

**WYONG SHIRE COUNCIL**



**ANNUAL REPORT  
2007-08**

*building a better tomorrow!*



## ANNUAL REPORT - CHECKLIST

<b>Act / Regulation</b>	<b>Section</b>	<b>Requirement</b>
Local Government Act	<a href="#">428(2)(a)</a>	Council's audited financial reports.
Local Government Act	<a href="#">428(2)(b)</a>	Comparison of Council's actual performance of its principal activities during the year with projected performance with its principle activities identified in its Management Plan.
Local Government Act	<a href="#">428(2)(c)</a>	State of the Environment Report.
Local Government Act	<a href="#">428(2)(d)</a>	Condition of Public Works under the control of Council and details of maintenance and upgrading costs.
Local Government Act	<a href="#">428(2)(e)</a>	Legal proceedings, progress and costs.
Local Government Act	<a href="#">428(2)(f)</a>	Mayoral and Councillor fees and policy in respect of provision and payment of expenses to Councillors.
Local Government Act	<a href="#">428(2)(g)</a>	Number and employment costs of Senior Staff.
Local Government Act	<a href="#">428(2)(h)</a>	Details of contracts awarded by Council.
Local Government Act	<a href="#">428(2)(i1)</a>	Bushfire hazard reduction activities.
Local Government Act	<a href="#">428(2)(j)</a>	Programs undertaken to promote services and access to services for people with diverse cultural and linguistic backgrounds.
Local Government Act	<a href="#">428(2)(k)</a>	Work carried out on private land and whether that work was subsidised by Council.
Local Government Act	<a href="#">428(2)(l)</a>	Amounts granted under Section 356.
Local Government Act	<a href="#">428(2)(m)</a>	Human resource activities.
Local Government Act	<a href="#">428(2)(n)</a>	Activities concerning the Council's Equal Opportunity Management Plan.
Local Government Act	<a href="#">428(2)(o)</a>	External bodies that exercised functions delegated by the Council.
Local Government Act	<a href="#">428(2)(p)</a>	Companies in which Council held a controlling interest.
Local Government Act	<a href="#">428(2)(q)</a>	Partnerships, co-operatives or other joint ventures to which the Council was a party.
Local Government Act	<a href="#">428(2)(r)</a>	Such other information that the regulations may require.
Local Government (General) Regulation 2005	<a href="#">217(1)(a)</a>	Details and purpose of any overseas trips taken by Councillors, staff or other persons representing the Council.
Local Government (General) Regulation 2005	<a href="#">217(1)(a1)</a>	Details of total cost for payment of expenses to councillors
Local Government (General) Regulation 2005	<a href="#">217(1)(b)</a>	Details of the total remuneration package of each senior staff member.
Local Government (General) Regulation 2005	<a href="#">217(1)(c)</a>	Activities undertaken by Council to develop and promote services and programs that provide for the needs of children.

<b>Act / Regulation</b>	<b>Section</b>	<b>Requirement</b>
Local Government (General) Regulation 2005	<a href="#">217(1)(d)(i)</a>	Council's performance in relation to access and equity activities to meet residents' needs.
Local Government (General) Regulation 2005	<a href="#">217(1)(d)(ii)</a>	Category 1 Business Activities.
Local Government (General) Regulation 2005	<a href="#">217(1)(d)(iii)</a>	Category 2 Business Activities.
Local Government (General) Regulation 2005	<a href="#">217(1)(d)(iv)</a>	Statement of expenses, revenues and assets in relation to each Category 1 Business Activity.
Local Government (General) Regulation 2005	<a href="#">217(1)(d)(v)</a>	Progress of implementing competitive neutrality pricing requirements in respect of Category 1 Business Activities.
Local Government (General) Regulation 2005	<a href="#">217(1)(d)(vi)</a>	Whether the competitive neutrality pricing requirements have been applied.
Local Government (General) Regulation 2005	<a href="#">217(1)(d)(vii)</a>	Establishment of a complaints handling mechanism and its promotion.
Local Government (General) Regulation 2005	<a href="#">217(1)(d)(viii)</a>	Comparison of the actual performance of the Category 1 Business Activity measured in accordance with the criteria set out in the Management Plan.
Local Government (General) Regulation 2005	<a href="#">217(1)(d)(ix)</a>	Whether any competitive neutrality complaints have been made against the Council and their status.
Local Government (General) Regulation 2005	<a href="#">217(1)(e)</a>	Stormwater Management.
Local Government (General) Regulation 2005	<a href="#">217(1)(f)</a>	Statement on activities in relation to compliance of the Companion Animals Act.
Local Government (General) Regulation 2005	<a href="#">217(2)</a>	State of the Environment Report.
Local Government (General) Regulation 2005	<a href="#">217(3) (a, b, c)</a>	Competitive neutrality pricing requirements.
Freedom of Information Act 1989	<a href="#">68(1)</a>	Details of applications received and their status.
Local Government (General) Regulation 2005	<a href="#">132</a>	Information concerning any rates and charges written off.
Independent Pricing and Regulatory Act 1992	<a href="#">18(4)</a>	Information in respect of any determinations.
Privacy and Personal Information Act 1998	<a href="#">33(3)</a>	A statement of action required by Council in complying with the requirements of the Act.

## **ANNUAL REPORT SECTION 428(2)(a)**

*428(2)(a) A copy of the council's audited financial reports.*

Wyong Shire Council's General Purpose Financial Reports for the period 1 July 2007 to 30 June 2008 are enclosed with this report as Enclosure 1.

## ANNUAL REPORT SECTION 428(2)(b)

428(2)(b) *A comparison of the Council's actual performance of its principal activities during that year (measured in accordance with the criteria set out in the relevant management plan) with the council's projected performance of those activities (as contained in the relevant management plan), together with a statement of the reasons for any difference between them.*

### Performance of Principal Activities identified in the 2007-08 Management Plan

The 2007-08 Management Plan identified 127 strategic programs (or actions) to achieve Council's five Principal Activities. Progress against these strategic programs was reported quarterly to Council's Governance Committee.

At the end of the 2007-08 year, 110 (or 87%) of the 127 strategic programs were achieved.

Of the 17 strategic programs (or 13%) that did not meet their original timeframe 6 (or 4.5%) were due to factors outside of Council's control and 11 (or 8.5%) were due to factors within Council's control.

#### 2007-08 Management Plan - Summary of Strategic Programs by Principal Activity

	<b>Better Society</b>	<b>Better Economy</b>	<b>Better Environment</b>	<b>Infrastructure</b>	<b>Organisation</b>	<b>Totals</b>
Met original timeframe	44	6	22	19	19	<b>110</b>
Did not meet original timeframe due to matter outside Council control	3	1	1	1	0	<b>6</b>
Did not meet original timeframe due to matter within Council control	2	0	3	4	2	<b>11</b>
<b>Total</b>	<b>49</b>	<b>7</b>	<b>26</b>	<b>24</b>	<b>21</b>	<b>127</b>

## **ANNUAL REPORT SECTION 428(2)(b) (contd)**

### **Summary of Reasons for not meeting Original Timeframes**

As noted above, the reasons for strategic programs not meeting their original timeframes have been reported to the Governance Committee on a quarterly basis.

Some of the reasons that original timeframes have not been met include:

- Master plans and rezonings being “called in” for determination by the Minister for Planning.
- Poor weather delaying fieldwork associated with environmental studies and some construction projects.
- Delays with the process to compulsorily acquire land.
- Investigation of alternative options due to revised cost estimates and an inability to source external project funding.
- Expanded project scopes requiring re-work of designs.
- Revised project timeframes from the Department of Planning (where Council is a collaborative partner).
- Alterations by the Department of Environment and Climate Change to the methodologies in determining hazard lines.
- Difficulties in negotiating on the level of public liability insurance with project partners.
- Integrating implementation of particular actions with broader strategic projects (such as the Estuary Management Plan and the Human Resources Strategy.)

The strategic programs that did not meet their original timeframes in 2007-08 will continue to be monitored in 2008/09.

## **ANNUAL REPORT SECTION 428(2)(c)**

428(2)(c) *A report as to the state of the environment in the area, and in particular in relation to the following environmental sectors:*

- (i) land,*
- (ii) air,*
- (iii) water,*
- (iv) biodiversity,*
- (v) waste,*
- (vi) noise,*
- (vii) Aboriginal heritage,*
- (viii) non-Aboriginal heritage, with particular reference, with regard to each such environmental sector, to:*
- (ix) management plans relating to the environment,*
- (x) special council projects relating to the environment,*
- (xi) the environmental impact of council activities,*

### **State of the Environment Report**

Wyong Shire Council's State of the Environment Report is now incorporated into Council's State of the Shire Report which is attached as Enclosure 3.

## ANNUAL REPORT SECTION 428(2)(d)

428(2)(d) *A report on the condition of the public works (including public buildings, public roads and water, sewerage and drainage works) under the control of the council as at the end of that year, together with:*

- (i) an estimate (at current values) of the amount of money required to bring the works up to a satisfactory standard; and*
- (ii) an estimate (at current values) of the annual expense of maintaining the works at that standard; and*
- (iii) the council's program of maintenance for that year in respect of the works;*

### **Buildings**

Council is responsible for the maintenance of 565 building structures. The financial responsibility to maintain these buildings is spread between Council (directly), care, control and management groups to Council (355 Committees) and direct leases to selected groups.

- (i) The estimated cost to bring Council's buildings to a satisfactory standard is \$4.156M.
- (ii) An estimate (at current values) of the annual cost of maintaining the buildings at a satisfactory standard is \$2.130M. This amount is based on 1.08% of capital replacement value. The industry standard for building maintenance is 1% to 1.5% of capital replacement value.
- (iii) The 2007/2008 funding for building maintenance was \$1.426M.

### **Roads**

Council's Pavement Management System defines road assets as being in satisfactory condition if the condition index is within the range of 4.0 to 7.0. The typical road condition within the Shire is towards the bottom of this satisfactory range, and the Roads Operational Plan has a target to maintain the pavement condition at a similar satisfactory rate.

The estimated cost of bringing the current road system to the top end of this satisfactory range is \$120M.

The estimated annual cost of maintaining the roads at this condition is \$8.0M.

During 2007-2008 Council spent \$15.64M maintaining and improving the standard of these roads.

### **Drainage**

The existing drainage system is in reasonable condition however to bring the system to a satisfactory standard, which is defined as operating at its design hydraulic capacity, works with an estimated cost of \$2.0M would be required.

This estimated annual cost to maintain the drainage system at this satisfactory standard is \$1.234M.



## **ANNUAL REPORT SECTION 428(2)(d) (contd)**

During 2007-2008, Council spent \$0.831M maintaining the existing drainage assets.

Note: This report only deals with the condition of existing drainage assets and does not relate to the new works necessary to remedy the significant drainage problems that exist within the Shire. A further \$15-20M would be required to address backlog drainage problems.

### **Footpaving**

Based on Council's Risk Management procedures, the condition of footpaving throughout the Shire is assessed to be in the fair range with new hazards being regularly identified. This is less than satisfactory, which is defined as providing safe and trafficable access for pedestrians.

The estimated cost to bring this asset to a satisfactory standard is \$0.511M.

The estimated annual cost of maintaining the footpaving at this standard is \$0.390M.

The 2007-2008 maintenance expenditure was \$0.279 million.

### **Bridges**

All bridges throughout the Shire are inspected for structural deterioration and ongoing serviceability, using a risk assessment process. Concrete bridges have been assessed as being in good condition, and timber bridges as being in fair condition. The cost to bring all timber bridges to a satisfactory standard (to standard of concrete bridges) is estimated at approximately \$8M.

The estimated required annual maintenance expenditure to maintain these bridges in a satisfactory standard is \$0.157M.

The maintenance expenditure on bridges during 2007-2008 was \$0.053M.

### **Car Parks**

Using the road assessment criteria from the Pavement Management System, the car parks within the Shire have been assessed as being in fair condition.

The cost to bring this asset to a satisfactory standard, which is defined as a sealed surface with formal car park markings, is estimated to be \$2.876M.

The annual cost of maintaining the car parks at this condition is estimated at \$0.157M. (\$0.5M)

Maintenance expenditure for 2007-2008 was \$0.029M.

## **ANNUAL REPORT SECTION 428(2)(d) (contd)**

### **Water Supply Assets**

Council's water supply assets have been substantially constructed since 1970 and are starting to incur increasing levels of refurbishment expenditure. Based on system performance in achieving levels of service criteria and asset condition data held by Council the system is considered to be in a satisfactory condition, however will require ongoing and increasing refurbishment expenditure to maintain this standard.

- i Currently the works are at a satisfactory standard.
- ii The estimated annual expense (maintenance and refurbishment expenditure) of maintaining the works at this standard is \$5.17M.
- iii Council's program of maintenance (maintenance and refurbishment expenditure) for the 2007-08 year was \$5.17M.

### **Sewerage Assets**

Council's sewerage assets have been substantially constructed since 1970 and are starting to incur increasing levels of refurbishment expenditure. Based on system performance in achieving levels of service criteria and asset condition data held by Council the system is considered to be a satisfactory conditions, however will require ongoing and increasing refurbishment expenditure to maintain this standard.

