



Further Observations

Eastern Corridor

- For the Eastern Bypass option, further work required to **validate**
 1. design feasibility (road geometry)
 2. environmental impacts
 3. traffic modelling
- Other **key risks** to the cost estimate are
 - Geotechnical – more ground improvement at river crossing
 - Environmental controls & mitigation
 - Impacts on rail line
 - Property cost
 - Delay to project approval

Property

- Property acquisition is the **primary cost driver** for Eastern & Western Corridors, ~50% of project cost
- **Significant variance** evident in estimated property cost by RMS and E&P.
 - To improve certainty, re-assess property cost by RMS Property Division (as concept designs are advanced).



Further Observations

Qualitative Comparison 2008

- RMS qualitative comparison of through-town alternatives is high-level only. E&P found reasonable concurrence with RMS outcomes favouring the Widened Carriageway option on cost, traffic benefit, retail trade impact & car parking.
- E&P considers all options are likely to have adverse impact on the heritage-listed buildings, based on the design alignments provided.
- Heritage impact of RMS Preferred Option is **not fully resolved**, with potential to compromise road design at Church St intersection pinch point.
- Inclusion of **weighted assessment criteria** may produce a more conclusive outcome.
- Based on documents available to E&P, not all assessment criteria or design alternatives are fully supported by RMS technical reports & investigations.

FACTOR	TUNNEL	LAND BRIDGE	HOWARTH STREET	WIDEN THE CARRIAGEWAY	SPLIT LEVEL CARRIAGEWAY
Retail trade	● ✓	● ✓	● ✓	● ✓	● ✓
Heritage items	■ X	● ✓	■ X	■ X	● ✓
Provides road capacity for through traffic	■ ✓	■ ✓	■ ✓	■ ✓	■ ✓
Provides local traffic access, onto and off side roads	● ✓	△ ✓	● ✓	■ ✓	■ ✓
Pedestrian access connecting the station to the shops	■ ✓	■ ✓	△ ✓	■ ✓	■ ✓
Car parking in the town centre	■ ✓	● ✓	△ ✓	△ ✓	● ✓
Ease of construction	● ✓	● ✓	● ✓	△ ✓	△ ✓
Estimated cost	● ✓	△ ✓	● ✓	■ ✓	△ ✓

Legend: ■ Least impact/performs better △ mid range performance or impact ● more impact/performs worse
 Note: The tabulated ratings are relative and not absolute. These cost estimates contain contingencies.



Further Observations

Road User Benefit Analysis

- RMS Road User Benefit Analysis is limited to the RMS Preferred Option.
- The results of the analysis appear favourable with **BCR sensitivity ranging from 6.7 to 20**.
- Consider a **comparative Road User Benefit** analysis to assess the Eastern Corridor, if this option is revisited.

RMS Estimates

- Some **inconsistencies** identified in RMS' estimate for Split-Level alternative
 - 43% variance is unreliable (some property omitted, rates lower for common scope)
 - actual variance is less.
- RMS' estimate for Preferred Option includes error
 - reduced to approx. \$127M
 - variance from E&P remains within 10%.



Evans & Peck Cost Estimates

- Estimates are based on scope refined and discussed with RMS.

5.1km

Evans & Peck's Cost Estimate (\$2012)		Estimated Cost (\$m)	End to End (\$m)
Strategic Corridor Options 2006	Eastern Bypass (4.5km)		290
	Western Bypass (6.9km)		410
	Central Corridor (5.1km)		280
		2.1km	
Through-Town Alternatives 2008 (Central Corridor)	Tunnel	360	500
	Land Bridge	150	280
	Howarth St	190	330
	Widened Carriageway	140	280
	Split Level Carriageway	140	280
RMS Preferred Option 2011	Revised Widened Carriageway	140	

Notes:

- Strategic Corridor Option estimates include scope from Johnson Road, Tuggerah to Johns Road, Wadalba.
- Through-Town Alternative estimates include scope from Johnson Road, Tuggerah to Cutler Drive, Wyong (2.1km).
- Cost estimates adjusted for the entire 5.1km Central Corridor length, Johnson Rd, Tuggerah to Johns Rd, Wadalba
- All amounts are in \$ (2012) terms.
- Cost estimates have been rounded to the nearest \$10m.



Comparison with RMS Cost Estimates

5.1km

Cost Estimate		RMS \$2012 (\$m)	E&P \$2012 (\$m)	E&P \$2012 End to End (\$m)	Difference (\$m)	Difference %
Strategic Corridor Options 2006	Eastern Bypass	264		290	+26	+10%
	Western Bypass	418		410	-8	-2%
	Central Corridor	-		280	-	-
Through-Town Alternatives 2008 (Central Corridor)	Tunnel	550		500	- 50	-9%
	Land Bridge	280		280	0	0%
	Howarth St	329		330	+1	+0%
	Widened Carriageway	-		280	-	-
	Split Level Carriageway	196		280	+84	+43%
		> 200				

- E&P cost estimates scope adjusted cost of additional scope (3km) added to through-town alternatives for variance analysis over 5.1km
- RMS estimates escalated to \$2012 for comparison.

2.1km	RMS Preferred Option 2011	155	140	-15	-10%
		127			



Recommendations

Further investigation to improve the certainty of the RMS cost estimates and validate RMS evaluation of options:

- **Validate the feasibility of the concept designs**, in particular for the Eastern Corridor;
- **Update the traffic models** that predict the distribution & volumes of traffic;
- **Validate the impact on property**;
- **Validate the extent of environmental impacts**, in particular the Eastern Corridor;
- Upon validation of scope and predicted traffic, **update the detailed estimates** to confirm the lowest cost outcome for the corridor route selection study;
- Complete a comprehensive risk analysis and **quantitative risk assessment**;
- Complete a Project Appraisal Report **comparing road user benefits and costs** for preferred option(s).



Next Steps

Post draft report on RMS website	31 October 2012
Present findings to stakeholders <ul style="list-style-type: none"> • Wyong Council • Wyong Warriors • Other interested parties 	31 October 2012 to 16 November 2012
Collate and incorporate stakeholder comments into Final Report	Complete by 23 November 2012
Issue Final Report to RMS	26 November 2012
Post Final Report on RMS website	Week ending 30 November 2012



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

TRIM REFERENCE: F2004/07830 - D03181487

MANAGER: Gina Vereker, Director

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 2012.

RECOMMENDATION

That Council receive the report on Activities of the Development Assessment and Building Certification and Health Units

Development Applications Received and Determined for October – Development Assessment Unit

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	10	5,349,313	8	899,750
Industrial	-	-	3	2,083,055
Residential (Multiple Dwellings/Dual Occupancy. Alterations and Additions)	1	180,000	5	2,210,486
Other Applications	-	-	1	-
Section 96 Applications	17	-	12	-
Total	28	5,259,313	29	5,193,291

Note: Note: *Included in the number of development applications lodged in the "Commercial" category was for a Proposed Local Shopping Centre (Aldi), 3 shops, ancillary works and a 3 lot subdivision at Bluehaven valued at \$3.7M. Included in the number of development applications determined in the "Industrial" category was additions to an existing warehouse at Berkeley Vale valued at \$1.3M.*

6.4 Activities of the Development Assessment and Building Certification and Health Units (coned)

Development Applications Received and Determined For October – Building Certification and Health Unit

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	3	440,000	3	259,000
Industrial	-	-	-	-
Residential (Dwellings)	25	5,718,803	13	3,332,314
Residential (Alterations and Additions, Multiple Dwellings)	45	1,862,152	43	1,611,972
Other Applications	2	9,500	-	-
Section 96 Applications	8	-	5	-
Total	83	8,030,455	64	5,203,286

Subdivision Applications Received and Determined for October 2012

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	-	-	-	-
Industrial	1	1	-	-
Residential	2	2	3	3
Rural	-	-	-	-
Other	3	4	-	-
Total	6	7	3	3

Net Median Turn-around Time

The net median turn-around time in working days for development applications determined during the month of October was **13** days. There were no employment generating development applications determined during the month of October.

6.4 Activities of the Development Assessment and Building Certification and Health Units (coned)

Other Approvals and Certificates

Type:	Number Determined October 2012:
Trees	30
Section 149 D Certificates (<i>Building Certificates</i>)	7
Construction Certificates	63
Complying Development Certificates	16

State Environmental Planning Policy No 1

There were no applications that relied on a SEPP 1 variation for the month of October 2012.

Waiving of Development Application Fees –

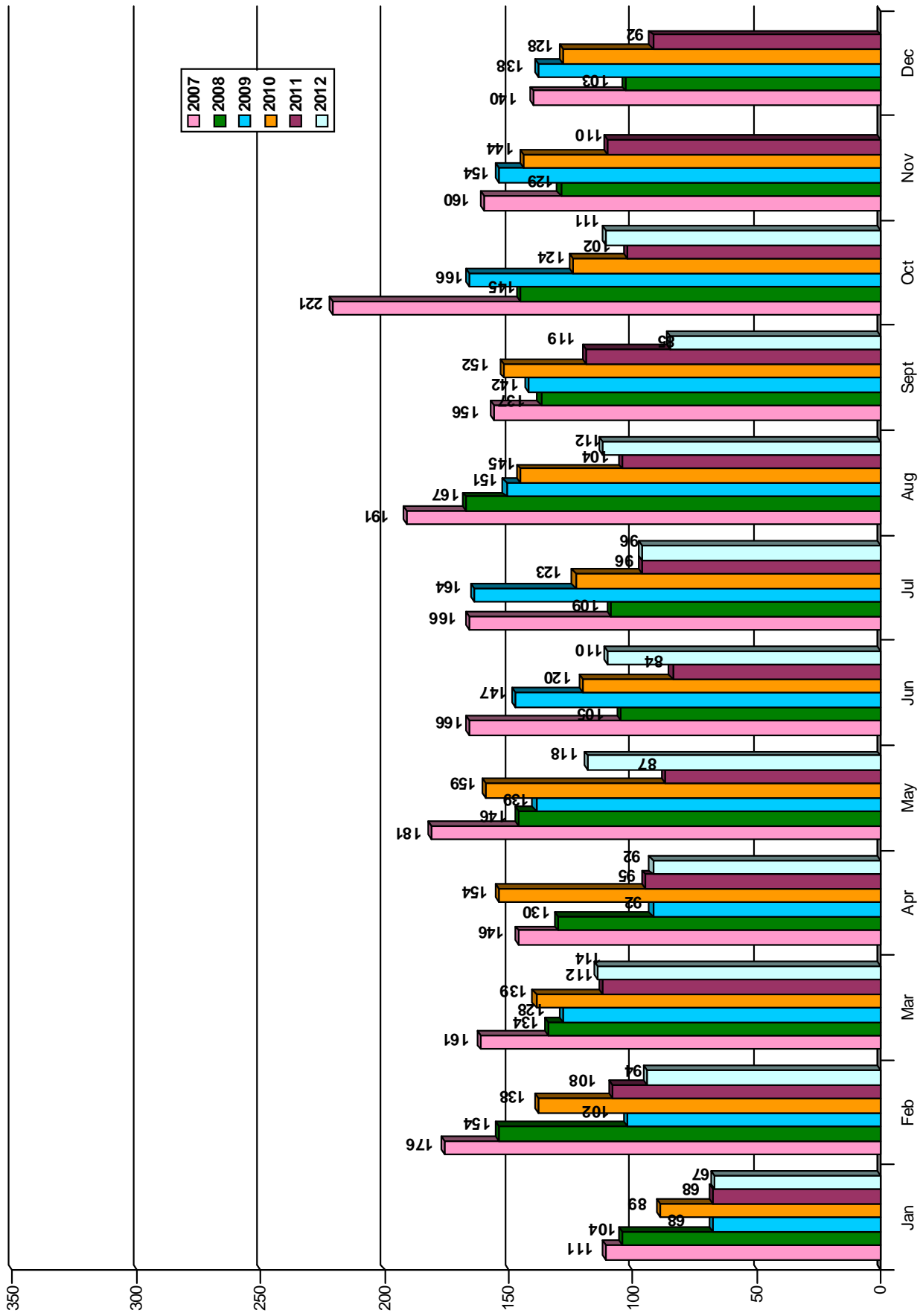
There has been no waiving of Development Application Fees for the previous month.

