



This 11<sup>th</sup> annual Wyong Shire photography exhibition opens this Friday night, featuring an array of captivating works from budding photographers across NSW. The competition supports arts and culture in the Shire and will be held at The Entrance Gallery. Pictured is last year's winner, Michael Lynch, and the top 3 winning photos.

# Business Paper

ORDINARY MEETING

**27 April 2011**



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# MEETING NOTICE

**The ORDINARY MEETING  
of Wyong Shire Council  
will be held in the Council Chamber,  
Wyong Civic Centre, Hely Street, Wyong on  
WEDNESDAY 27 APRIL 2011 at 5.00 pm,  
for the transaction of the business listed below:**

## **OPENING PRAYER**

## **ACKNOWLEDGEMENT OF COUNTRY**

## **RECEIPT OF APOLOGIES**

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**12 QUESTIONS ON NOTICE ASKED**

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

Michael Whittaker  
**GENERAL MANAGER**

## **1.1 Disclosures of Interest**

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TRIM REFERENCE: F2011/00027 - D02566891

AUTHOR: Monica Redmond; Administration Assistant

MANAGER: Lesley Crawley; Manager Corporate Governance

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

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

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

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

### **RECOMMENDATION**

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

## 1.2 Proposed Inspections and Briefings

TRIM REFERENCE: F2004/06517 - D02566896

AUTHOR: Monica Redmond; Administration Assistant  
MANAGER: Lesley Crawley; Manager Corporate Governance

### SUMMARY

Inspections proposed to be held on 4 May 2011 are listed as follows:

Date of Inspection	Location	Requested By
4 May 2011	Tree Application (TA/126/2011) Removal 3 trees 58 Gordon Avenue, Summerland Point	Director Environment and Planning Services, Gina Vereker and Manager Development Services, Peter Fryar
4 May 2011	Chinese Cultural Village Warnervale	Corporate Services Department, Manager Business Development, Garry McLachlan

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

Date	Briefing	Description	Time	Presented by
27 April 2011	Regional Development Australia - Prioritising Projects	In response to the Federal Government's release of the Funding Guidelines for the Regional Development Australia Fund, council has prepared grant applications for a number of projects across the organisation. If councils lodge more than one application, they need to be ranked in order of priority. The intent of the briefing is to inform Councillors of the projects and seek endorsement of the ranking of the projects. These applications need to be endorsed by the Central Coast RDA board prior to lodgement on the 13 May 2011.	11.30 am – 12.30 pm	Danielle Dickson, Major Projects GM's Unit
27 April 2011	WSC Strategic Plan 2011/12	Overview of Council's rolling strategies on how we will provide the services, assets, workforce and finances to deliver those parts of the Community Strategic Plan (including resourcing strategies) and 4 Year Delivery Plan prior to Council's meeting on the 27 May 2011 at which these documents will be considered.	12.30 pm – 2.30 pm	Director of Corporate Services, David Jack Dan Smith/ Cate Trivers

27 April 2011	Coastline Management Plan	A Draft Coastline Management Plan has been prepared in conjunction with the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee and following extensive internal review. The Draft is intended to be forwarded to Council for exhibition in May.	2.30 pm – 3.00 pm	Director Environment and Planning Gina Vereker Greg White
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A full list of Councillor Briefings for 2011 was adopted by Council at its meeting on 9 February 2011. The latest version of Briefings for 2011 list is available upon request to the General Manager's office.

#### RECOMMENDATION

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

#### ATTACHMENT

- 1 Briefing Schedule 2nd, 3rd & 4th Quarters 2011      D02589372

PROPOSED QUARTER	PROPOSED DATE	AAA Briefing Title	Director	STAFF PRESENTING
2nd quarter	27-Apr	WSC Strategic Plan 2011/2012	Corporate Services	
2nd quarter	27-Apr	Coastline Management Plan	Environment and Planning	Greg White
2nd quarter	27-Apr	Regional Development Aust prioritising Projects	GM's Unit	Danielle Dickson
2nd quarter	11-May	Clause 14	Environment and Planning Services	Greg White / David Lemcke/ Nature Conservation trust CEO Paul Toni
2nd quarter	11-May	Shire-wide Heritage Review	Environment and Planning Services	Consultant David Scobie
2nd Quarter	11-May	Water Board Authority Business papers	Infrastructure Management	Garry Casement
2nd quarter	11-May	Iconic Development Sites Key site No 2	Environment and Planning	Paul Bowditch
2nd quarter	11-May	The Entrance Town Centre Masterplan	Environment and Planning Services	Paul Bowditch/Stephen Ashton
2nd quarter	11-May	Warnervale Town Centre Draft S94 Plan	Environment and Planning Services	Martin Johnson
2nd quarter	25-May	Chinese Cultural Village	Corporate Services	Garry McLachlan and external presenters booked for approx. 12.30pm
2nd quarter	25-May	Q3 Annual Plan and Budget	Corporate Services	Cate Trivers
2nd quarter	25-May	GM's Performance Plan	Corporate Services	Marie Hanson-Kentwell
2nd quarter	25-May	RTA Proposed works	Infrastructure Management	Bob Burch/RTA
2nd quarter	08-Jun	Community Feedback and Complaint Management Policy	Legal And Risk GM's Unit	Belinda Charlton
2nd quarter	08-Jun	Central Coast Sports field Management Strategy	Community & Recreation Services	Brett sherar keith ollier
2nd quarter	08-Jun	Detail matching fund guidelines and framework	Community & Recreation Services	Julie Vaughan
2nd quarter	08-Jun	Present information on traditional custodians of lands and acknowledgement of country	Community & Recreation Services	Julie Vaughan
2nd quarter	08-Jun	Strategic Plan Post Exhibition	Corporate Services	Dan Smith
2nd quarter	08-Jun	Climate Change Adaptation Report – March 2011.	Environment and Planning	Karen Douglas
2nd Quarter	08-Jun	Wyong Loyalty card	GM's Unit	GM's Unit
2nd quarter	22-Jun	Ausgrid	Infrastructure Management	Rob Fulcher/ Ausgrid Stephen temple and others tbc
2nd quarter	22-Jun	Vision and Values	Corporate services	Dom
2nd quarter	22-Jun	Wyong Civic & Cultural Masterplan	Environment and Planning	Paul bowditch / Gary Hamer
2nd quarter	22-Jun	Wyong Town Centre DCP Chapter 7	Environment and Planning	Paul Bowditch / Tania Halbert
2nd quarter	June	Mariners Agreement	Corporate Services	Bronwyn Rumbel
2nd quarter	June	The Entrance, Wyong & Toukley Town Centre management agreements	Corporate Services Environment & Planning Services	Bronwyn Rumbel / Paul Bowditch
2nd Quarter	June	NSW Taxi Council and the Central Coast Taxis	Infrastructure Management	Bob Burch
2nd quarter		Greenhouse Mitigation Plan/Green Energy Funds Projects - May 2011	Environment and Planning Services	David Inving
2nd quarter		Iconic Development Sites DCP & Current Proposals	Environment and Planning	Paul Bowditch
2nd quarter		RZ/7/2009 Chittaway Point Rezoning	Environment and Planning	Martin Johnson/Kathryn Heintz
2nd quarter		Sustainability Update (Policy, Framework, Principles Review)	Environment and Planning Services	Karen Douglas
2nd quarter		The Entrance Town Centre Masterplan	Environment and Planning Services	Paul Bowditch/Stephen Ashton



