

DRAFT

Minutes 8th August 2006



Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on 8th August 2006, commencing at 7.10pm.

PRESENT: Councillors C. Baumann (Mayor); R. Swan (Deputy Mayor); G. Dingle; G. Francis; G. Robinson; J. Nell; H. Brown; R. Westbury; J. Hodges; K. Jordan; S. Tucker; General Manager; Executive Manager – Corporate Management; Facilities and Services Group Manager; Sustainable Planning Group Manager; Business and Support Group Manager.

ORDINARY MEETING OF COUNCIL – 8 August 2006

RESOLUTION:

626	Councillor Robinson Councillor Nell	It was resolved that an apology be received and noted from Cr Dover.
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MOTIONS TO CLOSE

ITEM NO. 1

FILE NO: PSC2005-0829

MOTION TO CLOSE MEETING TO THE PUBLIC

REPORT OF: JUNE SHINE – EXECUTIVE MANAGER CORPORATE MANAGEMENT

RECOMMENDATION:

- 1) That pursuant to section 10A(2)(b) of the Local Government Act, 1993, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 1 on the Ordinary agenda namely ***Rates Relief Tilligerry Oyster Farmers***
 - 2) That the reasons for closing the meeting to the public to consider this item is that the discussion will include information concerning the personal hardship for the four oyster farmers with land based facilities in the closed farmland zones.
 - 3) That the report remain confidential but the minutes be released.
-

ORDINARY MEETING OF COUNCIL – 8 August 2006

RESOLUTION:

627	Councillor Nell Councillor Swan	It was resolved that the recommendation be adopted.
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ITEM NO. 2

FILE NO: C1610-01

MOTION TO CLOSE MEETING TO THE PUBLIC

AUTHOR: BUSINESS PAPER CO-ORDINATOR

RECOMMENDATION:

- 1) That pursuant to section 10A(2)(a) of the Local Government Act, 1993, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 1 on the Strategic Committee agenda namely **ORGANISATION STRUCTURE**.
 - 2) That the reasons for closing the meeting to the public to consider this item be that the report and discussion will include matters and information relating to personnel matters concerning particular individuals
 - 3) That the report and minutes of the closed part of the meeting remain confidential.
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ORDINARY MEETING OF COUNCIL – 8 August 2006

RESOLUTION:

628	Councillor Nell Councillor Hodges	It was resolved that the recommendation be adopted.
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**OPERATIONS
COMMITTEE
RECOMMENDATIONS**

ITEM NO. 7

FILE NO: PSC2006-1672

LOCAL GOVERNMENT ASSOCIATION OF NSW – 2006 ELECTION OF THE EXECUTIVE COMMITTEE

REPORT OF: JUNE SHINE, EXECUTIVE MANAGER-CORPORATE MANAGEMENT

RECOMMENDATION IS THAT COUNCIL:

- 1) Consider the possibility of a Councillor/s nomination.

OPERATIONS COMMITTEE MEETING – 8 August 2006

RECOMMENDATION:

That the recommendation be adopted

ORDINARY MEETING OF COUNCIL – 8 August 2006

RESOLUTION:

629	Councillor Francis Councillor Jordan	It was resolved that the Operations Committee recommendation be adopted and no nominations be received.
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BACKGROUND

The purpose of this report is to inform Council of the Election Notice received from the State Electoral Office calling for nominations for the 2006 Election of the Executive Committee for the Local Government Association of NSW.

The Commissioner of the State Electoral Office as Returning Officer for the Election of the Executive Committee for the Local Government Association NSW, is calling for nominations for the following positions of the Executive:-

- President (1 from a country council or from the incumbent president)
- Treasurer (1 from a country council or metropolitan council)
- 2 Vice-Presidents (1 from a country council or metropolitan council)
- 20 Committee Members (10 from a country council, 10 metropolitan council)

Nominations close at 12.00 noon, Monday 28 August 2006.

Should a Councillor nominate for the Executive, a Statutory Declaration in Support of Candidature is required.

LINKS TO CORPORATE PLANS

Corporate Accountability – Our Council is open, transparent and accountable in its decision-making.

