zone these developments to be defined in the DCP when amended and not require significant engineering coastal studies.***

3.3 Estuary Management Plan Status Report

Councillor Eaton left the meeting at 6.22 pm and did not return.

Councillor Webster left the meeting at 6.22 pm and did not return.

Councillor Nayna left the meeting at 6.22 pm and did not return.

RESOLVED unanimously on the motion of Councillor Troy and seconded by Ms Marlene Pennings:

That the Committee receive and note the report on Estuary Management Plan Status Report.

3.4 Staff Recognition

RESOLVED unanimously on the motion of Councillor Troy and seconded by Ms Marlene Pennings:

That the Committee receive the correspondence from Mr & Mrs Angus recognising the efforts of estuary management staff.

3.0 GENERAL BUSINESS

GB16/13 Walter and Edith Denniss Park at North Entrance

“Ms Marlene Pennings provided the committee and update on the project to provide a pathway from the lake to the beach near Walter and Edith Denniss Park, North Entrance.

Funding approval has been given to complete the project with an expected completion date at the end of July 2013.”

GB17/13 Wrack Removal Working Bee at Peace Park, Gorokan

F2004/07986

“Mr Bob Davies advised that the Tuggerah Lakes Care Inc have organised a working bee to remove the wrack along the waterfront at Peace Park, Gorokan on Sunday 1 June 2013.

A request was submitted to Council regarding assistance in removing the harvested wrack, however no response has been received.

The Manager Estuary Management Project will liaise with Tuggerah Lakes Care Inc in the removal process.”

GB18/13 Status Report on Lake Management Actions

F2004/07986

“Andrew Pearce advised the committee of a number of on ground lake management actions which are proposed to commence in coming months. Status reports on these actions will now be incorporated into future reporting to the committee on the Estuary Management Plan. Items discussed include the trial of a contract wrack harvester and barge to commence the week of May 13th and the proposed trial of a truxor device in early July.”

THE MEETING terminated at 6.56pm.

4.7 Recommendations and Minutes of the Employment and Economic Development Committee

TRIM REFERENCE: F2012/01905 - D03362292

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Sonia Witt; TL Governance and Councillor Services

SUMMARY

Minutes of the Employment and Economic Development Committee held on 1 May 2013.

RECOMMENDATION

- 1 That Council receive the minutes of the Employment and Economic Development Committee meeting held on 1 May 2013.**
- 2 That Council request the General Manager to provide a report to the Employment and Economic Development Committee on potential motor sport sites.**
- 3 That Council request the General Manager to advise the Employment and Economic Development Committee on the balance between encouraging employment and economic activity versus rigid compliance.**
- 4 That Council request the General Manager to provide a report to the Employment and Economic Development Committee on the streamlining of the fees and policy for progressing planning proposals.**
- 5 That Council request the General Manager to provide a report to the Employment and Economic Development Committee on the possible extension of the Section 94 Stimulus Package to the Warnervale Town Centre.**
- 6 That Council note the Employment and Economic Development Committee endorsement of the Draft Incentive Policy for Iconic Development on Key Sites, subject to the addition of the following dot point to part D4;**

“That Council may consider varying the public benefit multiplier where Council forms a view that the proposed development is of significant public benefit in itself.”

BACKGROUND

A meeting of the Employment and Economic Development Committee was held on 1 May 2013. The minutes of that meeting are enclosed.

Council has not delegated its authority to the Committee to make decisions on its behalf nor does the Committee have the authority to direct staff. Accordingly those recommendations of the Committee outside its delegation are reported to Council for consideration.

ATTACHMENTS

- | | | |
|----------|---|-----------|
| 1 | MINUTES - Employment and Economic Development Committee
Meeting - 1 May 2013 | D03342519 |
|----------|---|-----------|

WYONG SHIRE COUNCIL

MINUTES OF THE
EMPLOYMENT AND ECONOMIC DEVELOPMENT COMMITTEE OF
COUNCIL

HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 01 MAY 2013
COMMENCING AT 4:00 PM

PRESENT

Councillors G P Best (Chairperson), L Nayna, A Troy and L D Webster.

IN ATTENDANCE

Councillor D J Eaton, Director Land Management, Acting Manager Economic and Property Development and two administration staff.

The Councillor Best, declared the meeting open at 4.03 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

APOLOGY

An apology for the inability to attend the meeting was received on behalf of Councillor Greenwald.

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

That Council accept the apology and grant leave of absence from the meeting.

1.1 Disclosure of Interest

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

That the Committee receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.

2.1 Confirmation of the adopted Minutes of the Employment and Economic Development Committee Meeting - 6 March 2013

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

- 1 That the Committee confirm the adopted minutes of the previous meeting of the Employment and Economic Development Committee held on the 6 March 2013.**
- 2 That staff report to the next Employment and Economic Development Committee on the possible extension of the Section 94 Stimulus Package to the Warnervale Town Centre.**

Business ArisingItem 3.3 – Delegation to China

Mayor Eaton tabled final brochures (Iconic Sites, Airport and General) to be used during China delegation and future prospective investors, it is noted these documents can be used for any future investment and promotion opportunities.

Item 3.5 – Presentation on Cogeneration Project at Mannering Park

Mayor Eaton advised that he had forwarded correspondence to the Minister for Energy and Resources and the Central Coast Premiers Office commending the proposal and requesting they take the matter forward, there is no further action required by Council. Further the Mayor congratulate the Committee and Staff for facilitating this important development prospect.

3.1 Incentive Policy for Iconic Development on Key Sites

Councillor Nayna left the meeting at 4.30 pm and returned to the meeting at 4.33pm during consideration of this item.

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

- 1 That the Committee receive the report on the results of the public exhibition of the Incentive Policy for Iconic Development on Key Sites.**
- 2 That the Committee endorse the draft policy to Council for adoption subject to the addition of the following dot point to part D4;**

“That Council may consider varying the public benefit multiplier where Council forms a view that the proposed development is of significant public benefit in itself.”

4.1 Economic Development Strategy - Progress Update

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

That the Committee receive the report on Economic Development Strategy – Progress Update.

4.2 Significant Investment Development Opportunities

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

That the Committee receive the report on Significant Investment Development Opportunities.

4.3 Update on the Proposed Airport

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

That the Committee receive the report on Update on the Proposed Airport.

4.4 Value of Development Assessments

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

That the Committee receive the report on Value of Development Assessments.

5.1 Rescission Motion - Delegation to China

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

That the Committee note that Council dealt with this item by way of resolution at the 13 March 2013 Ordinary Meeting.

GENERAL BUSINESS

GB13/13 Motor Sport Complex

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

That the Committee request the General Manager to provide a brief report on potential motor sport sites.

GB14/13 Compliance Activities

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

That the Committee request the Director Building and Development to advise the Committee on the balance between encouraging employment and economic activity versus rigid compliance.

GB15/13 Planning Proposals

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

That the Committee request the General Manager provide a report on the streamlining of the fees and policy for progressing planning proposals.

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

That the Committee schedule its next meeting for 5 June 2013.

THE MEETING closed at 5.32 pm.

5.1 Bicycle Racks on Buses

TRIM REFERENCE: F2004/06706 - D03337926

MANAGER: Martin Johnson, Manager Strategic Development

AUTHOR: Bob Burch; Principal Transportation Engineer

SUMMARY

Council had previously requested staff to liaise and negotiate with local bus operators and their Unions to identify possible barriers and identify solutions to trialling a Bike 'n Ride program. Further investigations have revealed that there are numerous obstacles that would require special approval from the State Government authorities and that costs, including those to Council, to carry out the trial are very high. This report recommends that Council not proceed any further with the proposal to trial a Bike 'n Ride program.

RECOMMENDATION

That Council receive the report on Bicycle Racks on Buses.

BACKGROUND

Council at its meeting held on 28 July 2010 resolved the following:

“RESOLVED unanimously on motion of Councillor Wynn and seconded by Councillor BEST:

- 1 That council report on a proposal for a pilot plan that identifies some suitable routes and a timetable to trial bicycle racks on buses and forward this to the NSW State Transport and our local bus companies advocating for the trial.*
- 2 That Council seek grant funding for this initiative.*

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

AGAINST: NIL”

Council at its meeting held 24 November 2010 considered a further report;

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

- 1 That Council receive the report on Bicycle Racks on Buses.*
- 2 That Council staff liaise and negotiate with local bus operators and their Unions to identify possible barriers and identify solutions to trialling a Bike 'n Ride program.*

3 That Council forward a letter to the Minister for Transport and the Local Member for Wyong and Secretary to the Minister for the Central Coast requesting Transport NSW agree to and fund a trial Bike 'n Ride scheme in Wyong Shire.

4 That Council request grant funding from Transport NSW, in the order of \$30,000, to fund a Bike 'n Ride trial program.

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

AGAINST: NIL”

During initial investigations, the proposal to trial the placement of bicycle racks on buses appeared to have merit, however after more detailed investigations and discussions with bus operators and the drivers union representatives, many issues were raised that when compounded appears to make the trial unviable.

The previous report identified:

- That whilst in some other locations, throughout Australia and the world, the placement of bicycle racks on buses does occur, they are currently not permitted in New South Wales.
- The Bike 'n Ride scheme was initially trialled in Canberra in late 2005 on the inter-town routes along high frequency bus corridors linking the four main Town Centres across Canberra. In 2009, ACT Internal Omnibus Network (ACTION) had 211 buses (50% of their fleet) fitted with bicycle racks.
- Statistics on patronage of the Bike 'n Ride program were gathered during the free ride period, between December 2007 and June 2009. Initial usage of the scheme was low with 2,082 users in the first month (average 67 per day), with a steady increase in usage over the trial period. The maximum usage was obtained in March 2009 with 10,614 patrons using the bicycle rack system that month (average 342 per day). Towards the end of the trial period ACTION was averaging 360 users per week-day.
- Surveys carried out by ACTION concluded that the Bike 'n Ride program was used by both commuters and recreational users.
- Brisbane City Council has also trialled a Bike 'n Ride program. The program involved the installation of bicycle racks on buses on selected routes in the CBD. The aim of the program was to encourage healthy living and reduce the number of cars on its roads. The initial patronage was high but users became confused when they were unable to access bike racks on all services in the CBD. This led to complaints, and as a result the Bike 'n Ride program was terminated after 3 years.
- Research has shown that to maximise the number of people taking advantage of a trial, the selected routes need to provide user access to populated town centres, train stations and recreational areas such as The Entrance, and the Budgewoi and Tuggerah Lake foreshores.
- It was considered more appropriate to trial the program in Wyong Shire on a small area with routes to attractions such as cycleway paths, picnic areas and large shopping centres. If the trial proved successful, the program could be extended to the outer areas.
- To ensure that riders can access all the desired locations, a trial Bike 'n Ride program needed to include both Busways and The Entrance Red Bus Service.

5.1 Bicycle Racks on Buses (contd)

- As part of the trial under consideration, the previous report identified the following specific routes for the trial Bike 'n Ride program:
 - Busways
 - Routes 90 & 92. Budgewoi Peninsula to Lake Haven Shopping Centre. Route 90 operates in an anti-clockwise direction and Route 92 is in a clockwise direction
 - Route 80 service which operates between Lake Haven Shopping Centre and Wyong Railway Station
 - Red Bus Service
 - Route 24 service which operates between The Entrance and Tuggerah and Wyong Railway Stations.
- The cost identified for the trial, was based on a limited number of buses being involved in the trial. This was on the assumption that buses servicing particular routes, only serviced that route. Hence, in the calculations it only related to 10 buses being fitted with the racks.
- Based on the above, it was estimated that the trial would cost in the order of \$30,000.

FURTHER INVESTIGATIONS CARRIED OUT

Council has since carried out further investigations and discussions with the local bus operators and local Bus Union representative. Busways' and Red Bus Services' buses are 12.5 metres long. With the addition of the bike racks, the length of the buses increases to 14 metres.

