
WYONG SHIRE COUNCIL

REPORTS TO THE ORDINARY MEETING OF COUNCIL TO BE HELD IN THE COUNCIL CHAMBER, WYONG CIVIC CENTRE, HELY STREET, WYONG ON WEDNESDAY, 23 JULY 2008, COMMENCING AT 5.00 PM

INDEX

	Opening Prayer	
	Receipt of Apologies	
326	Disclosures of Interest	3
327	Proposed Inspections	4
328	Proposed Briefings.....	5
329	Address by Invited Speakers.....	6
330	Notice of Intention to Deal With Matters in Confidential Session	7
331	Confirmation of Minutes of Previous Meeting.....	8
	 <u>Planning Report</u>	
332	Proposed Dwelling at Lot 1 DP 582078 No 38 Werrina Parade, Blue Bay	24
	 <u>Tender Reports</u>	
333	Contract CPA 141366– Hire of Plant and Trucks for the Operation of Buttonderry Waste Management Facility	37
334	Contract CPA 105697 – Financial Assessment for Toukley Aquatic Centre Refurbishment Project.....	48
	 <u>General Reports</u>	
335	Establishment of Extension to Alcohol Free Zone - Long Jetty	56
336	Investigation into Alleged Illegal Dumping	59
337	Surf Club Renewal Program	60
338	Status Report of Shire Wide Audit	110
	 <u>General Manager's Report</u>	
339	Central Coast Bid for Australian Surf Life Saving Championships 2010-12.....	119

ORDINARY MEETING OF COUNCIL

23 July 2008

INDEX (contd)

<u>Committee Reports</u>	
340	Minutes of the Wyong Shire Senior Citizens Council Meeting – 19 June 2008 121
341	Minutes of the Central Coast Regional Organisation of Councils – 18 June 2008 126
<u>Information Reports</u> 127	
342	Proposed Alterations and Additions to Existing Café/Restaurant at Toukley 128
343	Geotextile Bag Investigations..... 131
344	2007 Warnervale Rail Station..... 137
345	Activities of the Development Assessment Unit..... 142
346	Results of Water Quality Testing for Bathing Beaches 144
347	Flashing Warning Lights Outside Schools..... 148
348	Mowing and Maintenance of Open Space and Park Areas 150
349	Works in Progress Report – Water and Sewer..... 155
350	General Works in Progress Report 159
351	Wyong Shire Library Statistics..... 169
352	Outstanding Questions Without Notice and Notices of Motion..... 174
	Answers to Questions Without Notice..... 183
<u>Notices of Motion</u>	
353	Notice of Motion – Maintenance of Stormwater Treatment Devices 187
354	Notice of Motion – \$7.13 Million Injection of Funds into Park, Playgrounds and Surf Clubs..... 188
355	Notice of Motion – Pacific Highway Advisory Sign, Wyong Township..... 194
356	Notice of Motion – Boycott of Korean Products 195
357	Notice of Motion – Shire Wide Escalating Vandalism 196

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

General Manager's Report

326 Disclosures of Interest

F2008/01064 MW:SW

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 interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

General Manager's Report

327 Proposed Inspections

F2008/00003 MW:SW

SUMMARY

Inspections proposed to be held on 23 July 2008 and prior to the second Ordinary Meeting are listed as follows:

Date of Inspection	Location	Requested By
23 July 2008	Saltwater Creek Reserve – Long Jetty	Director Shire Services
23 July 2008	38 Werrina Parade, Blue Bay	Director Shire Planning
23 July 2008	North Entrance Beach – Rehabilitation of Dunes	Director Shire Services
23 July 2008	Noraville Cemetery Gardens – Stage 1 and Stage 2 and Identification of Stage 3	Director Shire Services
23 July 2008	Buff Point – Construction of Bike Track	Director Shire Services
23 July 2008	Lakeland Community Centre, Kanwal – Community Art Project	Director Shire Services
23 July 2008	Pollock Avenue, Kanwal - Reconstruction	Director Shire Services

RECOMMENDATION

That the report on inspections to be conducted on Wednesday, 23 July 2008 be received and the information noted.

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

General Manager's Report

328 Proposed Briefings

F2008/00003 MW:SW

SUMMARY

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

Date	Briefing	Description	Time	Presented by
6 August 2008	Workshop	Various Issues	12.00 noon – 6.00 pm	General Manager

RECOMMENDATION

That the report be received and the information noted.

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

General Manager's Report

329 Address by Invited Speakers

F2008/00003 MW:SW

SUMMARY

The following people have been invited to address the meeting of Council:

SPEAKERS	REPORT	PAGE NO	DURATION
Mr Mark Eastham, resident (against the item)	332 Proposed Dwelling at Lot 1 DP 582078 No 38 Werrina Parade, Blue Bay	24	5 mins
Mr Neil Adams, Consultant, representing Adams Consulting and Training (available for questions)	336 Investigation into Alleged Illegal Dumping	59	
Mr Chad Griffiths, Executive Officer, representing Surf Lifesaving Central Coast (in favour of the proposal)	337 Surf Club Renewal Program	60	5 mins

RECOMMENDATION

- 1** *That the report on Invited Speakers be received and the information noted.*
- 2** *That standing orders be varied to allow Director's and General Manager reports to be dealt with following the speaker's address.*

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

General Manager's Report

330 Notice of Intention to Deal With Matters in Confidential Session

F2008/00003 MW:SW

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 pursuant to Section 10A(2)(a) and 10A(2)(d)(i) of the Local Government Act, 1993, the following reports be dealt with in Confidential Session:**

W017 – Wyong Community Recreation Association

W018 – Contract CPA 137900 – Provision of Security Services

- 2 That the reason for dealing with Report No W017 confidentially is that it contains personnel matters concerning particular individuals.**
- 3 That the reason for dealing with Report No W018 confidentially is that it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.**
- 4 That, in accordance with the Council resolution, the General Manager will report on this matter to the meeting in Confidential Session.**

23 July 2008
To the Ordinary Meeting of Council

General Manager's Report

331 Confirmation of Minutes of Previous Meeting

F2008/00003 MW:SW

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on 9 July 2008.

RECOMMENDATION

That the minutes of the previous Ordinary Meeting of Council held on 9 July 2008 be received and confirmed.

WYONG SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 9 JULY 2008,
COMMENCING AT 5.01 PM

PRESENT

COUNCILLORS W J WELHAM (CHAIRPERSON), G P BEST, D J EATON, K M FORSTER, R L GRAHAM, B J PAVIER, N T ROSE, R E STEWART, R C STEVENS AND C W VEUGEN.

IN ATTENDANCE

ACTING GENERAL MANAGER, ACTING DIRECTOR CORPORATE SERVICES, ACTING DIRECTOR SHIRE PLANNING, ACTING DIRECTOR SHIRE SERVICES, MANAGER DEVELOPMENT ASSESSMENT, ACTING MANAGER FUTURE PLANNING, AND TWO ADMINISTRATION STAFF.

ACTING MANAGER CORPORATE AND ADMINISTRATION SERVICES.

THE MAYOR REPORTED THAT:

- * THE NATURAL RESOURCES ADVISORY COUNCIL OF NEW SOUTH WALES HAS ADVISED THAT WYKARE INC HAVE BEEN SUCCESSFUL IN THE RECENT ROUND OF THE FORGING PARTNERSHIPS GRANTS PROGRAM WITH THEIR PROJECT "MOUNTAINS TO THE DUNES LANDCARE FORUM". HE HAS SENT A LETTER OF CONGRATULATIONS TO MARLENE PENNING AND MEMBERS OF WYKARE ON THEIR ACHIEVEMENT.

COUNCILLOR ROSE REPORTED THAT:

- * HE HAD ACCEPTED, ON COUNCIL'S BEHALF, A PLAQUE FROM THE HUNTER VALLEY RESEARCH FOUNDATION WHICH WAS PRESENTED TO COUNCIL IN APPRECIATION FOR BEING ONE OF THEIR SPONSORS.

THE MAYOR, COUNCILLOR W J WELHAM, DECLARED THE MEETING OPEN AT 5.01 PM, ADVISED THAT THE MEETING IS BEING RECORDED AND DELIVERED THE OPENING PRAYER.

APOLOGIES

THERE WERE NO APOLOGIES.

Minutes of the Ordinary Meeting of Council held on 9 July 2008 (contd)

302 Disclosure of Interest

F2008/01064 ED:MR

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

That the report and the fact that no disclosure was made be noted.

303 Proposed Inspections

F2008/00003 ED:MR

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor STEVENS:

That the report on inspections to be conducted on Wednesday, 23 July 2008 be received and the information noted.

304 Proposed Briefings

F2008/00003 ED:MR

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor PAVIER:

That the amended report, including the briefing on the Gwandalan Site, be received and the information noted.

305 Address by Invited Speakers

F2008/00003 ED:MR

RESOLVED unanimously on the motion of Councillor PAVIER and seconded by Councillor VEUGEN:

That the amended report on Invited Speakers be received and the information noted.

Minutes of the Ordinary Meeting of Council held on 9 July 2008 (contd)

306 Confirmation of Minutes of Previous Meeting

F2008/00003 ED:MR

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor STEVENS:

That the minutes of the previous Ordinary Meeting of Council held on 25 June 2008 be received and confirmed.

BUSINESS ARISING FROM THE MINUTES

THERE WAS NO BUSINESS ARISING FROM THE MINUTES.

307 Contract CPA 104356 – Review of Contract Value for Asphaltic Concrete Works

CPA/104356 PM

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor PAVIER:

The approved contract value for CPA 104356 Asphaltic Concrete Works be increased from \$6,000,000 (inclusive of GST) to \$7,000,000 (inclusive of GST) for the 2 year fixed term from July 2006 to 31 July 2008.

308 Licence to Department of Education of Part of Blue Haven Community Centre Lot 2 DP 1089656 at Colorado Drive Blue Haven

F2008/00981

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor PAVIER:

- 1 That, subject to a contribution of \$150,000, by Department of Education & Training, towards construction costs of the Youth and Children's Centre Council approve a Licence at an annual fee of \$5,000 for part of the Blue Haven Community Centre located on Lot 2 DP 1089656 at Colorado Drive, Blue Haven to Department of Education & Training for a term of five years with an option to renew the licence for a further five years.***

Minutes of the Ordinary Meeting of Council held on 9 July 2008 (contd)

- 2 ***That Council authorise the Common Seal of Wyong Shire Council to be affixed to the Licence between Wyong Shire Council and Department of Education & Training.***
- 3 ***That Council authorise the Mayor and General Manager to execute all documents relating to the Lease between Wyong Shire Council and Department of Education & Training.***

**309 Acquisition of Part of Lot 90A DP 22837 at Hakone Road
 Woongarrah and Part of Lot 911 DP 786112 at Mataram Road
 Woongarrah for Drainage**

F2008/01219, F2008/01220 JMT

RESOLVED unanimously on the motion of Councillor PAVIER and seconded by Councillor ROSE:

- 1 ***That Council acquire Part of Lot 90A DP 22837 at Hakone Road, Woongarrah and Part of Lot 911 DP 786112 at Mataram Road for drainage purposes.***
- 2 ***That Council authorise the payment of compensation for the acquisition of the land in Item 1 in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 and based on assessment by a qualified valuer.***
- 3 ***That, in the event that agreement with the property owners cannot be reached, Council authorise acquisition by compulsory process.***
- 4 ***That Council authorise for the Common Seal of the Wyong Shire Council to be affixed to the Transfer and/or Plan and to any necessary applications to the Department of Local Government for the approval of the Minister and the Governor, to proceed with the compulsory acquisition.***
- 5 ***That Council authorise the Mayor and the General Manager to execute all documents relating to the Transfer and/or Plan and to any necessary applications to the Department of Local Government for the approval of the Minister and the Governor, to proceed with the compulsory acquisition.***
- 6 ***That Council propose classification of those parts of Lot 90A DP 22837 at Hakone Road, Woongarrah and Lot 911 DP 786112 at Mataram Road, Woongarrah to be acquired, as Operational Land.***

Minutes of the Ordinary Meeting of Council held on 9 July 2008 (contd)

- 7 *That the proposal be advertised in accordance with Section 34 of the Local Government Act 1993.*
- 8 *That, subject to no significant objections being received, the classification be confirmed.*

Information Reports

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

That with the exception of report numbers 315 and 318 the information reports be received and the recommendations adopted.

310 Wallarah 2 Funding

F2006/01080 MDL

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

That the report be received and the information noted.

311 Presentation by Dr Matthew Nott – Tathra Surf Life Saving Club – National Campaign on Renewable Energy

F2004/00103 DJI

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

That the report be received and the information noted.

Minutes of the Ordinary Meeting of Council held on 9 July 2008 (contd)

312 Ourimbah to Wamberal Power Line Project

F2006/00475 PB:PB

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

That the report be received and the information noted.

313 Disclosure of Interest Returns

F2008/01025 ED

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

That the report be received and the information noted.

314 Funding for Infrastructure in New Residential Areas

F2004/06377 MW

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

That the report be received and the information noted.

315 Update on Strategic Inquiry into Potential Coal Mining Impacts in the Wyong LGA (Chikarovski Report)

F2004/07086 SG

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

- 1 *That the report be received and the information noted.*
- 2 *That Council publish a number of advertisements, within Council's regular advertising space, drawing the public's attention to the delay in releasing the Chikarovski report and requesting residents contact their local member to expedite the report.*

Minutes of the Ordinary Meeting of Council held on 9 July 2008 (contd)

316 Tuggerah Lakes Estuary Management Plan Newsletter

F2007/00880 LMcD

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

That the report be received and the information noted.

317 Schedule of Bank Balances and Investments – May 2008

F2004/06604 SJG

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

That the report be received and the information noted.

318 Outstanding Questions Without Notice and Notices of Motion

F2008/00003 SW

COUNCILLOR BEST LEFT THE CHAMBER AT 5.16 PM AND RETURNED TO THE CHAMBER AT 5.17 PM DURING CONSIDERATION OF THIS ITEM.

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

That the report be received and the information noted.

Minutes of the Ordinary Meeting of Council held on 9 July 2008 (contd)

- 319** **Notice of Motion – Proposal to name Lot 1 DP 942380 and Lot 1 DP 663618 corner of Church and Margaret Streets Wyong as Arthur Mollett Reserve**
-

F2004/06023 NR

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

- 1** *That Council place on exhibition for public comment for a period of 28 days, its proposal for Lot 1 DP 942380 and Lot 1 DP 663618, corner of Church and Margaret Streets, Wyong be named the Arthur Mollett Reserve.*
- 2** *That should no significant objections be received, Council recommend to the Geographical Names Board that this land be named the Arthur Mollett Reserve.*

- 320** **Notice of Motion – Submission to Auditor General on Electricity Privatisation Enquiry**
-

F2004/08138 DJE / GPB

MR DOUG GORDON, A COMMUNITY MEMBER, ADDRESSED THE MEETING AT 5.27 PM, ANSWERED QUESTIONS AND RETIRED AT 5.39 PM.

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

- 1** *That Council urgently make a submission to the Auditor General in relation to the State Government's decision to privatise electricity supply infrastructure and to refer this issue to the Auditor General.*
- 2** *That Council's submission be based on:*
 - a** *job retention and security at local generating stations and distribution depots;*
 - b** *likely exorbitant price increases;*
 - c** *air quality reductions with increasing adverse health effects from privatisation of local generating works;*
 - d** *other relevant local issues.*
- 3** *That Council liaise with the relevant union (ETU) in compiling its submission.*

Minutes of the Ordinary Meeting of Council held on 9 July 2008 (contd)

- 4 *That the submission be published on Council's website with advertisements as to the web publication in Council's newspaper general advertisements.*
- 5 *That the Motion be exempted from the provisions of the Code of Meeting Practice to allow the Motion to be actioned from 9.00am 10 July 2008.*
- 6 *That Council's submission be principally based on Council's prior submission dated 6 February 2008 to the Consultative Reference Committee of the Owen Inquiry.*

321 Notice of Motion – Alternative Transport Options

F2005/03057 DJE

COUNCILLOR FORSTER LEFT THE CHAMBER AT 6.08 PM AND RETURNED TO THE CHAMBER AT 6.09 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR VEUGEN LEFT THE CHAMBER AT 6.08 PM AND RETURNED TO THE CHAMBER AT 6.13 PM DURING CONSIDERATION OF THIS ITEM.

It was MOVED by Councillor EATON and SECONDED by Councillor BEST:

- 1 *That Council in principal commit to a trial of alternative transport options as a demonstration to the public viability of such options.*
- 2 *That the options include:*
 - a *electricity power assisted bicycles;*
 - b *electric and/or gas step through cycles;*
 - c *gas powered machinery;*
 - d *biodiesel powered trucks and heavy machinery;*
 - e *hybrid and diesel cars; and*
 - f *other new and emerging technologies*
- 3 *That Staff report on how trials of all suitable options can be conducted and cost and or saving to Council.*

FOR: COUNCILLORS BEST, EATON, STEWART AND VEUGEN.

AGAINST: COUNCILLORS FORSTER, GRAHAM, PAVIER, ROSE, STEVENS AND WELHAM.

The MOTION was put to the vote and declared LOST.

Minutes of the Ordinary Meeting of Council held on 9 July 2008 (contd)

322 Notice of Motion – Flashing Warning Lights outside of Shire's Schools

F2004/06690 BJP

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

- 1 That Council research the pledges provided by the State Government (preceding the previous state election) on the number of flashing warning lights to be provided, and when outside our Shire's schools.**
- 2 That this report comes back to Council at the end of July 2008.**

323 Notice of Motion – Traffic Counts being conducted on Woodbury Park Mardi

C2008/05520 PAVIER

COUNCILLOR BEST LEFT THE CHAMBER AT 6.22 PM AND RETURNED TO THE CHAMBER AT 6.24 PM DURING CONSIDERATION OF THIS ITEM.

RESOLVED unanimously on the motion of Councillor PAVIER and seconded by Councillor FORSTER:

That staff report to Council on the following:

- a the traffic counts presently being conducted on Woodbury Park Drive, Mardi.**
- b the history of this matter as reported from the Wyong Shire Traffic Committee.**
- c what measures/options are available to minimise speed/accidents.**

Minutes of the Ordinary Meeting of Council held on 9 July 2008 (contd)

324 Notice of Motion – Investigation into Geotextile bags for Cabbage Tree Bay

F2007/00876 GB

It was MOVED by Councillor BEST and SECONDED by Councillor VEUGEN:

That further to Council's resolution of 14 May 2008 seeking a report from Geofabric Australia into the performance specifications and compatibility of their product for use in and around The Entrance Channel, Council now expand the product review to include the possibility of using this technology as an emergency temporary ocean barrier in Cabbage Tree Bay.

FOR: COUNCILLORS BEST, EATON, STEWART AND VEUGEN.

AGAINST: COUNCILLORS FORSTER, GRAHAM, PAVIER, ROSE, STEVENS AND WELHAM.

The MOTION was put to the vote and declared LOST.

325 Notice of Motion – Supposed fast tracking of Warnervale

F2004/00535-04, F2004/05521 GB

MR MICHAEL HANNAH, PRINCIPAL OF LAKES GRAMMAR SCHOOL, ADDRESSED THE MEETING AT 6.37 PM, ANSWERED QUESTIONS AND RETIRED AT 6.46 PM.

COUNCILLOR PAVIER LEFT THE CHAMBER AT 7.05 PM AND RETURNED TO THE CHAMBER AT 7.06 PM DURING CONSIDERATION OF THIS ITEM.

It was MOVED by Councillor BEST and SECONDED by Councillor EATON:

- 1 *That Council note it is now two years since the Minister for Planning, the Hon Frank Sartor, "called in" on 26 June 2006 the Warnervale District Centre Plan to supposedly fast track the approvals process, to date no announcement has been forthcoming. Council further note the alarming pattern / trend of this State Government to make major planning announcements regarding Warnervale that result in absolutely no action, such as the 2004 announcement to open the new Warnervale Rail Station by 2007.*
- 2 *That having regard to 1. above, and the utter frustration of our residents and ratepayers, Council seek to bypass the paralysed Planning Minister and the recently stood down Minister for the Central Coast, the Hon John Della Boca, through sending a high level Council delegation directly to the Premier to demand action.*

Minutes of the Ordinary Meeting of Council held on 9 July 2008 (contd)

- 3 *That Council also send a similar delegation to the Leader of the Opposition, Barry O'Farrell, for his support.*
- 4 *That Council maintain a high level focus on this important community issue through staff reporting to Council on a bi monthly basis on emerging issues pertaining to the greater Warnervale district.*
- 5 *That Council recognise as a consequence of the inaction outlined the current load on aging infrastructure is now critical, such as Warnervale Road and the highly dangerous intersection of Albert Warner Drive and Sparks Road adjoining Lakes Grammar School. Further the School's concerns regarding this dangerous intersection be referred to Council's Traffic Committee for review and urgent action.*

An AMENDMENT was MOVED by Councillor ROSE and SECONDED by Councillor STEVENS:

That concerns raised by the Lakes Grammar (The Anglican School) regarding the intersection of Albert Warner Drive and Sparks Road, Warnervale be referred to the Wyong Shire Traffic Committee.

It was MOVED by Councillor EATON and seconded by Councillor BEST:

That the MOTION be put.

RESOLVED unanimously that the MOTION be put.

The AMENDMENT was put to the vote and declared CARRIED.

FOR: COUNCILLORS FORSTER, GRAHAM, PAVIER, ROSE, STEVENS AND WELHAM.

AGAINST: COUNCILLORS BEST, EATON, STEWART AND VEUGEN.

The AMENDMENT then became the MOTION.

RESOLVED on the motion of Councillor ROSE and seconded by Councillor STEVENS:

That concerns raised by the Lakes Grammar (The Anglican School) regarding the intersection of Albert Warner Drive and Sparks Road, Warnervale be referred to the Wyong Shire Traffic Committee.

FOR: COUNCILLORS BEST, EATON, FORSTER, GRAHAM, PAVIER, ROSE, STEVENS, STEWART AND WELHAM.

AGAINST: COUNCILLORS VEUGEN.

QUESTIONS WITHOUT NOTICE ASKED**Q044 – Lighthouse Whale Rally****Councillor Veugen**

F2004/10946

“Councillor Best, as patron of our local peak community whale group, Whale Call, I understand you and Councillor Eaton took time to attend the Lighthouse Whale Rally, an important community event held on 6 July. Could you please report / provide information on the success of the event?”

Q045 – Staff Performance**Councillor Best**

F2004/05336

“Mr General Manager, I have received a number of unsolicited comments regarding the efficiency and professionalism of our front line staff in Customer Service. As a consequence, could you please formally pass on Council’s sincere appreciation for a job well done?”

Q046 – Conduct Committee attendance**Councillor Stevens**

F2004/06498

“Given that Councillor Best is conscious of costs to operate Council’s Conduct Committee, could he advise Council why he failed to attend the last Conduct Committee meeting?”

Q047 – Conduct Committee costs**Councillor Stevens**

F2004/06498

“Could staff please advise how much additional cost will be incurred by Council because of Councillor Best’s failure to attend this meeting and thus necessitating the organisation of another Conduct Committee meeting?”

Minutes of the Ordinary Meeting of Council held on 9 July 2008 (contd)

**Q048 – Notices of Motion raised by Councillor Best and Councillor Eaton
Councillor Graham**
F2004/07706

“Further to question Q041 asked by Councillor Veugen at the Meeting of 25 June last, could the staff advise how many of these Notices of Motion were successful and how many failed? Also, how much staff time was expended on these Notices of Motion and at what cost?”

**Q049 – Commercial operations at Fountain Dale
Councillor Eaton**
P2006/04948

“Could Council be advised of investigations into alleged illegal commercial operations in Peach Orchard Road, Fountaindale?”

**Q050 – Number of Development Applications
Councillor Eaton**
F2004/12148

“Could Council confirm that the development applications for June 2008 are the lowest ever received?”

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7.20 PM.

.....
CHAIRPERSON

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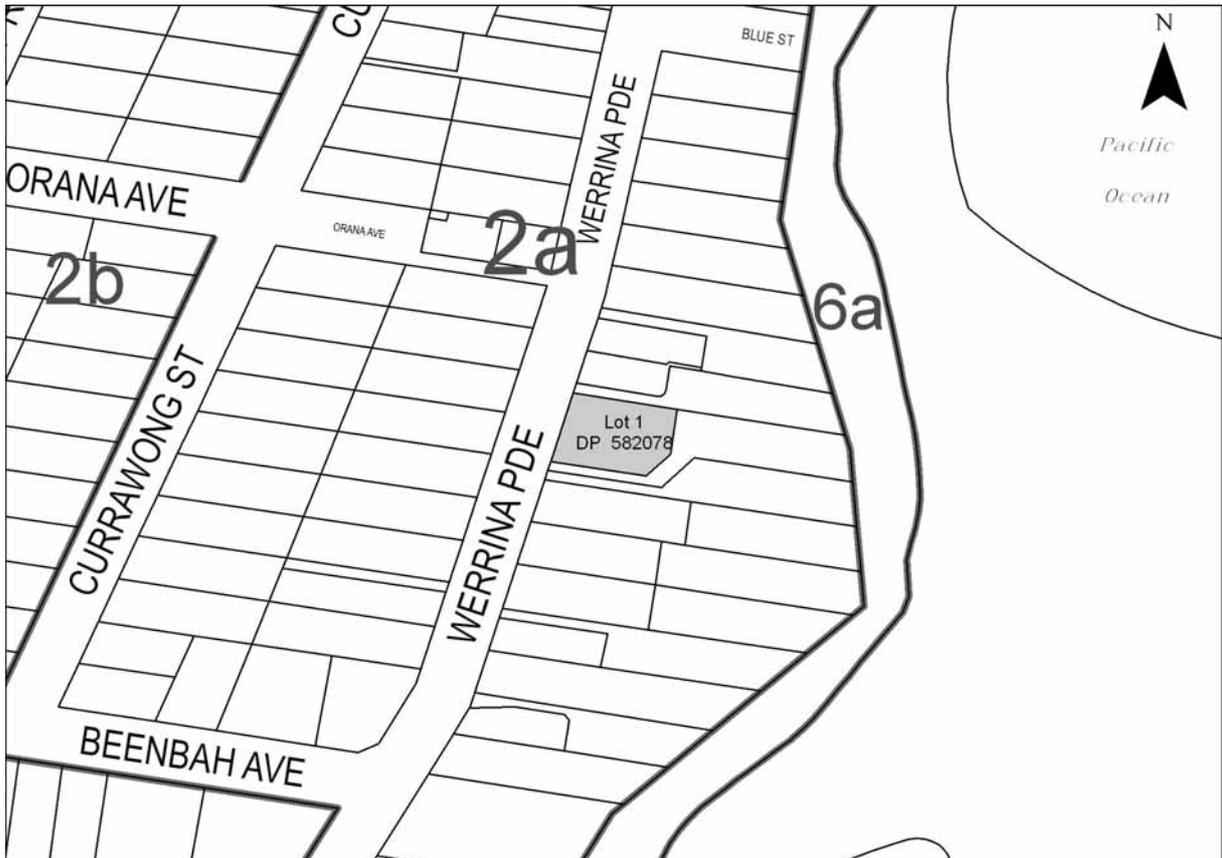
WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

332 Proposed Dwelling at Lot 1 DP 582078 No 38 Werrina Parade, Blue Bay (Attachment 1)

Locality Plan



WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

332 Proposed Dwelling at Lot 1 DP 582078 No 38 Werrina Parade, Blue Bay

MLG:MLG DA 316/2007

SUMMARY

An application has been received for a new residence in Werrina Parade at Blue Bay. The application has been examined having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act (EP&A Act) and other statutory requirements with the issues requiring attention and consideration being addressed in the report. Whilst this application would normally be determined by staff under delegation, the application has been called up for Council's determination by Councillor Pavier.

Applicant	Dyldam
Owner	T Kruger and P Thistleton
Application No	316/2007
Description of Land	Lot 1 DP 582078 No 38 Werrina Parade, Blue Bay
Proposed Development	Proposed dwelling (and demolition)
Zoning	2(a)
Site area	906m ²
Existing Use	Residential

RECOMMENDATION

- 1 *That the application be referred to the General Manager for determination having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues with an indication that based on the information available to it, Council favours approval of the application subject to appropriate conditions.***
- 2 *That Development Control Plan 2005, Chapter 100; Part 2.6 – “Building Design” and Chapter 99; Part 3.1 – “Building Lines” be varied to permit the development.***
- 3 *That the General Manager be authorised to determine any application for minor modifications to the approved development plans and/or consent conditions.***
- 4 *That those who made written submissions be advised of Council's decision.***

**Proposed Dwelling at Lot 1 DP 582078 No 38 Werrina Parade, Blue Bay
(contd)**

EXECUTIVE SUMMARY

- Demolition of the existing residence and development of a new two storey residence is permissible with Council's consent in the 2(a) Residential zone.
- The initial application submission involved a design of the new residence comprising a pitched roof extending beyond the allowable overall height parameters for a building. Changes to the design were undertaken replacing the pitched roof with a flat roof satisfying compliance, however, the design maintains non-compliance with respect to the level of the ceiling of the upper floor and reduced building line setbacks to the road frontage.
- The areas of non-compliance in the design of the building do not have any unreasonable amenity issues, eg overshadowing, impacts on view etc.
- The proposal underwent several changes in design to alleviate public concern. At the third and final notification period, five public submissions were received.

The Site

The subject site is No 38 Werrina Parade, a parcel of land that drops about 6.00 metres to the rear of the site. An existing single storey residence and shed occupies the land. The immediate vicinity of Werrina Parade comprises generally of larger single occupancy residences with an occasional dual occupancy. The area is noted for its coastal location and the ocean views from many of the properties.

The Proposed Development

Consent is sought for the demolition of the existing residence and replacement with a double storey dwelling house.

The major issues to be examined include the bulk and scale of the new dwelling house and whether it creates an undue impact on surrounding residences including consideration of views. Each aspect is addressed in detail in the body of the report.

It should be noted that Council and the applicant have been involved in negotiations since the application was lodged to overcome several issues of concern, some of which were raised by way of public submissions. In this respect the proposal has gone through several changes to the design, specifically altering the initial pitched roof design to a flat roof and adjusting the position of the building to retain some trees. Each submission is addressed in the body of the report.

Proposed Dwelling at Lot 1 DP 582078 No 38 Werrina Parade, Blue Bay (contd)

The dwelling design poses a variation to Council's development guidelines, specifically the upper floor ceiling height limitation of Chapter 100 (DCP 2005). This aspect is addressed in detail in the body of the report. The overall building height is compliant with DCP 2005, Chapter 100.

Based on the latest plan submission, staff are satisfied with the design changes and accordingly approval is recommended subject to appropriate conditions of consent.

VARIATIONS TO POLICIES

DCP	Chapter 100 – Quality Housing
Clause	3.60 – Building Design
Standard	Maximum height of 7.00 metres from ground to upper floor ceiling and 11.00 metres from ground to the peak of the roof
Departure to standard	Proposed height from the ground to the upper floor ceiling extends from compliant to 10.00 metres, a departure at the extreme of 3.00 metres. (Proposed peak of roof in any instance is less than 11.00 metres and thus compliant)
Basis for departure	Justification based on the design complementing the natural slope of land in relation to surrounding residences. Further detail in the report.
DCP	Chapter 99 – Building Lines
Clause	3.1 – Building Lines
Standard	Building line setback to front boundary of category 'C' road should be 4.50 metres for façade of residence and 6.00 metres to garage.
Departure to standard	Proposed pergola and eave to entry of residence is setback 1.50 metres from the boundary (a shortfall of 2.50m) while the garage is offset 5.00 metres (a shortfall of 1.00m).
Basis for departure	Justification based on the providing an aesthetically pleasing entry to the dwelling. The structure is generally "open" with slender building components to minimise bulk/scale issues. Note that generally the building façade is offset by 5.00 – 6.00 metres from the front boundary which exceeds the DCP standard and is considered to be an appropriate compromise. The garage is 1.00 metre less than the DCP requirement however the garage is attached to the dwelling and as such the variation to the standard does not promote any visual problems.

**Proposed Dwelling at Lot 1 DP 582078 No 38 Werrina Parade, Blue Bay
(contd)**

HISTORY

The subject land was registered on 26 May 1976 from a subdivision of DP 11935.

The existing dwelling was approved in 1956.

RELEVANT STATE/COUNCIL POLICIES AND PLANS**Environmental Planning and Assessment Act 1979**

The application is assessed under the heads of consideration in Section 79C of the EP & A Act and other statutory requirements.

It is to be noted that Council's assessment applies the use of 'Planning Principles' established by case law for the purpose of examining the impact of the development on amenity and views. The Land & Environment Court acknowledges that 'Planning Principles' are a quality test in the assessment process of applications.

State Environmental Planning Policy No 6 – Number of Storeys

For the purpose of establishing the number of storeys in the building SEPP 6 is considered.

The policy determines a storey as;

“Where the application of a provision of an environmental planning instrument requires a determination of the number of storeys, floors or levels which a building contains, that number shall, for the purpose of applying the provision, be deemed to be the maximum number of storeys, floors or levels, as the case maybe, of the building which may be intersected by the same vertical line, not being a line which passes through any wall of the building.”

In this regard the number of storeys in the proposal is two. The underneath of the ground floor level is not regarded as a storey in this instance because the underneath area is a non habitable void designated as a storage area for rainwater tanks and does not comprise of segregated compartments.

State Environmental Planning Policy No 71 – Coastal Development

SEPP 71 applies even though the site is not within the 100 metres “Sensitive Coastal Location” adjacent to the Pacific Ocean.

Proposed Dwelling at Lot 1 DP 582078 No 38 Werrina Parade, Blue Bay (contd)

Although the proposal does not require concurrence of the Department of Planning (because it is not considered as significant development) the assessment criteria of the SEPP must be considered, given the proximity of the site to a "coastal foreshore". Accordingly the proposal has been assessed in respect to the "Matters for Consideration" under Clause 8 of the SEPP. It is found that the proposal is consistent with the SEPP issues.