- i Currently the works are at a satisfactory standard.
- ii The estimated annual expense (maintenance and refurbishment expenditure) of maintaining the works at this standard is \$6.44m.
- iii Council's program of maintenance (maintenance and refurbishment expenditure) for the 2007-08 year was \$6.44m.

## ANNUAL REPORT SECTION 428(2)(e)

428(2)(e) *A summary of the amounts incurred by the council during that year in relation to legal proceedings taken by or against the council (including amounts, costs and expenses paid or received by way of out of court settlements, other than those the terms of which are not to be disclosed) and a summary of the state of progress of each legal proceeding and (if it has been finalised) the result.*

### Legal Costs

	\$
Shire Planning Legals	517,373.55
Shire Planning Legal Advices	77,941.89
Shire Services Legal Advices – (billed to individual projects)	295,667.37
Corporate Services Legal Advices	82,544.00
General Manager Legal Advices	30,381.00
Risk Management	110,990.10
Debt Recovery	142,000.00
<b>TOTAL</b>	<b>\$1,256,897.91</b>

### Fines and Costs Recovered

	\$
Fines and Professional Costs	448,084.00
Debt Recovery	277,299.60
<b>TOTAL</b>	<b>\$725,383.60</b>

Of the total costs incurred of \$1,256,897.91 an amount of \$725,383.60 has been recovered by Council. A further \$110,990.10 was paid out to meet the Public Liability and other insurance claims directly attributable to the premium excess levels leaving direct legal costs to Council of \$420,524.21 for legal activities in 2007-08.

## ANNUAL REPORT SECTION 428(2) (e) (contd)

### LEGAL PROCEEDINGS FOR THE YEAR 2007-08

#### Land and Environment Court and Supreme Court

OTHER PARTY	DISPUTE	STATUS	COSTS INCURRED IN 2007-08
Amberlee	Condition 14 of Notice of Determination.	S34 conference – matter resolved and finalised.	\$5,720.00
Bexford Pty Ltd	Class 4 proceedings - Unlawful clearing and other works carried out at Lot 22 Summerland Rd, Summerland Point.	Respondents were restrained from further clearing of trees and native vegetation ordered to pay Council's costs of \$3000.	\$11,262.25
BMP Manufacturing	Connection of drain to existing drainage system.	Point of law re: right to drain water into drainage channel determined against Council. Council has carried out valuation for easement, other side to get their valuation – further conference to be arranged by Trevlind.	\$23,642.06
Borg	Class 4 application - carried out development placement of fill without development consent.	Interlocutory injunction granted, remediation undertaken. Paid \$2000 Council's costs. Finalised.	\$4,790.50
Brandl & Halas	Application Class 1, 2 & 3 - appeal against order to demolish timber deck.	Proceedings were discontinued.	\$576.00
Cabbage Tree Bay	Legal advices concerning the erosion of the cliff	Ongoing.	\$79,626.30
Chantienne Pty Limited	Order to remove timber deck erected within the coastal hazard zone.	Council revoked order – application dismissed – no order as to costs.	\$607.50
Currency Corporation Pty Limited	Appeal against refusal of DA 1904/2004.	Appeal upheld – consent granted for demolition of existing buildings and erection of 6 apartments.	\$63,998.00
Currey – Hargraves House DA/658/2003	Application that consent re Hargraves House is void.	Council was successful. Applicant ordered to pay Council and Mr & Mrs Hargreaves costs. Finalised.	\$1,475.77
Danallam Homes	Advice required on value of land to be acquired.	Advice obtained. Finalised.	\$5,249.82
Darkinjung Aboriginal Lands Council	This is an appeal against The Minister's decision to refuse a claim made under Sec 36 Aboriginal Land Rights Act.	Hearing before J Pain on 17 August 2007 The proceedings are dismissed. Both parties were successful and Council was granted easements. No order of costs.	\$37,517.00
Darcy Smith	Aurora Place & Bellevue Road Bateau Bay. Class 4 – trespass, nuisance & damages.	Injunction lifted – Court ordered mediation, stage 1 has occurred – Set down for hearing 10 – 14 November 2008.	\$88,904.03
Darcy Smith	Supreme Court Statement of Claim Bateau Bay Land.	Listed for further mention 29 August 2008.	\$36,010.91

## ANNUAL REPORT SECTION 428(2) (e) (contd)

### Land and Environment Court and Supreme Court (contd)

OTHER PARTY	DISPUTE	STATUS	COSTS INCURRED IN 2007-08
Darcy Smith Toowoomba Bay Rd & Kitchener Rd, Long Jetty	Modification of DA 1107/2004/A.	Upheld granted modification deleting condition 5.	\$14,411.00
Eaton & Sons	Existing use rights claimed.	Finalised.	\$8,902.00
Falcon Ridge DA/500/2006	Appeal against conditions 1-3, 6, 15, 19(d), 20, 24, 25, 27, 46, 47, 63 65.	Finalised.	\$1,065.00
John Forsythe	DA 2105/2006 is void and of no force and effect – Dog kennels Old Maitland Road, Kangy Angy.	Hearing 9 & 10 September 2008 Consent upheld. Finalised.	\$4,165.00
Robert Galletta & John Galletta	Refusal of modification DA/2567/2004/A 107 Main Road, Toukley.	Without prejudice meeting with Council and owners to take place S34 conference 23 September 2008.	\$1,229.70
Hannan	A Deed of Agreement between WSC & F Hannan Pty Ltd & Bitova Pty Ltd.	Deed of Agreement finalised.	\$16,564.30
Scott Hookey	Appeal against determination of DA/906/07 Childcare centre additions Hiawatha Road, Woongarra.	Appeal dismissed.	\$19,255.35
Scott Hookey	Appeal against determination of DA/1153/07 Childcare centre additions Mataram Rd, Woongarra.	Appeal dismissed.	\$12,203.50
Bruce McLachlan	Appeal against application to modify DA/282/2005	Appeal upheld – conditions amended – finalised.	\$8,877.00
Melrift MCC Energy	The validity of a consent issued for a 2 <sup>nd</sup> storey extension at 26 Elizabeth Drive, Noraville.	The Court decision of 20/9/06 was to dismiss the application on all grounds. The applicant has been ordered to pay Council's costs. Finalised.	\$2,970.00
Moran	Class 1 appeal against order to demolish timber deck.	Proceedings discontinued.	\$1,602.88
Murphy	Illegal fill at rear of property.	Contempt hearing 21/8/07 motion was withdrawn and each party paid their own costs.	\$11,411.31
Mr D and Mrs M O'Donoghue	Class 4 application Carrying out development in breach of Wyong LEP.	Consent granted to development application - \$2,000 costs to Council.	\$3,669.00
Portbear Pty Ltd	Class 1 appeal against order to demolish timber deck.	Proceedings discontinued.	\$953.50
Jeremy Rowe	Class 1 appeal against refusal of DA 461/2007.	S34 conference 10/9/08.	\$122.00
Shane Boesen	Attending local court for Wyong Shire Council.		\$2,328.42

## ANNUAL REPORT SECTION 428(2) (e) (contd)

### Land and Environment Court and Supreme Court (contd)

OTHER PARTY	DISPUTE	STATUS	COSTS INCURRED IN 2007-08
Tarasenko	Lopped trees on Council reserve.	Matter withdrawn.	\$6,623.20
Valhalla Village	Class 1,2 & 3 refusal of DA 2338/2005 addition to existing caravan park.	Final hearing/settlement in early October 2008.	\$27,982.00
Van Stappen	Class 4 appeal.	Condition 3 of Development consent is void – mediation to occur late September.	\$7,064.50
Wicks	Demolition of service station 700 Pacific Highway, Hamlyn Terrace.	Quotes have been received by Council, full costs of the demolition will be borne by owners. Preparation of Deed currently underway.	\$3,455.70
H Woodhouse	Class 1 appeal against Council's determination to modify DA/1588/2004/A.	The parties reached an agreement which was acceptable to the parties. The appeal was upheld.	\$3,138.00

### Statement of Claims Rates and Charges

In 2007-08 Wyong Council issued 776 statement of claims to ratepayers.

Professional costs totalled \$277,299.60. All of these legal costs are recoverable from the debtor.

## ANNUAL REPORT SECTION 428(2) (e) (contd)

### Risk Management

PLAINTIFF	DETAILS OF CLAIM	CURRENT STATUS	COSTS INCURRED BY COUNCIL IN 2007-08
McCabe, Lara	Statement of Claim received indicating a claim for psychological injuries as a result of her son being killed in a motor vehicle accident at Wyong Rd, Killarney on 18/2/00 allegedly caused due to a lack of median strip fencing. The First Defendant is Leslie Ricky Campbell who was the driver of the vehicle that hit Beau McCabe. The Second Defendant is Wyong Shire Council who is alleged to have failed to exercise reasonable care. The Third Defendant is Roads & Traffic Authority who is alleged to have failed to ensure adequate design of median strip.	This matter has been finalised with terms of settlement not to be disclosed.	Nil

**ANNUAL REPORT SECTION 428(2) (e) (contd)**

PLAINTIFF	DETAILS OF CLAIM	CURRENT STATUS	COSTS INCURRED BY COUNCIL IN 2007-08
Myers, Benjamin	Statement of Claim received indicating a claim for injuries and out-of-pocket expenses in relation to injuries to head and leg due to the plaintiff (a minor) being struck by a car when he rode his bicycle out of a laneway and onto McKell Ave, Watanobbi on 22/10/95 allegedly due to the absence of barricades.	This matter to be finalised subject to approval by Court Judge. Terms of settlement not to be disclosed.	\$19,044.70
L Trax	Statement of Claim received indicating damage to an excavator when Boyds Lane Bridge collapsed on 15/11/05.	This matter has been finalised with terms of settlement not to be disclosed.	\$49,200.00
Anthony Galea v Susan Jenkins, John Newman, Rhonda Waters, Steve Keegan, Wyong Shire Council	Statement of Cross-Claim received indicating a claim for severe injury, loss and damage at 136 Wyong Road Killarney Vale on 14/5/02.	This matter has been finalised with terms of settlement not to be disclosed.	\$32,533.00
William Church	Statement of Claim received indicating a claim for exposure to hazardous material at Buttonderry Tip on 21/10/04.	This matter has been referred to Council's solicitors Phillips Fox to defend on Council's behalf.	\$10,212.40



## ANNUAL REPORT SECTION 428(2)(f)

428(2)(f) *The total amount of money expended during the year on mayoral fees and councillor fees, the council's policy on the provision of facilities for use by councillors and the payment of councillors' expenses, together with a statement of the total amount of money expended during that year on the provision of such facilities and the payment of such expenses;*

### **Councillor Expenditure**

In 2007-08 Wyong Shire Council expended \$234,265.00 on fees for elected representatives.

The Mayoral allowance was fixed at \$49,165.00 in accordance with the determination of the Local Government Remuneration Tribunal and reduced by:

- \$7,022.00 and payable to the Deputy Mayor in accordance with Clause 7.2 of Council's Facilities and Expenses Policy for Councillors.
- \$1,720.49 for use of the Mayoral Motor Vehicle in accordance with Clause 6.3 of Council's Facilities and Expenses Policy for Councillors.

Annual payments of \$18,510.00 were made to each Councillor under the provisions of Section 248 of the Local Government Act 1993 and in line with the determination of the Local Government Remuneration Tribunal. The total amount of councillor fees paid by the Council for the year amounted to \$185,100.00.

Councillors' other expenses totalled \$93,633.00 which includes items in Council's Facilities and Expenses Policy for Councillors. Council's Facilities and Expenses Policy for Councillors is enclosed as Enclosure 4.

## **ANNUAL REPORT SECTION 428(2)(g)**

*428(2)(g) A statement of the number of senior staff employed by the council during that year, together with a statement of the total amount of money payable in respect of the employment of senior staff, including money payable for salary, for the provision of fringe benefits and for all other on-costs connected with their employment;*

### **TOTAL REMUNERATION FOR SENIOR STAFF**

#### **July 1 2007 to June 30 2008**

During 2007-08 senior staff positions held were, General Manager, Director Shire Services, Director Corporate Services, Director Shire Planning (four in total) on separate performance based fixed term contracts in accordance with the Local Government Act 1993. The total amount of money payable in respect of the employment of senior staff was \$855,895.88.