The following has been identified from the investigations/discussions:

Union Objections

The Union objects strongly to the proposal for safety reasons. They identified the following:

- It is much more difficult for the drivers to judge tight turns because of the additional front overhang.
- Because of the extra front overhang, drivers need to do bigger sweep (turns) when carrying bikes. This makes it more difficult for them to avoid hitting the road infrastructure, such as kerbs, medians, signs, etc.
- There will be significant problems for drivers egressing bus interchanges such as Bay Village, Lake Haven Shopping centre, Gosford and Wyong Railway Stations, and in larger school zones, such as Wyong High, because of the longer front overhang.
- Drivers are not permitted to leave their seat whilst the bus is operating. Therefore, the bicycle rider needs to attach the bike to the rack.
- This leads to concern and extra stress on the driver as to the adequacy of the bike being fixed by the bicycle owners and insurance/litigation should the bicycles fall off the rack or be damaged from other incidents.
- Also, the time taken for the bicycle riders to fix the bike adds to the time of the journey, putting more stress on the drivers to meet the timetable deadlines, particularly in meeting trains etc.

Bus Operators Objections/Cost

- At the present time, one bus services several different routes. Consequently, it is not possible to limit a trial to say, only 10 buses.
- All buses would need to have the bicycle racks fitted as any bus can end up servicing any route. This means that approximately 170 buses (Red Bus Services and Busways - Charmhaven Depot) would need to be fitted with bicycle racks.
- Busways has indicated that its buses, when fully loaded are on its limit for the Gross Vehicle Mass (GVM). The additional weight of the bicycle rack, together with the additional structural work required to fix the rack, may put the GVM over the allowable limit. ACTION buses have smaller carrying capacities (number of passengers) to compensate for the weight of the bicycle racks.
- Red Bus Services has also advised that by adding a bike rack to the front of a bus it would extend the front overhang from the front wheels. RMS has set standards in NSW that vehicles must comply with. Most low floor buses are already at the maximum overhang. Adding bicycle racks to the front of the vehicle would put them beyond the allowable limit.
- The new low floor buses would require special adjustments to the chassis to enable the bicycle racks to be fitted. Transport for New South Wales advised that the cost to reinforce the chassis and fit the bicycle racks could cost up to \$10,000 per vehicle. For the 170 buses affected, this equates to \$1,700,000.
- There is likely to be ongoing maintenance costs, particularly in regards to damage to the racks.
- Special exemptions would be required from the State Government for the buses to exceed both the overhang and weight restrictions
- Even if all costs were paid by others, the local bus companies (Busways & Red Bus Services) would not support it due to safety and vehicle regulation concerns.

Transport for NSW (TfNSW)

- Buses up to 12.5 metres are classified as a general access vehicle and may operate on any road, except where a load or dimension restriction is indicated by a sign.
- Buses over 12.5 metres and up to 14.5 metres are classified as a controlled access bus and may only operate on approved routes. This means that all roads on bus routes in Wyong Shire and Gosford City would need to be approved for 14.5 metre long vehicles.
- Safety regulations identify a limit on front projections to 1.2 metres. The placement of the bicycle racks would protrude beyond this.
- Safety restrictions also identify that a load may not project in a way that is dangerous to a person or a property, even if all dimensions and warning requirements are met. The placement of bicycle racks on the front of buses may be considered as dangerous.
- TfNSW was also concerned with the excessive costs in fitting bicycle racks to buses.

Adjustments to Infrastructure

- Existing buses, particularly the low floor have difficulty in negotiating road infrastructure such as roundabouts, kerb blisters, pedestrian refuges, signs etc. By extending the length of the front overhang, adjustments will be required to all these facilities along all bus routes, in both the Wyong and Gosford Local Government areas to make them suitable for the longer front overhang. No costings have been carried out to adjust these facilities, but it is likely to cost in excess of \$1 Million to \$2 Million.
- It is most likely that there will be insufficient capacity to accommodate the longer buses at some of the existing bus interchanges such as Bay Village, Lake Haven Shopping centre, Gosford and Wyong Railway Stations. Significant works may be required to accommodate the additional length at these and other locations.

Comments from ACTION

- Approximately 80% of the ACTION bus fleet is now fitted with bicycle racks. The Federal Bus Regulations stipulate that the absolute length of a bus must not exceed 14.5m. Therefore, buses greater than 14.5 metres in length have not been fitted with the racks.
- It took time for their bus drivers to accept the idea.
- Confusion as to the wheel size of bikes the racks can accommodate and the equipment that can be left on the bikes while in the racks. Rules were developed, however education took time.
- Concerns over users leaving the bike rack engaged after removing the bike from the bus.
- Reliability is very important. If the community is advised that a specific bus route will have bike racks installed, they must have them. It won't take long for the public to lose confidence if buses turn up without racks.
- Frequency. If customers have to wait a long time for the next bus with racks (as only 2-3 bikes can be accommodated per bus) people won't wait and the service will not be utilised. The placement of bicycle storage at these locations can help overcome this problem as it provides an alternative option for commuters. However, this will impact on timetables as it will take time to store the bike once the passenger realizes that there is no room for his/her bike.
- No recent surveys have been carried out on utilization of the bicycle racks.
- Support from the ACT Government was very important.

Summary

Given the additional impediments identified from recent discussions with the bus operators, bus drivers union and other organizations, it is considered that the compounding of these issues and the costs identified, makes the trial unviable. It is recommended that no further action be taken on this matter.

ATTACHMENTS

Nil.

5.2 Investment Report for April 2013

TRIM REFERENCE: F2004/06604 - D03350698
MANAGER: Carlton Oldfield, Financial Controller
AUTHOR: Devini Susindran; Financial Accountant

SUMMARY

This report details Council's investments as at 30 April 2013.

RECOMMENDATION

That Council receive the Investment Report for April 2013.

BACKGROUND

WSC's investments are made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2005), Council's Investment Policy, Ministerial Investment Order issued February 2011 and Division of Local Government Investment Policy Guidelines published in May 2010.

Council's portfolio includes investments in managed funds held under the "grandfather" provisions of the current Ministers Order. The remaining investment in Blackrock Care and Maintenance Fund, continues to be wound up progressively and is expected to be liquidated by 2016.

CURRENT STATUS

Managed Funds

Council holds a "grandfathered" investment in Blackrock Care and Maintenance Fund valued at \$4.61m allowable under the Ministers Investment Order.

The unrealised gain for April was \$0.03m with a year to date gain of \$0.58m.

The BlackRock Fund returned +1.21% (net actual) on a mark-to-market basis, strongly outperforming the UBS Bank Bill Index return of +0.26%. Credit continued to rally during the month, resulting in physical spreads on some of the underlying securities within the portfolio to narrow. Overall, the longer-term performance remains exceptional, with the fund returning +12.4% p.a. over 1 year and +13.5% p.a. over 4 years. The funds running yield remained elevated at around 6% as at the end of the month.

Cash and Term Deposit Funds

Cash flows in April were managed through maturities and investments in new term deposits, with a net out-flow in cash and term deposits of \$3.77m.

Table 1 Movement in Cash and Term deposits

Institution	Term (Approx. Months)	Interest Rate %	Maturity	Investment / (Redemption)
Movement in Term Deposits				
NAB	6	4.99%	Apr 2013	(\$10,000,000)
ING	7	4.70%	Apr 2013	(\$5,000,000)
ING	8	5.13%	Apr 2013	(\$5,000,000)
Rural Bank	7.5	4.36%	Dec 2013	\$5,000,000
Bank Of Queensland	11	4.35%	Mar 2014	\$5,000,000
				(\$10,000,000)
Movement in cash at call				
AMP				-
Westpac		3.35%		\$6,190,000
				\$6,190,000
Interest earned on all call accounts				\$36,000
				\$6,226,000
TOTAL				(\$3,774,000)

Total Portfolio

Total net return for April 2013 was \$0.63m consisted of \$0.60m of interest earnings and \$0.03m of unrealised capital gains on the Blackrock Care and Maintenance Fund.

Table 2 Net Return

	Full Year 2011-12 \$m	Qtr 1 to September 2012 \$m	Qtr 2 to December 2012 \$m	Qtr 2 to March 2013 \$m	April 2013 \$m	Full Year 2012-13 \$m
Capital Gain/(Loss) Realised	-	-	-	-	-	-
Capital Gain/(Loss) Unrealised	(0.09)	0.18	0.20	0.17	0.03	0.58
Net Capital Gain/(Loss)	(0.09)	0.18	0.20	0.17	0.03	0.58
Interest Earnings on Call Deposits Received	0.64	0.14	0.14	0.12	0.04	0.44
Interest Earnings on Term Deposits to receive at Maturity	7.50	1.88	1.79	1.75	0.56	5.98
Total Interest earnings	8.14	2.02	1.93	1.87	0.60	6.42
Total Return for Period	8.05	2.20	2.13	2.04	0.63	7.00

5.2 Investment Report for April 2013 (contd)

Year to date returns in April of 5.29% is favourable compared to benchmark BBSW YTD Bank Bill Index of 3.45% and Council guidelines of BBSW + 10 basis points. The year to date return excluding capital gains on managed funds of \$0.58m is 4.85%.

Table 3 Investment Portfolio by Risk Category

Investment Class	April 2013 \$ '000	YTD Return \$ '000	YTD %
Cash at Call	15,419	441	3.62
Term Deposits	136,000	5,981	5.18
Managed Funds	4,608	584	13.31
Total Investments	156,027	7,006	5.29

Council investments are evaluated and monitored against a benchmark appropriate to the risk (Standard and Poor's BBB Long term or above) and time horizon of the investment concerned.

The target maximum limit in each category and the current spread of investments is listed in Table 4. The portfolio is currently overweight in A1 but this is a positive position due to these investments offering the best rates selected for the investment time frame.

Table 4 – Portfolio Credit Framework

Investment Category Short Term	Target Maximum Allocation	Portfolio Allocation April 2013	Comments
A1	10.0%	45.13%	
A2	75.0%	48.71%	
A3	10.0%	2.57%	
Unrated	15.0%	3.59%	Includes Managed Funds
TOTAL		100.0%	

Investment transactions and earnings during April 2013 are shown in Table 5 - Portfolio Performance.

Table 5 – Portfolio Performance

	Full Year 2011-12 \$m	Qtr 1 to Sep 2012 \$m	Qtr 2 to Dec 2012 \$m	Qtr 2 to Mar 2013 \$m	April 2013 \$m	Full Year 2012-13 \$m
Movement in Assets						
Opening Balance	136.86	153.81	160.71	165.40	159.77	153.81
Capital Gain/(Loss) – (Table 2)	(0.09)	0.18	0.20	0.17	0.03	0.58
Capital Distribution		(0.93)		(1.00)		(1.93)
Net Cash/Investments (Withdrawals) (Table 1)	16.40	7.65	4.49	(4.80)	(3.77)	3.57

5.2 Investment Report for April 2013 (contd)

Closing Balance	153.81	160.71	165.40	159.77	156.03	156.03
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Portfolio Interest and Investment Returns

Year to-date returns as at 30 April 2013 on council's investment portfolio of deposit accounts, term deposits and managed funds, show a \$0.44m or 6.72% favourable variance when compared to the year to-date budget for April 2013.

