



Wyong
Shire
Council
CENTRAL COAST



Council makes repairs to a footbridge at Chain Valley Bay after it was damaged from the recent fires.

Wyong Shire Council

Business Paper

ORDINARY COUNCIL MEETING

27 November 2013

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MEETING NOTICE

The **ORDINARY COUNCIL MEETING**
of **Wyong Shire Council**
will be held in the **Council Chamber,**
Wyong Civic Centre, Hely Street, Wyong on
WEDNESDAY 27 NOVEMBER 2013 at 5.00 pm,
for the transaction of the business listed below:

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY

RECEIPT OF APOLOGIES

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

Michael Whittaker
GENERAL MANAGER

1.1 Disclosures of Interest

TRIM REFERENCE: F2013/00023 - D04258764

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jade Maskiewicz; Councillor Services Officer

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

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

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

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

RECOMMENDATION

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

1.2 Proposed Inspections and Briefings

TRIM REFERENCE: F2013/00023 - D04258767
MANAGER: Sonia Witt, TL Governance and Councillor Services
AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

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

Date	Briefing	Directorate
27 November 2013	Q1 2013/14	GM Unit
27 November 2013	Lifeguard Uniforms	Community and Recreation Services
27 November 2013	IP&R Councillor Briefing (2 hours)	GM Unit
27 November 2013	Iconic Development Sites	Property and Economic Development

RECOMMENDATION

That Council receive the report on Proposed Inspections and Briefings.

ATTACHMENTS

- 1 Councillor Proposed Briefings - Ordinary Meeting 27 November 2013 D04464640

Proposed Briefings List to date

Briefing Title:	Directorate:	Proposed Month:	Proposed Date:
Q1 2013/14	GM Unit		27/11/2013
Lifeguard Uniforms	Community and Recreation Services		27/11/2013
IP&R Councillor Briefing (2 hours)	GM Unit		27/11/2013
Iconic Development Sites	Property and Economic Development		27/11/2013
Native Title Application	Property and Economic Development		11/12/2013
Confidential* General Managers Performance Review	GM Unit		11/12/2013
IP & R Councillor Briefing (1 1/2 hours TBC)	GM Unit		11/12/2013
Property Strategy	Property and Economic Development		11/12/2013

1.3 Address By Invited Speakers

TRIM REFERENCE: F2013/00023 - D04258841

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

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

RECOMMENDATION

That Council receive the report on Invited Speakers.

ATTACHMENTS

Nil

1.4 Confirmation of Minutes of Previous Meeting

TRIM REFERENCE: F2013/00023 - D04258943

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on Wednesday 13 November 2013.

RECOMMENDATION

That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 13 November 2013.

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | Minutes - Ordinary Meeting 13 November 2013 | D04340888 |
| 2 | Minutes - Confidential Session of the Ordinary Meeting 13 November 2013 (D04370876) | |

WYONG SHIRE COUNCIL

**MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 13 November 2013
COMMENCING AT 5:00 PM**

PRESENT

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

IN ATTENDANCE

General Manager, Acting Director Development and Building, Director Infrastructure and Operations, Director Property and Economic Development, Director Community and Recreation Services, General Counsel, Manager Communications, and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.04 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

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

The Mayor, on behalf of Council and the community, paid special tribute to Council staff involved with the recent bushfire emergency on Thursday 17 October and Friday 18 October 2013, and thanked staff for their outstanding efforts in conjunction with the Bushfire Brigade which protected lives and property in the Wyong Shire.

The Mayor also acknowledged the SES for the great work this organisation performs on behalf of the community.

APOLOGIES

A request for leave of absence was received from Councillor Nayna due to work commitments.

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

1340/13 That Council grant leave of absence from the meeting.

At the commencement of the ordinary meeting report nos 1.1, 1.2, 1.3, 4.1, 4.12, 4.11, 2.1, 4.3, 4.5, 4.6, 4.10, 5.1, 5.2, 7.1 and 7.2 were dealt with first then the remaining reports in order. However for the sake of clarity the reports are recorded in their correct agenda sequence.

1.1 Disclosures of Interest

2.1 Draft Retail Centres Strategy

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that land owned by his family could be perceived to be affected by the Strategy, he left the chamber at 6.52 pm, took no part in discussion, did not vote and returned to the chamber at 7.07 pm.

4.4 Grants Advisory Group - 15 October 2013

Councillor Webster declared a non-pecuniary insignificant interest in the matter for the reason that she is a member of the Multicultural Advisory Committee (a grant recipient) and participated in consideration of this matter.

Councillor Webster stated:

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

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is a member of the Multicultural Advisory Committee (a grant recipient) 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 Eaton declared a non-pecuniary insignificant interest in the matter, for the reason that he is a member of the Multicultural Advisory Committee that is a grant recipient and the China Australia Friendship Society (CAFS) is the auspicing body, of which his wife is a board member, and participated in consideration of this matter.

Councillor Eaton stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I am a Council delegate to the Multicultural Advisory Committee and CAFS only auspicer not organiser."

4.10 Proposed Councillors' Community Improvement Grants

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is a member of Scouts NSW, and his son is a cub who will be attending the NSW Cubora Camp, left the chamber at 7.36 pm, took no part in discussion, did not vote and returned to the chamber at 7.38 pm.

Councillor Vincent stated:

"I choose to take no part in discussion and voting for this item."

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

1341/13 That Council receive the report on Disclosure of Interest and note advice of disclosures.

1.2 Proposed Inspections and Briefings

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

1342/13 That Council receive the report on Proposed Inspections and Briefings.

1.3 Address By Invited Speakers

Mr Dennis Banicevic, External Auditor, representing Price Waterhouse Coopers addressed the meeting at 5.11 pm, answered questions and retired at 5.24 pm.

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

1343/13 That Council receive the amended report on Invited Speakers.

1344/13 That Council agree meeting practice be varied to allow reports from Directors and/or the General Manager to be dealt with following an Invited Speaker's address.

1.4 Confirmation of Minutes of Previous Meeting

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

1345/13 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 23 October 2013.

Business Arising

There was no business arising.

1.5 Notice of Intention to Deal with Matters in Confidential Session

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

1346/13 That Council consider the following matters in Confidential Session, pursuant to Sections 10A(2d)(ii) AND 10A(2a) if the Local Government Act 1993:

9.1 - Pools and Recreation Centres

9.2 - Appointment of Independent Member of the Audit and Risk Committee.

1347/13 That Council note its reason for considering Report No 9.1 Pools and Recreation Centres - Update as commercial information of a confidential nature that would, if disclosed: confer a commercial advantage on a competitor of the Council.

1348/13 That Council note its reason for considering Report No 9.2 Appointment of independent Member of the Audit and Risk Committee - personnel matters concerning particular individuals (other than Councillors).

1349/13 That Council request the General Manager to report on this matter in open session of Council.

2.1 Draft Retail Centres Strategy

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that land owned by his family could be perceived to be affected by the Strategy, he left the chamber at 6.52 pm, took no part in discussion, did not vote and returned to the chamber at 7.07 pm.

Councillor Eaton vacated the chair at 6.52 pm and Councillor Webster assumed the chair for consideration of this item.

Councillor Taylor left the meeting at 7.06 pm and returned to the meeting at 7.08 pm and as a result took no part in voting.

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

- 1350/13** That Council adopt the Retail Strategy 2013 and repeal the current Retail Strategy 2007 and Development Control Plan Chapter 81 – Retail Centres.
- 1351/13** That Council include the rezoning recommendations contained within the 2011/2012 Retail Review into the first major amendment to Wyong Local Environmental Plan 2013.
- 1352/13** That Council place on public exhibition for a period of 28 days the proposed amendment to Chapter 5.1 (Retail Centres) of Wyong Development Control Plan 2013.
- 1353/13** That Council endorse the Development Control Plan Chapter 5.1 (Retail Centres), subject to there being no significant objections.
- 1354/13** That Council request the General Manager to invite Marcus Westbury of Renew Australia to come to Wyong to consult with Staff on creative projects that improve retail centres.
- 1355/13** That Council, in developing such a draft retail strategy, note Gosford City Council's retail strategy thereby delivering a regional focus to this important employment initiative.

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

AGAINST: NIL

Councillor Eaton resumed the chair at 7.07 pm.

3.1 Classification of Land, Lot 15 DP 1184211 at 198 Roper Road, Blue Haven

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

1356/13 That Council propose to classify Lot 15 DP 1184211 at 198 Roper Road, Blue Haven as Operational Land.

1357/13 That Council advertise the proposal in accordance with Section 34 of the Local Government Act 1993.

1358/13 That Council adopt the classification if no adverse submissions are received.

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

AGAINST: NIL

4.1 Presentation of 2012/13 Annual Financial Statements

Mr Dennis Banicevic, External Auditor, representing Price Waterhouse Coopers addressed the meeting at 5.11 pm, answered questions and retired at 5.24 pm.

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

1359/13 That Council present the Audited 2012/13 Financial Statements in accordance with the Local Government Act 1993.

1360/13 That Council invite the External Auditor, Mr Dennis Banicevic (representing PricewaterhouseCoopers) to formally present the Auditor's report on Council's 2012/13 Annual Financial Statements.

PROCEDURAL MOTION

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

1361/13 That Council allow meeting practice to be varied.

1362/13 That Council suspend the order of business to allow, Item 4.12 Child Care Review, followed by Item 4.11 Central Coast Regional Airport Status Report, to be brought forward for consideration due to the large number of attendees in the Public Gallery for these items.

4.2 Annual Report 2012/13

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

- 1363/13 That Council adopt the 2012/13 Annual Report (including enclosures).
- 1364/13 That Council authorise the General Manager to make final minor changes to the plan to ensure correctness and clarity.
- 1365/13 That Council post a copy of the 2012/13 Annual Report (including enclosures) on Council's website.
- 1366/13 That Council advise the Minister for Local Government of Council's URL link to access the report.

4.3 Planning Proposal - Revision of Wyong LEP 2013 - Revision of Flood Planning Mapping

Councillor Taylor left the meeting at 7.06 pm and returned to the meeting at 7.08 pm during consideration of this item.

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

- 1367/13 That Council initiate the Local Environmental Plan "Gateway" process, pursuant to Section 55 of the Environmental Planning and Assessment Act 1979 through the preparation of a Planning Proposal requesting the adoption of new flood mapping under Wyong LEP 2013.
- 1368/13 That Council forward the Planning Proposal to the Department of Planning and Infrastructure requesting a "Gateway" determination, pursuant to Section 56 (1) of the Environmental Planning and Assessment Act.
- 1369/13 That Council undertake community consultation regarding the Planning Proposal, subject to the determination of the Gateway Process.
- 1370/13 That Council receive a further report on results of the community consultation.
- 1371/13 That Council prepare an amendment to (draft) Development Control Plan 2013 for Wyong Shire to align with the amendments to Wyong LEP 2013.

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

4.4 Grants Advisory Group - 15 October 2013

Councillor Webster declared a non-pecuniary insignificant interest in the matter for the reason that she is a member of the Multicultural Advisory Committee (a grant recipient) and participated in consideration of this matter.

Councillor Webster stated:

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

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is a member of the Multicultural Advisory Committee (a grant recipient) 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 Eaton declared a non-pecuniary insignificant interest in the matter, for the reason that he is a member of the Multicultural Advisory Committee that is a grant recipient and the China Australia Friendship Society (CAFS) is the auspicing body, of which his wife is a board member, and participated in consideration of this matter.

Councillor Eaton stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I am a Council delegate to the Multicultural Advisory Committee and CAFS only auspicer not organiser."

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

1372/13 That Council receive the draft minutes of the Wyong Shire Grants Advisory Group held on 15 October 2013.

1373/13 That Council allocate \$605.46 from the 2013-14 Community Subsidy Program as follows:

Applicant	Project Name and Summary	Committee Funding Recommended
Wyong Creek Literary Institute	Rates subsidy for 2012 - 2013 year	\$465.46
Central Coast Watercolour Society	Printing for 'Try your hand at Watercolour' not-for-profit community event	\$140.00

1374/13 That Council decline applications for the reasons indicated in the table below and the applicants be advised and where relevant, directed to alternate funding programs:

Applicant	Project Name and Summary	Committee Assessment
Camp Breakaway Inc	Rates subsidy for 2012 - 2013 year	Application ineligible.

1375/13 That Council allocate \$7,000.00 from the 2013-14 Sport and Cultural Sponsorship Program as follows:

Applicant	Project Name and Summary	Committee Funding Recommended
Mr Paul Dawson	2013 Trans Tasman Oztag International	\$1,000.00
Ms Ocean Hampton	Soccer tournament in Las Vegas	\$1,000.00
Mr Mitchell Riley	Represent NSW in rugby union travelling to the United Kingdom	\$500.00
Mr Michael Tweedie	The Australian Masters National Hockey Championships	\$500.00
Mr Samuel Heterick	NSW Country U18's England Tour from 24 November to 6 December 2013	\$500.00
Miss Pyper Denneman	Representing the Polding Region at 2013 NSWPSA Girls Cricket Carnival in Bomaderry NSW	\$250.00
Miss Jaz Denneman	Representing the Polding Region at 2013 NSWPSA Girls Cricket Carnival in Bomaderry NSW	\$250.00
Mr Joshua English	2013 AIBA World Championships for Amateur Boxing to be held in Almaty, Kazakhstan from the 11 to 27 October	\$1,000.00
Mr Brad Perrin	Inaugural International Special Olympics Asia Pacific Games. This event is for athletes with an intellectual disability	\$500.00
Mr Mitchell Carlin	Inaugural International Special Olympics Asia Pacific Games, which will be held in Newcastle, NSW from December 1-7, 2013. This event is for athletes with an intellectual disability	\$500.00
Mr Adam Gowen	Australian Men's Oztag Team tour of New Zealand	\$500.00
Mr Rodney Dillon	Represent Australia in New Zealand in Oztag in the 2013 Trans Tasman Tour	\$500.00

1376/13 That Council decline applications for the reasons indicated in the table below and the applicants advised and where relevant, directed to alternate funding programs:

Applicant	Project Name and Summary	Committee Assessment
<i>Miss Jasmine Fischbeck</i>	<i>Attend Hawaii in January 2014 for the Aloha Gymfest representing Australia</i>	<i>Application ineligible.</i>

1377/13 That Council allocate \$32,540.58 from the 2013-14 Community Benefit Grants Program as follows:

Applicant	Project Name and Summary	Committee Funding Recommended excl. GST
<i>Global Care Australia</i>	<i>Foodcare Charmhaven</i>	<i>\$750.00</i>
<i>Regional Youth Support Services Inc</i>	<i>Our Voice Music Lab</i>	<i>\$4,250.00</i>
<i>San Remo Community Men's Shed</i>	<i>Defibrillator for Lifesaving assistance for Sudden Cardiac Arrest</i>	<i>\$2,735.00</i>
<i>Wyong District Museum and Historical Society</i>	<i>Relocation of Telephone Line</i>	<i>\$300.00</i>
<i>Warnervale Family and Community Centre</i>	<i>Celebrating Harmony Day at Warnervale</i>	<i>\$1,100.00</i>
<i>The Salvation Army Australia (NSW) Property Trust</i>	<i>Fridge/Freezer for Oasis Community Hub project</i>	<i>\$8,165.58</i>
<i>Australian Hispanic Women's Business Network (AHWBN)</i>	<i>The Magic of a Peruvian / South American Xmas @ Wyong Shire</i>	<i>\$1,000.00</i>
<i>Multicultural Advisory Committee</i>	<i>End of the Year Cultural Celebration 2013</i>	<i>\$2,200.00</i>
<i>San Remo Neighbourhood Centre Inc</i>	<i>GOATS (Going Off At The Swamp) Family Festival 2014</i>	<i>\$10,300.00</i>
<i>St Vincent de Paul Broken Bay</i>	<i>Calliope - Social Group for women who have escaped domestic violence 'post domestic violence'</i>	<i>\$1,740.00</i>
Total		<i>\$32,540.58</i>

1378/13 That Council defer the following Community Benefit Grants applications pending further discussion with Wyong Shire Council (WSC) staff, for the reasons indicated in the table below:

Applicant	Project Name and Summary	Committee Recommendation
<i>Homeless No More</i>	<i>Homeless No More - Storage Container</i>	<i>Defer pending further review.</i>
<i>Fusion Central Coast Inc</i>	<i>Media and Communication Skills Workshops for Arts Groups and Arts Practitioners</i>	<i>Defer pending further review.</i>
<i>Toowoomb Bay Surf Life Saving Club Inc</i>	<i>Purchase of Radio Safety Helmets for Toowoomb Bay SLSC</i>	<i>Defer pending outstanding payments to Council.</i>
<i>Ourimbah Public School Parents and Citizens Association</i>	<i>Sesquicentenary Celebration Book</i>	<i>Defer pending further review.</i>

1379/13 That Council decline the following Community Benefit Grant applications for the reasons indicated in the table below, the applicants be advised and where relevant, directed to alternate funding programs:

Applicant	Project Name and Summary	Committee Recommendation
<i>Rotary Club of The Entrance</i>	<i>RYDA road safety education program - A one day out of school program delivering practical road safety information targeting attitude and awareness of young drivers and their passengers</i>	<i>Not Recommended.</i>
<i>Multiple Sclerosis Limited trading as MS Australia</i>	<i>Wyong Disability Care Australia Conversation Forum for People with Progressive Neurological Disease</i>	<i>Not Recommended.</i>
<i>Wyong Family History Group</i>	<i>Publications station - To purchase and implement a multi-tasking publications station for our research Centre at Wyong Family History Cottage</i>	<i>Not Recommended.</i>
<i>Wyong Dog Training Club Incorporated</i>	<i>"No Barriers with Pets" Open Day with Wyong Dog Training Club - Free fun day for the whole family, Our theme of the day is "No Barriers with Pets"</i>	<i>Not Recommended.</i>
<i>Berkeley Vale Soccer Club Inc</i>	<i>Goals for Kids</i>	<i>Not Recommended.</i>

Applicant	Project Name and Summary	Committee Recommendation
Killarney Vale AFC Inc	Central Coast (Australian Football League) AFL 9's Tournament - Inter primary schools competition over 6 weeks providing transport for participants on the basis of economic hardship for schools and players and their families	Not Recommended.
Northern Settlement Services	STOP Racism and enjoy a Cultural Experience at your local school	Not Recommended.
Bateau Bay Anglican Church	Bateau Bay Anglican Church Garden renewal	Not Recommended.
4 Hope Ministries	Christmas in the neighbourhood	Not Recommended.
Greek (Hellenic) Community of Central Coast of NSW Inc.	Cycle of Life - 1.30hr show involving professional artists and CALD leaders from five different backgrounds namely Latin American, Thai, Fijian, Chinese and Greek with the key participation of Aboriginal Elders	Not Recommended.

1380/13 That Council allow an extension to Toukley Neighbourhood Centre to expend a grant received in October 2010:

Applicant	Project Name and Summary	Reason for Extension	Committee Funding Recommendation excl. GST
Toukley Neighbourhood Centre (TNC)	Mural Project	Change of staff, application and payment overlooked. Payment in TNC bank account.	\$5,000.00

1381/13 That Council allocate \$119,700.00 from the 2013-14 Community Matching Fund as follows:

Applicant	Project Name and Summary	Committee Funding Recommended excl. GST
Northern Lakes Power AFL Inc	Floodlighting at Northlakes Oval	\$75,000.00
Tantrum Theatre Co-operative Limited	The Wyong Project: A performing arts development project for young people in Wyong Shire.	\$18,700.00
The Entrance North Progress Association Inc	Fencing and planting along dune path and around beach seating area.	\$26,000.00
Total		\$119,700.00

1382/13 That Council defer the following applications pending further information being presented by Council staff for the reasons indicated in the table below:

Applicant	Project Name and Summary	Committee Recommendation
YMCA of Sydney (trading as YMCA NSW)	Electronic vertical dividing curtain for Lake Haven Recreation Centre Sports Stadium.	Defer pending further information.
Concern Australia Hand Brake Turn	Hand brake turn – Youth engagement and sustainability scholarship.	Defer pending further information.
Manno Men's Shed	Manno Mens' Shed Building.	Defer pending ability to meet DA approval conditions within funding and outcome from other grant applications.
Northern Lakes Disability Tourism Precinct	Lakes Beach disability beach accessway.	Defer pending further investigation regarding previous funding for same project.
Long Jetty Senior Citizens Club	Replacement of roof.	Defer pending further investigation.

1383/13 That Council defer the following application until the next round of Community Matching Fund Grants:

Applicant	Project Name and Summary	Committee Recommendation
CASAR Park Supporters Inc	Casar Park Community Motor Sport Facility development application.	Defer application – staff to liaise with applicant to clarify matching component.

1384/13 That Council decline the following Community Matching Fund applications for the reasons indicated in the table below, the applicants be advised and where relevant, directed to alternate funding programs:

Applicant	Project Name and Summary	Committee Recommendation
San Remo Community Men's Shed	Expansion of the San Remo Community Men's Shed.	Project has merit however is not recommended as priority in category with numerous other applications. Recommend applicant resubmit next funding round.
Wyong Creek Literary Institute	Upgrade to celebrate centenary of Wyong Creek Hall.	Applicant encouraged to re-submit next round when outcomes of other grant applications are determined.

Applicant	Project Name and Summary	Committee Recommendation
Kanwal Public School Parents and Citizens Association	Let's stop the stormwater and save our our Tuggerah Lakes Catchment!	Recommend applicant seek more suitable funding source for project.
Central Coast Hockey Incorporated	Wyong Regional Hockey Complex upgrade and refurbishment.	Recommend applicant reapply in a future round when organisation's financial contribution is clarified.
The Razorbacks Rugby Club	Change rooms and showers.	Project not recommended.
Berkeley Vale Soccer Club Incorporated	Kurraba Facility.	Project not recommended.
North Lakes Community Services Incorporated	Bump mentoring and workshops for young Mums.	Project proposal has merit however not recommended as a priority in current round.
Fairhaven Services	A sustainable life.	Project not recommended as currently proposed.
Tuggerah Lake Reserve (R1003002) Trust	Pioneer Dairy Wetland.	Whilst project has significant merit it is not the recommended project for the Environment category. Recommend applicant resubmit in a future round.
St Mary's Catholic Primary School Toukley	Library/Technology Community Hub.	Project not recommended.

4.5 Amendments to Temporary Economic Stimulus Plan

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

1385/13 That Council resolve to repeal the previous Temporary Economic Stimulus Plan and adopt the consolidated Temporary Economic Stimulus Plan attached to this report with the following amendments:

- (a) The inclusion of an additional point 7f(iii) "That any Wadalba corridor contribution be subject to individual negotiations" in paragraph 7 of the recommended consolidated Temporary Economic Stimulus Plan.**
- (b) And the deletion of the words "including those lodged with Section 96 applications" from paragraph 4 of the recommended consolidated Temporary Economic Stimulus Plan.**

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

AGAINST: NIL

4.6 Draft WWAHT Contributions Plan

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

1386/13 That Council adopt the exhibited Draft Wadalba, Woongarra and Hamlyn Terrace Development Contributions Plan with the amendments recommended in this report, comprising:

- a The relocation of the northern boundary in the Wadalba Environmental Corridor Catchment Map to align with the Pacific Highway.**
- b The change of the “Knowledge Centre” reference to the “Warnervale Community Hub”.**
- c The area and the corresponding value for small park S2 be increased from 0.45ha to 0.5ha.**
- d The removal of road works I6 – Pacific Highway/Chelmsford Road intersection upgrade from the plan.**
- e The insertion of the cost estimates for the Johns Rd Stormwater Culvert, Drainage Channel F works and Drainage Channel F landscaping provided by ADW Johnson.**
- f The incorporation of the 0.35 development unit ratio for secondary dwellings.**

1387/13 That Council request the Minister for Planning and Infrastructure to exempt the adopted Wadalba, Woongarra and Hamlyn Terrace Development Contributions Plan from capping by including the area/plan in Schedule 1 of the Section 94E Direction.

1388/13 That Council request the General Manager to respond to those people who made submissions to the exhibition.

1389/13 That Council request the General Manager to update section 149 certificates on affected properties.

1390/13 That Council request the General Manager to ensure that any Wadalba corridor contribution be subject to individual negotiations.

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

AGAINST: NIL

4.7 Policy for Debt Management

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

1391/13 That Council approve the policy for debt management and allow for immediate adoption.

4.8 Election Services Provider 2016

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

- 1392/13 That Council note the next Ordinary Election of Wyong Shire Councillors will be held in September 2016.
- 1393/13 That Council note that the final date to resolve to enter into an election arrangement with the NSW Electoral Commissioner for the conduct of its own election is March 2015.
- 1394/13 That Council seek expressions of interest from Election Services providers in relation to the conduct of the Wyong Shire 2016 election, including details of costs, hybrid models and joint tendering opportunities.
- 1395/13 That Council direct the General Manager to provide a report comparing the information received from the Expressions of Interest process including a recommendation on the best value option available to Council.

4.9 2014/15 Strategic Planning - Councillor Engagement

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

- 1396/13 That Council endorse the 2014/15 Strategic Plan Councillor engagement program.

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

AGAINST: NIL

PROCEDURAL MOTION

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

- 1397/13 That Council allow the Scouts Australia grant application to be dealt with as a separate item.

4.10 Proposed Councillors' Community Improvement Grants

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is a member of Scouts NSW, and his son is a cub who will be attending the NSW Cubora Camp, left the chamber at 7.36 pm, took no part in discussion of the Scouts Australia grant application, did not vote and returned to the chamber at 7.38 pm.

Councillor Vincent stated:

"I choose to take no part in discussion and voting for this item."

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

1398/13 That Council allocate an amount of \$700 from the 2013-14 Councillors' Community Improvement Grants as follows:

13 November 2013		
Scouts Australia - Central Coast Lakes District (\$1800)	Provide a common camp bag to 90 local scouts	700.00

Councillor Vincent returned to the chamber at 7.38 pm and took part in discussion of the remainder of this item.

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

1399/13 That Council allocate an amount of \$5,298.50 from the 2013-14 Councillors' Community Improvement Grants as follows:

13 November 2013		
Coast Alive Foodcare	Provide morning tea and lunch to underprivileged families in the Wyong Shire.	90.00
Disabled Surfers Association of Central Coast (\$292) (\$229 already allocated)	To pay the fees for the use of the beach.	63.00
Lake Macquarie FM Inc	To connect electricity	2,100.00
NSW Justices Association (\$500)	Assist with the cost of an online learning management system	50.00
San Remo Neighbourhood Centre (\$1000) (\$300 already allocated)	Security costs for the annual San Remo/Blue Haven Community Christmas celebration	600.00
Toowoomba Bay Ocean Swim (\$500) (\$150 already allocated)	Purchase of canvas / all weather signage.	350.00
Warnervale Cricket Club (\$1870)	Pitch Covers	1,870.00
Wyong District Tennis Association (\$1775.50) (\$1600 already allocated)	Family Fun Day and encourage participation in the game of tennis.	175.50

4.11 Central Coast Regional Airport Status Report

Councillor Webster left the meeting at 6.21 pm and returned to the meeting at 6.22 pm during consideration of this item.

Councillor Matthews left the meeting at 6.18 pm and returned to the meeting at 6.23 pm during consideration of this item.

Councillor Vincent left the meeting at 6.39 pm and return to the meeting at 6.41 pm during consideration of this item.

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

- 1400/13 That Council receive and note the report.**
- 1401/13 That Council endorse the attached Project Plan, schedule and budget including the Community Engagement Strategy for the Central Coast Regional Airport.**
- 1402/13 That Council approve the development of a Masterplan for the Central Coast Regional Airport including any land constraints studies.**
- 1403/13 That Council endorse the Central Coast Regional Airport strategic area as identified in Attachment 1 for works associated with the masterplanning and various land constraint studies required to establish the proposed location of the runway, terminal and ancillary uses.**
- 1404/13 That Council authorise the General Manager to continue to hold discussions with the Aviation Industry and affected land owners on the proposed Central Coast Regional Airport.**
- 1405/13 That Council receive quarterly status reports on this project with the first report to be provided after the March 2014 quarter.**
- 1406/13 That Council authorise the General Manager to execute any agreements or documents associated with the project.**
- 1407/13 That Council initiate the Planning Proposal to amend Wyong Local Environmental Plan (WLEP) 2013 in accordance with Section 55 of the Environmental Planning and Assessment Act 1979, by endorsing the planning proposal prepared by the applicant.**
- 1408/13 That Council forward the Planning Proposal to the Director General Department of Planning and Infrastructure requesting a 'Gateway' determination, pursuant to Section 54 (1) of the Environmental Planning and Assessment Act 1979.**
- 1409/13 That Council request the Director General, Department of Planning and Infrastructure to issue an Authorisation to exercise delegation under Part 3 of the Environmental Planning and Assessment Act 1979 and advise the Department that the plan is to be made by sub-delegation to the relevant Council Officer.**
- 1410/13 That Council, subject to the Director General's approval, undertake community consultation on the Planning Proposal, in accordance with the Gateway Process and Director General's direction.**

- 1411/13 *That Council, subject to the Director General's approval, prepare the draft Local Environmental Plan Instrument in consultation with the Office of the Parliamentary Counsel (PCO) where Written Authorisation to exercise delegation has been issued to Council, and that Council make the plan subject to there being no objections received that cannot be resolved by minor amendments to the Planning Proposal.*
- 1412/13 *That Council endorse visits by the Mayor and the General Manger (or Delegates) to Melbourne, Perth and Avalon Airports as part of Council's fact finding stage of the Project.*
- 1413/13 *That Council endorse the addition of a notation to Section 149 Certificates for those properties located within the strategic airport area as identified in this report.*

FOR: COUNCILLORS BEST, EATON, GRAHAM, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLORS GREENWALD, MATTHEWS, AND VINCENT

PROCEDURAL MOTION

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

- 1414/13 *That Council allow meeting practice to be varied.*
- 1415/13 *That Council use the exception method to deal with the balance of the Agenda.*

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

- 1416/13 *That with the exception of report numbers 2.1, 4.3, 4.5, 4.6, 4.10, 5.1, 5.2, 7.1 and 7.2 Council adopt the recommendations contained in the remaining reports.*

4.12 Child Care Review

Councillor Matthews left the meeting at 5.46 pm and returned to the meeting at 5.48 pm during consideration of this item.

Councillor Troy left the meeting at 6.01 pm and returned to the meeting at 6.02 pm during consideration of this item.

Councillor Best left the meeting at 6.04 pm and returned to the meeting at 6.06 pm during consideration of this item.

RESOLVED on the motion of Councillor EATON and seconded by Councillor WEBSTER:

- 1417/13 *That Council receive and endorse the report.*
- 1418/13 *That Council note the feedback from staff and the United Services Union as documented in the report and continue to engage with staff and union throughout future steps as required under the Local Government State Award 2010.*

- 1419/13 That Council **direct** the General Manager to undertake an Expression of Interest for the lease and operation of Tom Stone and Spotted Gum Care & Education centres.
- 1420/13 That Council **endorse** staff from Tom Stone and Spotted Gum Care & Education centres be invited to submit an Expression of Interest.
- 1421/13 That Council **specifically invite** all Central Coast Child Care Centre Operators to submit an Expression of Interest.
- 1422/13 That Council **receive** a report on the results of the EOI in the first meeting in February 2014.
- 1423/13 That Council **inform** families utilising Council Care and Education centres that the centres will continue to operate business as usual and that they be provided with a point of contact within Council to respond to any queries they may have.

5.1 Planning Proposal in Respect of Land at Yeramba Road, Summerland Point - Results of Community Consultation

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

- 1424/13 That Council **receive** the report on the Planning Proposal in Respect of Land at Yeramba Road, Summerland Point - Results of Community Consultation.

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

AGAINST: NIL

5.2 Road Capital Works Program

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

- 1425/13 That Council **receive** the report on the status of the Council's Road Capital Rolling Works Program.

5.3 Results of Public Exhibition of RZ/5/2012, 7 Mingara Drive, Tumbi Umbi

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

- 1426/13 That Council **receive** the Results of Public Exhibition of RZ/5/2012, 7 Mingara Drive, Tumbi Umbi.

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

AGAINST: NIL

5.4 Outstanding Questions on Notice and Notices of Motion

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

1427/13 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

7.1 Notice of Motion -Proposed Amendments to Tree Policy

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

1428/13 That Council resolve to allow the owners of residential land, of 1,000sq m or less, the right to remove a single tree in any 12 month period if the tree is deemed to be hazardous to life or property, by the owner.

1429/13 That Council note that where more than 1 tree is identified to be hazardous, to life or property, removal will require Council approval.

1430/13 That Council request the General Manager to provide a report to Council, outlining further possible amendments to Council's Tree Policy that will streamline processes, reduce red tape and achieve the following objectives:

- a to reduce, real or perceived, hazards arising from trees to life or property including, bushfires, falling trees and branches, tree root damage and the like.**
- b to minimise Council's exposure to claims and litigation arising from damage caused by trees and**
- c to reduce the number of circumstances in which Council's approval is required for the removal of trees on private property.**

1431/13 That Council request the General Manager provide a report to Council that addresses possible amendments to the proposed Wyong LEP 2013 to provide that the removal of trees (in accordance with points 1 and 2 above) be Exempt Development.

1432/13 That Council note that these additions will be in addition to the 6 and 12 metre current policy for the removal of trees.

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

AGAINST: NIL

7.2 Notice of Motion - F3/M1 Serious Road Risks

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

- 1433/13** That Council respond, as a matter of urgency, to recent reports of serious traffic risks around vehicles queuing back onto the F3 freeway from the twin Caltex service stations at peak periods.
- 1434/13** That Council formally draw this extremely dangerous situation to the attention of Roads and Maritime Services (RMS) and request that the site owner also respond to this issue.
- 1435/13** That Council acknowledge that a solution to this situation may require lengthy engineering solutions and that the Christmas traffic peak is imminent.
- 1436/13** That Council seek RMS support for interim hazard display signs warning all vehicles in this 110 km zone of the significant hazard ahead.

Confidential item 8.1 and 8.2 were resolved via the exception method during open session. The Mayor reported on these items as follows:

8.1 Pools and Recreation Centres

- 1437/13** That Council direct the General Manager to formally approach the YMCA of Sydney and enter into negotiations to extend the current contract (CPA/158914) for 12 months commencing 1 July 2014 and ceasing 30 June 2015, subject to appropriate assurances.
- 1438/13** That Council determine that a satisfactory result would not be achieved by going to tender due to the need for a more detailed review of the way Council operates these facilities.
- 1439/13** That Council direct the General Manager to report to staff the outcomes of the negotiations.

8.2 Appointment of Independent Member of the Audit and Risk Committee

- 1440/13** That Council appoint Glenn Harris as an independent member of its Audit and Risk Committee.
- 1441/13** That Council confirm the appointment of Jason Masters as the continuing independent member of the Audit and Risk Committee.
- 1442/13** That Council determine that the independent members of the Audit and Risk Committee are to be remunerated at the appropriate rates for "Small Agencies" set out in the "Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members – Scheme Conditions" published by the NSW Government in January 2013.

QUESTIONS ON NOTICE**Q45/13 Removal of Weed From Lake Munmorah
Councillor Doug Vincent**

“Could staff please advise when the weed harvester will be removing weed from the northern end of Lake Munmorah?”

**Q46/13 Availability of Historical Reports and Information on Tuggerah Lakes at
Council Libraries
Councillor Doug Vincent**

“Could staff please advise if the historical reports and information on the Tuggerah Lakes from the Office of Environment and Heritage, held by Council, can be made available to the general public in the Council libraries?”

**Q47/13 Council holiday Parks Awards
Councillor Greg Best**

“Mr General Manager, this Council’s management of its Holiday Parks was recently recognised at the NSW, ACT Regional and Community Awards, where Council was nominated and finished runner up in the Crown Lands Reserve Trust Management category. This is a tremendous outcome and reflects the significant turnaround our holiday parks have recently enjoyed. Would you please pass on Council’s sincere appreciation to Staff, Managers and Contractors for their outstanding efforts?”

**Q48/13 Investigation into drowning death at Chain Valley Bay
Councillor Greg Best**

“Mr General Manager, I am sure all would join in sending our heartfelt condolences to the family and friends at the loss of their child. This matter is currently being investigated for the coroner and required assistance from Council Officers. I understand Mr Jason Ritson, Scott Rathgen and Paul Cohen were all called upon to assist Police in this extremely difficult matter. Further to feedback from Detective Simon Wood praising the outstanding effort and sensitivity in dealing with this matter and the family, I would like to take this opportunity on behalf of Council to request you formally pass on our genuine appreciation to Staff for such professionalism?”

THE MEETING closed at 8.06 pm.

1.5 Notice of Intention to Deal with Matters in Confidential Session

TRIM REFERENCE: F2013/00023 - D04453157

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the "Confidential" business paper which has been circulated to Councillors.

The Local Government Act, 1993 requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the Local Government Act, 1993.

RECOMMENDATION

- 1 That Council consider the following matters in Confidential Session, pursuant to Sections 10A(2)(c)(f) of the Local Government Act 1993:**
 - 9.1 Proposed Contract for Construction of Cinema Complex at Lake Haven**
 - 9.2 Q43/13 – Mayoral Chains**
 - 9.3 Q44/13 – Mayoral Chains**
- 2 That Council note its reason for considering Item 9.1 as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.**
- 3 That Council note its reason for considering Items 9.2 and 9.3 as it contains matters affecting the security of the Council, Councillors, Council staff or Council property.**
- 4 That Council request the General Manager to report on this matter in open session of Council.**

Note: Explanation - Section 10A of the Local Government Act 1993 states:

"2(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,

2(f) matters affecting the security of the Council, Councillors, Council staff or Council property."

2.1 Central Coast Design Review Panel

TRIM REFERENCE: F2004/08739 - D04246371

MANAGER: Lin Armstrong, Director Development and Building

AUTHOR: Scott Cox; Manager Development and Rezoning

SUMMARY

Reporting on the future direction of the Central Coast Design Review Panel under State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development (SEPP 65).

RECOMMENDATION

That Council seek the formal agreement of the Minister for Planning to discontinue the current formation of the Central Coast Design Review Panel established under SEPP 65.

HISTORY

State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Buildings came into effect on 26 July 2002.

At that time, Gosford and Wyong Councils were invited to participate in a pilot design review programme for the Central Coast. The proposal was to provide an independent assessment of the urban design qualities of Residential Flat Building (RFB) applications, particularly in relation to development at The Entrance.

Gosford and Wyong Councils subsequently signed an agreement to form a joint Central Coast Design Review Panel comprising independent architects, urban planners and landscape consultants in accordance with SEPP 65 guidelines.

On 5 November 2013, Gosford Council resolved the following resolution to discontinue the Central Coast Design Review Panel:

Gosford Council Resolution:

“2013/626 RESOLVED that recognising Council's internal architectural expertise, Council seek the formal agreement of Wyong Shire Council and the Minister for Planning to dismiss the Central Coast Design Review Panel under SEPP No. 65 - Design Quality of Residential Flat Buildings.”

On being put to the meeting the MOTION WAS CARRIED.

STATE ENVIRONMENTAL PLANNING POLICY No 65 – DESIGN QUALITY OF RESIDENTIAL FLAT BUILDINGS

The aims of SEPP 65 are:

- (a) to ensure that it contributes to the sustainable development of New South Wales:
 - (i) by providing sustainable housing in social and environmental terms, and
 - (ii) by being a long-term asset to its neighbourhood, and
 - (iii) by achieving the urban planning policies for its regional and local contexts, and
- (b) to achieve better built form and aesthetics of buildings and of the streetscapes and the public spaces they define, and
- (c) to better satisfy the increasing demand, the changing social and demographic profile of the community, and the needs of the widest range of people from childhood to old age, including those with disabilities, and
- (d) to maximise amenity, safety and security for the benefit of its occupants and the wider community, and
- (e) to minimise the consumption of energy from non-renewable resources, to conserve the environment and to reduce greenhouse gas emissions."

It is not mandatory to have a Panel, but once established all development applications for residential flat buildings comprising four or more units and three or more storeys in height must be referred to the Panel.

The Panel provides comment to Council staff which is then taken into consideration during the development assessment process. The Panel consists of five members with a quorum of three.

Meetings have generally been conducted on a shared arrangement with Gosford Council, with the hosting Council providing site inspection arrangements, catering and all administrative processes. In addition, Council's assessment staff liaise closely with the applicant throughout this process as well as attending meetings and site inspections.

From its inception in 2003 to 2007 a total of 88 applications were referred to the panel, however, since 2007, only 24 applications have been referred to the Panel. In 2012/2013 only 2 applications were assessed by the Panel.

GOSFORD COUNCIL

Gosford Council, at its meeting of 5 November 2013, resolved to seek the formal agreement of Wyong Shire Council and the Minister for Planning to dismiss the Central Coast Design Review Panel under SEPP 65. Gosford Council has based this resolution on a number of recent events, including:

- “1 Council and the Department of Planning have prepared the Gosford City Centre LEP and DCP 2007 which incorporates the provisions of SEPP No 65.
- 2 Council has employed a registered architect experienced in assessment of applications under SEPP 65.
- 3 Council has experienced a number of occasions when panel meetings could not be arranged due to a lack of availability of panel members. This results in delays in determination of applications. The engagement of two additional committee members on the panel will address this problem so that a quorum of 3 will be available
- 4 The cost to Council of providing the Panel. In the last 2 years the cost to Council of the Panel was \$23,990.05 or about \$12,000 p.a. This cost does not include the cost of Council staff in administering the Panel. This money may be better spent by Council in providing a more effective and efficient assessment process in accordance with the objectives of the changes to the Environmental Planning and Assessment Act by process improvements to Council's assessment procedures.”

WYONG COUNCIL FINANCIAL IMPACTS

The cost of having the panel is currently \$1650 per panel member per meeting with catering, this equates to approximately \$4,950 per meeting (based on only 3 panel members) plus catering costs. A portion of this cost is covered by fees paid by applicants. These fees currently are:

Level of Service	Fee
Low Level of Service (In addition to relevant fees specified in other sections)	\$760.00
Medium Level of Service (Statutory Fee \$760 & Professional Services \$900 + 20 minutes with Panel)	\$1,660.00
High Level of Service (Statutory Fee \$760 & Professional Services \$1400 + 45 minutes with Panel)	\$2,160.00

At its peak in 2005, the annual cost to Council for that year was \$35,120. At the time, panel member fees were \$1200 per panel member. This doesn't take account of the cost of Council staff and other resources.

FUTURE DIRECTION

The establishment of the CCDRP served as an independent urban design assessment of RFB's and provided guidelines for Council staff on urban design issues, however, the need for a panel has been lessened by a number of factors, these include:

- Increasing Council staff expertise in urban design, together with requirements for development applications of this nature, such as 3D modelling and photomontage requirements.
- Council can request the applicant to provide an independent peer review of the proposed development, should this be considered necessary as part of the assessment process or alternatively pay 50% of the cost of the independent review.
- Council can refer an application to an independent consultant should this be considered necessary as part of the assessment process.
- Easy access to urban design courses and guidelines for Council staff.
- The potential cost to Council should the number of applications requiring referral to the Panel increase in the future.
- The costs associated with retaining the Panel may be better utilised by process improvements to Council's assessment procedures.
- The possibilities of potential delays being experienced in the assessment of an application because of the need to confirm the availability of the panel member and arrange a meeting is negated.
- The establishment of other independent panels such as the Joint Regional Planning Panel (JRPP) and the Planning Assessment Commission.

CONCLUSION

Having regard to the considerations contained within the report, in addition to the recent resolution of Gosford City Council, it is considered appropriate to formally request the Minister of Planning to discontinue the Central Coast Design Review Panel established under SEPP 65.

ATTACHMENTS

- 1 Excerpt of Minutes for Gosford City Council - Page 466 Dated 5 November 2013

D04302530

- B** Council request the General Manager to meet with the applicant and request them to submit amended plans within 30 days that contain the whole building and its structure behind the immediate coastal hazard line, as indicated on the applicant's site plan.
- C** Council request the General Manager to bring back the application to Council, no later than the meeting of 17 December 2013 for determination.

ENV.64 CENTRAL COAST DESIGN REVIEW PANEL (IR 5301311)

Directorate: Environment and Planning
Business Unit: Development

MOVED (Morris/Doyle) that *recognising Council's internal architectural expertise*, Council seek the formal agreement of Wyong Shire Council and the Minister for Planning to dismiss the Central Coast Design Review Panel under SEPP No. 65 - Design Quality of Residential Flat Buildings.

On being put to the meeting the MOTION WAS CARRIED.

2013/626 RESOLVED that *recognising Council's internal architectural expertise*, Council seek the formal agreement of Wyong Shire Council and the Minister for Planning to dismiss the Central Coast Design Review Panel under SEPP No. 65 - Design Quality of Residential Flat Buildings.

NOTICE OF MOTION

NM.20 NOTICE OF MOTION - PURCHASE AND INSTALLATION OF AIR PUMPS FOR BICYCLES (IR 14337008)

Councillor: Chris Burke

MOVED (Strickson/Macfadyen) that *the information be received and noted*.

On being put to the meeting the MOTION WAS CARRIED.

2013/627 RESOLVED that *the information be received and noted*.

MATTER SUBMITTED TO COUNCIL BY INTER-DEPARTMENTAL AND ADVISORY COMMITTEES OF COUNCIL

SW/13/09 REPORT OF THE STATUS OF WOMEN COMMITTEE MEETING HELD 15 OCTOBER 2013 (IR 14596508)

Directorate: Economic and Community Development
Business Unit: Community and Cultural Development

MOVED (Scott/Morris) that the recommendation of the Status of Women Committee be adopted.

3.1 Proposed Right of Carriageway over Council land Lot 4 DP 549925, 14 Reservoir Road, Ourimbah

TRIM REFERENCE: F2012/01858 - D04170501

MANAGER: Paul Forster, Services Coordinator Property Administration

AUTHOR: Simone Barwick; Officer Property Admin

SUMMARY

Approval is sought to grant a Right of Carriageway to the owners of the adjoining properties over council owned land being Lot 4 DP 549925, 14 Reservoir Road, Ourimbah.

RECOMMENDATION

- 1 That Council grant a Right of Carriageway 94.5m x 6.5m over Council's land, Lot 4 DP 549925, 14 Reservoir Road, Ourimbah to the adjoining owners for compensation payable to Council based on market value.**
- 2 That Council authorise the Common Seal of the Wyong Shire Council to be affixed to related documents as required.**
- 3 That Council authorise the Mayor and the General Manager to execute all documents relating to the grant of the easement for Right of Carriageway between Wyong Shire Council and the owners of the adjoining property.**

BACKGROUND

Council has been approached by the owners of Lots 1 and 2 DP 1171174, 25 and 27 Reservoir Road, Ourimbah whose properties adjoin Council land Lot 4 DP 549925, 14 Reservoir Road, Ourimbah (WSC land) seeking acquisition of a Right of Carriageway over WSC land to allow access to Lots 1 and 2 DP 1171174.

Due to a power pole at the end of the current access easement the owners have indicated that it is difficult to get large vehicles onto their property. Accessing their property from a different location would improve vehicular movement.

The owner of Lot 1 is concerned that current arrangements lead to confusion regarding the location of Lot 2 for purpose of visitors, deliveries, emergency services etc.

CURRENT STATUS

The Council land affected by the adjoining owners' proposal is Lot 4 DP 549925, 14 Reservoir Road, Ourimbah. Lot 14 has an area of approximately 56680 m², is zoned 6A Open Space & Recreation and is classified Community Land under Plan of Management No. 10 – Natural Areas.

3.1 Proposed Right of Carriageway over Council land Lot 4 DP 549925, 14 Reservoir Road, Ourimbah (contd)

There is an existing Easement for Transmission Line variable width to Energy Australia within the same area of the proposed Right of Carriageway.

Currently, Lot 2 is utilising the Right of Access 4 wide and variable over Lot 1 to access their property.

THE PROPOSAL

Lot 1 has requested that Council grant to them a Right of Carriageway 94.5m² x 6.5m² over Council land Lot 4 DP 549925, 14 Reservoir Road, Ourimbah to enable access for both Lots 1 and 2. The owners of the adjoining land have agreed to pay compensation and Council's reasonable legal costs associated with the creation of the Right of Carriageway.

Grant of the easement will have minimal impact on the land as there is already an existing easement for transmission line affecting the same area of Council land.

OPTIONS

If Council does not authorise the grant of the Right of Carriageway for Access, Lot 1 will continue to have issues regarding confusion of house numbers and Lot 2 will continue to have issues with access for vehicles onto their property due to a power pole at the end of the current access easement.

