



Wyong
Shire
Council
CENTRAL COAST



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Wyong Shire Council

Business Paper

ORDINARY COUNCIL MEETING

26 March 2014

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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 26 MARCH 2014 at 5.00pm,
for the transaction of the business listed below:

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY

RECEIPT OF APOLOGIES

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6 CONFIDENTIAL ITEMS

6.1	Sick Leave Cash-out Option
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7 QUESTIONS ON NOTICE ASKED

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

Michael Whittaker
GENERAL MANAGER

1.1 Disclosures of Interest

TRIM REFERENCE: F2013/02042 - D06017120

MANAGER: Lesley Crawley, Manager

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: F2013/02042 - D06017168
MANAGER: Lesley Crawley, Manager
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
26 March 2014	Final draft strategic plan preview	GM Unit
26 March 2014	Stage 2 Reclassification - Part Two (of four)	Property and Economic Development
26 March 2014	Aquatic Infrastructure Strategy	Community and Recreation Services
26 March 2014	Tuggerah Gateway Site	Development and Building
26 March 2014	Rating Structure	GM Unit

RECOMMENDATION

That Council receive the report on Proposed Inspections and Briefings.

ATTACHMENTS

- 1 Councillor Proposed Briefings - Ordinary Meeting 26 March 2014 D06251141

Proposed Briefings and Inspection List to date

Briefing Title:	Directorate:	Proposed Month:	Proposed Date:
Final draft strategic plan preview	GM Unit		26/03/2014
Stage 2 Reclassification - Part Two (of four)	Property and Economic Development		26/03/2014
Aquatic Infrastructure Strategy	Community and Recreation Services		26/03/2014
Tuggerah Gateway Site	Development and Building		26/03/2014
Rating Structure	GM Unit		26/03/2014
INSPECTION - 'The Glen' Chittaway Bay	GM Unit		02/04/2014
INSPECTION - 7 Kyte Place Tumby Umbi - Proposed Place of Worship	Development and Building		02/04/2014
Stage 2 Reclassification - Part Three (of four)	Property and Economic Development		09/04/2014
Dept of Planning - Culture Change Across the Planning Sector	GM Unit		09/04/2014
Sponsorship	Community and Recreation Services		09/04/2014
Tourism	Community and Recreation Services		09/04/2014
Stage 2 Reclassification - Part Four (of four)	Property and Economic Development		23/04/2014
Community Ward Forums	Community and Recreation Services		23/04/2014
INSPECTION - Tuggerah Lakes (Possible full day)	Infrastructure Management		07/05/2014
Natural Resources Management Strategy	Property and Economic Development		14/05/2014
Biodiversity Management Plan	Property and Economic Development		14/05/2014
Consider submissions, Q3 report, Make rates, fees and charges, Adopt Strategic Plan	GM Unit		28/05/2014
Engagement Frameworks Status & First Ward Forums Evaluation	Community and Recreation Services		28/05/2014
Pioneer Dairy	Community and Recreation Services	April	
Magenta Shared Path	Community and Recreation Services	April	
Positive Ageing Strategy	Community and Recreation Services	May	
Recreation Centres Future	Community and Recreation Services	May	
Customer Service	Community and Recreation Services	May	
Library Future	Community and Recreation Services	May	
Brand	Community and Recreation Services	May	
Skate Strategy	Community and Recreation Services	June	
Facts of and Strategy for Tidy Towns & LandCare	Community and Recreation Services	July	
Social Return on Investment	Community and Recreation Services	July	
Library Future - Overview	Community and Recreation Services	July	

1.3 Address By Invited Speakers

TRIM REFERENCE: F2013/02042 - D06017218
MANAGER: Lesley Crawley, Manager
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: F2013/02042 - D06017224

MANAGER: Lesley Crawley, Manager

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on Wednesday 12 March 2014.

RECOMMENDATION

That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 12 March 2014.

ATTACHMENTS

1 Minutes - Ordinary Meeting 12 March 2014 D06189085

WYONG SHIRE COUNCIL

**MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 12 MARCH 2014
COMMENCING AT 5.00PM**

PRESENT

Councillors D J Eaton (Chairperson), G P Best, R L Graham, K G Greenwald, L A Matthews (arrived at 5.13pm), L R Y Nayna, L S Taylor, A Troy, D P Vincent and L D Webster.

IN ATTENDANCE

General Manager, Acting Director Development and Building/General Counsel, Director Infrastructure and Operations, Director Property and Economic Development, Director Community and Recreation Services, Manager Communications, Manager Corporate Governance, Manager IT and Operations, Team Leader Governance and Councillor Services and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.02 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

Councillor Eaton delivered the opening prayer and Councillor Vincent read an acknowledgment of country statement.

Maxine Kenyon, Director Community and Recreation Services gave a brief explanation on the recent Workcover audit and thanked the two teams involved with the audit (Public Trees and Care and Education) and Work, Health and Safety section for input into the excellent results received.

Greg McDonald, Director of Infrastructure and Operations, advised that long serving staff member Mr Larry Jeffrey passed away last Thursday evening.

Larry was a valued member of the Wyong Council Stores team for the past 21 years and will be greatly missed by his family and co-workers.

His funeral is being held on Friday 14 March 2014 and there will be a number of staff members attending.

APOLOGY

There were no apologies.

At the commencement of the ordinary meeting report no's 1.1, 1.5, 2.1, 3.1, 4.1, 4.3, 5.1 and 7.1 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.

PROCEDURAL MOTION

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

198/14 That Council allow meeting practice to be varied.

199/14 That Council use the exception method to deal with the balance of the Agenda.

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

200/14 That with the exception of report numbers 1.5, 2.1, 3.1, 4.1, 4.3, 5.1 and 7.1 Council adopt the recommendations contained in the remaining reports.

1.1 Disclosures of Interest

3.1 CPA/237919 - Norah Head Boat Ramp - Construction

Councillor Nayna declared a non-pecuniary insignificant interest in the matter, item 3.1 - CPA/237919 - Norah Head Boat Ramp – Construction, for the reason that he is employed by the Federal Member for Dobell and the Federal Government has provided funds towards this project.

Councillor Nayna 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.”

4.3 Proposed Councillors' Community Improvement Grants

Councillor Vincent declared a non-pecuniary insignificant interest in the matter, item 4.3 - Proposed Councillors' Community Improvement Grants, for the reason that he is a member of Scouts NSW Budgewoi Group.

Councillor Vincent stated:

“I choose to leave the chamber and not participate in discussion and voting on this matter.”

Councillor Vincent left the meeting at 5.39pm and returned to the meeting at 6.07pm during consideration of this item and as a result took no part in voting.

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

201/14 That Council receive the report on Disclosure of Interest and note advice of disclosures.

1.2 Proposed Inspections and Briefings

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

202/14 That Council receive the report on Proposed Inspections and Briefings.

1.3 Address By Invited Speakers

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

203/14 That Council receive the report on Invited Speakers.

1.4 Confirmation of Minutes of Previous Meeting

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

204/14 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 26 February 2014.

Business Arising

There was no business arising.

1.5 Mayoral Minute - Bluetongue Brewery

Councillor Matthews arrived at 5.13pm during consideration of this item .

RESOLVED unanimously on the motion of Councillor EATON:

205/14 That Council note this report.

206/14 That Council ratify the actions of the Mayor and GM in actively pursuing retention of the Bluetongue factory.

207/14 That Council delegate authority to the Mayor and GM to enter into agreements in relation to the retention of the factory site.

2.1 RZ/3/2012 - Planning Proposal - Craigie Avenue Precinct Kanwal - Outcome of Exhibition

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

208/14 That Council request the General Manager to exercise the Written Authorisation to Exercise Delegation for RZ-3-2012 issued by the Director General DoPI and proceed with the steps for drafting and making the LEP for the rezoning of the Craigie Avenue Precinct.

209/14 That Council adopt draft Wyong DCP 2013 Chapter 6.15 – Craigie Avenue Precinct and give appropriate public notice within 28 days that the draft DCP will come into effect on the date the LEP amendment comes into effect.

210/14 That Council forward a copy of amended Wyong Development Control Plan 2013 to the Director General of the NSW Department of Planning & Infrastructure within 28 days of the draft DCP coming into effect.

211/14 That Council advise those who made submissions of the decision.

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

AGAINST: NIL

3.1 CPA/237919 - Norah Head Boat Ramp - Construction

Councillor Nayna declared a non-pecuniary insignificant interest in the matter, item 3.1 - CPA/237919 - Norah Head Boat Ramp – Construction, for the reason that he is employed by the Federal Member for Dobell and the Federal Government has provided funds towards this project.

Councillor Nayna 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.”

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

212/14 That Council accept the tender received for Scope of Works ‘B’ from the company Bolte Civil Pty Ltd in the attached Tender Evaluation Report, for the estimated total amount of \$2,211,872.50 (excl GST) for Contract CPA/237919 – Norah Head Boat Ramp - Construction.

213/14 That Council determine 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, except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.

3.2 CPA/224705 - Dewatering of Sludge Lagoons at 4 Sewage Treatment Plants and Mardi Water Treatment Plant for a 3 Year Period

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

214/14 That Council accept the tender from the company Waste Processing Solutions Pty Ltd in the attached Tender Evaluation Report, for a period of up to 3 years for Contract CPA/224705 – Dewatering of Sludge Lagoons at Four Sewage Treatment Plants and Mardi Water Treatment Plant for a 3 Year Period. The estimated annual expenditure against this contract is \$425,000.00 per annum (excl GST), however actual expenditure may vary significantly with fluctuations in demand.

215/14 That Council determine 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 except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.

216/14 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.\

4.1 Preparation/Lodgement of Subdivision Development Application and Subsequent Market Offering 30 Jack Grant Avenue, Warnervale (Council Owned Land)

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

217/14 That Council note a development application (DA) for subdivision of Council owned land at 30 Jack Grant Avenue, Warnervale will be lodged in March 2014.

218/14 That Council note that an independent valuation of the site will be commissioned to establish the fair market price of the site.

219/14 That Council authorise whichever gives the higher return:

219/1 The sale of the site as an englobo development parcel through a competitive sales and marketing campaign, provided the sales price is not less than the independent valuation, subject to the approval of the above DA and/or

219/2 call for expressions of interest for potential development partners for the site.

4.2 Conference Attendance - Regional Airport Development 2014, Brisbane QLD

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

220/14 That Council note the approval granted by the General Manager for the Mayor and delegated Staff to attend the Regional Airport Development Conference 2014 in accordance with the Council's Facilities and Expenses Policy for Councillors.

221/14 That Council authorise the reimbursement of expenses for Councillors and partners in accordance with the Council's Facilities and Expenses Policy for Councillors.

4.3 Proposed Councillors' Community Improvement Grants

Councillor Vincent declared a non-pecuniary insignificant interest in the matter, item 4.3 - Proposed Councillors' Community Improvement Grants, for the reason that he is a member of Scouts NSW Budgewoi Group.

Councillor Vincent stated:

"I choose to leave the chamber and not participate in discussion and voting on this matter."

Councillor Vincent left the meeting at 5.39pm and returned to the meeting at 6.07pm during consideration of this item and as a result took no part in voting.

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

222/14 That Council allocate an amount of \$4,220.00 from the 2013-14 Councillors' Community Improvement Grants as follows:

12 March 2014		
1st Tumbi Scout Group (\$3200)	Clean out dam	1,300
Central Coast Lakes District Scouts (\$1350)	Maintenance to Scouts Saltwater Creek Boatshed at Long Jetty	250
Ourimbah United Football Club (\$990)	Purchase a PA System	990
Street Ratz Hotrod & Kustom Club (\$4000)	To assist with the Hotrod and Kustom Car Show	200
Toowoona Bay SLSC (\$4000)	60th Anniversary Celebrations	1,300
Wyong Family History Group Inc (\$180)	To cover the cost of rejuvenating an old and valuable atlas.	180

223/14 That Council provide a monthly report to Councillors on the CCIG Grant applications that have not been fully allocated.

4.4 Councillor Attendance - Sculptures on the Green, Kooindah Waters Golf and Spa Resort, Wyong.

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

224/14 That Council authorise those interested Councillors to attend the Sculpture on the Greens Gala Opening Evening.

225/14 That Council meet reasonable expenses incurred by Councillors and their partners attending the above function in accordance with Council's Facilities and Expenses Policy for Councillors.

4.5 Councillor Attendance - Central Coast Economic Breakfast, Mingara Recreation Club, Tumbi Umbi

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

226/14 That Council authorise those interested Councillors to attend the Central Coast Economic Breakfast at Mingara Recreation Club, Tumbi Umbi.

227/14 That Council meet reasonable expenses incurred by Councillors and their partners attending the above function in accordance with Council's Facilities and Expenses Policy for Councillors.

5.1 Road Capital Works Program

Councillor Greenwald left the meeting at 6.08pm and returned to the meeting at 6.10pm during consideration of this item.

Councillor Matthews left the meeting at 6.18pm and returned to the meeting at 6.19pm during consideration of this item.

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

228/14 That Council receive the report on the status of the Council's Road Capital Rolling Works Program.

5.2 Outstanding Questions on Notice and Notices of Motion

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

229/14 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

7.1 Notice of Motion - Shire Wide Spring Clean and Free Tip Access

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

230/14 That Council recognise the urgent need to provide more flexible tipping options in an effort to curb escalating illegal dumping.

231/14 That Council direct the General Manager to investigate and report around the following improvement initiatives to assist ratepayers and minimise the risk of illegal dumping in our Shire:

213/1 Convert a number of the current free kerb side pick-ups to free tip access, thereby providing ratepayers with tangible tipping options.

213/2 The feasibility / logistics of 'whole area pick ups' similar to many Sydney LGAs to provide a suburb wide spring clean option in the lead up to the 2014 Christmas break.

213/3 Review, in partnership with Remondis, the kerb side pick-up booking process with a view to improved service delivery and systems efficiencies.

QUESTIONS ON NOTICE

**Q58/14 Installation of GPS units in Council Vehicles
Councillor Lisa Matthews**

"Can information be provided regarding what additional benefit the community will see through the installation of GPS units to not only the trucks in parks and reserves but also to the trailered parks and reserves mower that will detect both when the mower blades are up and or down?"

Q59/14 Melanoma March
Councillor Greg Best

“Mr Mayor, I understand that the annual Melanoma March is to be held on Sunday 23 March 2014 at Gosford Waterfront. I have been approached by the Central Coast Melanoma Support Group for assistance in highlighting the importance to the broader community in attending this important awareness event. Could you please be so kind as to refer this request to our Communications section for their assistance? Also an appropriate reference/story in your Mayoral column would be appreciated?”

Q60/14 Lake Haven Skateboard Ramp
Councillor Greg Best

“Mr Mayor, I have received numerous representations from a broad cross section of the community on issues associated with Council’s endeavours to relocate the Lake Haven skateboard ramp. Such is the community concern, that more than 50 local residents attended a community meeting on 7 February 2014 where it was unanimously resolved not to locate this facility in the suggested proximity of local residents. Could you please have staff provide council with a brief update of the current situation, options and suggested recommendations that will limit the impact to the local community?”

Q61/14 RMS UpGrade to Pacific Highway
Councillor Ken Greenwald

“Can Council gain a status report on the latest plan – options for the RMS upgrade of the Pacific Highway through Wyong Township?”

THE MEETING closed at 6.38pm.

1.5 Notice of Intention to Deal with Matters in Confidential Session

TRIM REFERENCE: F2013/02042 - D06017337

MANAGER: Lesley Crawley, Manager

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 matter in Confidential Session, pursuant to Sections 10 A (2) (a) of the Local Government Act 1993:

6.1 – Sick Leave Cash-out Option

2 That Council note its reason for considering Report No 6.1 – Sick Leave Cash-out Option as it contains personnel matters concerning particular individuals (other than Councillors).

3 That Council request the General Manager to report on the matter in open session of Council.

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

“2(a) personnel matters concerning particular individuals (other than Councillors),

2(b) the personal hardship of any resident or ratepayer,

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(d) commercial information of a confidential nature that would, if disclosed:

(i) prejudice the commercial position of the person who supplied it, or

(ii) confer a commercial advantage on a competitor of the Council, or

(iii) reveal a trade secret,

2(e) information that would, if disclosed, prejudice the maintenance of law,

1.5 Notice of Intention to Deal with Matters in Confidential Session (contd)

- 2(f) matters affecting the security of the Council, Councillors, Council staff or Council property,*
- 2(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,*
- 2(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.”*

ATTACHMENTS

Nil.

2.1 Water Usage Charge Concessions For Home Dialysis

TRIM REFERENCE: F2004/06781 - D05664441
MANAGER: Vivienne Louie, Chief Financial Officer
AUTHOR: Darryl Telfer; Revenue Accountant

SUMMARY

This report recommends the adoption of the Water Usage Charge Concessions for Home Dialysis Policy that defines the eligibility requirements and concession amounts available for home dialysis patients.

RECOMMENDATION

That Council adopt the Water Usage Charge Concessions for Home Dialysis Policy

BACKGROUND

Council has provided assistance to home dialysis patients since the introduction of full user pay water usage charges in July 2000. The existing policy, Kidney Dialysis Machines – Water Allowance, was adopted in its current form in 2007.

That policy provides for reductions to on water usage accounts equivalent to the cost of water used by dialysis machines.

CURRENT STATUS

In practice under the existing policy a maximum standard allowance of 150 kilolitres per annum (410 litres per day) has been provided for home dialysis patients. Based on current year water usage tariff of \$2.17 per Kl, the maximum concession available for each dialysis patient is \$325.50

Council currently has nineteen home dialysis patients registered for assistance under the existing concession scheme to receive concessions resulting in a maximum overall cost to Council of \$6,184.50.

These patients are registered with Council not only to receive concessions for water usage charges but also to ensure Council is aware of the need to ensure a suitable water supply is maintained to those properties at all times. Where interruptions to supply are necessary the health care needs of the dialysis patients are known and taken into account.

Central Coast Local Health District (CCLHD) Kidney Dialysis unit have advised that there are currently 24 dialysis patients residing in the Wyong LGA (12 haemodialysis and 12 peritoneal dialysis).

THE PROPOSAL

Adopt a policy that will provide concessions that align with and offset the additional water usage costs associated with patients undergoing various dialysis treatment methods in their home.

In lieu of a standard annual concession of 150 KI for all home dialysis patients, concession amounts will be provided according to the average water usage associated with each of the various dialysis treatment methods used by each patient – haemodialysis, nocturnal haemodialysis or peritoneal dialysis.

As the existing policy is due for review this presents the opportunity to ensure the policy provides a fair level of assistance to customers who are managing their treatment for kidney disease at home.

The proposed policy includes eligibility criteria restricted to holders of Australian Government health care and pension concession card holders.

OPTIONS

Options considered include:

- 1 Discontinuing all concessions for dialysis patients
- 2 Continue to provide a set concession for all dialysis treatment types
- 3 Provide concessions only for haemodialysis patients

Dialysis patients endure a restricted lifestyle in order to undergo essential life supporting treatment. Home dialysis is the preferred approach of the relevant health care professionals and offers the following benefits over in-centre treatment;

- Reduces the burden on public health systems
- Lowers the utilisation of transport infrastructure – no need to travel for treatment
- Provides for better health outcomes and improved quality of life of patients, their families and their carers.

Haemodialysis involves the use a dialysis machine that consumes large amounts of water to assist with the removal of waste product from the dialysis patient's blood stream. Haemodialysis can be performed during the day or overnight (nocturnally). Some patients are able to maintain relatively normal life styles while undergoing dialysis – including going to work during the day – hence the need to undertake dialysis treatment at night whilst they sleep.

Peritoneal dialysis does not involve the use of water in the dialysis process itself but does require patients to perform thorough hand washing each time they undergo treatment – three minutes at a time and normally four times per day.

Individual dialysis associated water usage may vary from patient to patient however the following average figures have been provided by the Central Coast Local Health District (CCLHD) Kidney Dialysis unit.

2.1 Water Usage Charge Concessions For Home Dialysis (contd)

Treatment Type	Average Daily Usage	Annualised Cost (2013/14 tariff \$2.17 per KI)
Haemodialysis	460 litres	\$364.00
Nocturnal Haemodialysis	900 litres	\$713.00
Peritoneal Dialysis	72 litres *	\$57.00

* Based on hand washing for 3 minutes, 4 times per day with water supplied at a flow rate of 6L/min for a basin or aerated kitchen tap as per AS3500/plumbing code.

Other major water utilities including Sydney Water and Hunter Water provide concessions for haemodialysis patients only. Gosford City Council does not have an adopted policy covering concessions for dialysis patients.

The table below summarises the average dialysis associated water usage of home dialysis patients, allowances provided by Sydney Water and Hunter Water together with those provided in Council's existing and proposed policies.

Comparison of dialysis associated water usage with available concessions - all figures in litres per day						
	Average Dialysis Water Usage	Sydney Water	Hunter Water	Gosford City Council	Wyong Shire Council	
					Current	Proposed
Haemodialysis	460	1,096	685	n/a	410	500
Nocturnal Haemodialysis	900	1,096	685	n/a	410	900
Peritoneal	72	n/a	n/a	n/a	410	100

The proposed policy provides allowances that exceed the average dialysis water usage figures based on treatment types.

Central Coast Local Health District (CCLHD) Kidney Dialysis Unit has advised there are currently 24 dialysis patients residing in the Shire (12 haemodialysis and 12 peritoneal dialysis). It is understood that there are no nocturnal haemodialysis patients residing in the Shire at present.