ATTACHMENTS

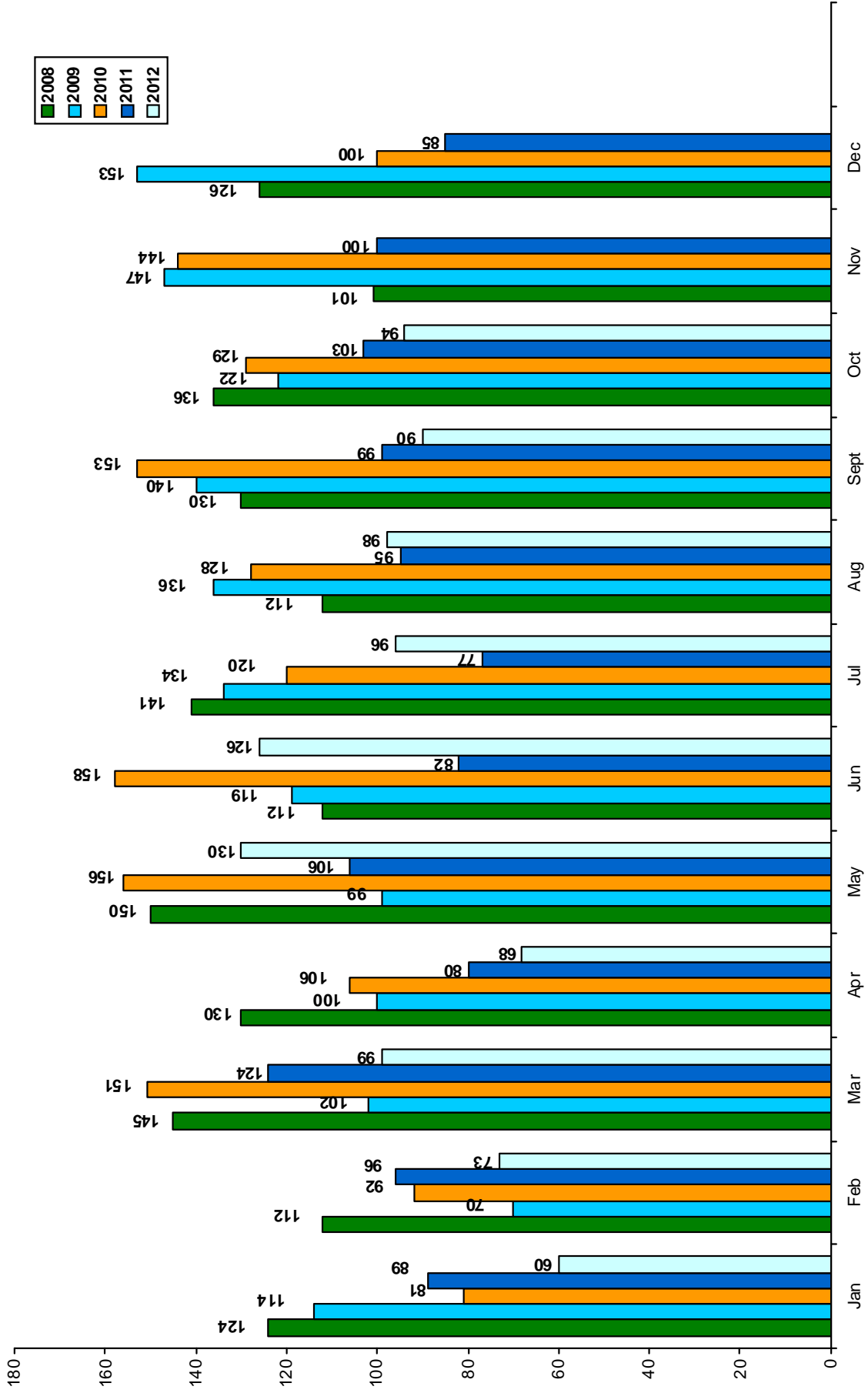
- 1 Graphs - Development Applications Received, Determined and Construction Certificates Determined (A4 Colour)

D03188947

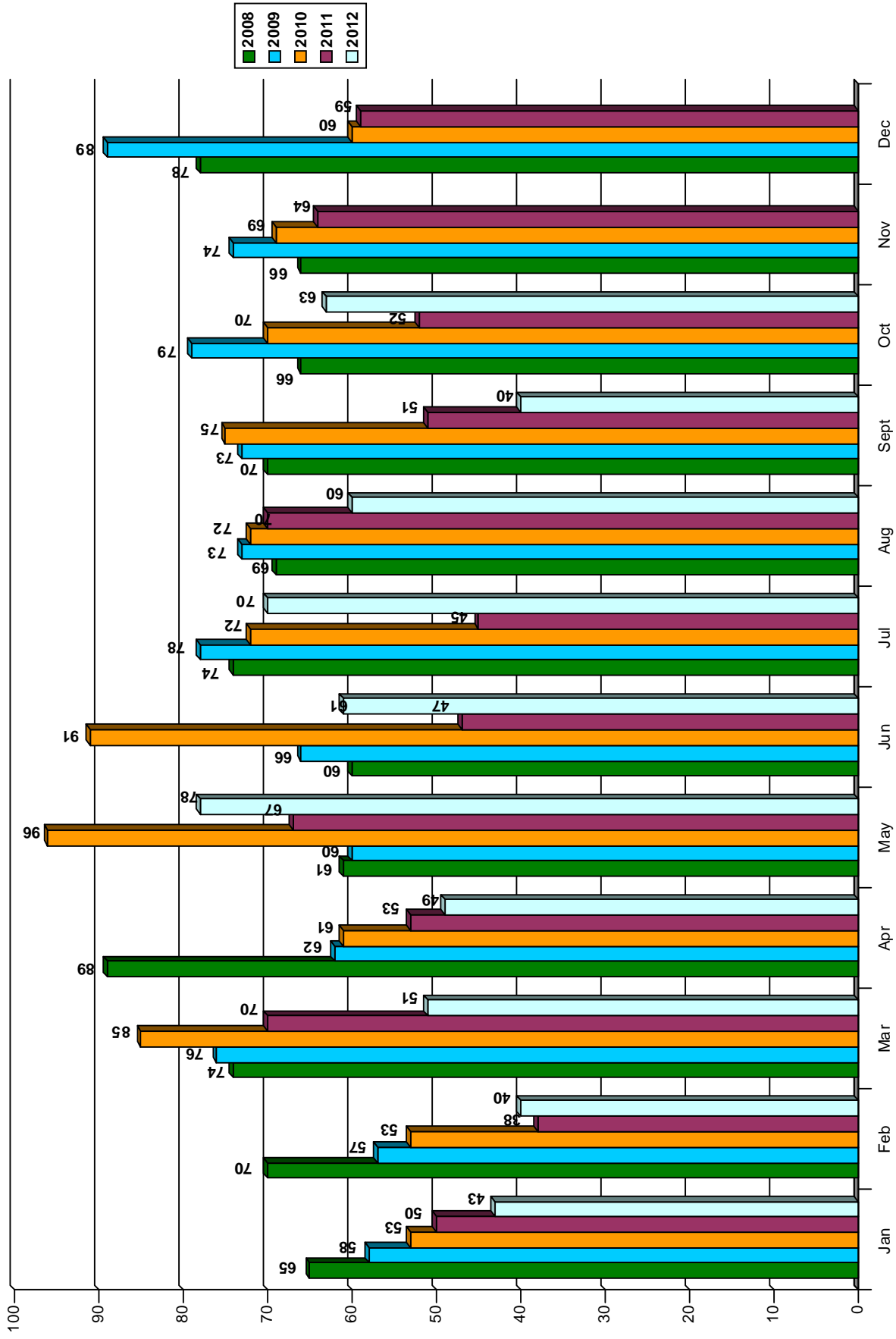
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6.5 Investment Report for October 2012

TRIM REFERENCE: F2004/06604 - D03182577
MANAGER: Stephen Naven, Chief Financial Officer
AUTHOR: Devini Susindran; Financial Accountant

SUMMARY

This report details Council's investments as at 31 October 2012.

RECOMMENDATION

That Council receive the Investment Report for October 2012.

BACKGROUND

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

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

CURRENT STATUS

Managed Funds

Blackrock Care and Maintenance Fund \$5.20m "grandfathered" investment allowable under the Ministers Investment Order.

The gain from revaluation of \$0.06m for October will be recorded in November, due to it not being available at the time of publishing the October Financial results. Outperformance was attributed to the ongoing rally in credit markets as spreads continued to rally. The fund has performed exceptionally well over the long-term, returning +11% over 1 year and over +8% over 4 years. The running yield remains elevated above 7% as at the end of October.

Cash and Term Deposit Funds

Cash flows in October were managed through maturities and investments in new term deposits with a net out-flow of \$10.00m.