Budget Impact

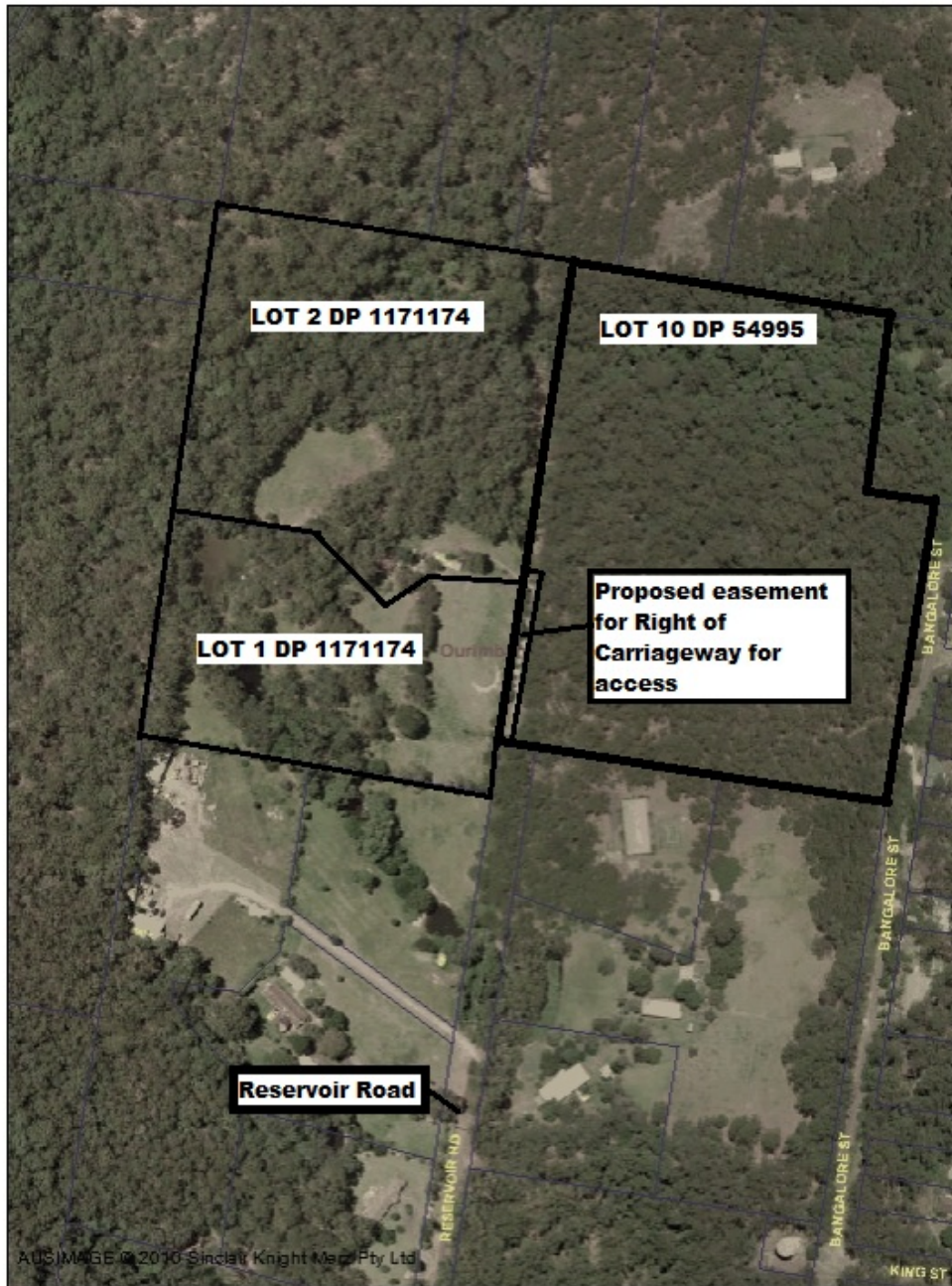
There is no cost to Council to grant the easement for the Right of Carriageway. The owners of Lot 1 have agreed to pay compensation to Council and Council's reasonable legal costs associated with the creation of the easement for the Right of Carriageway.

GOVERNANCE AND POLICY IMPLICATIONS

The Plan of Management No 10 for Natural Areas and the Local Government Act 1993 authorise the grant of easements. Council is prohibited from selling Community land.

MATERIAL RISKS AND ISSUES

Nil impact.



CONCLUSION

It is proposed that Council grant an easement to the owners of Lot 1 over Council's land Lot 4 DP 549925 at 14 Reservoir Road, Ourimbah to facilitate the Right of Carriageway for access.

ATTACHMENTS

Nil.

4.1 CPA/217072 - Norah Head Boat Ramp - Construction

TRIM REFERENCE: CPA/217072 - D04155746

MANAGER: Gary Kinney, Project Director

AUTHOR: Tim Burch; Project Manager

SUMMARY

Evaluation and selection of tenders for Contract No. CPA/217072 – Norah Head Boat Ramp – Construction.

RECOMMENDATION

- 1 That Council declines to accept any of the tenders received for Contract CPA/217072 – Norah Head Boat Ramp - Construction.**
- 2 That Council approves the invitation of fresh tenders for a new proposed Contract with a revised scope of work.**
- 3 That Council determines the Tender Evaluation Report in Attachment A remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature**

BACKGROUND

This contract is for the demolition and re-construction of Norah Head Boat Ramp. Works proposed under the Contract include:

- 1 Demolition of the existing two lane suspended concrete ramp and construction of a new improved two lane suspended ramp;
- 2 Demolition of a section of approx. 50m of existing concrete retaining wall and construction of a new sloped rock revetment wall;
- 3 Installation of a new Gross Pollutant Trap (GPT) and stormwater discharge structure;
- 4 Relocation and concrete encasement of the existing sewer gravity in the immediate area from the beach to behind the new wall; and,
- 5 Reinstatement of affected road pavement and car parking areas.

INVITATION TO TENDER

The tender was advertised in the Sydney Morning Herald and eTender on 6 August 2013, and the Central Coast Express on 7 August 2013.

The invitation documents called for schedule of rates tenders, based on a detailed specification.

A compulsory pre-tender meeting was held at Site at 10am on 20 August 2013 to allow tenderers to become familiar with site conditions.

Tenders closed at Council's Chambers at 2.00pm on 5 September 2013.

TENDER SUBMISSIONS

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

- Bolte Civil Pty Ltd
- Bolte Civil Pty Ltd (Alternative)
- Quality Management & Constructions Pty Ltd
- Waterway Constructions Pty Ltd

No late submissions were received.

TENDER EVALUATION

All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted (Trim D03865333).

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

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

Threshold Criteria:

- Compliance with Tender requirements and documents including lodgement by Closing Time;
- Evidence of third party certification (by a JAS-ANZ accredited assessment body) of corporate systems to manage safety, environment, and quality; and,
- Previous experience of Tenderer or key subcontractor delivering complex projects in a marine environment.

Weighted Criteria:

- Assessed level of Local Content in accordance with Council's "Local Preference Policy – Procurement";
- The tendered price and structure; as well as any other potential costs to Council that may be identified;
- Quality of methodology proposed to complete the works including management of safety, quality and environmental risks and impacts to local community;
- Experience, capacity and resources of Company to deliver complex projects including referee checks on past performance; and,
- Quality and proven experience of sub contactors and key personnel to deliver complex projects including referee checks on past performance.

RELEVANT LEGISLATION

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

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

RECOMMENDATION

Council has the option in accordance with the provisions of Clause 178(1)(b) of the Regulation of declining to accept any of the tenders received and in accordance with Clause 178(3)(b) inviting fresh tenders based on the same or different details. This option is recommended for the reasons noted in the attached Tender Evaluation Report.

ATTACHMENTS

- 1 Confidential Attachment 'A' to Business paper Tender evaluation Report CPA/217072 -

Enclosure D04466165

4.2 CPA/230051 - The Supply and Delivery of Ready Mix Concrete

TRIM REFERENCE: CPA/230051 - D04127019
MANAGER: Robert Fulcher, Manager Asset Management
AUTHOR: John McCarthy, Purchasing Coordinator

SUMMARY

Evaluation and selection of tenders for Contract CPA/230051 for the Supply and Delivery of Ready Mix Concrete.

RECOMMENDATION

- 1 That Council accepts the tender from the company nominated as Tenderer '1' in the attached Tender Evaluation Report as the first ranked contractor, for Contract CPA/230051 – for the Supply and Delivery of Ready Mix Concrete.**
- 2 That Council accepts the tender from the company nominated as Tenderer '3' in the attached Tender Evaluation Report as the second ranked contractor, for Contract CPA/230051 – for the Supply and Delivery of Ready Mix Concrete.**
- 3 That Council accepts the tender from the company nominated as Tenderer '2' in the attached Tender Evaluation Report as the third ranked contractor, for Contract CPA/230051 – for the Supply and Delivery of Ready Mix Concrete.**
- 4 That Council determines the Tender Evaluation Report in Attachment "A" remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.**
- 5 That Council notes the estimated per annum value of all contracts is \$460,000.00 however values may vary depending on fluctuations in demand.**

BACKGROUND

Council consumes approximately 3,200 cubic metres of ready mix concrete on an annual basis. In total, Council orders over 800 deliveries of ready mix concrete per annum to various locations across the Shire for engineering works. Annual expenditure is in the vicinity of \$460,000 per annum. These costs include both products and associated haulage charges.

Council's current contracts expire at the end of November 2013 and have run for three years. The current incumbent contractors are: Boral Resources (Country) Pty Ltd and Hanson Construction Materials Pty Ltd.

4.2 CPA/230051 - The Supply and Delivery of Ready Mix Concrete (contd)

Tenders were invited for the Supply and Delivery of Ready Mix Concrete for a period of up to a maximum of thirty-one (31) months. The contract period expiry will align with Gosford City Council, allowing Council the option to conduct a joint tendering exercise with Gosford City Council in the future.

As no single supplier has the capacity to cater for all of Council's requirements a ranked panel has been established to meeting Council needs.

The conditions of tendering set out Council's right to award the Contract to one or more tenderers and to obtain the materials from one or more sources of supply. Additionally, Council can rank tenders in order of price, quality, availability and conformance. This right has been enacted in the context of all recommendations.

CONTRACT PLAN

The Contract Plan for this tender process was approved by the Director Infrastructure and Operations, before the Request for Tender was issued. The approved Contract Plan is on file.

INVITATION TO TENDER

The tender was advertised in the Sydney Morning Herald, the Express Advocate and on eTender on 16th and 20th of August 2013 and closed on the 12th of September 2013.

The invitation documents called for schedule of rates tenders, based on a detailed specification.

Tenders closed at Council's Chambers at 2.00pm on the 12th of September 2013.

TENDER SUBMISSIONS

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

- Boral Resources (Country) Pty Ltd
- Hanson Construction Materials Pty Ltd
- Ritemix Pty Ltd T/as Coastwide Readymix Concrete

No late submissions were received.

TENDER EVALUATION

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

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

4.2 CPA/230051 - The Supply and Delivery of Ready Mix Concrete (contd)

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

- Compliance with the tender documents;
- Price;
- Local Content;
- Number of Batching Plants in the shire;
- Carrying Capacity of suppliers fleet;

FINANCIAL IMPLICATIONS

There are sufficient funds allocated for this contract within the current year's Rolling Works program.

RELEVANT LEGISLATION

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

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

CRITICAL DATES / TIME FRAMES

New contract needs to be in place by 1 December 2013.

RISK

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

REGULATORY APPROVALS

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

OPTIONS/ALTERNATIVES

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

4.2 CPA/230051 - The Supply and Delivery of Ready Mix Concrete (contd)

PUBLIC CONSULTATION

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

ATTACHMENTS

- 1 T145A - Confidential Attachment CPA230051 - The Supply and Delivery of Ready Mix Concrete - D04098454

4.3 CPA/230052 - The Supply and Delivery of Type S Filter Sand

TRIM REFERENCE: CPA/230052 - D03856777
MANAGER: Robert Fulcher, Manager Asset Management
AUTHOR: John McCarthy, Purchasing Coordinator

SUMMARY

Evaluation and selection of tenders for Contract CPA/230052 for the Supply and Delivery of Type S Filter Sand.

RECOMMENDATION

- 1 That Council accepts the tender from the company nominated as Tenderer '1' in the attached Tender Evaluation Report, for a period of up to 3.5 years for Contract CPA/230052 – for the Supply and Delivery of Type S Filter Sand. The estimated annual expenditure against this contract is \$202,580.00 (excl GST), however actual expenditure may vary significantly with fluctuations in demand.**
- 2 That Council determines the Tender Evaluation Report in Attachment "A" remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.**

BACKGROUND

Council consumes approximately 8,000 tonnes of Type S Filter Sand on an annual basis. The material is predominantly used as a sub grade material for road construction and maintenance activities as well as a bedding material for water and waste construction and maintenance activities.

The current incumbent contractor is Norgrath Pty Ltd T/as Roy Lamb The Sand Man. The current contract expires at the end of November 2013 and has run for a three year term.

Tenders were invited for the supply and delivery of Type S Filter Sand for periods up to a maximum of forty three (43) months.

A contract period of forty three (43) months was chosen to allow Council to synchronise the expiry of this contract with Gosford City Council. This will allow Council the option in the future to conduct a joint tender with Gosford City Council.

CONTRACT PLAN

The Contract Plan for this tender process was approved by the Director Infrastructure and Operations, before the Request for Tender was issued. The approved Contract Plan is on file.

INVITATION TO TENDER

The tender was advertised in the Sydney Morning Herald, the Express Advocate and on eTender on 16th and 20th of August 2013 and closed on the 12th of September 2013.

The invitation documents called for schedule of rates tenders, based on a detailed specification.

Tenders closed at Council's Chambers at 2.00pm on the 12th of September 2013.

TENDER SUBMISSIONS

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

- Australian Native Landscapes Pty Ltd
- Norgrath Pty Ltd T/as Roy Lamb The Sand Man
- Rosebrook Sand & Gravel Pty Ltd
- TCX Pty Ltd

No late submissions were received.

TENDER EVALUATION

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

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

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

- Compliance with the tender documents;
- Fit for purpose materials;
- Price;
- Local Content;
- Experience and proven performance in the specific field;

FINANCIAL IMPLICATIONS

There are sufficient funds allocated for this contract within the current year's Rolling Works program.

4.3 CPA/230052 - The Supply and Delivery of Type S Filter Sand (contd)

RELEVANT LEGISLATION

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

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

CRITICAL DATES / TIME FRAMES

New contract needs to be in place by 1 December 2013.

RISK

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

REGULATORY APPROVALS

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

OPTIONS/ALTERNATIVES

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

PUBLIC CONSULTATION

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

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Confidential Attachmant 'A' Tender Evaluation Report CPA/230052
Supply and Delivery of Type S Filter Sand - | D03855258 |
|---|--|-----------|

4.4 CPA/230056 - The Supply and Delivery of Granular Base and Sub Base Materials for Surface Road Pavements

TRIM REFERENCE: CPA/230056 - D04301083

MANAGER: Gary Kinney, Project Director

AUTHOR: John McCarthy; Purchasing Coordinator

SUMMARY

Evaluation and selection of tenders for Contract CPA/230056 for the Granular Base and Sub Base Materials for Surfaced Road Pavements.

RECOMMENDATION

- 1 That Council accepts all tenders in the attached Tender Evaluation Report, for a period of up to 3.5 years for Contract CPA/230056 – for the Supply and Delivery of Granular Base and Sub Base Materials for Surfaced Road Pavements. The estimated annual expenditure against all contracts is approximately \$1,440,000.00 (excl GST), however actual expenditure may vary significantly with fluctuations in demand.**
- 2 That Council authorises the ranking order for purchase order allocation for comparable pavement materials in accordance with Attachment 2.**
- 3 That Council authorises the Director Infrastructure and Operations to select the supplier who offers the most economical and suitable materials, for non-comparable pavement materials, available as each situation demands.**
- 4 That Council determines the Tender Evaluation Report in Attachment “A” remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.**

BACKGROUND

Council consumes approximately 52,000 tonnes of Granular Base and Sub Base Materials for Surfaced Road Pavements on an annual basis. The materials are used for road construction and maintenance activities.

The current incumbent contractor is Boral Resources Pty Ltd and Hanson Construction Materials Pty Ltd. The current contract expires at the end of November 2013 and has run for a three year term.

Tenders were invited for the supply and delivery of Granular Base and Sub Base Materials for Surfaced Road Pavements for periods up to a maximum of forty three (43) months.

4.4 CPA/230056 - The Supply and Delivery of Granular Base and Sub Base Materials for Surface Road Pavements (contd)

A contract period of forty three (43) months was chosen to allow Council to synchronise the expiry of this contract with Gosford City Council. This will allow Council the option in the future to conduct a joint tender with Gosford City Council.

CONTRACT PLAN

The Contract Plan for this tender process was approved by the Director Infrastructure and Operations, before the Request for Tender was issued. The approved Contract Plan is on file.

INVITATION TO TENDER

The tender was advertised in the Sydney Morning Herald, the Express Advocate and on eTender on 3rd and 4th of September 2013 and closed on the 26th of September 2013.

The invitation documents called for schedule of rates tenders, based on a detailed specification.

Tenders closed at Council's Chambers at 2.00pm on the 26th of September 2013.

TENDER SUBMISSIONS

See confidential attachment.

No late submissions were received.

TENDER EVALUATION

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

The relative ranking of tenders as determined from the price ranking is provided in the Confidential Tender Evaluation Report – Attachment 2.

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

- Compliance with the Request for Tender documentation;
- The tendered price and structure; as well as any other potential costs to Council that may be identified Price;
- Local Content;
- Carrying Capacity;

FINANCIAL IMPLICATIONS

There are sufficient funds allocated for this contract within the current year's Rolling Works program.

4.4 CPA/230056 - The Supply and Delivery of Granular Base and Sub Base Materials for Surface Road Pavements (contd)

RELEVANT LEGISLATION

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

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

CRITICAL DATES / TIME FRAMES

New contract needs to be in place by 1 December 2013.

RISK

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

REGULATORY APPROVALS

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

OPTIONS/ALTERNATIVES

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

PUBLIC CONSULTATION

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

ATTACHMENTS

- | | | |
|----------|--|-----------|
| 1 | T145A - Confidential Attachment CPA 230056 - The Supply and Delivery of Granular Base & Sub Base for Road Pavement Materials - | D04303735 |
| 2 | Confidential Attachment 2 - Price Ranking on Comparable Pavement Materials - | D04340101 |
| 3 | Confidential Attachment 3 - Price information for Non Pavement Materials that are not comparable - | D04340219 |

4.5 CPA/230057 - The Supply and Delivery of Road Sealing Aggregates

TRIM REFERENCE: CPA/230057 - D04010049
MANAGER: Robert Fulcher, Manager Asset Management
AUTHOR: John McCarthy, Purchasing Coordinator

SUMMARY

Evaluation and selection of tenders for Contract CPA/230057 for the Supply and Delivery of Road Sealing Aggregates.

RECOMMENDATION

- 1 That Council decline to accept any of the tenders received for contract CPA/230057 for the Supply and Delivery of Road Sealing Aggregates in accordance with sub-clause 178 (1) (b), of the Local Government (General) Regulation.**
- 2 That Council cancel the proposal for the contract in accordance with sub-clause 178(3)(a) of the Local Government (General) Regulation.**
- 3 That Council determines the Tender Evaluation Report in Attachment "A" remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.**

BACKGROUND

Council consumes approximately 320 tonnes of Road Sealing Aggregates on an annual basis. The material is predominantly used in conjunction with Emulsion for sealing of road pavement surfaces for road maintenance activities.

The current incumbent contractor is Hanson Construction Materials Pty Ltd. The current contract expires at the end of November 2013 and has run for a three year term. Traditionally, council uses the RMS specifications for its road construction materials and it was a requirement that suppliers provided independent test results validating quality assurance against the RMS specification.

Tenders were invited for the supply and delivery of Road Sealing Aggregates for a period up to a maximum of forty three (43) months.

A contract period of forty three (43) months was chosen to allow Council to synchronise the expiry of this contract with Gosford City Council. This will allow Council the option in the future to conduct a joint tender with Gosford City Council.

CONTRACT PLAN

The Contract Plan for this tender process was approved by the Director Infrastructure and Operations, before the Request for Tender was issued. The approved Contract Plan is on file.

INVITATION TO TENDER

The tender was advertised in the Sydney Morning Herald, the Express Advocate and on eTender on 16th and 20th of August 2013 and closed on the 12th of September 2013.

The invitation documents called for schedule of rates tenders, based on a detailed specification.

Tenders closed at Council's Chambers at 2.00pm on the 12th of September 2013.

TENDER SUBMISSIONS

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

- Hanson Construction Materials Pty Ltd

No late submissions were received.

TENDER EVALUATION

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

The submission was assessed in accordance with the approved evaluation criteria being:

- Compliance with the tender documents;
- Fit for purpose materials;
- Price;
- Local Content;
- Carrying Capacity;

The last time this contract was tendered, Council received 3 submissions. We understand from making market enquiries under the new specification the materials cannot be sourced from local quarries with strict compliance to the RMS specification and the cost of the materials is therefore significantly higher due to haulage charges. We believe that suppliers may be reluctant to lock into a long term contract on this basis.

The tender from Hanson Construction Materials Pty Ltd was assessed – see the confidential attachment. We note that the pricing was almost twice as much as current pricing. We requested the tenderer to provide clarification as to why its prices had increased so significantly and they advised that under the RMS specification the materials can no longer be sourced from local quarries, so the haulage charges have to be included in their rates.

4.5 CPA/230057 - The Supply and Delivery of Road Sealing Aggregates (contd)

We have considered the tender from Hanson Construction Materials Pty Ltd and we are not satisfied that Council will be getting value-for-money, given we only received one response and the pricing is approximately 80% more expensive than what Council currently pays for these items under the current contract.

The situation has been reviewed by Roads and Drainage and they consider, from a performance, risk and cost perspective, that strict compliance with the RMS Specification is only required for resealing work, but not for patching and general maintenance.

We consider that there are a number of suppliers (including local suppliers who would be able to competitively supply the materials required in accordance with a revised RMS Specification. If an open panel is established through Vendor Panel local suppliers could be invited to competitively quote for Council's requirements on an annual basis, which is expected to be in the range of approximately \$120,000. We consider that this would be the best way to get a value-for-money outcome for Council moving forward.

On this basis we recommend that the tender be rejected.

FINANCIAL IMPLICATIONS

Council would be paying approximately 80% more by accepting the only offer available.

This option is not recommended.

RELEVANT LEGISLATION

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

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

Given the tender process has not delivered a value proposition for Council, it is recommended that no tenders be accepted and the tender be cancelled.

Should Council resolve to decline to accept any of the tenders, as recommended, sub-clause 178 (3), *Local Government (General) Regulation 2005* requires that Council, by resolution, do one of the following:

- “(a) postpone or cancel the proposal for the contract,
- (b) invite, in accordance with clause 167, 168 or 169, fresh tenders based on the same different details,
- (c) invite, in accordance with clause 168, fresh applications from persons interested in tendering for the proposed contract,
- (d) invite, in accordance with clause 169, fresh applications from persons interested in tendering for contracts of the same kind as the proposed contract,

4.5 CPA/230057 - The Supply and Delivery of Road Sealing Aggregates (contd)

(e) enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender,

(f) carry out the requirements of the proposed contract itself.“

In this instance, option 178 (3) “a”, is recommended.

CRITICAL DATES / TIME FRAMES

Council staff will need to implement interim supply arrangements by 1 December 2013.

RISK

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

REGULATORY APPROVALS

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

OPTIONS/ALTERNATIVES

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

This option is recommended.

PUBLIC CONSULTATION

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

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | T145A - Confidential Attachment CPA 230057 - The Supply and Delivery of Road Sealing Aggregates - | D03974088 |
|---|---|-----------|

4.6 CPA/232577 - The Supply and Delivery of Asphaltic Coldmix

TRIM REFERENCE: CPA/232577 - D03870062
MANAGER: Robert Fulcher, Manager Asset Management
AUTHOR: John McCarthy, Purchasing Coordinator

SUMMARY

Evaluation and selection of tenders for Contract CPA/232577 for the Supply and Delivery of Asphaltic Coldmix.

RECOMMENDATION

- 1 That Council accepts the tender from the company nominated as Tenderer '1' in the attached Tender Evaluation Report, for a period of up to 3.5 years for Contract CPA/232577 – for the Supply and Delivery of Asphaltic Coldmix. The estimated annual expenditure against this contract is \$107,570.00 (excl GST), however actual expenditure may vary significantly with fluctuations in demand.**
- 2 That Council determines the Tender Evaluation Report in Attachment "A" remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.**

BACKGROUND

Council consumes approximately 650 tonnes of Asphaltic Coldmix on an annual basis. The material is used in the maintenance and repair of sealed road pavement surfaces. The material is stocked at both Long Jetty and Charmhaven depots and is issued to Roads and Drainage personnel for maintenance work on an as required basis.

The current incumbent contractor is Tropic Asphalts Pty Ltd. The current contract expires at the end of November 2013 after a three year term.

Tenders were invited for the supply and delivery of Asphaltic Coldmix for periods up to a maximum of forty three (43) months.

A contract period of forty three (43) months was chosen to allow Council to synchronise the expiry of this contract with Gosford City Council. This will allow Council the option in the future to conduct a joint tender with Gosford City Council.

CONTRACT PLAN

The Contract Plan for this tender process was approved by the Director Infrastructure and Operations, before the Request for Tender was issued. The approved Contract Plan is on file.

INVITATION TO TENDER

The tender was advertised in the Sydney Morning Herald, the Express Advocate and on eTender on 16th and 20th of August 2013 and closed on the 12th of September 2013.

The invitation documents called for schedule of rates tenders, based on a detailed specification.

Tenders closed at Council's Chambers at 2.00pm on the 12th of September 2013.

TENDER SUBMISSIONS

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

- Bitupave Limited T/as Boral Asphalt
- Fulton Hogan Industries Pty Ltd
- LR Technologies

No late submissions were received.

TENDER EVALUATION

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

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

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

- Compliance with the tender documents;
- Fit for purpose materials;
- Price;
- Local Content;
- Access to supply;

FINANCIAL IMPLICATIONS

There are sufficient funds allocated for this contract within the current year's Rolling Works program.

RELEVANT LEGISLATION

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

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

4.6 CPA/232577 - The Supply and Delivery of Asphaltic Coldmix (contd)

CRITICAL DATES / TIME FRAMES

New contract needs to be in place by 1 December 2013.

RISK

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

REGULATORY APPROVALS

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

OPTIONS/ALTERNATIVES

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

PUBLIC CONSULTATION

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

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | T145A - Confidential Attachment CPA 232577 - The Supply and Delivery of Asphaltic Coldmix - | D03880194 |
|---|---|-----------|

5.1 Conference Attendance - Australian Institute of Company Directors Conference: Directorship 14 Igniting The Growth Agenda 2014

TRIM REFERENCE: F2004/06466 - D03803902

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

The Australian Institute of Company Directors Conference: Directorship 14 Igniting The Growth Agenda to be held 21-24 May 2014 at Hamilton Island, Queensland.

RECOMMENDATION

- 1 That Council authorise those interested Councillor/s to attend the Australian Institute of Company Directors Conference: Directorship 14 Igniting The Growth Agenda 2014.**
- 2 That Council meet reasonable expenses incurred by Councillors attending the above conference in accordance with Council's Facilities and Expenses Policy for Councillors.**

BACKGROUND

The Company Directors Conference is an annual event gaining insight in to global issues, the economy, business and directorship and exploring topics beneficial to directors across Australia and other parts of the world.

CONFERENCES OR SEMINARS

In accordance with the provisions of Council's Facilities and Expenses Policy for Councillors, and subject to Council's prior approval, WSC will reimburse expenses for attendance at a maximum of six (6) eligible conferences, seminars, workshops and professional development courses conducted over one or more consecutive days per a financial year for each elected member including attendance at the annual NSW Local Government Association Conference and National General Assembly.

The maximum number of elected members authorised to attend a conference or seminar is three, attendance restriction 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.

THE PROPOSAL

This conference is to be held over 3 days and registration includes:

- Access to all plenary sessions of the conference
- Two tours at venues across Hamilton Island
- Lunch on all 3 days of the conference, as well as, morning/afternoon tea.
- Transport to and from forums and social functions
- Welcome drinks, including entertainment and canapés
- Informal dinner
- Formal dinner, including entertainment
- Access to Conference App

More specific details will be made available closer to the registration date at www.companydirectors.com.au/events/Directorship13-site/Directorship14.

Councillor Taylor has expressed interest in attending this conference.

OPTIONS

- 1 To authorise Councillor attendance to this Conference.
- 2 Not authorise Councillor attendance to this Conference.

STRATEGIC LINKS

Wyong Shire Council Strategic/ Annual Plan

<i>Principal Activity</i>	<i>Key Action and Objectives</i>	<i>Funding Source and Description</i>	<i>Impact on Key Performance Indicators/ Service Performance Indicators</i>
Principal Activity 1 – Community & Education	Attendance at this conference would increase Councillor awareness and knowledge relating to current global issues, the economy, and business.	Councillors Professional Development	Nil impact

Contribution of Proposal to the Principal Activity

Nil impact.

Long term Financial Strategy

Nil impact.

Asset Management Strategy

Nil impact.

Workforce Management Strategy

Nil impact.

Link to Community Strategic Plan (2030)

Nil impact.

Budget Impact

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

The Australian Institute of Company Directors Conference: Directorship 14 Igniting The Growth Agenda 2014	Councillor Fees
Registration (early bird by 31/10/2013 - \$300 saving)	\$3,200
Travel (Return airfares)	\$450
Travel Insurance	\$90
Accommodation (5 nights – Including breakfast)	\$1,580
Total (estimate)	\$5,320

CONSULTATION

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

GOVERNANCE AND POLICY IMPLICATIONS

In accordance with the provisions of Council's Facilities and Expenses Policy for Councillors, Councillors are encouraged to attend external training sessions that will support their professional development as a Councillor.

Reasonable expenses incurred in Councillors attending external training are met in accordance with that policy.

MATERIAL RISKS AND ISSUES

Nil impact.

CONCLUSION

The conference listed would be of benefit to the professional development of Councillors and attendance is encouraged.

ATTACHMENTS

Nil.

5.2 Plan to Address Rabbit Plague

TRIM REFERENCE: F2004/06909 - D03925147

MANAGER: Brett Sherar, Manager Open Space

AUTHOR: Kirily Sheridan; Environmental Mgt and Projects Officer

SUMMARY

Council has undertaken research and consultation to address the 2013 rabbit plague with NSW Government officers from the Livestock Health and Pest Authority, Crown Lands, National Parks and Wildlife Service and with Local Government officers from Gosford City Council and Lake Macquarie Council. This report details the rabbit management controls currently undertaken by Council and provides regionally coordinated future management options developed through the consultation process.

RECOMMENDATION

- 1 That Council receive the report addressing the current 2013 rabbit plague.**
- 2 That Council consider participation in the Lower Hunter and Central Coast Livestock Health and Protection Authority coordinated Rabbit Haemorrhagic Disease (RHD) virus release scheduled for March 2014.**
- 3 That Council provide support as outlined in Option 2 of this report for the co-ordinated RHD virus release in March 2014.**

BACKGROUND

At its meeting held on the 10 July 2013, Council resolved as follows:

- "1 That Council recognise the enormous damage the current 2013 rabbit plague is having on our natural environment, particularly the Coast environs and the surrounding local urban areas.*
- 2 That Council acknowledge that addressing this plague is a priority given the millions spent on environment restoration works, including extensive native plantings and millions spent on sporting grounds management.*
- 3 That Council urgently seek to coordinate with NSW National Parks and Wildlife Service and NSW Crown Lands to develop a plan to reduce Rabbit numbers given that the plague is set to escalate with the upcoming spring breeding season.*
- 4 That Council receive a report containing the responses and recommendations from NSW National Parks and Wildlife Service and NSW Crown Lands as soon as possible."*

The European Rabbit (*Oryctolagus cuniculus*) was successfully introduced into Australia in 1858 and has since spread broadly across the continent, now occupying approximately 4.5 million square kilometers. Rabbits occupy a wide range of habitats including native and modified grasslands, coastlines, woodland, heath and forest. They can achieve high densities in some agricultural and suburban areas, but are most prevalent in arid and semi-arid areas of western NSW. Unlike the domesticated rabbit, feral rabbits exhibit minimal or no dependence on humans to meet their ecological requirements. Rabbits generally breed all year round in the Wyong Local Government Area (LGA) due to good rainfall and availability of food. Breeding tends to cease when environmental conditions are dry and feed quality is low.

According to the Queensland Department of Natural Resources and Mines (2005), rabbits throughout Australia cause between \$600million and \$1billion worth of damage annually. This damage can be broadly divided into three impact categories; agricultural, urban and environmental. Agricultural impacts are generally inapplicable to the Wyong LGA but it is estimated that Australian agriculture losses are more than \$115 million per year because of overgrazing by rabbits.

Urban impacts caused by rabbits are diverse and include damage to residential gardens, footpaths, road verges, public open space, sports fields, cemeteries, damage to underground electrical cables and water pipes and collapse and faults of buildings.

Feral rabbits have a variety of environmental impacts including:

- Reducing the regeneration of native plants, by grazing and ringbarking of saplings
- Impacting threatened species, threatened populations and altering composition of ecological endangered communities (EEC)
- Competing with native animals for food and shelter
- Damaging historic and cultural sites, through soil erosion caused by overgrazing
- Loss of quality habitat through the contribution to erosion and loss of topsoil by wind and rain
- Providing food for other pest animals such as wild dogs, foxes and feral cats

Federal Legislation

Under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), '*Competition and land degradation by feral rabbits*' is listed as a Key Threatening Processes (KTP). Under the EPBC Act, the Australian Government, in consultation with the states and territories, developed the *Threat Abatement Plan for Competition and Land Degradation by Rabbits (2008)*. This Threat Abatement Plan (TAP) is currently under review.

The TAP aims to reduce the impact of feral rabbits on biodiversity by:

- Preventing rabbits from occupying new areas in Australia and eradicate rabbits from high- conservation-value 'islands'
- Promoting the maintenance and recovery of native species and ecological communities that are affected by rabbit competition and land degradation
- Improving knowledge and understanding of rabbit impacts and interactions with other species and other ecological processes
- Improving the effectiveness, target specificity, integration and humaneness of control options for rabbits

- Increasing awareness of all stakeholders of the objectives and actions of the threat abatement plan, and of the need to control and manage rabbits

State Legislation - New South Wales

The European rabbit is declared as a pest in NSW under the *Rural Lands Protection Act 1998*. Under section 155 and 156 of the Act, all land managers in NSW, whether public or private, have an obligation to control declared pest species on their land. Councils, as land managers, are responsible for the control of rabbits on land owned or occupied by them.

Under the *Threatened Species Conservation Act 1995* (TSC Act), the NSW Scientific Committee has declared '*Competition and grazing by the feral European rabbit *Oryctolagus cuniculus* (L.) (2002)*' as a KTP.

Rabbits are not recognised as companion animals under the *Companion Animals Act 1998* or defined as stock under the *Rural Lands Protection Act 1998* or the *Impounding Act 1993*.

Current control options

Current techniques available for controlling rabbits can be categorised broadly as biological, chemical and mechanical.

Biological controls

The myxoma virus, causing the disease Myxomatosis, was first released in 1950. The virus initially killed over 90 per cent of feral rabbits that caught the disease, but some developed resistance, making the pathogen less effective. However, the Myxomatosis disease still naturally flares up due to environmental conditions and keeps populations reduced.

The Rabbit Haemorrhagic Disease (RHD) virus (formally known as Rabbit Calicivirus Disease) is more effective in wetter parts of the country than in drier regions. RHD is also an endemic disease that occurs when conditions are favourable but can be introduced into populations.

Biological control has been effective in the past as it is not spatially restricted but can spread throughout populations and to other non-treated land tenures.

Chemical control

The main chemical control used for rabbits is the poison sodium fluoroacetate (1080). There are strict restrictions on the use of 1080 which is governed by a pesticide control order (PCO). The restrictions of the PCO's often preclude the provision of baiting rabbits using 1080 in urban areas.

Pindone is a multi-dose anticoagulant bait which can be used in urban and peri-urban areas and is commercially available. Unlike 1080, an antidote (vitamin K) is available for non-target pindone poisonings. There are low risks of secondary poisoning associated with pindone.

Pressure fumigation or diffusion fumigation using toxins like aluminium phosphide, chloropicrin and carbon monoxide are also used to kill rabbits while they are in their warrens.

Using chemicals to control vertebrate pest has training, recording and notification requirements under the *Pesticide Act 1999*. Chemical control is effective but is limited spatially as its impacts do not transfer to other non-treated land tenures.

Mechanical control

Destruction of warrens and above-ground harbours is the most widely used mechanical method for rabbit control. Above-ground harbour destruction such as weed removal has flow on environmental benefits.

Other mechanical control methods used less widely are fencing, shooting, fire and trapping. Some of these controls do not destroy rabbits but just exclude individuals from areas and transfer the impact to other non-treated lands. They can be expensive and impractical for larger areas.

CURRENT STATUS

Wyong Shire Local Government Area

Rabbit density is mapped by the NSW Government for the Wyong region as low (see Attachment 1).

There are a number of techniques used to measure rabbit abundance. A rapid visual assessment is a practical method of quickly assessing abundance. It allows for a fast understanding of rabbit density at sites to enable the appropriate control program and technique to be employed. The rapid visual assessment model used under this report is known as the rabbit density index.

Inspections of sites in Wyong LGA have shown a trend of no change in populations at some sites and a significant reduction in the majority of areas. This trend is most likely due to a natural influx of Myxomatosis through factors such as above average temperatures and winter rainfall. These conditions have created standing pools of water for mosquitoes which spread the disease. The areas that have shown little change are typically areas that are on sand which don't provide prime conditions for mosquitoes.

An inspection of seven known problem sites using the rabbit density index was undertaken in October 2013 by Council's Noxious Weeds and Pest Species Officer as per normal inspection duties.

5.2 Plan to Address Rabbit Plague (contd)

Table: Results of the rabbit density index from inspections conducted in October 2013 (Very Low = 10, Medium = 50, Very High = 100).

Asset	Rating	Density Level	Current treatment
South Wyong Sewerage Treatment Works Lot 23 DP 5536	57	Medium	As required. Baiting program twice a year.
Gorokan Park, Ocean View Road, Gorokan Lot 184 DP 31019	0	Very Low	On request
Reserve, Gascoigne Rd, Gorokan Lot 78 DP 28738	17	Low	On request
Norah Head Tourist Park Lot 527 DP 755266	47	Medium	Baiting program twice a year.
Reserve, 40 Wilfred Barrett Drive, Magenta Lot 623 DP 822104	48	Medium	On request
Karagi Park, Hutton Road, The Entrance North Lot 7313 DP 1147369	32	Low - Medium	On request
North Shelley Beach Car Park, Oaks Ave, Toowoona Bay Lot 275 DP 755263	35	Low - Medium	Adjacent to Toowoona Bay Holiday Park. Baiting program twice a year.

In Wyong LGA, feral rabbits impact on areas such as holiday parks, cemeteries regeneration areas (including Landcare, Bushcare, Dunecare and Coastcare sites), sports fields, natural reserves and other assets such as sewer and water treatment works.

Council currently runs the following rabbit control programs:

- Open Space and Recreation undertakes by request pindone baiting programs within Council reserves. This also includes control undertaken by volunteer groups supervised through the Landcare program.
- The Water and Sewer Unit carries out control programs at Wyong South Sewer Treatment Works and the Mardi Water Treatment Works. These are treated on average two times as year using pindone baiting and shooting.
- Control at Council's four holiday parks (Budgewoi, Norah Head, Canton Beach and Toowoona Bay) is the responsibility of the operational contractor who is required to carry out a minimum of two baiting programs a year at each of the four parks.

The effect of these programs could be limited due to the methodology employed which utilises chemical controls as required. Chemical control effects don't tend to transfer to nearby non-treated land while undertaking controls only when required typically treats populations out of breeding season reducing efficiency.

CONSULTATION

NSW Government Agencies

Research and consultation has been undertaken with NSW Government officers from Crown Lands, National Parks and Wildlife Service (NPWS) and the Livestock Health and Pest Authority (LHPA).

Crown Lands and NPWS undertake rabbit management on lands under their direct control. They use a combination of ad hoc baiting, warren fumigation and shooting to control rabbits on an as required basis. Larger scale biological releases (such as RHD) are not favoured by these agencies due to geographical and size limitations of land in their control.

Crown Lands and NPWS would support and seek funding for a multiagency approach with Council which would involve coordinated timing for chemical rabbit control (baiting) on adjoining land tenures.

The LHPA has developed a program for the release of a new variant of RHD (biological control) which forms part of the four year strategic LHPA Rabbit Management Plan (2013-17). The plan includes landholders, local councils and other government organisations. The LHPA recommends the RHD program for urban areas. Blood tests are undertaken to determine if there is any existing resistance to RHD in the area of treatment. If resistance is found, no release of RHD will be recommended.

A RHD program is planned for release in March 2014. The program would be coordinated by the LHPA and would be offered to all councils in the Greater Hunter and Central Coast regions. The LHPA has advised it will offer to conduct blood tests on rabbit populations within the Wyong LGA, supply the vials of RHD and provide guidance and methodology.

Local Government

Lake Macquarie Council and Gosford City Council participated in the first Greater Hunter and Central Coast LHPA coordinated RHD release in May 2013 after blood tests on local feral rabbit populations showed no resistance. Both programs were considered successful and an improvement on current methods using baiting and shooting.

Lake Macquarie Council and Gosford City Council are participating in the RHD release in March 2014 and have indicated they will conduct ongoing annual releases until blood tests show that the local population have built resilience.

THE PROPOSAL

It is proposed that Council participates in the LHPA coordinated RHD release program scheduled for March 2014. This will include blood testing for resilience of local rabbit populations and the release of the RHD virus. It is estimated that ten sites should be trialed over a three week program within the Wyong LGA. An RHD release could be used in replacement of other current methods of control.

This program would treat a wider area than is already treated by Council and should affect all land tenures within the Wyong LGA. The program would also be supported and strengthened with coordinated participation with Lake Macquarie Council and Gosford City Council.

5.2 Plan to Address Rabbit Plague (contd)

Dependent on the success of the initial release, future programs should be considered until resilience in the local rabbit population has developed.

Follow-up baiting (pindone) and / or warren destruction could be undertaken to maximise results following the RHD release if required.

OPTIONS

Option 1: Keep current arrangement

Provide chemical and mechanical rabbit control programs on an as need basis within Council assets. These programs are the responsibility of the asset owner unit and are within existing budgets and staff allocations. Due to the nature of this method and funding opportunities for other organisations, these programs will be difficult to coordinate as a multiagency approach. This option will meet legislative requirements.

Not recommended.

Option 2: Participate in the RHD release program

Participate in the Lower Hunter and Central Coast LHPA coordinated RHD release program in March 2014 including required blood testing and any appropriate follow-up control strategies. It is recommended ten locations be trialed in the first release which could include two Open Space reserves, two cemeteries, two Water and Sewer Treatment Plants and the four Holiday Parks. This program would be in replacement of other current controls and should be ongoing until resilience in the local rabbit population has developed.

Recommended.

If any rabbit management control program is implemented, impacts to native fauna need to be considered. Feral rabbits are predated by introduced predators such as foxes and cats and any reduction in feral rabbit populations could lead to 'hyper-predation' on indigenous species. Therefore, in accordance with the *Threat Abatement Plan for Competition and Land Degradation by Rabbits*, any management plan needs to be integrated with management of introduced predators.

STRATEGIC LINKS

Wyong Shire Council Strategic/ Annual Plan

<i>Principal Activity</i>	<i>Service</i>	<i>Key Action and Objectives</i>	<i>Funding Source and Description</i>	<i>Impact on Key Performance Indicators/ Service Performance Indicators</i>
Environment and land use	Natural resource management	Not applicable	Open Space and Recreation, Rabbit Culling 10.4950.475 Water and Sewer, CC/2 20.9280.266	Not applicable

Contribution of Proposal to the Principal Activity

Nil impact.

Long term Financial Strategy

Nil impact.

Asset Management Strategy

The Plan is consistent with the General Principles of Asset Management as listed in the Asset Management Strategy, including:

- The need for public safety
- The need to manage community and corporate risk
- The need for effective management to ensure their optimal lifecycle

The Plan is also consistent with the desired outcomes of the Asset Management Strategy:

- Ensuring risk reduction and increased public safety

Workforce Management Strategy

Nil impact.

Link to Community Strategic Plan (2030)

Nil impact.

Budget Impact

The recommended option would be covered through existing budgets and is less than existing expenditure.

GOVERNANCE AND POLICY IMPLICATIONS

Council has an obligation under the *Rural Lands Protection Act 1998*, to control declared pest species on their land.

This report is in accordance to the following WSC policies:

Environmental Policy (Operational)

- Section D.5: WSC will comply with relevant environmental laws, regulations and adhere to applicable codes of practice
- Section D.8: WSC will work with the local community to protect and improve the environment and maintain healthy ecological systems within the Shire
Erosion and Sedimentation Control Policy
- Objective 5: To promote ecologically sustainable development principles with regard to erosion and sedimentation control

MATERIAL RISKS AND ISSUES

The European rabbit is declared as a pest in NSW under the *Rural Lands Protection Act 1998*. Under section 155 and 156 of the Act, Council, as land managers, is responsible for the control of rabbits on land owned or occupied by them. Failure to meet this legislative requirement relates to the Corporate Risk:

- CR34 Legislative Requirements: Council does not comply with legislative requirements leading to penalties, civil claims and/or contractual disputes

Chemical controls for management of feral rabbits, such as baiting and fumigation, present public health risks and have potential to harm non-targeted species. Mechanical controls such as shooting, also present risks to public safety. There are lower risks to public safety using biological control methods such as RHD and there is no risk to non-targeted species.

CONCLUSION

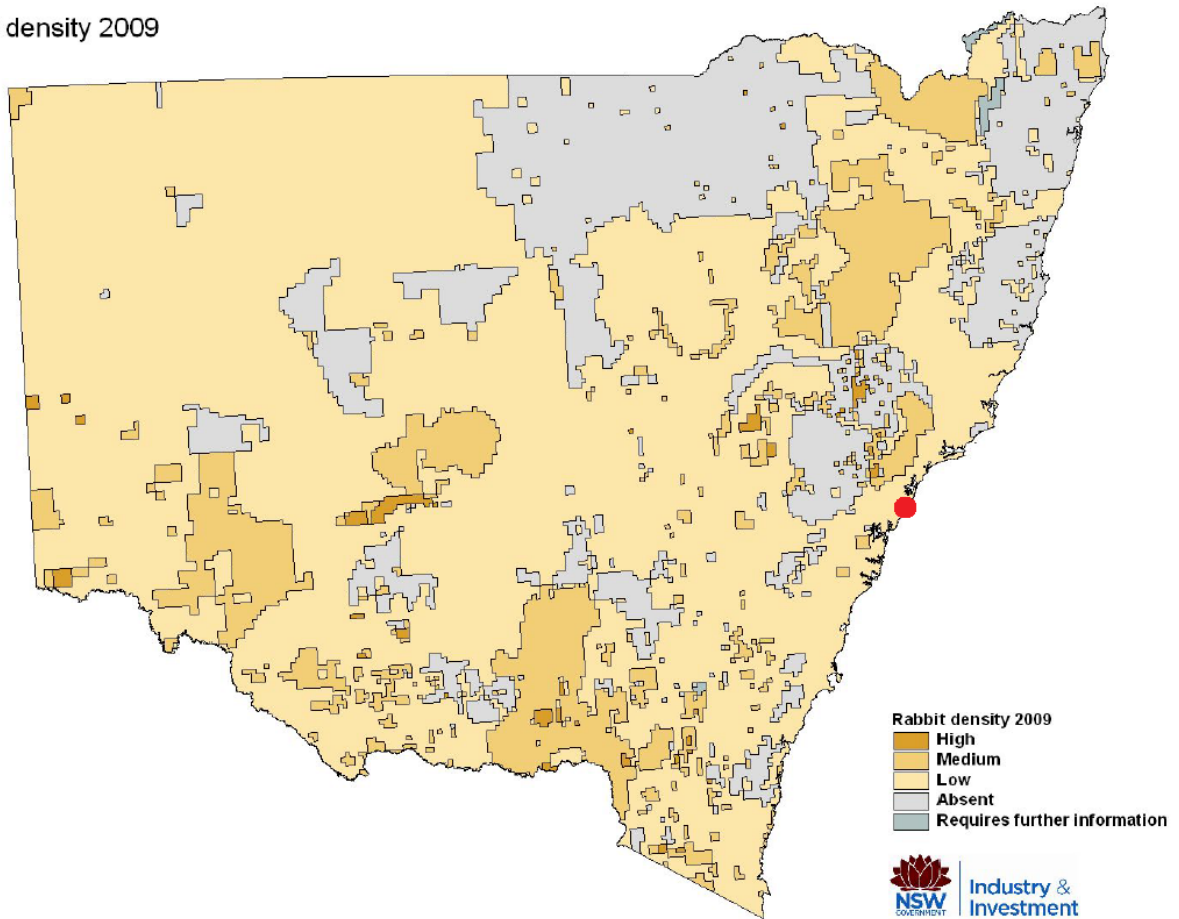
Feral rabbits degrade the natural environment, impact Council assets and reduce the recreational value of open spaces. As a land manager, Council has an obligation under the *Rural Lands Protection Act 1998* to control declared pest species, such as rabbits, on their land.

This report seeks Council to consider the Lower Hunter and Central Coast coordinated release program of the RHD virus scheduled for March 2014. This program gives Council the opportunity to participate in a previously successful regional rabbit control program with coordinated support from the LHPA, Gosford City Council and Lake Macquarie Council at a reduced cost to Council.

ATTACHMENTS

- 1 NSW Rabbit Density Map D04193499

Rabbit density 2009



5.3 Reward for Reporting Vandalism Policy

TRIM REFERENCE: F2004/07011 - D03613687

MANAGER: Andrew Pearce, Manager, Waterways & Asset Management

AUTHOR: Louise McDonald; Admin and Project Support Officer

SUMMARY

This report recommends the adoption of the Reward for Reporting Vandalism policy that defines how Wyong Shire Council may reward individuals who report vandalism to Council.

RECOMMENDATION

That Council adopt the Reward for Reporting Vandalism Policy per attachment 1 to apply from the date of this meeting.

BACKGROUND

Vandalism may be defined as the inappropriate and malicious misuse and damage of Councils property and assets without its permission. Incidents of vandalism include graffiti, defacement, and other physical damage.

Vandalism is an issue of community concern for those living, working in and visiting the Wyong Local Government area due to its negative impact on public amenity, perceptions on public safety and the overall financial cost to the community.

Council recognises that it is the communities interest to implement measures which act both as a deterrent to vandalism and also assisting in bringing justice against perpetrators responsible for vandalism of community assets.

CURRENT STATUS

Council has procedures in place to deal with the issue of vandalism of Council's assets. This includes design and materials consideration, rangers, security guards, cameras, signage and a graffiti management strategy.

Council has identified vandalism as a priority issue for Wyong Shire, one which requires a response from Council in conjunction with key stakeholders, including the police, local businesses, residents and the wider community.

A reward for vandalism policy has been in existence for a number of years although it has not been actively publicised. There is no evidence of this policy previously being endorsed by Council. There has historically been limited claims for a reward and no payments in the past 3 years.

