



The Entrance Community Centre Café opened its doors for the first time recently marking the next step in Council's vision to create a shared community space for the area. Council is piloting a program where community organisations run the café for training and development. All profits from the café will go towards community projects in the area.

Business Paper

ORDINARY MEETING
26 May 2010



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MEETING NOTICE

**The ORDINARY MEETING
of Wyong Shire Council
will be held in the Council Chamber,
Wyong Civic Centre, Hely Street, Wyong on
Wednesday 26 May 2010 at 5.00 pm,
for the transaction of the business listed below:**

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY

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

Michael Whittaker
GENERAL MANAGER

1.1 Disclosures of Interest

TRIM REFERENCE: F2010/00009 - D02223002

AUTHOR: SW

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

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

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

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

RECOMMENDATION

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

1.2 Proposed Inspections

TRIM REFERENCE: F2010/00009 - D02223003

AUTHOR: SW

SUMMARY

Inspections proposed to be held on 2 June 2010 are listed as follows:

<i>Date of Inspection</i>	<i>Location</i>	<i>Requested By</i>
2 June 2010	DA 127/2010 1/7 Enterprise Drive, Berkeley Vale - Use of Unit 1 as a Gymnastics & Movement Centre	Director, Shire Planning
2 June 2010	The Entrance Community Cafe	Director, Shire Services
2 June 2010	Mardi - Mangrove	Director, Shire Services
2 June 2010	Buttonderry Waste Facility	Director, Shire Services

RECOMMENDATION

That Council receive the report on Proposed Inspections.

1.3 Address By Invited Speakers

TRIM REFERENCE: F2010/00009 - D02223005

AUTHOR: SW

SUMMARY

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

RECOMMENDATION

- 1** *That Council receive the report on Invited Speakers.*
- 2** *That Council agree meeting practice be varied to allow reports from Directors and/or the General Manager to be dealt with following an Invited Speaker's address.*

1.4 Confirmation of Minutes of Previous Meeting

TRIM REFERENCE: F2010/00009 - D02223012

AUTHOR: SW

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on 12 May 2010.

RECOMMENDATION

That Council confirm the minutes of the previous Ordinary Meeting of Council held on 12 May 2010.

ATTACHMENTS

- 1 Minutes of Ordinary Meeting - 12 May 2010 D02236175

WYONG SHIRE COUNCIL**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 12 May 2010
COMMENCING AT 5:00:00 PM**

PRESENT

Councillors R L Graham (Chairperson), G P Best, D J Eaton, L A Matthews, E M McBride, J J McNamara, W R Symington, D P Vincent, L D Webster and S A Wynn.

IN ATTENDANCE

Acting General Manager, Acting Director Shire Planning, Director Shire Services, Director Corporate Services, Acting Manager Future Planning, Manager Development Assessment and Project Director Mardi to Mangrove Project.

Manager Governance and Administration, Manager Customer and Community Services, two strategic planners and two administration staff.

The Mayor reported that:

- ❖ Wyong Shire Council was awarded a *Programs, Projects & Partnerships Award* under the NSW Local Government Cultural Awards 2010 for its 2009 public art program. The public art program involved working with the community to create a variety of public art works within the recently developed Canton Beach Accessible Playground, Spring Creek Reserve and The Entrance Community Centre. The Mayor thanked all involved in this project in particular community artists Margrete Erling and Vicki Sienczuk and Council's Cultural Planner, Stuart Slough.
- ❖ Councillor Matthews reported on two events she attended on behalf of Council at the weekend, a Mother's Day Classic Fun Run held at Long Jetty to raise money for cancer research and also the Mother of the Year fundraising campaign organised by the Australian-Filipino Central Coast Inc. which both she and Councillor McBride attended.
- ❖ Councillor Best attended a meeting held at Warnervale Hall regarding issues relating to the development of the Warnervale Town Centre which was attended by staff, Councillors Eaton and McNamara and also David Harris MP, Member for Wyong.
- ❖ Councillor Wynn advised that she attended a Graffiti removal at San Remo shops which was part of the Keep San Remo Beautiful project. She also reported on the Budgewoi Dune Planting event where Councillor Vincent and staff were also in attendance.

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.

Mr John Hardwick read an acknowledgment of country statement and delivered the opening prayer.

APOLOGIES

There were no apologies.

At the commencement of the Ordinary Meeting Report No 3.1, was dealt with first then the remaining reports in order. However for the sake of clarity the reports are recorded in their correct agenda sequence.

1.1 Disclosure of Interest

3.1 Woolworths – Lake Munmorah

Councillor Best declared a non-pecuniary insignificant conflict of interest in the matter for the reason that family members have been employed casually with this organisation.

Councillor Best stated:

“I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I believe it will not affect my capacity to vote independently on this issue.”

7.5 Notice of Motion - Independent Legal Advice

Ms Gina Vereker, Acting General Manager declared a non-pecuniary significant conflict of interest in the matter for the reason that there may be a potential conflict on the basis that staff within the Shire Planning Department may be involved in the issues mentioned left the chamber at 7.13 pm, took no part in discussion and returned to the chamber at 7.57 pm.

7.5 Notice of Motion - Independent Legal Advice

Mr Paul Wise, Director Shire Services declared a non-pecuniary significant conflict of interest in the matter for the reason that there may be a potential conflict due to possibility that staff from the Shire Services Department may be impacted by the report and motion, left the chamber at 7.13 pm, took no part in discussion and returned to the chamber at 7.57 pm.

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

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

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA,
SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

1.2 Inspections

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

That Council receive the report on Inspections.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA,
SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

1.3 Address by Invited Speakers

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

- 1 That Council receive the amended report on Invited Speakers.**
- 2 That Council agree meeting practice be varied to allow reports from Directors and/or the General Manager to be dealt with following an Invited Speaker's address.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

1.4 Confirmation of Minutes of Previous Meeting

Councillor Best left the chamber at 5.45 pm and returned to the chamber at 5.47 pm and as a result took no part in voting.

RESOLVED unanimously on the motion of Councillor MCBRIDE and seconded by Councillor MCNAMARA:

That Council confirm the minutes of the previous Ordinary Meeting of Council held on 28 April 2010.

FOR: COUNCILLORS EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

Business Arising

Councillor Eaton referred to a Mayoral Minute on the previous Agenda regarding the sale of the Wyong Police Station and requested an update. The Mayor advised that he met with the Minister for the Central Coast and Mr David Harris MP, Member for Wyong who advised him that this building is to go to auction tomorrow.

1.5 Mayoral Minute - Call for an Extension of the Public Exhibition Period of the Wallarah 2 Coal Project Environmental Assessment

Councillor Best left the chamber at 5.45 pm and returned to the chamber at 5.47 pm during consideration of this item.

RESOLVED unanimously on the motion of Councillor GRAHAM:

- 1 That Council request an extension of the Public Exhibition period for the Wallarah 2 Coal Project Environmental Assessment of 30 days from the Department of Planning to enable the community more time to assess the information provided.**
- 2 That Council seek urgent legal advice as to the validity of the current exhibition process.**
- 3 That Council request the Department of Planning to distribute the exhibition material more widely throughout the Central Coast.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

2.1 Notice of Intention to Deal with Matters in Confidential Session

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

- 1 That Council consider the following matter in Confidential Session, pursuant to Sections 10A(2)(b) of the Local Government Act 1993:**

8.1 - Application for Financial Assistance for Relocation of Storage Van at Toowoon Bay Holiday Park.

- 2 That Council note its reason for considering Item No 8.1 in confidential session is that discussion is anticipated on personal matters relating to hardship of residents or ratepayers.**
- 3 That Council request the General Manager to report on this matter in open session of Council.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

3.1 Woolworths - Lake Munmorah

Councillor Best declared a non-pecuniary insignificant conflict of interest in the matter for the reason that family members have been employed casually with this organisation.

Councillor Best stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I believe it will not affect my capacity to vote independently on this issue."

Mr David Hopper, representing Woolworths Ltd, addressed the meeting at 5.13 pm, answered questions and retired at 5.30 pm.

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

- 1 **That Council endorse the provision of the shared pathway by way of a staged construction as follows:**
 - **Pathway 1 and Pathway 2 on the attached plan (Figure 1) in conjunction with the construction of Stage 1 of the development.**
 - **Pathway 5 on the attached plan (Figure 1) in conjunction with the construction of Stage 2 of the development.**
- 2 **That Council advise the applicant that it does not support rezoning of the entire site, however, incorporation of an additional two hectare area of 3(a) (Business Centre Zone) land to the north of the existing zone boundary and in the south-eastern corner of the site (as illustrated in figure 3 contained in this report) is supported to facilitate adequate carparking and servicing to the proposed development.**
- 3 **That Council advise the applicant that the rezoning will not be progressed further unless outstanding fees relating to Phase 2 of Council's spot rezoning procedure are received in full.**
- 4 **That Council advise the applicant that all Asset Protection Zone (APZ) and Urban Interface Area (UIA) requirements shall be located within the land proposed to be zoned 3(a) (Business Centre Zone).**
- 5 **That on the basis that the applicant has agreed to provide the shared pathways identified in point 1 of the recommendation and any subsequent requirement for the applicant to provide upgraded road and drainage works associated with a future development application for the site, any future commercial development of the site be excluded from any Section 94 Development Contributions Plan.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

4.1 Proposed Councillors' Community Improvement Grants

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

That Council allocate an amount of \$13,750.00 from the 2009-10 Councillors' Community Improvement Grants as outlined in the report.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA,
SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

5.1 Information Reports

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

That with the exception of report numbers 5.2 and 5.5 Council receive the information reports and adopt the recommendations.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA,
SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

5.2 Alternative sites for the North Central Coast GP Super Clinic

Councillor Wynn left the chamber at 6.09 pm and returned to the chamber at 6.10 pm and as a result took no part in voting.

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

That Council receive the report on Alternative sites for the North Central Coast GP Super Clinic within the Warnervale/Wadalba area.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA,
SYMINGTON, VINCENT AND WEBSTER

AGAINST: NIL

5.3 Mardi to Mangrove Link Project Status

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

That Council receive the report on Mardi to Mangrove Link Project Status.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

5.4 Minutes - Wyong Shire Senior Citizens' Council Meeting - 22 April 2010

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

That Council receive the report on Minutes - Wyong Shire Senior Citizens' Council Meeting - 22 April 2010.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

5.5 Canary Island Date Palm at Yellawa Island

Councillor Wynn left the chamber at 6.09 pm and returned to the chamber at 6.10 pm during discussion of this item.

RESOLVED on the motion of Councillor MCBRIDE and seconded by Councillor WEBSTER:

- 1 That Council receive the report on the Canary Island Date Palm at Yellawa Island.**
- 2 That Council monitor the Date Palm on Yellawa Island for the effects on the Island's erosion from the altered dredging program.**

FOR: COUNCILLORS EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: COUNCILLOR BEST

5.6 Outstanding Questions Without Notice and Notices of Motion

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

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

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

7.1 Notice of Motion - Pacific Highway from Ourimbah to Tuggerah

Councillor Vincent left the chamber at 6.20 pm and returned to the chamber at 6.21 pm during consideration of this item.

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

- 1 That Council note the unacceptable proposal by the NSW Roads and Traffic Authority to transfer responsibility for a 6.5km section of the Pacific Highway from Ourimbah to Tuggerah from the NSW Roads and Traffic Authority to Wyong Shire Council.**
- 2 That Council write to David Harris MP, Member for Wyong and Parliamentary Secretary Assisting the Minister for the Central Coast, expressing Council's concerns with the proposed cost shifting of these assets to the ratepayers of Wyong Shire.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

7.2 Notice of Motion - Shared Pathways

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

- 1 That Wyong Shire Council build partnerships with community in building and extending the network of shared pathways throughout the Shire identified in the Draft On-Road Bicycle and Shared Pathway Strategy policy document and community assets consistent with the objectives of the Shire Strategic Vision, including but not limited to halls, community gardens, sporting facilities etc through community fund raising. Funds raised by the community to be matched by Council on a ratio of 1:2. Community must raise a threshold amount of \$10,000 before work on a section would be placed into the forward rolling works program. These projects would be over and above the existing planned works. There would be a limit of \$300,000 per annum dedicated to the scheme by Council.**
- 2 That Council consider the inclusion of this scheme in the 2011 – 2012 Management Plan or during the Quarterly Review if the opportunity arises.**
- 3 That Council advertise the Scheme widely multiple times throughout the year.**

- 4 That Council staff develop a set of guidelines for consideration of these projects and submit to Council for adoption.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA,
SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**7.3 Notice of Motion - Proposed closure - Tristram Close and Renee Close
Laneway, Lakehaven**

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

- 1 That further to representations made by local residents and ratepayers of the Lake Haven area having regard to the anti-social behaviour, OH&S and general public safety issue, Council now investigate and consider on its merits what options including the permanent closure of the walkway in question, the report should outline past action by Council to minimise public concerns, alternatives and impacts closure may have to the general area.**
- 2 That Council use this report to form the basis for a set of criteria to review and consult with the community on similar accessway issues.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA,
SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**7.4 Notice of Motion - Gold Pledge Partner to Year of Women in Local
Government 2010**

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

- 1 That Council demonstrate its commitment to the “Year of Women in Local Government 2010” by becoming a Gold Pledge Partner.**
- 2 That Council assist in the promotion of the “Year of Women in Local Government 2010” by using the logo where possible.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA,
SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

7.5 Notice of Motion - Independent Legal Advice

Councillor Matthews left the chamber at 7.13 pm and returned to the chamber at 7.23 pm during consideration of this item.

Councillor Best left the chamber at 7.28 pm and returned to the chamber at 7.30 pm during consideration of this item.

Councillor Wynn left the chamber at 7.38 pm and returned to the chamber at 7.39 pm during consideration of this item.

Ms Gina Vereker, Acting General Manager declared a non-pecuniary significant conflict of interest in the matter for the reason that there may be a potential conflict on the basis that staff within the Shire Planning Department may be involved in the issues mentioned left the chamber at 7.13 pm, took no part in discussion and returned to the chamber at 7.57 pm.

Mr Paul Wise, Director Shire Services declared a non-pecuniary significant conflict of interest in the matter for the reason that there may be a potential conflict due to possibility that staff from the Shire Services Department may be impacted by the report and motion, left the chamber at 7.13 pm, took no part in discussion and returned to the chamber at 7.57 pm.

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

- 1 *That Council engage Sparke Helmore Solicitors to provide independent legal advice to the Councillors on:*
 - a *The release of the full Adams report into illegal waste operations to all Councillors, and*
 - b *the legality of the non-tendering of Body Hire arrangements.*
- 2 *That Council authorise the Mayor to prepare and finalise the brief with assistance from staff.*

FOR: COUNCILLORS BEST, EATON, MCNAMARA, WEBSTER AND WYNN

AGAINST: COUNCILLORS GRAHAM, MATTHEWS, MCBRIDE, SYMINGTON AND VINCENT

The MOTION was LOST on the casting vote of the Mayor.

7.6 Notice of Motion - Warnervale Town Centre Viability

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

That Council staff report on the viability of developing the 1,100 units proposed for Warnervale Town Centre and possible variation of proposed densities to ensure viable town centre development.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

LEAVE TO INTRODUCE A MOTION OF URGENCY

Councillor Eaton sought leave to introduce a motion of urgency concerning the installation of solar panels on Council buildings in order to avail of both State and Federal Government incentive schemes that are currently available.

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

That Council consider a Motion of Urgency regarding the installation of solar panels on Council buildings .

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

The Mayor ruled that the matter was of great urgency and could be introduced as a motion of urgency.

U18/10 Motion of Urgency - Installation of Solar Panels on Council Buildings

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

That Council urgently arrange the installation of 1.5 kW solar panel systems at the 24 sites listed in report 6.4 subject to the subsidies outlined in the report still being available.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

QUESTIONS WITHOUT NOTICE**Q79/10 Works Planned for the use of the Environmental Levy in the Lake Macquarie area**

Councillor Wynn

“Could the Director of Shire Services please provide a list of forward works planned for the use of the Environmental Levy for the Lake Macquarie portion in the 4 year Management Plan?”

**Q80/10 RTA Proposals for Beautification of Median Strip at San Remo
Councillor Wynn**

“Could the Director of Shire Services provide information if the RTA proposes any median strip beautification for the Pacific Highway, north of San Remo?”

**Q81/10 Details of Council's Legal Costs over the Past Five Years
Councillor Best**

“Could you please provide information preferably in a bar graph format outlining Council’s legal costs over the past five calendar years and as to why this Council has not seen the need to consider the appointment of an on staff legal counsel?”

**Q82/10 Residential Suburb of Minister for the Central Coast
Councillor Best**

“Could staff tell Council what suburb does the Minister for the Central Coast, Mr Ian Macdonald come from/live?”

CONFIDENTIAL SESSION

At this stage of the meeting being 8.17 pm Council moved into confidential session with the members of the press and public excluded from the meeting of the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session are withheld. This action is taken in accordance with section 10a of the Local Government Act, 1993 as the items listed come within the following provisions:-

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

OPEN SESSION

Council resumed in open session at 8.19 pm and the Acting General Manager reported on proceedings of the confidential session of the ordinary meeting of Council as follows:

**8.1 Application for Financial Assistance for Relocation of Storage Van at
Toowoomba Bay Holiday Park**

That Council decline the application for financial assistance from K and C Morris as the claim for hardship has not been proved.

THE MEETING closed at 8.20 pm.

2.1 Determination of Water Supply, Sewerage and Drainage Charges for 2010-11

TRIM REFERENCE: F2004/06782 - D02228468

AUTHOR: MB

SUMMARY

This paper details the proposed water supply, sewerage and drainage fees and charges for 2010-11.

RECOMMENDATION

- 1 ***That Council determine as the Water Supply Authority, the annual Water, Sewerage & Drainage Service Charges for 2010-2011 to be levied will be in accordance with Schedule 1 (see Attachment 1).***
- 2 ***That Council note the estimated amount of money to be raised by way of the annual Water, Sewerage & Drainage Service Charges for 2010-2011 as set out in Schedule 1 to be \$68,232,000.***
- 3 ***That Council approve the amount of \$68,232,000.00 for inclusion in the budget contained in the final Management Plan for 2010-2011.***
- 4 ***That Council classify land as residential or non residential for the purpose of levying water, sewerage or drainage service charges in accordance with the Water Management Act 2000.***
- 5 ***That Council note that charges for residential land are determined by the intensity of the use of the land and the nature and extent of the water, sewerage or drainage services connected to each individual allotment.***

BACKGROUND

In accordance with Section 315 of the Water Management Act 2000, Council is required to determine the water and sewerage charges no later than one month before the beginning of each charging year.

Being a Water Authority, Council's water and sewerage charges are also subject to approval by the Minister for Water following determination by the Independent Pricing and Regulatory Tribunal (IPART). On 15 May 2009, IPART made a four year determination concerning Council's water and sewerage charges.

The 2010/11 proposed fees and charges have been calculated using the base prices and formula specified in the 2009 IPART Final Price Path Determination.

A component of the price calculation formula is the increase in CPI as published late April by the Australian Bureau of Statistics.

2.1 Determination of Water Supply, Sewerage and Drainage Charges for 2010-11 (contd)

Charges contained in the 2010/11 Exhibition Draft Management Plan were calculated using estimated increase in CPI. As the official increase in CPI has now been released, these figures have been superseded.

The following table summarises the Fees and Charges for 2010/11 and shows a comparison between proposed fees and charges 2010/11 and those levied in 2009/10 for a typical residential ratepayer who consumes 141kL of water per annum.

Charges – 2009/10 compared to 2010/11 for the typical residential ratepayer consuming 141kL per annum

	2009/10 Charges	Proposed 2010/11 Charges	Increase 2009/10 to 2010/11	% Increase 2009/10 to 2010/11	Exhibition Draft 2010/11 Management Plan
Council Water Service Charge	\$101.68	\$120.77	\$19.09	18.8%	\$121.44
Climate Change Levy**	\$15.78	\$15.28	-\$0.50	-3.2%	\$15.28
Total Water Service Charge	\$117.46	\$136.05	\$18.59	15.8%	\$136.72
Water Usage (141kL)	\$247.42	\$263.01	\$15.59	6.3%	\$264.48
Sewerage	\$429.11	\$437.39	\$8.28	1.9%	\$439.84
Drainage	\$83.12	\$84.72	\$1.60	1.9%	\$85.20
Total	\$877.11	\$921.18	\$44.06	5.0%	\$926.24

**Climate Change Fund

The Climate Change Fund was introduced by the NSW Government in 2005, and requires water authorities to make an annual contribution as specified in the Government Gazette. In 2010/11 Council's required contribution is \$950,000. In order for Council to recover this contribution all Water Service Charges should incorporate an annual levy of \$15.28 per property. The per property quantum has been calculated in accordance with the methodology specified by IPART.

The estimated revenue to be raised from Water, Drainage and Sewer Service Charges derived from the IPART Determination for 2010/11 is estimated at \$68,232,000.

CONCLUSION

Charges included in the recommendation are as per the IPART Determination and the Water Management Act 2000.

ATTACHMENTS

- 1 Schedule of Water and Sewerage Charges for 2010-11 - Council Report - Attachment D02227662

Proposed Water, Drainage and Sewer Fees and Charges – 2010/11

WATER SUPPLY, SEWERAGE AND DRAINAGE SERVICE CHARGES

Being constituted as a Water Supply Authority under the Water Management Act 2000 all of Council's water, drainage and sewerage charges are subject to approval by the Minister for Water following determination by the Independent Pricing and Regulatory Tribunal (IPART).

Water, drainage and sewerage charges for 2010/11 are as per IPART's Water – Determination and Final Report - May 2009.

Pension Rebates - Water and Sewerage Service Charges

In accordance with Part 8, Division 5 of the Water Management (Water Supply Authorities) Regulation 2004 Council provides a reduction of 50% of the water service charges levied up to a maximum of \$87.50 and a further reduction of 50% of sewerage service charges levied up to a maximum of \$87.50. Of these reductions 55% is reimbursed by the New South Wales Government.

The estimated total amount of the pension rebate in 2010/11 is \$2,523,000.

2.4 Water Supply Service Charges (In accordance with IPART Determination)

The proposed charges for water supply are as follows:

Water Service Charge – Metered Services

Nominal Pipe/Meter Size (mm)	Total (\$)
20	136.05
25	203.97
40	498.34
50	770.05
80	1,947.50
100	3,034.38
150	6,808.24
200	12,091.66
250	18,885.07

The above charges incorporate the State Government's "Climate Change Fund" contribution of \$15.28 per property (subject to gazettal).

Charges for meters not specified above are calculated using the formula: (Meter Size)² x \$120.77 / 400 + \$15.28.

The total yield in 2010/11 from this charge is estimated to be \$9,222,000.

Water Usage Charge

All water consumed is proposed to be charged at the rate of \$1.87 per kilolitre.

It is Council's policy not to levy a charge for accounts of \$5.00 or less.

The total yield in 2010/11 from this charge is estimated to be \$23,229,000.

Water Service Charges Strata Title Properties

It is proposed that where water usage to a residential strata titled property is measured through a common meter, each individual strata title lot be levied a service charge of \$136.05 (Inclusive of the Climate Change Levy of \$15.28). Water usage is to be apportioned and charged to the various lots in the strata plan in accordance with the schedule of unit entitlement and charges to the strata title owners at the rate of \$1.87 per kilolitre.

Water Service Charges Retirement Villages

It is proposed that where water usage to a retirement village is measured through a common meter only, the service charge is to be commensurate with the size of the meter. Usage consumed through the common meter is to be charged at the rate of \$1.87 per kilolitre.

Water Service Charges Community Development Lot

It is proposed that where water usage to a community development lot is measured through a common meter only, the service charge is to be commensurate with the size of the meter and this charge is apportioned to the various lots in the community development lot in accordance with the schedule of unit entitlement. Usage consumed through the common meter is to be apportioned and charged to the individual unit owners in accordance with the unit entitlement at the rate of \$1.87 per kilolitre.

Water Service Charges Company Title Dwelling

It is proposed that where water usage to a company title dwelling is measured through a common meter only, each individual company title dwelling be levied a service charge of \$136.05 (Inclusive of the Climate Change Levy of \$15.28). Water usage is to be charged to the owner of the company title building (within the company title dwelling) at the rate of \$1.87 per kilolitre.

Water Service Charges Vacant Land

It is proposed that a water service charge be levied on vacant land which is not connected to the water supply system but is reasonably available for connection to the water supply system at the rate of \$136.05 (Inclusive of the Climate Change Levy of \$15.28).

Nominal Service Size

Where water pressure requires larger sizes of pipes and meters a charge as assessed by Council will apply.

Water Fire Service

There is no charge for a separate Water Fire Service. Where a property has a combined fire and commercial service the property will be charged a Water Service Charge – Metered Service commensurate with the meter size.

Part Year Charges and Fees

For those properties that become chargeable or non-chargeable during the year a proportional charge or fee calculated on a weekly basis is applied.

2.5 Sewerage Service Charges (In accordance with IPART Determination)**Residential Charges****Single Residential Properties Including Residential Strata Properties and Company Title Dwellings**

It is proposed to continue the current charging structure based on a service charge for each residential property. The proposed charge is \$437.39 for each single residential property/lot/dwelling. There is no usage charge for this category.

The total yield in 2010/11 from this charge is estimated to be \$25,633,000.

Metered Non-Residential Charges

In the determination of Council's 1995/96 charges, the Independent Pricing and Regulatory Tribunal approved the introduction of a pay for use system of charging for sewerage based upon a service charge and a usage charge.

Non-Residential customers are those that do not meet the classification as a single residential customer. These include non strata titled residential units and Retirement Villages.

In line with this approval it is proposed to continue with this charging structure, as detailed below:

The maximum price for sewerage services to a non-residential property connected to the sewerage system is the greater of:

- The non-residential minimum sewerage charge; or
- The sum of the non-residential sewerage service charge commensurate with meter size and the non-residential sewerage usage charge.

Non-Residential Properties - Service Charge

Meter Size (mm)	Meter Charge (\$)
20	\$157.57 x discharge factor
25	\$246.21 x discharge factor
40	\$630.30 x discharge factor
50	\$984.85 x discharge factor
80	\$2,521.21 x discharge factor
100	\$3,939.38 x discharge factor
150	\$8,863.61 x discharge factor
200	\$15,757.53 x discharge factor
250	\$24,620.31 x discharge factor

A discharge factor is applied to the charge based on the volume of water discharged into Council's sewerage system.

Charges for meters not specified above are calculated using the formula: (Meter Size)² x \$157.57 / 400 x discharge factor.

Non-Residential Properties - Usage Charge

The price for sewerage usage charges is proposed to be 78.00 cents per kilolitre.

The usage charge is to be based on the estimated volume of metered water usage discharged into the Council's sewerage system. Metered water usage is to be multiplied by a discharge factor, based on the type of premises to estimate the volume of water discharged.

Non-Residential Properties - Minimum Charge

The proposed minimum amount payable for a non-residential customer is \$437.39

Non-Residential Properties - Community Development Lots

The proposed sewerage service charge for a community development lot is calculated by: the non-residential sewerage usage charge commensurate with meter size apportioned to the various lots in the community development lot in accordance with the schedule of unit entitlement.

Nominal Service Size

Where water pressure requires larger sizes of pipes and meters a charge as assessed by Council will apply.

Sewerage Service Fees – Exempt Properties

For all properties exempt from service charges under Schedule 4 of the Water Management Act 2000 it is proposed that a fee be charged, in accordance with Section 310(2) of the Act, of \$61.75 per annum for each water closet and \$21.86 per annum for each cistern servicing a urinal where installed.

Sewerage Service Charges – Vacant Land

It is proposed that the charge for sewerage services on vacant land which is not connected to the sewerage system but is reasonably available for connection to the sewerage system is \$328.05.

The total yield in 2010/11 from all non-residential sewer charges is estimated to be \$1,728,000 for service charges and \$792,000 for usage charges.

Liquid Trade Waste Charges

A summary of the trade waste policy outlining the property classifications and charges is as follows:

Premises are classified into the following classifications:

Classification A	is for low risk liquid trade waste. Is of low volume and/or strength and has standard non-complex pre-treatment requirements.
Classification B	is for medium risk liquid trade waste (<20kL per day) with prescribed pre-treatment requirements.
Classification C	is for high risk and large liquid trade waste dischargers which are not nominated as a Classification A or B discharger and/or involve a discharge volume of over 20 kL/day.
Classification S	is for acceptance of septic tank waste, pan waste and ship-to shore pump-outs into Council's sewerage system. Private pumping stations are also included in Category S.

Categories for liquid trade waste pricing:

Pricing for Liquid Trade Waste discharges from the above classifications (excluding Classification S) is calculated based on the following three categories.

Category 1 Liquid Trade Waste Dischargers are those conducting an activity deemed by Council as requiring nil or minimal pre-treatment equipment and whose effluent is well defined and or relatively low risk to the sewerage system. The volume discharged to sewer is deemed to be low. Also included are Classification A or B activities with prescribed pre-treatment but low impact on the sewerage system.

Category 2 Liquid Trade Waste Dischargers are those conducting an activity deemed by Council as requiring a prescribed type of liquid trade waste pre-treatment equipment and whose effluent is well characterised. The volume discharged to sewer may be approved up to 20KL/day.

Category 3 Liquid Trade Waste Dischargers are those conducting an activity which is of an industrial nature and/or which results in the discharge of large volumes (generally over 20kL/day) of liquid trade waste to the sewerage system. Any Category 1 or 2 discharger whose volume exceeds 20 kL/day becomes a Category 3 discharger.

Category S Liquid Trade Waste Discharges are those conducting an activity of transporting and/or discharging septic tank waste, pan waste and ship to shore pump-outs into the sewerage system. Private pumping stations are included in Category S, however the septic waste Disposal charge does not apply.

The charging components associated with Category 1, 2, 3 & S are indicated below;

Liquid Trade Waste Discharge Category	Liquid Trade Waste Application Fee	Annual Trade Waste Fee	Re-inspection Fee	Liquid Trade Waste Usage Charge/kL	Excess Mass Charges/kg	Non-compliance Excess Mass Charges	Septic Waste Disposal Charge
1	Yes	Yes	Yes	No	No	No	No
2	Yes	Yes	Yes	Yes	No	No	No
3	Yes	Yes	Yes	No	Yes	Yes	No
S	Yes	Yes	Yes	No	No	No	Yes

Charge Component	Basis	Proposed Charge \$
Trade Waste Application Fee	<p>The application fee covers the cost of administration and technical services provided in processing an application on a scale related to the category into which the discharger is classified, and reflects the complexity of processing the application. It includes processing change of ownership of the discharger.</p> <p>The application fee for Category 2 dischargers covers the primary treatment device e.g. grease arrester, with an additional fee for each subsequent treatment device.</p> <p>The application fee for Category 3 dischargers includes allowance for two site visits during the construction stage. Additional site visits will incur an extra cost.</p> <p>The Application Fee for Category 5 discharges covers the cost of administration and one inspection of the installation.</p>	Category 1 – 45.47 Category 2 – 57.88 Category 3 – 887.59 Category 5 – Residential 47.95 – Non-Residential 193.90
Annual Trade Waste Fee	<p>This fee recovers the cost incurred by Council for administration and the scheduled inspections each year to ensure a liquid trade waste discharger's ongoing compliance with the conditions of their approval.</p>	Category 1 – 79.53 Category 2 – 318.09 Category 3 – 534.34 Category 5 – Residential 42.65 – Non-Residential 86.60
Re-inspection Fee	<p>Where non-compliance with the conditions of an approval has been detected and the discharger is required to address these issues, Council will undertake re-inspections to confirm that remedial action has been satisfactorily implemented. Council will impose a fee for each re-inspection. The re-inspection fee will be based on full cost recovery.</p>	All Categories – \$74.56 per inspection
Trade Waste Usage Charge	<p>The trade waste usage charge is imposed to recover the additional cost of transporting and treating liquid trade waste from Category 2 dischargers. Either one of two charges is applicable.</p>	0.54/kL – Compliant pre-treatment equipment 13.66/kL – Non-compliant pre-treatment equipment.
Excess Mass and Non-compliant Excess Mass Charge Biochemical Oxygen Demand Suspended Solids Total Oil and Grease Ammonia (as Nitrogen) pH Total Kheldhal Nitrogen Total Phosphorus Total Dissolved Solids Sulphate (as SO4)	<p>Excess mass charges will apply for the substances specified that are discharged in excess of the deemed concentrations in domestic sewage.</p> <p>Non-compliant excess mass charges will apply for the substances specified that are discharged in excess of the Trade Waste Approval Limit.</p> <p>The nominated charges are applied in accordance with the formulas contained in Council's Liquid Trade Waste Policy.</p>	0.66 / kg 0.85 / kg 1.19 / kg 0.66 / kg 0.37 / kg 0.16 / kg 1.36 / kg 0.04 / kg 0.12 / kg

In addition to the substances listed above, the following excess mass charges will apply per kilogram of waste discharged in excess of the Liquid Trade Waste Policy Guideline Acceptance Limits. Non-compliant excess mass charges will apply for trade waste discharged in excess of the Liquid Trade Waste Approval Limit. The nominated charges are applied in accordance with the formulas contained in Council's Liquid Trade Waste Policy.

Substance	Proposed Charge \$	Substance	Proposed Charge \$
Aluminium	0.66 / kg	Manganese	6.71 / kg
Arsenic	0.66 / kg	Mercaptans	67.10 / kg
Barium	33.55 / kg	Mercury	2,236.75 / kg
Boron	0.66 / kg	Methylene Blue Active Substances (MBAS)	0.66 / kg
Bromine	13.41 / kg	Molybdenum	0.66 / kg
Cadmium	310.65 / kg	Nickel	22.36 / kg
Chloride	No Charge	Organoarsenic compounds	671.03 / kg
Chlorinated Hydrocarbons	33.55 / kg	Pesticides general (excludes organochlorines and organophosphates)	671.03 / kg
Chlorinated Phenolics	1,342.05 / kg	Petroleum Hydrocarbons (non-flammable)	2.23 / kg
Chlorine	1.36 / kg	Phenolic compounds (non-chlorinated)	6.71 / kg
Chromium	22.36 / kg	Polynuclear aromatic hydrocarbons (PAH's)	13.66 / kg
Cobalt	13.66 / kg	Selenium	47.21 / kg
Copper	13.66 / kg	Silver	1.23 / kg
Cyanide	67.10 / kg	Sulphide	1.36 / kg
Fluoride	3.34 / kg	Sulphite	1.48 / kg
Formaldehyde	1.36 / kg	Thiosulphate	0.23 / kg
Herbicides/defoliants	671.03 / kg	Tin	6.71 / kg
Iron	1.36 / kg	Uranium	6.71 / kg
Lead	33.55 / kg	Zinc	13.66 / kg
Lithium	6.71 / kg		

Septic Waste Disposal Charges (Category S)

In accordance with the provisions of Section 310(2) of the Water Management Act 2000 and Clause 6 of the Water Management (Water Supply Authorities) Regulation 2004, it is proposed the maximum fees for the period 1 July 2010 to 30 June 2011 be as follows:

Service	Proposed Cost of Service \$
Residential	
Fortnightly effluent removal and disposal service	1,007.61 per annum
Additional effluent removal and disposal service	39.00 per service
Sludge removal and disposal services	
• Septic tanks with a capacity up to 2750 litres	282.66 per service
• Septic tanks exceeding 2750 litres or AWTS with one tank	366.72 per service
• AWTS with more than one tank	547.05 per service
• Sludge disposal only (collection organised by customer)	30.46 per kilolitre
Non-Residential	
Commercial effluent removal and disposal service	12.92 per kilolitre
Sludge removal and disposal services	
• Septic tanks with a capacity up to 2750 litres	282.66 per service
• Septic tanks exceeding 2750 litres or AWTS with one tank	366.72 per service
• AWTS with more than one tank	547.05 per service
• Sludge disposal only (collection organised by customer)	30.46 per kilolitre

The yield from these charges in 2010/11 is estimated to be \$38,000.