Given we currently only have 19 dialysis patients registered with us and that continuity and quality of water supply is critical to haemodialysis patients, it is assumed that some peritoneal dialysis patients are not currently registered with us.

Projected costs under the proposed policy are calculated as follows:

Treatment Type	Daily Concession litres	Annual Concession KI	Number of patients	Annual Cost @ \$2.17 per KI
Haemodialysis	500	183	12	\$4,765.30
Nocturnal Haemodialysis	1,000	365	0	\$ 0.00
Peritoneal	100	37	12	\$ 963.50
Total				\$5,728.80

2.1 Water Usage Charge Concessions For Home Dialysis (contd)

Based on these estimates above, the total cost to Council under the proposed policy would be approximately \$5,700 p.a. which is comparable with the current policy cost of approximately \$6,200 p.a. where are haemodialysis patients, regardless of their treatment, received the same water usage concession.

Whilst the concessions may be lower than those offered by Sydney Water and Hunter Water they are importantly aligned to the actual cost of water associated with the dialysis treatment approach of individual patients. The proposed policy will increase the allowances for haemodialysis and nocturnal haemodialysis patients and decrease the allowance for peritoneal patients.

Upon adoption of the policy Council staff will notify CCLHD Kidney Dialysis Unit and our 19 registered dialysis patients of the changes in policy and ensure they meet the eligibility criteria and to ascertain the applicable concession.

STRATEGIC LINKS

Budget Impact

The proposed policy does not present any material impact on the budget from the current policy position. Annual cost projected to be approximately \$6,000 based on current number of dialysis patients in the Shire.

CONSULTATION

In formulating the policy staff consulted with Home Dialysis nursing staff from the Central Coast Local Health District (CCLHD) Kidney Dialysis unit.

GOVERNANCE AND POLICY IMPLICATIONS

The policy is not affected by any other Council policy and complies with the Local Government Act and Regulations.

CONCLUSION

It is recommended that Council adopt the Water Usage Charge Concessions for Home Dialysis Policy per attachment 1.

ATTACHMENTS

- 1 Water Usage Charge Concessions For Home Dialysis Policy D06169565



POLICY No: WSC040

POLICY FOR WATER USAGE CHARGE CONCESSIONS FOR HOME DIALYSIS

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MAYOR (IF APPLICABLE)			

History of Revisions:

Version	Date	TRIM Doc. #
1	27/6/2007	D00898294
2	26/3/2014	D06169565

A. POLICY SUMMARY

- A1 This policy defines the circumstances under which Council will provide concessions on increases in user charges resulting from water used by home haemodialysis and peritoneal patients. This policy also defines how such concessions are calculated.

B. POLICY BACKGROUND

- B1 Wyong Council is a water supply authority under the WMA – s285 and Schedule 3.
- B2 Council applies user charges for water supply services based on volumes of water supplied to properties as registered on the water meters attached to each property – s310
- B3 The WMA provides that property owners are liable for payment of any charges levied under those acts - s316
- B4 The WMA or regulations do not require Council to provide concessions or reductions in charges for water registered through meters but subsequently used for haemodialysis and in the hygiene requirements process associated peritoneal dialysis.
- B5 Council recognises that water usage for this purpose is necessary in order that patients undergoing kidney dialysis can receive essential life supporting treatment and enjoy the benefits that home dialysis treatment provides.
- B6 Council wishes to provide financial relief for customers that incur increases in user charges accounts resulting from home dialysis treatment.

C. DEFINITIONS

- C1 **Council** means the elected representatives, Councillors, who form the governing body of Wyong Shire Council and the organisation responsible for the administration of Council affairs and operations and the implementation of Council policy and strategies.
- C2 **Daily Average Usage** of water calculated as the volume of water supplied in a meter reading period expressed in Kilotres (KI) divided by the number of days in the same meter reading period.
- C3 **Meter Reading period** means the period of time between readings of a water meter.
- C4 **The LGA** means the *Local Government Act 1993*.
- C5 **The Regulations** means the *Water Management (General) Regulation 2011*.
- C6 **The WMA** means the *Water Management Act 2000*.
- C7 **Volume of water supplied** means the quantity of water supplied to a property as measured through the water meter(s) attached to the property.

D. POLICY STATEMENTS**Jurisdiction**

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

Conditions

- D3 Concessions under this policy are provided to residents who:
- a. undergo kidney dialysis treatment at home using the haemodialysis method and,
 - b. hold a current Health Care Benefit Card or Pensioner Concession Card issued by the Australian Government Department of Human Services or Department of Veteran's Affairs

Concessions

- D4 Council will provide an allowance equivalent to the lesser of the actual daily average usage of the patient's residence and;
- a. 500 litres per day for haemodialysis patient's, or;
 - b. 1,000 litres per day for nocturnal haemodialysis patients, or;
 - c. 100 litres per day for peritoneal dialysis patients.

E. POLICY IMPLEMENTATION - PROCEDURES

- E1 This policy should be read in conjunction with the Wyong Council Code of Conduct.
- E2 It is the personal responsibility of all Council employees and agents thereof to have knowledge of, and to ensure compliance with this policy.
- E3 Wyong Shire Council will individually assess requests for concessions under this policy.
- E4 Applications must be made in writing.
- E5 Applications must be supported with a letter from the NSW Local Area Health Service, a renal physician or a registered dialysis centre confirming that the patient is undergoing haemodialysis or peritoneal dialysis treatment at home and detailing the patients name and address.
- E6 Alternatively the NSW Local Area Health Service, renal physician or registered dialysis centre may make the application and provide the details.
- E7 A copy of the applicant's current Health Care Card or Pensioner Concession Card must also be provided at the time of application.
- E8 Council may conduct reviews on annual basis to ensure compliance with eligibility conditions under this policy.

- E9 Concessions provided under this policy will only be provided for the period in which the eligibility conditions under this policy are met.
- E10 Applications that do not fully comply with this policy or where customers seek concessions in excess of those provided for in this policy may be considered by the Council Chief Financial Officer.
- E11 Associated documents**
- Wyong Council Code of Conduct

2.2 Amendment to the Facilities and Expenses for Councillors Policy

TRIM REFERENCE: F2004/06505 - D05898338
MANAGER: Lesley Crawley, Manager
AUTHOR: Meg Newington; Senior Governance Officer

SUMMARY

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

RECOMMENDATION

- 1 That Council note that the exhibition period for the review of its Facilities and Expenses Policy has concluded and no submissions were received.**
- 2 That Council adopt the attached advertised amended Facilities and Expenses Policy for Councillors with additional clauses as follows:**
 - a Counselling - Councillors will be provided with access to the Council staff Counselling Program subject to the same conditions offered to staff.**
 - b Telecommunications – delete the proposal for cost of privately purchased equipment to be claimed as a depreciation over a four year period and replace with a provision for the cost of the private equipment to be reimbursed up front.**
 - c Accompanying persons - include children of Councillors under 18 with the exception of air travel costs.**
- 3 That Council deem the additional amendment 2a not substantial and adopt the advertised policy and the amendment immediately.**
- 4 That Council deem the additional amendments 2b and 2c as substantial and place the policy on further exhibition in accordance with the Local Government Act, 1993.**
- 5 That Council provide the Department of Local Government with a copy of the adopted policy.**

BACKGROUND

Council at its meeting on 11 December 2013 Council considered a report concerning an annual review of its Facilities and Expenses Policy for Councillors. A detailed revision of the policy had been undertaken and it was presented to Council for endorsement for exhibition purposes.

At that meeting Council endorsed the draft policy document and in addition, resolved to make further amendments to the policy as indicated below:

- 1617/1 *Child care expenses can only be reimbursed against a receipt from a carer holding and quoting an ABN number on their invoice.*
- 1617/2 *Council will provide a deduction administrative service for up to a maximum of 2 monthly deductions from a Councillor allowance for nominated payments that incur no external cost to Council, for example, political party donations, union fees, superannuation and health insurance.*
- 1617/3 *Council business includes meetings with State and Federal politicians, public servants and staff within NSW and ACT.*
- 1617/4 *The General Manager can provide an exemption to the requirement to publish a Councillor's mobile phone number due to harassment, safety or health reasons.*

CURRENT STATUS

The further amendments were made to the policy and In accordance with Section 252 of the Local Government Act, 1993; the document was exhibited from January 24 to February 28 2014.

No submissions were received.

THE PROPOSAL

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

It is noted that the complex environment in which Councillors operate increasingly requires policy to be reviewed to match the needs of Councillors and to provide transparency and assurance to the community that Council expenditure is relevant to the role.

It is proposed that the amendments as advertised be adopted with one additional clause as follows:

“Counselling

Councillors will be provided with access to the Council staff Counselling Program subject to the same conditions offered to staff. “

It is noted that this addition will have minor financial impact to the Council as the service currently is provided to all Council employees under contract. Accordingly it is recommended

2.2 Amendment to the Facilities and Expenses for Councillors Policy (contd)

that the amendment to the policy be determined as minor and be adopted without further exhibition.

A copy of the amended policy is attached.

CONSULTATION

The proposed amendments were advertised for a period of 28 days from 24 January 2014 to 28 February 2014.

Councillors have given feedback on the draft policy on a number of areas which require further discussion and a workshop has been arranged to investigate future policy revision.

Those areas were:

- 1 IT and communications equipment purchased for Council business – remove the depreciation reimbursement of 25% over 4 years and insert full reimbursement at purchase date.
- 2 Separate motor vehicle allowance from travel expenses and allocate an amount for each
- 3 Pay costs for partners and children under 18 years to accompany Councillors at functions/events and conferences (excluding air travel costs)
- 4 Salary sacrifice payments to superannuation.

Amendment to the advertised version of the policy is as follows:

Should Council be of a mind to make those additional amendments described above the following changes to the draft policy (as advertised on Jan/Feb 2014) would be required:

Clause	Amendment	Comment						
D63	<p>1 <u>Councillor request</u>: change reimbursement from depreciated costs over 4 years to full capital cost upfront.</p> <p>Delete from Table of Telecommunications –</p> <table border="1"> <thead> <tr> <th>Criteria</th> <th>Council Provided Equipment</th> <th>Councillor Owned Equipment</th> </tr> </thead> <tbody> <tr> <td>Capital Cost Depreciation Reimbursable?</td> <td>No</td> <td>Yes 25% per year over 4 years paid at June 30 of each year. Pro rata percentage if purchased in part year. Limit of depreciation paid for all items combined is \$3,600 per year</td> </tr> </tbody> </table>	Criteria	Council Provided Equipment	Councillor Owned Equipment	Capital Cost Depreciation Reimbursable?	No	Yes 25% per year over 4 years paid at June 30 of each year. Pro rata percentage if purchased in part year. Limit of depreciation paid for all items combined is \$3,600 per year	<p>This amendment means that costs of eligible privately purchased equipment will be reimbursed to Councillors in full upon submission of appropriate evidence of purchase.</p>
Criteria	Council Provided Equipment	Councillor Owned Equipment						
Capital Cost Depreciation Reimbursable?	No	Yes 25% per year over 4 years paid at June 30 of each year. Pro rata percentage if purchased in part year. Limit of depreciation paid for all items combined is \$3,600 per year						

Clause	Amendment	Comment						
	Insert in Table of Telecommunications – <table border="1" data-bbox="360 309 1225 479"> <thead> <tr> <th data-bbox="360 309 608 360">Criteria</th> <th data-bbox="608 309 844 360">Council Provided Equipment</th> <th data-bbox="844 309 1225 360">Councillor Owned Equipment</th> </tr> </thead> <tbody> <tr> <td data-bbox="360 360 608 479">Capital Cost Depreciation Reimbursable?</td> <td data-bbox="608 360 844 479">No</td> <td data-bbox="844 360 1225 479">Yes</td> </tr> </tbody> </table>	Criteria	Council Provided Equipment	Councillor Owned Equipment	Capital Cost Depreciation Reimbursable?	No	Yes	
Criteria	Council Provided Equipment	Councillor Owned Equipment						
Capital Cost Depreciation Reimbursable?	No	Yes						
	<p>2 <u>Councillor request</u>: Councillors have requested that a motor vehicle allowance be provided for separate from the Travel Costs in the policy and a limit be provided for each.</p> <p>Travel using Councillor motor vehicle is provided for separately in the current policy at Clause D26</p> <p>There is no km or monetary limit applied to private vehicle usage. The limitation is in relation to the purpose of the use. I.e. a Councillor may be reimbursed for usage of a private vehicle when undertaking <i>Council business</i>. Council business is defined in the policy.</p> <p>The method of substantiation for private vehicle usage is proposed as:</p> <p><i>E18 Statutory declarations are only to be used to support claims for expenses already occurred where receipts are unable to be provided or have been lost. (ie cannot be used to claim for items in advance such as estimates of travel).</i></p> <p><i>E19 In respect of Claims for reimbursement of travel costs Council may accept either a statutory declaration claiming an amount of travel undertaken or a log book detailing the claim for travel. It will be the responsibility of a Councillor to justify the content of any statutory declarations to any authorised third parties</i></p>	<p>No change is recommended as draft policy clauses meet Council request.</p>						
D17	<p>3 <u>Councillor request</u> : Amend accompanying persons clause to include reimbursement for children under 18 years with the exception of air travel</p> <p>Amend Clause as follows:</p> <p>D17 Council will pay the cost as further described in this section, for a spouse or partners or carer or one accompanying person per Councillor <i>and children under 18 years</i>, in attending the following events...</p>	<p>The table accompanying this clause sets out that costs will be reimbursed for the additional attendees.</p> <p>The table does not include air</p>						

Clause	Amendment	Comment
		travel and provides for accommodation only if in same room as Councillor.
	<p>Councillors have requested that Council arrange for 'salary sacrifice' of superannuation payments.</p> <p>Councillors are not paid a salary so therefore 'salary sacrifice' arrangements are not applicable however an administrative service for superannuation is covered by the proposed Clause D79 below:</p> <p><i>D79 Council will provide a deduction administrative service for up to a maximum of two monthly deductions from a Councillor allowance for nominated payments which incur no external costs to Council. For example: political party donations, union fees, superannuation, health insurance.</i></p>	No change required

In summary, changes are proposed for Clauses D63 and D17 and are included in the recommendation to Council.

GOVERNANCE AND POLICY IMPLICATIONS

In accordance with Clause 253(3) of the Local Government Act, 1993 a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.

The amendment to the policy in relation to the provision of Counselling services represents a negligible cost to the Council and therefore may be added to the policy without further exhibition.

The two amended clauses requested by the Councillors represent additional costs to the organisation and are considered substantially different to the clauses that were advertised. It is therefore recommended that the policy be adopted as is and the additional clauses be placed on further public exhibition.

Upon each adoption of the amended policy Council is required to forward a copy of the revised policy to the DLG for information.

CONCLUSION

The amendments as advertised are recommended for inclusion in the Policy for Facilities and Expenses for Councillors.

ATTACHMENTS

- 1 Amended Policy for Facilities and Expenses for Councillors D05140406



POLICY No: WSC003

POLICY FOR FACILITIES & EXPENSES FOR COUNCILLORS

Exhibited Jan 24 – Feb 28 2014

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MAYOR (IF APPLICABLE)			

History of Revisions:

Version	Date	TRIM Doc. #
1	23/11/2011	D02903521
2	03/10/2012	D03143334
3	26/4/2013	D03317468
4	04/06/2013	D03335585
5	11/10/2013	D03990547
6	11/12/2013	D05098475
7	28/2/2014	D05140406

A. POLICY SUMMARY

- A1 This Policy provides for the payment or reimbursement of expenses and the provision of facilities by Council to the Mayor and Councillors of Wyong Shire.
- A2 The objectives of the policy are to:
- ensure Council provides adequate facilities and services to the Mayor and Councillors of Wyong Shire for them to carry out their civic duties; and
 - reimburse councillors for fair and reasonable expenses incurred whilst undertaking Council business such that they sustain neither loss nor profit as a result of their claim; and
 - ensure that all claims and payments made under this Policy can be justified, appropriately accounted for and validated as relating to Council business

B. POLICY BACKGROUND

- B1 Section 252 of the Local Government Act 1993 requires the Council to adopt a Policy concerning the payment of expenses incurred or to be incurred by the provision of facilities to elected members in relation to discharging the functions of Civic Office.
- B2 Council recognises that elected members and senior management staff often expend considerable personal time and inconvenience in conducting Council business away from the Shire in the best interests of the community.
- B3 The Act's conditions recognise that some personal, additional contribution goes with the position; however where such good-will is provided by individuals materially in excess of reasonable contributions, the transparent reimbursement of expenses is appropriate.
- B4 The purpose of the Policy is to ensure that Councillors receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties. It ensures that these are provided in an accountable and transparent manner.
- B5 Councillors must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out their functions under the Local Government Act or any other Act (s349 the Act).
- B6 The Council Code of Conduct provides that Council resources must be used ethically, effectively, efficiently and carefully. Council property including intellectual property, official services and facilities must not be misused by any person or body for private benefit or gain. Councillors must also avoid any action or situation that could create the appearance that Council resources are being used inappropriately.
- B7 Section 382 of the Act requires that Council makes arrangements for adequate insurance against public and professional liability.
- B8 The Division of Local Government has issued guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW. These guidelines have been prepared under the provisions of section 23A of the Local Government Act 1993 as Director General's Guidelines. A council must take any relevant guidelines issued under this section into consideration before exercising any of its functions. Council has taken these guidelines into consideration in making this policy.

- B9 Council in providing sustenance for Councillors and their guests must observe Responsible Service of Alcohol legislation and will bear no liability in the event that injury or harm should occur as a result of the consumption of alcohol on Council premises.

C. DEFINITIONS

- C1 **The Act** means the Local Government Act 1993
- C2 **The Regulation** means the Local Government (General) Regulation 2005.
- C3 **Council** means the elected members who form the governing body (Council) of the Wyong Shire Council and the organisation established to administer Councils affairs, operations, policies and strategies.
- C4 **Councillor** means an elected member of the governing body (Council) including the Mayor.
- C5 **Council Policy** means policy created and approved by the elected members of the Council.
- C6 **Council Business** or functions of civic office attendance by the Mayor and Councillors that results in a direct benefit for the Council or the Wyong Shire Community at:
- Council and Committee meetings
 - Council Advisory Group meetings
 - Council Working Party meetings
 - Council Statutory Committee meetings
 - Council Precinct Forums
 - Regional Organisation of Council meetings
 - As Council's delegate or alternate delegate to external bodies
 - Civic Receptions authorised by Council resolution
 - Councillor Briefings
 - Councillor Inspections
 - Citizenship Ceremonies
 - Attendance at conference, seminars, workshops and professional development courses authorised by Council resolution
 - Attendance at non-Council functions which provide briefings to Councillors from key members of the community, politicians and business regarding relevant authorised by Council resolution.
 - Meetings with Federal and State Ministers, Members of Parliament, public servants and their staff within NSW and ACT
 - Other events, functions or meetings as authorised by Council resolution

Council business **does not** include:

- Meetings with residents, ratepayers, developers or stakeholders held offsite from the Civic Centre unless authorised by Council resolution
- Events, functions or meetings not authorised by Council resolution.

Note: a separate provision in this policy provides a means where the Mayor and General Manager may approve attendance on behalf of the Council if time does not permit the reporting to Council prior to the event occurring and the matter being reported to the next available meeting.

- C7 **Expenses** mean payments made by Council to reimburse Councillors for reasonable costs or charges incurred or to be incurred for discharging their civic functions. Expenses must be outlined in this policy and may be either reimbursed to a Councillor or paid directly by Council for something that is deemed to be a necessary expense to enable them to perform their civic functions. Expenses are separate and additional to annual fees.

- C8 **Facilities** means equipment and services that are provided by Council to Councillors to enable them to perform their civic functions with relative ease and at a standard appropriate to their professional role as Councillors.
- C9 **General Expense Allowance** means a sum of money paid by Council to a Councillor to expend on an item or a service that is not required to be receipted and/or otherwise reconciled according to a set procedure and within a specific timeframe. In accordance with Section 403 of the Regulation this policy does not permit the payment of general expenses.
- C10 **Greater Significance** means (in terms of conference session non-attendance) meetings with State or Federal Parliamentarians, networking with other Councillors or special interest groups, inspection of a public works or facility, attendance at urgent Council meetings and/or any other incident of COUNCIL business considered urgent or more important.
- C11 **Registered Carer** means:
- an organisation or individual registered with the National Quality Framework (Australian Children's Education and Care Quality Authority) or;
 - a registered business for the purposes of care services (ie holding an ABN for the purposes of child or adult care services) eg nanny, carer for the elderly.
- C12 **Travel Expenses** means motor vehicle costs, tolls, parking fees, taxi, train , bus and plane fares. Travel expenses do not include fines associated with travel such as toll and parking fines. Food and beverages and insurance associated with travel are dealt with separately in this policy.
- C13 **Year** means from October to September or as determined by the election cycle.

