
WYONG SHIRE COUNCIL

REPORTS TO THE ORDINARY MEETING OF COUNCIL

TO BE HELD IN THE COUNCIL CHAMBER,
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 27 JUNE 2007,
COMMENCING AT 5.00 PM

INDEX

	Opening Prayer	
	Receipt of Apologies	
246	Disclosures of Interest	3
247	Proposed Inspections	4
248	Proposed Briefings.....	5
249	Address by Invited Speakers.....	6
250	Confirmation of Minutes of Previous Meeting.....	7
251	Notice of Motion – Support of Chain Valley Bay Hall Committee.....	37
252	Notice of Motion – Community Involvement in Shire Entry Designs	38
253	Notice of Motion – Premature Electrification of New Estates	39
	 <u>Tenders</u>	
254	CPA 122173 – Hire of Plant for the Operation of Buttonderry Waste Management Facility	41
255	CPA 122103 - Collection and Purchase of Scrap Metal from Charmhaven Depot, Long Jetty Depot and Buttonderry Waste Management Facility	50
	 <u>General</u>	
256	Annual and Rolling Works Program 2007/2011 – Buildings	57
257	Annual and Rolling Works Program 2007/2011 – Contracts and Special Projects Section	60
258	Annual and Rolling Works Program 2007/2011 – Open Space and Recreation Section	63
259	Annual and Rolling Works Program 2007/2011 – Roads and Drainage	66
260	Annual and Rolling Works Program 2007/2011 – Water and Sewerage.....	73

ORDINARY MEETING OF COUNCIL

27 June 2007

INDEX (contd)

261	Establishment of Alcohol Free Zone at Budgewoi	79
262	Establishment of Alcohol Free Zone at Ourimbah.....	83
263	Proposed Councillors' Community Improvement Grants	85
264	10 th International River Symposium and Environmental Flows Conference	89
265	World Youth Day – “Journey of World Youth Day Cross and Icon”	91
	<u>Board Meeting</u>	
266	Gosford and Wyong Councils' Water Authority Board Meeting	97
267	Information Reports	99
268	Activities of the Development Assessment Unit.....	100
269	Bio Banking and Carbon Credits.....	103
270	General Works in Progress Report	104
271	Wyong Shire Library Statistics.....	111
272	Works in Progress Report – Water and Sewerage.....	115
273	Outstanding Questions Without Notice and Notices of Motion.....	119
	Answers to Questions Without Notice.....	123

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

General Manager's Report

246 Disclosures of Interest

F2006/02282 MW:SW

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

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

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

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

RECOMMENDATION

That Councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

General Manager's Report

247 Proposed Inspections

F2006/02282 MW:SW

SUMMARY

Inspections proposed to be held on 27 June 2007 and prior to the second Ordinary Meeting are listed as follows:

Date of Inspection	Location	Requested By
27 June 2007	Rolling Works Program – Buildings	Director Shire Services
27 June 2007	Rolling Works Program – Contracts and Special Projects	Director Shire Services
27 June 2007	Rolling Works Program – Open Space and Recreation	Director Shire Services
27 June 2007	Rolling Works Program – Water and Sewerage	Director Shire Services
27 June 2007	Rolling Works Program – Roads and Drainage	Director Shire Services
27 June 2007	Wyong Shire Welcome Signs - Corner Pacific Highway and Scenic Drive Doyalson	Director Shire Services

RECOMMENDATION

That the report on inspections to be conducted on Wednesday, 27 June 2007 be received and the information noted.

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

General Manager's Report

248 Proposed Briefings

F2006/02282 MW:SW

SUMMARY

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

RECOMMENDATION

That the report be received and the information noted.

Date	Briefing	Description	Time	Presented by
4 July 2007	Workshop	Various Issues	12.00 noon – 6.00pm	General Manager

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

General Manager's Report

249 Address by Invited Speakers

F2006/02282 MW:SW

SUMMARY

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

RECOMMENDATION

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

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

General Manager's Report

250 Confirmation of Minutes of Previous Meeting

F2006/02282 MW:SW

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on 13 June 2007.