Charge Component	Basis	Proposed Charge \$
Septic and Chemical Toilet Charges	Volume charges will apply for each kilolitre of waste specified, that is discharged to the sewerage system.	14.91 / kL

Chemical Closet Charges (Category S)

In accordance with the provisions of Section 310(2) of the Water Management Act 2000, and Clause 6 of the Water Management (Water Supply Authorities) Regulation 2004, it is proposed the maximum fees for the period 1 July 2010 to 30 June 2011 be as follows:

Type of Service	Proposed Cost of Service
Annual Fortnightly service	\$ 1,452.25
Each requested weekly special service	28.29

It should be noted that Trade Waste Charges apply in addition to Sewer service charges. Where properties discharging Liquid Trade Waste become chargeable or non-chargeable for a part of the financial year a proportional charge calculated on a weekly basis is to apply. The total yield in 2010/11 from liquid trade waste charges is estimated to be \$749,000.

2.6 Drainage Service Charges (In accordance with IPART Determination)

In it's Determination of Council's 2009/10 charges, the Independent Pricing and Regulatory Tribunal approved the introduction of a drainage service charge.

Residential Charges

Single Metered Residential Properties

The proposed charge is \$84.72 for each single residential property/lot/dwelling. There is no usage charge for this category.

The total yield in 2010/11 from this charge is estimated to be \$4,269,000.

Metered Non-Residential Properties

Non-Residential Properties are those that do not meet the definition of Residential Properties or Multi Premises Properties. It is proposed to use the charging structure detailed below for Non-Residential Properties that are serviced by a water meter:

Meter Size (mm)	Meter Charge \$
20	84.72
25	132.39
40	338.90
50	529.53
80	1,355.59
100	2,118.11
150	4,765.74
200	8,472.42

Charges for meters not specified above are calculated using the formula: (Meter Size)² x \$ 84.72 / 400.

The yield from these charges in 2010/11 is estimated to be \$457,000.

Nominal Service Size

Where water pressure requires larger sizes of pipes and meters a charge as assessed by Council will apply.

Multi Premises Properties

The proposed charge is \$63.54 for each Multi Premises property that is serviced by a common water meter or multiple common water meters.

Multi Premises properties include;

- a) Strata Title lots
- b) Company Title dwellings
- c) Community Development lots
- d) Retirement Village units and
- e) a part of a building lawfully occupied or available for occupation (other than those described in paragraphs a) to d) above.

Multi Premises properties do not include hotels, motels, guest houses or backpackers hostels.

The yield from these charges in 2010/11 is estimated to be \$680,000.

2.7 Interest on Overdue Rates and Charges

In accordance with Section 566 of the Local Government Act 1993 and Section 356 of the Water Management Act 2000 Council charges interest on all rates and charges which remain unpaid after they become due and payable. Interest will be calculated on a daily basis using the simple interest method.

The due dates for payment of rates and charges are as follows:

- If payment is made in a single instalment, the instalment is payable by 31 August 2010.
- If payment is made by quarterly instalments, the instalments are payable by 31 August 2010, 30 November 2010, 28 February 2011 and 31 May 2011.
- For water usage charges, the account is due 30 days after posting date.

The rate of interest applied to overdue rates and charges levied under the Local Government Act 1993 will be the maximum rate as specified by the Minister for Local Government and published in the Government Gazette. The rate of interest is currently 9.0%.

The rate of interest applied to overdue charges levied under the Water Management Act 2000 will be the rate of interest payable for the time being on an unpaid judgment of the Supreme Court which is currently 9%.

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2009/10	Proposed Fee (Inclusive of GST, where applicable) 2010/11	Comment	Legislation / Regulation
20.01	Conveyance Certificate (Section 360 Water Management Act 2000) Statement of Outstanding Charges - Conveyance Certificate	B	N	\$16.98	\$17.31	Usually charged in combination with Certificate - Section 603 Local Government Act	IPART Determination May 2009
20.02	Property Sewerage Diagram - Up to and Including A4 size Diagram showing the location of the house-service line, building and sewer for the property. Certified	B	N	\$16.98	\$17.31		IPART Determination May 2009
20.03	Uncertified Service Location Diagram Location of Sewer and / or Water mains in relation to a property's boundaries Sewer Service Location Diagram	B	N	\$16.98	\$17.31		IPART Determination May 2009
20.04	Special Meter Reading Statement	B	N	\$52.07	\$53.07	Per IPART determination 2009.	IPART Determination May 2009
20.05	Billing Record Search Statement - Up to and Including 5 Years	B	N	\$16.98	\$17.31	Comments as for Item 20.4	IPART Determination May 2009

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2009/10	Proposed Fee (Inclusive of GST, where applicable) 2010/11	Comment	Legislation / Regulation
20.06	Water Reconnection During business hours	B	N	\$35.10	\$35.78	Comments as for Item 20.4	IPART Determination May 2009
	Outside business hours	B	N	\$144.90	\$147.70	Comments as for Item 20.4	IPART Determination May 2009
20.07	Workshop Test of Water Meter Removal and full mechanical test of the meter by an accredited organisation at the customers request to determine the accuracy of the water meter. This involves dismantling and inspection of meter components. Note: If the meter is faulty no charge will be levied.	B	N	\$174.33	\$177.69	Comments as for Item 20.4	IPART Determination May 2009
	20mm	B	N	\$174.33	\$177.69	Comments as for Item 20.4	IPART Determination May 2009
	25mm	B	N	\$174.33	\$177.69	Comments as for Item 20.4	IPART Determination May 2009
	32mm	B	N	\$174.33	\$177.69	Comments as for Item 20.4	IPART Determination May 2009
	40mm	B	N	\$174.33	\$177.69	Comments as for Item 20.4	IPART Determination May 2009
	50mm	B	N	\$174.33	\$177.69	Comments as for Item 20.4	IPART Determination May 2009

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2009/10	Proposed Fee (Inclusive of GST, where applicable) 2010/11	Comment	Legislation / Regulation
	60mm	B	N	\$174.33	\$177.69	Comments as for Item 20.4	IPART Determination May 2009
	80mm	B	N	\$174.33	\$177.69	Comments as for Item 20.4	IPART Determination May 2009
20.08	Application for Disconnection - All Sizes	B	N	\$29.42	\$29.99	This covers the administration fee only. There will be a separate charge payable to the utility if they also perform the physical disconnection, refer Item 20.35. Other comments as for Item 20.4.	IPART Determination May 2009
20.09	Application for Water Service Connection (all sizes)	B	N	\$29.42	\$29.99	This covers the administration fee only. There will be a separate charge payable to the utility if they also perform the physical connection.	IPART Determination May 2009
20.10	Metered Standpipe Hire Security Bond (25mm)	B	N	\$358.87	\$365.80	Comments as for Item 20.4	IPART Determination May 2009
	Security Bond (63mm)	B	N	\$690.56	\$703.89	Comments as for Item 20.4	IPART Determination May 2009
20.11	Metered Standpipe Hire Annual Fee	B	N	As per water service charge based on meter size (pro-rata for part of year on a monthly basis)	As per water service charge based on meter size (pro-rata for part of year on a monthly basis)	Incorporated on the monthly fee as per IPART Determination Comments as for Item 20.4	IPART Determination May 2009
	Quarterly Fee	B	N	As per water service charge based on meter size (pro-rata for part of year on a monthly basis)	As per water service charge based on meter size (pro-rata for part of year on a monthly basis)	Incorporated on the monthly fee as per IPART Determination Comments as for Item 20.4	IPART Determination May 2009

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2009/10	Proposed Fee (Inclusive of GST, where applicable) 2010/11	Comment	Legislation / Regulation
	Monthly Fee	B	N	As per water service charge based on meter size (pro-rata for part of year)	As per water service charge based on meter size (pro-rata for part of year)	Comments as for Item 20.4	IPART Determination May 2009
20.12	Standpipe Water Usage Fee (All Usage)	B	N	As per standard water usage charges per kilolitre	As per standard water usage charges per kilolitre	Comments as for Item 20.4	IPART Determination May 2009
20.13	Backflow Prevention Device Application and Registration Fee	B	N	\$60.00	\$61.16	This fee is for the initial registration of the backflow device.	IPART Determination May 2009
20.14	Major Works Inspection Fee This fee is for the inspection, for the purpose of approval, of water and sewer mains, constructed by others that are longer than 25 metres and/or greater than 2 metres in depth. Water Mains (\$ per metre)	B	N	\$5.21	\$5.31	Comments as for Item 20.4	IPART Determination May 2009
	Gravity Sewer Mains (\$ per metre)	B	N	\$6.95	\$7.08	Comments as for Item 20.4	IPART Determination May 2009
	Rising Sewer Mains (\$ per metre)	B	N	\$5.21	\$5.31	Comments as for Item 20.4	IPART Determination May 2009
20.15	Statement of Available Pressure Flow	B	Y	\$126.79	\$129.24	This fee covers all level whether hydraulic modelling is required or not. Other comments as for Item 20.4.	IPART Determination May 2009

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2009/10	Proposed Fee (Inclusive of GST, where applicable) 2010/11	Comment	Legislation / Regulation
20.16	Plumbing and Drainage Inspection Residential - single dwellings, villas and units Caravans and mobile homes Commercial/Industrial Alterations Additional Inspections	B	Y	\$154.41	\$157.39	Per unit Other comments as for Item 20.4.	IPART Determination May 2009
				\$77.82	\$79.32	Per permit Other comments as for Item 20.4.	IPART Determination May 2009
				\$154.41 plus \$44.82 / wc	\$157.39 plus \$45.69 / wc	Per inspection plus \$45.69 / wc. Other comments as for Item 20.4.	IPART Determination May 2009
				\$77.82	\$79.32	Per permit Other comments as for Item 20.4.	IPART Determination May 2009
				\$57.28	\$58.39	Per inspection Other comments as for Item 20.4	IPART Determination May 2009
20.17	Billings Record Search - Further Back than 5 Years	B	N	\$16.98 for the first 15 minutes or part thereof then \$11.31 per 15 minutes or part thereof	\$17.31 for the first 15 minutes or part thereof then \$11.53 per 15 minutes or part thereof	Comments as for Item 20.4	IPART Determination May 2009
				\$116.03 for the first hour or part thereof then \$28.86 per 15 minutes or part thereof	\$118.27 for the first hour or part thereof then \$29.42 per 15 minutes or part thereof	Comments as for Item 20.4	IPART Determination May 2009
20.18	Relocate Existing Stop Valve or Hydrant Price exclusive of plant hire charges, material costs and traffic control where applicable.	B	N				IPART Determination May 2009

FEES & CHARGES								
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2009/10	Proposed Fee (Inclusive of GST, where applicable) 2010/11	Comment	Legislation / Regulation	
20.19	Provision of Water Services Application for water service connection fee is also applicable. Meter only (20mm)	B	N	\$99.62	\$101.54	Comments as for Item 20.4	IPART Determination May 2009	
	Short Service - 20mm	B	N	\$604.52	\$616.19	Comments as for Item 20.4	IPART Determination May 2009	
	Long Service - 20mm	B	N	\$604.52	\$616.19	Comments as for Item 20.4	IPART Determination May 2009	
	Short Service - 25mm	B	N	\$733.58	\$747.74	Comments as for Item 20.4	IPART Determination May 2009	
	Long Service - 25mm	B	N	\$733.58	\$747.74	Comments as for Item 20.4	IPART Determination May 2009	
	Short Service - 40mm	B	N	\$1,378.86	\$1,405.47	Comments as for Item 20.4	IPART Determination May 2009	
	Long Service - 40mm	B	N	\$1,832.82	\$1,868.19	Comments as for Item 20.4	IPART Determination May 2009	
	Short Service - 50mm	B	N	\$1,967.53	\$2,005.50	Comments as for Item 20.4	IPART Determination May 2009	

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2009/10	Proposed Fee (Inclusive of GST, where applicable) 2010/11	Comment	Legislation / Regulation
	Long Service - 50mm	B	N	\$2,426.02	\$2,472.84	Comments as for Item 20.4	IPART Determination May 2009
	Larger Service - provision of live main connection only	B	N	\$116.03 for first hour or part thereof then \$28.86 per 15 minutes or part thereof	\$118.27 for first hour or part thereof then \$29.42 per 15 minutes or part thereof	Comments as for Item 20.4	IPART Determination May 2009
	Price exclusive of plant hire charges, material costs and traffic control where applicable. Relocate Existing Service Short - 20mm	B	N	\$294.33	\$300.01	Comments as for Item 20.4	IPART Determination May 2009
	Long - 20mm	B	N	\$458.49	\$467.34		IPART Determination May 2009
	Larger services - provision of live main connection only	B/E	N	By quote	By Quote		IPART Determination May 2009
	Price exclusive of plant hire charges, material costs and traffic control where applicable. Alteration from Dual Service to Single Service 20mm service only	B	N	\$352.08	\$358.88	Comments as for Item 20.4	IPART Determination May 2009
20.20							
20.21							

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2009/10	Proposed Fee (Inclusive of GST, where applicable) 2010/11	Comment	Legislation / Regulation
20.22	Sewerage Drainage Arrester Approval	B	N	\$95.09	\$96.93	Comments as for Item 20.4	IPART Determination May 2009
	Annual Inspection	B	N	\$28.86	\$29.42	Comments as for Item 20.4	IPART Determination May 2009
20.23	Sewerage Junction Cut-in (150mm)	B	Y	\$286.41	\$291.94	Comments as for Item 20.4	IPART Determination May 2009
	No excavation, no concrete encasement removal, no sideline, junction within property. Excavation provided by customer.						
20.24	Sewerage Junction Cut-in (150mm) with sideline less than 3m	B	Y	\$299.99	\$305.78	Comments as for Item 20.4	IPART Determination May 2009
	No excavation, no concrete encasement removal, sideline, junction outside the property. Excavation provided by customer.						
20.25	Sewerage Junction Cut-in (225mm)	B	Y	\$670.18	\$683.11	Comments as for Item 20.4	IPART Determination May 2009
	No excavation, no concrete encasement removal, no sideline, junction within property. Excavation provided by customer.						
20.26	Sewerage Junction Cut-in (225mm) with sideline less than 3m – excavation provided by Customer	B	Y	\$707.53	\$721.19	Comments as for Item 20.4	IPART Determination May 2009
	No excavation, no concrete encasement removal, sideline, junction outside property.						

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2009/10	Proposed Fee (Inclusive of GST, where applicable) 2010/11	Comment	Legislation / Regulation
20.27	Sewerage Junction Cut-in Greater than 225mm or where excavation or removal of concrete encasement required by Council Price exclusive of plant hire charges, material costs and traffic control where applicable. Sewer Main Encasement with Concrete Encasement inspection fee when construction is not by Council	B	Y	\$127.63 per hour for first hour or part thereof then \$31.75 per 15 minutes or part thereof	\$130.09 per hour for first hour or part thereof then \$32.36 per 15 minutes or part thereof	Comments as for Item 20.4	IPART Determination May 2009
20.28		B	Y	\$96.78	\$98.65	Comments as for Item 20.4	IPART Determination May 2009
20.29	Construction by Council Sewer Advance Scheme - Administration Charge	B/E B	Y Y	By quote \$252.79	By quote \$257.67	Comments as for Item 20.4	Pricing principles regulated by IPART IPART Determination May 2009
20.30	Raise and Lower Sewer Manholes	B	N	\$96.79	\$98.66	Raise or lower manhole greater than 300mm. Price listed is the manhole adjustment inspection fee. Charge for actual physical adjustment is by quote. Other comments as for Item 20.4	IPART Determination May 2009
20.31	Underground Services Locations - Council assists in on-site physical locations. Customer provides all equipment.	B	Y	\$76.58 per hour for first hour or part thereof then \$18.67 per 15 minutes or part thereof	\$78.06 per hour for first hour or part thereof then \$19.03 per 15 minutes or part thereof	Customer to provide all plant required to expose asset. Other comments as for Item 20.4.	IPART Determination May 2009
20.32	Underground Services Locations - Council undertakes on-site physical locations and provides all equipment.	B	Y	\$127.63 per hour for first hour or part thereof then \$31.75 per 15 minutes or part thereof	\$130.09 per hour for first hour or part thereof then \$32.36 per 15 minutes or part thereof	Customer to provide all plant required to expose asset. Other comments as for Item 20.4.	IPART Determination May 2009

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2009/10	Proposed Fee (Inclusive of GST, where applicable) 2010/11	Comment	Legislation / Regulation
20.33	Water Sample Analysis for Water Quality Testing Private Supplies	B	Y	\$77.81	\$79.31	Comments as for Item 20.4	IPART Determination May 2009
20.34	Raise/Lower/Adjust existing services (no more than 2 metres from existing location) 20mm service only (no Materials)	B	N	\$116.61	\$118.86	Comments as for Item 20.4	IPART Determination May 2009
20.35	Larger services or requiring materials Disconnection of Existing Service	B/E B	N N	By quote \$114.86	By quote \$117.08	Payable when customer requests Council to disconnect existing service Other comments as for Item 20.4.	Pricing principles regulated by IPART IPART Determination May 2009
20.36	Supply of reticulated tertiary treated sewerage effluent (except when covered by individual agreement).	A	N	\$0.89	\$0.94	Per kilolitre The proposed 2009/10 price of tertiary treated effluent (\$0.89) has been calculated as 50% of the proposed 2009/10 price of treated water (\$1.78 per kilolitre).	IPART Determination May 2009

2.2 Waste and Sustainability Improvement Payments - Waste Action Plan

TRIM REFERENCE: F2010/00292 - D02223656

AUTHOR: CD

SUMMARY

Report on the Strategic Waste Action Plan (SWAP) required to be submitted to the NSW Department of Environment, Climate Change and Water (DECCW) as part of the Waste and Sustainability Improvement Program (WaSIP).

RECOMMENDATION

*That Council **endorse** the following strategies to be submitted to DECCW as part of the Strategic Waste Action Plan:*

- a **Investigate use of an Alternative Waste Technology (AWT) for processing domestic waste and garden organics / food waste.***
- b **Develop and deliver a Waste and Recycling Education Program to increase waste diversion rates.***

BACKGROUND

The 'Waste Avoidance and Resource Recovery Strategy 2007' developed by DECCW provides State-wide waste related targets for both industry and local government. In relation to NSW councils the target is to increase the recycling of municipal waste from a baseline 26% to 66% by 2014.

DECCW has now incorporated reporting on progress against the 2014 target for councils into the 2009/10 reporting requirements of the Waste and Sustainability Improvement Payment (WaSIP) program. The WaSIP program returns some of the Waste and Environment Levy (which is paid on each tonne of waste landfilled) to councils to fund unbudgeted waste and sustainability improvement projects. Under this program Wyong Council received \$554,403.00 in 2009/10. One of the conditions of this program was for Council to submit two plans:

- **Sustainability Action Plan (SAP):** Measurable actions and targets that will improve Council's performance in the areas of waste, biodiversity, water, energy, climate change, transport and sustainable purchasing.
- **Strategic Waste Action Plan (SWAP):** Must contain performance milestones that will contribute to Council reaching the 2014 NSW municipal waste target of diverting 66% of domestic waste from landfill.

The SAP was submitted to DECCW on 30 October 2009 following a report to the Ordinary Meeting of 14 October 2009. It outlined how the \$554,403.00 would be spent in 2009/10. Financial and progress reporting on this Plan is due to DECCW on 30 August 2010.

2.2 Waste and Sustainability Improvement Payments - Waste Action Plan (contd)

Council is also required to submit a SWAP to DECCW by 30 June 2010, after successfully obtaining an extension to the original lodgement date. The SWAP must include evidence of Council support for the plan. This report to the Ordinary Meeting, once adopted, will verify that support.

COMPARISON WITH OTHER NSW COUNCIL WASTE DIVERSION RATES

It is informative to understand how Wyong Council is progressing in terms of broader Local Government waste diversion rates. The latest 2007/08 average diversion rates according to DECCW were as follows:

Council/Area	Total domestic kerbside recovery rate in 2007/08	Domestic kerbside dry recyclables & organics (tonnes)	Total domestic kerbside waste to landfill (tonnes)	Collection Service Type
NSW average	43.4%	1,245,349	1,621,786	--
Sydney Metropolitan Region (SMA)	46.5%	773,896	888,737	--
Extended Regulatory Area (ERA)	38.2%	206,307	334,428	--
Gosford	50.6%	34,052	33,257	GO fortnightly, R Fortnightly, LF Weekly
Cessnock	21.3%	4,108	15,162	R Fortnightly, LF Weekly
Hawkesbury	24.9%	6,768	20,423	R Fortnightly, LF Weekly
Lake Macquarie	23.0%	19,413	65,143	R Fortnightly, LF Weekly
Wollongong	50.1%	38,276	40,038	GO fortnightly, R Fortnightly, LF Weekly
WYONG	52%	18,941	12,535	GO fortnightly, R Fortnightly, LF Weekly
Port Stephens	60.2%	4,198	563	AWT Weekly, R Fortnightly
Hunters Hill Council	88.2%	N/A	N/A	AWT Weekly, GO fortnightly (for composting only not AWT), R Fortnightly

Source: NSW Local Government Waste and Resource Recovery Data Report 2007-2008, produced by DECCW. The diversion figures from 2008-2009 are yet to be released.

GO = Garden Organics / FO = Food Organics / R = Recycling / LF = Landfill / AWT = Residual Waste Collected Weekly

2.2 Waste and Sustainability Improvement Payments - Waste Action Plan (contd)

From the table it can be seen many Councils of similar size and demographics have diversion rates on par with Wyong Council. Those councils with lower diversion rates of around 20% - 30%, such as Cessnock, do not have an organics collection system in place. Some councils have also achieved higher rates of diversion of between 80% - 90%. For example, Coffs Harbour City, Bellingen and Nambucca Shire Councils achieve this with a regional joint AWT contract. This AWT processes both the mixed waste from the "red lid" bin and the organics waste from the "green lid" bin and has achieved a 90.8% diversion rate.

It should be noted that the 66% waste diversion target required by 2014 is an overall State-wide target. DECCW has not listed any penalties for failure to comply with the target. There is a risk, however, that in future the WaSIP payment will be tied to the degree to which councils achieve the target. Despite this risk, it is unlikely that many councils will actually reach the target. It is the view of the Local Government Association of NSW and the Shires Association of NSW that Local Government is performing better than many industry sectors to reduce waste.

Local Government tends to have less control over waste inputs compared to other industry players such as those covered under the National Packaging Covenant that are not performing as well. The advice to councils is to do what they can to reach the 66% waste diversion target by 2014, while working within the constraints and opportunities they are faced with over this time period.

OPTIONS TO ACHIEVE 66% WASTE DIVERSION

To comply with DECCW's requirements Council must use the electronic "Local Government Strategic Waste Action Plan Tool" (the LGSWAP Tool) provided by DECCW. This tool evaluates Council's performance against the 66% waste diversion target, and investigates how waste system modifications may impact future diversion rates. Using the tool allows Council to create a SWAP of system changes, activities and programs tailored to the local domestic waste stream.

Wyong Council currently achieves a relatively high diversion rate of 52% of the domestic waste stream. This has been achieved through the collection of recycling (approx 17,000 tonnes per annum from "yellow lid" bins) and organics (approx 19,000 tonnes per annum from "green lid" bins).

Approximately 30,000 tonnes of general waste per annum is collected and disposed of at the landfill from "red lid" bins. It is this portion of the total waste that DECCW is seeking to divert away from being landfilled at Buttonderry Waste Management Facility.

For Council to increase the waste diversion rate from 52% to 66% by 2014, the LGSWAP Tool recommends consideration of the following four major system changes:

- Option 1: Processing residual waste with an Alternative Waste Technology (AWT)
- Option 2: Source-separated food waste collections
- Option 3: Upgrade the garden organics service
- Option 4: Upgrade the dry recyclables collection service.

2.2 Waste and Sustainability Improvement Payments - Waste Action Plan (contd)

Council already provides a garden organics service (Option 3) and a dry recyclables collection service (Option 4). The remaining options to process residual waste with an AWT (Option 1) or use source-separated food waste collections (Option 2) are discussed in the following sections.

OPTION 1: PROCESSING RESIDUAL WASTE WITH AN AWT

AWT refers to various technologies that process mixed waste or source-separated organic materials such as vegetation or food waste. They effectively reduce the volume of waste requiring landfilling, and are at various stages of development and commercialisation around the world.

The main drivers for establishing AWT systems are declining landfill space, increasing concern about the effects of landfill pollution, the loss of potential resources if materials are landfilled and the rising Waste and Environment Levy that is paid to DECCW for every tonne of waste landfilled. By way of example the current Waste and Environment Levy in 2009/10 is \$52.40 per tonne of waste landfilled. This is expected to rise to \$119.90 by 2014/15.

There are two main types of AWTs:

- Thermal technologies (incineration, gasification/pyrolysis)
- Biological technologies (enclosed composting (aerobic), anaerobic digestion, fermentation)

AWT systems in Australia are mainly biological technologies (aerobic digestion – in presence of oxygen, or anaerobic digestion – in absence of oxygen). They are frequently combined with mechanical technologies.

In terms of processing the residual mixed waste from the red lid garbage bin using an AWT, Council has at present two options that are discussed further below:

- a) Utilising the Gosford City Council (GCC) AWT proposal or
- b) Establishing and operating a new AWT at the Buttonderry Waste Management Facility (BWMF).

a Utilising the Gosford City Council (GCC) AWT proposal

GCC is in the process of establishing an AWT at its Woy Woy Waste Management Facility and is currently managing a tender process.

The proposed AWT will have an operating capacity of 70,000 tonnes per annum. Initially this capacity will exceed GCC's domestic waste needs and Wyong Council was approached to determine its willingness to utilise this excess capacity. In September 2008 GCC was advised that Wyong Council would favourably consider utilising the facility if it provides financial and environmental benefits.

Exercising this proposal would require the establishment of a mini-transfer station at BWMF and utilising larger trucks to allow the efficient transport of waste to Woy Woy. The likely costs of this arrangement have not been assessed.

b Operating an AWT at the Buttonderry Waste Management Facility (BWMF)

The second possibility is to establish and operate an AWT at the BWMF. Council has engaged consultants to develop a commercial strategy for BWMF. Under this engagement the feasibility of establishing an AWT at BWMF will be considered.

According to the LGSWAP Tool these options would produce a waste diversion rate of an additional 30%, providing an overall diversion rate of 82%. Option a) would be able to achieve the 82% within the required time frame, as the GCC AWT is scheduled to commence in 2012. The second option b) would not be able to achieve this as the investigation, approval, tender process and construction of an AWT at BWMF is expected to take a minimum of five years.

Risks Associated With Mixed Waste Outputs from an AWT

It should be noted that while the above two options will divert up to an additional 30% of waste from landfill, mixed waste that has been processed using an AWT is generally of a lower quality due to the nature of the input materials.

To minimise the environmental impacts associated with the use of output materials from AWTs, DECCW has introduced an exemption that controls the application of such outputs to land. Currently there is some uncertainty surrounding these exemptions and they therefore pose a risk to all councils wishing to establish AWTs as explained further below.

In 2008 DECCW introduced 'Resource Recovery Exemptions' under clause 51 of the Protection of the Environment Operations (Waste) Regulation 2005. Commonly known as the 3F Regulation (Fill, Fertilisers and Fuel Regulation), it requires anyone intending to apply waste or a waste-derived product to land to obtain either an exemption or obtain a landfill licence.

Under the regulation there are three main criteria that must be met in order to obtain an exemption:

- land type (e.g. mine rehabilitation, forestry or non-contact agriculture)
- application rate (e.g. tonnes per hectare in a given time period)
- the chemical and physical properties of the material (e.g. levels for heavy metals and contaminants such as plastic or metal).

There is some uncertainty surrounding this general exemption for AWT products at present as the exemptions are interim until June 2013. DECCW indicated that the general exemption may continue beyond 2013, however, contaminant levels will be reviewed following current research trials and the exemption may be amended.

There is a general concern amongst mixed waste AWT operators that the exemption requirements may become so strict that AWT outputs may not be able to meet the requirements without highly technical and costly processes. As a result the output may have to be landfilled and thus after all the AWT costs associated with processing the waste, the residual product will still be subject to the Waste and Environment levy.

It is for this reason some councils have focussed solely on the second option of source separated food waste collections. This focuses only on capturing the existing organics waste stream with the addition of food waste from the general waste bin.

Summary of AWT Option

There are many unresolved issues surrounding the use of AWTs to process waste. At this time it is considered that Council should only proceed with further investigations before committing to an AWT project.

OPTION 2: SOURCE-SEPARATED FOOD WASTE COLLECTIONS

Approximately 38% of the mixed waste contained in the “red lid” bin consists of food waste. Source-separated food waste collections involve diverting this food waste into the organics “green lid” bin.

An AWT that processes only organics (with the addition of food) will, according to the LGSWAP Tool, increase the diversion rate by up to an additional 12% to an overall diversion rate of 64%.

Risks Associated With Source-Separated Food Waste Collections

This option is not without a number of serious constraints at Wyong. While the organics processing facility at BWMF is licenced to process vegetation, timber and biosolids, it is not permitted to process food waste mainly due to odour concerns. The processing of vegetation and food waste would require, as a minimum, an enclosed environment.

At the existing facility organics are processed in open windrows. Changes to the current organics processing contract to permit food waste would therefore require major contract variations that are considered prohibitive until the end of the current contract term in 2015.

Furthermore, a number of councils that have implemented this type of system have moved to collecting the “green lid” bin containing food waste and garden organics weekly and the mixed waste in the “red lid” bin fortnightly. This has not been without considerable complaint, particularly in relation to the odour problems generated by such waste as nappies collected fortnightly in the “red lid” bin. Considerable education would need to be undertaken with the community if this change were to be pursued.

Benefits of the Source-Separated Food Waste Collections

The main benefit of this option is that it produces a fair quality product for application to land. This is a generally clean product that is more likely to meet the DECCW Resource Recovery Exemption requirements, even after the 2013 review. The residual waste contained in the “red lid” garbage bins would continue to be disposed to landfill.

Council may consider undertaking options 1 and 2 in conjunction with each other and producing both a low quality product and a higher quality product.

Summary of Food Waste Collection

At this time further action to undertake major changes to Food Waste Collection processes are not considered to be viable for Wyong Council.

MINOR SYSTEM CHANGES

The following minor system changes to provide education, collection and recycling are proposed to enhance and consolidate public participation in waste reduction. Despite the constraints that exist regarding major system changes Council can, under the LGSWAP Tool, immediately commit to minor system changes. These changes would include:

1 Education Program to Increase the Recycling Rates in Multi Unit Dwellings (MUDs).

This would target 5% of the population and be implemented in 2011. This program aims to divert an additional 633 tonnes (0.9% of total diversion).

2 High Risk Waste Collection Targeting E-Waste, Chemicals, Batteries and Light Globes.

This program will divert an additional 167 tonnes (0.2% of total diversion).

3 Food Organics and Recycling Education Program.

This will target the 38% of the waste in the "red lid" bins that comprises food organics and the 18% that is mixed with recyclables. This program aims to divert 191 tonnes (0.2%) of total diversion.

The proposed waste reduction programs fit well with Council's possible future initiatives. It should be noted that these are small amounts totalling less than 1.5% of total diversion. Whilst these programs have various environmental and social benefits, particularly in relation to hazardous wastes, they do not assist Council to meaningfully make progress toward the 66% waste diversion target by 2014. Major system changes are required to achieve this target.

Budget Implications

The costs of undertaking the investigation of the AWT options will be funded from the waste reserve. The costs of implementing the Waste and Recycling Education Program will be funded primarily from the WaSIP 2010/11 funding. Other smaller costs will be funded from the waste reserve. These programs will not impact on Council's other revenue-funded programs.

CONCLUSION

Council is required to submit a Strategic Waste Action Plan (SWAP) to DECCW by June 30 2010. Council must include with the SWAP evidence of Council's actions to be adopted in relation to further waste reductions to landfill.

DECCW, through the LGSWAP Tool and SWAP, are recommending four major system changes to help Council achieve the 66% waste diversion by 2014 target. Council has already undertaken two of the four options. This report recommends that Council endorse the further investigation of options to processing residual waste with an Alternative Waste Technology (AWT); and endorse a Waste and Recycling Education Program as a means of further reducing waste streams going to landfill.

2.2 Waste and Sustainability Improvement Payments - Waste Action Plan (contd)

This report has provided an overview of the issues involved with each of the recommended options, and has shown how further in-depth investigation of the risks and opportunities present with each major system change is required. Further investigation will assist Council to understand the issues involved such as: feasibility, frequency of collection, the community behavioural change required, ease of use and operation, the complexity of the technology required, the quality and quantity of the output, environmental and cost benefits and drawbacks and the diversion rates achieved.

Minor system changes are proposed as part of the SWAP and it is recommended that Council support these. It is noted that they will divert small volumes of waste only and major system changes are still required in the future.

ATTACHMENTS

Nil.

3.1 DA/123/2010 - Proposed Two Storey Dwelling House at Lot 211 Karalee Street, Wadalba

TRIM REFERENCE: da/123/2010 - D02224472

AUTHOR: SR

SUMMARY

An application has been received for the construction of a new two storey dwelling house. The application has been examined having regard to the matters for consideration detailed in section 79C of the Environmental Planning and Assessment Act (EP& A Act) and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

This application cannot be determined under staff delegation due to the extent of variation required to DCP 2005 Chapter 100, Quality Housing in reference to cut and fill and bulk and scale.