D. POLICY STATEMENTS

Jurisdiction

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

General Provisions

- D3 In accordance with Clause 403 of the Regulation Councillor expenses and facilities policies must not include provision for general expenses. A general expense allowance is a sum of money paid by a council to a Councillor to expend on an item or a service that is not required to be receipted and/or otherwise reconciled according to a set procedure and within a specific timeframe. There is no other lawful mechanism to provide facilities or reimburse expenses to a Councillor other than this policy.
- D4 Reimbursement will only be paid for expenses incurred by Councillors for the conduct of Council business as defined in this policy.
- D5 Each expense in this policy will have a limit as to the maximum reimbursed in each year.
- D6 Councillors should not obtain private benefit from the provision of equipment and facilities nor from travel bonuses such as 'frequent flyer' schemes or any other such loyalty programs while on Council business. It is acknowledged that incidental use of Council equipment and facilities may occur from time to time. Such incidental private use is not subject to a compensatory payment back to Council. Councillors are responsible to reimburse Council if more than incidental private use is received.

- D7 All claims for reimbursement must be accompanied by evidence that the costs have been incurred by the Councillor and shall be made on the relevant form.
- D8 All claims for reimbursement must be made within the year during which the expenditure has been incurred.
- D9 Councillors may request a payment in advance, up to a maximum of \$100 per day, in anticipation of expenses being incurred in attending conferences, seminars and training outside the Shire. The advance payment will be reconciled against receipts for actual costs within 7 days of return.
- D10 Council's Gifts and Benefits Policy sets out requirements in relation to Gifts and Personal benefit.

Attendance at Conferences, Workshops, Seminars, Professional Development and Training Courses

- D11 Council will reimburse expenses for attendance at conferences, workshops and seminars as follows:
- Each event must be authorised by Council resolution.
 - Each event must relate to the business of the Council
 - A combined total of six attendances, per Councillor, per year.
 - The limit of six will only include those events occurring over one or more consecutive days unless otherwise approved by Council.
 - Total reimbursement of attendance cost per conference, per Councillor is limited to \$5,000 with a maximum total cost for conferences per year of \$10,000.
 - The maximum number of Councillors authorised to attend an event is 3 with the exception of the Local Government NSW annual conference and National General Assembly of Local Government or as resolved by Council. These conferences are not included in the cost threshold.
 - Where Council has incurred costs and a replacement is not nominated by the Mayor/Deputy Mayor and the elected member's non-attendance is not a family or employment or medical emergency, all costs incurred by Council will be charged to the elected member.
 - Before requesting attendance Councillors must satisfy themselves:
 1. that the program is likely of benefit to Council, the Community and/or to his/her professional development as an elected member
 2. that he/she is able to commit the time necessary to attend the conference sessions in the terms of this policy

With respect to Professional Development and Training Courses:

- Each event must be authorised by Council resolution.
- Each event must be aligned with a Councillor's professional development plan.
- A combined total of three professional development or training courses per Councillor, per year.
- The monetary limit does not apply to the AICD Company Director's Course or the LGMA Executive Certificate for Elected Members Course
- No spouse or partner costs will be reimbursed under this section.

- D12 The attendance costs that will be paid up front to the event organiser or reimbursed to the Councillor under this section are identified as follows:
- Registration costs – costs charged by organisers including official luncheons dinners and tours which are relevant to the interests of this Council.
 - Travel costs (actual costs as detailed in the travel section of this policy)
 - Accommodation (actual costs for accommodation as detailed in the accommodation section of this policy)
 - Sustenance (food and beverage) limit of \$150.00 per day per Councillor and verified by receipts
 - Out of pocket expenses such as Internet and phone access, laundry limit of \$50.00 per day per Councillor and verified by receipts.
 - Cost of mandatory textbooks or other supporting documentation if separate to course fees limit \$500 per course
 - Spouse and Partner Costs (as detailed in the Spouse and Partner Section of this Policy).
- D13 A Councillor may choose to extend the stay at the place where the conference is held for personal pursuits. Council will not be responsible for any costs associated with the extended stay (for example additional flights and accommodation) and any return trip will be calculated from the original conference venue.

Attendance at Non – Council Events and Functions

- D14 Council will meet sustenance and attendance expenses for Councillors' attendance at non-Council functions related to Council business which provide briefings to Councillors from key members of the community, politicians and business. Approval for reimbursement will be by Council resolution. The maximum reimbursement of total attendance costs is \$200 per Councillor per event. Councillors may attend a maximum of 6 of these events in a year. The total maximum expenditure is \$1200. Note the Mayor's attendance and expenditure is covered by Clause D57.
- D15 No expenses will be paid for functions that are:
- i not relevant to Council business
 - ii where expenses incurred would be directed towards any political fundraising event
 - iii for any donation to a political party or candidate's electoral fund
 - iv for any other private or personal benefit
- D16 Council will reimburse Councillors with the cost of membership to professional organisations associated with the conduct of Council business up to \$1,500 per year.

Spouses, Partners, Carer and Accompanying Persons

- D17 Council will pay the cost as further described in this section, for a spouse or partners or carer or one accompanying person per Councillor, in attending the following events as per the table below:

Event	Registration	Ticket	Accommodation	Sustenance	Partner Tours	Travel	Carer
Official Council functions that are formal or ceremonial in nature (eg Citizenship,	NA	Yes	Yes. If staying in same room as Councillor	Yes if part of ticket cost. No additional meals and beverages included	NA	Yes. If travelling In company of Councillor	Yes
The Local Government NSW Annual Conference or the National General Assembly of Local Government.	Yes	NA	Yes. If staying in same room as Councillor	Yes if part of registration cost. No additional meals and beverages included	No	Yes. If travelling In company of Councillor or in same vehicle No additional air or other travel fares included)	Yes
Other Council approved conferences and events	No	No	Yes. If staying in same room as Councillor	No	No	Yes. If travelling In company of Councillor or in same vehicle No additional air or other travel fares included)	Yes

- D18 Peripheral expenses such as grooming, special clothing and transport are not considered reimbursable expenses.
- D19 Additional travel and accommodation costs, partner tours, sustenance (other than official function dinners) and incidental costs (eg bar fridge items and movie hire) will not be paid by Council.
- D20 In this section, reference to an "accompanying person" is a person who has a close personal relationship with the Councillor and/or provides carer support for the Councillor.

Travel

- D21 Council will reimburse Councillors for travel undertaken on Council business or where necessary make and pay for travel arrangements up front.
- D22 Council will not reimburse travelling expenses where a Councillor attends a community meeting or undertakes an inspection that has not been formally approved by Council or defined in this policy as Council business.
- D23 Councillors may choose the mode of transport which is most appropriate to the circumstances, subject to overall economy and convenience. All travel should be undertaken by utilising the most direct route and the most practicable and economical mode of transport subject to any personal medical conditions.
- D24 A Council vehicle is available for use by Councillors for Council business. Councillors shall comply with Council's Motor Vehicle Policy when using the Councillor vehicle.
- D25 The use of a staff member as a driver for the Council's motor vehicle will be determined by the General Manager where there is clear cost benefit in provision of a driver versus external costs (eg airport parking for a number of vehicles) and staff availability.
- D26 Private Vehicle - If a Councillor uses his/her private vehicle, reimbursement will be equivalent to the per kilometre rate as specified in the NSW Local Government (State) Award. This allowance takes into account the use, maintenance and depreciation of the vehicle.
- D27 Council will reimburse costs for tolls associated with travel on Council business.
- D28 Council will reimburse parking fees associated with travel on Council business.
- D29 Council is not liable for any traffic, parking or transport fines, or costs of petrol, oil, depreciation, repair, maintenance, insurance or registration incurred by Councillors whilst travelling on Council related business.
- D30 Overseas travel by a Councillor must be approved by Council resolution which shall include clear and tangible benefits to the community and an estimate of costs for travel, accommodation, transfers, hire cars, gifts and ancillary items.
- D31 Approval by the Council for overseas travel by a Councillor will be on an individual trip basis.
- D32 Economy class air travel will be provided as standard for all air travel unless identified otherwise by a Council resolution. The cost of any upgrade shall be the responsibility of the Councillor. The Mayor and General Manager may approve business class travel for long flights (exceeding 3 hours).

- D33 Councillors are not entitled to receive private benefits relating to travel bonuses such as frequent flyer schemes and other loyalty programs.
- D34 Council will pay for air travel insurance.
- D35 Council shall meet the cost of transfers between a Councillor's residence and a transport interchange (ie airport) and between the transport interchange and a hotel or venue. The Council may enter into its own corporate loyalty program arrangements and any benefits arising will be used toward corporate costs (eg accumulated travel points may be used to defray costs of future flights made on Council business).
- D36 Council will pay for use of a rental car (standard model) at locations where air travel is undertaken for Council business.
- D37 All air travel arrangements and bookings will be made by Council staff on behalf of the Councillor, including flights, insurance and transfers. Councillors are not to book their own travel.

Accommodation

- D38 Councillors shall be accommodated in minimum four-star level facilities and higher if practicality determines the need. A higher level than four star is to be approved by the Mayor and/or General Manager.
- D39 Council will pay for accommodation costs commencing from the night before the conference or seminar commences, throughout the conference and the night after it concludes and any other night required by travel arrangements.
- D40 Council will reimburse sustenance costs of up to \$100 per day, per Councillor.
- D41 Any additional accommodation expenses incurred as a result of the attendance of spouse, partners and accompanying persons shall be borne by the Councillor.
- D42 Accommodation arrangements and bookings shall be made by Council staff on behalf of the Councillor. Councillors are not to book their own accommodation.

Care and other related expenses

- D43 Council will reimburse registered carer's expenses necessary to enable elected members, General Manager and Directors to attend Council business up to \$3,600 per annum, including:
- i child care expenses
 - ii care of disabled and/or sick immediate family members
 - iii special requirements of councillors such as disability and access needs to allow performance of normal civic duties and responsibilities
- D44 Reimbursement does not apply where the care is provided by immediate family members including family, spouse or partner.

Insurance

- D45 Council will provide insurance to protect the interest and welfare of all Councillors in carrying out the duties of Civic Office and to protect equipment issued to Councillors under this policy as follows:

- i Public liability (for matters arising out of Councillors' performance of their civic duties and/or exercise of their functions)
- ii Professional indemnity (for matters arising out of Councillors' performance of their civic duties and or exercise of their functions)
- iii Personal injury while on Council business

- iv Travel insurance for approved interstate and overseas travel on Council business for travel bookings made by staff
- v Property insurance for Council facilities issued to Councillors

Council staff will arrange all insurances. Councillors are not to arrange insurances or extend their private insurance coverage for Council business. There will be no reimbursement of expenses to Councillors associated with insurance coverage.

- D46 Council has the following policies and limits in place that cover Council activities and include cover for the Councillors :
- Public Liability (limit of protection - \$400M) & Professional Indemnity (limit of protection \$300M) with Statewide Mutual Liability Scheme
 - Personal Accident policy with ACE Insurance Limited & includes a travel component (various limits)
 - Property insurance with Statewide Property Mutual Scheme as per schedule provided to Statewide Property Mutual (various limits)

Legal Expenses

- D47 Council will indemnify or reimburse the reasonable legal expenses of a Councillor in the circumstances described below:
- i a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act (section 731 refers), as distinguished from merely something a Councillor has done during his/her term of office
 - ii a Councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the Act
 - iii a Councillor for proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body provided the subject of the proceedings arises from the performance in good faith of a function under the Act, and the Tribunal or investigative body makes a finding substantially favourable to the Councillor
- D48 Council will also reimburse legal costs for an inquiry, investigation or hearing into a Councillor's conduct by an appropriate investigative or review body including:
- Local Government Pecuniary Interest and Disciplinary Tribunal
 - Independent Commission Against Corruption
 - Office of the NSW Ombudsman
 - Division of Local Government, Department of Premier and Cabinet
 - NSW Police Force
 - Director of Public Prosecutions
 - Council's Conduct Review Committee/Reviewer

provided that the subject of the inquiry, investigation or hearing arises from the performance in good faith of a Councillor's functions under the Act and the matter before the investigative or review body has proceeded past any initial assessment phase to a formal investigation or

review. Legal expenses will only be provided where the investigative or review body makes a finding that is not substantially unfavourable to the councillor. This may include circumstances in which a matter does not proceed to a finding. In relation to a councillor's conduct, a finding by an investigative or review body that an inadvertent minor technical breach had occurred may not necessarily be considered a substantially unfavourable outcome.

- D49 A conduct complaint made against a Councillor, resulting in legal expenses for a Councillor shall only qualify for reimbursement where a matter has been referred by the General Manager to a conduct reviewer/committee to make formal enquiries into that matter in accordance with the procedures in the Code of Conduct.
- D50 Pecuniary interest or misbehaviour matters, shall qualify for reimbursement of legal expenses if a formal investigation has been commenced by the Division of Local Government.
- D51 Council will only reimburse legal expenses where the investigative or review body makes a finding that is not substantially unfavourable to the Councillor.
- D52 Council will not meet the legal expenses of legal proceedings initiated by a Councillor under any circumstance.
- D53 Council will not meet the legal costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.
- D54 Council will not meet legal costs in the following circumstances:
- An action in defamation taken by a Councillor as plaintiff
 - A Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
- D55 The total amount that may be claimed per Councillor in any one year for the above clauses in this section is \$5,000.
- D56 A Councillor/s may be reimbursed up to \$1,500 in a year (including GST) for external legal services only where all of the following circumstances exist:
- (a) the legal advice is not on a matter excluded from being reimbursed by the Local Government Act and/or Regulations, or any other clause in this Policy
 - (b) the matter about which advice has been sought is a serious matter affecting the proper administration of Council
 - (c) more than four Councillors have requested that Council staff provide legal advice on the subject matter of the advice, and Council staff have been unable to provide those Councillors with legal advice, due to a conflict of interest or similar prohibition that precludes those staff from providing that advice, or where staff are unwilling to obtain independent legal advice
 - (d) the matter had not already been the subject of independent legal advice to Council
 - (e) the legal advice is proven to be valuable towards Council's decision making
 - (f) no more than one payment is to be paid to any one or more of the Councillors in respect to advice provided by Councillors on the subject matter

(g) the request for reimbursement, under this clause, has been authorised by the Council:

- the written brief, original written legal advice and tax receipt will need to be provided to Council as its record to allow consideration of payment

Mayoral Expenses

- D57 The Mayor may provide reasonable hospitality to Councillors, politicians, dignitaries, community leaders in relation to Council business, up to \$30,000 per year. Reasonable hospitality includes:
- light refreshments – food and beverages provided onsite at the Civic Centre
 - meals and beverages at local establishments up to \$100 in total per meal
 - Council themed token gifts for visiting dignitaries up to a total of \$200 per delegation
- D58 Council will provide, maintain and fuel a fuel efficient motor vehicle appropriate to the Office of the Mayor, for use by the Mayor for Council business.
- D59 Private Use of the vehicle is paid for by the Mayor by the reduction of the Mayoral allowance of \$1,906.64 per annum (2012/13 base financial year). Such amount to be varied on 1 October each year in line with movement in the Consumer Price Index for the 12 months ending 30 June previous.
- D60 Council will provide a parking space reserved for the Mayoral vehicle.
- D61 Council will provide a furnished Mayoral office.
- D62 Council will provide secretarial support for the Mayoral office.

Telecommunications

- D63 Council will provide or reimburse Councillors for communications as indicated in the table below:

Criteria	Council Provided Equipment	Councillor Owned Equipment
<p>Types of Equipment Included</p> <p>Note: a councillor may choose items from either of the clauses at the same time as long as there are not two of the same items provided and claimed at any one time. It is therefore acknowledged that that a councillor choosing items from both Council provided equipment and</p>	<p>Laptop or Desktop PC Tablet computer Operating system/software Printer Facsimile Scanner USB or WIFI broadband modem Digital camera Mobile phone or smart phone Mobile phone car kit and installation</p> <p>(equipment is Council standard)</p>	<p>Laptop or Desktop PC Tablet computer -Operating system/software Printer Facsimile Scanner USB or WIFI broadband modem Digital camera Mobile phone or smart phone Mobile phone car kit and installation</p> <p>(equipment to be compatible with Council systems)</p> <p>All equipment and usage accounts for these items must be in Councillor name.</p>

Criteria	Council Provided Equipment	Councillor Owned Equipment
Councillor owned equipment options has access to the limits of both sets.		No business or company accounts will be reimbursed.
Capital Cost Depreciation Reimbursable?	No	Yes 25% per year over 4 years paid at June 30 of each year. Pro rata percentage if purchased in part year. Limit of depreciation paid for all items combined is \$3,600 per year
Limit of Depreciated costs in one year	NA	\$3,600
Usage Costs	Paid to supplier by Council Combined cost of - installation costs - calls - internet access - message bank service - reasonable private use	Reimbursed to Councillor by Council Combined cost of - installation costs - calls - internet access - message bank service - reasonable private use - insurance
Limit of Usage Costs in one year	\$3,600 paid to supplier by Council	\$3,600 reimbursed to Councillor by Council
Ownership	Council owned during term. Councillor will be able to purchase non-leased items at agreed market price at term end.	Councillor will own outright
Replacement for damaged, lost or stolen item	Upon return of faulty, broken item. Or statutory declaration confirming lost or stolen item.	Evidence of damaged lost or stolen item required. Depreciation costs recommence on new item purchased by Councillor

- D64 Where an allowance is claimed for a mobile phone or a Council supplied mobile phone is provided the mobile number must be published weekly in "Shire Wide" and be placed on Council's Website. In the case for the Mayor, the Mayor's Office number should be listed. The General Manager can provide an exemption to the requirement to publish a Councillor's mobile phone number due to harassment, safety or health reasons.
- D65 The brand/type of equipment provided by Council will be to Council standards purchased in accordance with the provisions of Council Procurement Policy.
- D66 Council will not provide for subsequent installation costs (eg as a result of moving house or changing vehicles) unless Council has initiated a change to the equipment or service.
- D67 Elected members using Council telecommunications equipment or their own private equipment for Council business must comply with Council's Communications Media Policy (Internet and Email) and Appropriate Use of Email and the Internet Guidelines.

D68 At the conclusion of a local government term and where a Councillor does not intend to stand for re-election or is not re-elected, a Councillor may purchase Council supplied equipment and software at an agreed market price. Leased equipment is not available for purchase.

Stationery

D69 Council will provide stationery to be used for Council business, upon request. Stationery includes:

- i Writing pads, envelopes, box files writing pens / diary / folders up to \$200 per annum
- ii Business cards 1000 per year
- iii Letterhead 1000 per year
- iv Paper and printer cartridges 1 set of colour and black per month
- vi One filing cabinet
- vii one portable paper shredder.

Corporate Uniform

D70 Council will provide a "premium quality" Corporate Uniform on an annual basis except for the issue in the year in which the local government election is held. Corporate Uniform shall consist of:

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

D71 Council will provide an additional Corporate Dress allocation to the Mayor to facilitate the duties of the office as follows:

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

Civic Centre Parking

D72 Council will provide an allocated parking space for each Councillor on each Council meeting day.

Sustenance

D73 Councillors will be provided with appropriate sustenance on meeting/briefing/function days, including bottled beverages.

Councillor Lounge and Interview Rooms

D74 A Councillor Lounge is provided at the Civic Centre for the specific use of Councillors. The lounge provides Councillors with an informal area to meet and has facilities such as tea and coffee making, beverage fridge and shower..

D75 Two interview rooms are provided at no cost for the exclusive use of Councillors. The rooms contain desk and chairs and a computer. The rooms may be used by Councillors to conduct Council business for example review of meeting papers or meeting with residents. Rooms must be booked through the Civic Centre receptionist.

General

- D76 Council will reimburse Councillors for expenses of up to \$500 per annum for communications and media information accessed for Council business and/or Councillor professional development (for example: professional journals, news and current affairs publications).
- D77 Council will reimburse Councillors up to \$500 per annum for electricity charges (eg heating, cooling and lighting associated with use of private facilities to conduct Council business. Up to 20% of each electricity account may be claimed.
- D78 Council will pay Councillors appointed to the Hunter and Central Coast Joint Regional Planning Panel remuneration of \$650 per meeting of that Panel, that sum being the fee and allowances permitted by Clause 6 of Schedule 4 to the Environmental Planning and Assessment Act 1979.
- D79 Council will provide a deduction administrative service for up to a maximum of two monthly deductions from a Councillor allowance for nominated payments which incur no external costs to Council. For example: political party donations, union fees, superannuation, health insurance.
- D80 The cost of credit card processing and late fees will not be reimbursed by Council.

E. POLICY IMPLEMENTATION - PROCEDURES**Approval**

- E1 Approval for the payment of expenses and provision of facilities not specified will be by the Council.
- E2 Disputes in relation to the payment of expenses and provision of facilities shall be resolved by the Council.
- E3 The Mayor and General Manager may approve attendance on behalf of the Council if time does not permit the reporting to Council prior to the event occurring. The General Manager will report the authorisation to the next available meeting.
- E4 Payment of expenses will only occur on the production of proper receipts that contain ABN numbers or documentation acceptable to Council

Adoption

- E5 This Policy will be adopted by Council resolution after public notification of 28 days.
- E6 This policy will be reviewed and readopted annually in accordance with the provisions of the Local Government Act.

Amendment

- E7 Mandatory amendments to this Policy due to an amendment to the Local Government Act or Regulations will be made administratively and a report detailing the amendment will be submitted to an Ordinary Meeting of Council.
- E8 Optional amendments to this Policy due to an amendment of the Local Government Act or Regulations will be reported to an Ordinary Meeting of Council for determination.

- E9 This Policy will be amended annually in accordance with the CPI. The amendment will be made administratively and will not be reported to Council.
- E10 Section 253 of the Local Government Act prescribes that Council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions and Council must consider any submissions before adopting any amendment.
- E11 Section 253 further prescribes that Council need not give public notice of a proposed amendment to this policy if the Council is of the opinion that the proposed amendment is not substantial.
- E12 Section 252 requires that Council must within 5 months after the end of each year adopt a policy for the payment of expenses and provision of facilities to Councillors. If the policy is the same as the existing policy Council must still advertise and adopt the policy annually.