RECOMMENDATION

That the minutes of the previous Ordinary Meeting of Council held on 13 June 2007 be received and confirmed.

WYONG SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 13 JUNE 2007,
COMMENCING AT 5.10 PM

PRESENT

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

IN ATTENDANCE

GENERAL MANAGER, DIRECTOR SHIRE SERVICES, DIRECTOR CORPORATE SERVICES, DIRECTOR SHIRE PLANNING, MANAGER DEVELOPMENT ASSESSMENT, ACTING MANAGER FUTURE PLANNING AND AN ADMINISTRATION OFFICER.

THE GENERAL MANAGER REPORTED ON THE RECENT STORM DISASTER AFFECTING THE COAST AND WORK CARRIED OUT BY COUNCIL STAFF AS WELL AS OUTLINING EMERGENCY PROCEDURES INVOLVED.

THE MAYOR COMMENDED ALL STAFF FOR THEIR EFFORTS DURING THIS PERIOD. THE MAYOR ALSO COMMENDED THE MEMBER FOR WYONG, MR DAVID HARRIS FOR HIS ENDEAVOURS DURING THIS CRISIS.

THE MAYOR, COUNCILLOR R L GRAHAM, DECLARED THE MEETING OPEN AT 5.10 PM AND PASTOR BRUCE HUNTER DELIVERED THE OPENING PRAYER.

APOLOGY

AN APOLOGY FOR THE INABILITY TO ATTEND THE MEETING WAS RECEIVED ON BEHALF OF COUNCILLOR PAVIER WHO WAS UNABLE TO ATTEND DUE TO FLOODING AT HIS HOME AS A RESULT OF THE RECENT STORM.

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

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

AT THE COMMENCEMENT OF THE ORDINARY MEETING REPORT NOS 222, 223 AND 242, WERE DEALT WITH FIRST THEN THE REMAINING REPORTS IN ORDER. HOWEVER FOR THE SAKE OF CLARITY THE REPORTS ARE RECORDED IN THEIR CORRECT AGENDA SEQUENCE.

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

216 Disclosures of Interest

F2006/02282 ED:MR

222 NOTICE OF MOTION – CARAVAN PARK SUBCOMMITTEE

COUNCILLOR BEST DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HIS FAMILY AND INLAWS HOLIDAY AT COUNCIL PARKS FROM TIME TO TIME AND DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER. HE LEFT THE CHAMBER AT 5.21 PM AND RETURNED TO THE CHAMBER AT 6.14 PM AND AS A RESULT TOOK NO PART IN VOTING.

233 PROPOSED LEASE AGREEMENTS WITH DELTA ELECTRICITY FOR A DESALINATION PLANT AND A MICRO FILTRATION PLANT

COUNCILLOR EATON DECLARED A NON-PECUNIARY SIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THE PROPOSED RECYCLED WATER MAIN PASSES ALONG HIS COMPANY PROPERTY BOUNDARY AND DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER. HE LEFT THE CHAMBER AT 8.23PM AND RETURNED TO THE CHAMBER AT 8.24 PM AND AS A RESULT TOOK NO PART IN VOTING.

239 PROPOSED COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS

COUNCILLOR WELHAM DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST FOR THE REASON THAT HE IS A PATRON OF TOUKLEY SWIMMING CLUB AND WARNERVALE RUGBY UNION CLUB.

COUNCILLOR WELHAM STATED THAT:

"I CHOOSE TO REMAIN IN CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY BECAUSE I DO NOT HOLD ANY OFFICE BEARER'S POSITION IN EITHER OF THESE ORGANISATIONS"

239 - PROPOSED COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS

COUNCILLOR BEST DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HIS FATHER IS AFFECTED BY ASBESTOSIS AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR BEST STATED THAT:

"I CHOOSE TO REMAIN IN CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY BECAUSE MY FATHER IS ONLY A MEMBER OF THE DUST DISEASES GROUP"

242 FORMATION OF CONSULTATIVE COMMITTEES FOR STORAGE VAN OWNERS AT COUNCIL'S HOLIDAY PARKS

COUNCILLOR BEST DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HIS FAMILY AND INLAWS HOLIDAY AT COUNCIL PARKS FROM TIME TO TIME AND DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER. HE LEFT THE CHAMBER AT 6.50 PM AND RETURNED TO THE CHAMBER AT 6.53 PM AND AS A RESULT TOOK NO PART IN VOTING.