FINANCIAL/RESOURCE IMPLICATIONS

There may be a financial implication with the costs surrounding the attendance at meetings by those councillor/s should the nominee be elected.

LEGAL AND POLICY IMPLICATIONS

Nil

Australian Business Excellence Framework

This aligns with the following ABEF Principles.

- 5) The potential of an organisation is realised through its people's enthusiasm, resourcefulness and participation
- 11) Sustainability is determined by an organisation's ability to create and deliver value for all stakeholders

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

Nil

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

CONSULTATION

General Manager

OPTIONS

- 1) Adopt the recommendation
- 2) Amend the recommendation
- 3) Reject the recommendation

ATTACHMENTS

- 1) State Electoral Office - Election Notice

COUNCILLORS ROOM

- 1) Nil

TABLED DOCUMENTS

- 1) Nil

ATTACHMENT 1

ELECTION NOTICE
LOCAL GOVERNMENT ASSOCIATION OF NSW
2006 ELECTION OF THE EXECUTIVE COMMITTEE



Pursuant to the Industrial Relations Act 1996 and the Regulations thereunder, the Electoral Commissioner for New South Wales will be the Returning Officer for the election of the Executive Committee of the Local Government Association of NSW.

Part 1 - Nominations

Nominations are hereby invited for the following positions:

- President (*1 from a country council or from the incumbent president*)
- Treasurer (*1 from a country council or metropolitan council*)
- 2 Vice-Presidents (*1 from a country council, 1 from a metropolitan council*)
- 20 Committee Members (*10 from country councils, 10 from metropolitan councils*)

Nomination forms and Statutory Declarations in support of candidature are attached. They may be photocopied as required, or additional copies may be obtained from the State Electoral Office, phone (02) 9290 5924.

Part 2 – Nomination Qualifications

Nominations on the prescribed form must be in writing, signed by the candidate and at least two nominators other than the candidate. No person may nominate more candidates than the number to be elected for each position.

Candidates must be serving members of councils which are financial ordinary members (not associate members) of the Association. Nominators must be elected members of councils which are financial ordinary members (not associate members) of the Association.

Rule 23(a) requires that the office of President alternates between members of country councils and members of metropolitan councils. To be eligible to be elected, candidates for the position of President at this election must be members of country councils but may also include the incumbent President.

Candidates for the positions of Vice-President and Committee Member must be from the respective country or metropolitan councils for which the nomination is made.

Part 3 - Lodgement Of Nominations

Lodgement of a correctly completed nomination form, by the specified time, is the responsibility of the candidate.

Nomination forms can only be lodged with the returning officer:

- by hand: State Electoral Office, Level 25, 201 Kent Street, Sydney; or
- by post: GPO Box 832 Sydney NSW 2001; or
- by fax: 9290 5939

and must be received by the returning officer no later than **NOON, MONDAY 28 AUGUST 2006**. Any anomaly in the form must be rectified before this time. The original of a faxed nomination must be received by the Returning Officer by Noon, Monday 23 October 2006.

Should the election be contested a draw will be conducted to determine the order of candidates' names on the ballot paper at the State Electoral Office at 2.00pm, Monday 23 October 2006. Candidates or their representatives are invited to witness the draw.

Part 4 - Withdrawal Of Nominations

A candidate may only withdraw his/her nomination in writing so as to be received by the Returning Officer prior to Noon, Monday 23 October 2006.

Part 5 - Candidate Profiles

Candidates will be given the opportunity to provide details of Local Government service, in the form of a Statutory Declaration, information from which will be forwarded to constituent councils before the Annual Conference. Any defect in a Statutory Declaration must be rectified by the candidate prior to the close of nominations.

Part 6 - Voting

Councils must be financial ordinary members of the Association as at the close of roll ie Monday 24 July 2006 to be eligible to vote in the election.

Voting will be conducted at the Annual Conference of the Local Government Association of NSW. Voting for President, Vice-Presidents and Treasurer will be conducted on Monday 30 October 2006 and for Executive Committee on Tuesday 31 October 2006. The method of voting to be observed for this election will be optional preferential for the election of President, Treasurer and Vice-Presidents, and proportional representation for the election of Executive Committee members.