Reporting

- E13 In accordance with clause 271 of the Regulation and for the purposes of transparency and accountability, Council is required to include detailed information in its Annual Report about the payment of expenses and facilities to councillors. .
- E14 Section 253 of the Act requires Council to submit a copy of this policy annually to the Division of Local Government.
- E15 The Policy must be publically notified in accordance with Section 253 of the Local Government Act.
- E16 Councillors will be provided with an annual statement at the end of each financial year which lists the type and amount of all reimbursements made and facilities given to each Councillor.

Reconciliation

- E17 Claims for reimbursement of expenses will include receipts with ABN number or via a statutory declaration and be made in the year in which the expense has been incurred, unless otherwise specified in this Policy.
- E18 Statutory declarations are only to be used to support claims for expenses already occurred where receipts are unable to be provided or have been lost. (ie cannot be used to claim for items in advance such as estimates of travel).
- E19 In respect of Claims for reimbursement of travel costs Council may accept either a statutory declaration claiming an amount of travel undertaken or a log book detailing the claim for travel. It will be the responsibility of a Councillor to justify the content of any statutory declarations to any authorised third parties
- E20 The level of supporting documentation should be commensurate with the nature of expenditure. For example expenditure on parking, tolls, refreshments and the like may only require a signed statement listing the payments.
- E21 Council will only accept evidence of claims in the name of a Councillor. Council will not reimburse accounts in the name of a business or company associated with the Councillor.

- E22 Approval, reconciliation and reimbursement for all expenses and facilities must occur in accordance with this policy. Any claims made outside this policy will be determined by Council.
- E23 Amounts owing by an elected member relating to fees or expenses for reimbursements and/or accompanying partner's expenses are to be deducted from amounts due to the elected member under this Policy.
- E24 All expenses paid by Council to Councillors will be reported to the Australian Tax Office.

Conferences

- E25 The Mayor may nominate a replacement if an elected member authorised to attend a conference, seminar, external training session or function outside the area is unable to attend the event due to ill health or family emergency.
- E26 The Mayor and/or the General Manager will determine and subsequently report to Council, attendance at a conference, seminar, external training or functions outside the Central Coast if time does not permit submission to a Council meeting prior to the event.
- E27 Elected members attending conferences must provide a report to the GM detailing the proceedings of the conference. No report is required for the annual conference of the NSW Local Government and Shires Association or conferences approved by Council.
- E28 Authorisation of attendance at conferences for a spouse or partner will be included in the Council resolution for attendance of the Councillor unless specified by this policy.
- E29 Elected members may request advance expense payments for trips and conferences. The costs are required to be reconciled through receipts and excess advances returned to Council.

Legal

- E30 The payment of legal expenses is required to be approved by the Council.

Interview Room

- E31 Elected members will contact Council reception to reserve an interview room.

Communications

- E32 Expenses reimbursed for use of private equipment will be added to Councillors' fees on a monthly basis.
- E33 Upon ceasing to hold Civic Office an elected member may purchase Council equipment at an amount determined by an independent valuation or return the equipment to Council except in the case where equipment is leased.

E28 Associated documents:

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

Table of Limits and Reconciliation

Clause No	Description	Limit	Basis	Documentation for Reconciliation
D9	Payment in advance	\$100 per day	Limit commensurate with limit imposed for daily out of pocket expenses	Receipts of actual costs and repayment of any gap between advanced amount and actual amount expended.
D11	Conferences, Workshops Professional Development and Training Courses	Six conferences per year for events held over one or more consecutive days \$5,000 per Councillor per event \$10,000 limit per Councillor per year No more than 3 Councillors to attend an event except for LGNSW conference and National General Assembly and professional development and training \$ 500 per course Textbooks associated with Professional Development and Training Courses	Reasonable number given Councillors other commitments for Civic duties Limit based on upper level of historical costs for conference attendance within Australia and includes all costs eg registration, flights, sustenance, out of pocket daily cost. A reasonable number of attendees to provide for benefits to the Shire and professional development for the Councillor. Provision of a report from Conference attendees gives other non-attending Councillors access to learnings from conference. Limit based on average cost of two textbooks per course	All Arrangements for Councillor attendance at conferences will be made by Councillor Services staff. Reimbursement of accommodation and incidental expenses provided by receipt or statutory declaration for smaller items such as tolls. Councillor Services staff to make arrangements for direct payment to event organiser
D12	Conferences, Seminars Workshops Reimbursement or Paid by Council	Sustenance \$100 per day	Reasonable cost of modest meals daily and takes into account meals at official functions not	All sustenance costs to be reimbursed on production of receipts

Clause No	Description	Limit	Basis	Documentation for Reconciliation
		Incidental Costs \$50 per day	included as part of the daily limit. Reasonable limit given likely claims for internet or laundry use.	
D14	Attendance at Non-Council events	\$200 per event Six events per Councillor per year Total limit \$1200 per Councillor per year	Limit based on upper level of historical costs for this type of event Limit based on upper level of historical attendance and acknowledgement of the upward trend of frequency of these events being offered.	Councillor Services staff to make arrangements for direct payment to event organiser
D16	Membership of Professional Organisations	\$1,500	Based on average of professional membership fees for up to two organisations	Claim for payment including copies of receipt of payment.
D17	Attendance by Spouse Partner Carer or Accompanying Person at events	Ticket costs Limit to one person per Councillor for certain events Travel and accommodation costs limit to shared use of those that were already being expended as a councillor Conference registration for Local Government NSW and National General Assembly of	Reasonable expectation for ceremonial events Reasonable expenditure of public monies Reasonable expectation of partner attendance for two premier local government events which will include ceremonial functions.	Councillor Services staff to make arrangements for direct payment to event organiser

Clause No	Description	Limit	Basis	Documentation for Reconciliation
		Local Government		
D26	Use of Private Vehicle	Reimburse on the basis of KM's travelled for Council business	Relies on definition of Council business and uses industry acceptable rates as defined in the local government award	Log book supporting claim for actual km's travelled for Council business. Statutory Declaration for actual km's travelled for Council business. (eg claim made after travel occurred)
D38	Accommodation	4 star accommodation and higher if 4 star impractical Length of stay night before and night after event and any other night required by travel arrangements	4 star standard provision for business travel. In some cases conferences are held where limited accommodation availability and 4 star may not be available. If that is the case it is reasonable that a higher rating may be used. Reasonable to expect before and after accommodation to enable attendees to be prepared for conference sessions	Councillor Services staff to make arrangements for booking and direct payment to event organiser. If direct payment unable to be made. Councillor to provide receipt for reimbursement. Councillor Services' staff to make arrangements for booking number of nights based on travel arrangements also made by staff.
D43	Care Expenses	Limit \$3,600 per year	Based on number of meetings likely to be held per year	Reimbursement of actual cost via copy of receipt of registered carer as defined in this policy Or care arranged by Council.

Clause No	Description	Limit	Basis	Documentation for Reconciliation
D55	Legal Expenses Section 1	Limit \$5,000 per year	Based on estimate of reasonable cost of legal service for this type of item and consideration of expense to public purse	The General Manager will determine any claims for legal costs
D56	Legal Expenses Section 2 (external legal advice)	Limit \$1,500 per f year	Based on estimate of reasonable cost of legal service for this type of item and consideration of expense to public purse	The General Manager will determine any claims for legal costs
D57	Mayoral Hospitality	Limit \$30,000 per annum Limit reimbursement level of \$100 for each offsite hospitality and gifts at \$200 and included in yearly limit of \$30,000	Based on estimated costs using historical data and acknowledging obligations of Office of Mayor	Legal and Governance unit monitor budget spend for Civic Centre activities. Offsite hospitality made by claim for reimbursement supported by receipts. Must relate to business of the Council.
D63	Telecommunications Equipment Usage Costs	Limit of Depreciation costs reimbursed for Councillor owned equipment 25% per year for equipment with life assumed at 4 years. Total reimbursed per year is \$3,600 \$3,600 Limit per annum	Based on reasonable assumption of current lifespan for technological items at 4 years and depreciation set at 25%. Based on reasonable estimate of usage	Claim to be made at end of each year after evidence of purchase date and price. No accounts reimbursed that are in the name of businesses. (eg must be in name of Councillor) Replacement items depreciation reimbursement must include evidence that previous item damaged, lost or stolen.

Clause No	Description	Limit	Basis	Documentation for Reconciliation
				<p>Receipts of paid accounts or signature to confirm account paid and statutory declaration nominating percentage of costs utilised for Council business.</p> <p>No accounts reimbursed that are in the name of businesses. (eg must be in name of Councillor)</p> <p>No late or credit card fees will be reimbursed.</p>
D64	Mobile Phone Number	Councillor must display phone number in Shire Wide section of Central Coast Express and be listed on Council website to enable reimbursement or payment by Council of usage costs.	Based on reasonable expectation that Councillors usage cost reimbursement is for the undertaking of Council business.	Councillors to advise if number is to be displayed.
D69	Stationery	<p>Writing pads, envelopes, box files writing pens / diary / folders up to \$200 per annum</p> <p>Business cards 1000 per annum</p> <p>Letterhead 1000 per annum</p> <p>Paper and printer cartridges 1 set of colour and black per month</p> <p>One filing cabinet</p>	Based on reasonable office supply usage	Stationery provided on request and record kept of distribution per year.

Clause No	Description	Limit	Basis	Documentation for Reconciliation
		one portable paper shredder		
D70	Corporate Uniform	Limit on clothing amounts	Based on reasonable supply given number of occasions requiring uniform wear	Uniform fittings arranged by Councillor Services
D75	Communication and media costs, professional journals relating to Council business	Limit of \$500	Based on reasonable costs for access to these types of facilities	Claims for reimbursement include receipts or statutory declaration
D76	Electricity Charges	Up to 20% per account Limit of \$500 per year	Based on percentage usage of office based activities for power, heating and cooling while undertaking Council business. Comparable with calculations used by ATO	Accounts to be submitted signed to indicated payment is to be made. No reimbursement of accounts that are in a business name. No late or credit card fees will be reimbursed.
D78	Councillor Allowance Deductions	Administrative service to process up to two deductions from Councillor monthly allowance	Reasonable processing of claims not unduly providing an additional administrative burden	Set up of deductions on request of Councillor to Councillor Services.

2.3 Reviewed Policy - Nuclear Free Zone

TRIM REFERENCE: F2004/07011 - D06036231
MANAGER: Lesley Crawley, Manager
AUTHOR: Meg Newington; Senior Governance Officer

SUMMARY

Report on reviewed Council Policy - Nuclear Free Zone.

RECOMMENDATION

That Council repeal the Reviewed Policy - Nuclear Free Zone.

BACKGROUND

As it is essential that Council policies are reviewed on a regular basis to ensure they remain relevant to Council practices, comply with legislative requirements and are able to adequately assist staff members in the performance of their duties. This policy has been reviewed and is attached.

Following community concerns and anti-nuclear representations from local federal members, Australian Conservation Foundation, The Central Coast Peace Forum and other environmental activists, Council at its General Purposes Committee meeting held on November 11 1998, resolved the following:

- 1 *That Council strongly support all efforts to limit the proliferation of nuclear weapons and general nuclear waste.*
- 2 *That Council reiterate its stance that Wyong Shire continue to enjoy "Nuclear Free" status.*

This stance was taken by Council during the years when France decided to resume nuclear testing in the Pacific, Japan agreed to allow US nuclear armed vessels to enter their air and sea ports and there was a great deal of publicity surrounding the successful push the Australian Nuclear Veteran's Association to allow veterans of the British atomic tests at Maralinga and Monte Bello to receive full pensions. There was also general community concern about trucks carrying uranium waste travelling through the Shire.

It is not clear the effect of the policy and it is unlikely what enforcement authority that the policy would provide.

PROPOSAL

It is proposed to repeal the policy given that some time has occurred since this policy was put in place and in current circumstances any nuclear proposals would be governed by appropriate legislation and therefore the effectiveness of any local policy is minimised.

CONCLUSION

The WSC Nuclear Free Zone policy has been reviewed and is recommended to be repealed given that alternate legislation would be in place to manage any nuclear related proposals.

ATTACHMENTS

- 1 Policy for Nuclear Free Zone D05808022



POLICY No: WSC043

POLICY FOR NUCLEAR FREE ZONE

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DIRECTOR	Brian Glendenning, General Counsel, Legal & Risk		
GENERAL MANAGER	Michael Whittaker		
MAYOR (IF APPLICABLE)			

History of Revisions:

Version	Date	TRIM Doc. #
1	13/1/2009	D00898305
2	30/1/2014	D05808022

A. POLICY SUMMARY

- A1 This policy represents Wyong Shire Council's position on nuclear substances, raw materials and manufactured products other than those used for medical and laboratory testing purposes.

B. POLICY BACKGROUND

- B1 In light of national debate on the use of nuclear power and to ensure the health, safety and welfare of its residents, Wyong Council considers it appropriate that the Wyong LGA be declared a Nuclear Free Zone.

C. POLICY STATEMENTS

- C1 The local government area of Wyong Shire has been declared a Nuclear Free Zone.
- C2 As a Nuclear Free Zone, Council will declare that the Wyong Local Government area prohibits:
- a) Production, storage or disposal of nuclear waste or by-product
 - b) Extraction of uranium, radium or thorium as a primary mineral
 - c) Extraction of these minerals from any other mining activity to be used commercially
 - d) Establishment of any industry or activity involving the treatment or processing of any such mineral or nuclear, eg spent fuel reprocessing or conditioning
 - e) Transportation of any nuclear materials through the Wyong LGA
 - f) Docking of any vessel within the Wyong LGA that has failed to verify that no radioactive material is on board
 - g) Military training bases that use, store or transport depleted uranium stocks
 - h) Construction of a nuclear power station within the Wyong LGA
- C3 This policy shall not be construed to prohibit the practice of nuclear medicine, as the benefits to users outweigh the risks to the community at large.

D. POLICY IMPLEMENTATION - PROCEDURES

- D1 It is the personal responsibility of all Wyong Council employees and agents thereof to have knowledge of, and to ensure compliance with this policy.
- D2 Nuclear Free Zones must be declared by Council Resolution.

2.4 Draft Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee held on 6 March 2014

TRIM REFERENCE: F2004/07986 - D06069940

MANAGER: Lesley Crawley, Manager

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 6 March 2014.

RECOMMENDATION

- 1 That Council receive the Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 6 March 2014.**
- 2 That Council request the General Manager to write to the Minister for the Environment to expedite the release of the coastal reforms.**

BACKGROUND

A meeting of the Tuggerah Lakes Estuary Management, Coastal and Floodplain Management Committee held on Thursday 6 March 2014.

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 & Floodplain Management Committee Meeting - 6 March 2014** D05997027

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 06 March 2014
COMMENCING AT 5.00PM**

PRESENT

Councillor A Troy (Wyong Shire Council) – Co-Chairperson
Councillor L Taylor (Wyong Shire Council) – Co-Chairperson
Councillor L Webster (Wyong Shire Council)
Mr Bob Davies (Community Member)
Ms Marlene Pennings (Community Member)

IN ATTENDANCE

Mr Andrew Pearce (Wyong Shire Council)
Mr Luke Sulkowski (Wyong Shire Council)
Mr Peter Sheath (Wyong Shire Council)
Dr Toan Dam (Wyong Shire Council)
Ms Nicole McGaharan (Wyong Shire Council)
Mr Phillip Buchanan (Office of Environment and Heritage)
Ms Jade Maskiewicz (Wyong Shire Council)

APOLOGIES

Councillor D Eaton (Wyong Shire Council)
Mr Ken Derry (Community Member)
Mr Greg McDonald (Wyong Shire Council)
Mr Neil Kelleher (Office of Environment and Heritage)

The meeting was declared open by Councillor Taylor at 5.02pm.

1.1 Disclosure of Interest

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

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 Mr B DAVIES and seconded by Councillor TROY:

That the Committee confirm the minutes of the previous Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 6 February 2014.

BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

2.1 Report on Lake Management Operations

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

That the Committee receive the Report on Lake Management Operations.

2.2 Floodplain Risk Management

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

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

2.3 Coastal Zone Management

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

- 1 *That the Committee receive the report on Coastal Zone Management.*
- 2 *That the Committee request Council to write to the Minister for the Environment to expedite the release of the coastal reforms.*

2.4 2014/2015 Lakes Improvement Strategies

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

- 1 That the Committee receive the report on 2014/2015 Lakes Improvement Strategies.**
- 2 That the Committee support the Lakes Improvement Strategies and commend the Council on the development of these strategies.**

2.5 Consideration of Dredging Needs for Ourimbah Creek Mouth

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

That the Committee receive the report on Consideration of Dredging Needs for Ourimbah Creek Mouth.

2.6 Status Report on Outstanding Actions

RESOLVED unanimously on the motion of Ms M PENNINGS 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.

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

Item #	Meeting Date	Report Title	Action	Responsibility	Status/ Notes
GB37/14	6 February 2014	The Entrance Break Wall Study	Request OEH to advise dates and costings for briefing to Council.	Andrew Pearce, Manager Waterways and Asset Management	Awaiting response from OEH

**WYONG SHIRE COUNCIL
TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN MANAGEMENT COMMITTEE
COMPLETED SINCE 6 FEBRUARY 2014**

Item #	Meeting Date	Report Title	Status/ Notes
2.1	5 December 2013	Lake Management Operations	Andrew Pearce provided an update at 6 February 2014 Committee meeting.
2.2	6 February 2014	Report on Lake Management Operations	Report included in agenda at 6 March 2014 Committee meeting.
GB36/14	6 February 2014	Budgewoi Sand Mass	Andrew Pearce provided an update at 6 March 2014 Committee meeting.
GB38/14	6 February 2014	Lake Inspection	Andrew Pearce provided an update at 6 March 2014 Committee meeting and date was agreed for May.
GB39/14	6 February 2014	Commercial Fishermen - Prawn Haul Netting	Andrew Pearce provided an update at 6 March 2014 Committee meeting.
GB43/14	6 February 2014	Future Projects	Report included in agenda at 6 March 2014 Committee meeting.

3.0 GENERAL BUSINESS

There were no general business items.

THE MEETING terminated at 7.02pm.

These Minutes were confirmed at the meeting held on Thursday, 3 April, 2014, at which meeting the signature hereunder was subscribed.

2.5 Draft Minutes of the Employment and Economic Development Committee Meeting - 5 March 2014

TRIM REFERENCE: F2012/01905 - D06136912

MANAGER: Lesley Crawley, Manager

AUTHOR: Jacque Elvidge; Councillor Services Officer

SUMMARY

The draft minutes of the Employment and Economic Development Committee meeting of 5 March 2014 are submitted to Council for consideration.

RECOMMENDATION

- 1 That Council receive and note the draft minutes of the Employment and Economic Development Committee meeting held on 5 March 2014.**
- 2 That Council present Councillors with an opportunity to inspect sites nominated by Councillors as part of the Stage 2 Land Reclassification.**
- 3 That Council support the CASAR Race Track Community Matching Fund Grant application for \$75,000.**
- 4 That Council support the CASAR Race Track initiative through its membership on the Department of Premier and Cabinet Enabling Taskforce (Central Coast Sites).**
- 5 That Council seek to assist the applicant of the CASAR Race Track initiative to expedite any planning issues through pre-lodgement meetings**
- 6 That Council note that the CASAR Race Track initiative is an employment generating development and would therefore trigger priority application timeframes.**
- 7 That Council seek further efficiencies for approval of development assessments.**
- 8 That Council hold a Service Club Summit where all local service clubs are invited to be fully briefed regarding Council's initiative to provide affordable aged living accommodation.**
- 9 That Council request all future amendments to the Wyong LEP be reported to the Employment and Economic Development Committee.**

BACKGROUND

A meeting of the Employment and Economic Development Committee was held on 5 March 2014.

2.5 Draft Minutes of the Employment and Economic Development Committee Meeting - 5 March 2014 (contd)

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 5 March 2014 meeting are set out in the attachment.

ATTACHMENTS

- | | | |
|---|--------------------------------------------------------------------------------|-----------|
| 1 | MINUTES - Employment and Economic Development Committee Meeting - 5 March 2014 | D06035603 |
|---|--------------------------------------------------------------------------------|-----------|

WYONG SHIRE COUNCIL

MINUTES OF THE
EMPLOYMENT AND ECONOMIC DEVELOPMENT COMMITTEE OF
COUNCIL

HELD IN THE COMMITTEE ROOMS
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 05 MARCH 2014
COMMENCING AT 4.00 PM

PRESENT

Councillors G P Best (Chairperson), K G Greenwald, L Taylor (entered at 4.07 pm), A Troy and L D Webster.

IN ATTENDANCE

Director Property and Economic Development, Director Infrastructure and Operations, Director of Community and Recreation Services (entered at 4.37 pm, left at 4.46 pm), Manager Property Development, Acting Manager Property Management, Manager Development and Rezoning and Councillor Services Officer.

The Chairperson, Councillor Best, declared the meeting open at 4.05 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

APOLOGIES

An apology for the inability to attend the meeting was received on behalf of Mayor Doug Eaton.

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

That the Committee accept the apologies and grant Mayor Eaton leave of absence from the meeting.