PROPOSED QUARTER	PROPOSED DATE	AAA Briefing Title	Director	STAFF PRESENTING
2nd quarter		Tuggerah Town Centre Masterplan	Environment and Planning	Paul Bowditch / Lynda Howson
2nd quarter		Sea Level Rise Notification & 149 Certificate	General Council/Environment and Planning Services	Brian Glennenden
2nd quarter		Desalination	Infrastructure Management	GarryCasement
2nd quarter		Lower Ourimbah Creek Floodplain Risk Mgt Strategy	Infrastructure Management	Rob Fulcher / Lara Critchley
2nd quarter		Tuggerah Lakes Floodplain Risk Mgt Plan	Infrastructure Management	Rob Fulcher / Lara Critchley
2nd quarter		Tumbi Creek Floodplain Risk Mgt Plan	Infrastructure Management	Rob Fulcher / Lara Critchley
3rd quarter	24-Aug	Q4 Annual Plan and Budget	Corporate Services	Cate Trivers
3rd quarter	Aug	enterprise risk management	Legal And Risk	Jeff Simpson
3rd quarter	Sept	Precinct 7A Masterplan - Feedback following exhibition	Environment and Planning	Scott Duncan / Jenny Mewing
3rd Quarter		Plan of Management Central Coast Caravan Parks	Community & Recreation Services	Tara Mills
3rd quarter		Central Coast Tourism Inc	Community & Recreation Services	Tara Mills
3rd quarter		Community Facilities Strategy	Community & Recreation Services	Julie Vaughan
3rd quarter		Engagement Strategy	Community & Recreation Services	Sue Ledingham
3rd quarter		Lifelong Learning Strategy	Community & Recreation Services	Adam Holland
3rd quarter		Provide update of plans and financial viability of The Art	Community & Recreation Services	Julie Vaughan
3rd quarter		Review of Grants	Community & Recreation Services	Julie Vaughan
3rd Quarter		DCP 113 – Floodprone Land	Environment and Planning	Martin Johnson / Rod Mergan
3rd Quarter		DCP 97 - Water Sensitive Urban Design	Environment and Planning	Martin Johnson / Peter Kavanagh
3rd Quarter		Development Control Plan 61 – Carparking	Environment and Planning	Martin Johnson / Michael Conroy
3rd quarter		Biobanking	Environment and Planning	David Lemcke / Tricia Bancroft,
3rd quarter		Biodiversity Management Plan	Environment and Planning Services	Greg White
3rd quarter		Comprehensive LEP	Environment and Planning Services	Martin Johnson
3rd quarter		DCP 2011	Environment and Planning Services	Martin Johnson
3rd quarter		Draft Shire-Wide Contributions Plan	Environment and Planning	martin johnson
3rd quarter		Draft Wyong Employment Zone contributions plan	Environment and Planning Services	Martin Johnson
3rd quarter		RZ/17/2009 Bundeena Road, Glenning Valley	Environment and Planning	martin Johnson/Kathryn Heintz
3rd quarter		Settlement Strategy	Environment and Planning	Scott Duncan / Jenny Mewing
3rd quarter		Wyong Employment Zone – Results of exhibition of DCP & S94 Contributions Plan / Biocertification update, DCP amendment update	Environment and Planning Services	Martin Johnson / Scott Duncan
3rd quarter		Desalination	Infrastructure Management	GarryCasement
3rd quarter		Wyong town centre planning proposal and car parking	Infrastructure Management	Bob Burch
4th Quarter	23-Nov	Q1 Annual Plan and Budget	Corporate Services	Cate Trivers
4th quarter	October	Code of Conduct revision training	Corporate Services	Jeff Simpson
4th quarter		Natural Resources Strategy	Environment and Planning	Greg White / David Lemcke
4th quarter		The Entrance, Wyong and Toukley Town Centre	Environment and Planning	Paul Bowditch / Stephen Ashton
		Committee structure	Corporate Services	Lesley Crawley
		Councillor attendance at formal dinners	Corporate Services	(check minutes for wording)

### 1.3 Address by Invited Speaker

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TRIM REFERENCE: F2011/00027 - D02547415  
AUTHOR: Monica Redmond; Administration Assistant  
MANAGER: Lesley Crawley; Manager Corporate Governance

#### SUMMARY

The following person has been invited to address the meeting of Council:

SPEAKERS	REPORT	PAGE NO	DURATION
Mr Mathew Lusted, Applicant (against recommendation)	4.3 - DA 1340/2010 - Demolition of Existing Structures, Removal of Six Trees and Construction of a Dwelling, Machinery Shed and Inground Pool at Wyong	125	5 mins

#### RECOMMENDATION

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

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

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TRIM REFERENCE: F2011/00027 - D02566926

AUTHOR: Monica Redmond; Administration Assistant

MANAGER: Lesley Crawley; Manager Corporate Governance

### **SUMMARY**

Confirmation of minutes of the previous Ordinary Meeting held on 23 March 2011.

### **RECOMMENDATION**

*That Council confirm the minutes of the previous Ordinary Meeting held on 23 March 2011.*

### **ATTACHMENTS**

- 1 Minutes of Council's meeting of 23 March 2011      D02561029

**WYONG SHIRE COUNCIL**

**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBER  
WYONG CIVIC CENTRE, HELY STREET, WYONG  
ON 23 March 2011  
COMMENCING AT 5.00 PM**

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**PRESENT**

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

**IN ATTENDANCE**

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

Manager Estuary Management, Manager Major Projects and two administration staff.

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

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

A moment of silence was given to honor the lives lost in the recent natural disasters in Japan.

Councillor McBride advised that some staff members and herself participated in the Masters Games at Lake Macquarie on the weekend.

**APOLOGIES**

There were no apologies.

## 1.1 Disclosures of Interest

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### 2.2 Mayoral Minute – Central Coast Mariners

Councillor Graham declared a non-pecuniary significant conflict of interest in the matter for the reason that he is a member of the Central Coast Mariners Board of Directors left the chamber at 5.06pm, took no part in discussion, did not vote and returned to the chamber at 5.37pm.

### 5.1 Minutes of the Wyong Shire Grants Committee

Councillor Matthews declared a non-pecuniary insignificant conflict of interest in the matter for the reason that her children attend Wyong Christian Community School and participated in consideration of this matter.

Councillor Matthews stated:

*“I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I hold no positions on the school board.”*

### 5.1 Minutes of the Wyong Shire Grants Committee

Councillor Vincent declared a non-pecuniary significant conflict of interest in the matter for the reason that he is a member of the Budgewoi Scouts left the chamber at 7.55pm, took no part in discussion, did not vote and returned to the chamber at 7.56pm.

### 5.1 Minutes of the Wyong Shire Grants Committee

Councillor Vincent declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is a volunteer of the GOATS and Gathering of the Clans Festivals and participated in consideration of this matter.

Councillor Vincent stated:

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

### 5.1 Minutes of the Wyong Shire Grants Committee

Councillor Wynn declared a non-pecuniary insignificant conflict of interest in the matter for the reason that her husband works casually as a teacher at Gorokan High School on an intermittent basis and participated in consideration of this matter.