Table 1 Movement in Cash and Term deposits

Institution	Term (Approx. Months)	Interest Rate %	Maturity	Investment / (Redemption)
Movement in cash on call		3.35%		(\$2,995,000)
Suncorp	6	5.92%	Oct 2012	(\$10,000,000)
Suncorp	6	5.95%	Oct 2012	(\$7,000,000)
ING	6	4.70%	Apr 2013	\$5,000,000
Bendigo Bank	12	4.60%	Oct 2013	\$5,000,000
TOTAL				(\$9,995,000)

Return on cash and term deposits for October 2012 was \$0.66m.

Total Funds

Total net return for August 2012 was \$0.75m consisted of \$0.66m of interest earnings and \$0.09m of unrealised capital gains on the Blackrock Care and Maintenance Fund.

Table 2 Investment Portfolio by Risk Category

Investment Class	October 2012 \$ '000	YTD Return \$ '000	YTD %
Cash at Call	12,513	192	3.50
Term Deposits	133,000	2,489	5.68
Managed Funds	5,285	260	14.81
Total Investments	150,798	2,941	5.74

Year to date returns in October of 5.74% is favourable compared to benchmark BBSW YTD Bank Bill Index of 3.64% and Council guidelines of BBSW + 10 basis points. The year to date return excluding capital gains on managed funds of \$0.26m is 5.22%.

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 3. The portfolio is currently overweight in A1 but this is a positive position due to these investments offering the best rates selected for the investment time frame.

Table 3 – Portfolio Credit Framework

Investment Category Short Term	Target Allocation Maximum	Portfolio Allocation October 2012	Comments
A1	10.0%	65.99%	
A2	75.0%	27.19%	
A3	10.0%	2.65%	
Unrated	15.0%	4.17%	Includes Managed Funds
TOTAL	110%	100.0%	

Investment transactions and earnings during October 2012 are shown in Table 4 - Portfolio Performance.

Table 4 – Portfolio Performance

	Full Year 2011-12 \$m	Qtr 1 to September 2012 \$m	October 2012 \$m	Full Year 2012-13 \$m
Movement in Assets				
Opening Balance	136.86	153.81	160.71	153.81
Capital Gain/(Loss) – (see below)	(0.09)	0.18	0.09	0.27
Net Cash/Investments (Withdrawals)	17.04	6.72	(10.00)	(3.28)
Closing Balance	153.81	160.71	150.80	150.80
Trading Position				
Capital Gain/(Loss) Realised	-	-	-	-
Capital Gain/(Loss) Unrealised	(0.09)	0.18	0.09	0.27
Interest Earnings	8.14	2.01	0.66	2.67
Total Return for Period	8.05	2.19	0.75	2.94

Movements in investments comprised the changes in, valuation, new investments and redemptions during October are shown in Table 5 – Changes in valuation and redemptions.

Table 5 Changes in valuation, new investments and redemptions

Type of investment	Institution		\$m	\$m
Call deposit	Interest earned	Income	0.05	
	Net movement	Investment / (Redemption)	(3.05)	(3.00)
Term deposits	Ref. Table 1	Redemptions	(17.00)	
		Investments	10.00	(7.00)
Managed Funds	Black Rock	Capital Distribution	(0.00)	
		Capital Gain / (Loss)	0.09	0.09
TOTAL				(9.91)

Interest and Investment Returns

Year to-date returns as at 31 October 2012 on council's investment portfolio of deposit accounts, term deposits and managed funds, show a \$0.64m or 27.96% favourable variance when compared to the year to-date budget to October 2012.

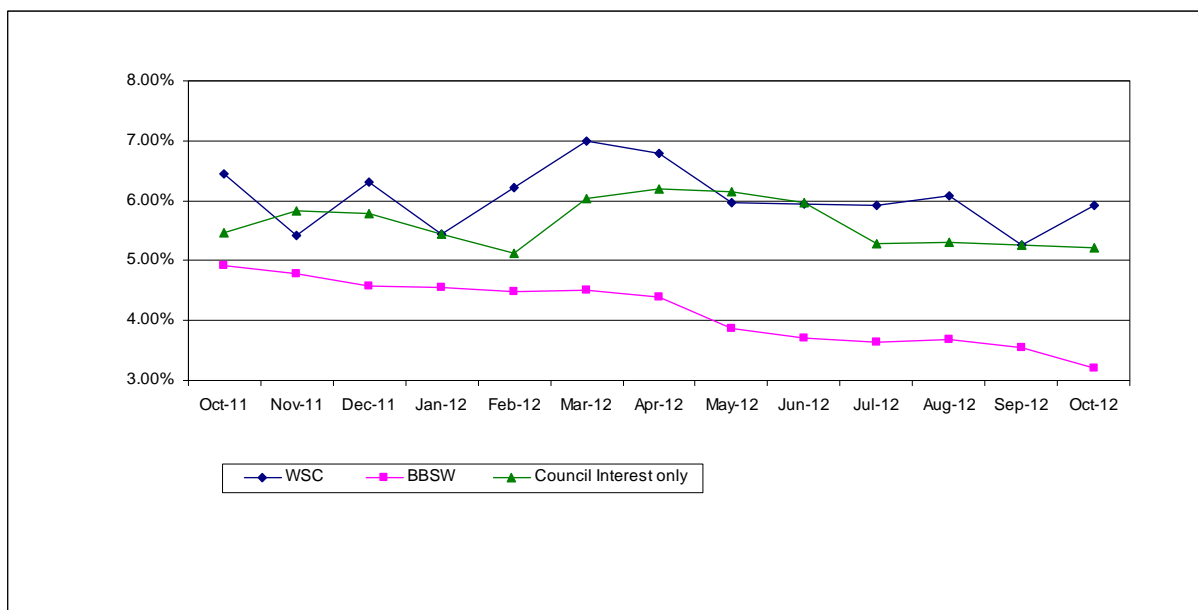
Table 6 Annual Investment Portfolio Performance as at 31 October 2012

Investment Source	FYR Revised Budget \$ '000	Oct YTD Budget \$ '000	Oct YTD Unrealised movement in valuation Actual \$ '000	Oct YTD Interest Actual \$ '000	Oct YTD Net Actual \$ '000	Oct YTD Variation to Budget \$ '000
		A	B	C	D=B+C	E=A-D
General	4,170	1,390	156	1,623	1,779	389
Water	1,550	517	33	327	360	(157)
Sewerage	1,176	392	71	731	802	410
Total	6,896	2,299	260	2,681	2,941	642

Interest rates in the month, on term deposits ranged from 4.60% to 5.83% with the exception of Heritage Bank at 7.25% and these rates exceeded the benchmark Bank Bill Swap Rate (BBSW) for October of 3.16%.

Benchmark - Monthly Returns (Annualised)

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

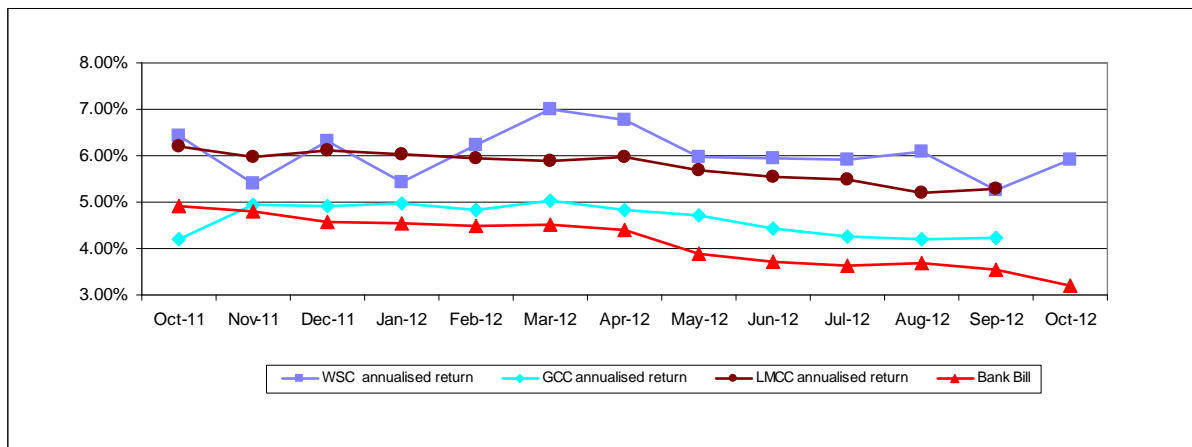


Comparison to Neighbouring Councils

Council's yield of 5.26% for September and 5.91% for October compare favourably to neighbouring Councils; Lake Macquarie City Council (5.30% - September) and Gosford City Council (4.24% - October).

There is a one month lag in the information available for neighbouring Councils as reports for August were not available at the time of writing this report.

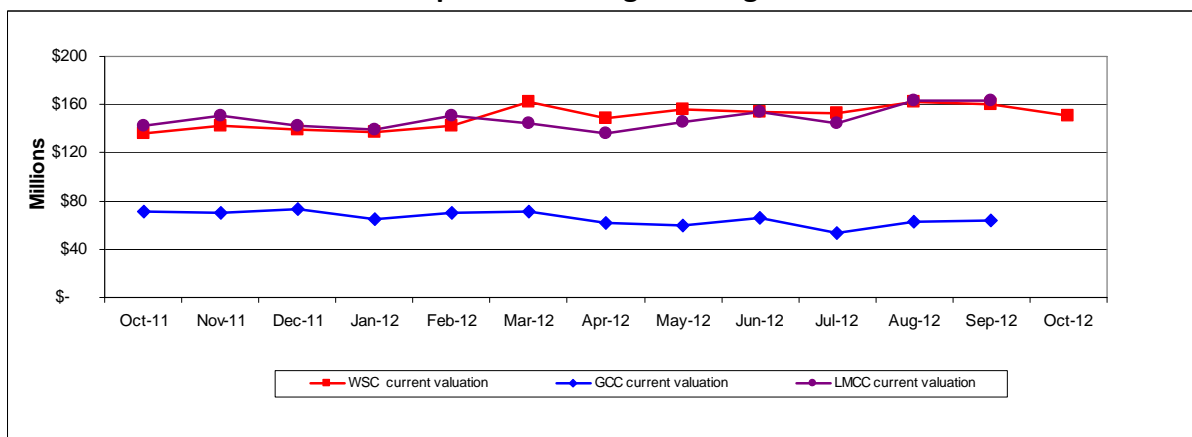
Table 8 Portfolio Return - Comparison to Neighbouring Councils



WSC's investment portfolio at the end of September was \$160.71m and October was \$150.78m, demonstrating a strong cash position, and compares favourably with Lake Macquarie and Gosford City Councils (refer Table 9).