Applicant	J Marshall Constructions
Owner	J O'Donghue and J Nguyen
Application No	DA/123/2010
Description of Land	Lot 211, DP 1125621 Karalee Street, Wadalba
Proposed Development	Two storey dwelling
Site Area	673m ²
Zoning	2(e) Urban Release Area Zone
Existing Use	Vacant

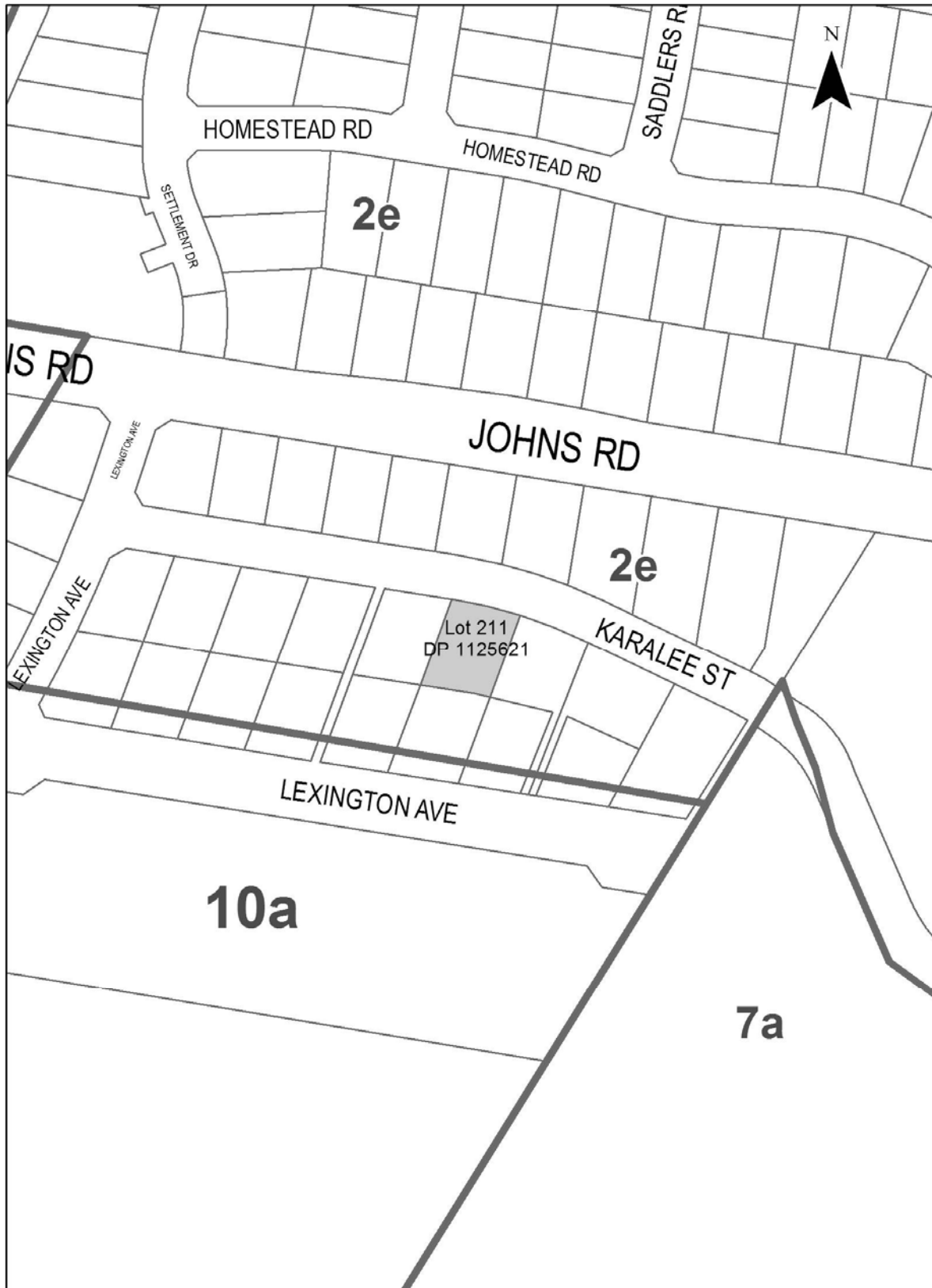
RECOMMENDATION

- 1 That 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 and other relevant issues with an indication that based on the information available to it, that consent be granted subject to appropriate conditions.***
- 2 That Council vary Development Control Plan 2005 Chapter 100 (Quality Housing) to permit the development.***

INTRODUCTION

An application has been received for the erection of a two storey dwelling house within an existing residential subdivision at Lot 211 Karalee Street Wadalba. The site is currently vacant and is elevated above Karalee Street which incorporates a separate access road via a right of way through adjoining Lot 212. The site falls from the south-eastern boundary to the north-western boundary by approximately 2.5metres.

Locality Plan



The proposed dwelling house has been designed as a slab on ground construction with the garage at a slightly lower level to maintain practical vehicular access to the site. Due to the slope of the site, it is proposed to excavate along the eastern boundary of the site to a depth greater than 600mm. Accordingly, the proposal does not comply with the maximum cut and fill permitted under DCP 2005 Chapter 100 Quality Housing.

The proposed dwelling house has been designed with an external wall along the southern elevation that exceeds 10 metres in length without any articulation and therefore the proposal does not comply with the Building Design requirements of DCP 2005 Chapter 100 Quality Housing.

VARIATIONS TO POLICIES

Clause	3.3.3(g) (cut and fill)
Standard	Chapter 100 (Quality Housing)
LEP/DCP	DCP 2005
Departure basis	Excavation greater than 600mm as wall is within 1300mm of side boundary.

A variation of 68% is requested

Clause	3.6.3(d) (bulk and scale)
Standard	Chapter 100 (Quality Housing)
LEP/DCP	DCP 2005
Departure basis	Unbroken length of wall exceeding 10 metres in length.

A variation of 27% is requested

HISTORY

No relevant history of previous development applications have been recorded on Council's records for the property.

PERMISSIBILITY

The subject site is zoned 2(e) Urban Release Area under Wyong Local Environmental Plan (WLEP) 1991. The proposed development is defined as a "dwelling-house", and is permissible with consent and complies with the objectives of the zone namely;

- “(a) *to cater for a range of housing types appropriate to a greenfield urban release area and not exceeding a height of 2 storeys, and*
- (b) *to provide for other uses which:*
 - (i) *are compatible with the residential environment and afford services to residents at a local level, and*
 - (ii) *are unlikely to adversely affect residential amenity or place demands on services beyond the level reasonably required for residential uses, and*

3.1 DA/123/2010 - Proposed Two Storey Dwelling House at Lot 211 Karalee Street, Wadalba (contd)

- (c) *to provide home-based employment where such will not:*
- (i) *involve exposure to view from any public place of any unsightly matter, or any raw material, equipment, machinery, product or stored finished goods, or*
 - (ii) *have a material adverse impact on residents, and*
- (d) *to ensure development includes appropriate water sensitive urban design.*

The proposed dwelling house is considered to be consistent with the above zone objectives in that:

- The proposal does not exceed two storeys in height and provides a range of dwelling types.
- The proposal is considered to be compatible with the existing residential environment.
- As discussed, under the Assessment Section within this report, the proposal is unlikely to adversely affect residential amenity.
- The proposal incorporates appropriate water sensitive urban design.

RELEVANT STATE/COUNCIL POLICIES AND PLANS

The Council has assessed the proposal against the relevant provisions of the following environmental planning instruments, plans and policies:

- Wyong Local Environmental Plan 1991 (WLEP)
- Development Control Plan 2005 Chapter 100 Quality Housing (DCP 2005 Chapter 100)

ASSESSMENT

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

THE PROVISIONS OF RELEVANT INSTRUMENTS/PLANS/ POLICIES (s79C(1)(a)(i-iv):

Development Control Plan 2005, Chapter 100 Quality Housing

Variations to DCP 2005, Chapter 100 are proposed for this development relating to the maximum excavation permitted on site and also the maximum length of an external wall without articulation. During the assessment process, Council requested the applicant to re-design the proposal to comply with the requirements of the DCP.

The applicant provided a submission indicating that due to the specific constraints of the site, it was not practical to reduce the extent of excavation adjacent to the eastern boundary and requested variations to the requirements in this instance.

A variation to DCP 2005 Chapter 100 section 3.3.3 (g), restrictions for cut and fill has therefore been requested. This chapter requires a maximum excavation of 600mm for any dwelling that is setback less than 1300mm from the side boundary. The variation is to excavate along the eastern boundary to a depth of approximately 1012mm.

The variation requested is based on minimising the gradient of the driveway due to the relatively steep nature of the access to the site. Restricting the excavation to 600mm would result in the gradient of the driveway being excessively steep or would require a redesign of the dwelling to achieve practical vehicular access.

There would not be any material impact in relation to this variation upon the amenity of the property immediately to the east of the site and, in fact, the dwelling would be lower which would enhance the outlook from the adjoining property. Subject to the construction of a suitable retaining wall designed and certified by a Structural Engineer, approval of this variation is considered acceptable.

A variation to Council's DCP 2005 Chapter 100 section 3.6.3 (d) bulk and scale is also proposed. The DCP requires walls without any articulation to not exceed 10 metres in length. The variation proposed results in the southern wall of the proposed dwelling house having an unbroken wall length of 12.680 metres.

The variation will not have any significant impact upon the amenity of the area or the streetscape as this elevation is at the rear of the site and therefore cannot be viewed from the street. The elevation would only front one adjoining property to the south. The applicant has indicated that a deck/ pergola may be constructed in the future to this elevation therefore achieving compliance with the Chapter.

The other elevations to the proposed dwelling house visible from the street and adjoining properties are articulated and achieve a good level of architectural presentation.

The site is constrained by the location of the driveway and accordingly it is considered reasonable to permit a variation to Council's normal requirements to allow the construction of a suitable dwelling house on the property.

Under these circumstances the variations are considered justified and the application is therefore recommended for approval.

ECOLOGICALLY SUSTAINABLE PRINCIPLES

The proposal has been assessed having regard to ecologically sustainable development principles and is considered to be consistent with the principles.

The proposed development is considered to incorporate satisfactory stormwater, drainage and erosion control and the retention of vegetation where possible and is unlikely to have any significant adverse impacts on the environment and will not decrease environmental quality for future generations. The proposal does not result in the disturbance of any endangered flora or fauna habitats and is unlikely to significantly affect fluvial environments.

RELEVANT ISSUES

Having regard to Section 79C of the EP& A Act, it is considered that the following matters require further consideration and are addressed in the following sections:

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

Context and setting

The proposed dwelling is consistent with the scale and character of the local area of Wadalba. The scale, bulk, height, massing and choice of materials and finishes for the proposed dwelling are considered appropriate to the local context and will enhance the streetscape. The proposal will have a negligible impact on the existing streetscape.

Access, transport and traffic

Access to the site is by the use of the existing concrete driveway that has been provided by the developer when the subdivision was constructed, therefore no impact will be placed on the existing transport or traffic infrastructure.

Utilities

Existing services have been provided to the site to cater for the proposed development.

Energy

A Basix Certificate has been submitted with the application

Natural Hazards

The subject allotment is identified as being at risk of attack from bushfire. The proposed development has been assessed against the requirements of the Planning for Bushfire Protection 2006 and it has been determined that subject to the implementation of certain construction requirements in accordance with the Guidelines, the proposal will comply with the relevant bushfire requirements. Appropriate conditions relating to the construction standards will be imposed upon the development consent.

Trees

There are three trees that are situated within three metres of the proposed dwelling house which are not considered significant and will be removed from the site.

Suitability of the Site for the Development

It is considered the impact on the environment is minimal and the proposed dwelling house will complement the existing streetscape of Karalee Street.

ANY SUBMISSION MADE IN ACCORDANCE WITH THIS ACT OR REGULATIONS (s79C(1)(d)):

The application was advertised in accordance with DCP 2005 Chapter 70-Notification of Development Proposals with no submissions being received.

CONCLUSION

The proposed dwelling house has been designed with a good level of architectural presentation and the type of materials used are consistent with the type and quality of buildings constructed in the vicinity.

The proposed variations to Chapter 100 Quality Housing are considered to be justified in these circumstances and the application is therefore recommended for approval.

ATTACHMENTS

- | | | | |
|---|-----------------------------|-----------|-----------|
| 1 | Plan DP 1125621P | Enclosure | D02233612 |
| 2 | Development Plans (A3 size) | Enclosure | D02233618 |

4.1 Contract Variations and Finalisation - April 2010

TRIM REFERENCE: D02230814

AUTHOR: GP

SUMMARY

This paper reports on variations to contracts with a value greater than \$150,000 (excl GST). Approval is sought for increases to contract expenditure where necessary to ensure completion of work in each case.

The report covers contract variations processed in April 2010 plus any completed contracts for which the final contract value is now available for reporting.

RECOMMENDATION

- 1 ***That Council note the variations to contracts in Attachment 1 of the Contract Variations and Finalisation April 2010 report.***
- 2 ***That Council approve expenditure above contract estimates but within approved program budgets for the following contract:***

2a	<i>Supply of Electrical Maintenance Services for Council's Four Holiday Parks</i>	<i>CPA/134172</i>	<i>\$25,000.00</i>
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- 3 ***That Council note the contracts that reached a finalised status in Attachment 2 of the Contract Variations and Finalisation – April 2010 report.***

BACKGROUND

Contracts entered into by Wyong Shire Council (WSC) are awarded either by Council resolution or under delegated authority. Section 55 of the Local Government Act 1993 requires that contracts of an estimated value greater than \$150,000 (excl GST) must be publicly tendered and approved by Council resolution.

Contracts of an estimated value less than \$150,000 (excl GST) are awarded under Delegations of Authority made to the General Manager.

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

To meet that need, contracts commonly 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.

For contracts that have been finalised in the reporting period, such contracts are also reported for information once the final value of the contract is established.

THE PROPOSAL

The need to vary contracts (explained above) arises out of differences in estimating strategies where two extremes denote a range of risk that offers WSC a choice of budget/estimate methodology.

Currently WSC estimates on the basis of known costs of assessment, design and construction plus, in most cases, a 10% contingency for unforeseen changes. This approach allows budgets to include a larger number of works in an annual program and runs a lesser risk of the program being curtailed to a serious degree as unforeseen needs arise.

For the eight contracts with variations for the reporting period, funds previously approved by Council for seven of the eight, are considered sufficient to ensure completion of those contracts.

Four contracts have reached “finalised” status during the reporting period.

Schedule Rate Contracts (Standing Offer)

This month’s report identifies three “standing offer” contracts, approved under delegation, that have now exceeded the maximum staff delegation of \$150K because of either higher than estimated costs and/or time over-run. The specific contracts are in the process of being re-tendered and the results of those tender processes will be reported to Council during the 3rd quarter of 2010 in accordance with normal policy requirements.

It is clear the internal procedures require upgrading and a review will be undertaken immediately with the objective of strengthening organisational control in respect of expenditure management for this type of contract. Shire Service’s staff and Corporate Services Purchasing/Contract staff will form an improved dual control/warning system to ensure that contracts do not over-run in time or expenditure.

FINANCIAL IMPLICATIONS

The variations that have necessitated increases to contract budgets do not have any financial impact on the 2009-10 Management Plan. The following summarises this position.

	Contract	Source of Funds	09/10 Management Plan Budget Impact	Impact \$
2a	Supply of Electrical Maintenance Services for Council’s Four Holiday Parks – CPA/134171	Holiday Parks Operational & Capital Budgets	Neutral – Programme budgets are sufficient for 09/10 & 10/11 to cater for additional expenditure under contract	-

CONCLUSION

Contract control is a discipline under continual improvement and scrutiny, particularly as new budget management systems are being considered. The issues raised in this report are demonstrative of the improved scrutiny in this area.

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | OM 26-05-10 Attachment 1 Contract Variations April 2010 | D02232942 |
| 2 | OM 26-05-10 Attachment 2 - Finalised Contracts for April 2010 | D02232940 |

Attachment 1 – Contract Variations for April 2010

Construction of Rural Fire Station Building - Ourimbah

Contract Number	Date of Council Approval	Contractor	(a) Approved Contract Value	(b) = (a) + contingency Total Approved Budget	(c) Value of Variations Previously Reported	(d) Value of Variations Reporting Period	(e) = (c) + (d) Total Value of Variations	(f) = (a) + (e) Actual Contract Value	Source of Funds
158359	9-12-2009	GWH Constructions (NSW) Pty Ltd	\$ 378,000.00	\$ 416,000.00	\$ 1,863.20	\$ 2,708.25	\$ 4,571.95	\$ 382,571.95	Grant Funding – Rural Fire Service
Individual Variations For Reporting Period									
Description					Value \$	Description			Value \$
Variation 2: Credit variation - change of product Opportunity taken to use different type of skylights. This has resulted in a cost saving for this project without compromising product quality and performance.					(2,019.00)	Variation 5: Scope change – change to electrical services. The scope change is for the supply and installation of two additional power points to service additional appliances that are to be provided by the Rural Fire Service.			294.00
Variation 3: Credit Variation – deletion for the supply of two airconditioning units from the contract. The two reverse-cycle split system airconditioning units will be supplied by Rural Fire Service as client and installed by the Contractor. Deduction price reasonable.					(3,590.00)	Variation 6: Adjustment to sewer. Location of sewer junction was found to be different to that detailed on drawings. Contractor was directed to locate junction, extend pipework and provide additional inspection point. Price considered reasonable for additional work.			2,572.50
Variation 4: Scope change – Three additional motors to roller shutters as requested by the client, Rural Fire Service. The original design for the roller doors used a manual chain opening mechanism. The RFS identified the need for a more rapid mechanism to improve efficiency when leaving or returning to the station. Price is reasonable.					3,454.50	Variation 7: Scope change – alterations to electrical wiring As a result of changes arising from an energy efficiency report the contractor was directed to make changes to electrical wiring/control systems and installation of various timers/sensors in the new building. Price is reasonable and will improve energy efficiency of building. Variation 9: Scope change – additional concrete slab. Contractor was requested to provide a concrete slab to support the trade waste bin. Original design provided for bin to be supported from the wall of the building. Locating the bin on a slab provides an operationally superior solution			1,457.75
Work under the contract is estimated at 99% complete and is being fully funded by the RFS. Council has agreed to provide bridging funds of \$250,000 until October 2010 when further RFS grant funds are expected to be provided. With the information currently available, the contract budget as approved by Council is considered sufficient to cover these anticipated variations. No increase to the contract budget is therefore sought.									539.00

Construction of Mardi Dam Transfer & Highlift System

Contract Number	Date of Council Approval	Contractor	(a) Approved Contract Value \$	(b) = (a) + contingency Total Approved Budget \$	(c) Value of Variations Previously Reported \$	(d) Value of Variations For Reporting Period \$	(e) = (c) + (d) Total Value of Variations \$	(f) = (a) + (e) Actual Contract Value \$	Source of Funds
127662	13-05-2009	Baulderstone Pty Ltd	41,464,576.36	45,664,576.36	96,849.18	(8,575.00)	88,274.18	41,552,850.54	50/50 Gosford & Wyong Councils
Individual Variations For Reporting Period									
		Description	Value \$		Description		Value \$		
Variation 57: Deduction variation.					Variation 67: Scope change.				
For operational reasons and to align with existing systems a microwave link was required for telemetry from Treatment Plant to pump station in lieu of the optic fibre cables specified. Deduction value is considered reasonable.			(11,875.00)		Additional foundation improvements were required due to soft soil conditions before a flow dissipator structure (of rock in wire baskets) could be placed as intended on dam wall. Price considered reasonable to allow work to proceed.		3,300.00		

Work under the contract is estimated at 50% complete.

With the information currently available, the contract budget as approved by Council is considered sufficient to cover these anticipated variations. No increase to the contract budget is therefore sought.

Construction of Woongarrah Sports Facility

Contract Number	Date of Council Approval	Contractor	(a) Approved Contract Value	(b) = (a) + contingency Total Approved Budget	(c) Value of Variations Previously Reported	(d) Value of Variations For Reporting Period	(e) = (c) + (d) Total Value of Variations	(f) = (a) + (e) Actual Contract Value	Source of Funds
153228	08-04-2009	Maincon Pty Ltd	\$ 4,620,995.00	\$ 5,203,095.00	\$ 493,109.23	\$ 43,273.11	\$ 536,382.34	\$ 5,157,377.34	Section 94
Individual Variations For Reporting Period									
Description			Value \$	Description	Value \$				
Variation 22: Scope change - This variation was required to address several issues relating to drainage of stormwater and improving the delineation between the netball courts, overflow carpark and the frontage along Hakone Road. A new subsoil drain and low rock retaining wall using material recycled from site has been provided along the southern edge of the courts and overflow carpark. This will improve long-term drainage issues and minimise migration of material from the landscaped areas onto the courts. The price is reasonable.			10,209.38	Variation 25: Scope change – security grill upgrades Security requirements were upgraded from that originally specified to strengthen security grills on amenity building doors with heavier duty grill. The enhanced security will help minimise future vandalism problems.	4,110.53				
Variation 23: Credit variation. Original design allowed for replacement of northern site boundary fence. Closer examination after site works revealed that fence can be refurbished and retained with cost saving. Price deduction is reasonable and allows for required refurbishment.			(5,073.18)	Variation 26: Credit variation Alternative lighting for carpark area proposed by Contractor that will deliver same performance as specified lights and includes acceptable maintenance features at reduced cost. Price considered reasonable.	(10,150.00)				
Variation 24: Scope change – materials for sanitary fittings Original design allowed for porcelain toilet suites in amenities block. Stainless steel suites will now be provided in lieu to provide improved resistance to vandalism and minimise future damage costs. Price is considered reasonable.			34,453.00	Variation 27: Scope change – revised netball court layout. Mark overflow carpark area as multi-use courts and provide post footings. Mark original multiuse courts as netball-only and provide netball posts. Changes requested by client to accommodate request from netball players for dedicated courts for play. Price considered reasonable.	9,723.38				

Work under the contract is estimated at 97% complete.

With the information currently available, the contract budget as approved by Council is considered sufficient to cover these anticipated variations. No increase to the contract budget is therefore sought.

Toukley Sewage Treatment Plant Inlet Works Augmentation

Contract Number	Date of Council Approval	Contractor	(a) Approved Contract Value \$	(b) = (a) + contingency Total Approved Budget \$	(c) Value of Variations Previously Reported \$	(d) Value of Variations For Reporting Period \$	(e) = (c) + Total Value of Variations \$	(f) = (a) + (e) Actual Contract Value \$	Source of Funds
154562	14-10-2009	Process Engineering Technologies Pty Ltd	1,640,427.00	1,886,427.00	18,150.00	8,560.00	26,710.00	1,667,137.00	Sewer Capital & Refurbishment Works - Management Plan, Line 4.4.9.
Individual Variations For Reporting Period									
Description		Value \$		Description		Value \$			
Variation 3: Scope Change - Supply and installation of additional fittings. Additional fittings were required to accommodate installation of new 500mm diameter flowmeter. The precise dimensions required for the fittings were only ascertainable once excavation works had been commenced under the contract.		8,560.00							

Work under the contract is estimated at 30% complete.

With the information currently available, the contract budget as approved by Council is considered sufficient to cover these anticipated variations. No increase to the contract budget is therefore sought.

Upgrade to Floodlighting at Various Ovals in the Northern Region of Wyong Shire

Contract Number	Date of Council Approval	Contractor	(a) Approved Contract Value	(b) = (a) + contingency Total Approved Budget	(c) Value of Variations Previously Reported	(d) Value of Variations For Reporting Period	(e) = (c) + (d) Total Value of Variations	(f) = (a) + (e) Actual Contract Value	Source of Funds
160331	27-01-2010	Master Electrical Contractors Pty Ltd	\$ 736,577.50	\$ 810,000.00	Nil	\$ 7,530.00	\$ 7,530.00	\$ 744,107.50	Open Space Floodlight Upgrades – Management Plan Lines 1.7.4 & 1.7.6
Variation 1: Scope change – electrical works. Alterations were required to electrical components in switchgear for floodlights as a result of changes to Council's standard electrical specifications. These changes were not available until after the contract had been awarded, and hence it was not possible to amend the tender documents during the tender period. It was assessed to be more cost-effective to make these changes at the construction stage rather than upgrading the components after the floodlighting poles had been commissioned.				7,530.00					Value \$

Work under the contract is estimated at 30% complete.

With the information currently available, the contract budget as approved by Council is considered sufficient to cover these anticipated variations. No increase to the contract budget is therefore sought.

Provision of Air-Conditioning Maintenance for a Period of Two Years

Contract Number	Date of Council Approval	Contractor	(a) Approved Contract Value \$	(b) = (a) + contingency Total Approved Budget \$	(c) Value of Variations Previously Reported \$	(d) Value of Variations For Reporting Period \$	(e) = (c) + (d) Total Value of Variations \$	(f) = (a) + (e) Actual Contract Value \$	Source of Funds	
143533	Awarded under staff delegation 01-05-2008	Dalkia Pty Ltd	131,090.00	131,090.00	Nil	109,607.64	109,607.64	240,697.64	Funded from various operational budgets	
Individual Variations For Reporting Period										
Description					Value \$	Description				Value \$
Variation 1 – Maintenance of air conditioning assets across Council's facilities (Chambers, Child Care, Libraries, Depots etc.) for October and November 2009.					37,577.11	Variation 2 - Maintenance of air conditioning assets across Council's facilities (Chambers, Child Care, Libraries, Depots etc.) for December 2009 plus January & February 2010. Expenditure to date has exceeded that anticipated at the date of contract initiation.				72,030.53

The contract was awarded under staff delegation for a two-year period following comparison of competitive offers. The contract budget was an estimate using historical data. Servicing requirements are however funded from the respective asset owners' programme budgets. The contract "budget" is therefore not a specific line item in the Management Plan.

The estimated contract budget was exceeded due to higher than anticipated maintenance needs, including repairs to two units at the Council Chambers Grant funding has since become available enabling these units to be replaced). Over 160 breakdowns have occurred across the 31 Council sites containing air conditioning assets in the Shire during the two-year period. These breakdowns have occurred despite Council have the following measures in place:

- Extensive preventative maintenance schedule for all air conditioning assets
 - Internal process of making every effort to rectify breakdowns at Chambers with Council staff
- For each breakdown Council negotiates with the contractor for the most cost effective option for repair.

The age and condition of much of the equipment is such that maintenance costs are high due to breakdowns. Gradually these items are being replaced, however there are still many assets that are or soon will be in need of replacement.

The original estimate has been exceeded and is now greater than the maximum staff delegation of \$150K.

Fresh tenders are currently being called. The results of that tender process are anticipated to be reported to Council in August 2010.

The current contract has now finalised. In the interim period prior to award of the new contract, each and every servicing requirements will be sourced under Council's current purchasing procedures (i.e. quotations called).

Provision of Electrical Maintenance Services for a 12 Month Period

Contract Number	Date of Council Approval	Contractor	(a) Approved Contract Value \$	(b) = (a) + contingency Total Approved Budget \$	(c) Value of Variations Previously Reported \$	(d) Value of Variations For Reporting Period \$	(e) = (c) + (d) Total Value of Variations \$	(f) = (a) + (e) Actual Contract Value \$	Source of Funds	
153230	Awarded under staff delegation 11-05-2009	Panel of four contractors as detailed below								
		DNA Electrical Pty Ltd	22,340.00	26,990.00	Nil	8,000.00	8,000.00	34,990.00		
		Central Coast Electrical Installation Pty Ltd	17,690.00	20,990.00	Nil	25,000.00	25,000.00	45,990.00		
		Bradbury Electrical Services Pty Ltd	20,381.00	24,131.00	Nil	43,500.00	43,500.00	67,631.00	Funded from various operational budgets	
		Preston Electrical & Data Pty Ltd	20,381.00	24,131.00	Nil	12,000.00	12,000.00	36,131.00		
		TOTALS	80,792.00	96,242.00	-	88,500.00	88,500.00	184,742.00		
Individual Variations For Reporting Period										
Description			Value \$	Description						Value \$
Variation 1 - Additional costs for electrical maintenance over initial estimate at award.			88,500.00							

The contract was awarded under staff delegation for a 12 month period following comparison of competitive offers. Four contractors were appointed under a panel arrangement.

The contract budget was an estimate using historical data. Servicing requirements are however funded from the respective asset owners' programme budgets (over seven hundred assets shared between nine asset owners). The contract "budget" is therefore not a specific line item in the Management Plan.

With a limited number of in-house electrical resources, priority is given to the maintenance and repair of essential services and to those works which present a threat to safety. Contract electrical services had been engaged to reduce a significant backlog of requested works and to maintain workload at a manageable level. Due to the ability to efficiently clear the backlog of work a higher than expected activity (and therefore cost) was incurred early in the contract period. Added to this is the fact that some works that asset owners had put on hold for financial reasons last financial year were finally given the go-ahead in this financial year. Also a number of minor capital works were submitted under the CRM system and thus included in the works of this contract. These deferred and extra works were not anticipated at the time the original estimated budget was calculated. This highlights that workloads under this contract are not easy to predict and are controlled by the asset owner's approval and "ability to pay". The original estimate has been exceeded with costs now exceeding the maximum staff delegation of \$150K.

Fresh tenders are currently being called. The results of that tender process are anticipated to be reported to Council in August 2010.

The current contract has now finalised. In the interim period prior to award of the new contract, each and every servicing requirements will be sourced under Council's current purchasing procedures (i.e. quotations called).

Supply of Electrical Maintenance Services for Council's Four Holiday Parks

Contract Number	Date of Council Approval	Contractor	(a) Approved Contract Value	(b) = (a) + contingency Total Approved Budget	(c) Value of Variations Previously Reported	(d) Value of Variations For Reporting Period	(e) = (c) + (d) Total Value of Variations	(f) = (a) + (e) Actual Contract Value	Source of Funds	
134172	Awarded under staff delegation 28-11-2007	AF & BA Rayner Pty Ltd	\$ 106,460.00	\$ 117,106.00	Nil	\$ 59,780.00	\$ 59,780.00	\$ 176,886.00	Holiday Parks Operational & Capital Budgets	
Individual Variations For Reporting Period										
		Description	Value \$	Description						Value \$
		Variation 1 – Additional electrical requirements for capital works upgrades over and above the original contract budget.	59,780.00							

The contract was awarded under staff delegation for a 2 year period (with the option of a third year) following comparison of competitive offers. The contract budget was based upon an estimate of needs using historical data that was largely for maintenance needs.

Additional expenditure under the contract has primarily been incurred as a result of capital upgrades at the Holiday Parks. The capital upgrade works were being undertaken under separately tendered contracts. Those contracts were awarded to Jenbuild Pty Ltd in February 2008. However, due to on-going performance it was decided to withdraw components of this contract and complete these under direct subcontract management. It was found to be economical and efficient to use the Holiday Parks maintenance contractor to carry out the incomplete electrical components of work associated with these capital upgrades. Rates used were as per the contracted rates. Additional expenditure under the contract has been funded from the capital works budgets for the Holiday Parks.

The costs to complete the electrical upgrades works associated with the Jenbuild Pty Ltd contracts were in total \$95,575. These works are now complete.

As a consequence the expenditure under CPA/134172 in the amount of \$176,886 now exceeds the maximum staff delegation of \$150K.

The nature of requirements for electrical services at the Parks' requires emergency and after-hours response needs. To ensure Parks' management are able to access services as and when required, it is necessary to continue the current contract until such time as a new contract is awarded in the fourth quarter of 2010.

The contracted rates are commercially competitive.

An increase to the contract budget of \$25,000 is therefore sought to provide on-going necessary servicing until award of a new contract.

Attachment 2 Significant Contracts Finalised

SIGNIFICANT CONTRACTS FINALISED – APRIL 2010						
Contract Number	Date of Council Award	Name of Contract	Contract Price Type	Approved Budget / Estimate (incl. contingency) Ex. GST \$	Final Contract Value Ex. GST \$	Comments
107736	13-12-2006	Manufacture, Supply and Delivery of Bulk Liquid Chlorine to Mardi Water Treatment Plant	Schedule of Rates	386,500.00	388,056.00	The contract budget was based upon an estimate of anticipated usage over the three-year contract period. Final expenditure was marginally higher than the approved budget, as revised.
160553	10-06-2009	Supply and Delivery of Drainage Gravel for the Bateau Bay Landfill Site	Schedule of Rates	1,435,345.45	1,441,185.77	The contract budget was based upon an estimate of anticipated requirements. Final expenditure was marginally higher than the approved budget, as revised.
157278	13-05-2009	Replacement of 600 Mtrs of 250mm Asbestos Concrete Water Main – McDonagh Rd, Wyong	Lump Sum	332,362.80	323,637.50	The contract has reached practical completion. Final cost was within the originally approved contract budget. Surplus funds were retained within the respective programme budget.
113453	22-11-2006	Holiday Parks Upgrade Works Design Consultancy	Lump Sum	362,073.00	345,252.72	Work under the contract has been finalised. Final value was within the originally approved contract budget. Surplus funds were retained in the respective programme budget.

5.1 Central Coast Regional Organisation of Councils - additional member of Executive Group

TRIM REFERENCE: F2004/06390 - D02232861

AUTHOR: ED

SUMMARY

Report seeking nomination of an additional Councillor delegate to the Executive Group of the Central Coast Regional Organisation of Councils.

RECOMMENDATION

That Council elect a Councillor delegate to the Executive Group of the Central Coast Regional Organisation of Councils.

BACKGROUND

At its meeting held on 18 March 2010, Council considered a report on the future of Central Coast Regional Organisation of Councils and amendment of the Constitution to allow the following:

- a Representation: Each member Council be represented by 10 Councillors all of whom are entitled to vote.
- b CCROC meetings: The CCROC to meet at least every six months.
- c Executive Group meetings: The Executive Group is to comprise of the Mayors, Deputy Mayors and General Managers of each member Council who will meet at least every six months and generally between CCROC meetings.

Council subsequently resolved unanimously on the motion of Councillor Graham and seconded by Councillor McNamara:

"That Council agree to amend the constitution of the Central Coast Regional Organisation of Councils as outlined in the body of the report, with the following additions:

- a *the two General Managers being included in the membership of the Central Coast Regional Organisational of Councils.*
- b *another Councillor from each Council on the Executive Group.*

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT AND WYNN

AGAINST: NIL"

THE PROPOSAL

Council is now required to nominate an additional Councillor representative on the Executive Group.

ATTACHMENTS

Nil.

5.2 Shire Civic Garden

TRIM REFERENCE: F2004/06003 - D02159316

AUTHOR: BMc

SUMMARY

Reporting on the various aspects of establishing and maintaining a Civic Garden in Wyong Shire.

RECOMMENDATION

- 1 ***That Council give further consideration to the creation of a Civic Garden as part of its deliberations on the Wyong Town Centre Civic Precinct Masterplan to be undertaken during 2010-11.***
- 2 ***That Council, where appropriate, include in the Master Plan the use of native plantings as part of the overall design of the Civic Garden.***
- 3 ***That Council consider establishing lower scale civic gardens in other Town Centres within the Shire as part of their redevelopment subject to capital and operational funding issues being addressed.***

BACKGROUND

At its meeting held on 11 November 2009, Council resolved as follows:

“RESOLVED on the motion of Councillor VINCENT and seconded by Councillor MATTHEWS:

- 1 *That Council consider the creation of a Civic Garden within the Shire that consists predominantly of native plantings*
- 2 *That Council staff provide a report by March 2010 on the implementation cost, maintenance, including planting and/or maintenance, by local garden clubs and/or land care groups/schools/communities.*

FOR: COUNCILLORS GRAHAM, MATTHEWS, MCBRIDE, SYMINGTON AND VINCENT

AGAINST: COUNCILLORS BEST, EATON, WEBSTER AND WYNN”

This report has been delayed due to the need to incorporate an expanded scope and additional issues.

Definition

Traditionally, Civic Gardens are by definition well developed parks and/or plazas provided in civic precincts, i.e. within or adjacent to the area containing major public buildings, such as Council's Civic Centre, the Court House, Police Station and other government buildings. They provide visual display, activity, amenity and respite for the large numbers of people who use, work or live near these areas. They are usually treated as a major opportunity for the local government authority to display its capacity to develop and maintain parkland as the Civic Garden represents the primary experience of public open space for many users of the civic precinct.

The characteristics of a Civic Garden include:

- A high intensity of use
- Situated adjacent to civic and commercial uses
- Developed with plazas and paths
- Durability for robust urban use
- Of limited size due to the competing demands for commercial activity

Locational Factors

The Central Coast Regional Strategy identifies a hierarchy of centres for the Central Coast and in particular, for Wyong Shire. The Strategy identifies "village" centres, such as Lake Munmorah, Budgewoi, Wadalba, Long Jetty and Killarney Vale, as well as, "town" centres at Toukley, Lake Haven, Warnervale, The Entrance and Bateau Bay.

The Strategy separately identifies the Wyong/Tuggerah area as a Major Centre which in terms of the hierarchy sits above those villages and towns but below the Regional City of Gosford.