THE PROPOSAL

The policy enables discretion to be applied in the granting of financial rewards to community members whom notify Council of tangible instances of vandalism to its assets. Through the application of the rewards policy Council is engaging and empowering the community in working together to reduce the negative impact of this common issue.

The policy offers a reward up to a maximum of \$10,000 to persons providing information leading to the apprehension of vandals, in addition to any of the following conditions:

- The offender(s) being convicted by the courts
- The courts finding the case against offender(s) proven but not proceeding to conviction
- The offence is not proceeded with due to agreement being reached to pay appropriate restitution costs to Council
- The offender(s) is a juvenile too young to be prosecuted but the offence is admitted.

The maximum amount of the reward will only be paid where the restitution exceeds twice the maximum reward that can be paid under this policy.

Where any charge, fee, supply of projects or services under this policy is subject to a goods and services tax (GST), an amount equal to the GST paid or payable in respect of the charge, fee, supply of products or services, shall be included in the amount of consideration paid or payable under this policy.

OPTIONS

Council has the option of either:

- (a) Adopting the Reward for Vandalism Policy under the proposed terms
- (b) Adopting a Reward for Vandalism Policy under different conditions and value of rewards
- (c) Rejecting the idea of having a Reward for Vandalism Policy

Option (a) is considered to represent the best option for Council.

STRATEGIC LINKS

Wyong Shire Council Strategic/ Annual Plan

The proposal will facilitate the effective and efficient management of Councils infrastructure assets. This will include acting as a deterrent to vandalism which contributes to increased lifecycle costs and reduces the capacity of assets to meet the desired levels of service.

Workforce Management Strategy

Nil

Link to Community Strategic Plan (2030)

The policy has linkage to the Community Strategic Plan (2030) through the provision of a tool which will contribute to reducing the impacts of vandalism on the community. Vandalism has a direct impact on the ability of the community to meet two key strategies under this plan. These include:

- Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood, and
- Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.

Budget Impact

The funding for implementation of this policy shall be directly linked to the operating expenditure budget of the vandalised asset. This is similar to the existing situation where the costs of vandalism are captured as expenditure against the specific asset.

Historically there has been limited uptake of the rewards scheme, with no payments made in the past 3 years. This is considered to be largely due to limited publication of the availability of the reward scheme. It is envisaged that the on-going budget impact of the scheme will be closely monitored and may form the basis of a future review of this policy.

CONSULTATION

Relevant internal service business units.

GOVERNANCE AND POLICY IMPLICATIONS

Nil.

MATERIAL RISKS AND ISSUES

Nil.

CONCLUSION

It is recommended that Council adopt the 'Reward for Reporting Vandalism' policy per attachment 1.

ATTACHMENTS

- 1 Draft Reward for Reporting Vandalism policy D03505999



POLICY No: WSC051

POLICY FOR REWARD FOR REPORTING VANDALISM

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MAYOR (IF APPLICABLE)			

History of Revisions:

Version	Date	TRIM Doc. #
1	13/7/2007	D00917003
2	16/7/2013	D03505999

A. POLICY SUMMARY

- A1 To encourage and reward public reporting of the vandalism of Council property and any environmental damage that occurs throughout the Shire.

B. POLICY BACKGROUND

- B1 Vandalism is an issue of community concern for those living, working in and visiting Wyong Shire Council due to its negative impact on public amenity, perceptions on public safety, and the overall financial cost to the community.
- B2 Council has identified vandalism as a priority issue for Wyong Shire, one which requires a response from Council in conjunction with key stakeholders, including the police, local businesses, residents and the wider community.
- B3 The public reporting of vandalism by the community which then leads to the apprehension of vandals is seen as an important measure in reducing the prevalence of vandalism in the Shire.
- B4 Under the act Council can make provision to encourage such reporting through a reward based system.

C. DEFINITIONS

- C1 **Council** means the elected representatives, Councillors, who form the governing body of Wyong Shire Council.
- C2 **The Act** means the *Local Government Act NSW 1993*.
- C3 **WSC** means Wyong Shire Council, being the organisation responsible for the administration of Council affairs and operations and the implementation of Council policy and strategies.

D. POLICY STATEMENTS**Jurisdiction**

- D1 This Policy covers all elected members of Council, all personnel employed by WSC, any person or organisation contracted to or acting on behalf of WSC, any person or organisation employed to work on WSC premises or facilities and all activities of the WSC.
- D2 This policy does not confer any delegated authority upon any person. All delegations to staff are issued by the General Manager.

General

- D3 Council offers a reward up to a maximum of \$10,000 to persons providing information leading to the apprehension of vandals, in addition to any of the following conditions:
- The offender(s) being convicted by the courts
 - The courts finding the case against offender(s) proven but not proceeding to conviction
 - The offence is not proceeded with due to agreement being reached to pay appropriate restitution costs to Council

- The offender(s) is a juvenile too young to be prosecuted but the offence is admitted
- D4 The maximum amount of the reward will only be paid where the restitution exceeds twice the maximum reward that can be paid under this policy.
- D5 Where the maximum reward cannot be paid due to the above limitation, the reward payable will be commensurate with the cost of damage incurred but still at the discretion of the office holders referred to in clause E3.
- D6 Where any charge, fee, supply of products or services under this policy is subject to a goods and services tax (GST), an amount equal to the GST paid or payable in respect of the charge, fee, supply of products or services, shall be included in the amount of consideration paid or payable under this policy.

E. POLICY IMPLEMENTATION - PROCEDURES

- E1 It is the personal responsibility of all WSC employees and agents thereof to have knowledge of, and to ensure compliance with this policy.
- E2 This Policy should be read in conjunction with WSC's Code of Conduct.
- E3 The amount of the reward payable under this policy will be determined by any two of the Mayor, the General Manager or the Director Infrastructure and Operations acting together.
- E4 All sources of reporting will be kept on a confidential basis.
- E5 Associated documents**
- Local Government Act 1993, sections 24 & 356(1).
 - WSC Code of Conduct

5.4 Safety Issues - Intersection of Louisiana Road and Pacific Highway, Kanwal

TRIM REFERENCE: F2007/01673 - D04171262

MANAGER: Peter Murray, Manager Roads and Drainage

AUTHOR: Stephen Dignam; Assets and Planning Manager Roads and Drainage

SUMMARY

This report discusses safety concerns surrounding the Roads and Maritime Service (RMS) controlled intersection of Louisiana Road and the Pacific Highway, Kanwal. It addresses feasible options for the short and long term treatments at the intersection.

RECOMMENDATION

- 1 That Council engage with Roads and Maritime Service (RMS) during the consultation period for proposed Blackspot works at the intersection.**
- 2 That Council request RMS to continue to increase the safety and capacity of the State Road network through Wyong local government area and foster economic development through intersection improvements, construction of the Warnervale Watanobbi Link Road and the Wyong CBD Upgrade.**

BACKGROUND

Council at its meeting held 23 October 2013;

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

"1331/13 That Council note the wide spread community concern around safety access issues at the intersection of Louisiana Road and Pacific Highway.

1332/13 That Council urgently seek dialogue with the RMS calling on them to support Councils preferred option of a temporary roundabout on the intersection.

1333/13 That Council recognise the Pacific Highway and the intersection with Louisiana Road is part of the State Road network and not part of Council's road network.

1334/13 That Council recognise with the recent commencement of the reconstruction of nearby Warnervale Road (\$3.3M) and the resultant associated road closures, traffic loads on Louisiana will increase dramatically, escalating intersection risks.

5.4 Safety Issues - Intersection of Louisiana Road and Pacific Highway, Kanwal (contd)

1335/13 *That Council direct the General Manager to address the safety issues of the intersection with Roads and Maritime Services and provide an urgent report to Council addressing issues/options and outcomes of discussions including any further budgetary advice.*

1336/13 *That Council request the Member for Wyong to support urgent remedial action at this intersection.”*

There have been numerous complaints to both Wyong Council and RMS regarding safety at the intersection of Louisiana Road and the Pacific Highway, Kanwal. The concerns have arisen due to the increase in traffic on the Pacific Highway and development of adjacent residential land. The intersection occurs at a curve and there is a crest just to the east.

In June 2011 Council began liaising with the then Roads and Traffic Authority about the necessity to introduce an appropriate treatment at the intersection whilst Minnesota Road was closed during its upgrade.

The duration of the road closure was planned to be approx. 5 months. During this period, detour routes would need to be in place and signposted accordingly. The detour involved diverting southbound traffic along Louisiana Road thus increasing traffic movements at the intersection.

Due to the concerns with the right turn out of Louisiana Road onto the Highway, to Wyong, Council had proposed a temporary roundabout be constructed at the intersection of the Pacific Highway and Louisiana Road to safely accommodate this movement while Minnesota Road was closed.

Council engaged with NSW Roads and Maritime Services (RMS) and a formal proposal for a temporary roundabout was requested in March 2012 seeking approval and funding. The proposal was based on a single lane roundabout with a cost estimate of \$486,000 and removal post construction for \$317,000. Some vegetation clearing and a reduced speed limit would provide a short term solution during the Minnesota Road project.

After a series of negotiation and reworking the concept designs, RMS rejected Council's proposal in June 2012 on the grounds that “the provision of funds addresses the issue relating to construction traffic management, however it does not necessarily represent the most cost effective method of addressing the current issue”.

With no alternative, Council adopted a Traffic Control Plan (TCP) during the closure of Minnesota Road to temporarily divert southbound traffic (except buses) along Sparks Road and the Pacific Highway. Northbound traffic was diverted along Louisiana, Warnervale and Minnesota Roads. With the existing safety concerns in mind at the intersection of the Pacific Highway and Louisiana Road, Council proposed that southbound motorists would legally only be able to make left turns at this intersection (buses excepted). Inherent to this approach was Police enforcement to deter motorists from ignoring the turning restrictions as it was evident that numerous traffic violations occurred during the partial closure of Minnesota Road in October 2011 to complete Stage 1 of the upgrade works.

With the commencement of Warnervale Road Culverts Upgrade the TCP for this project has seen the retention of the detours and left turn only restriction at the intersection.

5.4 Safety Issues - Intersection of Louisiana Road and Pacific Highway, Kanwal (contd)

Council staff have continued to raise with RMS the treatment of the intersection during the continuation of existing detours and options post roadworks. RMS have identified the location as a Blackspot and recently been successful in gaining funding to implement a solution to address the crash types occurring at the intersection.

CURRENT STATUS

Prior to the temporary closure of Minnesota Road, the intersection of Louisiana Road and the Pacific Highway, Kanwal allowed all turning movements to take place.

Currently the intersection forms part of the TCP for the Warnervale Road Culverts Upgrade and is limited to left out only from the Northern leg of Louisiana Road (buses exempt). The existing control is by way of signposting only. No physical barriers exist as buses are still allowed to make right turn movements out of Louisiana Road from both directions.

THE PROPOSAL

RMS propose to construct a physical barrier in the form of a raised median on the Pacific Highway which will restrict movements from Louisiana Road to left in, left out only. As part of the works a signalised crossing will replace the existing pedestrian refuge on the Pacific Highway which is approximately 100m to the west of the intersection.

RMS believe that “the provision of a concrete median is seen as the most cost effective option to address crashes” at the intersection. They also believe the cost of a temporary roundabout with a 10 year design life would be in the vicinity of \$1.5 - \$2M and consequently this cost does not provide sufficient economic return over other higher priority projects.

As a stakeholder in the management of the road network, Council will be involved in the consultation period for the RMS proposal which is planned for December 2013. Depending on the results of the submission during this time, RMS plan to commence work to coincide with the completion of the Warnervale Road Culvert Upgrade around February/March 2014.

Following on from this, Council will continue to engage with RMS with a view to increase the safety and capacity of the State Road network through Wyong LGA. Improvements include intersection upgrades, construction of the Warnervale - Watanobbi Link Road and the CBD upgrade.

The increase in traffic expected to be generated by development in the Warnervale Planning District will result in the Pacific Highway, between Britannia Drive at Watanobbi and Sparks Road at Kanwal, experiencing extended periods of peak congestion. This would also lead to increased traffic on local roads such as Minnesota Road, Warnervale Road and Pollock Avenue, as traffic attempts to avoid delays along the Highway.

Construction of the northern section of the Link Road from Sparks Road, south to the entry of the Lakes Grammar School (0.8 Km) was completed in 2010. Construction of the remainder of the road (2.3 Km), south to Watanobbi, is now required so that this essential transport connection between Watanobbi and Warnervale can be realised. As it will reduce the volume of traffic on the section of the Highway between Watanobbi and Kanwal, it is likely to delay the need to upgrade this section of the Highway by 10 to 15 years.

STRATEGIC LINKS

Wyong Shire Council Strategic/ Annual Plan

Nil

Long term Financial Strategy

Nil

Asset Management Strategy

Nil

Workforce Management Strategy

Nil

Link to Community Strategic Plan (2030)

Whilst the intersection is under the care and control of RMS there is a direct link to the CSP.

Section 2 – Ease of travel

Item g – “On-going upgrading of roads in the Shire including The Entrance Road and the Pacific Highway”

Budget Impact

Nil

CONSULTATION

Council staff meet monthly with RMS Traffic and Safety Manager (Central Coast) to discuss this matter.

GOVERNANCE AND POLICY IMPLICATIONS

The Pacific Highway is a classified Main (State) Road under the Roads Act 1993. RMS is the Road Authority for classified roads and therefore has management responsibility for proposed treatments at the intersection.

MATERIAL RISKS AND ISSUES

Nil

CONCLUSION

A signalised intersection provides the greatest benefit for safety and functionality at the intersection. Noting the cost of such a proposal, future development of adjacent land and lead time for planning RMS have determined a cost effective option for treating the crash types that have occurred at the intersection in isolation to longer term and broader network capacity and functional issues.

Council will have an opportunity to make a submission during the consultation period for the proposed solution.

Staff will support RMS as they continue to increase the safety and capacity of the State Road network through Wyong LGA in order to foster economic development through intersection upgrades, construction of the Warnervale Watanobbi Link Road and the Wyong CBD Upgrade.

ATTACHMENTS

Nil.

5.5 2013-17 Strategic Plan - September Quarter Review (Q1)

TRIM REFERENCE: F2012/01427 - D04171451

MANAGER: Vivienne Louie, Acting Chief Financial Officer

AUTHOR: Kim Futcher, Financial Controller

SUMMARY

This paper reports on Wyong Shire Council's performance progress as measured against the organisation's Strategic Plan for 2013-2017. The report covers the period for the three months ended 30 September 2013 (Q1).

RECOMMENDATION

- 1 That Council receive the first Quarterly Review Report on progress against the WSC 2013-17 Strategic Plan.**
- 2 That Council note that Council's Responsible Accounting Officer has declared the financial position of Wyong Shire Council to be satisfactory.**

BACKGROUND

Council is required to review its budget progress each quarter in accordance with the Wyong Shire Annual Plan and s.203 of Local Government (General) Regulations 2005.

Each year, Council prepares a Strategic Plan incorporating the 4 Year Delivery Program and the Annual Plan. Progress is measured against this plan and reported on a quarterly basis in terms of actual financial performance against budget; relevant performance indicators; outcomes of actions; and delivery of major projects.

The Local Government Act requires Council to report on its performance at least every six (6) months on progress with respect to each Principal Activity set out in the Strategic Plan.

The quarterly Business Report is presented in the necessary format and is considered to satisfy both requirements.

CURRENT STATUS

The Q1 Business Report 2013-14 is included as an enclosure and reports on progress against the 2013-2017 Strategic Plan for the year to 30 September 2013.

The 2013/14 financial year is focussed on Council's continued journey to achieving long term financial sustainability. Council's original budget for 2013-14 provided for an operating shortfall of (\$2.3m) aligned with Council's fiscal correction path. To achieve this result Council will continue to implement tight management controls around expenditure.

The year to date operating result (excluding capital grants and contributions) shows a favourable variance of \$5.9m, consisting of an actual surplus of \$107.5m compared to a budget surplus of \$101.6m. This result includes Rates and Annual Charges income of \$142.6m which represents the full year income.

Work will continue to identify the risks to budgets and to reaffirm Council's commitment to the target of (\$2.3m) deficit at year end, despite significant budget challenges.

Capital expenditure to 30 September 2013 was \$11.6m compared to the YTD budget of \$14.4m, and represents 14% of the full year capital budget of \$83.8m.

Typically our capital expenditure spend profile is less in the earlier half of the year due to the need to investigate, plan and design new works and deliver those works in quarters three and four.

The 2013-14 capital works budget totals \$83.8m, including \$12m for SRV projects. In June 2013 Council was granted a special rate variation for a period of four years to address our \$130 million asset backlog to improve the condition of our roads, bridges, footpaths, buildings, and sports facilities - to ensure they are 'satisfactory' in terms of being safe and fit for community use.

With the additional funds raised from the Special Rate Variation, Council will spend approximately \$10 million each year for the next 13 - 15 years, addressing the backlog, reversing a long-term decline in asset conditions.

Projects that were not completed at 30 June 2013 and have been finalised during the 1st quarter of 2013-14 have been considered for budget purposes as part of this Q1 review and funding has been identified from savings in other projects to ensure that the whole capital works program is delivered within budget within budget.

Financial Implications

Budget adjustments are proposed in this report but adjustments were not approved unless an offsetting reduction in expenditure was identified and the targeted operating deficit remains (\$2.3m) and the total capex budget remains \$83.7m.

CONSULTATION

All departments were consulted and involved in the preparation of this report.

GOVERNANCE

Quarterly reporting of Council's financial and operating performance is mandatory.

CONCLUSION

All requirements of the relevant legislation governing management reporting have been met.

The Responsible Accounting Officer considers that the Quarterly Budget Review Statement for Wyong Shire Council for Q1 indicates that Council's projected financial position will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Continued management actions/decisions are required to maintain that position.

The financial position represented by the report leaves no room for relaxation of tight budgetary controls, by all concerned.

ATTACHMENTS

- 1 Business Report Q1 - September 2013 (distributed under separate cover Enclosure
D04467092)

5.6 Council Owned Iconic Development Sites - Call for Expression of Interest

TRIM REFERENCE: F2010/02196 - D04273382

MANAGER: Jari Ihalainen, Director Land Management

AUTHOR: Paul Bowditch; Manager Place Management

SUMMARY

Reporting on the status of the Council owned Iconic Development Sites and seeking Council's authorisation to call for expressions of interest from interested parties (most likely property specialists and real estate professionals) to join a Council-led Developer Panel to facilitate the promotion of iconic sites both nationally and internationally.

RECOMMENDATION

- 1 That Council receive and note the report on the status of the Council owned Iconic Development Sites.**
- 2 That Council authorise the General Manager to call for expressions of interest from firms that have the ability to promote Council's Iconic Development Sites on both a national and international basis.**
- 3 That Council authorise the General Manager to engage an appropriately qualified firm to undertake this work.**

BACKGROUND

In late 2010, Council identified 28 sites across the Shire as having the potential to trigger economic develop particularly within the main town centres. These sites, now known as Iconic Development Sites, have since been included in the draft Wyong Local Environmental Plan 2013 which was publically exhibited earlier this year and is expected to be finalised in the near future.

Since the adoption of the Iconic Development Sites programme in 2010, staff have engaged with the owners of these sites with a view to assisting them in progressing various development proposals on their land. Some of the privately owned sites have progressed to a point where development concepts and Planning Proposals have been submitted to Council for consideration.

Council owns (or partly owns) 7 of the 28 Iconic Development sites. Preliminary designs for 3 of these sites are currently well advanced and Staged Development Applications for these 3 sites are currently being prepared. These sites are:

Short Street Carpark Site in The Entrance
Oasis Site in Wyong
Toukley Town Centre Carpark Site

5.6 Council Owned Iconic Development Sites - Call for Expression of Interest (contd)

This report seeks Council's approval to call for expressions of interest from firms to promote the Council owned sites to both the national and international property market with a view to ultimately securing partnerships (or similar) to deliver the redevelopment of these sites which will benefit both Council and the community.

CURRENT STATUS

Table 1 provides a summary of the details of each of the Council owned sites.

Site Description	Fully Owned or Partly Owned by WSC	Location	Proposed Planning Controls included in Draft WLEP 2013	Current Status
Short Street Carpark	Fully owned	Corner of Dening and Short Streets, The Entrance	Zone: B2 Local Centre FSR: 3:1 Base Height: 31m Key Site Height: 50m	Preliminary concepts have been prepared for a mixed use development on the site.
Toukley Town Centre Carpark	Partly owned	Corner of Yaralla Road and Hargraves Street, Toukley	Zone: B2 Local Centre/B4 Mixed Use FSR: B2 - 2:1 (up to 2.4:1), B4 - 1.5:1 (up to 1.8:1) Base Height: 25m Key Site Height: 30m	Preliminary concepts have been prepared for a mixed use development on part of the site. In addition to this, a masterplan for the entire site is also being prepared.
Old Service Station Site and Adjoining Council Carpark	Partly owned	Corner of Yaralla Road and Beachcomber Parade, Toukley	Zone: B4 Mixed Use FSR: 1.5:1 (up to 1.8:1) Base Height: 20m Key Site Height: 30m	No current plans
Oasis Site	Fully owned	Corner of Hely Street and Anzac Road, Wyong	Zone: B3 Commercial Core FSR: 3:1 Base Height: 23m Key Site Height: 30m	Preliminary concepts have been prepared for a mixed use development on the site.
Active River Foreshore	Partly owned	River Road, Wyong	Zone: R3 Residential & B4 Mixed Use FSR: R3 - 1:1 and B4 - 1.5:1 Base Height: 16-18m Key Site Height: 40m	Some interest in development from adjoining owners.
Wyong Tennis Club	Fully owned	Corner of Ithome and Rose Street, Wyong	Zone: RE1 Public Recreation FSR: 1.5:1 Base Height: 18m Key Site Height: 40m	No current plans
Warnervale Airport	Fully owned	Jack Grant Avenue, Warnervale	Zone: IN1 General Industrial & E2 Environmental Conservation FSR: 0.5:1 Base Height: 12m Key Site Height: 20m	No current plans

Table 1

Plans showing the locations and proposed zonings of each of the Council owned iconic development sites are attached to this report.

THE PROPOSAL

As mentioned above, Council staff are currently working with consultants to prepare a staged Development Application for 3 of the Council owned sites. To assist in the ultimate delivery of each of the proposed developments, it is necessary to extensively promote these sites within the property development and investment industries. It is also important that this promotional activity be undertaken on a wide front both nationally and internationally to ensure that Council maximises its opportunities for success.

Given the specialised nature of this promotional activity, it is considered prudent that Council seek the expertise of suitably qualified firms. It is therefore proposed to call for Expressions of Interest from suitably qualified firms with the ability to undertake this promotional activity on behalf of Council.

Budget Impact

Whilst a budget estimate for this promotional activity is not yet known, the funding source for the project will come from the operational budget of the Property and Economic Development Department. Utilising an Expression of Interest process will enable Council to review submissions from relevant firms and negotiate with either one or multiple firms to ensure that Council receives value for money through this process.

CONSULTATION

There is no formal community consultation process proposed within the scope of this project other than actually calling for submissions from firms. The development of each of the Council owned Iconic Development Sites will involve the normal statutory public notification process.

GOVERNANCE AND POLICY IMPLICATIONS

The project will be run in accordance with Council's adopted Procurement Policy and normal staff delegations.

CONCLUSION

Each of the Iconic Development Sites within the Shire were chosen because of the potential for them to trigger further development and increase economic activity. Council owns or partly owns 7 of these sites and is currently actively progressing staged development applications for 3 sites. To ensure that the development of these sites is realised, it is proposed to call for expressions of interest from suitably qualified firms to promote each of Council's Iconic Development Sites – both nationally and internationally.

ATTACHMENTS

Nil.

5.7 Warnervale Town Centre Entry Road Deed

TRIM REFERENCE: F2010/00805 - D04276374
MANAGER: Jari Ihalainen, Director Land Management
AUTHOR: Paul Bowditch; Manager Place Management

SUMMARY

Reporting on the finalisation of the Warnervale Town Centre Entry Road Deed.

RECOMMENDATIONS

- 1 That Council acknowledge its rights and obligations under the Warnervale Town Centre Entry Road Deed.**
- 2 That Council confirm its commitment to contribute the New South Wales Department of Trade and Investment, Regional Infrastructure and Services Grant Funding as required under the Deed.**
- 3 That Council contribute its funding amount, and pay all invoiced amounts in accordance with the terms and requirements of this Deed.**

BACKGROUND

At its meeting held on 23 January 2013, Council considered a confidential report on the preparation of Warnervale Town Centre Entry Road Deed. The Deed provides for the Warnervale Town Centre Entry Road to be funded jointly by Council, Fabcot (Woolworths) and Landcom. That report advised that the draft Deed had reached a point of in principle agreement and each of the parties were seeking approval from their respective Boards and Council to officially enter into the Deed.

Following consideration of this report, Council resolved as follows:

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

- 73/13 That Council authorise the General Manager to negotiate and if necessary make further adjustment to the Deed as necessary.*
- 74/13 That Council approve the Warnervale Town Centre Entry Road Deed and authorise the General Manager to sign the finalised Deed on behalf of Council.*
- 75/13 That Council appoint the General Manager and/or his delegate to be a member of the Project Control Group (“PCG”).*

76/13 Council acknowledges that it will contribute the funding provided by NSW Department of Trade and Investment to the costs of the entry road as required under the Entry Road Deed of Agreement subject to the funding being made available to Council by NSW Trade and Investment.

77/13 Council acknowledges that it will pay all invoiced amounts in accordance with the terms and requirements of the Deed of Agreement.

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

AGAINST: NIL”

CURRENT STATUS

The negotiations associated with the Deed have now been completed and Council has received the Deed as executed by Fabcot and Landcom. One of the clauses included in the Deed requires Council to pass a resolution at the next meeting following execution of the Deed which includes the following:

- “a Acknowledging Council’s rights and obligations under this document;
- b Confirming that Council will contribute the Department Funding as required under this document; and
- c Confirming that Council will contribute its Funding Amount, and pay all invoiced amounts in accordance with the terms and requirements of this document.”

THE PROPOSAL

The Warnervale Town Centre Entry Road runs from the Sparks Road intersection and traverses both Council, Landcom and Fabcot’s land up to the location of the proposed Warnervale North Railway Station. A plan showing the location of the proposed road is attached. The Deed of Agreement has been negotiated to set in place the method of delivering and funding the project. Landcom have been engaged as the Project Co-Ordinator in accordance with the Deed and will be responsible for the construction of the Entry Road.

Approvals are now in place to enable the work associated with the Entry Road to commence. Works are expected to commence in 2014.

Budget Impact

The Deed provides for each party to make a contribution towards the cost of the construction of the road which has a total value of \$5.9 million and a contingency figure of \$750,000 and Council’s contribution is capped at \$1 million. However, should the contingency figure be required, Council’s share of this contingency amount is 25% (\$187,500).

GOVERNANCE AND POLICY IMPLICATIONS

The Deed has been the subject of extensive review by each organisation which is party to the Agreement. The Deed provides for the appropriate Governance Structure to be implemented as part of the delivery of the Entry Road.

CONCLUSION

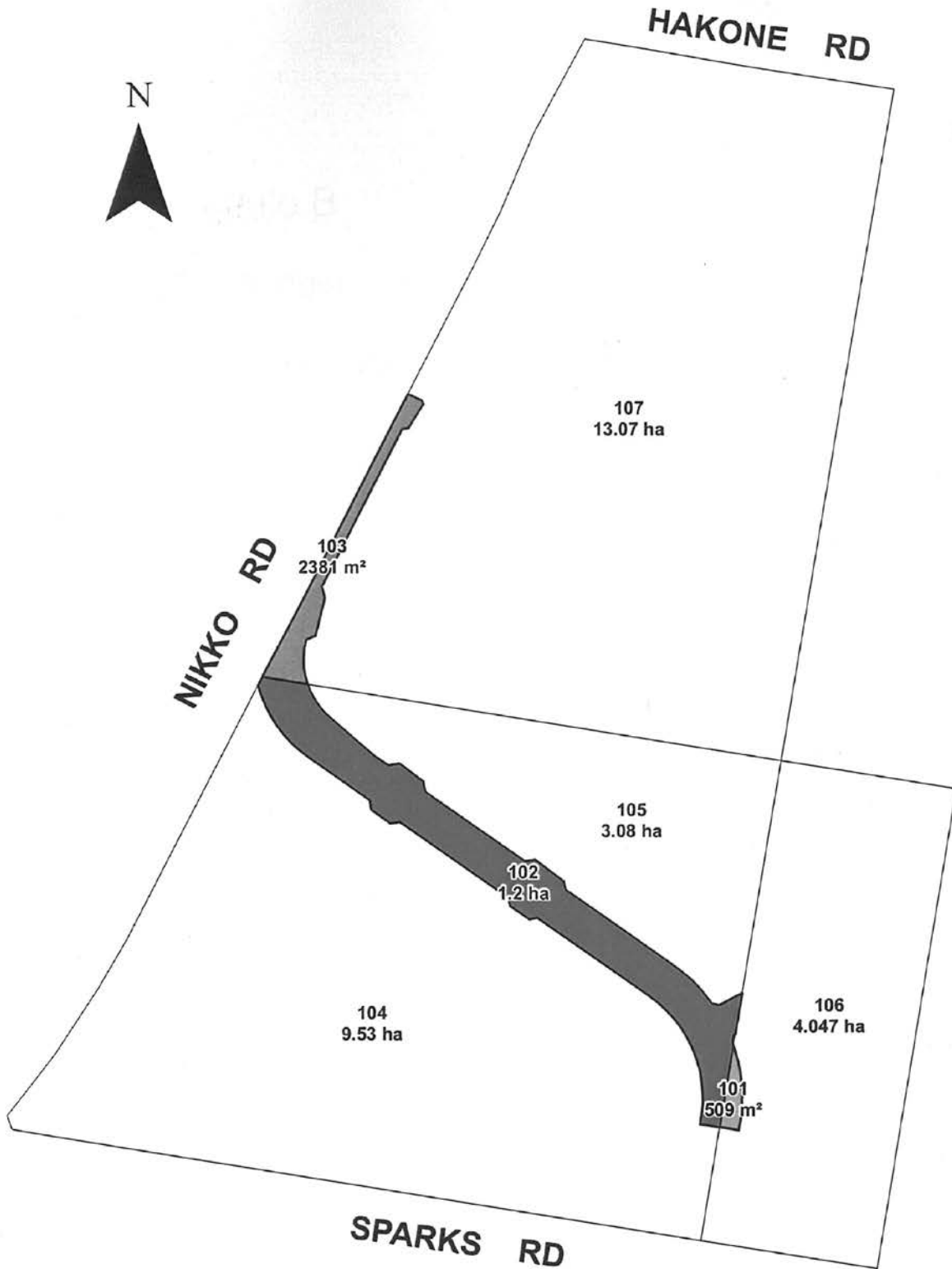
The Warnervale Town Centre Entry Road Deed of Agreement clearly sets the roles and responsibilities to the parties of the Deed and the entering into the Agreement by the three parties was necessary prior to construction of the Entry Road commencing.

The Warnervale Town Centre Entry Road is a vital piece of infrastructure which will facilitate the construction of the Town Centre proper along with providing access to Council's holdings within the Precinct. This report has been prepared to meet the requirements of Clause 7.1 of the Deed.




A copy of the Deed is enclosed as a confidential item (full suite of engineering drawings have not been included due their size).

ATTACHMENTS

- | | | |
|---|---|---------------------|
| 1 | Warnervale Entry Road Deed - Location Plan | D04355437 |
| 2 | Entry Road Deed - Fabcot Pty Ltd, Landcom & WSC | Enclosure D04399295 |



Legend

-  Wyong Shire Council Proposed Road
-  Landcom Proposed Road
-  Woolworths (Fabcot P/L) Proposed Road

5.8 Draft Minutes of the Employment and Economic Development Committee Meeting - 6 November 2013

TRIM REFERENCE: F2012/01905 - D04288600

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Monica Redmond; Councillor Services Officer

SUMMARY

The Draft minutes of the Employment and Economic Development Committee meeting of 6 November 2013 are submitted to Council for consideration.

RECOMMENDATION

- 1 ***That Council receive and note the draft minutes of the EEDC meeting held on 6 November 2013.***
- 2 ***That Council note the amendment to the wording in Item 3.1 Economic Feasibility and Viability Study of Wyong Education Precinct which now reads as follows: "an estimated shortfall of 7,600 university student places".***
- 3 ***That Council note the report on Draft Affordable Housing Study - Review of Recommendations and the amendments to Attachment 1 which include the following:***
 - 3.1 *items nos. 5, 9, 13, 33, 34, 37, 38, 43, 53, 54, 55, 56 and 72 (amended)*
 - 3.2 *items nos 63, 64 & 65 (deleted).*

A copy of the amended Attachment 1 - Draft AHS-Review of Recommendations - EEDC Amendment 06Nov2013 is attached to this report.

- 4 ***That Council authorise the Committee's request to publish the Draft Affordable Housing Study on Council's web page.***
- 5 ***That Council endorse the meeting dates for the dates and times proposed for the Employment and Economic Development Committee Meetings in 2014 as follows:***

Date	Time
29 Jan 2014	4.00 pm – 6.00 pm
5 Mar 2014	4.00 pm – 6.00 pm
7 May 2014	4.00 pm – 6.00 pm
2 July 2014	4.00 pm – 6.00 pm
3 Sept 2014	4.00 pm – 6.00 pm
5 Nov 2014	4.00 pm – 6.00 pm

- 6 *That Council note that a detailed strategy for the disposal, development or retention of the sites reclassified under DLEP 2012. will be prepared and submitted to the next meeting of the Employment and Economic Development Committee on 29 January 2014.*
- 7 *That Council note advice from the Committee that all Councillors will be issued with an invitation to attend the next meeting of the Employment and Economic Development Committee on 29 January 2014 when a report on the Strategy for Disposal or Development will be listed for discussion.*

BACKGROUND

A meeting of the Employment and Economic Development Committee was held on 6 November 2013.

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 the Committee's recommendations are reported to Council for consideration.

The draft minutes of the 6 November 2013 meeting are set out in full below:

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 06 NOVEMBER 2013
COMMENCING AT 4:00 PM

PRESENT

Councillors Greg Best (Chairperson), Doug Eaton, Ken Greenwald and Adam Troy (arrived at 4.28 pm).

IN ATTENDANCE

Director Property and Economic Development, Manager Property Development, Senior Planner Client Management, Senior Strategic Planner and Councillor Services staff.

The Chairperson, Councillor Best, declared the meeting open at 4.07 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

APOLOGIES

Apologies were received from Councillors Webster and Taylor advising of their inability to attend the meeting. Councillor Troy advised that he would arrive late to the meeting.

1.1 Disclosure of Interest

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

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

1.2 Notice of Intention to Deal with Matters in Confidential Session

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

1 That the Committee consider the following matters in Confidential Session, pursuant to Sections 10A(2)(c) of the Local Government Act 1993:

Item No 4.1 Land Reclassification Strategy

2 That the Committee note its reason for considering Item No 4.1 as a Confidential Item as it may confer a commercial advantage (Section 10A(2)(c)) on a person with whom the Council is conducting (or proposes to conduct) business, should the discussions be held in a non-confidential environment.

Note: Explanation - Section 10A (2)(c) of the Local Government Act 1993 states:

"2(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

2.1 Confirmation of the adopted Minutes of the Employment and Economic Development Committee Meeting - 4 September 2013

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

That the Committee confirm the adopted minutes of the previous meeting of the Employment and Economic Development Committee held on the 4 September 2013.

3.1 Economic Feasibility and Viability Study of Wyong Education Precinct

The Director Property and Economic Development drew attention to the last paragraph on the 1st page of this report under the heading – **Education Demand** and advised that the 3rd sentence which reads:

“an estimated shortfall of 7,600 University students” should have read
*“an estimated shortfall of 7,600 university student **places**”.*

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

That the Committee receive the report on Economic Feasibility and Viability Study of Wyong Education Precinct, as amended.

3.2 Value of Development Assessments

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

That the Committee receive the report and the contents be noted.

3.3 Draft Affordable Housing Study - Review of Recommendations

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

- 1** ***That the Committee receive the amended report on Draft Affordable Housing Study - Review of Recommendations.***
- 2** ***That the Committee endorse the recommendations, contained in Attachment 1 to this report, subject to amendments to items nos. 5, 9, 13, 33, 34, 37, 38, 43, 53, 54, 55, 56 and 72 and the deletion of item nos 63, 64 & 65.***
- 3** ***That the Committee request Council to authorise the publishing of the draft study on Council’s web page.***

3.4 Proposed dates for Employment & Economic Development Committee Meetings 2014

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

That the Committee receive the report on Proposed dates for Employment & Economic Development Committee Meetings 2014 and adopt suitable dates for next year’s schedule.

CONFIDENTIAL SESSION

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

That the Committee move into Confidential Session.

At this stage of the meeting being 6.25 pm the Committee moved into Confidential Session of the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993 as the items listed come within the following provisions:-

OPEN SESSION

The Committee resumed in open session at 6.34 pm and the Chairperson reported on proceedings of the confidential session of the Employment and Economic Development Committee as follows:

4.1 Land Reclassification Strategy

The Director Property & Economic Development tabled a confidential document – *Report on WSC Draft Land Reclassification* for use as a reference document during the meeting only.

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

- 1 That the Committee note the information contained in the Land Reclassification Strategy report.***
- 2 That the Committee note that a detailed strategy for the disposal, development or retention of the sites reclassified under DLEP 2012 will be prepared and submitted to the Employment and Economic Development Committee on 29 January 2014.***
- 3 That Committee invite all Councillors to attend the next meeting of the Employment and Economic Development Committee on 29 January 2014 when a report on the Strategy for Disposal or Development will be listed for discussion.***

ATTACHMENTS

- 1 Draft AHS-Review of Recommendations - EEDC Amendment
06Nov2013

D04289106

Draft Affordable Housing Study - Review of Recommendations
Amended by Employment and Economic Development Committee 06 November 2013

No.	Recommendation Summary	Policy	WLEP	WDPCP	Other	No	Comments	EEDC Amendments
1	Council note that the full range of mechanisms and strategies are likely to be required to provide for the affordable housing needs in Wyong				Noted			Agree (with staff recommendation)
2	Council adopt definitions for affordable housing the purpose of affordable housing planning & policy	Yes						Agree (with staff recommendation)
3	Council adopt benchmarks for affordable housing as at September Quarter 2011, indexed annually according to relevant CPI values:	Yes						Agree (with staff recommendation)
4	Council note the indicative type and size of dwellings as an alternative benchmark for the purpose of assessment of affordable housing	Yes						Agree (with staff recommendation)
5	Council include this definition and benchmarks within its principal planning scheme, and relevant strategies and/or policies	Yes						To be included in a policy but not in the principal planning scheme.
6	Council adopt an aspirational target of 6,900 affordable dwellings for very low, low and moderate income households by 2031, to be achieved through a combination of the market, planning intervention and direct intervention					No	Would be difficult to determine whether the target is being achieved.	Agree (with staff recommendation)
7	Council adopt suggested performance indicators				Noted			Agree (with staff recommendation)
8	Council include affordable housing targets and performance measures within an <i>Affordable Housing Policy</i> and its <i>State of The Shire Report</i> , and monitor and report upon its performance annually					No	See response to No. 6	Agree (with staff recommendation)
9	Council include a requirement in <i>WDPCP2012</i> for 15% of dwellings in dwellings in multi-dwelling housing and residential flat buildings to be of 'universal' or 'adaptable' design per A54299 (Adaptable Housing).			Yes				This should be included as a target (i.e not mandatory).
10	Council note the total projected shortfall of around 3,300 social housing dwellings by 2031, and advocate with the NSW State Government for an increase in social (public, community and special needs) housing through direct funding and construction.					No		Agree (with staff recommendation)
11	Council make the findings of this report widely available and support other relevant agencies in their advocacy for increased funding and resources for those most in need of affordable housing in Wyong Shire.				Agree			Agree (with staff recommendation)
12	Council ensure that affordable housing dwellings are well-located with regard to their proximity to the key centres, railway stations and high frequency public transport services				Agree			Agree (with staff recommendation)

No.	Recommendation Summary	Policy	WLEP	WDCP	Other	No	Comments	EEDC Amendments
13	Council amend <i>Draft Wyong Local Environmental Plan 2012 (WLEP2012)</i> to strengthen affordable housing as a planning and development assessment consideration and to support mechanisms and strategies recommended.		Yes					Noted
14	Council note the preliminary audit of WLEP2012 with respect to its potential support for and constraints to affordable housing at Section 8 and Appendix L of Report 1.				Noted			Agree (with staff recommendation)
15	Council amend clause 1.2(2) of WLEP2012 to include the affordable housing aim:		Yes					Agree (with staff recommendation)
16	Council include the definition and benchmarks for 'affordable housing' and relevant mechanisms in <i>Part 7 Additional Local Provisions</i> in accordance with Recommendations 2, 3 and 4 above.	Yes					More appropriate in a policy or DCP as the benchmarks need to be indexed regularly to the successful.	Agree, that this should be in a policy
17	Council include some of the suggested objectives (related to Affordable Housing) in zones that are most relevant for the creation or maintenance of affordable housing, that is, R1, R3, B1, B2, B3 and B4;					No	Affordable Housing' added to the aims of WLEP 2013. Parliamentary Counsel will usually remove if repeated in objectives	Agree (with staff recommendation)
18	Council develop local policies to support affordable and diverse housing informed by the evidence-base of this study.	Yes						Agree (with staff recommendation)
19	Council, in support of the <i>Central Coast Regional Strategy</i> , favour the use of R1 zoning in lieu of R2 zoning, and controls that support smaller strata dwellings, in appropriately located areas close to relevant centres.		Yes					Agree (with staff recommendation)
20	Council include multi-dwelling housing to uses permitted with consent within the R2 zone in the social planning districts of Warnervale/Wadabilba, San Remo/Budgewoi, Gorokan, Toukley, Wyong. The Entrance and Southern Lakes when an affordable housing outcome can be demonstrated in accordance with suggested benchmarks.					No	Recommendation 19 is preferred with R2 zone maintained as low density zone.	Agree (with staff recommendation)
21	Council add suggested 'affordable housing' objectives or similar to zone B1					No	Affordable Housing' added to the aims of WLEP 2013	Agree (with staff recommendation)
22	Council amend the objectives of zone B2 to facilitate affordable housing					No		Agree (with staff recommendation)
23	That Council add an affordable housing objective to zone B2					No	Affordable Housing' added to the aims of WLEP 2013	Agree (with staff recommendation)
24	That Council add affordable housing objectives to zone B3					No	Affordable Housing' added to the aims of WLEP 2013	Agree (with staff recommendation)
25	That Council include residential flat buildings, multi-dwelling housing and seniors housing as uses permitted with consent in zone B1.					No	No differentiation of zones.	Agree (with staff recommendation)

No.	Recommendation Summary	Policy	WLEP	WDCP	Other	No	Comments	EEDC Amendments
26	That Council include residential flat buildings, multi-dwelling housing and seniors housing as uses permitted with consent in zone B2.					No	No differentiation of zones.	Agree (with staff recommendation)
27	That Council include residential flat buildings, multi-dwelling housing and seniors housing as uses permitted with consent in zone B3.					No	No differentiation of zones.	Agree (with staff recommendation)
28	That WDCP2012 be amended to ensure that ground floor street frontage dwellings in zones B1, B2 and B3 are adaptable to commercial use.					No	Maintain ground floor for business uses.	Agree (with staff recommendation)
29	That Council consider the inclusion of an affordable housing aim and objective in Chapter 2.4 Multiple Dwelling Residential Development.			Yes				Agree (with staff recommendation)
30	Council commission a critical architectural review of Chapter 2.4 Multiple Dwelling Residential Development to identify requirements that are antithetical to affordable housing outcomes			Yes				Agree (with staff recommendation)
31	Council consider opportunities for exemptions or reductions to a range of standards in Chapter 2.4 Multiple Dwelling Residential Development where a development will be managed by Housing NSW or a registered community housing provider for the purposes of affordable housing.			Yes				Agree (with staff recommendation)
32	Council develop an Affordable Housing Chapter in its DCP which sets out relevant relaxation of or variations to controls and the affordable housing outcomes required for such relaxation or variations.			Yes				Agree (with staff recommendation)
33	Council revise the introduction to Chapter 2.7 Caravan Parks and recognise that this is an important source of affordable housing.			Yes				Noted - Disagree with staff recommendation
34	Council revise Chapter 2.7 Caravan Parks to include affordable housing objectives and identify positive locational requirements.			Yes				Noted - Disagree with staff recommendation
35	Council assess whether there is adequate suitable land available for MHE/Caravan Park development within proposed zones SP3, RE1 and RE2, and if necessary, extend these zones or extend permissibility to provide opportunities for MHE/Caravan Park development.					No	No guidelines to determine whether there is adequate suitable land for this purpose.	Agree (with staff recommendation)
36	Council review Chapter 2.1.1 Parking and Access to permit reductions in the provision of parking for developments providing Affordable Housing			Yes				Agree (with staff recommendation)
37	Council adopt a zero parking requirement for studio, one bedroom and two bedroom dwellings in Major Centres and Town Centres within 800 metres of a railway station or 400 metres of a bus stop.			Yes				Disagree with zero parking - not suited to Wyong. Agree to a review of the parking requirements. Consider parking requirements similar to Item No 38

No.	Recommendation Summary	Policy	WLEP	WDCP	Other	No	Comments	EEDC Amendments
38	Council adopt parking requirements of 0.3 parking spaces for each dwelling containing 1 bedroom, 0.5 parking spaces for each dwelling containing 2 bedrooms and 0.7 parking spaces for each dwelling containing 3 or more bedrooms where a development will be managed by Housing NSW or a registered community housing provider for the purposes of affordable housing.			Yes				Agree (with staff recommendation)
39	Council amend WLEP2012 to include development incentives in the form of variations to provide for 'Density bonuses' in Zone R1 where the development will result in construction of smaller dwellings.					No	FSR controls are only applicable to R1 zoned land in the major centres of Wyong, The Entrance and Toukley.	Agree (with staff recommendation)
40	Council add an 'affordable housing' objective to clause 4.4(1) Floor Space Ratio of WLEP2012		Yes					Agree (with staff recommendation)
41	Council amend clause 4.4 (1) of WLEP2012 to permit a 0.1 increase in the FSR to achieve certain affordable housing outcomes.					No		Agree (with staff recommendation)
42	Council amend DCP 2012 Chapter 2.4 Multiple Dwelling Residential Development to include measures to achieve 'affordable housing' targets.					No	Targets are difficult to monitor	Agree (with staff recommendation)
43	Council amend DCP2012 Chapter 2.4 Multiple Dwelling Residential Development Table 7 Floor Space Ratios to permit a 0.1 increase in FSR to achieve certain affordable housing objectives.			Yes				Agree (with staff recommendation). For dwellings less than \$500,000
44	Council consider undertaking an architectural review of DCP2012 to identify areas where concessions may be required for the bonus floor space ratio to be utilised, including parking, landscaping and setbacks.			Yes				Agree (with staff recommendation)
45	Council consider the recommendations of such a review and amend DCP2012 as necessary to ensure that the bonus floor space ratio can be utilised.			Yes				Agree (with staff recommendation)
46	Council add the following clause to Schedule 1 Additional Permitted Uses of WLEP 2012 to permit multi- dwelling housing in the R2 zone in certain locations.					No	Review Clause 4.1C of WLEP 2013	Agree (with staff recommendation)
47	Council establish a consistent approach to the collection and expenditure of Affordable Housing contributions including an integrated Plan that sets out Council priorities.	Yes						Disagree. No Affordable Housing Contributions Plan
48	Council accept contributions to affordable housing in the form of dwellings or land dedicated free of cost, payment of a monetary contribution, or any combination of these, with the form of the contribution ultimately at Council's discretion.	Yes						Disagree. No Affordable Housing Contributions Plan
49	Council develop a Plan for the collection and expenditure of such contributions.	Yes						Disagree. No Affordable Housing Contributions Plan

No.	Recommendation Summary	Policy	WLEP	WDCP	Other	No	Comments	EEDC Amendments
50	Council note the <i>Draft Wyong Shire Policy: Affordable Housing Contributions from Development of Multi-dwelling housing in Zone R2 and Template provided.</i>				Noted			Agree (with staff recommendation)
51	Council consider adopting such a policy and legal agreement to ensure that a consistent and transparent process for decision-making, monitoring and reporting on the outcomes of its application of development incentives for affordable housing is implemented.	Yes						Agree (with staff recommendation)
52	Council commission preparation of a draft Affordable Housing Policy and consider the adoption of that Policy.	Yes						Agree (with staff recommendation)
53	Council include a clause under Part 7 Additional Local Provisions related to the 'Protection of existing affordable rental housing'.	Yes					Include as part of Affordable Housing Policy	Disagree (with staff recommendation)
54	Council consider the inclusion of a clause under Part 7 Additional Local Provisions related to the protection of existing caravan parks and manufactured homes estates.	Yes					Include as part of Affordable Housing Policy	Disagree (with staff recommendation)
55	Council identify existing caravan parks and MHEs in a schedule to WLEP2012.	Yes					Include as part of Affordable Housing Policy	Disagree (with staff recommendation)
56	Council update that schedule to include new residential caravan parks and MHEs developed in the LGA.	Yes					Include as part of Affordable Housing Policy	Disagree (with staff recommendation)
57	Council lobby the Minister to include the provision of affordable housing targets in the Wamervale Town Centre					No		Agree (with staff recommendation)
58	Council consider mandating a certain proportion of smaller strata dwellings close to Town Centres					No		Agree (with staff recommendation)
59	Council seek approval of the Minister to provide for at least 25% of dwellings in urban release areas under the North Wyong Structure Plan to be 'affordable housing' as defined through the market and contributions.					No		Agree (with staff recommendation)
60	Council note the preliminary assessment in the 'worked example' at Appendix A.				Noted			Agree (with staff recommendation)
61	Council provide for targets and mechanisms as outlined in Appendix A within Masterplan DPC, Structure Plan or other Plan as appropriate					No		Agree (with staff recommendation)
62	Council note that the affordable housing targets above could be met through a master planned DCP.					No		Agree (with staff recommendation)
63	Council develop and adopt a Social Impact Assessment Policy	Yes						Disagree (with staff recommendation)

No.	Recommendation Summary	Policy	WLEP	WDCP	Other	No	Comments	EEDC Amendments
64	Council include a provision in the Social Impact Assessment Policy (or implementation guidelines) for development applications pertaining to existing low cost rental housing, caravan parks and manufactured housing estates to trigger a requirement for preparation of a Social Impact Assessment.	Yes						Disagree (with staff recommendation)
65	That where adverse social impacts are identified, that these be balanced against positive social impacts and that appropriate mitigations be provided to offset adverse social impacts.	Yes						Disagree (with staff recommendation)
66	Council undertake three Affordable Housing developments in partnership with a Registered Community Housing Provider over the next 15 years on Council owned land.				Yes			Agree (with staff recommendation)
67	Council undertake the development of a caravan park on Council owned land.					No		Agree (with staff recommendation)
68	Council allocate four lots from Tables 9-8 and 9-9 of the Background Report for the purposes of Affordable Housing partnership developments within the next 15 years, with at least one lot designated for development of a Caravan Park.					Noted	Feasibility of sites needs to be assessed	Agree (with staff recommendation)
69	In terms of target groups , it is recommended that the primary target groups for developments on Council-owned and be low and very low income renting and purchasing households, including sole person households and family households.					Noted	Develop local allocations strategy.	Agree (with staff recommendation)
70	Council develop a 'local allocations strategy' that prioritises very low- and low-income residents with a long-term association with the Shire, and those who need to live close to their work, with input from Council's preferred housing management partner.				Yes			Agree (with staff recommendation)
71	In terms of dwelling types , it is recommended that priority be given to the development of smaller dwellings including studio apartments and 1-, 1.5- and 2-bedroom dwellings, and that the external design of affordable housing developments be indistinguishable from 'private' housing in the locality.				Noted		Costs of external finishes can vary greatly.	Agree (with staff recommendation)
72	15% of dwellings be of 'universal' or 'adaptable' design per AS4299 (Adaptable Housing) to provide for tenants who are older or likely to have a disability as well as providing for aging in place for longer-term residents of the Shire.		Yes					This should be included as a target (i.e. not mandatory).
73	In general, a mixed tenure development is recommended, accompanied by a sensitive allocations strategy and proactive management to ensure that economic and amenity risks are minimised.				Agreed		Ultimate mix will be dependent upon cash flows required to make a given project viable and	Agree (with staff recommendation)
74	Council note the range of funding opportunities currently available for the development and management of affordable housing, and ensure that it is well-positioned to take advantage of such funding.				Noted			Agree (with staff recommendation)

No.	Recommendation Summary	Policy	WLEP	WDCP	Other	No	Comments	EEDC Amendments
75	Council seek to enter a development partnership with Community Housing Growth Providers with demonstrated design and construct capacity on similar projects in order to maximises access to government funding and other resources, and ensure an integrated approach to development, operations, management and maintenance.				Agree			Agree (with staff recommendation)
76	Council ensure that an appropriate "Expression of Interest" process is put in place to secure a suitable partner or partners, depending on the type of partnering arrangement selected.				Agree			Agree (with staff recommendation)
77	Council enter into a Memorandum of Understanding or appropriate legal contract with a preferred Community Housing Growth Provider or Providers, with demonstrated capacity in management of 'affordable' housing, and in shared-equity arrangements, as part of a mixed tenure development.				Agree			Agree (with staff recommendation)
78	Council seek a Community Housing Growth Provider to partner with it on all aspects of an integrated asset and tenancy management, and ensure that appropriate contractual arrangements are in place to implement a proactive and timely responsive and cyclical maintenance under a planned asset management program.				Agree			Agree (with staff recommendation)
79	Council earmark a number of sites in the short-, medium- and long-term for affordable housing partnerships as part of mixed tenure developments for key target groups.				Agree			Agree (with staff recommendation)
80	Council note that the sites identified in Tables 9.8 and 9.9 of Report 1 were found to be suitable for development as affordable housing based on a preliminary review.				Noted			Agree (with staff recommendation)
81	Council conduct a more detailed feasibility assessment of the potential of these sites for affordable housing partnerships following an in-principle decision regarding those that may be reserved for affordable housing developments in the short- to medium- term.				Agree			Agree (with staff recommendation)
82	Council develop a residential caravan park or MHE within the Shire of Wyong on Council owned land in partnership with a Community Housing Provider and/or private sector developer, ensuring that adequate protection is provided for against future redevelopment risks.					No	Adequate provision within Wyong Shire	Agree (with staff recommendation)
83	Council consider a range of funding and management models, including development and operation by Council; or development and operation by either a 'for profit' or 'not for profit' partner.				Noted			Agree (with staff recommendation)
84	Council further investigate the suitability of the parcels of land identified in Table 9.8 of Report 1 as warranting further investigation for use as a caravan park or MHE.					No	Adequate provision within Wyong Shire	Agree (with staff recommendation)

No.	Recommendation Summary	Policy	WLEP	WDCP	Other	No	Comments	EEDC Amendments
85	Council note the HNSW sites identified in Table 9-7 of Report 1 as having potential for redevelopment as part of an affordable housing partnership.				Noted			Agree (with staff recommendation)
86	Council advise HNSW of the findings of this study, and work closely with HNSW to ensure that opportunities for the creation of affordable housing are maximised within Wyong Shire.						Workshop organised in June 2013 with HNSW representatives	Agree (with staff recommendation)

5.9 Draft Minutes Audit and Risk Committee Extraordinary Meeting - 1 November 2013.

TRIM REFERENCE: F2004/07245 - D04289299

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Monica Redmond; Councillor Services Officer

SUMMARY

To submit the draft Minutes of the Audit and Risk Committee Extraordinary Meeting held on 1 November 2013 to Council for consideration.