However Council's cash position must be viewed relative to its high debt levels (predominantly in the Water and Sewer Business) at the end of June 2012 and June 2011 amounting to \$197.58m and \$190.26m respectively. In comparison Gosford City Council held debts of \$132.75m at 30 June 2011 and Lake Macquarie City Council held debts of \$58.35m and \$53.71m respectively at 30 June 2012 and 30 June 2011 respectively. Gosford City Council's debt balance at 30 June 2012 was not available at the time of publishing this report.

Table 9 Total Investment – 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 2012 have been made in accordance with the Act, the Regulations and Council's Investment Policies.

CONCLUSION

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

Investments continue to be conservatively managed to ensure that value is added to the fixed interest portfolio and Council will continue to re-define its long term investment strategy as the level of managed funds in the portfolio reduces.

ATTACHMENTS

- 1 Summary of Investment by Type - October 2012 D03183624

Wyong Shire Council
Summary of Investments - By Type
As at 31 October 2012

FUND MANAGER	TYPE OF INVESTMENT	RATINGS	MATURITY	PORTFOLIO BALANCE 30.09.12	PORTFOLIO BALANCE 31.10.12	INCOME FOR MONTH OF OCTOBER	INTEREST RATES % p.a.
		Short Term	Long Term	\$	\$	\$	
CASH AT CALL:							
Westpac	Corporate Investment Account (AA)	A1	AA	15,329,413	12,501,178	41,766	3.35
Commonwealth	At Call	A1	AA	174,342	-	1,617	3.35
Suncorp	At Call	A1	A	-	8,024	8,024	
UBS	Cash Account	A1	AA	4,004	3,793	491	
Total Cash At Call				15,507,759	12,512,995	51,898	
TERM DEPOSITS & BONDS							
<u>Short term deposits & bills (less than 90 days)</u>							
SunCorp	Term Deposit	A1	A	10,000,000			5.92
SunCorp	Term Deposit	A1	A	7,000,000		26,245	5.95
IMB	Term Deposit	A2	BBB	5,000,000	5,000,000	20,384	4.80
SunCorp	Term Deposit	A1	A	5,000,000	5,000,000	24,078	5.67
Bendigo/Adelaide	Term Deposit	A2	A	5,000,000	5,000,000	23,993	5.65
SunCorp	Term Deposit	A1	A	5,000,000	5,000,000	22,507	5.30
SunCorp	Term Deposit	A1	A	5,000,000	5,000,000	22,507	5.30
ANZ	Term Deposit	A1	AA	7,000,000	7,000,000	34,661	5.83
NAB	Term Deposit	A1	AA	10,000,000	10,000,000	44,164	5.20
Bendigo/Adelaide	Term Deposit	A2	A	5,000,000	5,000,000	21,232	5.00
Wyong Credit Union	Term Deposit	UNRATED	UNRATED	1,000,000	1,000,000	4,034	4.75
ING	Term Deposit	A1	A	5,000,000	5,000,000	21,784	5.13
				70,000,000	53,000,000		
<u>Medium Term Deposits (up to 365 days)</u>							
ING	Term Deposit	A1	A	5,000,000	5,000,000	21,615	5.09
ANZ	Term Deposit	A1	AA	5,000,000	5,000,000	21,233	5.00
Suncorp	Term Deposit	A1	A	5,000,000	5,000,000	21,870	5.15
ING	Term Deposit	A1	A	5,000,000	5,000,000	21,912	5.16
NAB	Term Deposit	A1	AA	10,000,000	10,000,000	42,381	4.99
ING	Term Deposit	A1	A	5,000,000	5,000,000	15,452	4.70
ING	Term Deposit	A1	A	5,000,000	5,000,000	21,785	5.13
Bendigo/Adelaide	Term Deposit	A2	A	5,000,000	5,000,000	21,233	5.00
Bendigo/Adelaide	Term Deposit	A2	A	5,000,000	5,000,000	21,232	5.00
Bendigo/Adelaide	Term Deposit	A2	A	5,000,000	5,000,000	21,021	4.95
Bendigo/Adelaide	Term Deposit	A2	A	5,000,000	5,000,000	15,123	4.60
				50,000,000	60,000,000		
<u>Non - Current</u>							
Westpac	Term Deposit	A1	AA	10,000,000	10,000,000	49,006	5.77
Bank of Queensland	Term Deposit	A2	BBB	6,000,000	6,000,000	26,499	5.20
Heritage	Senior Bond	A3	BBB	4,000,000	4,000,000	24,630	7.25
				20,000,000	20,000,000		
Total Term Deposit & Bonds:				140,000,000	133,000,000	610,581	
CASH MANAGEMENT FUNDS:							
<u>Non - Current</u>							
					2016		
				UNRATED	UNRATED (Estimate)	5,199,297	5,285,304
BlackRock Care & Maintenance Fund						86,007	
Total Cash Management Funds							
				5,199,297	5,285,304	86,007	
Current							
				135,507,759	125,512,995		
Non-Current							
				25,199,297	25,285,304		
TOTAL				160,707,056	150,798,299	748,486	

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

TRIM REFERENCE: F2004/06822 - D03185491

MANAGER: Jody Hinds, Chief Ranger

AUTHOR: Jon Scorgie; Senior Environmental Health Officer

SUMMARY

Reporting on the results of bacteriological tests for primary recreation water quality for the beaches in Wyong Shire and lake swimming sites in the Tuggerah Lakes catchment for the month of October 2012.

RECOMMENDATION

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

Primary Recreation Water Quality Monitoring Program

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

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

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

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

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

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 2012 (Summer Program)

For the month of October all ocean and lake beach sites achieved a star rating that is defined as being safe for swimming under the NHMRC 2008 for all samples taken.

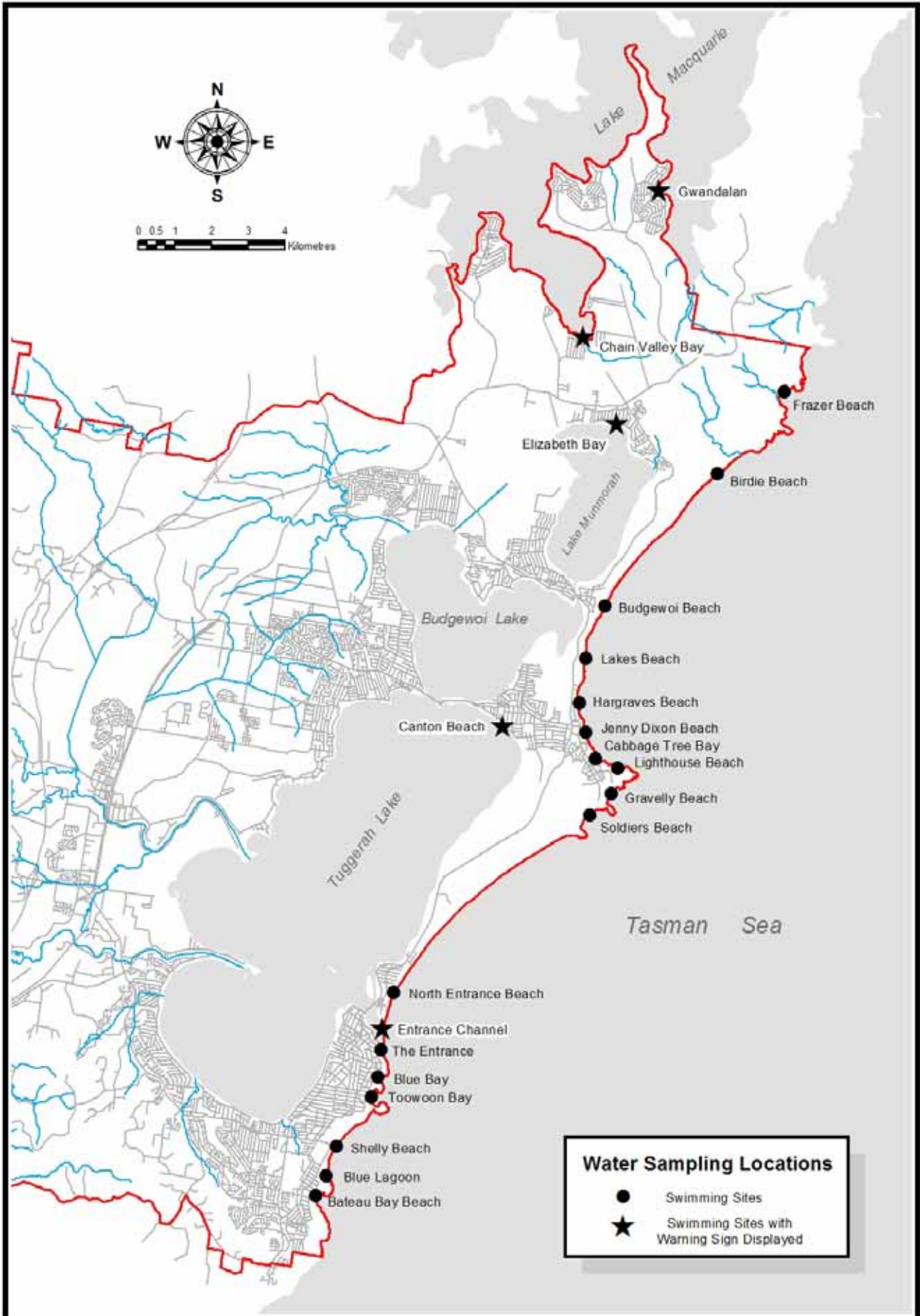
A definition of the star rating system can be seen in Table 1 below.

Table 1: 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 Locations D02345961



6.7 Outstanding Questions on Notice and Notices of Motion

TRIM REFERENCE: F2012/00026 - D03187221

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jacquie Elvidge; 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 | Table of Outstanding Questions on Notice and Notices of Motion - 28 November 2012 | D03187234 |
|---|---|-----------|

No	Department	Question Asked / Resolution	Meeting Councillor	Asked/ Councillor	Status
6.	Environment and Planning Services	<p>8.7 - Notice of Motion - Tree Vandalism Head</p> <p>1 <u>Note</u> with concern acts of environmental vandalism in relation to the poisoning of several mature trees in Mazlin Reserve at Norah Head.</p> <p>2 <u>Direct</u> the General Manager to urgently prepare a report regarding the actions and responses available to Council concerning acts of environmental vandalism in general, and specifically in relation to the poisoning of several mature trees in Mazlin Reserve at Norah Head.</p> <p>3 <u>Direct</u> the General Manager to discuss the possibility and capacity of Council to erect and maintain a "view blocking" barrier in the report.</p>	8 February 2012 Cr Cr	Symington / Wynn	F2012/00194 A report on this item will be submitted to November meeting.
7.	Environment and Planning Services	<p>Q18/12 - Sea Level Rise Outrage</p> <p>"Madam Acting General Manager, as reported in the local media the coast community is outraged at the prospect and impact of proposed sea level rise policy particularly as it will affect in Wyong Shire alone some 20 local suburbs and up to 10,000 individual homes. As this draft policy is having a profound affect on insurance and property value issues, planning, building and site usages, I respectfully request this matter now be reported urgently to Council. Could staff please advise when this would be?"</p>	9 May 2012 Cr	Best	F2009/00067 - D03003223 Report will be prepared upon receipt of updated direction from the State Government.