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

W008 PART 3A APPLICATION – ROSECORP, GWANDALAN

COUNCILLOR ROSE DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST FOR THE REASON THAT THE HUNTER CENTRAL RIVERS CATCHMENT MANAGEMENT AUTHORITY (CMA) IS MENTIONED IN THE REPORT AND HE IS A BOARD MEMBER OF THE CMA.

COUNCILLOR ROSE STATED THAT:

"I CHOOSE TO REMAIN IN CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY BECAUSE I HAVE NO INVOLVEMENT IN THE DAY TO DAY ACTIVITY OF THE CMA".

W008 PART 3A APPLICATION – ROSECORP, GWANDALAN

COUNCILLOR BEST DECLARED A NON-PECUNIARY SIGNIFICANT CONFLICT OF INTEREST FOR THE REASON THAT A COMPANY ASSOCIATED WITH THE APPLICANT MAY HAVE PROVIDED SUPPORT TO MY PAST ELECTION CAMPAIGN AND DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER. HE LEFT THE CHAMBER AT 8.30 PM, DID NOT RETURN AND AS A RESULT TOOK NO PART IN VOTING.

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

That the report be received and advice of disclosures noted.

217 Proposed Inspections

F2006/02282 ED:MR

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

That the report on inspections to be conducted on Wednesday, 27 June 2007 be received and the information noted.

218 Proposed Briefings

F2006/02282 ED:MR

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

- 1 That the report be received and the information noted.*
- 2 That briefing times be adhered to by the Chairman.*

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

An AMENDMENT was MOVED by Councillor STEWART and SECONDED by Councillor FORSTER:

That the report be received and the information noted.

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

AGAINST: COUNCILLORS BEST, EATON AND VEUGEN.

The AMENDMENT then became the MOTION was put to the vote and declared CARRIED.

RESOLVED on the motion of Councillor STEWART and seconded by Councillor FORSTER:

That the report be received and the information noted.

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

AGAINST: COUNCILLORS BEST, EATON AND VEUGEN.

219 Address by Invited Speakers

F2006/02282 ED:MR

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

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

2 That standing orders be varied to allow each item to be dealt with following the speaker's address.

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

220 Notice of Intention to Deal with Matters in Confidential Session

F2006/02282 ED:MR

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

- 1 That pursuant to Section 10A(2)(a) of the Local Government Act, 1993, the following report be dealt with in Confidential Session:**

W008 Part 3A Application – Rosecorp, Gwandalan

- 2 That the reason for dealing with Report No W008 Part 3A Application – Rosecorp, Gwandalan confidentially is that it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.**
- 3 That, in accordance with the Council resolution, the General Manager will report on this matter to the meeting in Confidential Session.**

CONFIDENTIAL SESSION

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

That Council move into Confidential Session with the press and public excluded, to consider the following report:

W008 – Part 3A Application – Rosecorp, Gwandalan

for the reasons contained in Report No 220 - Notice of Intention to Deal with Matters in Confidential Session.

OPEN SESSION

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

That Council resume in Open Session.

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

THE GENERAL MANAGER REPORTED ON PROCEEDINGS OF THE CONFIDENTIAL SESSION OF THE ORDINARY MEETING OF COUNCIL AS FOLLOWS:

W008 Part 3A Application – Rosecorp, Gwandalan

F2004/10306 DJM:RE

COUNCILLOR ROSE DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST FOR THE REASON THAT THE HUNTER CENTRAL RIVERS CATCHMENT MANAGEMENT AUTHORITY (CMA) IS MENTIONED IN THE REPORT AND HE IS A BOARD MEMBER OF THE CMA.