RECOMMENDATION

- 1 That Council receive the minutes of the Extraordinary Meeting of the Audit and Risk Committee meeting held on 1 November 2013.**
- 2 That Council note that the Committee supports Council having made the following resolutions in respect of the draft General Purpose, Special Purpose, Special Schedules and Water Supply Authority Accounts:**
 - 2.1 adoption the draft Wyong Shire Council financial statements for 2012/13.**
 - 2.2 referral of the draft Wyong Shire Council financial statements for 2012/13 to external auditor.**
 - 2.3 authorisation of the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to execute all documents related to the draft 2012/13 financial reports as required by legislation.**
 - 2.4 fixture of 13 November 2013 as the date for the presentation of the audited 2012/13 financial statements and external audit report in accordance with section 419(1) of the Local Government Act 1993.**
- 3 That Council endorse the Committee's request that the CFO and the External Auditor review note 17(iv) of the Water Supply Authority Financial Reports.**
- 4 That Council endorse the Committee's decision to thank Council's Financial Team and the external auditors for their work this year.**
- 5 That Council note that the Committee's observation that it is pleased to see Council return to financial sustainability and thank the General Manager and his staff for their excellent work in this area.**

BACKGROUND

On 1 November 2013, the Audit and Risk Committee held an Extraordinary Meeting to consider Council's Financial Statements for the 2012/13 Financial Year. The draft minutes of this meeting are set out in full below.

WYONG SHIRE COUNCIL**MINUTES OF THE
EXTRAORDINARY AUDIT AND RISK COMMITTEE MEETING OF
COUNCIL****HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 01 November 2013
COMMENCING AT 9:00:00 AM**

PRESENT

Mr Jason Masters (Chairperson), Councillor Lynne Webster and Councillor Doug Vincent, (via Conference call phone link (9.24am – 11.02am)).

IN ATTENDANCE

Brian Glendenning, General Counsel, (representing the General Manager, Mr Michael Whittaker).
Tina Baker, Chief Internal Auditor
Dennis Banicevic, External Auditor Pricewaterhouse Coopers
Glenn Harris proposed new Committee Member (via Conference call link 9.40 am – 10.34 am)
James Sugumar, Director Financial Audit Services from the Audit Office (9.22 am – 10.18 am)
Stephen Naven, Acting Manager Commercial Enterprises
Vivienne Louie Acting Chief Financial Officer
Councillor Services Officer

The Chairperson, Mr Jason Masters, declared the meeting open at 9.22 am and advised in accordance with the Code Of Meeting Practice that the meeting was being recorded.

A link to Cr Vincent was confirmed, via conference call at 9.24 am, which established a quorum which enabled the meeting to continue.

Mr Glenn Harris attended the meeting, via a conference call link, the Chairman introduced him as the proposed new external member of the Audit and Risk Committee and advised that Mr Harris is a member of Bishop Collins Chartered Accountants. A report recommending the appointment of Mr Harris will be submitted to Council on 13 November 2013.

APOLOGIES

An apology was received from the Mayor Office advising of his inability to attend due to a conflicting appointment in Sydney.

Cr Taylor submitted an apology for his inability to attend.

An apology was received on behalf of the General Manager, Mr Michael Whittaker.

1.1 Disclosure of Interest

RECOMMENDATION

That the Committee receive the report on Disclosure of Interest and note that no disclosures were submitted.

2.1 Consideration of Financial Statements for the 2012/13 Financial Year

Councillor Webster left the meeting at 10.35 am and returned to the at 10.37 am during consideration of this item which resulted in a lack of a quorum during this period.

After detailed discussions with management and the respective External Auditors, including asking the respective External Auditors a number of questions in relation to their comfort of the financial statements, compliance, ethics and other services provided to Council, the committee then made a number of recommendations.

RECOMMENDATION

1 *That the Audit and Risk Committee supports Council having made the following resolutions in respect of the draft General Purpose, Special Purpose, Special Schedules and Water Supply Authority Accounts:*

- 1.1 *That Council adopt the draft Wyong Shire Council financial statements for 2012/13.*
- 1.2 *That Council refer the draft Wyong Shire Council financial statements for 2012/13 to external audit.*
- 1.3 *That Council authorise the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to execute all documents related to the draft 2012/13 financial reports as required by legislation.*
- 1.4 *That Council fix 13 November 2013 as the date for the presentation of the audited 2012/13 financial statements and external audit report in accordance with section 419(1) of the Local Government Act 1993.*
- 1.5 *That Committee request the CFO and the External Auditor to review note 17(iv) of the Water Supply Authority Financial Reports.*
- 1.6 *That the Committee thank Council's Financial Team and the external auditors for their work this year.*
- 1.7 *That the Committee note that it is pleased to see Council return to financial sustainability and thank the General Manager and his staff for their excellent work in this area.*

3.1 2012/13 Interim Audit - Report from External Auditor

Denis Banicevic addressed the meeting at 10.47 am - 10.59 am, made a brief presentation regarding Council's financial position, and responded to questions asked by the Chairman regarding preparation of accounts.

RECOMMENDATION

That Committee receive the report on 2012/13 Interim Audit - Report from External Auditor.

3.2 2012/13 External Audit - Documentation provided by External Auditor

RECOMMENDATION

That the Committee receive the report on 2012/13 External Audit - Documentation provided by External Auditor.

3.3 2012/13 External Audit Water Supply Authority

Mr James Sugurmar, Director Financial Audit Services, from the Audit Office, the External Auditors, was asked to address the meeting regarding the ongoing viability of the water and sewer service and noted their comments that:

- *They confirm that the business is viable based on their analysis of cash flow and loan agreement.*
- *The External Auditor commented that the loan agreement should be reviewed before 30 June 2014.*

The External auditor responded to questions asked by the Chairman regarding the preparation of his audit of the accounts.

RECOMMENDATION

That the Committee receive the report on 2012/13 External Audit Water Supply Authority.

THE MEETING terminated at 11.02 am.

The next meeting is scheduled for **9.30am** on Wednesday, 18 December 2013.

5.10 Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee held on 7 November 2013

TRIM REFERENCE: F2013/00023 - D04292479

MANAGER: John McCarthy, Purchasing Coordinator

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

Confirmation of minutes of the previous Tuggerah Lakes Estuary Management, Coastal and Floodplain Management Committee held on Thursday 7 November 2013.

RECOMMENDATION

- 1 That Council receive the Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 7 November 2013.**
- 2 That Council endorse the Committee's support of Delta's investigation for mutually beneficial options to contribute to manage the lake system.**

A meeting of the Tuggerah Lakes Estuary Management, Coastal and Floodplain Management Committee held on Thursday 7 November 2013.

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 the Committee's recommendations are reported to Council for consideration.

ATTACHMENTS

- 1 MINUTES - Tuggerah Lakes Estuary & Coastal Mgt Committee Meeting - 7 November 2013 D04287484**

WYONG SHIRE COUNCIL

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

**HELD IN THE COMMITTEE ROOMS
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 07 November 2013
COMMENCING AT 5:00 PM**

PRESENT

Mayor D Eaton (Wyong Shire Council)
Councillor A Troy (Wyong Shire Council) – Co-Chairperson (Arrived 5.32pm)
Councillor L Taylor (Wyong Shire Council) – Co-Chairperson
Mr Bob Davies (Community Member)
Ms Marlene Pennings (Community Member)

IN ATTENDANCE

Mr G McDonald (Wyong Shire Council)
Mr A Pearce (Wyong Shire Council)
Mr P Sheath (Wyong Shire Council)
Mr L Sulkowski (Wyong Shire Council)
Ms N McGaharan (Wyong Shire Council)
Mr N Kelleher (Office of Environment and Heritage)* (Arrived 5.58pm)
Mr P Buchanan (Office of Environment and Heritage)*
Ms J Maskiewicz (Wyong Shire Council)

*non voting members

APOLOGIES

Councillor L Webster (Wyong Shire Council)
Mr Ken Derry (Community Member)

The meeting was declared open by Councillor Taylor at 5.01 pm.

1.1 Disclosure of Interest

RESOLVED unanimously on the motion of Mr B DAVIES and seconded by Ms M PENNINGS:

That the Committee receive the report on Disclosures of Interest and note that there were no disclosures.

1.2 Confirmation of Minutes of Previous Meeting

RESOLVED unanimously on the motion of Ms M PENNINGS and seconded by Councillor TAYLOR:

That the Committee confirm the minutes of the previous Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 3 October 2013.

BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

1.3 Address by invited Speakers

Mr Jon Scorgie, Senior Environmental Health Officer, representing Wyong Shire Council, addressed the meeting at 5.04 pm, answered questions and retired at 5.23 pm.

Mr Bryan Beudeker, Environment Manager, representing Delta Electricity, addressed the meeting at 5.25 pm, answered questions and retired at 6.06pm.

Mr Daniel Williams and Mr Darren Lyons, Flood Modellers, representing BMT WBM Pty Ltd, addressed the meeting at 6.20 pm, answered questions and retired at 6.42 pm.

Councillor Troy arrived at the meeting at 5.32 pm during consideration of this item.

RESOLVED unanimously on the motion of Ms M PENNINGS and seconded by Mr B DAVIES:

- 1** ***That the Committee receive the report on Invited Speakers.***
- 2** ***That the Committee agree meeting practice be varied to allow reports to be dealt with following an Invited Speaker's address.***
- 3** ***That the Committee support Delta's investigation for mutually beneficial options to contribute to manage the lake system.***

2.1 Status Report on Outstanding Actions

RESOLVED unanimously on the motion of Councillor TROY and seconded by Mr B DAVIES:

That the Committee confirm the Status Report on Outstanding Actions for the Tuggerah Lakes Estuary Coastal & Floodplain Management Committee Meeting.

2.2 Floodplain Risk Management

Councillor Eaton left the meeting at 6.33pm and did not return.

RESOLVED unanimously on the motion of Ms M PENNINGS and seconded by Councillor TAYLOR:

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

2.3 Coastal Zone Management

RESOLVED unanimously on the motion of Councillor TROY and seconded by Ms M PENNINGS:

That Council receive the report on Coastal Zone Management.

2.4 Lake Management Operations

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

That the Committee receive and note the report on Lake Management Operations.

**WYONG SHIRE COUNCIL
TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN MANAGEMENT COMMITTEE
ACTION LOG**

Item #	Meeting Date	Report Title	Action	Responsibility	Status/ Notes
2.5	3 October 2013	Response to GB23 – Water Testing Results for the Lake	Request OEH to provide background briefing as to how the report cards are compiled.	Andrew Pearce, Manager Waterways and Asset Management	OEH requested to provide information to the Committee.

**WYONG SHIRE COUNCIL
TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN MANAGEMENT COMMITTEE
COMPLETED SINCE 3 OCTOBER 2013**

Item #	Meeting Date	Report Title	Status/ Notes
GB17/13	9 May 2013	Wrack Removal Working Bee at Peace Park, Gorokan	Andrew Pearce provided update/Completed.
GB20/13	6 June 2013	Lake Munmorah Foreshore	Andrew Pearce provided update/Completed.
GB23/13	6 June 2013	Water Testing Results for the Lake Councillor Taylor	Report has been included in 3 October Committee agenda.
GB27/13	4 July 2013	Shelly Beach Golf Club Andrew Pearce	Report has been included in 3 October Committee agenda.
GB28/13	4 July 2013	Solar Powered Circulating Pumps Councillor Troy	Report has been included in 3 October 2013 Committee agenda.
GB29/13	4 July 2013	Illegal Dumping – Fleet Close Tuggerah Councillor Best	Report has been included in 3 October 2013 Committee agenda.
1.3	1 August 2013	Report to be submitted by Umwelt (Australia) Pty Ltd	Report has been included in 3 October 2013 Committee agenda.
2.8	3 October 2013	Response to GB27 – Shelly Beach Golf Club	John Scorgie to attend 7 November Committee meeting.
GB30/13	3 October 2013	Delta Presentation	Delta to attend 7 November Committee meeting.

3.0 GENERAL BUSINESS

GB33/13 Grant Funding

Mr Andrew Pearce advised that the current Federal Government made a pre election commitment of \$3.25 million to Wyong Shire Council towards Tuggerah Lakes actions.

Andrew advised he has since made contact with the Department of Environment to discuss terms and has a preliminary meeting on 8 November 2013.

He also advised that Wyong Shire Council received the highest pre election grant commitment, administered by the Federal Department of Environment, across Australia.

Andrew will provide a further update at a future Committee Meeting regarding projects and timeframes.

THE MEETING terminated at 7.02 pm.

These Minutes were confirmed at the meeting held on Thursday, 5 December, 2013, at which meeting the signature hereunder was subscribed.

5.11 Enterprise Risk Management Strategy

TRIM REFERENCE: F2013/00023 - D04343465
MANAGER: Brian Glendenning, General Counsel
AUTHOR: Stephen Bignill; Senior Project Executive

SUMMARY

At the Council meeting of the 12 December 2012 a report was submitted to Council on the progress of the Enterprise Risk Management Strategy (ERMS) project and recommended that the Council endorse in principal the ERMS Framework comprising the ERM Strategy and Risk Policy.

It was resolved unanimously by Council to endorse the ERMS Framework.

The ERMS project was formally completed on the 30 June 2013.

This report will:

- Provide the Councillors with an overview of risk management;
- Describe what risk management systems were in place prior to and during the 18 months of the ERMS project;
- Inform the Councillors of the process of the Enterprise Risk Management Project;
- Outline how risk management will develop within Wyong Shire Council to the end of 2014 through the ERMS.

RECOMMENDATION

- 1 That Council endorse the Enterprise Risk Management Framework comprising the Enterprise Risk Management Strategy and the Risk Policy.**
- 2 That Council note the continuing risk management activities within Wyong Shire Council.**

BACKGROUND

Overview of Risk Management

In ISO 31000 the International Organization for Standardisation definition of risk is the '*effect of uncertainty on objectives*'. This definition also includes both negative and positive impacts.

Whilst risk management may be seen to be inherent in an individual's daily life it has developed as a as an accredited professional discipline over the last 50 years in response to the need to recognise, evaluate and consciously decide upon levels of risk that are acceptable. Risk Categories in risk management have grown to include:

- Economic risk
- Community Health
- Work Health and Safety
- Environmental risks
- Information technology and information security
- Business and management risks
- Financial risk
- Natural Disasters
- Project Management risk

There are various professional bodies locally and nationally who represent the discipline of Risk Management.

In general terms risk management is the discipline of analysing both the positive and negative risks associated with a particular activity, deciding if the risks can be controlled, how the risks can be controlled and if they can be controlled to a level that it is satisfactory to undertake the activity.

For an organisation risks can be broadly viewed at two levels, the strategic level and the operational level. At the strategic level, risk management is exercised through the corporate business planning process. Each activity within the plan is assessed against the agreed risk criteria and the risk of the activity rated. Different organisations will have a different 'appetite' for risk within certain areas and the methodical analysis of each risk within the corporate business planning process will ensure that the risk of undertaking that activity is within the agreed parameters.

At an operational level each activity is assessed in terms of the risk associated with it. For example operating a piece of plant by an individual may involve:

- assessing the business risk and determining if it is the right tool for the task in terms of the return it provides;
- assessing the WHS risks to ensure that it is safe for the operator to use;
- assessing the environmental risks and determining whether the equipment is the most appropriate to use in the area;

Historical Risk Management in Wyong Shire Council

Risk management has been undertaken over several years at Wyong Shire Council (WSC).

The Corporate Risk Register has historically been used to report on broad Council risks with ongoing staff involvement limited to Service Unit Managers (SUMs) and above. This approach addressed the needs of Council at the time.

With the restructure that took place in 2010 the area managing corporate risk was dissolved.

In late 2011 management of corporate risk was given to the Senior Project Executive and now falls within the control of the Legal and Governance Unit.

Since the transfer in responsibility for risk management in 2011, risk management within WSC has changed as follows:

- A Corporate Risk Managers Group (CRMG) was established in February 2012 comprised of four(4) SUMs each of whom represented one of the Departments. The focus of the group was:
 - Establish Corporate Risk Management at the Unit & Department Level;
 - Determine Corporate Risk categories;
 - Identify Specific Corporate Risks;
 - Finalise & Establish an Ongoing Corporate Risk Management Methodology;
 - Finalise WSC's Corporate Risk Management Approach;
 - Review and finalise the WSC Risk Tables.

The CRMG achieved the above goals and has since developed into a group that act as advocates of risk management within WSC including:

- Regularly reviewing WSC risks;
- Assisting WSC staff within their Departments to improve their risk management;
- Contributing to the continuous improvement of risk management within WSC;
- Making recommendations on risk management to members of the Executive Team

The Enterprise Risk Management Strategy Project

To assist in developing a sustainable long term approach to risk management within WSC an Enterprise Risk Management System (ERMS) Project was initiated.

The ERMS project commenced in January 2012. The project was facilitated by the consultancy, Capital Insight, who are specialists in Enterprise Risk Management. The project concluded on schedule in June 2013.

The Project Control Group (PCG) was comprised of the General Manager, the Directors, Legal Counsel and the Chief Information Officer. The Senior Project Executive took over management of the project in August 2012. The PCG met monthly to discuss the progress of the project and to provide guidance and recommendations as the project developed.

In a report to Council on the 24th August 2011 the key goals for the project were cited as:

- “To provide a proven management system that will nurture a culture that embraces quantifiable risk management that supports innovation and benefits realisation
- To establish procedures that ensure risk management is seamlessly embedded in policies, processes and systems and thus everyday decision making across the whole of Council.
- To develop simple reporting mechanisms that create an environment where there is a transparent and accountable engagement of the risk management process

- To establish a system that can evolve so that lessons learnt on risk management are transferred within the organisation through the identification of key organisational risks and corporate accepted responsibilities.”

The project included developing the following aspects of an ERMS:

- Risk Policy
- Risk Appetite Statement
- Risk Response Business Rules
- Risk IT System
- ERMS Framework Document
- Risk Training
- Implementation Plan.

These aspects are detailed below.

Risk Management Policy

The Risk Management Policy describes WSCs approach to Enterprise Risk Management.

The proposed Risk Management Policy forms Attachment 6.5 in the attached ERMS Framework document.

Risk Appetite Statement

“Designing risk management without defining your risk appetite is like designing a bridge without knowing which river it needs to span. Your bridge will be too long or too short, too high or too low, and certainly not the best solution to cross the river in question.”

Ernst & Young (Risk Appetite the Strategic Balancing Act)

Risk appetite is commonly described as the amount of risk an organisation is prepared to accept in pursuing its strategic objectives.

All activities involve taking risk. These risks may be controlled so as to reduce them or at times even eliminate them. It is worthwhile noting an organisation that has no appetite for risk will cease to exist.

As part of developing an ERMS a series of risk appetite statements were developed through a consultative process with the ERMS PCG and the CRMG, under the facilitation of Capital Insight.

The risk statements fall under the headings of:

- Compliance/Reputation
- Financial Management
- Asset Management
- Development and Environment
- Service Performance/Community Outcomes
- Workforce Management

The risk appetite statements have associated metrics that add quantifiable accountability to the statements.

A copy of the risk appetite statements can be found in Attachment 6.7 of the ERMS Framework document.

Risk Response Business Rules

The Risk Response Business Rules provide general business rules as to the appropriate level of response to any risk based on its rating.

The Business Rules assist staff in following the appropriate path to follow to respond to any given risk.

The Risk Response Business Rules form attachment 6.9 in the ERMS Framework Document.

Risk Management IT System

The purpose of risk management software is to enhance the Risk Management System and improve the ability to manage risk information and assessment within an organisation.

Investigation of suitable risk software was quite extensive and resulted in the best fit solution being found for WSC.

The system used prior to the ERM projects completion was based on a spreadsheet developed originally in Infrastructure and Operations and adapted through several iterations for use across Council.

As the risk management process was taken up across WSC it was found that the risk spreadsheet was not meeting everyone's needs, there was difficulty with version control, and difficulty in preserving the integrity of the information.

A list of the most desirable features of risk management software was developed in conjunction with Capital Insight, the ERMS PCG and the CRMG. This list was based on a risk management approach known as Governance Risk Compliance (GRC).

The list defined the optimal aspects of risk management software for WSC. The list is detailed in Table 1 below.

Investigation into off the shelf risk management software revealed that there was no optimal fit for WSC; the software was generally focused on risk management for commercial organisations.

Investigation was then undertaken into three broad options for risk management software:

- a) Configurable off the Shelf (COTS);
- b) Development of the software through Chameleon, the company that currently supplies WSC's financial software and Management Information System and;
- c) In house solution development of system functionality based upon the utilisation of standard Information Management building block technologies including SQL database, Microsoft Reporting Services and SharePoint.

After investigation the ERMS PCG agreed that, as a twelve (12) month interim measure, option (c) was the most preferable, and that the software would be developed in house on WSC's existing systems.

After 12 months, when the Organisation has become more mature in risk management, a review will take place to ascertain if there is a need for a more comprehensive option for risk management software and if so, the best manner in which to supply this.

Table 1: GRC Functionality

Primary Choice
GENERAL
escalation rules and automatic escalation
comprehensive notification capability e.g. task due, review point
configurable to WSC's business needs (in other words, able to be configured to the way WSC does business, rather than imposing a "one size fits all" approach arising from the way the GRC IT system operates)
notify new entries (based on pre-determined escalation rules)
notify reminders
configurable to organisational terminology
audit trail of all entries, changes, updates, etc made to system (who, when, changes)
support for continuous improvement
calendar function for scheduling and following-up activities
data import and export capabilities to and from a variety of systems/devices including WSC's existing systems, desktop applications, PDAs
user-definable filtering, selection and sorting capabilities
flag/advise actions to individuals (via email)
flag/advise follow-up/reminder dates (via email)
qualitative and quantitative recording of findings, outcomes, actions, etc
download pro forma registers, schedules, checklists, plans, worksheets, etc to remote devices
on-line training competency assessment
RISK MANAGEMENT
consistent with AS/NZS ISO 31000:2009
single RM system for the entire organisation
classify and sub-classify risks
evolve as needs, knowledge and sophistication grow/expand
utilise user defined risk categories
utilise user defined likelihood and consequence definitions
accept risks from a variety of input sources (e.g. spreadsheet, PDA, MIS, direct entry) with automatic update and synchronisation
centralised risk register with the ability to uniquely identify risks and with multiple levels of classification e.g. strategic, project 1, service 5, etc
support a uniform approach to enterprise risk management across the organisation
support trend analysis and reporting
calculate risk score (based on assessment model and consequences)
assign risk owners and treatment owners by name and by title
globally change risk owners and risk managers
support potential exposure risk scoring i.e. without controls
describe existing controls
support residual risk scoring i.e. taking account of existing controls
utilise user-defined risk matrix ("heat map")
support root cause analysis of risks
COMPLIANCE MANAGEMENT
enterprise-wide identification, assessment and control of compliance risk
single point of access to the organisation's current risk profile
pre-configured reports and dashboards
user-configurable dashboard/reports (on-screen and printed)
user-defined report generation
standard reports including
executive e.g. top 10 strategic, project and operational risks
tracking e.g. investigation, treatment progress, previous/current risk score
project and operational risks e.g. status, exposure level
comparative reporting of risk events and profiles of similar strategies, projects and operations

Risk Training

In February 2012 Capital Insight provided a one hour risk management training to the CRMG. This training gave an overview of Enterprise Risk Management to the CRMG and allowed them to gain a better understanding of strategic, operational and project risk management.

As per the ERMS project schedule formal staff training was undertaken in late March 2013 to early May 2013. The staff included in the training were the Executive Team, Service Unit Managers, second in charge to managers where applicable, and relevant support staff.

The training, given by Capital Insight, was divided into two sessions, both sessions being undertaken in a workshop style. The first session involved:

- Explanation of Council's Policy for Enterprise Risk Management;
- Developing an understanding of the benefits of good risk management;
- Developing an understanding of basic risk management terminology and responsibilities;
- Developing an awareness of WSC's aims for encouraging a supporting risk culture and actions/initiatives to help manage risk effectively;
- Developing an awareness of WSC's risk categories and risk tables;
- Developing an awareness of potential changes in the risk environment over time and
- Developing knowledge of where to locate ERM information and support.

The second session involved:

- Managing risk assessment/s within the section in accordance with WSC ERM processes and procedures;
- Utilising knowledge of risk management to support those responsible for conducting risk assessments in the section;
- Identifying appropriate and effective risk responses;
- Integrating risk management into operational, and project plans;
- Understanding requirements for risk escalation, communication and reporting

The training assisted greatly in improving the technical knowledge of staff with regards to risk management, the risk management system within WSC and the value of risk management within their daily work.

Training has also been provided to Councillors. This training provided Councillors an overview of the general concepts of risk management, with specific focus on WSC Risk Management, the Enterprise Risk Management (ERM) Strategy and the WSC ERM framework.

ERMS Framework Document

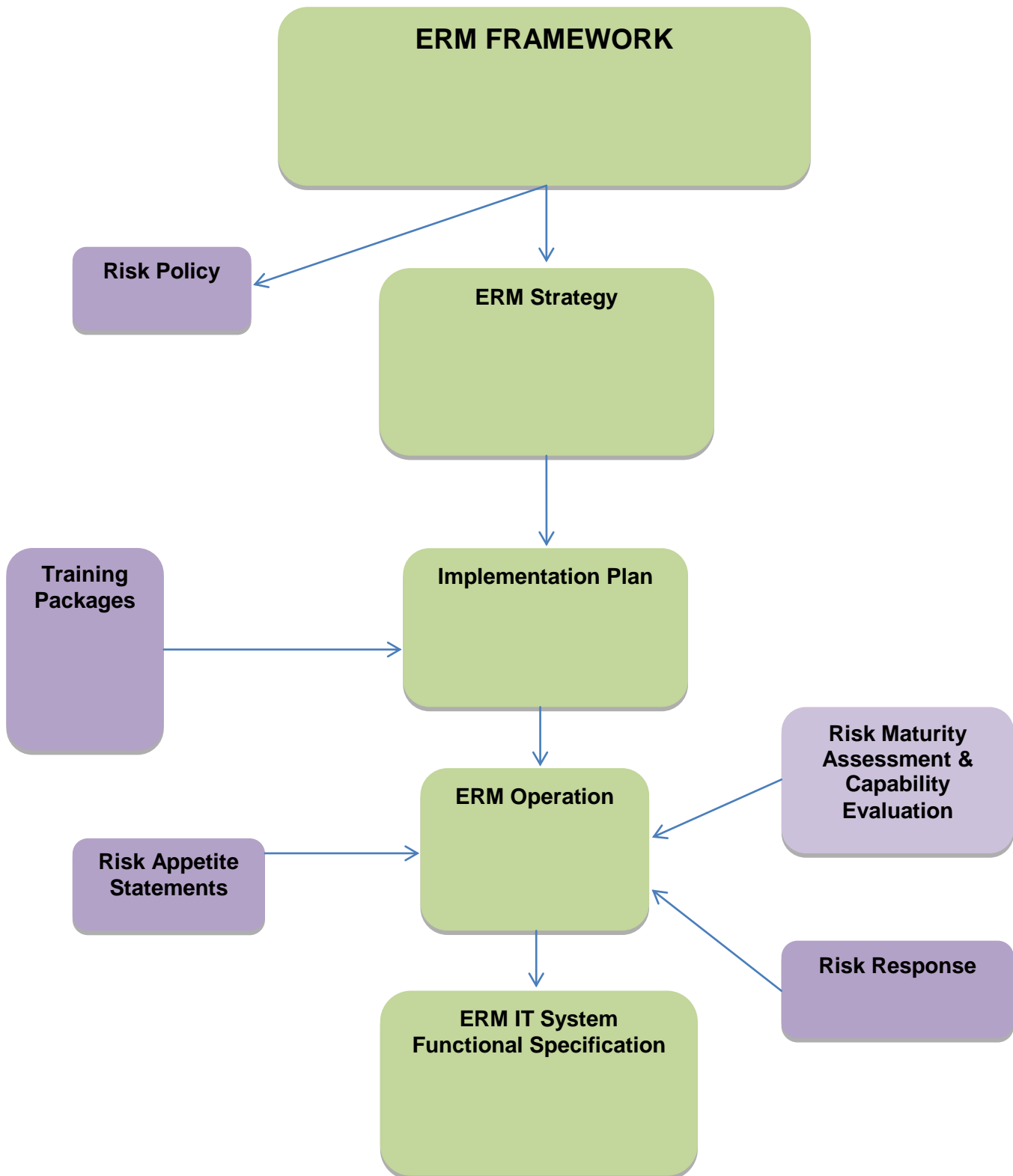
The ERM Framework details the overarching structure that accommodates the ERM system.

The Framework provides the overall guidance for managing risk in WSC and this in turn provides a more solid format and structure to the existing risk management process that has developed over the last two (2) years.

The ERMS Framework document is attached.

Diagram 1 displaying the ERMS framework is shown below.

Diagram 1 **Enterprise Risk Management Framework**



Implementation Plan

The ERM Implementation Plan was agreed to by the ERMS PCG at the final project meeting on the 27th June 2013.

The plan covers an approach that incorporates five (5) main milestones with completion by June 2016.

The milestones are:

Milestone 1: Establish Awareness, Governance, and Implementation Strategy (end December 2013)

Milestone 2: Capacity Building/Process Evolution/Early Wins (end June 2014)

Milestone 3: (end June 2015) and *Milestone 4:* (end June 2016) Objectives for Milestones 3 and 4 will depend on progress and outcomes of Milestones 1 and 2, and specific gaps to be addressed to achieve outcomes at Milestone 5.

Milestone 5: ERM Embedded (end June 2016)

A copy of the Implementation Plan is attached to this report.

CONCLUSION

The ERMS project has strongly assisted in developing a significant long term focus on risk management within WSC.

The relevant staff have been trained and have a significant understanding of risk management.

The systems have been developed, including a risk management software system that will allow staff to document the identification, and evaluation of risks providing the mechanism for responsible risk management.

The greatest challenge for 2014 is to guide the culture within WSC towards utilising risk management as part of the decision making process.

Through employing the ERMS Framework, undertaking formal and informal staff training, with the ongoing support of the General Manager and the Directors and the active involvement of the members of the CRMG, risk management will increasingly become part of the proactive way WSC staff undertake their activities.

ATTACHMENTS

- | | | | |
|---|---|-----------|-----------|
| 1 | WSC ERM Framework 241013 | Enclosure | D04367521 |
| 2 | ERM Framework Implementation - v2 Int 23Oct12 | | D04343441 |

WYONG SHIRE COUNCIL

**Enterprise Risk Management Strategy –
Implementation Plan**

WORKING DRAFT
Version 1
Release 25 October 2012

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INTRODUCTION

Implementation of the ERM Framework is a journey involving organisational change on a broad scale so that risk management thinking becomes embedded in WSC's day-to-day operations.

WSC accepts that it does not have the resources to immediately address all of the risks it faces and neither should it seek to achieve a completely risk free environment. It will, however, adopt a structured approach to prioritise and manage risk to deliver the greatest value within resource limitations.

IMPLEMENTATION

LEADERSHIP

ERM implementation will be supported by ongoing risk management training, further development of risk management tools, processes, and information systems, and integration of risk management within existing WSC processes.

The ELT will be responsible for ensuring the effective implementation and operation of the ERM Framework, and for embedding the discipline of risk management within WSC's culture. The ELT will also be responsible for setting priorities for implementation of the ERM Framework to maximise value.

The ERM Committee will establish performance goals for the ERM Framework and monitor and report on the performance of WSC's ERM Framework as a basis for continual improvement.

The documents comprising the ERM Framework are living documents that will be revised to lock-in improvements and reflect changing needs.

RELATED ACTIVITIES

Implementation interdependencies over the planned three to five year implementation period include:

- implementation of a risk IT solution (possibly including integrated modules for governance and/or compliance)
- establishing ERM resourcing and governance, including a small team of ERM champions and an ERM Committee
- ongoing development of business plans and associated service objectives as a basis for risk identification, and the inclusion of relevant operational and project risks in business and project plans together with treatment actions for high-ranked risks
- embedding risk management roles and accountabilities into position descriptions
- potential integration of ERM with WHS management practices
- evolving needs for risk information by the ELT, as a basis for decision making
- evolving expectations of the Governance Committee.

PROGRAM

The following sections outline an ERM program over four years, commencing in mid-2013.

Milestone 1: Establish Awareness, Governance, and Implementation Strategy (end December 2013)

- ERM competency development:
 - develop and deliver ERM Level 2 training for senior staff
 - develop and deliver ERM Level 1 training to the remainder of staff
 - provide Level 1 training for new staff as part of their induction.
- ERM resourcing strategy:
 - identify potential resources to support the ERM Framework including Risk Management Coordinator and ERM Committee members (new/existing, part-time/full-time)
 - identify any required training for those resources.
- Strategic risk management:
 - provide feedback to the ELT regarding WSC's Strategic Risk Profile
 - prepare/update risk assessments against the WSC Strategic Plan
 - determine and prioritise risk treatments that arise from the Strategic Risk Profile and WSC Strategic Plan
 - allocate risk treatments to risk owners e.g. Directors, SUMs
 - utilise the Strategic Risk Profile in developing the internal audit program
 - develop an appropriate mechanism and frequency for monitoring and updating strategic risks.
- Operational and project risk management:
 - prepare/update operational and project risk assessments based on services and products described in Service Unit Business Plans and Project Plans
 - prepare/update risk assessments for WSC planning documents e.g. Workforce Strategy, Asset Management Strategy, Information Management Strategy, Four Year Delivery Plan
 - determine and prioritise risk treatments
 - allocate risk treatments to risk owners
 - undertake agreed risk treatments.
- ERM governance:
 - prepare ERM Committee charter and approve
 - establish ERM Committee
 - establish proposed KPIs for ERM Framework
 - develop ERM Framework monitoring/review process
 - develop ERM implementation plan details
 - contribute to and guide ERM implementation and training.
- ERM promotion:
 - publish ERM Framework documents on intranet
 - agree and implement strategy for promotion of ERM activities, milestones, etc.

Milestone 2: Capacity Building/Process Evolution/Early Wins (end June 2014)

- ERM resourcing strategy:
 - establish capability by June 2013 by obtaining and/or developing required resources for implementation.
- Strategic risk management:
 - review and update risk appetite statements (if required) to align with new/updated directions
 - implement monitoring and review of strategic risks.
- Operational and project risk management:
 - operational and project risk assessments for any Service Units or projects not yet done
 - incorporate high-ranked risks and treatment actions from operational risk assessments into Service Unit Business Plans or Project Plans and reports
 - utilise risk assessments to inform internal audit planning based on completed strategic and operational risk assessments.
- ERM governance:
 - update risk maturity assessment to confirm progress over the 12 month period
 - determine any actions arising from the maturity assessment
 - review/update the risk tables (if not already done in the lead-up to implementation commencement)
 - identify focus areas for early wins in forthcoming 12 months
 - update implementation plan.

Milestone 3: (end June 2015) and Milestone 4: (end June 2016)

Objectives for Milestones 3 and 4 will depend on progress and outcomes of Milestones 1 and 2, and specific gaps to be addressed to achieve outcomes at Milestone 5. The focus for Milestone 3 and 4 could include:

- improvement initiatives in response to risk maturity assessments, ERM reviews, and other continual improvement initiatives
- growing awareness and application of the ERM Framework across council (beyond the top four tiers of management)
- integration of the ERM Framework with council's WHS systems
- improving the capability and effectiveness of risk champions
- fine-tuning procedures and tools to match operational needs.

Milestone 5: ERM Embedded (end June 2016)

The target is for risk management to be fully embedded in all WSC's processes and culture. Aspirational goals for Milestone 5 include:

- there is a common understanding and risk management language across management
- there is an improved risk culture, where risk management is everyone's responsibility and there is a willingness to openly discuss risks
- risk processes are known and routinely applied across all activities
- the ERM adds genuine value to decision making at all levels including the context for business cases, proposals for review by Councillors, decisions by the ELT, etc
- there is a consistent and effective prioritisation of risk actions across the organisation (including systems for managing risks derived from different sources – project risks, strategic risks, operational risks, risks

identified from internal audit, actions derived from improvement suggestions, etc)

- the ERM Framework is effectively integrated with the local government planning and reporting framework, with strategic risks providing an input to strategic planning activities
- the ERM Framework is supported by an effective risk information system
- WSC's risk appetite will have evolved to become a comprehensive and meaningful tool for communicating council's approach to risk management, and as a point of reference for risk-based decision making
- WSC will have progressed substantially in terms of maturity across several dimensions compared to the risk management maturity baseline established in 2012
- risk management practice will attain a level of sophistication and confidence that underpins effective assessment and management of opportunities and consideration of emerging risks
- WSC will have several internal capabilities to lead risk workshops, and to provide support and mentoring across the organisation.

5.12 NSW Local Infrastructure Renewal Scheme (LIRS Round 3. Proposal to submit projects to incur borrowing to be subsidised under the LIRS.

TRIM REFERENCE: F2004/06305 - D04384666

MANAGER: Daryl Mann, Manager Water and Sewer

AUTHOR: Greg Cashin; Commercial Manager Water and Sewerage

SUMMARY

This report proposes projects, for approval by Council, to be submitted under the LIRS Round 3, for an interest subsidy to assist council to accelerate investment in infrastructure to progress with renewal of its sewage pumping stations.

RECOMMENDATION

That Council approve the submission of Work Package 1 of the sewage pumping station renewal program for approval to incur borrowings to be subsidised under LIRS Round 3.

BACKGROUND

The LIRS is a state government initiative that provides an interest subsidy to assist councils with legitimate infrastructure backlogs to cover the cost of borrowing.

Council was successful in having projects approved under this scheme in Rounds 1 and 2.

Applications are now open for Round 3. In Round 3, the interest subsidy rate remains at 3%.

Councils may submit up to two applications. Eligible projects are required to meet either:

- (a) Core purpose infrastructure backlog works; or
- (b) Projects which provide "enabling infrastructure" that will facilitate the provision of new housing in a specific site

Proposed projects need to be in a reasonably advanced stage of preparation and, if approved, be ready to commence within twelve months of signing an LIRS agreement.

Applicants who did not receive LIRS assistance in previous rounds may be given higher priority over councils who successfully obtained LIRS assistance in previous rounds if the applications for funding exceed the allocated funding amount.

Applications must be submitted by 31 December 2013. The application forms are detailed and rigorous in nature to allow objective assessment.

**5.12 NSW Local Infrastructure Renewal Scheme (LIRS Round 3.
Proposal to submit projects to incur borrowing to be subsidised under
the LIRS. (contd)**

CURRENT STATUS

Council has not approved of any projects to be submitted in LIRS Round 3. This report proposes a program of three pumping station renewal projects for approval by Council.

THE PROPOSAL

It is proposed that Council approve the construction of Work Package 1 of its sewage pumping station (SPS) renewal program, comprising three pumping stations, for submission under LIRS Round 3.

The Work Package comprises the renewal of SPS BB05 at Binaburra Ave Toowoomba Bay, SPS BB06 at Werrina Parade Blue Bay and SPS WS11 at Apex Park Wyong. The design of the upgrade works is essentially complete, having been undertaken as part of package 1 issued to Council's Pumps and Pipes design panel. These three pumping stations represent Council's three highest renewal priorities. The estimated construction cost of the work is \$5.9 million.

Although the application of LIRS funding will not accelerate the construction of these works, it will allow other projects to be undertaken that are not otherwise affordable under the IPaRT expenditure cap.

OPTIONS

Council could choose not to apply for this assistance and consider funding the projects through its current revenue or unsubsidised loan sources.

Unsubsidised loans will be more costly than using subsidised interest rates. Funding from revenue will not result in an accelerated programme of work.

STRATEGIC LINKS

IPART output measures

The works are aligned with Council's wastewater overflow performance requirements.

Long term Financial Strategy

The loan repayments will need to be factored in to the Long Term Financial Plan

Asset Management Strategy

The project supports the Asset management Strategy by maintaining the condition and capacity of Council's infrastructure at an acceptable level.

Budget Impact

This proposal will form part of the budget preparation for 2014/15 to 2016/17.

**5.12 NSW Local Infrastructure Renewal Scheme (LIRS Round 3.
Proposal to submit projects to incur borrowing to be subsidised under
the LIRS. (contd)**

CONSULTATION

The Chief Financial Officer was consulted in the preparation of this report.

MATERIAL RISKS AND ISSUES

The risks associated with the works are “business as usual”. Detail design and environmental assessment for the work is complete.

CONCLUSION

The proposal allows council to take advantage of a low interest loan to proceed with identified priority projects

ATTACHMENTS

Nil.

5.13 DA 514/2013 - Alterations and Additions to Shopping Centre and Associated Car Parking at Tuggerah

TRIM REFERENCE: DA/514/2013 - D04302954

MANAGER: Lin Armstrong, Director Development and Building

AUTHOR: Scott Cox; Manager Development and Rezoning

SUMMARY

A development application has been received for alterations & additions to the existing Westfield Tuggerah shopping centre and associated car parking. The application has been examined having regard to the matters for consideration detailed in section 79C of the Environmental Planning and Assessment Act and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

The development application has been assessed by Anne More, Consultant Planner and the report is attached.

Applicant	Westfield Limited
Owner	P.T. Limited
Application No	DA/514/2013
Description of Land	Lots 1-6, 10, 11, 13, and 14 in DP 10625, Lot 1 DP 1056960, Lots 4 - 7 DP 242143, Lot 2 DP 365107, Lot 2 DP 500274, Lot 2 DP 591346, Lot 2 DP 537790 and Lot 71 and 72 DP 803155, No. 50 Wyong Road TUGGERAH
Proposed Development	Alterations & additions to shopping centre comprising 12,638m ² of retail floorspace (stage 1) and construction of Gmax cinema (stage 2)
Site Area	21.34 hectares
Zoning	3(a) Business Centre
Existing Use	Shopping Centre and cinemas
Employment Generation	500 including construction phase
Estimated Value	\$49.6 million

RECOMMENDATION

- 1 ***That Council receive the report on DA 514/2013 – Proposed Alterations and additions to shopping centre and associated car parking at Tuggerah.***
- 2 ***That Council determine whether it wishes to make a submission to the Joint Regional Planning Panel regarding the Application.***

BACKGROUND

Attached is the report being forwarded to the Hunter Central Coast JRPP's for determination on 12 December 2013.

ATTACHMENTS

1	Consultant's Assessment Report	Enclosure	D04395043
2	Report from Leyshon Consulting		D04394932
3	Conditions of Approval	Enclosure	D04341990
4	Plans Part 1 (A3 Colour)		D04440383
5	Plans Part 2		D04450992
6	Plans Part 3		D04451143

Leyshon Consulting

Background

Westfield has lodged plans with Wyong Shire Council (Council) for the expansion of Westfield Tuggerah. The current proposal before Council involves expansion of the Tuggerah centre to provide an additional 12,638m² gross leasable area (GLA) of retail floorspace which will accommodate a new Myer department store and some 1,762m² of additional specialty floorspace. If approved, the first trading year for the expanded centre is forecast to be 2016. There is also a proposal to expand the cinema complex by adding a 650 seat "Vmax" theatre.

In 2008, Council approved the expansion of Westfield Tuggerah by some 16,544 m² GLA. The 2008 approval was based on the addition to the centre of a third discount department store (DDS), additional mini-majors and almost 4,900m² of additional specialty shops. The cinema complex was to be expanded by four extra theatres and 1,300 extra seats. That approval has not been acted upon.

The current proposal before Council constitutes a significant reduction in the volume of floorspace proposed to be devoted to retail activities compared with the approval granted in 2008.

Consistency with Policy

Apart from provisions of Wyong Local Environmental Plan (LEP), the principal relevant policy instrument is the Wyong Shire Retail Centres Development Control Plan (DCP) – No 81. DCP 81 became operational on 4 January 2008.

Leyshon Consulting

DCP 81 designates Tuggerah as a Regional Centre and recognises its role as the highest order retail centre in Wyong Shire. DCP 81 also outlines general restrictions on the provision of additional retail floorspace at Westfield Tuggerah namely:

- "• 15,000 m² of retail floorspace and 10,000m² of bulky goods floorspace after 2011;
- a further 15,000m² of retail floorspace after 2016; and
- a further 25,000m² of retail floorspace and 5000m² of bulky goods floorspace after 2021."