At the commencement of the committee meeting report number 4.1 was 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

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

That the Committee receive the report on Disclosures of Interest and the fact that no disclosures were made be noted.

2.1 Confirmation of the adopted Minutes of the Employment and Economic Development Committee Meeting - 29 January 2014

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

That the Committee confirm the adopted minutes of the previous meeting of the Employment and Economic Development Committee held on 29 January 2014.

3.1 Stage 2 Land Reclassification

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

- 1** ***That the Committee receive the report on the Stage 2 Land Reclassification.***
- 2** ***That the Committee note the staff advice around this process is:***
 - a)** ***Four Councillor briefings, the first being held on the 12th March 2014***
 - b)** ***Followed by a community engagement process, envisaged to commence in May 2014***
 - c)** ***Council will prepare the planning proposal concurrently with the briefings and community engagement process***
 - d)** ***A report to be submitted to Council summarising the outcomes of the community engagement process.***
- 3** ***That the Committee recommend to Council that Councillors be presented with an opportunity to inspect sites nominated by Councillors.***

4.1 Proposed CASAR Race Track - status update

Councillor Taylor entered the meeting at 4.07 pm, during consideration of this item.

Councillor Best left the committee room at 4.13 pm and returned at 4.14 pm during consideration of this item.

Mr Brad Wilson, Cofounder of CASAR Race Track, addressed the meeting at 4.07 pm, provided a presentation, answered questions and left the meeting at 4.46 pm.

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

- 1 That the Committee receive the report on Proposed CASAR Race Track - status update.**
- 2 That the Committee note the key activities undertaken since September 2013 are as follows:**
 - CASAR has secured \$110,000 (comprising funds and in-kind support) and has applied for a \$75,000 grant from Council**
 - Strong support and expressions of interest from industry and the community to date**
 - In principle support from key local stakeholders and community representatives i.e. Federal and State Members of Parliament**
 - The Darkinjung Local Aboriginal Land Council are formerly considering the CASAR proposal at a board level**
- 3 That the Committee recommend to Council:**
 - a) That Council support the CASAR Race Track Community Matching Fund Grant application for \$75,000**
 - b) That Council support the CASAR Race Track initiative through its membership on the Department of Premier and Cabinet Enabling Taskforce (Central Coast Sites)**
 - c) That Council seek to assist the applicant to expedite any planning issues through pre-lodgement meetings**
 - d) That Council note this is an employment generating development and would therefore trigger priority application timeframes**

4.2 Wyong LEP 2013 - 1st Major Amendment

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

- 1 That the Committee receive the report on Wyong LEP 2013 - 1st Major Amendment.**
- 2 The Committee note that this amendment reflects minor administrative corrections and many site-specific amendments.**
- 3 That the Committee note that amendments do not materially affect the LEP.**

4.3 Value of Development Assessments

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

- 1 ***That the Committee receive the report and the contents be noted.***
- 2 ***That the Committee note that approval times are within key performance indicators.***
- 3 ***That the Committee recommend to Council that further efficiencies are sought for approval.***

4.4 Expression of Interest - Council-Owned Iconic Development Sites at Wyong, Toukley and The Entrance

Councillor Taylor left the committee room at 5.31 pm and returned at 5.33 pm during consideration of this item.

Councillor Greenwald left the committee room at 5.32 pm, returned at 5.35 pm and as a result did not take part in voting on this item.

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

That the Committee receive the report on Expression of Interest - Council-Owned Iconic Development Sites at Wyong, Toukley and The Entrance.

4.5 Aged living initiatives (Excellence in Aged Living Report)

Councillor Greenwald left the committee room at 5.32 pm and returned at 5.35 pm during consideration of this item.

Councillor Troy left the committee room at 5.49 pm and returned at 5.52 pm during consideration of this item.

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

- 1 ***That the Committee receive the information report on Aged living initiatives (Excellence in Aged Living Report).***
- 2 ***That the Committee recommend to Council that it hold a Service Club Summit where all local service clubs are invited to be fully briefed regarding Council's initiative to provide affordable aged living accommodation.***

4.6 Review of Council's Property Portfolio

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

That the Committee receive the report on the Review of Council's Property Portfolio.

4.7 Major Project Status Report

Councillor Webster left the committee room at 6.04 pm and returned at 6.06 pm during consideration of this item.

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

That the Committee receive the report on the Major Project Status Report.

GENERAL BUSINESS

GB1/14 LEP 2 Updates
Councillor Lloyd Taylor
F2012/01905

Councillor Taylor requested that all future amendments to the Wyong LEP be reported to the Employment and Economic Development Committee.

THE MEETING closed at 6.10 pm.

3.1 Works in Progress - Water Supply and Sewerage

TRIM REFERENCE: F2004/07830 - D05883180

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 February 2014.

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	\$1.3M	July 2013	40	40	July 2014	All identified 80-100mm water meters have been replaced. 40-50mm water meters currently being replaced. Contractor has commenced replacement of identified 20-25mm water meters with 2,000 completed to date. An additional 10,000 to be done by end of June 2014. This is being funded by the Water and Sewerage Capital Works Program. Program accelerated with 2014/15 funds brought forward.

3.1 Works in Progress - Water Supply and Sewerage (contd)

Item Description	Est. Cost \$	Start Date	% Spent	% Comp	Est. Comp Date	Comments
Mardi WTP Process Improvement Works	240,000	July 2013	60	60	May 2014	<p>Upgrading of dosing and process equipment including new mass flow meters, turbidity meters and automatic pH control to improve treated water quality and process reliability completed. Electrical switchboard and other works for the pre-lime dosing to be completed by May 2014. Investigation into CO² dosing to be undertaken this FY.</p> <p>This is being funded by the Water and Sewerage Capital Works Program.</p>
Mardi Dam Demolition of Old Inlet Tower	280,000	Nov 2013	100	100	Feb 2014	<p>Contractor commenced works in December 2013.</p> <p>Contract works completed and contractor has left the site.</p> <p>This is being funded by the Water and Sewerage Capital Works Program.</p>

SEWERAGE

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

Location	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Bateau Bay Buff Point Chittaway Point Gorokan Watanobbi Wyong	\$1.5M	Oct 2013	35	35	Jun 2014	<p>Contract sewer main inspection and maintenance programme to improve system reliability and to reduce blockages and possible overflows. Contractor on site. Work commenced on 10 November 2013.</p> <p>This is being funded by the Sewerage Operational Works Program.</p>

PROCESS

Water Treatment

All treated water produced by Mardi Water Treatment Plant, for the period 1 February to 28 February 2014 met the health requirements of the Australian Drinking Water Guidelines produced by the National Health and Medical Research Council.

Sewage Treatment

The effluent discharged from Toukley Sewage Treatment Plant and Bateau Bay Sewage Treatment Plant for the period 1 February 2014 and 28 February 2014 has met Environmental Protection Authority Licence requirements.

Sewage Overflows

- There were 2 sewage overflow incidents in the sewer network reported to Council's "HOTLINE" in February 2014 with follow up reporting completed for both incidents. Both of these were the result of chokes within the sewer reticulation system at Blue Haven and Lake Haven.

WATER STORAGE

Sunday, 2 March 2014				
DAM STORAGES				
Storage	Capacity Full [ML]	Volume in Storage [ML]	Percent Full [%]	Storage Change over last
Mangrove Dam	190,000	110,111	58.0	Unchanged
Mardi Dam	7,400	3,430	46.3	Up 595
Mooney Dam	4,600	1,822	39.6	Up 163
Total	202,000	115,363	57.1	Up 758
Total Dam Storage this time last month was			57.6 Percent	
Total Dam Storage this time last year was			56.2 Percent	
GROUNDWATER & HUNTER TRANSFERS (ML)				
Period	Groundwater	From Hunter	To Hunter	
Week to Date	0.0	0.0	9.5	
This year to date	0.0	55.0	56.4	
RAINFALL(mm)				
Period	Somersby	Mardi WTP	Mangrove Dam	
Week to Date	80	34	53	
Previous Week	100	68	57	
Current week last year	202	138	152	
This year to date	249	152	150	
Same period last year	650	573	495	
Water Usage (ML)				
Period	Usage			
Week to Date	570			
Previous Week	573			
Percent change from previous week	0.7 % less			
Current week last year	504			
Percent change from same week last year	12.9 % more			
This year to date	5,712			
Same period last year	4,972			
Percent change from same period last year	14.9 % 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		192	273
This year to date	11		2,522	1,335
Total to date *	29,821		6,361	8,049

* Post M2M Commissioning

ATTACHMENTS

Nil.

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

TRIM REFERENCE: F2004/07830 - D06002203

MANAGER: Jamie Loader, Manager AUTHOR: Tabitha Kuypers; Environmental Assurance Protection Officer

SUMMARY

Reporting on the results of bacteriological tests for primary recreation water quality for the beaches in Wyong Shire and lake swimming sites in the Tuggerah Lakes catchment for the month of February 2014.

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) (NHMRC 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 has continued to apply Beachwatch's acceptable indicator levels for faecal contamination "enterococci" of 200cfu/100ml and apply its results to Beachwatch's star rating, see Table 1 below.

As a part of the NHMRC 2008, OEH's Beachwatch program requires those sites be re-evaluated to identify potential pollution sources and the risk that 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.

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

Additionally, Council is required to monitor the ocean outfalls five times each month, as required by the “Environmental Protection License’s”, issued by the NSW Environmental Protection Authority. This is carried out at ten sites around Norah Head and Wonga Point.

Summary of results for February 2014 (Summer Program)

For February 2014 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	Good	****
Gwandalan	Lagoon/Lake	Fair	***
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	Fair	***
Lighthouse Beach	Ocean Beach	Good	****
Gravelly Beach	Ocean Beach	Good	****
Soldiers Beach	Ocean Beach	Good	****

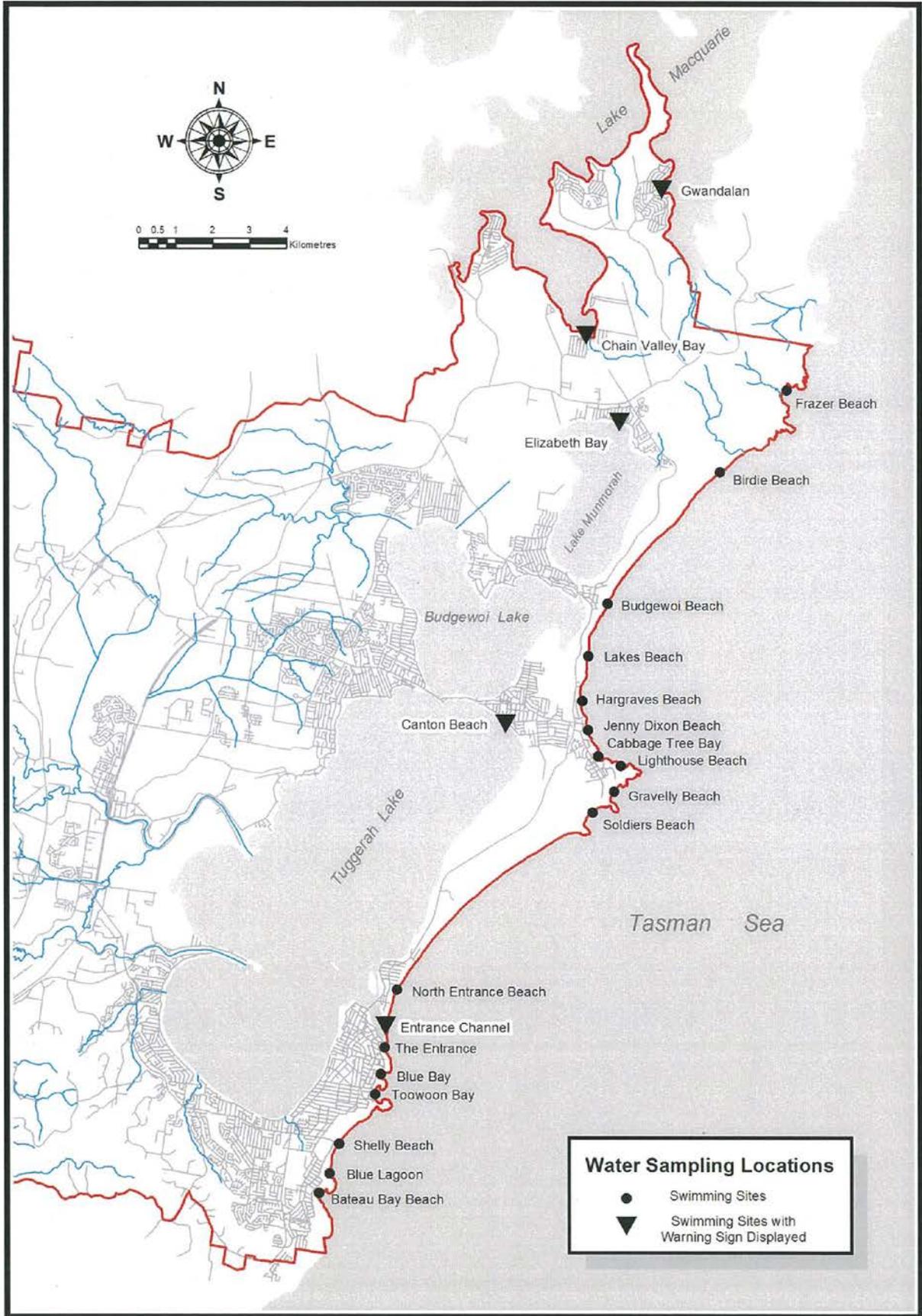
3.2 Results of Water Quality Testing for Beaches and Lake Swimming Locations (contd)

Table 2: NHMRC Star Rating Interpretation

Star Rating		Enterococci (cfu/100mL)	Interpretation
****	Good	≤ 40	NHMRC 2008 indicates site suitable for swimming
***	Fair	41 – 200	NHMRC 2008 indicates site is suitable for swimming
**	Poor	201- 500	NHMRC 2008 indicates swimming at site is not recommended.
*	Bad	>500	NHMRC 2008 indicates swimming at site is not recommended.

ATTACHMENTS

- 1 Water Sampling Sites D03238043



3.3 Activities of the Development Assessment and Building Certification Compliance and Health Units

TRIM REFERENCE: F2004/07830 - D06002300

MANAGER: Brian Glendenning, Acting 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 February 2014.

RECOMMENDATION

That Council receive the report on Activities of the Development Assessment and Building Certification Compliance and Health Units for the month of February 2014.

Development Applications Received and Determined – Development Assessment Unit February 2014

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	6	2,186,520	8	35,910,000
Industrial	1	100,000	1	750,000
Residential (Multiple Dwellings/Dual Occupancy)	3	1,518,000	5	2,983,000
Other Applications	1	22,500	2	-
Subdivisions	5	500,000	3	225,000
Section 96 Applications	7	-	4	-
Total	23	4,327,020	23	39,868,000

Note: Included in the determined Category of "Commercial" were three applications including Resort accommodation concept plan (Stage 1) including conversion of existing resort accommodation to residential apartments - Kooindah Waters valued at \$14M, Remediation of former Mardi Landfill Site determined by the Hunter Council Joint Regional Planning Panel valued at \$8.6M and an Entertainment facility at Lakehaven (Cinemas) valued at \$4.5M.

Development Applications Received and Determined – Building Certification and Health Unit – February 2014

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	-	-	2	100,000
Industrial	-	-	-	-
Residential (Dwellings)	18	5,184,355	22	6,829,790
Residential (Alterations and Additions)	36	1,322,140	42	2,517,240
Other Applications	2	80,000	2	280,950
Section 96 Applications	4	-	9	-
Total	60	6,586,495	77	9,727,980

Subdivision Applications Received and Determined February 2014

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	-	-	1	-
Industrial	1	4	-	-
Residential	4	14	3	6
Rural	-	-	-	-
Total	5	18	4	6

Net Median Turn-around Time – February 2014

The net median turn-around time in working days for development applications determined within the Development Assessment Unit during February 2014 was 12 days.

There was four (4) Employment Generating Applications determined during the month which included a Child Care Centre located at Tuggerah which will employ 25 staff, a service station, restaurant (McDonalds Operation) 4 light industrial units & associated 3 lot subdivision located at Wyong which will together employ approx. 102 staff, alterations & additions to existing building to create Aldi supermarket (Lake Haven Shopping Centre) which will employ 20 staff and an Entertainment Facility - Cinema complex comprising 8 cinema auditoria and associated carparking which will employ 4 full time employees and approximately 30 part time jobs.

The net median turn-around time in working days for development applications determined in the Building Certification Compliance and Health for February 2014 was days.

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

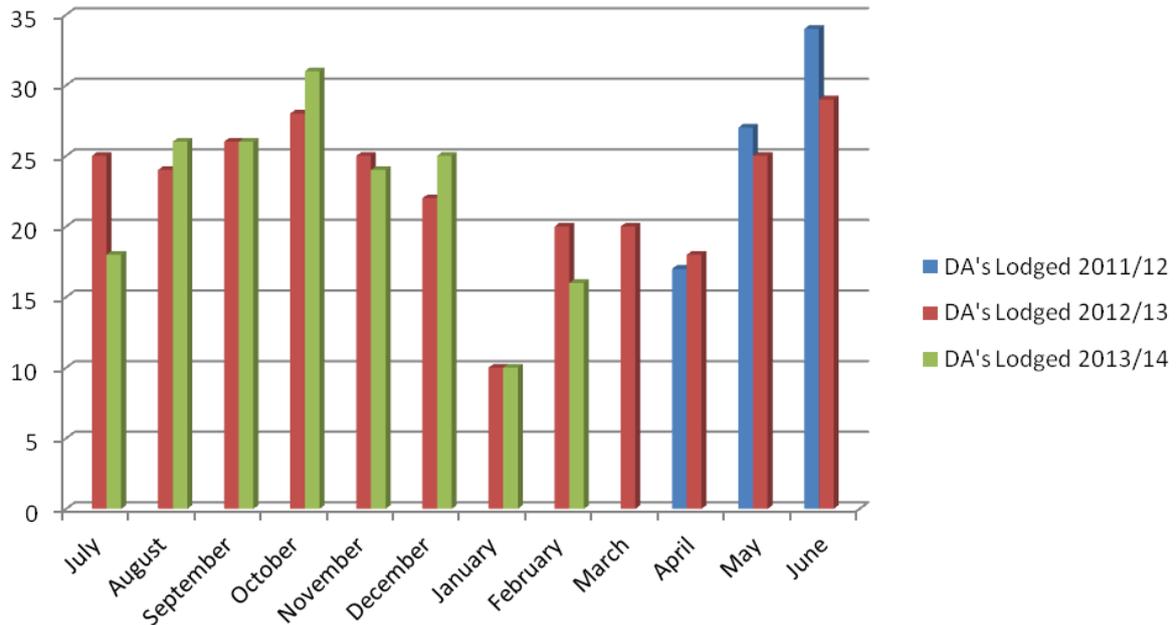
Other Approvals and Certificates

Type:	Number Determined January 2014
Trees	51
Section 149 D Certificates (<i>Building Certificates</i>)	14
Construction Certificates	43
Complying Development Certificates	21

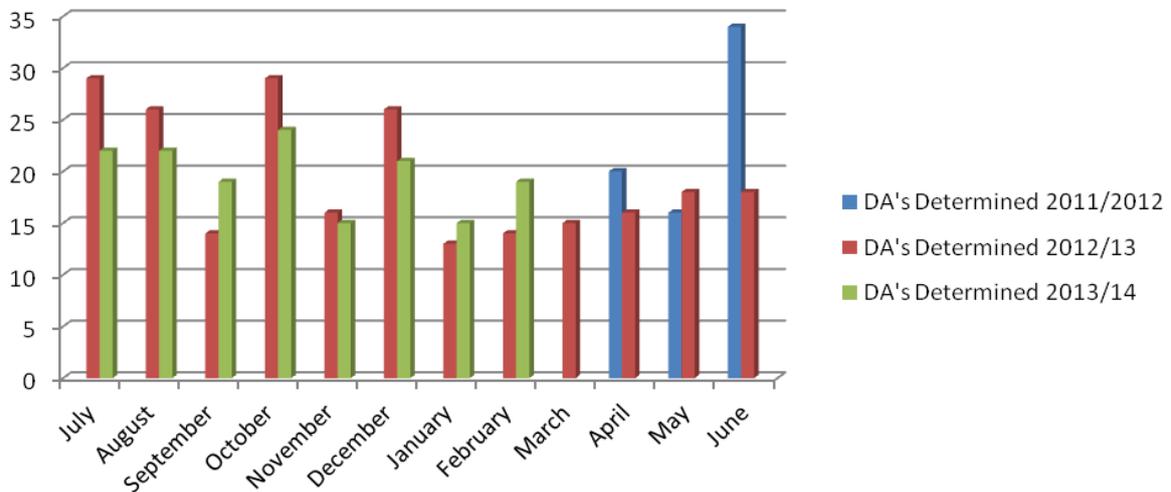
ATTACHMENTS

- 1 Development Applications Lodged, Determined and Construction Certificates Determined D06118740