	Matters for Consideration	Proposed
a	The aims of the Policy	The proposal is consistent with the aims and objectives of the policy.
b	Existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved.	The proposal does not adjoin the foreshore and thus is not required to provide access.
c	Opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability.	The proposal does not adjoin the foreshore and thus is not required to provide access.
d	The suitability of development given its type, location and design and its relationship with the surrounding area.	The site is suitable for the proposed use as it is already zoned specifically for residential development.
e	Any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore.	The proposal will not overshadow the adjacent foreshore.
f	The scenic qualities of the New South Wales coast, and means to protect and improve these qualities.	The proposal would not be visible from the foreshore.
g	Measures to conserve animals (within the meaning of the Threatened Species Conservation Act 1995) and plants (within the meaning of that Act), and their habitats.	Not applicable
h	Measures to conserve fish (within the meaning of Part 7A of the Fisheries Management Act 1994) and marine vegetation (within the meaning of that Part), and their habitats.	Not applicable
i	Existing wildlife corridors and the impact of development on these corridors.	The proposal will not affect any identified wildlife corridor.
j	The likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards.	The subject site is not within the coastal hazard area as identified by Chapter 77 of DCP 2005.
k	Measures to reduce the potential for conflict between land-based and water-based coastal activities.	Not applicable

**Proposed Dwelling at Lot 1 DP 582078 No 38 Werrina Parade, Blue Bay
(contd)**

	Matters for Consideration	Proposed
l	Measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals.	The subject site does not contain any aboriginal sites or relics, and there are no known sites within the immediate locality.
m	Likely impacts of development on the water quality of coastal water bodies.	Not applicable
n	The conservation and preservation of items of heritage, archaeological or historic significance.	The proposal has no impact on items of heritage, archaeological or historic value.
o	Only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities.	Not applicable.
p(i)	The cumulative impacts of the proposed development on the environment.	The proposal is not considered to have any adverse cumulative impacts on the environment.
p(ii)	Measures to ensure that water and energy usage by the proposed development is efficient.	The proposal does not generate any energy or water by-products.

Wyong Local Environmental Plan 1991**Clause 10 – Zone table**

The proposal is defined as “*Dwelling House*” and is permitted in the 2(a) zone subject to consent.

The zone objectives are (relevant extract):

- (a) *to provide land primarily for detached housing generally not exceeding a height of 2 storeys and with private gardens in an environment free from commercial and other incompatible activities and buildings.*

The proposed dwelling house does not generally exceed a height of 2 storeys.

Development Control Plan No 2005

The proposed development is required to comply with the controls and standards of the relevant Chapters within Council's Development Control Plan 2005 and relevant policies. The key chapters for the assessment of this application are:

Chapter 60 – <i>The Entrance</i>	Generally compliant
Chapter 100 – <i>Quality Housing</i>	Variation to building height limit
Chapter 99 – <i>Building Lines</i>	Variation to front building line setback

Each chapter is addressed in detail in the body of this report.

Proposed Dwelling at Lot 1 DP 582078 No 38 Werrina Parade, Blue Bay (contd)

ASSESSMENT

Having regard for the matters for consideration detailed in Section 79C of the EP&A Act 1979 and other statutory requirements, Council's policies and Section 149 Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information. Any tables relating to plans or policies are provided as an attachment.

THE LIKELY IMPACTS OF THE DEVELOPMENT (s79C(1)(b)):

The relationship to the regional and local context and setting.

DCP 2005, Chapter 100 "Quality Housing", provides criteria for assessment of the single dwelling development. Of particular interest in this application is the impact of the proposed dwelling on the amenity of surrounding residences. In terms of amenity the main issue of contention is the impact that the two storey proposal would have on view corridors for surrounding residences.

Building Height

The proposal complies with one of the height limitations of DCP 2005, Chapter 100; that being the pitch of the roof is not more than 11.00 metres. However, the other height aspect relates to the upper floor ceiling being not more than 7.00 metres from natural ground. In this instance the proposal fails to comply with the requirement.

The zone objective is to provide housing generally not greater than two storeys. The application proposes two residential levels above an open under floor level, a design based on the steep slope of the land, being between 21% and 35%. The under floor area in the main is not full "head" height and is not for habitable purposes, provided to accommodate large rain water tanks and to configure the elevated driveway.

The dwelling house, a three bedroom (plus study) layout is relatively small, 12.00 metres deep by 16.00 metres wide; a depth to width ratio intended to be sympathetic with the lie of the land. Chapter 100 cites desired "outcomes" for the development of a dwelling house and includes reference to a design being in sympathy with the topographical constraints of the site while maintaining an aesthetically pleasing and functional design. In this regard, the bulk and scale of the building is not extravagant, appearing as two storeys from the street and thus is not considered to be out of character with the Werrina Parade district.

**Proposed Dwelling at Lot 1 DP 582078 No 38 Werrina Parade, Blue Bay
(contd)**

Furthermore the proposal does not impede solar access to any neighbour nor would the building cast a shadow that infringes upon the neighbours as the immediate portion of land to the south is occupied by a lengthy concrete battle axe driveway.

As a final point to the height issue, the design of the dwelling has considered visual privacy for neighbours and ensured that window design and balcony space would not create any undue problems.

The issue of the reduced setback of the pergola and garage to the front boundary has been duly noted in the "variation to policy" section of this report. It is considered that the design is suitable particularly given the fact that the structure is below the level of the road and as such would not be significantly visible from a public place. The variation is supported.

The proposal is unlikely to impede sea breezes given the most residences in Werrina Parade are substantially elevated to the site and gain reasonable access to the prevailing north easterly and other onshore winds.

Impact to Views

As the proposal does not comply entirely with Council's basic height criteria, any interruption to existing views from surrounding residences must be further investigated. 'Planning Principles' established by case law identify how view sharing should be considered in assessing development. The findings of *Tenacity Consulting v Warringah Council 2004* established a four step approach to assessing the impact of development on views.

1st step - *Establish the value of the view*

Case law suggests that iconic views (views with significant features in the distance – E.g. Sydney Opera House or Harbour Bridge or historical features) are the most valuable followed by coastal views. There are no icons within view range at the site however the ocean views are considered as having some value and thus cannot be disregarded. The Norah Head Light House is too distant to be regarded as iconic.

2nd step – *Establish source of view*

This aspect is concerned with what position the view is gained at the source. In this regard Council received five submissions raising concern for the impact of views. In each instance the view source is either from windows (to living rooms) or from external balconies. Such locations are more important than bedrooms or other less communal areas. Therefore the source of the view is worthy of due regard. Most emphasis is placed on the views from the opposing residences on the western side of Werrina Parade.

Proposed Dwelling at Lot 1 DP 582078 No 38 Werrina Parade, Blue Bay (contd)

In order to demonstrate the view issue the applicant prepared a view analysis. See Enclosure 2. These photos show the current view circumstances from the front open space of No 43 Werrina Parade, the immediate opposing residence. The other image (exact same photo) has the proposed dwelling on No 38 superimposed to demonstrate the height and overall profile of the development. The images are considered to be an accurate representation.

3rd step – Establish extent of impact

The extent of impact can either be whole or part. In this instance the impact would be referred to as part and as such the degree needs to be established. From each location (ie, the source) a small part of the ocean from beyond the shoreline to the horizon above the existing residences and through the trees would be lost.

Case law suggests that a qualitative assessment (minor, moderate, severe etc,) is more useful than a quantitative value (10%, 20% etc). From each source the view corridor is reasonably expansive and the impact to the corridor at each vantage point would be considered as minor with each source able to maintain and enjoy a reasonable outlook with ocean views.

4th step – Establish reasonableness of the impact

Case law suggests that where a design complies with relevant Council development guidelines, the argument of loss of view lessens compared to development that exceeds for instance any height or setback limitations.

In this case the proposal fails to comply with one of the relevant DCP criteria, being the upper floor ceiling should not exceed 7.00 metres. In order to address the height of the upper floor of the building the applicant has elected to promote a flat roof without any conventional peak. While this solves any issues regarding the height of the peak it raises the issue of whether the proposed building while exceeding the height limits, presents an unreasonable impact to view corridors.

As noted in the 3rd step of the view assessment, the extent of view loss is such a minor portion of the current view that the proposal is not considered to pose any unreasonable impact.

The focus for the impact of views as noted is from the residence of No 43 Werriwa Parade. The issue of views is less significant from other residences given the different view angles. Notwithstanding, the actual position of the proposed dwelling was moved forward closer to Werrina Parade in order to improve lateral view angles.

**Proposed Dwelling at Lot 1 DP 582078 No 38 Werrina Parade, Blue Bay
(contd)**

The Access, Transport and Traffic Management Measures.

The access route proposed toward the northern end of the frontage to Werrina Parade is in the form of a suspended concrete driveway designed to overcome any gradient problems. This side (east) of Werrina Parade has no formal footpath and given the steep levels of the verge it is doubtful that any footpath would be constructed by Council. Traditionally parking for beach access is located along the flat section of the road further north of the site.

In this regard the suspended driveway, although obstructing part of the verge would not be considered as a safety issue either for traffic or pedestrians. Visually the revised setbacks would not be obtrusive.

Impact to Flora and Fauna

The position of the building has been adjusted to ensure retention of two turpentine trees towards the rear of the site. Other exotic species within the building footprint can be removed with vegetation at the perimeter of the site to be retained.

**ANY SUBMISSION MADE IN ACCORDANCE WITH THIS ACT OR REGULATIONS
(s79C(1)(d)):****Any Submission from the Public.**

The application was advertised with notification to nearby residents on three separate occasions due to plan amendments. The second notification comprised adjustments to the roof, replacing the pitch design with a flat design. The final notification comprised further adjustments to the roof design and shifting the building toward the road to improve views and minimise impact to trees. Six submissions were received during the initial notification period of March 2007 with similar responses received at the follow-up period of August 2007. A final notification was issued in April 23 July 2008 after further adjustments to the design were undertaken. Five submissions were received after the last notification period.

The issues raised in the original submissions have been addressed in the assessment of the application pursuant to the heads of consideration contained within Section 79C of the Environmental Planning and Assessment Act 1979.

**Proposed Dwelling at Lot 1 DP 582078 No 38 Werrina Parade, Blue Bay
(contd)**

A summary of the submissions is detailed in the table below. Unless otherwise noted the comments below are from the latest round of submissions.

Doc. No	Summary of Issues	Response
D01132169 D01132162 D01129867 D01129332	Concern for height of building (bulk and scale) with potential for loss of views and out of character in district. The source of the submission is an opposing residence in Werrina Parade.	The height of the building does not impede view opportunities from the source of the objection. It is noted that the final amendments to the design included the repositioning of the building footprint to provide greater view angle for the objector. It is considered that the latest design change provides the best and most practical solution to the objectors concern. The bulk and scale of the building, appearing as two storey from the roadway is considered to be an appropriate scale with a character typical of the district.
D01132812	Concern for height of building with potential for loss of views and general consistency with Council's guidelines particularly Chapter 100 of DCP 2005. The source of the submission is an opposing residence in Werrina Parade.	It is worth noting that the view analysis undertaken by the applicant was sourced from the objector's vantage point. The images attached to this report clearly demonstrate that the proposed dwelling has no significant impact on the view potential from the objector's residence. With respect to the objectors comments on non-compliance with Chapter 100 DCP 2005 and the zone objectives the following assessment is made (note that each issue is addressed in detail in the body of the report): <i>Setbacks</i> – The building with a reduced setback is not considered to promote any visual or aesthetic problems. <i>Height</i> - The height of the building does not impede view opportunities from the source of the objection. <i>Bulk/scale</i> - The bulk and scale of the building, appearing as two storey from the roadway is considered to be an appropriate scale with a character typical of the district. <i>Vegetation</i> – The turpentine trees toward the rear of the site are to be saved. Other exotic species can be retained around the perimeter of the land though those within the building area will be removed. <i>2(a) Zone Objectives</i> – the scale of development is considered to be consistent with the zone objectives in that it proposes a single occupancy of two storeys compatible with the surrounding district.

To summarise the submissions, Council's report acknowledges the fact that the proposal exceeds the height limitations expressed in Chapter 100 of the DCP. The report notes that the design is generally sympathetic to the slope of the land and that the dwelling would not be visually apparent given that it would be hidden behind trees for the most part.

**Proposed Dwelling at Lot 1 DP 582078 No 38 Werrina Parade, Blue Bay
(contd)**

The aspect of loss of views has also being addressed. It is considered that the building even though it exceeds the height limits does not impose any unreasonable obstruction to the objectors view corridor.

CONCLUSION

The proposed development is considered to be consistent with the 2(a) zone objectives in that the design of the building promotes an acceptable scale and character of residential development appropriate to the sloping site and the context of the area. The design has undergone several changes to minimise any possible loss of views to surrounding residences.

It is acknowledged that the dwelling proposes a height that in part exceeds the criteria of Chapter 100 of DCP 2005. However in recommending approval, staff are satisfied that the development does not undermine the intent of the guidelines, that being to create a design suitable for the area without compromising the amenity of the neighbours.

In conclusion, due regard has been given to the issues and the impact on views from neighbouring residences and it is not considered sufficient to lead to a recommendation to refuse the development.

Attachment 1 Locality Plan (1 page)

Enclosure 1 Architectural Plans

Enclosure 2 Photo of subject site from No 43 Werrina Parade (source of public submission)

Photo of subject site from No 43 Werrina Parade with proposed building superimposed onto image

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

333 Contract CPA 141366– Hire of Plant and Trucks for the Operation of Buttonderry Waste Management Facility

CPA/141366 AB

SUMMARY

Evaluation and selection of tenders for Contract CPA 141366 - Hire of Plant and Trucks for the Operation of Buttonderry Waste Management Facility.

RECOMMENDATION

- 1 *That all complying tenders received for the hire of plant/trucks for the operation of Buttonderry Waste Management Facility be accepted for inclusion on a priority ranking list for a period of 12 months.***

- 2 *That the Director Shire Services be authorised to arrange engagement of plant as required from time to time for the effective operation of the facility in accordance with Contract CPA 141366 Hire of Plant for the Operation of Buttonderry Waste Management Facility. The estimated annual expenditure for all plant and trucks against this contract is \$1,353,132 including GST (\$1,230,120 excluding GST) however actual expenditure may vary significantly with fluctuations in demand.***

BACKGROUND

Since January 1999 Council has operated the Buttonderry Waste Management Facility using a combination of hired plant and trucks, contracted services and internal labour.

Due to the specialised, consistent and long-term nature of the work at the Buttonderry Waste Management Facility, it has been found advantageous to create a pool of available hired plant and trucks specifically for work at the facility. To ensure that plant and trucks are secured at the most competitive rates, tenders were been invited for various individual items of plant and for various combinations of plant and operators as follows:

- * Dozer D6 or equivalent with operator
- * Bogie Truck with operator
- * Excavator and Bogie Truck combination with two operators
- * Backhoe and Truck combination with two operators
- * Excavator 12 tonne with hydraulic grab attachment with operator

On previous contracts it has been found that Council's own Plant Fleet is not always competitive where a seven day per week operation is involved due to the overtime payments necessary for Council operators and repair technicians (when required), therefore, no Council tenders were submitted for this contract.

Contract CPA 141366– Hire of Plant and Trucks for the Operation of Buttonderry Waste Management Facility (contd)

The dozer is required to spread topsoil, clean fill, dredge material or any other material on batters of closed or operational landfill cells and assist with the construction of batters. It is required to win cover material, rocks and other materials. The dozer is required on average 3 days per week.

Bogie trucks are required to transport cover material, crushed concrete, rock or waste material. From time to time Bogie trucks may also be required to collect materials such as clay, crushed concrete etc from locations outside the facility. One bogie truck is required five days per week.

The excavators are required to remove cover material, load cover material, rocks, crushed concrete or other materials onto bogie trucks, construct and remove batters and bund walls, push up stockpiles, cover asbestos waste and screen concrete or rocks. Both excavators are required five days per week.

The backhoe is required to load waste materials from the small vehicle unloading area onto a bogie truck for transfer to the landfill face. The backhoe may also be directed to escort vehicles carrying asbestos to the designated asbestos disposal area and cover asbestos. The backhoe is required seven days per week.

All complying plant and trucks will be placed on a priority list in order of their ranking. Arrangements will be made to hire plant and trucks as required. While it may be likely for trucks ranked 2 or lower on the priority list to be called upon from time to time during times of high activity, there is a low probability for plant such as the backhoe with a ranking of 3 or lower to be required.

The proposed contract is for a period of 12 months commencing on 10 August 2008. The tender documents required that all tendered rates be fully inclusive of GST, operating maintenance and fuel costs.

Tender Process

Tenders were invited by way of public invitation. Advertisements were placed in the Sydney Morning Herald on 1 April 2008 and the Central Coast Express Advocate on 2 April and 9 April 2008. The advertised closing date was 24 April 2008.

The invitation documents requested hourly rates for each required plant item listed above. The Form of Tender and the Schedules were issued as Addenda 1 on 3 April 2008.

Tenders closed at Council Chambers at 2:00 pm on 24 April 2008.

EVALUATION OF TENDERS

Tenders were evaluated by a panel of three staff members using the following threshold and weighted criteria:

Contract CPA 141366– Hire of Plant and Trucks for the Operation of Buttonderry Waste Management Facility (contd)

- 1 Conformance with the specification and requirements of the tender documents
- 2 Ability to manage safety risk
- 3 Price
- 4 Equipment offered and compliance with technical requirements
- 5 Performance on other contracts and track record

The evaluation criteria and their weightings were documented in the Contract Development Plan and approved by the Acting Director Shire Services prior to tenders being invited. The Contract Development Plan is available on file.

To assess tenders against the evaluation criteria, the panel used information obtained from the tender documents and related correspondence, referees, external advisors and presentations made by the shortlisted tenderers.

The evaluation was conducted according to the following process.

- 1 Assessment of receipt of tender/s.
- 2 Assessment of conformance of tender/s.
- 3 Detailed weighted evaluation of tender/s.
- 4 Due diligence checks on preferred tenderer/s.
- 5 Independent review of the tender selection process.

Assessment of Receipt

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

Tender	Tendered plant	Estimated annual cost (Incl GST)	Status
1. Australian Grader Hire Pty Ltd	Dozer	\$190,175	Submitted on time
	Bogie Truck	\$217,501	
	Excavator and Bogie truck combination	\$499,224	
	Backhoe and Bogie truck combination	\$492,721	
	12 tonne excavator	\$327,448	

Contract CPA 141366– Hire of Plant and Trucks for the Operation of Buttonderry Waste Management Facility (contd)

Tender	Tendered plant	Estimated annual cost (Incl GST)	Status
2a. Duncan Excavations (NSW) Pty Ltd	Excavator and Bogie truck combination	\$569,008	Submitted on time
	Backhoe and Bogie truck combination	\$577,091	
2b. Duncan Excavations (NSW) Pty Ltd (Alternative Tender)	Backhoe only	\$290,233	Submitted on time
	Excavator only	\$338,184	
3. Joe and Tony Earthmoving	Dozer	\$172,260	Submitted on time
	Bogie Truck	\$220,440	
	Excavator and Bogie truck combination	\$536,800	
	Backhoe and Bogie truck combination	\$590,590	
	12 t Excavator	\$268,400	
4. John E Hogan Pty Ltd	Bogie Truck	\$220,440	Submitted on time
	Backhoe and Bogie truck combination	\$434,061	
5. Kingston plant Hire	Dozer	\$213,602	Submitted on time
	Bogie Truck	\$273,346	
	Excavator and Bogie truck combination	\$676,368	
	Backhoe and Bogie truck combination	\$597,340	
	12 t Excavator	\$416,020	
6. Noraville Earthmovers	Bogie Truck (2 trucks)	\$220,440	Submitted on time
	Backhoe and Bogie truck combination	\$455,598	

Contract CPA 141366– Hire of Plant and Trucks for the Operation of Buttoderry Waste Management Facility (contd)

Tender	Tendered plant	Estimated annual cost (Incl GST)	Status
7. RK Talbot Enterprise Ltd Pty	Bogie Truck	\$205,744	Submitted on time
	Backhoe and Bogie truck combination	\$406,357	
8. RL Equipment Pty Ltd	Bogie Truck	\$164,515	Submitted on time
9. RW Leete Pty Ltd	D6 Dozer	\$172,260	Submitted on time
10. Scape Constructions Pty Ltd	Bogie Truck	\$235,136	Submitted on time
	Excavator and Bogie truck combination	\$488,000	
	12 t Excavator	\$219,600	
11. Serious about Civil	Excavator and Bogie truck combination	\$390,400	Submitted on time
12. TCX Pty Ltd	Bogie Truck (3 trucks)	\$199,866	Submitted on time
	Excavator and Bogie truck combination	\$410,652	
	12 t Excavator	\$226,920	
13. Toveety Pty Ltd	Dozer	\$199,822	Submitted on time
	Bogie Truck	\$214,562	
	Excavator and Bogie truck combination	\$439,200	
	Backhoe and Bogie truck combination	\$481,676	
	12 t Excavator	\$241,560	
14. Underground Water Solutions Pty Ltd	Bogie Truck	\$157,648	Submitted on time
	Backhoe and Bogie truck combination	\$388,102	

Assessment of Conformance

Tenders were assessed against:

- * Compliance to specification
- * Provision of all requested information (including copies of required insurances)
- * Completion of all Form of Tender and Schedules

Contract CPA 141366– Hire of Plant and Trucks for the Operation of Buttonderry Waste Management Facility (contd)

The Request for Tender required an hourly rate for an excavator and bogie truck combination as well as for a backhoe and bogie truck combination. Duncan Excavations in addition to a conforming tender also submitted a non-conforming tender (2b) for a backhoe only and an excavator only without bogie trucks.

These alternative tenders do not provide an operational advantage to Council as both the excavator and backhoe are required to work in tandem with bogie trucks to load and transport materials or waste. A sensitivity analysis was undertaken which established that the alternative tender does not offer any financial advantage. As a result the alternative tender from Duncan Excavations (2b) was excluded from further detailed assessment.

Tender 3 from Joe and Tony Earthmoving did not conform to tender requirements as neither the Form of Tender nor any of the Schedules were submitted. This tender was excluded from the detailed assessment. The tendered rates for the dozer were competitive; however an inspection of the plant determined it did not conform to tender specifications. The rates for all other plant tendered were not competitive.

Tender 5 from Kingston Plant Hire did not conform to tender requirements as neither the Form of Tender nor any of the Schedules were submitted. This tender was excluded from further detailed assessment.

Tender 13 from Toveety Pty Ltd did not conform to tender requirements with a qualification included when the cost of fuel reached \$1.75 per litre. This tender was excluded from further detailed assessment.

All other tenders were conforming and were progressed for detailed assessment.

Weighted Evaluation

Tenders were scored against each of the weighted evaluation criteria (including price and non-price elements) with the following results:

DOZER

Tender No	Tenderer	Make and Model	Estimated Annual cost (incl GST)	Estimated Annual cost (excl GST)	Assessment Score	Rank
9	R W Leete	Cat D6H	\$172,260	\$156,600	92	1
1	Australian Grader Hire Pty Ltd	Cat D6	\$190,175	\$172,886	71	2

Contract CPA 141366– Hire of Plant and Trucks for the Operation of Buttoderry Waste Management Facility (contd)

Tender No 9 from R W Leete is the highest scoring tender for the D6 dozer. Evaluation panel members agree that, on balance, this tender represents the best value-for money for Council.

BOGIE TRUCKS

Tender No	Tenderer	Make and Model	Estimated Annual Cost (incl GST)	Estimated Annual cost excl GST	Assessment Score	Rank
8	RL Equipment Pty Ltd	Mitsubishi	\$164,515	\$149,559	92	1
14	Underground Water Solutions Pty Ltd	Mack	\$157,648	\$143,316	89	2
12	TCX Pty Ltd	T line	\$199,866	\$181,696	76	3
		Kenworth	\$199,866	\$181,696	76	
		Ford	\$199,866	\$181,696	76	
7	RK Talbot Enterprises	White 4000	\$205,744	\$187,040	72	4
6	Noraville Earthmovers	Volvo FL250	\$220,440	\$200,400	72	5
		Volvo FM9	\$220,440	\$200,400	72	
4	John Hogan E	TBA	\$220,440	\$200,400	70	6
1	Australian Grader Hire Pty LTD	International S Liner	\$217,501	\$197,728	54	7

Tender No 8 from RL Equipment is the highest scoring tender for provision of bogie trucks. Evaluation panel members agree that, on balance, this tender represents the best value-for money for Council.

Contract CPA 141366– Hire of Plant and Trucks for the Operation of Buttonderry Waste Management Facility (contd)**BACKHOE AND BOGIE TRUCK COMBINATION**

Tender	Tenderer	Make and Model	Estimated Annual Cost (incl GST)	Estimated Annual Cost (excl GST)	Assessment Score	Rank
7	RK Talbot Enterprises Pty Ltd	Backhoe Case 580	\$406,357	\$369,415	92	1
		Bogie Western Star				
14	Underground Water Solutions Pty Ltd	Backhoe Case 580 SK	\$388,102	\$352,820	89	2
		Bogie Mack				
4	John Hogan E	Backhoe Terex 820	\$434,061	\$394,601	87	3
		Bogie International S/liner				
6	Noraville Earthmovers	Backhoe Case 590 SM	\$455,598	\$414,180	85	4
		Bogie Volvo FL250				
1	Australian Grader Hire Pty LTD	Backhoe Case 580	\$492,721	\$447,928	70	5
		Bogie International S/liner				
2a	Duncan Excavations (NSW) Pty Ltd	Backhoe Volvo	\$577,091	\$524,628	63	6
		Bogie TBA				

Tender No 7 from RK Talbot is the highest scoring tender for the Backhoe and Bogie combination. Evaluation panel members agree that, on balance, this tender represents the best value-for money for Council.

Contract CPA 141366– Hire of Plant and Trucks for the Operation of Buttoderry Waste Management Facility (contd)**EXCAVATOR AND BOGIE TRUCK COMBINATION**

Tender	Tenderer	Make and Model	Estimated Annual cost (incl GST)	Estimated Annual Cost (excl GST)	Assessment Score	Rank
11	Serious about Civil	Excavator Komatsu	\$390,400	\$354,909	92	1
		Bogie Ford Louville				
12	TCX Pty Ltd	Excavator Hitachi	\$410,652	\$373,320	90	2
		Bogie Kenworth				
10	Scape	Excavator PC200LC-7	\$488,000	\$443,636	78	3
		Bogie Westernstar 4800FX				
2	Duncan Excavations (NSW) Pty Ltd	Excavator Volvo	\$569,008	\$517,280	65	4
		Bogie TBA				
1	Australian Grader Hire Pty LTD	Excavator Sumitomo	\$499,224	\$453,840	60	5
		Bogie International S/liner				

Tender No 11 from Serious about Civil is the highest scoring tender for the Excavator and Bogie truck combination. Evaluation panel members agree that, on balance, this tender represents the best value-for money for Council.

Contract CPA 141366– Hire of Plant and Trucks for the Operation of Buttoderry Waste Management Facility (contd)**12 TONNE EXCAVATOR**

Tender	Tenderer	Make and Model	Estimated Annual Cost (incl GST)	Estimated Annual Cost (excl GST)	Assessment Score	Rank
10	Scape Constructions	Komatsu PC138US-2	\$219,600	\$199,636	95	1
12	TCX Pty Ltd	Hitachi ZX160LC	\$226,920	\$206,291	92	2
		Hitachi ZX210K	\$226,920	\$206,291	92	
1	Australian Grader Hire Pty LTD	Sumitomo	\$327,448	\$297,680	51	3

Tender No 10 from Scape Constructions Pty Ltd is the highest scoring tender for the 12 tonne Excavator. Evaluation panel members agree that, on balance, this tender represents the best value-for money for Council.

Due Diligence

Referees were contacted for all Tenderers and all plant tendered was inspected by a Council mechanic. Upon inspection some plant was found to have been sold and was no longer available. The plant inspection report was used to score the suitability of the plant. Plant that could not be inspected due to unavailability received a score of zero.

All conforming tenders were subjected to an in-house safety system assessment and referee checks. All ranked tenderers were subjected to due diligence checks and received satisfactory references. All are considered able to manage OH&S risks.

All tenderers are local contractors with a history of successfully completed contracts similar in nature and scope to the current works.

Process Review

This evaluation process and recommendations have been endorsed by the Contract Systems Co-ordinator.

Contract CPA 141366– Hire of Plant and Trucks for the Operation of Buttoderry Waste Management Facility (contd)

BUDGET

The source of funds for the contract is the Buttoderry Operating Expenditure Budget.

Although the estimated value of the arrangement is \$1,353,132 incl GST (\$1,230,120 excl GST) per annum, the actual value will depend on the hours worked and additional plant required over 12 months of the contract. The tendered rates are not subject to Rise and Fall adjustments.

TIME-FRAME

The contract period is 12 months.

LOCAL CONTENT

The contract works are expected to generate employment for 6 – 8 full time staff on the Central Coast based on the estimated and historic work patterns at the site.

CONCLUSION

An assessment has been made of tenders received for various combinations of plant to be used at the Buttoderry Waste Management Facility. The ranked tenders shown for plant items listed in this report are recommended for acceptance and engagement in order of priority as shown in the report.

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

334 Contract CPA 105697 – Financial Assessment for Toukley Aquatic Centre Refurbishment Project

CPA/105697 MDL

SUMMARY

This report reviews the finalisation status of the Toukley Aquatic Centre Refurbishment project completed in 2006.

RECOMMENDATION

- 1** *That the report be received and the information noted.*
- 2** *That Council endorse the actions of the Superintendent in approving variations on contracts CPA 105697 (and also CN2209) necessary for the completion of the project.*

BACKGROUND

The Toukley Aquatic Centre was constructed in 1974 and included a 25 metre indoor pool, amenities and outside wading pool. These facilities are now over 34 years old. The 25 metre indoor pool was supplemented with a heated indoor hydrotherapy pool that was opened in 1984.

The Centre has undergone periodic maintenance since it was opened, including repainting of the two pools, and more recently, replacement of the roof over the hydrotherapy pool when it reached the end of its economic life. The combination of warm moist air and chlorine within the Centre lead to accelerated corrosion of metal building elements, and required increased levels of maintenance as the structure ages. The paint system used to line the Toukley pools also required periodic renewal to maintain protection of the concrete pool structure.

Provision was made in the 2006/2007 Management Plan for an amount of \$350,000 to be allocated to pool improvements. A programme of works was developed consistent with this funding. The main problems to be addressed included:

- 1 The original roof sheeting over the 25 metre pool had deteriorated, was leaking and required renewal.
- 2 The structural steelwork supporting the roof required repainting and areas of corrosion treated.
- 3 Both inside pools required repainting.

Contract CPA 105697 – Financial Assessment for Toukley Aquatic Centre Refurbishment Project (contd)

To address these major issues and related minor maintenance issues a contract was arranged to undertake:

- * Replacement of the roofing materials over the main 25 metre pool
- * Re-painting of the main pool and hydrotherapy pool
- * Re-painting of the structural steelwork over the main pool
- * Re-painting of the timber viewing grandstand
- * Provision of safety glass to lower windows
- * Various structural steel repairs.

As work was being undertaken on the Centre several events occurred that added significantly to the cost and delayed completion of the refurbishment works. These were advised to Council through the following Councillor Updates:

- Toukley Aquatic Centre Maintenance Programme, 10 May 2006.
- Additional Contract Costs, 25 October 2006.
- Toukley Aquatic Centre Re-opening, 9 November 2006.

A further update was also provided in the General Works in Progress monthly report to Council in October 2006.

The remainder of this report details these issues, and provides information on the quantum of the additional costs.

Although the contract site work was finished and the Centre re-opened in late 2006, there have been protracted contract discussions with both the builder and the pool operator/contractor at that time relating to contract variations and delay costs. These have now been agreed allowing this report to be submitted to Council.

The Aquatic Centre re-opened on 13 November 2006 and has been in continuous operation since that time.

Contract CPA 105697 – Financial Assessment for Toukley Aquatic Centre Refurbishment Project (contd)

ISSUES LEADING TO DELAYS & ADDITIONAL COSTS FOR REFURBISHMENT WORKS

At its meeting of 14 June 2006 Council accepted a tender from Kinsley Constructions Pty Ltd for contract CPA 105697 in the lump sum amount of \$292,980 (excluding GST), for refurbishment works at the Toukley Aquatic Centre. An additional contingency sum of \$14,600 (excl GST) was approved by Council. The contract allowed for an eight week construction period that required the pool to be re-opened on 28 August 2006. This was a tight programme in order to minimise disruption to the community and the pool management contractor, Wetacope Pty Ltd. This was within the \$350,000 approved budget for this work.

A number of issues occurred that delayed completion of this project and lead to claims from the construction contractor for additional time and costs. The claims under the construction contract can be broadly classified as:

- latent condition claims;
- asbestos-related claims; and
- increases to the scope of works.

In addition, the pool management contractor for Contract CN2209, Wetacope Pty Ltd, also suffered financial damages as a result of the delays to the re-opening of the Toukley Aquatic Centre. These delays lead to loss of income and increased costs to retain staff and related matters.

In the following sections a description of each issue is provided with commentary on its effect on time and costs. Costs shown are now final costs excluding GST.

1 Construction Contract Issue – Latent Conditions

Following removal of the roof materials over the 25 metre pool the contract required the old paint system to be removed from the structural roof support members using high pressure water blasting. Preliminary investigations indicated that this would be possible for all the paint layers on the steelwork, and would allow repainting using the specified epoxy paint system.

It was discovered after work commenced that one of the previous paint layers was particularly difficult to remove using water blasting, and would take much longer to remove than had been allowed in the tight construction programme. This was classified as a latent condition and required the contractor to be directed to physically remove the trusses from the site for abrasive grit blasting and painting.

Contract CPA 105697 – Financial Assessment for Toukley Aquatic Centre Refurbishment Project (contd)

The removal of the roof trusses lead to significant associated costs such as the removal of the air conditioning ductwork and electrical cabling from the roof structure. Without these repairs the longevity of the new works could not be assured. The extent of the damage that required repair could not be readily ascertained prior to work commencing as it was hidden within the brickwork of the building structure. The total additional cost shown below is the sum of 14 individual claims from the building contractor ranging from \$483.88 up to \$60,945.50 (excluding GST).

Effect on time: additional 35 calendar days

Effect on costs: additional \$191,944 (excluding GST)

Percentage of total variations: 48%

2 Construction Contract Issue – Asbestos Removal

While the trusses were off-site there was sufficient time for the remaining steel columns to be water blasted to remove the old paint system. In the course of the water blasting the subcontractor damaged a number of panels behind the columns. These panels were found to contain asbestos, and work was stopped while an asbestos remediation programme was undertaken on the site. The presence of the asbestos sheeting should have been identified in a pre-contract, hazardous materials audit. However, the risk assessment process undertaken by Council did not identify the presence of asbestos.

As a result, the extra time and costs for the remediation work were the responsibility of Council.

Effect on time: additional 35 calendar days

Effect on costs: additional \$113,938.73 (excluding GST)

Percentage of total variations: 28%

3 Construction Contract Issue – Increased Scope of Works

A contingency allowance of \$14,600 (excluding GST) was provided when the contract was let given that it was probable that some remediation work would be required due to the age and condition of the building. As the work progressed it was realised that the standards of construction used in the original building were not well suited to resisting the combined effects of the highly corrosive internal environment and the cumulative effects of the weather on the exterior of the building fabric.

Contract CPA 105697 – Financial Assessment for Toukley Aquatic Centre Refurbishment Project (contd)

The structural adequacy of the building was found to be severely compromised in a number of areas when the building was opened up. This required additional work to ensure the building could be returned to a structurally sound condition. A structural consultant who inspected some of the repairs considered that the building had reached 65% of its economic life, even with the repairs that had been undertaken. This means that over the next 15-20 years the cost of maintaining this facility can be expected to increase considerably as the various building components reach the end of their economic life.