The Strategy sets an objective to develop the Wyong/Tuggerah major centre to perform vital "civic, residential, social, cultural, entertainment and recreation roles for the north of the Central Coast". The Wyong Tuggerah Planning Strategy sets the vision that Wyong will remain the Shire's central area for civic and administrative services. Therefore, if Council is to consider the creation of a Civic Garden within the Shire in accordance with Resolution No 1 above, the location of Wyong Town Centre is considered appropriate for such a park given its role of providing a civic precinct for the Shire.

Within Wyong Township, the Wyong Town Park (located in Rankens Court) has been developed as an urban park, however, it is perceived as being separated from the civic area by its elevation and difficulty of access up the hill. Therefore, it is not consistent with the traditional understanding of the definition of Civic Garden.

In contrast, the current location of Frank Balance Park is more closely linked to the existing and proposed civic precinct but in its present form, whilst it is a well developed and maintained local park, it has a relatively low capacity for visitor use in terms of shade, seating and pathways. The relatively small size of the existing parcel would restrict the variety and number of plant types able to be used unless the park was extended onto adjoining land. Its current location and size present constraints in relation to drainage, subsidence and potential noise impacts on residents that would need to be addressed, should Council decide to convert the park to a Civic Garden.

There is currently an investigation being undertaken into the impacts and possible solutions associated with stormwater drainage issues in the area surrounding Frank Balance Park to better inform the Wyong Town Centre Local Environmental Plan (LEP) process. Preliminary findings of this investigation have identified the potential for the area occupied by Frank Balance Park to be redeveloped to accommodate stormwater detention as part of the management of stormwater. This will impact upon the form of the park requiring a lower central level, but it does not preclude the development of the site as a Civic Garden, provided intensive structural development is located outside the flood flow areas. Appropriate design of egress and circulation will also be required to maintain public safety in the event of flood.

With the future development of the Wyong Shire Cultural Centre and the Police Station the civic precinct will become more focused on Anzac Avenue and the provision of a Civic Garden will become more important for Wyong taking into account the increased number of workers and visitors to the civic precinct.

Despite the constraints that apply to both the Wyong Town Park and Frank Balance Park in terms of currently meeting the objective of a Civic Garden, it is considered appropriate that Council proceed to further investigate the potential of both locations to provide a Civic Garden to meet the future needs of the town. Council should note that as part of the implementation of the Wyong Tuggerah Planning Strategy a masterplanning exercise for the Wyong Township Civic Precinct will be undertaken during the 2010/2011 budget year. It is proposed that the more detailed consideration of the location and design of a Wyong Civic Garden be incorporated in the masterplanning exercise. This report also considers the potential for a hierarchy of civic and community gardens.

A Hierarchy of Civic Gardens

Taking into account the hierarchy of commercial centres identified in Central Coast Regional Strategy as it applies to Wyong Shire, it is considered that the most appropriate location for a Civic Garden is within a Wyong Township. However, on the basis that Council's resolution asks staff to consider a garden somewhere within the Shire, Council may wish to consider the establishment of a hierarchy of Civic Gardens consistent with the hierarchy of commercial centres. What this would mean is that the major Civic Garden would be created and located within Wyong town. However a number of smaller Civic Gardens could also be planned and programmed over a period of time to provide a similar space within the "town" centres of Toukley, Budgewoi, Warnervale, and The Entrance. Timing for the establishment of each of these over scale Civic Gardens would depend on available funds (either Section 94 funds in the case of the Warnervale Town Centre or general revenue in the case of the remaining centres).

At present, two other centres within the Shire have highly developed public domain within their commercial centres. Within the The Entrance, The Entrance Plaza and the Bayview Mall both provide open space for intensive use. The Short Street carpark has small peripheral gardens developed to enhance the entry to the market location. An opportunity exists to develop a Civic Garden as a redevelopment of Bayview Mall, which is centrally located within the retail and civic function of The Entrance Town Centre.

Within Toukley the Toukley Village Green functions as a focal point for civic activity and there was a community based "adopt a park" project initiated for this park which closed relatively shortly after the opening of the redeveloped Village Green. Council staff now maintain the Village Green at a high level. Due to the demand for carparking, no further conversion of carparking into park/garden space would be advisable and a civic garden would therefore have to be located as a portion of the Village Green.

Budgewoi has the Halekulani Oval and Community Hall west of Noela Place which has a good co-location of facilities and would benefit from a more park-like development to enhance its amenity for users and shoppers.

Less urban like Gardens have been developed in several suburbs. Mannering Park recently redeveloped part of the oval as a community garden and one also has been developed at San Remo and Blue Haven. While these are not a formal Civic Garden, they have the potential to function as a focal point for social interaction. A community garden differs from a civic garden (as defined at the start of this report) as they generally contain an area of garden beds that are planted and maintained by the community. A policy is being prepared to facilitate the development of new Community Gardens throughout the Shire in response to community demand.

Potential Cost

The cost of a Civic Garden is entirely driven by the design of the parkland and the size, quality and intensity of its construction.

Most Civic Gardens include extensive hard surfaced areas, site furniture and structures such as decks, rotundas and stages which both increase the potential pro rata cost and level of error in pro-rata estimates. Initial investigations have indicated the likely pro-rata cost of a well developed Civic Garden would be approximately \$200 per square metre. Therefore for example if this rate is applied to the existing area of Frank Balance Park of 2,500 square metres the initial quantum of construction cost is \$500,000.

In terms of maintenance cost, the initial investigation has revealed a potential range of maintenance costs between \$30 per square metre and \$11 per square metre. Current commercial rates may be as high as \$60 per square metre for specific tasks.

Taking into account the range of figures quoted above, it is considered reasonable to allow \$15 per square metre for basic horticultural, hard surface and basic structural maintenance. Specific asset management costs can only be ascertained once the scale, scope and nature of the Civic Park is determined. Depreciation and renewal costs for components of the garden would be in addition to these figures. These costs are currently unfunded.

Community Involvement

The concept of a Civic Garden involving the local community in its establishment and maintenance relates closely to the Shire Strategic Vision including the underlying principle of engaging with the community. There may be cost savings incurred by the engagement with community groups in establishing and maintaining a Civic Garden, however, it should be recognised that the combination of the requirements for Occupational Health and Safety, public liability and supervision of workers in such a high profile park or plaza may not produce any cost savings or may actually provide a lower level of service for the same cost.

Innovative and concentrated effort by Council staff may enable the community to build public spaces within the constraints of Council's operations, but there is an opportunity cost of diverting staff to preparing and maintaining the systems that enable this to occur away from their current role. Large scale development has specific construction requirements that often preclude the use of community members. Small scale locally focussed projects will have the best potential for completion by the community. Such involvement could be managed as community development projects or to promote activities by organised groups.

For these projects the scope would include creating community connection as an outcome, as well as the built works.

There are no examples to date of enduring public responsibility for developed open space and places such as the Toukley Village Green or the Sensory Gardens at the Entrance North have not endured. There are no Service Club parks which are regularly maintained on a weekly basis. Some memorials do have regular planting and maintenance by groups in preparation for events supplemented by Council's maintenance crew.

All successful long term examples are based on the restoration maintenance works carried out by Beach Care and Land Care groups of bushland areas which are relatively protected from misuse and abuse when compared to the typical mistreatment of urban parkland areas. The lack of regular damage, littering and graffiti gives greater team satisfaction at the work being undertaken and enables the group to achieve and maintain its goals in a progressive and directed manner rather than the reactive nature of most urban parkland maintenance.

From examples in other Local Government areas, the greatest likelihood of success for maintenance of urban parks will be where the community garden/park is a local space and the primary user groups know or are related to those who constructed and maintain the parkland. This control mechanism is often successful in moderating behaviour to achieve a sustainable outcome for volunteer workers.

It should be noted there are currently no active 'garden clubs' within the Wyong Town Centre area.

Native Species

The use of locally sourced native plantings from within the biogeographical region in the Civic Garden is a desirable objective to support the biodiversity principles of Council. In the past, plant selection for most Civic Gardens has been for display or amenity function and species used are often exotic. While some locally occurring species can provide display or amenity function suitable for highly developed and used parkland there may be a need to utilise some exotic species to achieve the intended function of the place, such as mature form, summer shade/winter sun, flower feature or scent. If emphasis of the garden is more on the local landscape character then greater use should be made of locally occurring species. As the emphasis of the design grades into botanical display and education the ability of the space to accommodate a civic function reduces.

CONCLUSION

It is considered appropriate that the provision of a civic garden within Wyong Town be further investigated as part of the masterplanning of the Civic precinct to be undertaken in 2010/2011. Such an investigation should consider function, amenity and biodiversity objectives, in conjunction with a program of engagement to gauge community interest in taking a proactive role in the garden establishment and maintenance.

In addition Council may wish to give further consideration to a program for the establishment of a hierarchy of smaller Civic Gardens within other town centres within the Shire. This would grade into the establishment of Community Gardens with local support.

ATTACHMENTS

Nil.

5.3 Goods and Services Tax Certificate

TRIM REFERENCE: F2004/06651 - D02224352

AUTHOR: DS

SUMMARY

This report provides information on Council's requirements in terms of Goods and Services Tax (GST) compliance, confirms compliance with such processes and seeks submission of the Goods and Services Tax Certificate to the Department of Local Government.

RECOMMENDATION

- 1 That Council receive the report on Goods and Services Tax.**
- 2 That Council submit the Goods and Services Tax compliance certificate for the period 1 May 2009 to 30 April 2010, signed by the Mayor, Deputy Mayor, General Manager and Director of Corporate Services, to NSW Department of Local Government before 1 June 2010.**

BACKGROUND

The Department of Local Government (DLG) requires councils to submit an annual GST compliance certificate. This Certificate is to cover a twelve month period from 1 May to 30 April each year. WSC's compliance responsibilities extend to developing and maintaining internal controls, which ensure compliance and reduce the risk of cash flow issues and under / over payment of GST.

Councils are requested to provide the certificate before 1 June each year. The Department of Local Government will then provide the advice to the NSW Treasury for confirmation with the Commonwealth Commissioner of Taxation.

The certificate is to be signed by the Mayor, one other councillor, the General Manager and the Responsible Accounting Officer in accordance with a resolution of Council. A copy of the certificate is attached.

THE PROPOSAL

This report seeks Council approval to issue the Goods and Services Tax certificate confirming that

- o Council has paid voluntary GST from 1 May 2009 to 30 April 2010.
- o Adequate management arrangements and internal controls are in place to enable council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed
- o No GST non-compliance events by the council were identified by or raised with the Australian Tax Office.

Council staff review and identify changes to the GST legislation on an on-going basis and ensure compliance with requirements. Where issues are identified opinion is sort from external taxation advisory services and / or external auditors as and when necessary. Council has controls and processes in place to ensure that GST legislation is complied with throughout the year, and transactions are reviewed by the relevant officers each month to ensure compliance and correctness of records.

CONSULTATION

Consultation is ongoing within corporate services and with the external taxation advisory services and / or external auditors when necessary.

GOVERNANCE

The resolution of Council is required to allow WSC to comply with the GST requirements of the Department of Local Government. NSW councils are required to provide the Department with the GST Certificate before 1 June each year. The Department will then provide this advice to the NSW Treasury for confirmation with the Australian Taxation Office.

CONCLUSION

Council to receive report on Goods and Services Tax and certify the attachment confirming that

- Voluntary GST has been paid by Wyong Shire Council for the period 1 May 2009 to 30 April 2010.
- Adequate management arrangements and internal controls were in place to enable council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed
- No GST non-compliance events by the council were identified by or raised with the Australian Tax Office.

ATTACHMENTS

- 1 Goods and Services Tax Compliance Certificate 2009-2010 D02227699

WYONG SHIRE COUNCIL

GOODS AND SERVICES TAX CERTIFICATE

Payment of Voluntary GST 1 May 2009 to 30 April 2010

To assist compliance with Section 114 of the Commonwealth Constitution, we certify that:

- Voluntary GST has been paid by Wyong Shire Council for the period 1 May 2009 to 30 April 2010.
- Adequate management arrangements and internal controls were in place to enable the Council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed.
- No GST non-compliance events by the Council were identified by or raised with the Australian Taxation Office.

Signed in accordance with a resolution of Council made on 26 May 2010.

.....
Councillor R Graham
MAYOR

.....
Councillor L Mathews
DEPUTY MAYOR

.....
M Whittaker
GENERAL MANAGER

.....
D J Jack
RESPONSIBLE ACCOUNTING OFFICER

5.4 Proposed Councillors' Community Improvement Grants

TRIM REFERENCE: C2010/01723 - D02229538

AUTHOR: SG

SUMMARY

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

RECOMMENDATION

That Council allocate an amount of \$10,424.00 from the 2009-10 Councillors' Community Improvement Grants as outlined in the report.

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 that 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

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

OPTIONS

- 1 Approval of applications as submitted will provide a community benefit residents of the Shire.
- 2 Non approval could result in assistance not being provided to the community.

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 More Sustainable 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.

5.4 Proposed Councillors' Community Improvement Grants (contd)

Link to Key Focus Areas

Funding is available specifically to projects outside of Council's Management Plan.

Financial Implications

Expenditure is approved until the end of the 2009-10 financial year. Unspent approvals lapse 30 June 2010.

CONSULTATION

Applications that met the criteria were distributed to Councillors for their consideration.

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.

Councillors' Community Improvement Grants 2009-10

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION	Best	Eaton	Graham	Matthews	McBride	McNamara	Symington	Vincent	Webster	Wynn	SUB TOTAL
Allocation 01/07/2009 - 30/06/2010	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	150,000
Expenditure up to and including Ordinary Council Meeting of 12/05/2010	9,247	10,300	10,498	10,049	8,441	7,850	6,434	11,325	14,070	13,725	101,939
Available allocation as at 12/05/2010	5,753	4,700	4,502	4,951	6,559	7,150	8,566	3,675	930	1,275	48,061
Proposed Allocations for 26 May 2010											
2261 Out of the Box Inc (\$2,500)	500	250			500		250	500	250	250	2,500
Camp Breakaway Inc (\$5,000) (\$1,150 already allocated)							500				500
Central Coast Community Congress (\$1,895) (\$1,350 already allocated)					200						200
Central Coast Community First Aid Inc (\$1,574) (\$1,150 already allocated)							424				424
Central Coast Multiple Sclerosis Branch (\$4,500) (\$2,500 already allocated)	500	500				500					1,500

5.4 Proposed Councillors' Community Improvement Grants (contd)

Councillors' Community Improvement Grants 2009-10 (contd)

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION	Best	Eaton	Graham	Matthews	McBride	McNamara	Symington	Vincent	Webster	Wynn	SUB TOTAL
Allocation 01/07/2009 - 30/06/2010	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	150,000
Expenditure up to and including Ordinary Council Meeting of 12/05/2010	9,247	10,300	10,498	10,049	8,441	7,850	6,434	11,325	14,070	13,725	101,939
Available allocation as at 12/05/2010	5,753	4,700	4,502	4,951	6,559	7,150	8,566	3,675	930	1,275	48,061
Proposed Allocations for 26 May 2010											
Central Coast Rugby Referees Association (\$4,800)		200	250		300	1,000					1,750
Cynthia Street Community Centre (\$1,350) (\$650 already allocated)					500						500
Killarney Vale Australian Football Club Inc (\$900)							300				300
Stop Korean Coal Mining (\$2,000) (\$1,500 already allocated)							250				250
The Lakes Surf Life Saving Club (\$4,170) (\$3,000 already allocated)							500				500
Toukley & District Senior Citizens Club Inc (\$2,000) (\$700 already allocated)							250				250
Warnervale Family & Community Centre (\$350)							250				250
Warnervale Junior Rugby League Club (\$2,000)						1,000	250				1,250
Wyong Zone Primary Schools Sports Association (\$1,069)					250						250
Total Proposed Allocations for 26/05/2010	1,000	950	250	0	1,750	2,500	2,974	500	250	250	10,424
Total Accumulated Allocations as at 26/05/2010	10,247	11,250	10,748	10,049	10,191	10,350	9,408	11,825	14,320	13,975	112,363
Balance Uncommitted as at 26/05/2010	4,753	3,750	4,252	4,951	4,809	4,650	5,592	3,175	680	1,025	37,637

ATTACHMENTS

Nil

5.5 2009-10 Management Plan - March 2010 Quarter Review

TRIM REFERENCE: F2004/07006 - D02239029

AUTHOR: BR

SUMMARY

Quarterly report on progress against Council's 2009-10 Management Plan

RECOMMENDATION

- 1 That Council receive the report 2009-10 Management Plan – March 2010 Quarter Review.**
- 2 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.**

HIGHLIGHTS OF THE QUARTER

Floodlighting Upgrades

In January 2010 Council approved more than \$1.3 million towards the upgrading of floodlights at a number of sporting ovals in the Shire. The new lights will allow teams and clubs the opportunity to play games at night and attract more participants.

Contracts were awarded to upgrade floodlights at Kurabba Oval at Berkeley Vale; Ourimbah Rugby and Soccer Fields; Sir Joseph Banks Oval at Bateau Bay, the EDSACC Netball Courts; EDSACC south rugby league fields; Darren Kennedy Oval at Toukley; John Slade Park at Budgewoi and Watanobbi Ovals 1 and 2.

The work is expected to be completed in mid-2010.

Mardi – Mangrove Link Construction

The first construction sod of the project footprint was officially turned on 29 March 2010 by Wyong Shire Mayor Bob Graham, Gosford City Mayor Chris Holstein, Federal Member for Dobell Craig Thomson and Federal Member for Robertson Belinda Neal. The event was witnessed by more than 60 members of the local community, including representatives from community and business groups, as well as Councillors and Members of Parliament.

The Mardi-Mangrove Link is the largest water infrastructure project to be built on the Central Coast since Mangrove Creek Dam (the region's main storage facility) was built and commissioned in 1982. It will help to secure the Central Coast water supply system by linking Wyong River to Mangrove Creek Dam via Mardi Dam. The project is an initiative of Gosford City and Wyong Shire Councils with Australian Government funding of 80.3 million through the Water Smart Australia Program and is expected to be completed mid-2011.

Joint Council Meeting

A joint Council Meeting with Gosford City Council was held in March 2010, where a major step was made in terms of the formation of the proposed Central Coast Water Corporation (CCWC).

Both Councils agreed to a Memorandum of Understanding that sets out required changes to the CCWC Act 2006 and the actions Councils will take should these changes be implemented.

Council victorious in Lifeguard Challenge

Wyong Shire Lifeguards won the 28th Central Coast Lifeguard Challenge in January 2010. The event, held this year at Shelly Beach, is a friendly competition between the Lifeguards of Wyong and Gosford Councils in order to recognise their hard work and dedication to keeping our beaches safe.

KEY FOCUS AREAS

In addition to Council's ongoing commitment to a range of services and facilities, the 2009-10 Management Plan includes a list of priority medium-term actions, or Key Focus Areas.

The twelve key focus areas are:

<i>Reference</i>	<i>Key Focus Area</i>
1. Wyong Shire Cultural 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 & 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 programs across the organisation. Pages 93-95 of the Management Plan Quarterly Review enclosure contain the timelines for the Key Focus Area projects.

Progress to date is reported below:

1 Wyong Shire Cultural Centre

\$700,000 has been allocated across the 2008-09 and 2009-10 Management Plans to proceed with the planning of the Cultural Centre (previously referred to as the Performing Arts Centre) from preliminary design to development application.

It is estimated, that the Cultural Centre could be designed and constructed within five years i.e. opening in mid-2014, subject to funding.

The Working Party has held five meetings to date. Discussions at a senior staff level have occurred with Gosford City Council to develop a Regional Cultural Strategy with undertakings for further discussion with representatives from the Gosford Challenge.

The architect, TZG, has developed the first draft of the concept designs which Council officers have commented on. A preliminary development application (DA) pre-lodgement meeting was held in March 2010 between Council officers and TZG. The findings of the draft Wyong Town Centre - Detailed Stormwater Drainage Investigation have now been included in TZG's consideration.

Concept designs and the DA submission are expected to be completed by mid-2010.

2 Sportsgrounds

Three sportsgrounds in the Warnervale area are at various stages of development as detailed below.

Woongarah Sportsfields

The contract for the construction of the Woongarah Sportsfields was awarded in April 2009. Works commenced in May 2009 and, after significant wet weather delays in June and July, the work has proceeded satisfactorily with all turf laid by January 2010.

It is expected that all remaining works will be completed in mid-2010 and a decision will be made at that time as to whether the playing fields are sufficiently established to allow Winter sports to be played.

The new facility will provide two rugby fields with floodlights, a turf cricket wicket/oval, cricket practice nets, two permanently-marked netball courts, playground, an amenities building, carparking and landscaping.

Warnervale District Sportsfields

Progress on detailed investigations and design for the Warnervale District Fields (off Virginia Road) still depends upon resolution of issues with the Warnervale Town Centre. No dates are available as to when these issues will be resolved.

Hamlyn Terrace Sportsfields

In April 2010 Council accepted a tender from Scape Constructions Pty Ltd for the construction of the Hamlyn Terrace Community Centre and Sporting Facility located on the eastern side of Minnesota Road next to the Hamlyn Terrace Public School. The facilities will comprise a local Community Centre, two sporting fields, three multi-purpose courts and ancillary infrastructure. The Community Centre is anticipated to be completed and available for use in early 2011 and the sporting facility is anticipated to be ready for play in the 2011 winter season.

3 Shared Pathways

A number of the shared pathway projects are programmed for construction in the first half of 2010. The necessary studies and approvals have been the focus of attention in the March quarter.

Construction works on The Entrance North shared pathway commenced in March 2010 for the 1.1km section that terminates at the Crown land/Wyrrabalong National Parks boundary, opposite the Magenta Shores Resort. In 2010-11 this concrete path will be enhanced with site rehabilitation and pathway furniture. Investigations are continuing on the route from Magenta to Noraville.

An RTA grant will be used to continue work on three small bridges over drains along the Killarney Vale foreshore.

A further short section of pathway will be completed by June 2010 at Buff Point using allocated Estuary Management Plan funding. Final planning and approvals were undertaken in the March quarter in preparation for this work.

4 Warnervale Town Centre***New Railway Station/Interchange at Warnervale***

The Department of Environment, Climate Change and Water (DECCW) originally 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 (Wyang Daisy). In February 2009, DECCW advised Council that it would be willing to provide concurrence for the Warnervale Railway Station project subject to the establishment and maintenance of a Wyong Daisy Conservation Reserve.

A draft Plan of Management (PoM) was prepared by RailCorp and submitted to Council in late June 2009. A meeting in March 2010, between representatives from Council and RailCorp, has resulted in RailCorp agreeing to amend the Plan of Management for re-submission to Council and to respond to Council's questions regarding the funding/maintenance arrangements for the proposed Daisy Conservation Reserve. Concurrence from DECCW will be sought once an acceptable PoM is lodged. Until this concurrence is provided, Council cannot grant development consent.

Whilst the timing of this project is unclear, RailCorp representatives have indicated to Council that construction of the Railway Station will commence in 2013 and that the Railway Station will be operating by the end of 2014.

Warnervale Town Centre Masterplan

In December 2009 the Department of Premier and Cabinet arranged and chaired a meeting attended by senior officers from Landcom, Department of Planning, Woolworths and Council to discuss the funding arrangements for the construction of the entry road to the Warnervale Town Centre. There have since been a number of further meetings on this issue and the design of the entry road has now commenced with the three landowners agreeing to each fund one-third of the preliminary design work.

Council remains concerned that there are a number of unresolved issues which have significant implications on any further planning and development of the Warnervale Town Centre site, including:

- State Infrastructure Contributions - The Department of Planning has advised it will implement reduced State Infrastructure Contributions Plans in mid-2010.
- Section 94 Contributions Plan - It is anticipated that the revised draft S.94 Plan for the Warnervale Town Centre will be completed by mid-2010, subject to approval by DoP.
- Biodiversity Certification - DECCW have prepared a Cabinet Minute, as the first stage to amend the legislation, which has been approved by the Cabinet subcommittee. DECCW intends that the Bill will be approved in May 2010. Once the legislation is amended the Warnervale Town Centre can be biocertified, although this process is still expected to take some time. DECCW have indicated that biocertification would not occur before the end of 2010.

5 Employment Projects***Wyong Employment Zone***

A report will be considered by Council on the WEZ Development Control Plan and Section 94 Contribution Plan in the second half of 2010. This can only occur when agreement is reached with the Department of Planning on the amount of Section 94 contributions which can be levied. Agreement also needs to be reached with the RTA to fund their share of the intersection upgrade costs on Sparks Road.

A draft Plan of Management for conservation areas has also been prepared for the WEZ. This cannot be finalised until the biodiversity certification application for the WEZ has been approved by DECCW. Council expects to revise its Biodiversity Certification Plan and Plan of Management once this has been done. This can only occur once DECCW amends its biodiversity certification legislation. As with Warnervale Town Centre, once the legislation is amended the WEZ can be biocertified although this is not expected to occur before the end of the year. In the interim, commencing in April 2010, trials of the proposed biodiversity certification methodology will be conducted on the WEZ.

Precinct 14

Precinct 14 is located on the western side of the freeway and north of Sparks Road. The development is subject to an application under Part 3A to the Minister for Planning for an industrial subdivision of the site.

A draft Voluntary Planning Agreement has been reviewed by Council staff and, pending the proponent's agreement, the VPA will be publicly exhibited.

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. Council has been implementing the resolutions through its consideration of rezoning requests for retail development.

6 Town Centre Strategies

Work has continued on finalising the Toukley Strategy while implementation of The Entrance Peninsula Planning Strategy has commenced and implementation of the Wyong/Tuggerah Strategy has progressed. These strategies continue to be influenced by direction arising from the Central Coast Regional Strategy (CCRS) and the implications of the State Government's requirement for a Shire-wide population capacity target.

Wyong/Tuggerah

Council adopted the Wyong/Tuggerah Planning Strategy in October 2007. The strategy identified three distinct precincts: Wyong Town Centre, Tuggerah Straight and Tuggerah. The recommendations of the Strategy included the completion of the masterplanning exercise for both Baker Park and the Active River Foreshore. The masterplans for these precincts were adopted by Council in September 2009.

Work is continuing on a draft LEP Amendment (No. 178) for the Wyong Town Centre that will facilitate residential and commercial densities within the town centre, consistent with the Central Coast Regional Strategy (CCRS). Issues to be resolved include viability, flooding, carparking, floor space ratios and height with a view to finalising a submission to the Department of Planning and seeking approval to exhibit the draft LEP. Work is also progressing on the revised DCP Chapter 7 – Wyong Town Centre. As part of this review, consultants have completed a draft report to refine the heritage theme and prepare appropriate development guidelines for the Wyong Town Centre.

Tuggerah Town Centre was declared a State Significant Site in early 2009. The Tuggerah Town Centre area covers approximately 120 hectares, including land adjacent to the Tuggerah Railway Station and Westfield Limited land holdings. Staff have been assisting the Department of Planning in preparing the Tuggerah Town Centre Stage Significant Site Study.

The Entrance

The Entrance Peninsula Planning Strategy was adopted by Council in July 2009. Since that time, work has progressed on implementing the actions identified by the Strategy.

A project outline and consultant brief for the Economic Development and Tourism Plan project have been prepared. This project will continue into 2011-12.

As part of the Planning Reform Fund (Round 6) a Memorandum of Understanding has been signed with the Department of Planning to fund a consultancy to prepare a revised LEP and DCP in accordance with The Entrance Peninsula Planning Strategy. This work commenced in April 2010 and is scheduled to conclude in November 2010.

The RTA has been requested to commence concept design and upgrading work for The Entrance Road. The RTA has commenced investigations (February 2010) and aims to have draft concept plans completed by September 2010.

The masterplanning project of The Entrance Town Centre is in the final preparatory stages and is currently scheduled to commence in May 2010. The project management documentation for masterplanning of Long Jetty Village Centre and The Entrance North Waterfront Vicinity has been prepared and approved. These projects are scheduled to commence in 2011-12.

Toukley

The revised draft of the Toukley Planning Strategy was on exhibition during March and April 2010 for a period of six weeks. The revised draft has been prepared based on a review and revision of the March 2006 version. Consideration has been given to factors such as the public submissions, climate change policy and guidelines, WaterPlan 2050, the Central Coast Regional Strategy and the Toukley Economic Viability Study. The results of exhibition will be reported to Council following a review of submissions in mid 2010 with implementation of the key recommendations to follow.

Ourimbah

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 masterplanning. As these issues have now largely been resolved, work on completing the strategy has been programmed for 2011-12.

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

The Estuary Management Plan Implementation Program is on track and achieving significant results for the protection of the Tuggerah Lakes.

Significant stream bank rehabilitation works have commenced in Wyong River and Ourimbah Creek to stabilise significant areas of erosion along the creek banks.

Construction works are complete on the saltmarshes at Long Jetty and Berkeley Vale and they are now being maintained. Ongoing saltmarsh rehabilitation works to commence in late March/early April in Lake Munmorah. These works will assist in the breakdown of wrack along the foreshore preventing the build up of black ooze.

Continued stormwater management works have been completed at Lowana Ave and Jetty Ave, Charmhaven with further works to commence at Parkside Drive, Charmhaven, Loxley Close, Berkeley Vale and Lake Munmorah reserve. These works will significantly reduce the loads of sediments and nutrients entering the Lakes system.

Approval of the 2009-10 Cluster Plan in late February allowed work to recommence under the program however, due to the extended delay in gaining approval, some works will have to roll over to 2010-11.

Work is progressing and to date, all obligations have been met with respect to the Federal Government Grant. All work is being continually monitored and reviewed.

9 Pacific Highway

Tuggerah

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 allocated \$1m in 2009-10 to continue planning for this intersection upgrade. Landscaping of this section commenced in March/April 2010.

Wyong

At a meeting in February 2010 the RTA advised Council staff that the RTA's planning had been delayed due to the Department of Planning investigating the Tuggerah Town Centre proposals by Westfield. The RTA is now revising its previous traffic reports for the Highway through Wyong.

In the meantime, the RTA has carried out further design work and Council staff identified a number of issues that need to be taken into account such as: right turn movements to and from Howarth St and right turns into and out of the Town Centre (Council Office, Court House and Wyong Central Plaza). The RTA requested and Council forwarded (on 19 February 2010) the latest information on anticipated future developments and traffic volumes within the Wyong Township area. Because of the additional traffic analysis required, the RTA is unable to give any indication as to when it is likely to have a proposal for public exhibition. The RTA will continue to discuss technical issues at Council staff level. The State Government allocated \$0.5m in 2009-10 to continue planning for the Highway upgrading through the Wyong Town Centre.

Ourimbah

The Stage 2 (Burns Road to Glen Road) construction contract commenced in June 2008 and was opened to traffic in January 2010. The RTA does not intend to do any works at the roundabout at the Pacific Highway/Chittaway Road intersection as it anticipates that this roundabout will provide adequate service for the next 10 to 15 years. The State Government allocated \$15.6m in 2009-10. The State Government has also committed \$2.5m in 2009-10 to planning the next stage, south of Glen Road to Railway Crescent.

10 Water Supply

Council's progress to secure the water supply is detailed in the Board papers for the meeting of the Gosford/Wyong Councils' Water Authority scheduled for 18 February 2010 and in the enclosure to that report.

Included in that report will be an update on the Mardi to Mangrove Link, which is due for completion in mid-2011.

11 Buttonderry

The development of a masterplan for the Buttonderry Waste Management Facility site was completed in June 2007.

A contract has now been awarded for a consultancy to investigate and evaluate alternative use options, recommend the preferred uses and develop a Commercial Strategy by June 2010. The commercial strategy is expected to maximise the economic value of the site consistent with the appropriate environmental outcomes, it will secure long-term access to waste disposal and complement the objectives of the Shire Strategic Vision.

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.

To ensure sufficient capacity to receive and dispose of waste in an environmentally sustainable manner, the construction of a new landfill cell (Cell 4.2B) has commenced. Earthworks involving the excavation of 250,000 cubic metres of soil and rock have been completed. Placement of a sophisticated liner and leachate collection system to protect the underlying groundwater has commenced. It is anticipated that the new cell will be completed and operational by June 2010.

Designs for a methane gas extraction system and power plant are completed and development approval has been obtained. It is anticipated that the gas collection wells will be installed in April 2010 and the power plant in early May 2010. Council will receive royalty payments from the sale of the electricity.

12 Shire Strategic Vision

The Shire Strategic Vision was adopted by Council in September 2009.

Work is continuing on the development of a Delivery Program that will identify the activities that Council will undertake to achieve the priority objectives of the Shire Strategic Vision. During the March quarter Council prioritised the 'first-cut' from its extensive service review and established a Priority List of programs and projects for inclusion in the 2010-11 Management Plan and to form the basis of the Delivery Program.

The Delivery Program is part of Council's integrated planning framework and will be underpinned by three resourcing strategies:

- o An Asset Management Strategy – that will establish how Council will manage its asset portfolio and provide the required level of service to the community;
- o A Long-Term Financial Strategy – that will ensure fiscal responsibility (an underlying principle of the Shire Strategic Vision) in the short and long term; and
- o A Workforce Plan – that will ensure Council's staff resources and skills are appropriate to achieve both statutory responsibilities and the priority objectives of the Shire Strategic Vision.

The current project plan is for the Delivery Program, Long-Term Financial Strategy and Asset Management Policy to be drafted by the second half of the year with a view to adoption by Council in late 2010 or early 2011.

PERFORMANCE MEASURES

The 2009-10 Management Plan includes performance measures to assess whether Council is moving towards its longer term goals of a more sustainable community, economy and environment. Thirty long-term performance measures have been included in the 2009-10 Management Plan and are updated on an annual basis.

Volume I of the Management Plan identifies 40 performance measures against Council's Key issues which are reviewed and reported on a quarterly basis. At the end of March 36 (or 90%) of these indicators met the targets identified in the Management Plan. Of the four that didn't meet their target, remedial action is being taken to improve these results in the June quarter.

The following performance measures did not meet their target in the March quarter:

- **Lost Time Injury Duration**

Target – 8 Actual YTD - 11.72

The lost time duration figure has increased this quarter due to some large lost time claims. The Occupational Health Coordinator is continuing to work towards the safe and enduring return to work of injured employees. Council is still performing better than the benchmark for self-insured Councils (25).

- **Lost Time Injury Frequency Rate**

Target – 18 Actual YTD – 33.71

The 2009-10 Management Plan included a challenging target for Lost Time Injury Frequency Rate (LTIFR). The LTIFR has increased on the December quarter as a result of the large number of lost time injuries during February and March (15 in total for the two months). As Council is falling short of its target, there has been a renewed emphasis on the Injury Reduction Program. Council is still performing better than the benchmark for self-insured Councils (35).

- **Heavy Plant Utilisation**

Target – 85% Actual YTD – 77%

Utilisation was down in January and February due to the holiday period, as well as excessive down time on one of the particular items monitored. This measure is expected to improve and achieve target again in the June quarter.

- **Percentage of telephone calls to Call Centre answered within 1 minute**

Target – 80% Actual YTD – 78%

This quarter 83% of calls were answered within one minute, which has seen the year-to-date result increase to 78%. This is a 2% improvement on the previous quarter year-to-date result of 76%. 2% improvement equates to approximately 1,800 additional calls answered within one minute during the quarter. Remedial action continues to be implemented with the aim of achieving a year end result of 80%.

STRATEGIC TARGETS

The 2009-10 Management Plan identifies 57 strategic targets (or actions) to achieve Council's objectives.

At the end of March it was anticipated that 47 (or 82%) of the 57 actions would be achieved by 30 June 2010, it is expected that 8 (or 14%) will not be completed and 2 (or 4%) are currently uncertain as to whether they will be achieved by 30 June 2010. Of the 10 actions (or 18%) that will not or are uncertain to meet their original timeframe 7 were due to factors outside of Council's control and 3 were due to factors within Council's control.

