



Council staff with Bear and Sara.

ORDINARY MEETING

25 February 2009



MEETING NOTICE

The **ORDINARY MEETING**
of **Wyong Shire Council**
will be held in the **Council Chamber**,
Wyong Civic Centre, Hely Street, Wyong on
WEDNESDAY 25 FEBRUARY 2009 at **5.00 pm**,
for the transaction of the business listed below:

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY STATEMENT

RECEIPT OF APOLOGIES

1 PROCEDURAL ITEMS

1.1	Disclosure of Interest.....	4
1.2	Proposed Briefings	5
1.3	Proposed Inspections	6
1.4	Address By Invited Speakers	7
1.5	Confirmation of Minutes of Previous Meeting.....	8

2 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION

2.1	Notice of Intention to deal with Matters in Confidential Session	25
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3 PROPERTY REPORTS

3.1	Granting of Easements for Electricity Purposes over Council Land at Ourimbah, Glenning Valley and Tumbi Umbi.....	27
-----	---	----

4 CONTRACT REPORTS

4.1	Contract CPA 157279 - Development of the Tuggerah Lakes Hydrodynamic Modelling	36
4.2	Contract Variations - January 2009.....	41

5 GENERAL REPORTS

5.1	Proposed Council Policy Review - Shire Planning Policies "F6 - Operation of Temporary Food Premises" and "E3 - Enforcement Policy"	50
5.2	Proposed Councillors' Community Improvement Grants	56

6 GENERAL MANAGER'S REPORT

6.1	2008-09 Management Plan - December 2008 Quarter Review	59
-----	--	----

7 BOARD/COMMITTEE/PANEL MEETING REPORTS

7.1	Minutes of the Wyong Shire Governance Committee Meeting - 11 February 2009.....	109
7.2	Minutes of the Gosford-Wyong Councils' Water Authority Board Meeting - 18 February 2009	120

8 INFORMATION REPORTS

8.1	Information Reports	127
8.2	Results of Water Quality Testing for Bathing Beaches	128
8.3	Activities of the Development Assessment Unit	134
8.4	Water and Sewerage - Works in Progress	139
8.5	General Works in Progress	142
8.6	Dredging of Boat Harbour Summerland Point.....	148
8.7	Workforce Status and Movements	151
8.8	Outstanding Questions Without Notice and Notices of Motion	153

9 NOTICES OF MOTION

9.1	Notice of Motion - Motor Sports Facility	159
9.2	Notice of Motion - The Entrance Channel WebCam	160
9.3	Notice of Motion - Recycle/Re-use Initiative.....	161
9.4	Notice of Motion - Council's Animal Care Facility Review.....	162
9.5	Notice of Motion - Extending the Lapsing Period of a Consent.....	163

10 CONFIDENTIAL ITEMS

- 10.1 "Body Hire" Employees

11 QUESTIONS WITHOUT NOTICE ASKED

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

Kerry Yates
GENERAL MANAGER

1.1 Disclosure of Interest

TRIM REFERENCE: D01672218

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

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

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

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

RECOMMENDATION

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

1.2 Proposed Briefings

TRIM REFERENCE: D01672281

SUMMARY

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

Date	Briefing	Description	Time	Presented by
25 February 2009	Halekulani Quarry	Halekulani Quarry site, Legal issues – confidential briefing. Implications & Options	1.00 pm – 2.00 pm	Director Shire Services, Manager Contracts, Waste Management Co-ordinator.
25 February 2009	Comprehensive LEP and Settlement Strategy	Briefing giving background to the comprehensive LEP review and settlement strategy projects.	2.00 pm – 3.30 pm	Acting Manager Future Planning
4 March 2009	Workshop	Various Issues	12 noon – 6.00 pm	General Manager

RECOMMENDATION

That Council receive the report on Proposed Briefings.

1.3 Proposed Inspections

TRIM REFERENCE: D01672338

SUMMARY

Inspections proposed to be held on 25 February 2009 and prior to the second Ordinary Meeting are listed as follows:

<i>Date of Inspection</i>	<i>Location</i>	<i>Requested By</i>
25 February 2009	22 Lot Residential Subdivision, Wadalba DA/59/2007	Director Shire Planning
25 February 2009	Mannering Park Shared Pathway	Director Shire Services
25 February 2009	Holiday Park Upgrade Works	Director Shire Services

RECOMMENDATION

That Council receive the report on inspections to be conducted on Wednesday, 25 February 2009.

1.4 Address By Invited Speakers

TRIM REFERENCE: D01672356

SUMMARY

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

RECOMMENDATION

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

25 February 2009
To the Ordinary Meeting

Procedural Item
Corporate Services Department

1.5 Confirmation of Minutes of Previous Meeting

TRIM REFERENCE: D01672362

AUTHOR: SW

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on 11 February 2009.

RECOMMENDATION

That Council confirm the minutes of the previous Ordinary Meeting of Council held on 11 February 2009.

ATTACHMENTS

- 1 Minutes of the Ordinary Meeting held on 11 February 2009

WYONG SHIRE COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 11 FEBRUARY 2009,
COMMENCING AT 5.00 PM**

PRESENT

COUNCILLORS R L GRAHAM (CHAIRPERSON), G P BEST, E M McBRIDE, J J McNAMARA, L A MATTHEWS, W R SYMINGTON, D P VINCENT, L D WEBSTER AND S A WYNN.

IN ATTENDANCE

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

ACTING MANAGER CORPORATE AND ADMINISTRATION SERVICES, MANAGER WATER AND WASTE, MANAGER CONTRACTS AND SPECIAL PROJECTS, ENGINEER CONTRACTS AND MANAGER FINANCE.

THE MAYOR NOTED THAT THE RECENT BUSHFIRES IN VICTORIA WERE THE WORST DISASTER IN AUSTRALIA'S PEACETIME HISTORY AND ADVISED THAT HE WOULD BE SENDING CONDOLENCES, ON BEHALF OF COUNCIL AND THE RESIDENTS OF WYONG SHIRE, TO THE PEOPLE IN VICTORIA. A MINUTES SILENCE WAS OBSERVED IN HONOUR OF THOSE WHO HAVE DIED AND THE MAYOR NOTED THAT THE FLAGS IN WYONG SHIRE ARE NOW FLYING AT HALF MAST AS A MARK OF RESPECT FOR THE DECEASED.

COUNCILLOR VINCENT ANNOUNCED THAT COUNCIL IS A SPONSOR FOR THE G.O.A.T.S. FESTIVAL WHICH WILL BE HELD ON SUNDAY 29 MARCH 2009. HE ADVISED THAT THIS EVENT IS THE LAUNCH FOR YOUTH WEEK THROUGHOUT THE SHIRE AND IS A FAMILY FUN EVENT WHICH WILL INCLUDE SEVERAL BANDS AND PERFORMANCES THROUGHOUT THE DAY.

THE MAYOR, COUNCILLOR GRAHAM, DECLARED THE MEETING OPEN AT 5.00 PM AND ADVISED IN ACCORDANCE WITH THE CODE OF MEETING PRACTICE THAT THE MEETING IS BEING RECORDED.

JOHN HARDWICK READ AN ACKNOWLEDGMENT OF COUNTRY STATEMENT AND DELIVERED THE OPENING PRAYER.

APOLOGY

AN APOLOGY FOR THE INABILITY TO ATTEND THE MEETING WAS RECEIVED ON BEHALF OF COUNCILLOR EATON, WHO IS INTERSTATE ON BUSINESS.

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

That the apology be accepted and leave of absence from the meeting be granted.

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

Minutes of the Ordinary Meeting of Council held on 11 February 2009 (contd)

1.1 Disclosure of Interest

6.1 CENTRAL COAST MARINERS FUNDING REPORT

COUNCILLOR GRAHAM DECLARED A NON-PECUNIARY SIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE IS A MEMBER OF THE MARINERS BOARD OF DIRECTORS, LEFT THE CHAMBER AT 5.26 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 5.42 PM.

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

That the report be received and advice of disclosure be noted.

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

1.2 Proposed Briefings

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

That Council receive the amended report on Proposed Briefings with the exclusion of a briefing on the Mardi Suite of Works Tender and the inclusion of Briefings on Contract CPA 115479 - Rehabilitation and Redevelopment of the Closed Bateau Bay Landfill and Contract CPA 130010 - Construction of Mannering Park Sewage Treatment Plant Inlet Works.

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

1.3 Proposed Inspections

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

That Council receive the amended report on Proposed Inspections to be conducted on Wednesday, 25 February 2009 with the inclusion the Mannering Park Shared Pathway inspection.

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

Minutes of the Ordinary Meeting of Council held on 11 February 2009 (contd)

1.4 Address By Invited Speakers

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

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

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

1.5 Confirmation of Minutes of Previous Meeting

RESOLVED unanimously on the motion of Councillor WYNN and seconded by Councillor McNAMARA:

That Council confirm the minutes of the previous Ordinary Meeting of Council held on 28 January 2009.

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

BUSINESS ARISING FROM THE MINUTES

THERE WAS NO BUSINESS ARISING FROM THE MINUTES.

1.6 Notice of Intention to Deal with Matters in Confidential Session

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

- 1 That Council consider report numbers 10.1 and 10.2 as matters of urgency.**
- 2 That pursuant to Section 10A(2)(a) of the Local Government Act, 1993, the following report be dealt with in Confidential Session:**

10.1 - Contract CPA 115479 Rehabilitation and Redevelopment of Bateau Bay Landfill

10.2 - Construction of Mannering Park Sewerage Treatment Plant Inlet Works

Minutes of the Ordinary Meeting of Council held on 11 February 2009 (contd)

- 3** *That the reason for dealing with Report Nos 10.1 and 10.2 confidentially is that it is information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*
- 4** *That Council request the General Manager in accordance with Section 253 of the Local Government Regulations 2005 report on this matter to the meeting in Open Session.*

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

LEAVE TO INTRODUCE A MOTION OF URGENCY

COUNCILLOR GRAHAM INTRODUCED A MOTION OF URGENCY CONCERNING RECENT BUSHFIRES IN VICTORIA.

1.7 Motion of Urgency – Victorian Bushfire Tragedy

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

- 1** *That Council express its condolences to the family and friends of those who perished or have been injured in the Victorian bushfires.*
- 2** *That Council congratulate the staff on their fund raising efforts to date on behalf of the Red Cross.*
- 3** *That Council donate an amount of \$10,000 plus a matching amount, on a dollar for dollar basis, equal to that raised by the staff, with the funds to be allocated from Councillors' Community Improvement Grants.*
- 4** *That Council encourage all residents and ratepayers of the Shire to donate financially to the various public appeals currently being run and to donate blood.*
- 5** *That Council maintain contact with the local Emergency Services and with the Victorian Authorities in order to identify any further assistance that might be provided during the recovery period.*

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

Minutes of the Ordinary Meeting of Council held on 11 February 2009 (contd)

2.1 Proposed New Police Station at Wyong

COUNCILLOR MATTHEWS LEFT THE CHAMBER AT 5.15 PM AND RETURNED TO THE CHAMBER AT 5.16 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council authorise the Mayor and General Manager to negotiate with the NSW State Government in regard to the provision of parking for the proposed new Police station.**
- 2 That, if the Mayor and General Manager are satisfied that the NSW State Government has provided the parking shortfall, or alternatively a material public benefit in lieu of parking, Council refer the application to the General Manager for determination having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act 1979 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 of consent.**
- 3 That Council authorise the General Manager to determine any application for minor modifications to the approved development plans or consent conditions.**
- 4 That Council refer the conditions to the NSW Police Force for its concurrence.**
- 5 That Council vary Development Control Plan 2005 Chapter 61, Carparking and Chapter 94, Location Criteria for Emergency Services Facilities, to permit the development.**

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

3.1 Proposed Easement for Electricity Purposes over Lot 9 DP 1007818 Old Maitland Road, Mardi and Lot 113 DP 866815 Wyong Road, Tuggerah

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

- 1 That Council grant a right of way and an easement for electricity purposes 12.5m x 3.5m over Council's land, Lot 9 DP 1007818 Old Maitland Road, Mardi to Energy Australia to accommodate two kiosk type electricity substations.**
- 2 That Council grant a right of way and an easement for electricity purposes 4m wide over Council's land, Lot 113 DP 866815 Wyong Road, Tuggerah to Energy Australia for underground cables.**

Minutes of the Ordinary Meeting of Council held on 11 February 2009 (contd)

3 That Council authorise the Common Seal of the Wyong Shire Council to be affixed to related documents as required.

4 That Council authorise the Mayor and the General Manager to execute all documents relating to the grant of easement between Wyong Shire Council and Energy Australia.

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

4.1 Contract CPA 147666 - Construction of Kerb and Gutter and Associated Works

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

1 That Council accept tender (Schedule of Rates) No CPA 147666 from Gotrala Pty Ltd for a period of two years plus one year option to extend.

2 That Council approve an upper contract value of \$250,000 (excluding GST) for the two year contract period.

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

4.2 Contract CPA 152870 - Buttonderry Waste Management Facility Entry Upgrade

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

1 That Council accept Tender No 5 from GWH Construction (NSW) Pty Ltd in the lump sum amount of \$2,658,878 (excl GST).

2 That Council approve a project budget amount of \$265,900 (excl GST), that includes a contingency of approximately 10% of the contract value, to provide for any unforeseen additional works that may become necessary during the course of the project.

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

Minutes of the Ordinary Meeting of Council held on 11 February 2009 (contd)

5.1 Link Road Project and Associated Matters

RESOLVED unanimously on the motion of Councillor MATTHEWS and seconded by Councillor McNAMARA:

- 1 That Council endorse the proposal to construct the northern section of the Link Road, subject to Federal Government agreement to the existing Auslink grant funds being re-allocated to that section.**
- 2 That Council defer the construction of the remaining southern section of the Link Road to manage cashflow implications imposed by the project and to better align with present traffic modelling predictions.**
- 3 That Council endorse the Director of Shire Services decisions with respect to the variations approved to date for Contract CPA/94531 - Investigation and Design Consultancy - Link Road (Watanobbi to Warnervale) and Trunk Water Main (Mardi Dam to Warnervale) with Connell Wagner Pty Ltd.**
- 4 That Council approve additional funding to increase the Contract CPA/94531 amount from \$527,026.95 (including contingency amount and excl GST) to \$2,286,704.49 (excl GST).**
- 5 That Council cancel the proposal for Contract CPA/127795 – Construction of Link Road and Water Main, Watanobbi to Warnervale and decline to accept any tenders received.**
- 6 That Council endorse the actions taken by staff in responding to recent Section 94 reforms and directions from the Minister for Planning, including the contents of Council's letter to the Department of Planning dated 30 January 2009.**
- 7 That Council endorse the preparation of a detailed submission seeking to levy contributions above \$20,000 per lot/dwelling under Contributions Plan 7A – Warnervale District and Contributions Plan 3 – the Entrance District.**

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

Minutes of the Ordinary Meeting of Council held on 11 February 2009 (contd)

6.1 Central Coast Mariners Funding Report

COUNCILLOR GRAHAM DECLARED A NON-PECUNIARY SIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE IS A MEMBER OF THE MARINERS BOARD OF DIRECTORS, LEFT THE CHAMBER AT 5.26 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 5.42 PM.

COUNCILLOR MCNAMARA ASSUMED THE CHAIR FOR CONSIDERATION OF THIS ITEM.

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

That subject to the receipt and satisfaction of the Deputy Mayor and General Manager of a business plan prepared by Business Central Coast demonstrating the overall benefits to the Shire of this partnership:

- 1 Council contribute \$200,000 towards partnering the Central Coast Mariners for the 2009 Champions League Trophy tournament and the 2009-10 A League competition subject to Gosford City Council and the Department of State and Regional Development each contributing \$200,000.***
- 2 Council allocate \$12,000 to Business Central Coast to project manage Council's investment in the Central Coast Mariners.***
- 3 Council require Business Central Coast in association with the Central Coast Mariners to provide a detailed report on the benefits to the Central Coast region by the Mariners participation in the Champions League Trophy, with this report to include any request for funding past the 2009-10 season.***

FOR: COUNCILLORS BEST, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

**7.1 Minutes of the Wyong Shire Senior Citizens' Council Meeting
- 13 November 2008**

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

That Council receive the Minutes of the Wyong Shire Senior Citizens' Council Meeting held on 13 November 2008.

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

Minutes of the Ordinary Meeting of Council held on 11 February 2009 (contd)

Information Reports

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

That with the exception of report number 8.2, 8.3, 8.5 and 8.6 the information reports be received and the recommendations adopted.

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

8.2 Response on a Notice of Motion on the Private Members Bill to Stop the Coal Mine

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

- 1 That Council receive the report on Response on a Notice of Motion on the "Private Members Bill to Stop the Coal Mine".***
- 2 That Council thank Mr Craig Thomson, Member for Dobell for his continued support regarding this issue.***
- 3 That Council seek advice as to what legislative powers the Federal Government may be able to rely upon to veto any State approvals.***

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

8.3 Tip Rehabilitation Program

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

That Council receive the report on the Tip Rehabilitation Program.

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

Minutes of the Ordinary Meeting of Council held on 11 February 2009 (contd)

8.4 Investments for December 2008

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

That Council receive the report on Investments for December 2008.

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

8.5 Availability of Land for GP Super Clinics and other Medical Centres within Wyong Shire

RESOLVED unanimously on the motion of Councillor WYNN and seconded by Councillor McNAMARA:

That Council receive the report on Availability of Land for GP Super Clinics and other Medical Centres within Wyong Shire.

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

8.6 Options for Funding of Rainwater Tanks

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

- 1 *That Council receive the report on options for funding rainwater tanks.***
- 2 *That Council seek clarification of the Federal Government's "green loans" initiative to see if they are applicable to the target group of pensioners.***
- 3 *That Council consider a further report upon receipt of this information.***

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

Minutes of the Ordinary Meeting of Council held on 11 February 2009 (contd)

8.7 Outstanding Questions Without Notice and Notices of Motion

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

That Council receive the report on Outstanding Questions Without Notice and Notices of Motion.

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

9.1 Notice of Motion - NSW State Body Board Championships

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

- 1** ***That Council allocate \$10,000 from the 2008-09 budget for Community Support and Development to secure major sponsorship of the NSW State Body Board Championships and Australasian Pro Tour to be held on 2, 3, 4 and 5 April 2009 at Soldiers Beach.***
- 2** ***That Council transfer the \$10,000 from the amount allocated in the 2008-09 budget to the "Central Coast Pro Surfing Competition" which has been cancelled.***
- 3** ***That Council consider allocating a similar amount to the "NSW Body Board Championships" in the 2009-10 budget provided it can be demonstrated that the event continues to provide significant benefit to the Shire.***
- 4** ***That a report on attendance, economic benefits etc of the event be presented to Council at the completion of the championships.***

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

Minutes of the Ordinary Meeting of Council held on 11 February 2009 (contd)

9.2 Notice of Motion - Central Coast Express Advocate article

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

That further to the sensationalised report in the Express Advocate published on 21 January 2009 under the headline "Welcome To a Shire Shambles", and following the report (9.10) presented to the ordinary meeting of Council on 28 January 2009, Staff report on the following:

- 1 *Did the Express/Advocate, as reported in the article, ask Council to verify this story before it went to press and, if so, when did this occur?***
- 2 *Did any Councillors ask for any clarification of this incident further to the Question Without Notice No. QO75 asked by Councillor Best at the Ordinary Meeting on 10 December 2008?***
- 3 *Were Staff able to provide the facts as contained in Report No. (9.10) and if so, when?***
- 4 *If staff did not to respond to these requests, why not?***
- 5 *Does Council's media section have a working relationship with the local press and, if so, how can we reinforce this relationship to ensure that we get the facts in the hands of the journalists to prevent the publication of non verified and/or grandstanding articles in the future.***

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

9.3 Notice of Motion - Boat Harbour Dredging Proposal Summerland Point

COUNCILLOR BEST WITHDREW HIS MOTION

Minutes of the Ordinary Meeting of Council held on 11 February 2009 (contd)

9.4 Notice of Motion - Precinct Support Program

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

- 1 That Council reaffirm its support and commitment to its Precinct Committee network while recognising their valuable contribution to the community.*
- 2 That Council, in partnership with our local Precinct Committees, review its current level of assistance with a view to growing and supporting this important community network and its membership.*
- 3 That staff report to Council, after the Precinct Committee Forum to be held on Wednesday 1 April 2009, on past, current and future recommendations regarding levels of support required to achieve 2 above.*

An AMENDMENT was MOVED by Councillor GRAHAM and SECONDED by Councillor McBRIDE:

That Council defer this item for discussion at the Precinct Committee Forum to be held on Wednesday 1 April 2009.

The AMENDMENT was put to the vote and declared LOST.

FOR: COUNCILLORS GRAHAM, McBRIDE, VINCENT AND WYNN.

AGAINST: COUNCILLORS BEST, MATTHEWS, McNAMARA, SYMINGTON AND WEBSTER.

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

- 1 That Council reaffirm its support and commitment to its Precinct Committee network while recognising their valuable contribution to the community.***
- 2 That Council, in partnership with our local Precinct Committees, review its current level of assistance with a view to growing and supporting this important community network and its membership.***
- 3 That staff report to Council, after the Precinct Committee Forum to be held on Wednesday 1 April 2009, on past, current and future recommendations regarding levels of support required to achieve 2 above.***

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

Minutes of the Ordinary Meeting of Council held on 11 February 2009 (contd)

9.5 Notice of Motion - Closed Circuit TV Toukley

MR PETER HARRIS, REPRESENTING TOUKLEY GREATER VISION, ADDRESSED THE MEETING AT 6.56 PM, ANSWERED QUESTIONS AND RETIRED AT 7.22 PM.

COUNCILLOR BEST LEFT THE CHAMBER AT 6.56 PM AND RETURNED TO THE CHAMBER AT 6.57 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR WYNN LEFT THE CHAMBER AT 6.56 PM AND RETURNED TO THE CHAMBER AT 6.59 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR MATTHEWS LEFT THE CHAMBER AT 7.01 PM AND RETURNED TO THE CHAMBER AT 7.03 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR VINCENT LEFT THE CHAMBER AT 7.24 PM AND RETURNED TO THE CHAMBER AT 7.27 PM AND AS A RESULT TOOK NO PART IN VOTING.

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

- 1 That further to the continuing and escalating incidents of vandalism and graffiti in and around the Toukley and Toukley East areas, staff report on the findings of the recently conducted Toukley Community Safety Audit soon to be released.**
- 2 That staff report to Council on the feasibility of installing a Closed Circuit TV network in the Toukley area similar to the recently federally funded 27 camera system now being installed in the Woy Woy business district.**

FOR: COUNCILLORS BEST, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, WEBSTER AND WYNN.

AGAINST: NIL.

QUESTIONS WITHOUT NOTICE ASKED**Q005 – Disabled Access to Council Chambers
Councillor Wynn**

“Can Council ensure adequate provision for speakers with disabilities is provided in Council Chambers?”

The Mayor advised Councillor Wynn that a portable microphone is available in Chambers to assist speakers with disabilities and apologised for incorrect advice he had given to a previous speaker.

**Q006 – Council Committees
Councillor McBride**

“What is the annual cost to Council of the Council Committees? What is the criterion for the formation of a Committee and what is the cycle for review of Committees?”

Minutes of the Ordinary Meeting of Council held on 11 February 2009 (contd)

**Q007 – Shire Strategic Vision’s Blog Site
Councillor Vincent**

“Could Council staff please provide an update on the utility of the Shire Strategic Vision’s Blog Site on Council’s web site and comment on the feasibility of expanding the concept to include an additional broader blog site for community feedback?”

CONFIDENTIAL SESSION

AT THIS STAGE OF THE MEETING BEING 7.28 PM COUNCIL MOVED INTO CONFIDENTIAL SESSION WITH THE PRESS AND THE PUBLIC EXCLUDED.

OPEN SESSION

COUNCIL RESUMED IN OPEN SESSION AT 7.32PM AND THE GENERAL MANAGER REPORTED ON PROCEEDINGS OF THE CONFIDENTIAL SESSION OF THE ORDINARY MEETING OF COUNCIL AS FOLLOWS:

10.1 Contract CPA 115479 - Rehabilitation and Redevelopment of the Closed Bateau Bay Landfill

That Council proceed with Contract CPA 115479 - Rehabilitation and Redevelopment of the Closed Bateau Bay Landfill as resolved in the confidential session.

- 1 [Confidential Resolution – see note below].**
- 2 [Confidential Resolution – see note below].**
- 3 [Confidential Resolution – see note below].**
- 4 [Confidential Resolution – see note below].**
- 5 [Confidential Resolution – see note below].**

NOTE: THE PRECISE DETAIL CONTAINED IN THIS RESOLUTION IS WITHHELD IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL GOVERNMENT ACT AND IS NOT AVAILABLE FOR RELEASE AT THIS TIME.

Minutes of the Ordinary Meeting of Council held on 11 February 2009 (contd)

10 .2 Contract CPA 130010 - Construction of Mannering Park Sewage Treatment Plant Inlet Works

That Council proceed with Contract CPA 130010 - Construction of Mannering Park Sewage Treatment Plant Inlet Works as resolved in the confidential session.

1 [Confidential Resolution – see note below].

2 [Confidential Resolution – see note below].

NOTE: THE PRECISE DETAIL CONTAINED IN THIS RESOLUTION IS WITHHELD IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL GOVERNMENT ACT AND IS NOT AVAILABLE FOR RELEASE AT THIS TIME.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7.33 PM.

.....
CHAIRPERSON

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25 February 2009
To the Ordinary Meeting

Director's Report
Corporate Services Department

2.1 Notice of Intention to deal with Matters in Confidential Session

TRIM REFERENCE: D01615481

AUTHOR: ED

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)(d) of the Local Government Act, 1993, the following report be dealt with in Confidential Session:***

10.1 – "Body Hire" Employees
- 2 ***That the reason for dealing with Report No 10.1 confidentially is that it contains personnel matters concerning particular individuals and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.***
- 3 ***That Council request the General Manager in accordance with Section 253 of the Local Government Regulations 2005 report on this matter to the meeting in Open Session.***

3.1 Granting of Easements for Electricity Purposes over Council Land at Ourimbah, Glenning Valley and Tumbi Umbi

TRIM REFERENCE: D01653484

AUTHOR: JMTT

SUMMARY

Approval is sought to grant easements to Energy Australia for electricity purposes, to vary existing easements for transmission lines and to grant temporary licences for access over Council land at Ourimbah, Glenning Valley and Tumbi Umbi.

RECOMMENDATION

- 1** *That Council grant easements for electricity and other purposes over Council's land, Lot 1 DP 1122895 at 39 Chittaway Road, Ourimbah and Lot 6 DP 241138 at Brush Road, Ourimbah to Energy Australia to accommodate a 132kv overhead transmission line.*
- 2** *That Council approve variation of the existing easements for transmission line over Council's land, Lot 2 DP 580104 at Edye Road, Ourimbah, Lot 20 DP 735022 at Beckingham Road, Glenning Valley and Lot 2 DP 700153 at 21 Leetes Lane, Tumbi Umbi to Energy Australia to accommodate a 132kv overhead transmission line.*
- 3** *That Council grant an easement for access over Council's land, Lot 20 DP 735022 at Beckingham Road, Glenning Valley to Energy Australia to provide access to the existing easement.*
- 4** *That Council grant a licence over Council's land, Lot 2 DP 700153 at 21 Leetes Lane, Tumbi Umbi and Lot 101 DP 790685 at 19 Leetes Lane, Tumbi Umbi to Energy Australia to provide access over the land to the existing easement.*
- 5** *That Council authorise the Common Seal of the Wyong Shire Council to be affixed to related documents as required.*
- 6** *That Council authorise the Mayor and the General Manager to execute all documents relating to the grant of easements and licences between Wyong Shire Council and Energy Australia.*

BACKGROUND

Energy Australia proposes to construct a new 132kv transmission line to upgrade electricity infrastructure in the area. The new transmission line will deliver power to a new substation being constructed by Energy Australia to supply electricity to the growing Central Coast community. The transmission line has been designed to fit mainly within an existing easement corridor extending from Ourimbah to Tumbi Umbi. Some new easements and rights of way will be required on Council land to support the new line.

Approval is required to grant easements for electricity purposes, vary existing easements and grant temporary licences which will affect six Council properties.

THE PROPOSAL

Council owned land at Lot 2 DP 580104 Edye Road Ourimbah, Lot 20 DP 735022 Beckingham Road Glenning Valley and Lot 2 DP 700153 No 21 Leetes Lane Tumbi Umbi is affected by the route of the transmission lines. This land is currently affected by easements in favour of Energy Australia. The proposed works will be constructed within the limits of the existing easement and it is proposed that the terms of the existing easement for transmission line (singular) be varied to refer to easement for transmission lines (plural).

Council owned land at Lot 1 DP 1122895 No 39 Chittaway Road Ourimbah and Lot 6 DP 241138 Brush Road Ourimbah is affected by the route of the transmission lines. Energy Australia will require easements for electricity purposes over the land.

Council owned land at Lot 20 DP 735022 Beckingham Road Glenning Valley is affected by the route of the transmission lines. Energy Australia will require an easement for access to enable access to the existing easement which is to be varied as set out above.

Council owned land at Lot 2 DP 700153 No 21 Leetes Lane Tumbi Umbi and Lot 101 DP 790685 No 19 Leetes Lane Tumbi Umbi is affected by the route of the transmission lines. Energy Australia will require a temporary licence for access over the land by construction vehicles to enable access to the existing easement which is to be varied as set out above.

Lot 1 DP 1122895 at 39 Chittaway Road, Ourimbah is zoned 5 (a) Special Uses Water Supply. The easements required are approximately 135 m² and 88 m². See Plan A.

Lot 2 DP 580104 at Edye Road, Ourimbah is zoned 7 (a) Conservation and is classified Community Land for Community Use. The existing easement is 2,746 m². See Plan B.

Lot 6 DP 241138 at Brush Road, Tumbi Umbi is zoned 6 (a) Open Space and Recreation and is classified Community Land for Natural Areas. The easement required is approximately 735 m². See Plan C.

Lot 20 DP 735022 at Beckingham Road, Glenning Valley is zoned 6 (a) Open Space and Recreation and 7 (a) Conservation and is classified Community Land for Natural Areas. The existing easement is 9,595 m². The easement for access is approximately 465 m² over existing tracks. See Plan D.

Lot 2 DP 700153 at 21 Leetes Lane, Tumbi Umbi is zoned 7 (a) Conservation and is classified Community Land for Natural Areas. The existing easement is 2,891 m². Temporary access is required over an existing track having an area of approximately 635 m². See Plan E.

Lot 101 DP 790685 at 19 Leetes Lane, Tumbi Umbi is zoned 7 (a) Conservation and is classified Operational Land, Visually Significant. Temporary access is required over an existing track having an area of approximately 450 m². See Plan E.

Energy Australia has advised that it will pay reasonable compensation for the easements and licences and will pay survey, valuation and legal costs associated with the grant of the easements.

The Manager, Customer and Community Services and the Manager, Water and Waste have no objection to the proposal.

OPTIONS

Council has the option to:

- Approve the proposed easements and licences, or
- Refuse the proposed easements and licences.

If Council approves the easements and licences, the impact on Council land is considered minor. Council has no plans for alternate use of the land. Granting the easements and licences will allow Energy Australia to proceed with the construction of the transmission line which is mainly within an existing easement corridor.

Should Council refuse the granting of the easements and licences, Energy Australia has rights under Section 45 of the Electricity Supply Act 1995 provides:

- “(2) For the purpose of exercising its functions under this or any other Act or law, a network operator:*
- (a) may carry out work to which this section applies, and*
- (b) in particular, may carry out any such work on a public road or public reserve.*
- (3) Work to which this section applies is exempt from the requirement for an approval under the Local Government Act 1993 except in relation to buildings.”*

CONSULTATION

Energy Australia has approached Council in order to obtain the easements and licences and has agreed to pay compensation as assessed by a valuer. Subject to Council's approval, the easements and licences will be signed prior to the commencement of the work

GOVERNANCE

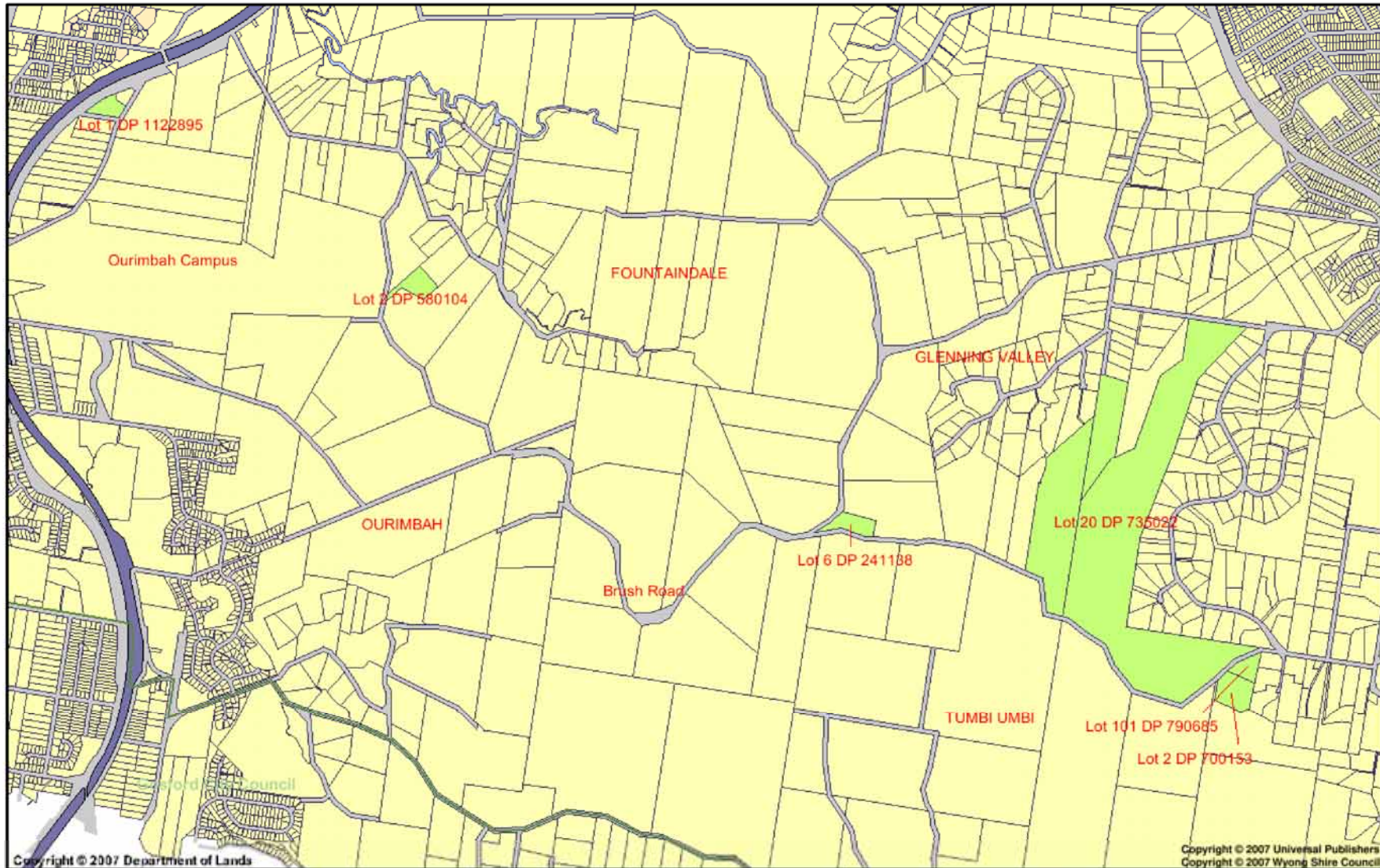
There is no impediment to the grant of the easements or licences over Operational land. In relation to Community Land, Plan of Management No 5 for Community Use and Plan of Management No 10 for Natural Areas authorise the grant of easements and licences in the circumstances.

CONCLUSION

Granting the easements and licences to Energy Australia will benefit the Wyong community by facilitating the construction of the new transmission line and substation. Council's approval is required to ensure that the legal requirements are satisfied in relationship to the ownership and use of the land concerned.