Councillor Wynn stated:

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

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

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

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

AGAINST: NIL

**1.2 Proposed Inspections and Briefings**

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

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

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

AGAINST: NIL

**1.3 Address by Invited Speakers**

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

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

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

AGAINST: NIL

**1.4 Confirmation of Minutes of Previous Meeting**

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

***That Council confirm the minutes of the previous Ordinary Meeting held on 9 March 2011.***

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

AGAINST: NIL

**Business Arising**

There was no business arising.

**2.1 Mayoral Minute - Joint Wyong - Gosford Delegation to Canberra to discuss Regional Development**

---

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

**1 *That Council endorse the Mayor and the General Manager to travel to Canberra during April 2011 for discussions with the Minister for Regional Development Australia Department, Simon Crean and representatives of his department.***

**2 *That Council pay expenses incurred by the Mayor on this visit in accordance with Council's Facilities and Expenses Policy for Councillors.***

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

AGAINST: NIL

## **2.2 Mayoral Minute - Central Coast Mariners**

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Councillor Graham declared a non-pecuniary significant conflict of interest in the matter for the reason that he is a member of the Central Coast Mariners Board of Directors left the chamber at 5.06pm, took no part in discussion, did not vote and returned to the chamber at 5.37pm.

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

*It was MOVED by Councillor EATON:*

- 1 *That Council hold a Civic Reception for the Central Coast Mariners.*
- 2 *That Council congratulate the Central Coast Mariners on their achievements for this current season and indicate its support to enter into negotiations for continuation of its sponsorship for 2011/12.*
- 3 *That Council request Central Coast Tourism Inc to investigate tourism opportunities arising from the Central Coast Mariner's involvement in next year's Asian Champion League.*

*An AMENDMENT was MOVED by Councillor WYNN and seconded by Councillor SYMINGTON:*

- 1 *That Council hold a Civic Reception for the Central Coast Mariners.*
- 2 *That Council congratulate the Central Coast Mariners on their achievements for this current season.*
- 3 *That Council request Central Coast Tourism Inc to investigate tourism opportunities arising from the Central Coast Mariner's involvement in next year's Asian Champion League.*

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

AGAINST: COUNCILLORS BEST, EATON, MCNAMARA AND WEBSTER

***The AMENDMENT was put to the vote and declared CARRIED.***

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

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

- 1 ***That Council hold a Civic Reception for the Central Coast Mariners.***
- 2 ***That Council congratulate the Central Coast Mariners on their achievements for this current season.***
- 3 ***That Council request Central Coast Tourism Inc to investigate tourism opportunities arising from the Central Coast Mariner's involvement in next years Asian Champion League.***

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

AGAINST: NIL

### **2.3 Mayoral Minute - Warnervale Town Centre Roadworks**

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Councillor Graham returned to the meeting at 5.37pm during consideration of this item.

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

- 1 That Council reject the enhancement to the design prepared by GHD Pty Ltd and recently lodged by the Road and Traffic Authority for the Warnervale Town Centre intersection and associated road works leading to an estimate of \$12m with no funding to be contributed by the Road and Traffic Authority, no design approval and no timeframe for design approval.**
- 2 That Council authorise the Mayor and General Manager to lead a delegation to the Roads Minister in the new State Government as a matter of urgency to request delivery of the intersection in a timely and cost effective manner.**
- 3 That Council ratifies the submission to Regional Development Australia for road and storm water infrastructure in Warnervale Town Centre.**

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

AGAINST: COUNCILLOR VINCENT

### **3.1 University of Newcastle Ourimbah Campus - Proposed Extension of Lease for Playing Fields Part Lot 1 DP 837937 Chittaway Road, Ourimbah**

---

Councillor McBride left the meeting at 6.14pm and returned to the meeting at 6.15pm during consideration of this item.

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

- 1 That Council negotiate with the university and other stake holders to fund/ provide new amenities block/s on these grounds.*
- 2 That Council agree to lease from the Minister for Education and Training part of Lot 1 DP 837937 Chittaway Road Ourimbah, being part of the University of Newcastle Ourimbah Campus for a period of fifty (50) years at nominal rent for the purpose of community playing fields.*
- 3 That Council authorise the Mayor and General Manager, to execute all documents, including the affixation of the Council Seal (as required), relating to the lease between the Wyong Shire Council and the Minister for Education and Training.*

*An AMENDMENT was MOVED by Councillor GRAHAM and seconded by Councillor WEBSTER:*

- 1 That Council defer this item for further negotiations between the Mayor, Deputy Mayor, General Manager and the University to come to a mutual agreement.*
- 2 That Council update the various stake holders on the progress of point 1 of the recommendation.*



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

**The AMENDMENT was put to the vote and declared CARRIED.**

**The AMENDMENT became the MOTION.**

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

- 1 That Council defer this item for further negotiations between the Mayor, Deputy Mayor, General Manager and the University to come to a mutual agreement.**
- 2 That Council update the various stake holders on the progress of recommendation 1.**

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

### **3.2 Notice to obtain access arrangement on Council land for Mandalang South Exploration Drilling Program**

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Councillor Vincent left the meeting at 6.48pm and returned to the meeting at 6.49pm during consideration of this item .

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

- 1 That Council defer the decision for Centennial Mandalong Pty to obtain an access arrangement in respect of Council land for the Mandalong South exploration drilling program until after 26 March 2011 State Election.**
- 2 That Council staff then contact the new Minister for Mineral Resources plus the Member for Wyong and Lake Macquarie to inform them of Council's view.**
- 3 That Council reject the negotiation and execution of agreement with Centennial Coal for access to Council land for the Mandalong South Exploration Drilling Program.**
- 4 That Council request that the Buttonderry Waste Management Facility site be excised from the exploration program by Centennial Coal in the event of any exploration being executed on Council land.**
- 5 That Council consider that the Buttonderry Waste Management Facility is a significant improvement for the purpose of Section 31 of the Mining Act 1992.**
- 6 That Council request the Director of Environment and Planning obtain the Centennial Mandalong Pty environmental impact Study for the Mandalong South Exploration program and submit a report to Council for consideration.**

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

**4.1 Review of the Impacts of Council's Local Preference Policy**

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

- 1 That Council receive the report on the impact of Council's Local Preference Policy.**
- 2 That Council adopt Option 1 for the continuation of the Local Preference Policy.**
- 3 That Council consider a further report in 6 months.**

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

AGAINST: NIL

**4.2 Proposal to Extend Lifeguard Service at Soldiers Beach and Shelly Beach to May 2011**

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

- 1 That Council receive the report on Proposal to Extend Lifeguard Service at Soldiers Beach and Shelly Beach to May 2011.**
- 2 That Council extend the 2010/ 2011 Lifeguard patrol season at Soldiers Beach and Shelly Beach to 1 May 2011.**
- 3 That Council note Surf Life Saving Central Coast's offer to provide volunteer lifesavers to patrolled beaches throughout the May 2011 trial on Saturdays and Sundays.**
- 4 That Council staff collect data on the utilisation of Councils beaches during May 2011 to inform Council when deciding on the date of the 2011/12 season.**