	A More Sustainable Community	A More Sustainable Economy	A More Sustainable Environment	Infrastructure	Organisation	Totals
Currently on track to meet original timeframe.	20	4	8	8	7	47
Currently uncertain to meet original	0	0	2	0	0	2

timeframe Matter outside Council control						
Currently uncertain to meet original timeframe Matter within Council control	0	0	0	0	0	0
Currently not on track to meet original timeframe. Matter outside Council control	5	0	0	0	0	5
Currently not on track to meet original timeframe. Matter within Council control	0	0	0	1	2	3
Total	25	4	10	9	9	57

The following strategic targets have been identified as not on track to be completed within their original timeframe:

Outside Council's Control

1.1.2.2 Subject to secured funding and staging of the town centre, re-commence planning, design and integration of community facilities in Warnervale town centre.

The proposed Warnervale knowledge centre (incorporating library, multi-purpose community centre and art/cultural space) is to be located in the Warnervale town centre and integrated with the shopping/business precinct. Until such time as the masterplan for the Woolworths site is commenced, the design of this facility cannot proceed. Council has been advised that Woolworths has recently appointed a project manager for the town centre. Work on the design of this facility has been included on the 2010-11 work program.

Revised Completion Date – June 2011

1.5.1.1 Continue to assist the Department of Planning to finalise the North Wyong Shire Structure Plan.

Delays to the project have been experienced due mainly to issues involving the Department of Environment and Climate Change and Water (DECCW) regarding the proposed Central Coast Regional Conservation Plan (CCRCP). Recent discussions with DoP indicate that the Structure Plan is now expected to be exhibited from mid July 2010.

Revised Completion Date – Uncertain

1.7.1.1 Incorporate accessible enhanced and sustainable provision of public transport services to the new communities within the North Wyong Shire Structure Plan area.

Commenced identification of facilities required to improve public transport systems within the North Wyong Shire Structure Plan area. Comments submitted to NSW Transport & Infrastructure on the December 2009 Bus Review. Draft report received from consultants doing traffic modelling for the rezoning of land in Precinct 7a. Recent discussion with DoP revealed that the Structure Plan is now expected to be exhibited from mid July 2010.

Revised Completion Date – Uncertain

1.8.4.1 Subject to finalisation of the Warnervale Town Centre masterplan, recommence work on the procurement of the Warnervale Recreation and Aquatic Centre (WRAC) project.

No change to situation since June 2009. Commencement of the Warnervale Recreation and Aquatic Centre is still on hold and subject to the Town Centre development and funding issues.

Revised Completion Date – Uncertain

1.9.1.1 Continue to progress the comprehensive LEP review by finalising the Shire Settlement Strategy.

Work is well underway on the Settlement Strategy with a view to completing the draft for exhibition in 2010 subject to the completion of the draft North Wyong Shire Structure Plan by the Department of Planning. However, recent discussion with DoP revealed that the Structure Plan is now expected to be exhibited from mid July 2010. A Councillor briefing took place on 24 March 2010 and the draft objectives and actions of the Settlement Strategy were discussed. A report on the future direction of the comprehensive LEP review and Settlement Strategy will be considered by Council in May/June 2010.

Revised Completion Date – December 2010

Within Council's Control

4.5.3.1 Undertake detailed design works for Gwandalan, Shelly Beach and Tumby closed landfills.

Due to investigations at Gwandalan, Shelly Beach and Tumby closed landfills taking longer than anticipated design works have not yet commenced.

Revised Completion Date – June 2011

5.1.1.1 Complete implementation of the top ten priority initiatives identified within the HR strategy.

The HR Strategy has transitioned to the HR Unit. The HR Strategy program continues to be implemented. Progress will continue to ensure Phase 1 activities are completed. The draft 2010-11 Management Plan includes additional funding for resources in this area to assist in this process.

Revised Completion Date – December 2010

5.1.1.2 Undertake An Organisational Capacity Review.

A Phase 2 HR Strategy document 'Getting Back to Basics' has been drafted and is currently being reviewed. It has been identified there is limited capability in the HR Unit in respect to strategic HR. Progress is being made regarding a leadership development program for team leaders, supervisors and emerging talent and is expected to pilot in June 2010.

Revised Completion Date – Uncertain

The following strategic targets have been identified as uncertain to be completed within their original timeframe:

Outside Council's Control**3.2.1.1 Subject to S.94 Funding and State Government approval, continue to progress the design and implementation of Porters Creek Stormwater Harvesting Scheme.**

Original federal grant returned and application lodged for additional grant to fund reduced scope of works (as reported to Council).

Revised Completion Date – Uncertain**3.4.1.1 Establish a methodology to measure and report on Council's carbon footprint.**

Initial investigations commenced into the impacts of being carbon neutral. Draft report to Council has been prepared.

Revised Completion Date – Uncertain**ACTIONS CARRIED OVER FROM 2008-09 MANAGEMENT PLAN**

As foreshadowed in the June Review of the 2007-08 Management Plan, the actions that were not completed during 2008-09 will continue to be monitored and reported on until they are finalised.

Of the 12 actions from 2008-09 Management Plan that were not completed, eight (66%) were incorporated into 2009-10 or future actions of the Management Plan and four (44%) are in progress. Of the four actions that are in progress two are expected to be completed in the June quarter, one has been completed and one will not be completed by 30 June 2010.

BUDGET OVERVIEW

The Third Quarter has remained in line with the December Quarter Two Report forecast, with the budget variations identified in the last report now included in this review. The organisation's financial position remains sound and the forecast year end position remains as a slight deficit of \$206,000, compared with a forecast deficit of \$192,000 at the end of the second quarter.

Operational cost variations identified in the second quarter resulted in the re-prioritisation of expenditure to achieve budget during the second half of the financial year. In the context of WSC's budget this represents less than half of one percent.

Further prioritisation of words are included in the Quarter Three accounts. During the review a number of other budgets variations have been identified for further investigation, however off-sets to these negative variances have been identified, with no further impact on the forecast year end position.

Some capital projects have encountered extended design and planning processes which in turn slows the take-up of construction costs. Whilst it is likely that completion dates, on those projects affected, will be extended into 2010-11 and beyond the lower capital spend will remain as a positive impact on this year's cash position. The main impacts have been in the Water and Sewer Capital Works Program due to the later finalisation of Mardi to Mangrove Pipeline route and design and planning approvals for Warnervale Sewer Works.

The Mardi to Mangrove Pipeline (and related works) projects are still subject to potential cost risks in terms of timeframes and final construction prices, but are currently expected to be achieved within final construction budgets. The expenditure cash flow forecast has been adjusted in-line with the Council adopted Construction Contract.

Investments to-date are performing well in capital recovery and interest earnings distribution.

WSC has made good progress in its investments since the international financial crisis. Capital losses recognised in 2008-09 have been substantially offset by capital gains in 2009-10. Further gains are anticipated during the 2010 calendar year.

Risks identified in the Management Plan continue include the ongoing impacts of the global financial crisis, economic stability of Council's investments, the Shire's growth / development related pressure on income and expenditure, and past waste management activities.

Key to WSC's ability to respond to external pressures are the internal financial management systems and operational management controls. Reporting and budgeting are two issues undergoing internal change which will reinforce management controls and to meet new planning and performance pressures 2010 onward.

ISSUES IN DETAIL

Management have implemented corrective actions in the third quarter in accordance with the December Budget Review which have addressed a number of material operational variances. Unfavourable budget variations have been off-set by budget savings, substitutions / reallocations / reduction in programs / or adjustments in reserves. Overall this level of variation represents 2% of Council's total operating expenditure budget.

(Note, consistent with the new monthly reporting regime, where budget issues are identified after the end of the quarter end, the relevant budget adjustments will be incorporated into the accounts in the following month and will be presented to Council in the subsequent quarter.)

MARCH REVIEW

Contents:

- I. 2009-10 Budget Variations – March 2010
- II. 2009-10 Budget Risks and Opportunities
- III. 2009-10 Management Plan Financials – Analysis of Actual versus Budget
- IV. 2009-10 Financial Statements as at 31 March 2010
- V. Overview of Business Units

I. Management Plan Changes – 2009-10 – March Quarter

Summary of Forecast Management Plan Budget Position:

	\$000's Fav / (Unfav)
Original Budget	\$ 0
Q1 - Budget Adjustments	\$ 210
Q2 – Adjustments <i>(*updated in February)</i>	(\$ 402)
Q3 – Adjustments	(\$ 14)
Total Year End Forecast	(\$ 206)

The March Report includes the Budget Adjustments for the issues raised in December Quarter (\$402,000), and other adjustments net general fund impact (\$14,000). The overall impact on General Funds Management Plan cash funding statement is forecast deficit of \$206,000.

In the March quarter only two variations have a bottom line impact – a favourable adjustment of \$46,000 in cemeteries due to overstatement of salaries – off-set by an unfavourable variation of \$60,000 in recruitment costs due to recruitment of senior staff in Corporate Services.

The remaining adjustments have a net nil impact on the general fund bottom line.

Significant adjustments have also occurred in the Water, Sewer and Waste Management Activities budgets to reflect the revised expenditure estimates (refer Business Unit Summary and Detailed Budget Adjustments).

The detailed Management Plan Budget Adjustments have been included as Attachment 2.

In general, remaining activity is forecast to as on-track or funding neutral.

II. 2009-10 Budget Risks and Opportunities

High levels of inherent risk in the financial year-end forecast remain, particularly in the following areas:

- **Global Financial Markets** – may still impact further on projected investment valuations and returns, resulting in unrealised losses or reduced earnings.
- **Global Economic Downturn** – may still impact further on development and property related activity and Council's related income sources.
- **Legal Disputes** – legal actions can be raised at any time and WSC has a number of current legal disputes which may or may not have a financial impact in the current financial year.

Council continues to manage and develop strategies to manage within the allocated Management Plan Budgets. As Council's Management become aware of any risks to meeting the agreed budget or service level, it will investigate all options available before seeking additional funding from Council.

Table 1: Planning Risks (Financial impact)

Risk that require continued consideration, and may have an impact in the current financial year:	
Risk	Issue
DECCW Audit	<p>Issue: DECCW related issues including costs associated with the unauthorised disposal of waste materials at closed landfill sites and previous DECCW Audit issues. DECCW have commenced legal action and Council has received summons against Council, which will result in legal fees and possible fines.</p> <p>Action: Council is responding to the legal action.</p>
Legal Action	<p>Issue: A number of large legal cases have commenced or are due to commence in the second half of the financial year. The nature of these cases could cause the budget provision to be exceeded.</p> <p>Action: Continue to monitor.</p>
Contract Dispute	<p>Issue: Fisherman's Wharf legal dispute with contractor yet to be determined.</p> <p>Action: Continue to monitor.</p>
Holiday Parks Administration Charge	<p>Issue: A budgeted increase in the contribution from Holiday Parks to General Fund for administration charges (\$400,000) is subject to approval by Department of Lands. If not approved this would result in a shortfall in general fund but surplus funds in Holiday Park reserves.</p> <p>Action: WSC continues to negotiate with the Dept of Lands to finalise the recovery.</p>
The Entrance Sea Wall	<p>Issue: Preliminary investigations show the need for repair to The Entrance Sea Wall. In 2009/10 some works will be undertaken to reduce risks associated with sea wall failure including installation of bollards in reserve to restrict vehicular access, and monitoring of the sea wall will continue to be undertaken to better gauge ongoing deterioration. The estimated cost of the installation of bollards and monitoring, \$70,000, will be funded from existing budgets. Any potential safety hazards identified through the monitoring process will be addressed.</p> <p>Action: WSC continue investigations and monitoring of the sea wall to manage risk.</p>

III. 2009/10 Management Plan Financials – Analysis of Actual versus Budget

Summary - Actual vs Budget

Quarter Three forecast has reported an unfavourable adjustment of \$14,000 against General Fund in the Quarter Two Report.

Operational “actual to budget” variation analysis continues to reflect the relatively immature application of budget phasing methodology during the year.

Financial Performance results show capital expenditure year-to-date is under-spent, with no significant over expenditure. This “under-spend” arises from the methodology of phasing the budget and not from any particular operational problem although some commonly encountered process delays have occurred in project preparation and planning, e.g. time-lags between design and construction. The Water, Sewer and Waste Capital Budgets have been reviewed and budget variations included in the March Report

Detailed Financial reports are attached. (Attachment 1)

Year-to-date variations include:

Principal Activity 1 Society –The overall position of this activity for the year is on target. Variations within the activity mostly relate to the timing of budget phasing against actual expenditure and will be self correcting.

- Bushfire Operations and Equipment - \$249,000 underspent as a result of budget phasing not accurately reflecting the capital purchase program. Committed purchases will be recognised in the last quarter.
- Community Building Maintenance - \$257,000 underspent year-to-date however further significant works are scheduled for the last quarter.
- Community Building Construction – \$795,000 underspent year-to-date mainly due to delays in Warnervale Town Centre which has slowed project works to be conducted in 2009/10 on the Integrated Child and Family Centre and the Warnervale Knowledge Centre Library. Expenditure associated with the Design of the Wyong Performing arts centre has also been less than anticipated at this stage of the financial year. All these programs are either Section 94 or funded from land sales and will not have a bottom line impact. The remainder of projects remain on track.
- Community Services - \$197,000 underspent year to date due to phasing estimates - expenditure remains on track for full year.
- Community Liaison - \$145,000 underspent year to date due to timing of the website development project, but will be expended by end of year.
- Lakes Foreshore and Aquatic Infrastructure – underspent \$263,000 due to the delay in significant work on jetties and boat ramps pending a response to Council’s resolution for an audit of condition and prioritization of works. The audit was completed in February 2010 and programmed works are scheduled to commence in March. Also, lake beaches cleaning operations have continued to be delayed until the finalisation of the Wrack Management Strategy and the issuing of permits.
- Open Space Improvements / Acquisitions – This line shows a significant favourable variance of \$2.547m (70%) against YTD budget. Of the variance \$1.5m is due to the timing in completion of the Woongarra Sport Complex which will be completed this financial year, and \$463,000 for sub soil drainage that is to be rolled over until next financial year in consideration of the growing season.

The majority of projects are expected to be completed within the financial year.

There is \$170,000 for the Gwandalan Pathway has yet to be expended but will be complete once the approvals are received. A number of projects yet to start will be completed on time.

- Open Space Improvements / Acquisitions – Contracts – showing (\$238,000) over spend year to date but on target to achieve full year budget.
- Infrastructure Grant Commonwealth Government - is currently overspent by \$120,000 with all works completed, the budget short-fall was \$96,000 on Canton Beach Playground. The sourcing of other funding for associated works at Canton Beach Playground is being investigated.
- Companion Animals – under spent by \$176,000 because works on the improvement of animal care facilities (\$150,000) has been deferred to the fourth quarter.

Principal Activity 2 Economy – The year to date variation is again, substantially due to timing differences between the phased budget and actual work activity, together with the cost of purchasing additional land. The land purchase was per Council resolution and funding will be brought to account from Council's land reserves in the next reporting period.

Coastal Area Improvements include the costs of the Cabbage Tree Harbour Boat Ramp, however this is currently not funded in this reporting line (i.e. not a Department of Lands approved project), with \$40,000 funds to be transferred in by Budget Adjustment from Lakes & Beaches Maintenance.

Principal Activity 3 Society – The Quarter 3 variation is due to timing differences between the phased budget and actual works commencing with Cabbage Tree Harbour Works under forecast expenditure of \$372,000. Commencement of works at Cabbage Tree Harbour is subject to confirmation of State Government funding and is unlikely to occur during this financial year.

Principal Activity 4 Infrastructure – Under spend is again mainly due to budget phasing not reflecting the real time schedule for works with major variations in Water Capital Works \$26.2m (refer to Overview of Business Units). Secondary Roads Construction is also under spent to the phased budget but preconstruction activities are continuing, construction on the Link Road has just commenced.

Principal Activity 5 Organisation – Variations to budget are mainly timing differences between the phased budget and the actual expenditure.

- Corporate Services Salaries – Now tracking on budget as previous salary issues have been resolved and budgets adjusted in February.
- Shire Services Salaries – Now tracking on budget. Previous salary forecasting discrepancies have been resolved.
- Information Services - over spent \$175,000 year to date which relates purely to the timing of contractual payments and the incorrect treatment of an order for software licensing. Full year expenditure remains on target.

- Shire Services Operations - Tracking on target as previous operational and maintenance issues have been resolved and target re-aligned in February.
- Future Planning Operations and Studies - under expended by \$888,000 due to planning studies being under-expended year to date. The forecast target has been reduced in February to reflect current expenditure levels, however, timing remains uncertain due to inter-dependencies between WSC and State Government strategic plans and processes.

Sources of Funds – Variations can be primarily explained by timing.

- **Revenue** – Tipping Charges revenues down \$606,000 due to the impact of the downturn in building development within Wyong Shire. This negative variation has been partly off-set by a higher income for Waste Management from WSC's operations. Overall Waste Management operations remain on-track, however this has resulted in higher costs within WSC works programs.
- **Contributions** – The Management Plan budget for Developer Contributions is a "Sources of Fund Statement" and is not an estimate of the cash income to be received. These budgets are in fact transfers from reserve or internal transactions between business units relating to a range of activities.
- **Transfers to and from Reserves** – nil year to date as these transactions have historically only been processed as year end adjustments. Investigations of how to better match the transfers to expenditure will now be undertaken.

IV. 2009/10 Financial Statements as at 31 March

In accordance with previous recommendations by the Governance Committee the March Performance Review includes Financial Reports for WSC's consolidated business and business activities. The reports include Income Statements and Balance Sheets and are included as Attachment #3 – 2009-10 Financial Statements as at 31 March 2010.

Attachment #2 Management Plan Reconciliation to Financial Statements provides a reconciliation of the items which are reported differently between the Management Plan view and the Financial Statements.

VI. Overview of Business Units

WATER

Water Services - Operating Result

Operating income for water consumption is expected to be in-line with full year budget.

Operating expenses YTD are less than predicted by \$588,000 mainly due to;

- Reduced expenditure on the Bulk Water Supply Security programme i.e. the cessation of washing machine rebate programme, the reduced demand for rain water tank machine rebates and timing of water purchases from Hunter not yet brought to account, and timing of the final Contribution to Climate Change Fund not yet brought to account, and
- Reduced water extraction and production costs associated with the Mardi Dam lowering i.e. energy costs,

Due to the above it is forecast that end of year operating expenditures will be favourable to original budget by \$700,000.

Water - Capital Expenditure

Current expenditure levels for this programme are behind original budget due to delays in determining the Mardi to Mangrove Pipeline route, delays to the award of tenders, performance issues with design consultants etc.

The capital budget is now being reduced by \$24.8m as part of the Quarter Three Report to \$92.98M. This includes the full value of the joint water works which are jointly funded by Gosford.

Highlights and risks

The Mardi to Mangrove contract continues to represent the most significant source of potential risk, in terms of latent ground conditions, design changes, construction delays.

The Mardi Suite of Works project is also subject to the above range of risks.

Monitoring of progress and expenditures is being undertaken continuously in the light of these potential risks.

SEWERAGE

Sewerage - Operating Result

Year to date operating expenses are less than YTD predicted by \$743,000.

A major contributor to this variation has been lower than predicted sewage treatment plant (STP) maintenance and sewage pump station operational costs i.e.;

- delays in digester maintenance at Toukley STP due to the break-down of the sludge belt press,
- delays at Bateau Bay STP due to contractors late commencement of M & R works,
- deferment of Maintenance & Repair works at Wyong South STW while awaiting completion of the "best-practice" plant upgrade concepts report which is associated with the Mariners development,

- AGL electricity invoices do not conform to the State supply contract and are in a format that cannot be suitably processed by Council. This is currently being addressed under the contract conditions,

The other contributor to the variation is a \$350,000 under expenditure in Sewerage Administration arising from the current methodology of apportioning salaries.

As a result of the above it is expected that end of year operating expenditures may fall short of end of full year budget predictions by \$400,000.

Sewerage - Capital Expenditure

Current YTD expenditure is \$2.77m against phased YTD expenditure of \$2m. The current end of year budget estimate for this programme is \$9.85m.

Given the above position it would be expected that the end of year budget would be achieved, however the quantum of expenditure required between March and June 2010 i.e. \$7.08m is unlikely to be fully expended. The balances of these unspent budgets will be treated as year end carry-overs to 2010-11.

The March budget review has indicated that expected 2009-10 end of year cash expenditure will now be \$5.6m (\$3.9m below the current end of year estimate of \$9.85m).

The major reasons for this expenditure reduction are;

- Delays to the Pump Station Mechanical and Electrical refurbishment programme due to staffing resource shortages and diversion to higher priority works (\$0.2m)
- Delays to the Treatment Plant building refurbishment programme due to the unavailability of internal (Council) service provider who was diverted to higher priority works (\$0.15m).
- Deferment of paving/fencing work at Toukley STW due to conflict with Optus cabling work (\$0.15m). This work will be rescheduled to 2010-11.
- Deferment of sedimentation tank re roofing works at Bateau Bay STW due to delays in finalising to the project concept report (\$0.10M). This work will be rescheduled to 2010/11.
- Delays to the sludge lagoon refurbishment programme due to delays in the tendering process (\$0.15m). Further clarification of tenders has been necessary which has extended the tender process. This work will be undertaken in early 2010-11.
- Diversion of internal staff resources away from the mains capital refurbishment programme work to non capital programmes such as mains adjustments for Roads and Drainage projects (\$0.6m).

WASTE

Waste - Summary

The Waste program is currently on-track to achieve the target year-end operating result. The original budget was adjusted during March 2010 providing additional funds from the Waste Reserve to accommodate recent changes to the funding conditions of the Department of Environment, Climate Change and Water (DECCW) grant (see below).

The budget for the Capital expenditure program was also adjusted in March 2010 due to higher expenditure associated with the remediation works required at Bateau Bay closed landfill and additional works at the Buttonderry Waste processing facility.

These variations to the original budget were reviewed in terms of current year and future year impacts. In the current year additional capital expenditure will be funded by existing reserves.

Waste - Operating Result

Changes in the conditions of the Grant Income of \$550,000 from DECCW under the Waste & Sustainability Improvement Payments (WaSIP) resulted in a reduced operating income of \$550,000 below budget. Previously these funds were available to be applied to general waste management activities. New conditions have been placed on this funding which limits the use of the funds to approved sustainability activities. This effectively reduced the available waste income by \$550,000 as the programs previously funded were non-discretionary. Funds were transferred from the Waste Reserve during March 2010 to fund this revenue short-fall.

Internal tipping income was forecast to be greater than budgeted levels due to higher quantities of waste received from Council's roads and drainage operations. This increased income is partially offset by an associated increase in the EPA Levy payments. Internal revenue was increased by \$1.0m in March 2010 to reflect higher than anticipated income from internal tipping fees. Council continues to investigate options to reduce these volumes including the identification of an alternative disposal site for Virgin Excavated Natural Materials (VENM). External revenue was trending below budget due to significantly lower than anticipated quantities of commercial waste received. The external revenue was reduced by \$900K in March 2010 to reflect the lower projected income from external tipping fees.

Waste - Capital Expenditure

The original capital program was budgeted at \$12.9m and included Tip Rehabilitation, Cell Construction and Tip Capital works. This budget was adjusted upward by \$3.8m to \$16.7m in March 2010 to provide additional funds for the remediation of the Bateau Bay closed landfill, upgrade works at Buttonderry and the installation of a wheel wash facility. Year to date actual expenditure is \$11.631m, or 70% expended (based on the adjusted budget).

Waste - Impact on Reserves

The budgeted transfer from Waste Reserves was \$7.302m, against an opening reserve of \$9.525m with a projected closing balance of \$2.223m.

Waste - Highlights and risks

Construction of gas extraction system and associated electricity generation power plant at Buttonderry Waste Management Facility is scheduled to commence in May 2010, with royalties to be returned to Council commencing in 2010-11. This initiative will reduce methane and greenhouse gas emissions from the site.

The development of a Commercial Strategy for Buttonderry has commenced with the aim of increasing the value of the asset and to divert revenue to General Fund.

DECCW has commenced legal proceedings and Council has received summonses for Toukley, Mardi and Gwandalan closed landfills. This will result in legal fees and there remains a possibility of fines.

HOLIDAY PARKS

Summary

The full year forecast for income has been revised to \$8.1m compared to the original Management Plan budget of \$8.4m.

Year to date the Holiday Parks result is on target to meet the revised budget. Actual income was \$6.24m against year to date budget of \$6.27m resulting in a favourable variance of \$3,000 with income up by \$390,000 on last year's YTD figure.

The third quarter has seen positive growth in tourism income indicating the revised budget is on target.

The relocation strategy is nearing completion and includes a highlighted map illustrating the precincts. The strategy amalgamates storage van and residential sites, tourist sites, and tourist facilities. The amalgamation of site types will increase the tourist areas to maximize tourist revenue. This initiative will also assist in addressing the Land and Property Management Authority's policy to reduce the ratio of Holiday Storage Van Sites and Permanent Sites to short term Tourist Sites to 50% over time.

Operating Result

Year to date result is an operating surplus of \$864,000.

Capital Expenditure – Management Plan

The capital program budget year to date is \$1.254m of which \$1.181m has been expended. Capital works are scheduled for the winter / off-peak periods and the forecast remains that the full year revised budget of \$1.719m will be expended. Work completed year to date includes the Norah Head Holiday Park pool, bunk house and camp kitchen and the Toowoona Bay camp kitchen. The tender for the construction of the Toowoona Bay pool has been let and preparation work has commenced.

Other Expenditure – Management Plan

Included in the Holiday Parks Management Plan expenditure is a contribution to the Crown Reserves and Estuary Management Plan of \$767,000 and loan (principal) repayments of \$443,000.

Highlights and Risks

Legal matters resulting from contractual arrangements relating to upgrade works conducted in 2008-09 remain partly unresolved. However, works with current contractor have progressed well.

Note, in the event approval for the increased administration charge is not approved by the Department of Lands then the General Fund will be short funded by \$420,000, however these funds would be retained within Holiday Parks restricted asset.

Due to a number of prime sites being vacated by storage vans, there is an opportunity to install additional cabins improving overall trading position. This opportunity is detailed in the draft review of the Business Strategy and will form a separate report to Council.

CARE AND EDUCATION

Operating Result

A year to date profit of \$70,000 has been recorded to March 2010.

Care & Education will meet its performance target of being 'cost neutral'.

Highlights and risks

There is a budget risk that Vacation Care utilisation continues to be lower than forecast resulting in lower income with little or no ability to decrease operational administration expenditure in the short-term. To address this a market analysis was undertaken. It was determined there is a need by the community to have this service available. It was also identified that there were local schools that were not aware of the service. A targeted marketing campaign to local schools was introduced together with additional advertising in local papers prior to the April school holidays. The result of the campaign was an increase in enquiries. The end result will be analysed and the Vacation Care Review will be updated together with recommendations on the future of Vacation Care. An analysis of Vacation Care has been completed and will be reported separately to Council.

The highlight is that the Care and Education Centres are operating at a higher than predicted utilisation and this positive results makes up the shortfall in budget for vacation care.

ATTACHMENTS

- 1 2009-10 Management Plan Quarter Review (distributed under separate cover)
- 2 Rolling Works Program - March 2010 Quarter Review D02239041

Revisions to Original 2009-10 Rolling Works Programs

	STATUS	COMMENT
Principal Activity 1 - More Sustainable Community Community Support & Development		
1.1.7 Community Buildings Construction - On Track		
Hamlyn Terrace Community Centre Cultural Centre		Community Centre will be completed early 2011.
Tunkuwallin Hall Toilet		These works are linked to the Federal Government's community building funding. The hall toilet will be included as part of the overall works at Tunkuwallin Hall.
Tunkuwallin Hall Change Rooms		
Community Buildings Construction - Changes		
Bateau Bay Library Expansion - detailed concept plans	Deferred	The proposed expansion of the library is reliant upon the proposed rezoning of land immediately to the south of the existing library building. Once this occurs, land will be set aside for the expanded library facility. The land to be rezoned is currently subject to an undetermined Aboriginal Land Claim and this has resulted in the rezoning being placed on hold until such time as the Aboriginal Land Claim has been determined. Given these unexpected delays in the rezoning process, it is not anticipated that Council will be in a position to commence the preparation of the concept design during this current financial year.
Design of Warnervale Knowledge Centre (library)	Deferred	Both the proposed Warnervale Knowledge Centre (library) and the Warnervale Integrated Child and Family Centre are to be located within the proposed Warnervale Town Centre business precinct. Under the provisions of the current Development Control Plan for the Warnervale Town Centre, these buildings are proposed to be located on land currently owned by Woolworths. Whilst discussions have been ongoing with Woolworths in relation to their land holdings in the town centre, it is unlikely that they will be in a position to commence detailed masterplanning of the entire extent of its holdings during this financial year. Until such time as the masterplan for the Woolworths site is commenced, the design of these two proposed Council facilities cannot proceed. As such, it is unlikely that this design work will occur during this financial year.
Public Art commissions	Deferred	Public Art commissions utilising Section 94 funds collected under the Shire-wide Contributions Plan are unlikely to proceed this financial year due to Council's resources being directed to other revenue funded public art works such as the re-instatement of the Watanobbi Community Centre Public Artwork.
Warnervale Integrated Child and Family Centre	Deferred	As above.

Revisions to Original 2009-10 Rolling Works Programs

	STATUS	COMMENT
Open Space and Recreation		
1.7.4 Floodlight Upgrades - On Track		
Joseph Banks Oval Bateau Bay		Due for completion in April/May 2010.
Slade Park Budgewoi		Due for completion in April/May 2010.
Kurraba Oval No.1 & 2 Berkley Vale		Due for completion in April/May 2010.
Watanobbi Oval No.1 Watanobbi		Due for completion in April/May 2010.
Watanobbi Oval No.2 Watanobbi		Due for completion in April/May 2010.
Ourimbah Soccer Oval No.1 & 2		Due for completion in April/May 2010.
Ourimbah Rugby Oval		Due for completion in April/May 2010.
EDSACC Netball Courts No.1 & 2 Bateau Bay		Due for completion in April/May 2010.
Floodlight Upgrades - Changes		
EDSACC South	Additional	Due for completion in April/May 2010.
1.7.5 Shared Pathways - Completed		
Manning Park Cycleway		
Shared pathway Extension Buff Point		
Shared Pathways - On Track		
Wilfred Barrett Drive from North Entrance to Noraville.		
1.7.6 Open Space Improvements		
Open Space Improvements - Completed		
Disability toilets Saltwater Creek Park Long Jetty		
Bill Sohler Park Field 3 Irrigation Ourimbah		Park upgrade completed ready for use this year.
Ovals and Facilities Construction - Completed		
Magenta Shores refund		Reimbursement of Sec.94 credits in accordance with Deed of Agreement.
6 Netball courts Baker Park Wyong		
Ovals and Facilities Construction - On Track		
Woongarraah Sporting Fields Stage 2		Sportsfields to be open for Winter 2010 sports season subject to turf establishment which is impacted by weather conditions.
Darren Kennedy Oval design, investigation and construction Toukley		
Tunkuwallin Hall Shared path to link school		This project has tight timeframe to completed by June 2010. Achievable if any required approvals do not delay project.
Manning Park Oval - amenities block		
Manning Park Oval - access pathway		
Hamlyn Terrace fields and courts		

Revisions to Original 2009-10 Rolling Works Programs

	STATUS	COMMENT
Ovals and Facilities Construction - Uncertain Wyong Precinct Sporting complex (Stage 1). Footpath between Roberts Rd and Hargraves St Nth Entrance		Identified as a potential saving December Budget Review Have not been able to attain consent from land owner to construct the footpath as yet.
Ovals and Facilities Construction - Changes Wadalba Environmental Corridor Subsoil and drainage program (in order of priority), Ourimbah 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.	Deferred	Land yet to be given to Council. To be done next growing season (October/November) so as to not to affect competition. Agreed by sports committee and contractor.
Playground Refurbishment - Completed Playground at Canton Beach Construction at 5 nominated sites including investigation and design costs Provide playgrounds in areas where no S.94 contributions available (from 98/99)		This program extends across two financial years. The nominated sites for 2009-10 are Lions Park Long Jetty and Osborne Park Canton Beach.
Playground Refurbishment - On Track Ovals upgrading		
1.7.9 Beach improvements Rebuild and refurbishment of SLSCs - Uncertain Rebuild and refurbishment of SLSCs, including investigation, design and approval costs.		DA, Designs and investigation completed. Unspent funds to be rolled over to 2010-11 for construction.
1.7.14 Swimming Pools Swimming Pool refurbishments - On Track Cyclical maintenance and repairs to Wyong, Toukley and The Entrance		
1.7.15 Public Toilets Public Toilets - On Track Halekulani Shopping Centre install toilet/amenities		

Revisions to Original 2009-10 Rolling Works Programs

	STATUS	COMMENT
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Principal Activity 2 - More Sustainable Economy
Employment and Incomes

2.1.6 Urban Improvement Program

Urban Improvement Program - On Track
Sparks Rd Warnervale Landscaping

2.1.7 Town Centre Refurbishments

Town Centre Refurbishments - Completed
The Entrance

General works program complete for the year. Further review of condition of pavement tiles indicates additional tile surface treatment to be undertaken in 2010/11.

2.1.12 Coastal Area Improvements

Coastal Area Improvements - On Track
Soldiers Beach works

Principal Activity 3 - More Sustainable Environment
Water

3.2.5 Lakes Improvements

Lakes Improvements - On Track
Upgrade Picnic Shelters Terilbah Reserve
Picnic Point Boat Ramp

Revisions to Original 2009-10 Rolling Works Programs

	STATUS	COMMENT
3.2.12 Estuary Management Plan Implementation		
Estuary Management Plan Implementation - On Track		
Stormwater treatment measures in urban areas		
Stormwater treatment measures around lake edges		
Community stormwater pollution education campaigns		
Stormwater treatment measures in coastal areas		
Stormwater treatment measures around Lake Macquarie		
Stormwater in bushland and natural wetlands		
Rivers and creeks		
Boat access to rivers		
Buff Point shared pathway East from Kemp Close		
Estuary Management Plan Implementation - Uncertain		
Lakeside recreation facilities and visual appearance		Approval of the 2009/10 Cluster Plan was achieved in late February 2010 allowing work to recommence under this program, however, due to the extended delay in gaining approval, some works will need to be rolled over to 2010/11.
Principal Activity 4 - Infrastructure		
Roads		
4.1.2 Main Roads		
Main Roads - On Track		
Regional Roads Rehabilitation		
Block Grant (Maintenance component)		
Traffic Facilities		
Landscaping maintenance Wyong Rd		
RTA funded works undertaken by Council staff on State Roads		
4.1.3 Secondary Road Construction		
Secondary Road Construction - Completed		
San Remo Pedestrian Facilities		This project is the completion of the shared pathway.
Mirvac roads refund		Contribution associated with civil works undertaken by Mirvac at Magenta Shores.