Any enquiries concerning this election should be directed to Diana Kosseifi at the State Electoral Office, telephone (02) 9290 5924.

Colin Barry
Electoral Commissioner for NSW and Returning Officer

ITEM NO. 8

FILE NO: PSC2005-2892

LOCAL GOVERNMENT ASSOCIATION ANNUAL CONFERENCE

REPORT OF: PETER GESLING – GENERAL MANAGER

RECOMMENDATION IS THAT COUNCIL:

- 1) Nominates delegates for the Local Government Association Conference.
- 2) Endorses the proposed motions shown at ATTACHMENT 2.

OPERATIONS COMMITTEE MEETING – 8 August 2006

RECOMMENDATION:

That the recommendation be adopted.

ORDINARY MEETING OF COUNCIL – 8 August 2006

RESOLUTION:

630	Councillor Robinson Councillor Francis	It was resolved: 1) To nominate Councillors Francis, Brown, Hodges, Jordan, Swan and Robinson to attend the Local Government Association Conference, with the West Ward Councillors (Crs Brown, Francis, Hodges & Jordan) being the voting delegates. 2) That the motions be endorsed.
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BACKGROUND

The purpose of this report is to advise Council that Local Government Association Annual Conference is scheduled to be held in Leura, Blue Mountains from 28 October to 1 November 2006.

This year the theme of the conference is “Community: A Sense of Place” to reflect the need for unity in our community.

As a member of the Association, Council is eligible to have four voting delegates attend. Notices of Motion for consideration at the Conference will be received up until 5:00 pm, Monday 21 August 2006 and Late Motions will be received no later than 12 noon on the Friday prior to the commencement of the Annual Conference. Motions should seek to

introduce new policy or alter existing policy, through the addition of new elements or deletion of existing elements. Attached are proposed motions on four issues raised by Council.

This Conference establishes policy of the Local Government Association, which is the principle advocate for Port Stephens Council in the State sphere of government.

LINKS TO CORPORATE PLANS

Council's Charter includes:

- To exercise community leadership;
- To facilitate the involvement of Councillors, members of the public, users of facilities and services and Council staff in the development, improvement and coordination of local government.

FINANCIAL/RESOURCE IMPLICATIONS

Attendance by Councillors and the General Manager is determined by the Council. Budget provision is available.

LEGAL AND POLICY IMPLICATIONS

Nil

Australian Business Excellence Framework

This aligns with the following ABEF Principles.

- 2) Mutually agreed plans translate organisational direction into actions
- 11) Sustainability is determined by an organisation's ability to create and deliver value for all stakeholders
- 12) Senior leadership's constant role-modelling of these principles, and creating a supportive environment in which to live these principles will help the enterprise and its people to reach their full potential

SUSTAINABILITY IMPLICATIONS

SOCIAL & ECONOMIC IMPLICATIONS

The opportunity to debate policy issues, including sustainability, to meet with elected and senior staff from other Councils, and to provide a further perspective when considering decisions at a local level.

ENVIRONMENTAL IMPLICATIONS

Nil

CONSULTATION

Not applicable

OPTIONS

- 1) Recommendation
- 2) Not attend

ATTACHMENTS

- 1) Information Paper for Councils on 2006 Local Government Association Conference.
- 2) Proposed motions

TABLED DOCUMENTS

Nil

ATTACHMENT 1

Local Government
Association of NSW



Community: A Sense of Place
Leura, Blue Mountains

28 October – 1 November 2006

Information for Councils

- Submission of motions • Voting delegate entitlements
 - Year 2008 conference venue
- Conference and social programs • Elections
- Supply of printed material • Outstanding Service awards

Local Government Association of NSW
GPO Box 7003
Sydney NSW 2001
tel: (02) 9242 4000
fax: (02) 9242 4111
website: www.lgsa.org.au

1. Registration

Conexion Event Management on behalf of Blue Mountains City Council will be handling arrangements for delegates, observers and partners attending this year's annual conference in relation to:

- registration for business sessions
- registration for social functions and partners' tours.