COUNCILLOR ROSE STATED THAT:

“I CHOOSE TO REMAIN IN CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY BECAUSE I HAVE NO INVOLVEMENT IN THE DAY TO DAY ACTIVITY OF THE CMA”.

COUNCILLOR BEST DECLARED A NON-PECUNIARY SIGNIFICANT CONFLICT OF INTEREST FOR THE REASON THAT A COMPANY ASSOCIATED WITH THE APPLICANT MAY HAVE PROVIDED SUPPORT TO MY PAST ELECTION CAMPAIGN AND DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER. HE LEFT THE CHAMBER AT 8.30 PM, DID NOT RETURN AND AS A RESULT TOOK NO PART IN VOTING.

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

- 1 That the legal advice be received and noted.***
- 2 That no legal action be initiated by Council.***
- 3 That Council make available its legal advice to the Gwandalan community representatives to assist them in their deliberations on this matter and provide further staff assistance if required.***

221 Confirmation of Minutes of Previous Meeting

F2006/02282 ED:MR

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

That the minutes of the previous Ordinary Meeting of Council held on 23 May 2007 be received and confirmed.

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

BUSINESS ARISING FROM THE MINUTES

THERE WAS NO BUSINESS ARISING FROM THE MINUTES.

222 Notice of Motion – Caravan Park Subcommittee

F2004/08335 F2004/08336 F2004/08337 F2004/08333 ED

COUNCILLOR BEST DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HIS FAMILY AND INLAWS HOLIDAY AT COUNCIL PARKS FROM TIME TO TIME AND DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER. HE LEFT THE CHAMBER AT 5.21 PM AND RETURNED TO THE CHAMBER AT 6.14 PM AND AS A RESULT TOOK NO PART IN VOTING.

MR KEITH MCGUCKIN, REPRESENTING THE RESIDENTS FROM WYONG COUNCIL'S FOUR HOLIDAY PARKS, ADDRESSED THE MEETING AT 5.21 PM, ANSWERED QUESTIONS AND RETIRED AT 5:32 PM.

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

- 1 *That Council reconvene the Caravan Parks Subcommittee*
- 2 *That the Subcommittee Charter include:*
 - a *review of the profitability of the Parks under the proposed new tenancy arrangement,*
 - b *Council's liability to holiday van owners,*
 - c *other areas' transition to the 1990 Government Policy,*
 - d *ways to manage the change in tenancy types,*
 - e *the proposed park upgrades,*
 - f *such other matters as the Subcommittee considers necessary.*
- 3 *That Council now determine the Councillor membership of the Subcommittee.*
- 4 *That the Committee Membership include representatives of the Caravan Park user groups.*

An AMENDMENT was MOVED by Councillor WELHAM and SECONDED by Councillor FORSTER:

- 1 *That the General Manager organise monthly briefings, which are to be reviewed in three months time, on the Caravan Park issue with an invitation to all Councillors to attend.*

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

- 2 *That the General Manager facilitate representation from the van owners of the affected parks at those briefings.*
- 3 *That representatives from Government Departments with an interest in this matter and the local State Members, or their representatives, also be invited to participate in these briefings as appropriate.*
- 4 *That the results of these briefings be reported to Council.*

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

AGAINST: COUNCILLORS EATON AND VEUGEN.

The AMENDMENT then became the MOTION was put to the vote and declared CARRIED.

RESOLVED on the motion of Councillor WELHAM and seconded by Councillor FORSTER:

- 1 ***That the General Manager organise monthly briefings, which are to be reviewed in three months time, on the Caravan Park issue with an invitation to all Councillors to attend.***
- 2 ***That the General Manager facilitate representation from the van owners of the affected parks at those briefings.***
- 3 ***That representatives from Government Departments with an interest in this matter and the local State Members, or their representatives, also be invited to participate in these briefings as appropriate.***
- 4 ***That the results of these briefings be reported to Council.***

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

AGAINST: COUNCILLORS EATON AND VEUGEN.