Revisions to Original 2009-10 Rolling Works Programs

	STATUS	COMMENT
Secondary Road Construction - On Track <u>Railway Rd Warnervale Stage 1 (Link Rd)</u> <u>Bus Shelters</u> Preparation of designs & estimates (all plans)		
Secondary Road Construction - Changes Warnervale Rd (over culvert) Warnervale	Deferred	<p>A new flood study for the Porters Creek Catchment has recently been completed which has resulted in the requirement to integrate the new flood levels into the design. In order to achieve the design objectives and reduce hazards during heavy rainfall events to both road users and adjacent properties it has been necessary to undertake a redesign of the project. A concept design has since been completed which is currently going through the consultation phase.</p> <p>Stage 1 of the project has been deferred to 2010/11 due to the project stalling at the preliminary design stage due to flooding and ecological issues. Works are being completed by an external design consultant. A revised flood study is currently being formalised through the Natural Resources Unit for the catchment and the design needs to align with these parameters when completed. Bulk earthworks are also scheduled for the Hamlyn Terrace sporting fields located on Minnesota Road in mid/late 2010 and construction conflict needs to be avoided between these projects.</p>
Minnesota Rd Warnervale	Deferred	
Wyong carparking investigations	Deferred	Deferred until 2010/11.
4.1.4 Secondary Road Rehabilitation Upgrade - Completed Bush St, Norah Head Stage 2 (+ kerb & gutter and drainage)		
<u>The Corso, Gorokan Stage 2B (+ kerb & gutter and drainage)</u> <u>Wilfred Barrett Dr/Wyuna Ave, The Entrance North (service)</u> <u>Kaye Ave/ Minnamurra, Gorokan (retaining wall)</u>		

Revisions to Original 2009-10 Rolling Works Programs

	STATUS	COMMENT
Upgrade - On Track		
Street Trees		
Brush Rd, Glenning Valley Stage 2		
Chittaway Rd, Chittaway Bay		
Mataram Road, Woongarah - Contribution to developer		
Upgrade - Changes		
Minnesota Road, Hamlyn Terrace	Deferred	Stage 1 of the project has been deferred to 2010/11 due to the project stalling at the preliminary design stage due to flooding and ecological issues. Works are being completed by an external design consultant. A revised flood study is currently being formalised through the Natural Resources Unit for the catchment and the design needs to align with these parameters when completed. Bulk earthworks are also scheduled for the Hamlyn Terrace sporting fields located on Minnesota Road in mid/late 2010 and construction conflict needs to be avoided between these projects.
School Zone Improvements Craigie Ave, Kanwal School and Brooke Ave	Deferred	Deferred to July 2010 school holidays.
Renewal - Completed		
Howarth, St Wyong		
Alison Road, Wyong		
Hue Hue Road, Jilliby		
Evans Road, Toukley		
Renewal - On Track		
Northumberland Dr, Bateau Bay		
Chittaway Road, Chittaway Bay		
Renewal - Changes		
Cambridge Rd, Bateau Bay	Deferred	Major RTA/Energy Australia works have been undertaken in the vicinity which would impact on the capacity to finish the project. Works have been deferred to 2010/11 to fund Chittaway Road scope of works.
Yates Rd, Ourimbah	Deferred	Major RTA/Energy Australia works have been undertaken in the vicinity which would impact on the capacity to finish the project. Works have been deferred to 2010/11 to fund Chittaway Road scope of works.
Arizona Rd Woongarah	Deferred	Minor road pavement renewal works at intersection deferred as heavy patching is holding up works. The works will be incorporated into a larger project in the future. Funding has been reallocated to Northumberland Drive.

Revisions to Original 2009-10 Rolling Works Programs

	STATUS	COMMENT
Resealing - Completed Regional Roads (3x3 and Block Grant) Local Roads		
Heavy Patching - On Track Heavy Patching Reseals		
Footpaving - Completed Germaine Ave (laneway) Bateau Bay Evans Road Toukley Main Road Noraville		
Footpaving - On Track Robertson Road Killarney Vale Wallarah Road Karwal		
Footpaving - Changes Moala Ave Charmhaven (additional project)	Completed	
Kerb and Gutter Infill - On Track Victoria Street, Norah Head		
Kerb and Gutter Infill - Changes Liddell Street - east of Bellevue Street (Northern side)	Deferred	Project has been reviewed and is not considered a priority at this time.
4.1.6 Bridge Maintenance & Construction Bridge Construction - On Track Ourimbah Creek Road, Palmgrove		
Bridge Refurbishment - Changes Palmdale Rd Palmdale	Deferred	Detailed designs and estimates completed. Culverts delivered onsite. Waiting on Part 5 since 2009. Insufficient budget to complete works 2009/2010. Works scheduled for 2010/2011.

Revisions to Original 2009-10 Rolling Works Programs

	STATUS	COMMENT
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4.1.7 Carpark Construction

Carpark Construction - Completed
Charmhaven shops

4.1.9 Road safety

Road safety - Completed
Dudley Road Gorakan

Road safety - On Track

Goorama Ave San Remo

Projects to be confirmed subject to grant funding.
Programs and operating costs.

Drainage
4.2.2 Drainage
Drainage Construction - Completed

Fortune Crt Lake Munmorah

Bush St Norah Head (with roadworks)

Corso Stage 2b (with roadworks)

George Evans

Delia Ave Manoa Rd Halekulani

Drainage Construction - On Track

Network Rehabilitation

San Remo area

Other Category 1 and 2 Projects

Oakland Ave/Ashton Ave The Entrance Stage 5

Quinalup St Stage 2 Gwandalan

Toowoan Bay Rd / Nivana St / Pacific St

Roslyn PI Noraville

Drainage Construction - Uncertain

Darri Rd Wyongah

Seeking guidance re scope of works from Tuggerah Lakes Estuary, Coastal
and Floodplain Management Committee.

Revisions to Original 2009-10 Rolling Works Programs

	STATUS	COMMENT
Drainage Construction - Changes		
Wyong CBD	Deferred	Pending outcome of flood plain management study.
Brisbane St Noraville	Removed	Drainage strategy reviewed - no action required.
Glennings Rd Glenning Valley	Removed	Following detailed investigations, it has been identified that design options are unable to meet design objectives.
Section 94 funded works - Completed		
Section 94 funded works - On Track		
Preparation of designs & estimates (all plans) F3 Rd Pipeline		
Refund Industrial land Ourimbah		
Section 94 funded works - Changes		
Water Quality B2 land credit refunds to Allam Homes	Deferred	Payment deferred to November 2010.
Water Quality B2 works credit refunds to Allam Homes	Deferred	Payment due 2012/13.
Warnervale Rd Culvert	Deferred	A new flood study has been completed which has resulted in significantly higher flood levels than considered in the original design. To continue with the current design would be the creation of a significant hazard to road users during major events and contribute to flooding of nearby properties. Roads and Drainage have validated the flood study completed by the Natural Resources Unit through a ground survey and identified significant inconsistencies. Work is underway to refine the flood study to enable the design to be completed based on the best available information.
Minnesota Road Culverts Hamlyn Terrace	Deferred	Stage 1 of the project has been deferred to 2010/11 due to the project stalling at the preliminary design stage due to flooding and ecological issues. Works are being completed by an external design consultant (through the Contracts and Special Projects Unit). A revised flood study is currently being formalised through the Natural Resources Unit for the catchment and the design needs to align with these parameters when completed. Bulk earthworks are also scheduled for the Hamlyn Terrace sporting fields located on Minnesota Road in mid/late 2010 and construction conflict needs to be avoided between these projects.

Revisions to Original 2009-10 Rolling Works Programs

	STATUS	COMMENT
Water Supply		
4.3.10 Water Supply		
Headworks - On Track		
Mardi High Lift Pump Station AND High Voltage Ring Main		
Preconstruction activities for GCC works associated with Mardi		
Mardi Dam Transfer		
Mardi to Mangrove Transfer System		
Mardi Dam Spillway and Ancillary works		
Mardi Power Supply Upgrade		
Porters Creek Stormwater Harvesting (Drainage)		
Upgrade Fishways at Wyong River		
Water Quality 2010		
Gosford Wyong Wester Transfer Main		
Infrastructure (Growth/Effluent Reuse/Stormwater Harvesting) - On Track		
The Entrance Bridge- Water		
DSP Works		
Second Supply to Warnervale Employment Zone		
Reclaimed Effluent Plant Upgrades - Toukley DAFF Plant		
Extension of Effluent Reuse- Budgewoi Soccer Club		
Extension of Effluent Reuse- Eastern Road		
Extension of Effluent Reuse- Adelaide Street Oval		
Extension of Effluent Reuse- Killarney Vale Oval		
Project Constructed Under Water Savings Fund - CCWSF		
Project Constructed Under Water Savings Fund - CCWSF		
Project Constructed Under Water Savings Fund - CCWSF		
Project Constructed Under Water Savings Fund - Community		
Infrastructure (Growth/Effluent Reuse/Stormwater Harvesting) - Changes		
Trunk Watermain Extensions- Kanangra Drive - Chain Valley	Deferred	Deferred to 2010/11 due to funding constraints.
Bay Link Main		
The Entrance Bridge- Water	Deferred	Delays due to RTA approval and the construction will commence in 2010/2011 Financial Year.
DSP Works	Deferred	The construction will commence in 2010/2011 Financial Year.
Warnervale Town Centre Water	Deferred	Project is in the design phase and expect to call tenders for construction in September 2010. Construction works will be initiated in time to be ready for development as it progresses.
Warnervale Employment Zone Water Mains	Deferred	Project is in the design phase and expect to call tenders for construction in September 2010. Construction works will be initiated in time to be ready for development as it progresses.

Revisions to Original 2009-10 Rolling Works Programs

	STATUS	COMMENT
Refurbishment Capital - On Track		
Reservoirs		On going.
Mains (All Types) - McDonagh Road		
Mains (All Types) - Pollock Avenue		
Office Equip and small Plant		On going.
Main Adjustments (Relocations)		On going.
Pump Stations		On going.
Refurbishment Non Capital - On Track		
Pump Stations		On going.
Mains		On going.
Telemetry		On going.
Water Treatment Plant Replacements/Renewals		On going.
Treatment General (Mechanical/Electrical)		On going.
Water Meter Refurbishments		On going.
Miscellaneous Works and Services/Prepaid		On going.
Refurbishment Contingencies		On going.
Standards - On Track		
Dismantling pits, Valve Bypasses and Motorised Valves		On going.
Regulatory Based System Improvements		On going.
Fittings and tappings band replacements		On going.
Sewerage		
4.4.9 Sewerage		
Headworks - On Track		
Wyong South STP - Inlet Works		
Infrastructure - Changes		
B9 Rising Main	Deferred	Project is in the design phase and expected to call tenders for construction in September 2010.
Gavenlock Road Tuggerah Sewer Main	Deferred	Delayed due to cancelling existing contract and re-tendering.
The Entrance Bridge- Sewer	Deferred	Delays due to RTA approval and the construction will commence in 2010/2011 Financial Year.
Warnervale Sewerage Trunk Mains	Deferred	Project is in the design phase and expected to call tenders for construction in September 2010.

Revisions to Original 2009-10 Rolling Works Programs

	STATUS	COMMENT
Refurbishment		
Mains Refurbishment - On Track		
Mains Refurbishment/Replacement		On going.
Effluent Disposal Mains Refurbishment		On going.
Pump Station Refurbishment Capital - On Track		
Consultancies for Design		On going.
Refurbish Electrical Equipment		On going.
Refurbish Mechanical Equipment		On going.
Replace/ Upgrade Flowmeters		On going.
Upgrade Telemetry		On going.
Pump Station Refurbishment Capital - Changes		
Upgrade T22, T8, C16, C3, and C6		Delays are associated with Design/Environmental issues and expected construction to commence in September 2010.
Upgrade WS8		There is no need for the \$0.5M for this project as the scope has been changed and the budget has been adjusted.
Pump Station Refurbishment Non Capital - On Track		
Existing odour control system refurbishment		On going.
Existing diesel generator refurbishment		On going.
Treatment Plant Refurbishment - On Track		
Mechanical/Electrical/Civil Refurbishment		On going.
General Refurbishment - On Track		
Refurbish Telemetry		On going.
Other (minor plant and office equipment)		On going.
Refurbishment Contingencies		On going.

Revisions to Original 2009-10 Rolling Works Programs

	STATUS	COMMENT
Standards (EPA and OH&S) - On Track		
Upgrade Mannerling Park STP Inlet Works - Grit and Relining/ Pipe Cracking	On going.	On going.
Regulatory Based System Improvements - Security Systems	On going.	On going.
Regulatory Based System Improvements - Fencing	On going.	On going.
Regulatory Based System Improvements - Lifting Equipment	On going.	On going.
Regulatory Based System Improvements - Chemical Closet	On going.	On going.
Regulatory Based System Improvements - Roads and	On going.	On going.
Waste		
4.5.17 Waste		
Waste - Completed		
Construction of new car park and office compound and landscaping		
Upgrade internal road		
Waste - Changes		
Buttonderry Waste Management Facility		
Site development Area 5	Deferred	Funds were required to subsidise scope changes associated with the upgrade of the entry area. Site development of Area 5 deferred until 2010/11.
Concrete dish drain from 4.1 north along eastern side of road, approx 150m	Deferred	A leachate line between ponds 4 and 2 will be installed as a high priorities. Fund s allocated to the dish drain will be used.
Principal Activity 5 - Organisation		
Finance		
5.2.6 Holiday Parks		
Holiday Parks - Completed		
Toowoomba Bay - Upgrade		Included camp kitchen and landscaping.
Norah Head - Upgrade		Included bunkhouse, pool and waterplay features, landscaping, toilets and camp kitchen.
Canton Beach - Upgrade		Included landscaping.
Budgewoi -Upgrade		Included camp kitchen and landscaping.
Annual Program		

26 May 2010

Board/Committee/Panel Meeting
Report

To the Ordinary Meeting

Corporate Services Department

6.1 Minutes - Wyong Shire Governance Committee - 12 May 2010

TRIM REFERENCE: f2004/07245 - D02126379

AUTHOR: MW

SUMMARY

A meeting of the Wyong Shire Governance Committee was held on 12 May 2010.

RECOMMENDATION

That Council receive the minutes of the Wyong Shire Governance Committee Meeting held on 12 May 2010 and adopt the recommendations contained therein.

A meeting of the Wyong Shire Governance Committee was held on 12 May 2010. The minutes of that meeting are attached.

ATTACHMENTS

- 1 Minutes - Wyong Shire Governance Committee Meeting - 12 May 2010 (distributed under separate cover) Enclosure D02236775

26 May 2010

Board/Committee/Panel Meeting
Report

To the Ordinary Meeting

Corporate Services Department

6.2 Minutes - Gosford-Wyong Councils' Water Authority Board Meeting - 19 May 2010

TRIM REFERENCE: F2004/06808 - D02141673

AUTHOR: SW

SUMMARY

A meeting of the Gosford-Wyong Councils' Water Authority Board was held on 19 May 2010.

RECOMMENDATION

That Council receive the minutes of the Gosford-Wyong Councils' Water Authority Board Meeting held on 19 May 2010 and adopt the recommendations contained therein.

A meeting of the Gosford-Wyong Councils' Water Authority Board was held on 19 May 2010. The minutes of that meeting are enclosed.

ATTACHMENTS

- 1 Minutes of the Gosford-Wyong Councils' Water Authority Board Meeting held on 19 May 2010 (distributed under separate cover) Enclosure D02240284

7.1 Information Reports

TRIM REFERENCE: F2010/00009 - D02223016

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 in total.

RECOMMENDATION

That Council deal with the following Information Reports by the Exception Method.

ATTACHMENTS

Nil.

7.2 Proposed Liquor Outlet Norah Head and Toukley

TRIM REFERENCE: F2008/03390 - D02227625

AUTHOR: JD

SUMMARY

At the Ordinary Meeting held on 24 February 2010 Council resolved as follows:

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

- 1 That Council support the residents and ratepayers in Norah Head and Toukley in their campaign opposing further liquor outlets in these areas, where such proposals are not subject to Council scrutiny.*
- 2 That Council note any such application (ie any change of use of a retail premises to another retail premises within a General Business zone) will be determined exclusively through the State Government's authority Casino, Liquor and Gaming Control Authority (CLGCA).*
- 3 That having regard to 2 above, Council recognise its role as an advocate / peak body on behalf of the local community.*
- 4 That Council develop a submission in preparation to the pending formal request by the CLGCA for public comment.*
- 5 That Council approach the Minister for Planning, the Hon Tony Kelly, the Minister for the Central Coast, the Hon Ian Macdonald and Local Members of State Parliament and the Parliamentary Secretary for the Central Coast to consider amending the SEPP - Exempt and Complying Development 2008 in order that any change of use of retail premises to a liquor retail premises requires the consent of Council.*

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA,
SYMINGTON, VINCENT AND WEBSTER

AGAINST: NIL"

This report addresses Resolution item Nos 4 and 5 above.

RECOMMENDATION

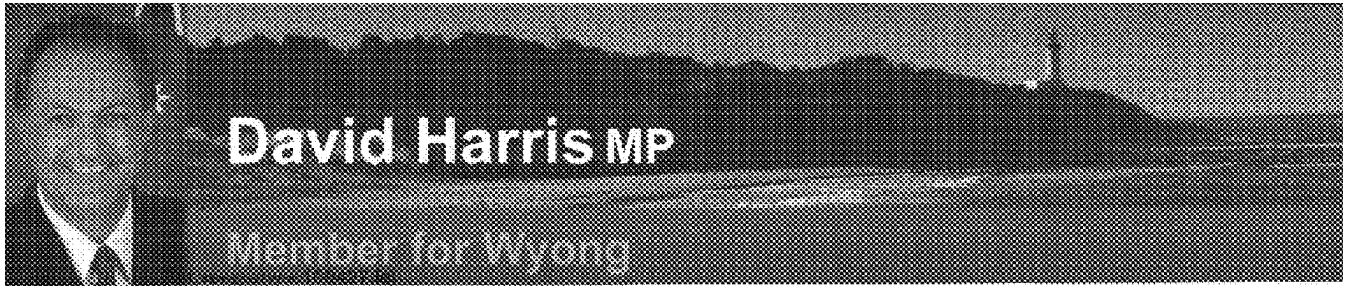
That Council receive the report on Proposed Liquor Outlet Norah Head and Toukley.

Correspondence has been received from Mr David Harris MP, Member for Wyong supporting Council's views. Please see copy attached.

A formal notification of a Licence Application has to date, not been received from the Casino, Liquor and Gaming Control Authority (CLGCA). Upon receipt of a formal notification from the CLGCA of a Licence Application, a submission will be prepared and submitted raising the concerns of Council in accordance with item 4 of the above resolution.

ATTACHMENTS

- 1 Response from David Harris, MP dated 27 April 2010 D02227059



Ms Gina Vereker
Director, Shire Planning
Wyong Shire Council
PO Box 20
WYONG NSW 2259

27 April 2010

Dear Ms Vereker

I refer to your letter dated 8 April 2010 concerning Exempt Development (Exempt and Complying Development Codes) 2008.

I support Council's views with respect to this issue and will write to the Hon Tony Kelly, Minister for Planning and the Premier, the Hon Kristina Keneally.

Thank you for bringing your views to my attention.

Yours sincerely

DAVID HARRIS MP
Member for Wyong
Parliamentary Secretary for the Central Coast

Electorate office: 243 Main Road, Toukley • Mail: PO Box 31, Toukley NSW 2263
Phone: 4397 1000 • Fax: 4397 1012 • Email: wyong@parliament.nsw.gov.au



7.3 Activities of the Development Assessment Unit

TRIM REFERENCE: F2004/07830 - D02231020

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 April 2010.

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	13	962,250	10	611,000
Industrial	1	-	1	20,000
Residential	136	18,825,290	92	11,079,376
Other	4	1,416,000	3	6,150,000
Total	154	21,203,540	106	17,860,376

Subdivision Applications Received and Determined

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	-	-	-	-
Industrial	-	-	1	-
Residential	10	23	3	13
Rural	-	-	-	-
Total	10	23	4	13

Net Median Turn-around Time

The net median turn-around time in working days for development applications determined during the month was **16** days. There were no priority applications determined for the month.

Other Approvals and Certificates

Type:	Number Determined:
Trees	25
Section 149 D Certificates	17
Construction Certificates	61
Complying Development Certificates	18

State Environmental Planning Policy No 1

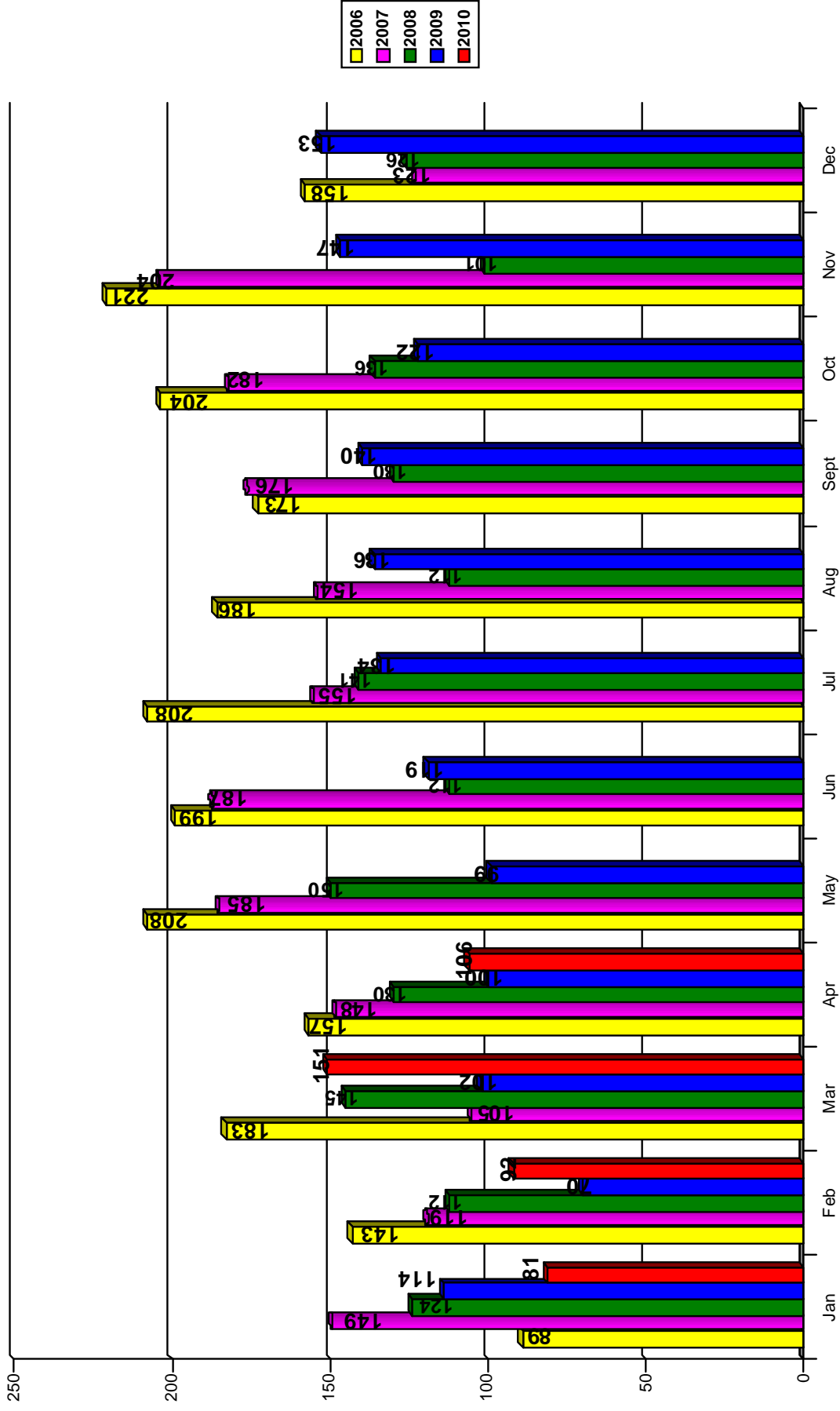
There were no applications that relied on SEPP 1 variations during the month.

ATTACHMENTS

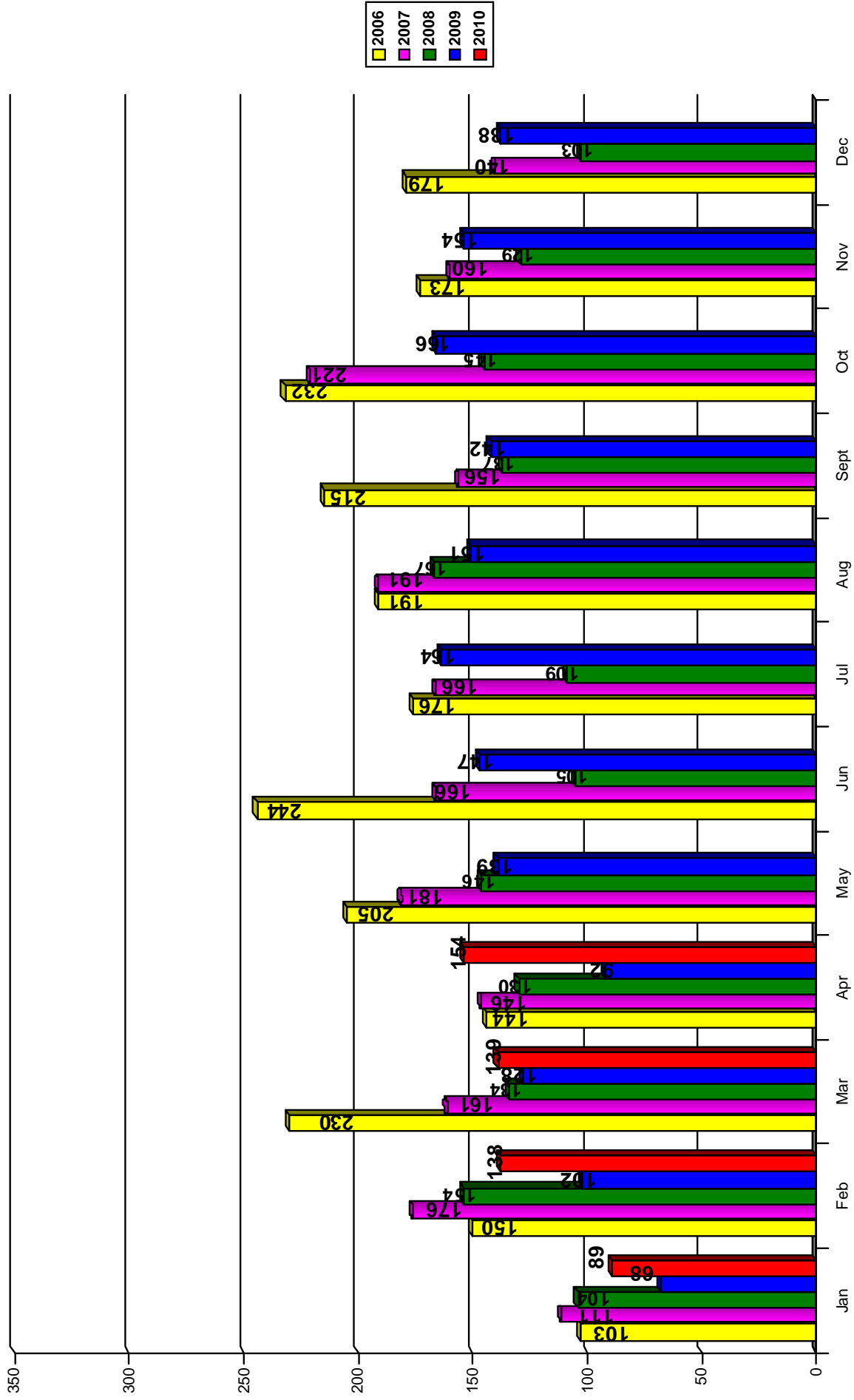
- 1 Graphs - Development Applications Lodged, Determined and Construction Certificates Determined

D02231226

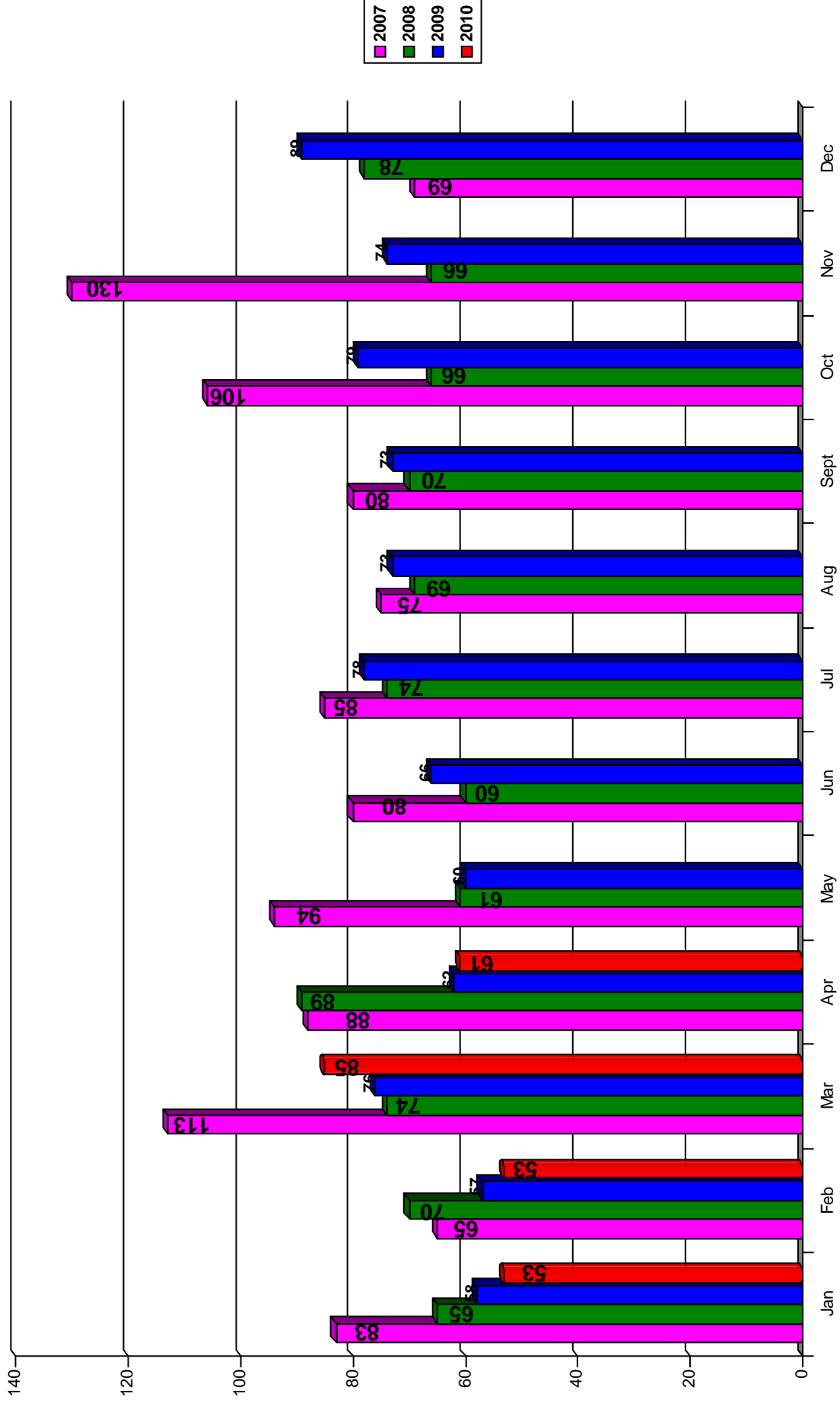
DAs DETERMINED



DA's LODGED



CCs DETERMINED



7.4 Investments for April 2010

TRIM REFERENCE: f2004/06604 - D02231177

AUTHOR: HS

SUMMARY

The following report details Council's investments as at 30 April 2010.

RECOMMENDATION

That Council receive the report on Investments for April 2010.

BACKGROUND

Conservative management of Wyong Shire Council's (WSC) investment portfolio throughout the last financial year provided a sound defence against the world financial crisis. The "hold to maturity" strategy adopted in 2008-2009 has proven to be appropriate and successful.

Investments in the ING and Aberdeen managed funds have been largely redeemed due to fund closures, however WSC still has a significant holdings in the Blackrock Care and Maintenance Fund, Macquarie Income Cash Plus fund, and LGFS Fixed Out-Performance Fund.

In 2009/10, recovery of capital value has occurred and is expected to continue for those managed fund assets still in Council's portfolio.

WSC's investments are made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2005), Council's Investment Policy and the Minister for Local Government's Investment Order issued in August 2008.

CURRENT STATUS

In April 2010, the total net return was \$0.55m consisting of interest earnings \$0.33m and capital gains \$0.22m. Council's total investments as at April 2010 are summarised in Table 1 and detailed in Attachment 1.

Table 1 Investment Portfolio by Risk Category

	April 2010 \$ '000	Year-to-Date Returns		
		Total %	Interest Only \$ '000	Interest Only %
Cash at Call	11,097	4.68	739	4.68
Term Deposits	51,072	4.97	2,110	4.97
Cash Plus Funds	1,652	11.14	45	0.80
Cash Management Funds	20,887	11.82	944	4.91
Enhanced Income Funds	14,294	12.42	524	4.62
Total Investments	99,002	7.56	4,362	4.61

7.4 Investments for April 2010 (contd)

Year-to-date returns of 7.56% (total) reflect WSC's capital recovery and compare favourably with the year-to-date UBSA Bank Bill Index of 3.72%.

Under advice from Council's investment advisors, CPG, this financial year Council has redeemed a significant holding in the Aberdeen managed fund. Council retains a nominal holding of \$1.63m, which is subject to a termination process.

WSC's investments have regained \$2.77m in value from the 2008-09 year end position – the recovery being equivalent to 69% of the paper losses in the previous financial year. Further substantial recovery through the 2009-2010 year is forecast based on the nature of assets retained in the managed funds portfolio.

It is expected the recovery of capital value will continue to the point where the original losses should be overtaken by market gains in 2010-1011.

Investment transactions and earnings during April 2010 are shown in Table 2 - Portfolio Performance.

Table 2 Portfolio Performance

	July - Sept 2009 \$m	Oct - Dec 2009 \$m	Jan - Mar 2010 \$m	April 2010 \$m	Year to Date 2009-10 \$m
<i>Movement in Assets</i>					
Opening Balance	99.22	130.02	118.03	92.40	99.22
Capital Gain/Loss – (see below)	1.39	0.47	0.69	0.22	2.77
Net Cash/Investments(Withdrawals)	29.41	-12.46	-26.32	6.39	-2.98
Closing Balance	130.02	118.03	92.40	99.01	99.01
<i>Trading Position</i>					
Capital Gain/(Loss) Realised	-	-	-	-	-
Capital Gain/(Loss) Unrealised	1.39	0.47	0.69	0.22	2.77
Interest Earnings	1.47	1.29	1.27	0.33	4.36
Total Return for Period	2.86	1.76	1.96	0.55	7.13

Interest Returns

Interest returns (ytd) continue above budget by \$0.52m reflecting the general recovery of the financial markets. Application of these funds to new projects, however, is not recommended, since much of the benefit accrues to restricted funds such as section 94 developer contributions. As well, Council should apply any favourability against realised capital losses.

Council's holdings in managed funds and the manner in which interest on these funds is distributed, makes it difficult to make precise predictions of future interest earnings. It is prudent to retain such gains within the portfolio.

Workcover require that Council deposit \$9.89m with TCorp. The return from this investment is poor (4.05% in April) however the alternative is a bank guarantee which will cost WSC more than the poor return. The interest rates on deposits in the month range from 5.50% to 6.50% and these rates all exceed the Union of Switzerland Australia (UBSA) Bank Bill Index for April which was 4.30%.

7.4 Investments for April 2010 (contd)

Banks operating in the domestic markets have suffered funding shortages over the past period, and this resulted in term deposits offered at premium rates. This situation is unlikely to continue indefinitely and in the months to come term deposit rates are expected to move downward to the benchmark.