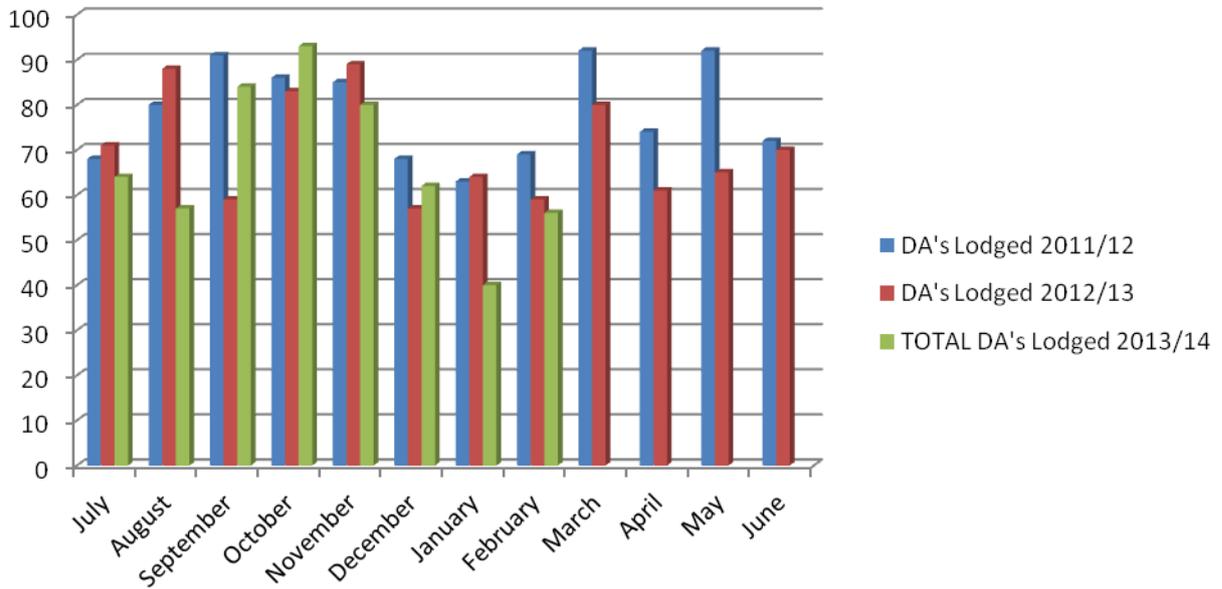
Development Applications Lodged Development Assessment Unit - By Month



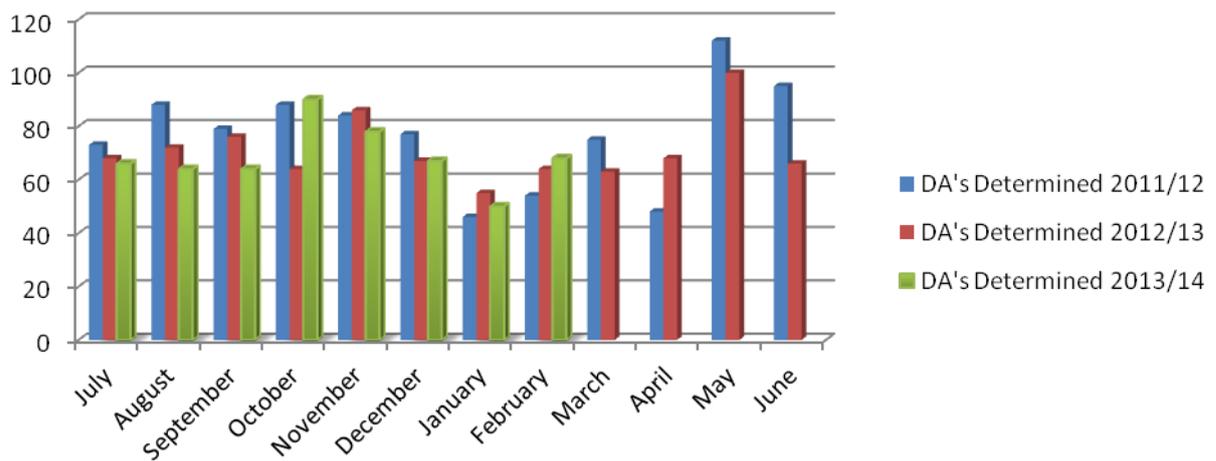
Development Applications Determined Development Assessment Unit - By Month



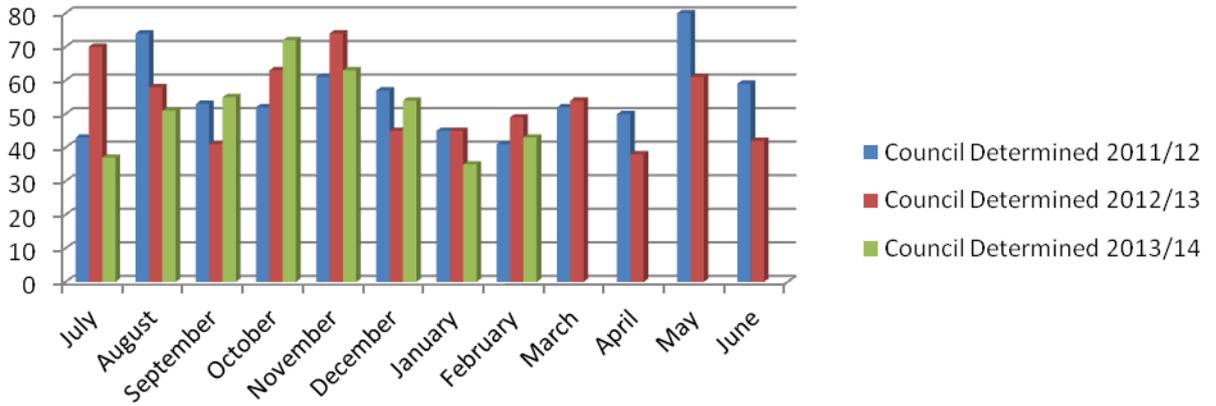
Development Applications Lodged Building Certification Compliance & Health - By Month



Development Applications Determined Building Certification Compliance & Health - By Month



Construction Certificates Determined Building Certification Compliance & Health - By Month



3.4 Quarterly Risk Management Report

TRIM REFERENCE: F2004/07245 - D06050632

MANAGER: Lilly Mojsin, Manager Legal & Governance

AUTHOR: Stephen Bignill; Senior Project Executive

SUMMARY

The following is the Wyong Shire Council Risk Management Report to Council as at February 2014.

The (WSC) Risk Report is the result of analysing each risk presented by each Service Unit Manager through the risk management system.

The risks that are reported are the risks that remain Extreme or High after controls have been exercised.

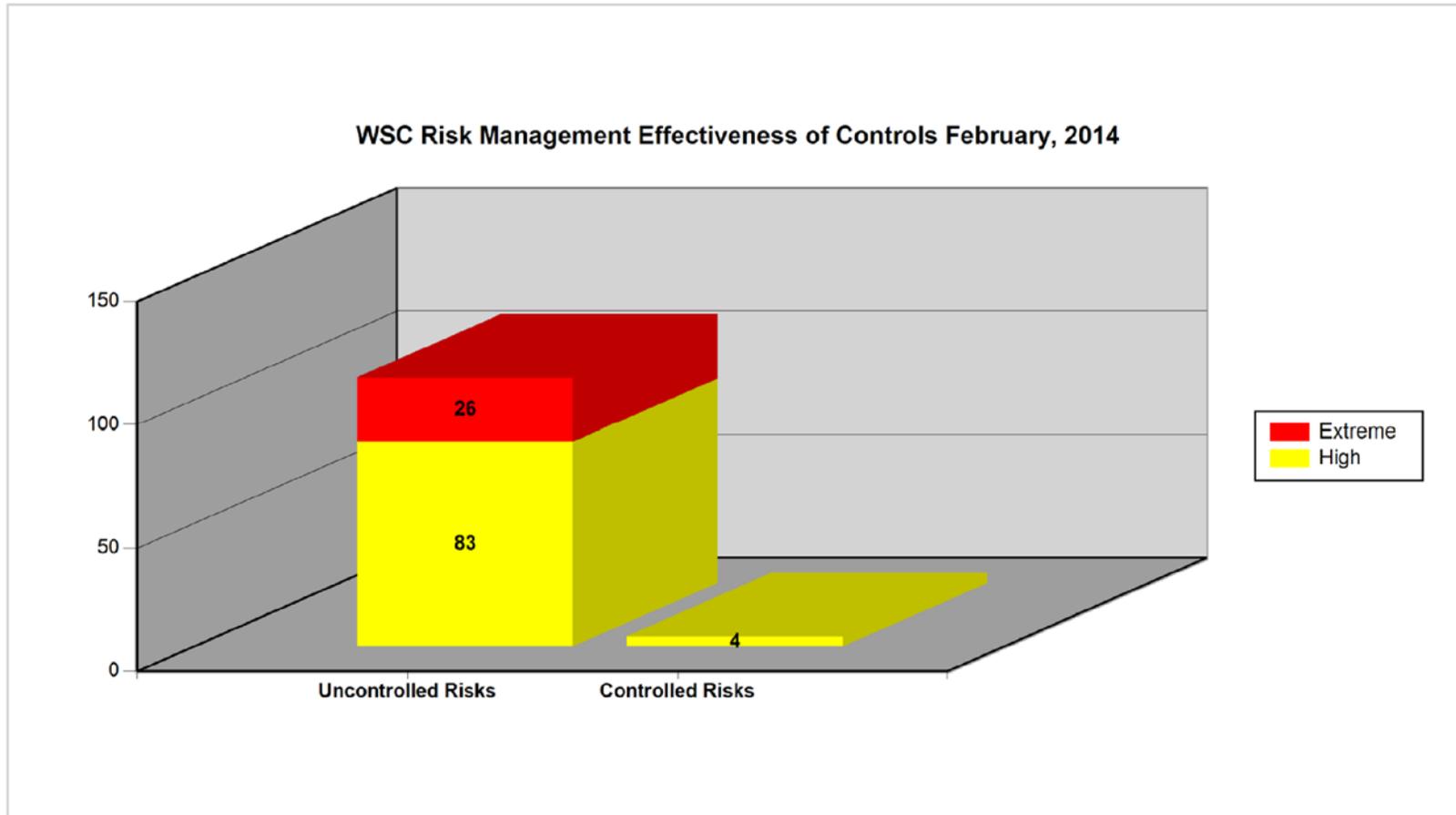
RECOMMENDATION

That Council receive the Quarterly Risk Management Report and note the current status of high level risks in Wyong Shire Council as at February 2014.

ATTACHMENTS

- | | | |
|---|-----------------------------------------------------------------------------|-----------|
| 1 | Quarterly Risk Management Report - Ordinary Council Meeting - 26 March 2014 | D06050680 |
|---|-----------------------------------------------------------------------------|-----------|

Wyong Shire Council Quarterly Risk Management Report



WSC Risk Management Summary

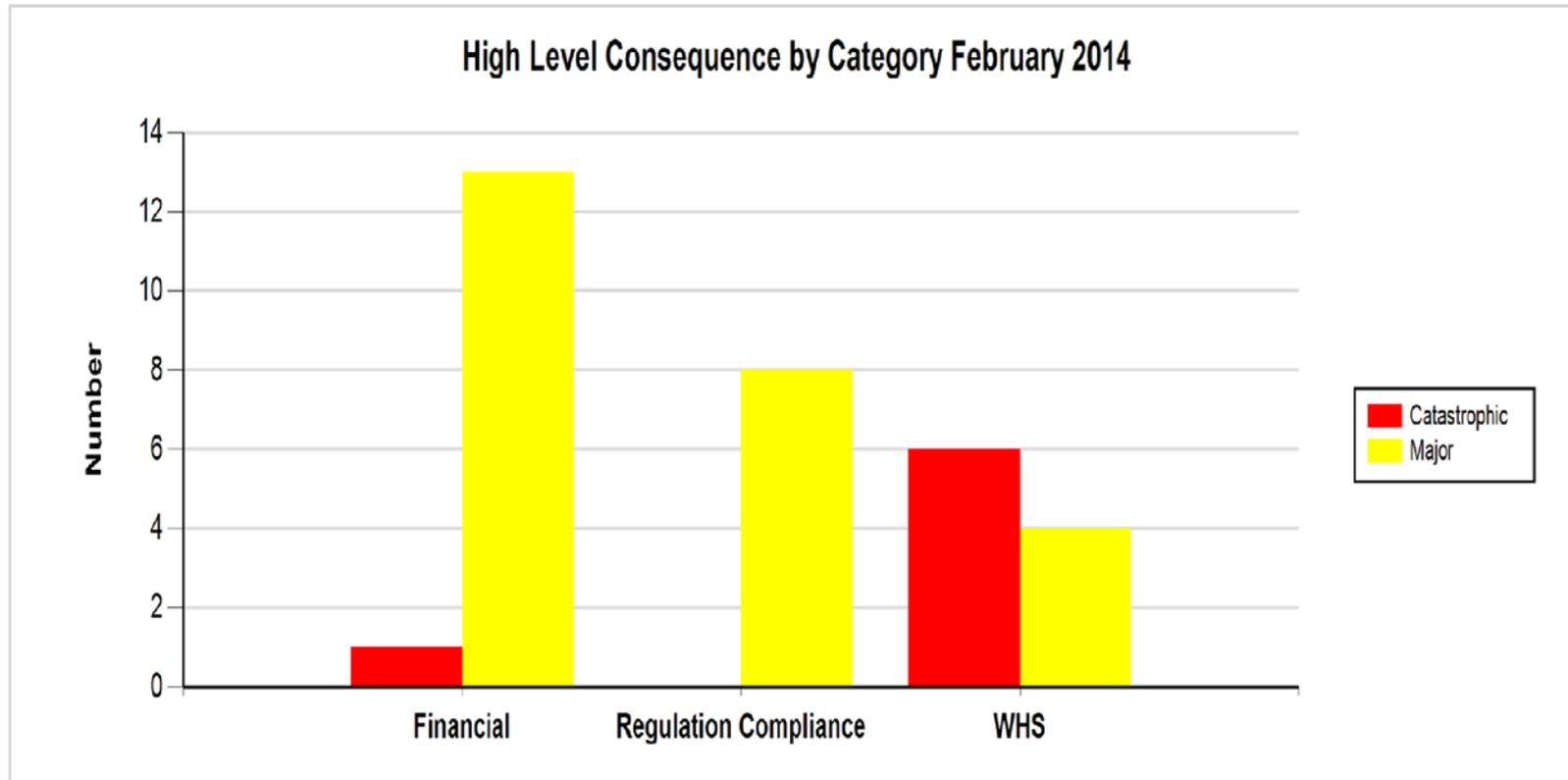
Total Estimated Exposure \$33,251,000

equal to or greater than

\$193,110,000

Total number of open risks with controls 156

Total number of controlled high/extreme risks 4



Controlled Risk Conditions Chart

LIKELIHOOD	CONSEQUENCE				
	Catastrophic	Major	Moderate	Minor	Insignificant
Almost Certain	0	0	0	3	1
Likely	0	0	1	9	2
Possible	0	2	17	27	3
Unlikely	1	14	28	22	4
Rare	5	5	4	6	2

Controlled Risk Conditions Chart by Department

Community and Recreation Services

LIKELIHOOD	CONSEQUENCE				
	Catastrophic	Major	Moderate	Minor	Insignificant
Almost Certain	0	0	0	0	1
Likely	0	0	0	3	0
Possible	0	0	4	6	1
Unlikely	0	2	5	2	1
Rare	4	0	0	0	1

Development and Building

LIKELIHOOD	CONSEQUENCE				
	Catastrophic	Major	Moderate	Minor	Insignificant
Almost Certain	0	0	0	0	0
Likely	0	0	0	0	1
Possible	0	0	0	0	0
Unlikely	0	0	1	0	0
Rare	0	0	0	0	0

Infrastructure and Operations

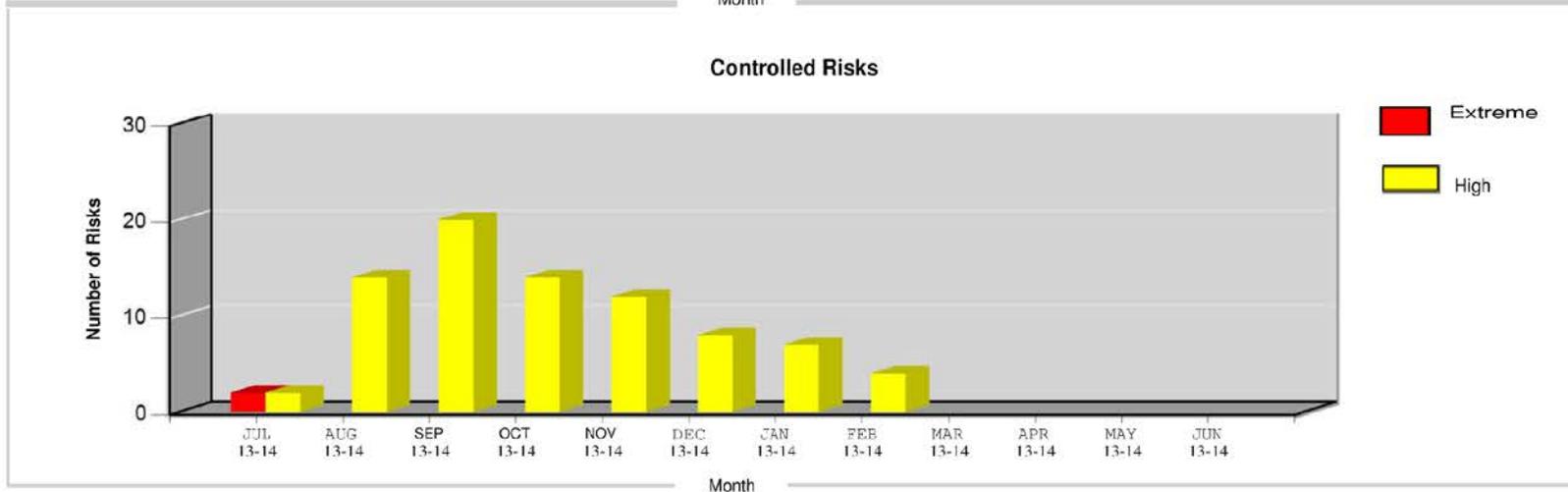
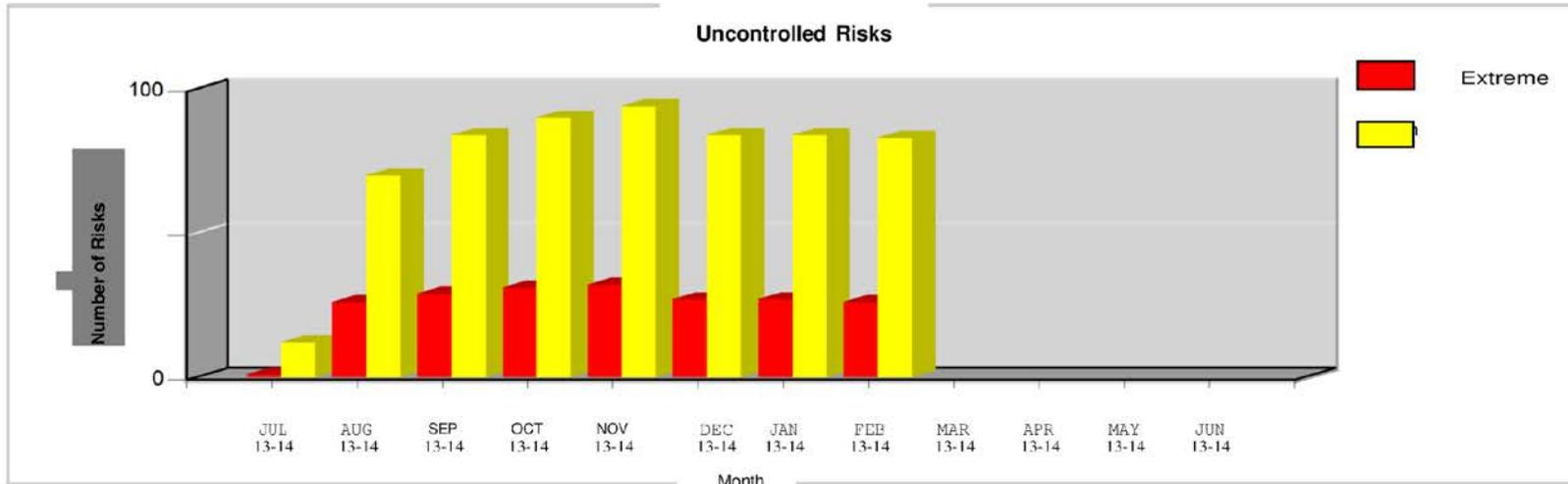
LIKELIHOOD	CONSEQUENCE				
	Catastrophic	Major	Moderate	Minor	Insignificant
Almost Certain	0	0	0	1	0
Likely	0	0	0	3	0
Possible	0	1	7	9	1
Unlikely	0	7	11	6	0
Rare	0	3	3	2	0