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

AGAINST: NIL

**PROCEDURAL MOTION****SUSPENSION OF MEETING PRACTICE**

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

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

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

AGAINST: NIL

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

**That with the exception of report numbers 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10, 4.11, 5.1, 6.2, 8.1 and 8.2, Council adopt the recommendations contained in the remaining reports.**

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

AGAINST: NIL

#### **4.3 National General Assembly of Local Government 2011**

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

- 1 That Councillors note motions are to be endorsed by Council and submitted to the National General Assembly of Local Government prior to 22 April 2011.**
- 2 That Council authorise interested Councillors and the General Manager or his delegate to attend the 2011 National General Assembly of Local Government between 19 and 22 June 2011.**
- 3 That Council authorise payment of expenses incurred by Councillors attending the Assembly in accordance with Council's Facilities and Expenses Policy for Councillors.**
- 4 That Council determine the voting delegate should the Mayor not attend.**

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

AGAINST: NIL

#### **4.4 Financial Recognition of Local Government in the Australian Constitution**

Councillor Best left the meeting at 7.16pm and returned to the meeting at 7.20pm during consideration of this item.

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

- 1 That Council strongly endorse ALGA proposals for the financial recognition of Local Government in the Australian Constitution.**
- 2 That Council request the Federal Government to have the power to fund local government directly and to include Local Government in any new "Preamble" to the Constitution.**
- 3 That Council call on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition.**
- 4 That Council formally advise the Prime Minister, Leader of the Opposition and Local Federal Members of Parliament, of Council's support for the financial recognition of Local Government in the Australian Constitution.**

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

AGAINST: NIL

#### 4.5 Works on Private Land as part of the Tuggerah Lakes Estuary Management Plan

---

Councillor McNamara left the meeting at 7.27pm and returned to the meeting at 7.30pm and as a result took no part in voting.

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

1 That Council approve the works detailed in Table A to be carried out on the following properties under the Tuggerah Lakes Estuary Management Plan at no cost to the property owner:

- Lot 8 DP 543157 Cedar Brush Creek
- Lot 9 DP 543157 Cedar Brush Creek
- Lot 44 DP 755224 Palm Grove

2 That Council highlight, as part of its continuing education and media program around the Tuggerah Lakes Estuary Management Plan, this work and its benefit to the Tuggerah Lakes system.

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

AGAINST: NIL

#### 4.6 Feasibility of Establishing a Community Panel

---

Councillor McNamara returned to the meeting at 7.30pm during consideration of this item.

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

1 That Council receive the report on the Feasibility of Establishing a Community Panel.

2 That Council review the establishment of a community panel as part of the overall online engagement methodology to be included in the Engagement Strategy.

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

AGAINST: NIL

#### **4.7 Expansion of the Tuggerah Lakes Ecological Response Project**

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

***That Council approve the engagement of the NSW Department of Environment, Climate Change and Water to undertake further study into the Tuggerah Lakes Ecological Response Project, under contract, for an amount totalling \$450,000.00 excl GST.***

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

AGAINST: NIL

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

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Councillor Wynn left the meeting at 7.44pm and returned to the meeting at 7.47pm and as a result took no part in voting.

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

***That Council allocate an amount of \$2,275 from the 2010-11 Councillors' Community Improvement Grants as outlined in the report.***

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

AGAINST: NIL

#### **4.9 QLD Disaster Relief Appeal - Funds Raised by WSC Staff**

---

Councillor Wynn returned to the meeting at 7.47pm during consideration of this item.

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

- 1 That Council note that the WSC staff raised a total of \$11,573 to assist the communities affected by the disaster in Qld.**
- 2 That Council donate an amount of \$12,427 to match the funds raised by staff, rounded up to the nearest thousand.**
- 3 That Council allocate the funding from the Councillor Community Improvement Grant program.**
- 4 That Council note that the total amount of \$24,000 will be forwarded to the QLD Government Premier's Disaster Relief Appeal, the Salvation Army QLD and NSW Flood Appeal and the Salvation Army Victorian Flood Appeal.**
- 5 That Council congratulate the WSC staff for their fundraising efforts.**
- 6 That Council request the General Manager to speak to the Social Club about a donating to a specific target group and Council be advised of the outcome.**

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

AGAINST: NIL

**4.10 Transfer of Unexpended WaSIP 2010/11 Funds**

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

- 1 That Council receive the report on the transfer of unexpended WaSIP 2010/11 funds.**
- 2 That Council endorse the transfer of these unexpended funds.**

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

AGAINST: NIL

**4.11 Transfer of Hitchcock's Lane Bridge to Private Ownership**

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

- 1 That Council receive the report on the Transfer of Hitchcock's Lane Bridge to Private Ownership.**
- 2 That Council prepare all acts necessary to reflect that transfer.**

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

AGAINST: NIL

**PROCEDURAL MOTION**

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

- 1 That Council allow meeting practice to be varied.**
- 2 That Council deal with the Budgewoi Scouts grant allocation, within this item, as a separate matter to allow Councillor Vincent to leave the chamber for only this part of the item.**

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

AGAINST: NIL

## 5.1 Minutes - Wyong Shire Grants Committee Meetings - 16 March 2011

Councillor Vincent declared a non-pecuniary significant conflict of interest in the matter for the reason that he is a member of the Budgewoi Scouts left the chamber at 7.55pm, took no part in discussion, did not vote and returned to the chamber at 7.56pm

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

**That Council adopt the recommendation contained within the Wyong Shire Grants Committee Meeting minutes relating to the Budgewoi Scouts.**

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

Councillor Matthews declared a non-pecuniary insignificant conflict of interest in the matter for the reason that her children attend Wyong Christian Community School and participated in consideration of this matter.

Councillor Matthews stated:

*"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I hold no positions on the school board."*

Councillor Vincent declared a non-pecuniary insignificant conflict of interest in the matter for the reason he is a volunteer of the GOATS and Gathering of the Clans Festivals and participated in consideration of this matter.

Councillor Vincent stated:

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

Councillor Wynn declared a non-pecuniary insignificant conflict of interest in the matter for the reason that her husband works casually as a teacher at Gorokan High School on an intermittent basis and participated in consideration of this matter.

Councillor Wynn stated:

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

Councillor Graham left the meeting at 7.57pm and returned to the meeting at 7.58pm during consideration of this item.

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

**That Council receive the minutes of the Wyong Shire Grants Committee Meeting held on 16 March 2011 and adopt the recommendations contained therein with the exclusion of the Budgewoi Scouts application.**

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

**6.1 Information Reports**

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

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

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

AGAINST: NIL

**6.2 Mardi to Mangrove Link Project Status**

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

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

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

AGAINST: NIL

**6.3 General Works in Progress**

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

***That Council receive the report on General Works in Progress.***

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

AGAINST: NIL

**6.4 Investments For February 2011**

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

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

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

AGAINST: NIL



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

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

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

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

AGAINST: NIL

**6.6 Activities of the Development Assessment Unit**

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

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

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

AGAINST: NIL

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

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

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

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

AGAINST: NIL

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

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

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

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

AGAINST: NIL

**8.1 Notice of Motion - Coal Gas Seam Strategy**

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

**That Council write a submission on the proposed Coal and Coal Gas Seam Strategy being prepared by the Department of Planning, given Wyong Shire Council's clear opposition to further coal mining in our Shire.**

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

AGAINST: NIL

**8.2 Notice of Motion - Doubling and Promoting Council's \$10,000 Vandalism Reward**

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Councillor Wynn left the meeting at 8.15pm and returned to the meeting at 8.16pm during consideration of this item.