Table 3 Interest Only Performance at 30 April 2010

Investment Source	YTD Budget \$ '000	YTD Actual \$ '000	Var. \$ '000
General Fund	2,043	2,308	265
Water (all)	377	901	524
Sewerage (all)	1,415	1,153	-262
Total	3,835	4,362	527

The allocation of investment interest between the General and Other funds was realigned in February to reflect a true return on investments and cash. While no budget variation is required for 2009/10, an adjustment between funds was foreshadowed in the March quarterly review.

Black Rock Care and Maintenance Fund

The estimated return for the month of April was an overall gain of \$0.08m. Total capital gains continue to be positive for the year to date being \$1.32m.

Regular close monitoring of the status of this investment continues and, over time, the “hold to maturity” strategy is seeing positive gains as markets have improved.

Aberdeen Cash Plus Fund

At 1 July 2009 WSC's holding was \$10.66m and \$0.57m has been the amount of capital gains since then. There have been no significant income distributions. On 8 January 2009, Aberdeen declared the fund closed, and stated that it would be selling off the fund assets in an orderly fashion.

Under advice from CPG, WSC has redeemed \$9.60m of the investment which reflects the sale (by Aberdeen) of the fund's more liquid assets. Council has a nominal value of \$1.63m remaining on its books which represents some of the less liquid assets held in the fund.

The best estimate at present is that the remaining assets will be sold at a 3% discount, which would mean a future irrecoverable capital loss of about \$40K.

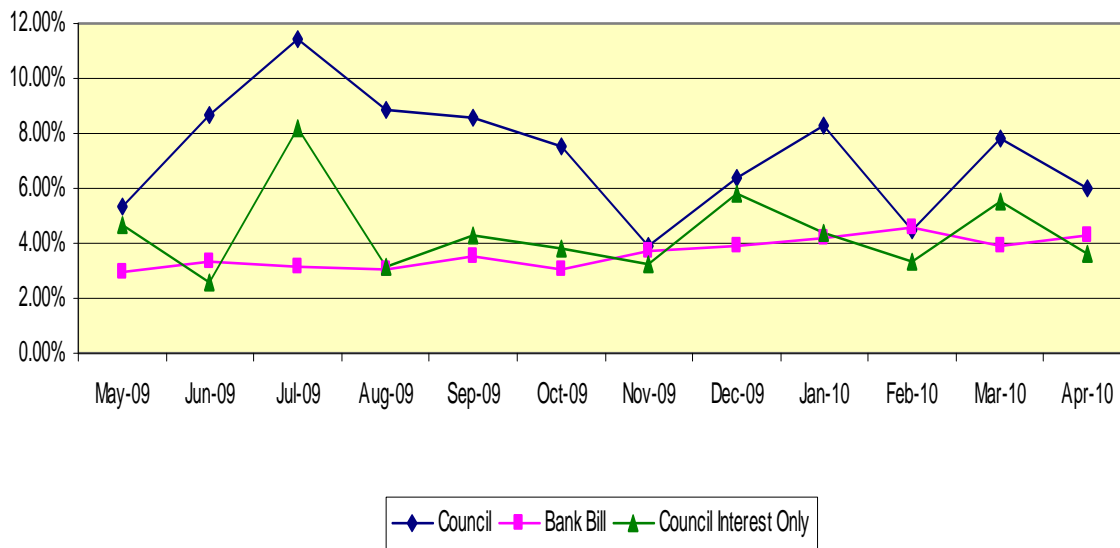
Benchmark - Monthly Returns (Annualised)

Council's overall investment return is compared to the UBSA Bank Bill Index. This is a common benchmark used in Local Government and establishes a minimum performance level.

7.4 Investments for April 2010 (contd)

A graph detailing the monthly return on a 12 monthly basis is as follows:

**Table 4 Monthly Annualised Returns (Interest and Capital Movements)
Portfolio Performance Comparison to UBSA Bank Bill Index**



Council: *Council Total Return (Interest and Capital)*
Bank Bill: *UBSA Bank Bill Index*
Council Interest Only: *Council Interest Earnings*

INVESTMENT STATEMENT

In accordance with the Local Government (General) Regulation 2005, Part 9, Division 5, Clause 212, it is certified that the investments held as at 30 April 2010 have been made in accordance with the Act, the Regulations and Council's Investment Policies.

CONCLUSION

Council has significantly reduced its holdings in managed funds and more reductions have been recommended by the advisor. The challenge now is to add value in a portfolio where there are significant legislative constraints on new acquisitions.

ATTACHMENTS

1 Summary of Investments by Type as at 30 April 2010 D02231323

Wyong Shire Council
Summary of Investments - By Type
As at 30 April 2010

FUND MANAGER	MATURITY	ESTIMATED PORTFOLIO BALANCE \$	ESTIMATED INCOME FOR MONTH \$	INTEREST RATES % p.a.
CASH AT CALL:				
ANZ High Yield Cash Account (AA)	Daily	11,096,840	35,342	
Total Cash At Call		11,096,840	35,342	
TERM DEPOSITS & BONDS				
T-Corp (WorkCover NSW)	02/06/2010	9,896,000	32,941	4.05
BankWest Term Deposit	13/04/2010	-	9,795	5.50
Bank of Cyprus Term Depsoit	26/05/2010	5,000,000	24,041	5.85
NAB Term Deposit	05/07/2010	5,000,000	24,658	6.00
Bank of Qld Term Deposit	12/07/2010	5,000,000	25,890	6.30
Allied Irish Term Deposit	12/07/2010	-	25,069	6.10
SunCorp Term Deposit	19/07/2010	5,000,000	26,712	6.50
CitiBank Term Deposit	24/08/2010	5,000,000	25,808	6.28
BankWest Term Deposit	12/10/2010	5,000,000	12,329	6.00
SunCorp Term Deposit	26/11/2010	2,000,000	10,356	6.30
Bendigo/Adelaide Term Deposit	15/04/2011	5,000,000	13,151	6.40
Westpac Deposit Bond	24/09/2012	4,176,193	23,641	5.13
Total Term Deposit & Bonds:		51,072,193	254,391	
CASH PLUS:				
Aberdeen Cash Plus Fund (A)	To be liquidated - Fund Termination in Process	1,631,113	(15,247)	
ING Enhanced (A)	To be liquidated - Fund Termination in Process.	20,652	231	
Total Cash Plus		1,651,765	(15,016)	
CASH MANAGEMENT FUNDS:				
BlackRock Care & Maintenance Fund	June 2015 (Estimate)	8,752,476	81,371	
LGFS Fixed Out-Performance Cash Fund (AA-f)	Open Ended	12,134,838	46,641	
Total Cash Management Funds		20,887,314	128,012	
ENHANCED INCOME:				
Macquarie Income Cash Plus (A)	Open Ended	14,293,586	152,804	
Total Enhanced Income		14,293,586	152,804	
TOTAL		99,001,698	555,533	

7.5 Green Fleet Initiatives

TRIM REFERENCE: F2009/01484 - D02216559

AUTHOR: GP

SUMMARY

Report to Council on the status of environmental initiatives being undertaken by Depots and Fleet Services.

RECOMMENDATION

That Council receive the report on Green Fleet Initiatives.

BACKGROUND

Council at its meeting held on 10 March 2010;

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

- 1 That Council report on current initiatives of moving its motor vehicle fleet towards greater fuel efficiency.*
- 2 That, further to Council's policy on the use of new fuel efficient vehicles including, hybrid, electric and diesel and other emerging technologies in its fleet, staff report on running costs, capital costs etc in a publicly accessible way for the benefit of our community.*

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL"

Fleet Services regularly reviews the vehicles in the fleet to ensure a balance between environmental impact, cost effectiveness and meeting staff, operational and safety requirements.

The unit constantly monitors and evaluates new technologies with an aim to introduce commercially viable cars, trucks and plant into service within Wyong Shire Council.

Council's fleet currently consists of 541 items of vehicles, plant and equipment. This is made up of 193 passenger vehicles, 141 light commercial vehicles, 122 trucks and 85 heavy plant items.

Passenger Vehicles

Prior to the adoption of the revised Motor Vehicle Policy in May 2009, the passenger vehicle fleet predominantly consisted of six cylinder cars (90% of all passenger vehicles). Since adoption of the revised policy, many staff have willingly chosen to downsize their vehicle selection when due for replacement. The result has been a significant swing (around 75%) to four cylinder vehicles at replacement time.

Recent inclusions to the range of vehicles in the fleet have been several highly efficient vehicles including the Hyundai i30 diesel, VW Golf and Nissan XTrail diesel. The most recent introduction has been the technically advanced Toyota Camry Hybrid, with several staff already having selected this as their replacement vehicle.

Light Commercial Vehicles

The light commercial vehicles are predominantly Ford Ranger diesel utilities which are well suited to the workload, are fuel efficient as well as containing a high level of safety features and a competitive whole of life operating cost.

Trucks

Wherever possible all new trucks are compliant with Euro IV emission standards and as vehicles are released that comply with the more stringent Euro V emission standards, these will be introduced wherever possible. We are about to introduce a hybrid truck into the fleet as a trial to determine the effectiveness in our Shire (the strongest case for hybrids is in dense city locations).

Heavy Plant – Total 85 (includes backhoes, graders, rollers, excavators and loaders)

The technology included in this segment lags behind passenger vehicles and trucks and as such obtaining reliable information is limited. As part of our selection criteria, we endeavour to evaluate likely environmental impact as a decision-making factor.

INVESTIGATIONS

Fleet Services has carried out a number of investigations to other alternative fuel systems including the following:

Compressed gases for trucks, heavy vehicles and plant - found to be unsuitable due to:

- Fuel source, location and availability.
- Excessive financial costs involved in implementing the internal filling stations and upgrade to the re-fuelling truck.

Bio diesel fuels for trucks, heavy vehicles and plant - found to be currently unsuitable due to:

- Result of large variations currently experienced in such fuels, their emissions can be higher than standard fuels.
- Increased fuel consumption for minimal financial benefit.
- Excessive financial costs involved in implementing the internal filling stations and the upgrade to the re-fuelling truck.
- Increased maintenance and down time costs of trucks and plant due to sludging of the fuel.

7.5 Green Fleet Initiatives (contd)

Liquid Petroleum Gas (LPG)/Diesel Conversions - the lack of current legislation and testing for emission levels together with trials conducted by large fleet users (e.g. Linfox) who found that results of their trials to be inferior as compared to the current diesel usage. This is an emerging technology to be monitored at this time.

CAPITAL AND RUNNING COST

Fleet Budget Capital and Running Costs for Fleet

The Fleet budget varies year by year based upon the Fleet Replacement Program and Council's Works Programs and is typically within the following range:

Capital (per annum)

Capital Purchases	\$6.5 - \$7.5M
Capital Revenues (trade-ins)	<u>\$1.5 - \$2.0M</u>
Nett Capital	\$4.5 - \$5.5M

Running Costs (per annum)

Total Running Costs	\$8.0 - \$9.0M
(Fuel component in 2010/2011 budget is \$2.9M)	

Cost and Environmental Comparisons for Passenger Cars in Fleet

Reliable public information is readily available for passenger vehicles however only limited information is available for trucks and heavy plant. Therefore the following table focuses on passenger cars.

Make	Model	Variant	Body	RRP Incl GST*	Annual Running Costs**	Engine Type	Fuel Type	Vehicle Class	GVG Star Rating***	Air Pollution Rating***	Green house Rating***	Fuel ltr/100km	CO2 Emission
Ford	Territory	TX RWD 7seat	Wagon	\$39,890	\$13,246	6cyl	Petrol 91RON	Large Car; 6+ Seats	3	5.5	4	12	286
Holden	Commodore	Omega	Sedan	\$36,490	\$11,998	6cyl	Petrol 91RON	Large Car	4	8.5	5.5	9.3	221
Hyundai	i30	SX CRDi	Hatch	\$22,890	\$7,912	4cyl	Diesel	Medium Car	3.5	5	7.5	6	159
Nissan	X-Trail		Wagon	\$37,740	\$10,750	4cyl	Diesel	Medium Car	3	5	6	8.1	216
Toyota	Aurion		Sedan	\$35,990	\$11,813	6cyl	Petrol 91RON	Large Car	4	8.5	5.5	9.9	233
Toyota	Camry	Hybrid	Sedan	\$36,990	\$10,424	4cyl	Elec/Petrol 91RON	Large Car	5	8.5	7.5	6	142
Toyota	Camry		Sedan	\$33,990	\$9,822	4cyl	Petrol 91RON	Large Car	3.5	6.5	6	8.8	208
VW	Golf	118TSI Comfortline	Hatch	\$31,990	\$8,726	4cyl	Petrol 95RON	Medium Car	4.5	7.5	7.5	6.2	144

* Based on Recommended Retail Price on base model with no extras, Govt charges or Stamp Duty

** Based on NRMA Whole of Life at 15,000kms/annum and \$1.30/ltr fuel costs. www.mynrma.com.au

*** GVG Green Vehicle Guide www.greenvehicleguide.gov.au

All figures exclude GST

7.5 Green Fleet Initiatives (contd)

The impact of changing the Motor Vehicle Policy has been on the passenger car fleet. Based on the fleet replacement choices by staff, (46 passenger vehicles so far this financial year), the final savings, once the full fleet has been turned over (approx 3 years) are expected to be:

- Fuel consumption reduced by 30%.
- Emissions reduced by approximately 30%.
- Depreciation reduced by \$185,000 per annum.
- Running costs (excl. depreciation) reduced by \$190,000 per annum.

The above savings (depreciation and running costs) are shared based upon the motor vehicle policy between Council and those staff that choose to downsize their vehicle.

ATTACHMENTS

Nil

7.6 Outstanding Mine Subsidence Claims Chain Valley Bay South - response from Member for Swansea

TRIM REFERENCE: f2006/00246 - D02227781

AUTHOR: ED

SUMMARY

Submitting response from Member for Swansea, Mr Robert Coombs MP.

RECOMMENDATION

That Council receive the report on Outstanding Mine Subsidence Claims Chain Valley Bay South - response from Member for Swansea.

At its meeting held on 10 March 2010, Council resolved unanimously on the motion of Councillor Wynn and seconded by Councillor Symington:

That Wyong Shire Council make urgent and pressing representations to the State Government representatives, the Hon Ian MacDonald, Minister for Minerals and Forest Resources, Minister for the Central Coast, David Harris, Member for Wyong and Parliamentary Secretary for the Central Coast and Robert Coombs, Member for Swansea and the Mine Subsidence Board seeking previously rejected claims to be reopened and resolved.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA,
SYMINGTON, VINCENT, WEBSTER AND WYNN
AGAINST: NIL

A response has now been received from the Member for Swansea, Mr Robert Coombs MP, and is attached.

ATTACHMENTS

1 Response from Member for Swansea, Mr Robert Coombs MP D02225967



16 April 2010

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

Dear Mr Yates

Thank you for your letter dated 24 March 2010 (Your Reference: F2006/00246) regarding Council's Notice of Motion concerning outstanding Mine Subsidence Claims in Chain Valley Bay South.

I wish to advise you that resident's of Wyong Shire Council and myself recently met with Hon Tony Kelly MLC, Minister for Planning. This issue was raised and it was requested that due to the long duration, I have requested that this matter should be resolved and concluded.

I trust that the Minister for Planning will assist the residents to reach a satisfactory outcome.

Yours sincerely

Robert Coombs MP
State Member for Swansea

Vc:\wsc\cyhay mine subsidence res. 160410

Have you thought about joining a volunteer community service organisation?
There are many within the Swansea Electorate. For more information contact this office.

7.7 Works in Progress Report - Water Supply and Sewerage

TRIM REFERENCE: F2004/07830 - D02222771

AUTHOR: VT

SUMMARY

Water supply and sewerage works in progress and completed for May 2010.

RECOMMENDATION

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

WATER SUPPLY

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

Item Description	Estimated Cost \$	Start Date	% Completed	Estimated Completion Date	Comments
Bunning Creek	70,000	15/3/10	90	May 2010	General grounds maintenance and repair works are under way in the vicinity of Bunning Creek Tunnel and the outlet structure. The works included restoration of on site drainage, cleaning and clearing and improving access into the compound. This work forms part of the Bunning Creek maintenance programme and is funded by the Water and Sewerage Operations and Maintenance program.

Item Description	Estimated Cost \$	Start Date	% Completed	Estimated Completion Date	Comments
Toowoong Bay Rd, Nirvana St & Archbold Rd Long Jetty	200,000	8/2/10	60	June 2010	<p>Work is under way to relocate a 100mm and 375mm water trunk main as part of the intersection upgrade for Roads and Drainage.</p> <p>The work also includes fitting and replacement works and upgrades to existing water services.</p> <p>The work is being funded by Water and Sewerage Capital Works Program (fitting replacements) and Roads and Drainage Capital Works Program.</p> <p>All works to be completed by June 2010.</p>
Pacific Hwy Wyong	50,000	19/4/10	90	May 2010	<p>Work has commenced to replace approximately 60m of 100mm AC water pipe with 150mm diameter PVC Class 16 water pipe including associated fittings and connections.</p> <p>This work forms part of the development of the new Caltex Service Station.</p> <p>The work is being funded by Water and Sewerage Capital Works Program.</p>
Costa and Brava Ave, Charmhaven	60,000	28/4/10	20	July 2010	<p>Work has commenced to construct approximately 50m of 150mm diameter PVC Class 16 water pipe including associated fittings and connections as part of the road intersection upgrade for the development of a new service station.</p> <p>The work is being funded by Water and Sewerage Capital Works Program.</p> <p>All works to be completed by contractor by end of July 2010.</p>

Item Description	Estimated Cost \$	Start Date	% Completed	Estimated Completion Date	Comments
Perouse Ave & Eyre Cres, San Remo	100,000	19/4/10	80	May 2010	<p>Work has commenced to relocate a 100mm diameter water main and lower water services in aid of road and drainage upgrade works for Roads and Drainage.</p> <p>The work is being jointly funded by Water & Sewerage and Roads & Drainage Capital Works Program.</p> <p>All works to be completed by end May 2010.</p>
Toukley Golf Club	5,000	27/4/10	95	May 2010	<p>The work includes the installation of approximately 10m of 100mm ductile iron concrete lined pipe from the existing potable water site to service the storm water harvesting pit.</p> <p>The work is funded by the Central Coast Water Savings Fund.</p>
Bateau Bay Long Jetty The Entrance Killarney Vale Berkeley Vale Toukley	20,000	11/1/10	Ongoing	Jun 2010	<p>Ongoing hydrant maintenance work being done in conjunction with NSW Rural Fire Brigade priorities.</p> <p>The work is being funded by Water and Sewerage Operations and Maintenance Program.</p>

SEWERAGE

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

Location	Estimated Cost \$	Start Date	% Completed	Estimated Completion Date	Comments
Kelsey Rd Noraville	250,000	15/3/10	70	May 2010	<p>Work is nearing completion on the construction of approximately 300m of 300mm diameter OPVC sewer pipe in Kelsey Rd.</p> <p>The existing 300mm asbestos cement rising main is approximately 36 years old and is being replaced due to delamination on the pipe line. The pipe is also half way through its design life.</p> <p>The work is being carried out by the Water and Sewerage day labour staff and is being funded from Water and Sewerage Capital Works Program.</p>
Killarney Vale Berkeley Vale Bateau Bay Long Jetty Lake Munmorah	50,000	11/1/10	Ongoing	June 2010	<p>Ongoing sewer main and manhole replacement and adjustment works.</p> <p>Council's maintenance program of CCTV inspections, replacing sections of sewer mains and repairing manholes and junctions causing operational problems due to root infestation and stormwater infiltration.</p> <p>This work is funded by the Water and Sewerage Operations and Maintenance Program.</p>

Location	Estimated Cost \$	Start Date	% Completed	Estimated Completion Date	Comments
Tumbi Umbi Chittaway Bay	10,000	27/4/10	50	June 2010	<p>Various minor sewer main and manhole repair works are underway to improve system operations.</p> <p>Numerous sewer junction cut-ins are underway to connect residential homes to Council's sewer supply system.</p> <p>This work is funded by the Water and Sewerage Operations and Maintenance Program.</p> <p>Works will be completed by end of June 2010.</p>

PROCESS

Water Treatment

All water produced by the Water Treatment Plant, for the period 1 to 26 May 2010 has met National Health and Medical Research Council Guidelines.

Sewage Treatment

All effluent discharged from the sewage treatment plants, for the period 1 to 26 May 2010 has met Environmental Protection Authority Licence requirements.

WATER STORAGE

Monday, 17 May 2010				
STORAGES				
Storage	Capacity Full [MI]	Volume in Storage [MI]	Percent Full [%]	Storage Change over last Week
Mangrove Dam	190000	52,960	27.9	Down 187 ML
Mardi Dam	7400	1,768	23.9	Up 30 ML
Mooney Dam	4600	2,424	52.7	Down 149 ML
Total	202000	57,152	28.3	Down 306 ML
CURRENT WORKS:				
<ul style="list-style-type: none"> Upgrade works essential for the long term secure operation of Mardi Dam and Central Coast water supply system are being undertaken. The works include the construction of a new intake tower, two pump stations and new pipelines at Mardi Dam. These works have been timed to coincide with the seasonal drop in the Mardi Dam. Levels will return to normal once the work is complete. The work is on schedule for the new outlet tower. 				
STORAGE:				
<ul style="list-style-type: none"> Total stored water volume has fallen by 0.7% since last month. Mardi Dam storage level is being lowered for the construction of the new outlet tower. The lowering of the dam will be managed to optimise extraction from the run of the Wyong River. This day last year the volume stored as a percentage of total capacity was 4.0% higher. 				
HUNTER TRANSFERS:				
<ul style="list-style-type: none"> Hunter Water Corporation supplied 0 ML last week keeping this years supply at 903 ML. Gosford/Wyong supplied 0.0ML to Hunter Water last week keeping this year's supply to 0.0ML. 				
GROUND WATER BORES:				
<ul style="list-style-type: none"> Groundwater Bores supplied 2.0ML last week increasing this years supply to 99.2ML 				
WATER USAGE & RAINFALL				
Period	Water Usage [MI]	Rainfall [mm]		
		Somersby WTP	Mardi WTP	Mangrove Dam
Week to date	505	8	1	0
Previous week	487	6	2	10
Current week last year	474	0	0	0
This year to date	9,964	440	443	433
Same period last year	9,669	567	334	357
<p style="text-align: center;">Week to date consumption was 505 ML, 6.5% more than the same week last year and 3.7% more than the previous week.</p> <p style="text-align: center;">Consumption this year to date is 9,964 ML, 3.1% more than the same period last year.</p> <p style="text-align: center;">Level 3 Water Consumption Target for the week ending Monday, 24 May 2010 is 516 ML</p>				

ATTACHMENTS

Nil.

7.8 General Works in Progress

TRIM REFERENCE: F2004/07830 - D02218278

AUTHOR: SK; MC

SUMMARY

This report shows the current status of significant General Works and General Works in Progress for capital and maintenance expenditure, as at the end of April 2010. 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 roads and drainage projects.

Item Description	Estimated Cost	Start Date	% Completed	Estimated Completion Date	Comments
Quinalup Street, Gwandalan Stage 1A Drainage	\$690K	01/02/10	95	May 2010	<p>Drainage system upgrade involving new pipes and pits, a Gross Pollutant Trap, minor road reconstruction, and kerb and gutter in from the east side of Winbin Cres to the outlet on the corner of Koowong Rd and Noamunga Cres.</p> <p>The works form part of a major project divided into three stages to enable funding to be spread over several years designed to alleviate flooding of properties and improve water quality.</p> <p>Gross pollutant trap, culverts, and road works completed. Driveways and kerbing outstanding</p>

Item Description	Estimated Cost	Start Date	% Completed	Estimated Completion Date	Comments
Chittaway Rd, Chittaway Bay Pavement renewal	\$470K	12/04/10	90	June 2010	Pavement works between Burragah Road and Kauai Avenue have been predominantly completed. A primer spray seal has been applied, with the final asphalt wearing course and speed humps to be installed in June 2010.
Roslyn Place, Norville Drainage	\$102K	26/04/10	10	May 2010	Stormwater drainage system upgrade to alleviate localised flooding. All works to be completed by end of May.
Brush Road Ourimbah Road Reconstruction	\$1.3M	11/01/10	95	May 2010	Widening, re-alignment, reconstruction and sealing of existing 1 km unsealed road. All works have been completed with the exception of minor restoration works.
Bush Street Norah Head Stage 1 Drainage and Roadworks	\$639K	26/11/09	100	April 2010	Road rehabilitation and drainage upgrade works completed.
Toowoan Bay Rd and Nirvana St Long Jetty Drainage	\$1.5M	23/03/10	20	June 2010	Major stormwater drainage system upgrade to alleviate localised flooding, road reconstruction and a mini roundabout at the intersection of Toowoan Bay Rd and Nirvana St. Drainage works continue across Nirvana and along Toowoan Bay Road. All works to be completed by end of June.

General Maintenance Work

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

	North	South
Drainage Maintenance	Hamlyn Terrace Gwandalan	Killarney Vale Long Jetty Tuggerah Berkeley Vale Bateau Bay
Replacement of Damaged Foot paving	Wyong Budgewoi	Nil The Entrance Berkeley Vale
Sign Maintenance	Toukley Kanwal Hamlyn Terrace Blue Haven Wadalba Budgewoi Tuggerawong San Remo Canton Beach Wyongah Jilliby Yarramalong Buff Point Gwandalan Summerland Point	Toowoan Bay Berkeley Vale Ourimbah Long Jetty The Entrance Killarney Vale Shelly Beach Bateau Bay Tuggerah Wyong Mardi Chittaway
Shoulder Restoration	Nil	Nil
Heavy Patching	Jilliby Mandalong	Nil
Table Drain Maintenance	Charmhaven Budgewoi Toukley Gwandalan San Remo Wyongah	Long Jetty Bateau Bay Killarney Vale Tumbi Umbi Berkeley Vale
Rural Road Grading	Dooralong Yarramalong Ravensdale Jilliby Kiar	Ourimbah Palmdale
Carpark Maintenance	Toukley Budgewoi Norah Head Gorokan	Nil

	North	South
Fencing	Nil	Nil
Vegetation control	Jilliby Woongarra Halloran Hamlyn Terrace Toukley Mannering Park Yarramalong Dooralong	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.

Item Description	Estimated Cost	Start Date	% Completed	Estimated Completion Date	Comments
Contract 2408 Capture and Commercial Utilisation of Landfill Gas from Buttonderry Landfill	Potential for return to Council	May 2010	25	June 2010	Approval for the methane gas extraction system and power plant has been issued. It is anticipated the power plant will be operational by June 2010. The Deed of Agreement provides for Royalty payments to Council of 15% from the sale of electricity generated.
CPA/94559 Design and Documentation of Woongarra Sports fields	\$350K	Nov 2005	99	June 2010	Claim to finalise earlier commission work resolved and paid. There will be minor ongoing work required as the construction contract continues.

Item Description	Estimated Cost	Start Date	% Completed	Estimated Completion Date	Comments
CPA/115479 The Rehabilitation and Redevelopment of Bateau Bay Landfill	\$17M	Dec 2006	92	Fields available for use towards end 2010.	Construction works are proceeding under Council's direct management. Turf now completed to all fields. Softball fencing to be erected and carpark final sealing to be completed. Anticipate turf will be established and ready for use towards end of 2010.
CPA/130590 Consultancy for Investigation and Design of Trunk Sewer Mains to Warnervale Town Centre and Wyong Employment Zone	\$720K	Jan 2008	88	June 2010	Contract awarded to Bonacci Group Pty Ltd. Design finalisation expected in June 2010. Revised maximum forecast flood heights have generated changes to the location of a pump station and sewer main alignments. Estimated project construction cost \$9M, with this consultancy costing \$720K.
CPA/130591 Consultancy for Investigation and Design of Trunk Water Mains to Warnervale Town Centre and Wyong Employment Zone	\$370K	April 2008	95	June 2010	Contract awarded to SMEC Australia Pty Ltd. Completion of design and tender documentation expected by end of June 2010. Project construction cost \$3M, with this consultancy costing approximately \$370K.

Item Description	Estimated Cost	Start Date	% Completed	Estimated Completion Date	Comments
CPA/135454 Investigation, Design and Construction Supervision for Toe Drainage Structure at Cabbage Tree Harbour Norah Head	\$296K	Dec 2009	70	Under review	Contract awarded to Shirley Consulting Engineers. Approvals and licences obtained. This consultancy \$296K including all variations to date. Project budget for construction was reviewed based on final design with costs increasing from \$1.3M to \$2.9M. Reduced cost option now being pursued.
CPA/135790 Pioneer Dairy – Hydrologic Assessment and Wetland Concept Study	\$370K	1) Feb 2008 2) Mar 2010	1) 100 2) 30	May 2010	1) Contract awarded to Storm Consulting Pty Ltd for design of constructed wetland. Design complete. Approvals obtained. 2) The work has commenced on site using Council resources and must be completed by end of May 2010 to satisfy Federal Grant conditions.
CPA/136020 (complete) and CPA/162445 Gwandalan Landfill Remediation – Investigations Only	\$152K	Nov 2007	65	May 2010 (Detailed investigation)	Preliminary site investigation (CPA/136020) completed (cost \$42K). Detailed site investigation (CPA/162445) field work and analysis completed. Draft investigation report received and forwarded to Site Auditor for review. Cost of this consultancy \$110K.

Item Description	Estimated Cost	Start Date	% Completed	Estimated Completion Date	Comments
CPA/136021 (complete) and CPA/168802 Tumbi Landfill Remediation – Investigations only	\$73K	Nov 2007	65	June 2010 (Detailed investigation)	Preliminary site investigation (CPA/136021) completed (cost \$30K). Detailed site investigation (CPA/168802) field work completed. Draft investigation report received and forwarded to Site Auditor for review (cost of this consultancy is \$43K).
CPA/136486 Investigation, Design and Documentation of Toukley Sewage Treatment Plant Inlet Works Upgrade	\$164K	April 2008	99	June 2010	Contract awarded to Maunsell Australia Pty Ltd. Construction has commenced. This consultancy will continue to provide input during construction phase. Estimated project cost \$2.05M, with this consultancy costing \$164K.
CPA/142750 (complete) and CPA/173290 Shelly Beach Landfill Remediation – Investigations only	\$85K	Nov 2007	60	July 2010 (Detailed investigation)	Preliminary investigation (CPA/142750) completed (cost \$30K). Contract for detailed site investigation (CPA/173290) awarded to SMEC Australia Pty Ltd. Field work is complete and laboratory analysis in progress. Draft report expected in June. The cost of this consultancy is \$55K.

Item Description	Estimated Cost	Start Date	% Completed	Estimated Completion Date	Comments
CPA/145543 CPA/145982 CPA/150515 CPA/156188 F2008/02699 (Kemp Close) F2007/01457 (eastern section). Construction of Buff Point Shared Pathway (includes Kemp Close section which has attracted a Federal grant)	\$250K per year x 3 years (EMP funds – holiday parks)+ \$250K Federal grant = \$1m + future \$300K for completion to Sonoma Road.	Nov 2007	80	June 2010 (current funds)	Construction complete from Edgewater Park to opposite Nacooma Road – approx. 1.9km of total 3km of pathway. Estimated overall cost of construction for all Buff Point pathways is \$1.3M. Construction for next (100m) portion at eastern end planned for May to June 2010. CEMP approved. EMP to fund with \$25K Greenspace Grant.
CPA/145814 Design and Tender Documentation for No 3 Aeration Tank – Charmhaven STP	\$190K	Oct 2008	98	June 2010	Contract awarded to Cardno (QLD) Pty Ltd. Final design documentation is under review. Odour control unit has been added to scope. Estimated project cost \$11M, with this consultancy costing \$190K.
CPA/149519 Design and Construct Upgrade of Fuel Dispensing Area at Charmhaven Depot (future works – possible groundwater monitoring wells)	\$170K	Jul 2008	99	May 2010	Minor finishing works to new roof and bunds required. New fill lines, new underground vent lines and tank testing complete.
CPA/164637 (awarded) Toukley Landfill (Sewage Treatment Plant and Transfer site) Remediation – Investigations only	\$250K (two contracts)	Dec 2009	40	May 2010 (Preliminary works) October 2010 (Detailed site investigation)	Draft report on preliminary investigations due May 2010. Tenders for detailed site investigation to be called in June 2010.

Item Description	Estimated Cost	Start Date	% Completed	Estimated Completion Date	Comments
CPA/152818 Consultancy for Investigation, Design and Documentation for B9 Sewer Rising Main Extension to B1 Pump Station	\$148K	Jan 2009	96	June 2010	Contract awarded to GHD Pty Ltd. Detail design nearing completion. Construction expected to commence October 2010 and be completed March 2011. Estimated project cost \$3M, with this consultancy costing \$148K.
CPA/153228 Construction of Woongarra Sports Facility	\$6.1M	Apr 2009	96	May 2010	Contract awarded to Maincon Pty Ltd. Turf completed. Civil, building & landscape planting works nearing completion. All works expected to be completed by end of May 2010. Use of fields will be dependent on how well turf has established.
CPA/154562 Toukley Sewage Treatment Plant Inlet Works Upgrade	\$2.05M	Oct 2009	40	August 2010	Contract awarded to Process Engineering Technologies Pty Ltd. Pre-commencement documents accepted. Construction commenced February 2010.
CPA/172612 Construction of Hamlyn Terrace Community and Sporting Facility	\$8.3M	Apr 2010	3	April 2011	Contract awarded to Scape Constructions. Construction commenced May 2010 with completion due by April/May 2011.

Item Description	Estimated Cost	Start Date	% Completed	Estimated Completion Date	Comments
CPA/159872 CPA/172606 CPA/172609 Surf Clubs Upgrade Works Needs Analysis & Concept/DA Designs - Investigation	\$150K	Mar 2009	99	June 2010	Final scope is subject to Federal Government grant funding with announcement expected May 2010. Design work undertaken by Andrews Neill.
CPA/159880 Construction of Mannering Park Sewage Treatment Plant Inlet Works	\$1.5M	Jul 2009	80	June 2010	Contract awarded to Eire Contractors Pty Ltd. Progressing well. Expected completion June 2010.
CPA/160330 Upgrade to Floodlighting at Various Ovals in the Southern Region of Wyong Shire	\$432K	Feb 2010	25	June 2010	Contract awarded to Smada Electrical Services Pty Ltd. Field work commenced ahead of pole delivery and installation.
CPA/160331 Upgrade to Floodlighting at Various Ovals in the Northern Region of Wyong Shire	\$737K	Feb 2010	25	June 2010	Contract awarded to Master Electrical Contractors Pty Ltd. Cable installation commenced in April 2010. The EDSACC South field has highest priority and is now expected to be operational by 28 May 2010.
CPA/160358 Project Management Services for the Clearing and Engineering Works Associated with Sub Division of Council land at Sparks Road Warnervale	\$95K	Mar 2009	50	April 2010	Contract let to Trehy Ingold Neate Pty Ltd. Vegetation clearing will start in May 2010. Target date for cleared land to be available for sale is June 2010. Consultancy value \$95K.