ATTACHMENTS

- 1 Location Plan overall
- 2 Site Plan - Lot 6 DP 241136 Brush Rd Ourimbah
- 3 Site Plan - Lot 1 DP 1122895, 39 Chittaway Rd Ourimbah
- 4 Site Plan - Lot 2 DP 580104 Edey Rd Ourimbah
- 5 Site Plan - Lot 20 DP 735022 Beckingham Rd Glenning Valley
- 6 Site Plan - Lot 2 DP 700153, Lot 101 DP 790685 Leetes Lane Tumbi Umbi

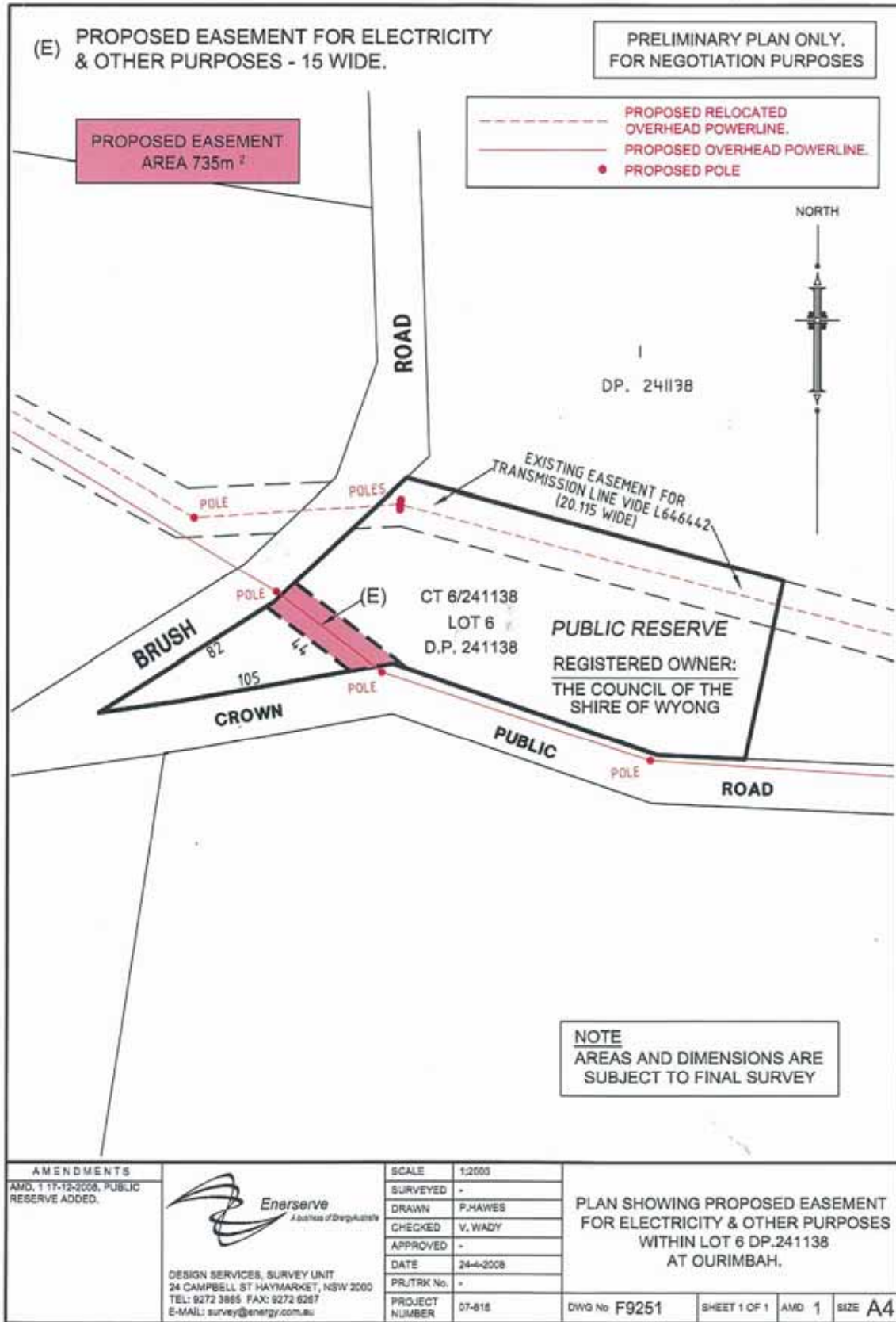


Council land affected by Energy Australia Easements shaded green

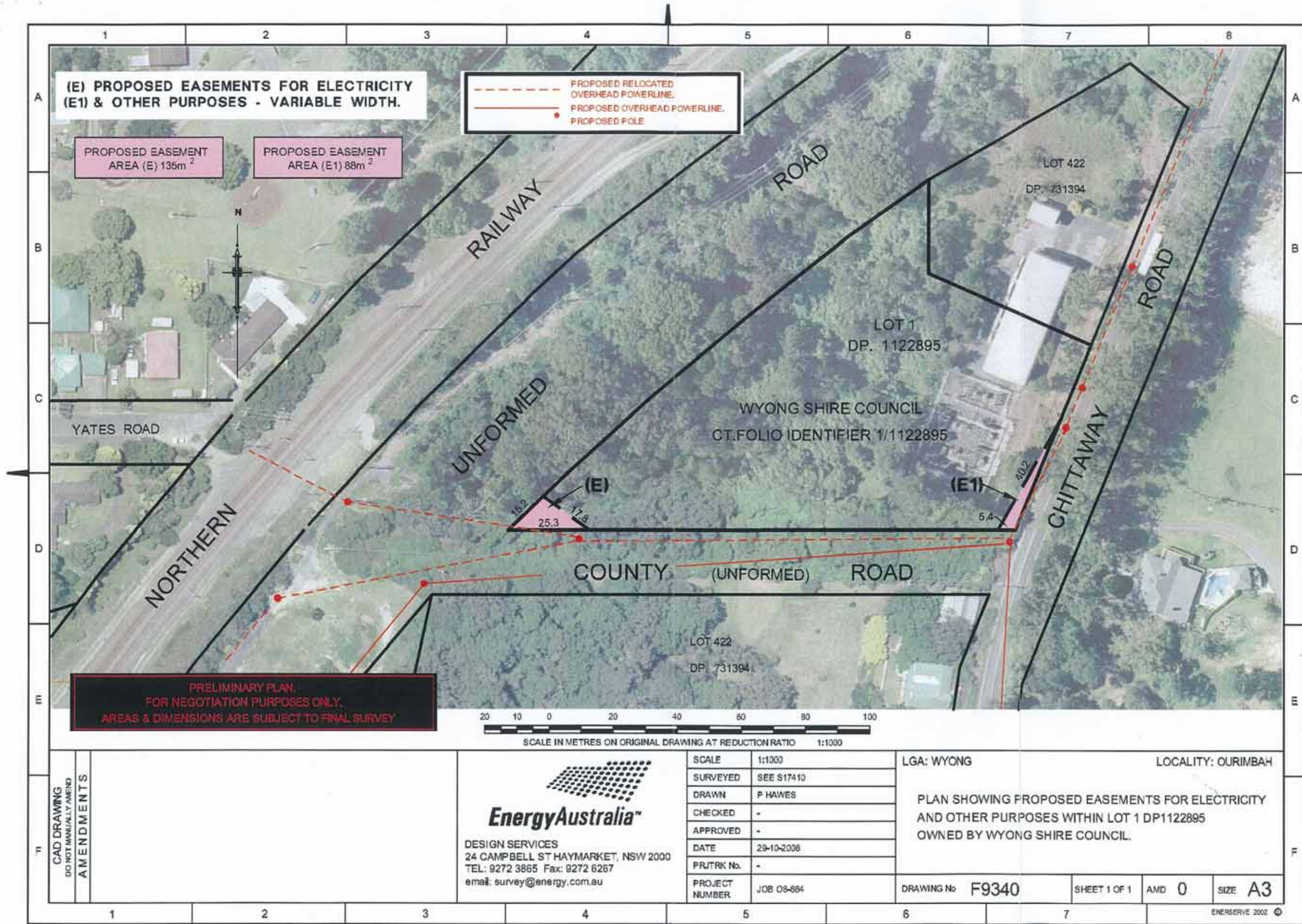
FOR INTERNAL USE ONLY

Scale 1:23419





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(E) PROPOSED EASEMENTS FOR ELECTRICITY (E1) & OTHER PURPOSES - VARIABLE WIDTH.

--- PROPOSED RELOCATED OVERHEAD POWERLINE.
--- PROPOSED OVERHEAD POWERLINE.
● PROPOSED POLE

PROPOSED EASEMENT AREA (E) 135m²

PROPOSED EASEMENT AREA (E1) 88m²

PRELIMINARY PLAN FOR NEGOTIATION PURPOSES ONLY.
 AREAS & DIMENSIONS ARE SUBJECT TO FINAL SURVEY

SCALE IN METRES ON ORIGINAL DRAWING AT REDUCTION RATIO 1:1000

CAD DRAWING
 DO NOT MANUALLY AMEND
 AMENDMENTS


EnergyAustralia™
 DESIGN SERVICES
 24 CAMPBELL ST HAYMARKET, NSW 2000
 TEL: 9272 3865 Fax: 9272 6267
 email: survey@energy.com.au

SCALE	1:1000
SURVEYED	SEE S17410
DRAWN	P HAWES
CHECKED	-
APPROVED	-
DATE	29-10-2006
PRJTRK No.	-
PROJECT NUMBER	JOB 08-684

LGA: WYONG LOCALITY: OURIMBAH

PLAN SHOWING PROPOSED EASEMENTS FOR ELECTRICITY AND OTHER PURPOSES WITHIN LOT 1 DP1122895 OWNED BY WYONG SHIRE COUNCIL.

DRAWING No **F9340** SHEET 1 OF 1 AMD **0** SIZE **A3**

PLAN FORM 2

Plan Drawing only to appear in this space

OFFICE USE ONLY

Signatures and seals only.

John De G...

D.P. 580104

Council Clerk's Certificate

I hereby certify that -

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and

(b) the requirements of section 348 of the Metropolitan Water, Sewerage and Drainage Act, 1924, as amended (other than the requirements for the registration of plans), and

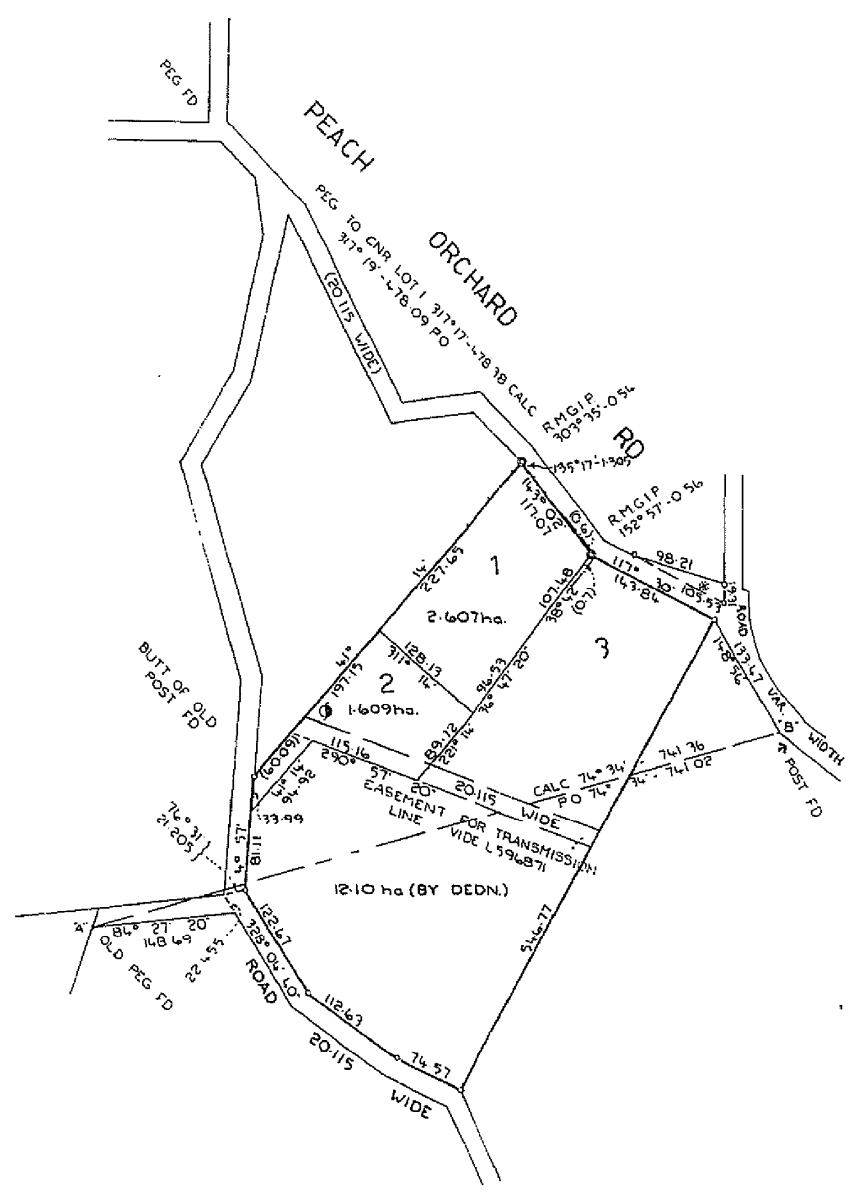
have been complied with by the applicant in relation to the proposed subdivision (insert "new road", "subdivision" or "consolidated lot") set out herein

Subdivision No. 2760

Date 23-5-75

(Signature) *[Signature]*
Council Clerk

*This part of certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land to be subdivided is wholly outside the area of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board.
Delete if inapplicable.



D.P. 580104

D.P. 580104

Registered: 11-11-1975

C.A. NO 2760 OF 23/5/1975

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: WYONG SH. 14

Last Plan: { D.P. 3047
D.P. 4235

PLAN OF SUBDIVISION OF PT. LOT 21 D.P. 4235 & THE LAND IN C.T. VOL. 10786 FOL. 91

Reduction Ratio 1:4000 Lengths are in metres.

Mon/Shire WYONG

Locality: OURIMBAH

Parish: TUGGERAH

County: NORTHUMBERLAND

NO 103 A I A

This is sheet 1 of my plan in sheets (Delete if inapplicable).

I, JOHN ANTHONY HADDON FLAKELAR of BANNISTER & HUNTER GOSFORD a surveyor registered under the Surveyors Act, 1929, do hereby certify that the survey shown on this plan AS REGARDS LOT 1 ONLY is accurate and has been made by me in my immediate supervision in accordance with the Survey Practice Regulations, 1933, and was completed on 11-11-75

Signature *[Signature]*
Surveyor registered under Surveyors Act, 1929, as amended
Datum Line of Atmuth
*Strike out either (1) or (2) latest date of survey

Panel for use only for statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements or restrictions as to user:

IT IS INTENDED TO CREATE LOT 2 AS PUBLIC RESERVE

IT IS INTENDED TO DEDICATE THE ROAD WIDENING SHOWN HEREON AS PUBLIC ROAD

D.P. 580104

10	20	30	40	50	60	70	80	90	100	110	120	130	140	150	160	170	180	190	200	210	220	230	240	250	260	270	280	290	300	310	320	330	340	350	360	370	380	390	400
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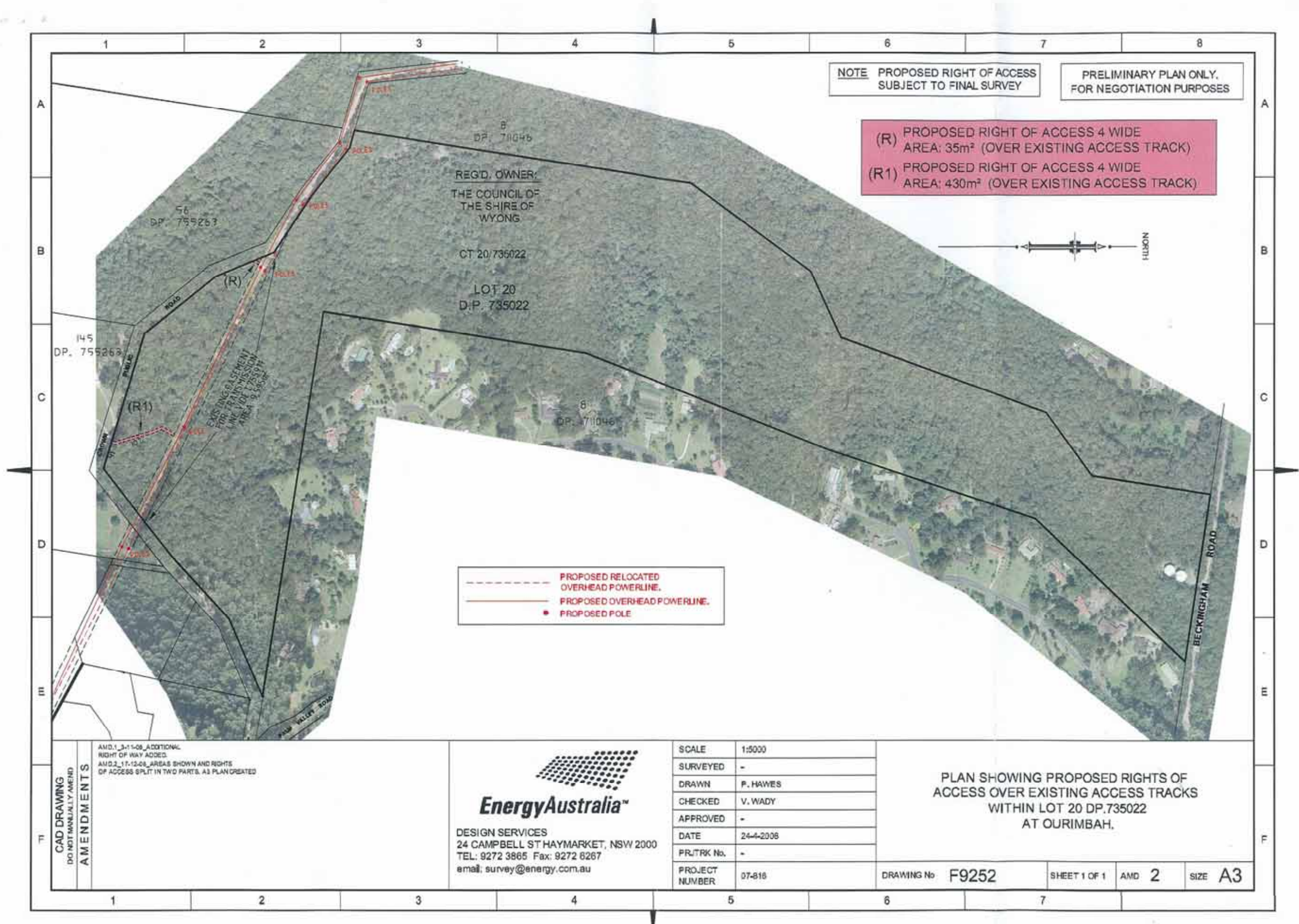
WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

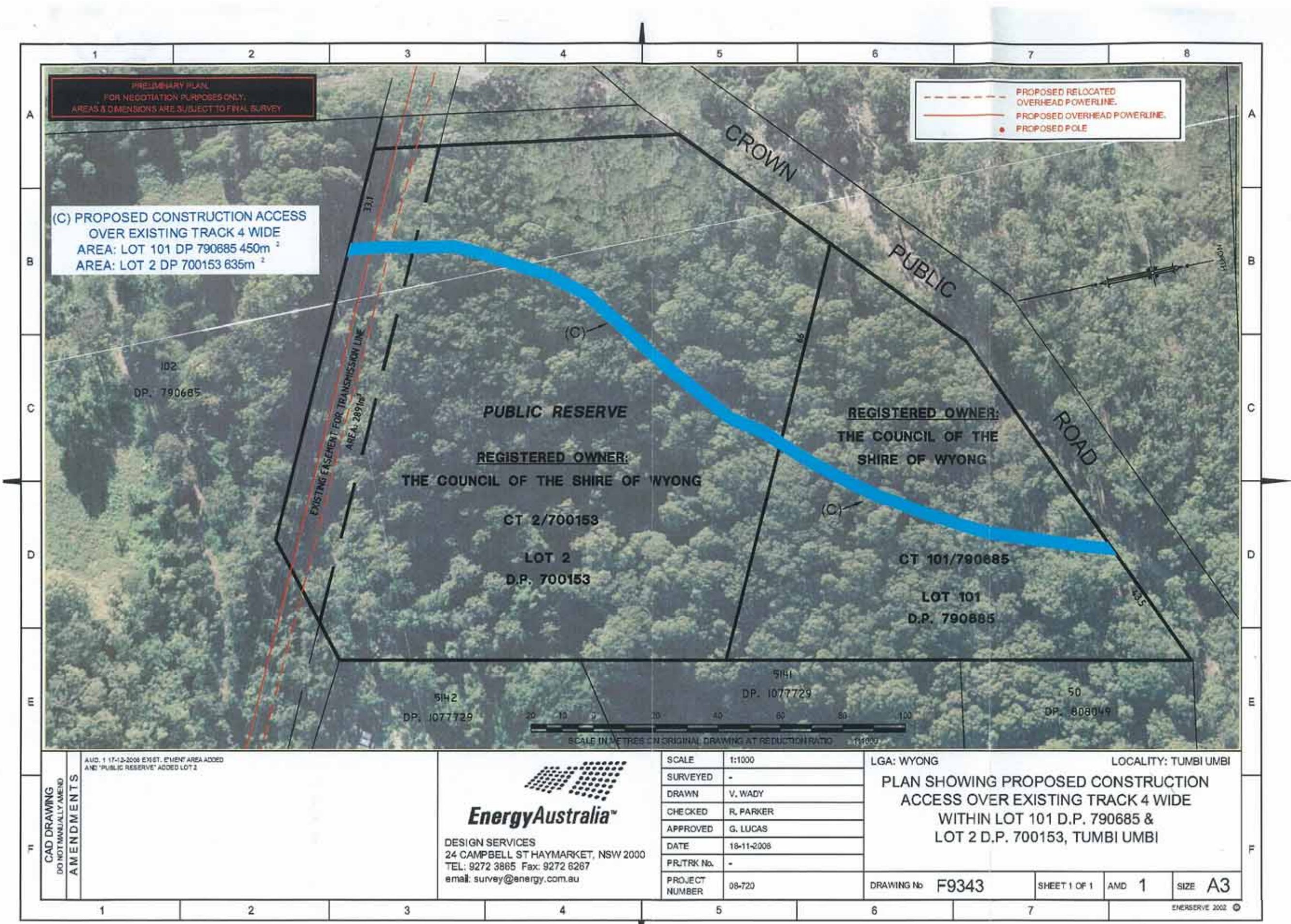
SURVEYOR'S REFERENCE 571165

I, Jack Hayward Watson, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 12th day of November, 1975.

[Signature]

Req:R021921 /Doc:DP 0580104 P /Rev:31-Oct-1992 /Sts:OK.OK /Prt:05-Sep-2005 16:17 /Pgs:ALL /Seq:1 of 1 Ref:5116 /Src:M





4.1 Contract CPA 157279 - Development of the Tuggerah Lakes Hydrodynamic Modelling

TRIM REFERENCE: D01540653

SUMMARY

This report seeks approval for the engagement of the NSW Department of Environment and Climate Change (DECC) to undertake the Contract CPA 157279 – Development of the Tuggerah Lakes Hydrodynamic Modelling in accordance with Council's funding agreement with the Federal Government in relation to the Restoration of Tuggerah Lakes Estuarine System through Improved Water Quality Management.

RECOMMENDATION

That Council approve the engagement of the NSW Department of Environment and Climate Change for the contract in the amount of \$633,000.00 excluding GST.

BACKGROUND

History of Tuggerah Lakes Hydrodynamic Modelling

Prior to the Tuggerah Lakes Estuary Management Plan (TLEMP), in 1996 Council undertook the Adaptive Environmental Assessment and Management Program for the Tuggerah Lakes system and associated catchments (AEAM), a major component of this study was the development of a model that described the hydrodynamics of the Tuggerah Lakes estuary.

The hydrodynamics (circulation, mixing and flushing) of an estuary is a function of its physical characteristics such as shape, width, depth, and tidal movements. The AEAM found that the tidal flushing (ocean water entering through the entrance) of the Tuggerah Lakes estuary contributed very little to the circulation and mixing patterns within the lakes. Other lakes' "flushing" studies have shown that the current daily "flushing" (water moving in and out through the entrance) of the lakes is about 1% of the total lakes' volume.

These studies have shown that if a more permanent entrance was constructed (i.e. twin breakwalls), the volume of water being "flushed" would only improve by 1%. Similar investigations have been done for construction of a second entrance at Budgewoi, similar to the Dawesville Channel on the Peel-Harvey estuary in Western Australia. It has been shown that like the permeant entrance "flushing" for the Tuggerah Lakes estuary would only improve by 1% and the effects would be limited to the small area surrounding the channel. Unfortunately for the Peel Harvey estuary, a second entrance did not produce the perceived benefits to the entire estuary because like the Tuggerah Lakes estuary, significant flushing comes from its large catchment, pushing water out through the lakes entrance ie from the river and creeks. This indicates that the lakes are more sensitive to the quality of the water entering from the catchment than from the ocean.

The process of lake water mixing within an estuary occurs when separate water bodies within the lakes join and dilute each other. In the Tuggerah Lakes estuary, moderate to strong winds are more important in this mixing process than are tidal flows from the ocean. The surface area of the Tuggerah Lakes estuary is large and its depth is relatively shallow (average 1.7m), which can at times result in waves and turbulence. Mixing within the open water of the lakes is primarily driven by wind action, however the amount of mixing that occurs between the shallow seagrass habitats (edges of the lakes) and the deeper open waters (middle of the lakes) of the estuary was assumed during the AEAM process to be minimal, however other evidence suggests that this is an incorrect assumption and therefore should be re-examined as it has direct implications for the way in which Council invests in stormwater treatment.

The hydrodynamic modelling undertaken during the AEAM study stated that the shallow water was directly affected by the quality of the stormwater draining straight to it by the catchment that surrounds the edges of the lakes. The deeper sections of the lakes were directly affected by the stormwater that drains into the creeks before entering the deeper zones of the lakes.

Currently, Council invests heavily in improving the stormwater quality from the catchments that drain straight to the shallow edges of the lakes based on the AEAM statement that stormwater affects the water quality of the shallow edges of the lakes. It was assumed that this relationship was responsible for the large algal blooms that occurred around the lakes' foreshores during the late 1980's and early 1990's. The TLEMP suggests that this assumption may not be entirely correct and that the deeper water may mix with the shallow water more efficiently than previously assumed. To ensure that Council invests in stormwater improvement in the most appropriate locations, this assumption needs to be tested. This would see a shift in emphasis of investment from the catchments that drain directly to the edges of the lake to the catchments that drain into the rivers.

Revision of AEAM Hydrodynamic Model

On 10 December 2008, Council signed under the delegation of the General Manager, the initial funding agreement with the Federal Government (the Government) for the implementation of the TLEMP.

The initial contract covers works for the financial years 2008/2009 and 2009/2010 totalling \$8.6 million. The remainder of the promised \$20 million will be covered in future contracts to be developed each financial year.

The Government has chosen to fund this program through the *"Caring for our Country"* initiative, and as such, will only cover works considered to be "environmental" in nature that improve the water quality of the Tuggerah Lakes estuary. This contract is being managed by the Federal Department of the Environment, Water, Heritage and the Arts (DEWHA).

Within the initial contract, the Government has included a condition that Council engage the DECC to develop a hydrodynamic model for the Tuggerah Lakes. This is a significantly more sophisticated model than the one developed for the AEAM project. The purpose of this modelling work is to:

- Use and refine existing model/s (AEAM) of the Tuggerah Lakes catchment and ensure that they are able to describe what actually happens during rainfall events. For the model to be a realistic representation of what actually occurs in the lakes' system, it is crucial that water samples are collected during storms so that the results can be used to check that the model predicts the same outcome as actually occurs during a rainfall event;
- Develop a hydrodynamic (water flow) model for Tuggerah Lakes and the creeks entering the lakes to assess impact of sediments and nutrients on the lake system;
- Establish an ecological response model that predicts the impact on the plants and animals from the sediments and nutrients that come from the catchment;
- Using the hydrodynamic and ecological response models, assess the impact of changes to land use and impact of climate change on the lakes;
- Develop acceptable sediment and nutrient run off levels that would be needed to protect the Tuggerah Lakes estuary. This would ensure that development in the catchment did not negatively impact the Tuggerah Lakes estuary;
- Establish planning guidelines to guide development in relation to sediment and nutrient run off ensuring the protection of the Tuggerah Lakes estuary.

Council receives an exemption from the tender process in this case under Section 55 of the Local Government Act 1993 because Council is engaging a government entity. This section of the Act explains the requirements for tendering; subsection 3 explains the type of contracts to which Section 55 does not apply. The engagement of DECC classifies as an exemption under this subclause, enabling Council not to undertake a regular Tender process:

“(3) This section does not apply to the following contracts:

a contract entered into by a Council with the Crown (whether in right of the Commonwealth, New South Wales or any other State or a Territory), a Minister of the Crown or a statutory body representing the Crown “

Of particular interest, DECC has recently developed on behalf of Great Lakes Council, similar models for Wallis, Smiths and Myall Lakes which have produced exceptional results. The DECC are the only body that can integrate catchment water flow modelling with ecological response models in a way that derives a direct measure of the achievements of catchment management practices. It is for this reason that the Federal Government has conditioned Council to engage DECC to carry out such work on Council's behalf. The work that DECC did for Great Lakes Council cost in excess of \$1 million, and therefore the work they propose to undertake for Wyong Council represents excellent value for money.

It should be noted that this study does not intend to investigate lakes flushing dynamics (i.e. how well the ocean water entering through the lakes entrance “flushes” the lakes) as this has been the subject of numerous studies and has shown to be minimal. Given that these studies have shown that any intervention at the lakes entrance would not produce the perceived water quality benefits to the lakes, it is not the intention of the EMP Implementation project to pursue interventions such as breakwalls at The Entrance, second entrances or temporary seawalls.

DETAILS OF THE PROJECT**Project Tasks and Budget**

Table 1 summarises the main tasks of the project and the budget assigned for its development:

Table 1 Summary of Main Project Tasks

Task No.	Description of Tasks Included in the New Variation Variation No 5	Amount (Excl. GST)
1	Establish a hydrodynamic model for the Tuggerah Lakes Estuary: This is to be based on existing information and models of the Lakes	\$120,000.00
2	Establish an Ecological Response Model: This model will be linked to the hydrodynamic model and will describe critical ecological processes within the lakes and assess the impact of nutrient and sediment loads from the catchment on the lakes. Samples from the lakes will be collected to test against modelled results.	\$310,000.00
3	Model the effects of various landuse management scenarios: Scenarios will include changes to landuse and climate change.	\$43,000.00
4	Development of target nutrient loads for the lakes: These targets will inform Water Sensitive Urban Design practices.	\$80,000.00
5	Establish Planning Guidelines for the protection of the Tuggerah Lakes Estuary	\$80,000.00

Time-frame

DECC is required to finalise the contract by 31 May 2010. Table 2 identifies the timeframe assigned to each of the deliverables.

Table 2 Summary of deliverable completion dates

Deliverable	Commencement Date	Completion Date
1	1 February 2009	31 August 2009
2	1 February 2009	31 March 2010
3	1 March 2010	30 April 2010
4	1 March 2009	30 April 2010
5	1 April 2010	31 May 2010

CONCLUSION

Given that the establishment of a contract between DECC and Council for the development of a Hydrodynamic Model for the Tuggerah Lakes is a condition of the funding agreement between Council and the Federal Government, it is recommended that Council approve the engagement of DECC to undertake the project under a contract in the amount of \$633,000.00 (excl GST) as discussed in this report.

ATTACHMENTS

Nil.

4.2 Contract Variations - January 2009

TRIM REFERENCE: D01666477

AUTHOR: GP

SUMMARY

Reporting on variations made to contracts with a value greater than \$150,000 (excl GST) and, where necessary, approval is sought for additional contingency funding. The report covers approved variations for the period 1 January to 31 January 2009.

RECOMMENDATION

- 1 *That Council note the variations to contracts in Attachment 1.*
- 2 *That Council approve additional contingency amounts for the following contracts to provide for further potential variations (values are excl GST).*

Contract Name	Contract No.	Contingency (ex GST)
<i>Design and Tender Documentation of No 3 Aeration Tank at Charmhaven Sewage Treatment Plant</i>	<i>CPA/145814</i>	<i>\$16,000.00</i>
<i>Concept, Detail Design and Tender Documentation for Toukley STP Inlet Works Upgrade</i>	<i>CPA/136486</i>	<i>\$25,000.00</i>

BACKGROUND

Contracts entered into by Council are awarded either by Council resolution or under delegated authority. Section 55 of the Local Government Act requires that contracts of an estimated value greater than \$150,000.00 (excl GST) be publicly tendered and approved by Council resolution.

Contracts of an estimated value less than \$150,000.00 (excl GST) are awarded under Delegations of Authority made to the General Manager.

The Final Value of a contract is the amount tendered by the recommended tenderer (incl contingencies) and approved by Council or staff delegation, as the case may be.

Construction and Service Contracts routinely require variations during the course of the contract due to unforeseeable circumstances, changes in design or changes in service demand on the finished product.

A Contract that guarantees Council a fixed schedule of rates for goods or services to be supplied over time, may require variations to the original estimated value due to the changes in demand for the goods / services.

Contracts for Consultants or Professional Services also may change during the course of an agreement due to changes in outcomes being sought by Council, or changes enforced by circumstances affecting the work being done.

Contracts routinely include a contingency sum to cover a level of variations acknowledged in contracting as “normal”. Contingency amounts are generally expressed as a percentage of the contract value, commonly 10% of the contract value, but vary between 5% and 30%, or may be expressed as a specific dollar value.

Contingencies provide authority for staff to approve variations up to the contingency amount.

THE PROPOSAL

To enable completion of the projects arising from the contracts in this report, it is necessary for Council to provide funding commensurate with the actual scope of works completed by the contractors.

Of the five contracts with variations for the reporting period, funds previously approved by Council are at this time considered sufficient to ensure completion for three of those contracts.

Two contracts require additional contingency funds to be approved by Council. The additional funds requested are necessary to cover actual or anticipated future variations to those contracts.

OPTIONS

Not applicable

FINANCIAL IMPLICATIONS

On contracts approved by Council Resolution, variation expenditure approved under delegated authority (ie within the contingency amount) is reported to Council on a monthly basis. For variations that exceed the contingency amount, authority will be requested from Council on a monthly basis.

For contracts awarded by Delegated Authority, variations are reported and authority requested for additional contingency, on a monthly basis, if the final contract amount is expected to exceed \$150,000 (ex GST).

In seeking Council's resolution to approve expenditure, all amounts are expressed exclusive of Goods & Services Tax.

For those contracts where additional contingency is sought, the additional expenditure to be incurred under the contract will be met as follows:

CPA/145814 – Loan Funds

CPA/136486 - Loan Funds

PRINCIPLES OF SUSTAINABILITY

Not applicable.

CONSULTATION

Not applicable.

GOVERNANCE

Not applicable

CONCLUSION

To enable completion of the projects arising from the contracts reported, it is necessary for Council to approve additional funds for two (2) of those contracts.

ATTACHMENTS

- 1 Contract Variations January 2009

Design and Tender Documentation of No 3 Aeration Tank at Charmhaven Sewage Treatment Plant

Contract Number	Date of Council Approval	Contractor	Approved Contract Value	Total Approved Budget (incl. contingency)	Actual Contract Value	Value of Variations Previously Reported	Value of Variations For Reporting Period	Total Value of Variations	Source of Funds
			\$	\$	\$	\$	\$	\$	
145814	22/10/2008	Cardno (Qld) Pty Ltd	144,755.00	159,230.00	157,167.50	6,010.00	6,402.50	12,412.50	Loan Funds
Description			Value \$		Description			Value \$	
Variation 3 - Geotechnical investigation of the new aeration tank location. Previous 1987 investigation did not cover the area of the new location of the tank. The tank position was changed due to environmental constraints.			5,940.00		Variation 4 – Cost for Project Management services to seek, review and report on additional pricing quotation for the geotechnical investigation to comply with Council procurement guidelines.			462.50	

Work under the contract is estimated at 40% complete. One variation for approx. \$18,000 is still to be assessed and valued. The remaining contingency as initially approved in the contract budget will not be sufficient to cover this variation. An additional contingency amount of \$16,000 is therefore sought.

Concept, Detail Design and Tender Documentation for Toukley STP Inlet Works Upgrade

Contract Number	Date of Council Approval	Contractor	Approved Contract Value	Total Approved Budget (incl. contingency)	Actual Contract Value	Value of Variations Previously Reported	Value of Variations For Reporting Period	Total Value of Variations	Source of Funds
			\$	\$	\$	\$	\$	\$	
136486	26/03/2008	Maunsell Australia Pty Ltd	144,755.00	164,053.00	157,809.00	8,750.00	Nil	8,750.00	Loan Funds
Description			Value		Description			Value	
			\$					\$	
No variations for the reporting period									

Work under the contract is estimated at 80% complete. Two variations for approx. \$30,000 are still to be assessed and valued. The remaining contingency as initially approved in the contract budget will not be sufficient to cover these variations. An additional contingency amount of \$25,000 is therefore sought.

Management & Operation of Wyong, Toukley & The Entrance Pools

Contract Number	Date of Council Approval	Contractor	Approved Contract Value \$	Total Approved Budget \$	Actual Contract Value \$	Value of Variations Previously Reported \$	Value of Variations For Reporting Period \$	Total Value of Variations \$	Source of Funds
116095	22/08/2007	YMCA	869,500.00 (initial 19 month period)	944,000.00 (based on initial 19 month period plus 2 month extension)	925,000.00	Nil	75,000.00	75,000.00	Management Plan Lines 1.7.13 & 1.7.14
Description			Value \$	Description			Value \$		
Variation 1 - As per Ordinary Meeting 10/12/2008 Item 557. Council resolved to extend the current contract with YMCA of Sydney for the management of the pools for a further 2 months until 30 June 2008.			75,000.00						

The variation reported represents the value of the two month extension period as approved by Council at its meeting of 10 December 2008. The actual final contract value will be approximately \$19k less than the budget. This reduction is attributable to reduced financial subsidies payable by Council to the contractor as a result of reduced operating costs. A fresh tender process is currently being implemented for a long-term management contract, as such, no additional funds are sought.

Construction of The Entrance Community Centre Stage 2

Contract Number	Date of Council Approval	Contractor	Approved Contract Value	Total Approved Budget (incl. contingency)	Current Actual Contract Value	Value of Variations Previously Reported	Value of Variations For Reporting Period	Total Value of Variations	Source of Funds
			\$	\$	\$	\$	\$	\$	
140816	25/06/2008	B.R. McKenzie Constructions Pty Ltd	2,174,679.00	2,392,146.90	2,224,333.51	32,323.13	17,331.38	49,654.51	Section 94 Contributions
Description				Value \$	Description			Value \$	
Variation 2B - Variation to upgrade sections of concrete pathway to allow vehicles to Men's Shed and Building C due to change to access provisions.				8,430.60	Variation 20 - Credit variation for deletion of specified new concrete footpath between existing Buildings A & B - retain existing concrete footpath instead.			(-3,337.00)	
Variation 4 - Remove and refix roof sheets to permit removal of asbestos cement soffit eaves lining to Building C (Latent Condition)				1,888.00	Variation 24 - Additional costs to upgrade café in Building C to provide semi-commercial café in lieu of basic facility as specified.			7,437.56	
Variation 5 - Various woodwork items as follows: (1) Replacement of sections of rotten verandah beams to Bldg C & E; (2) Replacement of rotten verandah posts to Bldg C & E; (3) New fascia to south side of Bldg C, D & E associated with asbestos removal works; (4) Additional detail to top surface of Verandah floor joists to prevent premature failure; (5) Additional requirements for fixings to prevent premature failure; (6) Opportunity to realise a saving of \$2,400 in timber decking taken up.				12,906.16	Variation 25 - Credit variation for use of alternative water piping for rough-in to Buildings C, D & E in lieu of copper pipe as specified.			(-2,000.00)	
Variation 11A - Additional costs to reinforce and strengthen existing Buildings C & E timber roof framing as required by structural engineer				1,828.57	Variation 27 - Credit variation for revised stormwater design following review and rationalisation of site stormwater requirements.			(-10,269.67)	
Variation 17A - Latent condition - remove section of concrete floor found to be unsuitable when uncovered and replace with timber floor in Building D. Install vinyl floor coverings to selected areas in lieu of timber floors as specified in contract.				3,467.26	Variation 28 - Credit variation for deletion of requirement for project signboard as specified - other signage deemed to be adequate.			(-1,000.00)	
Variation 18 - Credit variation for coloured concrete paving in lieu of exposed aggregate concrete paving as per contract documents.				(-2,020.10)					

Work under the contract is estimated at 64% complete (by costs to date). Two variations for approx. \$7,931.00 are still to be assessed and valued. The remaining contingency as initially approved in the contract budget is considered sufficient at this time to cover these and potential future variations.