The main categories of works covered by this section and their related costs were as follows:

Additional Work	Cost (Excl GST) (\$)	% of Total Variations
Structural repairs and corrosion treatments	\$51,740	13%
Extensions to scope of work	\$28,659	7%
Acceleration costs to minimise closure time	\$16,811	4%
TOTAL	\$97,210	24%

The item for acceleration costs arose from the need to complete refurbishment works as early as possible to minimise additional delay costs incurred by Council's pool management contractor, Wetacope Pty Ltd. Further information on this aspect is included in Section 4 below.

For the variations shown in the above table:

Effect on time: additional 28 days

Effect on costs: additional \$97,210 (excluding GST)

Percentage of total variations: 24%

4 Non-Construction Contract Issue – Additional Costs Incurred by Wetacope Pty Ltd

The delay to the re-opening of the Toukley Aquatic Centre adversely affected Council's pool management contractor, Wetacope Pty Ltd. Key staff at the Aquatic Centre were kept on the company payroll in readiness for the re-opening of the Centre, with this date being revised several times due to the problems encountered on the site.

Considerable business for training and Learn to Swim classes was also lost due to the extended closure time, including Learn to Swim lessons for the Department of Education.

Contract CPA 105697 – Financial Assessment for Toukley Aquatic Centre Refurbishment Project (contd)

Every effort was made to support Wetacope Pty Ltd during this extended closure period to try and minimise the impact of these delays. These efforts included directing the construction contractor to accelerate the building works, and expediting claims that were made by the company. Support was also provided with publicity and activities when the Aquatic Centre re-opened.

Under the terms of the pool management contract Wetacope Pty Ltd was entitled to delay costs of \$1,000 (excl GST) per day for delays caused by Council whenever the Aquatic Centre was closed down for pool maintenance work. However, under the contract Council was also able to accumulate time for pool maintenance over the period of the contract and had five weeks of "closure time" available when the refurbishment works commenced.

Due to the issues described in the preceding sections of this report, Wetacope Pty Ltd was entitled to payment for a total of 99 days delay (after allowing for Council's accumulated five weeks), and was paid \$99,000 (excl GST) for delay costs. This was paid progressively to further assist the pool management contractor with cashflow during the period of the shutdown.

Wetacope Pty Ltd also submitted a claim to Council for extra-ordinary costs incurred due to the delays experienced and the impact this had on the business. The actual pool closure time of approximately 19 weeks was significantly in excess of the closure time periods envisaged when the pool management contract was formulated with a payment regime of \$1,000 per day for pool shutdowns. The additional closure days had a far greater impact on Wetacope's operations. In the circumstances the Superintendent exercised the contractual requirement to be fair and reasonable and arranged for an independent review of this claim.

The final additional payment to Wetacope Pty Ltd for their extra-ordinary claim, as verified independently, was \$66,684.55 (excluding GST).

Effect on costs: additional \$165,684.55 (excluding GST) for delay costs and extra-ordinary claim

BUDGET ADJUSTMENTS

During the course of the work adjustments were sought to the approved budget for the project in recognition of the identified increased costs. This was managed through the quarterly budget review process reported to Council. The December 2006 Quarterly Review increased the budget by \$377,000 and the March 2007 increased the budget by \$195,000. The total approved project budget was \$922,000. Total contract expenditure for Kinsley Constructions Pty Ltd and payments to Wetacope Pty Ltd were \$861,757.

Contract CPA 105697 – Financial Assessment for Toukley Aquatic Centre Refurbishment Project (contd)

Contract expenditure (including variations) in both contracts was considered to be non-discretionary and determined by the Superintendent in accordance with the contract conditions. The exception was an amount of \$4,052 (excl GST) for increasing the size of the new roof gutters. This allowed the maximum collection of rainwater for the new rainwater tanks, and minimised future use of potable town water for filter backwashing.

CONCLUSION

Completion of contracted refurbishment works at the Toukley Aquatic Centre was delayed due to a number of issues, including latent conditions, asbestos-related work and an increase in the scope of works due to the age of the building and facilities. These delays resulted in additional cost claims from the construction contractor Kinsley Constructions Pty Ltd, and also from Wetacope Pty Ltd, Council's pool management contractor at the time. Settlement of these matters after protracted negotiations has now been reached with these two contractors as discussed in this report.

The scope of work envisaged when the construction contract was initially prepared was based upon a visual inspection of the roofing system and limited examination of the building fabric. Any more extensive investigations would have required dismantling of sections of the building when it was operating. The costs of such investigation would have been significant. As it transpired there was a need for considerable building repairs in areas not easily accessible when the pools were full. Remediation of material containing asbestos also contributed to the additional variation costs.

The original construction contract awarded to Kinsley Constructions Pty Ltd was \$292,980 (excl GST) with a contingency amount of \$14,600 (excl. GST) giving a total approved amount of \$307,580. The additional variation costs over and above this sum totalled \$388,492.73 (excl GST).

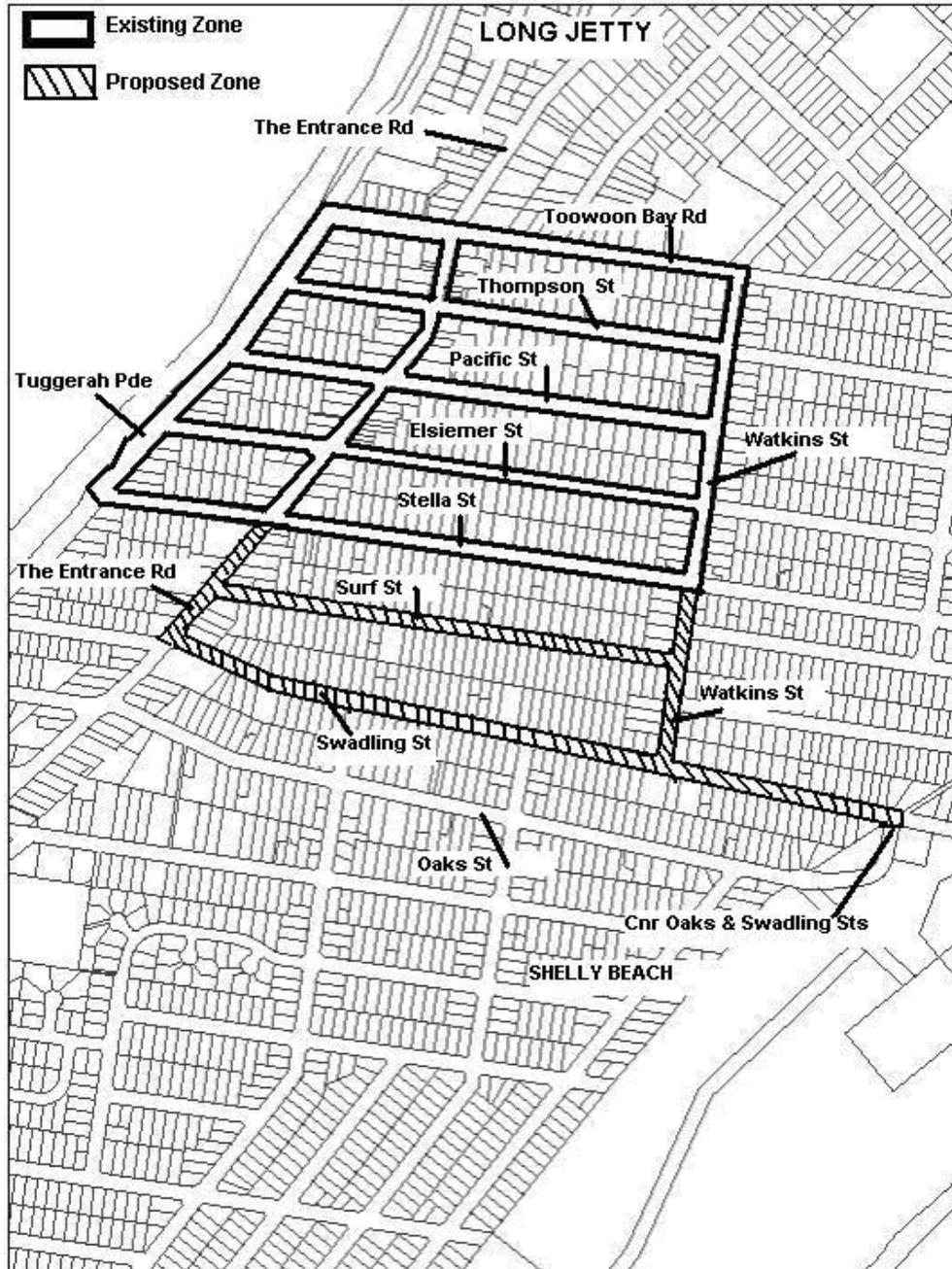
Additional payments, separate to the construction contract, of \$165,684.55 (excluding GST) were made to the pool contractor, Wetacope Pty Ltd, for delays and damages due to the extended closure period.

Budget adjustments were made as the project progressed through the quarterly budget review process.

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335 **Establishment of Extension to Alcohol Free Zone - Long Jetty**
(Attachment 1)

Locality Plan



WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

335 Establishment of Extension to Alcohol Free Zone – Long Jetty

F2008/00602 MW

SUMMARY

A proposal to extend an Alcohol Free Zone (AFZ) within Long Jetty has been advertised and is submitted for approval.

RECOMMENDATION

That Council formally adopt the proposal to extend an Alcohol Free Zone in the following location for the period up to 30 June 2009:

Long Jetty: Surf Street, The Entrance Road and Watkins Street from Stella Street up to and including Swadling Street to corner of Oaks Street.

BACKGROUND

At its meeting held on 14 May 2008, Council considered a report concerning the extension to an AFZ at Long Jetty and resolved the following:

“RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor ROSE:

- 1 *That Council prepare a proposal for the extension of the Alcohol Free Zone at the following location for a period up to 30 June 2009:*

Long Jetty: Surf Street, The Entrance Road and Watkins Street up to and including Swadling Street to corner of Oaks Street.
- 2 *That procedures for advertisement and notification of the proposal be implemented in accordance with the Ministerial Guidelines on Alcohol Free Zones.*
- 3 *That Council exercise the option of advising the NSW Anti-Discrimination Board of all the proposals.*
- 4 *That the matter be resubmitted for Council determination following compliance with these procedures.”*

Establishment of Extension to Alcohol Free Zone – Long Jetty (contd)

The proposal was advertised in the Central Coast Express Advocate on 4 June 2008 and no representations were received during the statutory 14 day period.

Notice was forwarded to the relevant Police Station and the NSW Anti-Discrimination Board inviting representations within the statutory 30 day period. There were no holders of licences under the *Liquor Act 1982* adjacent to the zone to invite representations. The NSW Anti-Discrimination Board advised they have no objections.

In relation to the relevant Police Station, the Command considers this zone will aid Police in controlling anti-social behaviour, minimise the disturbances that can be caused by drinking of alcohol in public places and create a better environment for the residents of the areas.

Council may now resolve to extend the AFZ within the Long Jetty area to expire on 30 June 2009, the common date of expiry established for AFZ's within the Shire.

It should also be noted that Council owned land such as reserves and cycleways are not classified as a public road or carpark and therefore cannot be included within an AFZ. However, under section 632 of the *Local Government Act 1993* ordinance signs are located on these properties which prohibit amongst other things, the consumption of alcohol.

A map is attached to this report outlining the proposed zone.

Attachment 1

Proposed AFZ within Long Jetty (1 page)

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

336 Investigation into Alleged Illegal Dumping

F2008/01538 GV:MD

SUMMARY

A report has been received detailing the findings of an investigation into alleged illegal dumping at Gwandalan and other sites, following recommendations made by the Wyong Shire Governance Committee at its meeting held on 14 May 2008.

RECOMMENDATION

That the report be submitted for consideration.

BACKGROUND

At the Ordinary Meeting of Council held on 28 May 2008 Council resolved in part:

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

- 9 That Council in consultation with the Mayor engage an external body to undertake a full investigation and inquiry of the Gwandalan Landfill site and activities there over the last 20 years."*

Mr Neil Adams of *Adams Consulting & Training* was engaged by the Mayor and General Manager on 4 June 2008 to undertake this investigation. The investigation is now complete and the findings of it (contained in the enclosure) are now submitted to Council for consideration.

Enclosure

Investigation of Alleged Illegal Dumping at Gwandalan and Other Sites – July 2008 – Neil Adams, Adams Consulting & Training

337 Surf Club Renewal ProgramF2004/06211 LS

SUMMARY

This report provides an overview of current surf lifesaving club buildings and includes an assessment of surf lifesaving club needs and identifies opportunities to improve on the current management of these assets.

Estimates of approximate costs (all exclusive of GST) and potential sources of funding for upgrade of the current buildings have been identified. Information regarding limitations of any such proposed works have also been considered, specifically in relation to Development Control Plan 77, Coastal Hazards and the forthcoming Coastline Management Plan.

RECOMMENDATION

- 1** *That in conjunction with its consideration of the 2009-10 Management Plan, Council give consideration to the inclusion of an amount of \$160,000 for surf club building repairs over and above its annual vote.*
- 2** *That in conjunction with its consideration of the 2010-11 Management Plan, Council give consideration to the inclusion of an amount of \$180,000 for surf club building repairs over and above its annual vote.*
- 3** *That the above funds, if approved, be expended in accordance with priorities to be determined in conjunction with the Surf Life Saving Clubs.*
- 4** *That in conjunction with its consideration of the 2010-11 Management Plan, Council considers the provision of \$100,000 to be utilised as a grants programme for capital upgrades to Surf Clubs.*

BACKGROUND

At its meeting held on 28 May 2008, Council resolved as follows:

"RESOLVED on the motion of Councillor STEWART and seconded by Councillor GRAHAM:

- 1** *That a written report be reported back to Council by 23 July 2008 on the following;*
 - a** *Councils priority on Surf Life Saving buildings.*

Surf Club Renewal Program (contd)

- b That the report be based on the source of fund costings and availability of grant funding.*
 - c The constraints may be encountered on existing buildings and redevelopment.*
- 2 That Surf Life Saving Central Coast be invited to brief the Council on their priorities and vision before 23 July 2008.*

FOR: COUNCILLORS EATON, FORSTER, GRAHAM, PAVIER, ROSE, STEVENS,
STEWART AND WELHAM.

AGAINST: COUNCILLOR BEST."

Surf Lifesaving Central Coast was established in 1936 to facilitate surf lifesaving services on the Central Coast. The first club to establish in the Wyong Shire was The Entrance Surf Lifesaving Club. The service has since expanded to include The Entrance, Lakes Beach, Soldiers Beach, North Entrance, Toowoong Bay and Shelly Beach. Each of these clubs is based within a surf club building at their respective beach. The clubs also provide a valuable role in educating children about surf awareness.

The surf club buildings primarily cater for the rescue and first aid work provided by volunteer lifesavers, but also supports Council's professional lifeguard service, community groups and private functions. Presently, volunteer patrols are conducted by surf lifesaving club members on all weekends and public holidays between the October long weekend and Anzac Day. Professional lifeguards employed by Council undertake patrols from these same facilities on working days during this same period. Apart from the provision of intermittent patrols to supervise school sporting groups, there are no other patrol programs in the winter season.

Surf Club Renewal Program (contd)

Figure 1: Surf Club Building Locations in the Wyong Shire

In addition to the buildings serving a purpose for Surf Lifesaving volunteers and Council lifeguards, they also serve as a community centre to accommodate varying community groups and to provide venues for private functions.

Surf Club Renewal Program (contd)

The buildings are of a varying age and condition. This report assesses the ongoing ability of these buildings to meet the needs of the clubs and the community. Four of these buildings are Council owned assets on crown land (Soldiers Beach, The Entrance, Shelly Beach and Toowoan Bay) whilst two are club owned assets on crown land (Lakes Beach and North Entrance).

Gosford City Council has recently embarked on a surf club replacement program and the Wyong based clubs and Surf Lifesaving Central Coast has called for Wyong Shire Council to consider delivering a similar replacement program.

Due to the recent construction of Toowoan Bay SLSC in 2005, this building is not being considered for immediate replacement or refurbishment. All facilities including Toowoan Bay do however need to be considered in terms of ensuring that there is an adequate asset maintenance program.

Current Maintenance Program

Maintenance of surf life saving clubs is primarily funded under Council's Beach Improvements program. In the 2007-08 financial year, \$107,000 has been allocated for maintenance to surf clubs as part of this program. These funds are mainly used to undertake major maintenance repairs at each of the surf clubs.

Additionally, \$7,000 was allocated to each club in 2007-08 as part of Council's Surf Lifesaving Club Subsidies Program. This funding is provided to clubs to undertake smaller scale high priority maintenance works.

The Council owned buildings at Soldiers Beach, The Entrance, Toowoan Bay and Shelly Beach are leased to the clubs by Council. The obligation for general maintenance of these buildings under the terms of the lease agreements is borne by the clubs. Lakes Beach and North Entrance are club owned buildings with the clubs leasing the land directly off the NSW Department of Lands. Despite the variations in asset ownership, and the requirements of the lease agreements, Council presently provides the same financial assistance to each of the clubs to ensure maintenance of the buildings.

Status of Existing Facilities

Staff from Council's Open Space and Recreation (OSR) Section and Council's Buildings Maintenance Section undertake regular inspections of each of the six surf lifesaving club buildings. For the specific purpose of this report, each of these buildings was specifically inspected in June 2008 to determine the current building condition status.

Each building was generally inspected to assess the overall building condition. The inspection also identified maintenance items that were categorised as category 1 works to address functional issues or category 2 works to address aesthetic improvements. This information is detailed in attachment 1.

Surf Club Renewal Program (contd)

Each building was also generally scored between 1 and 5 with a score of 1 representing a new building, and a score of 5 representing a building nearing the end of its useful economic life. This assessment only considered the condition of the existing facilities. Additional facility requirements (eg additional floor area) are considered separately in this report.

This assessment is summarised below:

Lakes Beach Surf Lifesaving Club – General Building Rating 3.5

Lakes Beach Surf Lifesaving Club was constructed in 1974, and has since had a number of extensions and modifications. The building is owned by the club and use of the land is leased directly from the Crown. The building is generally structurally sound and reasonably well maintained. The building is a brick structure and has an epoxy coating sealed 'Super 6' fibre cement sheet roof. Identified maintenance works include an intermittent reseal of the roof sheeting approximately every 10 years. Sealing will again be required again in approximately 2010 or 2011. Council has undertaken ongoing maintenance at the club, with for example, the ceiling having been replaced in the main function hall in the last two years. Provided ongoing maintenance is undertaken the lifespan of the building should exceed 20+ years. A number of issues were identified, as detailed in Attachment 1. Examples of these are represented in the following photographs:

Figure 2: *Western wall of Lakes Beach Surf Lifesaving Club. Note deterioration to signage on building.*



Surf Club Renewal Program (contd)

Figure 3: Concrete cancer evident under western balcony of Lakes Beach Surf Lifesaving Club building.



Figure 4: Main function hall of Lakes Beach Surf Lifesaving Club building, note new ceiling.



Surf Club Renewal Program (contd)

Figure 5: Eastern façade of Lakes Beach Surf Lifesaving Club building, repairs required to concrete steps.



Of those issues identified as requiring action, the category 1 maintenance items estimated cost is \$67,000. Category 2 aesthetic improvement items estimated cost is \$40,000 resulting in a total estimated cost of \$107,000.

Soldiers Beach Surf Lifesaving Club – General Building Rating 3.8

Soldiers Beach Surf Lifesaving Club generally is of a dated design. The building is constructed from painted concrete block and has a masonry tile roof. There is rust affecting steel members inside and outside the building, and the external steel stairs generally require additional maintenance works. Water ingress issues have also been identified with moisture penetration evident during high wind/high rain events. A number of maintenance programs have recently been undertaken to attend to upkeep of the building such as recent repainting and retiling of toilets and a refit of the kitchen adjacent the function hall.

Subject to additional spending on key maintenance items, the buildings useable economic life may be extended a further 20+ years. The following photographs indicate some of the issues present at Soldiers Beach Surf Lifesaving Club:

Surf Club Renewal Program (contd)

Figure 6: *Soldiers Beach Surf Lifesaving Club building.*



Figure 7: *Lifeguard tower on eastern side of Soldiers Beach Surf Lifesaving Club building, note rusting of steel steps.*



Surf Club Renewal Program (contd)

Figure 8: Downstairs bathroom of Soldiers Beach Surf Lifesaving Club Building, note recently renovated bathroom, but localised rust at base of steel post (centre left in photograph).



Of those issues identified as requiring action, the category 1 maintenance items estimated cost is \$108,000. Category 2 aesthetic improvement items estimated cost is \$8,500 resulting in a total estimated cost of \$116,500.

Some of the steel members have been identified for further structural analysis. Additional maintenance work may be required, however it is expected that this will not significantly impact the above estimated costs.

North Entrance Surf Lifesaving Club – General Building Rating 3.2

The original North Entrance Surf Lifesaving Club consisted of the northern end of the current building, which was built approximately 32 years ago. The southern end is a more recent extension built about 18 years ago. The southern end, being of more recent construction, is rated to be in a better general condition than the northern building.

The main structure is clad in fibre cement boards with textured finish and the lower level is constructed of brick. Similar to Lakes Beach, this structure is owned by the club, not Council with the land leased directly through the Crown. Subject to additional spending on key maintenance items, the buildings useable economic life may be extended a further 20+ years.

Surf Club Renewal Program (contd)

Figure 9: North Entrance Surf Lifesaving Club, western aspect.



Figure 10: Eastern aspect of North Entrance Surf Lifesaving Club building, note rust stains on cladding from corroding galvanised nail heads.



Surf Club Renewal Program (contd)

Figure 11: Rusted brackets on downpipe of western side of North Entrance Surf Club Building and rusted ventilation (top left corner of photograph) that requires replacement/repair.



Figure 12: Basement storage room of North Entrance Surf Lifesaving Club building, some surface rust treatment required on steel beams.



Surf Club Renewal Program (contd)

The caretaker also advised that the club has previously commenced repairing the rusting nails to the building exterior.

Of those issues identified as requiring action, the category 1 maintenance items estimated cost is \$17,200. Category 2 aesthetic improvement items estimated cost is \$12,200 resulting in total estimated costs of \$29,400.

The Entrance Surf Lifesaving Club – General Building Rating 2.8

The Entrance Surf Lifesaving Club is a heritage listed Council owned building. Surfboats and boards are stored in the boatshed south of the club building. An assessment of the boatshed was undertaken separately.

The exterior of The Entrance Surf Life Saving Club was repainted in the 2007-08. Considering its age, the building is in very good condition. The key recommended works for the exterior are to replace rusting steel handrails with stainless steel rails for aesthetic and safety reasons. The new rails are to match other existing stainless steel handrails at the club. The building is generally structurally sound.

Figure 13: *The Entrance Surf Lifesaving Club Building, Western Aspect, note recent exterior painting.*



Surf Club Renewal Program (contd)

Figure 14: The Entrance Surf Lifesaving Club Building eastern aspect, note redundant rusted railing on the northern and southern side of the lifeguard tower requiring removal.

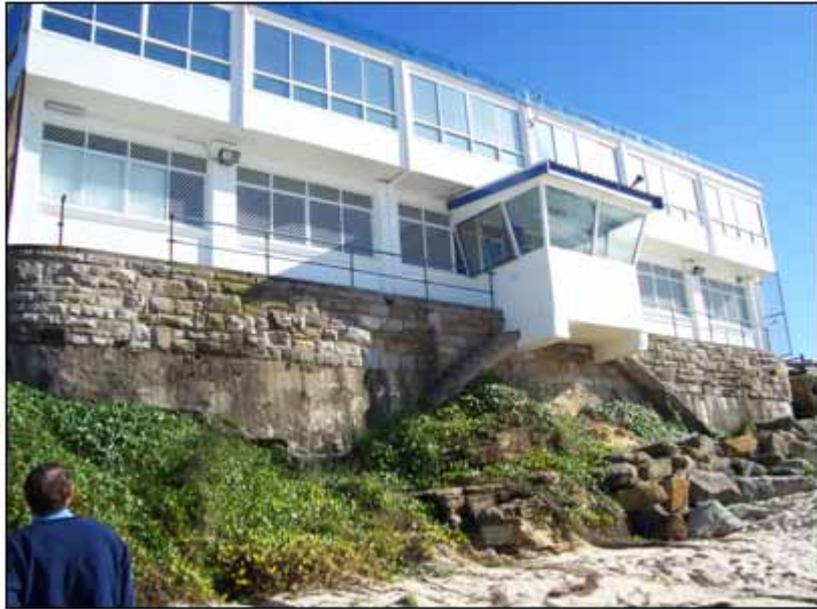


Figure 15: The Entrance Surf Club function room, repainting of nominated internal surfaces is recommended.



Surf Club Renewal Program (contd)

Figure 16: *The Entrance Surf Lifesaving Club recently renovated kitchen facilities.*



Figure 17: *The Entrance Surf Lifesaving Club downstairs hallway, rising damp issues to be addressed and repainting recommended*



Surf Club Renewal Program (contd)

Of those issues identified as requiring action, the category 1 maintenance items estimated cost is \$17,400. Category 2 aesthetic improvement items estimated cost is \$300 resulting in total estimated costs of \$17,700.

Some previously identified issues such as provision of appropriate ventilation to the downstairs men's toilet have not been included in this assessment as they are already being addressed within the current year's beach improvements program.

The Entrance Boat Shed – General Building Rating 4.3

The Entrance Boat Shed is due for significant maintenance repairs costing \$55,000 in 2008/2009. This will be funded out of the Beach Improvements budget. These funds are intended to address many of the issues identified during the June 2008 inspection of the building including repairs to the concrete driveway, the retaining wall under the building on the western side and investigation of water seepage via the southern wall.

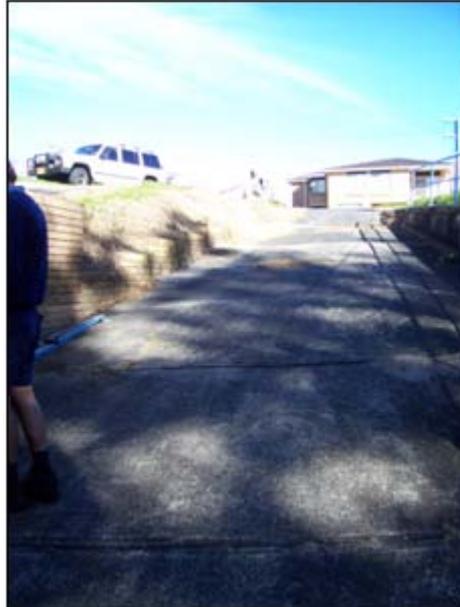
Additional works that have not been budgeted for in the 2008/ 2009 budget is a general repaint of the exterior as well as patching cracks and numerous other minor repairs. The cost of undertaking these category 2 aesthetic works is estimated at \$7,000 with other category 1 works valued at \$500.

Figure 18: *The Entrance Boat Shed, western aspect.*



Surf Club Renewal Program (contd)

Figure 19: *The Entrance Boat Shed, repairs required to driveway western side.*



Toowoan Bay Surf Lifesaving Club – General Building Rating 1.1

Toowoan Bay Surf Lifesaving Club was fully reconstructed in 2005 and is generally in an excellent state of repair. “Tea staining” surface discolouration is evident on some of the stainless steel guttering, downpipe and handrail structures. A recent professional clean of the handrail cost Council approximately \$400.

Despite its recent construction, maintenance issues have been identified including an internal steel door jamb which is exhibiting signs of rust, and construction of an additional panel on the western landing to prevent people from climbing onto the roof of the building. These works are expected to cost approximately \$2,400.

Other works, which are desirable but not essential, would include a repaint of the main function hall which is showing some signs of damage due to heavy use, and the cleaning of the stainless steel guttering. These works could be undertaken at a cost of approximately \$4,500.

Surf Club Renewal Program (contd)

Figure 20: *Toowoomb Bay Surf Lifesaving Club, western wall.*



Figure 21: *Toowoomb Bay Surf Lifesaving Club eastern aspect.*



Surf Club Renewal Program (contd)

Figure 22: *Toowoombay Surf Lifesaving Club deck rail, note some "tea staining" to stainless steel.*



Figure 23: *Toowoombay Surf Lifesaving Club, peeling of paint on galvanised steel roofing members and "tea staining" to stainless steel guttering.*



Surf Club Renewal Program (contd)

Shelly Beach Surf Lifesaving Club – Rating 4.2

Shelly Beach Surf Club Building was initially designed as a portable building that could be relocated in the event of a significant storm event. Given the numerous extensions it has had during its life, relocation would now be extremely difficult without significantly damaging the building. Issues identified with the eastern decking area and steps are proposed to be addressed in the 2008/ 2009 financial year Beach Improvements program.

Of those issues identified as requiring action, the category 1 maintenance items estimated cost is \$42,200. Category 2 aesthetic improvement items estimated cost is \$1,200 resulting in total estimated costs of \$43,400.

Figure 24: *Shelly Beach Surf Lifesaving Club Eastern Aspect.*



Surf Club Renewal Program (contd)

Figure 25: Shelly Beach Surf Lifesaving Club members bar.



Figure 26: Shelly Beach Main Function Hall



Surf Club Renewal Program (contd)

In summary, the condition assessment scores and the expected functional and aesthetic upgrade costs are shown as follows:

Building	Score	1. Functional	2. Aesthetic	TOTAL
Lakes Beach	3.5	\$67,000	\$40,000	\$107,000
Soldiers Beach	3.8	\$108,000	\$8,500	\$116,500
North Entrance	2.2	\$17,200	\$12,200	\$29,400
The Entrance	2.5	\$17,400	\$300	\$17,700
The Entrance Boat Shed	4.3	\$500	\$7,000	\$7,500
Toowoan Bay	1.1	\$2,400	\$4,500	\$6,900
Shelly Beach	4.2	\$42,200	\$1,200	\$43,400
TOTAL		\$254,700	\$73,700	\$328,400

Table 1: *Estimated Cost of recommended maintenance works at surf lifesaving clubs.*

Based on Table 1, the priority of surf lifesaving club buildings in terms of replacements is listed as following, and is compared to the identified preferred order of replacement as nominated by the Surf Lifesaving Clubs in a meeting that they held 24 October 2007:

	Priority List Determined by Council Staff	Priority List Determined by SLSC's.
1	The Entrance Boat Shed	(The Entrance Boat Shed not considered)
2	Shelly Beach	Shelly Beach
3	Soldiers Beach	Soldiers Beach
4	The Entrance	The Entrance
5	Lakes Beach	North Entrance
6	North Entrance	Lakes Beach
7	Toowoan Bay	Toowoan Bay

Table 2: *Priority order of replacement determined by Council staff and Surf Lifesaving Clubs.*

Although there is some subjectivity in the determination of the building condition rating scores outline in Table 1, generally those buildings which are higher priority in terms of improving their current standard are Soldiers Beach, The Entrance Boat Shed, and Shelly Beach. There is general concurrence between the clubs and Council on this matter. Given that significant Beach Improvements funds have already been identified to improve the standard of The Entrance Boat Shed, the highest priority clubs for any future additional funding are Soldiers Beach and Shelly Beach. There is general concurrence between the clubs and Council on this matter. The most apparent discrepancy between the assessment by the clubs and that of Council is the reverse positioning of Lakes Beach and North Entrance. There was only a marginal difference in scoring in Council's condition assessment of these buildings.

Surf Club Renewal Program (contd)

The works listed in table 1 total \$328,400. These works, if funded as part of the normal Beach Improvement Fund would need to be scheduled over the next 5 to 10 years. Some priority works could be included as part of the existing budget over the next three years to address these issues, however this would not generally address deterioration of other assets at these buildings over that period.

Although it has been determined that the buildings as a whole have not reached the end of their useful economic life, it is recognised that some of the sub assets of these buildings have. This is evident with the recent replacement of items such as the ceiling at Lakes Beach Surf Lifesaving Club. With many of these sub assets now reaching the end of their useful economic life, funds that have historically been more focussed on preventative maintenance have been directed to replacing many of these items. This is why the buildings are now requiring a more significant injection of maintenance funds.

The estimated funds required to address the functional and aesthetic requirements identified do not allow for higher quality aesthetic improvements. Examples of such an improvement would be installation of glass doors on the eastern side of the Shelly Beach Surf Club function room which would allow for better viewing of the ocean from the building, potentially making it more attractive for private functions and broader community use.

Subject to the funding outlined in Table 1 being approved it is recommended that the work be carried out in accordance with a schedule that would be agreed with the Surf Lifesaving Clubs and Surf Lifesaving Central Coast.

Surf Club Renewal Program (contd)

Surf Lifesaving Club Preferences Floor Area Requirements

A needs assessment on club facilities was undertaken in 2002. The needs assessment assessed the preferences of the clubs and reviewed the existing and desired facilities at each of the clubs in terms of floor area for core and ancillary activities.

The summary results of this needs analysis are presented in Table 3 as follows:

Surf Lifesaving Club	Approximate Existing Floor Area	Additional Area Required for Core Activities	Additional Floor Area Required for Ancillary Activities
Lakes Beach	582 square metres	86 square metres	150 square metres
Soldiers Beach	598 square metres	15 square metres	226 square metres
North Entrance	573 square metres	251 square metres	140 square metres
The Entrance	1,000 square metres	No data available	No data available
Toowoan Bay	850 square metres	N/A	N/A
Shelly Beach	1,000 square metres	43 square metres	3 square metres

Table 3: Summary of Surf Clubs Needs Analysis undertaken in 2002 as determined by clubs.

Surf Club Renewal Program (contd)

There is clearly a perceived need by each of the clubs (excluding The Entrance for which no data was available) for additional floor space for both core and ancillary services undertaken by the club.

Of all the clubs, North Entrance identified the most additional floor space required to undertake core activities, requesting an additional 251 square metres. This mostly encompassed the need for provision of storage of their second surfboat, surfboards and gear trailer, and records and filing.

More recently in a meeting of Shelly Beach Surf Lifesaving Club on Tuesday 10 June 2008, the club unanimously agreed that a new building would be required to meet the clubs needs for the next 25 years.

Based on this, the club is seeking construction of a building in the vicinity of 900 square metres in line with allowances made in the recent construction of the new surf lifesaving club building at Copacabana.