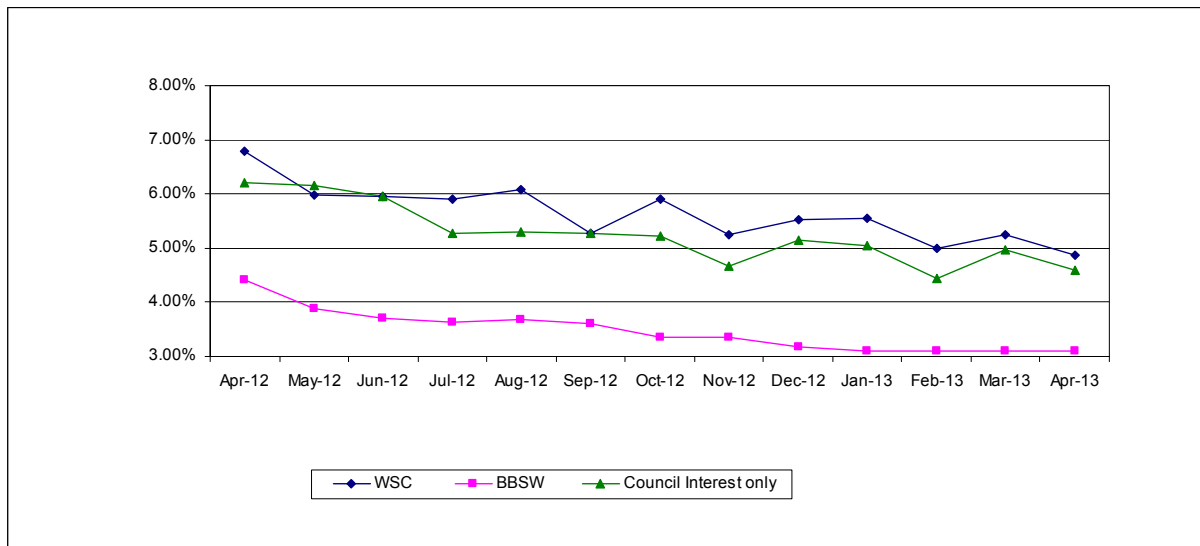
Table 6 - Annual Investment Portfolio Performance as at 30 April 2013

Investment Source	YTD Investment revaluation \$ '000 A	YTD Interest \$ '000 B	YTD Actual Income \$ '000 C=A+B	YTD Budget \$ '000 D	YTD Variance to Budget to Budget \$ '000 E=C-D	FYR Revised Budget \$ '000
General	372	4,141	4,513	3,963	550	4,738
Water	61	647	708	650	58	773
Sewerage	151	1,634	1,785	1,951	(166)	2,319
Total	584	6,422	7,006	6,564	442	7,830

Interest rates in the month, on term deposits ranged from 4.25% to 5.77% with the exception of Heritage Bank at 7.25%. These rates exceeded the benchmark Bank Bill Swap Rate (BBSW) for March of 3.04%.

Benchmark - Monthly Returns (Annualised)

Council's overall investment return is compared to the BBSW Index which is a cash index and therefore determines a minimum performance level. A graph detailing the monthly return on a 12 monthly basis is as follows:

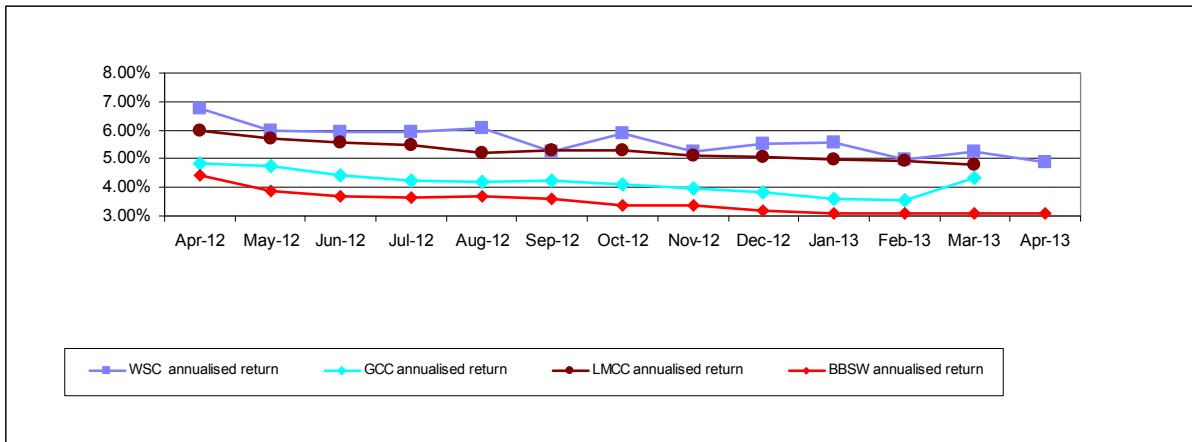


Comparison to Neighbouring Councils

Council's yield of 5.26% for March and 4.88% for April compare favourably to neighbouring Councils; Lake Macquarie City Council (4.79% - March) and Gosford City Council (4.35% - March).

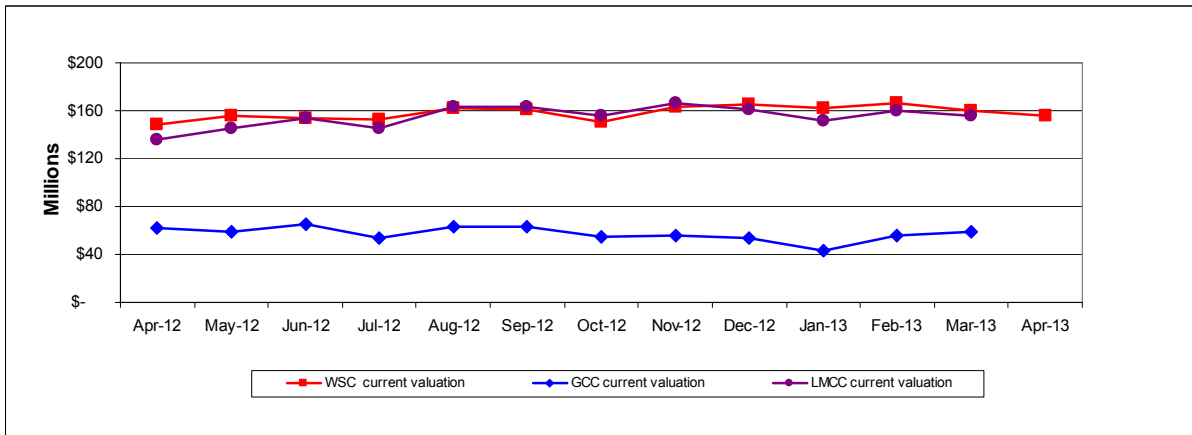
There is a time lag in the information available for neighbouring Councils and reports for March was not available at the time of writing this report.

Table 8 Portfolio Return - Comparison to Neighbouring Councils



WSC's investment portfolio at the end of March was \$159.77m and April was \$156.03m, demonstrating a strong cash position, and compares favourably with Lake Macquarie City Council's portfolio of \$156.10m and Gosford City Council's portfolio of \$59.40m at March 2013 (refer Table 9).

Table 9 Portfolio Valuations - Comparison to Neighbouring Councils



INVESTMENT STATEMENT

In accordance with the Local Government (General) Regulation 2005, Part 9, Division 5, Clause 212, it is certified that the investments held as at 30 April 2013 have been made in accordance with the Act, the Regulations and Council's Investment Policies.

CONCLUSION

Council continues to allow its grandfathered managed funds to liquidate over time. The majority of investments are held in term deposits in accordance with the provisions of the ministerial investment order.

Investments continue to be conservatively managed to ensure that value is added to the fixed interest portfolio without unnecessary risk and Council will continue to re-define its long term investment strategy as the level of managed funds in the portfolio reduces.

ATTACHMENTS

- 1 Summary of Investment by Type - April 2013 D03351373

Wyong Shire Council Summary of Investments - By Type As at 30 April 2013									
FUND MANAGER	TYPE OF INVESTMENT	RATINGS		MATURITY	PORTFOLIO BALANCE 31.03.13 \$	PORTFOLIO BALANCE 30.04.13 \$	INCOME FOR MONTH OF MARCH \$	INTEREST RATES % p.a.	
		Short Term	Long Term						
CASH AT CALL:									
Westpac	Corproate Investment Account (AA)	A1	AA	Daily	4,256,666	10,466,552	19,887	3.05	
AMP		A1	A	Daily	4,935,099	4,950,716	15,616	3.85	
UBS	Cash Account	A1	AA	Daily	2,184	2,303	423		
Total Cash At Call					9,193,949	15,419,571	35,926		
TERM DEPOSITS & BONDS									
<u>Short term deposits & bills (less than 90 days)</u>									
ING	Term Deposit	A1	A	08/04/2013	5,000,000		4,507	4.70	
NAB	Term Deposit	A1	AA	27/04/2013	10,000,000		39,647	4.99	
ING	Term Deposit	A1	A	29/04/2013	5,000,000		19,677	5.13	
Bendigo/Adelaide	Term Deposit	A2	A	12/05/2013	5,000,000	5,000,000	20,548	5.00	
Bendigo/Adelaide	Term Deposit	A2	A	28/05/2013	5,000,000	5,000,000	20,548	5.00	
Rural Bank	Term Deposit	A2	A	28/05/2013	5,000,000	5,000,000	19,438	4.73	
Bendigo/Adelaide	Term Deposit	A2	A	12/06/2013	5,000,000	5,000,000	20,342	4.95	
ING	Term Deposit	A1	A	26/06/2013	5,000,000	5,000,000	19,520	4.75	
ING	Term Deposit	A1	A	01/07/2013	5,000,000	5,000,000	18,904	4.60	
NAB	Term Deposit	A1	AA	15/07/2013	5,000,000	5,000,000	19,151	4.66	
Bendigo/Adelaide	Term Deposit	A2	A	26/07/2013	5,000,000	5,000,000	19,233	4.68	
					60,000,000	40,000,000			
<u>Medium Term Deposits (up to 365 days)</u>									
NAB	Term Deposit	A1	AA	15/08/2013	5,000,000	5,000,000	19,192	4.67	
Bendigo/Adelaide	Term Deposit	A2	A	26/08/2013	5,000,000	5,000,000	19,068	4.64	
Suncorp	Term Deposit	A1	A	06/09/2013	5,000,000	5,000,000	17,794	4.33	
Suncorp	Term Deposit	A1	A	30/09/2013	5,000,000	5,000,000	17,989	4.37	
Bendigo/Adelaide	Term Deposit	A2	A	08/10/2013	5,000,000	5,000,000	18,904	4.60	
ING	Term Deposit	A1	A	28/10/2013	5,000,000	5,000,000	17,630	4.29	
Bank of Queensland	Term Deposit	A2	BBB	12/11/2013	5,000,000	5,000,000	18,082	4.40	
NAB	Term Deposit	A1	AA	27/11/2013	5,000,000	5,000,000	19,438	4.73	
CUA	Term Deposit	A2	BBB	10/12/2013	5,000,000	5,000,000	18,082	4.40	
Rural Bank	Term Deposit	A2	A	20/12/2013		5,000,000	597	4.36	
NAB	Term Deposit	A1	AA	06/01/2014	5,000,000	5,000,000	18,247	4.44	
Wyong Credit Union	Term Deposit	UNRATED	UNRATED	30/01/2014	1,000,000	1,000,000	3,493	4.25	
CUA	Term Deposit	A2	BBB	11/02/2014	5,000,000	5,000,000	18,082	4.40	
ME Bank	Term Deposit	A2	BBB	27/02/2014	5,000,000	5,000,000	17,795	4.33	
Bank of Queensland	Term Deposit	A2	BBB	11/03/2014	5,000,000	5,000,000	17,671	4.30	
Westpac	Term Deposit	A1	AA	05/03/2014	10,000,000	10,000,000	47,425	5.77	
Bank of Queensland	Term Deposit	A2	BBB	27/03/2014		5,000,000	596	4.35	
					76,000,000	86,000,000			
<u>Non - Current</u>									
Bank of Queensland	Term Deposit	A2	BBB	02/08/2016	6,000,000	6,000,000	25,644	5.20	
Heritage	Senior Bond	A3	BBB	20/06/2017	4,000,000	4,000,000	23,836	7.25	
					10,000,000	10,000,000			
Total Term Deposit & Bonds:					146,000,000	136,000,000	561,080		
CASH MANAGEMENT FUNDS:									
<u>Non - Current</u>									
	BlackRock Care & Maintenance Fund	UNRATED	UNRATED	2016 (Estimate)	4,570,966	4,607,636	36,669		
Total Cash Management Funds					4,570,966	4,607,636	36,669		
Current					145,193,949	141,419,571			
Non-Current					14,570,966	14,607,636			
TOTAL					159,764,915	156,027,207	633,675		

5.3 Quarterly Update on Section 94 Contributions

TRIM REFERENCE: F2004/00552 - D03323027
MANAGER: Vivienne Louie, Financial controller
AUTHOR: Sandy Rose; Contributions Officer

SUMMARY

This report provides the current status of Council's Section 94 and drainage contributions (excluding water and sewer) for the beginning of July 2012 to the end of March 2013.