Provision of Professional Engineering Consulting Services For the Mardi to Mangrove Link

Contract Number	Dept.	Date of Council Approval	Contractor	Approved Contract Value	Contingency Amount (if any)	Total Approved Budget	Current Actual Contract Value Including Approved Variations	Variance – Approved Budget to Actual	Value of Variations Previously Reported To Council	Value of Variations For Reporting Period	Total Value of Variations
				\$	\$	\$	\$	\$	\$	\$	\$
130386	Shire Services	12/12/2007 & 27/08/2008 (contract amended)	GHD Pty Ltd	7,846,476 (as amended by Council – original value \$5.944 million)	592,727.27	8,439,203.27	8,044,515.58	Nil Within Budget	1,069,705.00	1,030,334.22	2,100,039.22
Individual Variations For The Reporting Period											
Description			Value \$	Description			Value \$				
Variation 9 - Delay costs due to the route changing from predominantly on the road to predominantly cross-country .The most significant components of this variation are: <ul style="list-style-type: none"> o Rise and Fall on the delayed design activities being \$191,000 o Additional 22 weeks of project management costs being \$194,000 			480,162.00	Variations 12 – Adjustment of rise and fall costs for time & expense rates.			(-100,000.00)				
Variation 10 - Additional detailed investigations for Sector 6 route selection. These investigations included general engineering, geotechnical investigations, geomorphological reviews, review of microtunnelling aspects, environmental investigations, flooding assessment, constructability review and cost estimates.			273,000.00	Variation 19 - Additional design costs due to alignment change (Pipeline Route Changed From Road To Cross Country) The decision by Council to accept a cross country route requires additional work. This includes: <ul style="list-style-type: none"> • walking a mainly cross-country route, including discussions with affected landowners; • design of microtunnelling (as required); • consideration of access for construction (not envisaged to be a major issue when the 'site' was in the road reserve); and • changes to the number and design of river crossings (ie pipe bridges, trenching or underboring rather than fixed to existing road bridges). 			180,000.00				

<p>Variation 17 - Delay costs due to landholder indemnity issues and the on-going extensive landowner discussions that were undertaken. The GHD team was unable to progress works in accordance with their original contract programme for a period of approximately 3 months. The majority of the GHD design team had to be redeployed to other GHD operations, the GHD core team and project managers were kept on the project to ensure continuity of the process.</p>	36,172.22	Variation 23 – Co-ordination of Surveyors for resurvey following change of pipeline route from road to private property.	25,000.00
<p>Variation 18 - Increased scope of work for the upgrade of the Lower Wyong Weir and Fishway. The scope was revised to include, debris and vegetation clearance from the weir, removal of sedimentation near upstream wall, installation of vertical slot low-flow fishway, accurate river flow measurement, upgrade of access including boat accesses.</p> <p>The variation includes concept design, detailed design, input for REF, RFT documentation and construction phases services.</p>	136,000.00		

Variations for the reporting period represent components of the additional work identified in the Council report of August 27, 2008 at which additional funds were approved for the pre-construction phase work to be carried out under the contract. These variations and recent projections of costs against this contract indicate a projected shortfall in the budget of approximately \$1,000,000. This will be addressed in a separate submission in March 2009.

5.1 Proposed Council Policy Review - Shire Planning Policies "F6 - Operation of Temporary Food Premises" and "E3 - Enforcement Policy"

TRIM REFERENCE: D01666889

AUTHOR: BF

SUMMARY

The Planning – Legal and Policy Unit has undertaken a planning related review of policy documents. This report deals with Policies E3 Enforcement Policy and F6 – Operation of Temporary Food Premises.

Policy E3 is an existing policy that has been reviewed and updated in accordance with current practices.

Policy F6 is a new policy designed to ensure that food sold from temporary food premises does not become unsafe or unsuitable.

RECOMMENDATION

- 1** *That Council's draft Policies E3 Enforcement and F6 Operation of Temporary Food Premises be placed on public exhibition for a period of 28 days for public comment.*
- 2** *That Council, subject to there being no objections that cannot be resolved by minor amendments to the policies, the policies be adopted under the delegation of the General Manager and appropriate public notice be given.*
- 3** *That Council's Policy Manual be updated and made available to the public and staff via Council's webpage once the policies are adopted.*

BACKGROUND

As part of Council's regulatory responsibilities, the entire Council Policy Manual is currently being reviewed to ensure documentation is sufficiently up to date and available to the public. The Shire Planning Department has responsibility for 18 Council policies and these have been reviewed with reference to policy development history, current relevance and to identify opportunities to improve and update policies.

It is noted that a number of policies were originally instituted by previous Councils and may no longer have particular relevance given changes in population, legislation and practice within the Shire over recent decades. For this reason, Policy E3 has been reviewed and updated to ensure relevance to current users.

Policy E3 – Enforcement Policy

Policy E3 is an existing policy that was adopted in 2006. This policy has been reviewed and minor amendments have been made to outline Council's current practices and procedures.

Policy F6 – Operation of Temporary Food Premises

Policy F6 is a new policy designed to ensure that food sold from temporary food premises does not become unsafe or unsuitable, by requiring that operators comply with the NSW Food Act, 2003 and the NSW Food Authority's guidelines "Food Handling Guidelines at Temporary Events". Further, the policy will require operators to obtain from Council an annual licence, or "Approval to Operate" should they wish to operate within Wyong Shire.

Local Government Act

The Local Government Act (LGA) 1993 provides for the adoption of two types of policies by Council - a Local Approvals Policy (LAP) (addressing the activities for which approval is required within the "activities" Table to s.68) and a Local Orders Policy (LOP). Procedures for exhibition, consideration of submissions, adoption and notification of these policies are expressly provided within the Act. There are no procedures outlined in the Act for the adoption of other types of Council policies.

The method of adoption of either a LAP or a LOP is clearly spelled out in the Local Government (General) Regulations, 2005, requiring a 28 day exhibition with 2 newspaper notices, allowing 42 days for submissions. All submissions must be considered and the matter reported to Council for adoption, with or without change.

For policies within Council's Policy Manual that do not fall within the LAP and LOP, such as those outlined in this report, Council has adopted a procedure similar to that of a Development Control Plan (DCP) chapter. The LAP only deals with activities that require approval under the table to Section 68 of the LGA Act. The LOP relates only to Orders. Therefore, other issues for which Council wants to adopt a policy stance are dealt with through the adoption of a policy by Council which is then placed within Council's Policy Manual. The procedure for exhibition is to seek agreement from Council to exhibit the draft policy for 28 days. Where submissions are of a significant number or raise significant issues, the drafts may be amended and/or referred to Council for adoption.

CONCLUSION

It is recommended that policies E3 and F6 be exhibited for a period of 28 days. Should there be no significant objections received by Council during the notification period it is recommended that the policies be adopted and incorporated within the Wyong Shire Council Policy Manual.

ATTACHMENTS

- 1 Draft E3 - Enforcement Policy
- 2 Draft F6 - Operation of Temporary Food Premises

E3 Enforcement Policy

Department:	Shire Planning
Unit:	Planning - Legal and Policy
Review Details:	
Responsible Officer:	
File:	F2004/07051
Adopted on: 11 October 2006	Amended on:

Purpose

To ensure Council's authorised officers act promptly, consistently, safely and effectively in response to reports or allegations of unlawful activity.

Objectives

The aim of this policy is to establish clear guidelines in order for staff to exercise discretion in dealing with reports about unlawful activity including the following:

- 1 To facilitate a prompt response to allegations of unlawful activity – response to be provided to the person(s) who raised the issue within 30 days (dependent upon the nature, risk and urgency of the matter) and action to be commenced immediately where necessary;
- 2 Open and consistent approach to enforcement;
- 3 An organised and effective process of education, consultation with, and assistance to the community;
- 4 The seeking of appropriate remedies when there is a breach of law;
- 5 Enforcement action to be taken with procedural fairness.

Application

This policy applies to Council's authorised officers in their investigation of allegations of unlawful activity and subsequent enforcement of identified breaches.

This policy is primarily directed at the regulation of development activity. However, the policy is also applicable to other regulatory activities such as pollution control, regulation of parking, and control over the keeping of animals.

Responsibility

All Council staff, where authorised by delegation, who investigate written and verbal action requests alleging unlawful activity are responsible for implementing these policy guidelines.

All notifications of alleged unlawful activity will be logged into Council's Customer Relationship Management (CRM) System and sent to the relevant Council Officer.

Definitions

The NSW Ombudsman defines **unlawful activity** or work that has been or is being carried out:

- Contrary to the terms or conditions of a development consent, approval, permission or licence
- Contrary to an environmental planning instrument that regulates the activities or work that can be carried out on particular land
- Contrary to a legislative provision regulating a particular activity or work
- Without a required development consent, approval, permission or licence

Investigating unlawful activity

Not all allegations will be investigated by Council's authorised officers. The authorised officer in consultation with their Supervisor/Manager will consider a range of factors when deciding whether to investigate. These include:

- Is there a more appropriate agency to investigate and deal with the matter?
- Is the matter within the jurisdiction of Council?
- Is the activity or work permissible with or without consent?
- Is the complaint frivolous or vexatious?
- Has too much time elapsed since the event?
- Is it in the public interest to investigate?
- Is it a matter of health or safety of the community?

If a decision is made not to investigate an allegation, this decision must be recorded with the reasons for that decision and Council will advise the complainant of the reasons for this decision, in writing.

Taking enforcement action

When deciding whether to take enforcement action, Council will consider the relevant circumstances of the case including:

- When was the unlawful activity carried out and for how long?
- How has the unlawful activity affected the natural or built environment and the health, safety and amenity of the area?
- Would consent have been given if it had been sought?
- Consideration of past history including what actions or representations have previously been made;

- Whether the matter should be dealt with by PIN or formal legal proceedings. Note: when persons elect to pay PIN, Council is stopped from taking Class 5 (criminal proceedings) in the Land and Environment Court (estoppel).
- Has the Council created a situation where it cannot take further action? (ie where a time limit applies to Council's ability to take action).

Delegations for enforcement action

The delegations for Council staff to initiate various levels of enforcement action are set out in Council's Delegations Manual.

Responding to requests or allegations

All persons who report an alleged unlawful activity to Council will be responded to in writing or by telephone within 30 days. This timeframe may be less for urgent matters.

Reference: NSW Ombudsman's Enforcement Guidelines for Councils

Date Adopted: xxxxx

File Number: F2004/07051

F6 OPERATION OF TEMPORARY FOOD PREMISES

Department:	Shire Planning
Unit:	Regulation and Compliance
File:	F2004/07011
Adopted on:	Revision Required by:

POLICY OBJECTIVES

- 1 To ensure food sold from Temporary Food Premises does not become unsafe or unstable.

PREAMBLE

A policy designed to ensure that food sold from temporary food premises is prepared, stored and handled so as to not become unsafe or unsuitable for sale within Wyong Shire. Further, the Policy will ensure operators obtain an annual licence or "Approval to Operate" within the Wyong Shire, to enable suitable ongoing monitoring of health standards.

RELATED POLICIES AND LEGISLATION

- 1 NSW Food Act, 2003;
- 2 NSW Food Regulation, 2004; and
- 3 Australian New Zealand Food Standards Code.

POLICY REQUIREMENTS

- 1 Food businesses selling food at temporary events are required to comply with the Food Act 2003, Food Regulation 2004, the Australia New Zealand Food Standards Code and the NSW Food Authority's guidelines "Food Handling Guidelines at Temporary Events".
- 2 Prior to selling any food at a temporary event, a food business must hold a current "Approval to Operate" issued by Wyong Shire Council.
- 3 An "Approval to Operate" a temporary food business must be renewed annually if the food business continues to operate within Wyong Shire.

RELATED PROCEDURES

Nil.

5.2 Proposed Councillors' Community Improvement Grants

TRIM REFERENCE: D01648827

SUMMARY

Councillors propose the following allocation of funds for expenditure from Councillors' Community Improvement Grants (CCIG).

RECOMMENDATION

That Council allocate an amount of \$7,416 from the 2008-09 Councillors' Community Improvement Grants as outlined in Attachment 1.

BACKGROUND

Provision has been made in Council's Management Plan for each Councillor to recommend to Council the donation of funds to individuals, local service, charitable or community organisations who operate in the Shire or provide a benefit specifically to the residents of the Shire.

Donations may also be made to individuals or groups in pursuit of excellence, including sporting and cultural excellence, subject to CCIG Policy. Funds may also be allocated for emergency assistance in the event of natural disasters such as bushfires, flood or drought anywhere in Australia, subject to CCIG Policy. The funds are granted subject to approval of the Council as a whole.

THE PROPOSAL

To allocate funding to community groups or individuals in accordance with the CCIG Policy.

OPTIONS

Under the Policy all proposed allocations are subject to the approval of the Council as a whole.

STRATEGIC LINKS**Management Plan**

<i>Principal Activity</i>	<i>Key Issue(s) and Objective (s)</i>	<i>Financial Line Item No and Description</i>
A better community	Enhance the quality of life of the Shire's residents	1.1.11 – Community Financial Support

Contribution of Proposal to the Principal Activity

The Councillors' Community Improvement Grants were developed to help charitable community groups and in doing so helping the broader community.

Link to Key Focus Areas

Nil.

Financial Implications

Expenditure is approved until the end of the current financial year. Unspent approvals lapse 30 June 2009.

Principles of Sustainability

Nil.

CONSULTATION

Applications that met the criteria were distributed to Councillors for their consideration. Applications received directly from Councillors were not distributed to other Councillors.

GOVERNANCE

All expenditure recommended is permissible under Section 24 and 356(1) of the Local Government Act 1993.

CONCLUSION

The proposed allocations contained in this report are permissible under the Council's policy on Councillors' Community Improvement Grants. The process has been correct and Council may confirm the grants at its option.

ATTACHMENTS

- 1 Proposed Councillors' Community Improvement Grants Allocations 2008-09

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION	Best	Eaton	Graham	Matthews	McBride	McNamara	Symington	Vincent	Webster	Wynn	SUB TOTAL
Allocation 01/12/2008 - 30/06/2009	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	75,000
Expenditure up to and including Ordinary Council Meeting of 28/01/2009	325	0	250	1,000	0	400	0	500	300	1,850	4,625
Available allocation as at 28/01/2009	7,175	7,500	7,250	6,500	7,500	7,100	7,500	7,000	7,200	5,650	70,375
Proposed Allocations for 25 February 2009											
Australian Red Cross Help with fundraising for the Victorian Bushfire Appeal 2009			1,000	1,000		1,000					3,000
Berkeley Vale Rugby League and Sports Club Assist with purchasing 3 oxtail deluxe gazebos for purpose of sun protection for players					250						250
Australian Rotary Health Research Fund Assist with mental health issues by sponsoring the Great Australian Bike Ride through Wyong in April 2009			250								250
Long Jetty District Senior Citizens Club Inc Assist with luncheon for Seniors Week 15-22 March 2009		250	115	430	205						1,000
North Entrance North Progress Assn & Coastcare TEN Assist to purchase timber benches at various streets at The Entrance North					490				490		980
Rotary Club of Northlakes Toukley Assist with sponsorship of golf day for the community run annually by Rotary Club					250						250
St John Fisher Catholic School Assist with bereavement program "Seasons for Growth"					236						236
Toukley Torchbearers for Legacy Assist to defray cost incurred in Charity Golf Day for legacy house 2008			250								250
Tuggerah Lakes National Servicemen's Association Assist with equipment used to conduct charity fundraising sausage sizzles			500								500
Wyong Family History Group Inc State Conference 2009 Assist with printing of conference booklet						500			200		700
Total Proposed Allocations for 25/02/2009	0	250	2,115	1,430	1,431	1,500	0	0	690	0	7,416
Total Accumulated Allocations as at 25/02/2009	325	250	2,365	2,430	1,431	1,900	0	500	990	1,850	12,041
Australian Red Cross - Victorian Bushfire Appeal 2009 (Council Resolution 11/02/2009)											10,000
Australian Red Cross - Victorian Bushfire Appeal 2009 staff donations \$ for \$											8,790
Balance of Accumulated and Pending Allocations	2,204	2,129	4,244	4,309	3,310	3,779	1,879	2,379	2,869	3,729	30,831
Balance Uncommitted as at 25/02/2009	5,296	5,371	3,256	3,191	4,190	3,721	5,621	5,121	4,631	3,771	44,169

6.1 2008-09 Management Plan - December 2008 Quarter Review

TRIM REFERENCE: D01672566

AUTHOR: BR

SUMMARY

Quarterly report on progress against Council's 2008-09 Management Plan.

RECOMMENDATION

- 1** *That Council receive and note the report.*
- 2** *That Council approve and endorse budget amendments proposed in this report in accordance with the December Quarter Review – 2008-09 Management Plan.*
- 3** *That Council note the advice from Council's Responsible Accounting Officer that in accordance with the Local Government (General) Regulation 2005 (Part 9 Division 3; Clause 203) that Council's financial position is satisfactory.*

BACKGROUND

Section 407 of the Local Government Act 1993 requires the General Manager to report to Council within two months after the end of each quarter on the extent to which the performance targets set by Council's current Management Plan have been achieved during that quarter.

This report contains an overview of progress against Council's Key Focus Areas and the Performance Measures and Strategic Program identified in the 2008-09 Management Plan. It highlights achievements during the quarter and potential impediments to undertaking actions or meeting performance targets.

HIGHLIGHTS OF THE QUARTER

Car Park Cutler Drive Wyong

During the December quarter construction of a new \$320,000 car park at Cutler Drive, Wyong was completed. The new car park, located next to Treelands Care and Education Centre, makes it safer for parents to drop children off at the centre and nearby Wyong Public School.

The state-of-the art car park provides over 40 parking spaces for staff and parents of children at the centre and nearby school. The car park also features a drop-off zone for parents to drop their children off and escort them into the centre. As part of the project new safety fencing was constructed as well as drainage improvements and additional landscaping. The car park will also benefit the local community with footpath links to the nearby area, providing a convenient walkway for parents picking up children from the centre or school.

Improvements to Lakeside Parks

Council completed the installation of \$360,000 worth of recreational equipment at seven lakeside parks as part of its Estuary Management Plan during the December quarter. The upgrades included 17 new picnic tables, 10 picnic shelters, 7 bike racks and 30 bench seats at Colongra Bay Reserve and Tom Burke Reserve Lake Munmorah, Northlakes Oval, John Pete Howard Reserve and San Remo Hot Water Outlet and Woodland Parkway Budgewoi.

NSW Planning Award

In December Council won a prestigious NSW-wide award designed to encourage excellence in sustainable designing, planning and building. The award was announced in Sydney at the presentation of 2007-2008 Environment Awards by the State's Local Government and Shire's Association. Council won its division of the Sustainable Design, Planning and Building Award - one of the most competitive of the 12 categories - and then was judged the overall NSW winner. The award was presented to Council for a planning system that provides a balance between development and environmental protection. The annual awards, which recognise outstanding achievements in managing and protecting the environment, are in their 10th year and are open to all Councils.

KEY FOCUS AREAS

In addition to Council's ongoing commitment to a range of services and facilities, the 2008-09 Management Plan includes a list of priority medium-term actions, or Key Focus Areas.

Table 1: Twelve Key Focus Areas

Reference	Key Focus Area
1 Performing Arts Centre	<ul style="list-style-type: none"> • Build a performing arts/entertainment centre in Wyong
2 Sports Grounds	<ul style="list-style-type: none"> • Construct sports grounds at Warnervale-Wadalba
3 Shared Pathways	<ul style="list-style-type: none"> • Extend the shared pathway system
4 Warnervale Town Centre	<ul style="list-style-type: none"> • Complete the Warnervale Town Centre – including construction of a Recreation and Aquatic Centre
5 Employment projects	<ul style="list-style-type: none"> • Implement employment generating projects
6 Town Centre Strategies	<ul style="list-style-type: none"> • Complete Stage I of the town centre strategies at The Entrance, Toukley, Warnervale and Wyong/Tuggerah
7 The Entrance Town Centre	<ul style="list-style-type: none"> • Complete The Entrance Town Centre upgrade
8 Estuary Management Plan	<ul style="list-style-type: none"> • Adopt, seek funding for and implement the Estuary Management Plan
9 Pacific Highway	<ul style="list-style-type: none"> • Lobby for funding for the Pacific Highway between Tuggerah and North Wyong
10 Water Supply	<ul style="list-style-type: none"> • Secure the water supply
11 Buttonderry	<ul style="list-style-type: none"> • Plan for the future of Buttonderry Waste Management Facility
12 Shire Strategic Vision	<ul style="list-style-type: none"> • Develop an integrated sustainable Shire Strategic Vision

Action plans have been developed to implement each of the twelve key focus areas and they are being emphasised in work program across the organisation. Pages 86-88 of the Management Plan Quarterly Review enclosure contain the timelines for the Key Focus Area projects.

Progress to date is reported below:

1 Performing Arts Centre

Stage 1 of the process to establish a Performing Arts Centre has been completed. This has involved the completion of research, feasibility and planning studies for the proposed centre including the development of the Business Plan.

An extended peer review of the Business Plan and Design Brief was undertaken to: better define capital and operational costs; review cost escalation over the project duration; identify asset management expenditures over a 20 year period; and review the initial assumptions made on the Memorial Hall and River Road sites. As part of the peer review process, staff also inspected the Cessnock Performing Arts Centre, Hunter School of Performing Arts Theatre and MacKillop College Theatre.

The results of the peer review were presented to a Councillor Briefing on 4 June 2008. Comparing the estimated cost of the River Road site (\$44m) with a flat site (\$29.8m) clearly demonstrated that a flat site is critical for achieving an economical building.

Two alternative site options within Wyong Town Centre were investigated. A Councillor briefing was held on 26 November 2008 to brief the newly-elected Council on the history and findings of the project to date and present findings of the site investigations. The briefing also included program priorities, a preliminary concept plan and preliminary capital cost estimate and a capital cost funding strategy including Section 94, State and Federal funding and private sector support. \$700,000 has been allocated in the 2008-09 Management Plan to proceed with the planning of this facility from preliminary design to development application.

The peer review of the draft Business Plan identified an ongoing annual operational loss (including sinking fund) of approximately \$0.777m for the Performing Arts Centre.

Potential external funding sources for the capital cost are Federal and State arts and infrastructure funding, Section 94 contributions and private sector sponsorship. Council staff have liaised with ArtsNSW in 2007 and 2008 with positive responses. Sketch designs and developed programming options for the Performing Arts Centre will be required for any submissions to State and Federal grant programs.

The legislation governing the changes to developer contributions has been passed however, the Department of Planning is yet to release the accompanying guidelines. Indications are that this project still may be negatively impacted by the changes to developer contributions. The legislation now states that Councils will be able to collect contributions for "district" sporting, recreational and cultural facilities if there is a direct connection with the development to which a contribution relates. It is anticipated that the definition of "district" will be clarified in the guidelines.

Further changes to development contributions were announced by the NSW Premier on 17 December 2008. The announcement stated that local developer contributions would be capped at \$20,000 per lot/dwelling from 30 April 2009. This will seriously impact on Council's ability to collect contributions for the Performing Arts Centre. Council is currently working on a submission to the Department of Planning that will seek to retain Council's current developer charges.

Subsequent to this, in late January, the Department of Planning asked Council to review its Shire-wide Contributions Plan with a view to reducing contributions to \$20,000 per lot/dwelling. This plan will need to be submitted to the State Government who will decide whether Council can continue to collect above \$20,000 per lot/dwelling.

In light of these recent developments, there will be a further report to Council on potential funding sources and timing of the project. It is estimated, if Stage 2 commences in December 2008, that the Performing Arts Centre could be designed and constructed over five years ie opening in early 2014. Stage 2 involves sketch design to development application. Tender documentation for this stage is to be prepared during the March quarter.

2 Sportsgrounds

Tenders for the Woongarra sports field closed in December 2008. Construction is anticipated to commence by April 2009, depending on the outcome of the tender review. With staged construction it is expected that the turf fields should be ready for use by April 2010 for the winter sports season.

Further progress on detailed investigations and design for the Warnervale District Fields (off Virginia Road) is dependent upon resolution of issues with the Warnervale Town Centre Masterplan and clarifying developer contribution funding. No dates are available as to when these issues will be resolved.

Tenders for the design of the Hamlyn Terrace sports fields in Minnesota Road, adjacent to the new Warnervale Public School, closed in December 2008. This consultancy also includes a new Community Centre. Completion of the Community Centre is expected by late 2010 and the sports fields in 2011, subject to confirmation of developer funding and no unforeseen delays.

The legislation governing the changes to developer contributions has been passed however, the Department of Planning is yet to release the accompanying guidelines. Indications are that these projects may be negatively impacted by the changes to developer contributions.

Further changes to development contributions were announced by the NSW Premier on 17 December 2008. The announcement stated that local developer contributions would be capped at \$20,000 per lot/dwelling. This will seriously impact on Council's ability to collect contributions for open space land and facilities. Council is currently working on a submission to the Department of Planning that will seek to retain Council's current developer charges.

Subsequent to this, in late January, the Department of Planning asked Council to review its Warnervale and Shire-wide Contributions Plans with a view to reducing contributions to \$20,000 per lot/dwelling. These plans will need to be submitted to the State Government who will decide whether Council can continue to collect above \$20,000 per lot/dwelling in these areas.

3 Shared Pathways

The construction of a further 0.3 km section of pathway at Matumba Road, Buff Point has been completed and a further 0.3km section, extending the pathway to the east, is expected to be completed by the end of January 2009 using Estuary Management Program funds.

In 2008-09 the emphasis at The Entrance North continues to be on obtaining approvals for the selected route through Crown Land and progressive construction of the pathway. With the funds available it is expected that material to form a base for the pathway over the existing sandy soils can be provided from Terilbah Place at The Entrance North almost to the National Park boundary. Lands Department approval is anticipated early 2009.

Additional Federal Government funding has been sought for pathway extensions at Kemp Close, Buff Point and Mannering Park. Subject to those funds being approved these projects will be undertaken in the first half of 2009.

4 Warnervale Town Centre

New Railway Station/Interchange at Warnervale

The Department of Environment and Climate Change (DECC) has refused to give concurrence to the development application (DA) for the new railway station at Warnervale Town Centre due to the issue of the impact on the Heath Wrinklewort (Wyong Daisy). As it currently stands, Council has no power to approve the application without the concurrence of DECC.

In addition, *State Environmental Planning Policy (SEPP) (Infrastructure) 2007* cannot be utilised in this case, as the savings provisions of the SEPP state that the Policy does not apply to or in respect of the determination of a DA made under Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, but not finally determined before the commencement of the Policy. The DA for the Railway Station was lodged with Council in February 2005.

Based on this, Council requested the applicant to formally withdraw the DA and deal with the matter under the provisions of *SEPP (Infrastructure) 2007* and Part 5 of the *EP&A Act*. However, the applicant believed that the matter should be dealt with by Council.

Therefore, as Council has no statutory power to approve the application without the concurrence of DECC, and given that the application has been made on behalf of a Crown authority, the approval of the Minister for Planning is required before Council could refuse the application.

At the Ordinary Meeting of Council on 10 December 2008, it was unanimously resolved to write to the Minister for Planning to refuse the development application. The Mayor has sought advice on whether construction of the new station will proceed and is still waiting for a formal reply.

Warnervale Town Centre Masterplan

The rezoning of the Warnervale Town Centre was "called in" by the Minister for Planning in June 2006. The Department of Planning prepared and publicly exhibited a draft Development Control Plan (DCP), Masterplan, amendment to the Major Projects SEPP, State Infrastructure Contribution and Biocertification Report.

The draft plans were publicly exhibited for a period of five weeks to 19 March 2008 and Council made a formal submission to the Department. Ongoing meetings and liaison with Department of Planning representatives occurred to discuss matters raised in Council's submission. The Department of Planning has since revised the design of the town centre to address some of the issues raised by Council.

On 7 November 2008, the State Government announced the gazettal of an amendment to the *SEPP (Major Projects) 2005*, to incorporate the Warnervale Town Centre as a State Significant Site under Part 3A of the *Environmental Planning and Assessment Act, 1979*. On 11 November 2008, the Department of Planning formally adopted the DCP for the site.

Unresolved issues include the Department of Planning's directive to remove Section 94 charges for riparian corridors and the decision by DECC to withhold Biocertification. These issues, as well as the level of uncertainty over the future of the Warnervale Railway Station, are having significant implications on any further planning and development of the Warnervale Town Centre site.

In late January 2009 the Department of Planning asked Council to review its Contribution Plan for the Warnervale town centre with a view to reducing contributions to \$20,000 per lot/dwelling.

At the same time, the State Government has imposed a new State Infrastructure Contribution of \$141,000 per hectare on the Warnervale town centre.

5 Employment Projects

Wyang Employment Zone

On 3 July 2006, the Minister for Planning declared the Wyong Employment Zone (WEZ) as a State Significant Site under Part 3A of the Environmental Planning and Assessment Act, 1979 to expedite the rezoning process for the area, with the rezoning being gazetted on 7 November 2008.

A report will be considered by Council on the WEZ Development Control Plan and Section 94 Contribution Plan early in 2009.

In late January 2009 the Department of Planning asked Council to review its Contribution Plan for the Wyong Employment Zone with a view to reducing contributions by 20-30% in order to provide a better return for developers.

At the same time, the State Government has imposed a new State Infrastructure Contribution of \$91,000 per hectare on the Wyong Employment Zone.

Precinct 14

A Part 3A application has been publicly exhibited by the Department of Planning for Precinct 14 which is part of the WEZ. Precinct 14 is located on the western side of the freeway and north of Sparks Road. Council staff have assessed this proposal and a submission was forwarded to the Minister for Planning outlining key issues and recommended development consent conditions. Council staff have attended a number of meetings with the proponent to negotiate development consent conditions and matters that need to be covered in a Planning Agreement.

Retail Strategy

Council's revised Retail Strategy and DCP were adopted by Council in December 2007. This long-term strategy provides Council and the community with direction for its retail development over the next 25 years.

6 Town Centre Strategies

The progress of strategies has continued to be impacted by discussions and decisions arising from the recently (27 June 2008) finalised and released Central Coast Regional Strategy (CCRS) and the implications of the State Government requirement for a Shire-wide population capacity target model.

Notwithstanding this, Council has adopted the Wyong/Tuggerah Planning Strategy. The strategy identified three distinct areas: Wyong town centre, Tuggerah Straight and Tuggerah. One of the outcomes of the Wyong/Tuggerah Strategy was for Council to prepare masterplans for the river foreshore and Baker Park precincts. These masterplans have progressed to draft stage. Staff are currently reviewing these draft masterplans and it is anticipated that they will be finalised early in 2009. Concurrently, work on the draft LEP amendment (rezoning) for the Wyong Town Centre and amendment to DCP Chapter 7 (also relating to the Wyong Town Centre) is proceeding. In the December quarter Council engaged consultants to refine the theme for the Wyong town centre and review the heritage development criteria.

Westfield has lodged a rezoning application for the 42ha former abattoir site to be known as the "Westfield Gateway Site" as a Part 3A application with the Minister for Planning. The rezoning proposes the establishment of a mixed commercial precinct including a "Norwest" style business park as well as a homemaker centre, high density residential, hotel conference centre, entertainment and recreation facilities, as well as open space and flood management features. The project is expected to play a significant role in generating employment both during the ten-year construction phase and upon completion. Staff have undertaken a preliminary review of the submission to identify issues and discussions have taken place with both Westfield and the Department of Planning (DoP) in respect of these matters.

On 23 January 2009, the Minister for Planning gave official notice in the Government Gazette No. 20 that she had received a proposal to amend Schedule 3 of State Environmental Planning Policy (Major Projects) 2005 to include the Tuggerah Town Centre as a State Significant Site. The Department of Planning will masterplan the Tuggerah Town Centre to enable a review of the strategic direction for the area and establish planning parameters to guide the redevelopment of the Wyong/Tuggerah Major Centre, in line with the Central Coast Regional Strategy. The Department has advised that at this stage it has declined to declare the Westfield Limited Gateway site proposal under Part 3A of the Environmental Planning and Assessment Act, 1979. However it may in the future consider an amended concept application incorporating all of Westfield Limited's land holdings.

Council has completed the exhibition of The Entrance Peninsula Planning Strategy. The Entrance Peninsula Planning Strategy has been revised following consideration of all submissions received during exhibition. It is anticipated that The Entrance Peninsula Planning Strategy will be presented to Council for consideration in April 2009. Implementation of key recommendations will follow (such as rezonings, revised contribution plans, area specific masterplans, etc.)

With respect to the Draft Toukley Planning Strategy, a review and revision of the March 2006 draft document is underway considering factors such as the public submissions, WaterPlan 2050, the final version of the Central Coast Regional Strategy and the recently finalised Toukley Economic Viability Study. At this stage, it is anticipated that the Toukley Strategy will be presented to Council in mid-2009 prior to being placed on public exhibition. It is expected that the final version would be reported to Council for adoption in late 2009 with implementation of the key recommendations to follow.

Work on the Ourimbah Town Centre Strategy has been deferred pending resolution of issues relating to the RTA upgrade of the Pacific Highway, sporting field upgrades, the Ourimbah Sawmill review and Ourimbah Campus master planning.

7 The Entrance Town Centre

This Key Focus Area – completion of The Entrance Town Centre upgrade works – was finalised in 2007.

8 Estuary Management Plan

Following the Federal Government's \$20 million funding allocation announcement for the implementation of the Plan, the Estuary Management Unit was established to coordinate the implementation of the Plan.

The May 2008 Federal Budget announced that this funding was to be managed by the Federal *Caring For Our Country* program and a Federal contract was signed on 10 December 2008.

Work is progressing and the implementation works program is being continually monitored and reviewed.

9 Pacific Highway

Tuggerah

Four lanes of the Pacific Highway between Anzac Road and Mildon Road were opened to traffic on 4 April 2008. The tender for construction of Stage 2 (Mildon Road to Johnson Road) was awarded to Nace Constructions, the company that constructed Stage 1. Stage 2 construction commenced on 28 April 2008. It is anticipated to be completed by the end of 2009. \$13 million has been allocated by the State Government for 2008-09. The RTA has agreed that the Pacific Highway/Wyong Road intersection is strategically important. However, there remains no commitment from the RTA for improvements to this intersection. The State Government has allocated \$250,000 in 2008-09 to start planning for the intersection improvements.

Wyong

The first round of concept plans for the redevelopment of the Pacific Highway through Wyong were exhibited in November 2006. Council made a submission on the exhibited plans. The RTA exhibited its Preferred Option on 30 July 2008 and a briefing session with the Councillors was held in August 2008. A further briefing by RTA and Council staff to the Councillors on the RTA's Preferred Option and other alternatives was held in October 2008 and a report on Council's submission to the RTA's Preferred Option was presented to Council in November 2008. The RTA has advised that it is not likely to be in a position to discuss future traffic volumes and alterations to the Preferred Option until early in 2009. The RTA has allocated \$500,000 in 2008-09 for the "Wyong Town Centre Study – Planning".

Ourimbah

The RTA completed construction of Stage 1 (Dog Trap Road, including the intersection at the Pacific Highway) in July 2007. The Stage 2 (Burns Road to Glen Road) construction contract commenced in June 2008, with its anticipated completion date in 2010. The RTA is not intending to do any works at the roundabout at the intersection of Pacific Highway/Chittaway Road intersection. The RTA anticipates that this roundabout (Pacific Highway/Chittaway Road) will provide adequate service for the next 10 to 15 years. The State Government has allocated \$18 million in 2008-09. The RTA will brief Councillors in February 2009 regarding the treatment of Burns Road.

10 Water Supply

The details of Council's progress to secure the water supply via drought management and recovery initiatives are detailed in the Board papers for the meeting of the Gosford/Wyong Councils' Water Authority scheduled for 20 February 2009 and in the enclosure to that report.

11 Buttonderry

Planning for the future of the Buttonderry Waste Management Facility involves maximising the value of the asset and optimising the financial and operational performance of the facility. The development of a Masterplan for the site was completed in June 2007.

Tenders were recently called to develop a commercial strategy to maximise the economic value of the site and to ensure long-term access for waste disposal. Council decided not to pursue this proposal at present and resolved to develop a scoping paper to identify potential alternative use options for the western side (Area 5) of the Buttonderry Waste Management Facility. This scoping paper has now been developed and will be presented to Council in February 2009. Consultants will then be engaged to investigate in detail each alternative use option and develop a commercial strategy. It is anticipated that this strategy will be completed by September 2009.

A business analysis for Buttonderry Waste Management Facility was completed in December 2007 which will be used, together with the commercial strategy, to develop a long-term financial strategy for the site and a site management plan.

Earthworks for the new transfer area at Buttonderry have been completed. Tenders for the construction of the transfer area roof, site shed and storage area together with the construction of the office, amenities and car park closed on 18 December 2008 and will be reported to Council on 11 February 2009. Works will commence in March 2009 and the transfer area is scheduled for completion by June 2009.

Stage 2 of the upgrade will include the construction of a new staff and visitors' car park, office and amenities and widening of the entry road which is scheduled for completion by December 2009.

12 Shire Strategic Vision

The Shire Strategic Vision (SSV) program continued with all activities on schedule during the quarter.

Progress included:

- Council approval of the State of the Shire (SoS) Report which provides a comprehensive review of the Shire across the "triple bottom line" (Community, Economy and Environment) and projects future trends. The SoS Report was forwarded to the Department of Local Government as part of the Annual Report.
- Public launch of a Blog site on the SSV program.
- Further development of a set of Future Options to improve the quality of life in the Shire.

- The completion of a series of workshops for the project which included:
 - resolving future scenarios;
 - briefing three Liaison Groups (Council, State Government and Community) on possible Future Options; and
 - working with each of the Liaison Groups to further develop and prioritise possible Future Options.
- Ongoing liaison, consultation and presentations to community groups, and key stakeholders concerning the status of the SSV program and draft Future Options.
- Councillor Briefings were held in October 2008 on the overall SSV program, in November on the SoS and in December on the community consultations and issues arising.

PERFORMANCE MEASURES

The 2008-09 Management Plan includes performance measures to assess whether Council is moving towards its longer term goals of a better community, a better economy and a better environment. Twenty three long-term performance measures have been included in the 2008-09 Management Plan and are updated on an annual basis.

Volume I of the Management Plan identifies 44 performance measures against Council's Key Issues which are reviewed and reported on a quarterly basis. Council has direct control over the majority of these indicators and, at the end of December 39 (or 89%) of these indicators met the targets identified in the Management Plan.

STRATEGIC TARGETS

The 2008-09 Management Plan identifies 73 strategic targets (or actions) to achieve Council's objectives.

At the end of December it was anticipated that 67 (or 92%) of the 73 actions would be achieved by 30 June 2009 and 3 (or 4%) were currently uncertain as to whether they will be achieved by the end of the financial year. Of the 3 actions (or 4%) that are not anticipated to meet their original timeframe all were due to factors outside of Council's control.