Given there has been no increase in retail floorspace at Westfield Tuggerah since 2008, the current application is consistent with the floorspace restrictions noted above.

DCP 81 also required that any application to expand retail floorspace prior to the timing referred to above must satisfy Council that:

1. there is an increase in available retail expenditure that justifies an earlier need for additional floorspace
2. expansion will not have an adverse economic effect on the Wyong District Town Centre or Bateau Bay shopping centre in particular; and
3. the expansion will not negate development of the proposed Warnervale District Town Centre.

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In our view these conditions do not apply in this instance as the application for additional retail floorspace at Westfield Tuggerah is not occurring prior to the general timing for floorspace increases set out in DCP 81 and noted above.

DCP 81 (Section 7.1.3 refers) provides that it is relevant to examine the impact of the proposed expansion on all centres, including on the Wyong District Town Centre and the Bateau Bay centre. It is also relevant to examine whether the proposal will negate development of the proposed Warnervale District Town Centre. These issues are discussed below.

Review of Key Assumptions

In accordance with the requirements of DCP 81 an Economic Impact Assessment (EIA) was prepared in July 2013 by consultants Urbis on behalf of Westfield.

Our comments on the key assumptions on which the Urbis EIA is based are set out below.

Population Growth

The Urbis report identifies that population growth in Wyong Local Government Area (LGA) has been slower than that previously forecast in a report prepared for Council by Leyshon Consulting in 2007 (*Wyong Retail Centres Review – Wyong Shire, September 2007*). The Leyshon Consulting report underpinned the preparation of DCP 81. We note that the analysis underpinning our report was undertaken in 2005-06 although the report was only finalised mid-to-late 2007. Whereas the Leyshon Consulting report forecast Wyong LGA's population would increase to 166,090 persons by 2011, according to the ABS the actual resident

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population in 2011 was 154,334 persons or about -7% less. It is likely that population growth on the Central Coast has slowed significantly as a consequence of the onset of the GFC in 2008 and the slower rate of out-migration on the part of Sydney Region residents to the Central Coast since 2008.

We do not consider that the slower pace of population growth in Wyong LGA significantly affects the specified floorspace increases for Westfield Tuggerah (or other centres) referred to in DCP 81. At most it could be argued that the floorspace increases set out in DCP81 should be reduced by 7% across the board. In the case of Westfield Tuggerah, this would in theory reduce the projected increase in additional retail floorspace by 2011 from 15,000m² to about 14,000m² – a marginal decline.

Trade Area

The trade area for Westfield Tuggerah identified in Urbis Map 2.1 appears appropriate given that it is based on the findings of a recent customer survey undertaken at Westfield Tuggerah.

Available Spending

Analysis in the Urbis report (Section 2.6.1 refers) is based on average per capita retail spending figures drawn from data provided by Market Data Systems Pty Ltd (MDS). MDS have an expenditure modelling “product” known as Marketinfo.

We have some reservations about spending data provided by MDS particularly as it applies to areas with below average socio-economic characteristics. For example, on page 18 of the Urbis report they note ABS 2011 Census data as it

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applies to the Westfield Tuggerah Main Trade Area (MTA; that is, primary plus secondary trade areas) revealed average per capita income levels in 2011 were **-24% below the Sydney Region average** and household income levels were **-15% below the Sydney Region average**.

According to the Urbis EIA report, however, (Table 2.5, page 19 refers) average retail spending per capita in the Westfield Tuggerah MTA was only -8.5% below the Sydney Region average in 2011 and only -5.8% below for the trade area as a whole.

We note the Urbis analysis assumes real retail spending growth (that is, over and above CPI) of +1.4% per annum for the eight year period to 2021. In adopting this assumption Urbis refer to their estimate that over the past 20 years real per capita retail spending in New South Wales has grown by an average of +1.5% per annum. Even if it is assumed the Urbis estimate is correct, it is unlikely areas such as Wyong—which have below average socio-economic characteristics—have experienced real growth rates of this magnitude in retail spending over the past two decades.

Moreover, since 2008 there has been almost no annual real growth in retail spending in New South Wales. Given this, we consider that during the period 2013-21 real spending growth rates in the Tuggerah MTA are likely to be less than +1.4% per annum. In view of this, we conclude that Urbis have overestimated available retail spending in the Tuggerah MTA during the period 2013-21.

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Notwithstanding the above, even if a lower level of per capita retail spending was assumed during the forecast period, sufficient expenditure would still be generated in the trade area to justify an increase in retail floorspace at Westfield Tuggerah and other centres based on population growth alone.

For example, we calculate that if per capita retail spending rates for the trade area as a whole were assumed to be -15% below the Sydney average in 2013 (\$2013), total available trade area retail spending would still increase from about \$2.872 billion in 2013 to \$3.506 billion in 2021 (\$2013). This equates to an increase in annual available spending between 2013-21 of about +\$633 million.

By contrast, Urbis estimate total available annual retail spending will increase from \$3.198 billion in 2013 to \$3.954 billion in 2021—an increase of +\$756 million in annual available spending between 2013-21(\$2013; Table 2.6, page 21 refers) .

Assuming that the lower estimate of expenditure growth (as calculated by ourselves and noted above) is correct, annual available spending growth of +\$633 million in real terms would still support a very significant increase in retail floorspace in the Tuggerah trade area. In broad terms, assuming an average floorspace productivity rate of \$5,500 per m² per annum for all types of retail floorspace, the Tuggerah trade area would still support an increase in the order of 115,000m² between 2013-21. Obviously, the proposed increase at Westfield Tuggerah of only 12,638m² comprises a small component of the potentially supportable increase in retail floorspace for the Tuggerah trade area as a whole up to 2021.

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Increase in Sales

We agree with the Urbis estimate that an expanded Tuggerah Westfield centre could attract additional sales of about +\$45.0 million per annum (\$2013) in 2016.

Impacts on Centres

The estimated impact on centres in the Tuggerah trade area, including the Wyong District Town Centre and Bateau Bay, are set out in Table 5.7 on page 39 of the Urbis report. From Table 5.7 we note that an impact of -\$17.6 million in 2016 has been allocated by Urbis to "other centres". As far as we can tell, these "other centres" are not further detailed by Urbis in their report. This is significant as \$17.6 million constitutes 39% of the total impact of the proposed Tuggerah expansion.

We note that the centres identified as being impacted in Table 5.7 already include all of the major centres in the Central Coast and southern Newcastle—for instance, Erina Fair, Lake Haven, Bateau Bay, Gosford and Charlestown Square. It is difficult, therefore, to identify what "other" (that is, other than those identified in Table 5.7) relevant centres Urbis considers may be impacted. While it is to be expected there would be some impact on other centres located outside of the Central Coast/lower Newcastle area, we would not expect this to constitute 39% of the overall impact of the proposal.

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Council should understand that if this \$17.6 million impact on “other centres” were to be allocated (as a whole or in part) to the centres listed in Table 5.7, the impacts on individual centres would be higher than those cited by Urbis.

The impacts on Wyong and Bateau Bay of the proposal are estimated by Urbis to be as follows:

- | | | | |
|---|------------|-----|-------|
| ▶ | Wyong | ... | -0.9% |
| ▶ | Bateau Bay | ... | -1.8% |

We agree with Urbis that the Wyong District Town Centre is unlikely to be significantly impacted by the proposed expansion given Wyong does not contain retailers which are likely to be directly competitive with the proposed Myer department store and additional retail specialties at Tuggerah.

Bateau Bay is expected to experience a higher impact than Wyong given that it is anchored by a DDS (Kmart) and contains more national chain specialty stores than Wyong. Bateau Bay is therefore more directly competitive with Westfield Tuggerah than is the Wyong District Town Centre.

Notwithstanding our comments concerning the veracity of the distribution of impacts calculated by Urbis, we consider it unlikely that the impacts on any of the centres identified in Urbis Table 5.7 would exceed -5% in 2016. This is generally considered to be a low level of impact.

In relation to the proposed Warnervale District Town Centre, we agree with the observations made by Urbis (Section 5.7.1 refers) that the proposed Tuggerah expansion will not preclude the development of a first stage of the Warnervale

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District Town Centre which is to be anchored by a supermarket and associated speciality shops. Further, we agree it is unlikely that the proposed expansion of Westfield Tuggerah would preclude the potential to add a DDS to a future centre at Warnervale in the longer term.

Conclusion

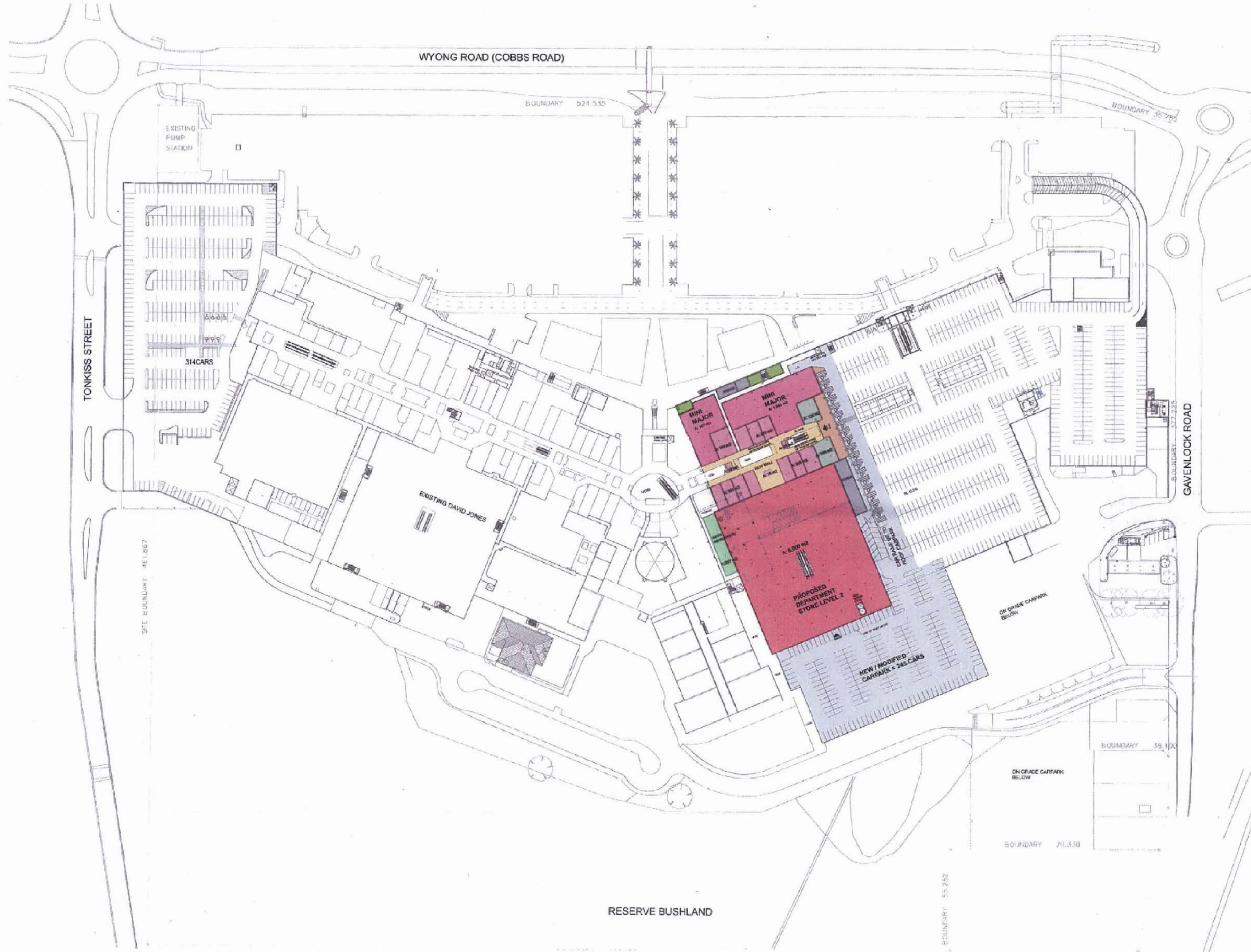
The proposed development is consistent with the role of Westfield Tuggerah at the apex of the retail hierarchy in Wyong LGA.

The proposed expansion of Westfield Tuggerah is within the guidelines established by DCP 81, as far as the expansion of retail floorspace at the centre is concerned.

The proposed expansion of the centre is likely to have less impact than that previously approved by Council in 2008. Further, compared with the 2008 application, the current application has the benefit of adding a Myer department store. This will significantly improve local residents' access to a full range of comparison goods retailing in Wyong LGA.

Despite our reservations about the volume of available retail expenditure (as discussed above), our advice to Council is that the impact of the proposed development on relevant centres is likely to be relatively modest and does not constitute a basis for refusing the subject application on economic impact grounds.



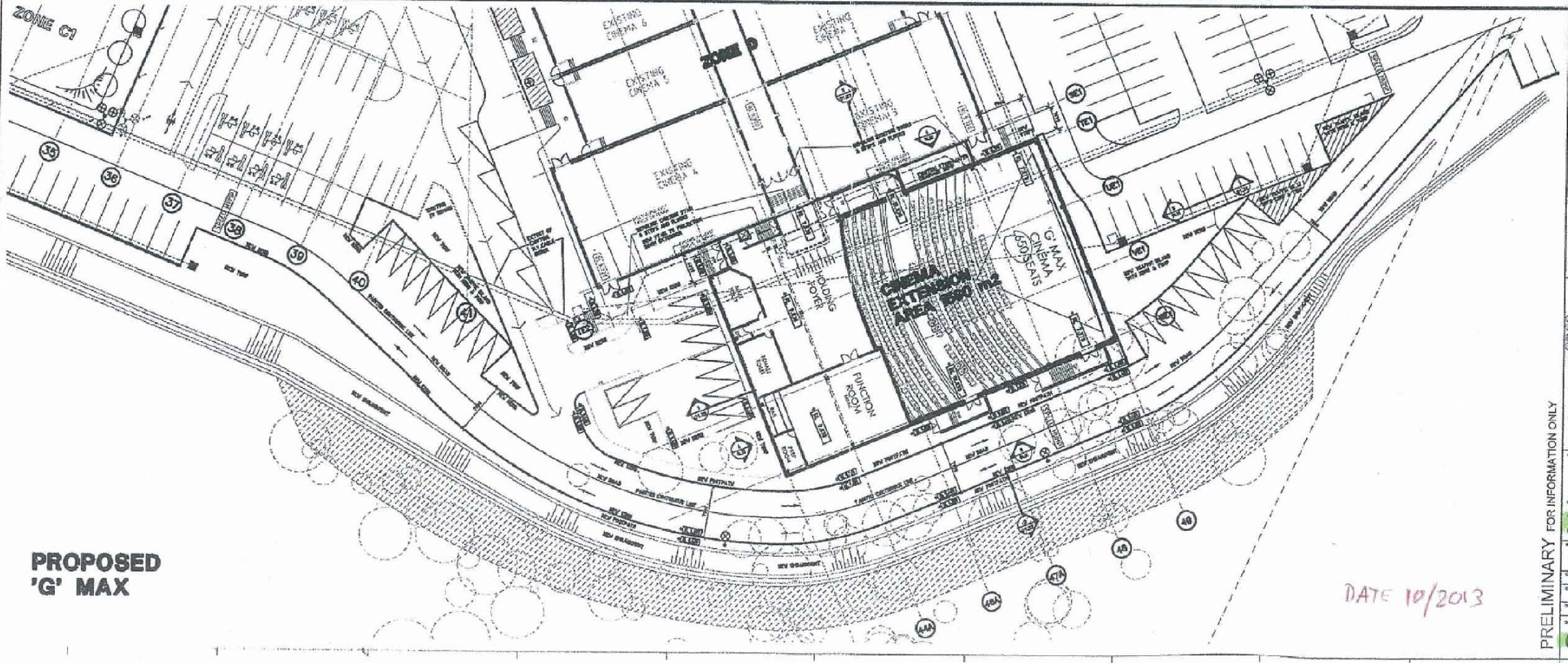
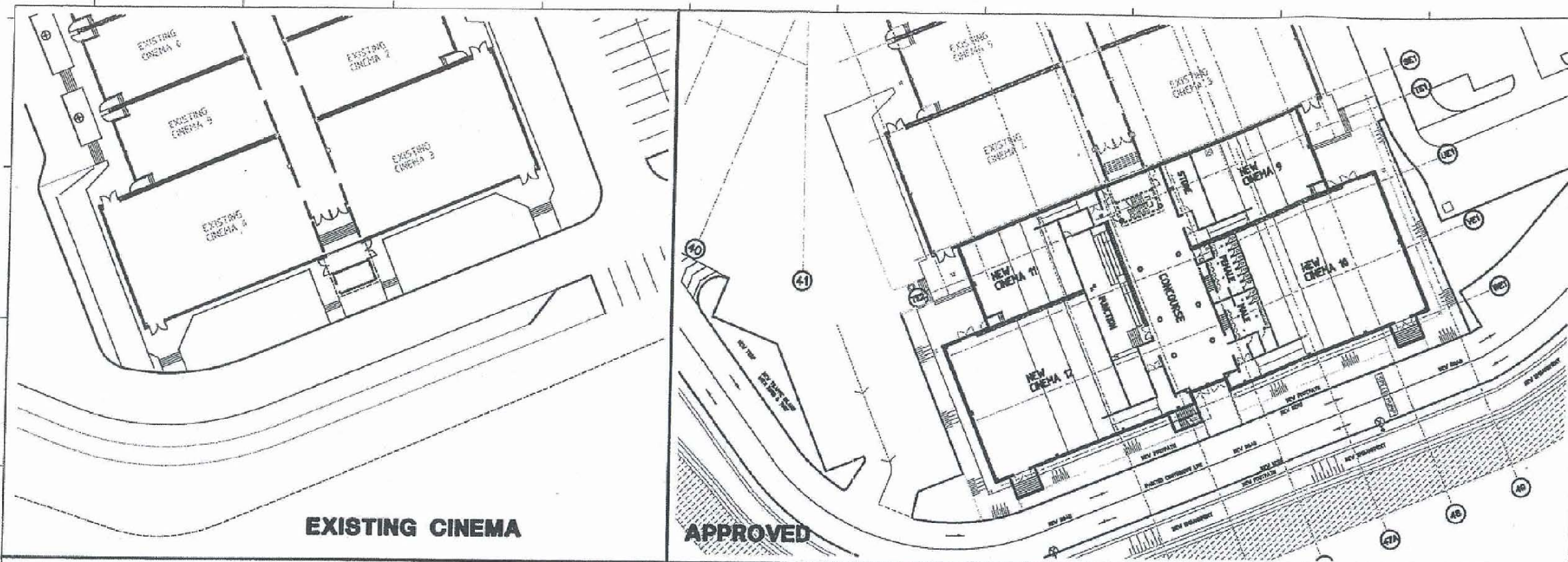


**DEVELOPMENT APPLICATION
STAGE 1
PROPOSED RETAIL LEVEL 2
TUGGERAH - STAGE 1 - EASTERN EXTENSION**

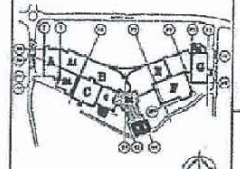


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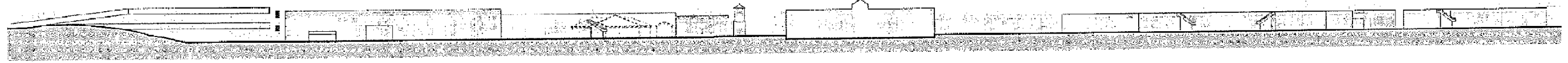
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TUGGERAH
 CINEMA 'G' MAX EXTENSION
 OLD & NEW FLOOR PLANS

PRELIMINARY FOR INFORMATION ONLY

Project No.	8216
Scale	1:200
Revision	01.0016a



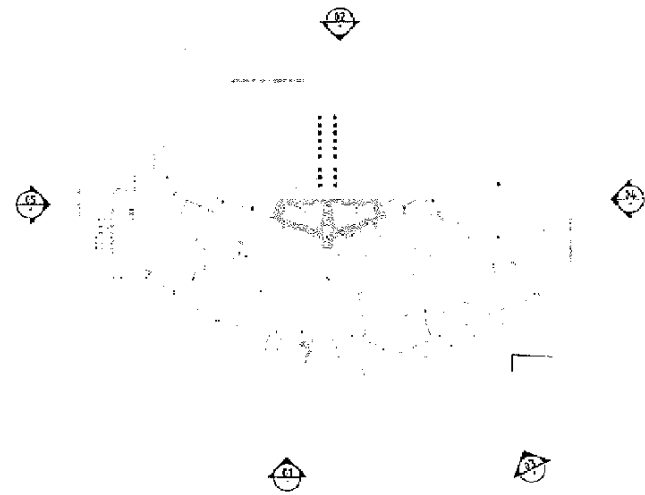
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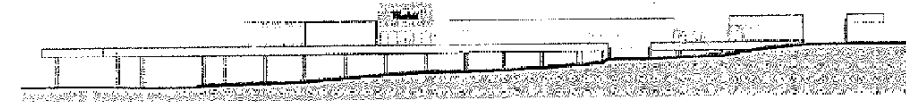
EXISTING WYONG ROAD ELEVATION 1:500



EXISTING SOUTH-WEST ELEVATION 1:500



GAVENLOCK ROAD ELEVATION 1:500

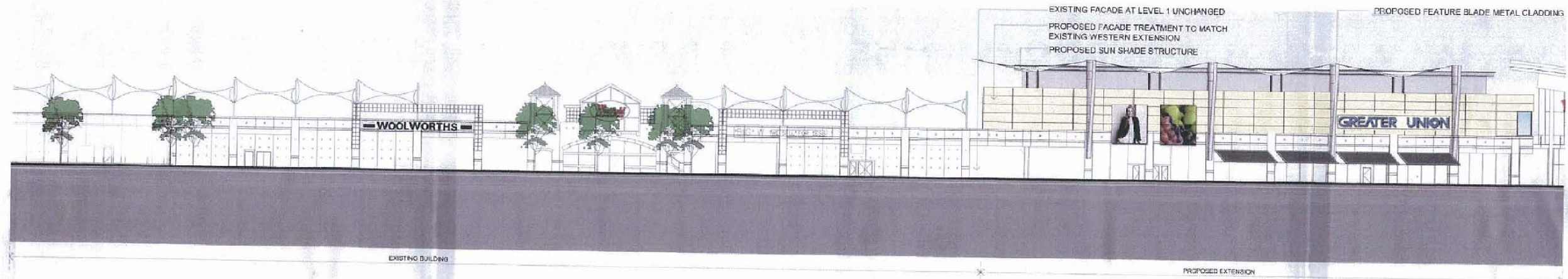


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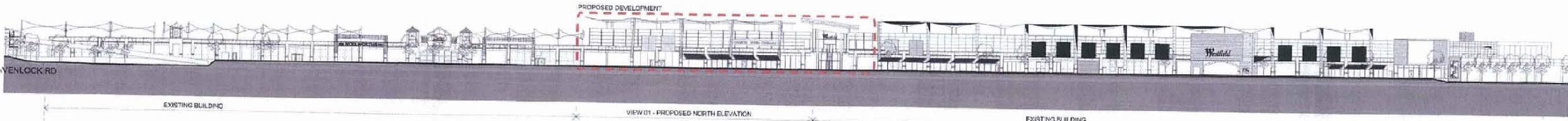
DEVELOPMENT APPLICATION
 EXISTING ELEVATIONS
 TUGGERAH - EASTERN EXTENSION

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VIEW 01 PROPOSED WYONG ROAD ELEVATION 1:200



VIEW 01 - PROPOSED NORTH ELEVATION

VIEW 01 WYONG ROAD ELEVATION 1:500

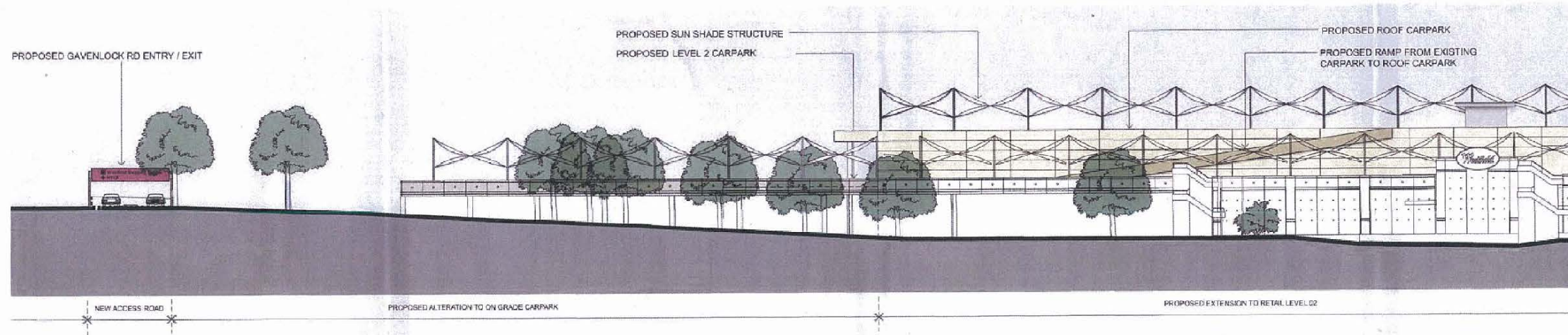


KEY PLAN

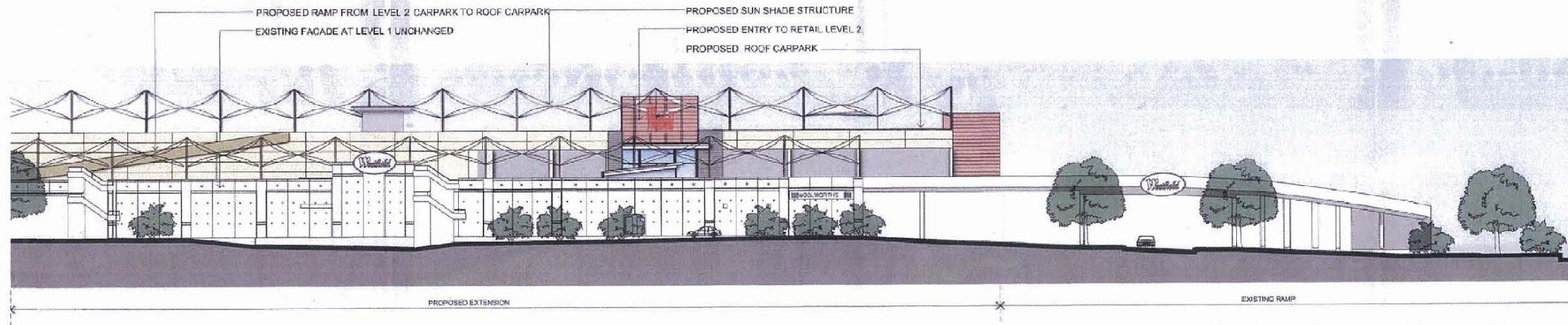
DEVELOPMENT APPLICATION
 PROPOSED ELEVATION 01
 TUGGERAH - EASTERN EXTENSION

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Checked by:		Project No:	DA-08
Client:		Revision:	G





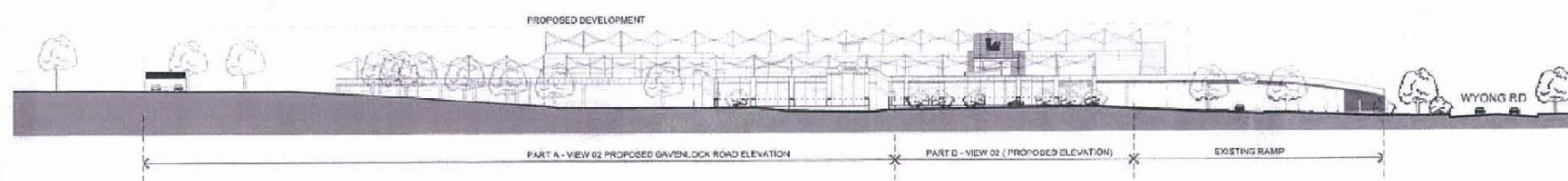
PART A - VIEW 02 PROPOSED GAVENLOCK ROAD ELEVATION 1:200



PART B - VIEW 02 PROPOSED GAVENLOCK ROAD ELEVATION 1:200



KEY PLAN

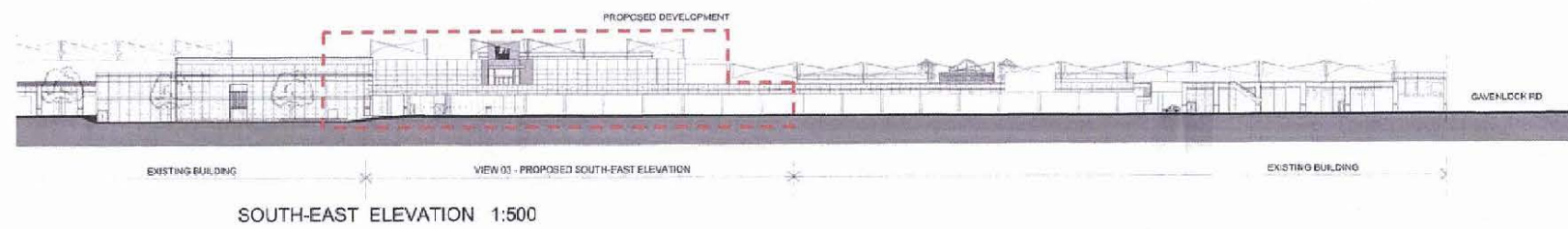
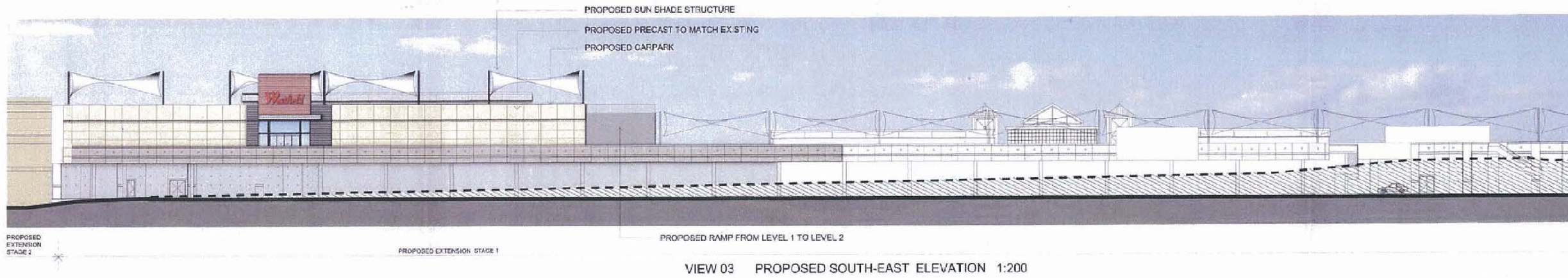
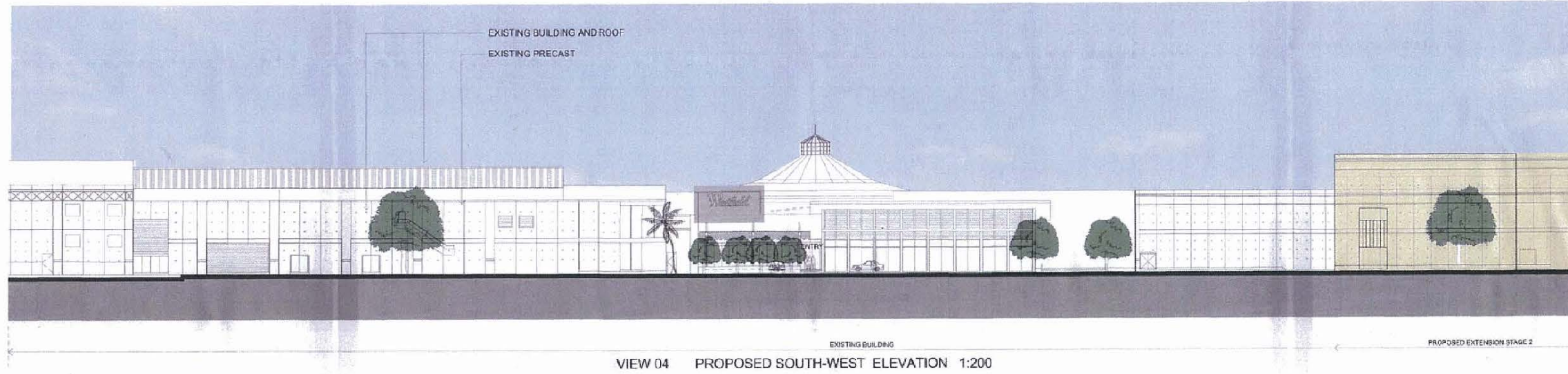


GAVENLOCK ROAD ELEVATION 1:500

DEVELOPMENT APPLICATION
 PROPOSED ELEVATION 02
 TUGGERAH - EASTERN EXTENSION

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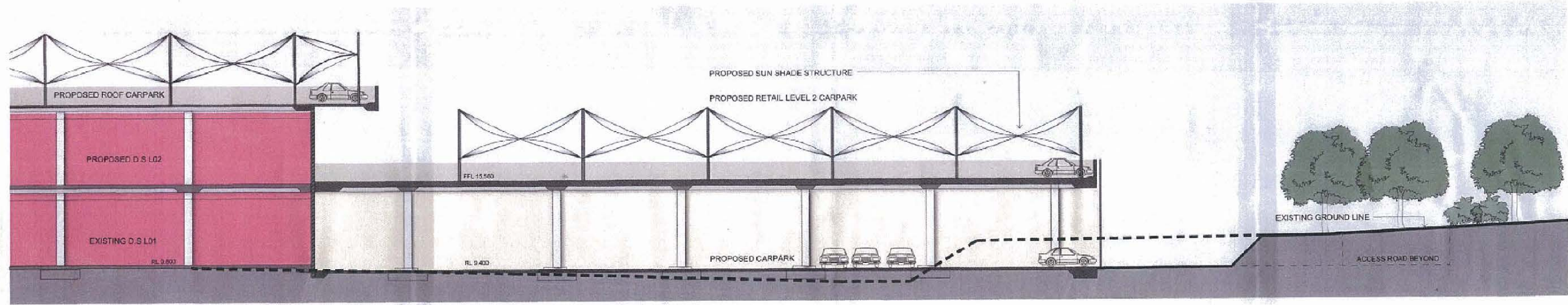




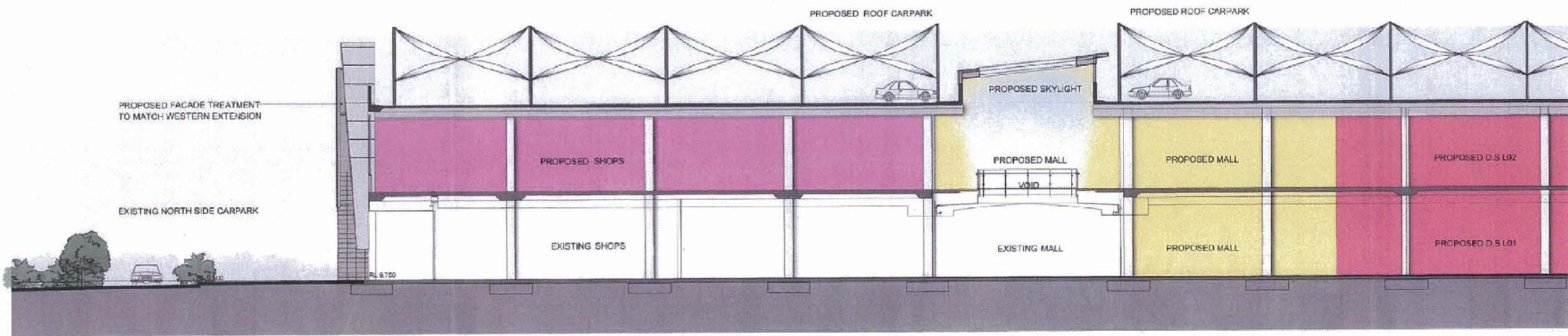
DEVELOPMENT APPLICATION
 PROPOSED ELEVATIONS 03 & 04
 TUGGERAH - EASTERN EXTENSION

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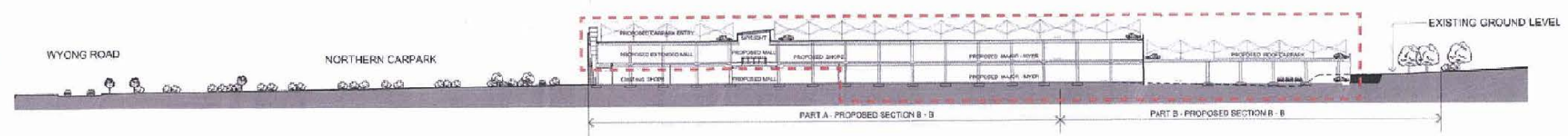




PART B - SECTION B - B 1:100



PART A - SECTION B - B 1:100



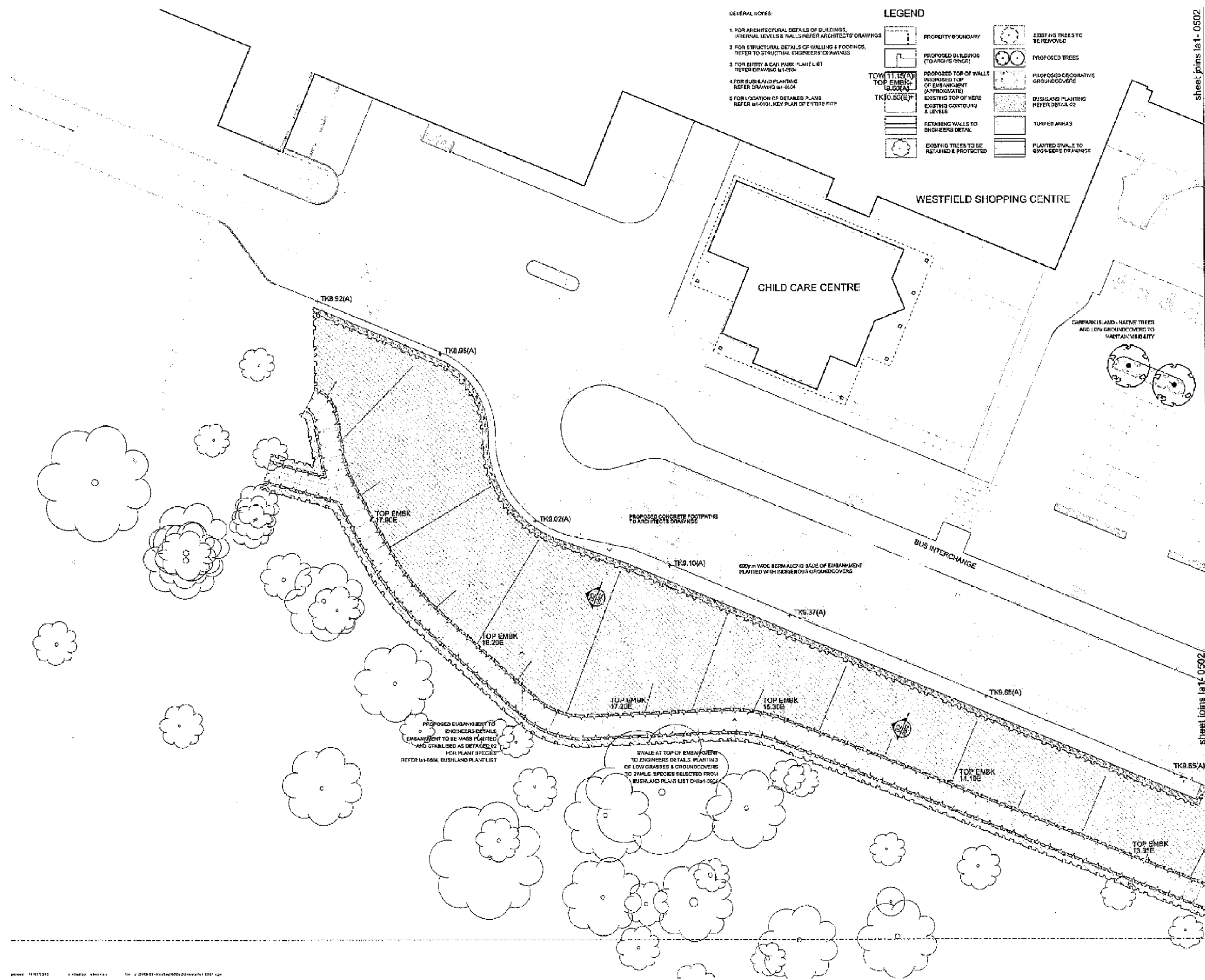
CROSS SECTION B - B 1:500



DEVELOPMENT APPLICATION
 CROSS SECTIONS B - B
 TUGGERAH - EASTERN EXTENSION

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Date for approval		Project No.	08/07/13
Discipline	DA -12	Version	G

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- GENERAL NOTES:**
- 1 FOR ARCHITECTURAL DETAILS OF BUILDINGS, INTERNAL LEVELS & WALLS REFER ARCHITECTS' DRAWINGS
 - 2 FOR STRUCTURAL DETAILS OF WALLING & FOOTINGS, REFER TO STRUCTURAL ENGINEERS' DRAWINGS
 - 3 FOR ENTRY & CAR PARK PLANT LIST REFER DRAWING M1-0504
 - 4 FOR BUSHLAND PLANTING REFER DRAWING M1-0504
 - 5 FOR LOCATION OF DETAILED PLANS REFER M1-0504, KEY PLAN OF ENTIRE SITE

- LEGEND**
- PROPERTY BOUNDARY
 - PROPOSED BUILDING (TO ARCH'S OWNER)
 - PROPOSED TOP OF WALLS (APPROXIMATE)
 - EXISTING TOP OF KERB & LEVELS
 - RETAINING WALLS TO ENGINEERS DETAIL
 - EXISTING TREES TO BE RETAINED & PROTECTED
 - EXISTING TREES TO BE REMOVED
 - PROPOSED TREES
 - PROPOSED DECORATIVE GROUNDCOVERS
 - BUSHLAND PLANTING REFER DETAIL C2
 - TURPED ANNAS
 - PLANTED SWALE TO ENGINEERS DRAWINGS

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01	10/04/10	dem	J	M
02	11/07/10	dem	J	M

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Westfield Tuggerah

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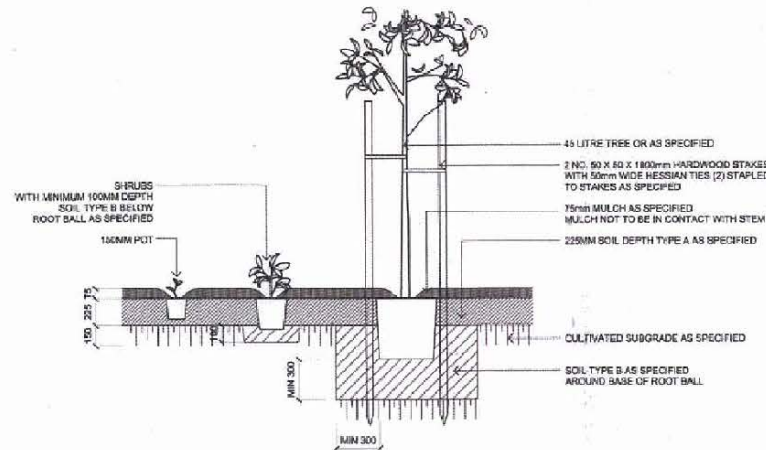
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stage 1
 landscape plan sheet 1 of 4

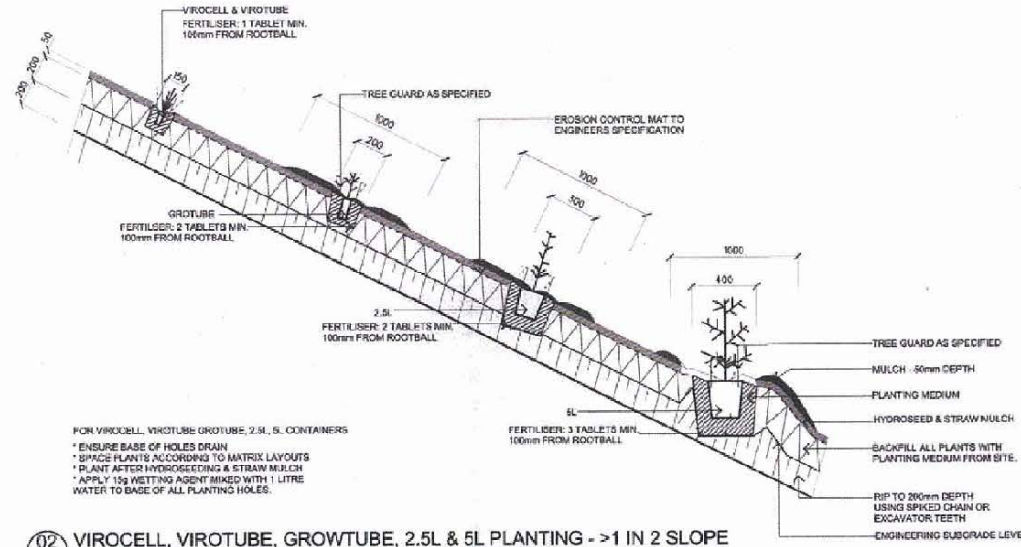
la issue

la 1-0501 a02

DATE 08/10/10



01 TREE & SHRUB PLANTING TYPICAL SECTION SCALE: 1:20



02 VIROCELL, VIROTUBE, GROWTUBE, 2.5L & 5L PLANTING - >1 IN 2 SLOPE TYPICAL SECTION SCALE: 1:20

LEGEND

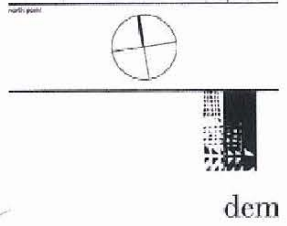
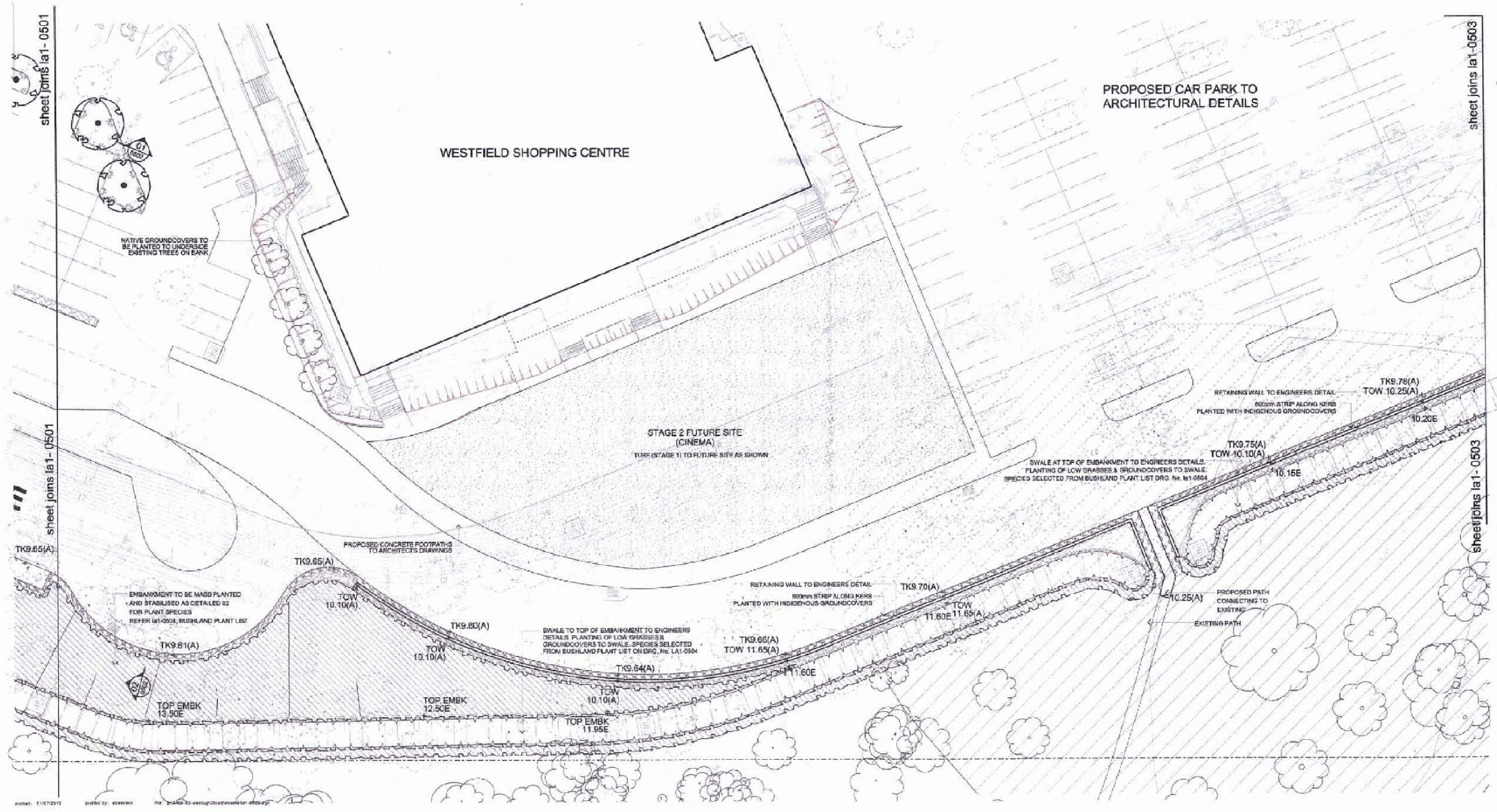
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- EXISTING TOP OF HERB
- RETAINING WALLS TO ENGINEERS DETAIL
- EXISTING TREES TO BE RETAINED & PROTECTED
- EXISTING TREES TO BE REMOVED
- PROPOSED TREES
- PROPOSED DECORATIVE GROUNDCOVERS
- BUSHLAND PLANTINGS REFER DETAIL 02
- TURFED AREAS
- PLANTED SWALE TO ENGINEERS DRAWINGS