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

223 Notice of Motion – Scientific Whaling

F2005/10946 ED:MR

DEBRA RAYMONT FROM WHALE CALL, ADDRESSED THE MEETING AT 6.15 PM, ANSWERED QUESTIONS AND RETIRED AT 6.18 PM.

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

- 1 *That in light of Japan's continued efforts to escalate its "scientific whaling" cull of the endangered and majestic humpback, minke and fin whales in Australia's Antarctic marine sanctuary, Council on behalf of our community re-affirm our total opposition to these outrageous and environmentally irresponsible actions.*
- 2 *That Council again write in the strongest possible terms to the Japanese embassy, the Mayor of Tanabe (Wyong Shire's Japanese sister city) and the Federal and State Ministers for the Environment to express our community's outrage at Japan's whaling.*
- 3 *That in the letter to the Mayor of Tanabe, our sister city, we request their stance on "commercial scientific whaling" and whether they support or do not support their Government's comments at the last International Whaling Commission on this issue.*

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

- 1 *That in light of Japan's continued efforts to escalate its "scientific whaling" cull of the endangered and majestic humpback, minke and fin whales in Australia's Antarctic marine sanctuary, Council on behalf of our community re-affirm our total opposition to these outrageous and environmentally irresponsible actions.*
- 2 *That Council request feedback from the Member for Dobell, Mr Ken Ticehurst, on his presentation of the petitions to the Japanese Ambassador.*

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

AGAINST: COUNCILLORS BEST, EATON AND VEUGEN.

The AMENDMENT became the MOTION was put to the vote and declared CARRIED.

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

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

- 1 That in light of Japan's continued efforts to escalate its "scientific whaling" cull of the endangered and majestic humpback, minke and fin whales in Australia's Antarctic marine sanctuary, Council on behalf of our community re-affirm our total opposition to these outrageous and environmentally irresponsible actions.**
- 2 That Council request feedback from the Member for Dobell, Mr Ken Ticehurst, on his presentation of the petitions to the Japanese Ambassador.**

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

AGAINST: COUNCILLORS BEST, EATON AND VEUGEN.

224 Notice of Motion – Energy Efficiency Initiative

F2004/00103 ED

COUNCILLOR STEWART LEFT THE CHAMBER AT 7.00 PM AND RETURNED TO THE CHAMBER AT 7.03 PM.

COUNCILLOR EATON RETURNED TO THE CHAMBER AT 7.02 PM.

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

Energy Efficiency Initiative 2050

- 1 That with the looming energy supply crisis, global warming and climate change, Council in partnership with community, business and providers now take a more responsible and pro active approach in tackling energy efficiency Shire Wide.*
- 2 That to facilitate 1 above and avoid a repetition of the water supply situation, Council form a lead Energy Efficiency Committee (EEC) that will focus on policy formation while bounded by the doctrine of the "triple bottom line" (environment, economic and social) principles/benefits.*
- 3 That 2 above be implemented subject to final consideration by Council of a benefits analysis co authored by all three staff divisions.*

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

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

- 1 That once the Federal and State Governments have agreed on National and State targets in respect of global warming and climate change, Council consider local targets for the Wyong Shire.
- 2 That Council investigate new and evolving technologies that may assist in reducing Council's energy consumption.
- 3 That staff report back to Council, during a briefing session, their findings from Point 2 above.

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

AGAINST: COUNCILLORS BEST, EATON AND VEUGEN.

The AMENDMENT became the MOTION was put to the vote and declared CARRIED.

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

- 1 That once the Federal and State Governments have agreed on National and State targets in respect of global warming and climate change, Council consider local targets for the Wyong Shire.***
- 2 That Council investigate new and evolving technologies that may assist in reducing Council's energy consumption.***
- 3 That staff report back to Council, during a briefing session, their findings from Point 2 above.***

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

AGAINST: COUNCILLORS BEST, EATON AND VEUGEN.

LEAVE TO INTRODUCE A MOTION OF URGENCY

COUNCILLOR WELHAM SOUGHT TO INTRODUCE A MOTION OF URGENCY CONCERNING HAZZARD ASSESSMENT AND THE COASTLINE MANAGEMENT PLAN FOR THE WYONG SHIRE AREA.