2008-09 Management Plan - Summary of Strategic Targets

Table 2: Summary of Strategic Targets

	<i>A Better Community</i>	<i>A Better Economy</i>	<i>A Better Environment</i>	<i>Infrastructure</i>	<i>Organisation</i>	<i>Totals</i>
Currently on track to meet original timeframe	26	6	11	14	10	67
Currently uncertain to meet original timeframe	2	0	1	0	0	3

	<i>A Better Community</i>	<i>A Better Economy</i>	<i>A Better Environment</i>	<i>Infrastructure</i>	<i>Organisation</i>	<i>Totals</i>
Currently not on track to meet original timeframe Matter outside Council control	2	0	1	0	0	3
Currently not on track to meet original timeframe Matter within Council control	0	0	0	0	0	0
Total	30	6	13	14	10	73

The following strategic targets were identified in the December quarter as not on target to be completed within their original timeframe:

Outside Council's Control

1.1.4.1 Assist with preparation of specific disaster management sub-plans for high risk emergencies (storm, flooding and bushfire).

Rural Fire Services have advised the revised timeframe as October 2009. Councillors have been appointed to the Bushfire Risk Management Committee, together with Council officers who will now commence the review and development of a new model and bushfire risk management plan for Council and the Local Emergency Management Committee (LEMC).

Revised Completion Date – October 2009

1.8.2.2 Complete the construction of the Bateau Bay Playing Fields and associated multi-use recreation infrastructure.

Contractual issues have escalated and the programmed completion date is not achievable. Further legal action is pending.

Revised Completion Date – Earliest completion date likely is now September 2009

3.1.1.2 Complete the Coastline Management Plan (as a follow-up to the Coastal Hazard Study).

To continue, the project requires a large variation. Variation report submitted for Council's consideration for the 28 January 2009 meeting. The project will take about a year to complete commencing in February 2009, subject to Council's resolution.

Revised Completion Date – February 2010

ACTIONS CARRIED OVER FROM 2007-08 MANAGEMENT PLAN

As foreshadowed in the June Review of the 2007-08 Management Plan, the actions that were not completed during 2007-08 will continue to be monitored and reported on until they are finalised.

Of the 17 actions from 2007-08 Management Plan that were not completed, 5 (29%) were incorporated into 2008-09 or future actions of the Management Plan and 12 (71%) are in progress. 5 of these actions are expected to be completed in 2008-09 and 7 in later years.

2007-08 Management Plan - Actions Carried Forward

	<i>Better Society</i>	<i>Better Economy</i>	<i>Better Environment</i>	<i>Infrastructure</i>	<i>Organisation</i>	<i>Totals</i>
Incorporated into 2008-09 or future actions	1	0	3	0	1	5
In progress	4	1	1	5	1	12
Total	5	1	4	5	2	17

ROLLING WORKS PROGRAMME

The revised 2008-09 Rolling Works Program is included as an enclosure to this report.

The most significant changes include:

- Several roads projects deferred to 2009-10 due to the costs incurred in complying with the Clean-Up Notice at Toukley Treatment Works;
- The Mardi to Warnervale Trunk Main deferred to 2010-11 pending further investigations on the route.

BUDGET OVERVIEW

The half-way point of the year reflects a steady financial performance in terms of controllable expenditure but conversely shows a downward income trend consistent with external economic circumstances. Council will need to manage the developing income shortfall.

Two key projects, the Estuary Management Plan and Mardi to Mangrove, are behind schedule for this financial year deferring both the grants income and expenditure to 2009-10.

The Estuary Management Plan schedule has been impacted by the Federal Government's changes to the scope of the contract which has also significantly impacted the expenditure of the Tourist Park funding. This is because "recreation" type projects in the Works Program were intended to be jointly funded by part federal funds and part tourist park funds (in line with the Department of Lands approved Cluster Plan). However, the federal contact will not allow expenditure on recreational facilities and there is not sufficient funding from the current Cluster Plan to enable those projects to proceed (and therefore these funds will not be spent pending a revised Cluster Plan being approved by the Department of Lands). Whilst, Federal funds will be fully expended on water quality related projects, the Stormwater Levy will be under spent due to significant variations to construction estimates requiring projects to be re-tendered.

The Mardi to Mangrove Pipeline is also behind schedule due to finalising the route selection and continuing negotiations with landholders. The deferrals of the Mardi to Mangrove expenditure will provide an opportunity for Council to partly restore water restricted reserves and improve the overall cash position of water services by being able to draw down previously approved (Ministerial) loans to restore working capital. The proposed action is detailed in the Business Unit Summary for Water.

Overall General Fund operations project to being on budget for the full year taking into account the corrective actions and budget variations being implemented. The budgeted level of expenditure is being achieved despite having to meet increased costs associated with Department of Environment and Climate Change compliance requirements, and increases in material handling and plant running costs. The flow-on effect is that works programs are being reduced to absorb these additional and higher costs.

In General Fund there is an emerging downward trend in income from fees and charges and sales of scrap metal, currently projecting to a full year budget deficit in the vicinity of \$0.3m. However, due to the external factors influencing the level of activity / income, the full year forecast remains subject to variability and trends will need to be monitored and corrective actions taken if required.

In addition, as recognised in the September Budget review risks, the potential continues for Council's investment portfolio capital values to be impacted by the global financial market crisis.

Interest income is on-track to exceed full year budget by \$418,000 which will partly off-set the capital losses, however the impact of the global financial crisis has resulted in Council's investments in Managed Funds being devalued if sold in the current market. In response Council has implemented strategies in consultation with Council's investment advisors, CPG Research and Advisory Pty Ltd (formerly Grove Financial Advisory Services). These strategies aim to minimise Council's exposure to the undervalued market and to hold investments to maturity in order to realise the full value of the investment.

Currently Council's capital losses are \$4.77m, including unrealised losses of \$4.59m, against projected full year interest earnings of \$5.13m, with the full year total investment returns forecast to be \$0.360m. Note, loss in capital values result in reductions of the year end investments held and funds available, with a direct impact on the Profit and Loss Statement at Year End.

No budget variations have been included due to the continued volatility of the market, and it is not intended to cut programs or services to off-set any capital valuations.

In addition to these bottom line adjustments there are a number of issues addressed in the attachment which include:

- Deferral of land acquisitions for Warnervale Playing Fields from Section 94,
- Updated Budget Forecast for Business Units in Water, Sewer, Waste and Holiday Parks
- Corrections to Income for Plant Hire etc to reflect income impact of the September Review adjustments to hire rates,
- Various other budget substitutions.

Working capital remains at similar levels to year end 2007-08 – ie low from an ideal \$10.0m, but manageable at \$5.0m. Reserves in waste and plant are low to nil and not a means of addressing income shortfalls.

Additional budget risks are being managed going forward with key challenges included in the attachment.

The projected position once again reflects the difficulty the Shire experiences in being limited by law in the ways that Council can determine rates and charges that allow services to be fully funded.

ATTACHMENTS

- 1 December Quarter Review - 2008-09 Management Plan - Distributed under separate cover Enclosure
- 2 Revised 2008-09 Rolling Works Program
- 3 Budget Summary 2008-09 Management Plan December Quarterly Review
- 4 Detailed Budget 2008-09 Management Plan December Quarterly Review

Revised 2008/09 Rolling Works Programme - December 2008

Revisions to 2008/09 Rolling Works Programmes			
PROJECT	STATUS	COMMENT	
Principal Activity 1 - Better Community			
Community Support & Development			
1.1.7 Community Buildings Construction - On Track			
The Entrance Multipurpose Community Facility Stage 2			
Hamlyn Terrace Community Centre			
Ourimbah Community Facility			
Design of Warnervale Knowledge Centre (library)			
Design and approvals for the Wyong Performing Arts Centre			
Community facilities (including Aquatic Centre) Warnervale			
Public Art commissions			
Open Space and Recreation			
1.7.4 Floodlight Upgrades - On Track			
Don Small Oval Floodlight Upgrade.			
Floodlight Upgrades - Changes			
Investigation, design and approvals for 2 year program	Additional	Amended Adopted Management Plan - November 2008.	
1.7.5 Cycleways - On Track			
Wilfred Barrett Dr Norville			
1.7.6 Open Space Improvements			
Open Space Improvements - On Track			
Bill Sohler Park Field 3 Construction			
Replace turf wicket at Baker Park			
Installation of dual use goal posts at Budgewoi courts			
New playgrounds			
Ovals and Facilities Construction - On Track			
Wadalba Environmental Corridor			
Woongarra Sporting Fields Stage 2			
Construct Small Park at Warnervale Rd Hamlyn Terrace			
Concept design & estimate, small park south of Johns Road			
Land acquisitions			
Ovals and Facilities Construction - Changes			
Darren Kennedy Oval design, investigation and construction	Additional	Amended Adopted Management Plan - November 2008.	
Subsoil drainage, investigation and design for 3 year programme	Additional	Amended Adopted Management Plan - November 2008.	
Subsoil and drainage programme (in order of priority), Ourimbah	Additional	Amended Adopted Management Plan - November 2008.	
Soccer No 1 & 2, Lake Haven Oval No 1 & 2, EDSACC North Oval No 1 & 2, EDSACC South Oval No 1 & 2, Kurraba Oval No 1 & 2, Killarney Vale Athletics, Halekulani Oval No 1 & 2.			
Playground Refurbishment - On Track			
Ewen Howlett Reserve, Long Jetty			
Tuesday St, Tuggerawong			
Peel St, Toukley (Osbourne Park)			
Playground Construction - Changes			
Investigation, design and construction of playgrounds.	Additional	Amended Adopted Management Plan - November 2008.	
1.7.9 Beach improvements			
Rebuild and refurbishment of SLSCs - Changes			
Investigation, design and approvals to rebuild and refurbishment of SLSCs.	Additional	Investigation, design and approvals to rebuild and refurbishment of SLSCs.	
Principal Activity 4 - Infrastructure			
Roads			
4.1.4 Secondary Road Rehabilitation			
Major Roads Rehabilitation - On Track			
Street Trees			
Brooke Ave school zone improvements			
Lakedge Ave & Audi Pde Berkeley Vale Roundabout (plus drainage)			
Watson Ave Tumbi Umbi			
Panorama Ave Charmhaven Stage 5B (plus drainage)			
Brush Rd Tumbi Umbi Stage 2 (plus drainage)			
Bush St Norah Head Stage 2 (plus drainage)			
Glen Rd Ourimbah			
Fern Road Ourimbah			
Eastern Rd Tumbi Umbi Stage 3A (plus drainage)			
Major Roads Rehabilitation - Changes			
Toowoomba Bay Rd/Nirvana St/Pacific St Long Jetty Stage 2	Removed	Deferred to 2009/10. Funds utilised for increased waste disposal, depot and asbestos	
Cadonia Rd Tuggerawong (plus drainage)	Removed		
Mataram Rd Woongarra	Removed	Deferred pending resolution of changes to developer contributions legislation.	
Lakedge Avenue & Kingsford Smith RAB	Removed	Alternative designs being investigated.	
The Corso Gorokan Stage 2B (plus drainage)	Removed	Deferred to 2009/10. Funds utilised for Toukley clean-up.	
Tuggerah Pde (Saltwater Creek Project) Long Jetty	Removed	Deferred as Water & Sewer proposing an effluent disposal main under this road in	
Mataram Rd Development Cont. Woongarra	Removed	Developer yet to commence subdivision. Funds utilised for Toukley clean-up.	
Pollock Ave Wyong	Additional	Carryover from 2007/08.	
McLachlan Ave Long Jetty	Additional	Carryover from 2007/08.	
The Ridgeway Tumbi Umbi	Additional	Carryover from 2007/08.	
Bushells Ridge Rd Wye	Additional	Road sealed to address dust issues.	
Minor Roads Rehabilitation - On Track			
Naelcm Ave Killarney Vale			
Esther Cl Gorokan			
Copnor Ave The Entrance			
Leetes Lane Tumbi Umbi			
Yaralla Rd Toukley			
Jilliby Rd Jilliby			
Minor Roads Rehabilitation - On Track			
Yates Rd Ourimbah	Removed	Deferred to 2009/10 due to RTA investigations in this area.	
Cambridge Cl Ourimbah	Removed	Deferred to 2009/10 due to RTA investigations in this area.	
Resealing - On Track			
Local Roads			
Regional Roads (3x3 and Block Grant)			
Heavy Patching - On Track			
Heavy Patching Reseals			

Revised 2008/09 Rolling Works Programme - December 2008

Revisions to 2008/09 Rolling Works Programmes		
PROJECT	STATUS	COMMENT
Footpaving - On Track Gamban Rd Gwandalan Eastern Road Bateau Bay Lukela Ave Budgewoi Cams Blvd, Summerland Point Wallarah Rd (Nth), Kanwal SH10 Pacific Hwy, Charmhaven Fravent St, Toukley Pearce Rd, Kanwal Oakland Ave, The Entrance Eloora Rd (East), Long Jetty		
Kerb and Gutter Infill - On Track Marks Rd Gorokan Hutton Road, North Entrance		
Pedestrian Protection - On Track Girraween St/ Buff Point Ave Buff Point		
Shire Entry Treatments - On Track		
4.1.6 Bridge Maintenance & Construction		
Bridge Refurbishment - On Track Boyd's Lane Bridge		
Bridge Refurbishment - Changes Mandalong Rd	Removed	Deferred due to design issues.
Stinsons Lane Bridge Yarramalong	Additional	Major rehabilitation of existing bridge to increase load limits.
Hidden Valley Bridge Ourimbah Creek	Additional	Major rehabilitation of existing bridge to increase load limits.
4.1.7 Carpark Construction - On Track Cutler Drive Wyong		
4.1.9 Road Safety		
RTA Blackspot Projects - Changes Projects to be confirmed	Removed	No grant funding received.
<i>Drainage</i>		
4.2.2 Drainage		
Drainage Construction - On Track Network Rehabilitation Wattle St Noraville Other Category 1 and 2 Projects San Remo area Villa Cl Budgewoi Campbell Ave/Warrigal St The Entrance Cadonia Rd Tuggerawong (with roadworks) Lakedge Ave Berkeley Vale (with roadworks) Eastern Rd Tumby Umpi Stage 3 (with roadworks) Delia Ave/Manoa Rd Budgewoi Bush St Norah Head Stage 2 (with roadworks) Perouse Ave San Remo		
Drainage Construction - Changes Toowoomb Bay Rd/Nirvana St/Pacific St Toowoomb Bay Stage 2 (with roadworks)	Removed	Deferred to 2009/10. Funds utilised for increased waste disposal, depot and asbestos clean-ups.
Brisbane St Noraville (87 Kelsey Rd)	Removed	Deferred. Funds utilised for Toukley clean up.
Anzac Avenue Wyong Stage 1	Removed	Deferred to 2009/10. Funds utilised for Toukley clean up.
The Corso Gorokan Stage 2B (with roadworks)	Removed	Deferred to 2009/10. Funds utilised for Toukley clean-up.
Turner Cl Bluehaven	Additional	Carryover from 2007/08.
<i>Water Supply</i>		
4.3.1 Water Supply		
Headworks - On Track Mardi High Lift Pump Station and High Voltage Ring Main Preconstruction activities for GCC works associated with Mardi High Lift Pumping Station Mardi Dam Transfer Mardi to Mangrove Transfer System Mardi Dam Raising and Ancillary Works Mardi Power Supply Upgrade Porters Creek (Warnervale) Stormwater Harvesting Project - Drainage Ballickera Pre - Treatment Facilities Upgrade Fishways at Mangrove Creek and Wyong River Mardi Dam Pretreatment Facilities associated with Mangrove to Mardi Transfer System		
Headworks - Changes Mangrove Weir to Mooney Mooney Dam Transfer System	Removed	To be re-considered in 2012/13.
Porters Creek (Warnervale) Stormwater Harvesting Project - 100% Grant Funding	Removed	No grant funding received.
Porters Creek (Warnervale) Stormwater Harvesting Project (JWS)	Removed	
Ballickera Pre - Treatment Facilities	Removed	To be re-considered in 2012/13.
Water Quality 2010	Additional	
Infrastructure (Growth/Effluent Reuse/Stormwater Harvesting) - On Track DSP Works Warnervale Town Centre Water Warnervale Employment Zone water mains Reclaimed Effluent Plant Upgrades/Extension of Effluent Reuse Projects constructed under Water Savings Fund		
Infrastructure (Growth/Effluent Reuse/Stormwater Harvesting) - Changes Mardi to Warnervale Trunk Main	Removed	Deferred to 2010/11 pending further investigations required on the route.
Refurbishment - On Track Reservoirs Mains (All Types) Pump Stations Telemetry Office Equip & Small Plant Mardi Dam Replacements/Renewals Treatment General (Mech/Elect) Main Adjustments (Relocations) Water Meter Refurbishments		
Standards (LPA and OH&S) - On Track Fittings and Tapping Band replacements Dismantling pits, Valve Bypasses and Motorised Valves		

Revised 2008/09 Rolling Works Programme - December 2008

Revisions to 2008/09 Rolling Works Programmes		
PROJECT	STATUS	COMMENT
<i>Sewerage</i>		
4.4.9 Sewerage		
Headworks - On Track		
Wyong South STP - Aeration Tanks and Inlet Works		
Charmhaven STP - Aeration Tank		
Infrastructure - On Track		
Warnervale Sewerage Trunk Mains		
Warnervale Employment Zone Trunk Mains		
Infrastructure - Changes		
Trunk Main Extensions <i>Additional</i>		
Refurbishment		
Mains Refurbishment - On Track		
Mains Refurbishment/Replacement		
Effluent Disposal Mains Refurbishment		
Pump Station Refurbishment - On Track		
Upgrade B11, B13, C6, C3, WS1, WS3, C16, T8 and B8		
Refurbish Electrical Equipment		
Refurbish Mechanical Equipment		
Refurbish Flowmeters		
Consultancies for Design (Refurbishment/Upgrades)		
Upgrade Telemetry		
Existing Odour Control System Refurbishment		
Existing Diesel Generator Refurbishment		
Treatment Plant Refurbishment - On Track		
Mechanical/Electrical/Civil Refurbishment		
Consultancies (for major refurbishment/upgrades)		
General Refurbishment - On Track		
Refurbish Telemetry		
Scaddens Ridge		
Other (minor plant and office equipment)		
General Refurbishment - On Track		
Refurbishment Contingencies <i>Additional</i>		
Standards (EPA and OH&S) - On Track		
Upgrade Toukley STP Inlet Works		
Upgrade Mannering Park STP Inlet Works		
New Odour Control Systems		
Additional Diesel Generators		
Replace Heavy Lids at Pump Stations		
Standards (EPA and OH&S) - Changes		
Regulatory Based System Improvements <i>Additional</i> Includes increased security (such as fencing and surveillance).		

**2008/09 MANAGEMENT PLAN
FINANCIAL PERFORMANCE REVIEW
DECEMBER 2008**

BUDGET OVERVIEW

QUARTER 2 (Q2) FINANCIAL PERFORMANCE REPORT December 2008

The half-way point of the year reflects a steady financial performance in terms of controllable expenditure but conversely shows a downward income trend consistent with external economic circumstances. Council will need to manage the developing income shortfall.

Two key projects, the Estuary Management Plan and Mardi to Mangrove, are behind schedule for this financial year deferring both the grants income and expenditure to 2009-10.

The Estuary Management plan schedule has been impacted by the Federal Government's changes to the scope of the contract and requires amendments to the plan which will be reflected in the third quarter review.

The Mardi to Mangrove Pipeline is also behind schedule due to finalizing the route selection and continuing negotiations with landholders. The deferrals of the Mardi to Mangrove expenditure will provide an opportunity for Council to partly restore water restricted reserves and improve the overall cash position of water services by being able to draw down previously approved (Ministerial) loans to restore working capital. The proposed action is detailed in the Business Unit Summary for Water.

Overall General Fund operations project to being on budget for the full year taking into account the corrective actions and budget variations being implemented. The budgeted level of expenditure is being achieved despite having to meet increased costs associated with Department Environment Climate Change compliance requirements, and increases in material handling and plant running costs. The flow-on effect is that works programs are being reduced to absorb these additional and higher costs.

In General Fund there is an emerging downward trend in income from fees and charges and sales of scrap metal, currently projecting to a full year budget deficit in the vicinity of \$0.3M. However, due to the external factors influencing the level of activity / income, the full year forecast remains subject to variability and trends will need to be monitored and corrective actions taken if required.

In addition, as recognised in the September Budget review risks, the potential continues for Council's investment portfolio capital values to be impacted by the global financial market crisis.

Interest income is on-track to exceed full year budget by \$418K which will partly off-set the capital losses, however the impact of the global financial crisis has resulted in Council's investments in Managed Funds being devalued if sold in the current market. In response Council has implemented strategies in consultation with Council's investment advisors, CPG Research and Advisory Pty Ltd (formerly Grove Financial Advisory Services). These strategies aim to minimise Council's exposure to the undervalued market and to hold investments to maturity in order to realise the full value of the investment.

Currently Council's capital losses are \$4.77M, including unrealised losses of \$4.59M, against projected full year interest earnings of \$5.13M, with the full year total investment returns forecast to be \$0.360M. Note, loss in capital values result in reductions of the year end investments held and funds available, with a direct impact on the Profit & Loss Statement at Year End.

No budget variations have been included due to the continued volatility of the market, and it is not intended to cut programs or services to off-set any capital valuations.

In addition to these bottom line adjustments there are a number of issues addressed in the body of the report which include:

- Deferral of land acquisitions for Warnervale Playing Fields from Section 94,
- Updated Budget Forecast for Business Units in Water, Sewer, Waste and Holiday Parks
- Corrections to Income for Plant Hire etc to reflect income impact of the September Review adjustments to hire rates,
- Various other budget substitutions.

Working capital remains at similar levels to year end 2007-08 – ie low from an ideal \$10.0m, but manageable at \$5.0m. Reserves in waste and plant are low to nil, and not a means of addressing income shortfalls.

Additional budget risks are being managed going forward with key challenges included in the body of this report.

The projected position once again reflects the difficulty the Shire experiences in being limited by law in the ways that Council can determine rates and charges that allow services to be fully funded.

1. TABLE OF PROPOSED BUDGET ADJUSTMENTS

ADJ TYPE*	COMMENT	Line #	Line Description	IMPACT (unfav)/fav
INT	Implementation of the Plan of Management at Noraville Gardens Cemetery including upgrade works.	1.07.15	Cemeteries	(\$47,000)
INT	Funding for Plan of Management Noraville Gardens Cemetery from the cemetery reserves.	6.13.08	Transfer from Cemetery Reserves	\$22,000
INT	Funding of Plan of Management Noraville Gardens Cemetery from additional cemetery income.	6.04.02	Cemetery Fees	\$25,000
INT	Increase in Internal plant hire income to reflect increase in motor vehicle costs as adjusted in the September review – No impact on Council's bottom line.	6.12.09	Mobile Plant Internal Hire	\$843,000
INT	Reduction in motor vehicle sales income to reflect adjustments in the September review – No impact on Council's bottom line.	6.11.01	Mobile Plant and Equipment Asset Sales	(\$350,000)
INT	Increase in motor vehicle running costs to reflect adjustments in the September review – No impact on Council's bottom line.	6.03.01	Plant and Equipment Running	(\$493,000)
INT	Additional Plant purchases associated with activities such as the community pride project.	5.03.02a	Plant and Equipment Purchases	(\$180,000)
INT	Reduction in current year plant sales as a result of a decision to retain existing plant over a longer term.	6.11.01	Mobile Plant and Equipment Asset Sales	(\$50,000)
INT	Additional plant income resulting from increased plant hire activity.	6.12.09	Mobile Plant Internal Hire	\$230,000
INT	New grant funded project to construct Halekulani Oval netball posts	1.07.06c	Open Space Improvements	(\$2,746)
INT	Grant funding for Halekulani Oval netball posts construction	6.08.28	Open Space Grants	\$2,746
OBC	Additional expenditure in excess of budget on Cutler Dr, Yakalla St and maintenance. Original budget estimates were understated.	4.01.07	Car park Maintenance & Const.	(\$240,000)
INT	Savings in Secondary Roads Rehabilitation identified to offset car park construction over expenditure.	4.01.04	Secondary Roadds Rehabilitation	\$240,000
INT	Increased current year expenditure associated with grant funding at Spring Ck Reserve	1.07.06c	Open Space Improvements	(\$12,500)
INT	Additional Spring Ck Reserve grant income.	6.08.31	Open Space Grants	\$12,500
INT	Savings have been achieved through reduced costs in the delivery of the Floodlighting program. These savings have been used to offset studies in relation to the Jilliby Equestrian Project.	1.07.04	Floodlight Upgrades	\$5,570

ADJ TYPE*	COMMENT	Line #	Line Description	IMPACT (unfav)/fav
INT	Additional budget to fund Jilliby Equestrian Project investigations.	1.07.06c	Open Space Improvements	(\$5,570)
INT	Increase expenditure on s.94 funded construction projects including \$140K for Spring Creek Reserve Blue Haven.	1.07.06c	Open Space Improvement Shire Services	(\$169,642)
INT	Transfer from S.94 income to fund above construction projects .	6.09.03	Open Space Imp Sec 94	\$169,642
INT	New grant funded expenditure on playground equipment at Ewan Howlett Reserve.	1.07.06c	Open Space Imp Shire Services	(\$20,000)
INT	New grant funded expenditure on playground equipment at Ewan Howlett Reserve.	6.08.31	Open Space Grants	\$20,000
INT	Transfer of budget to correct management plan, Landcare – A CMA grant was received that require matching funds, the Landcare budget didn't have sufficient funds to meet the grant requirements so the required amount was Adjusted to allow grant. Funds were available to meet this within the Lakes Maintenance budget.	1.07.01	Lakes Maintenance	\$19,900
INT	Transfer of budget to correct management plan, Landcare – A CMA grant was received that require matching funds, the Landcare budget didn't have sufficient funds to meet the grant requirements so the required amount was Adjusted to allow grant. Funds were available to meet this within the Lakes Maintenance budget.	3.01.01	Landcare	(\$19,900)
	Water & Sewer Program Adjustments– refer to Water & Sewer business unit summary for further details			
EXT	Reduction in water consumption forecasts – refer to detailed comments below in 'Water Business Unit Summary'	6.03.05	Water Usage	(\$1,760,000)
EXT	Increase income to reflect current trends	6.05.01	Interest on Overdue Rates & Charges	\$132,000
INT	Reduced requirements for bulk water purchases	4.03.12	Bulk Water	\$1,000,000
INT	Reduce capital expenditure budget to reflect delays to the Mardi to Mangrove Project (\$25.748M), the Mardi Suite of projects reduced by (\$18.000M), and Mardi to Warnervale (\$7.750M).	4.03.10	Capital Expenditure	\$53,022,000
INT	Reduce contributions from Gosford CC as a result of reductions in capital expenditure.	6.09.10	Contributions – Joint Scheme - GCC	(\$25,684,000)
INT	Unspent loan	6.13.05	Transfers to Reserves – Water	(\$23,807,000)
INT	Amend funding to reflect change to capital program	6.09.11	Contributions to works - s.64	(\$1,348,000)
INT	Amend funding to reflect change to capital program	6.08.29	Water Grants	(\$1,555,000)

ADJ TYPE*	COMMENT	Line #	Line Description	IMPACT (unfav)/fav
INT	Reduced income	6.02.03	Sewerage Service Charges	(\$375,000)
INT	Reduction in transfers to reserves	6.13.05	Transfers to Reserves Sewer	\$375,000
OBC	Reduction in Holiday Park Income Budget – Original budget incorrect.	6.03.11	Holiday Park Charges	(\$420,000)
INT	Minor increase in operating budgets.	5.02.05	Holiday Park Operations	(\$38,000)
INT	Revision to Capital works budget to align to business strategy.	5.02.06	Holiday Park Capital Works	(\$715,300)
INT	Amendment to loan funding – Norah head pool to be now funded through profits rather than loans	6.10.03	Loan Funds – Holiday Parks	(\$427,000)
INT	Utilisation of Holiday Parks prior year unspent loans to fund Capital Works.	6.13.04	Transfer from(to) reserves (unspent loans)	\$580,000
INT	Reduction in the Holiday Parks transfer to reserves / utilisation of reserves to fund capital works in the current financial year.	6.13.07	Transfer from(to) reserves	\$1,020,300
	Waste Program Adjustments– refer to Waste business unit summary for further details			
INT	Additional works for Mardi site remediation	4.05.03	Domestic Waste Tip Remediation	(\$330,000)
INT	Additional works for Shelley Beach site remediation	4.05.03	Domestic Waste Tip Remediation	(\$100,000)
INT	Increased EPA levy payments in alignment with current waste volumes	4.05.02	EPA Levy – Domestic Waste	(\$200,000)
INT	Reduction in Domestic Waste contract expense, which is offset by a reduction in domestic waste management charge	4.05.01	Domestic Waste Collection & Recycling Contract	\$600,000
INT	Reduction in Commercial Waste contract expense, which is offset by a reduction in commercial garbage charge	4.05.06	Commercial Waste Collection & Recycling Contract	\$100,000
INT	Reduction in external tipping volumes as a result of slow down in building industry activity.	6.03.10	Tipping Charges	(\$700,000)
INT	Increased internal tipping fees in alignment with current volume trends.	6.12.06	Internal tipping fees	\$400,000
INT	Reduction in domestic waste management charge offset by a reduction in Domestic Waste contract expense.	6.02.05	Domestic Waste management Charge	(\$760,000)
INT	Reduction in commercial garbage charge , which is offset by a reduction in Commercial Waste contract expense	6.02.07	Garbage Charges Commercial	\$150,000
INT	Transfer from waste reserve to fund remediation works.	6.13.06	Transfer to / (from) waste reserve	\$840,000
INT	Increased expenditure on the development of Council land at Warnervale.	2.01.13	Council Land Development	(\$300,000)
INT	Transfer from reserves to fund Council land development at Warnervale.	6.13.01	Transfer from/(to) Land Reserves	\$300,000
INT	Toukley Economic Viability	5.03.05d	Shire Planning Studies	(\$37000)

ADJ TYPE*	COMMENT	Line #	Line Description	IMPACT (unfav)/fav
	Analysis			
INT	Tfer from Reserves – Unspent Budgets to fund above study	6.13.04a	Tfer from Reserves – Unspent Budgets	\$37,000
INT	Wyong Centre DCP	5.03.05d	Shire Planning Studies	(\$7,000)
INT	Grant funding for Wyong DCP	6.13.04a	SPD Grants	\$7,000
INT	Deferral of Warnervale District Playing Field design and construction to future years.	1.07.06a	Open Space Improvements – Shire Planning	\$4,077,000
INT	Transfer Sec 94 funding to reflect the deferral of Warnervale District Playing Field design and construction to future years.	6.09.03	Open Space Improvements Sec 94	(\$4,077,000)
INT	Community Survey	5.04.02b	GM's Unit Administration	(\$20,000)
INT	Community Survey	6.13.04a	Tfer from Reserves = Unspent Budgets	\$20,000
TOTAL		\$\$235.88		

* Key – Reason for Adjustment

EXT	External Factors – outside Council's control
INT	Council / Management / Operational Decisions
OBC	Original Budget Correction

2. BUDGET RISKS AND OPPORTUNITIES:

Mardi to Mangrove Link Project

The design of the pipeline link is still being developed. The agreed route and detailed project design will determine the final budget estimates for this project.

DECC fines in relation to closed landfill sites

DECC related issues including fines associated with the unauthorised disposal of waste materials at closed landfill sites and previous DECC Audit issues.

Potential additional costs associated with contractual obligations Fishermans Wharf the Entrance.

To be monitored through the year.

Roads Rolling Works Program

Impacts of increased costs associated with the clean up of Toukley and the Depot to meet compliance requirement of the Department of Environment & Climate Change together with additional costs to complete the Pollock Avenue road works, will impact on the overall works program. The additional costs at Pollock Avenue were the result of addressing latent conditions through changes to the original pavement designs and the undertaking of minor complementary construction works. The detail of the cost impact is yet to be finalised and funded through forward rolling works programs.

Holiday Parks

Council is currently seeking approval from the Department of Lands to increase the Management Administration recovery from 5% to 10%. If approval is granted, this would increase contributions to General Fund by \$400K per annum.

Floodplain Management Program

Council commits an annual amount of \$137K on the basis of receiving \$274K grant funding. The current funding program closed in June 2008. Council has been advised that funding will be provided in 2008/09 however confirmation is not anticipated until June 09.

Loss of the Water and Sewerage operations from Council's control

Internal estimates and an External Audit Report have indicated that the impact on Council's bottom line, due to reduced economies of scale, would be in the order of \$5M per annum. For example, in the areas of IT, Depot, Administration and Governance.

Global Economic Crisis

The economy has a major influence on Council's revenues and expenses. With the current global economic crisis Council may experience a flow on effect which may impact various areas of Council's operations. Effects maybe felt from interest rate movements, downturn in business activity / development, short term inflation, business insolvencies, exchange rates and property market declines. At risk are Council's investment returns, development fee income, external tipping fees, land sales, fleet sales, fuel prices, contract rates / availability and the ability of residents to pay annual rates and charges.

Investment Returns

Interest income is on-track to exceed full year budget by \$418K which will partly off-set the capital losses, however the impact of the global financial crisis has resulted in Council's investments in Managed Funds being devalued if sold in the current market. In response Council has implemented strategies in consultation with Council's investment advisors, CPG Research and Advisory Pty Ltd (formerly Grove Financial Advisory Services). These strategies aim to minimise Council's exposure to the undervalued market and to hold investments to maturity in order to realise the full value of the investment.

Currently Council's capital losses are \$4.77M, including unrealised losses of \$4.59M, against projected full year interest earnings of \$5.13M, with the full year total investment returns forecast to be \$0.360M. Note, loss in capital values result in reductions of the year end investments held and funds available, with a direct impact on the Profit & Loss Statement at Year End.

No budget variations have been included due to the continued volatility of the market, and it is not intended to cut programs or services to off-set any capital valuations.

Disaster Relief Funding

Council's claim has been assessed and agreement has now been achieved on the funding of the employee on-costs. Currently negotiations are continuing with Department of Commerce over the claim in respect of the Cabbage Tree Harbour and Magenta Shore costs (\$309K) which at this stage have assessed as ineligible.

3. BUSINESS UNIT PERFORMANCE COMMENTS:

WATER

Operating Result

Year to date Operating Income is unfavourable against original budget due to lower than budgeted water consumption and greater than budgeted interest on overdue accounts (new budget line).

The lower than budgeted water consumption has reduced the income from User Charges; budgeted consumption 12,122ML and income of \$20.220M against revised sales forecast of 11,067ML and income of \$18.460M, unfavourable variance \$1.760M.

These variations are off-set in part by a reduction in the planned expenditure on Bulk Water Supply Security Programs, the budget has been reduced from \$4.600M to \$3.600M, with a favourable budget variation of \$1.000M.

Overall, the full year forecast Cash Operating Result will be a loss of \$1.662M including the QTR 1 adjustments.

Capital

The original Water Supply Capital program was budgeted at \$85.584M (including total value of the Joint Water Works) but this is no longer expected to be achieved by 30 June 2009. The Capital Program has been reviewed and a realistic program and funding requirement has been estimated at \$31.647M, being a reduction of \$53.936M.

The major variations are due to delays to:

* Mardi to Mangrove Project (\$25.748M). Delays to this project are primarily due to the continuing land holder negotiations.

* Mardi Suite of projects (\$18.000M) There has been a 6 month delay while Council renegotiates with tenderers regarding their submissions

* Mardi to Warnervale (\$7.750M). This project is part of the Link road project and delays to the Link road have flowed on to the associated water infrastructure construction.

Whilst Mardi to Mangrove estimates are still being finalised, the proposed Quarter 2 budget variations represent the likely impact on the 2008/09 full year expenditure. Once the estimates are finalised they will be incorporated into the 2009/10 – 2011/12 Management Plan budgets.

The reduction in the Capital program will also result in a \$25.864M reduction in the contribution required from Gosford City Council.

The resulting revised cash funding requirement for Wyong Shire Council this financial year is \$18.665M (made up of Section 64 \$0.949M and Loans \$17.716M). This has resulted in a proposed budget variation to reduce the Section 64 Developer Contribution to a matching \$0.949M)

The reduction in the capital funding requirement results in a surplus of \$23.807M in Loan Funds / Approved Borrowings being available. It is proposed to utilise the approved borrowings to fund the Unrestricted Cash Requirements which have been identified and are outlined below.

Impact on Water Cash Reserves

The original 2008/09 Management Plan budget assumed that the Cash Operating Deficit, Principal Loan Repayments, and Capital Expenditure on the Mardi to Warnervale Trunk Main would be met from existing Water Reserves. However, the 2007/08 Cash Operating Result was a deficit of \$6.861M, excluding Depreciation and Capital Income. This resulted negatively on the closing unrestricted reserves and resulted in the opening reserves for 2008/09 being significantly less than originally anticipated during the preparation of the 2008/09 plan. As a result there are insufficient unrestricted cash reserves to cover the budgeted requirement of \$12.342M (refer below), additionally this shortfall is now forecast as \$15.841M (refer below).

As part of the Quarter 2 review a budget variation has been included to utilise the approved loan funds to allow replenishment of unrestricted water reserves to ensure sufficient cash surplus is available to service Water commitments.

	2008/09 Mgmt Plan \$'000	2008/09 QTR 2 Full Year Forecast \$'000	Comment
Cash Operating Result - Profit / (Loss)	(121)	(1,662)	Includes increased interest on Overdue Water Accounts, reduced income from Usage Charges off-set by a decrease in Drought Emergency Works. Note, includes \$913K increase from QTR 1.
Principal Loan Repayments	(7,335)	(7,335)	
Fund 2008/09 Capital Works - Revenue Funded	(4,886)		QTR 1 reduction in Capital Works \$913K transferred to Operating. Balance is \$3.973M for the Mardi to Warnervale Link Road no longer required in 2008/09.
Unrestricted Cash Requirments	(12,342)	(8,997)	
Replenishment of Water Reserves & Working Capital		(8,029)	Includes creating Working Capital balances (c.\$1.5M), expected movements in ELE and Self Insurance cash requirements, allowance of \$2M to cover differences in timing of expenditure on Mardi to Mangrove and the cash receipt of the federal grant funding.
Total Movement in Water Unrestricted Cash	(12,342)	(17,026)	
Sumamry of Loans			
Loans Approved		41,523	Original Management Plan Budget - Capital Funding
Foecast Capital Program - Loan Funded		(17,716)	Funding for Revised Capital Program QTR2
Loans Transferred to Unrestricted		(17,026)	Refer Above - Loans required to replenish operating working capital reserves
Forecast Balance of Loans - Transfer to Water Restricted Asset - Unexpended Loans		6,781	

Overall, the impact of the drought expenditure and reduced incomes across the last three years due to water restrictions has seen the Operating Surpluses and unrestricted cash reserves in Water reduced. The proposed substitution of the loan borrowings from capital to operating / working capital represents a catch up. Whilst unrestricted cash balances have been reduced, the Restricted Cash Balances remain positive with opening balances of \$5.233M.

Note, whilst the above represents the most current estimates of the Mardi to Mangrove budgets they are still subject to review and may result in further adjustments in the last half of the year. Hence it is proposed that Council monitors the capital program and identifies any further loan borrowings up to the Ministers Approved Borrowing Limit as required.

In addition to the above the impact of the global financial markets and the value of investments will result in a projected decrease at year end value of Water Supply investments of \$565K.