GENERAL NOTES

1. FOR ARCHITECTURAL DETAILS OF BUILDINGS, INTERNAL LEVELS & WALLS REFER ARCHITECT'S DRAWINGS
2. FOR STRUCTURAL DETAILS OF WALLING & FOOTINGS, REFER TO STRUCTURAL ENGINEERS' DRAWINGS
3. FOR ENTRY & CAR PARK PLANT LIST REFER DRAWING la1-0504
4. FOR BUSHLAND PLANTING REFER DRAWING la1-0504
5. FOR LOCATION OF DETAILED PLANS REFER la1-0501, KEY PLAN OF ENTIRE SITE

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Westfield Tuggerah

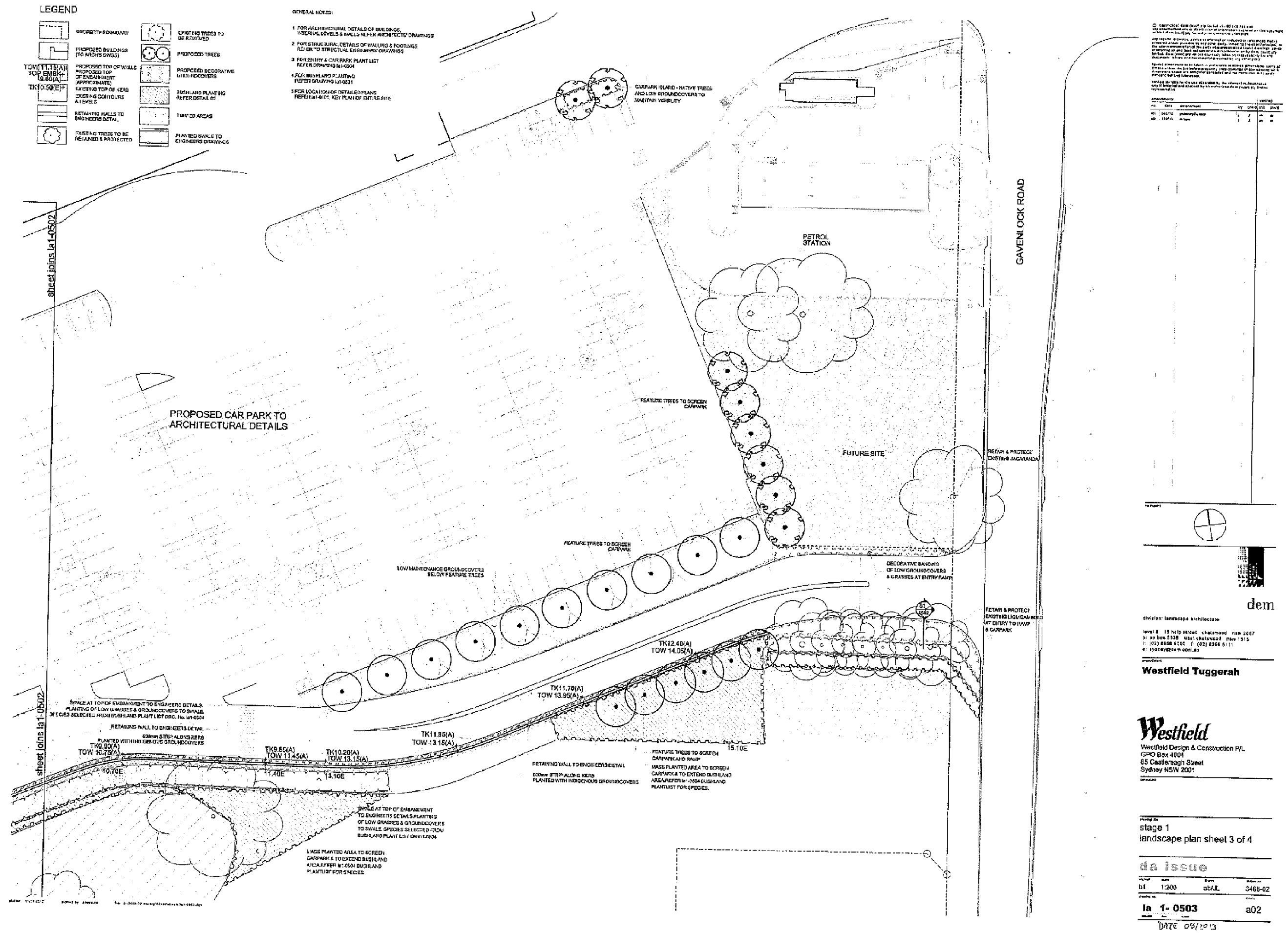
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stage 1
landscape plan sheet 2 of 4

da issue

Project No.	Issue No.	Project No.	Issue No.
la 1-0502	ab/JL	3468-02	a02

DATE: 09/2013



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NO.	REV.	DESCRIPTION	BY	DATE
01	1	ISSUED FOR PERMIT
02	1	ISSUED FOR PERMIT
03	1	ISSUED FOR PERMIT

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Westfield Tuggerah

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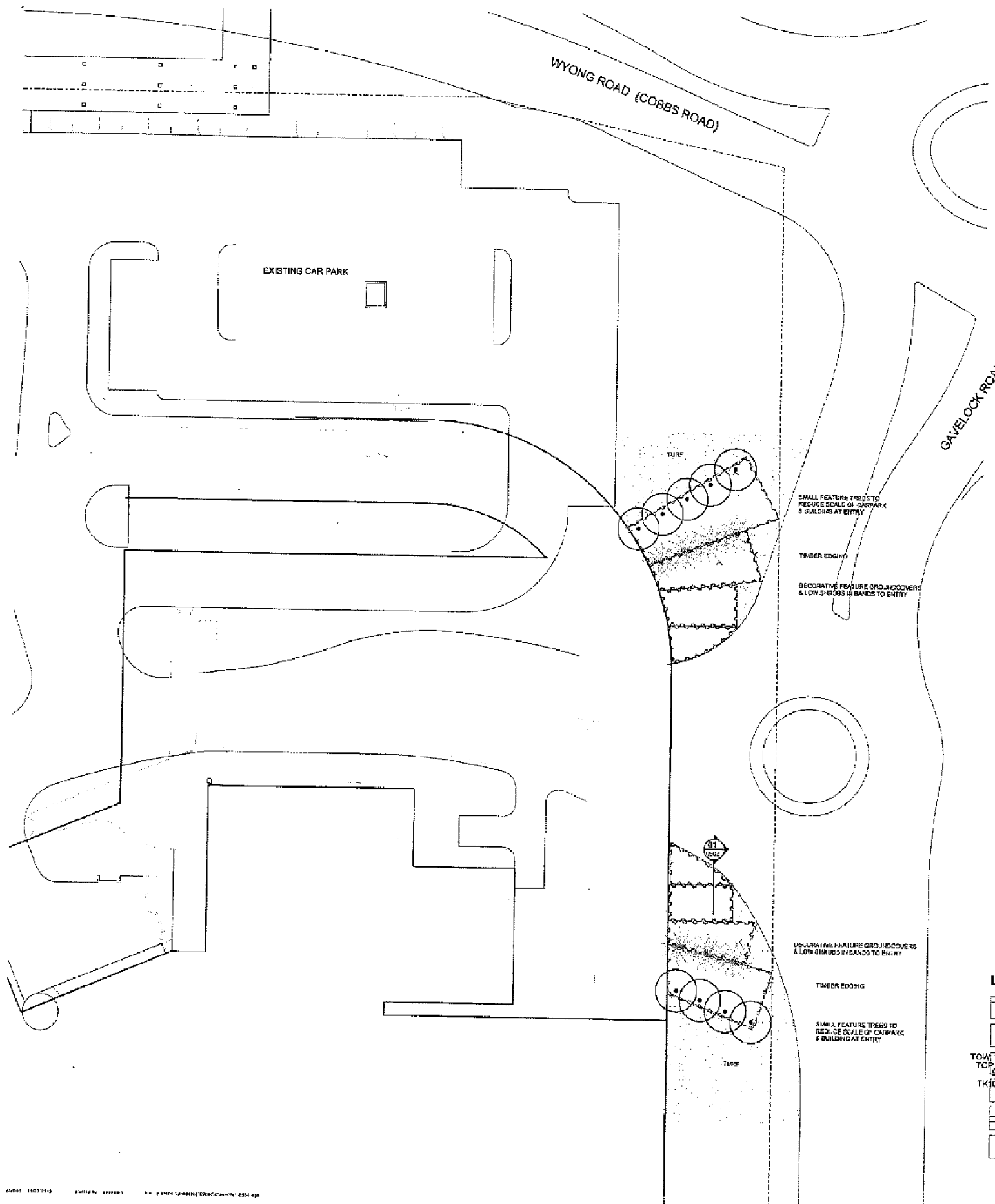
stage 1
 landscape plan sheet 3 of 4

ISSUE

NO.	DATE	BY	REV.
b1	1/200	ab/jll	3468-02

1a-0503 a02

DATE 08/10/13



PLANT SCHEDULE

Bushland Planting

Botanic Name	Common Name	Height at Maturity metres	Container Size
TREES			
Acacia longiloba	White Sallow Wattle	2	Grubbe
Acacia longiloba	Sydney Golden Wattle	2	Grubbe
Allocasuarina torulosa	Forest Oak	12	Grubbe
Angophora costata	Smooth Barked Apple	25	Grubbe
Angophora floribunda	Rough Barked Apple	20	Grubbe
Eucalyptus pilularis	Black Butt	30	Grubbe
Eucalyptus punctata	Grey Gum	20	Grubbe
Eucalyptus resinifera	Red Mahogany	30	Grubbe
Eucalyptus robusta	Swamp Mahogany	15	Grubbe
Livistona australis	Cabbage Tree	10	5L
Syncarpia glomulifera	Turpentine	20	Grubbe

SHRUBS

Callistemon salignus	Willow Bottlebrush	7	Grubbe
Geckonia leucantha	Cherry Tree	8	Grubbe
Lepidospermum polygalifolium	Lemon Scented Tea Tree	2	Grubbe
Melaleuca bicolora	Bicolor Paperbark	10	Grubbe
Melaleuca linearifolia	Snow in Summer	8	Grubbe
Melaleuca sieberi	Sieber's Paperbark	5	Grubbe

GROUNDCOVERS

Baeckea virgata	Twiggy heath	1	Grubbe
Carex appressa	Tall Sedge	1	Vinotube
Dianella caerulea	Blue Flax Lily	0.6	Vinotube
Gairnia ciliaris	Tall Saw Hedge	2	Vinotube
Imperata cylindrica	Var major blade grass	0.6	Vinotube
Lemnandra longifolia	Spray-headed Mail Rush	1.2	Grubbe
Pteridium esculentum	Bracken	0.6	Grubbe
Schoenus brevifolius	Bog Rush	1	Vinotube
Vicia hederacea	Native Violet	0.2	Grubbe

Carpark & Entry Planting

Botanic Name	Common Name	Height at Maturity Metres	Container Size
YREES			
Lophosetmon confertus	Brush Box	15	75L
Allocasuarina torulosa	Forest Oak	12	25L
Angophora costata	Smooth Barked Apple	25	75L
Melaleuca bicolora	Bicolor Paperbark	10	5L
Melaleuca linearifolia	Snow in Summer	8	5L
Melaleuca sieberi	Sieber's Paperbark	5	5L
Eucalyptus robusta	Swamp Mahogany	12	25L
Livistona australis	Cabbage Tree	10	200L
Syncarpia glomulifera	Turpentine	20	75L

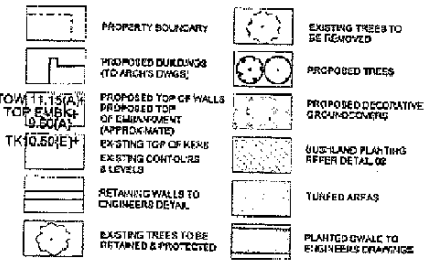
SHRUBS

Callistemon salignus	Willow Bottlebrush	7	5L
Westringia frutescens	Native Rosemary	1	5L
Syzygium	Lilly Pilly	2	25L
Photinia glabra	Photinia	2	25L
Buxus microphylla 'Japanica'	Japanese Box	1.5	25L

GROUNDCOVERS

Dianella 'Breeze'	Breeze	0.6	2 EL
Dianella 'Little Jess'	Little Jess	0.45	2.5L
Lemnandra 'Katrina'	Katrina	1.2	2.5L
Lemnandra 'Tanika'	Tanika	0.6	2.5L
Lemnandra 'Nyalla'	Nyalla	0.75	2.5L
Myoporum parvifolium 'Yareena'	Yareena	0.3	Grubbe
Phormium 'Bronze Baby'	Bronze Baby	0.6	25L
Pennisetum 'Nafay'	Nafay	0.9	2.5L
Doronicum excelsa	Gymea Lily	1	5L
Trachelospermum jasminoides	Star Jasmine	0.4	2.5L

LEGEND



GENERAL NOTES:

- FOR LAND STRUCTURAL DETAILS OF BUILDINGS, INTERNAL LEVELS & WALLS REFER ARCHITECTS' DRAWINGS
- FOR STRUCTURAL DETAILS OF WALLING & FOOTINGS REFER TO STRUCTURAL ENGINEERS DRAWINGS
- FOR ENTRY & CARPARK PLANT LIST REFER DRAWING W1-0000
- FOR BUSHLAND PLANTING REFER DRAWING W1-0004
- FOR LOCATION OF DETAILED PLANS REFER W1-0101, KEY PLAN OF ENTRANCE SITE

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No.	Date	Revised/Issued	By	Checked	Drawn
01	10/11/18	Issue	JL	JL	JL

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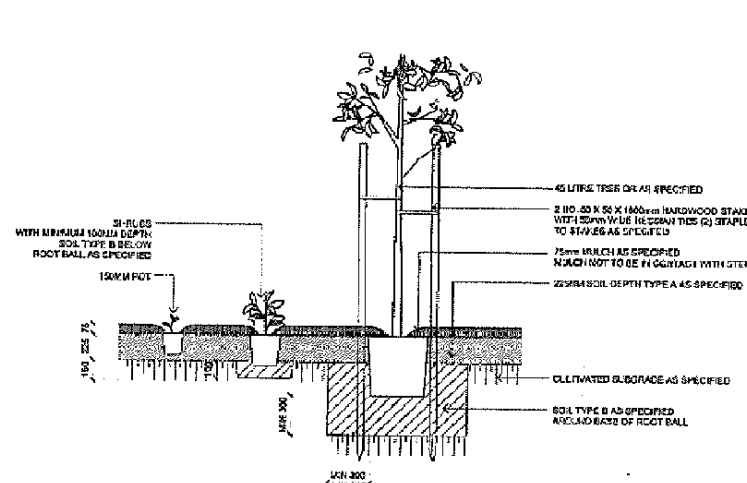
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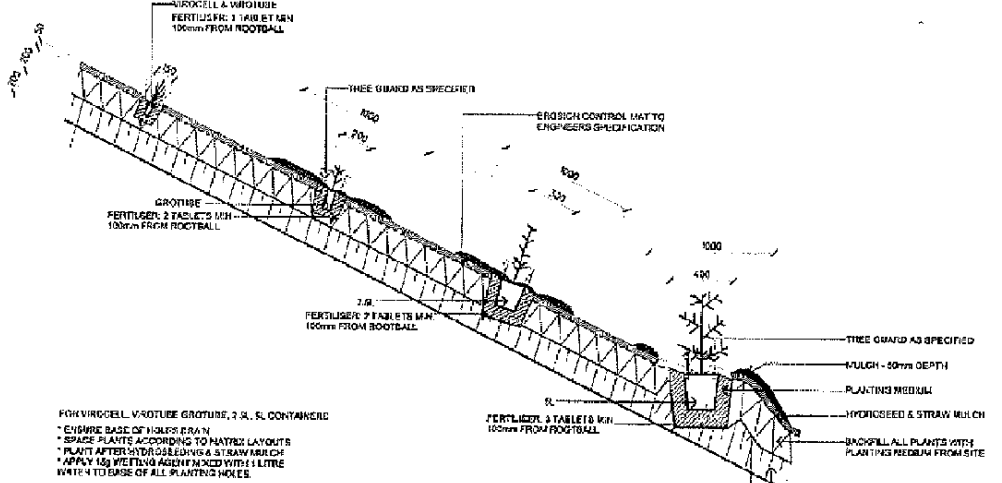
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01 TREE & SHRUB PLANTING TYPICAL SECTION SCALE 1:20



02 VIROCELL, VIROTUBE, GROWTUBE, 2.5L & 5L PLANTING - >1 IN 2 SLOPE SCALE 1:20

LEGEND

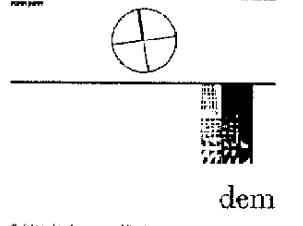
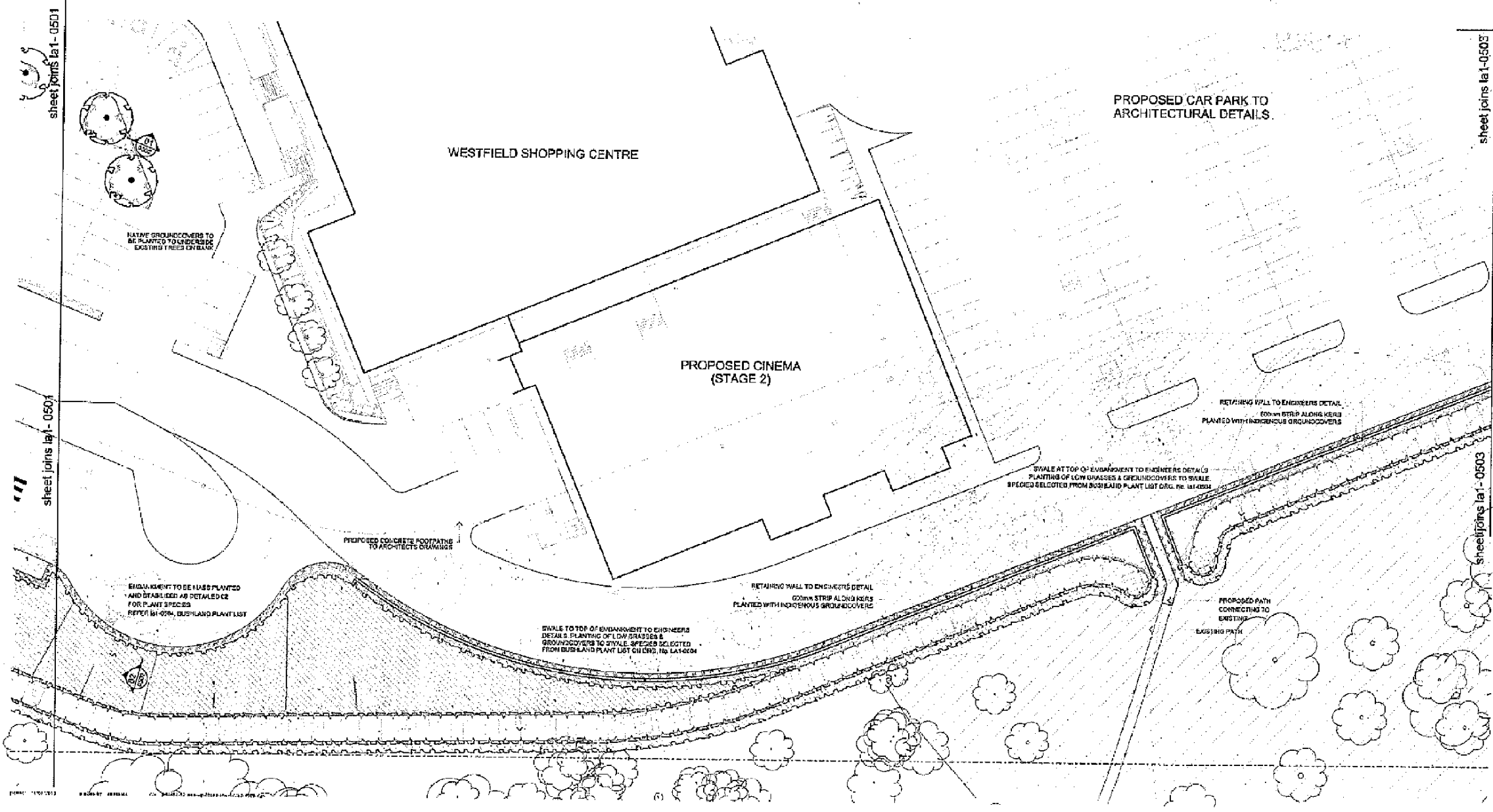
- PROPERTY BOUNDARY
- PROPOSED INFILLING (TO ARC-2'S DMS)
- PROPOSED TOP OF WALL (TO ENGINEER'S DETAIL)
- PROPOSED TOP OF KERB (TO ENGINEER'S DETAIL)
- EXISTING CONTOURS & LEVELS
- RETAINING WALLS TO ENGINEER'S DETAIL
- EXISTING TREES TO BE RETAINED & PROTECTED
- EXISTING TREES TO BE REMOVED
- PROPOSED TREES
- PROPOSED DECORATIVE GROUNDCOVERS
- BUSHLAND PLANTING REFER DETAIL 02
- TUNED AREAS
- PLANTED SWALE TO ENGINEER'S DRAWINGS

GENERAL NOTES:

- 1 FOR ARCHITECTURAL DETAILS OF BUILDINGS, INTERNAL LEVELS & WALL HEIGHTS ARCHITECT'S DRAWINGS
- 2 FOR STRUCTURAL DETAILS OF WALLING & FOOTINGS, REFER TO STRUCTURAL ENGINEER'S DRAWINGS
- 3 FOR ENTRY & CAR PARK PLANT LIST REFER DRAWING M1-0504
- 4 FOR BUSHLAND PLANTING REFER DRAWING M1-0504
- 5 FOR LOCATION OF DETAILED PLANS REFER M1-0101, KEY PLAN OF ENTIRE SITE

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NO.	DATE	DESCRIPTION	BY	CHECKED	SCALE
1	15/01/07	ISSUED FOR PERMIT	DL	DL	1:20
2	15/01/07	ISSUED FOR PERMIT	DL	DL	1:20



division: landscapes architects
 Level 4, 15 High Street, Chesham NSW 2067
 P: (02) 9386 9381 F: (02) 9386 6114
 E: h.williams@dem.com.au

Westfield Tuggerah

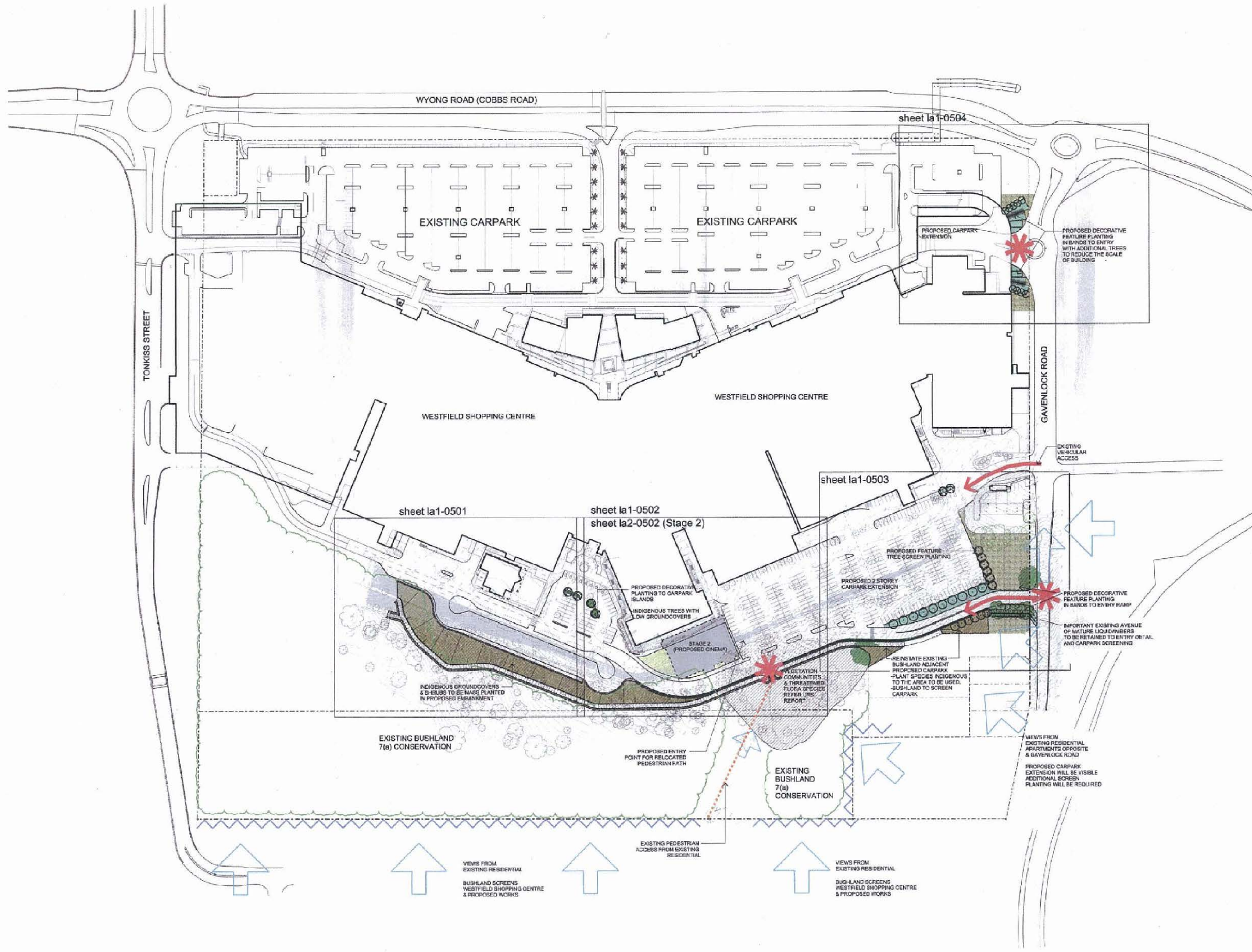
Westfield
 Westfield Design & Construction P/L
 GPO Box 4004
 85 Castlereagh Street
 Sydney NSW 2001

stage 2 (cinema)
 landscape plan

ISSUE

NO.	DATE	DESCRIPTION
1	15/01/07	ISSUED FOR PERMIT

la 2-0502 a02
 DATE 06/2013



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no.	date	description	by	checked	date
01	09/12/13	preliminary design	JM	DM	09/12/13
02	11/07/14	design	JM	DM	11/07/14

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Westfield Tuggerah
 Westfield Design & Construction P/L
 GPO Box 4004
 85 Castlereagh Street
 Sydney NSW 2001

stage 1 & stage 2 (cinema)
 site analysis plan
 & key plan
da issue
 scale: 1:1000
 sheet: ab1.L
 project no: 3488-02
la 1- 0101 a02
 DATE 08/2013

6.1 Works in Progress - Water Supply and Sewerage

TRIM REFERENCE: F2004/07830 - D04153941

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 October 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
Water Meter Replacement Programme	800,000	July 2013	20	20	July 2014	All identified 80-100mm water meters have been replaced. Tenders awarded for 20-25mm meters with work commencing in February 2014. This is being funded by the Water and Sewerage Capital Works Program.
Mardi WTP Process Improvement Works	150,000	July 2013	30	30	March 2014	Upgrade of dosing and process equipment including new mass flow meters, turbidity meters and automatic pH control to improve treated water quality and process reliability. Contract for new lime dosing equipment awarded with installation to commence in November. This is being funded by the Water and Sewerage Capital Works Program.

6.1

Works in Progress - Water Supply and Sewerage (contd)

Item Description	Est. Cost \$	Start Date	% Spent	% Comp	Est. Comp Date	Comments
Mardi Dam Demolition of Old Inlet Tower	280,000	Nov 2013	10	5	June 2014	Tender awarded. Mardi Dam to be filled to 80% for works to commence. Dam currently at 78%. Contractor setting up-site. This is being funded by the Water and Sewerage Capital Works Program.
Ourimbah Communications Pole in Glen Road Ourimbah	120,000	Mid Sept 2013	5	5	Dec 2014	Contract Awarded. Construction to commence on 19 November, 2013. This is being funded by the Water and Sewerage Capital Works Program.

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 Buff Point Chittaway Point Gorokan Watanobbi Wyong	900,000	Oct 2013	0%	2%	Jun 2014	Ongoing sewer main inspection and maintenance to improve system reliability and to reduce blockages and possible overflows. Contractor on site. Work to commence November 10, 2013. This is being funded by the Sewerage Operational Works Program.
Tacoma Vacuum System Divisional Valve Replacement	130,000	Aug 2013	80% Lump Sum Contract	96%	Nov 2013	Works substantially complete. 32 isolation valves installed throughout Tacoma Vacuum system to assist in determining location of vacuum losses saving call-out time and reducing overtime. This is being funded by the Water and Sewerage Capital Works Program.

6.1 Works in Progress - Water Supply and Sewerage (contd)

Location	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
T19 Rising Main Tuggerawong Road Wyongah	655,000	Sept 2013	20	50	Dec 2013	Sewer rising main renewal works underway. All pipes installed. Completion in December 2013. This is being funded by the Water and Sewerage Capital Works Program.

PROCESS

Water Treatment

All treated water produced by Mardi Water Treatment Plant, for the period 1 to 31 October 2013 met the health requirements of the Australian Drinking Water Guidelines produced by the National Health and Medical Research Council, with the exception of one incidence of high turbidity for Mardi treated water, notified to the NSW Health on 28 October 2013 as a precautionary measure.

Test results indicated compliance with giardia, cryptosporidium and faecal. The elevated level of aluminium was within Australian Drinking Water Guidelines.

Sewage Treatment

The effluent discharged from Toukley Sewage Treatment Plant and Bateau Bay Sewage Treatment Plant for the period 1 to 31 October 2013 has met Environmental Protection Authority Licence requirements.

Sewage Overflows

There were 3 reportable sewage overflow incidents in the sewer network reported to the EPA in the period 1 October to 31 October 2013. Follow up sampling and reporting to EPA is still underway. The 3 incidents were:

SPS CH13 Rising Main break – due to contractor damaging pipe, SPS MP06 Rising Main break – due to a split pipe under a concrete driveway. Currently investigating possible water hammer problems. SPS MP07 Dry Weather Surcharge – due to underestimated planned power outage by Ausgrid. Power outage exceeded holding time for station.

WATER STORAGE

Sunday, 3 November 2013				
DAM STORAGES				
Storage	Capacity Full [ML]	Volume in Storage [ML]	Percent Full [%]	Storage Change over last week[ML]
Mangrove Dam	190,000	112,888	59.4	Down 1182
Mardi Dam	7,400	5,544	74.9	Up 458
Mooney Dam	4,600	2,140	46.5	Down 237
Total	202,000	120,572	59.7	Down 961
Total Dam Storage this time last month was				61.4 Percent
Total Dam Storage this time last year was				48 Percent
GROUNDWATER & HUNTER TRANSFERS (ML)				
Period	Groundwater	From Hunter	To Hunter	
Week to Date	0.0	0.0	16.8	
This year to date	1.1	139.7	125.7	
RAINFALL(mm)				
Period	Somersby WTP	Mardi WTP	Mangrove Dam	
Week to Date	42	30	21	
Previous Week	1	1	2	
Current week last year	0	0	1	
This year to date	1,346	1,131	893	
Same period last year	1,046	1,008	667	
Water Usage (ML)				
Period	Usage			
Week to Date	575			
Previous Week	651			
Percent change from previous week	11.7 % less			
Current week last year	581			
Percent change from same week last year	1.2 % less			
This year to date	23,927			
Same period last year	21,574			
Percent change from same period last year	10.9 % more			
MARDI- MANGROVE DAM TRANSFERS (ML)				
Period	To Mangrove Dam		From Mangrove Dam	
	From Mardi Dam		To Mangrove Creek	To Mardi Dam / WTP
Last week	0		0	735
This year to date	14,550		1,599	4,562
Total to date *	28,080		3,533	5,716

* Post M2M Commissioning

ATTACHMENTS

Nil

6.2 Quarterly Update on EP&A Developer Contributions

TRIM REFERENCE: F2004/00552 - D04194509

MANAGER: Vivienne Louie, Acting Chief Financial Officer

AUTHOR: Sandy Rose; Contributions Officer

SUMMARY

This report provides an update on Council's Developer Contributions levied under the *Environmental Planning and Assessment Act 1979* (EP&A) from 1 July 2013 to 30 September 2013.

RECOMMENDATION

That Council receive the report on Quarterly Update on EP&A Developer Contributions.

BACKGROUND

This report covers any developer contributions received by Council under the Environmental Planning and Assessment Act 1979 namely:

- section 93F - *Voluntary* Planning Agreements (VPA)
- section 94 - Contribution towards provision or improvement of amenities or services
- section 94A - Fixed development consent levies

All developer contributions received are reported as part of our General Fund reporting with the exception of drainage infrastructure contributions which are reported in our Water Fund.

Previously contributions received under s93F were not budgeted or reported separately. With changing reporting requirements we have now separated the actual contributions received under s93F and s94.

This report does not include any contributions received for water and sewer infrastructure under s64 of the Local Government Act 1993.

CONTRIBUTIONS RECEIVED

Council received a total of \$729,505 in Developer Contributions (includes s93F, s94 and s94A contributions) for the first quarter of 2013 compared to a budget of \$1,455,510. An unfavourable variance of \$726,005

Whilst there is a current budget shortfall of \$765,361 in General Fund developer contributions, as shown in Table 1, it is forecast there will be several large contribution payments totalling over \$700,000 (exceeding our normal smaller developer contribution receipts). Please refer to Table 3 showing the forecast developer contribution income from significant developments.

6.2 Quarterly Update on EP&A Developer Contributions (contd)

Section 94A contributions received for the quarter to September 2013 totalled \$85,117. The budget for Section 94A for the quarter to September was \$54,990 and is based on previous year's income received. It is expected that section 94A income will align closer to budget for the second quarter.

Overall drainage contributions received for the quarter ended September 2013 is favourable to budget by approximately \$9,500 – please refer to table 2 for more information.

Table 1 - s93F and s94 developer contributions (excluding draingage) reported in the General Fund

Contribution Plan #	Contribution Plan Name	General Fund				
		Revised Budgeted Income	S93F VPA Actual Income	S94 Actual Income	Total Actual Income	Variance
1	Wyong	\$5,910		\$132,166	\$132,166	\$126,256
2	Southern Lakes	\$8,580		\$8,545	\$8,545	(\$35)
3	The Entrance	\$127,830		\$17,468	\$17,468	(\$110,362)
5	Ourimbah	\$8,790		\$0	\$0	(\$8,790)
6	Toukley	\$31,230		\$0	\$0	(\$31,230)
7	Gorokan	\$12,930		\$0	\$0	(\$12,930)
7a	Warnervale	\$164,310		\$222,983	\$222,983	\$58,673
8	San Remo	\$11,700		\$0	\$0	(\$11,700)
9	Budgewoi	\$11,730		\$11,069	\$11,069	(\$661)
13	Shire Wide	\$36,660		\$39,574	\$39,574	\$2,914
15	Northern Districts	\$50,850		\$83,084	\$83,084	\$32,234
	Warnervale Town Centre	\$810,000			\$0	(\$810,000)
	General Fund Total	\$1,280,520	\$0	\$514,889	\$514,889	(\$765,631)

Section 94A	\$54,990	\$0	\$85,117	\$85,117	\$30,127
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Table 2 – s93F and s94 Drainage contributions reported in the Water Fund

Contribution Plan #	Contribution Plan Name	Water Fund - s94 Drainage				
		Revised Budgeted Income	S93F VPA Actual Income	S94 Actual Income	Total Actual Income	Variance
1	Wyong	\$700			\$0	(\$700)
2	Southern Lakes	\$3,475			\$0	(\$3,475)
3	The Entrance				\$0	\$0
5	Ourimbah				\$0	\$0
6	Toukley				\$0	\$0
7	Gorokan				\$0	\$0
7a	Warnervale	\$115,750		\$129,499	\$129,499	\$13,749
8	San Remo	\$75			\$0	(\$75)
9	Budgewoi				\$0	\$0
13	Shire Wide				\$0	\$0
15	Northern Districts				\$0	\$0
	Warnervale Town Centre				\$0	\$0
	Water Fund Drainage Total	\$120,000	\$0	\$129,499	\$129,499	\$9,499

Total EPA Developer Contributions	\$1,455,510	\$0	\$729,505	\$729,505	(\$726,005)
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Table 3 – Forecasted Developer Contributions from larger developments

DA no.	Developer	Type of development	Location	Cost of Development	Estimated Contribution Income	VPA or DA
DA/374/2013	Wadalba Central Development Pty Ltd	10 residential units	Wadalba	\$1,400,000	\$170,000	VPA
DA/375/2013	Rexel Pty Ltd	9 residential units	Wadalba	\$1,260,000	\$152,000	VPA
DA/82/2012	Y&O Shevket	Seniors Living 26 units	Wadalba	\$2,018,000	\$384,143	DA
					\$706,143	

SPECIFIC PURPOSE VPA CONTRIBUTIONS RECEIVED

No specific purpose VPA payments have been received for the period from 1 July 2013 to 30 September 2013.

Contributions totalling \$514,465 received in 2012-13 from Fabcot Pty Limited were required to be spent on specific works. Any unspent funds at the end of the 4 year period from when the VPA was entered into will need to be refunded. Under the VPA we are required to deliver the following works:

- Pathway 1 – 2013-14 Saliena Avenue to Tall timbers Road.
- Pathway 2 – 2014-15 Pacific Highway South – Tall Timbers to Colongra Bay Road.

Table 4 below shows the actual project costs to September 2013. A review of the plan is underway to ensure all works are completed for Pathway 1. Any unspent budget for Pathway 1 (currently estimated to be \$134,992) will be held until Pathway 2 is completed.

Table 4 - Fabcot Pty Limited VPA funds spent compared to budget

Project	FY	Budget	Actual Spend @ Sept 13	Remaining Budget	Remaining Work to Completion	Balance
Pathway 1	2013-14	\$206,506	\$69,278	\$137,228	\$2,236	\$134,992
Pathway 2	2014-15	\$308,138				\$308,138

RESTRICTED ASSET

Council currently has a restricted asset totalling \$15.1m which represents the developer contributions received with interest income that has not yet been spent as at 30 September 2013. The break up is as follows:

Table 5 – Restricted EP&A Developer Contributions

Contribution Type	Restricted Asset Value
S93F	\$1,117,658
S94 - General	\$2,665,760
S94 - Drainage	\$10,698,357
S94A	\$601,383
Total	\$15,083,158

DEVELOPER CREDITS

Council's current unfunded liabilities (non-cash contributions) total \$16m as at September 2013 for EP&A developer credits. A report was submitted to Council in December 2012 where Council approved a strategy for managing these liabilities.

ATTACHMENTS

Nil.

6.3 Investment Report for October 2013

TRIM REFERENCE: F2004/06604 - D04249064
MANAGER: Carlton Oldfield, Financial Controller
AUTHOR: Devini Susindran; Financial Accountant

SUMMARY

This report details Council's investments as at 31 October 2013.

RECOMMENDATION

That Council receive the Investment Report for October 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 liquidation of the remaining investment in Blackrock Care and Maintenance Fund was finalised in October 2013.

CURRENT STATUS

Managed Funds

Council's "grandfathered" investment in Blackrock Care and Maintenance Fund was liquidated in September with a final distribution of \$0.01m paid in October resulting in a realised gain to the same value.

Cash and Term Deposit Funds

Cash flows in October were managed through maturities and investments in new term deposits, with a net outflow of cash and term deposits of \$5.38m.

Table 1 Movement in Cash and Term deposits

Institution	Term (Approx. Months)	Interest Rate %	Maturity	Investment / (Redemption)
Movement in Term Deposits				
Bendigo Bank	12	4.60%	Oct 2013	(\$5,000,000)
Suncorp	8	4.37%	Sep 2013	(\$5,000,000)
ING	8	4.29%	Oct 2013	(\$5,000,000)
CUA	12	3.95%	Oct 2014	\$5,000,000
ANZ	60	4.87%	Oct 2018	\$5,000,000
Total Term Deposit Movement				(\$5,000,000)
Movement in cash at call				
AMP				-
CBA				-
Westpac		2.85%		(\$420,000)
Interest earned on all call accounts				\$37,000
Total Cash at Call Movement				(\$383,000)
Total Cash & Term Deposit Movement				(\$5,383,000)

Total Portfolio

Total net return for October 2013 was \$0.59m and consisted of \$0.58m of interest earnings, and \$0.01m of realised capital gains at the termination of Blackrock Care and Maintenance Fund.

Table 2 Net Return

	Full Year 2012-13 \$m	Qtr 1 to Sep 2013 \$m	Oct 2013 \$m	YTD 2013-14 \$m
Capital Gain/(Loss) Realised	-	(0.33)	0.01	(0.32)
Capital Gain/(Loss) Unrealised	0.68	0.12		0.12
Net Capital Gain/(Loss)	0.68	(0.21)	0.01	(0.20)
Income Distribution on Managed Funds	-	0.32	-	0.32
Net Income from Managed Funds	-	0.32	-	0.32
Interest Earnings on Call Deposits Received	0.53	0.15	0.04	0.19
Interest Earnings on Term Deposits received at Maturity	7.04	1.51	0.54	2.05
Total Interest Earnings	7.57	1.66	0.58	2.24
Total return for the period	8.25	1.77	0.59	2.36

Full year returns to October of 4.56% is favourable compared to benchmark BBSW full year Bank Bill Index of 2.74% and Council guidelines of BBSW + 10 basis points. The full year return excluding capital losses on managed funds of \$0.20m is 4.94%.

Table 3 Investment Portfolio by Risk Category

Investment Class	Oct 2013 Portfolio \$ '000	YTD Return \$ '000	YTD Return %
Cash at Call	9,244	185	3.99
Term Deposits	147,870	2,053	4.44
Managed Funds	-	124	13.55
Total Investments	157,114	2,362	4.56

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 still overweight in A1 but moving more into A2 within policy guidelines in order to obtain the best rates offered.

Table 4 Portfolio Credit Framework

Investment Category Short Term	Target Maximum Allocation	Portfolio Allocation Sep 2013
A1	10.0%	48.44%
A2	75.0%	48.37%
A3	10.0%	2.55%
Unrated	15.0%	0.64%
TOTAL		100.00%

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

Table 5 Portfolio Performance

	Full Year 2012-13 \$m	Qtr 1 to September 2013 \$m	October 2013 \$m	YTD 2013-14 \$m
Movement in Assets				
Opening Balance	153.81	154.99	162.49	154.99
Capital Gain/(Loss) – (Table 2)	0.68	(0.21)	0.01	(0.20)
Capital Distribution on termination	(1.93)	(4.81)		(4.81)
Managed fund income Distribution		0.32		0.32
Net Cash/Investments (Withdrawals) (Table 1)	2.40	12.20	(5.38)	6.82
Closing Balance	154.99	162.49	157.12	157.12

Portfolio Interest and Investment Returns

Full year returns as at 31 October 2013 on council's investment portfolio of deposit accounts, term deposits and managed funds, show a (\$0.39m) or (14.09%) unfavourable variance when compared to the year to-date budget to October 2013.

Table 6 - Annual Investment Portfolio Performance as at 31 October 2013

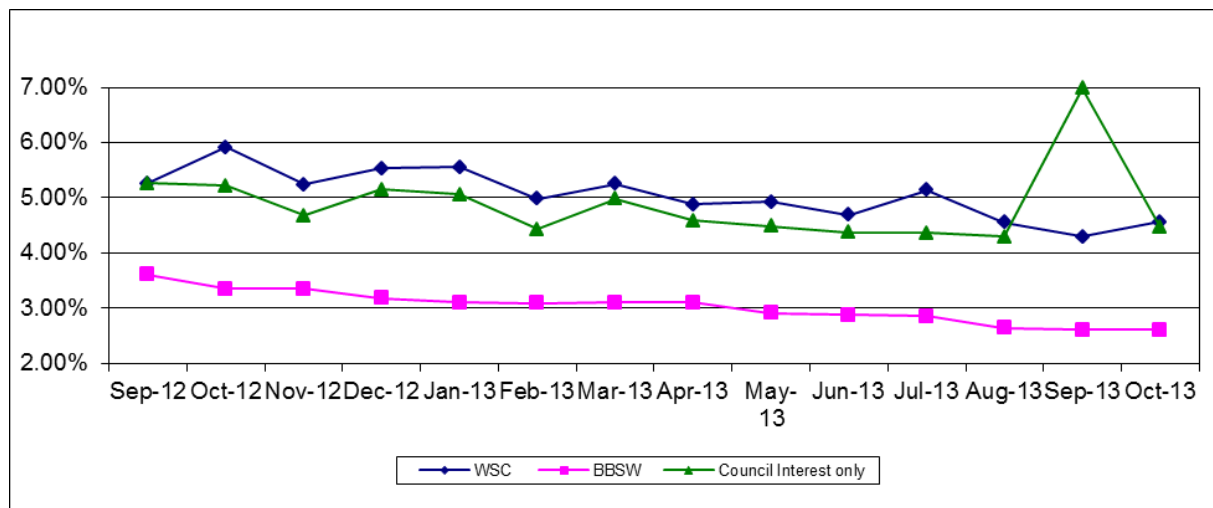
Investment Source	YTD Investment revaluation \$ '000	YTD Interest \$ '000	YTD Actual Income \$ '000	YTD Budget \$ '000	YTD Variance to Budget \$ '000	FYR Budget \$'000
	A	B	C=A+B	D	E=C-D	
General	(117)	1,402	1,285	1,640	(355)	4,400
Water	(36)	514	478	377	101	1,130
Sewerage	(44)	643	599	733	(134)	2,200
Total	(197)	2,559	2,362	2,750	(388)	7,730

Interest rates in the month, on term deposits ranged from 3.65% to 5.77% with the exception of Heritage Bank at 7.25%. These rates exceeded the benchmark Bank Bill Swap Rate (BBSW) for October of 2.58%.

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:

Table 7 Annualised Monthly Return – Comparison to Benchmark



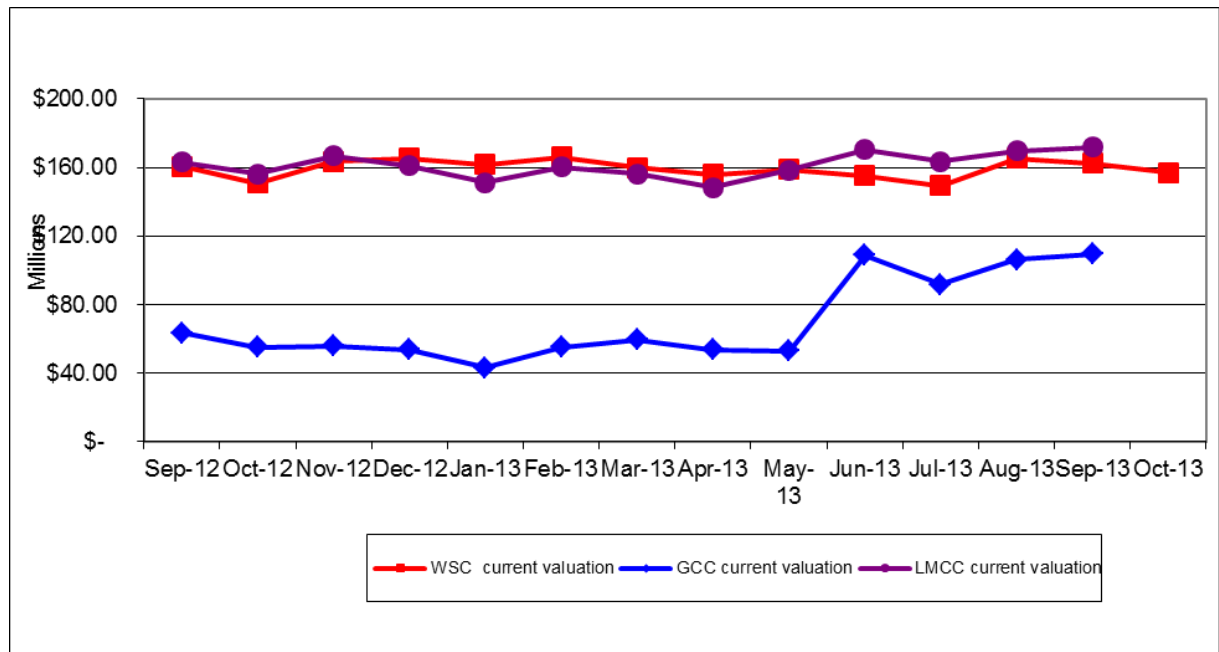
Note: The spike in yield for September 2013 is from an interest distribution received by the liquidated managed fund prior to its disposal.

Comparison to Neighbouring Councils

Portfolio Valuation

WSC’s investment portfolio at the end of August was \$165.20m, September was \$162.49m and October was \$157.11m demonstrating a strong cash position. This is similar to Lake Macquarie City Council’s portfolio of \$169.58m in August and \$171.79m in September. Gosford City Council held a portfolio of \$106.22m in August 2013 and \$109.67m in September which includes \$51.9m of loans raised in June. (refer Table 8).