RECOMMENDATION

That Council receive the report on Quarterly Update on Section 94 Contributions.

BACKGROUND

The following table shows the year to date actual and budgeted Section 94 income by Contribution Plan. This table only reflects actual cash contributions received.

Please refer to *Unfunded Liabilities* below for non-cash contributions received.

Contribution Plan	Section 94 (excluding Drainage)		
	Actual Income YTD	Budgeted Income YTD	Variation YTD
Budgewoi	\$0	\$0	\$0
The Entrance	\$105,225	\$393,750	-\$288,525
Gorokan	\$31,983	\$0	\$31,983
Warnervale	\$2,337,172	\$2,223,750	\$113,422
Ourimbah	\$20,403	\$0	\$20,403
Southern Lakes	\$5,732	\$0	\$5,732
San Remo	\$7,004	\$43,500	-\$36,496
Toukley	\$23,698	\$0	\$23,698
Wyong	\$188,968	\$200,000	-\$11,032
Shire Wide	\$105,329	\$110,250	-\$4,921
Northern Districts *	\$834,996	\$372,000	\$462,996
Total s94 excluding Drainage Income	\$3,660,510	\$3,343,250	\$317,260

Please note the drainage income in this table is not reflected in the Section 94 table above as we have previously received a request to split out the Section 94 contributions received for drainage.

Contribution Plan	Drainage		
	Actual Income YTD	Budgeted Income YTD	Variation YTD
Budgewoi			\$0
The Entrance			\$0
Gorokan			\$0
Warnervale	\$659,506	\$475,000	\$184,506
Ourimbah			\$0
Southern Lakes			\$0
San Remo			\$0
Toukley			\$0
Wyong			\$0
Shire Wide			\$0
Northern Districts			\$0
Total s94 Drainage Income	\$659,506	\$475,000	\$184,506
Total s94 Income	\$4,320,016	\$3,818,250	\$501,766

Section 94A income for July 2012 to March 2013 is \$210,779.

* This income is from a shopping centre in Lake Munmorah with s94 contributions of \$514,645.

As part of our Q3 review a SMURF has been prepared to revise the s94 income as follows:

s94 Income	Original Budget	Q3 Revised Budget	Change
s94 excluding Drainage	\$2,511,000	\$4,500,000	\$1,989,000
s94 Drainage	\$500,000	\$650,000	\$150,000
Total s94 Income	\$3,011,000	\$5,150,000	\$2,139,000

Unfunded Liabilities

Council's current unfunded liabilities (non-cash contributions) total \$17,429,273. A report was submitted to Council in December 2012 where Council approved a strategy for managing these liabilities.

ATTACHMENTS

Nil.

5.4 Works in Progress - Water Supply and Sewerage

TRIM REFERENCE: F2004/07830 - D03335637

MANAGER: Daryl Mann; Manager Water and Sewerage Operations

AUTHOR: Vanessa Trzcinka; Technical Operations Engineer Water and Sewerage Operations

SUMMARY

Water supply and sewerage works in progress and completed for April 2013.

RECOMMENDATION

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

WATER SUPPLY

The table below is a status report of current major new and upgrade water projects.

Item Description	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Bateau Bay Charmhaven Killarney Vale Ourimbah The Entrance Toukley Tuggerah Watanobbi Wyong	400,000	Jul 2012	75	83	Jun 2013	This is an ongoing valve, fittings and hydrant replacement programme to improve water quality and system efficiency in the nominated areas. This is being funded by the Water and Sewerage Operations and Maintenance Program.

5.4

Works in Progress - Water Supply and Sewerage (contd)

Item Description	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Hunter Water to Kanwal Water Transfer Main Investigation Work	500,000	Jan 2013	30	80	June 2013	<p>Investigation and quality assurance works remain ongoing on the Morriset to Kanwal major water transfer main to inspect the existing pipe condition and to confirm that anchor blocks and/or thrust blocks have been constructed on all bends in accordance with the approved design.</p> <p>Throughout April staff completed inspections and upgraded the access road between Mountain Rd and Sparks Rd.</p> <p>This project has been temporarily postponed in May to carry out work in Minnesota Rd Hamlyn Terrace.</p> <p>Staff are also inspecting other critical infrastructure such as scours and air valves.</p>
Minnesota Rd Hamlyn Terrace	50,000	May 2013	50	75	May 2013	<p>This work consists of connecting the new 150mm water main into an existing 200mm water trunk main and forms part of the upgrade road works along Minnesota Rd.</p> <p>This work is being funded by the Roads and Drainage Capital Works Programme.</p>

5.4

Works in Progress - Water Supply and Sewerage (contd)

Item Description	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Playford Rd, Killarney Vale	98,000	Feb 2013	82	100	Apr 2013	<p>This work consists of replacing and lowering 30 water services in aid of future road resurfacing works by Roads and Drainage.</p> <p>This is being funded by Roads and Drainage Capital Works Program.</p>
Ourimbah Creek Rd, Ourimbah	74,000	Apr 2013	60	100	May 2013	<p>This work consists of replacing and lowering 12 water services in aid of future road resurfacing works by Roads and Drainage.</p> <p>This is being funded by Roads and Drainage Capital Works Program.</p>
Bias Ave, Bateau Bay	10,000	May 2013	80	100	May 2013	<p>This work consists of replacing and lowering 2 water services in aid of future road resurfacing works by Roads and Drainage.</p> <p>This is being funded by Roads and Drainage Capital Works Program.</p>
Hinemoa Ave, Killarney Vale	45,000	May 2013	50	90	Jun 2013	<p>This work consists of replacing and lowering 8 water services in aid of future road resurfacing works by Roads and Drainage.</p> <p>This is being funded by Roads and Drainage Capital Works Program.</p>
Harbour St, Bateau Bay	15,000	May 2013	75	100	May 2013	<p>This work consists of replacing and lowering 3 water services in aid of future road resurfacing works by Roads and Drainage.</p> <p>This is being funded by Roads and Drainage Capital Works Program.</p>

5.4

Works in Progress - Water Supply and Sewerage (contd)

Item Description	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Tuggerawong Rd, Tuggerawong between Thursday St and Friday St	300,000	Nov 2012	80	100	Apr 2013	<p>This work consists of replacing in-situ approximately 500m of 100mm asbestos cement main with equivalent sized MPVC water pipe in aid of future footpath works by Roads and Drainage.</p> <p>Approximately 170m of 100mm MPVC water pressure pipe has been installed in Thursday St. During this work residents were placed on temporary water services and had minimal interruption to their water supply.</p> <p>This is being partially funded by the Roads and Drainage and Water and Sewerage Capital Works Program and has been completed under budget.</p>
Ash Ave, North Wyong	25,000	Apr 2013	80	100	May 2013	<p>This work consists of replacing in-situ approximately 30m of 150mm asbestos cement main with equivalent sized UPVC water pipe.</p> <p>This work does not interrupt water supply to businesses in the area and once completed will provide a secondary source of supply into the industrial estate.</p> <p>This work is being funded by the Water and Sewerage Capital Works Program.</p>

SEWERAGE

The table below is a status report of current major new and upgrade sewerage projects.

Location	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Bateau Bay Berkeley Vale Blue Haven Budgewoi Buff Point Gorokan Killarney Vale Lake Munmorah Long Jetty Watanobbi Wyong	150,000	Jul 2012	75	15	Jun 2013	<p>Ongoing sewer main and manhole replacement and adjustment works are underway to improve system reliability and to reduce blockages and possible overflows.</p> <p>Council's maintenance program of CCTV inspections identifies those sections of sewer mains, manholes and junctions that cause operational problems due to root infestation and stormwater infiltration.</p> <p>This work is being funded by the Water and Sewerage Operations and Maintenance Program.</p>
Gwandalan Sewage Treatment Works	90,000	May 2012	10	2	July 2013	<p>Refurbishment work has commenced on the second aeration tank at Gwandalan STP.</p> <p>The work includes draining, sludge removal and cleaning of the tank to enable inspection works to be undertaken.</p> <p>The works will include rehabilitation of the concrete pad joints and drains, replacement of corroded metalwork and refurbishment of the aerators and pontoons.</p> <p>This work is being funded by the Sewerage Capital works fund.</p>

PROCESS**Water Treatment**

All treated water produced by Mardi Water Treatment Plant, for the period 1 to 30 April 2013 met the health requirements of the Australian Drinking Water Guidelines produced by the National Health and Medical Research Council.

Sewage Treatment

The effluent discharged from Toukley Sewage Treatment Plant and Bateau Bay Sewage Treatment Plant for the period 1 to 30 April 2013 has met Environmental Protection Authority Licence requirements.

Sewage Overflows

There was one reported sewage overflow for the period 1 to 30 April 2013.

An escape of sewage occurred on 21 April 2013 on the 100mm PVC sewage rising main in Tuggerawong Rd, Wyongah as a result of a split pipe. Liquid sewage leaked through the split which resulted in a minor overflow of sewage into the adjacent drain which was heavily vegetated. The liquid sewage was contained on site with sandbagging and considered to have minimal environmental impact on the surrounding area. As a precautionary measure warning signs were erected, the broken pipe was repaired and the affected area was cleaned and disinfected.

This incident was reported to Council's Environment Hotline and investigated by Council's Regulation and Compliance section and reported to the Office of Environment and Heritage, NSW Department of Public Health, Work Cover and Fire and Rescue.

WATER STORAGE

Sunday, 5 May 2013						
DAM STORAGES						
Storage	Capacity	Full	Volume	in	Percent Full [%]	Storage Change
Mangrove Dam	190,000		111,878		58.9	Up 923
Mardi Dam	7,400		4,242		57.3	Down 510
Mooney Dam	4,600		4,600		100.0	Unchanged
Total	202,000		120,720		59.8	Up 414
Total Dam Storage this time last month was						58.5 Percent
Total Dam Storage this time last year was						46.5 Percent
GROUNDWATER & HUNTER TRANSFERS (ML)						
Period	Groundwater		From Hunter		To Hunter	
Week to Date	0.0		0.0		0.0	
This year to date	0.9		22.7		0.0	
RAINFALL(mm)						
Period	Somersby WTP		Mardi WTP		Mangrove Dam	
Week to Date	0		0		0	
Previous Week	1		1		0	
Current week last year	0		3		2	
This year to date	891		776		639	
Same period last year	768		700		489	
Water Usage (ML)						
Period	Usage					
Week to Date	536					
Previous Week	491					
Percent change from previous week	9 % more					
Current week last year	478					
Percent change from same week last year	12.1 % more					
This year to date	9,771					
Same period last year	8,733					
Percent change from same period last year	11.9 % more					
MARDI- MANGROVE DAM TRANSFERS (ML)						
Period	To Mangrove Dam		From Mangrove Dam			
	From Mardi Dam		To Mangrove Crk	To Mardi Dam / WTP		
Last week	676		0	0		
This year to date	9,903		1,599	822		
Total to date *	23,433		3,533	1,946		

* Post M2M Commissioning

ATTACHMENTS

Nil

5.5 Activities of the Development Assessment and Building Certification and Health Units

TRIM REFERENCE: F2004/07830 - D03295164

MANAGER: Peter Fryar, Manager Development Assessment

AUTHOR: Jane Doyle; Senior Administration Support Officer

SUMMARY

The report includes information and statistics regarding the operations of the Development Assessment Unit and the Building Certification and Health Unit which covers the submission and determination of development, construction and subdivision applications for the month of April 2013.

RECOMMENDATION

That Council receive the report on Activities of the Development Assessment and Building Certification and Health Units for April 2013.