All registration payments are to be made direct to Conexion Event Management.

2. Accommodation

All hotel bookings are being managed by Blue Mountains Tourism. If you have not yet confirmed your accommodation booking please contact Coralie Faye at cfaye@bmcc.nsw.gov.au.

3. Voting – Delegates & Nominations to Host the 2007 Conference

The Local Government Association should be contacted in relation to:

- voting delegate entitlements
- nominations to host the 2008 annual conference

The contact at the LGA is Peter Coulton on 9242 4030 or peter.coulton@lgsa.org.au.

4. Additional Conference Printed Material

For additional conference printed material please contact Michelle Simonetta on 9242 4031 or michelle.simonetta@lgsa.org.au

5. Submitting Motions

MOTIONS MUST BE RECEIVED BY 5.00 PM ON Monday 21 AUGUST 2006 to enable us to meet business paper production deadlines. Please note all motions submitted must be adopted by council before submission to the Association.

Motions should seek to alter existing policy, through the addition or deletion of elements, or to introduce new policy.

To guide this process, the Association's current policy statements (resulting from the 2005 conference business paper) is available on the LGSA website at <http://www.lgsa.org.au/www/html/88-about-the-associations.asp>. Policy statements will not be discussed during the course of debate, except by way of motions which propose specific amendments.

Motions seeking to vary existing policy or to address new or emerging policy issues will be classified as Category One and scheduled for debate at the conference.

Motions reaffirming existing policy, or calling for actions to be taken within existing policy, will be classified as Category Two.

Motions in Category Two will be included in the Business Paper and may be individually brought forward to be debated with the agreement of the conference. Otherwise, they will be referred to the Executive of the Association for consideration. Where appropriate, some may be actioned prior to conference.

Motions should be emailed directly to the Association as a Word attachment to lgaconference2006@lgsa.org.au. Please set up your email system to give a confirmation receipt when

MINUTES FOR ORDINARY MEETING – 8 AUGUST 2006

sending the email so you can be sure the motions have been received by the Association. For inquiries regarding submission of motions please contact Iona Krefle on 9242 4049 fax 9242 4111.

6. Late Motions

Note that the LGA Executive has adjusted the sessional orders dealing with late motions. The standing orders now read as follows:

“8. Late motions, which must be endorsed by the Council submitting the motion, must be received by the Association no later than 12 noon on the Friday prior to the commencement of the annual conference.

8(i) Notwithstanding Clause 8, the President or Office – Bearers shall have the right at any time to introduce any matter considered emergent to be put before the Conference.”

Late motions will not be included in the business paper but will be dealt with at the conference after all other motions have been dealt with.

Motions should be submitted in:

From (Name of council)

Subject

Motion text: That the Association

.....
.....
.....

➔ Note from Council: *explaining the reason for submitting the motion and how it alters or adds to existing policy. Please summarise due to limited space in Business Paper.*

Detailed supporting case

This should be on a separate page and give reasons for raising the issue. It will be used by the Association to progress the matter once the conference has dealt with it.

7. Voting Delegate Entitlements

Councils are entitled to nominate voting delegates on a population basis. The current constitution of the Association provides for voting delegates to conference according to the following clause:

“13. (a) The Annual Conference shall consist of the Executive Committee of the Association and delegates from each council appointed in accordance with the scale as under, such delegates to be sitting members of a constituent council. Each member of the Executive Committee of the Association and each delegate from a council which is an ordinary member shall have one vote.

Group No.	Population	Delegates
(1)	Less than 10,000	1
(2)	10,000 - 20,000 and associate members	2
(3)	20,000 - 50,000	3
(4)	50,000 - 100,000	4

(5)	100,000 - 150,000	5
(6)	Over 150,000	7
(7)	County councils and Aboriginal Lands Councils	2
(8)	Regional Waste Boards	1

Note that member councils currently under administration may have one vote only. Administrators are recognised under the constitution as delegates.

The population numbers are determined by the Association using the Australian Bureau of Statistics publication 3218.0 (latest figures 2004–05). Councils unsure of their allowed delegate numbers should call Peter Coulton, Director Corporate Services.