The estimated cost for construction of new building additions at Surf Clubs is between \$3,000 per square metre to \$4,000 square metre. To cater for the additional floor space requested as per table 3, the following funds would need to be sourced. (Note: Toowoomb Bay has been excluded from this assessment as their new building was constructed following this information being gathered from the clubs in 2002):

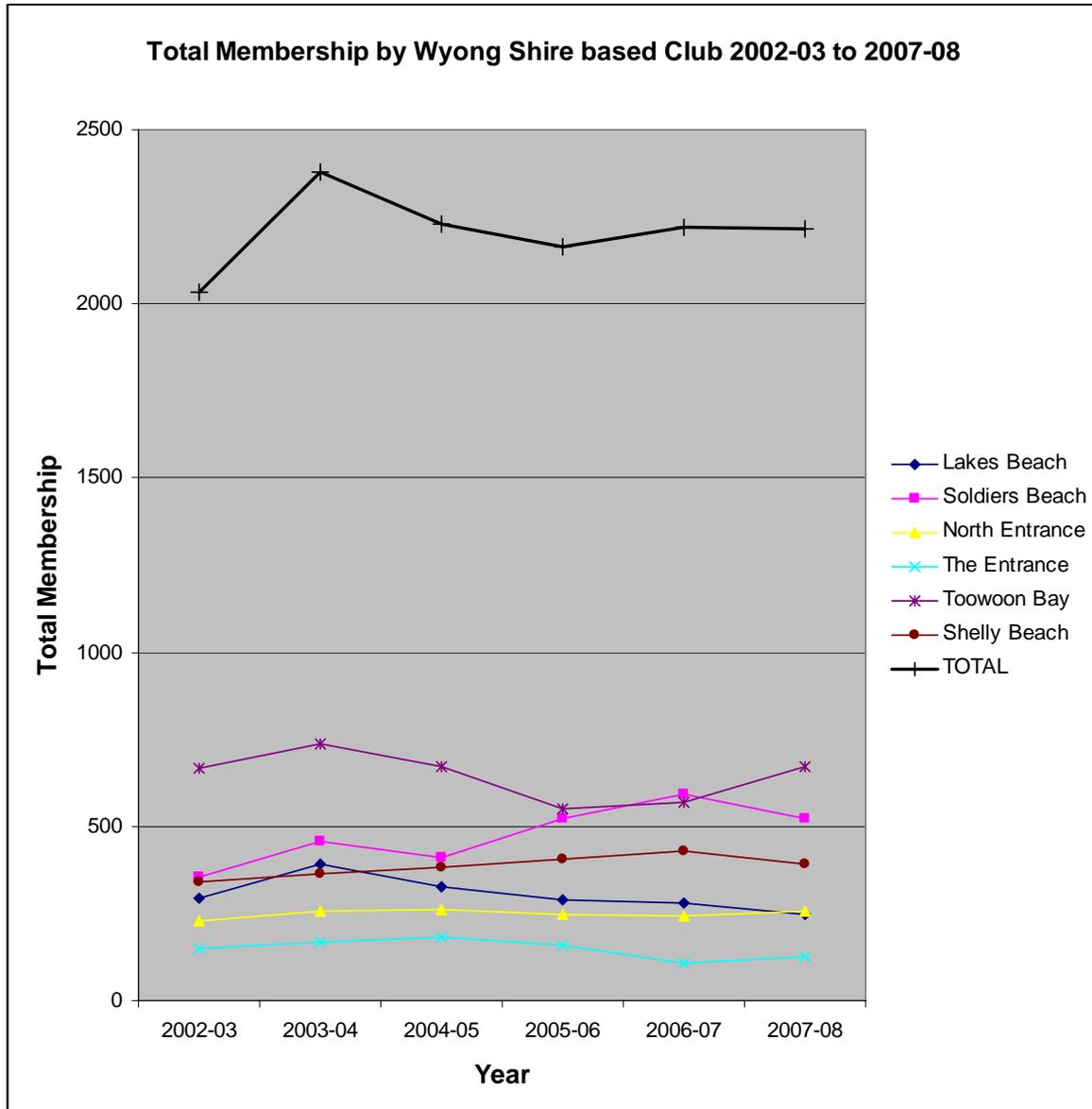
Surf Lifesaving Club	Additional Funds Required for Core Additional Floor Space	Additional Funds Required for Ancillary Additional Floor Space
Lakes Beach	\$258,000 to \$344,000	\$450,000 to \$600,000
Soldiers Beach	\$45,000 to \$60,000	\$678,000 to \$904,000
North Entrance	\$753,000 to \$1,004,000	\$420,000 to \$560,000
The Entrance	No data available	No data available
Shelly Beach	\$129,000 to \$172,000	\$9,000 to \$12,000
TOTAL	\$1,185,000 to \$1,580,000	\$1,557,000 to \$2,076,000

Table 4: *Estimated costs associated with expanding floor areas of clubs as identified in table 3.*

In consideration of the obvious preference of all of the Surf Lifesaving Clubs to upsize their facilities, a review of membership of each of the clubs has been undertaken to determine if such a requirement to increase building size is supported by increased membership.

Surf Club Renewal Program (contd)

Figure 27: Indication of changes in total membership from 2002-03 season through to the 2007-08 season for all Wyong Shire based Surf Lifesaving Clubs. Total membership of all clubs during same period is also indicated.



	Wyong LGA	Gosford LGA
2004 Membership per capita	0.015	0.026

Table 5: Comparison between Wyong and Gosford local government area Surf Club Membership per capita for 2004 based on 2004/ 05 membership data, and 2004 population data from the Australian Bureau of Statistics.

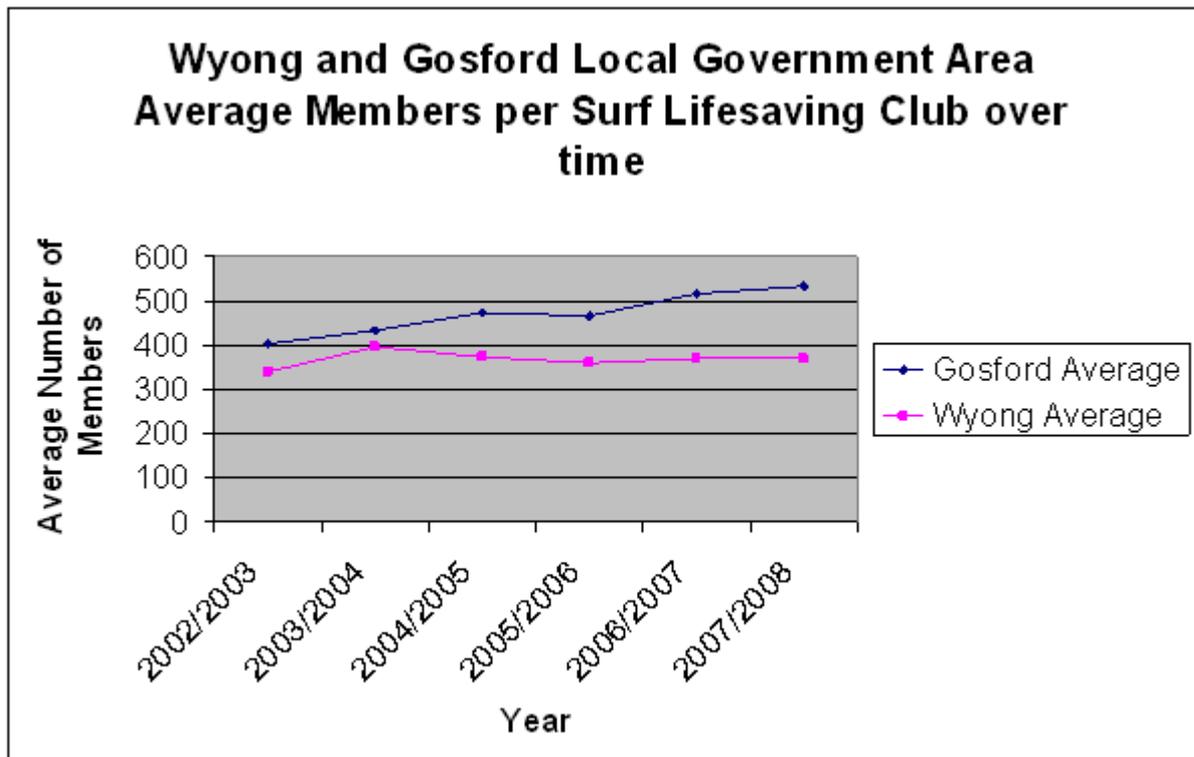
Surf Club Renewal Program (contd)

Figure 27 indicates that over the 6 year period shown, a peak in total membership was realised in 2003-04 and that since then, total membership has generally stabilised. Discussions with Surf Lifesaving Central Coast confirm that there is presently no information predicting member numbers into the future. Soldiers Beach has shown a general increase in membership over the whole period. This may be a direct correlation to the proximity of Soldiers Beach to the growing Warnervale residential area. Given Lakes Beach similar proximity to this area, it is interesting to note that membership numbers for Lakes Beach Surf Lifesaving Club have generally declined over the same period.

Toowoan Bay appears to be increasing membership again since a low in 2005-06. This increase possibly correlates with the completion of the new surf club in 2005. It is noted that North Entrance, whose membership is generally stable at approximately 250 members, and has only the 4th highest membership of the six clubs, has the greatest perceived need for additional floor space for core functions.

To better gauge the situation in terms of the request for Wyong Shire to embark on a similar program to that of Gosford City Council, a comparison in total membership numbers for Gosford City and Wyong Shire has been made over the same period.

Figure 28: Comparison between Wyong and Gosford Local Government Area volunteer Surf Lifesaving Club Membership averages per club from 2002-03 to 2007-08.



Surf Club Renewal Program (contd)

Figure 28 indicates that over the past six years, Gosford local government area surf lifesaving clubs have shown a significant surge in membership as opposed to their Wyong counterparts.

The reasons for this difference are unclear from the data that is available. Membership in Gosford may have increased with the greater emphasis and investment that the Council has placed on the surf clubs. Alternatively, the greater numbers may be a direct result of the location of the beaches in relation to the population base. In the absence of all other available data and studies, indications are that there is no significant growth predicted in Wyong Shire surf club membership. No data is available on the long term sustainability or viability of the surf lifesaving clubs in the Wyong Shire. On this basis, the proposed increase in building size (as per tables 3 and 4) of surf lifesaving club buildings is difficult to justify.

Although figure 28 is useful in assessing the preferred additional floor area of the club against member numbers, it is recognised that no assessment has been undertaken in terms of possible increased equipment needs by the Wyong based clubs over this period. Additional surf lifesaving equipment such as inflatable rescue boats and surf boats may on its own be driving the need for greater floor area regardless of member numbers. Despite this, figure 28 still indicates that Gosford based surf lifesaving clubs have a higher membership, and presumably this would mean Gosford clubs would also have a proportionally higher need for equipment storage.

Planning Considerations

Prior to replacement of any of the clubs, consideration needs to be given to planning and development constraints in the area.

Development Control Plan 2005, Chapter 77 (DCP 77) – Coastal Hazards, has the following objectives:

- 1 To reduce the impact of coastal hazards on individual owners and occupiers within Wyong Shire.
- 2 To ensure that knowledge of coastal hazards guides the location and design of future development along Wyong's coastline.

Chapter 77 is scheduled to be amended at the completion of the Wyong Shire Coastline Management Plan. The purpose of this plan is to identify hazard zones along the coast in which development will be restricted or in which design will have to accommodate the potential hazard.

The DCP requires that no development or improvements shall be located within the hazard zone and generally describes improvements as additions to buildings.

Surf Club Renewal Program (contd)

None of the five surf lifesaving clubs that consideration could be given towards in establishing a new building are indicated to lie within the coastal hazard zones referred to in DCP 77. Having said this, it is recognised that hazard line data used in the DCP is limited and does not account for all of the surf club locations.

A further analysis of hazard lines was undertaken in 2004. This analysis indicated that the adopted 1996 hazard lines were conservative in their assessment. That is, it is probable that the hazard lines will move further inland, in future assessments, and likely impacting additional surf club sites.

Of the five surf lifesaving clubs being considered for renewal, comparison of these facilities with 2004 hazard lines has shown the following:

Surf Lifesaving Club	Classification against 2004 Hazard Lines	Meaning
Lakes Beach	50 year stable foundation	Approval to reconstruct a surf club in this location is possible providing the application is accompanied by a geotechnical report assessing the potential hazards and that the surf club is structurally engineered in such a way as to withstand the potential coastal hazards.
Soldiers Beach	<i>Insufficient data to determine</i>	
North Entrance	Landward of 50 year stable foundation	Outside of recognised hazard area, not affected by DCP 77, regular development process applies. Impacts of climate change would need to be considered.
The Entrance	Immediate High Hazard	Land areas comprising which, at present, are subject to high hazard in respect of erosion, landslip, rock fall, rock distress, and/ or tidal inundation. Development not allowable.

Surf Club Renewal Program (contd)

Surf Lifesaving Club	Classification against 2004 Hazard Lines	Meaning
Shelly Beach	50 year hazard	Land areas where it is predicted that within 50 years could be subject to high hazard in respect of erosion, landslip, rock fall, rock distress and/ or tidal inundation. Approval to reconstruct a surf club in this location is possible providing the application is accompanied by a geotechnical report assessing the potential hazards and that the surf club is structurally engineered in such a way as to withstand the potential coastal hazards.

Table 6: Classification of each of five surf lifesaving clubs being considered for reconstruction against 2004 Wyong Shire coastal hazard line mapping.

Giving consideration to these hazard lines, redevelopment of The Entrance Surf Lifesaving Club at the existing location would need to consider the heritage listing of the building and redevelopment of Lakes Beach Surf Lifesaving Club and Shelly Beach Surf Lifesaving Club would need to be accompanied by an appropriate geotechnical report and be structurally designed to withstand potential coastline hazards. This data also shows that North Entrance Surf Lifesaving Club is unaffected by the 2004 predicted coastal hazard lines meaning that redevelopment of the site could proceed, dependant on meeting other merit considerations.

Coastal hazard line data is not available for Soldiers Beach Surf Lifesaving Club meaning that hazards associated with development in this location are presently not quantified.

Indications are however that even the available 2004 data which table 2 uses for comparison, is conservative in it's assessment regarding the location of the hazard lines for beaches. The Coastline Management Plan which is currently being prepared includes a more accurate assessment of the hazard lines for these areas. This assessment is expected to show that the hazard lines are moving further landward for the beach areas but not necessarily for the bluff locations.

A new DCP will be drafted to replace the existing DCP 77 as part of the preparation of the Coastline Management Plan. This new DCP will reflect the revised Hazard lines determined in the Coastline Management Plan. These documents are due for completion in mid 2008.

Surf Club Renewal Program (contd)

Given that Council is already aware that these coastal hazard lines are advancing further towards land than present data indicates, and that existing data is limited, if the decision were to be made to construct new surf clubs, Council would be left with the following options:

- 1 Not consider current indications of revised hazard lines and redevelop surf clubs on existing footprints based on data currently available in DCP 77, although potentially the known risk would have to be considered in any development application under Section 79C of the Environmental Protection and Assessment Act.
- 2 Find new locations that are unlikely to be affected by revised coastal hazard lines for the surf lifesaving clubs.
- 3 Await finalisation of the Coastline Management Plan prior to deciding to rebuild existing surf clubs so they can be accurately located.

Of the above, option 1 may place Council in a position of liability if current understandings of advancing hazard lines are ignored and structures fail due to coastal hazards. Option 2 can be considered however there is a large degree of risk and uncertainty in facility placement. Sites identified may inadvertently be located in a hazardous area, or conversely be located further from the ocean than required which could result in problems with the feasibility of the surf lifesaving operations. Option 3 is more conservative and allows for a greater degree of certainty regarding the location of any of these facilities.

The Entrance Surf Lifesaving Club is also unique amongst the six clubs in that that this facility is listed in the Wyong Local Environmental Plan 1991 as a heritage building. For this reason, demolition of the existing building to allow for construction of a new building for the club on the same footprint is more difficult regardless of coastal hazard line assessments.

Gosford City Council were able to construct some of their clubs within the confines of the identified hazard lines however significant engineering was required to ensure that they could cope with potential hazards. Copacabana Surf Lifesaving Club for instance was established on 25 metre piers.

Each of the six surf lifesaving clubs are located on parcels of land that are affected by State Environmental Planning Policy 71, Coastal Development (SEPP 71). This policy should not hinder the progression of any plans to redevelop these facilities.

The key consideration with regards to the construction of the facilities under SEPP 71 is that any structure that is proposed to be greater than 13 metres in height will require ministerial assessment prior to consent.

Surf Club Renewal Program (contd)

Management Approaches of Surf Lifesaving Facilities in other Councils

Gosford City Council has been progressively rebuilding six surf life saving clubs in the Gosford Shire following a Council resolution in 2003. Discussions with Gosford City Council have indicated that rebuilding a surf lifesaving club would now cost approximately \$2.5 million. This is comparable with the \$2.123 million construction cost of Toowoomb Bay SLSC in 2005. Based on \$2.5 million to \$3 million per club, the cost would equate to a potential investment of \$12.5 million to \$15 million to rebuild surf clubs at each of the five nominated beaches. In comparison to the previously reviewed options for investing in increased maintenance or club preferences to upgrade floor space, the cost comparisons are significant:

Option	Cost
Preservation Maintenance	\$328,400
Upgrading Floor space as per Club Preferences (2002 Needs Analysis)	\$1,828,000 + Additional Maintenance
New Buildings for 5 clubs	\$12,500,000 to \$15,000,000

Table 7: Cost comparisons of undertaking increased maintenance, upgrading floor space, and club replacement. Costs are indicative only and may vary significantly based on building requirements for a particular site.

Acknowledgement needs to be given to the fact that regardless of which option Council considers more appropriate, each will inherently require an adequate maintenance budget to be allocated to it. It is also acknowledged that any increase in the size of the asset base generally means that there will be a proportionate increase in the need for maintenance.

It is also interesting to note, that current annual maintenance budgets for the 8 Council owned surf clubs in Gosford City are \$18,375, an average of approximately \$2,300 per club per annum. In comparison to Wyong's ongoing maintenance program which in the 2007-08 financial year was \$107,000, or approximately \$17,800 per club. The Gosford City maintenance program is far less substantial.

Newcastle City Council advised that Newcastle based clubs have identified significant storage issues, but that this is related to soaring memberships. Newcastle City Council advises that Cooks Hill surf club recently had to close their books to new members because they could no longer physically sustain the membership base.

The upsurge in membership may however be a result of significant upgrades to the surf club. Four years ago, the Cooks Hill building underwent significant renovations and extensions at a cost of in excess of \$1 million. Newcastle City Council has however suggested that they are targeting their approach regarding their surf club buildings on maintenance rather than reconstruction.

Surf Club Renewal Program (contd)

Sources of Funds and Grant Funding

Grant Funding

The NSW Department of Sport and Recreation has a 'Capital Assistance' grants program. Maximum funding under this grants program is \$30,000 per project and must be supported in kind.

The NSW Department of Sport and Recreation also has a larger scale grants program which may better fit with any intentions to rebuild a surf club. The Regional Sports Facility Program offers up to \$300,000 in kind grant funding per project. Eligible applicants under both of these programs are local government authorities and incorporated not-for-profit organisations wishing to develop facilities that will increase participation in sport, recreation and physical activity.

The types of projects that are considered under these programs are:

- 1 Construction of new fixed and portable facilities and infrastructure including capital equipment with a life expectancy of 15+ years
- 2 Enhancement of existing facilities eg watering systems, safety netting, lighting and upgrade of surfaces
- 3 Provision of ancillary facilities at established facilities e.g. sun protection shelters, change rooms, shower and toilet blocks.

The surf club facility development program is a grants program administered jointly by Surf Lifesaving NSW and the NSW Department of Sport and Recreation. The Surf Club Facility Development Program assists surf clubs throughout NSW to develop their facilities to increase usage, safety and participation in surf life saving activities by the general public and club members. Eligible projects under this program include:

- 1 Construction of new surf club facilities
- 2 Capital enhancement of existing facilities
- 3 Provision of ancillary support facilities at existing venues, eg amenities block

Surf Lifesaving Clubs in NSW are eligible to apply for grants under this program with the current maximum grant allocation being \$350,000. The grant does not cover feasibility or planning phases of the project and will not provide funding for more than 75% of the total project cost. The program cannot fund general maintenance tasks associated with these facilities but given it can fund capital enhancements, it therefore may prove a beneficial tool in providing for significant aesthetic upgrades to the buildings.

Surf Club Renewal Program (contd)

Federal funding for surf lifesaving club buildings was previously possible through the Regional Partnerships Program. Advice from the federal Department of Infrastructure, Transport, Regional Development and Local Government indicates that a program called the Regional and Local Community Infrastructure Program will be released in 2009/ 2010 which will assist large scale community minded projects such as surf club reconstruction. It is expected that this program will be applied in ways similar to the Regional Partnerships Program.

Public/ Private Partnerships

The NSW Department of Lands is currently in the initial stages of reviewing a state wide policy for the operation of surf lifesaving clubs. The general intent of the policy is to look at providing for a greater range of uses at the surf lifesaving clubs. The program is expected to better promote the potential for public/ private partnerships of these buildings, for example the establishment of a restaurant which would allow greater access to the public, and generate revenue to make the building more commercially sustainable.

The feasibility of immediate implementation of this option has not yet been explored.

Introduction of a Water Safety Levy

Gosford City Council in 1999 introduced a Water Safety Levy of 3.2% to apply towards major refurbishment of surf club buildings, essential rescue equipment and improvements to public areas adjacent to those facilities. The levy was principally raised to repay loans raised for refurbishment of surf club buildings. Any funds raised in excess of loan repayment requirements are directed to these other ancillary works. The levy raised \$360,000 per annum from July 1999 and basically equated to an additional \$38.40 per household per annum for residential properties with annual land rates of \$1,200, and \$44.80 per household per annum for residential properties with annual land rates of \$1,400.

Without consideration to planning requirements, the most costly option that might be considered by Wyong Council would be to rebuild five of the existing six surf club buildings. Discussions with Gosford Council indicate that the typical present cost of a new surf lifesaving club building would be \$2.5 million. Therefore to build five new buildings in the Wyong Shire, an allocation of approximately \$12.5 million would be required based on net present value. CPI increases over the period may result in increases in the cost of the buildings which would need to be matched by revenue raised from any such special rate. Generally buildings costs are going up faster than CPI which may result in the actual costs of the new buildings increasing significantly over the construction period.

Surf Club Renewal Program (contd)

Considerations in raising a special rate such as this would be that a special rate must be geographically defined. In the case of raising revenue for a surf club renewal program from such a rate, presumably such a geographical definition would be defined by the potential users of such facilities. Defining the boundary to which households this would apply to would be extremely difficult and quite contentious.

The boundary could include anywhere between 50% and 100% of households within the Shire. This means the indicative cost per household could range between \$15 and \$32 per annum.

Extraordinary Rates Increase

Alternatively to a special rate, Council could request an extraordinary variation to the existing rates under section 508 of the Local Government Act 1993.

Accepted reasons for applying for proposals for infrastructure maintenance or replacement include if the works are related to protection of public health. Construction of a new surf club building does not readily meet this criteria.

Cluster Plan Funding

Profits from Council's tourist parks are used to fund various improvement projects on Crown Land.

Discussions with the NSW Department of Lands have indicated that surf club upgrades would generally not be supported by the cluster plan funding. Cluster Plan funded projects need to demonstrate direct benefits to the whole community, not just a specific user group. The projects need to generally show the benefits to the community and the reserve itself in a broader sense.

Indications are that funding upgrades from the cluster plan are not a viable alternative.

Loans

Another potential source of funding for this program is loans. It is Council's policy to only borrow to fund capital projects that have a life expectancy beyond the term of repayment of the loan. Council generally draws principal and interest loans from Australian financial institutions over 10 year terms. If Council were to borrow \$12.5M for the Surf Club Renewal Program, at the July indicative local government borrowing rate of 8.38%, the repayments would be \$1.87M per annum (totalling \$18.7M over the life of the loan).

Land Sales

Land Sales to the value of \$15 million have been identified for Warnervale in the 2008/ 2009 Management Plan. In the past Council has used revenue generated from land sales to fund long term assets.

Surf Club Renewal Program (contd)

Options for Wyong Shire

Giving consideration to planning requirements, current standards, perceived needs, and reviews of alternative approaches, the following options are presented for consideration by Council:

Maintain the status quo

Continue to operate surf life saving clubs under current conditions and continue Council's existing contribution towards maintenance of the clubs. The current maintenance program has been identified as inadequate in meeting the needs of the existing facilities so this option is not a preferred solution.

Replace current surf life saving club infrastructure with a full time Council lifeguard service.

Potential benefits of provision of full time lifeguards are that Council lifeguards do not have the requirement for the same level of infrastructure that a surf lifesaving club has (e.g. professional lifeguards do not require members bar's, community halls/ function rooms, room to store surf boats and the extent of competition and training equipment).

A Council lifeguard service would be able to successfully operate with the provision of only a lifeguard tower, staff amenities, storage (for boards, 4WD beach vehicle, jet ski, flags and signs) and first aid facilities. Infrastructure for halls, kitchens, large shower blocks, kiosks and other entertainment areas would not be required.

Council's Beach Operations budget which funds Council's lifeguard operations at the time of writing this report is \$890K per year. Provision of a seven day per week lifeguard service over the 30 week lifeguard season would primarily result in significant additional labour costs. Council would need to staff each of the six beaches for 30 weekends and 6 public holidays each year. Consideration would also need to be given to providing three lifeguards per beach on weekends and public holidays to help cope with higher crowds.

Based on staffing on weekends and public holidays with three lifeguards, additional labour costs incurred would be approximately \$100,000. Other costs for additional supervision and materials may result in an increase to a total of \$140,000 per year.

Further ongoing investment would be required to maintain the towers that would potentially replace the clubs which although may reduce overall maintenance costs, would not eliminate them.

In this option, ongoing costs for the maintenance of the lifeguard towers will likely result in a significant decrease in building maintenance costs across all of the surf lifesaving clubs.

Surf Club Renewal Program (contd)

The proposed \$140,000 per annum allocation plus maintenance costs would be somewhat comparable to current Council investment into surf clubs of \$107,000 per year for surf club maintenance and the \$7,000 per annum surf life saving club subsidies.

Council would still be required to maintain the existing assets at Toowoon Bay and The Entrance, demolition of which based on heritage classification or current condition would be hard to justify. Demolition of the other clubs would also result in the loss of infrastructure presently used for other community needs and private functions.

More critically, this approach fails to recognise the history and culture of each of the clubs that would be disbanded, and also fails to recognise the contribution that the clubs make to the community by way of providing surf awareness for children.

For these reasons, this approach is not considered appropriate.

Construct new surf clubs for five clubs (i.e. excepting Toowoon Bay)

This option would meet the needs of the clubs but at significant financial burden to the broader community. To build 5 new clubs, funds in the order of \$12.5 million would need to be sourced.

A significant issue with this option is that the reconstruction or relocation of the surf club buildings may not comply with DCP 77, in consideration of current understandings of hazard lines in these areas.

From the assessment of each of the buildings by Council staff, a number of these buildings are also in satisfactory condition. Toowoon Bay, North Entrance and Lakes Beach are in good condition, although certain aspects relating to maintenance have been identified with each, and general aesthetic refurbishment would be desirable particularly for North Entrance and Lakes Beach.

Significant refurbishment work would be required for Shelly Beach, however inspection of this building did not yield any justification for it to be demolished and rebuilt. Other improvements to Shelly Beach have also been identified as preferable to improve the functionality of the building.

Similar appraisals of Soldiers Beach and The Entrance were made. Although both are quite old, and some building repairs are required, generally the current state of the buildings does not warrant demolition. All surf clubs could however benefit from significant refurbishment to modernise facilities and make them more aesthetically appealing.

Surf Club Renewal Program (contd)

Refurbish Existing Buildings (except Toowoona Bay)

Building inspections have determined that each of the clubs could be satisfactorily upgraded by increased spending on identified building maintenance and aesthetic improvement items. Future growth of clubs has not been quantified and it is therefore difficult to gauge future needs in terms of increasing each of the buildings footprints. Funding identified in Table 1 would be required to allow for maintenance works to be undertaken to lift the buildings condition to a satisfactory and functional standard. Any increase in funds above this value could potentially be used to provide for more substantial refurbishment of the existing buildings.

In the case of The Entrance, due to current knowledge of hazard lines and known heritage issues, refurbishment is really the only option.

Refurbishment negates many of the issues that would be faced with development of new buildings with consideration to DCP 77. It is likely that refurbishment would also be less costly, however the cost of a more substantial refurbishment program is at present not quantified and it is recognised in consideration to information provided by Newcastle City Council, that refurbishment programs in their own right can be expensive. Cooks Hill Surf Lifesaving Club is used as an example in that it was renovated and extended approximately 4 years ago at a cost in the order of \$1 million.

Defer any final Decision for Significant Upgrades to Surf Clubs until finalisation of the Coastline Management Plan and Revision of DCP 77.

With consideration of current knowledge of the coastal hazard lines being limited, yet there being an awareness that these lines are likely to move further landward, the most conservative approach regarding replacement of the surf lifesaving club buildings, whether that be via refurbishment or reconstruction, would be to wait until the new hazard lines are finalised under DCP 77 which is expected to occur in mid 2009.

Whilst awaiting development of the Coastline Management Plan, Council could elect to appoint a consultant with appropriate skills in planning and design to undertake investigations on Council's behalf to:

- * Undertake a detailed review of existing infrastructure
- * Model future surf club membership numbers
- * Consult with clubs to determine actual building requirements
- * Provide detailed building assessments to determine feasibility for refurbishment

If consideration is still given by Council that replacement of existing buildings is preferred, this option may need to be further considered. Given that the recent assessment of current infrastructure concluded that the surf lifesaving club buildings had not yet reached the end of their useful economic life, refurbishment of existing clubs would be a more cost effective option.

Surf Club Renewal Program (contd)

Increase maintenance funding for the existing six surf lifesaving clubs

Considering the assessment of the existing clubs found that there were some opportunities to enhance the current maintenance program, it may be prudent to consider increasing maintenance funding to help maintenance keep pace with the identified recommended works as detailed in Attachment 1.

Summary and Conclusions

The contribution of surf lifesaving clubs to the broader community is clearly acknowledged. With approximately 1000 junior members in the Wyong local government area, the ability of the clubs to educate children in surf awareness is apparent. Council should continue to support the operation of the volunteer surf lifesaving movement in the shire.

Condition assessments of existing Surf Lifesaving Club infrastructure indicate that there is an opportunity to increase funding for additional maintenance of each of the buildings.

The present degree of uncertainty regarding the location of coastal hazard lines would inherently contain a high degree of uncertainty. Clarification regarding the assessment of these risks and uncertainties should become apparent following the finalisation of the Coastline Management Plan and the revision of DCP 77.

Actual needs of the surf lifesaving clubs still need to be properly assessed with regards to their potential future growth and the ability for the buildings to cater for their future growth and the needs of the greater community. Having said this, condition assessments of the current buildings did indicate that they still had a significant functional life provided adequate maintenance is provided. Current membership numbers do not justify an increase in the size of the buildings and any increase in building size will require an increase in maintenance.

Although there are a number of opportunities for funding support of a surf club renewal program via grants and land sales, giving consideration to the current factors associated with the coastline hazards, and lack of detail on actual needs for these facilities, it is recommended that an immediate commitment to the construction of new buildings for each of the surf clubs is not made. Additionally there is some financial risk associated with allocating revenue from land sales to such a facility.

The condition assessment of the clubs identified that the buildings had not reached the end of their useful economic life, but did identify that there were a number of requirements in terms of buildings maintenance to an estimated current value of \$328,400. It is therefore recommended that to fund these works, Council consider in the Management Plan for 2009-10, allocation of an additional \$160,000 and further consider allocation of \$170,000 in the 2010-11 Management Plan. It is proposed that investigation planning and design would be undertaken during the 2008-09 financial year.

Surf Club Renewal Program (contd)

To provide for other aesthetic improvements to Lakes Beach, Soldiers Beach, North Entrance, The Entrance and Shelly Beach, it is recommended that Council consider allocation of \$100,000 to a Surf Club Capital Improvement Grant for 2010-11 on the basis that the Coastline Management Plan will be finalised by this time. Each club could apply to Council for funding under the grants program for general capital upgrade works subject to support being obtained from other state government and federal government grants programs. This could potentially lift the total investment in surf life saving club building infrastructure to in excess of \$400,000 for the 2010-11 year pending the success of other grant programs.

Other grant funding programs would also be considered at this time to allow for additional funding towards upgrades.

Attachment 1***Surf Club Inspection Report (11 Pages)***

Surf Club Renewal Program (Attachment 1)

SLSC INSPECTION OBJECTIVE (held on 24 June 2008)

Council officers inspected the six surf clubs plus The Entrance Boat Shed buildings to ascertain the general building condition of each of the club facilities.

The inspection attempted to identify building maintenance issues or items of an aesthetic nature that resulted in a potentially unsatisfactory appearance of the building to the general public and building occupants.

Two criteria were applied when the buildings were inspected:

1. Identify those maintenance issues and a cost estimate to rectify those issues in order to bring the existing building up to an acceptable functional standard based on current building layout and mindful of the building age. Examples include rusted roof guttering, broken windows, blocked drainage.
2. Further to item 1 above, identify any other aesthetic items (that would not otherwise be deemed a repair item needing rectification within the next 12 months in order to avoid possible structural or building element failure) that generally detract from the overall acceptable appearance to the general public.

Examples would include painting of a cosmetic nature that is not merely to prevent say rusting or decay of the substrate materials, or to update aged but still functional vanities in toilet areas.

Preliminary cost estimates have been provided as a guide to the order of magnitude of costs involved in addressing the listed building items per site.

These have been presented in two categories:

- 1 Functional (maintenance to prevent failure or to restore functionality), or
- 2 Aesthetic only.

A total cost estimate is provided. Costs are exclusive of GST and are based on predominantly using Council's Building Maintenance section labour and internal resources.

This general inspection did not identify potential significant changes to building internal layouts as this would require a more in depth architectural review to survey the occupant's needs and produce a number of costed refurbishment / remodelling options.

Surf Club Renewal Program (Attachment 1) (contd)

BUILDING CONDITION – RATING GUIDE

A general building condition rating has been provided per site (as a subjective guide only) to the existing overall condition of the facility.

The scale we have used is:

1 = New

5 = Nearing the end of its economic / useful life.

Surf Club Renewal Program (Attachment 1) (contd)

LAKES BEACH

General Building Condition rating = 3.5

Estimated remaining functional building life = 20+ years

Category 1. Functional (maintenance to prevent failure or to restore functionality), or
Category 2. Aesthetic only.

Category 1

- * Renew epoxy sealing coat on external roof lining.
- * Service the 24 of hopper window winder mechanisms and replace damaged.
- * Function room. Replace panic bars to 2 sets of exit doors in and general patch scratched timber skirtings, floor tiles and sundry repairs.
- * Male toilet upstairs - replace paper towel dispensers x 2 rusted, replace mirror – silver backing corroded, minor patch and painting to walls, replace missing toilet partition top-fins.
- * Concrete cancer to west balcony façade - patch existing and paint.
- * Fix external lights – replace 5 battens and 2 spots - north and east.
- * Repairs to (east) side eaves lining.
- * Repairs to front entry concrete stairs (east).
- * Lakes Beach SLSC" polystyrene signage (on west facade) - replace.
- * Internal structural steel beams x 3 of in boat storage area – prepare and repaint.
- * Internal tiled stairs adjacent to north function room plus internal stairs south end next to member's room – existing non slip surface - uneven wear and looks poorly. Prepare and resurface with marine carpet.
- * Club member's male shower area - ground floor adjacent to gym - retile wall tiles in shower recess, replace rusted air conditioner outlet, supply new taps, replace existing ceiling light battens, replace screen door into gym from shower, miscellaneous minor repairs included for in toilet area.
- * Club member's female toilet area – replace rusted air conditioning duct.