## ANNUAL REPORT SECTION 428(2)(h)

428(2) (h) *Details of each contract awarded by the council during that year (whether as a result of tender or otherwise) other than:*

- (i) *employment contracts (that is, contracts of service but not contracts for services); and*
- (ii) *contracts for less than \$100,000 or such other amount as may be prescribed by the regulations,*

*including the name of the contractor, the nature of the goods or services supplied by the contractor and the total amount payable to the contractor under the contract;*

Reference	Description	Contractor/s	Total Amount Payable (GST Exclusive)
CPA/130386	Mardi to Mangrove Creek Link Design and Approvals Consultant	GHD Pty Ltd	\$6,531,181
CPA/116777	Lower Wyong River to Mardi Dam Transfer Upgrade	Diona Pty Ltd	\$3,728,165
CPA/101669	Collection Of Waste And Recoverable Resources And Processing Of Recyclables	Thiess Services Pty Ltd	\$2,679,746
CPA/140816	Construction of The Entrance Community Centre Stage 2	McKenzie Building & Construction	\$2,178,160
CPA/137955	Minnesota Road Intersection Upgrade	C & W Constructions Pty Ltd	\$991,520
CPA/101670	Waste Management Operation of Processing Facility for Organic Materials Buttonderry	Australian Native Landscapes	\$889,779
CPA/136980	- Management & Operation of Wyong, Toukley & The Entrance Pools	YMCA Of Sydney	\$850,000
CPA/136399	Provision of Improvement Works (2007-08) - Norah Head Holiday Park	Jenbuild Pty Ltd	\$746,000
CPA/130590	Concept Design & Detail Tender Documentation For Sewerage Trunk Mains Warnervale Town Centre	Bonacci Group Pty Ltd	\$433,500
CPA/122066	Collection of Bulk Mixed Waste and Recoverable Materials for Central Coast Holiday Parks	Thiess Services Pty Ltd	\$416,604
CPA/130893	Documentation Concept and Detailed Design Mardi High Lift Pump Station	NSW Dept Of Commerce	\$415,975

## ANNUAL REPORT SECTION 428(2)(h)

Reference	Description	Contractor/s	Total Amount Payable (GST Exclusive)
CPA/136398	Provision of Improvement Works (2007-08) Toowoon Bay Holiday Park	Jenbuild Pty Ltd	\$340,000
CPA/136401	Provision of Improvement Works (2007-08) - Budgewoi Holiday Park	Jenbuild Pty Ltd	\$298,000
CPA/136400	Provision of Improvement Works (2007-08)- Canton Beach Holiday Park	Jenbuild Pty Ltd	\$290,000
CPA/123594	Lower Wyong River to Mardi Dam Transfer Upgrade Pump Station No.1 Construction of High Voltage Power Supply	Power Serve Pty Ltd	\$265,438
CPA/130591	Concept Design, Detail Design and Tender Documentation Water Supply Trunk Mains Warnervale Town Centre and Wyong Employment Zone Stages I & II	Smec Australia Pty Ltd	\$255,440
CPA/122601	Supply and Installation of SCA's and Associated Work for Lower Wyong River Water Pump Station No.1	O'Donnell Griffin Pty Ltd	\$252,423
CPA/116306	Manufacture Supply & Delivery Of One Bitumen	Ausroad Systems Pty Ltd	\$224,694
CPA/141595	Sludge Dewatering of No.2 Sludge Lagoon at Charmhaven Sewage Plant and No.1 and 2 Sludge Lagoon at Mannering Park Sewage Plant	Waste Processing Solutions Pty Ltd	\$216,836
CPA/134115	Glenning Valley PVP Incentives Bush Regeneration	Engedi Environment Management	\$188,720
CPA/135454	Cabbage Tree Harbour - Investigation and Design of Toe Drainage Structure	Shirley Consulting Engineers Pty Ltd	\$177,900
CPA/145813	Construction of Killarney Vale Shared Pathway (West)	Laing Concreters Pty Ltd	\$157,107
CPA/125834	Provision of Effluent Removal Services	Theiss Services Pty Ltd	\$117,017
CPA/122702	Manufacture & Supply of Domestic Water Meters	Elster Metering Pty Ltd	\$258,696
CPA/122173	Hire of Plant for the Operation of the Buttonderry Waste Disposal Facility	Various Contractors Appointed Under A Panel Arrangement	\$1,062,232

**ANNUAL REPORT SECTION 428(2)(h)**

<b>Reference</b>	<b>Description</b>	<b>Contractor/s</b>	<b>Total Amount Payable (GST Exclusive)</b>
CPA/122103	Collection and Disposal of Scrap Metal from Buttonderry Waste Disposal Facility and Charmhaven & Long Jetty Works Depots for a Six Month Period	Smorgon Steel Recycling Pty Ltd	\$232,621
CPA/128126	Supply & Delivery of Road Sealing Aggregates for a Three Year Period	Hanson Construction Materials Pty Ltd	\$510,984
CPA/128127	Manufacture, Supply and Delivery of Bituminous Coldmix for a Three Year Period	Pioneer Road Services Pty Ltd	\$144,240
CPA/128143	Manufacture, Supply and Delivery of Heavily Bound Pavement Material for a Three Year Period	Various Contractors Appointed Under A Panel Arrangement	\$976,362
CPA/128145	Supply and Delivery of Type S Filter Sand for a Three Year Period	Norgrath Pty Ltd	\$719,946
CPA/128146	Supply and Delivery of Unbound and Modified Bases and Sub-Bases for Surfaced Road Pavements for a Three Year Period	Various Contractors Appointed Under A Panel Arrangement	\$3,272,727
CPA/128158	Manufacture, Supply & Delivery of Ready-mixed Concrete for a Three Year Period	Various Contractors Appointed Under A Panel Arrangement	\$1,854,543
CPA/128566	Manufacture, Supply & Delivery of Rapid Set Cationic Bitumen Emulsion for a Two Year Period	Downer EDI Works	\$508,500
CPA/132383	Provision of Local Area Newspaper Advertising Services for a Period of Three Years	Nationwide News Pty Ltd	\$482,958
CPA/133690	Collection and Disposal of Scrap Metal from Buttonderry Waste Disposal Facility and Charmhaven & Long Jetty Works Depots for a Six Month Period	Sell & Parker Pty Ltd	\$207,886
CPA/117144	Toukley Effluent Treatment Plant, Augmentation Works	Water Treatment Australia Pty Ltd	\$2,237,364
CPA/136486	Concept Design, Detailed Design and Tender Documentation for Toukley STP Inlet Works Upgrade	Maunsell Australia Pty Ltd	\$149,139

**ANNUAL REPORT SECTION 428(2)(h)**

<b>Reference</b>	<b>Description</b>	<b>Contractor/s</b>	<b>Total Amount Payable (GST Exclusive)</b>
CPA/139071	Supply and Delivery of Stationery for a two year period	Corporate Express	\$453,222
CPA/137900	Provision of Security Services for a two year period	Newcastle Security Pty Ltd	\$267,850

## ANNUAL REPORT SECTION 428(2)(i1)

428(2)(i1) *A report on the bush fire hazard reduction activities of the council during that year, including activities carried out under a bush fire management plan approved under the Rural Fires Act 1997,*

### Fire Mitigation Works Funding

Each year in accordance with the Bush Fire Coordinating Committees Policy No 2/01, Bush Fire Management Committees are given the opportunity to claim for Fire Mitigation Works Funding. A bid for **\$101,745.00** was submitted and approved. Of the approved funding Council expended \$69,028.00 and claimed for reimbursement of said amount.

### Hazard Reduction Activities

147 Hazard Reduction Certificates were applied for by members of the public.

### Permits

Fire safety permits are required inside the declared bush fire danger period which extends from 1 October through to 31 March. By applying limitations and prescribed requirements for lighting fires inside this defined period the chance of fire escape is mitigated and ultimately fire crews will have a better chance fire suppression if early detection and notification is given. Fines up to \$5,500 and prison sentences may apply if a permit is not obtained or the conditions within a fire permit are not complied with. Fire permits are issued free of charge by approved RFS officers.

101 permits had been issued for the period 1 July 2007 – 30 June 2008. The issuing of permits is conditioned appropriately to ensure that the Fire Control Centre has the ability to refuse the lighting of fires on days sustaining a High FDI rating and greater. As stated above this does mitigate the risk of fire escape.

### Mechanical

Asset protection zones (APZ) are predominantly on Council managed land, Wyong Shire Council is responsible for maintaining these APZ's. During 2007-08 Council continued in cooperation with the Wyong Bushfire Risk Management Committee its Bushfire Mitigation Program by implementing the four year Urban Interface Plan in accordance with the Wyong Bushfire Risk Management Plan. Council developed work schedules for 140 sites totalling 39km of Asset Protection Zone. Approximately 31km of APZ was maintained three times per year by mechanical means using a tractor slasher. A further 8km of APZ located in areas inaccessible to machinery was maintained using Council's Bushfire Mitigation Team by manual means.

### Fire Trails and Access

The Rural Fire Service in conjunction with a Bush Fire Management Committee Working Group is maintaining a database to capture the quality of identified fire trails within the Local Government Area. An inspection regime is identified within the database and a print out of fire trails to be inspected can be produced. Furthermore, a register of all gates and slip rails is maintained, identifying location, lock type, inspection date etc.

## **ANNUAL REPORT SECTION 428(2)(i1) (contd)**

This year Council in cooperation with the RFS using Grant funds through the Fire Mitigation Works Fund – Second Round Allocations worth \$69,028 upgraded the following fire trails and associated APZ access:

Frances Byrnes Fire trail - 2.1KM  
 Gamban Fire Trail - 0.9km  
 Chain Valley Bay Fire Trail - 1.25km  
 Beckingham Fire Trail - 0.36km  
 Legacy Hostel Fire Trail - 0.3km  
 Installation of 10 Fire Trail and Prohibited Activities signs  
 Installation of 33 Asset Protection Zone signs  
 Installation of 5 security gates and associated bollards.

### **Fire Hazard Complaints**

In total 21 hazard complaints have been received by the Fire Control Centre.

### **Early Detection**

On days of extreme fire weather State Forest Officers have staffed the Warrawalong Tower, located to the north west of Wyong local government area. This service has proved beneficial to our District with early detection allowing a quick response to outbreaks.

Upon notification of Total Fire Bans or extreme fire weather, brigades are paged with a request to provide availability of crew for immediate response. The Bush Fire Management Committee Fire Classification Group will also liaise on these predicted high fire danger days to ensure adequate fire fighting coverage for the LGA.

### **Fire Investigating**

Where a significant bush fire or a pattern of fires occurs, an Officer from the District shall request an Authorised Fire Investigator to attend and conduct cause and origin identification. Throughout 2007-08, Wyong has used Fire Investigators and the NSW Police Service to investigate a number of possible arson attacks.

### **Community Safety General**

The Bush Fire Environmental Assessment Code is a tool used by NSW Rural Fire Service (RFS) staff to streamline regulations that apply to hazard reduction clearing and burning. The Bushfire Environmental Assessment Code has a number of supporting documents:

- Before you light that fire brochure
- Standards for Asset Protection Zones
- Standards for Low Intensity Bush Fire Hazard Reduction Burning (for private landholders)
- Standards for Pile Burner
- Standards for Windrow Burns



## **ANNUAL REPORT SECTION 428(2)(i1) (contd)**

The Code streamlines the numerous environmental regulations that control activities such as clearing and burning vegetation, making it easier to plan hazard reduction work. The document aims to allow a greater amount of hazard reduction work to be facilitated through the streamlined environmental process by increasing the land area it can be applied to.

The code covers land immediately adjacent to certain assets, that is asset protection zones (eg the immediate surrounds of a home) and strategic fire advantage zones (eg the urban interface area) along with land management zones.

The code also allows for greater asset protection works for public assembly buildings (schools, hospitals and churches) and other major buildings and protection works in and around plantations.

The assessment methods for issuing Hazard Reduction Certificates include standards for the prevention of soil erosion, protection of riparian buffers and construction of control lines. A Hazard Reduction Certificate issued using the Code means all legal approvals have been obtained. Where sensitive environmental issues mean that a Certificate cannot be issued, the landowner will need to obtain approvals through other methods.

### **Development Control**

Due to legislative requirements, the Rural Fire Services under Section 79BA of the Environmental Planning and Assessment Act are responsible in assisting Councils where Development Applications identified in Bush Fire Prone Land, do not conform to Planning for Bushfire Protection requirements. This referral process incorporates a comprehensive audit of bush fire assessment produced by proponents. Predominantly referrals are dwellings being constructed to Flamezone conditions, which are outside the scope of AS3959 "Construction of Buildings in Bushfire Prone Area" this, will identify strategies that are performance based or deemed to satisfy conditions should apply. Team Community Safety Officer can also assist Rural Fire Service Development Control Staff at Headquarters with 100B Developments, provide site specific information, photos, determine vegetation types, etc.

### **Community Education Activities**

Community Education is aimed at developing and/or improving the knowledge, attitudes, skills and behaviours of the community in regard to the prevention, control, suppression and mitigation of bush and other fires. The desired outcome is a community that is well aware of the hazards of fire and is well prepared for its threat.

The Wyong Community Education Committee reviews and implements developed programs of the RFS to the broader community.

Resources are produced to assist in the delivery of the education programs. The service produces a range of publications for teachers, adults, children and the general community. Resources include brochures, activity books, stickers, magnets and show bags etc.

## **PROGRAMS AND FUNCTIONS**

Community Education Committee – the aim of this Committee is to engage in examining the broad spectrum of fire safety, educational issues and programs within the Rural Fire Service. Most brigades have trained firewise facilitators who attend meetings held at the fire control centre bi-monthly.

## **ANNUAL REPORT SECTION 428(2)(i1) (contd)**

Community Firewise Groups – Community Firewise is a co-ordinated program through which residents become involved with fire safety in their community. Trained facilitators help to set up and maintain Community Firewise Groups.