Development Applications Received and Determined – Development Assessment Unit for April 2013

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	3	7,668,433	3	88,120
Industrial	1	219,746	1	400,000
Residential (Multiple Dwellings/Dual Occupancy)	5	458,954	4	610,000
Other Applications	2	12,000	1	55,000
Section 96 Applications	7	-	7	-
Total	18	8,359,133	16	1,153,120

Note: *Included in the number of development applications lodged in the "Commercial" category was a proposal for alterations and additions to existing Bunnings Warehouse and 2 lot subdivision valued at \$5.6M. Included in the number of development applications lodged in the "Sect 96 Applications" category was alterations and additions to Westfield Shopping Centre and associated carparking (Stage 3) (amended application) valued at \$75M.*

5.5 Activities of the Development Assessment and Building Certification and Health Units (contd)

Development Applications Received and Determined – Building Certification and Health Unit for April 2013

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	4	195,000	1	-
Industrial	-		2	100,000
Residential (Dwellings)	14	3,550,512	19	4,958,782
Residential (Alterations and Additions)	35	2,044,592	27	1,330,553
Other Applications	2	42,000	2	335,000
Section 96 Applications	6	-	17	-
Total	61	5,832,104	68	6,724,335

Subdivision Applications Received and Determined – April 2013

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	1	7	-	-
Industrial	-	-	1	3
Residential	1	1	1	74
Rural	-	-	-	-
Total	2	8	2	77

Net Median Turn-around Time

The net median turn-around time in working days for development applications determined during the month of April was **18** days.

Other Approvals and Certificates

Type:	Number Determined for April 2013
Trees	52
Section 149 D Certificates (<i>Building Certificates</i>)	6
Construction Certificates	38
Complying Development Certificates	21

5.5 Activities of the Development Assessment and Building Certification and Health Units (contd)

Waiving of Application Fees

There were no fees waived for the month of April 2013.

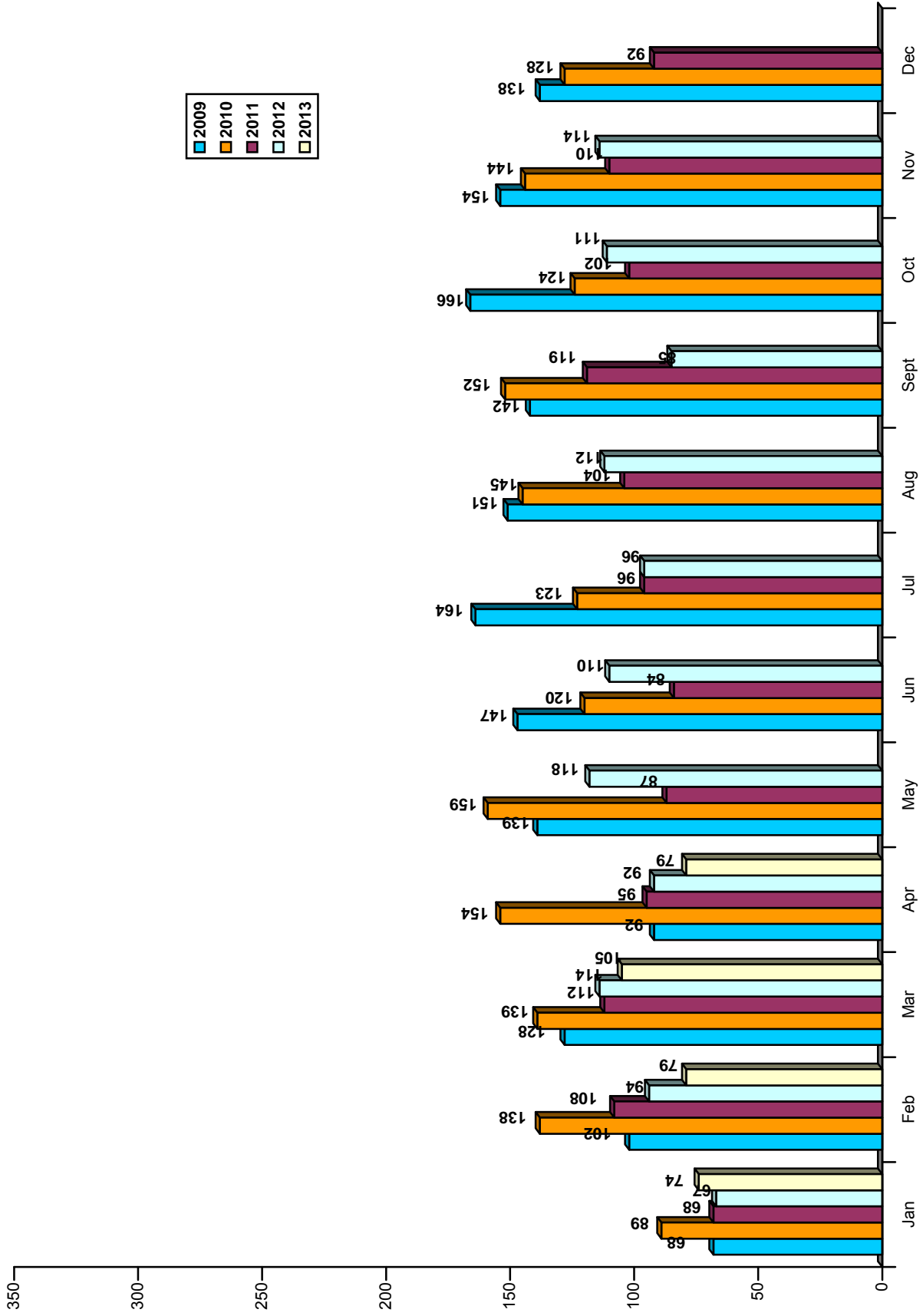
State Environmental Planning Policy No 1

There were no applications that relied on a SEPP 1 variation for the month of April 2013.

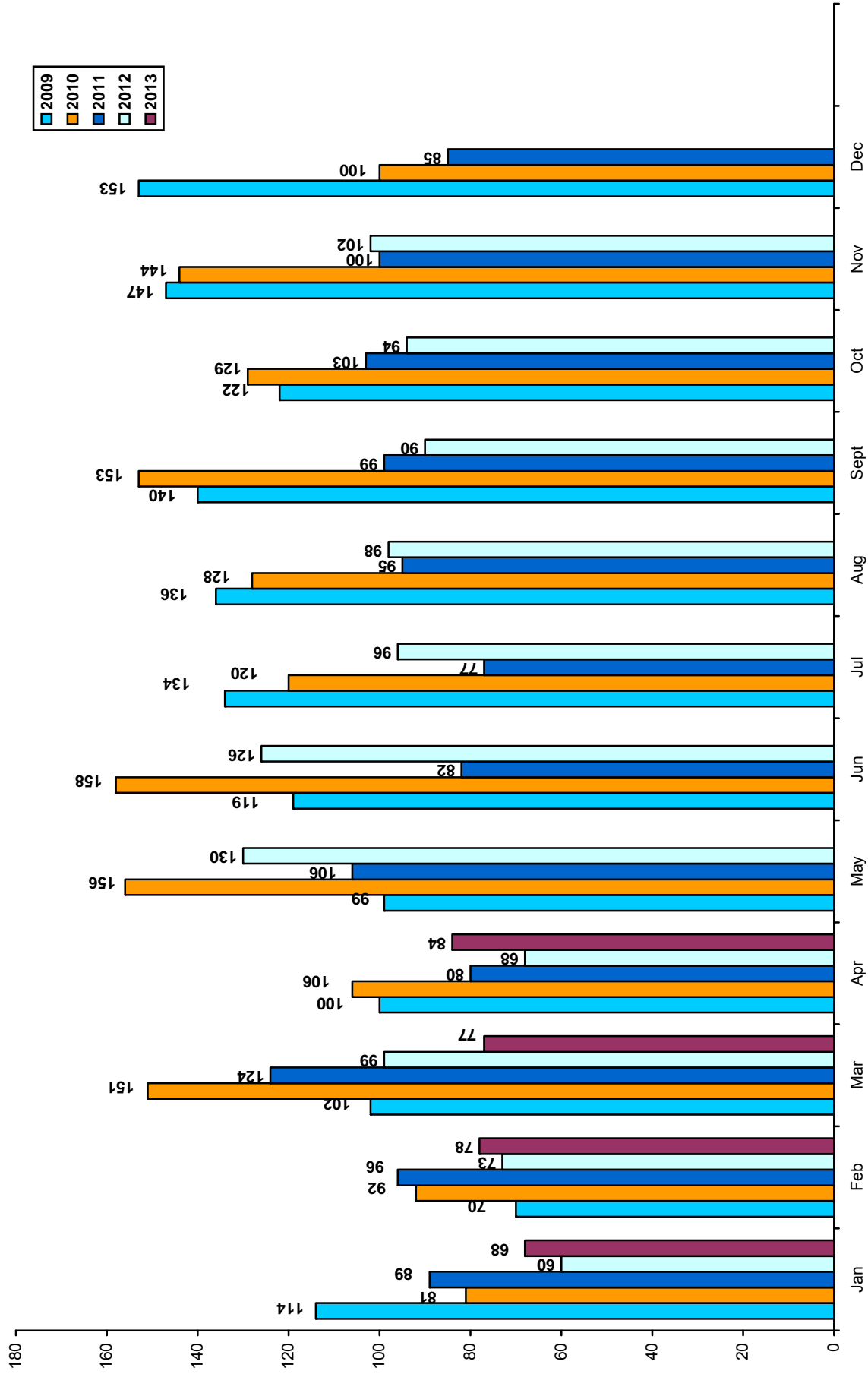
ATTACHMENTS

- | | | |
|----------|--|-----------|
| 1 | Graphs, Development Applications Lodged, Determined and Construction Certificates Determined | D03343830 |
|----------|--|-----------|

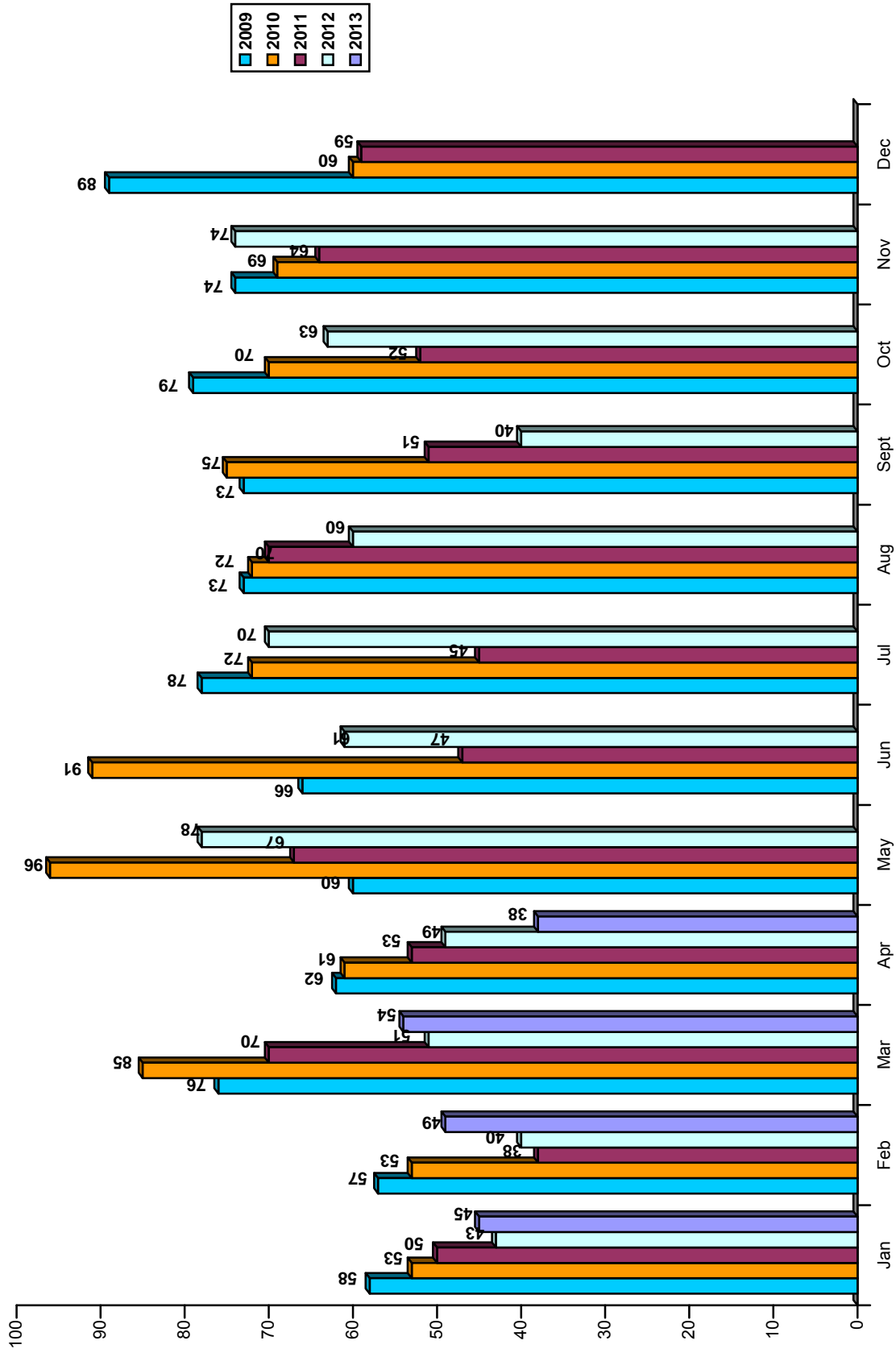
DAs LODGED



DAS DETERMINED



CCs DETERMINED



5.6 Results of Water Quality Testing for Beaches and Lake Swimming Locations

TRIM REFERENCE: F2004/06822 - D03341812

MANAGER: Brett Ball, Acting Manager Community Safety and Compliance AUTHOR: Tabitha Kuypers; Environmental Assurance Protection Officer

SUMMARY

Reporting on the results of bacteriological tests for primary recreation water quality for the beaches in Wyong Shire and lake swimming sites in the Tuggerah Lakes catchment for the month of April 2013.