Subtotal \$67,000

Surf Club Renewal Program (Attachment 1) (contd)

LAKES BEACH (Contd)**Category 2**

- * Metal fascia to eaves and villaboard eaves lining – repaint
- * Internal function room – generally in good condition
- * General patch and repaint timber fascia internal panelling and doors adjacent to dance area
- * Lifeguard room (joinery) - replace bench tops and cupboards
- * Female toilet. Replace damaged door. Fit new vanity top and new mirror, patch and minor repairs to walls.
- * Function room Kitchen - replace laminate bench tops with stainless steel and sinks, includes demolition. Supply and install new flooring. General upgrade only as existing kitchen is OK and functional

Subtotal \$40,000

Total categories 1 & 2 = \$107,000

Surf Club Renewal Program (Attachment 1) (contd)

SOLDIERS BEACH

General Building Condition rating = 3.8

Estimated remaining functional building life = 20+ years

Category 1. Functional (maintenance to prevent failure or to restore functionality), or
Category 2. Aesthetic only.

Category 1

- * Function room - repair collapsed sections of timber floor.
- * Waterproof exterior of building necessary.
- * Repaint whole exterior of building.
- * Replace external steel stairs (east) leading up to lifeguard room.
- * Refurbish inside lifeguard room plus replace roof.
- * Patch cracked brickwork sections to external walls.
- * Women's external toilet (ground - north east corner) - new vanity, replace glass to door and resurface floor.
- * Replace steel external stairs north.
- * Replace steel external stairs west.
- * Boat storage area – treat surface rust and paint steel structural columns, beams and base plates and repair where required, general paint to internal walls.
- * Ladies toilet (adjacent to function room) - patch peeling wall paint (south).
- * Patch cracked wall tiles in male and female external public toilets (south).
- * Replace existing masonry roof tiles to entire roof area with metal decking. This was quoted in late 2007 to provide new battens, sarking and metal roofing.

Note – there are general rainwater leak problems through the single skin external block walls. Further investigation is required to determine any suitable waterproofing products.

*Also, a Structural Engineer would need to assess and specify appropriate design and methodology to repair rust to internal steel work.

Subtotal \$108,000

Category 2

- * IRB storage area – existing concrete floor surface is pitted... patch. General paint and repairs to wall and internal areas.
- * Function room - general repaint of walls columns and ceiling.

Subtotal \$8,500

Total categories 1 & 2 = \$116,500

Surf Club Renewal Program (Attachment 1) (contd)

NORTH ENTRANCE

General Building Condition rating = 3.2

Estimated remaining functional building life = 20+ years

Category 1. Functional (maintenance to prevent failure or to restore functionality), or
Category 2. Aesthetic only.

Crown Land
Club has lease on it
Club owns building
Age 32 years
18 years south end

Category 1

- * East deck – replace ramp timber, front trellis and timber fascia boards. Replace steel legs to bench seats.
- * Ladies toilets (adjacent to boat storage shed north end) – repair floor tiles.
- * Men's toilets (adjacent to boat storage shed north end) – repair floor tiles.
- * Function room - patch and re-finish timber surface to dance floor.
- * Reline decking surface to western façade's external deck.
- * Treat surface rust and paint galvanised metal exhausts on roof and the duct adjacent to entry to Council's public toilets.
- * Boat storage shed (southern ground floor) - treat surface rust and repaint structural steel posts, beams, roller door and arch bars.
- * Public toilets male and female. Patching and minor repairs to tiled surfaces, treat surface rust to metal arch bars and door entrance.
- * Re-point to selected areas of existing external brick walls.

Subtotal \$17,200

Category 2

- * Repaint exterior and replace rusted drain pipe brackets, including minor patching of timberwork and rusted nails.
- * Refinish varnish coating to internal surface of timber Exit doors x 2 pairs.
- * Served area – new bench tops and floor coverings. Repaint walls.
- * Bar area – minor patching.
- * Lifeguard room - patch carpet on entry stairs, paint timber internal window surfaces.

Subtotal \$12,200

Total categories 1 & 2 = \$29,400

Surf Club Renewal Program (Attachment 1) (contd)

THE ENTRANCE

General Building Condition rating = 2.8

Estimated remaining functional building life = 20+ years

Category 1. Functional (maintenance to prevent failure or to restore functionality), or
Category 2. Aesthetic only.

Category 1

- * Repair damaged ceiling lining section in gym.
- * External galvanised metal hand rails (north and south) - replace with stainless steel.
- * Includes to remove existing east balustrade which is rusted (south end).
- * Patch surface of damaged concrete walkway (north end of building).
- * Replace damaged lattice timber screen (north face - west corner of building).

Subtotal \$17,400

Category 2

- * Function room - repaint main hall and patch small halls in wall including minor paint patch to adjoining toilets.
- * Epoxy patch existing floor tiles in bar area.
- * Downstairs club member's area (south end of building) - rising damp in internal walls has resulted in blistered paint. Retreat rising damp, patch and paint downstairs including repaint lifeguard room and male & female toilets.

Subtotal \$300

Total categories 1 & 2 = \$17,700

Surf Club Renewal Program (Attachment 1) (contd)

THE ENTRANCE BOAT SHED

General Building Condition rating = 4.3

Estimated remaining functional building life = 5+ years

Category 1. Functional (maintenance to prevent failure or to restore functionality), or
Category 2. Aesthetic only.

Category 1

Rear timber stairs to deck – replace timber treads.

Note: Some structural issues may require further investigation including water pooling on floor adjacent internal south wall (floor surface is below adjoining external ground level).

A number of existing structural issues are scheduled for repair in the 2008/09 rolling works program. This summary identifies items over and above those items already nominated for action in the 08/09 rolling works program.

Subtotal \$500

Category 2

Paint exterior - including patch cracks and minor repairs.

Subtotal \$7,000

Total categories 1 & 2 = \$7,500

Surf Club Renewal Program (Attachment 1) (contd)

TOOWOON BAY

General Building Condition rating = 1.1

Estimated remaining functional building life = 40+ years

Category 1. Functional (maintenance to prevent failure or to restore functionality), or
Category 2. Aesthetic only.

Category 1

- * Internal doorway to boat shed - corrosion of steel door jamb. Grind and repaint
- * Extend new panel to landing on west side to prevent access to roof by children.

Subtotal \$2,400

Category 2

- * Clean stainless steel guttering north side and east side.
- * Repaint main hall.

Subtotal \$4,500

Total categories 1 & 2 = \$6,900

Surf Club Renewal Program (Attachment 1) (contd)

SHELLY BEACH

General Building Condition rating = 4.2

Estimated remaining functional building life = 10+ years

Category 1. Functional (maintenance to prevent failure or to restore functionality), or
Category 2. Aesthetic only.

Category 1

- * Function room area - replace internal wall cladding to north wall and patch paint timber doors and skirtings.
- * Function room area - replace panic bars to exit doors x 2 pairs and replace/patch door hardwood threshold.
- * Ground water ponding to the rear grassed external area adjacent to BBQ area (west)
- * Install ground drainage.
- * Remove rotted timber fascia batten to external wall (west facade to men's and ladies toilets).
- * Surface rain water enters rear of boat shed. Existing 90mm external drain too small.
- * Increase to 150mm drain.
- * Minor patching to paved area east (south east corner) outside "gear room".
- * Replace rotted timber fascia to building roof (south end over boat storage shed).
- * Repair smashed window to the IRB room.
- * Repair roof flashing at east end over IRB room.
- * East roller door entry to "gear shed" – existing drain blocks with sand.
- * Increase the existing 90mm drain. Water also enters via some roof areas.
- * Patch roof.
- * Replace floor tiles to function room's kitchen and adjoining hall to kitchen.

Surf Club Renewal Program (Attachment 1) (contd)

- * External patch paint. Includes to touch up rust spots and replace damaged timber post to front deck / patio area. Note. Council has allocated \$30,000 in the 2008-09 rolling works program to upgrade the front steps and eastern paved area.
- * New front steps and decks.
- * Replace perimeter security fence to south and north end of club building. Includes to demolish and dispose existing chain wire security fencing. New fencing allowed = "Diplomat" to match existing at northern end of building.
- * Caretaker's residence – external stair door is jamming. Repair. Also, replace the internal damaged front door.

Subtotal \$42,200

Category 2

- * Minor paint patching to ceiling in bar area – water stairs.
- * Minor patching to walls of male and female toilets adjacent to function room.

Subtotal \$1,200

Total categories 1 & 2 = \$43,400

338 Status Report of Shire Wide Audit

F2004/07245

SUMMARY

This is a status report on actions taken in response to Resolutions 1 to 14 from the Wyong Shire Governance Committee Meeting held on 14 May 2008.

RECOMMENDATIONS

- 1** *That the report be received and the actions taken noted.*
- 2** *That the Mayor's approval to importing rocks and fencing material to secure the Gwandalan Landfill site be endorsed.*
- 3** *That the Mayor's approval to rescheduling this report from the Ordinary Meeting of 9 July 2008 to 23 July 2008 to allow more information to be provided be endorsed.*

BACKGROUND

At the Ordinary Meeting of Council held on 28 May 2008 Council considered information provided in Committee Report 213 from the Wyong Shire Governance Committee Meeting held on 14 May 2008. The recommendations in that Committee report were adopted. This report now provides information in relation to the Committee's Resolutions Nos 1 to 14.

CURRENT STATUS OF RESOLUTIONS

Table 1 summarises the status of actions taken in response to the Resolutions, with further detailed information provided in the remainder of this report for Resolutions 1 and 13. Council continues to work in close collaboration with the NSW Department of Environment and Climate Change (DECC) in relation to a number of these resolutions.

ACTIONS IN RESPONSE TO RESOLUTIONS Nos 1 AND 13

Resolution Nos 1 and 13 from the report were as follows:

- 1** *That a Shire Wide Audit of closed landfill sites or similar lands occur with a report to Council by the Ordinary Meeting to be held 9 July 2008, detailing how similar issues/incidents do not occur at these operational and construction sites operated by Council.*
- 13** *That Council investigate the legality of all transfer stockpile sites.*

Status Report of Shire Wide Audit (contd)

Actions on these Resolutions have been taken concurrently given the nature of the required investigations. Old Landfill sites and other stockpile areas have been reviewed both in the field and through checking of approval records to clarify their legal and actual status on site. Approval was obtained from the Mayor to defer a report on the outcomes of these investigations from the meeting of 9 July 2008 to 23 July 2008 to allow presentation of more complete information.

Table 2 summarises the sites identified for further investigation and the current status of this work. To date 27 possible sites relating to Resolution No.1 have been identified, with a further 33 seagrass stockpile sites also included as shown in the table. Due to the number of sites identified it is estimated that checking the legality of sites will not be completed until 4 August 2008. Given the time required to complete these investigations, further updates will be provided to Council as the information becomes available.

METHODOLOGY

The following methodology was adopted in determining the sites to be reviewed and the actions to be undertaken in relation to the audit of sites.

- 1 All operational areas of Council were canvassed for sites that, consistent with Council's Resolutions, required investigation. These were collated into 27 identified sites and a further 33 seagrass stockpile areas.
- 2 A checklist was developed of issues to be reviewed at each site. A copy of the checklist was provided to the Department of Environment and Climate Change and to the external auditor appointed by the General Manager's Unit to review Council's processes. The checklist covered the following:
 - security of the site
 - environmental controls
 - quantification of any unauthorised dumping if found on site
 - assessment of any stockpiled materials to identify whether they were for Council operational use.
- 3 Two staff undertook the site inspections. Records of inspection are supported by photographic evidence.
- 4 A panel of staff including a representative from the Regulation and Compliance Unit reviewed the results of the inspections. At a small number of sites immediate works were initiated to enhance environmental controls such as provision of sedimentation fencing.
- 5 Details of the sites inspected are to be forwarded to Shire Planning to assess consistency of use with planning approvals. Many of the sites are known to already have approvals in place.

Status Report of Shire Wide Audit (contd)

FURTHER ACTIONS

In relation to the requirement in Resolution 1 to detail how similar issues/incidents do not occur at these operational and construction sites operated by Council, the following actions have been taken.

- 1 As far as practicable sites have been secured from unauthorised access with fencing or other means. Examples include the Gwandalan Landfill site and Council land at the future Warnervale Town Centre where rocks have been placed and gates better secured to prevent unauthorised dumping.
- 2 Ongoing monitoring is being undertaken at the closed Gwandalan landfill site and other sites to check for evidence of any unauthorised dumping. If identified, appropriate action will be taken.
- 3 The importance of appropriate waste management has been communicated to all operational areas of Shire Services.
- 4 An environmental and waste management awareness and responsibility training course has been developed for Shire Services staff. This is being delivered to staff during July 2008.
- 5 A project has been initiated to investigate areas that can be used as transfer and stockpile sites in the Shire to provide approved sites that will allow Council to efficiently undertake its normal operational activities.

CONCLUSION

Field inspections of 27 areas used for transfer stockpile sites, and a further 33 seagrass stockpile areas around Tuggerah Lakes and Lake Macquarie have been completed. A check of the legality of these sites for their current use has commenced.

To date it appears that one site, the transfer area adjacent to the Toukley Sewage Treatment Plant, may not have the appropriate planning approvals to allow it to be used as a transfer area. However, preliminary advice has been obtained that suggests that the activities undertaken on the site by Council are a permitted use under the zoning (subject to satisfying all statutory requirements including the objectives of the zone). Planning approvals (and possibly DECC approvals) will need to be obtained if this site is to be continue to be used as a transfer area.

From the inspections a small number of sites were found to require some augmentation of their sedimentation controls and this work has been undertaken. In general, the majority of sites inspected did not require any action in relation to security, removal of rubbish or environmental controls.

Status Report of Shire Wide Audit (contd)

Table 1 Resolution Status

#	RESOLUTION	STATUS
1	That a Shire Wide Audit of landfill sites or similar lands occur with a report to Council by the Ordinary Meeting to be held 9 July 2008, detailing how similar issues/incidents do not occur at these operational and construction sites operated by Council.	Addressed in the main report.
2	That a site inspection of the closed Gwandalan Landfill site be conducted by Councillors at the next round of inspections or at a time that is suitable with a Department of Environment and Climate Change Inspector.	Completed. Site inspection conducted 25 June 2008.
3	That the Gwandalan landfill site be immediately secured and the site made safe.	Site secured. Asbestos removal waiting DECC approval.
4	That Council stop immediate use of the closed Gwandalan Landfill site.	Completed. All use of site stopped.
5	That appropriate signage be placed immediately at the site indicating that it is a closed landfill site highlighting the risks of illegal entry.	Completed.
6	That the whole matter relating to unauthorised dumping, potential avoidance of levies and charges be referred to ICAC for advice relating to corruption in the matter.	Completed. Letter from General Manager sent to ICAC on 4 June 2008.
7	That Council request the Department of Environment and Climate Change to brief Councillors on their current investigations and behaviour of Council staff in this matter	Request forwarded to DECC by letter dated 16 June 2008. No response to date.
8	That all short term environmental controls necessary be put immediately in place at the closed Gwandalan Landfill site.	Initial works completed. Additional works requested by DECC also completed.
9	That Council in consultation with the Mayor engage an external body to undertake a full investigation and inquiry of the Gwandalan Landfill site and activities there over the last 20 years.	External auditor Mr Neil Adams has been engaged by General Manager's Unit.
10	That a voluntary remediation plan, prepared by an independent consultant, detailing all corrective actions and time frames be developed in consultation and agreement with Department of Environment and Climate Change.	Investigations and development of Voluntary Remediation Plan prepared by an independent consultant will take in excess of 12 months. Work will be undertaken in collaboration with DECC.

Status Report of Shire Wide Audit (contd)**Table 1 Resolution Status (contd)**

#	RESOLUTION	STATUS
11	That Council identify and comply with all relevant legislative requirements regarding the closed Gwandalan Landfill site.	Legislative requirements have been identified. Review is currently proceeding.
12	That a comprehensive site investigation be undertaken by a suitably qualified consultant under the supervision of an independent accredited site Auditor and in close consultation with Department of Environment and Climate Change.	Will be included as part of work to be undertaken for Resolution 10.
13	That Council investigate the legality of all transfer stockpile sites.	Addressed in the main report.
14	That Council delegate to the Mayor the authority to vary the implementation for the above and to report any such variation to Council subsequently for endorsement.	Mayor's approval has been sought as required and actions reported to Council.

Table 2 Status of Sites Investigated

Site	Status of Approval Investigations	Status of Field Investigations
Active Landfills		
Buttonderry Landfill	Approvals in place	Use consistent with approval.
Closed Landfills		
Bateau Bay	Approvals in place	Use consistent with approval.
Bellevue Road, Tumbi	See Note 1	Preliminary investigations only – hygienist to be engaged for testing on site.
Gregory St, Berkeley Vale	See Note 1	Audit checklist inspection completed.
Gwandalan	See Note 1	Preliminary inspections/testing complete. Consultants to be engaged for detailed remediation plan
Hakone Rd, Woongarra	See Note 1	Audit checklist inspection completed.
Halekulani	See Note 1	Audit checklist inspection completed.

Status Report of Shire Wide Audit (contd)**Table 2 Status of Sites Investigated (contd)**

Site	Status of Approval Investigations	Status of Field Investigations
Mardi	See Note 1	Consultants have completed final site investigation report and auditor concurs with recommendations for remediation of site. Next stage is development of Remedial Action Plan for site.
North Shelly Beach	See Note 1	Preliminary investigations only – hygienist to be engaged for testing on site.
Toukley – adjacent Toukley STP	See Note 1	Preliminary investigations only – hygienist has been engaged for testing on site.
Depots		
Charmhaven	See Note 1	Audit checklist inspection completed.
Long Jetty	See Note 1	Audit checklist inspection completed.
Sub-Depots		
Gwandalan	See Note 1	Audit checklist inspection completed.
Lake Munmorah	See Note 1	Audit checklist inspection completed.
Ourimbah	See Note 1	Audit checklist inspection completed.
Mannering Park	See Note 1	Audit checklist inspection completed.
Mardi	See Note 1	Audit checklist inspection completed.
Toukley (Hedor St)	See Note 1	Audit checklist inspection completed.
Stockpile Sites		
Enterprise Dr	See Note 1	Audit checklist inspection completed.
Hue Hue Rd (Dickson Rd)	See Note 1	Audit checklist inspection completed.
Tacoma (Hillcrest Ave)	See Note 1	Audit checklist inspection completed.

Status Report of Shire Wide Audit (contd)**Table 2 Status of Sites Investigated (contd)**

Site	Status of Approval Investigations	Status of Field Investigations
Water/Waste Sites		
Halekulani Reservoir	See Note 1	Audit checklist inspection completed.
Kanangra Reservoir	See Note 1	Audit checklist inspection completed.
Sunshine Reserve, Chittaway Nth	See Note 1	Audit checklist inspection completed.
Wyong South STP	See Note 1	Audit checklist inspection completed.
Mardi Dam	See Note 1	Audit checklist inspection completed.
Toukley STP	See Note 1	Audit checklist inspection completed.
Bateau Bay STP	See Note 1	Audit checklist inspection completed.
Lake Seagrass Stockpile Sites		
Manning Park Yacht Club, Grace St, Manning Park	Permitted use as part of routine maintenance	No issues identified
Kamilaroo Ave, Lake Munmorah	Permitted use as part of routine maintenance	No issues identified
Colongra Bay Reserve, Lake Munmorah	Permitted use as part of routine maintenance	No issues identified
Alister Ave Reserve, Lake Munmorah	Permitted use as part of routine maintenance	No issues identified
Queens Rd Reserve, Lake Munmorah (Concrete)	Development Approval under Tuggerah Lakes Restoration Project	No issues identified
Elizabeth Bay Boat Ramp, Lake Munmorah	Permitted use as part of routine maintenance	No issues identified
Budgewoi Tourist Park	Permitted use as part of routine maintenance	No issues identified

Status Report of Shire Wide Audit (contd)

Table 2 Status of Sites Investigated (contd)

Site	Status of Approval Investigations	Status of Field Investigations
Budgewoi Rd, Boat Ramp, Budgewoi	Permitted use as part of routine maintenance	No issues identified
Neola PI, Budgewoi (Concrete)	Development Approval under Tuggerah Lakes Restoration Project	No issues identified
Ulana PI, Budgewoi	Permitted use as part of routine maintenance	No issues identified
Lilo Ave, Budgewoi	Permitted use as part of routine maintenance	No issues identified
Bevington Shores Home Village, Budgewoi	Permitted use as part of routine maintenance	No issues identified
Percival Lane, Budgewoi	Permitted use as part of routine maintenance	No issues identified
Brandon Cl, Budgewoi (Concrete)	Development Approval under Tuggerah Lakes Restoration Project	No issues identified
Sonoma Rd, Budgewoi	Permitted use as part of routine maintenance	No issues identified
Narambi Rd, Boat Ramp, Buff Point	Permitted use as part of routine maintenance	No issues identified
John Pete Howard Reserve, San Remo (Concrete)	Development Approval under Tuggerah Lakes Restoration Project	No issues identified
Emu Dr, Boat Ramp, San Remo	Permitted use as part of routine maintenance	No issues identified
Peace Park, Wallarah Point, Gorokan	Permitted use as part of routine maintenance	No issues identified

Status Report of Shire Wide Audit (contd)

Table 2 Status of Sites Investigated (contd)

Site	Status of Approval Investigations	Status of Field Investigations
Canton Beach Tourist Park, Canton Beach (Concrete)	Development Approval under Tuggerah Lakes Restoration Project	No issues identified
Belbowrie St Carpark, Canton Beach	Permitted use as part of routine maintenance	No issues identified
Toukley Sailing Club, Moss Ave, Toukley	Permitted use as part of routine maintenance	No issues identified
Yaralla Rd, Toukley	Permitted use as part of routine maintenance	No issues identified
Peel St, Toukley	Permitted use as part of routine maintenance	No issues identified
Main Rd (Behind old Motel), Toukley	Permitted use as part of routine maintenance	No issues identified
Craigie Point Reserve, Kanwal (Concrete)	Development Approval under Tuggerah Lakes Restoration Project	No issues identified
Lakeview St, Gorokan	Permitted use as part of routine maintenance	No issues identified
Dalnott Reserve, Gorokan	Permitted use as part of routine maintenance	No issues identified
Warner Ave Tuggerawong	Permitted use as part of routine maintenance	No issues identified
Tuggerawong Progress Hall carpark, Tuggerawong	Permitted use as part of routine maintenance	No issues identified
Picnic Point Reserve, The Entrance	Permitted use as part of routine maintenance	No issues identified
Long Jetty Boat Hire, Long Jetty (Concrete)	Development Approval under Tuggerah Lakes Restoration Project	No issues identified
The Entrance Aquatic Club, Long Jetty (Concrete)	Permitted use as part of routine maintenance	No issues identified

Note 1 Review of appropriate site approvals currently being undertaken by Shire Planning

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

General Manager's Report

**339 Central Coast Bid for Australian Surf Life Saving
 Championships 2010-12**

F2004/06179 GSM:LS

To be distributed under separate cover.

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WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Committee Report

340 **Minutes of the Wyong Shire Senior Citizens Council Meeting –
19 June 2008**

F2008/00407 AE

SUMMARY

Council, at its meeting on 14 March 2007 resolved to form a Wyong Shire Senior Citizens Council and that the minutes be reported to Council.

RECOMMENDATION

That the minutes of the Wyong Shire Senior Citizens Council meeting of 19 June 2008 be received and the information noted.

BACKGROUND

On 13 February 2008 Council adopted the terms of reference and model charter for the Wyong Shire Senior Citizens Council. The Council holds meetings at four weekly intervals.

The second meeting of Wyong Shire Senior Citizens Council was held on 19 June 2008. The minutes of that meeting are attached.

Attachment 1

***Minutes of the Wyong Shire Senior Citizens Council held on
19 June 2008 (4 pages)***

**Minutes of the Wyong Shire Senior Citizens Council Meeting – 19 June 2008
(Attachment 1)****MINUTES OF WYONG SENIOR CITIZENS COUNCIL**

Date:	<i>19 June 2008</i>
Location:	Wyong Shire Council Civic Centre
Present:	Juliet Axford, Chris Brotherston, Luigi Bruni, Don Flint, June Goss, Bruce Kirkness, Dawn Thompson, John Cochrane, Mick Cook, Annette Evans, Bruce Pyke, Alan Booth, Councillor Greg Best
Apologies	Dorothy Brown, Patricia Parperis, Councillor Robyn Stewart, Mayor Warren Welham
Acknowledgement	Acknowledge the Traditional Custodians of the land and pay our respects to the Elders both past and present.

Item Ref	Action Item Description	Responsibility
1 BUSINESS ARISING FROM PREVIOUS MINUTES		
1.1	Acknowledgement of Country	Information
1.2	Itinerary for 27 June 2008 Orientation Bus Trip confirmed. Shared transport discussed.	Annette Evans
1.3	<p>Transport Working Group report included:</p> <ul style="list-style-type: none"> • Expansion of Community Transport for chemotherapy patients. • A review of Transport Central Coast will be conducted by Department of Transport 2008-09. Timetables and bus routes are likely to alter. • Bus company concern about vandalism. • Need for specially designed bus shelters for wheel chair users. • Late night transport is still a major problem. <p>This group is sponsored by the Ministry of Transport. With a focus on 'transport vulnerable' population groups and communities.</p>	Alan Booth
1.4	Letter to local resident in response should include information about all the transport issues being discussed.	Annette Evans

**Minutes of the Wyong Shire Senior Citizens Council Meeting – 19 June 2008
(Attachment 1) (contd)**

Item Ref	Action Item Description	Responsibility
1.5	Further media release on hold at this stage.	Information
2 AGENDA		
2.1	<p>TRANSPORT</p> <p>Bruce Pyke stated that the need to trial alternative models of public transport has been an issue for a long time. Furthermore the model of 'commuter'-type neighbourhood mini buses linking to major thoroughfare buses was an option that should be considered.</p> <p>Julie Vaughan outlined some projects that relate to access to different public transport models. The aim being to address access to transport as well as availability.</p> <p>There was also references to public transport models in Canberra and Broken Hill which have been reported as being effective. The meeting was interested in finding out more about these systems.</p>	Information
2.1.1	The meeting requested an update summarising current actions being undertaken regarding transport.	Annette Evans
2.1.2	Bruce Pyke stated that there were safety and access concerns for ageing residents using the bus stop at the intersection of Gosford Avenue and The Entrance Road, The Entrance.	Annette Evans refer to Traffic Committee
2.1.3	<p>Bruce Kirkness identified an improved bus route for western Wyong village that would return passengers from the railway.</p> <p>The meeting recommended that a letter be sent to Busways to describe this suggestion.</p>	Annette Evans and Bruce Kirkness
2.2	Declaration of Pecuniary Interest – conflict of interest issues discussed. This matter will become a regular agenda item.	Information
2.2.1	Confidentiality - should not be an issue of concern because the Senior Citizens Council (SCC) would not be considering issues such as items submitted to formal Council meetings or committees. At the same time the meeting identified the fact that members of the SCC could only speak on behalf of the SCC where a decision had been taken at a meeting with the requisite quorum.	Information

**Minutes of the Wyong Shire Senior Citizens Council Meeting – 19 June 2008
(Attachment 1) (contd)**

Item Ref	Action Item Description	Responsibility
2.3	Consultation and communication with seniors and retirees - Use of local media; other strategies.	Next meeting
2.4	Celebrating the diverse lifestyles of seniors and retirees – comments from residents of local residential park who felt that their chosen lifestyle was stigmatised and therefore would look for support to redress this issue.	Information
2.5	“Council staff will work with the inaugural Senior Citizens Council to develop a constitution under which the Senior Citizens Council will operate”. Constitution issues held over.	Next meeting
3 GUEST SPEAKER		
3.1	<p>GUEST SPEAKER: Steve Prince – Recreation Planning Officer</p> <p>Steve wants to begin consultation to explore the idea of a ‘Seniors Playground’ because this concept has been developed at other locations and therefore should be considered when planning to develop a positive future for all residents of Wyong Shire.</p> <p>The concept is one that aims to encourage healthy ageing, challenge stereotypes about ageing, maintain community connectedness and improve quality of life.</p> <p>Steve will be looking for comment on the principles that might guide the development of age-friendly playgrounds and the location of any such facility.</p> <p>This introduction prompted discussion about a range of issues including accessible footpaths; maintenance of outdoor facilities; the importance of socialisation and good health and well-being for a positive quality of life; the need to ensure that facilities are linked to other services like shops and bus stops and not isolated.</p> <p>Bruce Pyke observed that the new development at Saltwater Park as an example where minor adjustments could incorporate something like a bocce court and therefore only result in an incremental cost increase.</p> <p>The meeting will develop a plan for wider consultation about this issue.</p>	<p>Steve will provide a guide for consultation with a range of other seniors groups.</p> <p>Agenda item for next meeting</p>

**Minutes of the Wyong Shire Senior Citizens Council Meeting – 19 June 2008
(Attachment 1) (contd)**

Item Ref	Action Item Description	Responsibility
4 GENERAL BUSINESS		
4.1	<p>Bruce Kirkness reported on the vandalism at Toukley Senior's Centre and other buildings in the Toukley shopping precinct. This prompted wide discussion of who might be responsible and how to address the issue in a proactive not just reactive way.</p> <p>June Goss asked whether there might be information from other centres (eg Gravity & OASIS) on how they manage the issue.</p> <p>Mick Cook commented that it might be time to update the name and concept of "Senior Citizen's Centre".</p> <p>General concern was expressed about the cost to Council, local organisations and businesses, and community members.</p> <p>Bruce is meeting with Council Community Development staff members to discuss the matter further. He will report back.</p>	Information
5 NEXT MEETING DATE		
5.1	<p>NEXT MEETING: 17 July 2008 at 2.00 pm</p> <p>Committee Rooms</p> <p>WYONG COUNCIL CIVIC CENTRE</p>	Information

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Committee Report

341 **Minutes of the Central Coast Regional Organisation of
Councils – 18 June 2008**

F2004/06390 ED

SUMMARY

Minutes of the Central Coast Regional Organisation of Councils meeting held on 18 June 2008.

RECOMMENDATION

That the minutes of the Central Coast Regional Organisation of Councils meeting held on 18 June 2008 be received and the recommendations contained therein, adopted.

BACKGROUND

A meeting of the Central Coast Regional Organisation of Councils was held on 18 June 2008. The minutes of that meeting are enclosed.

Enclosure

***Minutes of the Central Coast Regional Organisation of
Councils Meeting held on 18 June 2008***

Information Reports

The following information reports are to be dealt with by the exception method.

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

**342 Proposed Alterations and Additions to Existing
Café/Restaurant at Toukley**

DA/627/2004/D DMD:DMD

SUMMARY

An update on the Notice of Motion by Councillors Best and Veugen at the Ordinary Meeting of Council on 11 June 2008.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

At its meeting held on 11 June 2008, Council resolved as follows:

“RESOLVED on the motion of Councillor BEST and seconded by Councillor VEUGEN:

That staff urgently report to Council on the site known locally as the “Toukley Taj Mahal” and located at the gateway to Toukley at the bridge. The report should advise what options Council may have to force completion of these building works and/or their demolition.

FOR: COUNCILLORS BEST, EATON, FORSTER, PAVIER, ROSE, STEVENS,
STEWART, VEUGEN AND WELHAM.

AGAINST: COUNCILLORS GRAHAM”.

Development Consent was granted in 2004 for the refurbishment of the existing restaurant/café at 2-4 Main Road Toukley. The subject site is zoned 2(a) Residential, consent having been granted under the provisions of *existing use rights* as defined under the Environmental Planning and Assessment Act (EP&A Act).

The consent comprised of a two level expansion of the existing restaurant/café and residence. The ground floor contains a restaurant with a take-away café while the upper floor contains the next level of the restaurant and includes a residence.

Work on the site commenced in 2006, however, it was brought to Council's attention that works under construction varied from the approved plans. Consequently, all work at the site ceased on Council's instruction while the applicant considered options to resolve the inconsistencies.

Proposed Alterations and Additions to Existing Café/Restaurant at Toukley (contd)

Three applications for modification have since been lodged with Council with the most recent approval issued in 2007.

On 22 May 2007, an Emergency Order was issued to demolish the partially dismantled residence that existed prior to the commencement of the approved restaurant and to remove all building waste materials from the site. The applicant complied with the instructions soon after. The site is encompassed with construction fencing.

To date the owner appears to be undertaking some work (within the confines of the consent) only on an irregular basis. There does not appear to be any definite schedule for completion at least that Council is aware of, although we are continuing to negotiate an appropriate way forward with both the consent and the completion of further works.

Earlier in 2008, Council explored what options it may have to achieve completion of these building works and have sought advice from Council's Solicitors. Under the EP&A Act Section 121B, Council can issue an Order 16 to require completion of building works (minimum period for compliance being 12 months). Generally, such orders are best suited to situations where minor finishing works are required such as connecting down pipes or establishing footpaths and driveways.

With regard to this specific development and the prominent nature of the site, consideration has been given to the issue of such an Order but it is complicated by the scale of work left to be completed and is unlikely to be upheld by the Court unless Council gave an extended period for compliance. This time period is required to demonstrate the Order is practically able to be complied with, given the scope of work required, the financial implications of such an Order and the construction period likely to be required. If Council was of a mind to proceed to the issue of an Order, a minimum of three years is suggested as an appropriate time period, after which if the Order was not complied with, Council could commence proceedings in the Land and Environment Court.

In the case of seeking demolition of the building, under the EP&A Act Section 121B, Council can issue an Order 2 to demolish or remove a building but Council must be satisfied that the following circumstances exist:

- (b) *Building is or is likely to become a danger to the public; or*
- (c) *Building is so dilapidated as to be prejudicial to its occupants or to persons or property in the neighbourhood*
[other criteria not relevant have been excluded]

**Proposed Alterations and Additions to Existing Café/Restaurant at Toukley
(contd)**

If Council can establish that the building is not structurally sound and represents a danger to the public, then Council has fair to good prospects in relation to enforcing the Order. Given the site is fenced it is unlikely these circumstances exist. Although the site is unsightly, mere dilapidation or poor appearance alone is not sufficient to sustain enforcement of this Order under the EP&A Act. Advice from Council's Solicitors indicates that if the site has been in this state for a long time (say 5 years or more) then Council would have grounds to argue under (c) that it is "prejudicing the neighbourhood," as required in order to issue an Order No 2. That is independent from proving a safety or health hazard. If the site has been in this state for less than that time, Council will have difficulty in establishing a sufficient level of prejudice to the neighbourhood amenity.