Table 8 Portfolio Valuations - Comparison to Neighbouring Councils

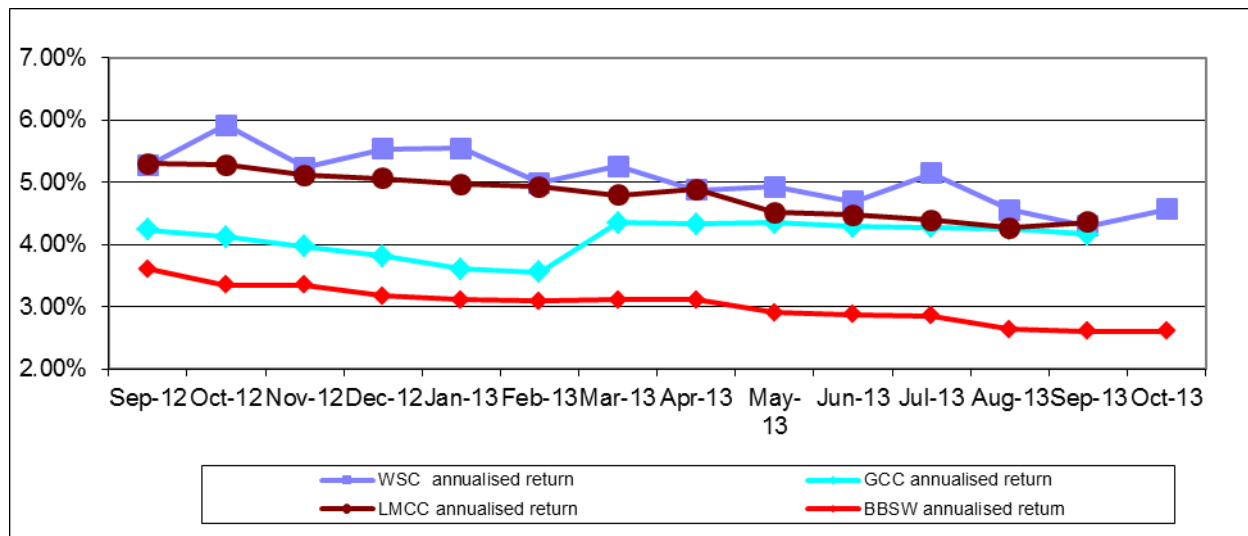


Portfolio Returns

Council’s yield of 4.55% for August, 4.30% for September and 4.57% for October compare favourably to neighbouring Councils. Lake Macquarie City Council (4.27% - August, 4.36% - September) and Gosford City Council (4.25% - August, 4.17% - September)

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

Table 9 Portfolio Return - 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 31 October 2013 have been made in accordance with the Act, the Regulations and Council's Investment Policies.

ATTACHMENTS

- 1 Summary of Investment by Type - October 2013 D04263525

Wyong Shire Council Summary of Investments - By Type As at 31 October 2013									
FUND MANAGER	TYPE OF INVESTMENT	RATINGS		MATURITY	PORTFOLIO BALANCE 30.09.13 \$	PORTFOLIO BALANCE 31.10.13 \$	INCOME FOR MONTH OF OCTOBER \$	INTEREST RATES % p.a.	
		Short Term	Long Term						
CASH AT CALL:									
Westpac	Corporate Investment Account (AA)	A1	AA	Daily	4,663,585	4,266,655	23,070	2.85	
CBA		A1	AA	Daily	-	-	326	2.75	
AMP		A1	A	Daily	4,963,750	4,977,873	14,123	3.45	
Suncorp		A1	A	Daily	15	-	0		
UBS	Cash Account	A1	AA	Daily	548	-	31		
Total Cash At Call					9,627,898	9,244,528	37,551		
TERM DEPOSITS & BONDS									
<u>Short term deposits & bills (less than 90 days)</u>									
Suncorp	Term Deposit	A1	A	30/09/2013	5,000,000		0	4.37	
Bendigo/Adelaide	Term Deposit	A2	A	8/10/2013	5,000,000		4,411	4.60	
ING	Term Deposit	A1	A	28/10/2013	5,000,000		15,867	4.29	
Bank of Queensland	Term Deposit	A2	BBB	12/11/2013	5,000,000	5,000,000	18,685	4.40	
NAB	Term Deposit	A1	AA	27/11/2013	5,000,000	5,000,000	20,086	4.73	
CUA	Term Deposit	A2	BBB	10/12/2013	5,000,000	5,000,000	18,685	4.40	
Rural Bank	Term Deposit	A2	A	20/12/2013	5,000,000	5,000,000	18,515	4.36	
NAB	Term Deposit	A1	AA	6/01/2014	5,000,000	5,000,000	18,855	4.44	
Wyong Credit Union	Term Deposit	UNRATED	UNRATED	30/01/2014	1,000,000	1,000,000	3,610	4.25	
ING	Term Deposit	A1	A	30/01/2014	5,000,000	5,000,000	17,241	4.06	
					46,000,000	31,000,000			
<u>Medium Term Deposits (up to 365 days)</u>									
CUA	Term Deposit	A2	BBB	11/02/2014	5,000,000	5,000,000	18,685	4.40	
ME Bank	Term Deposit	A2	BBB	27/02/2014	5,000,000	5,000,000	18,388	4.33	
Westpac	Term Deposit	A1	AA	5/03/2014	10,000,000	10,000,000	49,005	5.77	
Bank of Queensland	Term Deposit	A2	BBB	11/03/2014	5,000,000	5,000,000	18,260	4.30	
Bank of Queensland	Term Deposit	A2	BBB	27/03/2014	5,000,000	5,000,000	18,473	4.35	
ME Bank	Term Deposit	A2	BBB	14/04/2014	5,000,000	5,000,000	18,303	4.31	
ME Bank	Term Deposit	A2	BBB	28/04/2014	5,000,000	5,000,000	17,751	4.18	
ING	Term Deposit	A1	A	19/05/2014	5,000,000	5,000,000	16,732	3.94	
CUA	Term Deposit	A2	BBB	28/05/2014	5,000,000	5,000,000	17,836	4.20	
NAB	Term Deposit	A1	AA	10/06/2014	5,000,000	5,000,000	16,689	3.93	
NAB	Term Deposit	A1	AA	27/06/2014	5,000,000	5,000,000	16,689	3.93	
CBA	Term Deposit	A1	AA	30/07/2014	1,870,000	1,870,000	5,797	3.65	
ING	Term Deposit	A1	A	19/08/2014	5,000,000	5,000,000	16,816	3.96	
NAB	Term Deposit	A1	AA	22/09/2014	5,000,000	5,000,000	16,732	3.94	
Rural Bank	Term Deposit	A2	A	15/07/2014	5,000,000	5,000,000	16,562	3.90	
NAB	Term Deposit	A1	AA	28/08/2014	5,000,000	5,000,000	16,732	3.94	
Bendigo/Adelaide	Term Deposit	A2	A	22/09/2014	5,000,000	5,000,000	16,349	3.85	
NAB	Term Deposit	A1	AA	9/09/2014	5,000,000	5,000,000	16,647	3.92	
NAB	Term Deposit	A1	AA	13/10/2014	5,000,000	5,000,000	16,264	3.83	
CUA	Term Deposit	A2	BBB	30/10/2014		5,000,000	1,082	3.95	
					96,870,000	101,870,000			
<u>Non - Current</u>									
Bank of Queensland	Term Deposit	A2	BBB	2/08/2016	6,000,000	6,000,000	26,499	5.20	
Heritage	Senior Bond	A3	BBB	20/06/2017	4,000,000	4,000,000	24,630	7.25	
ANZ	Term Deposit	A1	AA	30/10/2018		5,000,000	1,334	4.87	
					10,000,000	15,000,000			
Total Term Deposit & Bonds:					152,870,000	147,870,000	538,208		
CASH MANAGEMENT FUNDS:									
<u>Non - Current</u>									
	BlackRock Care & Maintenance Fund	UNRATED	UNRATED	September 2013	-	-	12,902		
Total Cash Management Funds					-	-	12,902		
Current					152,497,898	142,114,528			
Non-Current					10,000,000	15,000,000			
TOTAL					162,497,898	157,114,528	588,661		

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

TRIM REFERENCE: F2004/07830 - D04262306

MANAGER: Lin Armstrong, Director Development and Building

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 October 2013.

RECOMMENDATION

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

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

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	8	9,636,408	8	1,869,400
Industrial	2	3,240,000	2	400,000
Residential (Multiple Dwellings/Dual Occupancy)	11	24,359,577	7	2,519,400
Other Applications	4	2,000	7	59,950
Section 96 Applications	4	-	5	-
Total	29	37,237,985	29	4,848,750

Note: *Included in the number of development applications lodged in the "Commercial" category was for Alterations & additions to Bulky Goods and Factory Outlet Centre, Tuggerah Supa Centre valued at \$8.7M.*

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

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

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	2	600,000	5	315,000
Industrial	1	293,675	-	-
Residential (Dwellings)	30	6,714,071	29	7,290,349
Multiple Dwellings	3	120,000	-	-
Residential (Alterations and Additions)	57	2,364,430	56	2,739,726
Other Applications	-	-	-	-
Section 96 Applications	4	-	9	-
Total	97	10,092,176	99	10,345,075

Subdivision Applications Received and Determined – October 2013

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	1	1	-	-
Industrial	-	-	2	13
Residential	2	29	5	8
Rural	3	3	3	5
Other	-	-	-	-
Total	6	33	10	26

Other Approvals and Certificates

Type:	Number Determined for October 2013
Trees	55
Section 149 D Certificates (<i>Building Certificates</i>)	12
Construction Certificates	72
Complying Development Certificates	25

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

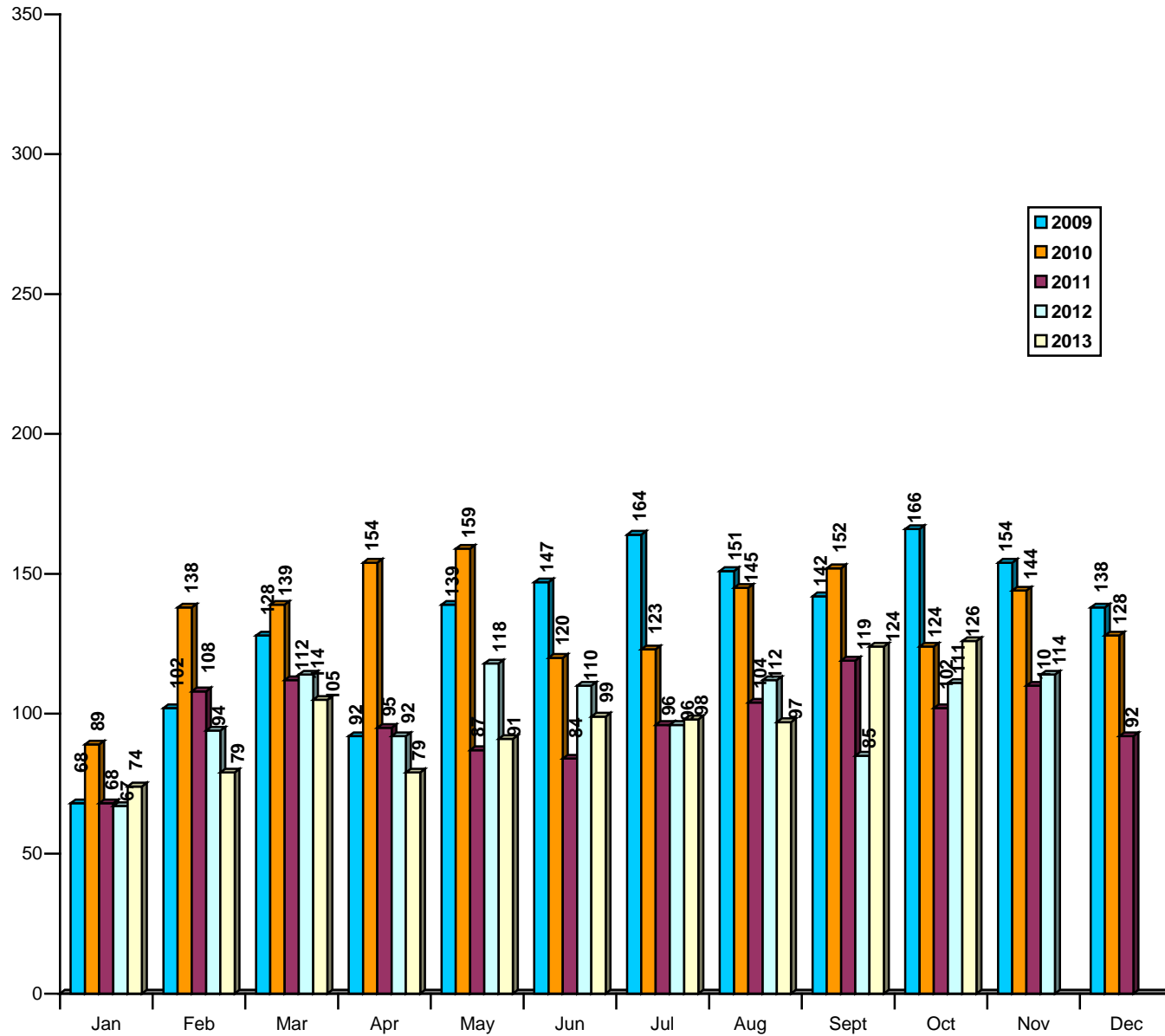
Processing Times

The net median turn-around time in working days for development applications determined during the month of October 2013 was 19 days. There were no priority development applications determined during October.

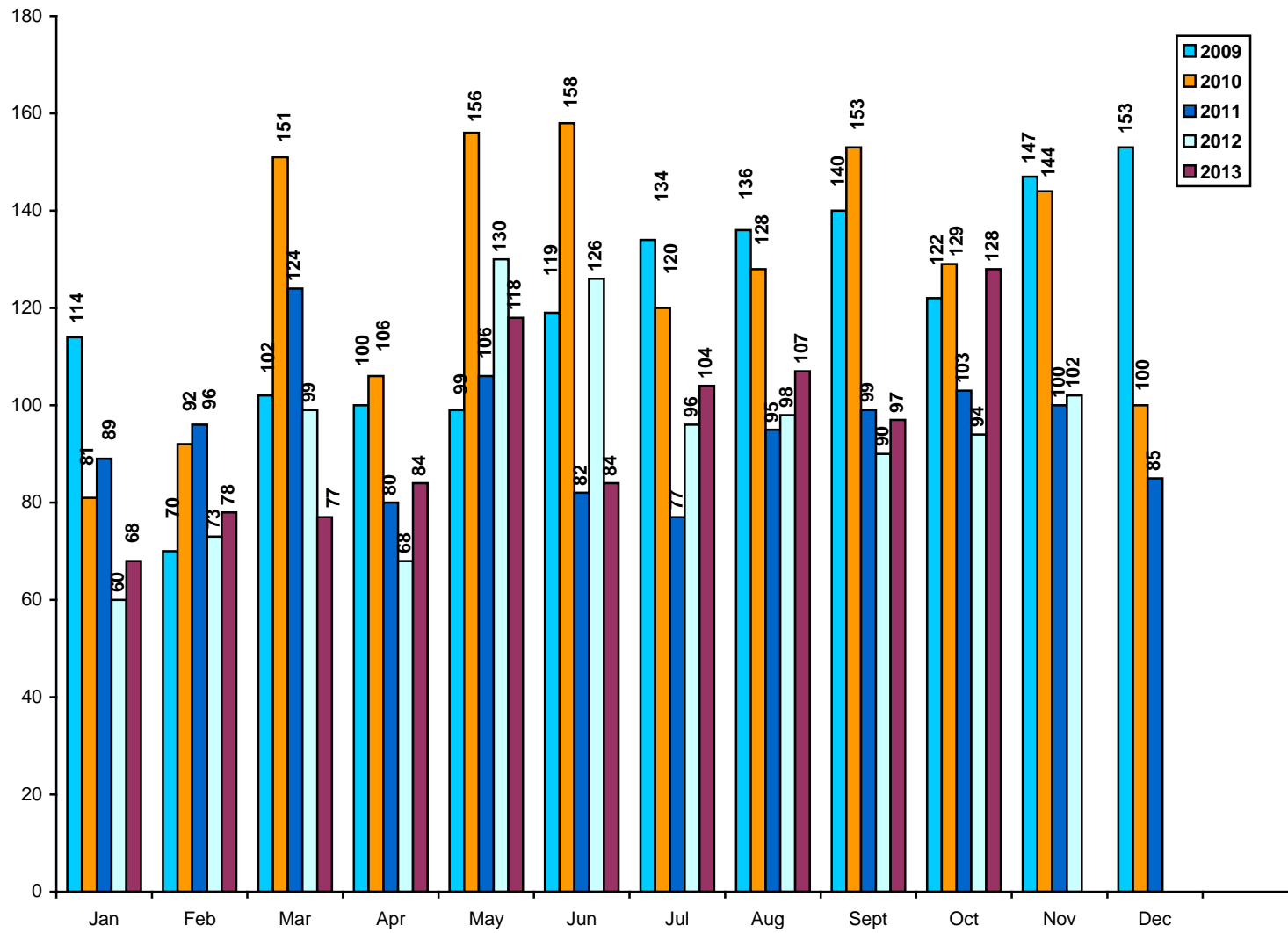
ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | Graphs - Development Applications Lodged, Determined and Construction Certificates Determined | D04369767 |
|---|---|-----------|

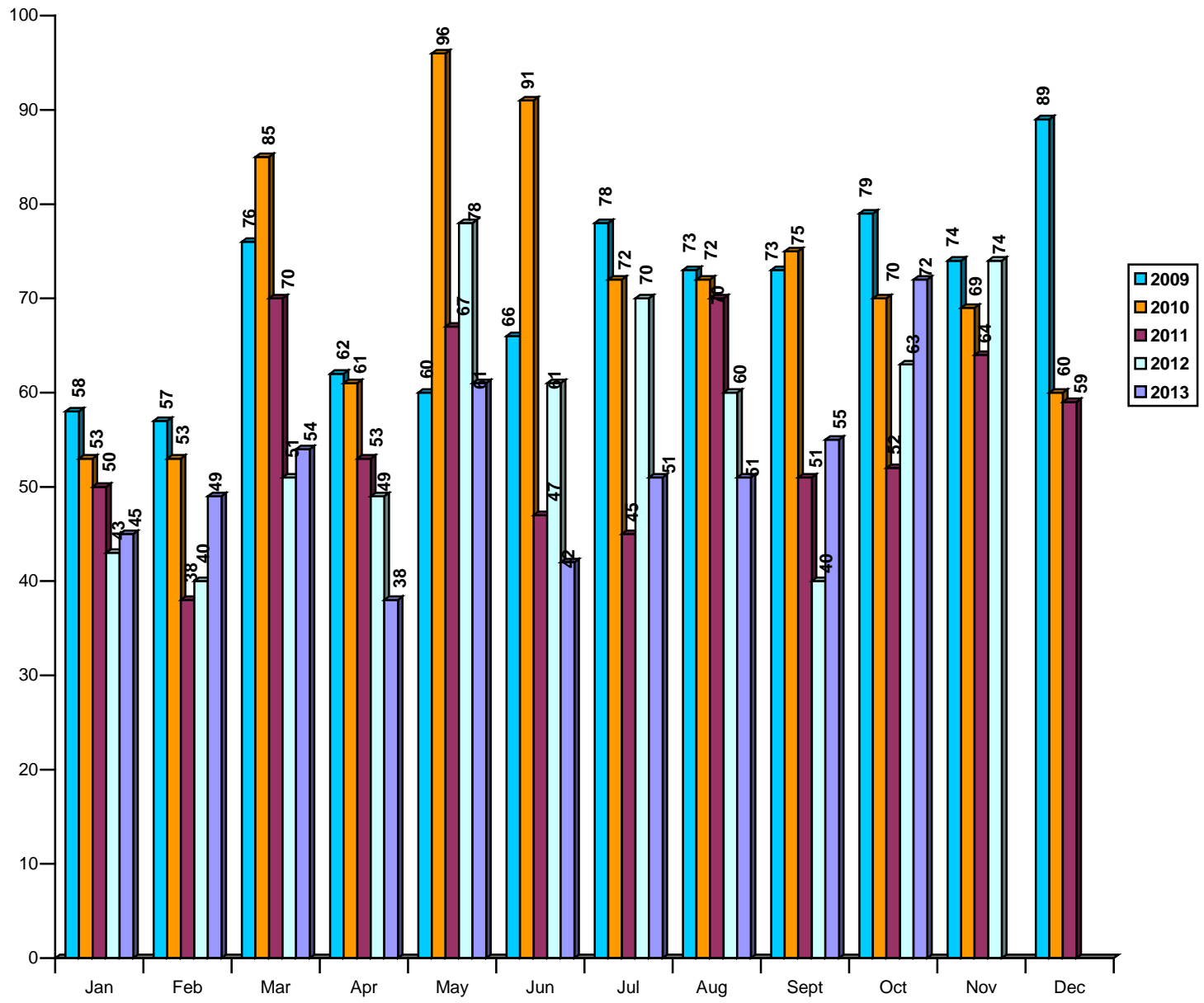
DAs LODGED



DAs DETERMINED



CCs DETERMINED



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

TRIM REFERENCE: F2004/06822 - D04290616

MANAGER: Lin Armstrong, Director Development and Building AUTHOR: Tabitha Kuypers;
Environmental Assurance Protection Officer

SUMMARY

Reporting 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 October 2013.

RECOMMENDATION

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

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.

6.5 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 October 2013 (Summer Program)

For October 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

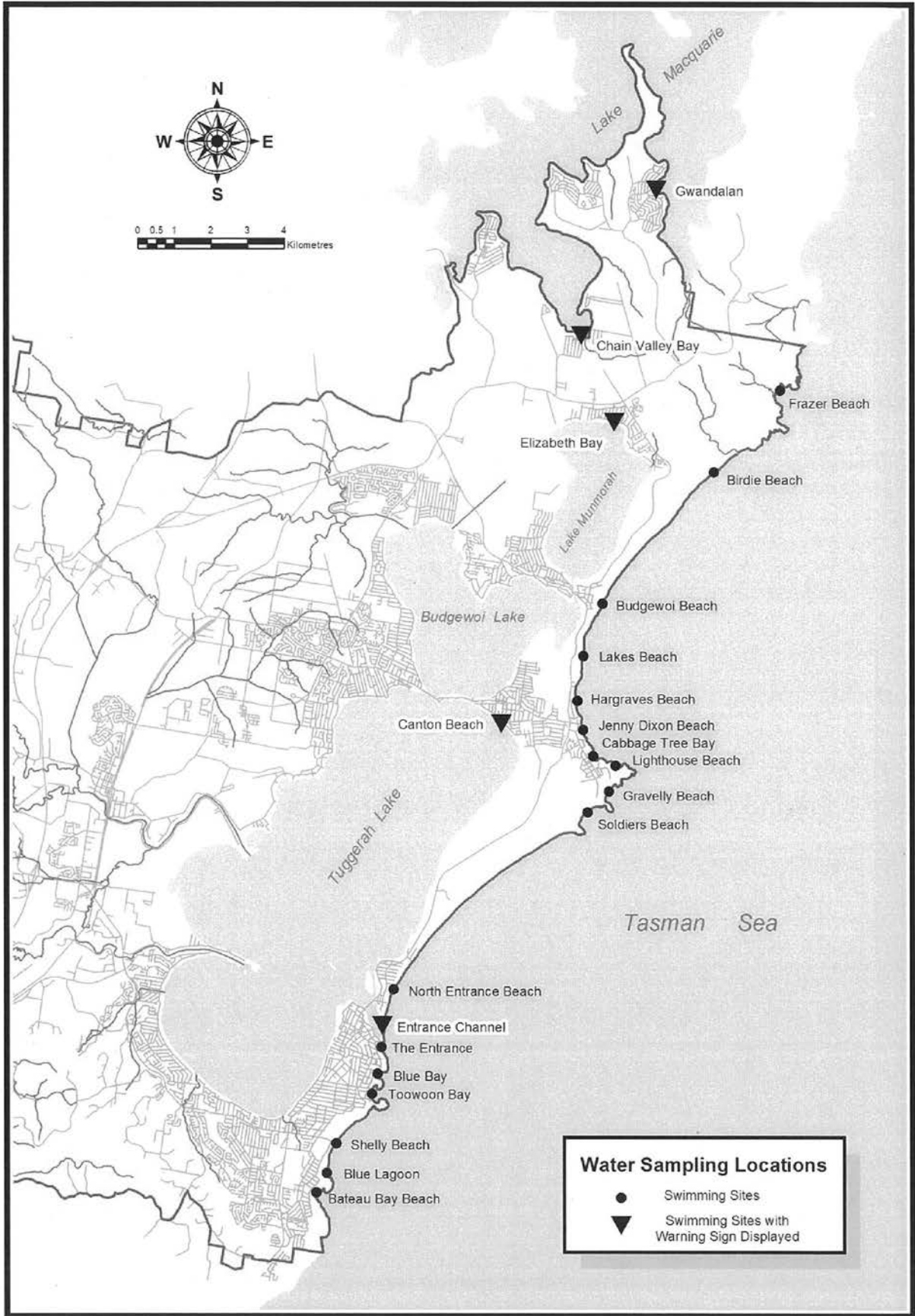
Swimming Site	Site Type	Rating	Stars
North Entrance Beach	Ocean Beach	Good	****
The Entrance Channel	Estuarine	Good	****
The Entrance Beach	Ocean Beach	Good	****
Blue Bay	Ocean Beach	Good	****
Toowoan Bay	Ocean Beach	Good	****
Shelly Beach	Ocean Beach	Good	****
Blue Lagoon	Ocean Beach	Good	****
Bateau 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	Fair	***
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	Good	****
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



6.6 Councillor Report - International Cities and Town Centres Conference 2013

TRIM REFERENCE: F2013/00023 - D04343854

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

Submitting Councillor report on attendance at the International Cities and Town Centres (ICTC) Conference October 2013.

RECOMMENDATION

That Council receive the report on Councillor Report - International Cities and Town Centres Conference 2013.

BACKGROUND

Council at its meeting held 24 July 2013 considered a report on attendance at the ICTC Conference. At that meeting Council,

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

974/13 *That Council authorise interested Councillors to attend the 11th International Cities, Town Centres and Communities Society Conference.*

975/13 *That Council meet reasonable expenses incurred in Councillors attending the conference in accordance with Council's Facilities and Expenses Policy for Councillors.*

976/13 *That Council authorise interested Councillors to attend an inspection of the Dawesville Cut, Dawesville.*

977/13 *That Council meet reasonable expenses incurred in Councillors attending the inspection of Dawesville Cut comparative with Council's Facilities”*

Councillors Best, Troy and Webster attended the conference from 16-18 October 2013.

GOVERNANCE

Section E17 of Wyong Shire Council's Facilities and Expenses Policy for Councillors requires that *'elected members attending conferences must provide a report to the GM detailing the proceedings of the conference.'*

Councillors Best, Troy and Webster have provided the attached report.

CONCLUSION

In accordance with the provisions of Council's Facilities and Expenses Policy for Councillors, Councillors are encouraged to attend external training sessions, conferences and seminars that will support their professional development as a Councillor.

Policy provisions require Councillors to provide an overview of the proceedings of the conference upon their return.

ATTACHMENTS

- 1 Report by Councillors Best, Troy and Webster - ICTC Conference
October 2013

D04343890



October 16 – 18, 2013

Attendees: Councillors Webster, Best and Troy.

The selection of speakers was excellent and included:

- Greg Bruce, Executive Manager Integrated sustainability Services Department – City of Townsville.
- Marcus Westbury, Cities as Experiments – Trial and Error as Revitalisation strategy – Renew Australia.
- Lisa Miscamble: Director Community Development – Canada Bay Council
- Gordana Nesmic-Simic - Urban Designer – City of Gosnells
- David Hoy, Ian Shimmin and Dean van Niekerk – talked about Town Revitalisation and in particular Santa Monica Place (USA), Birmingham UK and Liverpool (UK) which won an multitude of awards.

The emphasis of this conference was on the revitalisation of town centres and cities and making them work.

GLOBAL ISSUES FOR SMARTER CITIES “HOW TO REINVENT A CITY”

Presenter: Marcus Westbury

Marcus Westbury Founder of Renew Australia was commissioned by Newcastle Council to revitalise a section of Newcastle City that was dilapidated and displaying many vacant shops. The area was ‘dead’

So they formed a ‘not for profit’ Company which was commissioned to work with the retailers.

They showed the retailers how to fit out in a very economical manner, some from as low as \$60.

People started to come and look to set up in the designated area and after 2 years a definite change could be seen. People were coming back to take part in this change, people were wanting to shop there and there was a marked increase in activity in the area and to make it better, they were enjoying themselves again in Newcastle.

In 2011 ‘Lonely Planet’ named Newcastle to one of the top 10 cities in the world to visit and named the project as one of the reasons why.

Leichhardt is about to embark on a similar project.

Marcus said that the secret is to ask people what they want, admit that you don't know what will work, design places to adapt.

Plan a scale of sweat not capital and learn by doing and make failing cheap.

It was a most interesting segment; we enjoyed it and learned a lot from it.

However, it does appear this is a problem in many areas.

THE ROLE OF RETAIL

Global Insights, local application and key take-outs

Presenters: David Hoy, Ian Shimmin and Dean van Niekerk

This session was based on experiences and learning's from analysis from over 40 US and UK centres retail development has a major and some would argue a leading role to play in town revitalisation. But for it to be successful, retail centre design, format, planning and development delivery mechanisms as well as consumer preferences must be central. This presentation focused on the key success factors for town centre revitalisation from a retail provision perspective and looked at through the lens of 4 practitioners who specialise in retail development but each from a difference perspective.

They focused on Santa Monica Place in the United States.

Drawing from overseas experiences the presentation reinforced the critical need to recognise that every retail centre and hence town centre is difference. Not only in context but also the functions performed.

Whilst retail centres need to address key planning and design issues to enable them to work, centres also require flexibility in order to respond to local conditions and context.

Case in point activated street frontages were seen to work best where there is significant complementary used such as Visitor Information or leisure or entertainment.

Centres that took full advantage of aspect and contextual setting to create a point of difference often drives development decisions to activate certain frontages over others.

Another important element to successful street activation was climate and matching retail uses that aligned with local climatic conditions. This factor is often overlooked in Australia, where the provision of the 'al fresco' experience needs to be balanced against climatic conditions such as heat, humidity and perhaps most notably rainfall intensity during storm events.

The impact of these micro-considerations must be acknowledged case by case to do any justice to the creation of vibrant retail places and town centres.

Sometimes it is easy said than done, but ultimately without a quality retail offer, the chances for successful revitalisation are reduced. This begs the question do we focus on density or retail first when it comes to our planning design and delivery for town centre revitalisation.

PLACE MAKING IN THE PERTH CULTURAL CENTRE

Presenter: Veronica Jeffery – Executive Director – Metropolitan Redevelopment Authority.

The cultural centre of any city should be a rich, dynamic place that provides the full spectrum of cultural experiences, welcoming locals and tourist alike.

The former EPRA was faced with the challenge to transform the Perth Cultural Centre from a underutilised space into an iconic, interactive community landmark complemented by the States most significant cultural and learning institutions.

Working with interest stakeholders and the wider community, the former EPRA developed a concept that would deliver a vibrant, active place that showcases the talent, potential and diversity of Perth – a place that inspires the whole city to join in.

This presentation looked at how the Perth Cultural Centre has been transformed though place making principles with the introduction of public art, an urban community garden, feature lighting, free Wi-Fi, children’s play space, multimedia installations, functional landscaping and a year round calendar of events and activities. It also addressed how the MRA maintains a strong focus on place management, through strategic asset activation and revenue use.

The revitalisation of the Perth Cultural Centre is an inspired, engaging solution to maximising an underutilised urban space that will continue to build on and meet the changing needs of the community.

FRIDAY – ALL DAY FIELD TRIP

Itinerary –

- Walking Tour of the City of Mandurah
- Visit to The City of Rockingham
- Visit to Cockburn Central Town Centre

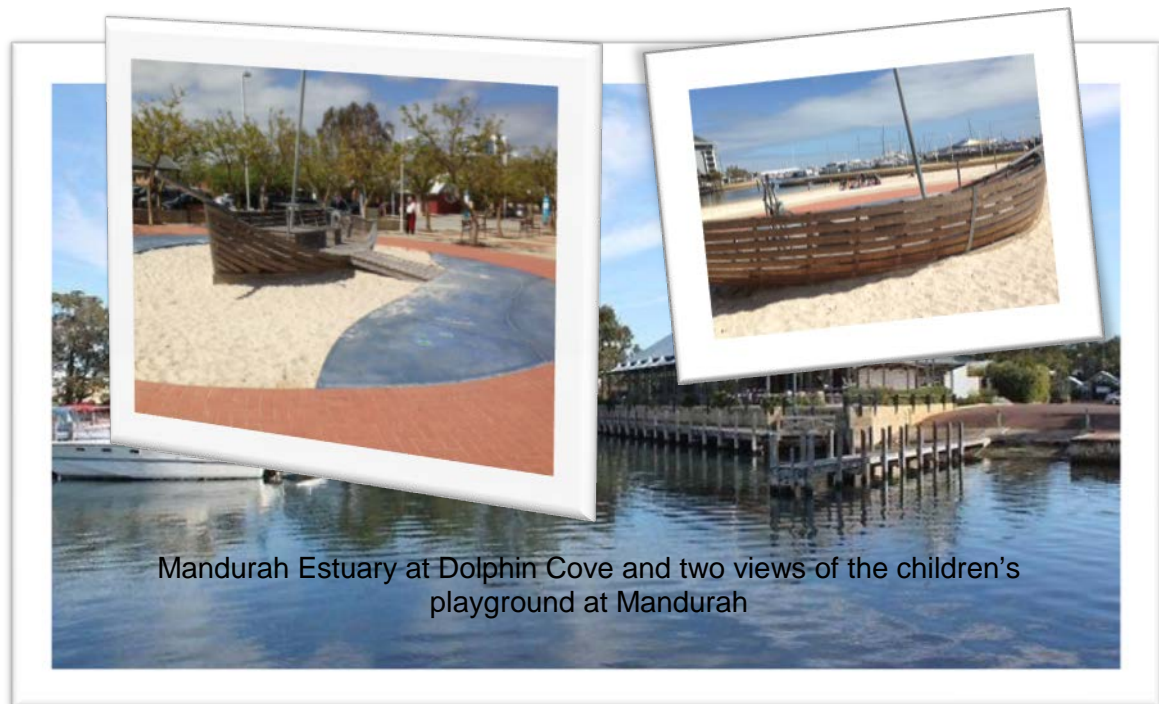
CITY OF MANDURAH

MANDURAH and the Peel Region provide 5,600 square kilometres of tourist's enjoyment and it is right on Perth's doorstep. It is situated 85km's from Perth International Airport.

With waterways twice the size of Sydney Harbour the region offers an extensive Range of beach, fishing and boating activities, as well as luxury accommodation, fine dining, award winning wineries and some of Australia's best golf courses.

All this and it started as a shantytown with very little to offer.

Completely surrounded by magnificent waterways, it is the ideal place to go to relax. Pictured below is the Mandurah Estuary.



Man made
swimming area

Mandurah town

Recently declared Australia's fastest growing regional destination, Mandurah has become a vibrant tourist attraction with a multitude of activities and entertainment throughout the year.

Many of the attractions are centred in or around the city centre beside the estuary's Scenic eastern foreshore.

The town is continuing to grow highlights from the latest plan include:

- Tree lined park land with low speed and pedestrian priority will be provided on Marina Quay Drive and Conservation loop;
- Proposed residential buildings with retirement village focus;
- The building interface with existing residential dwellings will be set at a two-storey maximum;
- Proposed Mixed use buildings with a focus on residential apartments;
- A minimum of 1500sqm combined retail floor space and a maximum of 300sqm (both in terms of a net lettable area);
- All parking will be provided on site;
- 50 short stay units will be provided before sites are developed;
- The proposed function centre will have a minimum of 500-sqm gross leasable areas.

It is interesting to note that the boating industry is huge in Mandurah and the Marina is owned and managed by Mandurah City Council.

CITY OF ROCKINGHAM

THE CITY OF ROCKINGHAM is located in Perth's outer southern suburbs, and about 40 kilometres southwest of the Capital.

It is bounded by the town of Kwinana in the north, the Serpentine-Jarrahdale Shire in the east, the Shire of Murray and the City of Mandurah in the south and the Indian Ocean I the west.

Urban development in the City was slow during the nineteenth and early twentieth centuries. As road transport improved and Perth grew, Rockingham enhanced its role as a holiday destination and retirement area.

It has been one of the fastest growing LGA areas in Western Australia.

The new Shopping Centre built in the new Town Centre at Rockingham.



Most of the parking is away from the High Street.



The new Main Street in Rockingham.

They are currently undergoing stage two of the upgrade of the town Centre. It is a combination of great architecture and sound planning. When completed it will be come a one-stop shopping centre.

A large amount of development is expected to take place around Rockingham City Centre, with greater densities and apartment construction.

COCKBURN CENTRAL TOWN CENTRE

COCKBURN is a town centre with a vibrant mix of residential, retail and commercial properties.

Residential medium to high-density apartment living will cater for the diverse community of the future.

Shops, food and beverage establishments and offices will be connected to the surrounding area through a public transport interchange next to the town square.

Revitalisation works on the town square were completed in January 2013, and include a new container café, community Ping-Pong table, new landscaping, public art and a water playground.



Cockburn Central Station is located conveniently at the top of the town.

This exciting new phase in Cockburn's growth has been brought about through the contribution of City of Cockburn, the Department of Planning, the Western Australia Planning Commission and Landcorp.

Two views of the recently revitalised Cockburn.

This is the second time Lynne has attended this Conference, it is most enlightening and definitely one should be attend by a Councillor or staff every few years to keep up with the trends and to meet like-minded people all with a strong interest in developing vibrant and well planned cities and town centres. However, this year's event focused too

much on activity centres and was not as widespread as previous Conferences.



Another interesting observation is the number of new subdivisions taking place around these areas. The blocks of land are quite small with the houses taking up almost the entire land area. They are a very modern design housing with little outside maintenance.

SATURDAY – A VISIT TO DAWESVILLE

Taken on a tour of the 'Dawesville Cut' by Dr. Neil Carroll Manager Marina and Waterways – Mandurah City Council.

The Dawesville Cut is a man-made channel between the Peel-Harvey Estuary and the Indian Ocean and is located about 80 km south of Perth.

In the early 70's several industries including a large piggery and sheep holding paddocks within the lower catchment poured large quantities of nutrients into the river system.



A tipping point occurred during the 1970's and 80's when the discharge of nutrients into the estuary resulted in it becoming eutrophic. Growths of macroalgae started occurring on a regular basis. The combination of sunlight and stagnant, nutrient rich, heated water caused massive blooms of blue-green algae.

AT this time the area surrounding the estuaries were undergoing a major population growth.



After several years of deliberation, a decision was made to build the channel at an estimated cost of \$37m. Construction commenced in 1990 and was completed in 1994. It is 3.5kms long, 200 metres wide and between 6 and 6.5m deep. Construction involved the excavation of about 4.5 million cubic metres of material. In addition to the excavation work, construction of breakwaters, training walls, a bridge and installation of a sand by passing system was under taken.

Dawesville began to thrive as a result of the cut. The fresh salt water from the ocean revitalised the water of the estuary clearing the algae bloom and at the same time creating a fisherman's delight in the cut and the estuary.



Housing development began soon after the projects completion and the area is now a popular daytrip or a weekend getaway from the city. Fishing, crabbing, prawning and boating in the area are the most popular drawcards.

We were lucky enough to go out onto the break wall and inspect the beaches. Thank you to Dr. Carroll for a very informative morning and his hospitality.

I would like to thank Andrew Pearce, Manager Waterways, Wyong Shire Council for setting up the meeting with Dr. Carroll.

NB: The reason we arranged to meet up with Dr. Carroll was because the Dawesville Cut has often been compared with The Entrance. Similarities have been mooted many times in the past.

It really is not like The Entrance and should not be considered as a solution for the health of Tuggerah Lakes.

6.7 Gazettal - 2013 NSW Redistribution of Electoral Districts

TRIM REFERENCE: F2004/06461 - D04357659
MANAGER: Lesley Crawley, Manager Corporate Governance
AUTHOR: Monica Redmond; Councillor Services Officer

SUMMARY

Notification has been received from the Electoral Districts Commissioners advising that the State Electoral Redistribution process which commenced in January 2013 has now been finalised and determined boundaries were proclaimed on Wednesday, 18 September 2013.

RECOMMENDATION

That Council receive the report on Gazettal - 2013 NSW Redistribution of Electoral Districts .

BACKGROUND

13 March 2013 Council considered Item 2.1 - Mayoral Minute – State Electoral on the State Electoral Distribution Process, in response to submissions received regarding proposed redistribution, and resolved as follows:

- "235/13 That Council make comment on the suggestions received by the Electoral Districts Commissioners by way of supporting the suggestions of Mr G Piper MP, A Hayes and R Jones of Ourimbah, that call for the Wyong valleys (of Dooralong and Yarramalong) to be within the Wyong electorate and for the Ourimbah Valleys (Palmdale and Ourimbah Creek) to be within either Wyong or The Entrance electorates.*
- 236/13 That Council request the General Manager to advise the Commissioners that Council supports these submissions on the basis of:*
- a) Community of interest – these areas are regarded by the community as part of the Central Coast not as part of Lake Macquarie.*
 - b) They are all within Wyong Shire LGA.*
 - c) All community facilities, shopping and business areas servicing these valleys are in the Wyong Shire LGA and either in Wyong or The Entrance electorates.*
 - d) The valleys are defined by waterways that drain into Tuggerah Lakes within the Wyong Electorate.*
 - e) These waterways are harvested for town water supplies for the Central Coast region, and regulated by the CCWC.*

- f) *There is an increase in administrative efficiency if Wyong Council has 3 MP's and electoral offices to deal with rather than the current 4.*
- g) *The residents in these valley areas are disadvantaged in access to their local MP, in that they have to make a special trip to see the MP/offices rather than as part of a trip for shopping or business.*
- h) *The Wyong/Ourimbah valleys are geographically distinct from the land in the environs of Lake Macquarie.*

237/13 *That Council note a suggestion by the Greens to move the suburb of Bateau Bay from The Entrance electorate to Terrigal and request the General Manager to advise the Commissioners that Council does not support this submissions due to Bateau Bay being within the Wyong LGA and being within the Tuggerah Lakes catchment.*

238/13 *That Council endorse immediate implementation of points 1, 2 and 3 of this recommendation given that the closing date for submissions is 20 March 2013."*

On 15 March 2013, a letter was issued to the Office of the Electoral Districts Commissioners NSW Electoral Commission advising of Council's decision, see Attachment 1 - copy of letter to the Electoral Commission.

On 19 September 2013 a response was received from the Commission which advised as follows:

Pursuant to Section 15 of the Parliamentary Electorates & Elections Act 1912, the Electoral Districts Commissioners on Monday, 16 September 2013, met with Her Excellency Professor Marie Bashir AC CVO, Governor of New South Wales to report the names and boundaries of the New South Wales electoral districts determined by them.

The determined boundaries were proclaimed on Wednesday, 18 September 2013 and published in the Government Gazette today at 12pm noon."

An extract from the Government Gazette dated 20 September 2013 is attached to this report as Attachment 2. The final Commissioners' Report and the determined district maps are now available to view via this link to the Redistribution website (www.redistribution.nsw.gov.au).

On 15 November 2013, in response to a query requesting confirmation of the boundary redistribution for Wyong Shire, the Commission provided further information which included the following:

- a map of the Wyong area reflecting these changes (added as Attachment 3 to this report).
- a copy of the Electoral Districts Commissioners' Report (added as Attachment 4 to this report) which highlights the changes to that area - refer to Sec2:ix, page 11 of this attachment)

A copy of the current and projected elector numbers was also provided as a reference document and has been retained on file.

Below is an extract from this report which relates to Hunter and the Central Coast:

- **Swansea** district gains the north eastern portion of **Wyong** district (San Remo locality);
- **Wyong** district now includes the western portion of Wyong Shire Council area but loses much of the Berkeley locality to **The Entrance** district; and
- **Gosford** district loses the Springfield locality to **Terrigal** district but gains the Somersby and Narara localities from **The Entrance** district.

ATTACHMENTS

1	Submission to the Office of the Electoral Districts Commissioners	D04435255
2	Extract from Government Gazette (20 September 2013)	D04396664
3	Map of Wyong Area Boundary redistribution gazetted 20 Sept 2013	D04397834
4	Electoral Districts Commissioners Report - 2013 Redistribution	D04397835

LC/F2004/06461

15 March 2013

The Office of the Electoral Districts Commissioners
NSW Electoral Commission
GPO Box 832
Sydney NSW 2001

Dear Commissioners

At its meeting held on 13 March 2013 Council considered a Mayoral Minute on the State Electoral Distribution Process and resolved that I advise you of its support of several suggestions put forward in relation to NSW electoral districts that are part of the Wyong Local Government Area.

Council has resolved to support the suggestions to the Electoral District Commissioners made by Mr G Piper MP, A Hayes and R Jones of Ourimbah, that call for the Wyong valleys (of Dooralong and Yarralong) to be within the Wyong electorate and for the Ourimbah Valleys (Palmdale and Ourimbah Creek) to be within either Wyong or The Entrance electorates.

Council supports these submissions on the basis of:

- a) Community of interest – these areas are regarded by the community as part of the Central Coast not as part of Lake Macquarie.
- b) They are all within Wyong Shire LGA.
- c) All community facilities, shopping and business areas servicing these valleys are in the Wyong Shire LGA and either in Wyong or The Entrance electorates.
- d) The valleys are defined by waterways that drain into Tuggerah Lakes within the Wyong Electorate.
- e) These waterways are harvested for town water supplies for the Central Coast region, and regulated by the CCWC.
- f) There is an increase in administrative efficiency if Wyong Council has 3 MP's and electoral offices to deal with rather than the current 4.
- g) The residents in these valley areas are disadvantaged in access to their local MP, in that they have to make a special trip to see the MP/offices rather than as part of a trip for shopping or business.
- h) The Wyong/Ourimbah valleys are geographically distinct from the land in the environs of Lake Macquarie.

Council has further resolved that it does not support the suggestion by the Greens that the suburb of Bateau be moved from The Entrance electorate to Terrigal on the basis that the suburb of Bateau Bay is within the Wyong Local Government Area and part of the Tuggerah Lakes catchment.

A copy of Council's Resolution dated 13 March 2013 is attached.

Yours Sincerely

Michael Whittaker
GENERAL MANAGER



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SPECIAL SUPPLEMENT

PARLIAMENTARY ELECTORATES AND ELECTIONS ACT 1912

PROCLAMATION

Her Excellency Professor MARIE BASHIR, A.C., C.V.O., Governor.

I, Professor Marie Bashir, A.C., C.V.O., Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 15 of the Parliamentary Electorates and Elections Act 1912, do, by this my Proclamation, declare that the names and areas of the 93 electoral districts determined by the Electoral Districts Commissioners under the said Act are as set out in the Schedule hereto.

Signed and sealed at Sydney, this 18th day of September 2013.

By Her Excellency's Command,

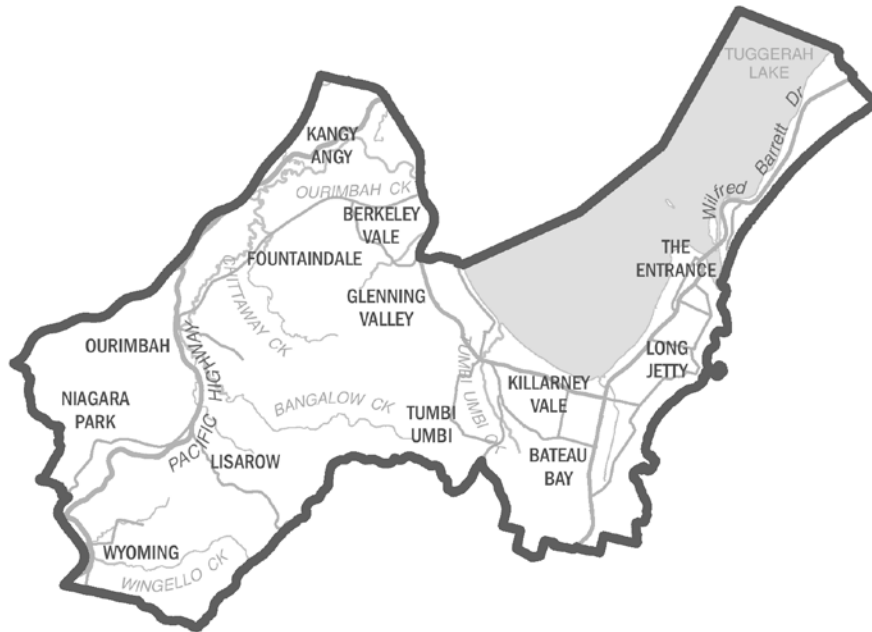
BARRY O'FARRELL, M.P.,
Premier

GOD SAVE THE QUEEN!