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

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

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

AGAINST: NIL

**QUESTIONS ON NOTICE**

**Q3/11      The Entrance Town Centre**  
**Councillor Greg Best**  
F2004/07414

*"Mr General Manager,*

*Again apologies for being so positive however I feel it only appropriate that this Council give the well deserved encouragement to the Management of the Board of The Entrance Town Centre for their tremendous efforts in recently hosting a range of highly successful events. In particular, I was most impressed with the recent Country Music Festival attending it with my family and a number of friends. The day was clearly an outstanding event and well managed. It showcased The Entrance and received strong attendances. Could you please formally pass on this Council's appreciation to the Town Centre Management for their outstanding efforts?"*

**Q4/11      Call Centre Congratulations**  
**Councillor Greg Best**  
F2004/05338

*"I have raised this in the past and there appears to be a recurring theme with regards to Council's Call Centre. This was highlighted in media recently outlining the outstanding efficiencies that this Unit is able to deliver. I understand that we are now the number one call centre for responses in Australia. The recurring theme is that I am continually getting extremely positive and encouraging feedback from our residents with regard to the professionalism and understanding that our Call Centre Unit is providing. As the Call Centre is often the face of Council the efficiencies of this Unit are critical and I am sure my Council colleagues will join with me in formally requesting you advise the front line staff of Council's appreciation of this their efforts?"*

**THE MEETING** closed at 8.21pm.

## **2.1 Mayoral Minute - Consideration of Wyong Shire and Gosford City Councils Amalgamation at the June Central Coast Regional Organisation of Councils (CCROC)**

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TRIM REFERENCE: F2011/00027 - D02586306

AUTHOR: Doug Eaton; Councillor

### ***I formally move:***

- 1 That Council proceed to seek an independent report that addresses the items in the resolution of Gosford City Council detailed below:**
  - A. The provision of independent, comprehensive, objective, quality information on a possible merger/ amalgamation of GCC and WSC as the basis for extensive consultation, be placed on the agenda of the next CCROC meeting.**
  - B. The information should include factors such as:**
    - Examples of similarly sized Councils as an amalgamated GCC/WSC would be**
    - Examples of similarly sized Councils that have amalgamated**
    - The suggested make up of such an amalgamated Council**
    - The impact on residents and Councillors**
    - The process of how the senior management and elected representative positions would be divided up (especially the GM and the Mayor).**
- 2 That both Councils reassure staff that consideration of the above report will be on the basis of a guarantee of job security for permanent award staff for three years as detailed in Section 354F of the Local Government Act.**
- 3 That the Report takes into account the process and criteria detailed in Sections 218 and 263 of the Local Government Act (refer attached copies of these Sections).**
- 4 In addition the report should examine the organizational outcome for:**
  - a. Governance and appropriate Councillor representation for the community;**
  - b. Financial Sustainability; and**
  - c. Community Engagement (local identity, local community sustainability etc).**
- 5 The report should discuss an engagement strategy to ensure appropriate involvement of staff, Consultative Committee and stakeholders.**
- 6 The report should include the results of a statistically valid poll of the residents of the Central Coast.**
- 7 That the scope of the report canvasses the optimal structure for a possible merged Council and the Central Coast Water Corporation, and the relationship between the two entities.**

2.1 **Mayoral Minute - Consideration of Wyong Shire and Gosford City Councils Amalgamation at the June Central Coast Regional Organisation of Councils (CCROC) (contd)**

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**8 *That the draft report be available for workshop by elected representatives from both Councils prior to the Central Coast Regional Organization of Councils meeting scheduled for 30 June 2011.***

At the Gosford City Council meeting on Tuesday, 5 April 2011, the Mayor of Gosford City Council, Councillor Laurie Maher presented a Mayoral minute which raised the matter of Wyong Shire Council and Gosford City Council possibly amalgamating.

The consideration of any merger, amalgamation or other structural reform of Local Government is required to follow a statutory process that includes engagement of the community. Essentially this Mayoral Minute is a precursor to the statutory process.

There are a number of triggers that I feel mean now is a good time for the two councils to discuss a potential amalgamation:

- a. The establishment of the Central Coast Water Corp establishment means we are merging 25% of the two councils operations. This merger will create a significant hole in the corporation structure of the two Councils, and as such all options must be considered to ensure the sustainable delivery of essential services to our community;
- b. Wyong Shire Council has a \$30M operating shortfall (30/6/2010);
- c. The Service Delivery review will reduce this to a \$15M operating shortfall, but we are only half way;
- d. We have an asset renewal shortfall of nearly \$200M on our existing \$2B in assets, which means we are running their condition down;
- e. We have business feedback from the Business Chamber and other stakeholders that Council needs to strengthen regional prominence;
- f. The capacity of our community to afford significant rate increases is limited;
- g. The reliance on rates as council's primary income is high and this income is pegged by State Government;
- h. The Central Coast community do not see themselves as Gosford or Wyong, they see themselves as Central Coast people.

In addition recent events such as: the transition to an independent Central Coast Health Service; the Australian Bureau of Statistic declaring the Central Coast as a Region; the NSW government's nomination of a Minister for the Central Coast; and the establishment of the Central Coast Water Corporation by the two Councils, continue to reinforce a regional view.

## 2.1 **Mayoral Minute - Consideration of Wyong Shire and Gosford City Councils Amalgamation at the June Central Coast Regional Organisation of Councils (CCROC) (contd)**

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Queensland Government research of previous amalgamations in Victoria indicates operational efficiencies can be achieved of between 2.5 and 8.5%/annum, once the initial costs are recouped. These initial costs may take five to seven years to recoup but this means savings of more than \$20M/yr, which removes the operational shortfall and would allow us to attack our asset renewal shortfall. The independent report will look at the potential for financial gain from any proposed amalgamation.

I believe the key question is whether the amalgamation creates a better opportunity for the Central Coast to have a more sustainable Council in the medium to long term, than the current arrangement.

Benefits to be considered in the review would include:

- Operating efficiencies (ie cost savings) including for example: Improved asset management planning and practices; rationalisation of plant and equipment
- New opportunities which are now not achievable and cannot be realistically be achieved by the current Shire structure;
- Strategic outcomes, such as planning at a broader level and dealing with major external stakeholders as a larger unit.
- Increased Financial viability
- Consistency in service delivery and development approvals
- Long term community sustainability
- Improved environmental outcomes.

Disadvantages to be considered in the review would include:

- Potential social and political impacts around reduction in Councillor representation.
- Economic costs of change process.
- Potential impact on the community by a levelling of rates across the Coast.

The above could be considered in an independent analysis with an overall objective of quantifying the net outcome of these factors when they are applied to the Central Coast.

I concur with Gosford's Mayor that there are many examples of co-operation between the two Councils in aspects of their operation. These initiatives aim to improve efficiency, reduce duplication, develop common policies and develop and deliver projects across the Central Coast. But there are other areas that could benefit from further cooperation and a regional approach.