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

343 Geotextile Bag Investigations

F2007/00876

SUMMARY

At its Ordinary meeting of Council held on 14 May 2008, Council considered a report on the use of geotextile bags for dune stabilisation as a temporary/permanent measure to assist in maintaining effective management of our estuary and coastal environments. Council subsequently resolved, inter alia, that the report be referred to the Peak Manufacturers of this technology, Geofabrics Australasia Pty Ltd, to provide a current product performance update for Council's consideration. This report provides the information sought by Council's previous resolution.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

At its meeting held on 14 May 2008, Council resolved as follows:

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

- 1 That the report be received and the information noted.*
- 2 That this report be referred to the Peak Manufacturers of this technology Geofabrics Australasia to provide a current product performance update for Council's consideration".*

Council's report to the 14 May 2008 is provided as Attachment 1 to this report. The report by Geofabrics Australasia Pty Ltd is provided in full as an Enclosure to this report.

Comments on Geofabric's Report

In providing the following comments, Department of Environment and Climate Change (DECC) was consulted with the objective of obtaining independent advice on the comments provided by Geofabrics Australasia Pty Ltd.

Geotextile Bag Investigations (contd)

While some specifics may differ, there is general agreement between Geofabrics, (DECC) and Council that Geotextile sand filled bags have been used with mixed success over the last 20 years and that recent improvements in fabrics and design changes for the bags have produced a more robust product. There is also agreement that their value may lie in their use for appropriate applications such as dune stabilisation and levee construction to prevent inundation.

However, their use in open coastal and high energy environments is still questionable. In some regards this is similar to most of the rock structures, such as groynes and breakwalls, along our coast. Whilst many of these structures have met a primary purpose of enabling navigation or beach nourishment, virtually all have secondary impacts affecting other areas of the coast or estuary and this is why DECC now consider any such proposals with extreme caution.

In regard to the example used by Geofabrics in their report, DECC considers that the longevity of the sandbag structure at Stockton Beach is due to the fact that the beach profile has not been affected and the structure has not been put under any severe erosive forces. They also indicate that if the beach profile were to recede then the structure may fail.

DECC also consider that rocks have a higher specific gravity, i.e. they are heavier for their given size and are more stable than the larger, lighter geobags subject to large waves. Rock structures are more of a known quantity with specific design criteria well established, such that designs can be certified. This certification is necessary to provide indemnity should the structure fail and life or property affected. However, certifiable designs are not currently available for geobag structures.

Should they be used for temporary structures, DECC will still require proper design and environmental documentation for each application. Approval or otherwise from DECC would be based on the merit of the project which would need to be demonstrated through the design and environmental documentation. Basically, there are no shortcuts as structural failure could be due to the design as well as the inherent nature of the geobags.

In reference to information supplied by Geofabrics on the maximum wave that the geobags can resist, it should be noted that the information has been derived through model testing and not long-term in situ performance monitoring. The consultant's report on this modelling is to be supplied to DECC in the near future and is subject to its verification. It should also be noted that the maximum wave heights that the geobags can resist is still around 2-3 metres. Average wave heights off-shore along the central coast in certain regular storm conditions can reach up to 5-6 metres, again indicating that even temporary geobag seawalls may not be suitable for open coastal applications, such as Cabbage Tree Harbour or the Entrance.

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

Geotextile Bag Investigations (contd)

In summary, and although not obvious on first reading, there is common agreement that geobags can provide a useful basis for construction of retaining walls, groynes and levees in appropriate low energy applications. Their main forte may well be in their use in dune stabilisation and dune rebuilding and discussions are already occurring with dunecare groups and DECC with a view to setting up small trials in an appropriate location.

Attachment 1 ***Report to 14 May 2008 Ordinary Meeting (3 pages)***

Enclosure ***Report received from Geofabrics Australasia Pty Ltd***

Geotextile Bag Investigations (Attachment 1)

14 May 2008
To the Ordinary Meeting of CouncilDirector's Report
Shire Planning Department**194 Geotextile Bag Investigations**

F2007/00876 GW

SUMMARY

Update report on Notice of Motion by Councillors G P Best and D J Eaton at the Ordinary Meeting of Council held on 27 February 2008.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

At its meeting held on 27 February 2008, Council resolved as follows:

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

That staff investigate and report on the emerging technology and use of geotextile sandbags for dune stabilisation as temporary/permanent solutions to assist in maintaining effective management of our estuary and coastal environments."

Geotextile Sandbags

Geotextile sandbags are mechanically filled textile containers sometimes used to replace rock structures in environmentally sensitive areas. They have been used with limited success as short term solutions in the construction of sea walls to guard against wave erosion as well as in the construction of groynes and river bank stabilisation works. Local examples include the construction of small seawalls at both Stockton Beach in NSW (48m long by 4.5 m high and containing over 400, 2 tonne bags) and Maroochy Beach in Queensland (200m long and 2.5m high). Groynes have also been constructed at Maroochy Beach (100m long and 2.5m high) to trap sand.

Council previously investigated the use of geotextile sandbags in the late 1980's and early 1990's. The bags were initially proposed to be stacked to form training walls as part of The Entrance channel training scheme. There was also an examination of using jet pumps to move sand across the mouth.

Patterson Britton carried out a design report on the restraining wall in April 1990. The then Public Works Department (PWD) reviewed this report and noted concerns about lack of confidence in the design; examples of failures overseas; difficulties with providing scour protection to stop undermining; increased costs (figures of \$1.12M quoted in 1990) and the problem of possible vandalism.

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

Geotextile Bag Investigations (Attachment 1) (contd)

14 May 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

Geotextile Bag Investigations (contd)

A technical brief was subsequently prepared by the PWD after agreement with Council, for the design and documentation for construction of a mobile dredge system (Council's dredge was commissioned in February 1993). The technical brief said, in part:

"Detailed design and documentation of the entrance restraining wall commenced in early 1990. This work was subsequently terminated due to the relatively high cost of the structure and the Department's concern at the adequacy of the scour protection system."

Subsequent to that, Council officers carried out an inspection of relevant geotextile walls in-situ in south-eastern Queensland.

The bags are made of a non-woven geotextile material, with needle punches at regular intervals to allow moisture to enter and exit the bag, as this is necessary in the marine environment. The bags are durable and constructed from vandal proof material (to avoid the bags being easily cut and the loss of sand filling). The bags are usually sealed by mechanical sewing using specialised machines. The bags need to be filled with sand compatible to the environment in which they will be located as they can be holed and the sand escape to the beach. Mining of the beach sand for this purpose would be subject to Department of Environment and Climate Change (DECC) approval and is currently not supported by DECC.

The bags also require specialised handling and placement using modified grabs attached to large long reach excavators. Their filling and placement requires both trained and experienced operators, as well as appropriate coastal engineering design and advice. Adequate foundations and "keying in" of the structure into the beach sands is mandatory to provide even a short term structure. This will require significant excavation at the back of the beach. Consequently, their use as emergency protection measure during a storm event would not be feasible as no stable foundation could be provided in which to key the structure. In addition, wave action would constantly re-arrange the bags within the wash zone and many bags, if not all, would be lost or broken.

Current technical specifications indicate that the retaining walls made from geotextile bags can only withstand waves of up to 1.5m. This tends to limit their application to protected areas of beaches or estuaries. There is also no current design criteria for their use that provides the same certifiable level of protection as other means such as rock seawalls or groynes. Consequently, their use as planned seawall measures to protect properties against wave erosion along beaches can be questionable for any given situation and no certifiable level of protection can be given.

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

Geotextile Bag Investigations (Attachment 1) (contd)

14 May 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

Geotextile Bag Investigations (contd)

The bags may also be used in dune rehabilitation projects where they could be stacked at right angles to the beach front. This would provide a base for sand to accumulate to cover the bags and re-build the dune to an appropriate height and depth. This would be followed by re-vegetation of the dune and the rebuilding of the beach face using natural coastal processes. The eventual beach profile and dune system could then be in a better position to protect any houses during future storm events. Whilst this has not occurred to date it does provide a possible means of "fast tracking" dune restoration following large storm events.

The cost of the bags is relatively inexpensive but they do require significant expertise and equipment in their use. Experience on projects to date indicates that the cost associated with using geotextile bags could be approximately half of that using more traditional materials, such as rock. Should they be used by Council, the bags and appropriate filling sand would need to be stockpiled, and appropriate machinery hired or purchased. Sand material deposited by the dredge could provide the filling but this would be subject to relevant approvals from DECC and Lands Department. Coastal engineering design and advice can be sourced from available consultants.

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

344 2007 Warnervale Rail Station

D/261/2005 JW:JW

SUMMARY

An update on the Notice of Motion by Councillor's Eaton and Best at the Ordinary Meeting of Council on 14 May 2008.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

At its meeting held on 14 May 2008, Council resolved as follows:

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

- 1 That Council staff bring back a report on the new Warnervale Rail Station Development Application with a view to Council issuing deferred development consent.*

- 2 That Council write to the Minister for Environment and Climate Change and indicate a preference that the issue of the Rutidosis heterogama (Heath Wrinklewort) be dealt with under the biodiversity certification which is proposed for the town centre in Warnervale".*

As previously reported to Council on 14 May, 2008 there are a number of unresolved issues associated with the assessment of the development application for the railway station. Primarily, these include the *significant* impact on the Heath Wrinklewort population, stormwater management, water and sewer connection as well as access and parking. While roads, carparking and pedestrian access form a critical part of the overall development, they are not specifically a part of this development application and therefore there is potential for these issues to be dealt with through conditions of consent. The impact of the development on the Heath Wrinklewort population is considered "significant" on the basis that the Species Impact Statement (SIS) lodged with Council details 51% of the total number of plants on the site will be impacted by the proposal. The Department of Environment and Climate Change (DECC) has concurred with Council's assessment of the SIS that when viewed as a stand-alone development, the impact of the railway station will have a significant impact on the Heath Wrinklewort.

2007 Warnervale Rail Station (contd)

DECC has stated that it is "unable to lend its support to the development until resolution of the biodiversity certification is complete, given that the offset measures for the vulnerable *Rutidosis heterogama* (Heath Wrinklewort) in the SIS are dependent on and linked to measures outlined within the *Biodiversity Certification Application: Warnervale Town Centre report*". Further to this, DECC have confirmed that concurrence will not be granted until the Warnervale Town Centre is resolved. A copy of the response from DECC is attached.

In regard to stormwater, water and sewer, Clause 29 of the Wyong Local Environmental Plan (LEP) prevents Council from issuing development consent for any development unless "*adequate water supply and facilities for the removal or disposal of sewage and drainage are available to that land or arrangements satisfactory to the Council have been made for the provision of that supply and those facilities*". Whilst Council has recently tendered for the design for the distribution of these services, at this point it is unclear as to how these facilities will be provided specifically for the station. It is acknowledged that in the absence of the issue of the need for concurrence from DECC for the impact of the whole development on the Heath Wrinklewort, it may be possible to remove the sanitary facilities and provide an alternative stormwater treatment from the roofed surfaces of the development.

In 1994, provision was made in the Environmental Planning and Assessment Act, 1979 (EP&A Act) for the granting of a "deferred commencement" (formerly "in principle consent"). Section 80(3) of the EPA Act states that a consent can be granted subject to a condition that the consent is not to operate unless the applicant satisfies the consent authority (in this case, Council) as to any matter specified in the consent. In effect, a deferred commencement consent suspends the operation of the development consent until a specified matter or matters are resolved.

When considering whether to issue a deferred commencement consent, the consent authority must be convinced that the matter(s) to be deferred are able to be satisfied or resolved.

In the current case, the two issues that would potentially be subject to a deferred commencement consent relate to the removal of the Heath Wrinklewort population and servicing (provision of sewer and water) to the site.

In respect to water, sewerage and drainage, these services will be able to be provided to the site. Subject to the applicant's agreement in writing to connect to water and sewer once it is available and their agreement to the payment of any contribution, this outstanding matter could be dealt with by a deferred commencement condition.

2007 Warnervale Rail Station (contd)

However, the issue concerning the Heath Wrinklewort population is more complicated. Whilst on face value, sufficient information is known as to the impact of the train station on the species, and the ways forward in resolving the matter, the matter is complicated by the provision of Section 79B Consultation and concurrence of the EP & A Act. Under Section 79B of the EP&A Act, DECC in simple terms has a concurrence role when it comes to dealing with threatened species. Development consent cannot be granted to an application unless DECC has granted its concurrence to the application. DECC has clearly indicated in the attached letter, that it will only grant its concurrence to the development application when resolution of the biodiversity certification is complete.

As a "deferred development consent" is a consent, the operation of which is suspended, Council is not in a position to issue a deferred development consent until the concurrence of the DECC has been provided.

However, it should be noted that the issuing of deferred commencement consent is unlikely to expedite the construction of the railway station as work under the DA would not be able to commence until after the deferred commencement conditions are satisfied. In addition, as the application has been made on behalf of the Crown, any conditions that Council intends to impose must be agreed to by the applicant.

In relation to the second resolution, Council has forwarded a letter to the Minister indicating it is Council's preference that the issues associated with the Heath Wrinklewort be dealt with under the biodiversity certification for the town centre. As discussed above, DECC has acknowledged that the assessment of the train station is linked to the biodiversity certification and that it is not willing to support the application for the station until the certification process is resolved.

DECC's response reinforces the validity of Council's opinion that issues surrounding the Heath Wrinklewort need to be considered and resolved as part of the biodiversity certification for the town centre.

Attachment 1

Letter dated 3 June 2008 from Department of Environment and Conservation NSW (2 pages)

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

2007 Warnervale Rail Station (Attachment 1)

Your reference : DA/261/2005
Our reference : DOC08/13262, File No.: FIL06/917-07 TS Part 4
Contact : Steve Lewer, (02) 4908 6814

Mr K Yates
General Manager
Wyong Shire Council
PO Box 20
WYONG NSW 2259

Attention: Jenny Webb

3 JUN 2008

Dear Mr Yates

RE: North Warnervale Railway Station Species Impact Statement – Wyong Shire Council

I refer to your letter dated 19 March 2008, requesting the Department of Environment and Climate Change (DECC) to provide comments on a Species Impact Statement (SIS) for Development Application (DA) 261/2005 – North Warnervale Railway Station.

DECC notes in your correspondence that Council is not in a position to support the current application as the Department of Planning (DoP) has identified certain land at Warnervale (including the site of the proposed railway) as a State Significant Site under *State Environmental Planning Policy (Major Projects) 2005*, and is seeking to establish zoning and other development controls for the land. As part of this process, DoP is in the process of resolving biodiversity certification of the draft SEPP under section 126G of the *Threatened Species Conservation Act 1995*. As such DECC is of a similar opinion to Council that it is unable to lend its support to the development until resolution of the biodiversity certification is complete, given that the offset measures for the vulnerable *Rutidosia heterogama* (Heath Winklewort) in the SIS are dependant on and linked to measures outlined within the *Biodiversity Certification Application: Warnervale Town Centre* report (dated January 2008).

DECC has reviewed the North Warnervale Train Station SIS and concurs with Council that it will significantly impact upon *Rutidosia heterogama*, namely a reduction of 51% of the total known number of plants at this site. To offset this impact the proponent has proposed a number of mitigation measures, namely the provision of land set aside specifically for conservation in perpetuity of *Rutidosia heterogama* (i.e. Daisy Conservation Area) which is to be underpinned by a plan of management. Although DECC provides in-principle support to this proposal, it notes that the proposed 'Daisy Conservation Reserve' is on land administrated by DoP and as such is subject to the biodiversity certification of the draft SEPP, including the proposed mitigation measures. Hence DECC is unable at this stage to provide concurrence until this matter is resolved.

Specifically the *Biodiversity Certification Application: Warnervale Town Centre* report states that 'a Plan of Management be prepared for the Heath Winklewort Daisy Reserve' and that this plan

The Department of Environment and Conservation NSW is now known as
the Department of Environment and Climate Change NSW

PO Box 486G, Newcastle NSW 2300
117 Bull Street, Newcastle West, NSW 2302
Tel: (02) 4908 6800 Fax: (02) 4908 6810
ABN 30 841 387 271
www.environment.nsw.gov.au

Department of Environment and Conservation NSW

2007 Warnervale Rail Station (Attachment 1) (contd)

'includes management measures which seek to increase the number of threatened daisies present' and that it includes a monitoring component. DECC supports the inclusion of a Plan of Management for the Daisy Reserve, but specifically recommends (but not limited to) that this plan address the following issues:

- Proposed mechanism to ensure conservation in perpetuity of the reserve and *Rutidosia heterogama* (e.g. a Section 88B-E covenant of the *Conveyancing Act 1919*, a Voluntary Conservation Agreement under the *National Parks and Wildlife (NP&W) Act 1974*, and/or reservation of land under Part 4 of the *NP&W Act 1974*);
- Vegetation management, including habitat enhancement, buffer zone management and weed control;
- Status and size of current populations within the Warnervale precinct (including reserve) and surrounds;
- Proposed methodologies aimed at increasing populations and/or numbers within, including propagation and translocation strategies;
- Monitoring of the daisy populations within the reserve and off site;
- Research into the ecology and biology of the species, such as pollination vectors and breeding mechanisms (e.g. is it self-incompatible);
- Community education on the species importance, conservation value and the role of the reserve, given the negative local perception in some circles (i.e. considered a small weed by some); and
- Long-term funding of the reserve and mechanisms to achieve this.

If you require any further information regarding this matter please contact Steve Lewer on (02) 4908 6814.

Yours sincerely



BILL GEORGE
A/Head Regional Operations Unit
North East Branch
Environment Protection and Regulation

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

345 Activities of the Development Assessment Unit

F2004/07830 JD:JD

SUMMARY

The report includes information and statistics regarding the operations of the Development Assessment Unit and covers the submission and determination of development, construction and subdivision applications for the month of June.

RECOMMENDATION

That the report be received and the information noted.

Development Applications Received and Determined

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	13	1,471,000	14	8,168,006
Industrial	3	1,539,750	4	9,066,000
Residential	79	7,423,755	91	8,155,947
Other	10	347,430	10	1,633,000
Total	105	10,781,935	119	27,022,953

Subdivision Applications Received and Determined

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	-	-	-	-
Industrial	-	-	-	-
Residential	3	6	8	14
Rural	-	-	-	-
Total	3	6	8	14

Activities of the Development Assessment Unit (contd)

Mean Turn-around Time

Two priority applications (Warehouse and an office fit out) were determined during the month with a mean (average) turn-around time in calendar days of 13 days.

The mean (average) turn-around time in calendar days for development applications determined during the month was 30 days.

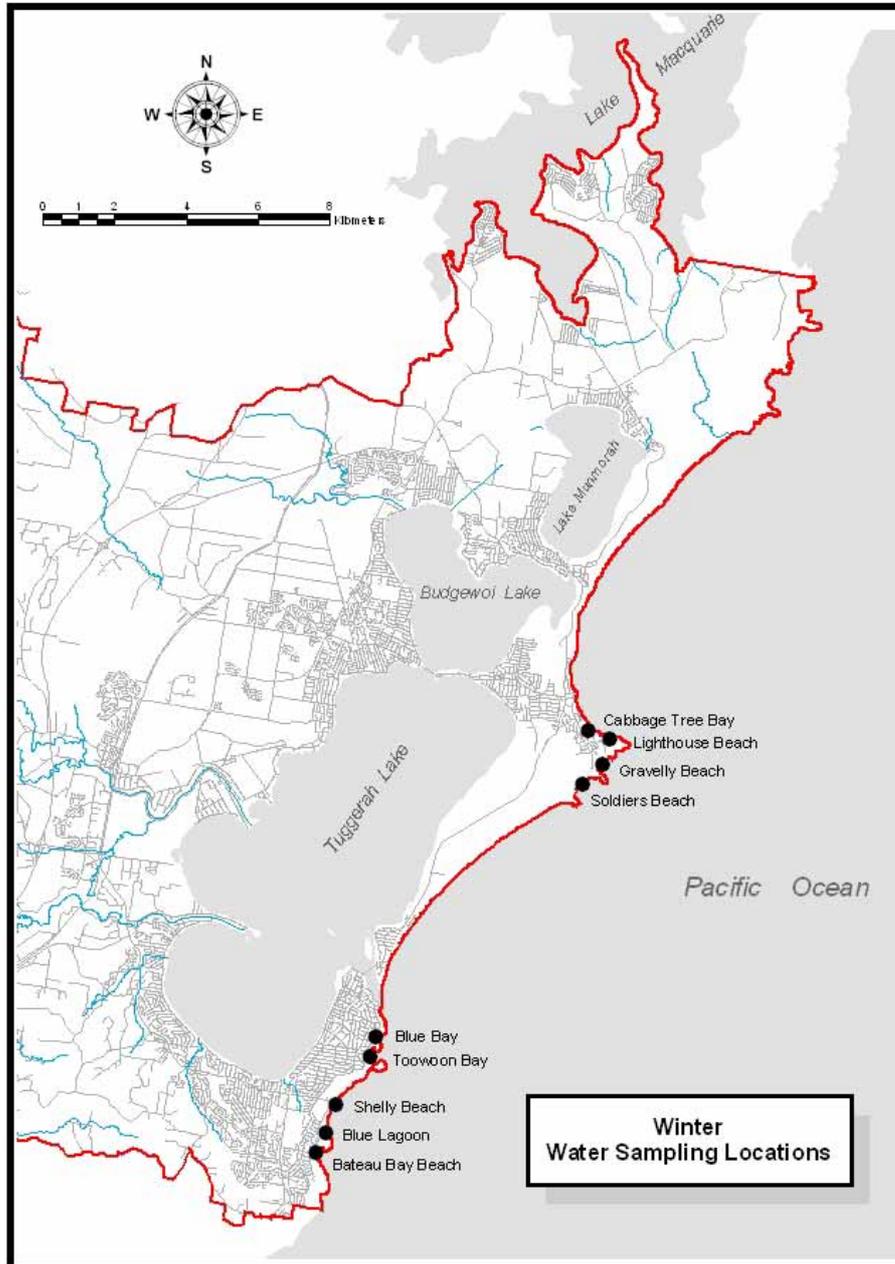
Other Approvals and Certificates

Type:	Number Determined:
Trees	27
Section 149 D Certificates	15
Construction Certificates	80
Complying Development Certificates	9

Enclosure

***Graphs – Development Applications Lodged and
Development Applications Determined***

346 Results of Water Quality Testing for Bathing Beaches (Attachment 1)



WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

346 Results of Water Quality Testing for Bathing Beaches

F2004/06822 JS:JS

SUMMARY

Reporting on the results of bacteriological tests for primary recreation water quality for beaches in Wyong Shire.

RECOMMENDATION

That the report be received and the information noted.

Primary Recreation Water Quality Monitoring Program

Wyong beaches are regularly monitored for swimming safety in accordance with the *NHMRC Guidelines for Recreational Water Use* (1990). These guidelines 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 attached *Table 1: NHMRC Star Rating Interpretation*.

The Beachwatch program is inactive during the non-bathing (Winter) months. The ocean beaches adjacent to the outfalls are required to be monitored 5 times a month throughout the year by the NSW DECC ocean outfall licences for Norah Head and Wonga Point. Although Council is not required to report on all beaches during the winter, sampling has been reduced to once a month. If the monthly results are unusual, further follow up sampling is triggered.

Results of Water Quality Testing for Bathing Beaches (contd)

Summary of Results for June 2008

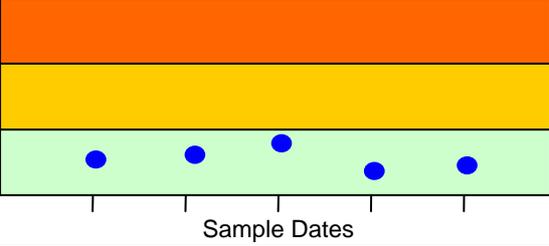
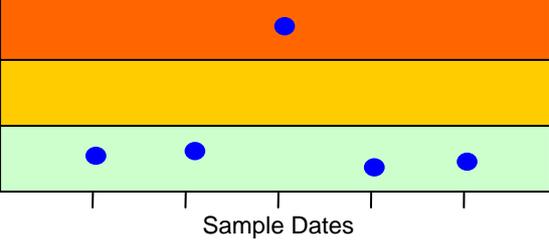
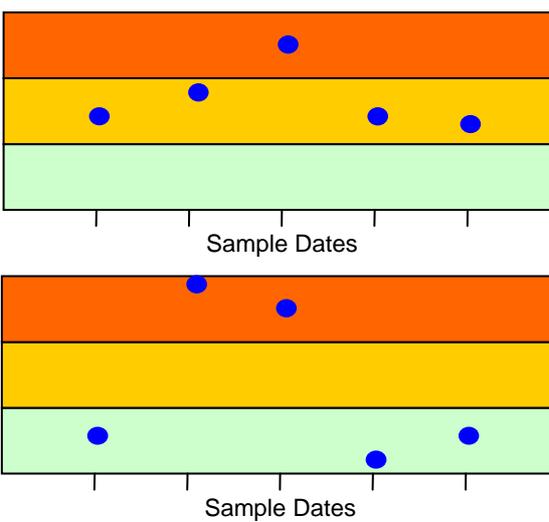
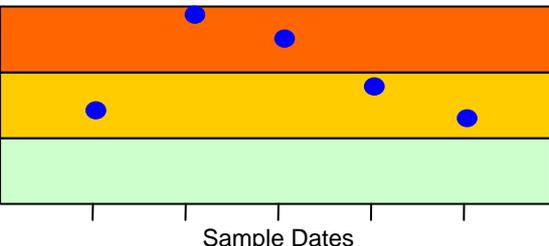
In June, all the Ocean outfall beaches were rated as 4 star – good water quality/safe for swimming.

Table 2: OCEAN BEACHES – June 2008

LOCATION	STAR RATING	RECOMMENDATION
Cabbage Tree Bay	****	Site is safe for swimming
Soldiers Beach	****	Site is safe for swimming
Outfall Norah Head	****	Site is safe for swimming
Gravelly Beach	****	Site is safe for swimming
Lighthouse Beach	****	Site is safe for swimming
Shelly Beach	****	Site is safe for swimming
Toowoan Bay	****	Site is safe for swimming
Blue Bay	****	Site is safe for swimming
Blue Lagoon	****	Site is safe for swimming
Bateau Bay	****	Site is safe for swimming
Wonga Point	****	Site is safe for swimming

Results of Water Quality Testing for Bathing Beaches (Attachment 1)

Table 1: NHMRC Star Rating Interpretation

Star Rating	Interpretation	Graphic Representation
****	Good: NHMRC indicates site safe for swimming	 <p>The graphic shows a horizontal bar divided into three colored zones: orange (top), yellow (middle), and green (bottom). Five blue dots representing samples are plotted along the x-axis, with all dots falling within the green zone. The x-axis is labeled 'Sample Dates'.</p>
***	Fair: NHMRC indicates site is safe for swimming	 <p>The graphic shows a horizontal bar divided into three colored zones: orange (top), yellow (middle), and green (bottom). Five blue dots representing samples are plotted along the x-axis, with one dot in the orange zone and four dots in the green zone. The x-axis is labeled 'Sample Dates'.</p>
**	Poor: NHMRC indicates swimming at site is not recommended. Or The median of all samples is low, but two samples exceeded the NHMRC maximum safe value for swimming.	 <p>The graphic shows two horizontal bars, each divided into three colored zones: orange (top), yellow (middle), and green (bottom). The first bar has one dot in the orange zone, two in the yellow zone, and two in the green zone. The second bar has two dots in the orange zone, one in the yellow zone, and two in the green zone. The x-axis is labeled 'Sample Dates'.</p>
*	Bad: NHMRC indicates swimming at site is not recommended.	 <p>The graphic shows a horizontal bar divided into three colored zones: orange (top), yellow (middle), and green (bottom). Five blue dots representing samples are plotted along the x-axis, with two dots in the orange zone, two in the yellow zone, and one in the green zone. The x-axis is labeled 'Sample Dates'.</p>

347 Flashing Warning Lights Outside Schools

F2004/05521 JEM

SUMMARY

Report on pledges provided by the State Government for the installation of flashing warning lights at School Zones and the status of their installation in Wyong Shire.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

At its meeting held on 9 July 2008, Council resolved:

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

- 1 That Council research the pledges provided by the State Government (preceding the previous state election) on the number of flashing warning lights to be provided, and when outside our Shire's schools.*
- 2 That this report comes back to Council at the end of July 2008."*

The Roads and Traffic Authority's (RTA) Safety Around Schools Co-ordinator, Hunter Region has advised that on 26 September 2007 a pledge was made by the State Government that \$46.5M be allocated over the next four years for the installation of 'flashing warning lights' in School Zones in the State of NSW to further enhance the safety of students in School Zones. New generation flashing light technology and electronic alert systems will be installed in a further 400 School Zones across New South Wales, comprising the rollout of 100 systems a year over the next four years. There are currently approximately 3,000 schools in NSW.

All School Zones in the Wyong Local Government Area and the rest of the Hunter Region, will be assessed and prioritised for flashing lights.

A Committee of stakeholders has been set up to decide on the criteria for prioritising schools to receive 'flashing lights'. The School Zones are being selected for the new technology rollout based on the following criteria:

- Schools on higher speed roads
- Number of pedestrians
- Crash history
- Site distances

Flashing Warning Lights Outside Schools (contd)

At present, six schools have been installed with flashing warning lights within the Wyong Shire, these are listed below:

- 1 Ourimbah Public School
- 2 Killarney Vale Public School
- 3 Tuggerah Lakes Secondary College, The Entrance Campus
- 4 Tuggerah Public School
- 5 St Marys School, Toukley
- 6 Toukley Public School

The RTA has advised that no information is currently available as to the installation of further flashing light sites within Wyong Shire.

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

348 Mowing and Maintenance of Open Space and Park Areas

F2004/06144 BS

F2004/06144 BS

SUMMARY

This report reviews the adequacy of the current scheduling and targets achieved in relation to the mowing and maintenance of open space and park areas.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

At its meeting held on 26 March 2008 the following Notice of Motion was resolved:

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

- 1 That further to the increased community concerns regarding the scheduling of maintenance works related to Open Space/Parks, staff report on the adequacy of the current scheduling and targets achieved."*
- 2 That Council recognise the efforts of staff in delivering the various maintenance programs, particularly having regard to urban expansion and current resource levels."*

Open Space & Recreation (OS&R) undertakes the operation, maintenance and management of the Shire's varying natural and man made resources used for recreation and conservation purposes. The managed assets include parks & reserves, ovals, public toilets, beaches, lakes, natural areas, public trees, town centres, public swimming pools, fire breaks and wetlands.

OS&R also provides a service to internal clients, including Estuary Management Unit, Roads & Drainage, Water & Waste and Business Unit. OS&R's external client/asset owners include the Hunter-Central Rivers Catchment Management Authority, the Department of Primary Industry and the Department of Lands.

The OS&R section has 107 employees comprising 88 permanent employees (65 outdoor and 13 indoor) and 19 casual / temporary lifeguards.

Mowing and Maintenance of Open Space and Park Areas (contd)

The quantity and variety of assets owned and maintained within OS&R's portfolio has grown year to year as the Shire has expanded. For example, OS&R now have a Natural Areas section which manages and maintains constructed and natural wetlands, co-ordination of Landcare groups, fire related asset protection zones and gross pollutant traps.

Some of the new assets, such as the Jubilee and Wadalba Sportsfields, have been created to a higher standard requiring new maintenance regimes and intensities. Other new assets, such as the newly constructed wetlands (comprising a total area of 15.8 Ha represented over 22 sites) are more complex to maintain. This has resulted in service levels having to be progressively adjusted to fit each successive year's annual maintenance budget with regard to the total number of new and existing Council assets.

Typical indications of this asset growth are reflected in the fact that ovals and playing field assets have increased by 30% since 1996 plus there has been an increase in maintained reserves from 322 to 409 (21%). Also, an additional 22 new constructed wetlands passed into OS&R control in the last 10 years. As part of the Porters creek integrated Catchment Management Scheme OS&R will inherit approximately another 44 constructed wetlands to maintain over the next 20 years. These new assets will require a re-distribution of OS&R management, labour and plant resources to maintain.

Along with the growth in size and complexity of the asset portfolio, the scope of works undertaken by O.S. & R during the eleven year period from 1996 to 2007 has also increased to encompass additional services including Community Order Worker Supervision, Vandalism repairs, Public Tree Management, Noxious Weeds Management, and Litter Collection. These factors, coupled with the recent high rainfall and vegetation growth period of summer 2007-08, led OS&R's management to commence a review of the overall operation to identify and implement structural changes and initiatives in order to increase efficiencies and meet today's demands.

Table 1: EXAMPLE OF INCREASE IN ASSET BASE WITHIN OS&R

Assets	1996 Numbers	Current Numbers
Parks/Reserves	322	409
Sports Ovals	23	33
Constructed Wetlands	0	22
Skate Parks	6	18
Hard Courts	50	58
Asset Protection Zones	16 km ²	36 km ²
Extreme sports park	0	1
Shared Pathways	16.5 kms	40 kms
Budget Allocation	\$1,787,089	\$4,068,000

(The above table indicates budget values in 2007 dollars.)

Mowing and Maintenance of Open Space and Park Areas (contd)

The unit has managed to absorb much of this growth by improved efficiency and adjusting service levels across the full set of assets. This was manageable during the drought but since the return to a higher rainfall pattern, the demands from mowing have increased significantly.

This generated a review of the OS&R unit earlier this year, to ensure service levels are better defined and the resourcing of the unit was aligned with achieving these service levels.

RESOURCE USAGE OVER SUMMER 2007-08 PERIOD

Since June 2007 the local climate had changed from one of protracted drought conditions with slow grass and vegetation growth rates to one of high rain fall over summer resulting in high grass and vegetation growth over the approximate period of November 2007 to March 2008.

The higher rain fall was accompanied by higher storm activity which included gusting and strong winds. This resulted in an increase in tree inspections and maintenance works reported by Shire residents where branches fell and trees in general became a high priority maintenance item requiring the allocation of resources.

OS&R resources were also committed over the summer 2007-08 period to general storm damage. In particular, labour resources were allocated to rectification works at beaches and lakes foreshores. This included coastal fences and associated assets which were damaged by storm and wave action.

The protracted wet weather had water-logged large areas of the Shire's open spaces to the point that there was no access for ride on mowers, tractor slashers and other larger equipment. Records indicate that even though rain may have stopped for a short period, equipment was not able to access a number of areas due to the saturated ground conditions. A significant portion of scheduled maintenance was unable to be completed or was partly carried out by more labour intensive, less productive means.

The net result of the above impacts during 2007-08 has been that some service levels have not been achieved due to resources being committed elsewhere while other service levels, eg Mowing frequency, have had to be reviewed to adjust for changed conditions such as increased grass growth.