THE MAYOR RULED THAT THE MATTER WAS URGENT AND COULD BE INTRODUCED AS A MATTER OF URGENCY.

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

That Council consider a motion of Urgency regarding hazard assessment and the Coastline Management Plan for the Wyong Shire area.

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

224A Motion of Urgency – Hazard Assessment and the Coastline Management Plan

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

- 1 That the State Government be requested to urgently expedite completion of the hazard assessment and the Coastline Management Plan for the Wyong Shire area.**
- 2 That the Mayor and General Manager raise this issue with the Minister for Climate Change, Environment and Water, the Hon Phil Koperberg, at the meeting on Thursday 14 June 2007.**
- 3 That the outcomes of the meeting between the General Manager, the Mayor and Mr Koperberg be reported back to Council.**

225 Adoption of 2007/2008 Management Plan

F2004/07006 MM

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

- 1 That the 2007/2008 Draft Management Plan incorporating the changes outlined in this report be adopted for the year 2007/2008.**
- 2 That the Estimates of Income and Expenditure as contained in the 2007/2008 Draft Management Plan incorporating the changes outlined in this report applicable for the General Fund and including funds relating to Council's function as a Water Supply Authority under the Water Management Act 2000 No. 92 for the year 2007/2008 be adopted.**
- 3 That in accordance with the provisions of Clause 211 of the Local Government (General) Regulation 2005 the sum of money allocated against each item of income and expenditure as contained in the 2007/2008 Draft Management Plan incorporating the changes outlined in this report for the General Fund and for the Water Supply Authority be hereby voted and approved subject, where necessary, to assessment of environmental considerations in regard to the works program pursuant to the provisions of the Environmental Planning and Assessment Act.**

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

- 4 *That the rate and charge rebates to pensioners for the year 2007/2008 be granted in accordance with Section 575 of the Local Government Act 1993 on Ordinary Rates and Domestic Waste Management Charges and Part 5 of Water Management Regulation 2004 on charges levied for 2007/2008 under the Water Management Act 2000 No.92, as well as the existing Council policy in respect of those persons so eligible.*
- 5 *That in accordance with the provisions of the Local Government Act, 1993 and Determination No. 06/3 of the Independent Pricing and Regulatory Tribunal of NSW, the fees and charges as detailed in the Revenue Policy and incorporating the changes outlined in this report, be set for the year 2007/2008.*
- 6 *That the authors of submissions concerning the 2007/2008 Draft Management Plan be advised of Council's decision.*

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

AGAINST: COUNCILLORS BEST, EATON AND VEUGEN.

226 Making and Fixing of Rates and Charges for 2007/2008

F2004/07006 MC

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

- 1 *That Council, pursuant to Sections 492, 493, 494, 497, 498, 499, 500, 535, 536, 537 of the Local Government Act 1993 make the following ordinary rates for 2007/2008 consisting of a base amount to which an ad valorem amount is added:*

<i>Ordinary Category Under Section 493</i>	<i>Rate</i>	<i>Base Amount</i>	<i>% revenue sourced from base amount for each category</i>	<i>Ad Valorem Amount (cents in the \$)</i>
<i>Farmland</i>		<i>\$144.00</i>	<i>8.20%</i>	<i>0.1800</i>
<i>Residential</i>		<i>\$144.00</i>	<i>19.11%</i>	<i>0.2670</i>
<i>Mining</i>		<i>\$144.00</i>	<i>0.61%</i>	<i>1.8380</i>
<i>Business</i>		<i>\$144.00</i>	<i>5.42%</i>	<i>0.6320</i>

- 2 *That Council, pursuant to Sections 492, 495, 497, 498, 499, 500, 535, 536, 537, 538 of the Local Government Act 1993, make the following special rates and amounts for 2007/2008 consisting of a base amount to which an ad valorem amount is added:*