A Central Coast Regional Council could bring tangible benefits to the residents of Wyong. The preparation an objective, independent report is an opportunity to have a well informed discussion with our staff and community on the issue.

Finally as a result of establishing the Central Coast Water Corporation a significant hole in our existing corporate structure has been created and all options must be considered to resolve this.

### **3.1 Exhibition of Updated Shire Strategic Vision**

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TRIM REFERENCE: F2010/01472 - D02576967

AUTHOR: Daniel Smith; Manager Intergrated Planning

#### **SUMMARY**

This report details presents a draft revised Community Plan (formerly the Wyong Shire Strategic Vision adopted in 2009).

#### **RECOMMENDATION**

- 1 That Council adopt the draft Community Plan (revised Shire Strategic Vision) for exhibition.**
- 2 That Council consider submissions on the community Plan on 8 June 2011.**
- 3 That Council pursue, in partnership with the Central Coast Community, State government and Gosford City Council to formulate a Regional Community Strategic Plan by 30 June 2013.**

#### **BACKGROUND**

Council adopted its first community plan called Wyong Shire Strategic Vision: Our Shire Our Future (SSV) in 2009.

The SSV emphasised that Council had a number of roles in the development and achievement of the SSV including:

- Facilitation,
- Integration,
- Communication/engagement and
- Working to achieve the Vision.

It also highlighted the need for others, such as the State government and the community itself, to assist in achieving the Vision over the next 20 years.

The Department of Local Government requires that all councils formulate a "Community Strategic Plan" in partnership with their Community. The current SSV complies with this requirement however, as with all plans, circumstances have changed and a revision is required.

Section 402(5) of the Local Government Act 1993 requires that Community Strategic Plans must be reviewed at least every four years and in particular, a newly elected council must complete a review by 30 June in the year following the local government elections.

More recently, in August 2010 Council resolved changes to the SSV including Recommendation 2.5 of the SDR which states in part:

### 3.1 Exhibition of Updated Shire Strategic Vision (contd)

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*"2.5 Review all elements of the Integrated Planning Program including the:*

- *Shire Strategic Vision... to ensure alignment with this Service Delivery Review and Council's enriched sustainability principles."*

The deadline for this review is 1 July, 2011 and the timeframes suggested in this report allow for compliance with that.

A number of concerns have arisen in Council's efforts to help implement the Shire Strategic Vision including:

- Clarifying who is responsible for action on each of the strategies to achieve the eight Priority Objectives contained in the community vision. Council cannot achieve all the outcomes on its own.
- Ensuring recognition and priority is also given to the provision of essential services that Council must provide to the community at an acceptable standard even though these services may not be listed in the Vision document as a community priority at this time.

These concerns have been addressed in the draft update.

## **PROPOSAL**

### **Community Plan 2011**

The attached draft revision of the Community Plan has been updated to:

- 1 Adopt current terminology throughout.
- 2 Identify who is responsible to achieve each of the Vision's 51 strategies (Council's responsibilities are identified under each of the eight Priority Objectives while other responsibilities are listed in a new Appendix 1 (p. 38).
- 3 Ensure that major projects and capital works do not proceed in the future unless, among other requirements, they clearly meet criteria that deliver the community's Priority Objectives while maintaining essential services (p. 37).
- 4 Incorporate a more detailed sustainability framework throughout with particular reference to the Vision Principles (p. 11).
- 5 Adopt four new strategies for action that will greatly assist in achieving the community's Priority Objectives 1, 3 and 6.
- 6 Outline the Council's very significant responsibility for supplying the community with diverse essential services that are basic community needs and that no one else can/is willing to, provide (e.g. sewage services, waste collection, information, regulatory services etc.)
- 7 Identify how the Shire Strategic Vision relates to State Plan 2010 that was published after the original vision document

The revised Community Plan does not change the four Vision Principles or amend the eight Priority Objectives of the SSV that the community and Council at the time believed should be addressed over the next 20 years in order to achieve the best future quality of life.



The Community Plan 2011 does not propose to change the direction of the SSV Vision, but it reaffirms the document maintains its relevancy and provides the best current direction for the community, Council and State government.

Future reviews will be undertaken to ensure the relevancy and currency of the document is maintained.

#### **Regional Community Plan**

State integrated planning legislation also allows for the formulation of Regional Community Plans covering multiple councils.

In particular, there is an opportunity for both Gosford and Wyong local authorities to enunciate a Central Coast Regional strategy to support the recent declaration of the Central Coast as a formal Region by the Federal Government.

The requirement of the *Local Government Act 1993 (s402 (5))* for both councils to review their Community Strategic Plan within nine months of the local government elections (by 30 June 2013) provides an excellent opportunity to work together to formulate a single unifying community vision for the Central Coast.

It is recommended that Council consider the benefits to proceed in partnership with Gosford Council to formulate a Central Coast Regional Community Strategic Plan which could replace the current individual Council plans by June 2013.

The project would involve developing a partnership with the broader Central Coast community as well as the State government and other relevant organisations.

#### **STRATEGIC LINKS**

##### **Annual Plan**

Council's Annual plan 2010/11 had several programs and projects that have led to the need to update the Shire Strategic Vision including:

- Undertaking an organisational capacity review (p. 40)
- Developing a strategy to improve capability and consistency of the delivery of Customer Service within the organisation (p. 40)

##### **Link to Shire Strategic Vision**

This update of the Wyong Shire Strategic Vision is in keeping with the Vision's need to respond to major shifts in the community and be regularly reviewed.

##### **Financial Implications**

The Shire Strategic Vision clearly lays out the community's priority objectives that, if pursued collectively, will likely lead to the best quality of life in the long run. It has far-reaching financial implications as to how the community and government should be prioritising their expenditure.

**Principles of Sustainability**

The proposed revised Community Plan includes a significant enhancement of the basic Vision Principle of "sustainability". Through this Vision document the community adopted sustainability principles that previously only related to Council activities and programs. This draft Vision includes updated sustainability principles that arose out of Council's Service Delivery Review in late 2010.

**CONSULTATION**

The Shire Strategic vision is a community-based document that was developed and delivered as a partnership between Council, State government, community groups and individuals. The proposed amendments update and enhance the same basic Vision Principles and Priority Objectives as formulated by the original program. Because the update does not change the direction proposed in the original Vision document, exhibition provides for ongoing community involvement and feedback. It is also intended to ensure that members of the original community liaison group are provided with copies of the draft for their specific input and feedback.

It is important that the proposed improvements go back to the community and that the community is given an opportunity to comment through a public exhibition. This is necessary to ensure continued community participation in the Vision partnership.

**GOVERNANCE**

The formulation, review and updating of a community strategic plan is both a legal requirement and best practice for local government throughout New South Wales. It is the foundation on which the integrated planning framework is built.

Ultimately it can serve as the roadmap for future activities and programs by the community, state government and Council. It therefore provides strategic leadership for governance activities.

**CORPORATE RISK**

The lack of a comprehensive strategic plan for the Shire has previously been an "extreme" corporate risk on Council's Risk Register prior to formulation of the Shire Strategic Vision.