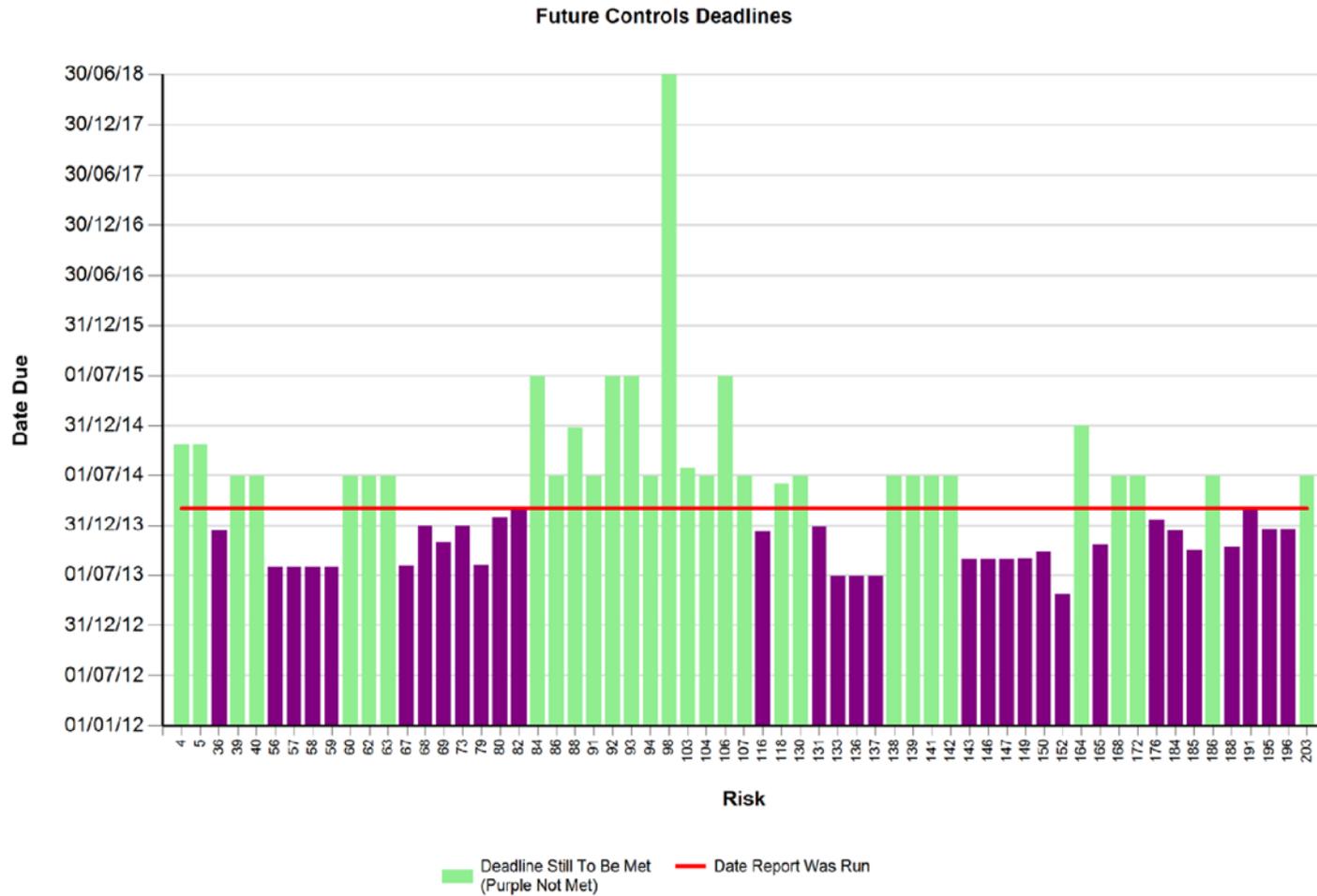
Property and Economic Development

LIKELIHOOD	CONSEQUENCE				
	Catastrophic	Major	Moderate	Minor	Insignificant
Almost Certain	0	0	0	2	0
Likely	0	0	1	1	1
Possible	0	1	5	6	0
Unlikely	0	3	8	10	1
Rare	0	2	0	3	0

General Manager

LIKELIHOOD	CONSEQUENCE				
	Catastrophic	Major	Moderate	Minor	Insignificant
Almost Certain	0	0	0	0	0
Likely	0	0	0	2	0
Possible	0	0	1	6	1
Unlikely	1	2	3	4	2
Rare	1	0	1	1	1

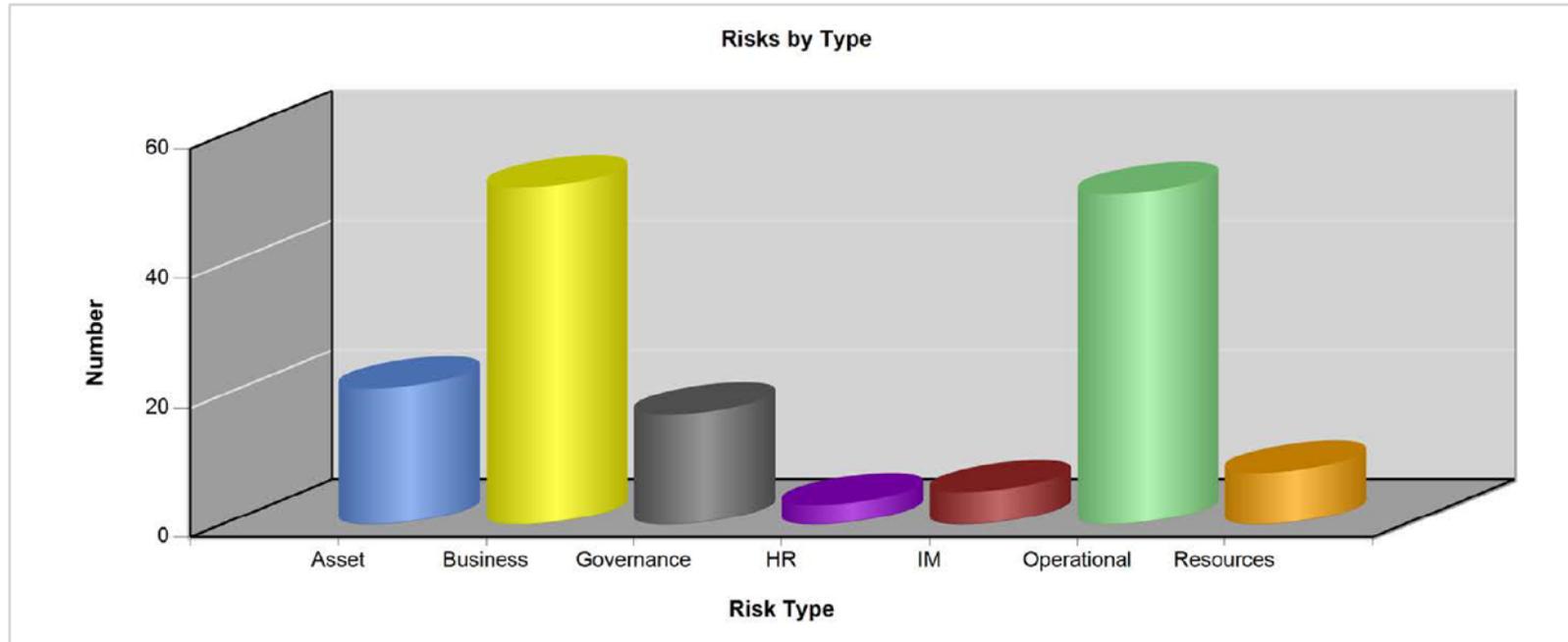




Key:

Risks in Purple have further control measures in place that are past due to be actioned.

Risks in Green Further Control action dates are yet to occur.

**Key:**

Asset - The risk has an impact directly on the asset base.

IM - The risk is the result of or has a significant impact on Information Management.

Business - The risk has the most significant impact on obtaining WSC's Business objectives (Includes Project Management).

Operational - The risk is the result of or has the most significant impact on Operational activities (includes WHS and Environmental).

HR - The risk is directly related to corporate staff issues.

Resources - The risk may eventuate due to changes in resource allocations.

Governance - The direct result of failure to follow the correct legislation.

Current High Rated Risks								
Risk #			Current Risk			Risk Owner	Status	Risk Level
	Uncontrolled	Controlled	Risk	What the risk is leading to	Current Control Measures			
167	H	H	Failure of staff to respond to WHS requirements	Leading to loss of WorkCover Self Insurer's status	Safety Management Team established. Safety Management System and Safe systems of work have been implemented. Audit, monitoring and reporting mechanisms to senior management exist.	Manager.Human Resources	Existing	7
59	H	H	Iconic Development Sites do not progress	A lack of funding to implement the town centre masterplans.	Continued implementation of the Iconic Development Site Owners' engagement programme.	Manager.Property Management	Existing	8
92	E	H	Opex costs exceed the approved budget based on the lower than expected IPART determination.	Budget deficit and increased loan costs.	Operating budget has been critically reviewed to realise savings in labour, energy and materials Improve operations to optimise operational costs.	Manager.Water and Sewer	Existing	8
57	H	H	Continued "slips and falls" on the tiles in The Entrance town centre.	A significant increase in insurance claims.	Warning signs erected within the town centre advising that tiles may be slippery.	Manager.Property Management	Existing	9

3.5 Investment Report for February 2014

TRIM REFERENCE: F2004/06604 - D06067375
MANAGER: Vivienne Louie, Chief Financial Officer
AUTHOR: Devini Susindran; Financial Accountant

SUMMARY

This report details Council's investments as at 28 February 2014

RECOMMENDATION

That Council receive the Investment Report for February 2014.

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.

CURRENT STATUS

Cash and Term Deposit Funds

Cash flows in February were managed through term deposit maturities, with a net inflow of \$12.32m including Rates instalments received at the end of February and a term deposit of \$5m which matured towards the end of the month. Term deposits to the value of \$10m were placed in early March.

Table 1 - Movement in Cash and Term deposits

Institution	Term (Approx. Months)	Interest Rate %	Maturity	Investment / (Redemption) \$'000
Movement in Term Deposits				
CUA	11	4.40%	Feb 2014	(\$5,000)
ME Bank	12	4.33%	Feb 2014	(\$5,000)
ME Bank	12	3.80%	Feb 2015	\$5,000
CBA	10	3.60%	Dec 2014	\$5,000
Suncorp	9	3.56%	Nov 2014	\$5,000
Total Term Deposit Movement				\$5,000

3.5 Investment Report for February 2014 (contd)

Movement in cash at call				
AMP		3.35%		(\$2,000)
Westpac		2.60%		\$9,100
ANZ		2.50%		\$43
CBA		2.50%		\$156
Interest earned on all call accounts				\$25
Total Cash at Call Movement				\$7,324
Total Cash & Term Deposit Movement				\$12,324

Cash at Call at ANZ relate to part security for the WorkCover Bank Guarantee and these funds were placed in a term deposit in March 2014. Funds held in the Cash at Call account with CBA relate to interest earned on term deposits. These funds have been transferred to the Westpac transactional account in March 2014.

Total Portfolio

Total net return for February 2014 was \$0.47m in interest earnings.

Table 2 - Net Return

	Full Year 2012-13 \$m	Qtr 1 to Sep 2013 \$m	Qtr 2 to Dec 2013 \$m	Jan 2014 \$m	Feb 2014 \$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	0.09	0.04	0.02	0.30
Interest Earnings on Term Deposits received at Maturity	7.04	1.51	1.61	0.51	0.45	4.08
Total Interest Earnings	7.57	1.66	1.70	0.55	0.47	4.38
Total return for the period	8.25	1.77	1.71	0.55	0.47	4.50

* Until October 2013, Council's portfolio included investments in managed funds held under the "grandfather" provisions of the current Ministers Order. The investment in Blackrock Care and Maintenance Fund was liquidated in October 2013.

Full year returns to February of 4.34% is favourable compared to benchmark bank bill swap (BBSW) full year Bank Bill Index of 2.73% and Council guidelines of BBSW + 10 basis points. The full year return excluding capital losses on managed funds of \$0.20m is 4.53%.

Table 3 - Investment Portfolio by Risk Category

Investment Class	Feb 2014 Portfolio \$ '000	YTD Return \$ '000	YTD Return %
Cash at Call	20,118	289	3.08
Term Deposits	137,870	4,093	4.38
Managed Funds	-	124	13.55
Total Investments	157,988	4,506	4.34

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 investment strategy includes rolling maturity dates to ensure that Council has sufficient funds at all times to meet its obligations. A summary of the Term Deposit maturities are listed in Table 4 below.

Table 4 - Term Deposits Maturities

Time Horizon	Value \$ '000
At Call	20,118
Term Deposits	
0 - 3 months	40,000
4 - 6 months	26,870
7 - 12 months	46,000
1 - 2 years	10,000
2 - 3 years	6,000
3 - 4 years	4,000
4 - 5 years	5,000
Total Term Deposits	137,870
Total Portfolio	157,988

The target maximum allocation limit in each category and the current spread of investments is listed in Table 5. The portfolio is still overweight in A1 but moving more into A2 within policy guidelines in order to obtain the best rates offered.

Table 5 - Portfolio Credit Framework

Investment Category Short Term	Target Maximum Allocation	Portfolio Allocation Jan 2014
A1	10.0%	51.83%
A2	75.0%	45.00%
A3	10.0%	2.54%
Unrated	15.0%	0.63%
TOTAL		100.00%

Investment transactions and earnings during February 2014 are shown in Table 6 - Portfolio Movements.

Table 6 - Portfolio Movements

	Full Year 2012-13 \$m	Qtr 1 to Sept 2013 \$m	Qtr 2 to Dec 2013 \$m	Jan 2014 \$m	Feb 2014 \$m	YTD 2013-14 \$m
Movement in Assets						
Opening Balance	153.81	154.99	162.49	156.92	145.66	154.99
Capital Gain/(Loss) on Managed funds	0.68	(0.21)	0.01			(0.20)
Capital Distribution on sale of Managed Fund	(1.93)	(4.81)				(4.81)
Managed fund income Distribution		0.32				0.32
Net Cash/Investments (Withdrawals)	2.40	12.20	(5.58)	(11.26)	12.32	7.68
Closing Balance	154.99	162.49	156.92	145.66	157.98	157.98

Portfolio Interest and Investment Returns

Full year returns as at 28 February 2014 on Council's investment portfolio of deposit accounts, term deposits and managed funds, show a \$0.33m or 6.86% *unfavourable* variance when compared to the year to date revised budget at February 2014.

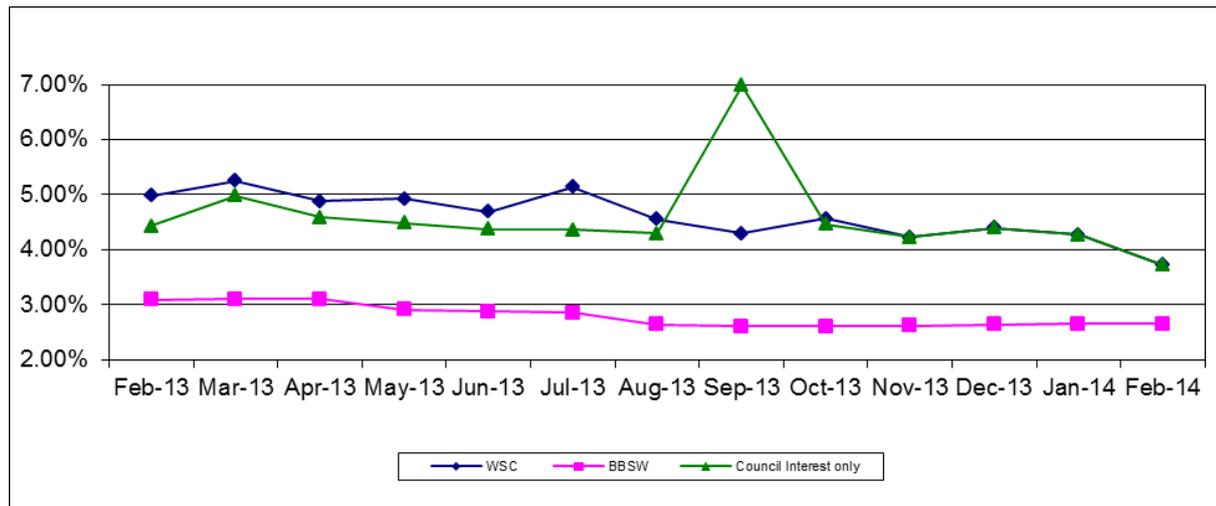
Table 7 - Annual Investment Portfolio Performance as at 28 February 2014

Investment Source	YTD Investment revaluation \$ '000	YTD Interest \$ '000	YTD Actual Income \$ '000	YTD Q2 Adopted Budget \$ '000	YTD Variance to Budget \$ '000	FY Q2 Adopted Budget \$ '000
	A	B	C=A+B	D	E=C-D	
General	(117)	2,665	2,548	2,698	(150)	3,958
Water	(36)	858	822	710	112	1,086
Sewerage	(44)	1,180	1,136	1,430	(294)	2,163
Total	(197)	4,703	4,506	4,838	(332)	7,207

Interest rates in the month, ranged from 3.40% to 5.20% with the exception of Heritage Bank at 7.25%, all of which exceeded the February Bank Bill Swap Rate (BBSW) benchmark of 2.61%.

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:

Graph 1 - 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

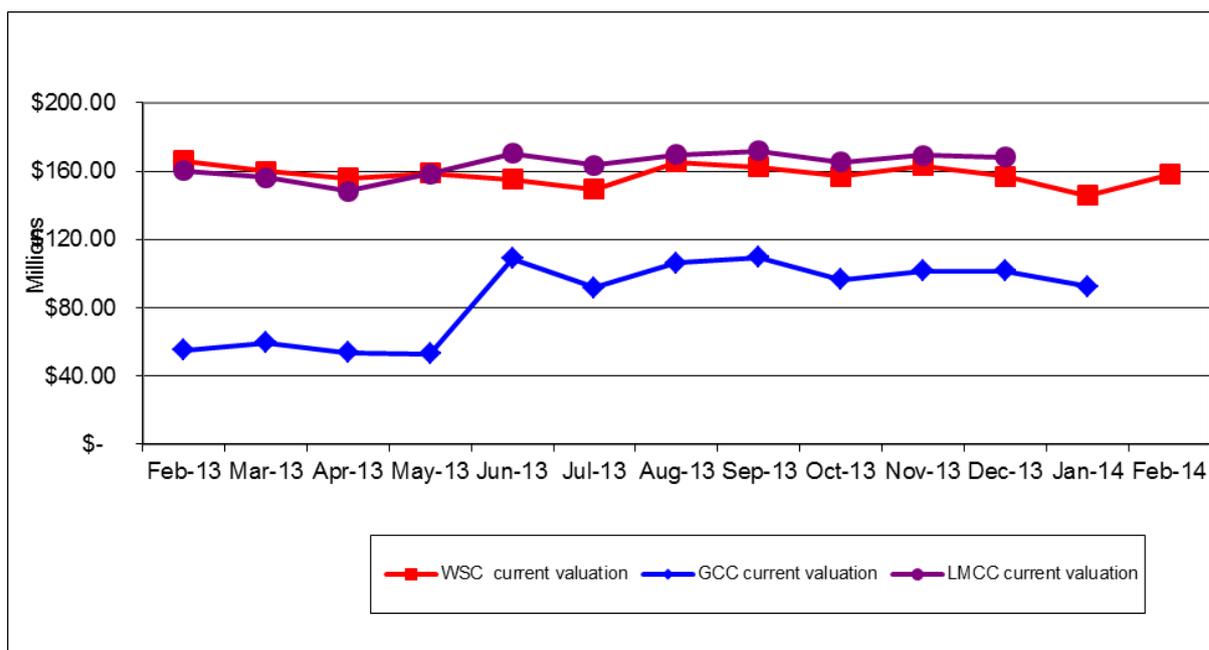
WSC's investment portfolio reflects our strong cash position. This is level with Lake Macquarie City Council and above Gosford City Council's portfolio as summarised in table 8 below. Graph 2 shows the monthly portfolio balances over a 12 month period for all three Councils.

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

Table 8 – Summary of Investment Portfolio Balances

Month / Council	Wyong Shire Council \$m	Gosford City Council \$m	Lake Macquarie Council \$m
Oct 2013	\$157.11	\$96.64	\$165.41
Nov 2013	\$163.00	\$101.63	\$169.24
Dec 2013	\$156.93	\$101.67	\$168.35
Jan 2014	\$145.66	\$92.43	Information not yet available
Feb 2014	\$157.99	Information not yet available	Information not yet available

Graph 2 – Portfolio Valuations – Comparison to Neighbouring Councils



Gosford City Council's investment portfolio increase in June 2013 includes \$51.9m of loans raised.

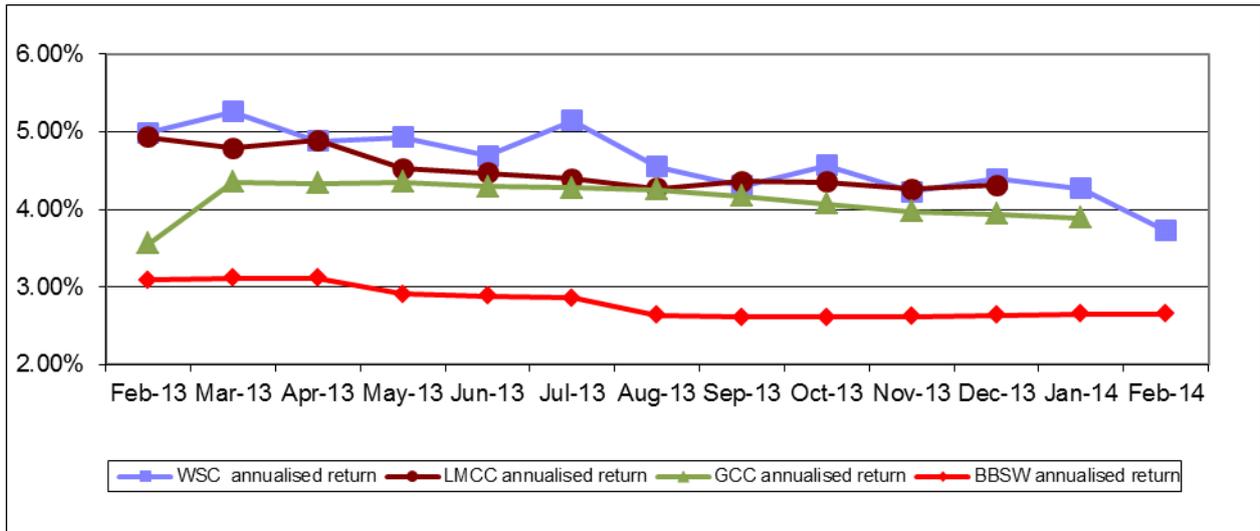
Portfolio Returns

WSC's investment yield compares favourably to neighbouring Councils as outlined in table 9 below. Graph 3 shows the monthly annualised portfolio returns over a 12 month period for all three Councils compared to BBSW.