Crime Stoppers – The RFS and Crime Stoppers have a project underway to reduce the incidence of arson. The public is encouraged to report firelighters on the Crime Stoppers number (1 800 333 000). All fire fighting vehicles should display the crime stoppers sticker as part of the RFS policy on vehicle markings.

Facilitator Courses – The District continues to send volunteers to participate in specialised facilitation training. RFS Community Education Section delivers courses in various locations around the region. This additional training enables experienced firefighters to undertake fire safety audits to give specific advice to individuals who live in bush fire prone areas.

Fireguard for Kids – The Fireguard for Kids program is a volunteer firefighter delivered program targeting kindergarten to Year 6 children. Firefighters visit schools to teach children fire safety lessons in fire prevention and personal safety. This program comes with specially designed resources that are only available to schools through firefighter visits.

FireWise – “FireWise” is the over-riding header for fire education programs and the term is promoted in such a way that the community will automatically think of fire safety when they see or hear it. Variations of “FireWise” include “Bush FireWise”, “Farm FireWise” and “House FireWise”.

Mobile Education Trailers – The Team is currently using two large education trailers, their primary function is to support brigades attending fetes, festivals and community education events.

Static Water Supply (SWS) Program – The SWS marking system is an initiative whereby properties or lands with useable water supplies are identified with a specially designed State Water Supply (SWS) marker. This enables firefighters to utilise that water to protect life and property during fires. Static Water Supplies include water tanks, swimming pools, dams and creeks. Brigades have commenced pre-incident planning and the erection of signage.

### **Community Education Strategies**

#### **1 Firewise groups, Firewise Forums and Street Meetings**

- Promote community education, specifically the use of firewise street meetings and the forming of firewise groups to brigades using the Community Safety Newsletter and yearly memorandums.
- Identify within brigades members capable of facilitating education activities and provide appropriate training. Provide each member with appropriate dress to ensure professional appearance.
- Annual visit to brigades to workshop community education programs to suit their locality. Members of the Community Education committee to assist with the facilitation of this process.
- Conduct a firewise information event annually to the south. Preferred location for event is Mingara Recreation Club, Mingara Dr, Tumbi Umbi, alternatively Ourimbah RSL Club, Pacific Hwy, Ourimbah. These facilities are located on the extremities of the extreme risk area, The Ridgeway.

## **ANNUAL REPORT SECTION 428(2)(i1) (contd)**

- Conduct a Firewise Forum annually at the Fire Control Centre, Arizona Rd, Charmhaven.
- Hold a minimum of five street meetings as identified by brigades annually within the Operational Areas of Wyong. These locations to be determine by Bush Fire Risk Management Plan – Extreme and Major areas initially.
- Establish one Firewise group per strategy period focus on areas identified Extreme and Major initially.

### **2 School and Youth Programs**

The NSW Rural Fire Service has in its area of responsibility a total of 16 Primary and Secondary schools. The School and Youth program co-ordinator has established contact with all of these schools and advised them of the capabilities of the RFS and the programs we provide students.

All schools have embraced this offer and an annual program has been developed.

#### Objective:

To deliver the firewise for kids message within schools, preschools and child minding facilities.

#### Strategies:

- Attend 25% of the 16 Primary Schools within RFS jurisdictional area within the 2007 – 2008 period, conduct the new Kids Firewise presentation.
- Assist where requested by teachers to deliver the school curriculum to the students using Fire safe 1, 2, 3 or Fire Science Workbook.
- Contact Pre-schools and child minding facilities to offer the Firewise for kids presentation.
- Provide all primary schools, preschools and child minding facilities with the, Stop Drop Cover Roll Poster , Get Down low and Go Poster and 000 phone message.
- Provide all Schools with Winter Fire Safety message to go in school newsletter. All photocopying carried out by RFS and delivered to schools for dissemination.
- Provide all Schools with Bush Fire Preparation message to go in school newsletter. All photocopying carried out by RFS and delivered to schools for dissemination.
- Provide on demand Firewise for Kids presentations to youth groups such as Scouts, Cubs, and PCYC. A presentation may incorporate an inspection of the fire control facilities or alternatively RFS will attend the location of groups.
- Contact all schools and request the opportunity to attend Fetes.
- Offer to schools a visitation program to the fire control centre

### **3 Public Awareness and Community Events**

#### Objective:

To increase the communities awareness of the Roles and Responsibilities of the NSW Rural Fire Service.

#### Strategies:

- Meet with Local Radio stations prior to the commencement of the Bush Fire Danger period. Provide radio stations with the RFS 30 second tips for bush fire preparation and request air time through this period.
- Provide static displays at community events.

## **ANNUAL REPORT SECTION 428(2)(i1) (contd)**

- Provide roadside signage in strategic locations. In the form of fixed signage to be changed to suit seasonal message, along with removable banners.
- Contact local service groups/clubs and offer our attendance at meetings to promote Rural Fire Service role within the community.
- Promote the annual NSW RFS State Wide Open day to the community and encourage full brigade participation.

### **4 Farm Firewise**

Objective:

To provide support to the farming community on bush fire preparation.

Strategy:

- Provide an inspection upon request for farms using the farm firewise checklist.
- Provide Farm fire safety illustrations and post on walls in rural shops and produce suppliers.

### **5 General**

Strategies:

- Continue the Static Water Supply program, letterbox drop the SWS flyer in areas to assist with campaign.
- Continue with volunteer participation in the Community Education Conference both State and Regional level.
- Establish and maintain a residential inspection service whereby Community members can arrange for individual inspections of their properties by Officers of the NSW Rural Fire Service
- Conduct letterbox drop of firewise materials in strategic locations.
- Establish a minimum of 1 Community Safety Assistant in each Rural Fire Brigade located in Wyong Local Government Area.
- Conduct a minimum of one Community Safety Assistant workshop per Strategy period.

BRIMS (Bushfire Risk Information Management System)

All activities will be entered into BRIMS upon receipt, all completed works should be finalised on system within a 10 working day period.

Review of strategies

A bi-monthly review of strategies should take place at Community Education Committee meetings.

## **ANNUAL REPORT SECTION 428(2)(j)**

*428(2)(j) Details of programs undertaken by the council during that year to promote services and access to services for people with diverse cultural and linguistic backgrounds in a manner that is consistent with the principles of multiculturalism,*

In November 2007, Wyong Shire Council adopted an Ethnic Affairs Priority Statement (EAPS).

The identified strategies in the 2007-2008 EAPS will improve Council's internal systems and facilitate improved relationships, communication and business transactions between Council and the Culturally and Linguistically Diverse (CALD) community. Areas Council are addressing include:

- Customer Service training
- Provision of an Interpreter Service
- Council updates placed in multicultural newsletters
- Providing a new arrivals program
- Holding Bi annual multicultural forums.

Council now offers an interpreter and translation service to the general community.

Wyong Shire Council attends the Multicultural Interagency and distributes information for the interagency.

Council has participated in a multi-cultural expo in partnership with other services.

## **ANNUAL REPORT SECTION 428(2) (k)**

*428(2)(k) Details or a summary (as required by section 67 (3)) of resolutions made during that year under section 67 concerning work carried out on private land and details or a summary of such work if the cost of the work has been fully or partly subsidised by the council, together with a statement of the total amount by which the council has subsidised any such work during that year,*

No works have been undertaken on private land by Open Space and Recreation, Roads and Drainage and Water and Waste Sections during 2007-08.

## ANNUAL REPORT SECTION 428(2)(I)

428(2)(I)      *The total amount contributed or otherwise granted under section 356,*

### Funds Granted Under Section 356

	\$
Councillors' Community Improvement Grants	90,539
Sundry Donations	133,836
Business Central Coast/Central Coast Small Business Mentor Services	528,750
Rents – Community Groups	52,160
Surf Club Subsidies	52,000
VRA	20,000
Mardi Gras Festival Committee	9,171
Sports/Cultural Sponsorship	93,360
<b>TOTAL</b>	<b>979,816</b>

## ANNUAL REPORT SECTION 428(2)(m)

428(2)(m) *A statement of the human resource activities (such as training programs) undertaken by the council during that year,*

### HUMAN RESOURCES (HR)

Council continued to provide a range of activities relating to human resources through its Staff Services Unit. These activities include:

- Payroll processing
- Recruitment and selection of staff
- Administrative activities associated with Council's performance appraisal process
- Training of staff
- Management of workers' compensation claims
- Rehabilitation of employees injured in the workplace
- Employee welfare
- Co-ordinating the provision of an Employee Assistance Program
- Promotion of Occupational Health and Safety
- Industrial relations advice and advocacy
- Regular liaison with unions and other employee representatives to achieve local resolution of most industrial issues.
- Job evaluation to determine appropriate salaries for positions
- Market research to maintain competitiveness in attracting and retaining staff
- Promotion of Equal Employment Opportunity principles and obligations.

#### HR Process Review

During 2007-08, Human Resources staff worked closely with Council's Business Improvement and Workplace Change Sections in reviewing work processes. The aim of the process reviews is to improve quality of service providers and identify productivity improvements. The following sections within the Human Resources Department have been reviewed:

Occupational Health and Safety  
 Payroll  
 Recruitment  
 Training and Development  
 Personnel  
 Risk Management

Process reviews will continue in 2008/2009 with the focus being on the Remuneration Section.

### RISK MANAGEMENT

#### Workers' Compensation

Provision of rehabilitation for employees injured in the workplace and the management of claims under Council's Self-Insurance Licence for workers' compensation. During 2007-08 Council experienced 92 work related injuries and 18 work related illnesses.



## **ANNUAL REPORT SECTION 428(2)(m) (contd)**

### **Training and Development**

During 2007-08 the Training and Development Services Section scheduled 907 events with 5776 employees attending these training sessions. Total training represented 26,240 hours of training. This training included:

- Regulatory: Building Regulations, Development Control
- Legislative: Bullying and Harassment, Performance Appraisal, Supervisor Information, Corporate Induction, Code of Conduct
- Compliance: OH&S, Confined Spaces, Construction Induction, Crane and Plant Electrical Safety, Emergency Evacuation, Fire Extinguisher, First Aid, Hazardous Substances, Immunisation Re-accreditation, Manual Handling, Traffic Control, Explosive Power Tools, Front End Loader, Backhoe, Chainsaw, Dogging, Bonded Asbestos, Mobile Crane, Sunsmart Awareness, Paralympians on Injuries in the workplace.
- Plant and Equipment: Minor plant, Light and Heavy Rigid Vehicles
- Computer
- Councils Online
- Professional Development (Seminars/Conferences)
- Performance Management (Job specific skills)
- Leadership: Aspiring Leader Program and Manager Leadership Program

The Training and Development Section also coordinates a Trainee and Apprentice Program and hosts 33 apprentices through Central Coast Group Training and employs 31 trainees across the organisation in the areas of Planning, Administration, Finance and Engineering, Human Resources and Childcare.

Training and Development also coordinate the scholarship program and currently hosts one student in the field of Engineering. The intent of the program is to assist four Higher School Certificate students, within the Wyong Shire, who qualify for university admission and studying in areas where skills shortages had been identified in local government and the community in general. This also provides eligible students an opportunity to gain practical experience in their chosen field of study. The areas identified are: Early childhood teaching, Finance, Town Planning, Information Technology and Regulation Compliance. Applications are coordinated by the High Schools with final recommendations provided by School Principals. Final recruitment processes are handled internally.

Training and Development attended the Career Expo at Niagara Park to promote Local Government as an Employer of Choice and provide advice on the career opportunities that exist within Local Government.

## ANNUAL REPORT SECTION 428(2)(m) (contd)

### Occupational Health and Safety (OH&S)

During 2007 the OH&S Section, along with assistance from many other areas of Council, prepared for and underwent a WorkCover audit for a renewal of our Self Insurer's licence. This audit was one of the hardest to date but Council passed in all four areas and has maintained its licence for a further three years. This was the result of a lot of hard work and was the best outcome possible.

During 2007-08 OH&S major focus areas have been:

- Continuing implementation of Council's electronic OH&S safety system, SafeTsmart.
- Development of strategic approach to safety system
- Implementation of the injury reduction program
- Benchmarking with industry groups and agreement making with individual organisations

Other continual improvement activities have been undertaken including:

- Internal system audits
- Compliance audits
- Work site inspections
- Formation of behavioural inspection team
- Training to all employees in Duty of Care, Manual Handling Awareness
- Manager and Supervisor training on Councils OH&S Management System
- OH&S Induction for all new starters
- Continuing analysis of statistics and accident and incident investigation
- Implementation of corporate safe work method statements.
- Support to both indoor and outdoor Occupational Health and Safety Committees.

During 2007-08 there were no prosecutions under the Occupational Health and Safety Act 2000 relating to Council.