REVIEW OF OPERATIONS

OS&R management has undertaken a major review of operations and systems to address the above changes.

The review assessed the section's performance over the previous years and sought feedback from various stakeholders including all the outdoor staff, supervisors and other internal clients. The review, which will be implemented from August 2008, addresses the current maintenance scheduling and the service levels to be applied to the various asset categories amongst its asset portfolio commensurate with existing budgets.

Mowing and Maintenance of Open Space and Park Areas (contd)

WORKPLACE CHANGE

A Workplace Change review was initiated in late 2007 for the OS&R section. The review has assessed the current structure, resources, maintenance strategy and available budget to identify initiatives for improving the section's overall performance.

The review highlighted that changes can be made to better utilise current resources. These changes include more task focused teams including:

- A tree management team,
- CRM crews that are focused on efficiently meeting service requests within allotted times.

The review has also identified additional appropriate outdoor staff resources.

Through consultation with staff, more appropriate plant solutions have been identified for a number of activities. For example increased efficiency will be achieved on ovals maintenance by the purchase of a purpose-built mower in place of OS&R's existing tractor.

The review has also considered the implementation of a flexible workforce framework that will better enable OS&R to manage summer peaks and winter troughs in workload, taking into account weather and growing seasons.

COMMUNITY PRIDE INITIATIVE

The Community Pride initiative has highlighted the need for higher levels of service within the OS&R asset base. Actions have been initiated to ensure that OS&R are highly involved in the implementation of this programme. These initiatives include:

- Higher levels of service for all sporting grounds taking into account usage and visibility to the public.
- Improved maintenance of roadside grassed areas.
- Improved maintenance of parks and reserves to encourage higher patronage.

Extensive data collection and analysis has been undertaken to determine the resources required to meet the new levels of service.

Budget levels have been increased to meet the new higher level of maintenance with an additional \$660,000 being allocated in the 2008-09 Management Plan.

Mowing and Maintenance of Open Space and Park Areas (contd)

CONCLUSION

OS&R manage a wide variety of assets types and provide a range of services.

Between 1996 and 2007 increasing workloads due to asset growth within the shire, was able to be managed with existing resources by work efficiencies and the impact of the drought reducing grass growth.

With rain since June 2007, workloads have increased beyond existing resource capacity resulting in difficulty in maintaining service levels.

Various initiatives have been implemented to address this situation. These include:

- Revision of work practices to better align maintenance with the changing workload.
- Increasing the focus on scheduled maintenance rather than reactive works and aligning levels of service with targeted community pride outcomes.
- Increased funding allocation in the 2008-09 Management Plan.

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

349 Works in Progress Report – Water and Sewer

F2004/07830 KRG:DP

SUMMARY

Water supply and sewerage works in progress and completed for June 2008.

RECOMMENDATION

That the report be received and the information noted.

WATER SUPPLY

Work has commenced on the first section of the upgrade of the water main along Pollock Avenue at Wyong.

The main is approximately 37 years old and supplies water to Kooindah Waters and residents along Pollock Avenue and Johns Road. The existing 100mm water main is manufactured from cement lined ductile iron and has been identified for upgrade as part of future water main works to cater for growth within the area. The majority of this work is proposed to be carried out by contract using the directional boring method to minimise disturbance to vegetation along the route however this first section of work is required as a preliminary to the contract work. The first section of the work requires the replacement of 20 metres of pipe across Pollock Avenue with 150mm diameter modified polyvinylchloride (MPVC) class 16 pressure pipe and associated fittings.

The work, estimated to cost \$50,000, is being carried out by Water and Sewerage day labour staff and is due for completion by mid July 2008. The work is being funded from the Water and Sewerage Capital Works programme.

Water Storage

As at the 14 July 2008 the storage in Mangrove Creek Dam was 25.7% while the total system storage was 29.9%. Mardi Dam was at 96.4% and Mooney Dam 100%.

Works in Progress Report – Water and Sewerage (contd)

SEWERAGE

Work has commenced on the adjustment of a section of sewer gravity main at the intersection of Goorama Ave and Perouse Avenue, San Remo.

The sewer gravity main is approximately 19 years old and is required to be adjusted as part of Goorama Road drainage work. The work consists of the replacement and lowering of approximately 70 metres of 150mm polyvinylchloride (UPVC) sewer pipe and the relocation and construction of a new manhole.

The work, estimated to cost \$55,000, is being carried out by Council's Water and Sewerage day labour staff and is due for completion by the end of June 2008. The work is being funded from the Roads and Drainage Capital Works program.

PROCESS**Water Treatment**

All water produced by the Water Treatment Plant, for the period 1 June 2008 to 1 July 2008, has met National Health and Medical Research Council Guidelines.

Sewage Treatment

The quality of all effluent discharged from the sewage treatment plants, for the period 1 June 2008 to 1 July 2008, has met the Department of Environment and Climate Change (DECC) Licence requirements.

The maximum daily volume of effluent discharged for the period 3 June 2008 to 16 June 2008 did not meet the Department of Environment and Climate Change (DECC) Licence requirements due to wet weather during this period. Action has been undertaken to rectify the problem to ensure that outfall discharges do not exceed the licence limit. DECC has been advised of this occurrence and the action being undertaken.

Attachment 1 Water Storage, Water Usage and Rainfall (2 pages)

Enclosure Water Storage, Water Usage and Rainfall

Works in Progress Report – Water and Sewer (Attachment 1)**Monday, 14 July 2008****STORAGES**

Storage	Capacity Full [MI]	Volume in Storage [MI]	Percent Full [%]	Storage Change over last Week
Mangrove Dam	190000	48,759	25.7	Up 36 ML
Mardi Dam	7400	7,134	96.4	Down 225 ML
Mooney Dam	4600	4,600	100.0	Unchanged
Total	202000	60,493	29.9	Down 189 ML

STORAGE:

- Total stored water volume has increased by 0.2% since last month.
- This day last year the volume stored as a percentage of total capacity was 7.5% lower.

HUNTER TRANSFERS:

- Hunter Water Corporation supplied 0 ML last week maintaining this year's supply to 47.45ML.
- Gosford/Wyong supplied 0 ML to Hunter Water last week keeping this years supply at 80ML.

GROUND WATER BORES:

- Groundwater Bores supplied 3.7 ML last week increasing this years supply to 94.4ML

WATER USAGE & RAINFALL

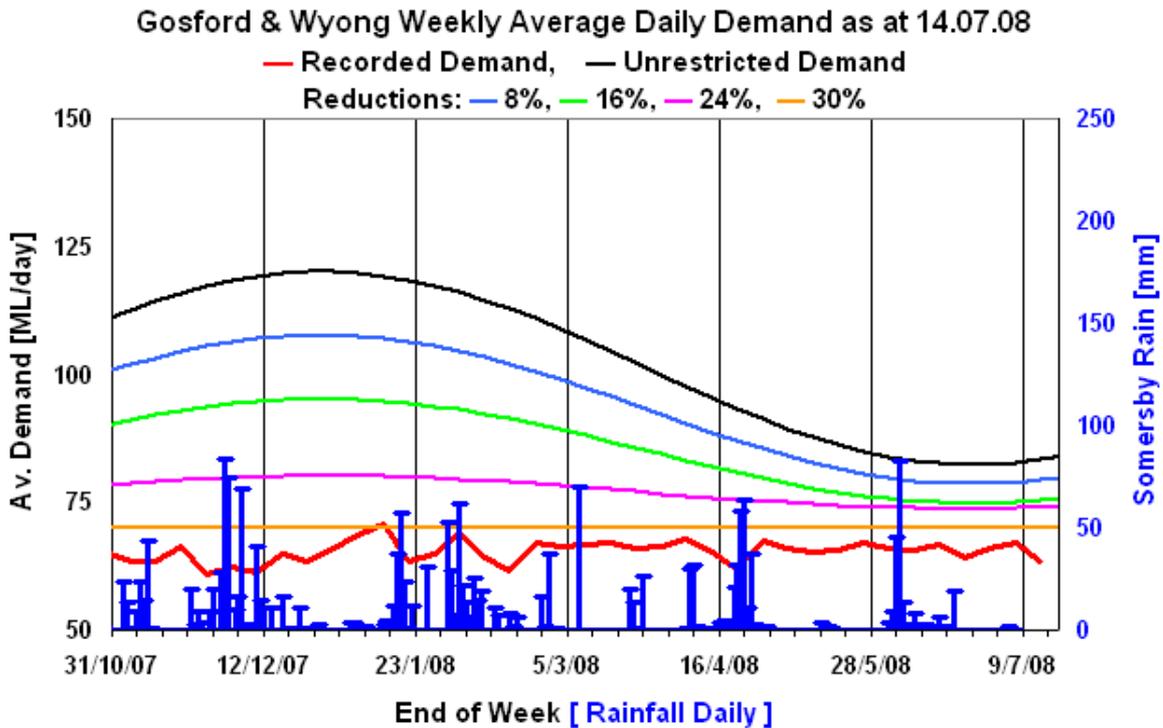
Period	Water Usage [MI]	Rainfall [mm]		
		Somersby WTP	Mardi WTP	Mangrove Dam
Week to date	443	2	4	10
Previous week	469	2	4	2
Current week last year	448	19	24	9
This year to date	12,924	1,182	937	750
Same period last year	12,520	1,330	1,116	923

Week to date consumption was 443 ML, 1.1% less than the same week last year and 5.5% less than the previous week.

Consumption this year to date is 12,924 ML, 3.2% more than the same period last year.

Level 3 Water Consumption Target for the week ending Monday, 21 July 2008 is 490 ML

Works in Progress Report – Water and Sewer (Attachment 1)



- 1 **Black Line** Wyong Shire's normal demand when no restrictions are in place.
- 2 **Blue line** 8% reduction (based on the 'black line') over the entire year.
- 3 **Green Line** 16 % reduction (based on the 'black line') over the entire year.
- 4 **Pink Line** 24% reduction (based on the 'black line') over the entire year.
- 5 **Orange Line** 32% reduction (based on the 'black line') over the entire year.
- 6 **Blue bars** Rainfall at Somersby in mm/day.
- 7 **Red line** Wyong Shire's average daily demand.

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

350 General Works in Progress Report

F2004/07830 JEM

SUMMARY

General works in progress and completed works for the period May 2008 to June 2008.

RECOMMENDATION

That the report be received and the information noted.

ROADS AND DRAINAGE SECTION OVERVIEW

Capital Works In Progress

The table below is a status report of current major road rehabilitation and drainage projects.

Item Description	Estimated Cost \$	% Completed	Estimated Completion Date	Comments
Lauren Avenue Lake Munmorah, Drainage Works (between Lakeway Drive and Anita Avenue)	552,500	100	June 2008	Works include new pipe work, kerb and gutter and road reinstatement down Lauren Avenue across Anita Avenue and out onto the foreshore. All works on site now complete
The Ridgeway Stage 1b, Tumbi Umbi CH:2165 to CH:2815 650m Section (Between Koorin Road and Awabakil Road.	954,000	80	July 2008	Upgrading of the existing gravel road (approximately 650m) to current standards including widening of road, sealed pavement, concrete dish drains and installation of guardrails. Pavement works are in progress with the subgrade works completed, with works now proceeding onto the sub base layer.

General Works in Progress Report (contd)

Item Description	Estimated Cost \$	% Completed	Estimated Completion Date	Comments
Pollock Ave - Wyong Kooindah Boulevard to Jenson Road Road Reconstruction	1.1M	70	July 2008	<p>Road Reconstruction of existing road to current standards, including road widening and realignment works.</p> <p>All drainage works completed</p> <p>Shoulder and pavement works to continue on eastern approach at the Intersection of Jenson Rd.</p> <p>Pavement works on western end adjacent to Kooindah Waters Golf Resort now completed.</p>
McLachlan Ave - Long Jetty The Entrance Road to Lindsay Street. Road and Drainage Reconstruction	1.9M	70	July 2008	<p>Upgrading existing road and drainage. Drainage works include new box culverts and pipes with kerb & gutter.</p> <p>Road upgrade includes full pavement reconstruction with traffic calming devices and concrete footpath.</p> <p>Concreting works installing footpath, driveways and kerb and gutter have now commenced.</p>
Bush Street – Norah Head Road and Drainage Reconstruction	455,000	5	August 2008	<p>Existing road and car park to be upgraded, with the inclusion of drainage works, extension of car parks and kerb to be installed</p> <p>Works to be carried out from the eastern side of Young Street through to the gates installed at the entry of the lighthouse approx 130m.</p>
Birdwood Drive - Blue Haven	80,000	100	June 2008	<p>Upgrade of existing open drain between property numbers 22 and 24 Birdwood Drive.</p> <p>Works consist of concrete lining an existing grass channel, and will improve the drainage capacity of existing system.</p> <p>All works now complete.</p>

General Works in Progress Report (contd)**General Maintenance Work**

The following is a list of general works undertaken during this period:

	North	South
Drainage Maintenance	Budgewoi Lake Munmorah Halekulani	Wyong Bateau Bay Tuggerah
Replacement of Damaged Foot paving	Woongarra Hamlyn Terrace	Nil
Sign Maintenance	Toukley Kanwal Hamlyn Terrace Blue Haven Wadalba Budgewoi Tuggerawong San Remo Canton Beach Wyongah Tuggerawong Jilliby Yarramalong Buff Point	Toowoan Bay Berkeley Vale Ourimbah Long Jetty The Entrance Killarney Vale Shelly Beach Bateau Bay Tuggerah Wyong Mardi Chittaway
Shoulder Restoration	San Remo	Nil
Heavy Patching	Jilliby Yarramalong Charmhaven Woongarra	Nil
Table Drain Maintenance	Lake Haven Mannering Park Chain Valley Bay San Remo Charmhaven Jilliby Budgewoi Toukley Lake Munmorah Gwandalan	Berkeley Vale Long Jetty Bateau Bay Killarney Vale Glenning Valley Fountaindale Wyong Tumbi Umbi Chittaway Bay
Rural Road Grading	Dooralong Yarramalong Ravensdale Jilliby Kiar	Ourimbah Palmdale
Foot paving Construction	Nil	Nil

General Works in Progress Report (contd)

	North	South
Carpark Maintenance	Toukley Budgewoi Norah Head Gorokan	Nil
Fencing	Nil	Nil
Vegetation control	Dooralong Jilliby Budgewoi Buff Point Woongarra Halloran Hamlyn Terrace Lake Haven Toukley Chain Valley Bay South	Tuggerah Berkeley Vale Tumbi Umbi Ourimbah Watanobbi Wyong The Entrance Killarney Vale

CONTRACTS AND SPECIAL PROJECTS SECTION

The table below is a status report of current major projects.

Contract No	Contract Description	Contract Status	% Completed
Contract CPA 94531	Consultancy for investigation and design of Link Road and trunk water main to Mardi Dam	Design and tender documentation of the Link Road and adjacent trunk water main complete. See CPA 127795 below for status of construction contract. Design and tender documentation for the trunk water main connection back to Mardi Dam has been put on hold. If the Link Road does not proceed, an alternative route for the trunk water main has to be determined.	70
Contract CPA 94559	Design and Documentation of Woongarra Sports fields	Part 5 approval has been sought under the provision of the new SEPP infrastructure. Awaiting final detailed design. Subject to receiving planning approvals, it is anticipated that tenders can be called in August 2008. Construction is anticipated to commence October/September 2008, with completion by October/September 2009. Subject to weather and favourable growing conditions it may be possible to allow winter competition on the fields by April 2010. Estimated construction cost \$4.7M.	80

General Works in Progress Report (contd)

Contract No	Contract Description	Contract Status	% Completed
Contract CPA 94561	Dredging of Tumbi Creek	All aquatic dredging works are now complete and final check surveys have been carried out to confirm that design levels have been achieved. Completion of the remaining site works including salt marsh establishment and restoration and any necessary rehabilitation of surrounding roads will be completed by August 2008. Environmental surveys and other related project works are expected to be completed by February 2009. Total project cost will be within budget of \$1.8M	100 (dredging component of contract) 0% (terrestrial works)
Contract CPA 98240	Implementation of Buttonderry Waste Management Facility Entry Master plan	Development Approval for the upgrade of the entry and administration areas was in March 2008. Detailed design and documentation is well advanced to allow tenders to be called by July 2008. Pre-construction works for Stage 1 has commenced on site with completion of all works programmed for April/May 2009.	60
Contract CPA 99940	Construction of Wadalba Sports Facility	Fields are being used for winter sports. Further slit drains and sand topdressing to be completed in December 2008. Some defects still to be rectified. Approximate contract volume is \$6M	99
Contract CPA 107166	Warnervale District Sports Fields	Some preliminary investigations and property issues only have been completed. Project still on hold until the Warnervale Town Centre Master Plan is finalised.	2

General Works in Progress Report (contd)

Contract No	Contract Description	Contract Status	% Completed
Contract CPA 110431	Mardi Landfill Remediation – Investigations Only	The final report for the Mardi Landfill site has been finalised. A consultant will be engaged to prepare a Remedial Action Plan (RAP) for the site. Remediation works on the site will be a separate future contract based on the recommendation of the RAP and completion of the detail design works. The value of these required remediation works is yet to be determined. Construction is not expected to commence until 2010/2011.	25
Contract CPA 113367	The Entrance Community Facility Stage 2 – Design and Documentation for Refurbishment of Building C (Arts and Culture), Building D (Activities), Building E (Education), Building F (Men's' Shed) and Design only for Building AA (Family and Children's' Services).	Final report on tenders received was approved at Council meeting of 25 June 2008. Site works expected to start July 2008 for completion in February 2009. Project Value is \$2.5M.	100 (pre-construction)
Contract CPA 115479	Bateau Bay Landfill Rehabilitation and Redevelopment	Work is continuing on the installation of the synthetic capping liner with all batters now being lined, top soiled and mulched. Work has commenced on construction of the site cycleways with erection of the bridge connecting the northern and southern sections of the site scheduled for July. The new amenities building for the new AFL/Softball Oval on the southern side of the site is now complete other than for the installation of the rainwater collection tank and the connection to sewer. The works being undertaken under the contract to the existing Pat Morley Oval amenities building are also complete and work to refurbish the existing change rooms and toilets will be commenced during July. Wet weather during June has severely hampered progress and completion of the contract works is anticipated by November 2008, with sports fields being available for play by April 2009 for winter sports of soccer and AFL (subject to suitable turf establishment conditions). Estimated contract value is \$12M.	55

General Works in Progress Report (contd)

Contract No	Contract Description	Contract Status	% Completed
Contract CPA 116884	Construction of underground tank for oval irrigation – Halekulani Oval, Budgewoi.	Power supply to the pump control unit will be completed by end of July 2008, after which commissioning will be completed. The 100kl tank will be supplemented with treated effluent from future pipeline to the Budgewoi Soccer Club. This will allow all fields to then be irrigated. Contract value is \$63,000, with funding from the State Government Water Saving Fund administered by DECC.	98
Contract CPA 117144	Design and Construct the Toukley Reclaimed Effluent Treatment Plant Augmentation	Contract awarded to Water Treatment (Australia) Pty Limited on 29 February 2008. Initial investigation and design is currently underway. Anticipated completion date for design is July 2008. Anticipated start date for works on site is August 2008, with completion by March 2009. Estimated project construction cost \$2.2M.	20
Contract CPA 127795	Construction of Link Road and Water Main, Watanobbi to Warnervale	Tenders for construction were called 9 October 2007 and closed 13 December 2007. In November 2007 the Department of Planning issued a circular regarding proposed changes to planning legislation which indicated that the Link Road is no longer eligible for funding from S94 developer contributions. The proposed changes to the planning legislation were passed through State Parliament on 18 June. The implications of the final legislation to funding of the project are yet to be determined by the Department of Planning. Evaluation of tenders has been suspended and the tender validity period has now expired. Assessment of planning approval under Part 5 is continuing but most other pre-construction activities have been put on hold.	0
Contract CPA 130590	Consultancy for Investigation and Design of Trunk Sewer Mains to Warnervale Town Centre and Wyong Employment Zone.	Contract awarded to Bonacci Group Pty Ltd on 31 January 2008. Initial investigations commenced and concept designs received and reviewed. Subject to development approval being granted, construction expected to commence in October 2008 and be completed by June 2009. This will be separately reported. Estimated Project construction cost \$8M, with this consultancy costing \$530,000.	25

General Works in Progress Report (contd)

Contract No	Contract Description	Contract Status	% Completed
Contract CPA 130591	Consultancy for Investigation and Design of Trunk Water Mains to Warnervale Town Centre and Wyong Employment Zone.	Contract awarded to SMEC Australia P/L on 1 April 2008. Anticipated completion of design and tender documentation by September 2008. Construction is expected to commence November 2008 and be completed by May 2009. Estimated Project construction cost \$2M, with this consultancy costing \$265,000.	10
Contract CPA 136486	Investigation, Design and Documentation of Toukley Sewage Treatment Plant Inlet Works Upgrade	Contract awarded to Maunsell Australia P/L on 1 April 2008. Initial investigations commenced, REF and concept design report have now been received and reviewed. Anticipated completion of design and tender documentation by September 2008. Construction is expected to commence January 2009 and be completed by December 2009. Estimated Project cost \$2.0M.	15
Contract CPA 137955	Construction of Intersection Upgrade at Minnesota and Warnervale Roads	Construction work commenced on site in April and includes new traffic lights outside new school. Work has been delayed by rain and is expected to be completed by mid September 2008. Estimated cost \$1.5M.	40
Contract CPA 141675	Widening of Culverts and footbridge at Mataram Road, Shared Pathways and associated Road Construction	Tenders have been called for the provision of the works and closed on 27 March 2008. Tenders are being reviewed. Temporary pedestrian access has been installed to the culvert on the southern side of Mataram Rd. It is anticipated construction will commence in August and be completed by end of November 2008. Estimated cost \$ 1.2 M.	0
CPA/145543	Construction of Buff Point Shared Pathway, Stage 1a (from Edgewater Park)	Contract awarded 13 May 2008 and work has commenced. Target completion by mid July 2008. Estimated Project construction cost \$75,000.	75%
CPA/145812	Killarney Vale Shared Pathway (West)	Contract awarded for paths and construction under way following rain delays. Target completion expected mid July. Very recent RTA funding. Estimated Project construction cost \$100,000.	70%
CPA/145813	Bridges for Killarney Vale Shared Pathways	Contract awarded 23 May 2008 & construction progressing well since rain delays. Target completion mid July. Very recent RTA funding. Estimated Project construction cost \$80,000.	70%
CPA/145982	Buff Point Shared Pathway, Stage 1 (Matumba Section)	Contract awarded 20 May 2008. Target completion mid July Estimated Project construction cost \$75,000.	60%

General Works in Progress Report (contd)

Contract No	Contract Description	Contract Status	% Completed
Contract 2408	Capture and Commercial Utilisation of Landfill Gas from Buttonderry Landfill	Finalisation of the Deed of Agreement that will form the basis of the contract has been a protracted process between Council, Council's legal representatives and the contractor. Agreement has now been reached with the contractor and the Schedules forming part of the Agreement are under development by the parties. Council has previously resolved that the General Manager be authorised to execute any contract arising out of the acceptance of the proposal by LMS. It is expected the Agreement will be executed by both parties by the middle of July 2008, allowing works to be undertaken on site.	5
F2004/07982	The Entrance Town Centre Refurbishment Works	Current actions being undertaken to address 5 year work programme for TETC include: 1 Installation of five pedestrian ramps to lower end of The Entrance Road to be completed by September 2008. 2 Replacement of lights to Fountains: Installation of first 50 lights is complete. 3 Second batch of tile samples have been received from Ryowa, Japan. Have received advice that only high friction finish is now manufactured. A report on the suitability of high friction tiles has been commissioned. 4 Visitor Information Signs: Quotations have been received and contract let. Installation is planned to be completed early July 08. 5 Quotes for replacement timber to decks under sails have been obtained. The work will be undertaken by end of August 2008. 6 Sub-distribution boards to Memorial Oval: Existing DBs require replacing and work is planned for July 2008.	90
F2007/02014	Construction of under ground tank for oval irrigation Wadalba Community School	Construction of tank and associated drainage works have been completed. Pump and connection to existing irrigation system subject to further design input. Contract value \$68,000.	90
F2007/01491	Construction of under ground tank for irrigation of playing fields, Wyong Hockey Centre	Construction of tank and associated drainage works have been completed. Pump and connection to existing irrigation system subject to further design input. Contract value \$68,000.	90

General Works in Progress Report (contd)

Contract No	Contract Description	Contract Status	% Completed
F2008/00868	Construction of under ground tank for irrigation Wyong Leagues club	Construction of tank has been completed. Water supply from Kanwal Wetland and connection to existing oval irrigation supply will be completed under a separate contract.	100
F2008/00919	Construction of two Underground tanks at Mingara Recreation Club	Construction of tanks has been completed. Connection to roof water outlets and restoration of site will be completed by the end July 2008. Contract value \$55,000.	90

CONTRACTS STILL IN DEFECTS LIABILITY PERIOD			
Contract No	Contract Description	Contract Status	% Completed
Contract CPA/104754	Construction of Ourimbah Creek Upper Weir Fish Ladder	Contract works in Defects Liability Period until 17 August 2008.	100
Contract CPA/98601	Design, Development and Construction of the Morisset to Warnervale water trunk main	Contract works in Defects Liability Period until 28 September 2008.	100

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

351 Wyong Shire Library Statistics

F2004/11651 JM

SUMMARY

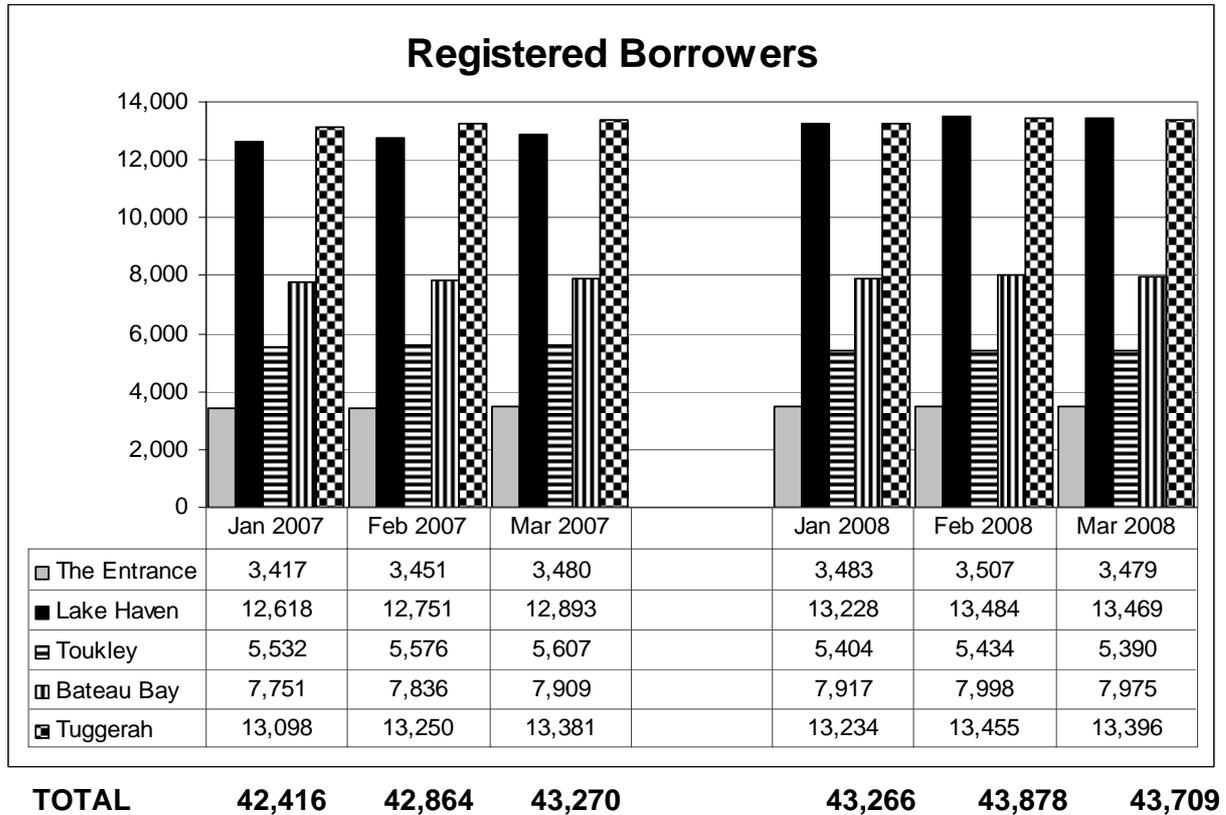
Statistical report on the activities of Wyong Shire Library Service.

RECOMMENDATION

That the report be received and the information noted.

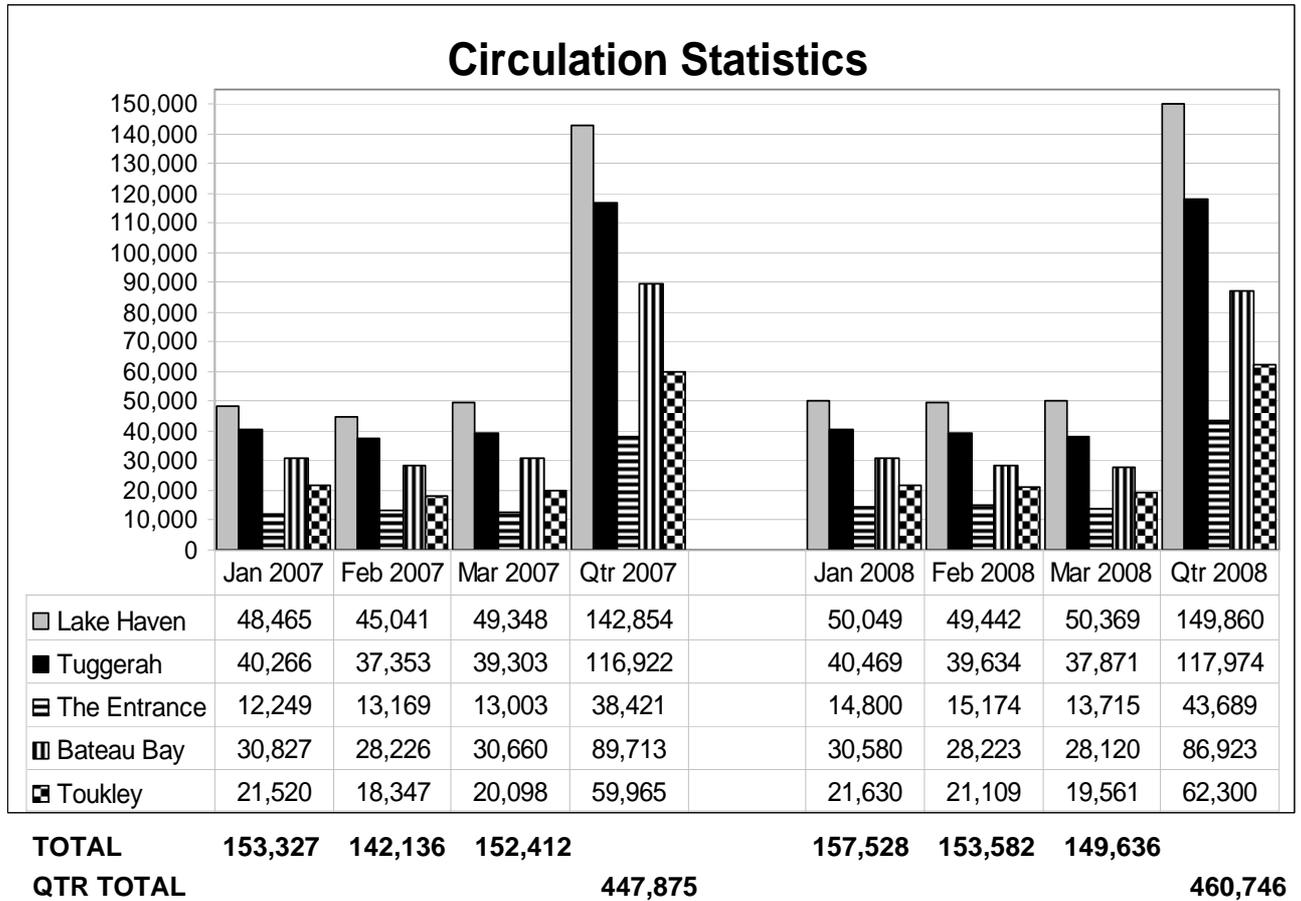
BACKGROUND

The following statistics provide an overview of the activity experienced by the Wyong Shire Library Service in the months January 2008 to March 2008 and the corresponding months of the previous year.

Wyong Shire Library Statistics (contd)

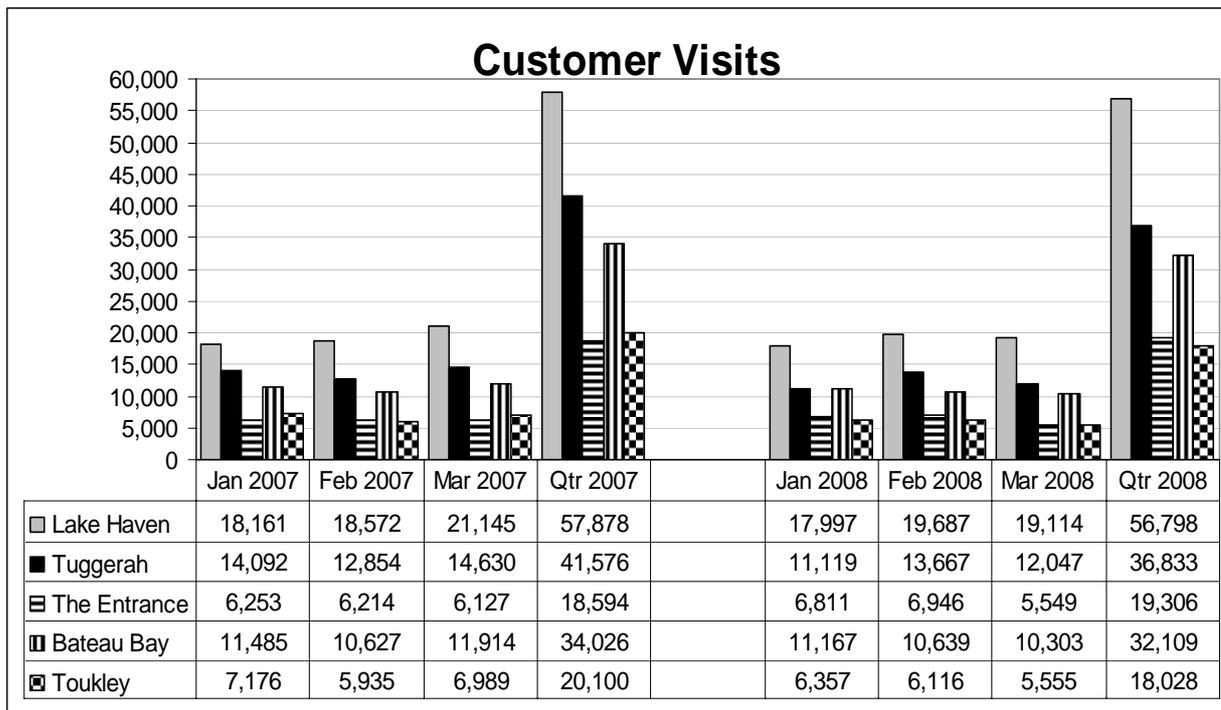
These figures reflect current users of the library service. Borrowers who have not used the Library for a number of years are deleted from the database on a monthly basis.