SEWERAGE

Operating Result

Year to date income is behind budget with a budget reduction required in income due to lower than budgeted User Availability Charges, projected budget shortfall of \$375K. This will reduce the available funds for transfer to operating reserves at 30 June 2009.

Currently, overall Sewer Operations Expenditure is expected to be in-line with budget.

Capital

The Sewerage Capital program was originally budgeted at \$11.549M. The current best estimate of the likely spend by 30 June 2009 is \$9.344M. The major reductions in the forecast budget expenditure result from delays in finalising the preconstruction documentation for the upgrade of Wyong South and Charmhaven Sewage Treatment.

These delays are the result of review of different alternatives and investigations, and ongoing consultation with the Department of Environment and Climate Change.

At this stage, the overall budget requirements for the project remain the same and it is difficult to determine exact timeframes for the expenditure. Subject to resolution of these investigations, no budget variation has been incorporated at this time.

In addition to the above the impact of the global financial markets and the value of investments will result in a projected decrease at year end value of Water Supply investments of \$1.645M.

WASTE MANAGEMENT

The December Quarter review incorporates a number of changes to the Waste Management Program.

Revenue from external tipping fees is trending \$700K below budget as a result of lower quantities of commercial and building waste received. This is partially offset by an increase in revenue from internal tipping fees of approximately \$400K.

Expenditure on Council's Tip Rehabilitation program has been extended. This program is mainly funded from the Domestic Waste Management Charge (DWMC), revenue from Buttonderry Waste Management Facility and smaller amounts from commercial bin customers. An additional \$330K is required for the Mardi site rehabilitation. At the North Shelly Beach closed landfill an additional \$100K is required for further landscaping of the landfill batter and to construct safe access from the car park to the beach (This budget was originally \$300K to remove asbestos contaminated materials). These additional costs have been funded by the Waste Reserve.

The waste levy of currently \$40/tonne is payable to the State Government for all waste land filled at the Buttonderry Waste Management Facility. It is anticipated that the waste levy will increase to \$51.70 per tonne in 2009/10 which will amount to a total levy payment of \$8,240K.

Revenue from the Domestic Waste Management Charge is approximately \$760K below budget. However, this is offset by lower than anticipated expenditure in domestic waste collection services (\$600K) and higher than anticipated revenue from commercial bins (\$150K).

The overall shortfall of \$840K in the Waste program is being funded through transfers from the Waste Reserve.

CHILDCARE

Full year Net Operations are expected to achieve in-line with budgets.

Year to date, overall Children's Services has recorded surplus of \$179K against a budgeted year to date loss of \$50K. This is a better than budgeted result of \$229K. The reduction in income as a result of lower than budgeted utilisation, however this is more than offset by reductions in expenditure. Additional regulatory requirements combined with the downturn in the economy will potentially affect attendance averages and may have a negative impact on the full year's income. Management continues to monitor these operations to achieve the budget targets.

HOLIDAY PARKS

The forecasted end of year result will be an overall unfavourable variance of approximately \$458K to budget. This is made up of a \$420K reduction in revenue and \$38K increase in operating expenditure. This is the result of an overestimation in the original budget forecast which overstated growth in revenues. Despite this reduction in the original Management Plan revenue forecast, Council's Holiday Park Operations remain ahead of the Business Strategy forecast for 2008/09. The net shortfall will result in a reduction in holiday park surplus being transferred to restricted assets in the current year. This will not impact on Council's general fund line and will not impact on any Holiday Park funded projects in Council's Cluster plan.

Capital works to the value of \$1,142K have also commenced at the Holiday Parks, in line with the Business Plan. These works have been funded from the Holiday park reserve balances.

Actual YTD revenue is \$3.784M against a budgeted YTD income of \$4.103M resulting in an YTD unfavourable variance of \$319K. This is expected to be \$420K unfavourable by year end.

The actual YTD expenditure shows a favourable variance of \$468K compared to budget. This favourable variance relates to the timing of the Crown Reserves contributions of \$368K and various outstanding invoices of \$100K. The full year forecast is for the operating expenditure to be over budget by \$38K

4. BUDGET LINE PERFORMANCE COMMENTS:

PRINCIPAL ACTIVITY 1 – A BETTER COMMUNITY

1.01.07 Community Building Construction

Hamlyn Terrace Community Centre Land

Compulsory acquisition of the land has been approved by the Department of Local Government. Transfer of the funds (\$94) for the land is eminent and is within budget.

Hamlyn Terrace Community Centre Design

An initial concept plan and project description for the site have been completed. Tenders for the design are currently being sought.

Ourimbah Community Centre Design

Site survey work is now complete. The background planning work involving consultation with the community and potential users leading to the preparation of the design brief has commenced. The project is on track to complete the design by June 2009 from Section 94 funds. No further action will be undertaken past this point until Council is confident that sufficient Section 94 funds will be available to proceed with construction.

Warnervale Town Centre Knowledge Centre Design

Scoping of the knowledge centre has commenced. Finalising a design brief is partly dependent upon staging of the town centre and the release of the DoP guidelines governing the use of Section 94 funds.

It is therefore, unlikely that all funds will be expended this year.

Performing Arts Centre Design and Approval

Councillor Briefing held in November 2008, report on preferred site to be considered by Council in March 2009. Work is proceeding on formulating the design brief and tender documentation to proceed to tender. Due to additional requirements to review business plan and financial modelling it is unlikely that the full budget (\$94 funds) will be expended by June 2009.

1.07.02 Open Space Maintenance

Current expenditure is over the year to date budget estimate by \$353K (7%). This is predominantly due:

- * A number of incorrectly costed invoices. These will be corrected in the January accounts
- * The timing of actual employee payments compared to budgets.
- * Additional works undertaken in the current quarter that will have grant funding received in the March quarter.

The open space maintenance program is on track to achieve its full year budget commitment.

1.07.06 Open Space Improvements/Acquisitions

All construction projects are on track for completion of current year works program. Project statuses of note in this program are:

* Woongarra sports field construction tenders have closed and are under review. Subject to review it is expected that the contract will be awarded in March 2009 with the expectation that the fields will be available for winter sports in 2010.

* The upgrading of the landscape, facilities and playgrounds at Saltwater Creek Park, Long Jetty has exceeded its total budget of \$245K by \$43.5K. This increase has been offset by other savings within this program.

* A further \$1,140K in projects will be undertaken within this budget in the second half of the year. \$1.04M funded by land sales and \$100K funded by grants.

PRINCIPAL ACTIVITY 3 – A BETTER ENVIRONMENT

3.02.08 Coastal Hazard and Management Plan

Virtually no costs have been incurred to date as the project is in abeyance. A new contract incorporating a new scope of works has been negotiated with the consultants engaged on the project. The resulting contract variation was approved by Council on 28 January 2009. The project will now recommence in February 2009 with a completion date now expected in January 2010. A grant of \$160K has been offered by DECC to share the cost of the remaining consultancy. Total budget for the projects is now \$337K (ex GST). The project can be achieved within this budgeted amount.

3.02.09 Cabbage Tree Harbour Works

Costs incurred to date have covered concept and detailed design for the toe-drainage structures well as production of the REF. It is intended that the project proceed in March. The work is now expected to be completed by July 2009 and is on track to be completed within budget. Legal action is proceeding to enforce the orders previously issued in respect to the works at the top of the slope. Delays by some owners in complying with the orders have meant that beach surveillance is continuing leading to additional expenditure.

3.02.12 Estuary Management Plan & Other Storm Water Management Works

The Federal Government contract was signed 10 December 2008. This contract did not include the provision of funds for construction of recreational facilities. As such the budget requires review along with the cluster plan which governs expenditure of Tourist Park funds. The revised budget will go to the EMP PCG in February for approval

PRINCIPAL ACTIVITY 4 – INFRASTRUCTURE

4.01.02 Main Roads

This program is on track to achieve the works program within budget.

This budget includes Councils contribution to the RTA for Tuggerah Straight Stage 1 and Pacific Highway State 2 Ourimbah works. \$622K for Tuggerah works being withheld pending the resolution of a number of civil construction and landscape quality issues which are to be rectified prior to handover to Council.

Council has entered into \$1.7M in contracts with the NSW RTA for completion of works on State Roads in the 2nd half of the financial year.

4.01.03 Secondary Roads Construction

The secondary roads construction program is on track to achieve the works program within budget.

Budget adjustments have been undertaken to reflect the deferment of the construction of the Link Road project.

4.01.04 Secondary Roads Rehabilitation

The secondary roads construction program is on track to achieve budget for the year however a number of projects from the Rolling Works Program have been deferred to fund unbudgeted expenditure

Unbudgeted expenditure includes:

The 07/08 carry over of the major projects of Pollock Avenue and McLachlan Avenue which commenced in late 07/08,

Waste disposal costs across all projects in excess of those anticipated in budget estimates
Cleanup of the Toukley Treatment Plant.

Cleanup of illegally dumped asbestos waste at Hutton Road.

4.01.05 Secondary Roads Maintenance

The secondary roads maintenance program is on track to achieve budget for the year.

Additional unbudgeted costs have been incurred due to DECC requirements on waste management and disposal. Service levels are being adjusted to accommodate these increased costs including reducing table drain maintenance and street sweeping.

4.01.07 Carpark Maintenance and Construction

The predominant expenditure item under this budget is the construction of the Cutler Drive carpark, which is part of the 08/09 works program. The original concept budget estimates were understated. Additional works including footpath and fencing were included at the detailed design phase. The shortfall has been funded through savings in the secondary roads rehabilitation program. The program is on budget for the balance of the financial year.

4.02.01 Drainage Maintenance

Scheduled maintenance activities are ongoing. Due to an increase in tipping fees and haulage restrictions (limited opportunities to reduce or reuse waste) the budget is at risk if agreed service levels are to be continued. Sustainable means of reducing service levels is under review. Solutions which have been implemented to date include reductions in table drain maintenance and pipe inspection and cleaning programs. The program is on budget for the balance of the financial year.

As part of the September review a \$913K contribution was made by drainage towards environmental work at Toukley treatment plant site. This lump sum transfer has resulted in a distortion of the actual YTD expenditure patterns.

4.02.02 Drainage Capital Works

The program is on track to achieve the works program adopted as part of the September review.

A number of major drainage projects are scheduled to commence in the 2nd half of 08/09.

4.03.10 Water Capital Works

As per the Business Unit Summary for Water above, there have been significant budget reviews of the Water Supply Capital program expenditure and impact on funding requirements. (Refer commentary above).

4.04.09 Sewerage Capital Works

As per the Business Unit Summary for Sewerage above, the current information identifies timing delays in the preconstruction design phase of the Wyong South and Charmhaven Sewerage Treatment Plants. These delays will be monitored for their financing impact across the rest of the financial year. (Refer commentary above).

PRINCIPAL ACTIVITY 5 – ORGANISATION

5.01.04 Employee Overheads

The annual budget of \$18,519K for employee overheads represents payments for items including employee leave entitlements, workers compensation, and superannuation. This budget is subject to, among other things, the timing and level of leave being taken by employees across Council. With the current push to clear existing excessive leave balances the cash payments for leave may be at-risk. With 52% expended of the Full Year Budget to date, and full impact of Christmas and the summer holiday period to come (as at 31 December), this requires close monitoring. Note, whilst leave taken is usually off-set by lower salary payments this is only so once the budgeted vacancy rate has been achieved. Effectively, this means where there is no real vacant positions there will not necessarily be any off-set to fund the leave payment nor funding for back-filling of positions.

5.03.01 Plant and Fleet running costs

Actual expenditure is slightly over budget (at 56%) as a result of the timing of material purchase price increases of approx 40%. The full year budget is still expected to be achieved.

5.04.01 Legal – Planning & Policy

Expenditure is generally on track to date, however it is anticipated the account will move into over expenditure during the 3rd quarter due to the major legal action in respect of the closed Bateau Bay landfill and the adjacent owner which has now been resolved. Costs year to date for this matter are approximately \$332K. Final costs are yet to be received, however they may be in the vicinity of an additional \$20K

PRINCIPAL ACTIVITY 6 – SOURCE OF FUNDS

6.04.04 Development Application Fees.

These figures are inflated due to a few large applications that were lodged in Sept 08; however the last three months have been tracking 25% down. Translating this trend over the remaining months of the financial year would suggest income below target, however a significant project due to be lodged in Feb will reduce this deficit by approximately \$100K.

6.04.05 DA Advertising and Other Fees

This budget line is substantially below target reflecting the general downturn in building activity particularly affecting the residential market. This will be further impacted by the increasing use of Complying Development and changes to Council's notification DCP, both of which reduce the proportion of applications that require advertising. To counter this trend a process has been implemented to ensure all existing fees in the Management Plan are applied as intended. This will correct the downward trend.

6.04.08 Building Inspection Fees

The last 3 months income has been tracking approx 25% down on the phased budget. Translating this trend over the remaining months of the financial year would suggest that income will be \$90K below budget. A review of fees and charges for 09/10 has been undertaken to ensure cost recovery is maximised going forward however income for 08/09 is unlikely to achieve the target..

6.04.11 Complying Development Fees

This budget line is trending 25% below target over the last quarter. Projecting this trend to the end of the financial year suggests that income will be \$40K below target. Given the introduction of new State Govt complying development code and the ongoing reduced activity in the residential property market, it is unclear what the long term trend will be. This will require ongoing monitoring.

6.11.01 Mobile Plant and Equipment – Asset Sales

A low resale value for light vehicles is impacting funding for Mobile Plant and Equipment. The current focus is on prioritising capital purchases to deliver within budget. Council remains on track to achieve its planned embellishment fund for plant purchases of \$600K.

6.12.09 Mobile Plant and Equipment – Internal Charges

Hire rates have been amended to accurately correspond with market forces (increasing fuel cost and lowering residual values). Plant hire rates are being reviewed together with Council's major plant users.

**WYONG SHIRE COUNCIL - MANAGEMENT PLAN FINANCIALS
SUMMARY**

SERVICE	ANNUAL BUDGET			YTD OPERATING ACTUALS	YTD CAPITAL ACTUALS	YTD ACTUALS	YTD BUDGET		ENCUMB.
	Amended Original Budget \$'000	SEP Review \$'000	Annual Budget \$'000	YTD Actual \$'000	YTD Actual \$'000	YTD Actual \$'000	YTD Budget \$'000	YTD VAR \$'000	YTD COMMIT \$'000
DECEMBER, 2008									
EXPENDITURE									
PA 1 - Society	53,068	54,129	48,681	19,350	2,511	21,861	25,084	3,223	2,801
PA 2 - Economy	4,692	4,789	5,090	2,070	71	2,140	2,222	82	70
PA 3 - Natural Environment	14,777	18,504	18,524	3,410	778	4,188	5,794	1,606	2,036
PA 4 - Infrastructure	260,736	275,928	194,904	54,579	14,358	68,937	93,858	24,922	15,886
PA 5 - Organisation	31,413	32,601	34,072	13,286	4,730	18,016	17,035	(981)	18,167
TOTAL	364,686	385,952	301,271	92,695	22,448	115,143	143,993	28,851	38,959
SOURCE OF FUNDS									
Revenue	(162,051)	(161,880)	(158,172)	0	0	(130,226)	(131,313)	(1,087)	0
Grants	(34,316)	(35,039)	(29,217)	0	0	(12,129)	(22,581)	(10,452)	0
Contributions	(77,414)	(81,634)	(26,654)	0	0	(1,131)	(25,137)	(24,006)	0
Loans	(51,923)	(51,923)	(51,496)	0	0	0	(51,496)	(51,496)	0
Asset Sales	(17,380)	(17,380)	(16,980)	0	0	(12,641)	(255)	12,385	0
Internals	(17,559)	(23,254)	(24,727)	0	0	(14,765)	(14,398)	367	0
Transfers to / (from) restricted assets	(4,026)	(14,766)	6,052	0	0	0	(3,790)	(3,790)	0
TOTAL	(364,669)	(385,875)	(301,195)	0	0	(170,891)	(248,971)	(78,080)	0
RESULT Unfavourable / (Favourable)	17	76	76	92,695	22,448	(55,749)	(104,977)	49,229	38,959

Principal Activity: 1
Society

SERVICE	ANNUAL BUDGET			YTD OPERATING ACTUALS	YTD CAPITAL ACTUALS	YTD ACTUALS	YTD BUDGET		ENCUMB.	SOURCE OF FUNDS						
	Amended Original Budget	SEP Review	Annual Budget	YTD Actual	YTD Actual	YTD Actual	YTD Budget	YTD VAR	YTD COMMIT	Revenue	Grants	Contrib.	Loans	Asset Sales	Land Sales	Restricted Assets
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
DECEMBER, 2008																
<i>1.1 Community Support & Development</i>																
1.01.01 Contribution to NSW Fire Brigade	1,131	1,131	1,131	850	0	850	856	6	0	1,131	0	0	0	0	0	0
1.01.02 Contribution to NSW Rural Fire Service	384	384	384	0	0	0	288	288	0	384	0	0	0	0	0	0
1.01.03 Bushfire Operations & Equipment	1,767	1,826	1,826	433	387	821	962	142	3	412	1,355	59	0	0	0	0
1.01.04 SES Operations & Equipment	31	31	31	13	0	13	15	3	0	31	0	0	0	0	0	0
1.01.05 VRA Equipment	20	20	20	10	0	10	10	0	0	20	0	0	0	0	0	0
1.01.06 Community Building Maintenance and Operations	1,434	1,446	1,446	608	0	608	579	(29)	73	1,176	0	270	0	0	0	0
1.01.07 Community Building Construction	4,057	3,810	3,810	0	1,137	1,137	1,392	255	1,545	0	0	3,110	0	700	0	0
1.01.08 Community Services	189	427	427	91	0	92	181	89	4	158	267	2	0	0	0	0
1.01.09 Australia Day Celebrations	21	21	21	5	0	5	1	(4)	0	21	0	0	0	0	0	0
1.01.10 Mardi Gras	15	15	15	17	0	17	15	(2)	2	15	0	0	0	0	0	0
1.01.11 Community Financial Support	284	284	284	41	0	41	58	16	0	284	0	0	0	0	0	0
1.01.12 Subsidised Community Rents	55	55	55	0	0	0	0	0	0	55	0	0	0	0	0	0
1.01.13 Subsidised Community Tipping Fees	52	52	52	38	0	38	26	(12)	0	52	0	0	0	0	0	0
1.01.14 Pre-approved Community Sponsorships	56	56	56	30	0	30	42	12	0	56	0	0	0	0	0	0
1.01.15 Major Event Sponsorship	45	45	45	0	0	0	22	22	0	45	0	0	0	0	0	0
1.01.16 Aged & Disabled Services	39	40	40	16	0	16	21	5	0	7	32	1	0	0	0	0
1.01.17 Community Liason	309	309	309	140	0	140	154	15	55	309	0	0	0	0	0	0
1.01.18 Library & Customer Service	529	552	552	235	0	235	281	45	118	176	376	0	0	0	0	0
1.01.19 Library Books & Equipment	465	535	535	0	163	163	256	93	1	465	70	0	0	0	0	0
1.01.20 Public Toilets Maintenance & Upgrades	626	626	626	342	0	342	313	(29)	0	626	0	0	0	0	0	0
1.01.21 Child Care Operations	3,397	3,434	3,434	1,455	4	1,460	1,693	233	122	2,825	572	0	0	0	0	37
<i>1.2 Education</i>																
<i>1.3 Health</i>																
1.03.01 Immunisation & Food Surveillance	70	70	70	29	0	29	35	5	0	20	50	0	0	0	0	0
<i>1.4 Housing for Disadvantaged</i>																
<i>1.5 Community Safety</i>																
<i>1.6 Public Transport</i>																

Principal Activity: 1
Society

SERVICE	ANNUAL BUDGET			YTD OPERATING ACTUALS	YTD CAPITAL ACTUALS	YTD ACTUALS	YTD BUDGET		ENCUMB.	SOURCE OF FUNDS							
	Amended Original Budget	SEP Review	Annual Budget	YTD Actual	YTD Actual	YTD Actual	YTD Budget	YTD VAR	YTD COMMIT	Revenue	Grants	Contrib.	Loans	Asset Sales	Land Sales	Restricted Assets	
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	
DECEMBER, 2008																	
<i>V.7 Leisure, Recreation and Open Space</i>																	
1.07.01	Lakes Maintenance	608	646	626	269	20	289	345	56	35	538	0	50	0	0	0	38
1.07.02	Open Space Maintenance	4,368	4,475	4,472	2,561	0	2,561	2,304	(258)	71	4,022	50	400	0	0	0	
1.07.03	Noxious Weeds	140	139	139	66	0	66	76	10	5	106	30	0	0	0	3	
1.07.04	Floodlight Upgrading	361	385	379	0	13	13	30	18	157	191	34	0	0	130	24	
1.07.05	Cycleway Improvements	386	528	528	0	7	7	90	83	0	125	327	76	0	0	0	
1.07.06	Open Space Improvements / Acquisitions	7,842	8,331	2,865	0	661	661	2,740	2,080	258	121	176	1,688	0	0	860	20
1.07.07	Beach Operations	769	775	775	377	0	377	438	62	6	668	0	106	0	0	1	
1.07.08	Surf Life Saving Club Subsidies	59	59	59	59	0	59	59	0	0	59	0	0	0	0	0	
1.07.09	Beach Improvements	211	268	268	67	0	67	148	81	0	111	0	0	0	100	57	
1.07.10	Nursery Operations	101	101	101	54	0	54	52	(2)	6	101	0	0	0	0	0	
1.07.11	Sport & Cultural Scholarships & Donations	90	90	90	38	0	38	24	(14)	3	90	0	0	0	0	0	
1.07.12	Sports Club Equipment Grants	50	50	50	0	0	0	0	0	0	50	0	0	0	0	0	
1.07.13	Swimming Pool Operations	560	560	560	215	0	215	212	(3)	232	560	0	0	0	0	0	
1.07.14	Swimming Pool Improvements	100	100	100	0	62	62	79	17	1	100	0	0	0	0	0	
1.07.15	Cemeteries	90	90	137	60	53	113	115	2	0	115	0	0	0	0	22	
1.07.16	Infrastructure Grant Commonwealth Government	0	0	0	0	0	0	0	0	6	0	0	0	0	0	0	
<i>V.8 Urban Quality</i>																	
1.08.01	Development Control	891	872	872	371	1	372	444	72	70	872	0	0	0	0	0	
1.08.02	Plan First Levy	150	150	150	207	0	207	63	(145)	0	150	0	0	0	0	0	
1.08.03	Companion Animals	264	264	264	163	1	165	132	(33)	6	264	0	0	0	0	0	
1.08.04	By Laws	1,035	1,059	1,059	476	1	478	527	50	19	988	0	71	0	0	0	
<i>V.9 Noise</i>																	
<i>V.10 Heritage</i>																	
1.10.01	Convict Trail	5	5	5	5	0	5	5	0	0	5	0	0	0	0	0	
1.10.02	Maintenance of Heritage Building	5	5	5	2	0	2	2	1	0	5	0	0	0	0	0	
1.11.01	Allocation of Salaries & Overheads	20,007	20,007	20,007	10,005	0	10,005	9,999	(6)	0	20,007	0	0	0	0	0	
TOTAL ACTIVITY		53,068	54,129	48,681	19,350	2,511	21,861	25,084	3,223	2,801	37,516	3,340	5,834	0	700	1,090	202

**Principal Activity: 2
Economy**

SERVICE	ANNUAL BUDGET			YTD OPERATING ACTUALS	YTD CAPITAL ACTUALS	YTD ACTUALS	YTD BUDGET		ENCUMB.	SOURCE OF FUNDS						
	Amended Original Budget	SEP Review	Annual Budget	YTD Actual	YTD Actual	YTD Actual	YTD Budget	YTD VAR	YTD COMMIT	Revenue	Grants	Contrib.	Loans	Asset Sales	Land Sales	Restricted Assets
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
DECEMBER, 2008																
<i>2.1 & 2.2 Emp., Wage Structure & Labour Force</i>																
2.01.01 Town Centre Maintenance	435	485	485	177	0	177	190	13	0	485	0	0	0	0	0	0
2.01.02 The Entrance Town Centre Mgt	1,408	1,408	1,408	704	0	704	708	4	0	1,408	0	0	0	0	0	0
2.01.03 Toukley Town Centre Management	137	137	137	34	0	34	68	34	0	137	0	0	0	0	0	0
2.01.04 Wyong Town Centre Management	60	60	60	30	0	30	30	0	0	60	0	0	0	0	0	0
2.01.05 The Entrance Multi Storey Carpark	110	110	110	58	0	58	55	(3)	6	110	0	0	0	0	0	0
2.01.06 Urban Improvements Programme	200	200	200	(5)	0	(5)	60	65	53	0	0	0	0	200	0	0
2.01.07 Town Centre Improvements	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2.01.08 Town Centre Refurbishments	50	94	94	100	0	100	69	(31)	5	50	0	0	0	0	0	44
2.01.09 Town Centre Sinking Funds	140	140	140	0	0	0	0	0	0	140	0	0	0	0	0	0
2.01.10 Contribution to Economic Development	384	387	387	243	0	243	218	(25)	0	387	0	0	0	0	0	0
2.01.11 Marketing & Promotions	74	64	64	29	0	29	26	(3)	0	64	0	0	0	0	0	0
2.01.12 Coastal Area Improvements	295	305	305	0	71	71	98	27	7	10	0	295	0	0	0	0
2.01.13 Council Land Development	0	0	300	0	0	0	0	0	0	0	0	0	0	0	300	0
2.02.01 Allocation of Salaries & Overheads	1,399	1,399	1,400	700	0	700	700	(0)	0	1,400	0	0	0	0	0	0
TOTAL ACTIVITY	4,692	4,789	5,090	2,070	71	2,140	2,222	82	70	4,251	0	295	0	200	300	44

**Principal Activity: 3
Natural Environment**

SERVICE	ANNUAL BUDGET			YTD OPERATING ACTUALS	YTD CAPITAL ACTUALS	YTD ACTUALS	YTD BUDGET		ENCUMB.	SOURCE OF FUNDS						
	Amended Original Budget \$'000	SEP Review \$'000	Annual Budget \$'000	YTD Actual \$'000	YTD Actual \$'000	YTD Actual \$'000	YTD Budget \$'000	YTD VAR \$'000	YTD COMMIT \$'000	Revenue \$'000	Grants \$'000	Contrib. \$'000	Loans \$'000	Asset Sales \$'000	Land Sales \$'000	Restricted Assets \$'000
DECEMBER, 2008																
<i>3.1 Land</i>																
3.01.01 Landcare	139	155	174	56	0	56	87	31	9	81	83	11	0	0	0	0
<i>3.2 Water</i>																
3.02.01 Sediment Traps	183	183	183	94	0	94	36	(58)	0	183	0	0	0	0	0	0
3.02.02 Lakes Management	508	498	498	34	0	34	149	115	51	102	0	396	0	0	0	0
3.02.03 Weed Harvester Operations	345	345	345	100	0	100	185	85	22	345	0	0	0	0	0	0
3.02.04 Creek Dredging	0	487	487	242	0	242	487	246	54	0	325	0	0	0	0	162
3.02.05 Lakes Improvements	195	195	195	27	0	27	36	10	14	125	0	70	0	0	0	0
3.02.06 Stream Bank Improvements	0	0	0	3	0	3	0	(3)	2	0	0	0	0	0	0	0
3.02.07 Beach Maintenance	150	150	150	88	0	88	120	32	0	100	0	50	0	0	0	0
3.02.08 Coastal Management & Hazard Plan	150	150	150	2	0	2	0	(2)	79	75	75	0	0	0	0	0
3.02.09 Cabbage Tree Harbour Works	1,300	1,891	1,891	121	64	184	195	11	92	765	1,015	0	0	0	0	111
3.02.10 Pollution Monitoring & Health	230	206	206	82	(0)	82	104	23	1	206	0	0	0	0	0	0
3.02.11 Major Wetland Management	102	102	102	12	0	12	51	39	12	102	0	0	0	0	0	0
3.02.12 Estuary Mgt Plan & Other Stormwater Mgt Works	6,707	9,092	9,092	133	715	848	1,850	1,002	1,555	1,710	4,076	1,297	0	0	0	2,009
<i>3.3 Terrestrial Biodiversity</i>																
3.03.01 Community Environmental Works	103	386	386	128	0	128	161	34	146	103	283	0	0	0	0	0
<i>3.4 Air & Climate</i>																
3.04.01 Climate Change - Flood Studies	85	85	85	0	0	0	42	42	0	29	56	0	0	0	0	0
3.05.01 Allocation of Salaries & Overheads	4,580	4,580	4,580	2,290	0	2,290	2,289	(1)	0	4,580	0	0	0	0	0	0
TOTAL ACTIVITY	14,777	18,504	18,524	3,410	778	4,188	5,794	1,606	2,036	8,506	5,912	1,824	0	0	0	2,282

**Principal Activity: 4
Infrastructure**

SERVICE	ANNUAL BUDGET			YTD OPERATING ACTUALS	YTD CAPITAL ACTUALS	YTD ACTUALS	YTD BUDGET		ENCUMB.	SOURCE OF FUNDS						
	Amended Original Budget	SEP Review	Annual Budget	YTD Actual	YTD Actual	YTD Actual	YTD Budget	YTD VAR	YTD COMMIT	Revenue	Grants	Contrib.	Loans	Asset Sales	Land Sales	Restricted Assets
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
DECEMBER, 2008																
4.1 Roads																
4.01.01	Street Trees	112	112	112	82	0	82	82	(0)	0	92	0	20	0	0	0
4.01.02	Main Roads	5,209	5,843	5,843	589	298	887	1,123	237	172	2,054	2,902	469	0	0	418
4.01.03	Secondary Roads Construction	28,007	30,735	4,000	56	1,719	1,776	3,287	1,511	649	0	100	3,900	0	0	0
4.01.04	Secondary Roads Rehabilitation	10,114	12,965	12,725	4,780	2,966	7,746	9,582	1,836	1,176	8,604	3,367	507	0	0	247
4.01.05	Secondary Roads Maintenance	4,440	4,464	4,464	2,569	334	2,902	2,271	(631)	31	3,987	269	208	0	0	0
4.01.06	Bridge Maintenance & Construction	504	553	553	82	149	231	479	248	102	204	0	49	0	300	0
4.01.07	Carpark Maintenance & Construction	206	206	446	46	434	480	435	(45)	7	446	0	0	0	0	0
4.01.08	Street Lighting Charges	1,970	1,970	1,970	782	0	782	805	23	0	1,757	213	0	0	0	0
4.01.09	Road Safety	310	332	135	62	0	62	75	13	4	61	68	6	0	0	0
4.01.10	CARES Facility	30	30	30	15	0	15	15	0	77	15	0	15	0	0	0
4.01.11	June 2007 Storm	0	0	0	(11)	0	(11)	0	11	23	0	0	0	0	0	0
4.2 Drainage																
4.02.01	Drainage Maintenance	1,263	2,176	2,176	1,591	0	1,591	1,609	18	2	2,176	0	0	0	0	0
4.02.02	Drainage Capital Works	8,875	9,222	9,222	258	2,205	2,463	6,670	4,207	311	5,660	47	3,516	0	0	0
4.02.03	Flood Studies	411	492	492	16	0	16	218	202	10	137	355	0	0	0	0
4.3 Water																
4.03.01	Water Pump Station Maintenance	555	555	555	232	0	232	277	45	2	555	0	0	0	0	0
4.03.02	Water Pump Station Operations	863	863	863	373	0	373	446	73	0	863	0	0	0	0	0
4.03.03	Water Reservoirs Mains Maintenance	3,166	3,166	3,166	1,747	0	1,747	1,585	(162)	40	3,166	0	0	0	0	0
4.03.04	Water Reservoirs Mains Operations	237	237	237	264	0	264	126	(138)	12	237	0	0	0	0	0
4.03.05	Water Treatment Plant Maintenance	489	489	489	316	0	316	244	(72)	2	489	0	0	0	0	0
4.03.06	Water Treatment Plant Operations	897	897	897	460	0	460	448	(12)	42	897	0	0	0	0	0
4.03.07	Joint Water Supply	1,044	1,044	1,044	1,993	0	1,993	522	(1,471)	112	522	0	522	0	0	0
4.03.08	Water Administration	2,007	2,920	2,920	2,126	229	2,355	1,908	(447)	28	2,920	0	0	0	0	0
4.03.09	Water Loan Repayments	13,758	13,758	13,758	2,106	0	2,106	6,876	4,770	0	13,758	0	0	0	0	0
4.03.10	Water Capital works	85,583	84,670	31,648	407	1,921	2,328	1,973	(354)	8,347	3,005	3,754	7,174	17,715	0	0
4.03.11	Water Tax Equivalent Payment (TER)	191	191	191	0	0	0	0	0	0	191	0	0	0	0	0
4.03.12	Bulk Water Supply Security Programme	4,600	4,600	3,600	797	121	919	4,127	3,208	292	3,600	0	0	0	0	0

**Principal Activity: 4
Infrastructure**

SERVICE	ANNUAL BUDGET			YTD OPERATING ACTUALS	YTD CAPITAL ACTUALS	YTD ACTUALS	YTD BUDGET		ENCUMB.	SOURCE OF FUNDS							
	Amended Original Budget	SEP Review	Annual Budget	YTD Actual	YTD Actual	YTD Actual	YTD Budget	YTD VAR	YTD COMMIT	Revenue	Grants	Contrib.	Loans	Asset Sales	Land Sales	Restricted Assets	
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	
DECEMBER, 2008																	
4.4 Sewer																	
4.04.01	Sewer Pump Station Maintenance	1,405	1,405	1,405	919	0	919	702	(217)	16	1,405	0	0	0	0	0	0
4.04.02	Sewer Pump Station Operations	1,801	1,801	1,801	870	0	870	900	30	31	1,801	0	0	0	0	0	0
4.04.03	Sewer Mains Maintenance	1,452	1,452	1,452	573	0	573	726	153	13	1,452	0	0	0	0	0	0
4.04.04	Sewer Mains Operations	412	412	412	158	0	158	226	67	18	412	0	0	0	0	0	0
4.04.05	Sewer Treatment Plant Maintenance	1,856	1,856	1,856	933	0	933	928	(5)	9	1,856	0	0	0	0	0	0
4.04.06	Sewer Treatment Plant Operations	3,036	3,036	3,036	1,815	0	1,815	1,532	(283)	80	3,036	0	0	0	0	0	0
4.04.07	Sewer Administration	1,651	1,651	1,651	580	2	582	819	237	90	1,651	0	0	0	0	0	0
4.04.08	Sewer Loan Repayments	4,495	4,495	4,495	554	0	554	2,247	1,693	0	4,495	0	0	0	0	0	0
4.04.09	Sewer Capital works	11,549	11,549	11,549	0	998	998	5,772	4,775	2,082	745	0	1,404	9,400	0	0	0
4.04.10	Sewer Tax Equivalent Payment (TER)	117	117	117	0	0	0	0	0	0	117	0	0	0	0	0	0
4.5 Waste																	
Domestic Waste (D.W)																	
4.05.01	Domestic Waste Collection & Recycling Contract	8,333	8,333	7,733	3,451	0	3,451	4,165	713	0	7,733	0	0	0	0	0	0
4.05.02	EPA Levy - Domestic Waste	1,604	1,604	1,604	753	0	753	802	49	0	1,204	0	400	0	0	0	0
4.05.03	Domestic Waste Tip Rehabilitation	2,500	3,024	3,024	2,149	2,929	5,079	3,008	(2,071)	1,265	3,024	0	0	0	0	0	0
4.05.04	Domestic Waste Green Waste Processing Contract	981	981	981	428	0	428	490	62	67	981	0	0	0	0	0	0
4.05.05	Domestic Waste Salaries, Promotion, Rds & Drainage	457	457	457	115	0	115	228	114	9	457	0	0	0	0	0	0
Commercial Waste																	
4.05.06	Commercial Waste Collection & Recycling Contract	624	624	524	195	0	195	312	117	0	524	0	0	0	0	0	0
4.05.07	EPA Levy - Commercial Waste	199	199	199	53	0	53	99	47	0	199	0	0	0	0	0	0
4.05.08	Commercial Waste Tip Rehabilitation	150	199	199	0	0	0	124	124	0	199	0	0	0	0	0	0
4.05.09	Commercial Waste Salaries, Promotion & Rds Contrib	76	76	76	19	0	19	38	19	0	76	0	0	0	0	0	0
Litter																	
4.05.10a	Litter Collection - General	1,025	1,025	1,025	157	0	157	316	159	0	1,025	0	0	0	0	0	0
Tippling Operations																	
4.05.11	Tip Operations	4,626	4,526	4,526	1,808	0	1,808	2,212	404	671	4,526	0	0	0	0	0	0
4.05.12	Tip EPA Levy	5,056	6,413	6,613	4,228	0	4,228	3,884	(344)	0	6,613	0	0	0	0	0	0
4.05.13a	Tip Cell/Area Works	2,800	2,800	2,800	0	0	0	0	0	0	2,800	0	0	0	0	0	0
4.05.13b	Tip Cell/Area Works	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4.05.14	Tip Green Waste Processing Contract	946	946	946	520	0	520	473	(47)	54	946	0	0	0	0	0	0
4.05.15	Future Tip Replacement & Return on Current Operatio	490	490	490	0	0	0	0	0	0	490	0	0	0	0	0	0
4.05.16	Tip Rehabilitation	1,650	6,671	7,101	0	0	0	5,433	5,433	0	2,998	0	0	0	0	0	4,103
4.05.17	Tip Capital Works	1,505	2,196	2,196	0	53	53	691	638	39	2,196	0	0	0	0	0	0
4.06.01	Allocation of Salaries & Overheads	25,099	25,099	25,099	12,560	0	12,560	12,544	(16)	0	25,099	0	0	0	0	0	0
TOTAL ACTIVITY		260,736	275,928	194,904	54,579	14,358	68,937	93,858	24,922	15,886	133,456	11,075	18,191	27,115	300	0	4,768