#### Lost Time Injury Frequency Rate

(Number of lost time injuries for every million man hours worked)

Lost Time Injury Frequency Rate for the year 2007-08 are detailed below, comparisons with the year 2006-07 are also included:

	2006-07	2007-08
Number of Lost Time Injuries	49	39
Lost Time Injury Frequency Rate	29.42	22.73

## ANNUAL REPORT SECTION 428(2) (n)

428(2)(n) *A statement of the activities undertaken by the council during that year to implement its equal employment opportunity management plan;*

### Equal Employment Opportunity (EEO) Management Plan

In accordance with Section 345 of the Local Government Act (NSW) 1993, Council is obligated to develop, implement and maintain an Equal Employment Opportunity (EEO) Management Plan.

Council's current EEO Management Plan was formally adopted in March 2007 and is due for review in March 2010.

Council continued to monitor and evaluate strategies that have been implemented to ensure that the EEO Management Plan remains effective.

Specific EEO activities undertaken during this period include:

### Reviewing prior to renewal of Council's contract for an Employee Assistance Program

Council's Employee Assistance Program (EAP) is a confidential counselling service independent of Wyong Shire Council, to assist staff and their families who may be experiencing personal difficulties.

Council has reviewed and renewed its contract with Hunter Employee Assistance Services (HEAS) for a further 12 months. The contract will be reviewed again in June 2009.

### EEO Training

- The Local Government & Shires Association conducted training on Harassment & Bullying Awareness to Managers and Supervisors during March 2008.

Detailed below are the EEO strategies processed during 2007-08.

### Objective 1 Communication and Awareness Raising

Ensure that management and all employees understand EEO principles and their responsibilities in relation to them and the EEO Management Plan and its implementation.	Supervisors within Council undertook EEO related training in March 2008. This training was conducted by the Local Government and Shires Association And Council will continue on an annual basis.  Council also include an EEO statement in all internal and external job advertisements, to promote that Council is an EEO employer.
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### Strategy 3 Consultation

Ensure EEO developments are widely publicised and invite comment from employees and relevant unions as required.	EEO Developments are discussed on an ongoing basis through Consultative Committee and Supervisor meetings.
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## ANNUAL REPORT SECTION 428(2) (n) (contd)

### Strategy 4 Recruitment

#### Strategy 5 Promotion and Transfer

Ensure there is adherence to recruitment and selection policies at all times.	Recruitment and Selection Policies are monitored on a regular basis to ensure that all staff involved in the Recruitment and Selection process adheres to Council's procedures and practices.  Data is collated by Staff Services for all recruited positions and reviewed regularly by Council's EEO Coordinator.
Review appointment, promotion and transfer policies to ensure they conform with EEO principles.	All appointments, promotions and transfers are processed taking into account EEO and diversity principles.
Provide a training program for supervisors on recruitment and selection techniques.	Ad hoc training sessions conducted as required.

### Strategy 6 Training and Development

Review training and development policies and practices to ensure they conform to EEO principles.	Council's Training and Development Team scheduled Bullying and Harassment training for all Managers and Supervisors. Training was conducted by The Local Government & Shires Association in March 2008 and will continue on an annual basis.  A handbook is provided to all new staff which provides them with information about Council and in particular a summary of Human Resource policies and procedures, including No Smoking, Drug and Alcohol Free Workplace and Harassment and Workplace Bullying.
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### Strategy 7 Conditions of Service

Review current conditions of service policies and practices to ensure they conform to EEO principles.	Council's policies are reviewed bi-annually to ensure they conform to EEO principles and best suit the interests of the Council and those of individual employees.
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### Strategy 8 Harassment and Grievance Procedures

Promote and implement an accessible and effective grievance policy and procedure.	Council's has a formal grievance policy and procedure that aligns with our obligations under the Notional Agreement Preserving the Local Government (State) Award 2004.
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## ANNUAL REPORT SECTION 428(2) (n) (contd)

### Strategy 8 Harassment and Grievance Procedures (contd)

Prevent discrimination and harassment of employees.	<p>Council aims to prevent discrimination and harassment by ensuring that all staff are made aware of their EEO obligations and responsibilities. As indicated in other actions, awareness training has continued via staff induction and regular supervisor training.</p> <p>Council's EEO Coordinator and Staff Services Unit Manager provide regular advice to Supervisors on grievance handling procedures and should a grievance arise, staff are fully supported and assisted throughout the process.</p> <p>Exit interviews are offered to all staff leaving the employ of Council. Interviews are monitored to determine if discrimination/harassment has contributed to employee resignations.</p>
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### Strategy 9 Implementation and Evaluation

Ensure successful implementation of the EEO Management Plan by the allocation of clear responsibilities and adequate resources.	Staff are reminded on a regular basis of their responsibilities in regards to EEO. EEO responsibilities are also included in employee position descriptions.
Revise and amend the EEO Management Plan.	The EEO Management Plan was reviewed and fully re-written in 2006-07 and new objectives and strategies developed. The Plan was adopted by Senior Management in March 2007.
Ensure Council's Personnel Records System complies with EEO principles.	Council's Personnel Records System is constantly reviewed, to ensure that confidentiality is maintained and that EEO principles are upheld.
Collect appropriate statistical data to allow ongoing monitoring of Council's personnel profile.	<p>EEO statistical data is collated by Staff Services for all recruited positions and reviewed regularly by Council's EEO Coordinator.</p> <p>Exit interviews data is collated and reviewed to determine if EEO issues contributed to employee resignations.</p>

## ANNUAL REPORT SECTION 428(2)(o)

428(2)(o) *A statement of all external bodies (such as county councils) that during that year exercised functions delegated by the council;*

### External bodies Exercising Council Functions

<b>NAME (appointed by Council under Section 355 of the Local Government Act)</b>	<b>FUNCTION (Care, Control and Management of)</b>
Bateau Bay Community Hall	Community Hall
Bateau Bay/Killarney Vale Precinct Committee	Precinct Committee
The Banksia Family Centre	Community Centre
The Berkeley Centre	Community Centre
Berkeley Road Sports Complex	Community Hall and Sporting Oval
Berkeley Vale Old School	Community Centre
Budgewoi Scout Hall	Scout and Community Hall
Chain Valley Bay Community Hall	Community Hall
Chain Valley Bay Reserve	Public Reserve
Charmhaven Reserve Administration	Public Tennis Courts
Chittaway Point Hall	Community Hall
Cynthia Street Community Centre	Community Centre
Gwandalan Community Hall	Community Hall
Gwandalan/Summerland Point Precinct Committee	Precinct Committee
Halekulani Recreation Hall	Community Hall
Kanwal Community Hall	Community Hall
Lakelands Community Centre	Community Centre
Lake Munmorah and District Senior Citizens Centre	Senior Citizens Centre
Lakes Precinct Committee	Precinct Committee
Mannering Park Community Hall	Community Hall
Mannering Parks Sports and Community Centre	Tennis Courts and Club House
Munmorah/Chain Valley Precinct Committee	Precinct Committee
Myrtle Brush Park Community Hall	Community Hall
Ourimbah Precinct Committee	Precinct Committee
Ourimbah Neighbourhood Cottage	Community Cottage for Sporting Groups and Playgroups
Rose Cottage and Northern Women's Health Centre	Baby Health and Community Centre
San Remo Neighbourhood Centre	Neighbourhood Centre
Sohier Park Community Hall and Sportsground	Sporting Oval and Community Hall
St Barnabas Church	Heritage Church
Summerland Point Community Hall	Community Hall
The Entrance Precinct Committee	Precinct Committee
Toukley District Arts and Tourist Information Centre	Community Arts and Craft Centre
Toukley Neighbourhood Centre	Neighbourhood Centre and Community Hall
Tuggerah Community Hall	Community Hall

## ANNUAL REPORT SECTION 428(2)(o) (contd)

<b>NAME (appointed by Council under Section 355 of the Local Government Act)</b>	<b>FUNCTION (Care, Control and Management of)</b>
Tunkuwallin Park Hall	Community Hall
Tuggerawong Retirement Village	Retirement Village
Wadalba Community Centre	Community Centre
Wallarah North Precinct Committee	Precinct Committee
Watanobbi/Warnervale Precinct Committee	Precinct Committee
Woodbury Park Community Centre	Community Centre
Wyong Community Centre	Community Centre Rooms and Town Park
Wyong District Youth and Community Centre	Community Hall

## ANNUAL REPORT SECTION 428(2) (p)

428(2)(p) *A statement of all companies in which the council (whether alone or in conjunction with other councils) held a controlling interest during that year;*

Nil.



## **ANNUAL REPORT SECTION 428(2) (q)**

428(2)(q) *A statement of all partnerships, co-operatives or other joint ventures (including public-private partnerships) to which the council was a party during that year,*

### **Partnerships, Co-Operatives and Joint Ventures**

#### **Oasis Youth Centre**

Council continues to be involved with the Salvation Army through the Oasis Youth Centre in Hely Street Wyong. The centre is a multi functional youth centre designed to cater for the wide range of young people in the Shire and provides employment, training, drug and alcohol counselling as well as a wide range of recreational facilities. Council leases the site to the Salvation Army for \$1 per annum and retains membership on the management board of the centre.

#### **Mingara Aquatic Complex**

Council and the Mingara Recreation Club Ltd are joint owners of the aquatic facility at the Mingara Recreation Club Leisure Centre. The aquatic facility is open to members of the public seven days per week and is managed by Central Coast Leisure Pty Ltd. The cost associated with the running of the facility and the income raised from the facility is the subject of a separate Deed of Agreement.

#### **Central Coast Regional Athletics Centre**

Council secures public use of a jointly developed regional athletics centre by way of a reciprocal leasing of the private land involved and control of the privately funded operations and maintenance.

## **ANNUAL REPORT SECTION 428(2)(r)**

428(2)(r)      *Such other information as the regulations may require.*

## **LOCAL GOVERNMENT (GENERAL) REGULATION 2005 CLAUSE 217(1)(a)**

217(1)(a) *Details (including the purpose) of overseas visits undertaken during the year by councillors, council staff or other persons while representing the council (including visits sponsored by other organisations),*

### **Overseas Visits by Staff**

No staff members have undertaken overseas visits whilst representing the Council during this financial year.

### **Overseas Visits by Councillors**

No Councillors have represented Council in any overseas visits during this financial year.

## LOCAL GOVERNMENT (GENERAL) REGULATION 2005 CLAUSE 217(1) (a1)

217(1)(a1) *Details of the total cost during the year of the payment of the expenses of, and the provision of facilities to, councillors in relation to their civic functions (as paid by the council, reimbursed to the councillor or reconciled with the councillor), including separate details on the total cost of each of the following:*

- (i) the provision during the year of dedicated office equipment allocated to councillors on a personal basis, such as laptop computers, mobile telephones and landline telephones and facsimile machines installed in councillors' homes (including equipment and line rental costs and internet access costs but not including call costs),*
- (ii) telephone calls made by councillors, including calls made from mobile telephones provided by the council and from landline telephones and facsimile services installed in councillors' homes,*
- (iii) the attendance of councillors at conferences and seminars,*
- (iv) the training of councillors and the provision of skill development for councillors,*
- (v) interstate visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,*
- (vi) overseas visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,*
- (vii) the expenses of any spouse, partner or other person who accompanied a councillor in the performance of his or her civic functions, being expenses payable in accordance with the Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW prepared by the Director-General from time to time,*
- (viii) expenses involved in the provision of care for a child of, or an immediate family member of, a councillor, to allow the councillor to undertake his or her civic functions,*

### **Total cost of Councillors**

The total cost of Councillors for payment of expenses and provision of facilities was \$93,633.00.

### **Councillors' Office Equipment**

The total cost of office equipment was \$41,074.00.

### **Telephone**

The total telephone and facsimile costs was \$12,345.00.

## LOCAL GOVERNMENT GENERAL REGULATION 2005 CLAUSE 217(1) (a1) (contd)

### Conferences and Seminars

Name	Conference	Cost \$
Cr N Rose	River Symposium	\$1,916.00
Cr R Stewart	Australian Sister Cities Association	\$3,475.00
Cr N Rose	Local Government and Shires Association	\$1,477.00
Cr R Stevens	Local Government and Shires Association	\$1,574.00
Cr W Welham	Local Government and Shires Association	\$1,477.00
Cr D Eaton	Local Government and Shires Association	\$1,477.00
	<b>TOTAL</b>	\$11,396.00

### Training

The total cost of external training provided to Councillor's was \$1,140.00.

### Interstate Visits

Name	Destination	Reason	Cost \$
Cr N Rose	Brisbane	Conference	\$1,916.00
Cr R Stewart	Darwin	Conference	\$3,475.00
		<b>TOTAL</b>	\$5,391.00

### Overseas Visits

No payments were made in regard to this item.

### Expenses of any Spouse, partner or other person

No payments were made in regard to this item.

### Expenses for Provision of Care of others

No payments were made in regard to this item.

### Other Costs

The total of other costs made was \$27,678.00.