RECOMMENDATION

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

Primary Recreation Water Quality Monitoring Program

Wyong Shire beaches are regularly monitored for swimming safety in accordance with the latest National Health and Medical Research Council (NHMRC) *Guidelines for Managing Risks in Recreational Water (2008)*. These guidelines have superseded NHMRC (1991), however, they still allow for beaches to be awarded a star rating based upon the potential for sewage and stormwater contamination. These star ratings are awarded as detailed in the Table 1 below.

Wyong Shire Council has been in partnership with the Office of Environment and Heritage (OEH) in implementing the "Beachwatch" program during the bathing season of summer, October through to April.

Council is currently in the summer season for sampling. Although the OEH Beachwatch program becomes inactive during the winter season, Council continues to sample once a month to assess any changes in water quality.

If results indicate high levels of sewage and stormwater contamination, further investigations are triggered to determine the source of its origin. Council have continued to apply Beachwatch's acceptable indicator levels for faecal contamination "enterococci" of 200cfu/100ml and apply our results to their star rating, see Table 1 below.

Additionally, Council is still required to monitor the ocean outfalls five times a month, year round. This monitoring and sampling regime is undertaken in accordance with the OEH "Environmental Protection License's", this sampling is carried out at ten sites around Norah Head and Wonga Point.

5.6 Results of Water Quality Testing for Beaches and Lake Swimming Locations (contd)

As a part of the National Health and Medical Research Council - Guidelines for Managing Risks in Recreational Water 2008 (NHMRC 2008), OEH's Beachwatch program required that all sites be re-evaluated to identify their potential pollution sources and the risk that they may pose to human health. Any potential pollution sources identified in the re-evaluation lead to management strategies being developed for each site so that risk to human health can be minimised. Advisory signs have been erected at all lake sampling sites advising "This area can be affected by Stormwater Pollution for up to 3 Days after heavy rain. Swimming during this period is NOT Recommended". The signs have been erected to advise the public that there is a potential for poor water quality at the site due to the stormwater inundation after heavy rain. It does not mean that the water quality is poor at all times.

Summary of results for April 2013 (Summer Program)

For April 2013 all ocean and lake beach sites achieved an average star rating that is defined as being safe for swimming under the NHMRC 2008, see table 1.

A definition of the star rating system can be seen in table 2 below.

Table 1: Beachwatch average star rating

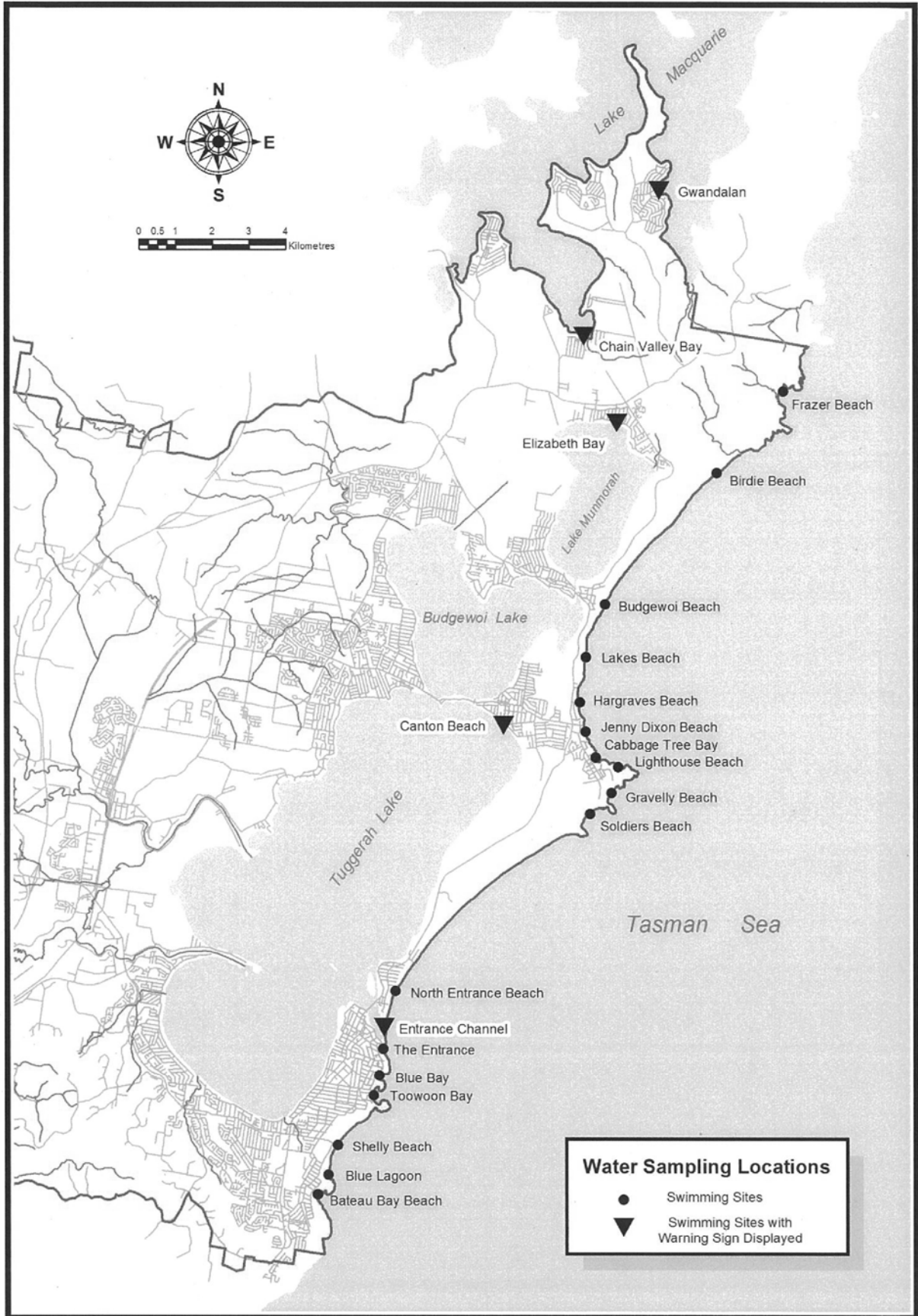
Swimming Site	Site Type	Rating	Stars
North Entrance Beach	Ocean Beach	Good	****
The Entrance Channel	Estuarine	Good	****
The Entrance Beach	Ocean Beach	Good	****
Blue Bay	Ocean Beach	Good	****
Toowoona Bay	Ocean Beach	Good	****
Shelly Beach	Ocean Beach	Good	****
Blue Lagoon	Ocean Beach	Good	****
Bateau Bay	Ocean Beach	Good	****
Chain Valley Bay	Lagoon/Lake	Fair	***
Gwandalan	Lagoon/Lake	Good	****
Frazer Beach	Ocean Beach	Good	****
Birdie Beach	Ocean Beach	Good	****
Lake Munmorah Baths	Lagoon/Lake	Good	****
Budgewoi Beach	Ocean Beach	Good	****
Lakes Beach	Ocean Beach	Good	****
Hargraves Beach	Ocean Beach	Good	****
Jenny Dixon Beach	Ocean Beach	Good	****
Canton Beach	Lagoon/Lake	Fair	***
Cabbage Tree Bay	Ocean Beach	Good	****
Lighthouse Beach	Ocean Beach	Good	****
Gravelly Beach	Ocean Beach	Good	****
Soldiers Beach	Ocean Beach	Good	****

Table 2: NHMRC Star Rating Interpretation

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

ATTACHMENTS

1 Water Sampling Sites D03238043



5.7 Outstanding Questions on Notice and Notices of Motion

TRIM REFERENCE: F2013/00023 - D03350825

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Sonia Witt; TL Governance and Councillor Services

SUMMARY

Report on outstanding Questions on Notice and Notices of Motion.

RECOMMENDATION

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

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Table of Outstanding Questions on Notice and Notices of Motion - 22 May 2013 | D03364552 |
|---|--|-----------|