**Principal Activity: 5
Organisation**

SERVICE	ANNUAL BUDGET			YTD OPERATING ACTUALS	YTD CAPITAL ACTUALS	YTD ACTUALS	YTD BUDGET		ENCUMB.	SOURCE OF FUNDS						
	Amended Original Budget	SEP Review	Annual Budget	YTD Actual	YTD Actual	YTD Actual	YTD Budget	YTD VAR	YTD COMMIT	Revenue	Grants	Contrib.	Loans	Asset Sales	Land Sales	Restricted Assets
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
DECEMBER, 2008																
5.1 Workforce																
5.01.01 Training & Development	628	628	628	446	0	446	314	(132)	52	0	0	0	0	0	0	0
5.01.02 Personnel and Payroll	424	424	424	237	1	239	215	(24)	3	0	0	0	0	0	0	0
5.01.03 Risk Management	1,800	1,800	1,800	1,390	0	1,390	1,527	137	0	0	0	0	0	0	0	0
5.01.04 Employee Overheads	18,519	18,534	18,534	9,667	0	9,667	9,132	(535)	1	0	0	0	0	0	0	0
5.01.05 Corporate Service Salaries	7,358	7,358	7,358	3,658	0	3,658	3,652	(6)	2	0	0	14	0	0	0	0
5.01.06 Shire Services Salaries	7,599	7,757	7,757	4,176	0	4,176	3,817	(359)	23	0	166	0	0	0	0	0
5.01.07 Shire Planning Salaries	6,844	6,889	6,889	3,343	0	3,343	3,397	54	14	0	45	1,320	0	0	0	0
5.01.08 General Manager's Unit Salaries	907	907	907	488	0	488	450	(39)	0	907	0	0	0	0	0	0
5.2 Finance																
5.02.01 Revenue Collection - General	768	774	774	554	0	554	495	(59)	87	774	0	0	0	0	0	0
5.02.02 Supply	462	467	467	252	1	253	221	(32)	32	467	0	0	0	0	0	0
5.02.03 Finance Operations	1,399	1,399	1,399	1,070	1	1,071	1,054	(17)	32	1,399	0	0	0	0	0	0
5.02.04 Loan Repayments	1,170	1,170	1,170	31	0	31	585	553	0	1,170	0	0	0	0	0	0
5.02.05 Holiday Park Operations	7,975	7,725	7,763	3,115	0	3,115	3,120	5	1,538	7,763	0	0	0	0	0	0
5.02.06 Holiday Parks Capital Works	1,410	1,410	2,125	0	1,074	1,074	1,050	(24)	821	1,552	0	0	573	0	0	0

**Principal Activity: 5
Organisation**

SERVICE	ANNUAL BUDGET			YTD OPERATING ACTUALS	YTD CAPITAL ACTUALS	YTD ACTUALS	YTD BUDGET		ENCUMB.	SOURCE OF FUNDS							
	Amended Original Budget	SEP Review	Annual Budget	YTD Actual	YTD Actual	YTD Actual	YTD Budget	YTD VAR		YTD COMMIT	Revenue	Grants	Contrib.	Loans	Asset Sales	Land Sales	Restricted Assets
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000		\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
DECEMBER, 2008																	
<i>5.3 Support Systems & Equipment</i>																	
5.03.01 Plant & Fleet Running Costs	7,620	7,620	8,113	4,516	0	4,516	4,441	(75)	39	8,113	0	0	0	0	0	0	
5.03.02 Plant & Fleet Purchases	6,530	6,530	6,710	0	3,003	3,003	3,015	12	312	4,380	0	0	0	2,330	0	0	
5.03.03 Information Systems	4,145	4,145	4,145	1,806	86	1,892	1,845	(46)	14,508	4,145	0	0	0	0	0	0	
5.03.04 Shire Services Operations	2,416	2,962	2,962	1,583	554	2,137	1,510	(627)	302	2,915	3	10	0	0	0	33	
5.03.05 Future Planning Operations & Studies	1,839	2,423	2,467	643	6	649	1,118	469	260	1,581	87	584	0	0	0	215	
5.03.06 Organisation Development	42	42	42	24	0	24	19	(4)	0	42	0	0	0	0	0	0	
5.03.07 Equipment Purchases	70	70	70	0	4	4	0	(4)	2	70	0	0	0	0	0	0	
<i>5.4 Governance</i>																	
5.04.01 Legal Expenses	674	742	742	654	0	654	372	(283)	72	742	0	0	0	0	0	0	
5.04.02 Administrative Services	740	758	758	425	0	425	377	(48)	61	758	0	0	0	0	0	0	
5.04.03 Internal Audit	41	34	34	12	0	12	17	5	0	34	0	0	0	0	0	0	
5.04.04 Councillor Support	499	499	499	220	1	221	205	(16)	5	499	0	0	0	0	0	0	
5.04.05 Election	620	620	620	532	0	532	620	88	1	620	0	0	0	0	0	0	
5.05.01 Allocation of Salaries & Overheads	(51,086)	(51,086)	(51,086)	(25,555)	0	(25,555)	(25,533)	22	0	(51,086)	0	0	0	0	0	0	
TOTAL ACTIVITY	31,413	32,601	34,072	13,286	4,730	18,016	17,035	(981)	18,167	(13,154)	302	1,928	573	2,330	0	247	

Source of Funds

SERVICE	ANNUAL BUDGET			YTD OPERATING ACTUALS	YTD CAPITAL ACTUALS	YTD ACTUALS	YTD BUDGET		ENCUMB.	SOURCE OF FUNDS						
	Amended Original Budget \$'000	SEP Review \$'000	Annual Budget \$'000	YTD Actual \$'000	YTD Actual \$'000	YTD Actual \$'000	YTD Budget \$'000	YTD VAR \$'000		YTD COMMIT \$'000	Revenue \$'000	Grants \$'000	Contrib. \$'000	Loans \$'000	Asset Sales \$'000	Land Sales \$'000
DECEMBER, 2008																
6.1 General Rates & Levies																
6.01.01 Rates Levy - Current Year	(54,808)	(54,508)	(54,508)	0	0	(54,575)	(54,515)	60	0	(54,508)	0	0	0	0	0	0
6.01.02 Rates Abandonments	2,441	2,441	2,441	0	0	2,423	2,413	(10)	0	2,441	0	0	0	0	0	0
6.01.03 Special Rates	(1,028)	(1,028)	(1,028)	0	0	(919)	(1,044)	(125)	0	(1,028)	0	0	0	0	0	0
6.01.04 Stormwater Levy	(1,710)	(1,710)	(1,710)	0	0	(1,709)	(1,710)	(1)	0	(1,710)	0	0	0	0	0	0
TOTAL	(55,105)	(54,805)	(54,805)	0	0	(54,780)	(54,856)	(76)	0	(54,805)	0	0	0	0	0	0
6.2 Annual Charges																
6.02.01 Water Availability Charges	(7,432)	(7,432)	(7,432)	0	0	(7,476)	(7,404)	72	0	(7,432)	0	0	0	0	0	0
6.02.02 Water Pensioner Abandonments	1,214	1,214	1,214	0	0	1,138	1,102	(36)	0	1,214	0	0	0	0	0	0
6.02.03 Sewerage Service Charges	(25,295)	(25,295)	(24,920)	0	0	(24,960)	(25,287)	(327)	0	(24,920)	0	0	0	0	0	0
6.02.04 Sewerage Pensioner Abandonments	1,225	1,225	1,225	0	0	1,191	1,212	21	0	1,225	0	0	0	0	0	0
6.02.05 Domestic Waste Management Charge	(18,501)	(18,501)	(17,741)	0	0	(17,909)	(17,916)	(7)	0	(17,741)	0	0	0	0	0	0
6.02.06 Domestic Waste Pensioner Abandonments	1,248	1,248	1,248	0	0	1,078	1,234	156	0	1,248	0	0	0	0	0	0
6.02.07 Garbage Charges - Commercial	(1,115)	(1,115)	(1,265)	0	0	(1,268)	(1,194)	74	0	(1,265)	0	0	0	0	0	0
TOTAL	(48,656)	(48,656)	(47,671)	0	0	(48,206)	(48,253)	(47)	0	(47,671)	0	0	0	0	0	0
6.3 User Charges																
6.03.01 Hire of Civic Centre & Halls	(135)	(135)	(135)	0	0	(112)	(100)	12	0	(135)	0	0	0	0	0	0
6.03.02 Library Photocopying Charges	(20)	(20)	(20)	0	0	(9)	(10)	(1)	0	(20)	0	0	0	0	0	0
6.03.03 Hire of Sporting Fields/Circuses	(170)	(185)	(185)	0	0	(36)	(40)	(4)	0	(185)	0	0	0	0	0	0
6.03.04 Child Care Charges	(3,675)	(3,675)	(3,675)	0	0	(1,723)	(1,798)	(76)	0	(3,675)	0	0	0	0	0	0
6.03.05 Water Usage	(20,220)	(20,220)	(18,460)	0	0	(8,315)	(9,388)	(1,073)	0	(18,460)	0	0	0	0	0	0
6.03.06 Sewer Usage	(743)	(743)	(743)	0	0	(468)	(624)	(156)	0	(743)	0	0	0	0	0	0
6.03.07 Effluent & Sanitary	(127)	(127)	(127)	0	0	(36)	(124)	(88)	0	(127)	0	0	0	0	0	0
6.03.08 Recycled Water	(342)	(342)	(342)	0	0	(106)	(62)	44	0	(342)	0	0	0	0	0	0
6.03.09 Trade Waste	(662)	(662)	(662)	0	0	(349)	(524)	(175)	0	(662)	0	0	0	0	0	0
6.03.10 Tipping Charges	(9,732)	(9,732)	(9,032)	0	0	(4,555)	(4,804)	(249)	0	(9,032)	0	0	0	0	0	0
6.03.11 Holiday Parks Charges	(8,156)	(8,156)	(7,736)	0	0	(3,784)	(3,785)	(1)	0	7,736	0	0	0	0	0	0
6.03.12 Vehicle Salary Sacrifice Charges	(812)	(936)	(936)	0	0	(489)	(468)	21	0	(936)	0	0	0	0	0	0
6.03.13 Property Rentals & Other Administration Charges	(859)	(859)	(859)	0	0	(483)	(429)	53	0	(859)	0	0	0	0	0	0
6.03.14 Copy Shop External Charges	(20)	(20)	(20)	0	0	(16)	(9)	7	0	(20)	0	0	0	0	0	0
TOTAL	(45,673)	(45,812)	(42,932)	0	0	(20,481)	(22,166)	(1,685)	0	(27,460)	0	0	0	0	0	0

Source of Funds

SERVICE	ANNUAL BUDGET			YTD OPERATING ACTUALS	YTD CAPITAL ACTUALS	YTD ACTUALS	YTD BUDGET		ENCUMB.	SOURCE OF FUNDS						
	Amended	SEP	Annual	YTD	YTD	YTD	YTD	YTD	YTD	Revenue	Grants	Contrib.	Loans	Asset	Land	Restricted
	Original Budget \$'000	Review \$'000	Budget \$'000	Actual \$'000	Actual \$'000	Actual \$'000	Budget \$'000	VAR \$'000	COMMIT \$'000	\$'000	\$'000	\$'000	\$'000	Sales \$'000	Sales \$'000	Assets \$'000
DECEMBER, 2008																
<i>6.4 Fees</i>																
6.04.01 Tree Application Fees	(40)	(40)	(40)	0	0	(16)	(24)	(8)	0	(40)	0	0	0	0	0	0
6.04.02 Cemetery Fees	(90)	(90)	(115)	0	0	(52)	(55)	(4)	0	(115)	0	0	0	0	0	0
6.04.03 Noxious Weeds Fees	(10)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6.04.04 Development Application Fees	(1,060)	(1,060)	(1,060)	0	0	(577)	(620)	(43)	0	(1,060)	0	0	0	0	0	0
6.04.05 DA Advertising & Other Fees	(50)	(50)	(50)	0	0	(11)	(36)	(25)	0	(50)	0	0	0	0	0	0
6.04.06 PlanningNSW Fee	(170)	(170)	(170)	0	0	(214)	(85)	129	0	(170)	0	0	0	0	0	0
6.04.07 Construction Certificates & Other Certificates	(350)	(350)	(350)	0	0	(161)	(188)	(27)	0	(350)	0	0	0	0	0	0
6.04.08 Building Inspection Fees	(400)	(400)	(400)	0	0	(173)	(226)	(53)	0	(400)	0	0	0	0	0	0
6.04.09 Section 149 Certificates	(325)	(325)	(325)	0	0	(129)	(161)	(32)	0	(325)	0	0	0	0	0	0
6.04.10 Rezoning Fees	(36)	(36)	(36)	0	0	3	(31)	(34)	0	(36)	0	0	0	0	0	0
6.04.11 Complying Development Fees	(162)	(162)	(162)	0	0	(59)	(82)	(23)	0	(162)	0	0	0	0	0	0
6.04.12 On-site Sewerage Management Fees	(115)	(115)	(115)	0	0	(94)	(85)	9	0	(115)	0	0	0	0	0	0
6.04.13 Subdivision Application Fees	(47)	(47)	(47)	0	0	(12)	(33)	(21)	0	(47)	0	0	0	0	0	0
6.04.14 Subdivision/Construction Fees	(350)	(350)	(350)	0	0	(126)	(142)	(16)	0	(350)	0	0	0	0	0	0
6.04.15 Dog Registration & Impounding Fees	(120)	(120)	(120)	0	0	(81)	(49)	32	0	(120)	0	0	0	0	0	0
6.04.16 Shop Inspection & Other Licence Fees	(230)	(230)	(230)	0	0	(99)	(101)	(2)	0	(230)	0	0	0	0	0	0
6.04.17 Water Meter Connection Fees	(380)	(380)	(380)	0	0	(175)	(208)	(33)	0	(380)	0	0	0	0	0	0
6.04.18 Section 360 Certificates	(48)	(48)	(48)	0	0	(14)	(25)	(11)	0	(48)	0	0	0	0	0	0
6.04.19 Water Operation Fees	(254)	(254)	(254)	0	0	(93)	(112)	(19)	0	(254)	0	0	0	0	0	0
6.04.20 Sewer Application Fees	(209)	(209)	(209)	0	0	(52)	(160)	(108)	0	(209)	0	0	0	0	0	0
6.04.21 Sewer Operation Fees	(36)	(36)	(36)	0	0	(37)	(18)	19	0	(36)	0	0	0	0	0	0
6.04.22 Staff Training & OHS Fees	(10)	(10)	(10)	0	0	(5)	(5)	0	0	(10)	0	0	0	0	0	0
6.04.23 Section 603 Certificates	(235)	(235)	(235)	0	0	(112)	(128)	(16)	0	(235)	0	0	0	0	0	0
TOTAL	(4,727)	(4,717)	(4,742)	0	0	(2,289)	(2,574)	(285)	0	(4,742)	0	0	0	0	0	0

Source of Funds

SERVICE	ANNUAL BUDGET			YTD OPERATING ACTUALS	YTD CAPITAL ACTUALS	YTD ACTUALS	YTD BUDGET		ENCUMB.	SOURCE OF FUNDS							
	Amended Original Budget	SEP Review	Annual Budget	YTD Actual	YTD Actual	YTD Actual	YTD Budget	YTD VAR		YTD COMMIT	Revenue	Grants	Contrib.	Loans	Asset Sales	Land Sales	Restricted Assets
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000		\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
DECEMBER, 2008																	
6.5 Interest On Investments																	
6.05.01 Interest on Overdue Rates & Charges	(240)	(240)	(372)	0	0	(392)	(238)	154	0	(372)	0	0	0	0	0	0	
6.05.02 Interest Banks & Securities (General)	(2,857)	(2,857)	(2,857)	0	0	(2,221)	(1,185)	1,036	0	(2,857)	0	0	0	0	0	0	
6.05.03 Interest Banks & Securities (WSA)	(1,855)	(1,855)	(1,855)	0	0	(720)	(927)	(207)	0	(1,855)	0	0	0	0	0	0	
6.05.04 Return on Capital - Holiday Parks	(202)	(202)	(202)	0	0	(101)	(102)	(1)	0	(202)	0	0	0	0	0	0	
6.05.05 Return on Capital - Waste	(450)	(450)	(450)	0	0	0	0	0	0	(450)	0	0	0	0	0	0	
TOTAL	(5,604)	(5,604)	(5,736)	0	0	(3,434)	(2,452)	982	0	(5,736)	0	0	0	0	0	0	
6.6 Other Revenue																	
6.06.01 Emergency Services	(1)	(1)	(1)	0	0	0	0	0	0	(1)	0	0	0	0	0	0	
6.06.02 Public Libraries Sundry Income	(35)	(35)	(35)	0	0	(17)	(17)	(0)	0	(35)	0	0	0	0	0	0	
6.06.03 Parking Fines	(400)	(400)	(400)	0	0	(118)	(163)	(45)	0	(400)	0	0	0	0	0	0	
6.06.04 Other Fines & Costs Recovered - Corp Sev	(150)	(150)	(150)	0	0	(39)	(75)	(36)	0	(150)	0	0	0	0	0	0	
6.06.05 Heritage Book Sales	(1)	(1)	(1)	0	0	(1)	(0)	0	0	(1)	0	0	0	0	0	0	
6.06.06 Ranger Services (The Entrance Town Centre)	(189)	(189)	(189)	0	0	(93)	(62)	31	0	(189)	0	0	0	0	0	0	
6.06.07 Health Services Sundry Income	(33)	(33)	(33)	0	0	(9)	(20)	(11)	0	(33)	0	0	0	0	0	0	
6.06.08 Sundry Roads Income	(40)	(40)	(40)	0	0	(100)	(7)	93	0	(40)	0	0	0	0	0	0	
6.06.09 Insurances Recouped	(150)	(150)	(150)	0	0	(42)	(58)	(16)	0	(150)	0	0	0	0	0	0	
6.06.10 Sundry Engineering Income	(437)	(437)	(437)	0	0	(157)	(259)	(102)	0	(437)	0	0	0	0	0	0	
6.06.11 Developer Contributions to Rezonings	(36)	(36)	(36)	0	0	0	0	0	0	(36)	0	0	0	0	0	0	
6.06.12 Sundry Administration Income	(89)	(89)	(89)	0	0	(123)	(33)	90	0	(89)	0	0	0	0	0	0	
6.06.13 Professional Costs Recovered	(50)	(50)	(50)	0	0	(6)	(25)	(19)	0	(50)	0	0	0	0	0	0	
6.06.14 Legal Costs Recovered - Rates	(440)	(440)	(440)	0	0	(245)	(199)	46	0	(440)	0	0	0	0	0	0	
6.06.15 Repayment of Community/Industrial Advances	(10)	(10)	(10)	0	0	0	(1)	(1)	0	(10)	0	0	0	0	0	0	
6.06.16 Diesel Fuel Rebate	(128)	(128)	(128)	0	0	(43)	(43)	0	0	(128)	0	0	0	0	0	0	
6.06.17 Child Care Sundry Income	(97)	(97)	(97)	0	0	(43)	(48)	(5)	0	(97)	0	0	0	0	0	0	
6.06.18 Insurances Recouped - Plant	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
6.06.19 Sewer Other Income	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
TOTAL	(2,286)	(2,286)	(2,286)	0	0	(1,036)	(1,011)	24	0	(2,286)	0	0	0	0	0	0	

Source of Funds

SERVICE	ANNUAL BUDGET			YTD OPERATING ACTUALS	YTD CAPITAL ACTUALS	YTD ACTUALS	YTD BUDGET		ENCUMB.	SOURCE OF FUNDS							
	Amended Original Budget	SEP Review	Annual Budget	YTD Actual	YTD Actual	YTD Actual	YTD Budget	YTD VAR	YTD COMMIT	Revenue	Grants	Contrib.	Loans	Asset Sales	Land Sales	Restricted Assets	
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	
DECEMBER, 2008																	
6.7 General Purpose Grants																	
6.07.01	Financial Assistance Grant	(7,411)	(7,699)	(7,699)	0	0	(3,849)	(3,849)	0	0	0	(7,699)	0	0	0	0	0
6.07.02	Pensioner Rate Subsidy (General)	(1,343)	(1,343)	(1,343)	0	0	(1,326)	(1,314)	12	0	(1,343)	0	0	0	0	0	0
6.07.03	Pensioner Rate Subsidy (Waste)	(598)	(598)	(598)	0	0	(590)	(587)	3	0	(598)	0	0	0	0	0	0
6.07.04	Pensioner Rate Subsidy Water (WSA)	(668)	(668)	(668)	0	0	(485)	(474)	11	0	(668)	0	0	0	0	0	0
6.07.05	Pensioner Rate Subsidy Sewer (WSA)	(674)	(674)	(674)	0	0	(653)	(660)	(7)	0	(674)	0	0	0	0	0	0
TOTAL		(10,694)	(10,982)	(10,982)	0	0	(6,904)	(6,884)	20	0	(3,283)	(7,699)	0	0	0	0	0
6.8 Specific Purpose Grants																	
6.08.01	Bushfire Prevention & Equipment Issues	(1,355)	(1,355)	(1,355)	0	0	(589)	(475)	114	0	0	(1,355)	0	0	0	0	0
6.08.02	Youth Week	(2)	(2)	(2)	0	0	(38)	(2)	36	0	0	(2)	0	0	0	0	0
6.08.03	Aboriginal Youth Outreach Worker	(78)	(78)	(78)	0	0	(40)	(78)	(38)	0	0	(78)	0	0	0	0	0
6.08.04	Home & Community Care Aged Worker	(32)	(32)	(32)	0	0	(15)	(32)	(17)	0	0	(32)	0	0	0	0	0
6.08.05	Library Per Capita Subsidy & Other Library Grants	(359)	(359)	(359)	0	0	(0)	0	0	0	0	(359)	0	0	0	0	0
6.08.06	Child Care & Speech Therapist Grants	(572)	(572)	(572)	0	0	(249)	(276)	(27)	0	0	(572)	0	0	0	0	0
6.08.07	Immunisation Subsidy	(50)	(50)	(50)	0	0	(25)	(50)	(25)	0	0	(50)	0	0	0	0	0
6.08.08	Cycleways	(185)	(185)	(185)	0	0	(36)	0	36	0	0	(185)	0	0	0	0	0
6.08.09	Noxious Weeds & Floodlighting	(64)	(64)	(64)	0	0	0	(30)	(30)	0	0	(64)	0	0	0	0	0
6.08.10	LandCare	(78)	(78)	(78)	0	0	(24)	(78)	4	0	0	(78)	0	0	0	0	0
6.08.11	Coastal Hazard Management Plan	(75)	(75)	(75)	0	0	0	(75)	(75)	0	0	(75)	0	0	0	0	0
6.08.12	Cabbage Tree Harbour Works	(650)	(650)	(650)	0	0	0	(650)	(650)	0	0	(650)	0	0	0	0	0
6.08.13	Creek Dredging	0	(325)	(325)	0	0	0	(312)	(312)	0	(325)	0	0	0	0	0	0
6.08.14	Environmental Systems	(4,000)	(4,000)	(4,000)	0	0	(1,877)	(4,000)	(2,123)	0	0	(4,000)	0	0	0	0	0
6.08.15	Climate Change - Flood Studies	(56)	(56)	(56)	0	0	0	(56)	(56)	0	0	(56)	0	0	0	0	0
6.08.16	Main Roads Engineering Fees	(2,902)	(2,902)	(2,902)	0	0	(980)	(2,902)	(1,922)	0	0	(2,902)	0	0	0	0	0
6.08.17	Roads to Recovery & Auslink	(5,104)	(5,104)	(904)	0	0	(217)	0	217	0	0	(904)	0	0	0	0	0
6.08.18	Secondary Roads Rehabilitation	(1,690)	(1,788)	(1,788)	0	0	(894)	(894)	0	0	0	(1,788)	0	0	0	0	0
6.08.19	Secondary Roads Maintenance	(269)	(269)	(269)	0	0	(136)	(135)	1	0	0	(269)	0	0	0	0	0
6.08.20	Road Safety Programme	(210)	(207)	(7)	0	0	0	(7)	(7)	0	0	(7)	0	0	0	0	0
6.08.21	Street Lighting Subsidy	(213)	(213)	(213)	0	0	0	0	0	0	0	(213)	0	0	0	0	0
6.08.22	Drainage/Flood Studies	(274)	(274)	(274)	0	0	68	(274)	(342)	0	0	(274)	0	0	0	0	0
6.08.23	Community/Social Worker Salary subsidy	(20)	(20)	(20)	0	0	(12)	(20)	(8)	0	0	(20)	0	0	0	0	0
6.08.24	RTA Projects & Safety Officer	(45)	(61)	(61)	0	0	(33)	(36)	(3)	0	0	(61)	0	0	0	0	0
6.08.25	CARES Facility Ourimbah	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6.08.26	SPD projects	(30)	(30)	(37)	0	0	0	(30)	(30)	0	0	(37)	0	0	0	0	0
6.08.27	Australian Water Fund	0	0	0	0	0	0	0	(0)	0	0	0	0	0	0	0	0
6.08.28	NSW Dept Sport & Recreation	0	0	(3)	0	0	(3)	(3)	0	0	0	(3)	0	0	0	0	0
6.08.29	Water Grants	(5,309)	(5,309)	(3,754)	0	0	(110)	(5,309)	(5,199)	0	0	(3,754)	0	0	0	0	0
6.08.30	June 2007 Storm Grants	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6.08.31	Open Space & Recreation	0	0	(123)	0	0	(16)	(33)	(16)	0	0	(123)	0	0	0	0	0
6.08.32	Marketing & Promotions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6.08.33	Shire Planning Grants	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6.08.34	Rural Addressing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6.08.35	Infrastructure Grant Commonwealth Government	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL		(23,622)	(24,057)	(18,236)	0	0	(5,225)	(15,697)	(10,472)	0	(325)	(17,911)	0	0	0	0	0

Source of Funds

SERVICE	ANNUAL BUDGET			YTD OPERATING ACTUALS	YTD CAPITAL ACTUALS	YTD ACTUALS	YTD BUDGET		ENCUMB.	SOURCE OF FUNDS						
	Amended Original Budget	SEP Review	Annual Budget	YTD Actual	YTD Actual	YTD Actual	YTD Budget	YTD VAR	YTD COMMIT	Revenue	Grants	Contrib.	Loans	Asset Sales	Land Sales	Restricted Assets
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
DECEMBER, 2008																
<i>6.9 Contributions and Donations</i>																
6.09.01 Community Buildings (Sec 94)	(3,357)	(3,107)	(3,107)	0	0	(2)	(2,157)	(2,155)	0	0	0	(3,107)	0	0	0	0
6.09.02 Libraries (Sec 94)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6.09.03 Open Space Improvements (Sec 94)	(6,917)	(7,315)	(1,667)	0	0	(5)	(1,372)	(1,367)	0	0	0	(1,667)	0	0	0	0
6.09.04 Contributions from Landowners (Rezoning)	(641)	(689)	(689)	0	0	(52)	(641)	(589)	0	(48)	0	(641)	0	0	0	0
6.09.05 Future Planning (Sec 94)	(135)	(135)	(135)	0	0	3	(135)	(138)	0	0	0	(135)	0	0	0	0
6.09.06 Secondary Roads Construction (Sec 94)	(24,060)	(26,715)	(4,415)	0	0	(8)	(1,760)	(1,752)	0	0	0	(4,415)	0	0	0	0
6.09.07 Drainage (Sec 94)	(2,165)	(3,516)	(3,516)	0	0	0	(2,165)	(2,165)	0	0	0	(3,516)	0	0	0	0
6.09.08 Engineering Design & Investigation (Sec 94)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6.09.09 Staff (Sec 94)	(409)	(409)	(409)	0	0	0	(409)	(409)	0	0	0	(409)	0	0	0	0
6.09.10 Contributions - Joint Scheme (WSA) - (Gosford C.C.)	(32,090)	(32,090)	(6,406)	0	0	0	(10,069)	(10,069)	0	0	0	(6,406)	0	0	0	0
6.09.11 Contribution to Works Water (WSA) - (Sec 64)	(2,297)	(2,297)	(949)	0	0	(60)	(2,297)	(2,237)	0	0	0	(949)	0	0	0	0
6.09.12 Contribution to Works Sewer (WSA) - (Sec 64)	(1,404)	(1,404)	(1,404)	0	0	0	(1,404)	(1,404)	0	0	0	(1,404)	0	0	0	0
6.09.13 Cycleway (Holiday Parks)	(76)	(76)	(76)	0	0	(26)	(38)	(12)	0	0	0	(76)	0	0	0	0
6.09.14 Beach Management (Holiday Parks & Sponsorships)	(154)	(156)	(156)	0	0	(23)	(15)	8	0	0	0	(156)	0	0	0	0
6.09.15 Coastal Reserves (Holiday Parks)	(295)	(295)	(295)	0	0	(71)	(147)	(77)	0	0	0	(295)	0	0	0	0
6.09.16 Lakes Maintenance (Holiday Parks)	(50)	(50)	(50)	0	0	(23)	(25)	(2)	0	0	0	(50)	0	0	0	0
6.09.17 Lakes Restoration and Improvement (Holiday Parks)	(466)	(466)	(466)	0	0	(33)	(233)	(200)	0	0	0	(466)	0	0	0	0
6.09.18 Estuary Management Plan (Holiday Parks)	(997)	(997)	(997)	0	0	(282)	(498)	(216)	0	0	0	(997)	0	0	0	0
6.09.19 Community Buildings (Holiday Parks)	(270)	(270)	(270)	0	0	0	(135)	(135)	0	0	0	(270)	0	0	0	0
6.09.20 Street Tree Planting contributions	(20)	(20)	(20)	0	0	0	(20)	(20)	0	0	0	(20)	0	0	0	0
6.09.21 Secondary Roads Rehabilitation (K&G, Footpaving & CARES Facility Ourimbah)	(507)	(507)	(507)	0	0	(171)	(507)	(336)	0	0	0	(507)	0	0	0	0
6.09.22 CARES Facility Ourimbah	(15)	(15)	(15)	0	0	(3)	(8)	(4)	0	0	0	(15)	0	0	0	0
6.09.23 Sundry Public Works (Public)	(10)	(10)	(10)	0	0	0	(10)	(10)	0	0	0	(10)	0	0	0	0
6.09.24 Waste Performance Improvement	(400)	(400)	(400)	0	0	(344)	(400)	(56)	0	0	0	(400)	0	0	0	0
6.09.25 Car Park Acquisitions & Constructions (Sec 94)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6.09.26 Landcare Contributions	0	(10)	(10)	0	0	(10)	(10)	0	0	0	0	(10)	0	0	0	0
6.09.27 Contributions to Litter Control from Waste Programme	(679)	(679)	(679)	0	0	(5)	(679)	(674)	0	0	0	(679)	0	0	0	0
6.09.28 SES & Emergency Contributions	0	0	0	0	0	(10)	0	10	0	0	0	0	0	0	0	0
6.09.29 Secondary Rds Maintenance Contributions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6.09.30 Contributions Community Development	0	0	0	0	0	(3)	0	3	0	0	0	0	0	0	0	0
6.09.31 Road Safety Contributions	0	(6)	(6)	0	0	(3)	(4)	(1)	0	0	0	(6)	0	0	0	0
6.09.32 Contributions Regulation & Compliance	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	(77,414)	(81,634)	(26,654)	0	0	(1,131)	(25,137)	(24,006)	0	(48)	0	(26,606)	0	0	0	0

Source of Funds

SERVICE	ANNUAL BUDGET			YTD OPERATING ACTUALS	YTD CAPITAL ACTUALS	YTD ACTUALS	YTD BUDGET		ENCUMB.	SOURCE OF FUNDS							
	Amended Original Budget \$'000	SEP Review \$'000	Annual Budget \$'000	YTD Actual \$'000	YTD Actual \$'000	YTD Actual \$'000	YTD Budget \$'000	YTD VAR \$'000		YTD COMMIT \$'000	Revenue \$'000	Grants \$'000	Contrib. \$'000	Loans \$'000	Asset Sales \$'000	Land Sales \$'000	Restricted Assets \$'000
DECEMBER, 2008																	
6.10 Loan Funds																	
6.10.01	Water Operations	(41,523)	(41,523)	(41,523)	0	0	0	(41,523)	(41,523)	0	0	0	0	(41,523)	0	0	0
6.10.02	Sewer Operations	(9,400)	(9,400)	(9,400)	0	0	0	(9,400)	(9,400)	0	0	0	0	(9,400)	0	0	0
6.10.03	Holiday Parks	(1,000)	(1,000)	(573)	0	0	0	(573)	(573)	0	0	0	0	(573)	0	0	0
TOTAL		(51,923)	(51,923)	(51,496)	0	0	0	(51,496)	(51,496)	0	0	0	0	(51,496)	0	0	0
6.11 Sale of Assets																	
6.11.01	Mobile Plant and Equipment	(2,380)	(2,380)	(1,980)	0	0	(840)	(239)	601	0	0	0	0	(1,980)	0	0	0
6.11.02	Land Sales	(15,000)	(15,000)	(15,000)	0	0	(11,801)	(16)	11,784	0	0	0	0	(15,000)	0	0	0
TOTAL		(17,380)	(17,380)	(16,980)	0	0	(12,641)	(255)	12,385	0	0	0	0	(16,980)	0	0	0
6.12 Internal Charges																	
6.12.01	On Line Searches	(2)	(2)	(2)	0	0	0	(1)	(1)	0	(2)	0	0	0	0	0	0
6.12.02	Nursery Sales to Other Departments	(101)	(101)	(101)	0	0	(45)	(44)	0	0	(101)	0	0	0	0	0	0
6.12.03	Rangers Services to Holiday Parks	(35)	(35)	(35)	0	0	0	0	0	0	(35)	0	0	0	0	0	0
6.12.04	Road Opening Fees	(260)	(260)	(260)	0	0	0	0	0	0	(260)	0	0	0	0	0	0
6.12.05	General Fund Contribution to Drainage	(80)	(80)	(80)	0	0	0	(40)	(40)	0	(80)	0	0	0	0	0	0
6.12.06	Tipping Fees	(3,419)	(7,288)	(7,688)	0	0	(6,036)	(5,578)	458	0	(7,688)	0	0	0	0	0	0
6.12.07	Tipping Fees for Community Groups	(52)	(52)	(52)	0	0	0	0	0	0	(52)	0	0	0	0	0	0
6.12.08	Contributions to Loan Repayments	(686)	(686)	(686)	0	0	(299)	(343)	(44)	0	(686)	0	0	0	0	0	0
6.12.09	Mobile Plant Internal Hire	(12,376)	(12,376)	(13,449)	0	0	(6,477)	(6,482)	(5)	0	(13,099)	0	0	(350)	0	0	0
6.12.10	Copy Shop	(180)	(180)	(180)	0	0	(82)	(84)	(2)	0	(180)	0	0	0	0	0	0
6.12.11	Tax Equivalent payments from Water and Sewer Ope	(368)	(368)	(368)	0	0	0	0	0	0	(368)	0	0	0	0	0	0
6.12.12	WSA Contribution to Asbestos Register	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6.12.13	Water Charges to Open Space	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6.12.14	Contribution from Water & Sewer to General Fund	0	(1,826)	(1,826)	0	0	(1,826)	(1,826)	0	0	(1,826)	0	0	0	0	0	0
TOTAL		(17,559)	(23,254)	(24,727)	0	0	(14,765)	(14,398)	367	0	(24,377)	0	0	0	(350)	0	0
6.13 Transfer From V/(To) Restricted Assets																	
6.13.01	Transfer from/(to) Land Reserve	4,101	4,101	3,751	0	0	0	0	0	0	0	0	0	0	3,751	0	0
6.13.02	Transfer from/(to) Information Systems	(490)	(490)	(490)	0	0	0	0	0	0	0	0	0	0	0	0	-490
6.13.03	Transfer from/(to) Election Reserve	(240)	(240)	(240)	0	0	0	0	0	0	0	0	0	0	0	0	-240
6.13.04	Transfer from/(to) Other Reserves	10,649	3,405	3,023	0	0	0	(65)	(65)	0	0	(2,393)	(464)	0	0	0	5,880
6.13.05a	Transfer from/(to) WSA Reserve	(15,380)	(15,446)	7,986	0	0	0	(49)	(49)	0	137	0	0	23,807	0	0	-15,958
6.13.06	Transfer from/(to) Waste Reserve	(2,256)	(5,936)	(6,776)	0	0	0	(3,677)	(3,677)	0	0	0	0	0	0	0	-6,776
6.13.07	Transfer from/(to) Holiday Park Reserve	(410)	(160)	(1,180)	0	0	0	0	0	0	0	0	0	0	0	0	-1,180
6.13.08	Transfer from/(to) Cemeteries Reserve	0	0	(22)	0	0	0	0	0	0	0	0	0	0	0	0	-22
TOTAL		(4,026)	(14,766)	6,052	0	0	0	(3,790)	(3,790)	0	137	(2,393)	(464)	23,807	0	3,751	(18,786)

25 February 2009

Board/Committee/Panel Meeting
Report

To the Ordinary Meeting

Corporate Services Department

7.1 Minutes of the Wyong Shire Governance Committee Meeting - 11 February 2009

TRIM REFERENCE: D01672436

AUTHOR: SW

SUMMARY

Minutes of the Wyong Shire Governance Committee Meeting held on 11 February 2009.

RECOMMENDATION

That Council receive the minutes of the Wyong Shire Governance Committee meeting held on 11 February 2009 and the recommendations contained therein be adopted.

BACKGROUND

A meeting of the Wyong Shire Governance Committee meeting was held on 11 February 2009. The minutes of that meeting are attached.

ATTACHMENTS

- 1 Minutes of the Wyong Shire Governance Committee meeting held on 11 February 2009
- 2 Wyong Shire Governance Action Plan 25 February 2009

WYONG SHIRE COUNCIL

**MINUTES OF THE
WYONG SHIRE GOVERNANCE COMMITTEE**
HELD IN WILFRED BARRETT AND TIM FARRELL ROOMS,
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 11 FEBRUARY 2009
COMMENCING AT 9:30 AM

INDEX

PRESENT

MR DAVID HOLMES (CHAIRPERSON), COUNCILLORS W R SYMINGTON, D P VINCENT, S A WYNN
(9:42 AM), R L GRAHAM AND MR BRUCE TURNER.

APOLOGY

AN APOLOGY FOR THE INABILITY TO ATTEND THE MEETING WAS RECEIVED ON BEHALF OF THE
DIRECTOR OF SHIRE PLANNING.

IN ATTENDANCE

GENERAL MANAGER, DIRECTOR CORPORATE SERVICES, DIRECTOR SHIRE SERVICES, COUNCILLOR
J J MCNAMARA, MANAGER DEVELOPMENT ASSESSMENT, MANAGER PLANNING - LEGAL AND POLICY,
MANAGER BIT AND IT (9:40 AM), INTERNAL AUDITOR, SENIOR INTERNAL AUDITOR, MANAGER
FINANCIAL SERVICES, MANAGER CORPORATE PLANNING, MANAGER ROADS AND DRAINAGE,
MANAGER WATER AND WASTE, MR DENNIS BANICEVIC (COUNCIL'S EXTERNAL AUDITOR) (9.50 AM),
MR NEIL ADAMS, AND AN ADMINISTRATION OFFICER

Minutes of the Governance Committee held on 11 February 2009 (contd)

1.1 Disclosure of Interest**RECOMMENDATION**

That Members now disclose any conflicts of interest in matters under consideration at this meeting.

3.1 COUNCIL'S ONLINE POST IMPLEMENTATION REVIEW

DAVID HOLMES DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST FOR THE REASON THAT HE HAS A MINOR SHAREHOLDING IN CAPGEMINI.

DAVID HOLMES STATED:

"I CHOOSE TO REMAIN IN THE COMMITTEE AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY."

GOVERNANCE COMMITTEE RESOLUTION

That the Committee receive the report on Disclosure of Interest and note the disclosure.