## LOCAL GOVERNMENT (GENERAL) REGULATION 2005 CLAUSE 217(1)(b)

217(1)(b) *A statement of the total remuneration comprised in the remuneration package of each senior staff member employed during the year that is to include, for each such member, the total of the following:*

- (i) the total value of the salary component of the package,*
- (ii) the total amount of any bonus payments, performance payments or other payments made to the member that do not form part of the salary component of the member's package,*
- (iii) the total value of any non-cash benefits for which the member may elect under the package, and*
- (iv) the total amount payable by the council by way of fringe benefits tax for any such non-cash benefits.*

**July 1 2007 to June 30 2008**

### TOTAL REMUNERATION FOR SENIOR STAFF

During 2007-08 senior staff positions held were, General Manager, Director Shire Services, Director Corporate Services, Director Shire Planning (four in total) on separate performance based fixed term contracts in accordance with the Local Government Act 1993. The total amount of money payable in respect of the employment of senior staff was \$855,895.88. Refer to the below table for details as requested above.

<b>Salary Component (i)</b>	<b>Bonuses Etc. (ii)</b>	<b>Superannuation (iii)</b>	<b>Non-cash benefits (iv)</b>	<b>Fringe Benefits Tax Paid by Council (v)</b>	<b>Total Remuneration</b>
\$ 668,126.97	\$ -	\$ 157,379.99	\$ 30,388.92	\$ -	\$ 855,895.88

## LOCAL GOVERNMENT (GENERAL) REGULATION 2005 CLAUSE 217(1) (c)

217(1)(c) *Details of the activities undertaken by the council during the year to develop and promote services and programs that provide for the needs of children;*

### Children's Services

<b>Planned Access &amp; Equity Activity/Strategy</b>	<b>Objectives</b>	<b>Performance Targets</b>	<b>Performance Objectives</b>	<b>30 June 2008</b>
To provide a range of high quality, affordable children's services that care, educate and enhance the potential of children.	To meet the needs of families and children throughout the Shire	Utilisation of Council's Childcare Centres and Vacation Care Centres	Meet optimum utilisations at each Centre	Achieved
To provide a range of high quality, affordable children's services that care, educate and enhance the potential of children.	To meet the needs of families and children throughout the Shire	Utilisation of Council's Childcare Centres and Vacation Care Centres	Using the influence from the NSW Curriculum Framework, incorporate the emergent curriculum and portfolio style documentation	Achieved

## LOCAL GOVERNMENT (GENERAL) REGULATION 2005 CLAUSE 217(1)(d)

217(1)(d)(i) For any year ending on or after 30 June 2005:

- (i) A report (in the form required by the Department) on the council's performance in relation to access and equity activities to meet residents' needs outlined in the council's management plan relating to the year and undertaken by the council during the year,

### DETAILED ACCESS AND EQUITY ACTIVITY STATEMENTS 2007-08

Target Group: People with Disabilities

Planned Access and Equity Activity/Strategy	Objectives	Performance Targets	Performance Objectives	Status as of June 2008
1. Design of the Liberty Playground at Saltwater Creek	To build an all access playground based on universal design principles in partnership with the local community.	1. Community participation 2. A fully accessible playground that will be a regional asset.	Build a facility that will become a regional facility. Incorporate universal design principles which will provide a facility that allows for all user access.	On track for opening August 2008.
2. International Day of People with a Disability. Recognition of Excellence Awards December 2007.	Celebrate the achievements and abilities of people with a disability.	1. Community participation 2. Community education. 3. Community inclusion.	1. To raise awareness of the abilities and achievements of people with a disability. 2. Promote inclusion in the wider community.	Event held 3 December 2007. Approximately 200 people in attendance.



## LOCAL GOVERNMENT (GENERAL) REGULATION 2005 CLAUSE 217(1)(d) (contd)

### Target Group: Older People

Planned Access and Equity Activity/Strategy	Objectives	Performance Targets	Performance Objectives	Status as of June 2008
Formation of Seniors Citizens Council	Create a link between seniors and Council and provide opportunities for consultation.	<ol style="list-style-type: none"> <li>1. Monthly meetings</li> <li>2. Provide consultation to Council staff when appropriate.</li> <li>3. To provide a seniors perspective to Council on Council matters when appropriate.</li> </ol>	To provide a cross representation of seniors across the Shire.	The Seniors Citizen Council has 12 established members who meet regularly.
Celebrating Seniors Week	Celebrate the contribution of seniors in all aspects of life in the local community.	<ol style="list-style-type: none"> <li>1. Produce event calendar.</li> <li>2. Support activities at the local Senior Citizen Centres.</li> <li>3. Promote opportunities for quality ageing activities.</li> </ol>	To promote awareness of the range of activities provided during Seniors Week.	Council participated in a variety of ways during the 3 <sup>rd</sup> week of March 2008.

## **LOCAL GOVERNMENT (GENERAL) REGULATION 2005 SECTION 217(1)(d) (contd)**

217(1)(d)(ii) *For any year ending on or after 30 June 2005:*

*(ii) a list of the Category 1 business activities of the council,*

- 1 Water Supplies
- 2 Sewerage Services
- 3 Waste Management Services
- 4 Children's Services
- 5 Holiday Parks

217(1)(d)(iii) *For any year ending on or after 30 June 2005:*

*(iii) A list of the Category 2 business activities of the council,*

Nil.

217(1)(d)(iv) *A statement of expenses, revenues and assets in relation to each category 1 business activity,*

The statement of expenses, revenues and assets in relation to each Category 1 business activity is contained in Council's General Purpose Financial Reports 2007-08 – Special Purpose Financial Reports and is enclosed with this report as Enclosure 1.

217(1)(d)(v) *A summary of the progress of council implementing the principals of competitive neutrality,*

Separate internal reporting systems are in place for each activity and a Competitive Neutrality Complaint Handling System is in place. As from 1 July 1998, full cost attribution was applied, including tax equivalent payments, debt guarantee fees and return on capital. Any subsidies paid to the business were identified and reported to Council.

217(1)(d)(vi) *A statement as to whether the competitive neutrality pricing requirements have or have not been applied to each category 1 business activity,*

Refer to (1) (d) (v) above.

## LOCAL GOVERNMENT (GENERAL) REGULATION 2005 CLAUSE 217(1)(d) (contd)

*217(1)(d)(vii) A statement regarding the establishment of a complaints handling mechanism for competitive neutrality complaints, and as to the manner in which the council publicises and makes the mechanism known to the public,*

Council adopted its Customer Response Policy on 18 December 1998 which contains a complaints handling mechanism for competitive neutrality complaints. This policy was advertised in the Shire's local press during its draft stage and receives coverage in Council's Annual Report to the public. The Policy is available under Section 12 of the Local Government Act, 1993 for viewing and/or copying by the public.

*217(1)(d)(viii) A comparison of the actual performance of each category 1 business activity of the council (measured in accordance with the criteria set out in the relevant management plan) with its projected performance (outlined in the management plan relating to the year concerned), together with a statement of the reasons for any difference between them,*

### Water and Sewer

Performance Measures	Actual Performance
Pressure in the distribution mains is maintained at or above 15m for at least 98% of properties on an annual basis.	Achieved.

### Holiday Parks

Strategy	Action	Actual Performance
Operate Council's Holiday Parks to provide a financial return to invest in other Crown Reserves in the Shire.	Continue to implement Business Strategy which includes upgrade works for all parks.	Achieved.
	Achieve the profit as forecast in the Business Strategy to fund the work identified for Crown Reserves and the Estuary Management Plan.	Achieved.

### Children's Services

Strategy	Action	Actual Performance
To provide a range of high quality, affordable children's services that care, educate and enhance the potential of children.	Operate Children's Services at breakeven.	Achieved
	Maintain high levels of customer satisfaction with the child care service provided.	Achieved.

## LOCAL GOVERNMENT (GENERAL) REGULATION 2005 CLAUSE 217(1)(d) (contd)

### Waste Management

Performance Measures	Actual Performance
Implement new waste collection contract	Achieved
Implement new organics processing contract	Achieved
Conduct biannual chemical collection	Achieved
Educate the community about waste issues through education campaigns and support of community programs.	Achieved
Complete and implement the findings of the business analysis for the Waste operation undertaken in 2006/07.	Not achieved. Business analysis is completed, implementation is pending on development of commercial strategy which is currently being developed. A need was identified to develop a commercial strategy for the site which delayed the implementation of the business analysis.
Undertake the installation of a methane extraction and utilisation system.	Not achieved. Design of the gas extraction system is scheduled for completion by Oct 2008 and installation by Jan 2009. The project was delayed as agreement on the level of Public Liability insurance and assets left at the end of the contract provided barrier to the finalisation and sign off of the of the Landfill gas agreement.
Complete construction of a new transfer area at Buttonderry Waste Management Facility.	Not achieved. Stage 1 will be completed by September 2008. The completion was delayed due to significant design modification and changes to the initial scope after consultation with Transgrid regarding placement of the roof structure for the transfer area.
Complete rehabilitation of closed landfills in accordance with the rehabilitation plan	Not achieved. Rehabilitation of Bateau Bay and construction of playing fields will be completed by Nov 08. The delay is the result of legal actions and the complexity of the site. Stage 1 Investigation of Mardi closed landfill has been completed. Investigation of Gwandalan closed landfill is currently in process. Investigation at North Shelly Beach and Tumbi closed landfills will be completed by December 2008.

**LOCAL GOVERNMENT (GENERAL) REGULATION 2005**  
**CLAUSE 217(1)(d) (contd)**

217(1)(d)(ix) *A summary of competitive neutrality complaints that have been made against the council during the year (including details of the number of complaints received and the subject matter or nature of the complaints) and a statement as to the outcome of those complaints (including details as to the number of complaints disposed of during the year and the number still outstanding at the end of the year),*

Nil.

## **LOCAL GOVERNMENT (GENERAL) REGULATION 2005 CLAUSE 217(1)(e)**

217(1)(e) *If the council has levied an annual charge for stormwater management services – a comparison of the actual stormwater management services made available by the council during the year (measured in accordance with the criteria set out in the relevant management plan) with the projected stormwater management services that were proposed to be made available (outlined in the management plan relating to the year concerned), together with a statement of the reasons for any difference between them,*

Council collected the Stormwater Management Service in 2007-08 and accumulated these funds in order to attract matching State or Federal funding. As at July 2008, Council continues to negotiate to secure matching funding from the Federal Government and as a result, it is anticipated that that all accumulated funds will be spent in the 2008/09 financial year.

## **LOCAL GOVERNMENT (GENERAL) REGULATION 2005 CLAUSE 217(1)(f)**

217(1)(f) *A detailed statement, prepared in accordance with such guidelines as may be issued by the Director-General from time to time, of the council's activities during the year in relation to enforcing, and ensuring compliance with, the provisions of the Companion Animals Act 1998 and the regulations under that Act.*

**a Lodgement of pound data collection returns with the Department**

Forwarded to the Department of Local Government.

**b Lodgement of data relating to dog attacks with the Department**

On completion of investigation, the Department of Local Government is notified by Dog Attack Data Collection Forms.

**c The amount of funding spent relating to companion animal management and activities**

Council's budget for the 2007-08 year was \$ 289,168 on the following activities:

- Animal Care Facility
  - Salaries of Staff at facility \$106,658
- Materials \$46,751 consisting of
  - Animal food
  - Bedding
  - Blankets
  - Feed bowls
  - Pharmaceuticals e.g. frontline, worming tablets, Euthanasia equipment, kennel cleaning chemicals. etc
- Vet fees \$28,609 consisting of
  - Animal de sexing
  - Injured animal care
  - Consultation fees
  - Blood testing for heartworm
- Free Micro chipping day \$3,650 consisting of
  - Purchasing of micro chips
  - Staff salaries
  - Advertising
- Enforcement of Companion Animals Act \$103,500 consisting of:
  - Staff salaries
  - Advertising
  - Community education
  - Inspections
  - Restricted breeds

## **LOCAL GOVERNMENT (GENERAL) REGULATION 2005**

### **CLAUSE 217(1)(f) (contd)**

**d Companion animal community education programs carried out and strategies the council has in place to promote and assist the de sexing of dogs and cats:**

- Council sponsored de sexing for all dogs listed for dog of the week
- Promotion of national de sexing program
- SPOT program
- School education program responsible dog ownership and stand right no bite program
- Free micro-chip day
- Promoting responsible dog ownership at the annual dog expo operated by community volunteer dog training association
- Promoting responsible dog ownership at the annual spring time Flora Festival.