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
1.	Development and Building Department	Jamie Loader	<p>7.1 Notice of Motion - Housing Jump Start</p> <p><i>That Council direct the General Manager to report to Council on the benefits and disbenefits of a short term moratorium on Development Application fees, Construction Certificate fees and Complying Development fees for single detached housing and additions only.</i></p>	27 June 2012 Crs Eaton/Graham	Discussed with the Mayor, advised not a priority. Report to be submitted to a meeting in June 2013.
2.	Land Management Department	Garry McLachlan	<p>8.2 Notice of Motion - Re-evaluation of Strategic Direction in Shire's North</p> <p>117/12 <i>That Council note the significant contribution our Community Precinct Committees make as a conduit between Council and the local community.</i></p> <p>118/12 <i>That Council, as an advocate on behalf of the local community of our Shire's north, request the General Manager to seek timely responses to the key issues contained in the attached joint Precinct Committee submission.</i></p> <p>119/12 <i>That Council request the General Manager to call for a meeting of key stake holders, Community, Government, land owners and relevant Departments, to discuss the strategic future of this massive 780 hectare site (Delta Electricity power stations and associated lands) that has the potential to profoundly impact Council's developed northern regions strategic plan / LEP.</i></p> <p>120/12 <i>That Council request the General Manager to also seek direction from stakeholders on issues around site contamination and environmental assets with a prospect of rehabilitation such as Lake Colongra and various former natural overland flow paths.</i></p> <p>121/12 <i>That Council request the General Manager to reiterate to the relevant agencies the matters</i></p>	8 August 2012 Crs Best/Eaton	<p>A meeting has been convened for 2nd April 2013 to discuss this matter. Meeting delayed because of the Christmas Break and the limited time available to Local Members of Parliament due to sitting days early in new year. Local State Members, Mr Webber, Member for Wyong and Mr Edwards, Member for Swansea sent a letter inviting them to attend (D03198990).</p> <p>Discussions held with Councillor Best and he has been advised of direction. Precinct committees advised that environmental issues and Delta land would be addressed at this meeting.</p> <p>Manning Park Precinct Committee advised of meeting requesting that they consult with the other 5 community groups who were also involved in the submission and that they select a maximum of two representatives to attend the meeting on behalf of the community associations.</p> <p>Correspondence received from Darren Webber MP Member for Wyong dated 7 February 2012 (D03262077) advising as follows:</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>with regard to community elements of the Delta site contained in Item 2.1 Mayoral Minute - Proposed Transfer of Delta Electricity Land to Council for continued operation of the Extreme Sports Park, Koala Park and Camp Breakaway at San Remo adopted by Council on 23 May 2012.</p>		<p>"The majority of land being discussed falls outside the Electorate of Wyong. As such it would be more appropriate to seek comments on these lands from Mr Garry Edwards, MP, Member for Swansea. As previously advised Camp Breakaway has a secure 99 year lease which will be honoured by the NSW Government. I would encourage that Wyong Shire Council continues to consult closely with the concerned community organisations. Following such consultation I would be happy to meet with Council representatives to discuss any outstanding issues."</p> <p>Staff to further liaise with Mr Edwards.</p> <p>Mr Garry Edwards MP, Member for Swansea, office staff have advised that Mr Edwards will attend meeting scheduled for 2 April 2013.</p> <p>Council advised that Mannering Park Community Precinct Committee has not received notification from Council of meeting set down for Tuesday 2nd April. Mr Andrew Whitbourne, Chairman of Precinct Committee contacted by telephone and a copy of Council's correspondence of 26 November 2012 e-mail to him.</p> <p>Agenda for Meeting to be held on Tuesday 2 April at 10.00am issued to Mannering Park Community Precinct Committee. As of 26 March 2013 Council advised that Mr Andrew Whitbourne and Phil Heaton will be attending on behalf of Precinct Committee.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
4.	Infrastructure Operations	Rob Fulcher	<p>7.2 Notice of Motion - Sea Level Rise Removal</p> <p>1 That Council <u>acknowledge</u> that the 2009 NSW Sea Level Rise Policy Statement is no longer NSW Government Policy.</p> <p>2 That Council <u>acknowledge</u> the recommendation of the NSW State Government to consider an interim policy arrangement prior to the formal adoption of sea level rise projections.</p> <p>3 That Council <u>resolve</u> that its sea level rise interim policy consist of compliance with the 1% AEP flood level and 500mm freeboard allowance.</p> <p>4 That Council <u>request</u> the State Government to refer back to Council the adopted Wyong Shire Coastal Zone Management Plan for Council's review.</p>	10 October 2012 Councillors Nayna & Taylor	<p>Staff meeting with General Manager of Delta Electricity held on 11th April to further discuss lands in the North of the Shire.</p> <p>Notes from meeting held 2nd April 2013 sent to Mannering Park Community Precinct Committee and Mr G Edwards MP Member for Swansea. Precinct Committee were reminded that they are to provide a list of discussion items for the Member for Swansea to pass to Minister Baird for consideration in relation to a proposed visit to the Central Coast.</p> <p>Resolutions 3, 7, 8 and 9 now complete.</p> <p>Complete</p> <p>Complete</p> <ul style="list-style-type: none"> • Have been reporting on status through the TLECFMC. • Plan previously adopted by Council • Never gazetted • Minister has provided 12-month extension • Applied for grant funding through NSW Government <p>Awaiting feedback on grant application.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>5 <i>That the General Manager provide an urgent briefing to Council on the implications of the State Government's recent coastal reforms.</i></p> <p>6 <i>That the General Manager report back to Council on a program, cost estimate and timeframe for the review of current adopted Council policies that incorporate provisions in respect of sea level rise, including the adopted Wyong Shire Coastal Zone Management Plan.</i></p> <p>7 <i>In circumstances where existing Government legislation or policy conflicts with Council's policy in No 3 above, the General Manager ensure that the matter is brought to Council for determination.</i></p> <p>8 <i>That Council write to all holders of existing DA's that have time limited consents due to sea level rise issues and advise them of the change in Council policies and invite them to submit Section 96 applications to remove the time limit from their consents.</i></p> <p>9 <i>That Council waive all fees associated with any such Section 96 applications.</i></p>		<p>Likely to be announced in Aug 2013.</p> <p>The TLECFMC is being used as the appropriate forum for discussions. All Councillors have been invited to each meeting. Specific discussions were held during the 7 Feb 2013 meeting. A report is presently being prepared that will go to either the 9 May 2013 or 6 June 2013 meeting of the committee.</p> <p>Ongoing reporting carried out through the TLECFMC business paper, specifically in regard to the Flood Policy and the Coastal Zone Management Plan.</p> <p>This is being carried out. Several DAs have been brought to Council for determination. Any other matters involving apparent policy conflicts will also be brought to Council.</p> <p>At the time of writing all stakeholders could not be consulted. It appears that letters may not yet been written. However several Section 96 applications have been lodged.</p> <p>Complete</p>
h5.	General Manager's Unit	Lesley Crawley	<p>7.3 Notice of Motion - Council Review the NSW Electoral Commission's Management of our 2012 Wyong Shire Elections</p> <p>1 <i>That Council note the 2012 Wyong Local Government Election was managed, conducted and audited by the NSW Electoral Commission, costing our ratepayers a total of \$750,000 to our</i></p>	10 October 2012 Councillors Best & Webster	<p>This matter is scheduled for action in the Corporate Governance work plan for February 2013.</p> <p>Now to be finalised by end of April 2013.</p> <p>Submission to Joint Committee Electoral</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>ratepayers.</p> <p>2 That Council <u>conduct</u> a review of the conduct of the 2012 Wyong Shire Election by the NSW Electoral Commission (NSWEC).</p> <p>3 That Council <u>include</u> in the review the following matters:</p> <p>(a) Identification of legislative constraints and processes which are barriers to encouraging local residents to stand for representation on Wyong Council.</p> <p>(b) The “contractual” arrangement between Council and the NSWEC which has constrained the ability for Council to make key decisions in regard to pre-poll venues (eg locations, quantity).</p> <p>(c) Issues around WHS obligations for booth workers, liabilities and responsibilities.</p> <p>(d) Improved provision of disabled and aged access at polling places, particularly pre-poll booths.</p> <p>(e) Feedback received from electors.</p> <p>(f) Feedback from a selection of those NSW councils which opted to manage their election or used a private contractor.</p> <p>(g) Any other matters identified by the General Manager in the course of the election process.</p> <p>4 That Council <u>request</u> feedback from those Councils who used the NSW Electoral Commission.</p>		Matters Inquiry currently being finalised.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
6.	Community Recreation Services and	Maxine Kenyon	<p>7.4 Notice of Motion - Wyong Skills Centre</p> <p>1 That Council <u>advise</u> the Department of Education, Employment and Workplace Relations (DEEWR) that it now wishes to proceed with the Wyong Skills Centre in partnership with Central Coast Group Training at its site at Bounty Close at Tuggerah.</p> <p>2 That Council <u>request</u> the Department of Education, Employment and Workplace Relations (DEEWR) to confirm that grant funding of some \$2.8 million is still available for this purpose and for DEEWR to advise the process and/or criteria required to access these funds</p> <p>3 That Council <u>develop</u> and submit, in partnership with Central Coast Group Training in accordance with DEEWR, guidelines a joint application within one month.</p> <p>4 That Council <u>authorise</u> the General Manager to approve the joint application and submission to DEEWR, subject to Council ratification.</p> <p>5 That Council <u>determine</u> that this item be actioned immediately due to its urgent nature.</p> <p>6 That Council <u>advise</u> DEEWR of this resolution by close of business on Friday 12 October 2012.</p> <p>7 That Council <u>develop</u> to its satisfaction a suitable agreement with Central Coast Group Training with regards to this initiative.</p> <p>8 That Council <u>authorise</u> appropriate resourcing to undertake this task and the funding of these resources be considered at the September budget review.</p>	10 October 2012 Councillors Nayna & Troy	<p>Council contacted DEEWR in December 2012 and again in January 2013 for an update on the progress of this potential funding, however we have not received any further responses to these requests.</p> <p>A DEEWR representative called on 6 February 2013 to advise a full brief had been presented to the Minister's office for their consideration. At this stage no decision has been made in relation to the funding. DEEWR will be in touch with the Minister's office to follow up and will provide Council with an update in three weeks time.</p> <p>Council wrote to DEEWR on 1 March 2013 requesting an update on possible funding for the Wyong Skills Centre or a timeframe when an outcome will be reached.</p> <p>Letter received from DEEWR on 15 March 2013 stating they should be able to advise Council of an outcome in early April 2013.</p> <p>An email has been sent to DEEWR on 15 April 2013 asking if there is any further progress on this matter.</p> <p>DEEWR contacted Council on 16 April 2013, advising that the Community Infrastructure Grants – Youth Commitments program will be open from 17 April 2013 until 15 May 2013. This funding opportunity is geared towards the building of a youth skills and employment centre for young people on the Central Coast. The current criteria has changed from the original funding program.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
7.	Land Department Management	David Lemcke	Q34/12 Extension of Draft Pile Burning Policy Exhibition "Mr Mayor, to assist our local rural community on the issue of the Draft Pile Burning Policy now on public display, could Council extend the exhibition period for one month until the 26 November 2012?"	Councillor Best 24 October 2012	Exhibition completed prior to extension resolution. Report currently being prepared for Council Meeting in June 2013.
8.	Infrastructure and Operations Department	Daryl Mann	8.1 Notice of Motion – Northern Lakes Rugby League Sport and Recreation 445/12 That Council note the existing facilities established by the Northern Lakes Rugby League Sport and Recreation Club, at Gumbayah oval on Tall Timbers Road Lake Munmorah, are utilised by the broader community, such as local schools, representative and community groups. 446/12 That Council note the Northern Lakes Rugby League Sport and Recreation Club has received grants in the order of \$80K from the State Government to build the slab and outer shell for a new Clubhouse. 447/12 That Council defer the outstanding contributions until an occupation certificate is issued. 448/12 That Council, post construction of the new Clubhouse, authorise the Mayor and General Manager to extend similar arrangements to the Northern Lakes Rugby League Sport and Recreation Club that was offered to the Ourimbah Soccer Club in regard to the water and sewerage developer charges currently levied on the new amenities building.	Councillor Vincent and Greenwald 14 November 2012	Following discussions with the Director of Infrastructure and Operations and the former Director of Environment and Planning Services, it appears that resolution 447/12 may not be legally possible. Council should consider dropping 447/12 and follow 448/12 with Council's general fund paying the full contributions to W&S and entering into separate arrangements with the club to achieve the intent of 447/12 using the 35/65 split. This option is to be discussed with the General Manager and Councillors to determine the cleanest approach.
9.	General Manager's Unit	Sonia Witt (on behalf of the members of the Save the Tuggerah Lakes Party – Councillors	Q37/12 Eradication of Feral Pests "My question is directed to the members of the Save Tuggerah Lakes Party. One of the promises that you made at the recent Local Government Elections was to "eradicate feral pests – Rabbits, Foxes, Indian Mynas etc." and when were you going to do this? You promised to do it now.	Councillor Graham 14 November 2012	Councillors have been contacted to provide a response to this question. However, a response has not yet been received.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		Taylor & Troy)	<p>Wyong Shire is inundated with Rabbits in plague proportion, especially around the Chittaway and Shelly Beach areas. Foxes continue to roam the Shire, especially the North Entrance where they swim across to Terilbah Island and kill the Little Tern and their chicks; and as far as the Indian Myna birds are concerned, I counted ten of them in my own back yard this morning.</p> <p>My question is when are you going to deliver on your promise considering that you said that you would do it NOW?"</p>		
10.	Infrastructure Operations	Stephen Dignam	<p>Q11/13 30 Million Dollar Tuggerah Straight Sinking</p> <p>"Mr Mayor,</p> <p>It is has been drawn to my attention by numerous motorists in particular cyclists, that the 30 million dollar Tuggerah straight highway reconstruction is failing and sinking in parts. A similar failure has also occurred along the new Sparks Road traffic light intersection, again a significant motor cycle hazard.</p> <p>This has become a real traffic hazard. Could you officially request that the RMS urgently investigate the failure?"</p>	Councillor Best 27 February 2013	<p>Email sent to RMS local maintenance contact on 20 February 2013.</p> <p>Follow up email sent to RMS Area Manager and Maintenance Supervisor on 6 March 2013. Currently awaiting response.</p> <p>Works completed by RMS to remove hazards at various locations within the shire including Sparks Road and Tuggerah Straight. RMS will continue to investigate contributing factors and possible treatment options. Locations requiring further maintenance will be addressed as they arise.</p>
11.	Community Recreation Services	Maxine Kenyon	<p>8.1 Notice of Motion - Regional Sport Economic Benefit</p> <p>1 That Council <u>note</u> the numerous benefits (including tourism, economic and sporting) associated with hosting Regional Sporting events.</p> <p>2 That Council <u>investigate</u> the capability restraints of our current sports grounds to host Regional Sporting events and the need to formulate a</p>	Councillor Nayna 13 March 2013	<p>Preliminary scoping of this report is now underway and investigation is expected to require considerable research. Following the scoping exercise, completion timeframes can be identified.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
12.	Infrastructure Operations	Stefan Botha	<p>strategic approach to maximise the usage of our facilities to attract such events.</p> <p>3 That Council <u>request</u> the General Manager to report proposals for regional sports events within Wyong Shire Council for its consideration.</p> <p>4 That Council <u>liaise</u> with local sporting organisations, via the Sports Committee, to seek feedback on hosting regional sporting events.</p> <p>8.2 Notice of Motion - Waste Initiatives</p> <p>1 That Council <u>note</u> the recent announcement by the New South Wales Government of their 'Waste Less, Recycle More' program.</p> <p>2 That Council <u>note</u> the 'Supporting Local Communities – Local Government Program' that provides access to \$137.7 million over 5 years to reduce illegal dumping and littering.</p> <p>3 That Council <u>request</u> the General Manager to provide a briefing to Councillors which identify possible applications to the 'Supporting Local Communities – Local Government Program'.</p> <p>4 That Council <u>note</u> that the waste levy will cost Ratepayers \$12.5 million in 2013/14.</p> <p>5 That Council <u>write</u> to The Hon Robyn Parker MP, Minister for the Environment expressing ongoing concerns with the cost to Council of the Waste Levy.</p>	Cir Nayna 13 March 2013	<p>Item 3 - Briefing to Councillors currently being prepared.</p> <p>Item 4 - In process, letter currently being prepared.</p> <p>Completed - letter prepared, signed by GM and send to the Hon Robyn Parker MP</p>
16.	Infrastructure Operations	Andrew Pearce	<p>8.3 Notice of Motion - 2013 - Repeated Flooding of Tuggerah Businesses</p> <p>1 That Council <u>note</u> with great concern the escalating frequency of flooding events of local Tuggerah businesses in and around the Anzac,</p>	Cir Best 13 March 2013	<p>Response currently being prepared.</p> <p>Staff are currently finalising a number of investigations and have completed some on ground works. A formal response is currently being prepared.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>Ace and Gavenlock roads area.</p> <p>2 That Council <u>investigate</u> as a matter of urgency the possible flooding causes and seek advice from Roads and Maritime Services and RailCorp as to whether any works carried out by those bodies may be contributing to further localise flooding.</p> <p>3 That Council <u>note</u> that since the Roads and Maritime Services upgrade of the Tuggerah Straight the major Tuggerah storm water channel is now permanently charged providing for little to no flood storage, further this now permanent standing body of water is ideal for supporting large quantities of aquatic vegetation, conducive to blocking drainage."</p> <p>4 That Council <u>direct</u> the General Manager to report the outcome of the recommendations on this issue as a matter of urgency.</p>		
19.	Community Buildings	Ian Clarke	<p>Q17/13 Costs associated with changing the name of Tony Sheridan function room.</p> <p>"Can the General Manger inform Council the cost of changing the name of the Tony Sheridan room?"</p>	Clr Greenwald 10 April 2013	A response is currently being prepared for the 12 June 2013 Council Meeting.
20.	Land Management	Martin Johnson	<p>9.1 Notice of Motion – Urgent Employment Stimulus</p> <p>"543/13 That Council note with great concern the recent escalating national/local employment figures, particularly around the construction industry which underpins the Central Coast economy.</p> <p>544/13 That Council recognise the need to be part of the national economic stimulus initiative by reviewing Council's development taxation structure/Section 94 Contributions.</p> <p>545/13 That Council adopt a temporary stimulus plan</p>	Clrs Best and Nayna 24 April 2012	Response currently being prepared.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
21.	Development and Building	Peter Fryar	<p>which sets Developer Contributions (Section 94) at \$25,000 per block in the Contribution Plan 7A district for VPA's entered into before 30 December 2013, with construction of essential public infrastructure commenced to approved Council specification by 30 June 2014 with appropriate credit given for works in kind.</p> <p>546/13 That Council authorise existing VPA's meeting the criteria above to be reduced to this level providing construction has not commenced.</p> <p>547/13 That any VPA arising from this initiative be reported to Council.</p> <p>548/13 That Council receive a report on this stimulus initiative as soon as practicable after 30 December 2013 and again after 30 June 2014."</p>	Clrs Eaton and Troy 24 April 2013	Response currently being prepared.
			<p>9.2 Notice of Motion – Stop Coal Mining in the Valleys</p> <p>"549/13 That Council defer this matter for further information on:</p> <ul style="list-style-type: none"> a State Parliament's ability to refuse the Wallarah 2 application. b The details of the Member for Dobell, Mr Craig Thomson's private members bill and the likelihood of it lapsing with the proroguing of Parliament. c Details of the new EIS for the Wallarah 2 proposal." 		