Please forward to the LGA the details of your council's delegates no later than Monday 2 October 2005. Delegate voting cards will be issued to all eligible voting delegates **only** at the conference on registration.

8. Changing Voting Delegates

All changes to the names of voting delegates both before and during the conference must be made in writing by either the Mayor or General Manager. This ensures that voting lists are up to date and avoids the embarrassment of disputes about who may or may not vote.

Where changes are made to delegates before the conference **new voting cards will be available for collection** from the LGA desk at the conference on **Monday 30 October**. Original voting delegate cards are to be returned to the LGA desk at the conference when collecting replacement cards.

Changes of delegates during the conference should be reported to the LGA office. Our staff will help you with the procedures.

9. 2008 Conference Host Venue

Nominations for the 2008 annual conference venue were called for in the Local Government Weekly issue 25 dated 23 June 2006 and will be received until 5pm Friday 26 August 2005. Copy of the Hosting Guide can be downloaded from the Associations website.

10. Draft Conference Program

Following is the draft program. It will be finalised when all invited speakers are confirmed. The conference venue will be Peppers Fairmont Resort, Leura.

Draft conference program (as at 20 June)

Delegates' program

Saturday 28 October

12.00pm – 5.00pm Registration opens at Fairmont Resort Leura
1.30pm – 4.30pm Forum, ballroom, Fairmont Resort Leura

Sunday 29 October

9.00am – 5.30pm Registration opens at Fairmont Resort Leura

MINUTES FOR ORDINARY MEETING – 8 AUGUST 2006

- 2.00pm- 3.00pm Church service, St Alban Anglican Church, Leura
3.00pm – 4.00pm Afternoon tea in trade display area, Fairmont Resort
4.00pm – 5.30pm Official Opening Ceremony, Fairmont Resort Ballroom
Mayoral procession
National Anthem
Indigenous welcome
Welcome from Mayor, Cr Jim Angel, Blue Mountains City Council
Welcome address by Cr Genia McCaffery, President LGA
Welcome address by Premier of New South Wales (invited)
Welcome address by Professor Marie Bashir, Governor of New South Wales
Presentation of Outstanding Service Awards
5.30pm – 7.00pm President's welcome reception, garden courtyard, Eucalyptus Room,

Monday 30 October

- 9.00 am Conference Opening of Business Session
Hon Morris Iemma MP, Premier of New South Wales (invited)
9.30am Hon Kerry Hickey MP, Minister for Local Government
Ministers Morning:
10.00am Hon John Watkins MP, Minister for State Development and Transport
10.30am Hon Bob Debus MP, Attorney General, Minister for Environment and Arts
11.00am Business Session To Be Confirmed
11.30am Hon Frank Sartor MP, Minister for Planning (invited)
12.00 noon Address by Cr Paul Bell, ALGA President, on cost shifting (invited)
12.30pm Lunch
1.30pm Hon Tony Kelly MLC, Minister for Lands and Rural Affairs (invited)
2.00pm Hon Joe Tripodi MP, (invited)
Hon Eric Roozendaal MLC, Minister for Roads
Hon David Campbell MP, Minister for Water Utilities
2.30pm Adoption of Standing Orders
3.00pm Presentation and adoption of Treasurer's Report
Consideration of motions

4.30pm Conference adjourns for Happy Hour in trade exhibition
5.30pm Happy hour concludes.
7.00pm Carrington Hotel Social Dinner

Tuesday 31 October

- 9.00am Opening of Business Session
Consideration of motions
9.30am Address by Hon Peter Debnam MP, NSW Liberal Leader
10.00am John Turner MP, Shadow Minister for Local Government
10.30am Representative, Local Government Superannuation Scheme
10.45am Consideration of motions
12.30pm Lunch
1.30pm Consideration of motions
4.30pm Conference adjourns for happy hour in trade display
7.00pm Gala dinner Katoomba Aquatic Centre sponsored by Country Energy

Wednesday 1 November

9.00am –	Opening of Business Session Coffs Harbour presentation Consideration of motions
12noon	Drawing of prizes. Submission of conference evaluation forms closed.
12.15pm	Closing ceremony
12.35pm	Coffs Harbour
12.45pm	Close.