No	Department	Question Asked / Resolution	Meeting Councillor	Status
8.	Environment and Planning Services	<p>9.3 Notice of Motion - Assisting Housing Affordability</p> <p>1 <u>agree in principle to vary its policy to allow collection of s94 contributions for the contributions to be deferred until later in the development process.</u></p> <p>2 <u>request the General Manager to report on possible implementation procedures and benefits and disbenefits back to Council for approval prior to adoption.</u></p>	9 May 2012 Cr Eaton/Cr Best	Report being prepared for November round of meetings.
9.	Environment and Planning Services	<p>7.1 Notice of Motion - Housing Jump Start</p> <p><u>That Council direct the General Manager to report to Council on the benefits and disbenefits of a short term moratorium on Development Application fees, Construction Certificate fees and Complying Development fees for single detached housing and additions only.</u></p>	27 June 2012 Crs Eaton/Graham	F2008/02302 A report regarding this item is being prepared and will be submitted to Council late 2012
10.	Environment and Planning Services	<p>Q29/12 - General Store Compliance</p> <p><i>"I have received numerous representations with regard to the ongoing issue of compliance of a general store in Norah Head that now seats some 50-60 patrons "The General Store" can be booked online for functions or private gatherings, could you please outline how this activity has been able to be approved in a residential area under the guise of a general store? As this matter has been ongoing for some 6 months your response would be appreciated at your earliest convenience to assist those in question."</i></p>	25 July 2012 Cr Best	Awaiting advice from Legal Counsel on this matter.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
11.	Corporate Services – Economic & Property Development	<p>8.2 Notice of Motion - Re-evaluation of Strategic Direction in Shire's North</p> <p>1/17/12 That Council <u>note</u> the significant contribution our Community Precinct Committees make as a conduit between Council and the local community.</p> <p>1/12 That Council, as an advocate on behalf of the local community of our Shire's north, <u>request</u> the General Manager to seek timely responses to the key issues contained in the attached joint Precinct Committee submission.</p> <p>2/12 That Council <u>request</u> the General Manager to call for a meeting of key stake holders, Community, Government, land owners and relevant Departments, to discuss the strategic future of this massive 780 hectare site (Delta Electricity power stations and associated lands) that has the potential to profoundly impact Council's developed northern regions strategic plan / LEP.</p> <p>3/12 That Council <u>request</u> the General Manager to also seek direction from stakeholders on issues around site contamination and environmental assets with a prospect of rehabilitation such as Lake Colongra and various former natural overland flow paths.</p>	8 August 2012 Crs Best/Eaton	Investigations will take place and response will be submitted to a future meeting of Council.

No	Department	Question Asked / Resolution	Meeting Councillor	Status
		<p>4/12 That Council <u>request</u> the General Manager to reiterate to the relevant agencies the matters with regard to community elements of the Delta site contained in Item 2.1 Mayoral Minute - Proposed Transfer of Delta Electricity Land to Council for continued operation of the Extreme Sports Park, Koala Park and Camp Breakaway at San Remo adopted by Council on 23 May 2012.</p>		
12.	Infrastructure Management	<p>8.3 Notice of Motion - RV Friendly Town - Trial in the North of the Wyong Shire</p> <p>5/12 That Council <u>support</u> the Northern Lakes Regional Chamber of Commerce in its endeavours to pilot the "RV Friendly Town" concept in the North of the Wyong Shire.</p> <p>6/12 That Council <u>request</u> the General Manager to investigate options for installing two RV dump sites in the North of the Shire in consultation and conjunction with the Northern Lakes Regional Business Chamber and the Northern Lakes Disability Tourism Precinct Committee.</p> <p>7/12 That Council <u>request</u> the General Manager to submit a report detailing two feasible RV dump sites in the North of the Shire for piloting and trialling the RV Friendly Town concept, with one dump site being predominantly a "disability friendly" dump site, to Council for consideration.</p>	8 August 2012 Crs Vincent/ Symington	Investigations will take place and response will be submitted to a future meeting of Council.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
13.	Infrastructure Management	<p>8.4 Notice of Motion - Wyong Shire Community Purchasing Scheme</p> <p>8/12 That Council <u>note</u> with concern the significant socio-economic disadvantage this community faces, that was highlighted in the recent national census.</p> <p>9/12 That Council <u>request</u> the General Manager to seek to assist its community through broadening Council service delivery, with the implementation of a group/collective purchasing of services scheme.</p> <p>10/12 That, subject to resolution 4, Council <u>request</u> the General Manager to trial the scheme in the area of energy purchase in response to the escalating price of power, partially due to the carbon tax and in light of other highly successful energy purchase schemes run by various media outlets.</p> <p>11/12 That Council <u>direct</u> the General Manager to provide an indicative and conceptual report which outlines benefits, structural issues, resources, and possible revenues that may result in the scheme becoming cost neutral.</p> <p>12/12 That Council <u>request</u> the General Manager to consult with its Community Precinct Committees to evaluate the interest of any proposed system.</p>	8 August 2012 Crs Best/Eaton	Investigations will take place and response will be submitted to a future meeting of Council.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
14.	Environment and Planning Services	<p>7.2 Notice of Motion - Disability Friendly Miniature Railway in the North of the Wyong Shire That Council <u>support</u> in principle the Northern Lakes Disability Tourism Precinct Committee in its endeavours to establish a disability friendly miniature railway system in the north of the Wyong Shire.</p> <p>14/12 That Council <u>request</u> the General Manager to investigate possible locations for installing a disability friendly miniature railway system in the north of the Shire, as identified by and in consultation with, the Northern Lakes Disability Tourism Precinct Committee and the Pioneer Dairy Model Railway Group.</p> <p>15/123 That Council <u>request</u> the General Manager to prepare a report in response to the sites identified, outlining the feasibility of each site.</p>	22 August 2012 Crs Vincent/Wynn	Investigations will take place and response will be submitted to a future meeting of Council.
15.	Environment and Planning Services	<p>7.2 Notice of Motion - Sea Level Rise Removal</p> <p>1 That Council <u>acknowledge</u> that the 2009 NSW Sea Level Rise Policy Statement is no longer NSW Government Policy.</p> <p>2 That Council <u>acknowledge</u> the recommendation of the NSW State Government to consider an interim policy arrangement prior to the formal adoption of sea level rise projections.</p> <p>3 That Council resolve that its sea level rise interim policy consist of compliance with the 1% AEP flood level and 500mm freeboard allowance.</p> <p>4 That Council <u>request</u> the State</p>	10 October 2012 Councillors Nayna & Taylor	Investigations will take place and a response will be submitted to a future meeting of Council.

No	Department	Question Asked / Resolution	Meeting Councillor	Asked/	Status
		<p>Government to refer back to Council the adopted Wyong Shire Coastal Zone Management Plan for Council's review.</p> <p>5 That the General Manager provide an urgent briefing to Council on the implications of the State Government's recent coastal reforms.</p> <p>6 That the General Manager report back to Council on a program, cost estimate and timeframe for the review of current adopted Council policies that incorporate provisions in respect of sea level rise, including the adopted Wyong Shire Coastal Zone Management Plan.</p> <p>7 In circumstances where existing Government legislation or policy conflicts with Council's policy in No 3 above, the General Manager ensure that the matter is brought to Council for determination.</p> <p>8 That Council write to all holders of existing DA's that have time limited consents due to sea level rise issues and advise of the change in Council policies and invite them to submit Section 96 applications to remove the time limit from their consents.</p> <p>9 That Council waive all fees associated with any such Section 96 applications.</p>			
16.	Corporate Services	<p>7.3 Notice of Motion - Council Review the NSW Electoral Commission's Management of our 2012 Wyong Shire Elections</p> <p>1 That Council note the 2012 Wyong Local Government Election was managed, conducted and audited by the NSW Electoral Commission, costing our ratepayers a total of \$750,000 to our ratepayers.</p>	10 October 2012 Councillors Best & Webster		Investigations will take place and a response will be submitted to a future meeting of Council.

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

No	Department	Question Asked / Resolution	Meeting Councillor	Asked/	Status
17.	Community & Recreation Services	<p>the General Manager in the course of the election process.</p> <p>4 That Council <u>request</u> feedback from those Councils who used the NSW Electoral Commission.</p> <p>7.4 Notice of Motion - Wyong Skills Centre</p> <p>1 That Council <u>advise</u> the Department of Education, Employment and Workplace Relations (DEEWR) that it now wishes to proceed with the Wyong Skills Centre in partnership with Central Coast Group Training at its site at Bounty Close at Tuggerah.</p> <p>2 That Council <u>request</u> the Department of Education, Employment and Workplace Relations (DEEWR) to confirm that grant funding of some \$2.8 million is still available for this purpose and for DEEWR to advise the process and/or criteria required to access these funds</p> <p>3 That Council <u>develop</u> and submit, in partnership with Central Coast Group Training in accordance with DEEWR, guidelines a joint application within one month.</p> <p>4 That Council <u>authorise</u> the General Manager to approve the joint application and submission to DEEWR, subject to Council ratification.</p> <p>5 That Council <u>determine</u> that this item be actioned immediately due to its urgent nature.</p> <p>6 That Council <u>advise</u> DEEWR of this</p>	10 October 2012 Councillors Nayna & Troy		Joint letter from WSC and CCGT was sent to DEEWR on Friday 12 October 2012. DEEWR have confirmed receipt of this correspondence but were unable to provide any further advice on timing. Initial discussions with Council and CCGT staff occurred.