SCHEDULE

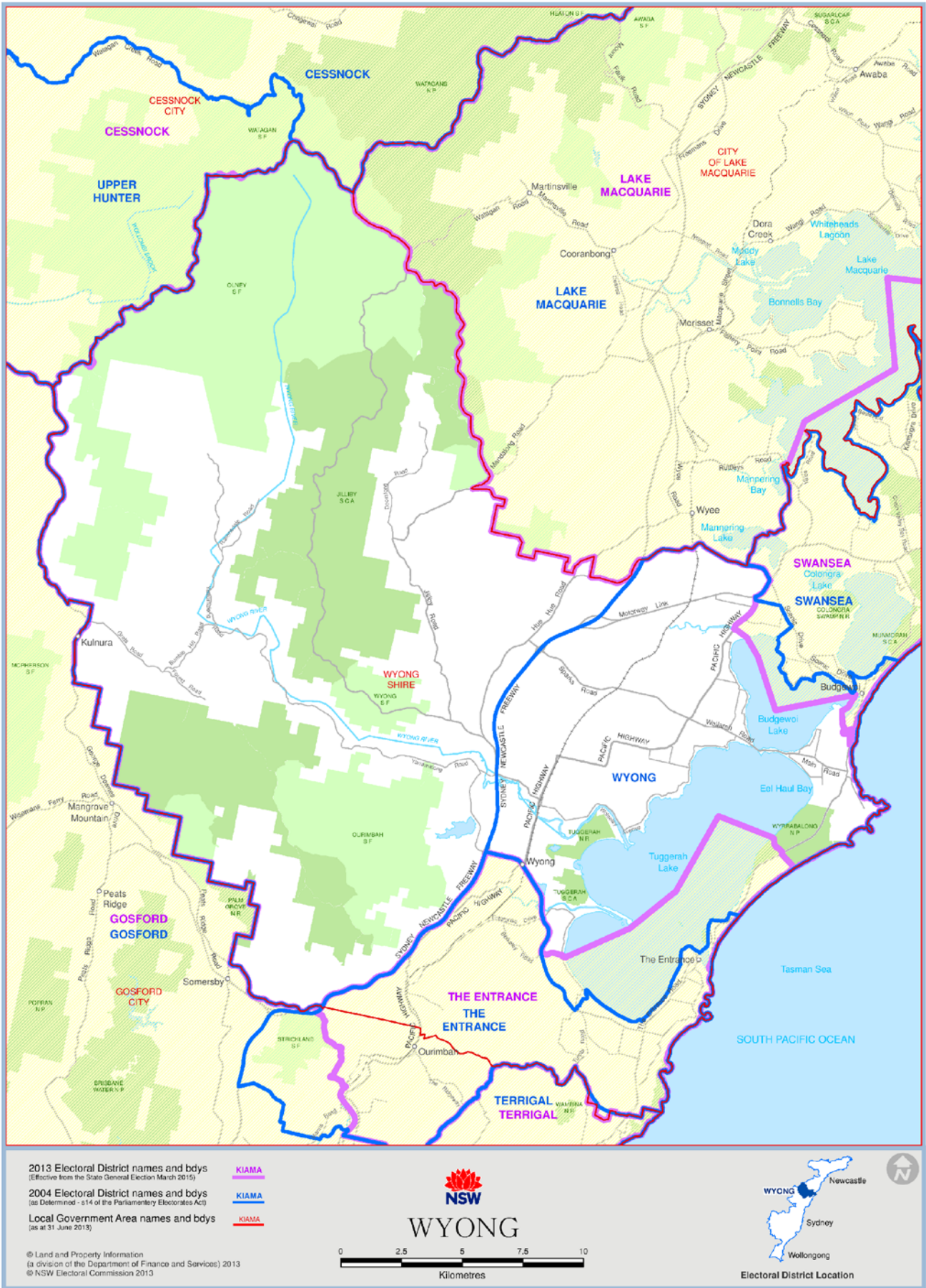
Names and Maps of Electoral Districts

The following printed versions of the maps of the electoral districts are generated from the digital form of the records created under the authority of the Electoral Districts Commissioners. To view the maps in greater detail visit www.redistribution.nsw.gov.au



2013 NSW Redistribution of Electoral Districts

Determined State Electoral District of
THE ENTRANCE





NEW SOUTH WALES

REDISTRIBUTION OF
ELECTORAL DISTRICTS
2013

ELECTORAL DISTRICTS
COMMISSIONERS' REPORT



NEW SOUTH WALES

REDISTRIBUTION OF
ELECTORAL DISTRICTS
2013

PARLIAMENTARY ELECTORATES AND ELECTIONS ACT 1912
CONSTITUTION ACT 1902

ELECTORAL DISTRICTS
COMMISSIONERS' REPORT

PROCLAIMED ON 18 SEPTEMBER 2013

**ELECTORAL DISTRICTS COMMISSIONERS' REPORT ON THE
2013 NEW SOUTH WALES REDISTRIBUTION OF ELECTORAL DISTRICTS**



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COMMISSIONERS' REPORT

Appointment

The Electoral Districts Commissioners were appointed by the Governor of New South Wales, Her Excellency Professor Marie R Bashir AC CVO, under commission dated 29 October 2012, pursuant to the *Parliamentary Electorates and Elections Act 1912*. The Honourable Keith Mason AC QC, a retired judge of the Supreme Court, was appointed as Chairman. Mr Colin Barry, the Electoral Commissioner and Mr Des Mooney, the Surveyor General were the other two members.

The Redistribution Process

On 4 February 2013 notice of the determined redistribution was published in the Government Gazette. Newspaper advertisements were also published in major metropolitan and regional newspapers and in papers circulating in each district. Suggestions and comments on suggestions were received and made available for public inspection, with almost the entirety of those activities being via the redistribution website (www.redistribution.nsw.gov.au).

Having considered all suggestions and comments, the Commissioners proposed district boundaries and names. Notice was published in the Government Gazette on 17 June 2013. The proposals were also published on the website with accompanying mapping resources and data files. A Report dated 17 June 2013 (with minor appendix amendments on 24 June 2013), available from the website, set out the Commissioners' reasons for the proposed alterations.

Interested persons and organisations were invited to lodge suggestions or objections on those proposed alterations on or before 17 July 2013. Over 260 suggestions or objections were received and made available for public inspection soon after.

The Commissioners considered the suggestions or objections and, as required by the *Parliamentary Electorates and Elections Act 1912*, held a Public Inquiry at The Portside Centre, Level 5, Symantec House, 207 Kent Street, Sydney on 5 August 2013. At that Inquiry thirteen oral submissions were made to the Commissioners by nine persons and groups and representatives of four political parties.

Because the Commissioners are of the opinion that the determined boundaries are not significantly different from the Commissioners' proposed boundaries released on 17 June 2013, there is no need for a further round of submissions or a further Inquiry. The number of electors whose enrolled district has changed from the proposal stage to the determination stage of the redistribution is 6,355 electors or 0.13% of the total state enrolment.

This final determination of names and boundaries of electoral districts is based upon the information gathered on behalf of the Commissioners (including the demographic data referred to below) and the submissions presented in writing and orally.

Legislative Requirements

The *Constitution Act 1902* requires a redistribution of electoral boundaries after two general elections have been conducted using the same electoral boundaries. It further provides that the boundaries of each proposed electoral district shall be so determined that, at the time the distribution is made, the number of persons entitled to vote at a general election of Members of the Legislative Assembly in each proposed electoral district is equal to a quotient from which the number of persons in each electoral District will not vary by more than $\pm 10\%$. Under this section, the quotient is obtained by dividing the number of persons entitled at that time to vote in any general election in all the proposed electoral districts by the number of electoral districts at the time of the redistribution.

As for the previous 2004 Redistribution, there are 93 Members of the Legislative Assembly in this 2013 Redistribution.

The *Parliamentary Electorates and Elections Act 1912* (hereafter "the Act") stipulates additional criteria to which the Commissioners must have regard and give due consideration, subject to complying with section 28 of the *Constitution Act 1902*. First, the Commissioners shall have regard to demographic trends within the State and, as far as practicable, endeavour to ensure on the basis of those trends that, at the "relevant future time" i.e. 13 April 2015, the number of electors enrolled in each electoral district will be equal (within a margin of allowance of 10% more or less) to the average enrolment in electoral districts at that future time.

Second, and subject to the first criterion, the Commissioners shall give due consideration, in relation to each electoral district, to:

- community of interests within the electoral district, including economic, social and regional interests;
- means of communication and travel within the electoral district;
- the physical features and area of the electoral district;
- mountain and other natural boundaries; and
- the boundaries of the existing electoral districts.

Enrolment Data, Quotas and Trends

The figures used for the 2013 NSW Redistribution are as follows:

	Base date	Future time
	3 February 2013	13 April 2015
Number of electors	4,800,967	4,907,575
Number of electoral districts	93	93
Quota	51,623	52,770
Upper quota	56,786	58,047
Lower quota	46,461	47,493

Further details will be available on the redistribution website – www.redistribution.nsw.gov.au until the conduct of the 2015 State General Election and after that time from the New South Wales Electoral Commission (NSWEC) website www.elections.nsw.gov.au.

This data was obtained by the Commissioners from the enrolment data available from the NSWEC's own sources including references to other agencies mentioned later in this Report.

As well as being posted on the website, the information was set out in the June Report. No submission questioned this data. Nor did any submission challenge the following statement the Commissioners made about enrolment trends in that Proposed District Alterations Report:

"An analysis of the current and projected enrolment statistics revealed an overall State increase since the 2004 Redistribution. It also showed a continuing decline in the number of electors in inland western New South Wales against the average state district enrolment. For example the existing districts of **Barwon** and **Murray-Darling** are predicted to decline in absolute enrolment terms to 2015 and there is no demographic evidence to show that that trend will reverse into the future.

There are equivalent, albeit, lesser trends in districts moving towards the east of the State....

In contrast, the rising enrolment trends in the inner metropolitan region are quite robust, particularly in the short to medium term in the southern fringes of the Sydney CBD. This trend may extend for quite some years if the developments in the western fringe of the CBD take place as recently announced.

The Commissioners have had access to more accurate enrolment statistics and projected enrolment as a consequence of the New South Wales Electoral Commission's (NSWEC) automatic enrolment process known as SmartRoll. The NSWEC has therefore been able to provide a more accurate base of current enrolment and projections on a Census Collection District (CCD) basis.

These more precise enrolment and projected enrolment figures have enabled the Commissioners to construct districts much closer to the average enrolment. Consequently, the proposed redistribution has more districts closer to $\pm 2\%$ from the 2013 and 2015 enrolment averages than in the past. The Commissioners were able to minimise the number of districts that diverge to the maximum level of legal tolerance. While the **Riverstone** and **Camden** districts will be close to the maximum divergence from the average enrolment in 2013, the growth in both districts is anticipated to be very strong. This approach is more likely to preserve the important "one vote one value" principle over the two election periods to 2019...."

The Commissioners remained of this view in finalising the determined district alterations.

Demographic Analysis

The Commissioners recognise that projected enrolment statistics must be the result of an analysis using a number of sources. Fundamental are the use of projected population statistics that are produced by government agencies. Both the Australian Bureau of Statistics (ABS) and the NSW Department of Planning and Infrastructure (DPI) were consulted regarding projected population figures. Additional "small-area" demographic expertise, as required by the relevant legislation, was also obtained. The conversion of that "population" data into "enrolment" data was undertaken using internal NSWEC enrolment expertise, newly acquired since the 2004 Redistribution as a result of the NSWEC's new SmartRoll automatic enrolment service.

The Commissioners engaged the demographic services of the Victorian organisation .id (Informed Decisions) Pty Ltd (hereafter ".id"). .id is a politically neutral company of population experts, selected on the basis that they possess strong spatial capability, a keen understanding and knowledge of local government demographic trends with the added benefit of compatibility with the geo-spatial systems used by the NSWEC. .id's involvement with the local government sector over the last 15 years has resulted in their ability to forecast the population of fringe areas around cities with emphasis on knowledge of local housing market developments.

State district enrolment projections used by the Commissioners were influenced by .id population projections in the regions noted in Table A below:

Table A - Demographic Analysis

2013 State District - Demographic Impact	LG Areas (Short Name) Examined:	2013 State District - Demographic Impact	LG Areas (Short Name) Examined:
Albury	Jerilderie	Monaro	Palerang
Auburn	Auburn		Queanbeyan
Barwon	Bogan	Murray	Conargo
	Coonamble		Murray
	Warrumbungle	Myall Lakes	Great Lakes
Baulkham Hills	The Hills	Newcastle	Newcastle
Blacktown	Blacktown	Penrith	Penrith
Camden	Camden	Port Macquarie	Greater Taree
Campbelltown	Campbelltown		Port Macquarie - Hastings
Castle Hill	The Hills	Shellharbour	Shellharbour
Charlestown	Lake Macquarie		Wollongong
	Newcastle	Strathfield	Burwood
Coffs Harbour	Coffs Harbour		Strathfield
Cootamundra	Junee	Summer Hill	Ashfield
Dubbo	Warrumbungle	Sydney	Sydney
Goulburn	Boorowa	Upper Hunter	Warrumbungle
	Goulburn	Vaucluse	Woollahra
	Upper Lachlan	Wallsend	Lake Macquarie
	Wingecarribee		Newcastle
	Yass Valley	Wollondilly	Wingecarribee
Lake Macquarie	Lake Macquarie		Wollondilly
Liverpool	Liverpool	Wollongong	Wollongong
Maitland	Maitland	Wyong	Wyong

Some Principles Applied

In the Proposed District Alterations Report dated 17 June 2013 accompanying the proposed redistribution, the Commissioners set out the statistical and other enrolment data upon which their recommendations were based. No submission questioned this enrolment data, which is referred to above.

The Report also laid out various principles taken into account, those impacting on boundaries being stated as follows:

*"The Commissioners have taken the strong view, as reflected in the legislation, that the principle of "one vote, one value" is paramount in the establishment of revised electoral boundaries in 2013 but, more importantly, at the time of the next two elections in 2015 and 2019. Therefore, the continuing declining enrolment trend in the western regions of the State, when combined with the growth in the metropolitan inner city region, have warranted the proposed abolition of one rural district, **Murrumbidgee**, and the proposed creation of a new district, **Newton**, in inner Sydney. The Commissioners in delineating the proposed boundaries gave due consideration to maintain existing boundary configurations as far as practicable. The boundaries were also defined, where possible and particularly in rural and regional areas, to include whole Local Government Areas (LGAs) so as to reflect community of interest. This has resulted in a reduction in the number of LGAs split by electoral districts. Currently, 34 regional LGAs are split by existing boundaries and this is reduced to 12 under the proposed boundaries Close attention was also paid to major features such as national and state parks, roads, motorways and railways...."*

Nothing advanced in response to the earlier Report has persuaded the Commissioners to change their views. Indeed, when finally determining the boundaries, the Commissioners were able to further reduce the number of rural and regional LG areas divided by electoral districts to 11 - see Table B below:

Table B - Regional LG Areas split by existing 2004 and determined 2013 electoral districts

Existing 2004 Regional LG Area Splits	Determined 2013 Regional LG Area Splits
Armidale Dumaresq	
Bega Valley	
Bellingen	
Bland	
Blayney	
Byron	
Cabonne	
Carrathool	
Cessnock	
Coffs Harbour	
Cowra	
Great Lakes	Great Lakes
Greater Taree	Greater Taree
Junee	
Lachlan	
Lismore	
Liverpool Plains	Liverpool Plains
Mid-Western Regional	Mid-Western Regional
Narrabri	
Narromine	
Palerang	
Port Macquarie-Hastings	Port Macquarie-Hastings
Port Stephens	Port Stephens
Richmond Valley	
Shoalhaven	Shoalhaven
Singleton	Singleton
Tamworth Regional	
Tenterfield	
Tumut	Tumut
Tweed	Tweed
Upper Lachlan	
Walcha	
Wingecarribee	Wingecarribee
Yass Valley	
34	11

The Commissioners do not understand the above principles to have been challenged in the responses to the proposed boundaries. It is recognised that some who responded in writing or gave oral evidence at the Inquiry were concerned about the physical size of the districts in the west of the State. The Commissioners say more about this later. There were also some submissions to the effect that the legislative criteria fail to pay due regard to the contribution and importance of rural communities compared to those in urban areas. The Commissioners believe that this debate is a matter for Parliament.

Two other broad matters deserve mention at this point.

One is obvious. The Commissioners did not consider the political effects of electoral boundaries.

The second relates to Section 28A of the Constitution Act which would trigger a "special distribution" in the event that more than one quarter of the number of electoral districts were to become "malapportioned" (as defined in Section 28A(2)) for a period of more than two months. The Commissioners are of the view that the determined boundaries do not in any way risk such an occurrence.

The principles applied with respect to the names of electoral districts will be outlined when those matters are addressed.

Determined District Alterations

Key Determinations

Abolished

The district of **Murrumbidgee** is determined to be abolished.

Created

The district of **Newtown** is determined to be created.

Re-named

The following districts are determined to be re-named:

- **Cootamundra** (formerly **Burrinjuck**)
- **Holsworthy** (formerly **Menai**)
- **Murray** (formerly **Murray-Darling**)
- **Prospect** (formerly **Smithfield**)
- **Seven Hills** (formerly **Toongabbie**)
- **Summer Hill** (formerly **Marrickville**)

Summary of Reasons

The Commissioners have taken the strong view, as reflected in the legislation, that the principle of "one vote, one value" is paramount in the establishment of revised electoral boundaries in 2013 but, more importantly, at the time of the next two elections in 2015 and 2019. Therefore, the continuing declining enrolment trend in the western regions of the state, when combined with the growth in the metropolitan inner city region, have warranted the determined abolition of one rural district, **Murrumbidgee**, and the creation of a new district, **Newtown**, in inner Sydney.

It has been determined that six districts are to change their name. This has been necessary as some district boundaries have changed sufficiently to move the current district name locality either well towards the district border or even out of the altered district completely.

The Commissioners have chosen to align water-adjacent boundaries to the hydrolines, lines at the centre of a watercourse, in bodies of water such as Port Jackson in order to firmly define the shore lines within their associated electoral district and so clarify the enrolment of those residing on fixed moorings or house boats. Having received no negative alternative view, this has been reflected in the determined boundary changes to districts. In some tables this new boundary principle has resulted in occasional minor anomalies when 2004 statistics are compared with the 2013 determinations.

Overview of Determinations by Region

Having received over 260 written submissions and heard oral presentations regarding the proposed district alterations, the Commissioners acknowledge that strong communities of interest develop throughout all areas of the State. However, the Commissioners must, when choosing between multiple options, comply with the overriding elector enrolment quota requirements set down in the Act. Where feasible, the Commissioners have minimised the number of rural and regional LG areas that are split by State district boundaries - see Table B.

Although a number of submissions were passionate in their support for a particular local community issue, the Commissioners have a responsibility to conduct a redistribution that complies with the Act across the State. The Commissioners are confident that any individual determined boundaries do not restrict community interactions.

The information set out below largely reproduces the Commissioners' reasons from the Proposed District Alterations Report of 17 June 2013. The Commissioners note that most of the proposals received actual or tacit support in the suggestions and objections lodged in response to the proposed boundaries or the submissions made at the Public Inquiry.

The regional comments that follow are summaries of the determined district alterations and are intended to show the application of the statutory criteria and illustrate the Commissioners' goals of:

- ensuring "one vote, one value", so far as practical;
- maximising the potential to support community interests especially by minimising LG area splits in rural and regional areas; and
- balancing the generally declining rural enrolment with the relatively strong enrolment growth in regions within and adjacent to the metropolitan area.

For all determined districts, changes in the enrolments between the current boundaries and determined boundaries are detailed adjacent to the determined district maps which are located later in this Report.

As mentioned above, further detail can be obtained through the use of enrolment data and mapping resources on the redistribution website - www.redistribution.nsw.gov.au.

The Western Region – Determination Overview

The Commissioners considered a number of objections from individuals, groups and political parties relating to the physical size of electoral districts, particularly in the regions west of the Great Dividing Range, and the consequential significant distances between local Members of Parliament and their constituents. While the strong concern regarding all of the issues that surround this geographical separation is acknowledged, continuous decline in the number of electors in inland New South Wales and the overriding numerical constraints imposed by the Act limit the number of options that can be introduced in this region.

Numerous submissions were received regarding the proposed geographic area of the altered district of **Barwon**. To reinforce the position expressed in the previous paragraph, the redistribution task is one that requires the careful balance of whole of the State population/enrolment demographic trends against the inescapable reality of declining enrollees per unit area in the western regions. Consequently the Commissioners have determined that there should be no change to that already proposed for the **Barwon** district.

Barwon district is determined to be bordered in the north and west by Queensland and South Australia and now includes the whole of the Unincorporated Area and the whole of the LG areas of Central Darling Shire, Bourke Shire, Cobar Shire, Brewarrina Shire, Bogan Shire, Lachlan Shire, Walgett Shire, Coonamble Shire, Warren Shire, Gilgandra Shire, Narrabri Shire, Warrumbungle Shire and Broken Hill City.

Murray-Darling, now bordered by the district of **Barwon** in the north, the borders of South Australia and Victoria in the west and south respectively, leads to the determination to re-name the district **Murray**, a name for a district of similar geographic location and historical significance dating back to the early part of last century. The determined district now contains the whole of the LG areas of Wentworth Shire, Balranald Shire, Hay Shire, Carrathool Shire, Griffith City, Leeton Shire, Murrumbidgee Shire, Conargo Shire, Deniliquin, Wakool Shire, Berrigan Shire and Murray Shire.

Albury district retains Corowa Shire Council reflecting the close community links within this region and gains the LG areas of Jerilderie and Urana Shires.

Rural Regions – West of the Divide – Determination Overview

Having a need to satisfy enrolment levels in inland districts and allow for long term declining enrolment, the Commissioners have determined that a district must be abolished in this region. This also permits the maintenance of LG areas as whole inclusions within districts, thereby reflecting established communities of interest. The Commissioners have determined that the existing district of **Murrumbidgee** be abolished and those electors included in the surrounding districts of **Murray**, **Barwon** and **Burrinjuck**.

Burrinjuck district has consequentially moved towards the west leading the Commissioners to determine re-naming the district as **Cootamundra** in recognition of the locality towards the centre of the altered district.

Impacted by the south-east movement of the growing metropolitan and surrounding districts, **Goulburn** district moves generally west to compensate. Since the City of Goulburn remains the predominant urban feature of this district, the name **Goulburn** will be retained.

In the central and northern regions, continuing the rural focus of maintaining LG areas as much as possible, it is determined that significant changes occur in the following districts:

- **Orange** district now contains only the whole LG areas of Orange City, Forbes Shire, Parkes Shire and Cabonne;
- **Dubbo** district contains the whole LG areas of Dubbo City, Narromine Shire and Wellington as well as that portion of the Mid-Western Regional LG area that is currently in **Dubbo** district, such that both **Orange** and **Dubbo** districts shift to an east-west alignment;
- **Bathurst** district now includes all of the LG area of Blayney Shire;
- In order to maintain the strong community of interest in the Mid-Western Regional LG area, the three districts of **Dubbo**, **Bathurst** and **Upper Hunter** continue to share the area as currently divided; and
- **Northern Tablelands** district gains the LG area of Moree Plains Shire from **Barwon** district and loses the LG area of Tenterfield Shire to **Lismore** district.

North Coast Region – Determination Overview

The Commissioners took into consideration submissions regarding the proposed variations to the areas of Killabakh, Marlee, Elands and surrounding localities in the Greater Taree City Council which would remain in the district of **Oxley** under the proposed boundaries. After some deliberations, the decision was made to include this area in the district of **Myall Lakes** to reflect the strong community of interest that exists between these localities and those to the west and south. The alteration of this boundary does not constitute a significant variation from the proposed electoral boundaries or the current and projected enrolment quotas. Moreover this results in the Greater Taree City Council being included in only two districts rather than three.

Generally slightly under quota, the region is restrained by the Queensland border and the Pacific Ocean and then the slightly less defined Great Divide in the west.

As for the rural regions, minimising the division of LG areas has been a focus, the consequence of which has been the determinations that:

- **Tweed** district largely retains its existing boundaries;
- the western border of the district of **Ballina** moves to the western border of the LG area of Byron Shire;
- **Lismore** district has gained the western portion of the Tenterfield Shire Council to maintain enrolment levels and bringing all of the Council into the one district;
- **Clarence** district contains the whole of the LG areas of Clarence Valley and Richmond Valley;
- **Coffs Harbour** district contains the whole of Coffs Harbour City Council;
- **Oxley** district moves closer to the coast as there is some LG area rationalisation along its western border impacting both **Tamworth** and **Northern Tablelands** districts and along its southern border impacting both **Myall Lakes** and **Upper Hunter** districts;

- **Port Macquarie** district continues to contain the eastern portion of the LG area of Port Macquarie-Hastings with some rationalisation around the Telegraph Point and Upper Lansdowne localities to allow polling place access to isolated electors. Lord Howe Island remains in this district; and
- **Myall Lakes** district generally remains stable other than the northerly portion of the Greater Taree City Council area.

Hunter to the Central Coast – Determination Overview

A number of submissions were received in relation to the proposed boundaries between the districts of **Charlestown**, **Lake Macquarie**, **Newcastle** and **Wallsend**. After some detailed analysis, the Commissioners made some minor adjustments to the proposed boundaries between **Lake Macquarie** and **Wallsend** (Glendale locality), **Lake Macquarie** and **Charlestown** (Cardiff South and Warners Bay localities) and **Newcastle** and **Wallsend** (Sandgate locality) with the net effect of including whole localities in electoral districts and meeting quota requirements in this region. Submissions relating to the locality of Redhead were not able to be accommodated for elector quota reasons.

The region's complex coastal geography and the constraints imposed by the Hawkesbury River in the south and the relatively sparse enrolment in the LG areas in the Upper Hunter district in the north have resulted in determinations that:

- **Port Stephens** district reverts largely to the Port Stephens Council area with the loss of its previous Newcastle City Council component;
- **Maitland** district contains the whole of the area of Maitland City Council;
- **Wallsend** district contains the western portion of the Newcastle City Council area;
- Newcastle City Council area, previously split between 5 districts, is determined to be split between the Newcastle regional districts of **Newcastle**, **Wallsend** and **Charlestown**. **Newcastle** district now includes some localities north of the Hunter River;
- **Charlestown** district gains the Redhead locality from **Swansea** district;
- **Swansea** district gains the north eastern portion of **Wyong** district (San Remo locality);
- **Wyong** district now includes the western portion of Wyong Shire Council area but loses much of the Berkeley locality to **The Entrance** district; and
- **Gosford** district loses the Springfield locality to **Terrigal** district but gains the Somersby and Narara localities from **The Entrance** district.

South Coast (including Sutherland Region) - Determination Overview

A number of submissions were received regarding the proposed boundary between the districts of **Kiama** and **South Coast** dividing the locality of Tomerong. The Commissioners determined that the number of electors was small enough to allow the whole of the locality of Tomerong to be included in the district of **South Coast** without adversely impacting on the current and projected quotas for the districts of **Kiama** and **South Coast**. While examining this section of boundaries, it was also noted that a small portion of the locality of Falls Creek was divided, so this was also adjusted to include the whole locality of Falls Creek in the district of **Kiama**.

Bound by the Victorian border in the south, the Pacific Ocean in the east, the Woronora River and Botany Bay in the north and the Great Divide in the west, this region has mixed growth trends with a slight overall deficit. This has resulted in the following determinations:

- From the southern extremity, **Bega** district has gained the Bemboka/Bega Valley locality from **Monaro** district, with **Monaro** district also losing its portion of the Yass Valley Council area to **Goulburn** district in the north, thus uniting this Council into the one district;
- Robust enrolment trends in the **South Coast** district and relative declines in the Illawarra region have resulted in the need for the **Kiama** district to cross over the Shoalhaven River to gain the south-west Nowra region from the **South Coast** district;
- **Kiama** district now follows the Kiama Municipality Council area boundary in the west losing the Robertson region of the Wingecarribee Shire Council area to **Goulburn** district;
- The **Shellharbour**, **Wollongong** and **Keira** districts at their northern edge move into the **Heathcote** district and, at their southern **Shellharbour** district edge, gain the growing Shell Cove locality;
- The northern edge of **Heathcote** district moves to gain the localities of Menai and Bangor from the **Menai** district;
- **Menai** district, having lost the locality of Menai to **Heathcote** district, is determined to change its name to **Holsworthy** district; and
- Having received a number of submissions to the proposals for the Sutherland region, the Commissioners determined that the boundaries would remain the same as those proposed i.e.:
 - **Miranda** district changes to an east-west orientation to gain Alford's Point and Illawong localities from the existing **Menai** district and now includes the majority of the locality of Miranda, uniting the Miranda shopping region and those Sutherland Shire Council communities along the Georges River; and
 - **Cronulla** district also moves to a more east-west orientation as it gains the southern portion of **Miranda** district and loses the Sylvania Waters locality to **Miranda** district.

The Hume Highway Corridor and South West Sydney - Determination Overview

With no change in the number of districts, and given the geographic constraints of the Hawkesbury River in the north and the Blue Mountains in the west, this region needs to absorb the differing enrolment trends of the metropolitan and regional areas.

The Commissioners received a number of written and oral submissions in relation to the division of Yass Valley Council between the districts of **Goulburn** and **Monaro**. This is an LG area that is currently split under the existing electoral district boundaries and the Commissioners had intended to expand this split to incorporate the locality of Gundaroo. However, after due consideration of the submissions from concerned residents and Council and examining the impact of the suggested change on the current and projected quotas, the Commissioners determined that the Yass Valley Council is better incorporated in its entirety in the district of **Goulburn**. The variation to the quota is not significant enough to deviate from the principle of including whole LG areas where possible.

As the Commissioners have determined to abolish the district of **Murrumbidgee**, the consequential change moves north up the Hume Highway leading to the determination that:

- With the move of **Cootamundra** (the renamed **Burrinjuck**) district westward, **Goulburn** district now has an east-west orientation as it includes all of the LG areas of Goulburn-Mulwaree, Boorowa, Upper Lachlan Shire, Yass Valley and a significant portion of Wingecarribee Shire;
- **Wollondilly** district gains the eastern portion of **Goulburn** district (Mittagong, Bowral and Burradoo localities) and loses the south-western portion of Campbelltown City Council area (Menangle Park and Ambarvale localities) to **Campbelltown** district. In addition it loses the Camden Park locality to **Camden** district;
- **Campbelltown** district loses its northern region, towards the locality of Ingleburn, to the **Macquarie Fields** district;
- **Camden** district loses its Campbelltown City Council area component to both **Campbelltown** and **Macquarie Fields** districts;
- **Camden** district gains the relatively sparsely populated southern regions of **Mulgoa** district (the localities of Greendale, Badgers Creek and Wallacia) and gains the Austral locality of the **Macquarie Fields** district;
- **Macquarie Fields** district moves south losing the Prestons and Lurnea localities to the **Holsworthy** (previously **Menai**) district;
- **Liverpool** district contracts to the east with its western semi-rural localities moving into **Mulgoa** district; and
- **Cabramatta** district remains east-west orientated running from Lansvale to Bonnyrigg Heights.

Sydney North Shore and the Hills Region - Determination Overview

With enrolment patterns that generally follow state-wide trends, the North Shore region of metropolitan Sydney has relatively minor needs for district boundary changes other than being slightly enrolment deficient. The enrolment excess in **Riverstone** district flows east to satisfy that deficit, consequentially causing relatively minor variations from west to east.

The Commissioners are of the view that the significance of LG boundaries diminishes in metropolitan districts, compared to rural and regional areas. LG boundaries are regularly traversed, such as for the purposes of shopping and recreation, and this is also evident in the voting pattern locations of electors. Consequentially, the Commissioners have sought, as far as practicable, to retain whole localities within metropolitan districts in order to maintain community of interest. At election time, the locations of polling venues become of prime importance to electors. These locations have been considered when delineating the determined boundaries, in order to reduce elector confusion and also reduce the number of absent votes taken.

The following outline describes the flows or general movements of the determinations in this region:

- **Hawkesbury** district trends south-west;
- **Castle Hill** district moves north into more rural areas;
- Consequentially **Baulkham Hills** district tends to move east;
- **Hornsby** district gains more of the northerly portions of the Hornsby Shire Council area and also gains Thornleigh and Pennant Hills localities from **Epping** district;
- **Ku-ring-gai** district loses Lindfield locality to augment the lower north shore region but gains most of the Pymble locality to Mona Vale Road; and
- **Davidson** district crosses Boundary Street on its southern border to gain Castle Cove locality from **Willoughby** district which itself gains Crows Nest locality from the enrolment positive **North Shore** district.

Sydney - Southern Metropolitan Region (Vaucluse east to Auburn and south to Kogarah) - Determination Overview

In the enrolment sense this area of metropolitan Sydney is dominated by the need to share the enrolment excesses of the **Sydney** and indirectly **Riverstone** districts. Locked in by the Blue Mountains in the west, the numbers needed to be shared from **Riverstone** district have been achieved predominantly by the expansion of existing north-western districts further into the north and west. The remaining numbers to be shared from **Sydney** district have required a new district, determined to be called **Newtown**, in the growth area south of the Sydney CBD. This causes a consequential trend to the west by the existing districts along Parramatta Road.

A number of submissions were received objecting to the placement of Centennial Park in the district of **Heffron** rather than **Sydney**. At times, there was a suggestion that only a member whose electoral district included a feature such as Centennial Park could effectively represent persons concerned about the welfare of such an icon. The Commissioners could not agree with such a proposition. Alternatively, the submissions focussed upon the community of interest shared by the residents living adjacent to the Park and Paddington. However the large population growth in the inner city has rendered it impossible to maintain all localities historically in the district of **Sydney** within that one district without having an adverse impact on the current and projected enrolment quotas. Taking this into account, the Commissioners decided against the suggested alteration to include Centennial Park in the district of **Sydney**.

The significant aspects of the proposal are:

- **Sydney** district loses the park localities of Moore Park and Centennial Park to **Heffron** district, the Chippendale and Surry Hills localities to the new district of **Newtown** and the western portion of the locality of Ultimo to **Balmain** district;
- **Coogee** district loses the Kensington locality to **Heffron** district and gains the South Coogee locality from **Maroubra** district;
- **Maroubra** district then flows north and west around the top of Botany Bay gaining the localities of Pagewood and Daceyville;
- South-west of the Sydney CBD it is determined that the western portion of the existing **Balmain** district, the eastern portion of the existing **Strathfield** district, the eastern portion of the existing **Canterbury** district, **Marrickville** district and the southern portion of the **Sydney** district be transformed into two districts, one new and one renamed:
 - The new district of **Newtown** in the east, a growth area centred on the locality of Newtown and located south of Parramatta Road; and
 - With **Marrickville** district now split, the newly named **Summer Hill** district to the west and north of Parramatta Road;
- Consequentially the remaining inner west districts all trend west until the eastern edge of **Mulgoa** district;
- Districts north of the Georges River also move slightly to the west moving **Lakemba** district into a north-south orientation and **Bankstown** district to move slightly to the north-west;

- The Commissioners considered the written and oral submissions in relation to the proposed boundaries in the Carss Park locality. The Commissioners believe a stronger community of interest exists to the north in the district of **Kogarah** rather than to the east where a physical boundary (a canal and parkland) separates Carss Park from the neighbouring locality of Kogarah Bay. It was therefore decided to make no further change to the proposed boundaries. This is also in keeping with the existing boundary in the area; and
- **Auburn** district gains South Granville locality from **Granville** district.

Western Sydney to the National Parks - Determination Overview

Bound by the Blue Mountains in the west and as discussed previously, this region is also impacted by the over-enrolment in **Riverstone** and **Sydney** districts. Excess enrolment from the **Riverstone** district has already been mentioned as moving to the north and east, but it also impacts through the northern portion of **Londonderry** district and then down to the south until the trend meets that moving north from the south-western districts along the Hume Highway. In particular:

- **Hawkesbury** district now contains the whole of the Hawkesbury City LG area;
- The Commissioners received over 45 submissions from individuals, organisations and political parties in relation to the proposed movement of Mt Wilson, Mt Irvine and Mt Tomah from the district of **Blue Mountains** to the district of **Hawkesbury**. The Commissioners were persuaded that the communities of interest were significant enough to retain these localities in the district of **Blue Mountains** and found that the quotas in the two districts were not adversely impacted by this minor change.
- The western portion of **Penrith** district has retained the localities of Glenbrook and Lapstone and gained the northern portion of Cranebrook locality;
- **Mulgoa** district changes to an east-west orientation with the existing **Smithfield** district contracting east and north into **Blacktown** and **Toongabbie** districts. This movement has prompted the determination to rename **Smithfield** district as **Prospect** district;
- Both **Blacktown** and **Toongabbie** districts move east to the extent that the Commissioners have determined to rename **Toongabbie** district as **Seven Hills** district; and
- Both **Granville** and **Fairfield** districts compact as the **Riverstone** district inspired southerly movement meets both the **Sydney** district inspired westerly movement and the **Camden** district inspired northerly movement.

Further Information - New Determined Boundaries

Maps depicting the determined new district boundaries can be accessed through the redistribution website (www.redistribution.nsw.gov.au) from the date of Proclamation, 18 September 2013.

The maps to be made available, as for the proposed boundaries, will be available in a number of formats and will allow readers to view the determined boundaries at differing levels of detail. It is recommended that these resources are used in conjunction with the mapping and written details contained in this Report. The mapping resources available are:

- Printable maps with index maps of NSW covering four regions and the 93 individual determined districts. These maps will be provided in various resolutions to ease any potential download issues;
- Google maps tool displaying the determined district alterations including the election day polling places that were used by the NSWEC at the NSW State General Election in March 2011;
- The Electoral Channel on the Land and Property Information's (LPI) SIX website for scrutiny of the current 2004, the June 2013 proposed NSW district alterations and September 2013 determined NSW district boundaries. The current federal division and LG area boundaries can also be displayed. A help document is provided for users on the redistribution website; and
- GDA94 Geographical MapInfo Mid/Mif files for use in Geographical Information Systems.

Acknowledgements

The Commissioners are grateful to all who provided submissions in connection with this redistribution. The Commissioners particularly thank the Secretary Crystal Bratton, the officers of the NSW Electoral Commission (Amanda Brookes, Bronwyn Butland, Melinda Lee, Belinda Manewell, Jessica Powell, Paul Beeren and Richard Carroll) and the officers of the Land and Property Information, a division of the Department of Finance and Services (Michael Dare and Ian Palmer).



A handwritten signature in black ink, appearing to be 'K Mason'.

.....
The Honourable Keith Mason AC QC (Chairperson)



A handwritten signature in black ink, appearing to be 'Des Mooney'.

.....
Des Mooney (Surveyor General, New South Wales)



A handwritten signature in black ink, appearing to be 'Colin Barry'.

.....
Colin Barry (Electoral Commissioner)

Electoral Districts Commissioners for New South Wales

12 September 2013

6.8 Outstanding Questions on Notice and Notices of Motion

TRIM REFERENCE: F2013/00023 - D04259072

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jade Maskiewicz; Councillor Services Officer

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 | Outstanding questions on Notice and Notices of Motion - 27 November 2013 | D04452541 |
|---|--|-----------|

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
11.	Community and Recreation Services	Brett Sherar	8.1 Notice of Motion - Regional Sport Economic Benefit 1 That Council <u>note</u> the numerous benefits (including tourism, economic and sporting) associated with hosting Regional Sporting events. 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 strategic approach to maximise the usage of our facilities to attract such events. 3 That Council <u>request</u> the General Manager to report proposals for regional sports events within Wyong Shire Council for its consideration. 4 That Council <u>liaise</u> with local sporting organisations, via the Sports Committee, to seek feedback on hosting regional sporting events.	13 March 2013 Councillor Nayna	Response will be provided early 2014.
12.	Infrastructure Operations and	Stefan Botha	8.2 Notice of Motion - Waste Initiatives 1 That Council <u>note</u> the recent announcement by the New South Wales Government of their 'Waste Less, Recycle More' program. 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. 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'. 4 That Council <u>note</u> that the waste levy will cost Ratepayers \$12.5 million in 2013/14. 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.	13 March 2013 Councillor Nayna	Resolution 5 - Has been completed please refer to D04028997 letter to MP dated 16 October 2013. Resolution 3 – Request for Councillor Briefing, to be held in the New Year. The remaining resolutions are to be noted.
20.	Land Management	Paul Bowditch (David Kitson)	9.1 Notice of Motion – Urgent Employment Stimulus "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.	24 April 2012 Councillors Best and Nayna	A report will be submitted to Council to early 2014.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<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 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>		
26	Development Building and	Lin Armstrong	<p>6.1 Notice of Motion – Bike Blitz on Cycle Way Menace</p> <p>698/13 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.</p> <p>699/13 That Council raises these concerns as a matter of public safety and as a possible public liability risk.</p> <p>700/13 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.</p> <p>701/13 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.</p> <p>702/13 That Council direct the General Manager to report the response from the Local Area Command and</p>	22 May 2013 Councillors Best and Troy	<p>No response received from Local Area Command as at 30 October 2013. A follow up letter has been sent. Awaiting further response.</p> <p>The LAC conducted a Bike Blitz and is currently conducting another in the Shire. Once Council gets feedback on the second bike blitz a report will be forwarded to Council.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>suggested action, followed by a later outcomes update report to Council.</i>		
36	Land Management	Kathryn Heintz	<p>9.1 Notice of Motion - Councils Reduction in Red Tape</p> <ol style="list-style-type: none"> 1 That Council <u>indicate</u> its intention to rescind all controls over residential side and rear boundary fencing. 2 That Council <u>acknowledge</u> that in Wyong Shire all dividing fence matters are controlled by the Dividing Fences Act 1991. 3 That Council <u>insert</u> "Front Boundary Fences" within Schedule 2, Exempt Development, as part of major Amendment No.1 to the Wyong Local Environmental Plan 2012, subject to the following standards: <ol style="list-style-type: none"> a be not higher than 1.8 metres above ground level (existing); and b be located within, not over, the front boundary; and c be designed to preserve traffic sight line requirements at intersections; and d be not constructed of barbed or razor wire. 	24 July 2013 Councillor Taylor	<p>The Council resolution requires the proposed amendments to be implemented through amendment 1 to WLEP 2012 (2013). Amendment No.1 has just commenced and will take a number of months to draft so this resolution will not be finalise for some time</p> <p>Resolution estimated to be finalised by end 2014.</p>
46	Land Management	Paul Bowditch	<p>Q37/13 Pioneer Dairy</p> <p>"As we have been advised that the Pioneer Dairy Tuggerah still has no planned opening date for the public, can the staff enquire and advise as to what the current barriers are and why there has been such a long delaying in opening these public lands especially as I believe that the buildings and toilet facilities are now complete and at a usable and safe state?"</p>	11 September 2013 Councillor Matthews	Response will be provided to the December 11 2013 meeting.
51	Infrastructure Operations and	Greg McDonald (<p>Q42/13 Investigate the Advantages of 'Ice-Pigging' To the General Manager, for the Director of Infrastructure and Operations, could Council investigate the advantages of "Ice-pigging" and report any possible savings from its implementation?"</p>	23 October 2013 Cr Troy	Response will be provided to the December 11 2013 meeting.
55	Infrastructure Operations and	Greg McDonald (Andrew Pearce)	<p>Mayoral Minute - Bushfires</p> <p>1260/13 That Council <u>receive</u> an official report on the northern Wyong Shire bushfires.</p> <p>1261/13 That Council formally <u>congratulate</u> the RFS and NSW Fire and Rescue Service, and all other emergency and community services</p>	23 October 2013	Response will be provided to the December 11 2013 meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>1262/13 organisations, involved in this fire event. That Council <u>hold</u> a civic reception for these services at the end of the bushfire season.</p> <p>1263/13 That Council <u>strike</u> a commemorative plaque in remembrance of Mr Walter Linder, and present this to the Toukley and District Arts Society for official mounting in its art gallery or mural.</p> <p>1264/13 That Council <u>waive</u> the fees for waste disposal of bushfire damaged waste resulting from this fire event at Council's Buttonderry Waste Management Facility.</p> <p>1265/13 That Council <u>offer</u> a rebate to those properties located in the fire path for water used while fighting the bush fires.</p>		
56	General managers Unit		<p>Mayoral Minute – Central Coast Water Board General Meeting</p> <p>1255/13 That Council <u>note</u> the Central Coast Water Corporation proposes to hold its Annual General Meeting at Gosford City Council on Thursday 14 November 2013 at 6.00pm to consider the audited financial statements and that clause 7.8 of the Constitution of the Central Coast Water Corporation permits Council to attend and vote at that proposed Annual General Meeting by proxy.</p> <p>1256/13 That Council <u>appoint</u> the Mayor as Council's proxy at the proposed Annual General Meeting of Central Coast Water Corporation, with that appointment being for the purposes of clause 7.8 of the Constitution of the Central Coast Water Corporation.</p> <p>1257/13 That Council <u>resolve</u> that the Council Seal be affixed to the attached instrument to effect the above appointment.</p> <p>1258/13 That Council <u>request</u> the General Manager to invite all Councillors to attend the Annual General Meeting of the Central Coast Water Corporation once formal notice for that Meeting has been received.</p> <p>1259/13 That Council <u>direct</u> the General Manager to</p>		<p>1255/13 - Noted. 1256/13 - Proxy form completed. 1257/13 - Seal attached. 1258/13 - Meeting notification forwarded to all Councillors. 1259/13 – Options are being investigated and a report will be prepared.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>investigate and report the governance options around the Wyong Water Authority.</i>		
57	Development Building and	Lin Armstrong (Jane Doyle)	<p>7.1 - Notice of Motion – Proposed Amendments to Tree Policy</p> <p>1 That Council <u>resolve</u> to allow the owners of residential land, of 1,000sq m or less, the right to remove a single tree in any 12 month period if the tree is deemed to be hazardous to life or property, by the owner.</p> <p>2 That Council <u>note</u> that where more than 1 tree is identified to be hazardous, to life or property, removal will require Council approval.</p> <p>3 That Council <u>request</u> the General Manager to provide a report to Council, outlining further possible amendments to Council's Tree Policy that will streamline processes, reduce red tape and achieve the following objectives:</p> <p style="padding-left: 20px;">a to reduce, real or perceived, hazards arising from trees to life or property including, bushfires, falling trees and branches, tree root damage and the like.</p> <p style="padding-left: 20px;">b to minimise Council's exposure to claims and litigation arising from damage caused by trees and</p> <p style="padding-left: 20px;">c to reduce the number of circumstances in which Council's approval is required for the removal of trees on private property.</p> <p>4 That Council <u>request</u> the General Manager provide a report to Council that addresses possible amendments to the proposed Wyong LEP 2013 to provide that the removal of trees (in accordance with points 1 and 2 above) be Exempt Development.</p> <p>5 That Council <u>note</u> that these additions will be in addition to the 6 and 12 metre current policy for the removal of trees.</p>	13 November 2013	Investigations of potential amendments to LEP and DCP are underway.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
58	Property and Economic Development	Jari Ihalainen (Paul Bowditch)	<p>7.2 Notice of Motion – F3/M1 Serious Road Risks</p> <p>1 That Council <u>respond</u>, as a matter of urgency, to recent reports of serious traffic risks around vehicles queuing back onto the F3 freeway from the twin Caltex service stations at peak periods.</p> <p>2 That Council <u>formally draw</u> this extremely dangerous situation to the attention of Roads and Maritime Services (RMS) and request that the site owner also respond to this issue.</p> <p>3 That Council <u>acknowledge</u> that a solution to this situation may require lengthy engineering solutions and that the Christmas traffic peak is imminent.</p> <p>4 That Council <u>seek</u> RMS support for interim hazard display signs warning all vehicles in this 110 km zone of the significant hazard ahead.</p>	13 November 2013	Letter sent to RMS 20 November 2013.
59	Infrastructure and Operations Department	Andrew Pearce	<p>Q45/13 – Removal of weed from Lake Munmorah</p> <p><i>“Could staff please advise when the weed harvester will be removing weed from the northern end of Lake Munmorah?”</i></p>	13 November 2013	Response will be provided to December 11 2013 meeting.
60	Infrastructure and Operations Department	Andrew Pearce	<p>Q46/13 - Availability of Historical Reports and Information on Tuggerah Lakes at Council Libraries</p> <p><i>“Could staff please advise if the historical reports and information on the Tuggerah Lakes from the Office of Environment and Heritage, held by Council, can be made available to the general public in the Council libraries?”</i></p>	13 November 2013	Response will be provided to the December 11 2013 meeting.
61	Property and Economic Development	Jari Ihalainen	<p>Q47/13 – Council Holiday Parks Awards</p> <p><i>“Mr General Manager, this Council's management of its Holiday Parks was recently recognised at the NSW, ACT Regional and Community Awards, where Council was nominated and finished runner up in the Crown Lands Reserve Trust Management category.</i></p> <p><i>This is a tremendous outcome and reflects the significant turnaround our holiday parks have recently enjoyed. Would you please pass on Council's sincere appreciation to Staff, Managers and Contractors for their outstanding efforts?”</i></p>	13 November 2013	Response will be provided to the December 11 2013 meeting.

**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE
13 NOVEMBER 2013**

	Department	Question on Notice / Notice of Motion	Date Asked/ Councillor	Status
48	General Managers Unit	Q39/13 Student Population - Wyong Public School	11 September 2013 Councillor Greenwald	Response will be provided late November 2013. Response provided at 27 November 2013 Meeting
50	General Managers Unit	Q41/13 The New Minnesota Road	25 September 2013 Cr Best	The General Manager has passed on their appreciation to the staff involved.
53	Mayor Office	Q43/13 Confidential QON	23 October 2013 Councillor Graham	Response to be provided at a future meeting. Response provided at 27 November 2013 Meeting
54	General Managers Unit	Q44/13 Confidential QON	23 October 2013 Councillor Graham	Response to be provided at a future meeting. Response provided at 27 November 2013 Meeting
62	Development and Building	Q48/13 – Investigation into drowning death at Chain Valley Bay	13 November 2013 Cr Best	Director Development and Building has passed on their appreciation to the staff involved.

7.1 Answers to Question on Notice

TRIM REFERENCE: F2004/06894 - D04109601 AUTHOR: JV

7.1 Q39/13 - Student Population - Wyong Public School

The following question was asked by Councillor Ken Greenwald at the Ordinary Meeting held 11 September 2013:

“Can the General Manager make enquiries and advise what the current student population is of Wyong Public School and what its estimated student population will be in school year 2014 following the closure of Wyong Grove Public School?”

The 2013 population of Wyong Public School is 450. Following the closure of Wyong Grove Public School at the end of this year the estimated student population for Wyong Public School in 2014 will be 513. It is anticipated that approximately 30 children will be transitioning from Wyong Grove Public School.

ATTACHMENTS

Nil.

27 November 2013

To the Ordinary Council Meeting

Councillor

8.1 Notice of Motion - Phase Out Commercial Fishing on Tuggerah Lakes

TRIM REFERENCE: F2004/07986 - D04371334

MANAGER:

AUTHOR: Lloyd Taylor; Councillor

Councillor L Taylor has given notice that at the Ordinary Council Meeting to be held on 27 November 2013 he will move the following Motion:

“1 That Council call on the State Government to phase out commercial fishing on Tuggerah Lakes noting:

- a) the previous cessation of commercial fishing in Lake Macquarie with the associated rise in recreational fishing,*
- b) the paucity of fish and prawns available to our tourist and recreational fishermen,*
- c) the unsustainability of the current commercial fishery including practices such as haul netting,*
- d) the impact on the lakes,*
- e) expansion of commercial licences to non-local operators,*
- f) impact on boating, watercraft and recreational lakes usage.”*

RESOURCES

This will be managed using existing resources.