While the strategic plan has been formulated, risks still arise if it is not reviewed and updated to reflect the best strategies and directions for achieving the community's priority objectives. In the future a lack of consideration of the community's priorities runs the risk of ongoing ad hoc programs and unfocused expenditure. The clear allocation of responsibilities for the various strategies and objectives reduces the risk of required outcomes not being achieved.

**CONCLUSION**

It is recommended that Council proceed with engagement of the community concerning the amended Shire Strategic Vision and a further report to Council be prepared on the results of engagement. It is also considered timely and appropriate to commence the process of developing a Central Coast Community Strategic Plan in partnership with Gosford City Council

**ATTACHMENTS**

- 1 Community Strategic Plan (2011) Creating Our Ideal Community (Distributed under Separate Cover - Doc No D02583291)

### **3.2 Exhibition of Draft Wyong Shire Council Strategic Plan 2011/12 (incorporating the Annual Plan and 4 year Delivery Plan)**

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TRIM REFERENCE: F2010/01472 - D02579150

MANAGER: Daniel Smith; Manager Intergrated Planning

#### **SUMMARY**

This report presents a Draft Wyong Shire Council (WSC) Strategic Plan 2011/15 for Council's consideration and adoption for public exhibition and consultation. The Draft Plan replaces former annual Management Plans.

#### **RECOMMENDATION**

- 1 That Council place the Draft Wyong Shire Council Strategic Plan 2011/15 (the Draft Plan) on public exhibition.**
- 2 That Council receive submissions from the community concerning the Draft Plan for consideration and possible inclusion in the final plan to be adopted by Council in June 2011.**
- 3 That Council advises its intention to apply a Stormwater Management Levy to "urban" properties west of the F3 Freeway.**
- 4 That Council advises its intention to borrow \$18.575m in 2011-12 from approved institutions.**
- 5 That Council advises that a major change has been applied to its organisational planning methodology.**
- 6 That Council advises its intention to change the Ordinary Rating Categories (defined in the Draft Plan) as follows:-**
  - a Farmland.**
  - b Residential.**
  - c Business.**
  - d Business – major commercial.**
  - e Mining.**
- 7 That Council advises its intention to investigate amalgamation with Gosford City.**

#### **BACKGROUND**

On 1 October 2009 the *Local Government Act 1993* was substantially amended to introduce the Integrated Planning regime of strategic planning. Those amendments provided for the staged introduction of a new strategic planning regime. Wyong Shire Council is, under those transitional provisions, a "Group 2" council and so is required to implement the new Integrated Planning regime until 1 July 2011.

### **3.2 Exhibition of Draft Wyong Shire Council Strategic Plan 2011/12 (incorporating the Annual Plan and 4 year Delivery Plan) (contd)**

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However, in response to an invitation from DLG, on 23 rd February 2011 Council has applied to have its status altered from a "Group 2" council to a "Group 3" council, which when effected will result in Council not being required to implement the new Integrated Planning Regime until 1 July 2012.

Council is currently required to prepare an Annual Management Plan under previous legislation notwithstanding transitional arrangements to having a plan compliant with the new planning framework – "Integrated Planning Framework" (s 403-5) which became effective July 1<sup>st</sup> 2010. The Local government Act 1993 was amended (2009)

The Department of Local Government (DLG) has issued guidelines for Integrated Planning and Reporting that allow flexibility around how councils address the integrated framework recognising that there can be local circumstances that impact how the guidelines are met.

Transition arrangements for New South Wales Councils are being staged over a three year change-over period in three groups of councils commencing with the Group 1 change-over in the 2010-2011 year.

WSC previously chose to be in "Group 2" requiring full compliance by 1 July, 2011 however due to the organisation's state of readiness Council resolved (February 2011) to select "Group 3" allowing more time for organisational change to be consolidated. Full compliance with the legislation is required by Wyong by 1 July, 2012.

The process and timeliness of organisational change in planning and budgeting has allowed Council to develop its own Strategic Plan which incorporates all the elements required by legislation and the Integrated Planning Framework. Council has expedited its transition from the outdated annual management planning process to present its 2011-12 plans in the Integrated Planning format as permitted by the transitional guidelines.

Section 405 of the Local Government Act 1993 requires Council to place its draft plan on public exhibition for 28 days.

WSC has been in a substantial operating loss mode for the past five years peaking with an operating shortfall of \$30 million in 2009/10 a situation has arisen from a combination of many factors including:

- Rate capping by State government since the 1970s. In the 10 years from 1995-2005 rates in NSW increased by a mere 25% compared with CPI increase over the same period of 56%.
- Increased demand and expectations for community services.
- Cost shifting where other levels of government have transferred responsibilities to local government without financial compensation (e.g. emergency services, weed management, collecting waste levies etc.).
- Need for maintenance and replacement of assets. Almost all NSW councils find the way they have planned, managed and depreciated roads, bridges and buildings in the past is inadequate.
- A growing population within the Wyong Shire.

**CURRENT STATUS**

A Draft Wyong Shire Council Strategic Plan (the Draft Plan) 2011/15 has been prepared in accordance with the Local Government Act 1993 (s 403-5) and the DLG guidelines.

Presentation of the Draft Plan enhances the minimum requirements by providing an improved display of the connection between Council's Plan and the Community Strategic Plan (formerly the Shire Strategic Vision) – i.e. Council's intended contribution to the Community.

The Draft Plan also provides an enhanced presentation of the services planned for the community and the resourcing strategies that are required to deliver the programme of services and the renewal/replacement/addition of assets

The major components of the Draft Plan are:

- Council's contribution to the Community Strategic Plan
- 4 Year Delivery Plan,
- Annual Plan,
- Major Projects,
- Key Performance Indicators,
- Budget for both 2011/12 and projections for the following 3 years (including a capital works program, fees and charges).
- Asset Management Strategy (including an Asset Management Policy),
- Workforce Management Strategy,
- Long Term Financial Strategy,
- Statement of Revenue Policy.

This format replaces the former annual Management Plan.

The new document has been designed as a single point of reference for all the Principal Activities to be undertaken by Council during 2011/12 through to 2015. It identifies the assets, workforce and financial resources that will deliver these activities for 2011/12 and beyond and the Revenue Strategies that provide for WSC's funding of services.

The Draft WSC Strategic Plan 2011/15 identifies how Council will continue to supply the community with diverse essential services under its 12 "Principal Activities" that no one else can do, should do, or is willing to provide (e.g. sewerage services, waste collection, information, regulatory services etc.).

It details Council's contribution to achieving the priority objectives identified as the community's longer-term outlook and expressed in the Community Strategic Plan. The plan provides information to the community about the wide range of WSC's activities and services.

The Community Strategic Plan (formerly SSV), has been updated as a concurrent process to the formulating the Draft WSC Strategic Plan 2011-15.

It is intended that both Draft Plan and the Community Strategic Plan (2011) will be exhibited simultaneously.

**PROPOSAL**

The proposed Draft Strategic Plan 2011/15 has been formulated on the principal theme of addressing a robust pathway to financial sustainability\*.

**NB \*** Financial sustainability for WSC is defined as the organisation having an on-going ability for the next five years to fund it's current level and/or chosen level of services; maintain its assets at optimal condition given the service levels required by Council and: Have the ability to meet the financial impost of a significant unplanned event – e.g. major flooding.