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

Special Rate	Base Amount	% revenue sourced from base amount for each category	Ad Valorem Amount (cents in the \$)
The Entrance Town Centre	\$65.00	13.50%	0.1930
Non Residential Properties Toukley Area	\$65.00	10.04%	0.1909
Non Residential Properties Wyong Area	\$65.00	19.68%	0.0818

3 That Council, pursuant to Section 495 of the Local Government Act 1993, adopt the following descriptions of rateable land to which each special rate will apply for 2007/2008:

a The Entrance Town Centre Special Rate will apply to the following rateable land which, in Council's opinion, will derive benefit from the business related costs of The Entrance Town Centre upgrade and operation:

i All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburb know as The Entrance.

ii All land used as Major Facilities servicing tourists including Service Stations, Camp or Caravan Sites, Registered Clubs, Tourist Accommodation and Hotels/Motels as defined in Council's current Local Environmental Plan (LEP) and District Shopping Centres as defined in Council's current Retail Strategy in the suburbs known as The Entrance North, The Entrance, Blue Bay, Long Jetty, Toowoan Bay, Shelly Beach, Bateau Bay and Magenta.

ii All land used as rental accommodation and which is categorised as Residential under Section 516 of the Local Government Act, 1993 which is rented or leased for periods of three months or less in the suburbs known as The Entrance North, The Entrance, Blue Bay and Toowoan Bay.

b The Non Residential Properties Toukley Area Special Rate will apply to the following rateable land which, in Council's opinion, will derive benefit from the business related costs of The Toukley Area Centre Management / Greater Toukley Vision / in the Toukley/Canton Beach/Noraville/Norah Head retail and commercial areas:

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

- i All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in suburbs known as Toukley, Canton Beach, Noraville and Norah Head.*
- c The Non Residential Properties Wyong Area Special Rate will apply to the following rateable land which, in Council's opinion, will derive benefit from the business related costs of the Wyong/Tuggerah Chamber of Commerce in the Wyong/Watanobbi retail and commercial areas:**
- i All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government 1993 in the following areas:*
- 1 The suburb of Watanobbi.**
 - 2 The suburb of Wyong, bounded by the following:**

North of the Wyong River from Boyce Avenue in the east to the F3 Freeway in the west.

East of the F3 Freeway from the Wyong River to the suburb boundary between Wyong and Warnervale but to exclude Lot 32 DP 814964.

South of the northern Wyong boundary to its intersection with the Pacific Highway and then south of the Pacific Highway to the intersection of Pollock Avenue, but to include Lot 40 DP 659928, Lot 1 DP125163, Lot 1 DP 411020, Lot 3 DP 607756 and Lot 1 DP 1090455 (these lots being to the north of the Pacific Highway).
- 4 That Council, pursuant to Sections 496(A) and 510(A) of the Local Government Act 1993, make the following annual charges for storm water management services for 2007/2008:**

Storm water Levy	Charge
Residential	\$25.00
Residential Strata	\$12.50
Residential Company Title	\$25.00
Business	\$25.00 per 850 square metres or part thereof to a maximum of \$5000
Business Strata	\$25.00 per 850 square metres or part thereof to a maximum of \$5000 apportioned equally to each lot within the strata complex

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

Business Company Title	\$25.00 per 850 square metres or part thereof to a maximum of \$5000 apportioned according to the number of shares in the company owned by each shareholder.
-------------------------------	---

- 5 That Council, pursuant to Section 496 of the Local Government Act 1993, make the following Domestic Waste Management Charges for 2007/2008:

Description	Charge
Domestic Waste Management Charge	\$281.00
Domestic Waste Management Availability Charge	\$45.00
Domestic Waste Management Charge – Additional Split Bin Service	\$170.00
Domestic Waste Management Charge – Additional Garden Vegetation Service	\$69.00
Domestic Waste Management Charge – 240 litre Waste Upgrade	\$38.00
Domestic Waste Management Charge – Additional 240 litre Waste Bin Service	\$265.00
Domestic Waste Management Charge – Additional 140 litre Waste Bin Service	\$135.14
Domestic Waste Management Charge – Additional 240 litre Recycling Bin Service	\$52.00
Domestic Waste Management Charge – West of F3 Freeway	\$227.00
Domestic Waste Management Charge – Additional Short Term Extra Service	\$13.22 per week
Domestic Waste Management Charge – Additional Short Term Extra Service – 140 litre Waste Bin	\$11.90 per service
Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Waste Bin	\$12.40 per service
Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Recycling Bin	\$11.10 per service
Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Organics Bin	\$11.70 per service