11. Social Program

Full details of the social program and partners program will be described in registration material distributed by Conexion Event Management on behalf of Blue Mountains City Council.

12. Elections

Elections will take place this year for all positions on the LGA Executive. The timetable of voting and elections will be printed in the official conference program distributed prior to the conference.

13. Printed Material for the Conference

The Business Paper/Action Report package will be distributed to registered participants for business sessions a month before the conference. All registered participants will receive a copy of the Record of Decisions to be posted within a month of the conclusion of the conference. Additional copies of material can be ordered by faxing in the form on Page 8. The information will be on the website www.lgsa.org.au in due course.

14. Outstanding Service Awards

Outstanding Service Awards will be **presented at the official opening ceremony** to those who have given outstanding service to Local Government. To enable the processing of awards, councils are asked to advise the Association whether or not nominees for the award will be attending the conference. The eligibility criteria for the awards are that intended recipients must have completed a cumulative total of at least 20 years service in Local Government in NSW as an elected person. For those who continue to serve, and at retirement have completed 25 or more years a bar to be affixed to the original medal is available (at no additional cost) with the total number of years served inscribed upon it.

The Outstanding Service Award set comprises four pieces (medal for men or bow for women, miniature, lapel badge and citation A5 in size) featuring the Association's coat of arms and is finished in 24ct gold and presented in a gold embossed presentation case. On the reverse side of the medal will be inscribed the recipient's name and the year the award was presented. The nomination form is to be found on Page 8.

Local Government Association of NSW
Annual Conference 2006

Conference materials order form

Council:

Contact Officer:

Pre-conference package

This package includes Business Paper and Action Statement.

No. of additional packages required:

Record of Decisions

No. of additional packages required:

NB. RECORD OF DECISIONS SUPPLIED TO ALL ELECTED MEMBERS AS A MATTER OF COURSE.

Please complete and return this form to:

Attn: Michelle Simonetta
Local Government Association of NSW
GPO Box 7003 Sydney NSW 2001
Fax: 9242 4111
Email: michelle.simonetta@lgsa.org.au



Local Government Association of NSW

Order form for Outstanding Service Award

Outstanding Service Award \$330 (GST inclusive) Male Female (please tick)

(Please use one form for each elected member requiring a certificate of service or long service award)

1. NAME: surname and given name or initials

Surname	Given Name	Post Nominals (AM/OAM)
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2. TOTAL YEARS OF SERVICE (must be 20 years plus, to nearest full year) _____

3. NAME OF COUNCIL AND DATES OF SERVICE IN FULL: (If council name has changed during service period, include this and service with that council as well. If service has been broken include this - e.g. 1990-1992: 1994-1996)

4. PERIODS OF SERVICE AS MAYOR, DEPUTY MAYOR, PRESIDENT, DEPUTY PRESIDENT, ETC. (If service has been broken include this - e.g. 1990-1992: 1994-1996). Designate each role separately.

5. PERIODS OF SERVICE AS CHAIRMAN OR DELEGATE TO A COUNTY COUNCIL OR MEMBER OF THE ASSOCIATION'S EXECUTIVE. Due to lack of space on the certificate we cannot list membership of committees or other outside organisations.

Signed: _____ Date: _____
 General Manager

Note: Signature of this form by the general manager indicates that the information is correct and has (wherever possible) been checked with the recipient of the certificate. Send to: Michelle Simonetta, GPO Box 7003 Sydney NSW 2001 or via facsimile: 9242 4111

ATTACHMENT 2

PROPOSED MOTIONS

MOTION

That representation be made to the NSW State Government on the impacts placed on Local Government in relation to the introduction of the on site sewage management legislation and the affects on businesses and communities as a result of the poor management by the State Government, in particular those industries such as oyster farmers which have been effected by this action to date and prior to the introduction of the legislation.

Background

Since the introduction of the Onsite sewage management legislation in 1998, Local Government has been the major level of government to provide consultation and support to the community to ensure compliance of this legislation and help build a better environment. However this has not come without some difficulties such as the impacts on the Oyster Farmers in the Port Stephens area and has the potential to impact on the wider NSW area, hence many local government areas with similar industries could have similar impacts on industry.