No	Department	Question Asked / Resolution	Meeting Councillor	Asked/	Status
18.	Environment and Planning Services	<p>resolution by close of business on Friday 12 October 2012.</p> <p>7 That Council <u>develop</u> to its satisfaction a suitable agreement with Central Coast Group Training with regards to this initiative.</p> <p>8 That Council <u>authorise</u> appropriate resourcing to undertake this task and the funding of these resources be considered at the September budget review.</p>			
		<p>7.1 Notice of Motion - Increase Wrack Collection from Tuggerah Lakes</p> <p>1 That Council <u>recognise</u> the need to double the wrack collection from Tuggerah Lakes, both through increased weed harvester operation and by collection from the lake foreshores.</p> <p>2 That Council <u>include</u> in its draft budget for 2013 – 2014 provision for such increased collection costs.</p> <p>3 That Council <u>request</u> the General Manager to submit a report to Council on "green tape" restrictions curtailing wrack collection/removal.</p> <p>4 That Council <u>direct</u> the Mayor and the General Manager to raise the State Government agencies' "green tape" restrictions with the Minister for the Central Coast at their regional forum meeting on 9 November 2012 and seek</p>	Councillors Troy & Taylor 24 October 2012		Report currently being prepared.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
19.	Infrastructure Management	<p>5 exemption/relaxation.</p> <p>That Council request the General Manager to submit a report to Council on the adequacy of existing equipment to achieve significant increase in wrack removal.</p>		
		<p>7.2 Notice of Motion - Daily Traffic Jams Through Wyong Township</p> <p>1 That Council recognise the importance of delivering the Pacific Highway upgrade through Wyong, linking up with the new Tuggerah Straight works as this is an economically vital road corridor providing business and job opportunities.</p> <p>2 That Council recognise that having regard to the State Government annual budgetary processes, the need to now facilitate its agreement/concurrence on this road upgrade to meet the new budgetary cycle.</p> <p>3 That Council give certainty to the hundreds of residents that live with the real prospect of the Pacific Highway upgrade bypass being funnelled through their residential streets, resulting in major loss of amenity, safety and property values/forced resumptions.</p> <p>4 That Council formally give the RMS its support and concurrence for the through town Pacific Highway upgrade favouring the maximum parking option to assist local businesses and finally get this road started.</p> <p>5 That Council request the General Manager to provide a report to Council in support of the RMS's preferred option along the existing Pacific Highway corridor that was exhibited in November 2011.</p>	Councillors Best & Webster 24 October 2012	Report currently being prepared.

No	Department	Question Asked / Resolution	Meeting Councillor	Status
20.	Environment and Planning Services	6 That Council <i>note</i> opportunity in the existing Pacific Highway corridor option to provide incremental improvements through the life of the project. Q34/12 Extension of Draft Pile Burning Policy Exhibition "Mr Mayor, to assist our local rural community on the issue of the Draft Pile Burning Policy now on public display, could Council extend the exhibition period for one month until the 26 November 2012?"	Councillor Best 24 October 2012	Response currently being prepared.
21.	Corporate Services	Q35/12 Purchase of Sections of Remaining Undeveloped Land at Wadalba Hill "Could staff please advise of any State of Federal Funding Schemes that may be available to purchase sections of remaining undeveloped land at Wadalba Hill for conservation purposes?"	Councillor Greenwald 24 October 2012	Response currently being prepared.
22.	Infrastructure Management Department	8.1 Notice of Motion – Northern Lakes Rugby League Sport and Recreation 445/12 That Council note the existing facilities established by the Northern Lakes Rugby League Sport and Recreation Club, at Gumbuyah oval on Tall Timbers Road Lake Munmorah, are utilised by the broader community, such as local schools, representative and community groups. 446/12 That Council note the Northern Lakes Rugby League Sport and Recreation Club has received grants in the order of \$80K from the State Government to build the slab and outer shell for a new Clubhouse. 447/12 That Council defer the outstanding contributions until an occupation certificate is issued.	Councillor Vincent and Greenwald 14 November 2012	Investigations will take place and a response will be submitted to a future meeting of Council.

No	Department	Question Asked / Resolution	Meeting Councillor	Asked/	Status
		448/12 <i>That Council, post construction of the new Clubhouse, authorise the Mayor and General Manager to extend similar arrangements to the Northern Lakes Rugby League Sport and Recreation Club that was offered to the Ourimbah Soccer Club in regard to the water and sewerage developer charges currently levied on the new amenities building.</i>			
23.	Corporate Services	8.2 Notice of Motion – Lakes Federal Funding Expenditure Report 449/12 <i>That Council note assurances given by staff at the 1 November 2012 Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee that all projects currently being conducted through Caring For Our Country Federal (CFOC) funding are on track.</i> 450/12 <i>That Council request an urgent confirmation report formally detailing the progress of each project against budget and compliance with funding guidelines and criteria.</i> 451/12 <i>That Council recognises and appreciates the recent supportive comments by the Member for Dobell in Parliament endorsing Council's outstanding performance and an example of best practice in environmental project management with regards to the current lakes projects.</i> 452/12 <i>That Council note the \$20m CFOC funding program is now drawing to a close and environmental indicators are still showing decline (WSC SoE report, 2011).</i> 453/12 <i>That Council request the General Manager to report on what dialogues and initiatives are in train to secure further funding to continue these vital Lakes restoration</i>	Councillors Troy and Taylor 14 November 2012		Investigations will take place and a response will be submitted to a future meeting of Council.

No	Department	Question Asked / Resolution	Meeting Councillor	Asked/	Status
		works.			
24.	Community and Recreation Services	<p>8.3 Notice of Motion – Council Advocate for End to So-called Scientific Whaling</p> <p>454/12 That Council note the increasing local employment and economic benefits associated with the growing phenomena of whale watching.</p> <p>455/12 That Council note that these animals are currently migrating down our local coastline only to be slaughtered in the Antarctic “whale sanctuary” aboard industrial factory ships.</p> <p>456/12 That Council condemn in the strongest possible terms, as an advocate on behalf of our local community, the continuing abuse of international laws by those insistent on continuing so-called scientific whaling of endangered whales</p> <p>457/12 That Council lend its voice, as a matter of urgency, to peak community and environmental groups in formally condemning this practice via correspondence to the Japanese embassy and our State and Federal Ministers for the Environment.</p> <p>458/12 That Council congratulate the local Whale Dreamers Festival Group that conducts the highly successful community whale awareness campaign known as the “Whale Dreamers Festival.”</p> <p>459/12 That Council direct the General Manager to report on progress to date and Council’s assistance with the 2013 Whale Dreamers Festival.</p>	Councillor Best and Taylor 14 November 2012		Investigations will take place and a response will be submitted to a future meeting of Council.
25.	Community and Recreation Services	8.4 Notice of Motion – Mobility Scooter Recharge Initiative	Councillor Best and Nayna		Investigations will take place and a response will be submitted to a future meeting of Council.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		<p>460/12 That Council note the huge growth in mobility scooter usage that assists our ageing and disabled population.</p> <p>461/12 That Council investigate the possible provision of conveniently located scooter power – up stations/points at key locations including public buildings in order to further assist these groups to access services and recreational pursuits.</p> <p>462/12 That Council seek to identify strategic industry partners to assist and/or sponsor any such mobility assistance program, with a view to it becoming cost neutral.</p>	14 November 2012	
26.	Building and Development Department	<p>8.5 Notice of Motion – Erosion of Yallara Island, The Entrance</p> <p>463/12 That Council note with concern the erosion of Yallara Island, adjacent to The Entrance Bridge, which is home to the iconic 80 year old date palm.</p> <p>464/12 That Council urgently investigate the permissibility and feasibility of using Council's dredge and geo-bags to repair the erosion and provide support to the date palm.</p> <p>465/12 That Council delegate and direct the General Manager to carry out such work subject to permissibility, feasibility and at a reasonable cost (i.e. less than \$50,000).</p> <p>466/12 That Council use this initial trial as an opportunity to capture important hydrological data with a view to the future possible use of the technology in the stabilisation of the channel precinct.</p> <p>467/12 That Council direct the General Manager to report to Council on the outcomes of this proposal.</p>	Councillor Taylor and Troy 14 November 2012	Investigations will take place and a response will be submitted to a future meeting of Council.
27.		Q37/12 Eradication of Feral Pests "My question is directed to the members of the	Councillor Graham	Response currently being prepared.

No	Department	Question Asked / Resolution	Meeting Councillor	Status
		<p>Save Tuggerah Lakes Party. One of the promises that you made at the recent Local Government Elections was to "eradicate feral pests – Rabbits, Foxes, Indian Mynas etc." and when were you going to do this? You promised to do it now.</p> <p>Wyong Shire is inundated with Rabbits in plague proportion, especially around the Chittaway and Shelly Beach areas. Foxes continue to roam the Shire, especially the North Entrance where they swim across to Terilbah Island and kill the Little Tern and their chicks; and as far as the Indian Myna birds are concerned, I counted ten of them in my own back yard this morning.</p> <p>My question is when are you going to deliver on your promise considering that you said that you would do it NOW?"</p>	14 November 2012	
28.		<p>Q38/12 Lakes bogged in Green Tape "Mayor Eaton, I note with great frustration the plethora of government requirements and approvals necessary (1 to 12 listed below) to carry out the most basic lakes restoration works that has cost Council millions in ratepayer funds, while the approval times and costs are often longer and more expensive than the actual works to be carried out.</p> <p>Mr Mayor could you please update Council on what initiatives and actions you have engaged in, in your first 50 days as Mayor, to address this green tape paralysis?</p> <ol style="list-style-type: none"> (1) An approval under Part VII of the Fisheries Management Act (1994) to dredge. (2) An approval under Part VII of the Fisheries Management Act (1994) to destroy vegetation (if seagrasses are involved). (3) An approval under Part VII of the Fisheries Management Act (1994) to reclaim land if the spoil is placed on a nearby bank or within a waterway as fill. 	Councillor Best 14 November 2012	Response currently being prepared.