Item Description	Estimated Cost	Start Date	% Completed	Estimated Completion Date	Comments
CPA/160794 Construction of the Northern Section of the Link Road	Construction cost \$8.7M	Mar 2009	35	November 2010	Construction of road pavement by Robson Civil Projects Pty Ltd progressing well. To overcome detrimental wet ground conditions, the repair of leaks in the Hunter Link water trunk main has been added to Robson's scope of work. Electrical installation for street lighting commenced.
CPA/164633 Excavation & Lining of Cell 4.2B at Buttonderry Waste Management Facility (BWMF)	\$6M	Oct 2009	75	July 2010	Tender for construction awarded to Robson Civil Projects Pty Ltd. Contract progressing on schedule. Extensions have occurred due to wet weather in February, March and April. Installation of cell lining system well under way. Completion expected in early June 2010
CPA/171026 Installation of Subsoil Drainage at Halekulani, Killarney Vale and Kurraba Playing Fields	\$287K	Feb 2010	5	November 2010	This contract was awarded to Green Horticultural Group Pty Ltd. Commencement of field works has been deferred at no extra cost to coincide with the end of the winter sports season 2010 and minimise impact on sporting groups.

Item Description	Estimated Cost	Start Date	% Completed	Estimated Completion Date	Comments
CPA/173286 Remediation of Mardi Landfill – Design only	\$300K	N/A	5	March 2011 (Design work)	Open Expressions of Interest (CPA/173286) were invited and closed in February for selection of a panel of consultants for detailed design. The expressions of interest submissions are currently being evaluated. Tenders for design will follow.
CPA/176668 to CPA/176676 Year 4 Upgrade Works to all Holiday Parks	\$826K	Feb 2010	8	September 2010	Works have commenced on Toowoomba Bay Resort Pool. Shade sails and jumping pillows orders have been placed.
CPA/177377 – Shelly Beach SLSC Documentation & CPA/177378 – Soldiers Beach SLSC Documentation	\$180K	Mar 2009	65	May 2010	Awarded to Andrews Neil. Documentation for both new SLSC's now well advanced. Preliminary cost estimate received and designs adjusted to suit budget.
F2009/02444 Tunkuwallin (Oval to Primary School) Shared Pathway. (investigation, designs, approvals and construction)	\$170K	Nov 2009	25	Target June 2010	Environmental assessment approval anticipated end April. Construction tenders called. Completion by end of June anticipated.
F2008/02335 Colongra Bay Shared Pathway	\$200K	Nov 2009	30	Target June 2010	Survey and design complete. No acid sulphate soils. REF received. Programme for 30 June 2010 completion and will not be achieved. Funds expected to be rolled into 2010/11.

Item Description	Estimated Cost	Start Date	% Completed	Estimated Completion Date	Comments
F2009/01909 Mannering Park Footpath – Cheryl St & Warwick Ave Shared Pathway – reserve	\$105K	Sep 2009	80	Target June 2010	Construction of 1.2m wide path in Warwick Ave (160m) and 80m in Cheryl St complete. Environmental assessment approval for remaining section in reserve anticipated early May. Funds very tight and more may be required to achieve full length of pathway.
F2009/02299 Investigations for Osborne Pk shared pathway, Toukley.	\$50K	Nov 2009	25	Approvals only required by June 2010	Surveys complete. Environmental assessment underway. Approvals only sought by June 2010. On track.
F2009/02359 F2008/01716 Killarney East shared pathway.	\$51K (RTA)	Jun 2008	30	June 2010	Approvals received. Expect completion of three bridges by end June 2010.

CONTRACTS STILL IN DEFECTS LIABILITY PERIOD

Contract No	Contract Description	Contract Status	% Completed
CPA/152870	Buttonderry Waste Management Facility Entry Upgrade Works	Practical Completion - Three Portions of the Contract: Portion 1 – 17 September 2009 Portion 2 – 31 October 2009 Portion 3 – 12 November 2009	Portion 1–70 Portion 2-60 Portion 3- 50
CPA/117144	Toukley Reclaimed Effluent WTP Augmentation Works	Practical Completion 20 August 2009	70
CPA/140816	The Entrance Community Facility Stage 2 – Construction	Practical completion 24 April 2009. SOP determination now received and paid. Defects liability period expires 24 April 2010.	100
CPA/136398 to CPA/136401	Year 2 Upgrade Works to All Holiday Parks	Practical completion 28 April 2009	98

Contract No	Contract Description	Contract Status	% Completed
CPA/157278	Replacement of 600 metre length of 250mm water main – McDonagh Rd	Practical completion 22 January 2010	30
CPA/153765 to CPA/153784	Year 3 Upgrade Works to all Holiday Parks	Practical Completion 30 September 2009. 6 month landscape maintenance period expired 02/04/2010 – all required issues have been addressed and attended to.	58

ATTACHMENTS

Nil.

7.9 Mardi to Mangrove Link Project Status

TRIM REFERENCE: F2010/00500 - D02230512

AUTHOR: CC

SUMMARY

Report on status of Mardi to Mangrove Link Project.

RECOMMENDATION

That Council receive the report on Mardi to Mangrove Link Project Status.

PROJECT SCOPE

- Wyong River off-take structure and pumping station
- Wyong River to Mardi-Dam 2.1 kilometre pipeline
- Mardi-Mangrove transfer pumping station
- Mardi Dam to Mangrove Creek Dam 19 kilometre pipeline

CURRENT STATUS

Expenditure to date	\$37.3m
Project Estimate	\$120.6m

Construction Status

	Scheduled Start	Scheduled Completion	% Complete
Pre-construction – Management Plans & Approvals	4 January 2010	2 June 2010	98%
Work Package 1 – Wyong River Off-take	7 April 2010	14 January 2011	10%
Work Package 2 – Wyong River Pump Station	19 February 2010	16 January 2011	8%
Work Package 3 – Wyong Mardi Rising Main 3	16 February 2010	3 August 2010	3%
Work Package 4 – Wyong Mardi Inlet	6 May 2010	2 December 2010	4%
Work Package 6 – Mardi Mangrove Transfer Pump Station	21 June 2010	14 January 2011	
Work Package 7 – Mardi Mangrove Transfer Main	1 March 2010	12 January 2011	8%
Work Package 18 – Wyong Weir, Fishway & Gauging	4 August 2010	25 November 2010	
Commissioning	17 January 2011	19 April 2011	

Key Dates

	Scheduled Completion	Actual Completion	Complete
Review of Environmental Factors (REF) submitted	30 June 2009	30 June 2009	<input checked="" type="checkbox"/>
Call for Expressions of Interest (EOI)	9 July 2009	9 July 2009	<input checked="" type="checkbox"/>
EOI closes	30 July 2009	30 July 2009	<input checked="" type="checkbox"/>
Determination Approval	14 October 2009	23 September 2009	<input checked="" type="checkbox"/>
Issue Request for Tenders (RFT)	16 October 2009	16 October 2009	<input checked="" type="checkbox"/>
Tenders close	12 November 2009	12 November 2009	<input checked="" type="checkbox"/>
Council consider Award of Construction Contract	9 December 2009	9 December 2009	<input checked="" type="checkbox"/>
Expiry of PAN 90 day notification period	31 December 2009	31 December 2009	<input checked="" type="checkbox"/>
Minister/Governor determination of compulsory acquisition applications	27 January 2010	27 January 2010	<input checked="" type="checkbox"/>
Pipeline Construction	12 January 2011		<input type="checkbox"/>
Transfer Pump Station Construction	14 January 2011		<input type="checkbox"/>
Commissioning	19 April 2011		<input type="checkbox"/>
Project Completion	June 2011		<input type="checkbox"/>

Land Matters

- Individual Property Management Plans are currently being prepared for each property and will include all items agreed between each landowner and Council.

Stakeholder Liaison**Community**

- New displays with up-to-date content have now been set up at Erina Fair Shopping Centre and Westfield Tuggerah Shopping Centre. A new display is also being set up at Lake Haven Shopping Centre. All display spaces are free of charge.
- Traffic updates continue to be given to local emergency services, schools and bus companies every week.
- Traffic updates are also uploaded on the Mardi-Mangrove Link (MML) Project pages of the GWCWA website and issued to the media.
- The MML 'Construction Progress' page of the GWCWA website has been updated with text and photos to reflect project activities during recent months.
- Traffic information has now begun airing on local radio including 2GO and SeaFM. These are being updated each week and will run throughout the construction period.
- Traffic information has also been running in Councils' ShireWide News column every fortnight. General project information will also run in the Gosford Council news column approximately once a month.

Landholder

- Traffic updates were issued to landholders each week who have signed up to receive regular traffic updates. Other landholders have been invited to join this email list.
 - Two correspondence items were received in May.
 - Direct landholder liaison is continuing as required.
-

Incidents

- There have been no OH&S or environmental incidents during the last reporting period.
-

Major Achievements / Issues

- The automatic strainer technical issues have been resolved and John Holland's proposed alternative automatic strainer model has been approved.
- Sheet piling and the Cutter Soil Mixing (CSM) Method are progressing for the Coffey Dam installation.
- Site clearing and fencing of the pipeline construction corridor continues.
- Two of the five materials laydown areas have been established.
- The Bore Licence for dewatering of the pipeline trench has been received by John Holland.
- The Section 90 Approval Permits for the three known Aboriginal heritage locations along the pipeline route have been received by John Holland.

ATTACHMENTS

Nil.

7.10 Outstanding Questions Without Notice and Notices of Motion

TRIM REFERENCE: F2010/00500 - D02232868

AUTHOR: SW

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
<p>Q77/10 Cost of Synthetic Surfaces for Sportsgrounds</p> <p><i>"I table an excerpt from the Local Government Focus on the largest synthetic surface sportsground in Australia consisting of four ovals, constructed for \$1.6m. Could Council staff verify this cost and description and advise on the huge cost discrepancy between this Council's sportsground projects?"</i></p>	Shire Services	28 April 2010	A response will be submitted to Council's meeting of 9 June 2010.
<p>Q78/10 Dredging of The Entrance Channel</p> <p><i>"Further to the recent staff advice that the now almost completely closed Entrance channel will now be dredged and the impact of the closure has understandably impacted on locals and holiday makers alike, not to mention the environment within of our lake. Could staff please provide information and background as to the processes that resulted in the channel closing including actions, authorities and approvals from other Government Departments and why the original decision to service the dredge, whilst coming into its operational season, was made?"</i></p>	Shire Services/Shire Planning	28 April 2010	A response will be submitted to Council during August 2010.

7.10 Outstanding Questions Without Notice and Notices of Motion (contd)

Question Asked / Councillor	Department	Meeting Asked	Status
<p>Q79/10 Works Planned for the Use of the Environmental Levy in the Lake Macquarie Area</p> <p><i>“Could the Director of Shire Services please provide a list of forward works planned for the use of the Environmental Levy for the Lake Macquarie portion in the 4 year Management Plan?”</i></p>	Shire Services	12 May 2010	A response will be submitted to Council's meeting of 23 June 2010.
<p>Q080/10 RTA Proposals for Beautification of Median Strip at San Remo</p> <p><i>“Could the Director of Shire Services provide information if the RTA proposes any median strip beautification for the Pacific Highway, north of San Remo?”</i></p>	Shire Services	12 May 2010	A response will be submitted to Council's meeting of 23 June 2010.
<p>Q081/10 Details of Council's Legal Costs over the Past Five Years</p> <p><i>“Could you please provide information preferably in a bar graph format outlining Council's legal costs over the past five calendar years and as to why this Council has not seen the need to consider the appointment of an on staff legal counsel?”</i></p>	Shire Planning	12 May 2010	A response will be submitted to Council's meeting of 23 June 2010.
<p>Q082/10 Residential Suburb of Minister for the Central Coast</p> <p><i>“Could staff tell Council what suburb does the Minister for the Central Coast, Mr Ian Macdonald come from/live?”</i></p>	Corporate Services	12 May 2010	Awaiting a response from the Minister's office.

7.10 Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
326 - National Natural Disaster Funding	Shire Planning	8 August 2007 Cr Eaton / Cr Best	<p>Letter sent to Local Government Association (LGA) applying for funding. Reply received advising Council was unsuccessful. Letter sent to the LGA requesting coastal erosion and risk management issues to be included in future funding. No response received.</p> <p>A report will be submitted to Council once the project plan for the Coastline Management Plan has been finalised.</p>
298 - The Long Jetty Commercial Options Initiative	Shire Planning	25 June 2008 Cr Best / Cr Eaton	<p>Currently preparing the project Management documentation to initiate the commencement of the project for masterplanning the Long Jetty Village Centre. This project will consider the matters raised in Council's resolution.</p> <p>The Masterplan project is expected to commence in 2011/2012.</p>

7.10 Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>9.2 – Notice of Motion – Community Gardens</p> <p><i>That Council develop a Strategic Policy for Community Gardens which involves the following:</i></p> <ol style="list-style-type: none"> 1 <i>That a policy to support the development of Community Gardens be formulated for Wyong Shire. This policy shall be guided by the following requirements:</i> <ol style="list-style-type: none"> a <i>Establish community gardens in new and existing residential areas in partnership with local residents.</i> b <i>Ensure that sufficient land is made available in newly planned residential areas to provide for community gardens, within planned open space areas.</i> c <i>The policy should provide opportunities to retrofit community gardens in established residential areas where it can be established that there is sufficient community will and interest to justify one.</i> d <i>That clearly identifies Council's roles and responsibilities.</i> 2 <i>That Council identify funding opportunities eg grants and other forms of in kind assistance to help community groups.</i> 3 <i>That the process for establishing community gardens be simplified by providing information to assist community groups in being able to meet Council requirements. This would involve the identification of suitable land upfront by Council and providing documentation which carefully explains what is needed in terms of development consent, consultation processes with nearby residents/competing user groups for existing open space, land leasing requirements and insurance liability requirements.</i> 4 <i>That this policy be prepared by the Shire Planning Department and submitted to Council for consideration.</i> 5 <i>That the policy be developed in partnership with the Community Development Unit.</i> 	<p>Shire Planning</p>	<p>22 July 2009 Cr Wynn / Cr Graham</p>	<p>A report will be prepared for Council's consideration once community consultation has been completed.</p> <p>The draft Policy has been incorporated within the Legal and Policy Unit Work Program to be developed in the third quarter of 2009-10.</p>

7.10 Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>9.3 - Notice of Motion - Review of All Boat Ramps with Lake Macquarie Frontage.</p> <p><i>That Council conduct an audit/review of all boat ramps and adjacent infrastructure in those areas of Wyong Shire that have frontage to Lake Macquarie.</i></p>	Shire Planning	26 August 2009 Cr Symington / Cr Graham	<p>The report has been broadened to incorporate a review of all boat ramps within the Shire.</p> <p>A report will be submitted for June round of Council Meetings.</p>
<p>8.1 - Notice of Motion – Energy Reduction Targets</p> <p><i>That the Shire Planning Department, in consultation with Shire Services Department, provide a report to Council that outlines the implications (social, economic and environmental) of applying a minimum 30% reduction by 2030 or earlier in greenhouse emissions based on 1999-2000 performance levels to:</i></p> <ul style="list-style-type: none"> • <i>the top 10 sites for energy consumption as identified in Council's Energy Saving Action Plan (as these sites consume two-thirds of all electricity consumed by Council);</i> • <i>vehicle and small plant fleet; and</i> • <i>Buttonderry landfill site.</i> <p><i>Further, that the report include the implications (social, economic and environmental) of achieving carbon neutrality for these sites and activities by 2050 based on 1999-2000 performance levels.</i></p> <p><i>The report is to take into account but not be limited to, the effects of population growth, drought mitigation actions and staff retention and attraction issues.</i></p>	Shire Planning	9 September 2009 Cr Wynn / Cr Best	<p>This report has not been finalised due to other earlier priorities such as Climate Change requiring an additional resource. A secondment from Shire Services has now commenced.</p> <p>A draft report has been prepared, however taking into account the broad range of issues that effect energy usage and energy reduction, the report is being rewritten to canvass a broader range of options than requested in Council's resolution. A report is likely to be presented in June.</p>

7.10 Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>8.4 - Notice of Motion – Proposed Additional Development Policy</p> <p>1 <i>That taking into account the unsightly appearance of a number of unfinished and empty buildings throughout the Shire, that staff develop a policy that can be integrated into the relevant chapters of Development Control Plan 2005.</i></p> <p>2 <i>That the draft policy be written to apply to major residential, commercial and industrial development.</i></p> <p>3 <i>That the provisions of the policy include:</i></p> <p style="padding-left: 20px;">a <i>objectives relating to ensuring visual amenity is maintained should buildings remain unfinished or empty;</i></p> <p style="padding-left: 20px;">b <i>requirements for ensuring visual amenity by way of hoardings, landscape buffers, painting and / or other means of screening; and</i></p> <p style="padding-left: 20px;">c <i>a focus on buildings located within town centres and on major roads within the Shire.</i></p> <p>4 <i>That the draft policy be reported back to Council for consideration.</i></p>	<p>Shire Planning</p>	<p>11 November 2009 Cr Best / Cr Webster</p>	<p>The drafting of this policy has been placed on Legal and Policy Works program for 2010/2011. Commencement of drafting this policy will occur when current projects are completed.</p>

7.10 Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>5.1 - Notice of Motion – Planning Disputes Mediation Process Trial</p> <p>1 That Council <u>recognise</u> in principle that the establishment of a Mediation process may reduce litigation and expedite dispute resolution in appropriate cases.</p> <p>2 That Council <u>receive</u> a report on the establishment of a Mediation process. The report should include the following:</p> <p>a A review of “best practice” mediation committees / mediation processes operating elsewhere.</p> <p>b A review of practices / procedures / committees operating in adjoining Councils.</p> <p>c The means of ensuring compliance of such a committee with Department of Local Government guidelines, ICAC guidelines, applicable legislation and Code of Conduct.</p>	Shire Planning	<p>10 February 2010</p> <p>Cr Eaton / Cr Graham</p>	<p>This item has been included in the Legal and Policy Works Program to be commenced mid 2010.</p>
<p>5.2 - Notice of Motion – Elected Council Independent Legal Advisor</p> <p>1 That Council <u>invite</u> tenders from separate independent firms of solicitors to advise the Mayor and Councillors in those circumstances where the interests of the staff and the elected Council may not be identical or in cases where Council wishes to seek further legal opinion.</p> <p>2 That Council <u>receive</u> quarterly reports on expenditure and information on general details of the matters on which legal advice has been sought.</p>	Shire Planning	<p>10 February 2010</p> <p>Cr Eaton / Cr Graham</p>	<p>Brief finalised. Tenders being called.</p>

7.10 Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>10.1 – Notice of Motion – LDO Coal Chain Valley Bay Colliery That Council:</p> <ol style="list-style-type: none"> 1 <u>Take</u> all steps possible to make LDO Coal Chain Valley Colliery exclude any mine operations under residential and/or commercial areas 2 <u>Request</u> that LDO Coal Chain Valley Colliery undertake and provide a work as executed survey to establish the extent of past mining as mining in the past has exceeded the boundaries of the mining leases. 3 <u>Seek</u> an independent surveyor provide the monitoring data for regular review, to establish that once mining has commenced it is within its bounds and specified extraction amounts in accordance with lease conditions. Results to be reported to the Council and the community. Cost to be borne by LDO Coal. 4 <u>Inform</u> the State Government Department of Planning of the LDO Coal Chain Valley Coal Project to take it into account in their proposed North Wyong Structure Plan. 5 <u>Conduct</u> an audit and survey of Wyong Shire Council's roads and infrastructure in the affected area in order to be able to assess the impact of LDO Coal Chain Valley Coal Project on them for adequate reparation, if required. The conditions of approval should include the appropriate dilapidation reporting and monitoring with this validation cost to be borne by LDO Coal. 6 Have LDO Coal <u>seek</u> alternative transport for their coal to the Newcastle port due to the safety issues and concerns for damage to Rutleys Road due to the increased volume of coal truck movements on the suburban road. 7 <u>Nominate</u> a Councillor delegate as Council's representative on the Chain Valley Coal Project Stakeholder Reference Group. 	<p>Shire Planning</p>	<p>10 March 2010</p> <p>Cr Wynn / Cr Vincent</p>	<p>A letter has been issued to the LDO informing it of the Council resolution.</p> <p>A letter was forwarded to Department of Planning in relation to Resolution 4.</p> <p>To address Resolution 5, an audit and assessment of roads impacted by the proposal has been completed. Impact considered to be negligible. Council will continue to monitor.</p> <p>DOP have requested an Adequacy Review be undertaken by Council. A letter of response has been prepared incorporating Council's comments.</p>

7.10 Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>10.5 - Notice of Motion – Traffic Gridlock San Remo</p> <p>1 That Council <u>draw</u> the attention to the Roads and Traffic Authority of the congestion currently being experienced in the vicinity of the new Northlakes Shopping Centre and request that they urgently undertake remedial work.</p> <p>2 That staff <u>report</u> on actions taken by the Roads and Traffic Authority and the success or otherwise of these initiatives.</p>	Shire Planning	<p>10 March 2010</p> <p>Cr Matthews / Cr Vincent</p>	<p>A letter has been issued to the RTA.</p> <p>A report will be forwarded to Council once a response has been received from the RTA.</p>
<p>9.4 - Notice of Motion – Costs of the Survey and Preliminary Design to the Entry Road and Intersection at Warnervale Town Centre</p> <p>1 That in order to facilitate the development of the Warnervale Town Centre, Council <u>endorse</u> the commitment by staff to meet one third of the cost of the survey and preliminary design of the entry road into the centre from Sparks Road and the intersection on Sparks Road.</p> <p>2 That the Mayor and Deputy Mayor in conjunction with Council staff urgently pursue discussions with the State Government, Landcom (State owned corporation) and Woolworths in order to reach agreement on the sharing of the construction costs of the road and intersection in such a way that the ratepayers of the Wyong Shire are not unduly penalised.</p>	Shire Planning	<p>24 March 2010</p> <p>Cr Graham / Cr Vincent</p>	<p>Ongoing discussions being held with all relevant stakeholders to facilitate cost of survey and preliminary designs to Warnervale Town Centre.</p> <p>A meeting between Council, Landcom, Woolworths and the Minister for the Central Coast was held on 14 May 2010.</p>
<p>8.1 - Notice of Motion – Bike Racks on buses</p> <p>That Council <u>investigate</u> and report on the possibility of local bus services providing passengers with transport racks for push bikes as is common in Europe and the USA.</p>	Shire Planning	<p>14 April 2010</p> <p>Cr Best / Cr Wynn</p>	<p>A report will be submitted to Council in June 2010.</p>

7.10 Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>8.2 - Notice of Motion – Access to Council Information – Anywhere, Anyhow, Anytime</p> <p>1 That Council actively <u>continue</u> its rollout of community access to Council information and related services.</p> <p>2 That Council <u>promote</u> these new services to the community and highlight the availability of information from mobiles, PDA's, Internet and phone.</p> <p>3 That staff <u>report</u> on how new technologies can improve internal efficiency and productivity.</p>	Corporate Services	14 April 2010 Cr McNamara / Cr Graham	A briefing has been scheduled for 23 June 2010. A report will be submitted to Council following the briefing.

7.10 Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>8.4 - Notice of Motion – Public Access to Coast via Tuggerah Lakes Golf Course</p> <p>1 That Council <u>note</u> the closure of the long-established public access to the coast through the golf course at the northern end of the course resulting from the locking, by the Club, of the gate at this location.</p> <p>2 That Council <u>request</u> the General Manager to provide a detailed report on the arrangement between the Tuggerah Lakes Golf Club and the Shelly Beach Recreation and Flora (R73287) Reserve Trust</p> <p>3 That Council <u>seek</u> legal advice, through a report from staff, on the issues affecting the public's right of access to the Tuggerah Lakes Golf Course including, but not exclusively so:-</p> <ul style="list-style-type: none"> a What rights, are accorded to the general public. b Council's ability, or otherwise, to enforce the public's right of access. c Establishing what is a reasonable and lawful interpretation of "proper purpose". d Council's liabilities in terms of the safety issues and in terms of protecting the assets. e Council's obligations to ensure the Club protects the public appropriately from the risks of access. f What rights, if any, are accorded to the adjacent neighbours g The relevance and quality of the existing lease as an appropriate commercial arrangement. <p>4 That Council formally <u>advise</u> the Tuggerah Lakes Golf Club that it does not support the recent closure of the gate at the northern end of the course and <u>request</u> the Club to reopen the gate.</p>	<p>Corporate Services</p>	<p>14 April 2010 Cr Eaton / Cr Best</p>	<p>A report will be prepared for Councils consideration once legal advice has been received.</p>

7.10 Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>7.1 Notice of Motion - Traffic Jams Priority List</p> <p>1 <i>That Council in consultation with the RTA <u>prepare</u> a priority listing of the 10 worst traffic jam locations in the Shire judged on a set of objective criteria.</i></p> <p>2 <i>That Council <u>consider</u> a report on the listing as soon as practical.</i></p>	Shire Planning	28 April 2010 Cr Eaton / Cr Best	A report will be submitted to Council in August 2010.
<p>7.2 Notice of Motion - Coal Mining Environmental Impact Study Public Input</p> <p>1 <i>That Council <u>hold</u> a public forum by mid May to seek public input and consultation to go into Council's response to the Wallarah 2 Environmental Impact Study (EIS).</i></p> <p>2 <i>That Council <u>establish</u> a web blog or similar electronic feedback system to facilitate public comment on the EIS for adoption into Council's response.</i></p>	Shire Planning	28 April 2010 Cr Eaton / Cr Wynn	<p>A public forum has been scheduled for 18 May 2010.</p> <p>A web blog has been established on Councils' website.</p>

7.10 Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>7.2 Notice of Motion – Shared Pathway</p> <p>1 That Wyong Shire Council <u>build</u> partnerships with community in building and extending the network of shared pathways throughout the Shire identified in the Draft On-Road Bicycle and Shared Pathway Strategy policy document and community assets consistent with the objectives of the Shire Strategic Vision, including but not limited to halls, community gardens, sporting facilities etc through community fund raising. Funds raised by the community to be matched by Council on a ratio of 1:2. Community must raise a threshold amount of \$10,000 before work on a section would be placed into the forward rolling works program. These projects would be over and above the existing planned works. There would be a limit of \$300,000 per annum dedicated to the scheme by Council.</p> <p>2 That Council <u>consider</u> the inclusion of this scheme in the 2011 – 2012 Management Plan or during the Quarterly Review if the opportunity arises.</p> <p>3 That Council <u>advertise</u> the Scheme widely multiple times throughout the year.</p> <p>4 That Council staff <u>develop</u> a set of guidelines for consideration of these projects and <u>submit</u> to Council for adoption.</p>	Shire Services	12 May 2010 Cr Wynn / Cr Vincent	In reference to Resolution 4, draft guidelines will be prepared for a briefing of Councillors in July with the aim to report the guidelines to Council in August 2010.

7.10 Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>7.3 Notice of Motion – Proposed Closure – Tristram Close and Renee Close Laneway, Lakehaven</p> <p>1 That further to representations made by local residents and ratepayers of the Lake Haven area having regard to the anti-social behaviour, OH&S and general public safety issue, Council now <u>investigate</u> and consider on its merits what options including the permanent closure of the walkway in question, the report should outline past action by Council to minimise public concerns, alternatives and impacts closure may have to the general area.</p> <p>2 That Council use this report to <u>form</u> the basis for a set of criteria to review and consult with the community on similar accessway issues.</p>	Shire Services	12 May 2010 Cr Best / Cr McNamara	Staff have initiated investigations. Actions to date include research into the purpose of the laneway and its existing condition, the mailout of a survey to residents, requests for information from NSW Police. Investigations are anticipated to be completed by the end of June 2010.
<p>7.6 Notice of Motion – Warnervale Town Centre Viability</p> <p>That Council staff <u>report</u> on the viability of developing the 1,100 units proposed for Warnervale Town Centre and possible variation of proposed densities to ensure viable town centre development.</p>	Shire Planning	12 May 2010 Cr Eaton / Cr Best	A report will be submitted to Council in August 2010.

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

Question without Notice / Notice of Motion	Date Asked / Resolved	Outcome
Q75/10 – Request to Change Zoning for Proposed GP Super Clinic at Warnervale	14 April 2010	Response included in this business paper.
Q76/10 – Timeframes for North Wyong Structure Plan and Central Coast Conservation Plan	14 April 2010	Response included in this business paper.
<p>8.1 - Notice of Motion – Shire Civic Garden</p> <p>1 That Council <u>consider</u> the creation of a civic garden within the Shire that consists predominantly of native plantings</p> <p>2 That Council staff <u>provide</u> a report by March 2010 on the implementation cost, maintenance, including planting and/or maintenance, by local garden clubs and/or land care groups/schools/communities.</p>	11 November 2009 Cr Vincent / Cr Matthews	Response included in this business paper.

7.10 Outstanding Questions Without Notice and Notices of Motion (contd)

Question without Notice / Notice of Motion	Date Asked / Resolved	Outcome
<p>10.3 - Notice of Motion – Fuel Efficient Fleet</p> <p>1 <i>That Council <u>report</u> on current initiatives of moving its motor vehicle fleet towards greater fuel efficiency.</i></p> <p>2 <i>That, further to Council's policy on the use of new fuel efficient vehicles including, hybrid, electric and diesel and other emerging technologies in its fleet, staff <u>report</u> on running costs, capital costs etc in a publicly accessible way for the benefit of our community.</i></p>	<p>10 March 2010</p> <p>Cr Eaton / Cr Wynn</p>	<p>Response included in this business paper.</p>

ATTACHMENTS

Nil.

8.1 Answers to Question Without Notice

TRIM REFERENCE: DA/1396/2009 - D02227547

AUTHOR: PB

8.1 Q75/10 - Request to Change Zoning for Proposed GP Super Clinic at Warnervale

The following question was asked by Councillor Eaton at the Ordinary Meeting on 14 April 2010:

“Could Council confirm or deny that Council staff requested the Department of Planning or other State Government Authorities to change zoning instruments to make the proposed GP Super Clinic a permissible use?”

Council staff did not request the Department of Planning (DoP) or other State Government Authorities to change zoning instruments to make the proposed GP Super Clinic a permissible use. However, during a meeting with DOP representatives, Council staff did make the DoP aware of certain anomalies that existed in regard to zoning instruments that affect the Warnervale Town Centre (WTC).

8.2 Answers to Question Without Notice

TRIM REFERENCE: F2006/00777 - D02227610

AUTHOR: PB

8.2 Q76/10 - Timeframes for North Wyong Structure Plan and Central Coast Conservation Plan

The following question was asked by Councillor Eaton at the Ordinary Meeting on 14 April 2010:

“Could staff advise on progress/timeframe for the North Wyong Structure Plan and Central Coast Conservation Plan?”

Following recent discussions with staff from the Central Coast Regional office of the Department of Planning (DoP), Council has been informed that the public exhibition of the draft North Wyong Shire Structure Plan (NWSSP) is now scheduled to occur during the third quarter of this year.

In early December 2009, Council received correspondence from the then Minister for Planning, Kristina Keneally MP and the Deputy Director General of the Department of Environment, Climate Change and Water (DECCW) supporting Council's request that both the NWSSP and Central Coast Regional Conservation Plan (CCRCP) be exhibited concurrently. A copy of this correspondence is attached.

The CCRCP is being prepared by the DECCW. Representatives from DECCW have advised that whilst they are currently unable to commit to an exhibition date, they are currently in discussions with DoP and it is now unlikely that both the NWSSP and CCRCP will be exhibited concurrently. It is more likely that the CCRCP will be exhibited 2-3 months after the finalisation of the NWSSP.

26 May 2010

To the Ordinary Meeting

Councillor

9.1 Notice of Motion - Warnervale City Project Team

TRIM REFERENCE: F2010/00500 - D02226295

AUTHOR: GB

Councillors Best and Eaton have given notice that at the Ordinary Meeting to be held on 26 May 2010 they will move the following Motion:

“That further to recent funding announcements and Council’s resolution of 28 April 2010 Report 7.3 Warnervale Road Commencement, staff now report recommending the most appropriate management structure that will assist Council in facilitating the delivery of the \$2b Warnervale city project.”

26 May 2010

To the Ordinary Meeting

Councillor

9.2 Notice of Motion - Central Coast Policing Resources

TRIM REFERENCE: F2004/06902 - D02238035

AUTHOR: GB; DE

Councillors Best and Eaton have given notice that at the Ordinary Meeting to be held on 26 May 2010 they will move the following Motion:

- “1 That Council note with great concern the recent announcement that despite some 200 new police recruits recently graduating from the Goulburn Policy Academy only one new officer was deployed to the Central Coast region.*
- 2 That staff urgently report to Council providing a Shire profile of anti-social trends and emerging social demographics that may impact on the need for greater policing resources.*
- 3 That further, Council recognise the outstanding contribution to our community of our local police officers with their current level of resources.”*

26 May 2010

To the Ordinary Meeting

Councillor

9.3 Notice of Motion - Central Coast Tourism Annual Funding

TRIM REFERENCE: F2004/07096 - D02238039

AUTHOR: LW

Councillor Webster has given notice that at the Ordinary Meeting to be held on 26 May 2010 she will move the following Motion:

“That Council increase the annual funding to Central Coast Tourism from \$95,000 to \$150,000 for the next three years and that this money can be used for operational purposes.”

26 May 2010

To the Ordinary Meeting

Councillor

9.4 Notice of Motion - Exhibition Period of Policies and Strategies

TRIM REFERENCE: F2004/00040 - D02238041

AUTHOR: SW

Councillor Wynn has given notice that at the Ordinary Meeting to be held on 26 May 2010 she will move the following Motion:

“That the exhibition period for policies and strategies (excluding development applications) be for a minimum of two months. Letters to be sent to stakeholders simultaneously stating the exhibition period and any dates for public forums.”

COUNCILLOR’S NOTE

This is to provide all community groups and residents across the Shire adequate time to respond to these issues.

26 May 2010

To the Ordinary Meeting

Councillor

9.5 Notice of Motion - Community Twenty20 (T20) Cricket

TRIM REFERENCE: F2009/00243 - D02238471

AUTHOR: JM; BG

Councillors McNamara and Graham have given notice that at the Ordinary Meeting to be held on 26 May 2010 they will move the following Motion:

“That Council request a report on how it may be able to support the proposed creation of a Community Twenty20 (T20) cricket competition to be organised by the Warnervale Wildcats Cricket Club in the 2010-11 summer season.”

COUNCILLORS' NOTE

This proactive initiative is to be applauded as exactly the way sporting groups should be developing their sport and increasing sports participation in the community. Some sports are stuck in the past and obviously do not have a Sports Development Plan for their sport. Warnervale Wildcats Cricket Club's proposal to introduce this fast action and exciting form of their game to Wyong Shire is a first class example of innovative thinking and Community Development.

Information from Wikipedia:

Twenty20 is a form of cricket, originally introduced in the United Kingdom for professional inter-county competition by the England and Wales Cricket Board (ECB), in 2003. A Twenty20 game involves two teams, each has a single innings, batting for a maximum of 20 overs. Twenty20 cricket is also known as T20 cricket.

A Twenty20 game is completed in about three and half hours, with each innings lasting around 75 minutes, thus bringing the game closer to the time span of other popular team sports. It was introduced to create a lively form of the game which would be attractive to spectators at the ground and viewers on television and as such it has been very successful. The ECB did not intend that Twenty20 would replace other forms of cricket and these have continued alongside it.

26 May 2010

To the Ordinary Meeting

Councillor

9.6 Notice of Motion - Public Ownership of Wyong Police Station

TRIM REFERENCE: F2009/00528 - D02238922

AUTHOR: GB

Councillors Best and Eaton have given notice that at the Ordinary Meeting to be held on 26 May 2010 they will move the following Motion:

“That further to the State Government’s recent attempt to auction the Wyong Police Station and being that the property is now still on the market, Council commence urgent discussions with the State in an endeavour to secure the Wyong Police Station in public ownership having regard to its historical and heritage significance. Further the residual non-heritage portion of the site be evaluated for provision of much needed community parking in the Wyong CBD.”