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
22	Community Recreation and		<p>U2/13 Youth Employment Crisis</p> <p>"551/13 That Council note with grave concern the ongoing Youth Unemployment Crisis within the Wyong Shire Local Government Area.</p> <p>552/13 That Council note the 2010 Election Commitment from the Federal Government to fund \$2.7 million toward CCGTs/WSC joint Youth Skills and Business Development Centre.</p> <p>553/13 That Council note with concern the government's decision to call for fresh tenders without requiring any auspicings by Wyong Shire Council.</p> <p>554/13 That Council request The Prime Minister, The Hon Julia Gillard MP to immediately intervene and ensure the original 2010 election commitment for a joint CCGT/Wyong Shire Council is honoured.</p> <p>555/13 That Council confirm its previous resolution to submit a combined tender for a joint CCGT/council project at Bounty Close Tuggerah."</p>	Clrs Nayna and Troy 24 April 2013	Council wrote to the Prime Minister, Julia Gillard, on 1 May 2013 asking her to take immediate action to honour the original 2010 election commitment to provide \$2.7M towards a Youth Employment Centre in the Wyong Shire.
23	Community Recreation and		<p>U5/13 Motion of Urgency – Wyong Skills Centre</p> <p>574/13 That Council direct the General Manager to urgently write to the relevant Federal Minister responsible for the Department of Education, Employment and Workplace Relations, seeking an extension of time, by 3 weeks, to allow for preparation of additional information required to support the submission of the application for the Wyong Skills Centre.</p>	Clrs Nayna and Webster 8 May 2013	Letter sent to the Hon Peter Garrett AM MP, Minister for School Education, Early Childhood and Youth on 10 May 2013, for his consideration of extending the deadline of the funding program – Community Infrastructure Grants Youth Commitments.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
24	Community Recreation and		<p>Notice of Motion – 1915-2015 ANZAC Centenary</p> <p>615/13 <i>That Council acknowledge the outstanding success of the 2013 ANZAC day events in Wyong Shire.</i></p> <p>616/13 <i>That Council recognise the need to assist our community in the preparation of the upcoming 2015 ANZAC centenary commemorations, marking 100 years since the Gallipoli landings.</i></p> <p>617/13 <i>That Council facilitate an ANZAC Centenary Working Group to develop an overview of possible activities and community events that will respectfully mark such a significant national commemoration and invite the following:</i></p> <ul style="list-style-type: none"> - one representative from each RSL sub-branch in the Wyong Shire - each of the local state and federal members or their delegates - all Councillors <p>618/13 <i>That Council staff support centenary events organised by the Shire's RSL Sub branches through the following:</i></p> <ul style="list-style-type: none"> - Facilitation of the working party - Development of an ANZAC Centenary day calendar of events and other promotional material for the Shire - To advise groups of available funding through Council, State and Federal government funding programs and provide assistance where appropriate - To provide one point of contact to navigate Council processes and provide advice where required - Assist in developing an engagement program to ask the community its preference for events and utilise the 	Cllrs Webster and Best 8 May 2013	Initial investigations into these requests have commenced.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
25	General Manager's Unit	Sonia Witt <i>(on behalf of the members of the Save the Tuggerah Lakes Party – Councillors Taylor & Troy)</i>	<p>Consultation Hub and e-panel where appropriate.</p> <p>619/13 That Council direct the General Manager to investigate what State and Federal Funding is being allocated to the 2015 Centenary Commemorations.</p> <p>620/13 That further to the outcomes of 3, 4 and 5 above, Council recognises there may be a need to make appropriate budgetary allocations.</p> <p>Q18/13 Response to Q37/12</p> <p>"It is now six months since I asked the question Q37/12 of the members of the Save Tuggerah lakes Party regarding their election promise to eradicate feral pests from Wyong Shire.</p> <p>These Councillors won an election promising to eradicate rabbits, foxes and Indian mynas from our area, when they went to the election they must have known how they were going to make good their promise, either that or they have misrepresented themselves to the electorate, if this is so then they have been elected under false pretences and should apologise to the voters and resign immediately.</p> <p>Council staff have contacted these Councillors on a least six occasions to get their response to the question to no avail.</p> <p>I demand an immediate response to my question, could you please advise when this will be provided?"</p>	Clr Graham 22 May 2013	Councillors have been requested to advise.

**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE
8 MAY 2013**

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

22 May 2013

To the Ordinary Council Meeting

Councillor

6.1 Notice of Motion - Bike Blitz on Cycle Way Menace

TRIM REFERENCE: F2004/06902 - D03337428

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 22 May 2013 they will move the following Motion:

- “1 That Council note with great concern the escalation of unlicensed and unregistered motor bikes using the Shires shared pathways which are frequented by young cycling families and the elderly.
- 2 That Council raises these concerns as a matter of public safety and as a possible public liability risk.
- 3 That Council formally raise these community concerns with the Local Area Command (NSW Police) with a view to conducting a series of enforcement blitzes across the Shire, in an endeavour to reign in this extremely dangerous behaviour by unlicensed, unregistered and uninsured juveniles.
- 4 That Council highlight the importance of responsible bike usage, through its communication section and various media outlets and include outcomes and penalties applied as a result on heightened enforcement.
- 5 That Council direct the General Manager to report the response from the Local Area Command and suggested action, followed by a later outcomes update report to Council.”

RESOURCES

The implementation of this NOM will be undertaken by existing staff within the Development and Building Department. It is not envisaged that any additional resources would be required.

COUNCILLORS NOTE

Council has invested millions of ratepayer dollars into the many kilometres of shared pathway around our shire which offers safe and peaceful family recreation. As a result of this cycle way menace of unregistered, unlicensed and uninsured bike users many families and the elderly are beginning to avoid this valuable infrastructure (ie. cycle ways). Therefore it is imperative that we seek to educate and enforce appropriate behaviours.

Further it is recognised that there is an urgent need for the youth of our Shire to be provided with the off road opportunity to use their motorbikes in this ever increasing off road sport. It is my intention that at a future date after community consultation, to raise a further notice of motion seeking to identify possible opportunities to accommodate off road usage.

22 May 2013

To the Ordinary Council Meeting

Councillor

6.2 Notice of Motion - Common Sense Review of Tree Application TA/170/13

TRIM REFERENCE: TA/170/2013 - D03355982

AUTHORS: Greg Best; Councillor
Luke Nayna; Councillor

Councillors Greg Best and Luke Nayna have given notice that at the Ordinary Council Meeting to be held on they will move the following Motion:

- "1 That Council invite the applicant for TA/170/2013 to lodge a s82A Application for review of the determination made by Council staff on 22 April 2013.*
- 2 That Council waive the requirement for the lodgement of an Arborist's Report to support the s82A application in this instance.*
- 3 That Council waive the fee for the lodgement of the s82A application.*
- 4 That Council refer the application to the General Manager for determination with an indication that it favours approval for the removal of the trees to which the application relates, subject to appropriate conditions."*

RESOURCES

This item will be actioned using existing resources within the Development and Building Department.