No	Department	Question Asked / Resolution	Meeting Councillor	Status
		<p>(4) An approval from Department of Primary Industries Crown Lands to undertake works on Crown Land as well as other requirements relating to the placement of dredged material.</p> <p>(5) A licence under the National Parks and Wildlife Act (1974) to work with Endangered Ecological Communities such as salt marshes.</p> <p>(6) A licence to pollute (during construction) from the EPA under the Protection of Environment Operations Act 1997 (POEO).</p> <p>(7) Consideration of spoil removal and placement containing acid sulphate soils under the Contaminated Land Management Act 1997 with possible costs involved in moving spoil to the tip.</p> <p>(8) Consideration of the activity by officers from the Premier's Department Office of Environment and Heritage.</p> <p>(9) Notify Roads and Maritime for changes to navigable waters.</p> <p>(10) Produce a Review of Environmental Factors (REF) and a dredging design that considers all of the above. The dredging design would also incorporate a site survey, hydrodynamic considerations and a morphodynamic study to understand sand movements in the dredged channel or for areas of saltmarsh rehabilitation.</p> <p>(11) Use the REF and project design to obtain approvals under Part V of the EP&A Act. This approval would require appropriate community consultation. Other aspects for consideration would include the relevant LEP and DCP. any SEPP such as SEPP 71 Coastal Protection that is applicable, as well as relevant management plans such as Council's Estuary Management Plan.</p> <p>(12) The Federal Environmental Protection and</p>		

No	Department	Question Asked / Resolution	Meeting Councillor	Asked/	Status
29.		<p>Biodiversity Conservation Act (EPBC) 1999, may also come into consideration if significant threatened species are involved."</p> <p>Q39/12 Chromefest 2012 <i>"Mr Mayor, My family and I attended this years' Chromefest, held at The Entrance Memorial Park, and I would like to take this opportunity to recognise this outstanding calendar event. It would be greatly appreciated if you could pass on our thanks to The Entrance Town Centre Management, the organising partners and Council's operational and management staff for their tremendous assistance and management of this event?</i> <i>The event truly showcased Wyong Shire in the best possible way to thousands of visitors; again, I'd like to thank all involved."</i></p>	Councillor Best 14 November 2012		Response currently being prepared.
30.		<p>Q40/12 Disorder at Reserve Opposite Wyong Public School <i>"Could the Manager of Safety and Compliance please advise what they are doing to monitor and enforce action against the persons causing public disorder in the reserve opposite Wyong Public School in Cutler Drive, Watanobbi?"</i></p>	Councillor Greenwald 14 November 2012		Response currently being prepared.
31.		<p>Q41/12 Life Long Learning Department Funding <i>"Can staff please advise what funding has been received from the State Government over the past 4 years with respect to the Lifelong Learning department?"</i></p>	Councillor Matthews 14 November 2012		Response currently being prepared.

**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE
14 NOVEMBER 2012**

	Department	Question on Notice / Notice of Motion	Date Asked/ Councillor	Status
1	General Manager's Unit	Q31/12 Carbon Tax Impact on Rate payers	Councillor Best 22 August 2012	A response to this question is included in this Business Paper.
2	Building and Development Department	Q33/12 EPA Pile Burning Penalties	Councillor Best 24 October 2012	A response to this question is included in this Business Paper.
3	Infrastructure Management Department	Q36/12 Update on Charmhaven Walkway	Councillor Vincent 24 October 2012	A response to this question is included in this Business Paper.

7.1 Answers to Question on Notice

TRIM REFERENCE: F2004/06579 - D03179343 AUTHOR: MM

7.1 Q31/12 - Carbon Tax Impact on Rate payers

The following question was asked by Councillor Best at the Ordinary Meeting on 22 August 2012 :

“Mr General Manager, further to your staff report, item 4.3 of the 23 May 2012 meeting, staff highlight that the carbon tax will only directly add \$26.45 per annum to the rates. The report goes on to outline “however in real terms the impact on Wyong Shire Council (WSC) cost is estimated to be much higher as materials and services purchased from external suppliers take effect during the year, for example the nature of WSC business is such that significant components of purchase costs will be significantly affected by the tax and passed on to the Wyong Shire operational cost”...“Utility, fuel and energy costs will increase by \$1.9m”... “Waste management anticipated \$4.4m”... “Concrete and bitumen \$1.1m”... “Other indirect costs to suppliers \$4.0m”. These increases represent a huge “uncompensated” increase of \$11.4m to Council and the rate payers, could staff now please provide a new and updated assessment of likely budgetary impacts as a result of the carbon tax to our new 2012 council?”

The Federal Government established a carbon pricing mechanism to reduce the amount of carbon dioxide that Australia emits into the atmosphere. The carbon pricing mechanism commenced on 1 July 2012.

The introduction of a carbon price in 2012-13 of \$23 per tonne of carbon dioxide equivalent emissions will impact Council as a consumers of inputs directly through increased electricity and fuel costs and indirectly through increased costs of raw materials, (such as steel, bitumen, concrete and timber) and as producers of emissions through the operations of landfills.

There are many variables that influence the ability to provide accurate estimates of cost increases, namely:

- changes in prices of alternatives as a result of greater demand for substitutes
- increases being transferred to service users (through charges)
- pricing behaviours of suppliers and levels of market competition
- general changes in volumes of goods and services demanded as a result of demographic and other growth
- abatement programs in receiving landfills

The following is a summary of the significant impacts of the Carbon Price on Council Operations in 2012-13.

Electricity Prices

Electricity prices are expected to rise by 10% in 2012-13. Based on current costs, this could impact Council by \$0.3m for street lighting and \$0.5m for 'other electricity usage'. This was factored into Council's 2012-13 budget and forward estimates in the Long Term Financial Strategy.

Over half of the 'other electricity usage' category relates to Water and Sewer and these increases will be included and recouped in future IPART pricing determinations.

Minimising electricity consumption will save Council money and reduce greenhouse gas emissions. To encourage Councils to take up energy efficiency opportunities, the Federal Government has established a \$200m Community Energy Efficiency Program to work with Councils and community organisations to implement energy efficiency upgrades and retrofits. Grants of up to \$5m are available under this program.

Fuel Costs

The carbon price will not apply to fuel used by light vehicles and heavy on-road transport will not be covered until 2014-15. Therefore the increase in direct costs associated with automotive fuels will be negligible.

Raw Material and Construction Costs

The impact of the carbon price on raw materials such as steel, bitumen, concrete and timber is projected to be modest.

Steel, bitumen and concrete industries are emissions intensive and trade exposed. The Government will initially provide trade exposed industries with free permits to meet their carbon price obligations. This means that there should be only very minimal pass through of carbon price impacts on these construction inputs. Treasury have factored 0.75% to 1% per cent increase in Councils' capital outlays on building and non-building construction.

The Federal Government will also continue to index its Financial Assistance Grants paid to Councils, so any increased costs that flow from the carbon price will be captured in the indexation of funding for Councils.

General CPI Increase

Estimates of the effect of the carbon price on CPI have been made by Commonwealth Treasury. Treasury estimate that CPI will increase by 0.7% in 2012-13 due to the carbon price.

Waste Management

Council may be liable for the emissions generated from new waste accepted at BWMF from 1 July 2012 (i.e. legacy waste is excluded from the carbon pricing mechanism). Due to the nature of landfill gas generation and emissions in a landfill, it is assumed that no gas is generated from new waste accepted at a landfill site in the first year. Therefore the first year that Council may pay the Federal Government for emissions is 2013-14. Based on Treasury modeling of the carbon price, if the liability materialises, the estimated financial impact for the 2013-14 year will be approx \$96,000. If no actions were taken to further reduce emissions, the cost would compound each year and may be in the order of \$4m by 2039.

7.1 Q31/12 - Carbon Tax Impact on Rate payers (contd)

In the 2012-13 budget the Domestic Waste Management Charge has increased due to the introduction of a carbon price. The same pricing methodology was incorporated into all other waste services using a pro-rata method.

Council will continue to minimise impacts of the carbon price by continuing its current programs to reduce and recycle waste, capture landfill gases and investigate alternative methods to manage wastes in an environmentally acceptable manner.

A second power generator has been added to BWMF's gas collection system which will further reduce the level of carbon emissions from legacy waste. It should be noted however, that gas collection from legacy waste can not be used to offset emissions from post-legacy waste therefore would not reduce Council's potential future carbon liability.

The reduction of organic waste entering BWMF will also assist in reducing Council's carbon emissions. These organics largely include food, paper, cardboard and garden waste and stem from the domestic and commercial and industrial waste streams. The development of a carbon management strategy for the site will assist in targeting these materials for diversion from landfill.

Impact on Ratepayer

In setting the 2012-13 rate peg amount IPART included a 0.4% allowance for the impact of the carbon price.

The 0.4% was based on Commonwealth Treasury estimates on the impact of the carbon price. In setting the 0.4%, IPART sought to strike a balance between ensuring Councils can meet the increased costs of delivering services and ensuring that Councils share efficiency gains, with ratepayers, for example from energy efficiency programs or investing in renewable energy sources.

IPART use the Local Government Cost Index (LGCI) that is similar to CPI to measure changes in prices for a typical Council. It measures the change in price of a fixed 'basket' of goods and services that are purchased by Councils over a given period, relative to the price of that same basket from a base period. There are 26 components of the index. When calculating the 2013-14 rate peg limit, IPART will look at the actual cost increases that Councils have incurred and set a rate peg adjustment accordingly.

Council's can respond to the introduction of the carbon price in a variety of ways, including:

- absorbing higher costs through operational savings and service reviews
- increasing user pays charges for services
- raising waste management charges to reflect the higher cost of landfill and related operations
- increasing energy efficiency and investing in renewable energy sources, possibly with assistance from the Federal Government

Council will continue to review and change some of our practices and systems to reduce the impact of the carbon price.

ATTACHMENTS

Nil.

7.2 Answers to Question on Notice

TRIM REFERENCE: F2012/00027 - D03178877 AUTHOR: DL

7.2 Q33/12 - EPA Pile Burning Penalties

The following question was asked by Councillor Best at the Ordinary Meeting on 24 October 2012 :

"Mr Mayor, could you confirm if the EP&A, under the protection of the Environment Operations (clean air) Regulations 2010, only have the right to issue pile burning permits, could staff look into this and what affect it may have, if any, on Council's Draft Pile Burning Policy?"

At this point only the EPA may grant an approval to permit burning where otherwise prohibited. This is because Council is currently listed in Part 1 of Schedule 8 of the Regulation to the Protection of the Environment Operations Regulation.

As part of the process to facilitate responsible pile burning in rural areas of the Shire, WSC would need to request the Air Policy Unit in OEH to change its listing and this would need to be gazetted before it took effect. This formed Recommendation 4 of the Council report on 8 August 2012, which became part of the Council resolution.

The Wyong Bush Fire Management Committee is aware of the process and has endorsed Council's approach.

Investigations have been undertaken with the relevant EPA (Environment Protection Authority) officers in Sydney and Newcastle to determine if it has a policy or procedure to assist in obtaining approval under Section 13 of the Regulation. The following advice was received from the Manager of the EPA Newcastle Office.

- "1 There is no set policy or procedure, landowner would write in. If necessary the EPA would then need to write back for further details, maps etc of the proposal. The EPA may choose to inspect the pile before granting approval.*
- 2 There are no resources allocated to this task and any application would be processed as resources were available. Pile burn approvals are not considered a high priority.*
- 3 Generally, the answer would be NOT to approve. The exception is in very specific cases where ecological objectives are being achieved e.g. burning to regenerate rare orchids on the Busways site at Charmhaven.*
- 4 There is no fee to the EPA."*

ATTACHMENTS

Nil.

7.3 Answers to Question on Notice

TRIM REFERENCE: F2008/02625 - D03173977 AUTHOR: AP

7.3 Q36/12 - Update on Charmhaven Walkway

The following question was asked by Councillor Doug Vincent at the Ordinary Meeting on 24 October 2012:

“Could staff please advise and update on the pedestrian crossing, ramp, slow bars, bench and ends for the Charmhaven walkway at Moala Parade, Charmhaven”.