The total number of borrowers now represents approximately 33% of the Wyong Shire population. The average of similar Councils to Wyong is 44.1%. The State average is 47.5% of the population based on State Library of New South Wales Statistics.

Wyong Shire Library Statistics (contd)

The number of items circulated includes loans and returns. There has been a slight decrease at Bateau Bay during this quarter. All other sites show an increase.

Overall, there has been a 2.8% increase in the circulation of items in this quarter when compared to the same period last year.

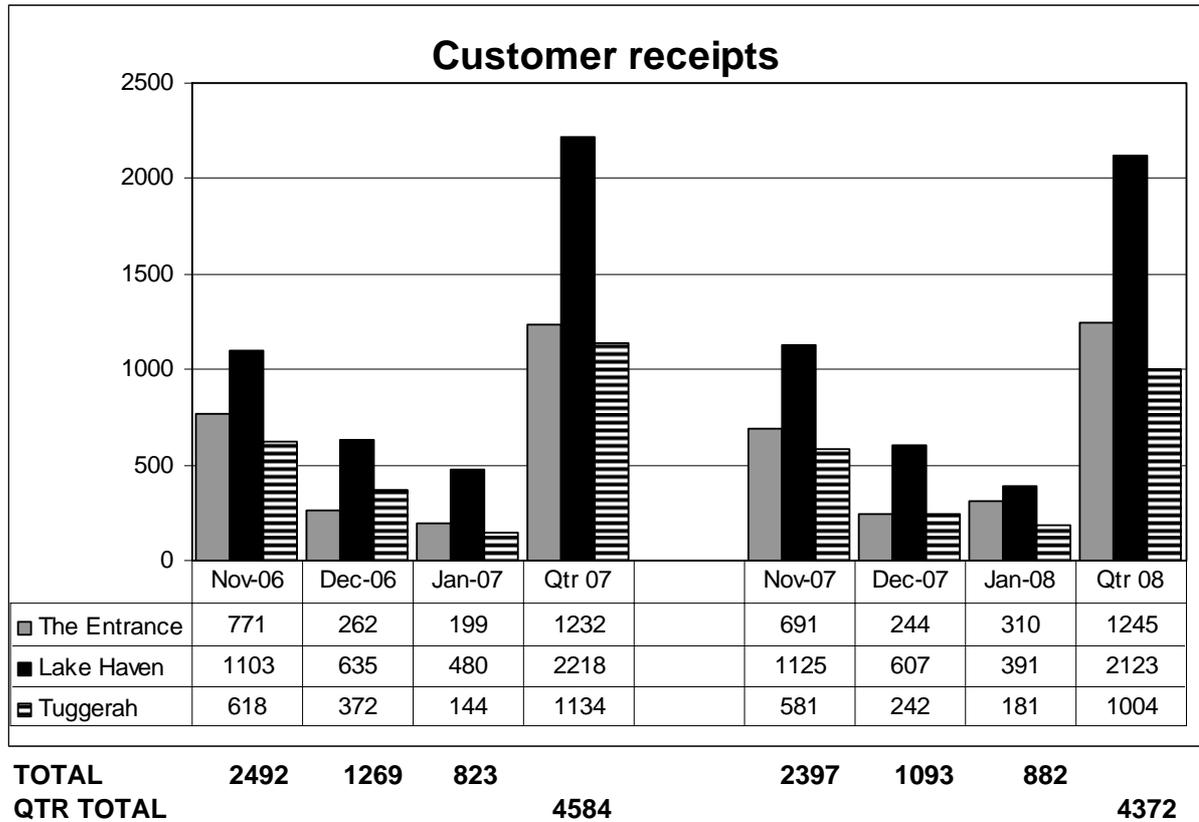
Wyong Shire Library Statistics (contd)

TOTAL	57,167	54,202	60,805		53,451	57,055	52,568	
QTR TOTAL				172,174				163,074

Visits are measured by door counters in all libraries. The purpose of library visits is varied and may encompass participation in story time sessions and other programs, use of the Internet, research or study, as well as borrowing or returning items. At the Tuggerah, Lake Haven and The Entrance libraries the visitors may also be conducting Council business.

Overall, the quarterly figures show a 5.5% decrease in visits compared to the same period last year.

Wyong Shire Library Statistics (contd)



The number of receipts for financial transactions is one measure of the activity undertaken relating to Council customer service, but does not include enquiries which are made at the libraries relating to Council business.

The total number of receipts issued at the library based Council customer service centres fell by 4.6% in this period compared to the same period in the previous year.

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

352 Outstanding Questions Without Notice and Notices of Motion

F2008/00003 SW

SUMMARY

Report on outstanding Questions Without Notice and Notices of Motion.

RECOMMENDATION

That the report be received and the information noted.

Question Asked	Asked By	Meeting Asked	Department
Q123 - Darcy Smith Court Case (A response will be reported to Council when the case has been finalised in the LEC)	Councillor Pavier	12 December 2007	Shire Planning
Q017 – Date of Proposed Meeting Between Council and Minister Nathan Rees (A response will be reported when a reply has been received from the Minister)	Councillor Eaton	12 March 2008	General Manager's Unit
Q034 – Cost to the Ratepayer of Operating the Conduct Committee (A response will be submitted to Council when the current Code of Conduct proceedings are concluded)	Councillor Best	28 May 2008	General Manager's Unit

Outstanding Questions Without Notice and Notices of Motion (contd)

Question Asked	Asked By	Meeting Asked	Department
<p>Q040 – Fishway on the Wyong River at the Old Dairy Site</p> <p>(A response will be submitted to Council at the 13 August 2008 Ordinary Meeting)</p>	Councillor Veugen	25 June 2008	Shire Services
<p>Q041 – Notices of Motion raised by Councillor Best and Councillor Eaton</p> <p>(Awaiting responses from Councillors Best and Eaton)</p>	Councillor Veugen	25 June 2008	Corporate Services
<p>Q042 – Representations to Housing NSW regarding KBT Project</p> <p>(A presentation has been scheduled for the August round of briefings)</p>	Councillor Stewart	25 June 2008	Shire Planning
<p>Q043 – Warnervale Town Centre</p> <p>(A response will be submitted to Council at the 13 August 2008 Ordinary Meeting)</p>	Councillor Eaton	25 June 2008	Shire Planning
<p>Q044 – Lighthouse Whale Rally</p> <p>(A response will be reported once a reply is received from Councillors Best and Eaton)</p>	Councillor Veugen	9 July 2008	Corporate Services
<p>Q045 – Staff Performance</p> <p>(A response will be submitted to Council at the 27 August 2008 Ordinary Meeting)</p>	Councillor Best	9 July 2008	Shire Services

Outstanding Questions Without Notice and Notices of Motion (contd)

Question Asked	Asked By	Meeting Asked	Department
Q046 – Conduct Committee Attendance (A response will be reported once a reply is received from Councillor Best)	Councillor Stevens	9 July 2008	General Manager's Unit
Q047 – Conduct Committee Costs (A response will be submitted to Council at the 27 August 2008 Ordinary Meeting)	Councillor Stevens	9 July 2008	General Manager's Unit
Q048 – Notices of Motion Raised by Councillor Best and Councillor Eaton (A response will be reported once a reply is received from Councillors Best and Eaton)	Councillor Graham	9 July 2008	Corporate Services
Q049 – Commercial Operations at Fountainsdale (A response will be submitted to Council at the 27 August 2008 Ordinary Meeting)	Councillor Eaton	9 July 2008	Shire Planning
Q050 – Number of Development Applications (A response will be submitted to Council at the 13 August 2008 Ordinary Meeting)	Councillor Eaton	9 July 2008	Shire Planning

Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>326 - National Natural Disaster Funding</p> <p><i>Report required on climate change impacts.</i></p>	Shire Planning	8 August 2007	A report will be submitted to Council when response from Department of Environment and Climate Change (DECC) is received. Finalisation of Coastline Management Plan is not anticipated until January/February 2009.
<p>470 – Ferry Service between Wyong and The Entrance</p> <p><i>Report to be provided on investigation of a wharf and passenger ferry service between Wyong and The Entrance.</i></p>	Shire Planning	14 November 2007	Council briefing held on 7 May 2008. Report to be submitted in conjunction with The Entrance Strategy report.
<p>138 – Affordable Housing Summit</p> <p><i>That Council convene a summit to examine ways to achieve a significant price reduction in new housing and land costs.</i></p>	Shire Planning	26 March 2008	Project plan developed. Date for summit 16 July 2008.
<p>157 – Corridor for Future Rail Track Upgrades</p> <p><i>Request Cityrail to confirm it no longer requires wider corridor in places like Ourimbah and the decision for future track upgrades and improved services such as fast train.</i></p>	Shire Planning	9 April 2008	Awaiting a response from Railcorp.
<p>231 – Poll on Popularly Elected Mayor and Electricity Privatisation</p> <p><i>A further report be reported to Council at a briefing session outlining the ramifications of a popularly elected Mayor detailing exactly how the numbers equate in three wards concerned.</i></p>	Corporate Services	28 May 2008	<p>A report will be presented to the briefing session on 6 August 2008.</p> <p>The report will provide an outline of possible ward boundaries.</p>

Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>254 – Recent and Extraordinary Price Increases and Effect on Council's Budget and Works Program</p> <p><i>That Council report on recent significant and projected extraordinary price increases in steel, concrete, oil and other raw materials and the effect of these increases on Council's budget and works program.</i></p>	Shire Services	11 June 2008	A report will be submitted to Council at the 13 August 2008 Ordinary Meeting.
<p>257– Proposal to Reconstitute the NSW Coast Council Program</p> <p><i>That Council call on the State Government to reconstitute the NSW Coastal Council to assist:</i></p> <p>1 <i>NSW coastal councils to deal with climate change and sea level rise(s) effects.</i></p> <p>2 <i>Coastal councils in updating coastal planning regulations.</i></p>	Corporate Services	11 June 2008	Awaiting response from the Department of Environment and Climate Change (DECC).
<p>259 – Unlawful and Unenforceable Council Code of Meeting Practice</p> <p><i>That Council contact the Director General of the Department of Local Government, Mr Garry Payne, to confirm Councillor Best's letter and query the paragraph quoted regarding the dismissal of the Council.</i></p>	Corporate Services	11 June 2008	A letter has been issued to Mr G Payne, Director General, Department of Local Government (DLG).
<p>261 – Impact on Retail Parking – Wyong</p> <p>1 <i>That further to the likely impacts of the Roads and Traffic Authority's Pacific Highway upgrade through Wyong and the current critical shortage of carparking in and around the town centre, staff provide a full report on Council's 5 December 2007 confidential briefing that scoped carparking options and initiatives for the precinct.</i></p> <p>2 <i>That Council now determine whether such a report should be shared with the community in open Council or limited to a confidential reporting session.</i></p>	Shire Planning	11 June 2008	A report will be submitted to Council at the 13 August 2008 Ordinary Meeting.

Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>293 – The Entrance Long Jetty Strategy Meeting</p> <p><i>That Council facilitate a meeting with Key Stake holders – The Entrance Bowling Club, Lakeside Plaza and Wyong Shire Council.</i></p> <p><i>That the Mayor chair the meeting, report back on the progress or otherwise.</i></p>	Shire Planning	25 June 2008	Meeting has been scheduled for 30 July 2008.
<p>294 – Funding of Public Radiation / Oncology Service for the Central Coast</p> <p><i>That Council write to the Member for Dobell, Mr Craig Thomson.</i></p> <p><i>That Council seek the support of Gosford City Council.</i></p> <p><i>That Council write to all Local State Government Members of parliament.</i></p>	Corporate Services	25 June 2008	A report will be submitted to Council when responses have been received.
<p>295 – Wyong Pool Maintenance Policy</p> <p><i>That Council defer any further decisions regarding Wyong Pool pending discussions with the Wyong Tennis Club Administrator.</i></p> <p><i>That the Mayor and General Manager report to Council on discussions.</i></p>	Shire Services	25 June 2008	A report will be submitted to Council following discussions with the Wyong Tennis Club Administrator.
<p>297 – Education Program into Toddler Drowning</p> <p><i>That Council review effectiveness of its current swimming pool audit program.</i></p> <p><i>That staff report to Council on the benefits of redeployment of Council's professional lifeguards from off season duties in the Parks and Gardens Section with a view to utilising their extensive expertise in water safety education.</i></p>	Shire Planning	25 June 2008	A report is being prepared for the 27 August 2008 meeting.

Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>298 – Long Jetty Café</p> <p><i>That Council receive a briefing as part of the Long Jetty master planning on the permissibility and benefits / disbenefits of considering sub leasing an area of the Long Jetty to cater for a commercial operation.</i></p>	Shire Planning	25 June 2008	To be given further consideration following the adoption of the Draft Entrance Peninsula Planning Strategy. (The TEPPS encourages this type of potential development).
<p>300 – Wyong Community Recreation Association</p> <p><i>That the Mayor and General Manager negotiate with WYCRA and LeisureCo respectively so as to facilitate a commercial arrangement.</i></p>	Corporate Services	25 June 2008	Negotiations with WYCRA and LeisureCo have commenced and are progressing at a satisfactory rate.
<p>301 – Schedule of Ordinary Meetings 2008</p> <p><i>That Council vary its Code of Meeting Practice and not hold the Ordinary Meeting scheduled for 10 September 2008.</i></p> <p><i>That Council not hold briefings on the first and second Wednesday of September 2008.</i></p>	Corporate Services	25 June 2008	Cancellation of Meeting to be advertised in the Media during August.
<p>319 – Proposal to Name Lot 1 DP 942380 and Lot 1 DP 663618 Corner of Church and Margaret Streets Wyong as Arthur Mollett Reserve</p> <p><i>That Council place on exhibition its proposal for Lot 1 DP 942380 and Lot 1 DP 663618 to be named the Arthur Mollett Reserve and recommend to the Geographical Names Board should no significant objections be received.</i></p>	Shire Services	9 July 2008	Submission placed on public exhibition.

Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>320 – Submission to Auditor General on Electricity Privatisation Enquiry</p> <p><i>That Council urgently make a submission t based on:</i></p> <ul style="list-style-type: none"> <i>a job retention and security;</i> <i>b price increases;</i> <i>c air quality reductions;</i> <i>d other relevant local issues.</i> <p><i>That Council liaise with the relevant union (ETU) in compiling its submission. That the submission be published on Council's website. That the Motion be exempted from the provisions of the Code of Meeting Practice. That the submission be principally based on Council's prior submission dated 6 February 2008 to the Consultative Reference Committee of the Owen Inquiry.</i></p>	Shire Services	9 July 2008	A draft submission is currently being prepared.
<p>323 – Traffic Counts Being Conducted on Woodbury Park Mardi</p> <p><i>That staff report to Council on the traffic counts presently being conducted on Woodbury Park Drive, Mardi, the history of this matter as reported from the Wyong Shire Traffic Committee and what measures/options are available to minimise speed/accidents.</i></p>	Shire Services	9 July 2008	A report is being prepared for the 27 August 2008 meeting.

Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
325 – Supposed Fast Tracking of Warnervale <i>That concerns raised by the Lakes Grammar (The Anglican School) regarding the intersection of Albert Warner Drive and Sparks Road, Warnervale be referred to the Wyong Shire Traffic Committee.</i>	Shire Services	9 July 2008	Item has been included on the Traffic Committee Agenda scheduled for 6 August 2008.

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

Shire Services Department

Answers to Questions Without Notice

Q036 – Lack of Lighting in the Bill Sohler Oval Carpark

Asked by Councillor Eaton at the Ordinary Meeting held on 11 June 2008
F2004/00189

Could Council staff advise what action they intend to take in relation to the lack of lighting in the Bill Sohler Oval Carpark?

Council staff have investigated this matter and identified that additional lighting at this location is warranted.

Funding is available in the 2008-09 budget for the provision of this lighting.

Investigation and design of the additional lighting requirements will commence in July 2008 with work scheduled for completion by December 2008.

Answers to Questions Without Notice (contd)

Q037 – Lack of Timer Lighting in the Sohier Oval Grandstand

Asked by Councillor Eaton at the Ordinary Meeting held on 11 June 2008
F2004/00189

Could Council staff advise what action they intend to take in relation to the lack of timer lighting in the Sohier Oval Grandstand?

Two florescent lights are located on the inside of the Bill Sohier Park Grandstand roof, providing security lighting to this facility. The lights are controlled by a photo -electronic system which activates the lights on dusk and deactivates them at dawn.

The lights are located 20m above ground-level, therefore an elevated platform is required to inspect and / or repair the lights.

Council's Electrical department has scheduled the hire of an elevated platform during July 2008 to inspect and undertake the necessary repairs to the lighting.

23 July 2008
To the Ordinary Meeting of Council

Shire Services Department

Answers to Questions Without Notice (contd)

Q038 – Street Lighting on Toukley Bridge

Asked by Councillor Welham at the Ordinary Meeting held on 11 June 2008
F2004/00189

Could staff advise why the street lighting on Toukley Bridge has not been operating for some months?

Energy Australia is the service provider for street lighting in the Shire. Council lodged a service request regarding the lighting on Toukley Bridge with Energy Australia via its service hotline on 20 June 2008.

Council staff have since been advised by Energy Australia that this has been an intermittent problem over the past few months. Energy Australia has replaced one of the lamps and is hopeful that this has fixed the problem. They advise that they will continue to monitor the lights to ensure they continue to operate effectively.

Answers to Questions Without Notice (contd)

Q039 – Shared Pathways in the Blue Haven/San Remo Areas

Asked by Councillor Welham at the Ordinary Meeting held on 11 June 2008
F2008/00296, F2007/00257

Could staff advise on the timetable for construction of the additional shared pathways in the Blue Haven/San Remo areas and the left turn lane at the intersection of Goorama Avenue and Pacific Highway, San Remo?

At its meetings held 13 December 2006 and 11 April 2007, Council recommended that works be undertaken to improve the intersection of Goorama Avenue and the Pacific Highway, Blue Haven and to provide an improved network of shared pathways.

Construction of Stage 1 of the shared pathways from Wallarah Creek to Allambee Crescent is 90% complete.

Stage 2 of the project will connect the shared pathway from Colorado Drive to Allambee Crescent, as well as connecting the pathway to Dunlop Road, Blue Haven. Survey and Design works for Stage 2 are expected to be completed by late July 2008, with construction to be completed in August 2008.

Stage 3 of the shared pathway project will connect the western point of Allambee Crescent to the Pacific Highway/Allambee Crescent intersection. Stage 3 works are anticipated for completion in October 2008.

An upgrade of pedestrian facilities along Goorama Avenue using Section 94 funds of approximately \$26,000 are due to be completed in 2009-10.

The proposed left turning lane from Goorama Ave to the Pacific Highway is under design by the NSW Roads and Traffic Authority. The RTA submitted a preliminary draft design to Council for comment on 25 June 2008. The estimated cost of construction is \$480,000.

Following agreement between Council and the RTA on the detailed designs, Council will construct the works using a combination of Section 94 and funding from the Secondary Roads Rehabilitation Program. Works are scheduled for completion during the 2008-09 financial year.

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

**353 Notice of Motion – Maintenance of Stormwater Treatment
Devices**

F2004/00165

Councillor Graham, Pavier and Forster have given notice that at the Ordinary Meeting of Council to be held on Wednesday, 23 July 2008 they will move the following Motion:

“That due to concerns raised through the Estuary Management Committee, staff report on the maintenance of stormwater treatment devices across the Shire. The report should include, but necessarily be limited to, relevant aspects of budgets and responsibilities associated with stormwater asset maintenance, design, construction and performance for intended objectives covering both new and existing development areas.”

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

354 Notice of Motion – \$7.13 Million Injection of Funds into Park, Playgrounds and Surf Clubs

F2004/07041

Councillors Pavier, Forster and Graham have given notice that at the Ordinary Meeting of Council to be held on Wednesday, 23 July 2008 they will move the following Motion:

- "1 That Council, agrees to sell off some of it's holdings to achieve proceeds of approximately \$7.13 Million.*
- 2 That the above proceeds be allocated to the following, previously identified to Council, list of high priority works in need of funding;*
 - (a) \$1.24 Million for items 1 to 10 of the floodlight upgrade priority list as identified by staff. For clarity, No 1 is the Ourimbah soccer oval and up to including No 10 EDSAAC Netball Courts. These items have been previously reported to Council.*
 - (b) \$890,000 towards installation of sub-soil drainage on sportsgrounds as priority identified in a Council report of January 2005.*
 - (c) \$500,000 for playground land acquisition in Ourimbah to provide for a playground site. \$1Million to meet the identified high priority playgrounds strategy as identified in previous reports and briefings to Council as early as 2005.*
 - (d) \$3 Million dollars towards a rebuild/refurbishment program, conditional on an agreed program of works between Council and the surf clubs. Council notes that the surf clubs have presented recently their priority list of club's rebuild/refurbishment, in Wyong Shire.*
 - (e) \$500,000 towards management and upgrading of Darren Kennedy Oval Toukley (Council report November 2005 and February 2007).*
- 3 That staff, as a result of the above funding, explore where matching or other grants could be sourced eg from State and Federal Governments etc to assist in the delivery/acceleration of the above works. As a result of the recent surf club briefing, Council strongly encourages and also writes to the surf club movement, urging them to lobby their respective State and Federal Members of Parliament to assist in further additional funding opportunities.*
- 4 That a final report on, the land to be sold, the timetable of works, the list of works and results of 3 above, be a further report to Council."*

COUNCILLOR NOTE

Quotations from a report "Installation of Sub Surface Drainage in Sporting Fields" 25 February 2004 which was generated as a result of the 23 July 2003 Council Meeting.

23 July 2008
To the Ordinary Meeting of Council

Notice of Motion – \$7.13 Million Injection of Funds into Park, Playgrounds and Surf Clubs (contd)

Lighting - 25 February 2004

"Floodlighting for sportgrounds, for example will require a significant commitment of funds to bring all lights up to the recognised Australian Standards for safe lighting of fields. Preliminary estimates, show that funding of \$200,000 per year will require a further 20-25 years to clear this entire backlog of work."

Installation of Sub-Surface Drainage in Sporting Fields - 25 February 2004

"At a rate of annual funding of \$50,000 it would take 54 years to complete the identified sub-surface drainage works shown in Attachment 1, Section (c) for 34 fields and 28 years to complete the highest 18 priority fields, assuming all of the annual allocation of \$50,000 per annum is directed to that purpose."

- | | |
|---------------------|---|
| Attachment 1 | Proposed Recreation Improvements – Sports Fields Flood Light Improvements (1 page) |
| Attachment 2 | Proposed Recreation Improvements – Sports Fields Sub Soil Drainage Improvements (1 page) |
| Attachment 3 | Proposed Recreation Improvements – Local Parks Action Plan (1 page) |
| Attachment 4 | Proposed Recreation Improvements – Darren Kennedy Oval (1 page) |

23 July 2008
To the Ordinary Meeting of Council

Notice of Motion – \$7.13 Million Injection of Funds into Park, Playgrounds and Surf Clubs (Attachment 1)

Proposed Recreation Improvements

Sports Field Flood light Improvements

Table 2A: Wyong Shire Council Sports Facility – Flood light Priority List July 2008

No.	LOCATION	ADDRESS	CODE	CLUB	STATUS	YEAR	EST COST
1	OURIMBAH SOCCER OVAL NO.1	Chittaway Rd, OURIMBAH	Soccer	Ourimbah Soccer	Requires Upgrading		\$200,000
2	OURIMBAH SOCCER OVAL NO.2	Chittaway Rd, OURIMBAH	Soccer	Ourimbah Soccer	Requires Upgrading		
3	OURIMBAH RUGBY OVAL	Chittaway Rd, OURIMBAH	Union	Ourimbah Rugby	Requires Upgrading		\$110,000
4	JOSEPH BANKS OVAL	Joseph Banks Drv, BATEAU BAY	Union	The Entrance Rugby	Requires Upgrading		\$150,000
5	KURRABA OVAL NO.1	Kurraba Pde, BERKELEY VALE	Soccer	Berkeley Vale Soccer	Requires Upgrading		\$180,000
6	KURRABA OVAL NO.2	Kurraba Pde, BERKELEY VALE	Soccer	Berkeley Vale Soccer	Requires Upgrading		
7	WATANOBBI OVAL No.1	De'Lisle Drv, WATANOBBI	League	Wyong Baseball	Requires Installation		\$150,000
8	SLADE PARK	Budgewoi Rd, BUDGEWOI	Union	North Lakes Rugby	Requires Upgrading		\$130,000
9	WATANOBBI OVAL No.2	De'Lisle Drv, WATANOBBI	League	Central Wyong RLFC	Requires Installation		\$180,000
10	EDSACC NETBALL COURTS No.1 + 2	The Entrance Rd, BATEAU BAY	Netball	The Entrance Netball Bateau Bay Netball	Requires Installation		\$140,000

23 July 2008
To the Ordinary Meeting of Council

Notice of Motion – \$7.13 Million Injection of Funds into Park, Playgrounds and Surf Clubs (Attachment 2)

Sports Field Sub Soil Drainage Improvements

**Table B1 - Original List from Item 107 Ordinary Meeting 25 February 2004
Installation of Sub-Surface Drainage in Sporting Fields - "(C) Sportsgrounds Currently Not
Programmed for Drainage Works**

No	Sportground	Requires Improvement	Programme Date	Funding Source
High Priority (in order)				
1	EDSACC North Oval No 1	Yes	Nil	Not identified
2	EDSACC North Oval No 2	Yes	Nil	Not identified
3	EDSACC South Oval No 1	Yes	Nil	Not identified
4	EDSACC South Oval No 2	Yes	Nil	Not identified
5	Karwal Oval No 1	Yes	Nil	Not identified
6	Karwal Oval No 2	Yes	Nil	Not identified
7	Halekulani Oval No 1	Yes	Nil	Not identified
8	Halekulani Oval No 2	Yes	Nil	Not identified
9	Killarney Vale Athletics	Yes	Nil	Not identified
10	Lake Haven Oval No 1	Yes	Nil	Not identified
11	Lake Haven Oval No 2	Yes	Nil	Not identified
12	Ourimbah Soccer No 1	Yes	Nil	Not identified
13	Ourimbah Soccer No 2	Yes	Nil	Not identified
14	Kurraba Oval No 1	Yes	Nil	Not identified

Note

List of priority works as identified in Councillor briefing held 2 July 2008 regarding the WSC Sports Facility strategy.

Table 2B - List priority order amended based on current conditions per advice from Recreation Planner July 2008

New No	Old No	Sportground	Requires Improvement	Programme Date	Funding Source
High Priority (in order)					
1	12	Ourimbah Soccer No 1	Yes	Nil	Not identified
2	13	Ourimbah Soccer No 2	Yes	Nil	Not identified
3	10	Lake Haven Oval No 1	Yes	Nil	Not identified
4	11	Lake Haven Oval No 2	Yes	Nil	Not identified
5	1	EDSACC North Oval No 1	Yes	Nil	Not identified
6	2	EDSACC North Oval No 2	Yes	Nil	Not identified
7	3	EDSACC South Oval No 1	Yes	Nil	Not identified
8	4	EDSACC South Oval No 2	Yes	Nil	Not identified
9	14	Kurraba Oval No 1	Yes	Nil	Not identified
10	5	Karwal Oval No 1	Yes	Nil	Not identified
11	6	Karwal Oval No 2	Yes	Nil	Not identified
12	9	Killarney Vale Athletics	Yes	Nil	Not identified
13	7	Halekulani Oval No 1	Yes	Nil	Not identified
14	8	Halekulani Oval No 2	Yes	Nil	Not identified

Note

List of priority works as identified in Councillor briefing held 2 July 2008.

The order of priority for drainage upgrade works has changed as a result of;

- The increase in the number of competition teams using the aforementioned grounds; the associated increase in demand vs supply for fields to meet competition match needs; the upgrading of existing and the provision of a number of new facilities.
- Ourimbah Soccer Oval complex has increased in priority due to the rapid increase in registrations and the inability of meeting competition needs in this flood prone sportsground;
- Lake Haven Oval has increased in priority due to the rapid increase in population and sporting registrations in the Warnervale / Wadalba URA, the proximity of Lake Have Oval to this URA, the recent installation of competition standard floodlights and the demand for grounds to accommodate the establishment of new sporting clubs.
- Karwal Oval has slightly decreased in priority due to the recent relocation of the local soccer club to Wadalba Sporting Complex.
- The Kurraba Oval complex has increased in priority due to the increase in registrations and the inability of meeting competition needs at this sportsground;

23 July 2008
To the Ordinary Meeting of Council

Notice of Motion – \$7.13 Million Injection of Funds into Park, Playgrounds and Surf Clubs (Attachment 3)

Local Parks Action Plan

Table 2C - Draft costing of High Priority Actions

Action	Cost	Source
Test community satisfaction with Local Parks and unmet demand to better plan and design new parks and upgrades by conducting regular surveys of users and the general community.	5,000	Revenue
Address the need for perimeter safety by providing one playground per social plan district with an un-gated perimeter pool fence. Allow \$10,000 per district for 8 Districts.	80,000	Revenue and S94
Seek opportunities to incorporate Community Art into Local Parks as part of the initial design or as part of subsequent upgrades.	Salaries, & per site	Revenue and S94
Examine small, landlocked open space sites that are not appropriate for safe public use with a view to reclassification and disposal to create a tied funding stream for the actions in Action Plan. Refer to the Attachment for a draft list.	Salaries	Revenue
<u>Tuggerawong, Rocky Point and Tacoma</u> Provide play equipment with more elements in a centralised location such as a foreshore reserve with adequate parking and access. Identify a location in consultation with local residents.	200,000	Revenue
<u>Bateau Bay</u> Provide play equipment and furniture on the Sherry Street Reserve to address the deficiency south of Eastern Road. This would provide good co-location of a local park to the Community Centre	50,000	S94
Implement the endorsed plan for Pat Morley Oval to install play equipment which will serve the residents east of the reserve adjacent to Lawrence Ave. Support the installation of play equipment adjacent to the Banksia Centre.	40,000	S94
<u>Long Jetty</u> Embellish an existing foreshore park east of the main traffic route and construct appropriate safe pedestrian access to address the deficiency in play equipment coverage east of Lindsay and Watkins between Pacific and Waterview Streets on existing public land adjacent to the Tuggerah Lakes Golf Course. This is a needed due to the large number of residents without adequate access.	200,000	S94
<u>Ourimbah</u> Identify opportunities for disposal of inappropriate land for local open space purposes to fund the acquisition of land for a local park. Acquire land and develop a local park to serve the residents north of Glen Road.	500,000	Revenue and S94
<u>Toukley</u> Provide a shared pathway from Osborne Park to the north on the Foreshore Reserve incorporating Community Art opportunities linking to the adjacent residential area.	100,000	Revenue
<u>Lake Haven</u> Develop a local park with play equipment on the reserve on Lake Haven Drive between Bensley Close and Courigal Street.	220,000	Revenue
<u>San Remo</u> Develop play equipment on the Council owned open space on the eastern side adjacent to Wills Road.	50,000	Revenue
<u>Wadalba</u> Implement the endorsed Section 94 Plan to provide Local Parks with playgrounds for existing developed areas of Wadalba.	600,000	S94
<u>Lake Munmorah</u> Develop a joint venture with NPWS to provide play equipment, seating and shade trees in Elizabeth Bay.	50,000	Revenue
TOTAL	\$2.09 M	

Note

Priorities as presented to Council at Briefing held 7 December 2005

23 July 2008
To the Ordinary Meeting of Council

Notice of Motion – \$7.13 Million Injection of Funds into Park, Playgrounds and Surf Clubs (Attachment 4)

Daren Kennedy Oval

Table 2E – Costs associated with upgrading of Darren Kennedy Oval, Noraville

Action	Cost
Capital costs to bring facilities up to standard	
*floodlights	\$250,000
*ground improvements generally (including irrigation, fencing, car park and drainage)	\$150,000
*building improvements (estimate)	\$100,000
Total	\$500,000

Note

Continued population growth in Warnervale / Wadalba URA is putting considerable pressure on the Morrie Breen Oval (Wyang Leagues Club), especially for junior players. Through undertaking improvements at Darren Kennedy Oval, the Toukley Football Club could accommodate some of this growth until new fields in the Warnervale area are brought on line.

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

**355 Notice of Motion – Pacific Highway Advisory Sign, Wyong
Township**

F2004/07589

Councillor D J Eaton has given notice that at the Ordinary Meeting of Council to be held on Wednesday, 23 July 2008 he will move the following Motion:

- "1 That Council note with disappointment the non release of the Preferred Pacific Highway Route through Wyong as promised by the State Government in June this year.*
- 2 That Council notes the concerns of local Wyong residents as to the properties being adversely affected by the proposed Eastern and Western Options.*
- 3 That Council install a sign on the Pacific Highway either side of Wyong township advising the community to telephone the Member for Wyong to ascertain his plans for the upgrade of this part of the Highway."*

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

356 Notice of Motion – Boycott of Korean Products

F2006/01080

Councillor D J Eaton has given notice that at the Ordinary Meeting of Council to be held on Wednesday, 23 July 2008 he will move the following Motion:

- "1 *That Council advise Kores and the South Korean Government via its Australian ambassador that unless it withdraws its application for the Wallarah 2 then Council will advocate its community to embrace a boycott of Korean manufactured and/or produced goods.*

- 2 *That Kores and the Ambassador be requested to reply within two months as to their intentions on the Wallarah 2 mine."*

WYONG SHIRE COUNCIL

23 July 2008
To the Ordinary Meeting of Council

357 Notice of Motion – Shire Wide Escalating Vandalism

F2004/07937

Councillor G P Best has given notice that at the Ordinary Meeting of Council to be held on Wednesday, 23 July 2008 he will move the following Motion:

- “1 That, further to the recent release of the NSW Bureau of Crime Statistics for the Wyong Shire Local Government Area (LGA) indicating an alarming 14.5% increase in malicious damage resulting in elevating Wyong Shire into the top 25% of NSW LGAs for vandalism, and as this antisocial and often intoxicated behaviour is reportedly costing our residents and ratepayers over \$1M in this term of Council alone, Council urgently review its policies, procedures and strategic partnerships with regard to this matter.*
- 2 That any such review take a pro active whole of community approach to seeking solutions.*
- 3 That staff brief Councillors on the recently released NSW Bureau of Crime Statistics report and the various options and processes available to formulate Council’s policy response.”*