Table 9 – Summary of Annualised Investment Portfolio Returns

Month / Council	BBSW	Wyong Shire Council	Gosford City Council	Lake Macquarie Council
Oct 2013	2.61%	4.57%	4.07%	4.35%
Nov 2013	2.62%	4.23%	3.97%	4.26%
Dec 2013	2.64%	4.39%	3.94%	4.31%
Jan 2014	2.65%	4.27%	3.89%	Information not yet available
Feb 2014	2.66%	3.73%	Information not yet available	Information not yet available

Graph 3 – 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 28 February 2014 have been made in accordance with the Act, the Regulations and Council's Investment Policies.

ATTACHMENTS

- 1 Summary of Investment by Type - February 2014 D06115902

Wyong Shire Council Summary of Investments - By Type As at 28 February 2014								
FUND MANAGER	TYPE OF INVESTMENT	RATINGS		MATURITY	PORTFOLIO	PORTFOLIO	INCOME FOR	INTEREST RATES
		Short Term	Long Term		BALANCE 31.01.14 \$	BALANCE 28.02.14 \$	MONTH OF FEBRUARY \$	% p.a.
CASH AT CALL:								
Westpac	Corporate Investment Account	A1	AA	Daily	8,280,124	17,395,133	15,010	2.60
CBA	At Call Deposit	A1	AA	Daily		156,000		2.50
ANZ	11am Call Account	A1	AA	Daily		43,000		2.50
AMP	Business Saver Account	A1	A	Daily	4,513,713	2,523,477	9,764	3.35
Total Cash At Call					12,793,837	20,117,610	24,774	
TERM DEPOSITS & BONDS								
<u>Short term deposits & bills (less than 90 days)</u>								
CUA	Term Deposit	A2	BBB	11/02/2014	5,000,000		5,425	4.40
ME Bank	Term Deposit	A2	BBB	27/02/2014	5,000,000		15,422	4.33
Westpac	Term Deposit	A1	AA	5/03/2014	10,000,000	10,000,000	44,263	5.77
Bank of Queensland	Term Deposit	A2	BBB	11/03/2014	5,000,000	5,000,000	16,493	4.30
Bank of Queensland	Term Deposit	A2	BBB	27/03/2014	5,000,000	5,000,000	16,685	4.35
ME Bank	Term Deposit	A2	BBB	14/04/2014	5,000,000	5,000,000	16,532	4.31
ME Bank	Term Deposit	A2	BBB	28/04/2014	5,000,000	5,000,000	16,033	4.18
ING	Term Deposit	A1	A	19/05/2014	5,000,000	5,000,000	15,112	3.94
CUA	Term Deposit	A2	BBB	28/05/2014	5,000,000	5,000,000	16,110	4.20
					50,000,000	40,000,000		
<u>Medium Term Deposits (up to 365 days)</u>								
NAB	Term Deposit	A1	AA	10/06/2014	5,000,000	5,000,000	15,074	3.93
NAB	Term Deposit	A1	AA	27/06/2014	5,000,000	5,000,000	15,074	3.93
Rural Bank	Term Deposit	A2	A	15/07/2014	5,000,000	5,000,000	14,959	3.90
CBA	Term Deposit	A1	AA	30/07/2014	1,870,000	1,870,000	5,236	3.65
ING	Term Deposit	A1	A	19/08/2014	5,000,000	5,000,000	15,189	3.96
NAB	Term Deposit	A1	AA	28/08/2014	5,000,000	5,000,000	15,112	3.94
NAB	Term Deposit	A1	AA	9/09/2014	5,000,000	5,000,000	15,036	3.92
NAB	Term Deposit	A1	AA	22/09/2014	5,000,000	5,000,000	15,112	3.94
Bendigo/Adelaide	Term Deposit	A2	A	22/09/2014	5,000,000	5,000,000	14,767	3.85
NAB	Term Deposit	A1	AA	13/10/2014	5,000,000	5,000,000	14,690	3.83
CUA	Term Deposit	A2	BBB	30/10/2014	5,000,000	5,000,000	15,151	3.95
ING	Term Deposit	A1	A	12/11/2014	5,000,000	5,000,000	14,767	3.85
Suncorp	Term Deposit	A1	A	18/11/2014	5,000,000	5,000,000	5,364	3.56
CBA	Term Deposit	A1	AA	18/12/2014	5,000,000	5,000,000	5,425	3.60
Wyong Shire Credit Union	Term Deposit	UNRATED	UNRATED	31/01/2015	1,000,000	1,000,000	2,608	3.40
ME Bank	Term Deposit	A2	BBB	4/02/2015	5,000,000	5,000,000	13,014	3.80
Bank of Queensland	Term Deposit	A2	BBB	25/11/2015	5,000,000	5,000,000	15,534	4.05
ING	Term Deposit	A1	A	26/11/2015	5,000,000	5,000,000	15,342	4.00
					67,870,000	82,870,000		
<u>Non - Current</u>								
Bank of Queensland	Term Deposit	A2	BBB	2/08/2016	6,000,000	6,000,000	22,247	5.20
Heritage	Senior Bond	A3	BBB	20/06/2017	4,000,000	4,000,000	23,934	7.25
ANZ	Term Deposit	A1	AA	30/10/2018	5,000,000	5,000,000	18,679	4.87
					15,000,000	15,000,000		
Total Term Deposit & Bonds:					132,870,000	137,870,000	454,389	
TOTAL PORTFOLIO					145,663,837	157,987,610	479,163	
Current					130,663,837	142,987,610		
Non-Current					15,000,000	15,000,000		
TOTAL PORTFOLIO					145,663,837	157,987,610		

3.6 Outstanding Questions on Notice and Notices of Motion

TRIM REFERENCE: F2013/02042 - D06019254

MANAGER: Lesley Crawley, Manager

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 - 26 March 2014 D06121570

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
11.	Community and Recreation Services	Brett Sherar	<p>8.1 Notice of Motion - Regional Sport Economic Benefit</p> <p>1 That Council <u>note</u> the numerous benefits (including tourism, economic and sporting) associated with hosting Regional Sporting events.</p> <p>2 That Council <u>investigate</u> the capability restraints of our current sports grounds to host Regional Sporting events and the need to formulate a strategic approach to maximise the usage of our facilities to attract such events.</p> <p>3 That Council <u>request</u> the General Manager to report proposals for regional sports events within Wyong Shire Council for its consideration.</p> <p>4 That Council <u>liaise</u> with local sporting organisations, via the Sports Committee, to seek feedback on hosting regional sporting events.</p>	13 March 2013 Cr Nayna	Report will be provided April 2014.
12.	Property and Economic Development.	Stefan Botha	<p>8.2 Notice of Motion - Waste Initiatives</p> <p>1 That Council <u>note</u> the recent announcement by the New South Wales Government of their 'Waste Less, Recycle More' program.</p> <p>2 That Council <u>note</u> the 'Supporting Local Communities – Local Government Program' that provides access to \$137.7 million over 5 years to reduce illegal dumping and littering.</p> <p>3 That Council <u>request</u> the General Manager to provide a briefing to Councillors which identify possible applications to the 'Supporting Local Communities – Local Government Program'.</p> <p>4 That Council <u>note</u> that the waste levy will cost Ratepayers \$12.5 million in 2013/14.</p> <p>5 That Council <u>write</u> to The Hon Robyn Parker MP, Minister for the Environment expressing ongoing concerns with the cost to Council of the Waste Levy.</p>	13 March 2013 Cr Nayna	<p>Resolution 3 – Currently waiting on EPA to provide more information – expected in the first quarter of 2014. Council anticipates a briefing will be held in late March 2014.</p> <p>Resolution 5 – Completed.</p> <p>The remaining resolutions are to be noted.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
20.	Land Management	Paul Bowditch (David Kitson)	<p>9.1 Notice of Motion – Urgent Employment Stimulus</p> <p><i>"543/13 That Council <u>note</u> with great concern the recent escalating national/local employment figures, particularly around the construction industry which underpins the Central Coast economy.</i></p> <p><i>544/13 That Council <u>recognise</u> the need to be part of the national economic stimulus initiative by reviewing Council's development taxation structure/Section 94 Contributions.</i></p> <p><i>545/13 That Council <u>adopt</u> 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.</i></p> <p><i>546/13 That Council <u>authorise</u> existing VPA's meeting the criteria above to be reduced to this level providing construction has not commenced.</i></p> <p><i>547/13 That any VPA arising from this initiative be <u>reported</u> to Council.</i></p> <p><i>548/13 That Council <u>receive</u> a report on this stimulus initiative as soon as practicable after 30 December 2013 and again after 30 June 2014."</i></p>	24 April 2012 Councillors Best and Nayna	<p>Two TESP VPAs were reported to Council on 22 January 2014. A further 4 VPAs have been drafted and are with applicant for agreement to proceed to exhibition.</p> <p>Response to be provided in April.</p>
36	Land Management	Kathryn Heintz	<p>9.1 Notice of Motion - Councils Reduction in Red Tape</p> <p><i>1 That Council <u>indicate</u> its intention to rescind all controls over residential side and rear boundary fencing.</i></p> <p><i>2 That Council <u>acknowledge</u> that in Wyong Shire all dividing fence matters are controlled by the Dividing Fences Act 1991.</i></p> <p><i>3 That Council <u>insert</u> "Front Boundary Fences" within Schedule 2, Exempt Development, as part of major</i></p>	24 July 2013 Cr Taylor	Response to be provided by end of 2014.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p><i>Amendment No.1 to the Wyong Local Environmental Plan 2012, subject to the following standards:</i></p> <p><i>a be not higher than 1.8 metres above ground level (existing); and</i></p> <p><i>b be located within, not over, the front boundary; and</i></p> <p><i>c be designed to preserve traffic sight line requirements at intersections; and</i></p> <p><i>d be not constructed of barbed or razor wire.</i></p>		
56	General Managers Unit	Brian Glendenning	<p>Mayoral Minute – Central Coast Water Board General Meeting</p> <p>1255/13 <i>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.</i></p> <p>1256/13 <i>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.</i></p> <p>1257/13 <i>That Council <u>resolve</u> that the Council Seal be affixed to the attached instrument to effect the above appointment.</i></p> <p>1258/13 <i>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.</i></p> <p>1259/13 <i>That Council <u>direct</u> the General Manager to investigate and report the governance options</i></p>	23 October 2013 Cr Eaton	<p>1255/13 - Completed</p> <p>1256/13 - Completed.</p> <p>1257/13 - Completed.</p> <p>1258/13 - Completed.</p> <p>1259/13 – Options are being investigated and a report will be prepared – Date of submission to Council to be advised.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>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="margin-left: 40px;">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="margin-left: 40px;">b to minimise Council's exposure to claims and litigation arising from damage caused by trees and</p> <p style="margin-left: 40px;">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</p>	13 November 2013 Cr Best	Response to be provided June 2014.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>addition to the 6 and 12 metre current policy for the removal of trees.</i>		
66	Development and Building Department	Jane Doyle	<p>Q49/13 - Darkinjung Large Scale manufactured Home Estate, Budgewoi (DA 493/2012 lodged 21 June 2012)</p> <p><i>Mr General Manager, my question is on behalf of the good people of the greater Budgewoi area. As their local Councillor, I have received numerous calls and representations around the inordinate amount of time that this major development is taking for Council to determine. Understandably, with Council receiving more than 2,000 submissions on this particular DA, the most ever, it is only fair and reasonable that after more than a year, this matter be determined. Could you please advise Council, and in deed the community, when will this happen?'</i></p>	11 December 2013 Cr Best	Response to be provided May 2014.
67	Development & Building	Jamie Loader	<p>Q51/14 Sparks Road</p> <p><i>Can Council please investigate the use of Sparks Road, Hamlyn Terrace as a used car sales yard and report to Council any breaches of traffic regulations?</i></p>	22 January 2014 Cr Nayna	Response to be provided April 2014.
70	General Manager's Unit	<p>Lesley Crawley (1 & 2)</p> <p>Julie Vaughan (3)</p>	<p>7.1 Notice of Motion - So Called Scientific Whaling</p> <p>114/14 That Council <u>reaffirm</u>, on behalf of this Coastal Community, its total opposition and outrage at the continuing slaughter of whales that migrate past our coast only to be slaughtered in their Antarctic Whale Sanctuary by Japanese factory ships for so called scientific Whaling purposes.</p> <p>115/14 That Council <u>advocate</u> on behalf of our community, through our Federal Members to continue to encourage the Government to make all responsible representation possible to put an end to this wanton environmental destruction.</p> <p>116/14 That Council <u>request</u> the General Manager to</p>	12 February 2014 Cr Best	<p>Action 1 and 2 – Letters sent to federal Ministers 20 March 2014. Completed.</p> <p>Action 3 – Response to be provided in late June.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			provide a progress / issues report on the highly successful upcoming 2014 annual community Whale Watching awareness event (Sunday 6 July 2014) known as the 'Whale Dreamers Festival ' to be held at the Norah Head Light House.		
74	Property Development and	Jari Ihaleinan	<p>7.1 Notice of Motion – Shire Wide Spring Clean and Free Tip Access</p> <p>230/14 That Council <u>recognise</u> the urgent need to provide more flexible tipping options in an effort to curb escalating illegal dumping.</p> <p>231/14 That Council <u>direct</u> the General Manager to investigate and report around the following improvement initiatives to assist ratepayers and minimise the risk of illegal dumping in our Shire:</p> <p>213/1 Convert a number of the current free kerb side pick-ups to free tip access, thereby providing ratepayers with tangible tipping options.</p> <p>213/2 The feasibility / logistics of 'whole area pick ups' similar to many Sydney LGAs to provide a suburb wide spring clean option in the lead up to the 2014 Christmas break.</p> <p>213/3 Review, in partnership with Remondis, the kerb side pick-up booking process with a view to improved service delivery and systems efficiencies.</p>	Cr Best 12 March 2014	Response to be provided 9 April 2014 Ordinary Meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
75	Infrastructure and Operations	Greg McDonald	Q58/14 Installation of GPS units in Council Vehicles <i>"Can information be provided regarding what additional benefit the community will see through the installation of GPS units to not only the trucks in parks and reserves but also to the trailered parks and reserves mower that will detect both when the mower blades are up and or down?"</i>	Cr Matthews 12 March 2014	Response will be provided at 23 April 2014 meeting.
76	Community and Recreation Services	Maxine Kenyon	Q59/14 Melanoma March <i>"Mr Mayor, I understand that the annual Melanoma March is to be held on Sunday 23 March 2014 at Gosford Waterfront. I have been approached by the Central Coast Melanoma Support Group for assistance in highlighting the importance to the broader community in attending this important awareness event. Could you please be so kind as to refer this request to our Communications section for their assistance? Also an appropriate reference/story in your Mayoral column would be appreciated?"</i>	Cr Best 12 March 2014	Response will be provided at a future meeting.
77	Community and Recreation Services	Maxine Kenyon	Q60/14 Lake Haven Skateboard Ramp <i>"Mr Mayor, I have received numerous representations from a broad cross section of the community on issues associated with Council's endeavours to relocate the Lake Haven skateboard ramp. Such is the community concern, that more than 50 local residents attended a community meeting on 7 February 2014 where it was unanimously resolved not to locate this facility in the suggested proximity of local residents. Could you please have staff provide council with a brief update of the current situation, options and suggested recommendations that will limit the impact to the local community?"</i>	Cr Best 12 March 2014	Response will be provided at 23 April 2014 meeting.
78	Infrastructure and Operations	Greg McDonald	Q61/14 RMS UpGrade to Pacific Highway <i>"Can Council gain a status report on the latest plan – options for the RMS upgrade of the Pacific Highway through Wyong Township?"</i>	Cr Greenwald 12 March 2014	Response will be provided at 9 April 2014 meeting.

**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE
12 MARCH 2014**

	Department	Question on Notice / Notice of Motion	Date Asked/ Councillor	Status
69	Infrastructure & Operations	Q53/14 Minnesota Road Raceway	22 January 2014 Cr Best	Completed
71	Community and Recreation Services	7.2 Notice of Motion - Council's 2015 Environmental Showcase Calendar	12 February 2014 Cr Best	Completed
73	General Manager's Unit	Q56/14 Water Rates Fairness	12 February 2014 Cr Best	Completed

4.1 Answers to Question on Notice

TRIM REFERENCE: F2013/00024 - D05997141 AUTHOR: PM

4.1 Q53/14 - Minnesota Road Raceway

The following question was asked by Councillor Best at the Ordinary Meeting held 22 January 2014:

“Mr Mayor, Unfortunately once again I need to raise on behalf of the good folk of Minnesota Road, the issues of irresponsible motoring that have been exacerbated by Councils \$5M construction. Could you please refer these issues to our traffic committee, rangers and local police for their urgent action?”.

Roads and Maritime Services (RMS) confirmed on 3 March 2014 that they have commenced a review of the speed limit on Minnesota Road.

This review will determine if the current speed limit arrangements are still appropriate for the new road conditions that have resulted from recent works.

The challenge for RMS is to ensure that speed limits reflect changing road conditions without creating an excessive number of different speed zones which is likely to cause confusion to motorists and could be counterproductive in terms of gaining compliance by motorists and thereby incidents of illegal behaviour.

It is anticipated that RMS will notify Council of the outcome of the review sometime in April 2014. Once the outcome of RMS's speed limit review is known, Council will collaborate with Police through Traffic Committee to identify and implement actions to improve the behaviour of motorists using Minnesota Road.

ATTACHMENTS

Nil.

4.2 Answers to Question on Notice

TRIM REFERENCE: F2004/06781 - D05880381 AUTHOR: DT

4.2 Q56/14 Water Rates Fairness

The following question was asked by Councillor Best at the Ordinary Meeting held 12 February 2014:

“Mr Mayor, my question is on behalf of Local Resident of Kanwal who advises that despite being a senior in public housing, she is denied access to Council’s pensioner water rates. As Council’s billing is in the owner’s name. Also, her bill is being averaged across the units in the complex proving very costly and quite unfair to a person living on their own. This I believe is wide spread affecting many of our elderly residents. Mr Mayor, could you please provide some guidance on how fairness can be reinstated to these charges?”

Sections 560 and 575 of The Local Government Act 1993 restrict the granting on pensioner concessions to owners and does not allow Council to provide pensioner concessions to tenants.

Where units in strata complexes are serviced by individual Council water meters, the water usage for each unit is individually measured and billed to the owner of each the unit. However many strata complexes are serviced by one or more common or shared water meters. In these cases water usage and usage charges are apportioned between the units according to the strata schemes schedule of unit entitlement on the registered strata plan. This is in accordance with Council's adopted Revenue Policy which can be found within our Strategic Plan available on Council's website.

Internal meters may be used by owners to apportion costs between tenants however such arrangements do not involve Council.

Tenant’s responsibility to pay water usage is set down in the Residential Tenancies Act 2010. That legislation requires that tenants are only responsible for water usage charges if they have been individually metered.

Tenants of individually metered Housing NSW and the Aboriginal Housing Office properties are required to pay for their water usage. Where the property is not service by an individual meter, Housing NSW and Aboriginal Housing Office tenants pay 4.7% of their actual rent as a water usage charge to a maximum of \$7 per week.

ATTACHMENTS

Nil.

26 March 2014

To the Ordinary Council Meeting

Councillor

5.1 Notice of Motion - Development Application 493/2012 Darkinjung Aboriginal Land Council Amended Application Halekulani

TRIM REFERENCE: DA/493/2012 - D06211259

AUTHORS: Greg Best; Councillor

Adam Troy; Councillor

Councillors G Best and A Troy have given notice that at the Ordinary Council Meeting to be held on 26 March 2014 they will move the following Motion:

- "1 That Council note the strong community interest in the original proposal for a 251 Manufactured Home Sites (Caravan Park) on Darkinjung Aboriginal Land at Halekulani.*
- 2 That Council note that an amended application for that proposal has been submitted.*
- 3 That Council extend the exhibition period for the revised plan for an additional month to provide the local community with adequate time to review and respond to the amended proposal.*
- 4 That Council urgently broaden its formal notification of the amended application to include all 2,157 residents that made a submission to the original proposal."*

RESOURCES

If the exhibition period is extended as proposed it will be necessary to provide notice of that extension. If that notice is limited to newspaper notices, as part of Council's usual weekly newspaper notices, then there will be no significant additional burden on Council's resources. If, however, Council wishes to notify each of the 2157 residents by way of a letter Council will incur additional costs of \$248 (estimated staff costs) and \$1,251 (estimated postage and stationery costs).