The State Government has not sought fit to provide assistance to the Oyster farmers in the Port Stephens area however assistance was provided to the Prawns farmers in the Sydney Harbour.

MOTION

That the Chief Judge of the Land & Environment Court be respectfully requested to review the rules and procedures of the Court so as to:

(a) Discontinue proceedings where applicants are seeking to make substantial amendments to the DA originally referred to the Court, and

(b) Enable Court discretion to refuse DA's clearly demonstrated to the Court by the relevant Council to be supported by highly inadequate information - being information clearly sought/required by legislation and/or Council legal and planning documents.

Background

There are aspects of the Land & Environment Court rules and procedures that incur significant costs to Councils that should be sought to be reviewed by the Chief Judge and the NSW Attorney General including:

- applicants enjoy the leniency of the Court in terms of being able to make substantial amendments to development applications and still have the proceedings left "on foot" while those major revisions are prepared and rescinded.
- Some applicants trigger the deemed refusal after 40 or 60 days for development applications that are supported by highly inadequate information. The quality of processing of development applications is dependent upon the combined professionalism of practice and adequacy of information of applicants and Councils as the consent authorities. If applicants do not respond with adequacy of such information and practice, then they should have the relevant applications formally refused by the Court at its discretion at an early stage.

STRATEGIC COMMITTEE RECOMMENDATIONS

ITEM NO. 7

FILE NO: PSC2005-2853

NOMINATION OF A COUNCILLOR TO CHAIR REGIONAL MOSQUITO MANAGEMENT WORKING GROUP

REPORT OF: BRUCE PETERSEN - ENVIRONMENTAL SERVICES MANAGER

RECOMMENDATION IS THAT COUNCIL:

- 1) Nominate a Councillor to chair the Regional Mosquito Management Working Group. The next meeting is to be held on 24th August 2006 at The Premier's Department Offices.

STRATEGIC COMMITTEE MEETING – 1 August 2006

RECOMMENDATION:

That this matter be deferred to the Ordinary meeting of Council to be held on 8th August 2006.

Moved Cr Francis Seconded Cr Nell

ORDINARY MEETING OF COUNCIL – 8 August 2006

RESOLUTION:

631	Councillor Hodges Councillor Swan	It was resolved that Cr Brown be nominated to chair the Regional Mosquito Management Working Group.
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BACKGROUND

The purpose of this report is to seek the nomination of a Councillor to Chair the Regional Mosquito Management Working Group

In recognition of the need to address current and future mosquito management issues on a regional basis, a working group was established and co-ordinated by the Premier's Department, Hunter, to develop and implement a regional mosquito management strategy. Members of the working group include the Premiers Department, Department of Primary Industries: Fisheries, Hunter New England Health, Port Stephens, Newcastle, Great Lakes, Maitland and Lake Macquarie Councils, Hunter Central Rivers Catchment Management Authority, Department of Environment and Conservation and Australian Quarantine and Inspection Service.

The completed strategy entitled 'Living With Mosquitoes in the Lower Hunter and Mid North Coast Region of NSW' was endorsed by Council at its March 2006 meeting. The focus of the Regional Working Group is now to implement the recommendations of the Regional Strategy. These include the following:

- 1) Establishment of a Regional Mosquito Monitoring Program
- 3) Develop consensus on mosquito treatment programs to ensure regional consistency
- 4) Implement a Mosquito Awareness Program
- 5) Employment of a Regional Mosquito Awareness Officer
- 6) Integration of mosquito management issues into urban planning processes
- 7) Undertaking further mosquito research

As part of its new focus toward implementation rather than preparation of the Regional Living With Mosquitoes Strategy, the working group has resolved to seek the appointment of a Councillor as Chairperson of the Working Group. Experience in northern New South Wales has demonstrated that the appointment of a Councillor as Chairperson has considerably boosted the profile and success of similar working groups. In light of the experience, awareness of and commitment to mosquito management demonstrated by Port Stephens Council, and the scale of mosquito management issues that exists in Port Stephens, the Regional Working group has agreed that it would be appropriate for a Port Stephens Councillor to be nominated as chairperson if available. The Working Group is currently meeting on a quarterly basis. The next meeting is to be held on 24th August 2006 at The Premier's Department Offices in Newcastle.