1.2 Minutes of Wyong Shire Governance Committee - 12 November 2008**GOVERNANCE COMMITTEE RESOLUTION**

That the Committee confirm the minutes of the previous Wyong Shire Governance Committee held on 12 November 2008.

1.3 Wyong Shire Governance Committee Action Plan - 12 November 2008**GOVERNANCE COMMITTEE RESOLUTION**

That the Committee receive the report on the Wyong Shire Governance Committee Action Plan - 12 November 2008.

Minutes of the Governance Committee held on 11 February 2009 (contd)

2.1 2009 Governance Committee Meeting Dates**GOVERNANCE COMMITTEE RESOLUTION**

That the Committee adopt the following as the 2009 Governance Committee Meeting Dates:

- 1 11 February 2009
- 2 13 May 2009
- 3 12 August 2009
- 4 *Extraordinary meeting to be advised*
- 5 11 November 2009.

2.2 Executive Summary Report**GOVERNANCE COMMITTEE RESOLUTION**

That the Executive Summary Report for Councillors be received.

2.3 Internal Auditor's Report**RECOMMENDATION**

- 1 *That Council receive the report and the information be noted.*
- 2 *That Council adopt the revised Governance Committee Charter.*
- 3 *That Council adopt the revised Internal Audit Charter.*

GOVERNANCE COMMITTEE RESOLUTION

- 1 *That Council receive the report and the information be noted.*
- 2 *That the Charter be amended for membership to consist of 3 Independent Members including 1 Chairperson, 3 Councillor Delegates including the Mayor and 1 Alternate Delegate and that voting be dependent on the number of independent members attending each meeting.*
- 3 *That the Committee's consideration on the draft Governance Committee Charter and Internal Audit Charter be deferred until the next meeting for further discussion and consideration of the internal Ombudsman role.*
- 4 *That in particular, all clauses relating to the employment relationship and report line of accountability in respect of the Internal Auditor be amended to ensure clarity that the Internal Auditor is an employee of Wyong Shire Council and under the direct control of the General Manager and with a responsibility to provide reports directly to the Governance Committee.*

Minutes of the Governance Committee held on 11 February 2009 (contd)

2.4 Annual Performance Review

GOVERNANCE COMMITTEE RESOLUTION

That the report be received on the Annual Performance Review.

2.5 Update on Extreme and High Corporate Risks

RECOMMENDATION

That the report on the Update on Extreme and High Risks be received.

GOVERNANCE COMMITTEE RESOLUTION

That the report be deferred until the 13 May 2009 Governance Committee Meeting.

2.6 2008-09 Management Plan - December 2008 Quarter Review

GOVERNANCE COMMITTEE RESOLUTION

That the report on the 2008-09 Management Plan – December 2008 Quarter Review be received.

3.1 Council's Online Post Implementation Review

GOVERNANCE COMMITTEE RESOLUTION

That the report on Council's Online Post Implementation Review and Councils Online Roadmap be received.

**3.2 Report on the ICAC Recommendations from the Investigation Into
Corruption Allegations Affecting Wollongong Council**

GOVERNANCE COMMITTEE RESOLUTION

That Council receive the report on Report on the ICAC Recommendations from the Investigation Into Corruption Allegations Affecting Wollongong Council.

Minutes of the Governance Committee held on 11 February 2009 (contd)

3.3 Professional Development Program for Councillors

GOVERNANCE COMMITTEE RESOLUTION

That Council receive the report on Professional Development Program for Councillors.

3.4 2007-08 Financial Breakdown - General, Water and Sewer Funds

GOVERNANCE COMMITTEE RESOLUTION

That the report on 2007-08 Financial Breakdown – General, Water and Sewer Funds be received.

3.5 Annual Financial Reports - Draft Executive Sign Off

GOVERNANCE COMMITTEE RESOLUTION

That the Committee approve the Draft Executive Sign Off Document for use as a standard in presenting all future Annual Financial Reports – Draft Executive Sign Off.

3.6 Rate Comparison

GOVERNANCE COMMITTEE RESOLUTION

That Council receive the report on Rate Comparison.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 12:40 PM.

**ACTION PLAN 11 FEBRUARY 2009
GOVERNANCE MEETING**

DATE	REPORT	ACTIONS	RESPONSIBILITY	DUE DATE	STATUS
13/08/2008	GC019 - Update on Extreme and High Corporate Risks	That the Draft Strategic Shire Vision be completed.	Corporate Planning	Late April 2009	To be placed on exhibition by April 2009 and recommended for adoption July 2009.
13/08/2008	GC022 - Internal Auditor's Report	Internal Audit Plan to be discussed at a meeting arranged by the Mayor with the GM and independent members. The discussion will also consider enhancing the mechanisms for tracking and reporting on the performance of the Internal Audit section (including the delivery of the audit plan, and other contemporary Key Performance Indicators), and enhancing the report on Outstanding Audit Recommendations (eg status original target dates; commentary on actions in hand).	Internal Audit	1/05/09	Meeting between Mayor, GM, independent members of Governance Committee, Internal Auditor and Director Corporate Services deferred until May 2009 to discuss plan and related matters also, to be discussed in telephone conference.
12/11/2008	GC034 - Internal Auditor's Report	1 That a flow chart be presented on internal and external audit processes.	Internal Audit	13/05/09	To be included in the 13 May 2009 Governance Committee Business Paper.
		2 That an analysis of audit recommendations be provided including a differentiation of operational or strategic issues. The analysis and reporting should also encompass the timely resolution of audit recommendations, especially for high risk recommendations. Ideally, this will include information that shows the slippage against the original target dates, and the ageing of recommendations. For overdue high risk recommendations, there should be commentary on the action being taken by management to mitigate the risk, and when this is likely to be completed.	Internal Audit	13/05/09	Ageing report on recommendations will be available from May 2009. Further work is required to effectively address a number of the issues surrounding open audit recommendations.

**ACTION PLAN 11 FEBRUARY 2009
GOVERNANCE MEETING**

DATE	REPORT	ACTIONS	RESPONSIBILITY	DUE DATE	STATUS
	GC034 - Internal Auditor's Report (contd)	3 That a Quality Assessment Review be undertaken.	Internal Audit	13/05/09	Report of the outcome to be provided to the 13 May 2009 Governance Committee Meeting. GM to discuss details with Bruce Turner.
		4 That an update on DECC issues be provided at the next meeting and on a regular basis and that the Mayor be kept informed.	Internal Audit	13/05/09	A further update on the status of DECC issues will be provided at the May 2009 Governance Committee Meeting. Issues are being addressed through the Mayor and General Manager.
		5 That the GM meet with DECC in an effort to resolve outstanding issues including Buttonderry s88 Audit, Gwandalan and Toukley.	GM		Meeting to be arranged.

**ACTION PLAN 11 FEBRUARY 2009
GOVERNANCE MEETING**

DATE	REPORT	ACTIONS	RESPONSIBILITY	DUE DATE	STATUS
12/11/2008	GC035 Annual Performance Review	1 That training be offered to all Councillors on Governance concepts.	GM		Training planned as part of the individual Councillor training, awaiting response from various Councillors.
		2 That the Chairperson present a briefing to Councillors following the next Governance Meeting and that an informal discussion be scheduled annually.	GM/David Holmes	13/05/09	Due to briefing workload the Mayor has requested that this be held over to the May 2009 Meeting.
		3 That Councillor's consider the position of 'spokesperson' to discuss Governance Minutes at Ordinary Meetings and balance between Independent Members/Councillors.	Councillor Delegates		Recommendation on delegates contained within 2.3 of the Governance Minutes tabled at 25 February 2009 Ordinary Meeting. Spokesperson to be determined after Council has considered the proposed changes to Membership.
		4 That the External Auditor present the External Audit Plan and Management Letter previously issued and that in the future these documents be provided to Governance Committee as a matter of course.	Dennis Banicevic	13/05/09	2008/2009 Audit Plan to be presented at the 13 May 2009 Governance Committee Meeting.
12/11/2008	GC036 Governance and Audit Issues	That the Committee approve the Internal Audit Plan.	Internal Auditor	13/05/09	2009/10 plan to be submitted to the 13 May 2009 Governance Committee Meeting.

**ACTION PLAN 11 FEBRUARY 2009
GOVERNANCE MEETING**

DATE	REPORT	ACTIONS	RESPONSIBILITY	DUE DATE	STATUS
11/02/2009	2.3 Internal Auditor's Report	1 That a letter be forwarded to the Department of Local Government querying the inconsistency in the 'Better Practice Guidelines' compared to the Act on the role of Internal Auditor in respect to line of report.	GM	Mar-09	Letter to be forwarded by March 2009.
		2 That a resource be employed by April to support the Internal Auditor.	GM	Mar-09	Position to be confirmed by March 2009.
		3 That a report be provided to the next Governance Committee Meeting on Independent Members remuneration.	Internal Auditor	13/05/09	To be reported at the 13 May 2009 Governance Committee Meeting.
		4 That an update on M2M status be provided to the next Governance Committee Meeting.	Internal Auditor	13/05/09	To be reported at the 13 May 2009 Governance Committee Meeting.
		5 That a telephone conference be arranged to discuss wording and timeframes in the Charter as discussed at the meeting.	GM		To be arranged.
		6 That an update on the Waste Management Investigation and progress on cultural change be provided to the next Governance Committee Meeting.	Internal Auditor	13/05/09	To be reported at the 13 May 2009 Governance Committee Meeting.
		7 That a meeting with the Mayoral Sub-Committee be scheduled to discuss the audit plan variance analysis.	GM		To be arranged.
11/02/2009	2.6 2008-09 Management Plan - December 2008 Quarter Review	That the contractual arrangements with Council's investment advisor, Grove, be reviewed.	Director Corporate Services	13/05/09	To be reported at the 13 May 2009 Governance Committee Meeting.
11/02/2009	3.2 Report on the ICAC Recommendations from the Investigation into Corruption Allegations Affecting Wollongong Council	1 That a progress report be provided on the finding summary within 6 months.	Director of Shire Planning	12/08/09	To be reported by 12 August 2009 Governance Committee Meeting.

**ACTION PLAN 11 FEBRUARY 2009
GOVERNANCE MEETING**

DATE	REPORT	ACTIONS	RESPONSIBILITY	DUE DATE	STATUS
		2 That a report be provided regarding interdepartmental review, outlining any areas of concerns and weaknesses including an action plan within 6 months.	Director of Shire Planning	12/08/09	To be reported by 12 August 2009 Governance Committee Meeting.
		3 That background key controls as outlined in the paper addressing the ICAC issues, be incorporated into the internal audit program as part of the review process.	Internal Auditor		To be addressed in the internal audit program.
		4 That a report be provided on meeting ICAC recommendations in regards to Council's Protected Disclosure Policy.	Director of Shire Planning	12/08/09	To be reported by the 12 August 2009 Governance Committee Meeting.
		5 That a report be provided on the position of Ombudsman.	Director of Corporate Services	13/05/09	To be reported at the 13 May 2009 Governance Committee Meeting.

25 February 2009

Board/Committee/Panel Meeting
Report

To the Ordinary Meeting

Corporate Services Department

7.2 Minutes of the Gosford-Wyong Councils' Water Authority Board Meeting - 18 February 2009

TRIM REFERENCE: D01672423

AUTHOR: SW

SUMMARY

Minutes of the Gosford-Wyong Councils' Water Authority Board meeting held on 18 February 2009.

RECOMMENDATION

That Council receive the minutes of the Gosford-Wyong Councils' Water Authority Board meeting held on 18 February 2009 and the recommendations contained therein be adopted.

BACKGROUND

A meeting of Gosford/Wyong Councils' Water Authority Board was held on 18 February 2009. The minutes of that meeting are attached.

ATTACHMENTS

- 1 Minutes of the Gosford-Wyong Councils' Water Authority Board meeting held on 18 February 2009

WATER AUTHORITY
MINUTES OF THE
GOSFORD/WYONG COUNCILS' WATER AUTHORITY
BOARD MEETING
HELD AT GOSFORD CITY COUNCIL
ON WEDNESDAY, 18 FEBRUARY 2009
COMMENCING AT 8.34 AM

PRESENT:

CR FREEWATER (ALTERNATE)*

CHAIRPERSON

GOSFORD

CR LATELLA*

WYONG

CR GRAHAM*

CR MCNAMARA*

CR SYMINGTON*

MR P WILSON*

MR R WILLIAMS*

MR K YATES*

MR P WISE

GOSFORD CITY COUNCIL STAFF

MRS P MCCANN

MS K GILLETT

MR B KOIZUMI-SMITH

WYONG SHIRE COUNCIL STAFF

MR GREG MCDONALD

MRS H SCHWARTZ

MS M REDMOND

* *BOARD MEMBERS WITH VOTING RIGHTS AT THIS MEETING.*

AUTHORITY STAFF

MR G CASEMENT

MR B BAKER

APOLOGIES

CR HOLSTEIN*

CR MAHER

MARDI-MANGROVE LINK

MR BOB PEACOCKE

MS LISA MCDERMOTT

RESOLVED unanimously on the motion of Mr Wilson and seconded by Mr Yates:

That Cr Freewater be nominated act as Chairperson in the absence of Cr Holstein.

FOR: CR FREEWATER, CR GRAHAM, CR MCNAMARA, MR WILSON, MR WILLIAMS,
CR SYMINGTON, MR YATES

AGAINST: NIL

**Minutes of the Gosford/Wyong Council's Water Authority Board Meeting held on
18 February 2009 (contd)**

APOLOGY

RESOLVED unanimously on the motion of Cr Graham and seconded by Mr Yates:

That the apology on behalf of Cr Holstein be accepted and leave of absence from the meeting be granted.

FOR: CR FREEWATER, CR GRAHAM, CR MCNAMARA, MR WILSON, MR WILLIAMS,
CR SYMINGTON, MR YATES

AGAINST: NIL

1.1 Disclosure of Interest

RESOLVED unanimously on the motion of Cr Graham and seconded by Mr Yates:

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

FOR: CR FREEWATER, CR GRAHAM, CR MCNAMARA, MR WILSON, MR WILLIAMS,
CR SYMINGTON, MR YATES

AGAINST: NIL

1.2 Confirmation of Minutes of Previous Meeting

RESOLVED unanimously on the motion of Mr Williams and seconded by Mr Wilson:

That the minutes of the Gosford/Wyong Councils' Water Authority Board meeting held on 19 November 2008 be confirmed.

FOR: CR FREEWATER, CR GRAHAM, CR MCNAMARA, MR WILSON, MR WILLIAMS,
CR SYMINGTON, MR YATES

AGAINST: NIL

BUSINESS ARISING OUT OF THE MINUTES

THERE WAS NO BUSINESS ARISING.

**Minutes of the Gosford/Wyong Council's Water Authority Board Meeting held on
18 February 2009 (contd)**

2.1 Water Restrictions

CR LATELLA ARRIVED AT 8.46 DURING CONSIDERATION OF THIS ITEM.

It was MOVED by Councillor Symington and SECONDED by Councillor Graham:

That the Board note the information and recommend to the two Councils the following:

- 1 *That amended Level 2b restrictions be commenced on 15 March 2009 as detailed at Attachment 2.*
- 2 *That the current water banking scheme be replaced by the water restriction exemption process.*

An AMENDMENT was MOVED by Mr Wilson and SECONDED by Mr Yates:

That the current water restrictions remain and the matter of water restrictions be referred to the proposed joint meeting of the two Councils and this be held as soon as possible.

The AMENDMENT was put to the VOTE and declared CARRIED.

FOR: CR FREEWATER, CR GRAHAM, CR LATELLA, CR MCNAMARA, MR WILSON, MR WILLIAMS,
CR SYMINGTON, MR YATES

AGAINST: NIL

The AMENDMENT became the MOTION.

RESOLVED unanimously on the motion of Mr Wilson and SECONDED by Mr Yates

That the current water restrictions remain and the matter of water restrictions be referred to the proposed joint meeting of the two Councils and this be held as soon as possible.

FOR: CR FREEWATER, CR GRAHAM, CR LATELLA, CR MCNAMARA, MR WILSON, MR WILLIAMS,
CR SYMINGTON, MR YATES

AGAINST: NIL

3.1 Regular Information Reports

RESOLVED unanimously on the motion of Cr Graham and seconded by Mr Williams:

That the Regular Information Reports be dealt with by the exception method.

FOR: CR FREEWATER, CR GRAHAM, CR LATELLA, CR MCNAMARA, MR WILSON, MR WILLIAMS,
CR SYMINGTON, MR YATES

AGAINST: NIL

**Minutes of the Gosford/Wyong Council's Water Authority Board Meeting held on
18 February 2009 (contd)**

RESOLVED unanimously on the motion of Cr Graham and seconded by Cr Freewater:

That the Regular Information Reports be received and the information noted.

FOR: CR FREEWATER, CR GRAHAM, CR LATELLA, CR MCNAMARA, MR WILSON, MR WILLIAMS,
CR SYMINGTON, MR YATES

AGAINST: NIL

3.2 Project Report - Mardi - Mangrove Link

RESOLVED unanimously on the motion of Cr Graham and seconded by Cr Freewater:

That the Project Report - Mardi-Mangrove Link be received and the information noted.

FOR: CR FREEWATER, CR GRAHAM, CR LATELLA, CR MCNAMARA, MR WILSON, MR WILLIAMS,
CR SYMINGTON, MR YATES

AGAINST: NIL

3.3 Rainwater Tank Rebate Program

RESOLVED unanimously on the motion of Cr Graham and seconded by Cr Freewater:

***That the report on Rainwater Tank Rebate Program be received and information
noted.***

FOR: CR FREEWATER, CR GRAHAM, CR LATELLA, CR MCNAMARA, MR WILSON, MR WILLIAMS,
CR SYMINGTON, MR YATES

AGAINST: NIL

3.4 Project Progress Report - Mardi Suite of Works

RESOLVED unanimously on the motion of Cr Graham and seconded by Cr Freewater:

***That the Project Progress Report - Mardi Suite of Works be received and the
information noted.***

FOR: CR FREEWATER, CR GRAHAM, CR LATELLA, CR MCNAMARA, MR WILSON, MR WILLIAMS,
CR SYMINGTON, MR YATES

AGAINST: NIL

**Minutes of the Gosford/Wyong Council's Water Authority Board Meeting held on
18 February 2009 (contd)**

3.5 Project Report - Update on Capital Improvement Works

RESOLVED unanimously on the motion of Cr Graham and seconded by Cr Freewater:

That the report on Project Report - Update on Capital Improvement Works be received and the information noted.

FOR: CR FREEWATER, CR GRAHAM, CR LATELLA, CR MCNAMARA, MR WILSON, MR WILLIAMS,
CR SYMINGTON, MR YATES

AGAINST: NIL

3.6 Communications Update

RESOLVED unanimously on the motion of Cr Graham and seconded by Cr Freewater:

That the report on Communications Update be received and the information noted.

FOR: CR FREEWATER, CR GRAHAM, CR LATELLA, CR MCNAMARA, MR WILSON, MR WILLIAMS,
CR SYMINGTON, MR YATES

AGAINST: NIL

3.7 Budget and Financial Summary

RESOLVED unanimously on the motion of Cr Graham and seconded by Cr Freewater:

That the report on Budget and Financial Summary be received and the information noted.

FOR: CR FREEWATER, CR GRAHAM, CR LATELLA, CR MCNAMARA, MR WILSON, MR WILLIAMS,
CR SYMINGTON, MR YATES

AGAINST: NIL

**Minutes of the Gosford/Wyong Council's Water Authority Board Meeting held on
18 February 2009 (contd)**

4 General Business

4.1 GB001 Late Apology for Cr Maher

MR WILSON SUBMITTED AN APOLOGY IN RESPECT OF CR MAHER WHICH HAD BEEN OMITTED WHEN THE APOLOGIES WERE ADOPTED AT THE START OF THE MEETING.

4.2 GB002 Mardi-Mangrove Link

CR LAELLA ASKED WHEN WOULD THE NEXT REPORT ON THE MARDI-MANGROVE LINK BE BROUGHT BACK TO THE AUTHORITY. MR PEACOCKE ADVISED THAT DEPENDING ON TIMEFRAMES AN INERIM REPORT WILL BE SUBMITTED TO THE PROPOSED JOINT MEETING OF COUNCILS. A REPORT WILL ALSO BE SUBMITTED TO THE NEXT JOINT WATER AUTHORITY MEETING IN MAY.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 9.04 AM.

8.1 Information Reports

TRIM REFERENCE: D01672464

AUTHOR: SW

SUMMARY

In accordance with Council's Code of Meeting Practice reports for the information of Council are provided for adoption either by nominated exception or englobo.

RECOMMENDATION

That Council deal with the following information reports by the exception method.

ATTACHMENTS

Nil.

8.2 Results of Water Quality Testing for Bathing Beaches

TRIM REFERENCE: D01672224

AUTHOR: JS

SUMMARY

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

RECOMMENDATION

That Council receive the report on Results of Water Quality Testing for Bathing Beaches .

BACKGROUND

Primary Recreation Water Quality Monitoring Program

Wyong beaches are regularly monitored for swimming safety in accordance with the National Health and Medical Research Council (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*.

Wyong Council has been in partnership with the Department of Environment and Climate Change (DECC) in implementing the "Beachwatch" program during the bathing season of summer, October through to April. This involves the sampling of 29 monitoring locations, five times each month as required by the NHMRC Guidelines and the beachwatch program. These monitoring locations include 17 ocean beaches, nine coastal lake sites and three river sites in the Tuggerah Lakes catchment.

During the winter season the Beachwatch program becomes inactive, where the sampling regime is reduced to once a month. If these monthly results indicate high levels of sewage and stormwater contamination further investigations are triggered to determine the source of it's origin.

Additionally, Council is still required to monitor the ocean outfalls at Norah Head and Wonga Point five times a months throughout the year. This monitoring and sampling regime is undertaken in accordance with the Department of Environment and Climate Change "Environmental Protection License's".

Summary of Results for January 2009

Throughout the January period, all the ocean and lakes beaches received a star rating that was safe for swimming in accordance with the NHMRC Guidelines for Recreational Water Use . Throughout the January period, Tumbi Creek was the only river site to receive a star rating that was unsafe for swimming.

Studies from the Estuary Management Plan (EMP) have determined that the water quality of the river sites are predominately impacted upon by animal faecal contamination within each of their catchments, for example birds, horses, cattle, cats and dogs. To improve the water quality of these river systems the "Regulation and Compliance and Estuary Management" units have committed funding and resources to implement a long term strategy of designing and implementing a catchment auditing program over the next 24 months. This catchment audit program would involve educating the agricultural industry on best practice techniques and improving upon their land use practices within the catchment so that they are no longer having an impact upon the surrounding waterways. Our focus will be targeting those industries that would have the potential of impacting these river systems in high faecal concentration for example the cattle, turf and poultry farming, market gardening and horse establishments.

When undertaking an audit of these premise's the key areas of concern involve:

- Liquid and Solid Waste Management (handling storage and disposal);
- Drainage and Water Management (overland runoff and contaminated water);
- Stable Yard Management (rotation,manure and bedding);
- Land Management (erosion and sediment control, dust, odour, stock sustainability);
- Nutrient Management;
- Pollution Management (Potential sources, mitigation measures and risk evaluation); and
- Provide practical mitigation measures and solution in preventing pollution and or land degradation from occurring.

Table 1: NHMRC Star Rating Interpretation

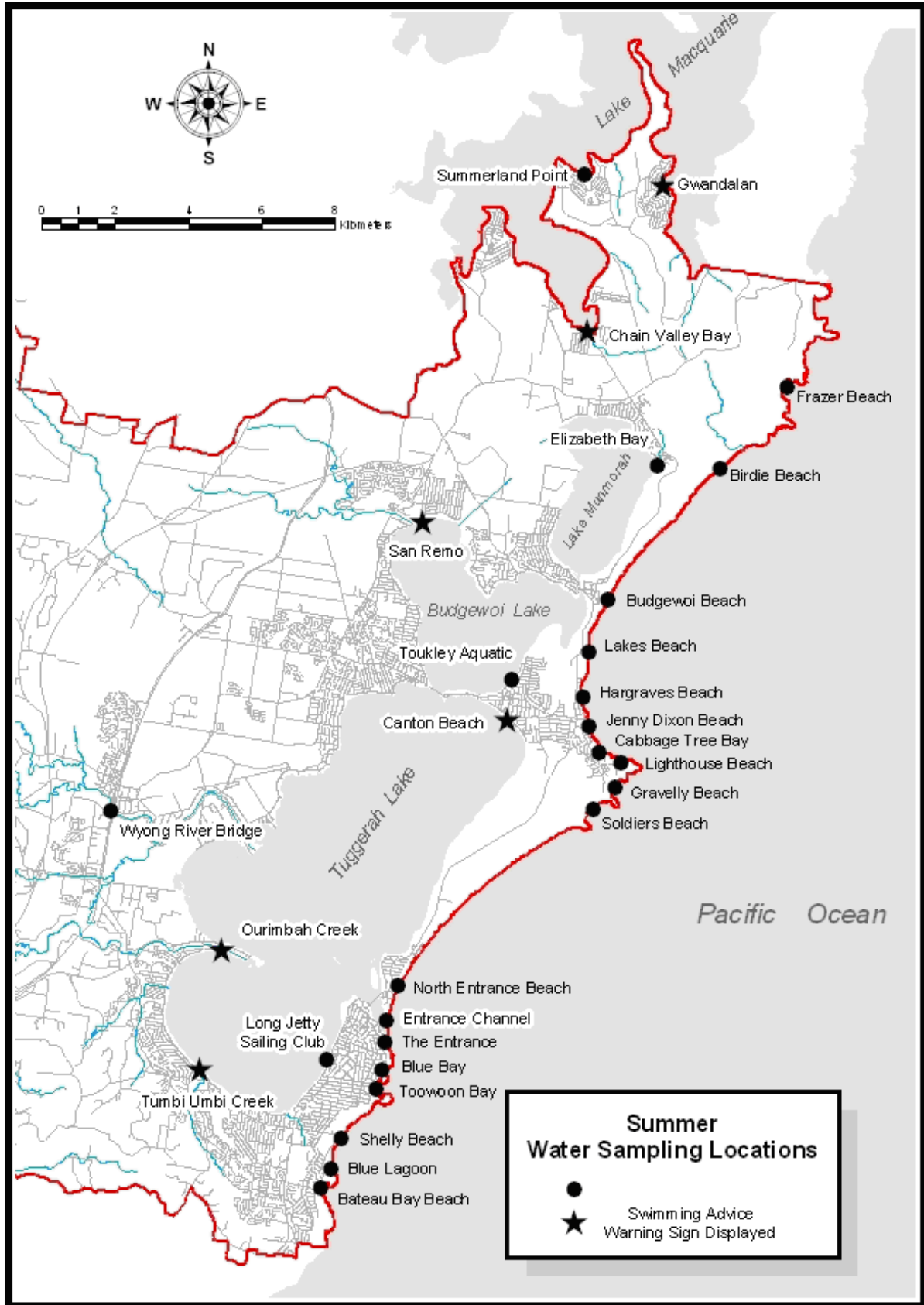
Star Rating		Interpretation	Graphic Representation
****	Good: NHMRC indicates site safe for swimming	All 5 samples during the month were under the NHMRC safe value for swimming.	
***	Fair: NHMRC indicates site is safe for swimming	The median of all samples is low, but one sample during the month exceeded the NHMRC maximum safe value for swimming.	
**	Poor: NHMRC indicates swimming at site is not recommended.	The median of all samples is high and one sample exceeded the NHMRC maximum safe value for swimming; Or The median of all samples is low, but two samples exceeded the NHMRC maximum safe value for swimming.	
*	Bad: NHMRC indicates swimming at site is not recommended.	The median of all samples is high and two or more samples exceeded the NHMRC maximum safe value for swimming.	

Table 2: OCEAN BEACHES – 2009

LOCATION	STAR RATING	RECOMMENDATION
Cabbage Tree Bay	****	Site is safe for swimming
Soldiers Beach	****	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
The Entrance Channel	****	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
Frazer	****	Site is safe for swimming
Birdie	****	Site is safe for swimming
Lakes	****	Site is safe for swimming
Jenny Dixon	****	Site is safe for swimming
Hargraves	****	Site is safe for swimming
Budgewoi	***	Site is safe for swimming
The Entrance	***	Site is safe for swimming
Toowoan Bay	***	Site is safe for swimming
North Entrance	***	Site is safe for swimming

Table 3: RIVER AND LAKE BEACHES –2009

LOCATION	STAR RATING	RECOMMENDATIONS
San Remo	****	Site is safe for swimming
Summerland Point	****	Site is safe for swimming
Elizabeth Bay	****	Site is safe for swimming
Long Jetty	****	Site is safe for swimming
Gwandalan	****	Site is safe for swimming
Chain Valley Bay	***	Site is safe for swimming
Toukley Aquatic	***	Site is safe for swimming
Canton Beach	***	Site is safe for swimming
Ourimbah Creek Chittaway Point	***	Site is safe for swimming
Wyang River at Wyang	***	Site is safe for swimming
Tumbi Creek Tumbi Umbi	**	Site is unsafe for swimming



ATTACHMENTS

Nil.

8.3 Activities of the Development Assessment Unit

TRIM REFERENCE: D01666613

AUTHOR: 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 January.

RECOMMENDATION

That Council receive the report on Activities of the Development Assessment Unit.

Development Applications Received and Determined

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	7	1,167,500	17	3,266,000
Industrial	-	-	9	4,284,500
Residential	50	4,194,251	74	4,821,077
Other	11	-	14	1,000,000
Total	68	5,361,751	114	13,371,577

Subdivision Applications Received and Determined

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

Net Median Turn-around Time

The net median turn-around time in working days for priority applications determined during the month was 36 days. During the month, there was one priority application for a Warehouse in Tuggerah. Following preliminary assessment of the application additional information was requested from the applicant given a number of non-compliances with Council policies. Delays were incurred in receiving this information from the applicant resulting in a longer than normal processing time for this priority application. However, it should be noted that Council's Management Plan includes a target of 45 days for priority applications.

The net median turn-around time in working days for development applications determined during the month was 20 days.

Other Approvals and Certificates

Type:	Number Determined:
Trees	25
Section 149 D Certificates	21
Construction Certificates	58
Complying Development Certificates	10

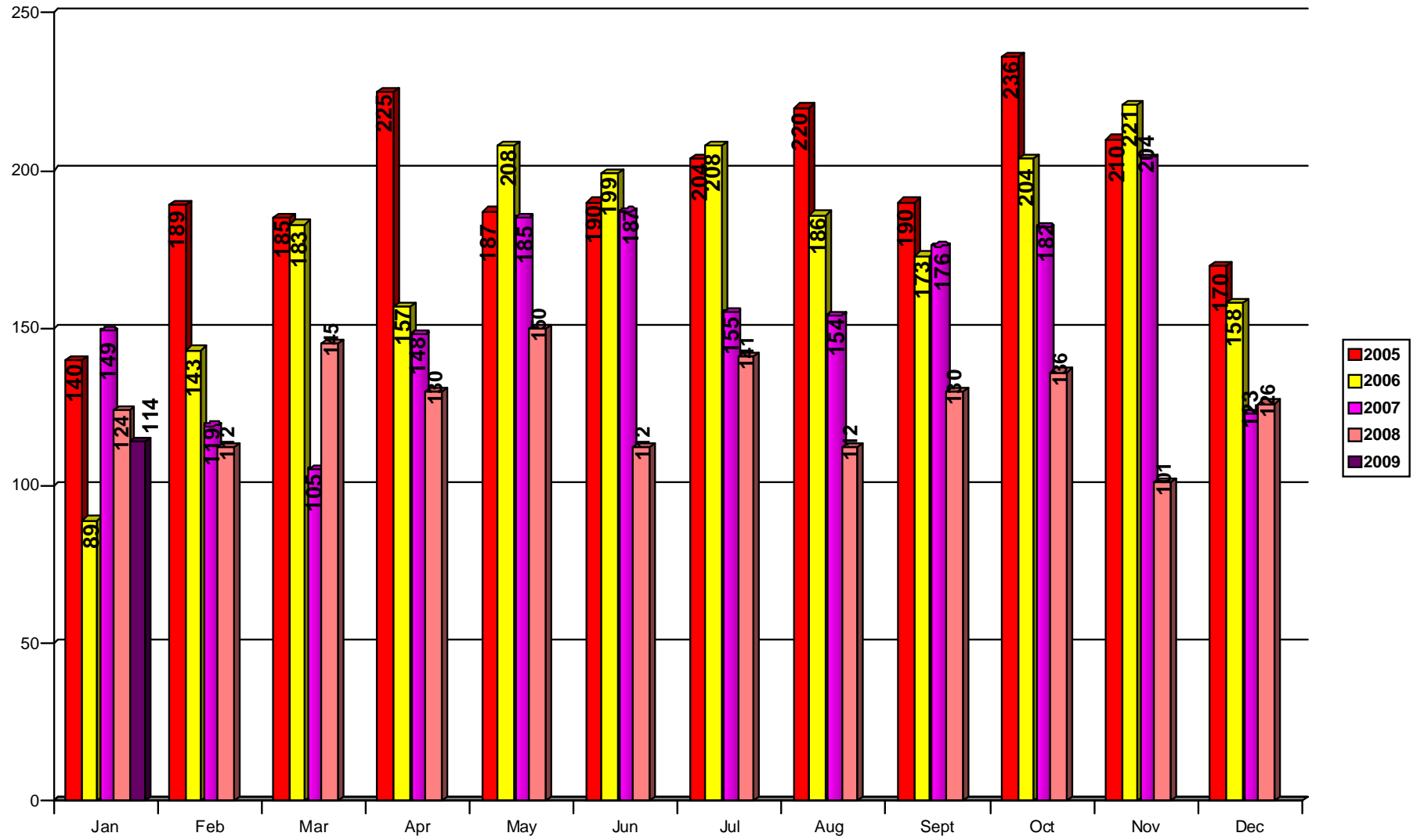
State Environmental Planning Policy No 1

There were no applications that relied on SEPP 1 variations for the Month of January 2009.

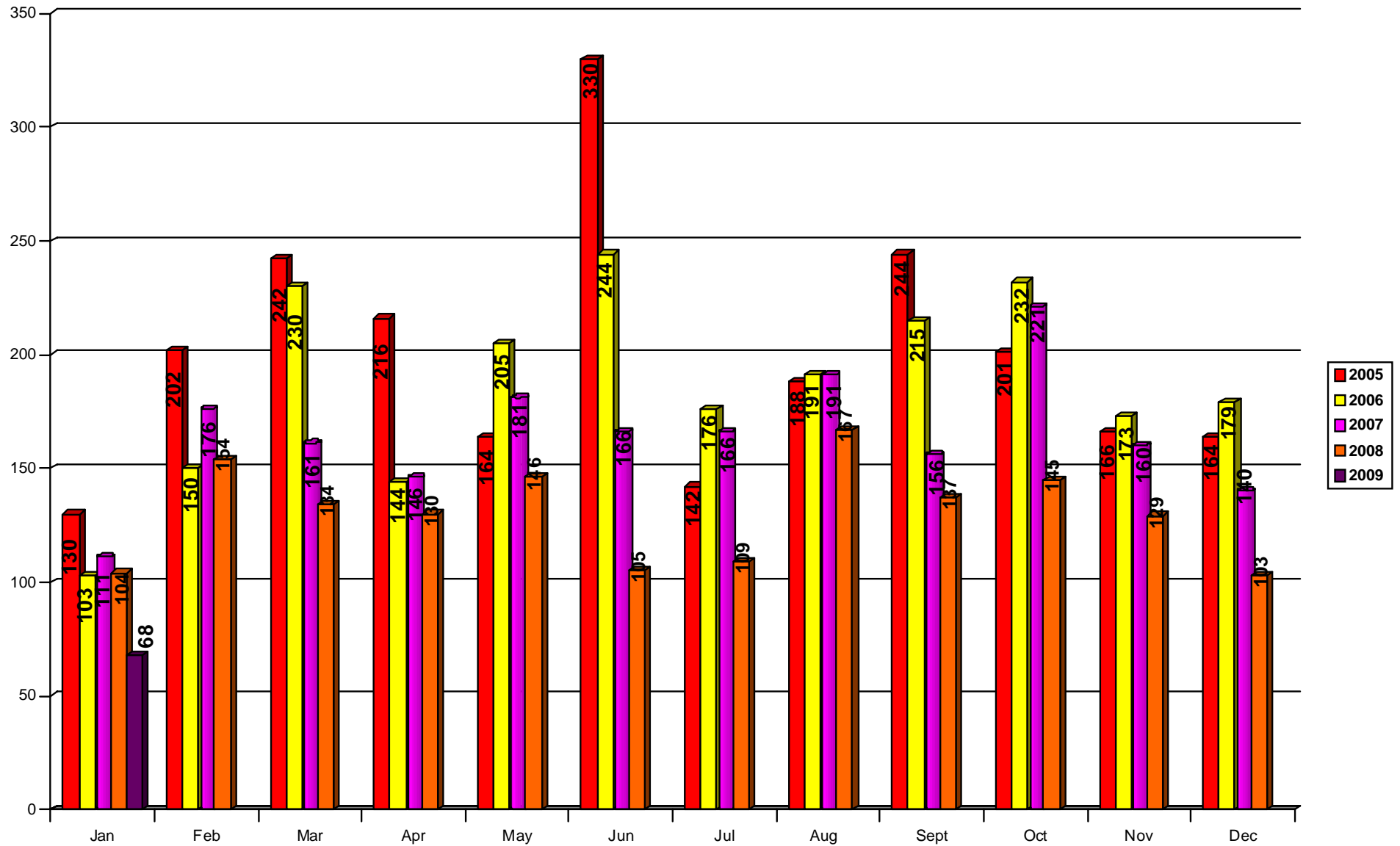
ATTACHMENTS

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

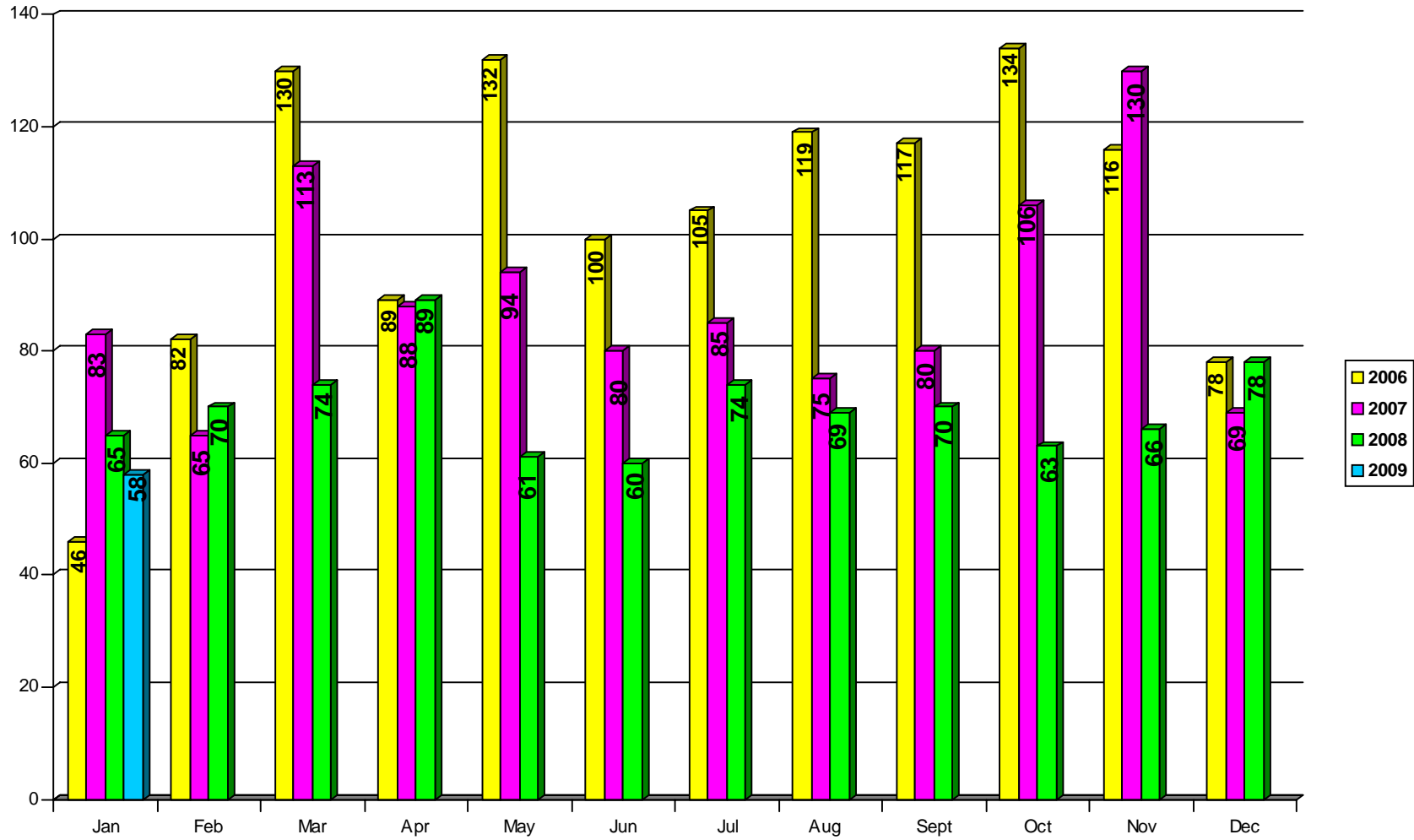
DAs DETERMINED



DAs LODGED



CCs DETERMINED



8.4 Water and Sewerage - Works in Progress

TRIM REFERENCE: D01672215

AUTHOR: GM

SUMMARY

Water supply and sewerage works in progress and completed for January 2009.