**e The strategies council has in place to comply with the requirement under section 64 of the Act to seek alternatives to euthanasia for unclaimed animals**

- Rangers first priority when seizing an animal is to return the animal to its owner in the field
- Dogs for sale advertised on photo gallery on Council's Home Page
- Maximising trading times to enable public to seek a pet through the animal care facility – operating 7 days a week 9.00 am – 4.30 pm
- List of dogs suitable for re-homing, faxed to RSPCA, Hunter Animal Rescue, PAWS & Cat Care prior to any animal being euthanased.
- Adopted new procedure to ensure full compliance with minimum holding times are observed, by referring all intentions to euthanase to the Chief Ranger for prior approval.
- "Dog of the week" program, fully funded by Council which includes free micro chip, registration, vaccinations, worming and de sexing.
- Council promotes stories through both the print and television media to encourage responsible dog ownership particularly with regard to micro chipping to enable the quick identification and return of seized or impounded animals.
- Community volunteer dog exercise program for animals held within the animal facility

**f Off leash areas provided in the council area**

**Parks**

- Bateau Bay Reserve bounded by Avignon Avenue, Sabrina Avenue and Fishermans Bend
- Reserve off Moola Road, Buff Point (excluding the sports oval)
- Charmhaven Reserve, Lowana Avenue, Charmhaven
- Drainage easement, James Watt Drive, Chittaway Bay
- Lees Reserve, Wyong Road, Chittaway Bay
- Helen Reserve, Gascoigne Road, Gorokan
- Craigie Reserve, Donald Avenue, Kanwal
- Reserve adjacent to Colongra Bay Hall, Colongra Bay Road, Lake Munmorah
- Reserve, Tallowood Crescent, Ourimbah
- Council Reserve, Peppercorn Avenue and Ivory Crescent, Woongarra
- Mataram Ridge Park (southern section), Woongarra



**LOCAL GOVERNMENT (GENERAL) REGULATION 2005  
CLAUSE 217(1)(f) (contd)**

**Beaches**

- Lakes Beach from 500m north of the Surf Club to Ocean Street
- North Shelly Beach, from the northern beach access walkway off Shelly Beach Road (adjacent to the golf course) to the beach access stairs opposite Swadling Reserve
- North Entrance Beach from Wyuna Avenue to Stewart Street

## **LOCAL GOVERNMENT (GENERAL) REGULATION 2005 CLAUSE 217(2)**

217(2)            *An annual report of a council is to include the matter required by Subdivision 2 (State of the Environment reports).*

Wyong Shire Council's State of the Environment Report is now incorporated into Council's State of the Shire Report which is attached as Enclosure 3.

## LOCAL GOVERNMENT (GENERAL) REGULATION 2005 CLAUSE 217(3)

217(3)

*In this clause:*

*“competitive neutrality pricing requirements” means the requirements, outlined in the Pricing and Costing Guidelines, that a council’s business activities:*

- (a) if the council has provided or intends to provide loan funds to the business activity, include the payment of debt guarantee fees to the council, and*
- (b) factor into costs an appropriate return on capital invested, and*
- (c) include taxation equivalent regime payments to the council.*

Council has not provided or intends to provide loan funds to any of Council’s business activities.

## INFORMATION REQUIRED BY OTHER ACTS TO BE REPORTED TO THE MINISTER FOR LOCAL GOVERNMENT

- Freedom of Information Act 1989
- Local Government (Rates and Charges) Regulation 2005
- Independent Pricing And Regulatory Act 1989
- Privacy and Personal Information Protection Act 1998

### FREEDOM OF INFORMATION ACT 1989

68(1) Access to Information

Aside from the information provided to the public in the ordinary course of Council's business; information from Council can be accessed by the public in accordance with the provisions of the *Local Government Act 1993* (LGA), the *Privacy & Personal Information Protection Act 1998* (PPIPA); and the *Freedom of Information Act 1989* (FOI).

In August 2007, the NSW Department of Premier and Cabinet in conjunction with the NSW Ombudsman released an updated version of the *NSW FOI Manual*. Appendix B of that Manual contains an entirely new different structure of reporting, which is set out below. The new reporting structure contains categories of information different to those of the last financial year and accordingly in some areas it has not been possible to provide a comparison with the previous financial year. Those areas are marked with a # for ease of reference.

#### Section A: New FOI Applications

How many FOI applications were received, discontinued or completed?	NUMBER OF FOI APPLICATIONS					
	PERSONAL		OTHER		TOTAL	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
A1 New	41	19	29	29	70	48
A2 Brought forward	3	1	1	3	4	4
<b>A3 Total to be processed</b>	<b>44</b>	<b>20</b>	<b>30</b>	<b>32</b>	<b>74</b>	<b>52</b>
A4 Completed	39	15	29	30	68	45
A5 Discontinued	#	2	#	1	#	3
<b>A6 Total Processed</b>	<b>39</b>	<b>17</b>	<b>29</b>	<b>31</b>	<b>68</b>	<b>48</b>
A7 Unfinished (carried forward)	4	3	1	1	6	4

#### Section B: Discontinued Applications

Why were FOI applications discontinued?	NUMBER OF DISCONTINUED FOI APPLICATIONS					
	PERSONAL		OTHER		TOTAL	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
B1 Request transferred out to other agency (s20)	#	0	#	0	#	0
B2 Applicant withdrew request	#	2	#	1	#	0
B3 Applicant failed to pay advance deposit (s22)	#	0	#	0	#	0
B4 Applicant failed to amend a request that would have been an unreasonable diversion of resources to complete (s25(1)(a1))	#	0	#	0	#	0
<b>B5 Total discontinued</b>	<b>#</b>	<b>2</b>	<b>#</b>	<b>1</b>	<b>#</b>	<b>3</b>

## INFORMATION REQUIRED BY OTHER ACTS TO BE REPORTED TO THE MINISTER FOR LOCAL GOVERNMENT (contd)

### Section C: Completed Applications

What happened to completed FOI applications?	NUMBER OF COMPLETED FOI APPLICATIONS					
	PERSONAL		OTHER		TOTAL	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
C1 Granted or otherwise available in full	25	8	20	21	45	29
C2 Granted or otherwise available in part	14	6	9	9	23	15
C3 Refused	0	0	0	0	0	0
C4 No documents held	0	1	0	0	0	1
<b>C5 Total Completed</b>	<b>39</b>	<b>15</b>	<b>29</b>	<b>30</b>	<b>68</b>	<b>45</b>

### Section D: Applications granted or otherwise available in full

How were the documents made available to the applicant?	NUMBER OF FOI APPLICATIONS (GRANTED OR OTHERWISE AVAILABLE IN FULL)					
	PERSONAL		OTHER		TOTAL	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
<b>All documents requested were:</b>	#	8	#	19	#	27
D1 Provided to the applicant	#	0	#	0	#	0
D2 Provided to the applicant's medical practitioner	#	0	#	2	#	2
D3 Available for inspection	#	0	#	0	#	0
D4 Available for purchase	#	0	#	0	#	0
D5 Library material	#	0	#	0	#	0
D6 Subject to deferred access	#	0	#	0	#	0
D7 Available by a combination of any of the reasons listed in D1-D6 above	#	0	#	0	#	0
<b>D8 Total granted or otherwise available in full</b>	<b>#</b>	<b>8</b>	<b>#</b>	<b>21</b>	<b>#</b>	<b>29</b>

### Section E: Applications granted or otherwise available in part

How were the documents made available to the applicant?	NUMBER OF FOI APPLICATIONS (GRANTED OR OTHERWISE AVAILABLE IN PART)					
	PERSONAL		OTHER		TOTAL	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
<b>Documents made available were:</b>	#	6	#	9	#	15
E1 Provided to the applicant	#	0	#	0	#	0
E2 Provided to the applicant's medical practitioner	#	0	#	0	#	0
E3 Available for inspection	#	0	#	0	#	0
E4 Available for purchase	#	0	#	0	#	0
E5 Library material	#	0	#	0	#	0
E6 Subject to deferred access	#	0	#	0	#	0
E7 Available by a combination of any of the reasons listed in E1-E6 above	#	0	#	0	#	0
<b>E8 Total granted or otherwise available in full</b>	<b>#</b>	<b>6</b>	<b>#</b>	<b>9</b>	<b>#</b>	<b>15</b>

## INFORMATION REQUIRED BY OTHER ACTS TO BE REPORTED TO THE MINISTER FOR LOCAL GOVERNMENT (contd)

### Section F: Refused FOI applications

Why was access to the documents refused?	NUMBER OF REFUSED FOI APPLICATIONS					
	PERSONAL		OTHER		TOTAL	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
F1 Exempt	<b>NIL</b>					
F2 Deemed refused						
<b>F3 Total refused</b>						

### Section G: Exempt Documents

Why were the documents classified as exempt? (identify one reason only)	NUMBER OF FOI APPLICATIONS (REFUSED OR ACCESS GRANTED OR OTHERWISE AVAILABLE IN PART ONLY)					
	PERSONAL		OTHER		TOTAL	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
<b>Restricted documents:</b>						
G1 Cabinet documents (Clause 1)	0	0	0	0	0	0
G2 Executive Council documents (Clause 2)	0	0	0	0	0	0
G3 Documents affecting law enforcement and public safety (Clause 4)	5	0	.5	0	5.5	0
G4 Documents affecting counter terrorism measures (Clause 4A)	0	0	0	0	0	0
<b>Documents requiring consultation:</b>						
G5 Documents affecting intergovernmental relations (Clause 5)	0	0	0	0	0	0
G6 Documents affecting personal affairs (Clause 6)	8.25	5	6	7	14.25	12
G7 Documents affecting business affairs (Clause 7)	0	0	1	1	1	1
G8 Documents affecting the conduct of research (Clause 8)	0	0	0	0	0	0
<b>Documents otherwise exempt:</b>						
G9 Schedule 2 exempt agency	0	0	0	0	0	0
G10 Documents containing information confidential to Olympic Committees (Clause 22)	0	0	0	0	0	0

## INFORMATION REQUIRED BY OTHER ACTS TO BE REPORTED TO THE MINISTER FOR LOCAL GOVERNMENT (contd)

### Section G: Exempt Documents (contd)

Why were the documents classified as exempt? (identify one reason only)	NUMBER OF FOI APPLICATIONS (REFUSED OR ACCESS GRANTED OR OTHERWISE AVAILABLE IN PART ONLY)					
	PERSONAL		OTHER		TOTAL	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
G11 Documents relating to threatened species, Aboriginal objects or Aboriginal places (Clause 23)	0	0	0	0	0	0
G12 Documents relating to threatened species conservation (Clause 24)	0	0	0	0	0	0
G13 Plans of management containing information of Aboriginal significance (Clause 25)	0	0	0	0	0	0
G14 Private documents in public library collections (Clause 19)	0	0	0	0	0	0
G15 Documents relating to judicial functions (Clause 11)	0	0	0	0	0	0
G16 Documents subject to contempt (Clause 17)	0	0	0	0	0	0
G17 Documents arising out of companies and securities legislation (Clause 18)	0	0	0	0	0	0
G18 Exempt documents under interstate FOI legislation (Clause 21)	0	0	0	0	0	0
G19 Documents subject to legal professional privilege (Clause 10)	0	1	.5	0	.5	1
G20 Documents containing confidential material (Clause 13)	0	0	0	0	0	0
G21 Documents subject to secrecy provisions (Clause 12)	0	0	0	0	0	0
G22 Documents affecting the economy of the State (Clause 14)	0	0	0	0	0	0
G23 Documents affecting financial or property interests of the State or an agency (Clause 15)	0	0	0	0	0	0
G24 Documents concerning operations of agencies (Clause 16)	.25	0	0	0	.25	0

## INFORMATION REQUIRED BY OTHER ACTS TO BE REPORTED TO THE MINISTER FOR LOCAL GOVERNMENT (contd)

### Section G: Exempt Documents (contd)

Why were the documents classified as exempt? (identify one reason only)	NUMBER OF FOI APPLICATIONS (REFUSED OR ACCESS GRANTED OR OTHERWISE AVAILABLE IN PART ONLY)					
	PERSONAL		OTHER		TOTAL	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
G25 Internal working documents (Clause 9)	.25	0	1	1	1.25	1
G26 Other exemptions (e.g. Clauses 20, 22A and 26)	.25	0	0	0	.25	0
<b>G27 Total applications including exempt documents</b>	<b>14</b>	<b>6</b>	<b>9</b>	<b>9</b>	<b>23</b>	<b>15</b>

### Section H: Ministerial Certificates (s.59)

How many Ministerial Certificates were issued?	NUMBER OF MINISTERIAL CERTIFICATES	
	(previous year)	(current year)
H1 Minister Certificates issued	<b>NIL</b>	

### Section I: Formal Consultations

How many formal consultations were conducted?	NUMBER	
	(previous year)	(current year)
I1 Number of applications requiring formal consultation	33	25
I2 Number of persons formally consulted	#	86

### Section J: Amendment of Personal Records

How many applications for amendment of personal records were agreed or refused?	NUMBER	
	(previous year)	(current year)
J1 Agreed in full	<b>NIL</b>	
J2 Agreed in part		
J3 Refused		
<b>J4 Total</b>		

### Section K: Notation of personal records

How many applications for notations of personal records were made (s46)?	NUMBER	
	(previous year)	(current year)
K1 Applications for notation	<b>NIL</b>	



## INFORMATION REQUIRED BY OTHER ACTS TO BE REPORTED TO THE MINISTER FOR LOCAL GOVERNMENT (contd)

### Section L: Fees and Costs

What fees were assessed and received for FOI applications processed (excluding applications transferred out)?	ASSESSED COSTS		FEES RECEIVED	
	(previous year)	(current year)	(previous year)	(current year)
L1 All completed applications	<b>\$2,485</b>	<b>\$1,260</b>	<b>\$2,485</b>	<b>\$1,260</b>