LINKS TO CORPORATE PLANS

This report relates to the strategic directions including '*Preserve and enhance our heritage biodiversity and environmental health*' and '*Mitigate risks from natural occurrences by maintaining effective community and environmental health services*' that are included in the Council Plan 2005-2008.

FINANCIAL/RESOURCE IMPLICATIONS

The Regional Mosquito Working Group presently meets on a quarterly basis. There are no allowances available to offset the costs in time or travel that may be incurred by the nominated Chairperson.

LEGAL AND POLICY IMPLICATIONS

Mosquitoes represent a serious public nuisance and health risk, as well as a potential liability risk to Council should it continue to permit urbanisation in areas known to be affected by mosquitoes without requiring the implementation of appropriate ameliorative measures. The regional Living With Mosquitoes Strategy and Working Group provides a regional approach via which to address these mosquito management issues and therefore will contribute to reducing the legal and policy risks to which Council may be exposed.

Australian Business Excellence Framework

This aligns with the following ABEF Principles.

- 1) Clear direction allows organisational alignment and a focus on the achievement of goals

- 2) Mutually agreed plans translate organisational direction into actions
- 5) The potential of an organisation is realised through its people's enthusiasm, resourcefulness and participation
- 6) Continual improvement and innovation depend on continual learning
- 7) All people work IN a system; outcomes are improved when people work ON the system
- 8) Effective use of facts, data and knowledge leads to improved decisions
- 10) Organisations provide value to their community through their actions to ensure a clean, safe, fair and prosperous society
- 12) Senior leadership's constant role-modelling of these principles, and creating a supportive environment in which to live these principles will help the enterprise and its people to reach their full potential

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

The nuisance and public health risks associated with mosquitoes can have a significant negative impact on the health and lifestyle of residents and visitors to the area. Implementation of the regional strategy by the Regional Working Group will contribute to reducing these negative social impacts associated with mosquitoes.

ECONOMIC IMPLICATIONS

Public health and nuisance problems associated with mosquitoes may detrimentally impact local economies through deterring tourists and visitors and potentially reducing residential property values. Implementation of the regional strategy by the Regional Working Group will contribute to reducing negative economic impacts associated with mosquitoes.

ENVIRONMENTAL IMPLICATIONS

Mosquitoes are an important component of the wetland ecosystem, providing food for some birds, bats, amphibians, fish and macroinvertebrates. The environmental values of wetlands also mean that modification of such environments (eg draining or filling) to control mosquito breeding are no longer acceptable due to community attitudes and environmental legislation. Implementation of the Regional Strategy by the Regional Working Group will recognise the importance of protecting these environments when attempting to implement mosquito management strategies.

CONSULTATION

Consultation has occurred within the Regional Mosquito Management Working Group.

OPTIONS

- 1) Adopt, reject or amend the recommendation.

ATTACHMENTS

- 1) Nil

COUNCILLORS ROOM

- 1) Nil

TABLED DOCUMENTS

Nil

CONFIDENTIAL ITEMS



In accordance with Section 10A, of the Local Government Act 1993, Council can close part of a meeting to the public to consider matters involving personnel, personal ratepayer hardship, commercial information, nature and location of a place or item of Aboriginal significance on community land, matters affecting the security of council, councillors, staff or council property and matters that could be prejudice to the maintenance of law.

Further information on any item that is listed for consideration as a confidential item can be sought by contacting Council.

ORDINARY MEETING OF COUNCIL – 8 August 2006

RESOLUTION:

632	Councillor Robinson Councillor Westbury	It was resolved that Council move into confidential session.
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MINUTES FOR ORDINARY MEETING – 8 AUGUST 2006

I certify that pages 1-29 of the Ordinary Meeting of Council dated 8 August 2006 were confirmed by Council at its meeting held on Tuesday 26 September 2006.

Cr Craig Baumann
MAYOR