In April 2010, Council resolved to sell two parcels of surplus residential land located between Moala Parade and Charmhaven Avenue, Charmhaven subject to the creation of a pedestrian walkway along the western boundary. The formation of the walkway was in direct response to community concerns over the resulting loss of access between the two roads, via a bushland track.

In 2011, following the sale and subsequent construction of two dwellings on the allotments, a section of concrete footpath was completed within the walkway. At the completion of the concrete pathway, which aligns with property boundaries, users could then walk along the flat well grassed road verge towards their destination.

At the Moala Parade end of the walkway there exists a flat section of road verge followed by a steep drop-off to the road pavement below. This was formed due to the cut into the embankment at the time of original road and subdivision construction. Prior to construction of the walkway those wanting to cross Moala Parade had the choice of taking the shortest route via navigating down the steep embankment or otherwise walking along the verge a short distance to an established vehicle crossing or an alternative location with less grade.

At the time of construction of the pathway, options for extension of the pathway down the embankment to the Moala Parade road pavement were considered. It was determined at the time that it would be feasible to construct a ramp which would meet current pedestrian standards given the slope of the embankment. Given the identified hazard associated with Council having now formalised a walkway leading directly to the embankment, a section of 'pool fence' was installed at the top of the embankment to direct users to turn in either direction down the roadside verge when exiting the walkway.

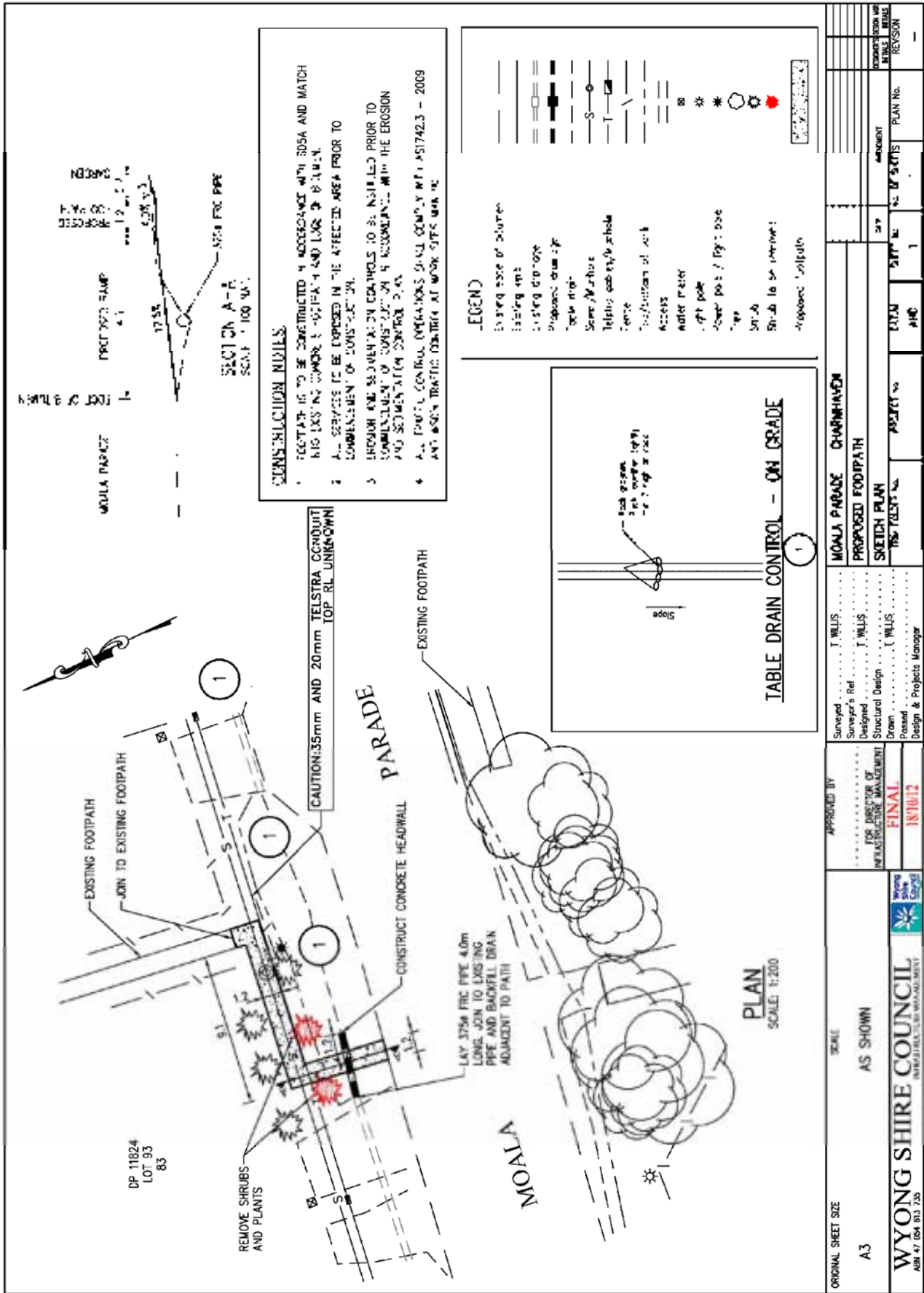
Following further community representation on the matter and a detailed survey of the location, an opportunity for the construction of a pedestrian ramp compliant with pedestrian standards was developed. The key aspects of the design is an approximately 8 metre extension to the existing concrete footpath westward, maintain the existing fencing, construct a concrete ramp at 12.5% grade with an underlying stormwater drain or pipe, install barriers to slow down bikes/skateboards prior to crossing the road, and the removal of shrubs to improve sight distances. These relatively minor works are considered to represent the conclusion of this walkway project and are proposed to be completed in 2012/2013 as part of Council's footpath program.

7.3 Q36/12 - Update on Charmhaven Walkway (contd)

There is no current proposal to install a pedestrian refuge or seating on Moala Parade. It is noted that the road is of insufficient width to accommodate a design standards compliant structure. In addition the location is not considered to be a priority relative to others with significantly higher pedestrian numbers, traffic speed, and volumes. There has been no commitment to residents to construct a pedestrian refuge on Moala Parade or bench seats at this location.

ATTACHMENTS

- | | | |
|----------|--|-----------|
| 1 | Moala Parade Final Sketch | D03183945 |
| 2 | Moala Parade Charmhaven - Works on Laneway | D03185768 |

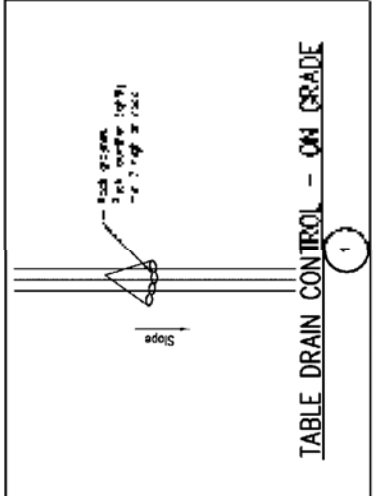


CONSTRUCTION NOTES

- FOOTPATH TO BE CONSTRUCTED IN ACCORDANCE WITH BOSA AND MATCH BIG LINES TO CORNER 1 - 0.1114-1 AND LONG 2 - 0.1114-1.
- ALL SERVICES TO BE DEPOSED IN THE AFFECTED AREA PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- EROSION AND SEDIMENTATION CONTROLS TO BE INSTALLED PRIOR TO COMMENCEMENT OF CONSTRUCTION IN ACCORDANCE WITH THE EROSION AND SEDIMENTATION CONTROL PLAN.
- ALL TRAFFIC CONTROL MEASURES SHALL COMPLY WITH AS1742.3 - 2009 AND MUST BE INSTALLED AT WORK SITE BARRIERS.

LEGEND

- Existing edge of drainage
- Existing pipe
- Existing drainage
- Proposed drainage
- Table drain
- Service / Manhole
- Tablets edge of table
- Fence
- Top/bottom of curb
- Access
- Water meter
- Left pole
- Lower post / Right pole
- Tree
- Shrub
- Shrub to be removed
- Proposed footpath



ORIGINAL SHEET SIZE	A3	SCALE	AS SHOWN	APPROVED BY	J. MILLIS	MOALA PARADE CHURCHMANEN
				FOR DIRECTOR OF INFRASTRUCTURE MANAGEMENT	J. MILLIS	PROPOSED FOOTPATH
				FINAL	J. MILLIS	SKETCH PLAN
				18/10/12	J. MILLIS	NO. OF SHEETS
						1
						PLAN No.
						REVISION
						REVISION

WYONG SHIRE COUNCIL
INFRASTRUCTURE MANAGEMENT



8.1 Notice of Motion - Comprehensive Review of Tree DCP, Chapter 14

TRIM REFERENCE: F2005/02982 - D03193542

AUTHORS: Greg Best; Councillor

Lloyd Taylor; Councillor

Councillors Best and Taylor have given notice that at the Ordinary Council Meeting to be held on 28 November 2012 they will move the following Motion:

- “1 That Council note the numerous reports of damage to public and private property arising from inappropriate species growing in near proximity to structures.
- 2 That Council note the statistics for tree applications for 2012; 85% - 397 approved/ 62 refused (Councillor Business Update November 2012).
- 3 That Council direct the General Manager to undertake a comprehensive review of the Tree DCP (Chapter 14) which includes the following:
 - a minimisation of risk to life and property while having regard to streamlining the application process.
 - b the cost to the community and Council of processing tree removal applications.
 - c increasing the number of species included in the exempt development category (i.e. removal without consent) having regard to the statistical data of approved applications for 2012.
- 4 That Council receive a report as a priority, which indicates the review process and the likely timeframes.”

RESOURCES

Current staff resources within the Policy and Land Use Section of the Sustainability Unit are fully committed in the short to medium term. Staff are fully committed preparing for and managing the public exhibition and community engagement for draft WLEP 2012, Draft Settlement Strategy and draft DCP 2012. In addition, other projects are at critical stages, including, but not limited to, Precinct 7A (consideration of submissions and report), Wyong Employment Zone (public exhibition) and Craigie Avenue Employment Zone (public exhibition).

A further review of Chapter 14 has not been programmed in the short to medium term should Council resolve to support this Notice of Motion and additional resources will be required.

Alternatively, a resource currently allocated to existing projects would need to be reallocated affecting the delivery of those projects. Considerable time and staff resources would also need to be allocated from within the Development Assessment Unit in order to adequately address the requirements of the review.