### Section M: Fee Discounts

How many fee waivers or discounts were allowed and why?	NUMBER OF FOI APPLICATIONS (WHERE FEES WERE WAIVED OR DISCOUNTED)					
	PERSONAL		OTHER		TOTAL	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
M1 Processing fees waived in full	#	0	#	1	#	1
M2 Public interest discounts	#	0	#	0	#	0
M3 Financial hardship discounts – pensioner or child	#	0	#	2	#	2
M4 Financial hardship discounts – non profit organisations	#	0	#	0	#	0
<b>M5 Total</b>	<b>#</b>	<b>0</b>	<b>#</b>	<b>3</b>	<b>#</b>	<b>3</b>

### Section N: Fee Refunds

How many fee refunds were granted as a result of significant correction of personal records?	NUMBER	
	(previous year)	(current year)
N1 Number of fee refunds granted as a result of significant correction of personal records	<b>NIL</b>	

### Section O: Days taken to complete request

How long did it take to process completed applications? (Note: calendar days)	NUMBER OF COMPLETED FOI APPLICATIONS					
	PERSONAL		OTHER		TOTAL	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
O1 0-21 days – statutory determination period	16	7	20	12	36	19
O2 22-35 days – extended statutory determination period for consultation or retrieval of archived records (s. 59B)	14	2	6	4	20	6
O3 Over 21 days – deemed refusal where no extended determination period applies	0	1	0	5	0	6
O4 Over 35 days – deemed refusal where extended determination period applies	9	7	3	10	12	17
<b>O5 Total</b>	<b>39</b>	<b>17</b>	<b>29</b>	<b>31</b>	<b>68</b>	<b>48</b>

## INFORMATION REQUIRED BY OTHER ACTS TO BE REPORTED TO THE MINISTER FOR LOCAL GOVERNMENT (contd)

### Section P: Processing Time: Hours

How long did it take to process completed applications?	NUMBER OF COMPLETED FOI APPLICATIONS					
	PERSONAL		OTHER		TOTAL	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
P1 0-10 hours	22	17	12	31	34	48
P2 11-20 hours	13	0	17	0	30	0
P3 21-40 hours	4	0	0	0	4	0
P4 Over 40 hours	0	0	0	0	0	0
<b>P5 Total</b>	<b>39</b>	<b>17</b>	<b>29</b>	<b>31</b>	<b>68</b>	<b>48</b>

### Section Q: Number of reviews

How many reviews were finalised?	NUMBER	
	(previous year)	(current year)
Q1 Internal reviews	#	3
Q2 Ombudsman reviews	#	0
Q3 ADT reviews	1	1

### Section R: Results of internal reviews

Grounds on which the internal review was requested?	NUMBER OF INTERNAL REVIEWS					
	PERSONAL		OTHER		TOTAL	
	(previous year)	(current year)	(previous year)	(current year)	(previous year)	(current year)
R1 Access refused	#	1	#	0	#	1
R2 Access deferred	#	0	#	0	#	0
R3 Exempt matter deleted from documents	#	0	#	0	#	0
R4 Unreasonable charges	#	0	#	0	#	0
R5 Failure to consult with third parties	#	0	#	0	#	0
R6 Third party views disregarded	#	0	#	2	#	2
R7 Amendment of personal records refused	#	0	#	0	#	0
<b>R8 Total</b>	<b>#</b>	<b>0</b>	<b>#</b>	<b>0</b>	<b>#</b>	<b>3</b>

The number of FOI applications received by Council was down this year by approximately 29%, from 68 to 48. The number of LGA applications received by Council however was up this year by approximately 68% from 19 to 32. The majority of these applications were development related; and were mostly granted with the exception of documents that might have otherwise breached PPIPA or were the subject of legal professional privilege.

The parallel access regimes; as indicated in the previous Annual Report do remain a source of uncertainty for agencies; and for the public. On the 22 April this year, the NSW Ombudsman announced that his office would be conducting a review of FOI. Council was subsequently issued with a notice under section 18 of the *Ombudsman Act 1974* to supply information about its understanding and management of the different regimes. A discussion paper has since been released and submissions were being accepted until 31 October 2008.

## **INFORMATION REQUIRED BY OTHER ACTS TO BE REPORTED TO THE MINISTER FOR LOCAL GOVERNMENT (contd)**

Two appeals were lodged with the Administrative Decisions Tribunal (ADT) this year; one has been finalised and the other is scheduled for hearing late October. The one finalised concerned a request by the applicant for a particular document which Council determined both at the original review; and internal review stage that it did not have. At the second hearing of the matter; the ADT ruled that it did not have jurisdiction to hear the matter following a recent judgement of the Supreme Court which held that nothing in FOI gives the ADT jurisdiction to question the sufficiency of an Agency's search. This is an issue for the Ombudsman. The second matter is similar in that the applicant is again questioning whether all documents of relevance to the request have been supplied.

## INFORMATION REQUIRED BY OTHER ACTS TO BE REPORTED TO THE MINISTER FOR LOCAL GOVERNMENT (contd)

### LOCAL GOVERNMENT (GENERAL) REGULATION 2005

132            *The council's annual report must include the amount of rates and charges written off during the year.*

Details of rates and charges written off:

#### **Pensioner Claims Rebates 2007-08 (abandonments)**

Ordinary Rates	\$2,403,931.80
Waste Charges	\$1,052,550.63
Sewer Service Charges	\$1,178,231.92
Water Service Charges	\$759,410.47
Water Consumption Charges	<u>\$419,969.19</u>
	<b>\$5,814,094.01</b>

#### **Postponed Rates**

Ordinary Rate and Interest	\$8,126.77
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#### **Small Balances**

Debits (to maximum \$0.20)	\$578.02
Credits (to maximum -\$0.04)	<u>-\$15.20</u>
	<b>\$562.82</b>

#### **Other Assessments**

Seventy two separate assessments	\$12,890.09
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## INFORMATION REQUIRED BY OTHER ACTS TO BE REPORTED TO THE MINISTER FOR LOCAL GOVERNMENT (contd)

### INDEPENDENT PRICING AND REGULATORY ACT 1992

- 18(4) *A government agency which is the subject of a determination or recommendation of the Tribunal is required to include in its annual report:*
- (a) particulars of how any such determination has been implemented, and*
  - (b) a statement of whether any such recommendation has been implemented and, if not, the reasons why it has not been implemented.*

The Independent Regulatory and Pricing Tribunal (IPaRT) Act requires an agency subject to IPaRT determinations or recommendations to include information in its annual report on how determinations have been implemented, whether recommendations have been implemented and if not, a statement of why recommendations have not been implemented.

As Wyong Shire Council's water, sewerage and stormwater drainage services and a number of its associated ancillary services are declared monopoly services under Section 4 of the Act, Council's prices must be set in accordance with any IPaRT determined methodologies and/or maximum prices. As well, Wyong Shire Council cannot charge less without prior approval of the relevant Minister.

Wyong Shire Council's implementation for 2007-08 of IPaRT's pricing determination No. 3 released in May 2006 is shown in the following table.

Please note for water service charges, the variance between the 2007-08 IPaRT determined price and the Wyong Council price is as a result of the addition of a compulsory contribution (\$16.32 per property) to the NSW Government Water Savings Fund. In the price determination for 2007-08, IPaRT specified that a contribution to the Water Savings Fund be added to the water service charges as set out in the determination and required Council to calculate the contribution to the Fund and incorporate this into the water service charges determined by IPaRT.

In line with IPaRT's May 2006 determination, the prices detailed are based on the maximum real price paths.

# INFORMATION REQUIRED BY OTHER ACTS TO BE REPORTED TO THE MINISTER FOR LOCAL GOVERNMENT

## INDEPENDENT PRICING AND REGULATORY ACT 1992 (contd)

2007-08	Wyong Shire Council price set	Tribunal maximum price determined
<b>1. Service charges per year</b>		
	<b>\$</b>	<b>\$</b>
<b>(a) Residential properties</b>		
<b>Water<sup>d</sup></b>		
Metered (20mm meter size)	110.97 <sup>e</sup>	94.65 <sup>f</sup>
<b>Sewerage</b>	397.53	397.53
<b>(b) Non-residential properties</b>		
<b>Water</b>		
Meter size (mm): <sup>b</sup>		
20	110.97 <sup>e</sup>	94.65 <sup>f</sup>
25	164.21 <sup>e</sup>	147.89 <sup>f</sup>
40	394.93 <sup>e</sup>	378.61 <sup>f</sup>
50	607.90 <sup>e</sup>	591.58 <sup>f</sup>
80	1,530.75 <sup>e</sup>	1,514.43 <sup>f</sup>
100	2,382.63 <sup>e</sup>	2,366.31 <sup>f</sup>
150	5,340.52 <sup>e</sup>	5,324.20 <sup>f</sup>
200	9,481.55 <sup>e</sup>	9,465.23 <sup>f</sup>
250	14,805.75	14,789.43 <sup>f</sup>
<b>Sewerage</b>		
Meter size (mm): <sup>c</sup>		
20	143.22 x df% <sup>a</sup>	143.22 x df% <sup>a</sup>
25	223.78 x df% <sup>a</sup>	223.78 x df% <sup>a</sup>
40	572.88 x df% <sup>a</sup>	572.88 x df% <sup>a</sup>
50	895.12 x df% <sup>a</sup>	895.12 x df% <sup>a</sup>
80	2,291.51 x df% <sup>a</sup>	2,291.51 x df% <sup>a</sup>
100	3,580.48 x df% <sup>a</sup>	3,580.48 x df% <sup>a</sup>
150	8,056.09 x df% <sup>a</sup>	8,056.09 x df% <sup>a</sup>
200	14,321.93 x df% <sup>a</sup>	14,321.93 x df% <sup>a</sup>
250	21,642.19 x df% <sup>a</sup>	21,642.19 x df% <sup>a</sup>
<b>2. Usage charges per Kilolitre</b>		
<b>(a) Residential properties</b>		
<b>Water</b>	1.38	1.38
<b>(b) Non-residential properties</b>		
<b>Water</b>	1.38	1.38
<b>Sewerage</b>	0.72 <sup>g</sup>	0.72 <sup>g</sup>

<sup>a</sup> A discharge factor is applied to the nominated base charge dependant on the estimated volume of metered water discharged to the sewerage system.

<sup>b</sup> IPaRT's maximum determined water service charge for meter sizes not specified in its Determination is calculated using the formula: (meter size)<sup>2</sup> x 20mm base charge/400 plus a \$16.32 per property contribution to the NSW Government Water Savings Fund.

<sup>c</sup> IPaRT's maximum determined sewerage service charge for meter sizes not specified in its Determination is calculated by using the formula: (meter size)<sup>2</sup> x 20 mm base charge/400 x df%

<sup>d</sup> For residential properties with water meter size >20mm refer to Non-residential properties.

<sup>e</sup> Includes a \$16.32 per property contribution to the NSW Government Water Savings Fund.

<sup>f</sup> To this base charge is to be added a "per property" contribution to the NSW Government Water Savings Fund. In 2007-08, this contribution was \$16.32 per property.

<sup>g</sup> The usage charge is to be based on the proportion of metered water usage discharged to Council's sewerage system. Metered water usage is multiplied by a discharge factor, based on the type of premises, to estimate the volume of water discharged to Council's sewerage system.

## **INFORMATION REQUIRED BY OTHER ACTS TO BE REPORTED TO THE MINISTER FOR LOCAL GOVERNMENT**

### **INDEPENDENT PRICING AND REGULATORY ACT 1992 (contd)**

**Note:**

All prices are in nominal dollars (\$ of the year)

Other charging arrangements including exempt properties, trade waste and miscellaneous fees and charges were set in accordance with IPaRT's determined maximum price.

## INFORMATION REQUIRED BY OTHER ACTS TO BE REPORTED TO THE MINISTER FOR LOCAL GOVERNMENT (contd)

### PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998

- 33(3) *Council must include in its annual report a statement of the action taken by council in complying with the requirements of the act, and any statistical details of any reviews conducted under Part 5 of the Act.*

The Act requires that a management plan be prepared to indicate the way in which privacy issues are to be handled. Council's management plan is currently under review and will be finalised by the end of 2008.

There have been no formal requests under section 14 of the Act for access to personal information held by Council. This right of access however has been utilised where access has been sought under a different area of law, for example, section 12 of the *Local Government Act 1993* (LGA).

One complaint was received during the year about a possible breach by Council of the privacy of an individual. It involved the publication of personal information contained within a development application placed on Council's website. As required by Part 5 of the Act, the matter was formally investigated. It was established that the individual's privacy had been breached at the time the personal information was *collected*, as Council's development application (DA) form did not provide a notice that the form and associated documents would be placed on Council's website. It was also established however that the individual's privacy had not been breached at the time the information was *disclosed* to a third party (i.e. placed on the website) as Council was complying with the requirements of section 12(1) of the LGA, which provides that DAs and associated documents are public documents. The Privacy Commissioner following the investigation did comment that only relevant parts of a DA should be made available on Council's website. Council has apologised to the individual and has now changed its DA form to contain a clear notification that the information may be placed on its website.

Council has continued to adopt the practice of supplying the name of an adjoining owner of a property for legitimate purposes, for example, a fencing dispute. Applications must be in writing and are processed by Council's Customer Service Team. Any other requests for personal information must be made to the Public Officer.