The second key theme present in management approach that will deliver the plan, is the significant change in the culture of the organisation that will enable WSC to improve its responsiveness to the community's changing and evolving needs. Those needs require a fit and agile organisation that maximises its service delivery effectiveness.

**Major features of this Plan include:**

- Annual Plan and 4-Year Delivery Programme Budgets based on clear deliverables and affordability of services – i.e. living within the income available.
- A recognition that the pathway from deficits to achieving financial break-even will take time.
- A recognition that achieving a desirable balance in the condition and functionality of Council's operating assets will also take time.
- Development and expansion of revenue programmes and sources.
- A reduction of the operating budget shortfall from \$30 million in 2009-10 to \$15 million in 2011-12 and projections for years 2-4 (the outyears) that show decreasing deficits to achieve a balanced budget in 2014-15.
- A Capital Works budget of \$85.0m for 2011-12
- Increased spending on roads and bridges.
- Increased spending on essential services.
- Decreased spending of non-critical functions and activities.
- Introduction of a new Stormwater Management Charge for properties west of the Freeway.
- A new domestic waste charge of \$417 per rateable property.
- Re-organisation of Council's accounting system to reflect a widely accepted "built-up" approach to organisational budgeting.
- Principal Activity and Service costs based on the "fully-absorbed" methodology to allow for transparent recovery of costs through income.
- Continuation of the waste remediation and land-fill remediation programmes.
- Acknowledgement of the impact from the establishment of the Central Coast Water Corporation
- A change in the general rate of 2.8% as struck by the NSW State Government.
- Increased fees and charges (circa 5% overall) based on cost recovery and user-pays principles.

**Impact on the “Typical Residential Ratepayer”**

The typical residential ratepayer has a property value of \$157,000 and water usage of 152 KI per year (which is the average residential demand for residences)

The increase for the typical residential ratepayer, as shown below in Table 1 is \$123.27 per year, or \$2.37 per week. The rise in cost is mostly due to domestic waste and water costs.

**Table 1: Impact of 2011/12 Budget on Typical Residential Ratepayer**

	2010/11 \$	2011/12 \$	Increase \$	Increase %
<b>Median Property Valuation</b>	<b>157,000</b>	<b>157,000</b>	--	--
General Rates	686.46	692.42	5.96	.9
Domestic Waste Charge	348.50	417.00	68.50	19.7
Stormwater management	25.00	25.00	0	0
Water Access	136.05	156.85	20.80	15.3
Sewerage	437.39	448.12	10.73	2.5
Drainage	84.72	86.80	2.08	2.5
<b>Subtotal</b>	<b>1,718.12</b>	<b>1,826.19</b>	<b>108.07</b>	<b>6.3</b>
Water Usage (152 KI)	284.24	299.44	15.20	5.3
<b>TOTAL</b>	<b>2,002.36</b>	<b>2,125.63</b>	<b>123.27</b>	<b>6.2</b>

**Changes between the 2010-2011 Management Plan and this WSC Strategic Plan.**

1. The entire basis of the 2011-15 plan is predicated on a built-up budgeting approach as opposed to the high-level service allocation methods of previous years;
2. Principal Activities have been re-defined to reflect Council’s major groups of service delivery actually undertaken :-

**Table #2 Principal Activity Comparison**

Principal Activities 2011 -2015	Principal Activities 2010-2011 and before.
1. Community Education	1. A More Sustainable Community
2. Community Recreation	2. A More Sustainable Economy
3. Economic & Property Development	3. A More Sustainable Environment
4. Council Enterprises	4. Infrastructure
5. Regulatory	5. Organisation
6. Environment & Land Use	
7. Waste	
8. Roads	
9. Drainage	
10. Water Services	
11. Sewage Services	
12. Administration	

3. Services have been re-defined to reflect groups of "service products " provided by Council;
4. General Rates have been raised by 2.8% in accordance with the NSW State Government ruling;
5. Fees and Charges have changed to reflect actual full-cost where possible and affordable – an average of 5% increase over the range of fees and charges;
6. Capital expenditure on roads and bridges has been increased by 42% - i.e at the estimated \$22.9m for 2011-12, expenditure will be \$6.9m more than the current year's budget of \$16.1m.

## STRATEGIC LINKS

### Link to Community Strategic Plan

The Plan clearly shows what Council intends to do during 2011-12 and in the subsequent three years to achieve the community's priorities outline in the Community Strategic Plan through specific service delivery while at the same time ensuring that there is "best value" provision of essential community services.

### Financial Implications

The Plan provides for a sustainable pathway to an operating "break-even" point by 2015. Any departure from planned expenditure programmes will have a negative affect on that target unless balancing (i.e. cost savings) strategies accompany changes in expenditure priorities.

### Principles of Sustainability

The Plan identifies the 10 Sustainability Principles on which WSC bases its operations. It has been formulated to clearly identify the services contributing to the sustainability's "quadruple bottom line" of the environment, economy, society and civic leadership. It pays particular attention to addressing issues impacting the long-term financial sustainability of Council.



**COUNCIL'S PLANNING PROCESS - CONSULTATION**

The Draft WSC Strategic Plan has been formulated through a process of extensive consultation with Councillors who have established strategic direction, provided leadership and set priorities through a series of workshops and briefings.

Council has held specific workshops on the proposed Capital Works Program as well as the draft Financial, Asset and Workforce Management Strategies. Council Service Units and the Executive have contributed specific actions and formulated the budgets to maintain essential community services and deliver the priorities as set by Councillors.

Engagement with the community is planned throughout the exhibition period and will involve:-

- Familiarisation and consultation meetings with the Precinct Committees.
- Meetings with interested groups i.e. sports clubs, community service groups and clubs, Chambers of commerce etc.
- Website Information.
- Media promotions.

**GOVERNANCE**

This first WSC Strategic Plan 2011/15 is a significant milestone in implementing the integrated planning framework and providing an improved structured approach to civil leadership and governance.

The Strategic Plan provides a clear roadmap for activities and major projects. It identifies the assets, workforce and financial resources necessary to achieve its ambitious programs and provides a system for measure monitoring the results over the course of the Plan.

**CORPORATE RISK**

Formulation and adoption of Council's Strategic Plan 2011/12 provides clear direction for the upcoming financial year and beyond. The accompanying asset, workforce and financial strategies ensure that the resources are allocated on a priority basis and are available to maintain essential community services and provide programs for the forthcoming year. In so doing, it mitigates significant risks arising from ad hoc decision-making and provides long-term direction.

**CONCLUSION**

Council has re-assessed its service priorities by Principal Activity and included those changes into the Plan by way of matching expenditure intended for the coming years.

Council has determined to ensure that it will only provide services within the available income – i.e. living within its means.

A style of plan has been adopted that emulates the new legislated requirements despite not being obligated to do so until 2012-13. The new plan provides clear connectivity between the Community Strategic Plan, the activities of Council and the resourcing required to deliver specified services.

Financial targets have been set toward achieving financial sustainability\*\* by 2015

It remains for Council to seek the opinion of the community before final adoption.

\*\*See page 4 of this document.

**ATTACHMENTS**

- 1 Wyong Shire Council Strategic Plan 2011/12 (Distributed under Separate Enclosure Cover)