RECOMMENDATION

That Council receive the report on Water and Sewerage - Works in Progress.

WATER SUPPLY

Water

Work is progressing on the construction of a new booster water pump station at the Bateau Bay Reservoir site in Berne Street Bateau Bay.

The work consists of the replacement of approximately 60 metres of 80 mm diameter galvanised iron pipe with 100 mm uPVC pipeline complete with pumping connections and the construction of a reinforced concrete and brick building to house the booster pumps and the telemetry control systems. The existing galvanised iron water main is approximately 25 years old and was found to be severely corroded and leaking water. The pump station controls and power supply were not secure and were prone to vandalism. The new building will house the new booster pumps and will provide security to the telemetry and pump controls and will reduce pump noise levels to the surrounding residents.

The work, estimated to cost \$50,000, is being carried out by Council's Water & Sewerage day labour staff and is due for completion in February 2009. The work is being funded from Council's Water and Sewerage Capital Works program.

Water Storage

As at 16 February 2009 the storage in Mangrove Creek Dam was 27.8%, Mardi Dam was at 81% and Mooney Dam 100%, while the total system storage was 31.4%.

SEWERAGE

Council's maintenance program of replacing and repairing sewer mains that are causing operational problems is being undertaken along the foreshore at Gwandalan and Summerland Point.

PROCESS

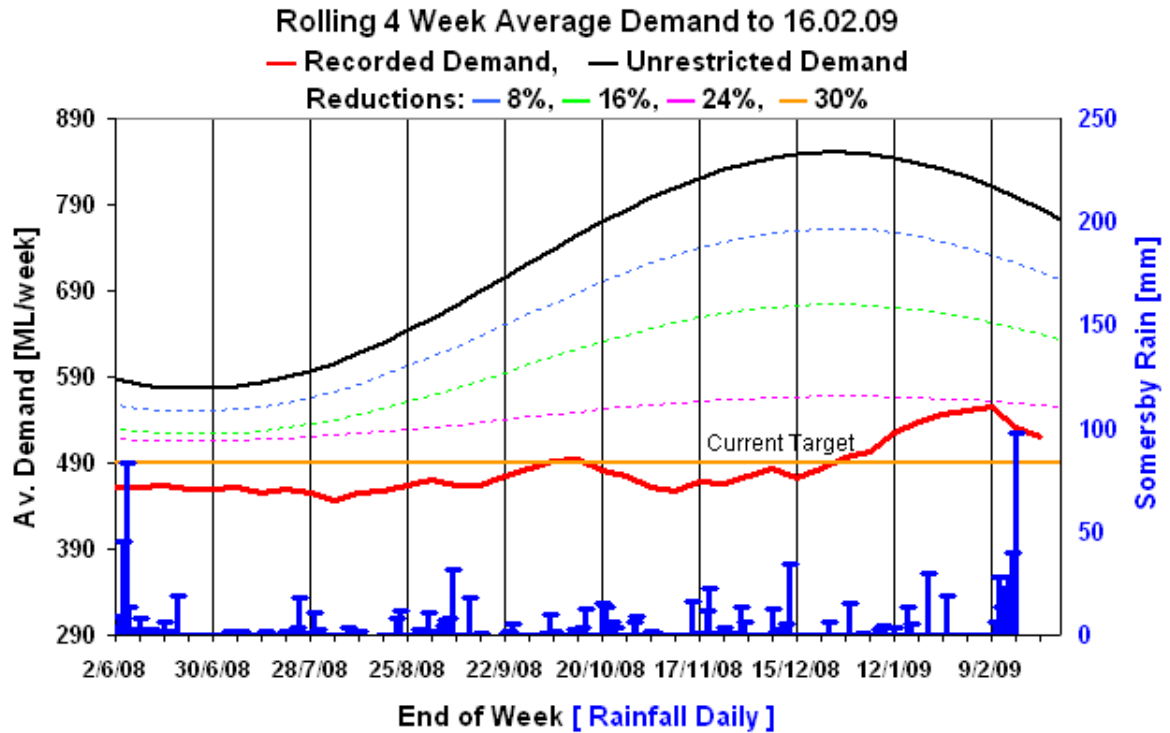
Water Treatment

All water produced by the Water Treatment Plant, for the period 1 January 2009 to 31 January 2009, has met National Health and Medical Research Council Guidelines.

Sewage Treatment

All effluent discharged from the sewage treatment plants, for the period 1 January 2009 to 31 January 2009, has met Environmental Protection Authority Licence requirements.

Monday, 16 February 2009				
STORAGES				
Storage	Capacity Full [MI]	Volume in Storage [MI]	Percent Full [%]	Storage Change over last Week
Mangrove Dam	190000	2,866	27.8	Up 559 ML
Mardi Dam	7400	5,993	81.0	Up 25 ML
Mooney Dam	4600	4,600	100.0	Up 389 ML
Total	202000	3,459	31.4	Up 973 ML
<p>STORAGE:</p> <ul style="list-style-type: none"> • Total stored water volume has fallen by 0.4% since last month • This day last year the volume stored as a percentage of total capacity was 5.3% lower <p>HUNTER TRANSFERS:</p> <ul style="list-style-type: none"> • Hunter Water Corporation supplied 0.0 ML last week keeping this years supply to 0ML. • Gosford/Wyong supplied 0ML to Hunter Water last week keeping this years supply at 0ML <p>GROUND WATER BORES:</p> <ul style="list-style-type: none"> • Groundwater Bores supplied 9.1 ML last week increasing this years supply to 35.9 ML 				
WATER USAGE AND RAINFALL				
Period	Water Usage [MI]	Rainfall [mm]		
		Somersby WTP	Mardi WTP	Mangrove Dam
Week to date	458	237	126	149
Previous week	559	0	0	0
Current week last year	432	26	28	9
This year to date	3,600	317	146	189
Same period last year	3,098	470	344	311
<p>Week to date consumption was 458 ML, 6.0% more than the same week last year and 18.1% less than the previous week.</p> <p>Consumption this year to date is 3,600 ML, 16.2% more than the same period last year.</p> <p>Level 3 Water Consumption Target for the week ending Monday, 23 February 2009 is 490 ML</p>				



- 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.

ATTACHMENTS

Nil

8.5 General Works in Progress

TRIM REFERENCE: D01672358

AUTHOR: JM

SUMMARY

This report shows the current status of completed significant General Works and General Works in Progress for capital and maintenance expenditure, as at the end of January 2009. Water and Sewerage services are not included.

RECOMMENDATION

That Council receive the report on General Works in Progress.

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
Panorama Avenue Charmhaven. Road and drainage reconstruction	695,000	60	February 2009	Upgrading of the existing road pavement and intersection at Charmhaven Ave to current standards including installation of kerb and guttering, traffic islands and concrete footpath. Kerb and gutter has been installed and works continuing on the pavement.
Glen Road Ourimbah. Road and drainage reconstruction	610,000	60	February 2009	Reconstruction and sealing of existing section of gravel road to current standards, including widening, realignment works and associated drainage works. Works completed on drainage component.

Item Description	Estimated Cost \$	% Completed	Estimated Completion Date	Comments
Lakedge Ave Berkeley Vale. Road and drainage upgrades.	433,000	95	January 2009	Upgrading/stabilisation of existing pavement and AC overlay. Upgrading of existing drainage including K&G. Drainage works through existing easement. Road sealed – awaiting AC overlay.
Manoa Rd Halekulani Drainage Upgrade	315,000	50	February	Drainage upgrade and construction of kerb and gutter. Drainage pipeline completed.
Eastern Road – Tumbi Umbi. Roadworks and drainage reconstruction.	485,000	35	January 2009	Rehabilitation of existing pavement by stabilisation and AC overlay. Upgrading of existing drainage. Installation of shared pathway. Drainage works completed. Works continuing on shared pathway.

General Maintenance Work

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

	North	South
Drainage Maintenance	Lake Munmorah Halekulani Gorokan Gwandalan Rocky Point	Bateau Bay Tuggerah
Replacement of Damaged Foot paving	Toukley Woongarah	Nil

	North	South
Sign Maintenance	Toukley Kanwal Hamlyn Terrace Blue Haven Wadalba Budgewoi Tuggerawong San Remo Canton Beach Wyongah Jilliby Yarramalong Buff Point Gwandalan	Toowoona Bay Berkeley Vale Ourimbah Long Jetty The Entrance Killarney Vale Shelly Beach Bateau Bay Tuggerah Wyong Mardi Chittaway
Shoulder Restoration	Noraville	Nil
Heavy Patching	Kulnura Yarramalong Jilliby Gorokan	Killarney Vale The Entrance Bateau Bay
Table Drain Maintenance	Lake Haven Manning Park Chain Valley Bay San Remo Charmhaven Jilliby Budgewoi Toukley Lake Munmorah Gwandalan Halekulani San Remo	Berkeley Vale Long Jetty Bateau Bay Killarney Vale Tumbi Umbi
Rural Road Grading	Dooralong Yarramalong Ravensdale Jilliby Kiar	Ourimbah Palmdale
Carpark Maintenance	Toukley Budgewoi Norah Head Gorokan	Berkeley Vale
Fencing	Nil	Nil
Vegetation control	Dooralong Jilliby Budgewoi Buff Point Woongarra Halloran Hamlyn Terrace Lake Haven Toukley Chain Valley Bay South and North	Tuggerah Berkeley Vale Tumbi Umbi Ourimbah Watanobbi Wyong The Entrance Killarney Vale Long Jetty

CONTRACTS AND SPECIAL PROJECTS SECTION

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

Contract No	Contract Description	Contract Status	% Completed
Contract 2408	Capture and Commercial Utilisation of Landfill Gas from Buttonderry Landfill	LMS has indicated it is willing to adjust its earlier position regarding OH & S clauses in the Deed of Agreement to better align with Council's requirements. It is now expected that agreement is possible by the end of February 2009. If this timeframe is not achieved alternative actions will be necessary.	5
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. 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.	90
CPA/94559	Design and Documentation of Woongarra Sports fields	Tenders which closed 18 December 2008 are under review. Construction is anticipated to commence by April 2009. Target for playing fields to be available for use in April 2010. The estimated construction cost is \$5M, with contingency of \$0.5M.	100
CPA/98240	Implementation of Buttonderry Waste Management Facility Entry Master plan	Tenders have closed and tender assessment has been finalised. Anticipate that works will start in March 2009 with completion by December 2009. Estimated contract value is \$2.7M.	15
CPA/99940	Construction of Wadalba Sports Facility	Facility in use. The slit drains and sand topdressing completed in December 2008. Minor defects to the skate park and concrete seating still to be repaired. Estimated contract value is \$6M.	100
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
CPA/110431	Mardi Landfill Remediation – Investigations Only	Preliminary and detailed site investigation contracts now complete.	100
CPA/155526	Mardi Landfill – Remediation Action Plan (RAP) and Concept Design	Contract for RAP and concept design awarded and expected to be completed by June 2009. Detailed design tenders will follow RAP and concept design. Cost of remediation works yet to be determined but will be estimated as part of the concept design. Construction is not expected to commence until 2010-11. Preparatory survey has been completed. Site fencing to be undertaken in February.	5
CPA/136021	Tumbi Landfill – Remediation – Preliminary Investigations	Proposals have been invited for the first stage of investigations for the remediation of the site. Proposals close and will be awarded in February. Vegetation reduction and site survey will be commenced in	1

Contract No	Contract Description	Contract Status	% Completed
		February. Detailed investigations, remediation action plan (RAP) and design will follow preliminary investigations.	
CPA/114612	Don Small Oval Lighting	Contract awarded October 2008 with commissioning programmed for February 2009. Contract value \$157,000.	20
CPA/117144	Design and Construct Toukley Reclaimed Effluent Treatment Plant Augmentation	Contract awarded to Water Treatment (Australia) Pty Limited in February 2008 for completion by March 2009. Site works progressing satisfactorily. Estimated project construction cost is \$2.2M.	50
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 January 2008. Sewer alignment changes have been finalised and process to acquire easements commenced. Detail design for Stage 1 expected in February 2009 and construction expected to commence in June 2009. Estimated project construction cost \$8M, with this consultancy costing \$580,000.	70
CPA/130591	Consultancy for Investigation and Design of Trunk Water Mains to Warnervale Town Centre and Wyong Employment Zone.	Contract awarded to SMEC Australia Pty Ltd April 2008. Anticipate completion of design and tender documentation by February 2009. Construction expected to commence June 2009 and be completed by October 2009. Project construction cost \$2M, with this consultancy costing \$265,000.	75
CPA/136020	Gwandalan Landfill Remediation – Investigations Only	Preliminary Investigation Report received and forwarded to accredited auditor for review. On finalisation of Preliminary Report, proposals to be invited for detailed investigation and report for remediation of the site. Contract value \$500,000.	10
CPA/136398 to CPA/136401	Year Two Upgrade Works – All Holiday Parks (CPA/136398 to CPA/136401)	Council completed critical works prior to the start of the peak season. Claims to be settled with Contractor. Remaining works including camp kitchen to be completed after holiday period and arranged by Council. Contact value \$ 1.84m	95
CPA/136486	Investigation, Design and Documentation of Toukley Sewage Treatment Plant Inlet Works Upgrade	Contract awarded to Maunsell Australia Pty Ltd April 2008. Detail design and tender documentation are being reviewed. Construction is expected to commence May 2009 and be completed by December 2009. Estimated project cost \$2.05m, with this consultancy costing \$164,000.	70
CPA/140816	The Entrance Community Facility Stage 2 – Construction	Contract works are progressing. Works are scheduled for completion by March 2009. Project value is \$2.5m.	80
CPA/145543 CPA/145982 CPA/150515 CPA/156188	Construction of Buff Point Shared Pathway	Construction 100% complete for Stage 1 from Edgewater Park to 600m past Matumba Rd – approx. 1.6km of total 3km of planned pathway. Design work complete for steep section (Stage 3) near Kemp Close. REF commenced. Stage 2 (easternmost 1km) REF complete.	50

Contract No	Contract Description	Contract Status	% Completed
		Current funds for this financial year only allow Stage 1 to be completed. Federal funding likely to permit construction of Stage 3 mid-late 2009. Council funds likely to be available for Stage 2 work mid-late 2009. Estimated cost of construction \$935,000 (overall).	
CPA/145814	Design and tender documentation for No 3 Aeration Tank – Charmhaven STP	Contract was awarded to Cardno (QLD) Pty Ltd October 2008. Preliminary design has been reviewed. Target date for completion March 2009. Estimated project cost \$11M, with this consultancy costing \$160,000.	30
CPA/153765 to CPA/153784	Holiday Park Upgrade works 2009	Construction tenders closed 10 December 2008. Tender being evaluated.	5
CPA/155267	Hamlyn Terrace Community and Sporting Facility	Design tender closed 18 December 2008. Tenders being evaluated.	5
F2004/07982	The Entrance Town Centre Refurbishment Works	Current actions being undertaken to address five year work program for TETC include: <ol style="list-style-type: none"> 1. Installation of five pedestrian ramps to lower end of The Entrance Road to be completed by end of June 2009. 2. Tenders for purchase of tiles for maintenance purposes have been called. 	50
F2008/02390	Design for Construction of Proposed New Cell 4.2B at Buttonderry Waste Management Facility	Minor contracts for preliminary investigation works awarded. Geotechnical investigations and survey completed. Preliminary design for new cell completed. Proposals have closed and are about to be awarded for leachate system investigation (CPA156894). Proposals for detailed design documentation (CPA/156896) for the new cell have closed and will be awarded in February. Program is for construction tenders to be called June 2009 for completion by July 2010.	10

CONTRACTS STILL IN DEFECTS LIABILITY PERIOD			
Contract No	Contract Description	Contract Status	% Completed
		NIL	

ATTACHMENTS

Nil.

8.6 Dredging of Boat Harbour Summerland Point

TRIM REFERENCE: D01672388

AUTHOR: MA

SUMMARY

Report on the dredging of Boat Harbour Summerland Point.

RECOMMENDATION

That Council receive the report on Dredging of Boat Harbour Summerland Point.

BACKGROUND

At its meeting held on 12 November 2008, Council resolved as follows:

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

- 1 That Council request staff to report on the following when cost estimates are available:
 - a the results of the preliminary investigation into the reported shallowing of the channel leading into the Boat Harbour at Summerland Point.*
 - b the necessary approvals required and funding options available to undertake dredging in order to provide safe navigable access for the recreational boating community in the north of Wyong Shire.**
- 2 That Council refer this matter/report to the local State Member for Swansea, Mr Robert Coombs, requesting his assistance in gaining the necessary departmental approvals to allow the timely restoration of the Channel and Harbour and funding options available.*

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL”

The following information addresses the resolutions in order as listed above.

Preliminary Investigation of Boat Harbour Channel depth

It has been reported that recreational boats have been bottoming out and stirring up sediment when using the existing channel at Boat Harbour, Summerland Point. Open Space and Recreation staff inspected the channel and confirmed the siltation build up. Staff observed water levels of less than 1 metre at the shallowest point of the channel and this generally restricts access so that two boats travelling in opposite directions within the channel cannot pass each other.

Douglas Partners Pty Ltd Consultants were engaged on 28 November 2008 at a cost of \$6,424 to sample the channel silt and provide Council with a preliminary assessment of the silt material.

The analysis assessed the chemical and drainage characteristics of the silt material. The results of this assessment indicate that the material is potentially acid sulphate soil and after excavation the material will need to be dewatered prior to disposal. Dewatering of the dredged material is estimated to require between one to fourteen days depending on several variables such as weather conditions, with the consultant recommending a pilot trial to determine exact timeframes prior to the dredging program commencing. A site specific Acid Sulphate Soil Management Plan will be prepared as part of the approvals process and the Plan will detail the methodology for performing these works. The location for dewatering the silt material will be identified and agreed as part of the Management Plan.

Approvals and Permits

Approvals required for dredging to commence include:

- preparation of a Review of Environmental Factors (REF),
- a *Part 7 Fisheries Management Act 1994* permit application to dredge and/or reclaim from NSW Department Primary Industries (Fisheries),
- preparation of and application for appropriate Environment Protection Licence from DECC under the *POEO Act (1997)* and;
- preparation of a *Part 7 Fisheries Management Act 1994* permit application to harm marine vegetation (seagrasses) from the NSW Department Primary Industries (indications are this will likely be required – this is currently under discussion with the Fisheries Department).

Cost Estimates

Based on the cost of previous similar works, preparation of the REF and permit applications by a consultant will be approximately \$30,000. The process of tendering and engaging a Consultant, preparing Management Plans and permit applications and obtaining permits and approvals is estimated to take approximately three months with an estimated date for completion of late May 2009.

Council removed approximately 600 cubic metres of material during the previous dredging works 4.5 years ago. If Council removes a similar quantity of silt material to re-establish the previous channel profile the estimated costs for excavation and disposal of the dredged material will be in the region of \$150,000. This cost estimate is for plant and equipment hire, dewatering process of dredged silt and tip fees (dredged material is exempt from tipping levy).

Total estimated cost including initial soil sample testing, permits and approvals plus dredging and disposal is \$190,000. Please note this estimate may vary based on final quantities of silt material removed during the dredging works resulting from any further changes to the channel profile due to prevailing tidal and weather conditions.

Funding Options

The Lakes Management budget (Management Plan Strategy Line 3.2.2) funds the annual dredging of The Entrance and Terilbah Channels. Of the \$508,000 in this budget, \$400,000 is cluster plan funding with restricted use. The remaining \$108,000 is revenue funds which may be used for the dredging works at Boat Harbour, Summerland Point. Council staff have confirmed that only limited dredging will be required in the Entrance and Terilbah Channels in 2008 / 2009 which allows the \$108,000 revenue funds to be utilised this financial year for the proposed dredging of Boat Harbour. The \$190,000 estimated total costs could be funded over two financial years from the current allocation in the Lakes Management budget, if works are commenced in June 2009 and continue into July 2009.

As an optional funding source, Wyong Council staff are also currently in discussion with the Lake Macquarie office of the Catchment Coordinator to review projects eligible for funding under the Lake Macquarie Estuary Management Plan. If it is determined that the Boat Harbour channel is an eligible project, Council staff will apply for funding via that source. Further advice will be provided to Council as discussions progress.

State Member for Swansea

On 8 December 2008, Mike Achelles (Manager, Customer and Community Services), Luke Sulkowski (Operations Manager, Open Space and Recreation), and Sian Fawcett (Manager, Estuary Management) met with Mr Robert Coombs, State Member for Swansea. The dredging works planned for Boat Harbour, Summerland Point were discussed and Mr Coombs communicated his full support for the project and his direct support in assisting with the timely procurement of permits from the relevant State Departments. Funding options were discussed but funding was not identified.

Community Consultation and Further Investigations

Further investigations and community consultation is recommended to identify what type of vessels the channel should accommodate and to review potential alternate strategies for Boat Harbour such as the possible provision of a new boat ramp adjacent to the existing jetty on the Lake Macquarie foreshore. Investigation should also identify the current use at Boat Harbour and define the level of service that is sought by the community for the facility.

At the rate of silting experienced at Boat Harbour over previous years the current average cost to dredge the channel every four to five years equates to approximately \$40,000 per year. Alternative strategies such as construction of a new boat ramp at Summerland Point with direct access into Frying Pan Bay would obviate the need for Council to dredge the channel every few years and may represent a more cost effective and sustainable long term solution whilst providing suitable boating access to the local community.

ATTACHMENTS

Nil.

8.7 Workforce Status and Movements

TRIM REFERENCE: D01709656

AUTHOR: KL

SUMMARY

This report is to provide Council with a summary of staff levels and movements for the second quarter of the current financial year.

RECOMMENDATION

That Council receive the report on Workforce Status and Movements.

BACKGROUND

WORKFORCE STATUS

	October 2008	November 2008	December 2008
Senior Management	24	24	26
Permanent Employees	934	938	938
Temporary Employees	119	111	117
Casual Employees	179	181	189
Total Headcount	1256	1254	1269
Permanent Full Time Equivalent	888.72	901.00	908.59

STAFF LOSSES

Departures	October 2008	November 2008	December 2008
Senior Management	-	-	-
Permanent Employees	4	5	6
Temporary Employees	3	1	1
Casual Employees	-	3	1
Total	7	9	8

STAFF GAINS

Appointments	October 2008	November 2008	December 2008
Senior Management	-	-	2
Permanent Employees	4	7	2
Temporary Employees	2	2	14
Casual Employees	8	5	8
Internal Transfers	-	2	4
Total	14	16	30

VACANCIES BEING RECRUITED*(including Temporary and Casual)*

	October 2008	November 2008	December 2008
Total Vacancies	54	70	60

ATTACHMENTS*Nil.*

8.8 Outstanding Questions Without Notice and Notices of Motion

TRIM REFERENCE: D01653826

AUTHOR: SG

SUMMARY

Report on outstanding Questions Without Notice and Notices of Motion.

RECOMMENDATION

That Council receive the report on Outstanding Questions Without Notice and Notices of Motion.

Question Asked / Councillor	Department	Meeting Asked	Status
Q123 – Darcy Smith Court Case Councillor Pavier	Shire Planning	12 December 2007	A response will be reported to Council when the case has been finalised in the Land and Environment Court.
Q066 – Discussions with Developers Councillor Symington	Shire Planning	26 November 2008	A response to this question will be submitted upon receipt of legal advice.
Q068 - Education Program into Toddler Drowning Councillor Best	Shire Planning	26 November 2008	A response to this question will be prepared after the briefing workshop on current coverage and resources required to patrol beaches is held. This briefing is scheduled to be held in April 2009.
Q001 – Amount of Stormwater Levy Funds Allocated Towards Areas on Lake Macquarie located in Wyong Shire Cr Symington	Shire Planning	28 January 2009	A response to this question will be submitted to 11 March 2009 Council meeting
Q002 – Norah Head Ocean Access Cr Best	Shire Services	28 January 2009	A response to this question will be submitted to 11 March 2009 Council meeting
Q003 – Investigate the use of “Green Concrete” for footpath construction. Cr Wynn	Shire Services	28 January 2009	A response to this question will be submitted to 11 March 2009 Council meeting

Question Asked / Councillor	Department	Meeting Asked	Status
Q004 - Investigate alternative environmentally friendly materials for footpath construction. Cr Wynn	Shire Services	28 January 2009	A response to this question will be submitted to 11 March 2009 Council meeting
Q006 – Council Committees Cr McBride	Corporate Services	11 February 2009	A response to this question will be submitted to 25 March 2009 Council meeting
Q007 – Shire Strategic Vision's Blog Site Cr Vincent	Corporate Services	11 February 2009	A response to this question will be submitted to 11 March 2009 Council meeting

Notice of Motion	Department	Meeting Resolved	Status
326 - National Natural Disaster Funding <i>Report required on climate change impacts.</i>	Shire Planning	8 August 2007 Eaton / Best	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 2010.
470 – Ferry Service between Wyong and The Entrance <i>Report to be provided on investigation of a wharf and passenger ferry service between Wyong and The Entrance.</i>	Shire Planning	14 November 2007 Eaton / Best	To be reported to Council in April/May 2009 as part of the adoption of The Entrance/Long Jetty Strategy
231 – Poll on Popularly Elected Mayor and Electricity Privatisation <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>	Corporate Services	28 May 2008 Stewart / Graham	A report will be subject to future briefing session for Council. The report will provide an outline of possible ward boundaries.
293 – The Entrance Long Jetty Strategy Meeting <i>That Council facilitate a meeting with Key Stake holders – The Entrance Bowling Club, Lakeside Plaza and Wyong Shire Council. That the Mayor chair the meeting, report back on the progress or otherwise.</i>	Shire Planning	25 June 2008 Pavier / Graham	Meeting was held on 30 July 2008. Council update issued regarding outcomes. Formal report back to Council as part of adoption of The Entrance / Long Jetty strategy to be submitted to Council in April/May following feedback sessions with peak community groups.

Notice of Motion	Department	Meeting Resolved	Status
<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>	General Manager's Unit	25 June 2008 Pavier / Graham	A meeting was held with the Administrators for Wyong Tennis Club. Awaiting further information once received a report will be submitted to Council.
<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 Best / Eaton	To be given further consideration following the adoption of the Draft Entrance Peninsula Planning Strategy. (The TEPPS encourages this type of potential development).
<p>383 – Central Coast Regional Strategy – Toukley</p> <p><i>That as a result of the recent release of the Central Coast Regional Strategy by the Department of Planning, staff report on the implications of the strategy on existing Council projects. In particular, the report should address the impacts on the Future Planning Unit's work program and staff should also report on the now likely timelines and processes required to deliver the Toukley Strategy.</i></p>	Shire Planning	13 August 2008 Best / Stevens	A briefing workshop is expected to be held with Councillors in May 2009.
<p>384 – Central Coast Regional Strategy</p> <p><i>That Council, in conjunction with Shire Planning staff, workshop the Central Coast Regional Strategy with a view to determining a position statement for the Department of Planning.</i></p>	Shire Planning	13 August 2008 Pavier / Eaton	A briefing workshop is expected to be held with Councillors in May 2009.
<p>498 - Central Coast Tourism Inc (CCTI) Funding</p> <p><i>That Council report on funding for Central Coast Tourism Inc (CCTI).</i></p>	General Manager's Unit	12 November 2008 Eaton / Graham	A report will be submitted to 25 March 2009 meeting.
<p>499 - Wyong Parking Initiatives</p> <p><i>That Council congratulate the Member for Wyong, Mr David Harris MP, on his support for a joint venture between Council and the State Government to construct additional car parking around the Civic/Justice/Police precinct of Wyong Town Centre.</i></p> <p><i>That Council request staff to contact appropriate State Government agencies to address this matter.</i></p>	Shire Planning	12 November 2008 Eaton / Best	A report will be submitted to Council upon response from State Government Agencies.

Notice of Motion	Department	Meeting Resolved	Status
<p>541 – Extended Safety of Surf Patrol Beaches</p> <p><i>That having regard to the increasing incidence of unseasonably warm weather associated with global warming and the resultant high beach usage outside current patrol hours Council take a proactive approach with a view to providing our residents and ratepayers with greater coverage of patrolled surf beaches.</i></p> <p><i>That Council receive a briefing on current coverage and resources required to patrol our Shire's beaches including any recommendation for Council to consider a more flexible approach to beach patrol timetables.</i></p>	Shire Services	26 November 2008 Best / Eaton	A briefing workshop is scheduled to be held in April 2009 on current coverage and resources required to patrol beaches.
<p>570 – Joint Council Meetings with Gosford Council</p> <p>1 <i>That Council support regular joint meetings with Gosford Council to determine major water policy and other common issues.</i></p> <p>2 <i>That any such meetings to be convened as formal council meetings of both Councils to enable prompt efficient and consistent decision making.</i></p> <p>3 <i>That a copy of this resolution be forwarded to Gosford City Council for its consideration and support.</i></p>	Corporate Services	10 December 2008 Eaton / Best	Awaiting response from Gosford City Council
<p>10.2 – Encouraging Responsible Disposal of Asbestos</p> <p>1 <i>That Council review its asbestos waste disposal policy to further encourage responsible disposal.</i></p> <p>2 <i>That Council highlight this cost saving initiative while reinvigorating our "dob in a dumper" (DIAD) campaign.</i></p> <p>3 <i>That to further strengthen the DIAD campaign Council extend its \$10,000 vandalism reward incentive to also include the DIAD campaign.</i></p> <p>4 <i>That staff report to Council on the operational issues associated with the initiative above.</i></p> <p>5 <i>That Council carry out an advertising and education campaign highlighting the health risks associated with illegal dumping and explaining the cost effectiveness of asbestos disposal at Buttonderry tip.</i></p>	Shire Services	28 January 2009 Best / Eaton	A report will be submitted to the 25 March 2009 meeting

Notice of Motion	Department	Meeting Resolved	Status
<p>9.1 – NSW State Body Board Championships</p> <p>1 That Council allocate \$10,000 from the 2008-09 budget for Community Support and Development to secure major sponsorship of the NSW State Body Board Championships and Australasian Pro Tour to be held on 2, 3, 4 and 5 April 2009 at Soldiers Beach.</p> <p>2 That Council transfer the \$10,000 from the amount allocated in the 2008-09 budget to the “Central Coast Pro Surfing Competition” which has been cancelled.</p> <p>3 That Council consider allocating a similar amount to the “NSW Body Board Championships” in the 2009-10 budget provided it can be demonstrated that the event continues to provide significant benefit to the Shire.</p> <p>4 That a report on attendance, economic benefits etc of the event be presented to Council at the completion of the championships.</p>	Shire Services	11 February 2009 McNamara / Best	A report will be submitted to 27 May 2009 meeting.
<p>9.2 – Central Coast Express Advocate article</p> <p>1 Did the Express/Advocate, as reported in the article, ask Council to verify this story before it went to press and, if so, when did this occur?</p> <p>2 Did any Councillors ask for any clarification of this incident further to the Question Without Notice No. Q075 asked by Councillor Best at the Ordinary Meeting on 10 December 2008?</p> <p>3 Were Staff able to provide the facts as contained in Report No (9.10) and if so, when?</p> <p>4 If staff did not to respond to these requests, why not?</p> <p>5 Does Council's media section have a working relationship with the local press and, if so, how can we reinforce this relationship to ensure that we get the facts in the hands of the journalists to prevent the publication of non verified and/or grandstanding articles in the future.</p>	Corporate Services / Shire Services	11 February 2009 Symington / Best	<p>Items 1 and 5 were responded to the meeting of 11 February 2009.</p> <p>1 Staff were given 1.5hrs warning to respond – paper went to press despite making the deadline.</p> <p>5 Wyong Shire Council working relationship excellent – refer survey by journalists rating Wyong Shire Council at 100%.</p> <p>Items 2, 3 and 4 will be responded to Council's meeting of 25 March 2009.</p>

Notice of Motion	Department	Meeting Resolved	Status
<p>9.4 – Precinct Support Program</p> <p>1 <i>That Council reaffirm its support and commitment to its Precinct Committee network while recognising their valuable contribution to the community.</i></p> <p>2 <i>That Council, in partnership with our local Precinct Committees, review its current level of assistance with a view to growing and supporting this important community network and its membership.</i></p> <p>3 <i>That staff report to Council, after the Precinct Committee Forum to be held on Wednesday 1 April 2009, on past, current and future recommendations regarding levels of support required to achieve 2 above.</i></p>	Corporate Services	11 February 2009 Best / McNamara	A report on the forum will be submitted to 13 May 2009 Council meeting
<p>9.5 – Closed Circuit TV Toukley</p> <p>1 <i>That further to the continuing and escalating incidents of vandalism and graffiti in and around the Toukley and Toukley East areas, staff report on the findings of the recently conducted Toukley Community Safety Audit soon to be released.</i></p> <p>2 <i>That staff report to Council on the feasibility of installing a Closed Circuit TV network in the Toukley area similar to the recently federally funded 27 camera system now being installed in the Woy Woy business district.</i></p>	Shire Services	11 February 2009 Best / Wynn	Safety Audit to be conducted by NSW Police. Staff will liaise with NSW Police to determine when the Safety Audit will be made available.

Questions Without Notice and Notices of Motion Removed from the Above Lists since the Previous Meeting

Question without Notice / Notice of Motion	Outcome
502 - Dredging Boat Harbour Summerland Point	Report included in this business paper
10.4 – Recognise Staff on OH&S Initiatives	A letter was forwarded to appropriate staff

ATTACHMENTS

Nil.

9.1 Notice of Motion - Motor Sports Facility

TRIM REFERENCE: D01708873

AUTHOR: SW

Councillor McNamara has given notice that at the Ordinary Meeting to be held on Wednesday, 25 February 2009 he will move the following Motion:

- "1 That Council investigate possible locations for a motor sports facility.*
- 2 That Council seek expressions of interest to;*
 - (a) Build, operate and manage the facility including Financial Models and benefits/revenue to Council.*
 - (b) Gather information from potential user groups regarding User Group requirements and potential facility usage to form the basis of a business plan."*

9.2 Notice of Motion - The Entrance Channel WebCam

TRIM REFERENCE: D01708957

AUTHOR: SW

Councillors Best and Webster have given notice that at the Ordinary Meeting to be held on Wednesday, 25 February 2009 they will move the following Motion:

“That Council investigate the possible benefits of utilising the growing web technology known as “webcam” in The Entrance Channel to assist various organisations, Departments and the general public to gain important information vital to improved channel safety.”

9.3 Notice of Motion - Recycle/Re-use Initiative

TRIM REFERENCE: D01709167

AUTHOR: SW

Councillors Best and Wynn have given notice that at the Ordinary Meeting to be held on Wednesday, 25 February 2009 they will move the following Motion:

“That staff provide a preliminary report to Council on the recycle/re-use initiative of Cessnock and Lake Macquarie City Councils known as the Tip Shop/Re-use Centre hosted at the Councils’ respective waste management facilities”

9.4 Notice of Motion - Council's Animal Care Facility Review

TRIM REFERENCE: D01709212

AUTHOR: SW

Councillor Best has given notice that at the Ordinary Meeting to be held on Wednesday, 25 February 2009 he will move the following Motion:

“That staff brief Council on the strategic options available to best manage this facility covering both infrastructure and operation issues needed to meet future demands.”

9.5 Notice of Motion - Extending the Lapsing Period of a Consent

TRIM REFERENCE: D01709612

AUTHOR: SW

Councillor Graham has given notice that at the Ordinary Meeting to be held on Wednesday, 25 February 2009 he will move the following Motion:

“That Council, in determining applications for employment generating development, give consideration to extend the lapsing period of a Consent under Section 95 of the Environmental Planning and Assessment Act 1979 to three years for the purpose of assisting local employment during the current economic downturn.”

COUNCILLOR'S NOTE

Currently all consents issued by Council have a lapsing period of two years. Due to the current economic downturn there is a reduced ability for proponents to commence employment generating developments within that timeframe. Under Section 95(a) of the Act a request may be made for a further one year extension to the consent period subject to the consent authority being satisfied that the applicant has provided reasonable justification for the extension. Should the above Notice of Motion be adopted the overall period of consent for an employment generating development will be therefore extended from 3 years to 4 years. It is considered that this will assist the feasibility of these projects which have a direct bearing on employment.