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

- 6 *That Council continue the current policy of not providing a Domestic Waste Management service to parcels of land which have no Council approval for a residential building.*
- 7 *That Council, pursuant to Section 501 of the Local Government Act 1993, make the following Waste Management Charges for 2007/2008:*

<i>Description</i>	<i>Charge</i>
<i>Waste Management Charge</i>	<i>\$201.00</i>
<i>Waste Management Charge – Additional Split Bin Service</i>	<i>\$170.00</i>
<i>Waste Management Charge – 140 litre Waste Bin Service</i>	<i>\$159.70</i>
<i>Waste Management Charge – 240 litre Recycling Bin Service</i>	<i>\$52.00</i>
<i>Waste Management Charge –240 litre Organics Bin Service</i>	<i>\$69.00</i>
<i>Waste Management Charge – Litter Bin Service</i>	<i>\$165.00</i>
<i>Waste Management Charge - 240 litre Waste Bin Service</i>	<i>\$265.00</i>
<i>Waste Management Charge - 660 litre Waste Bin Service</i>	<i>\$1,161.76</i>
<i>Waste Management Charge - 1.1 cubic metre Waste Bin Service</i>	<i>\$1,265.00</i>
<i>Waste Management Charge - 1.5 cubic metre Waste Bin Service</i>	<i>\$1,715.00</i>
<i>Waste Management Charge - 3.0 cubic metre Waste Bin Service</i>	<i>\$3,400.00</i>

- 8 *For those properties that become chargeable or non-chargeable during the year a proportional charge calculated on a weekly basis will apply for either Domestic Waste Management Charges or Waste Management Charges.*
- 9 *That in accordance with Section 566 of the Local Government Act 1993 and Section 356 of the Water Management Act 2000, Council charge an interest rate of 10.0% in respect of overdue rates, service charges and water consumption charges for the period of 1 July 2007 to 30 June 2008 and this interest be calculated on a daily basis using the simple interest method.*
- 10 *Incentive Scheme*
- a *That for the year 2007/2008 Council offer an incentive scheme, of similar nature to that offered in 2006/2007, for those eligible ratepayers who elect to pay in full, including arrears, their 2007/2008 Rates and Charges by 31 August 2007 and for those ratepayers who elect to pay by direct debit.*

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

- b That the incentive scheme be in accordance with the rules detailed in Attachment 1.**
- c That a report be presented to Council detailing the success or otherwise of the scheme following the scheme period.**

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

AGAINST: COUNCILLORS BEST, EATON AND VEUGEN.

227 LEP Amendment of Lot 1 DP 134363 Geoffrey Road, Chittaway Point

RZ/4/2004 SI:NH

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

- 1 That a Draft Local Environmental Plan Amendment be prepared to correct the anomaly on the WLEP 1991, map in accordance with Section 73A of the Environmental Planning and Assessment Act 1979.**
- 2 That the Department of Planning be advised of Council's decision and provided with the required documentation.**
- 3 That Council's Section 149 Certificates be noted.**
- 4 That should the Department of Planning's LEP Panel advise that it does not support the amendment under Section 73A:**
 - a a Draft Local Environmental Plan be prepared under Section 54 of the Environmental Planning and Assessment Act, 1979, to rezone part of Lot 1 DP 134363 from 1(c) (Non Urban Constrained Lands) to 2(a) Residential zone, reflecting the original Residential 2(a) boundary.**
 - b the Department of Planning be advised of the decision.**
 - c the Department be further advised that Council requests the issue of a "Written Authorisation to Exercise Delegation" under Section 65, and if applicable, under Section 69 of the Environmental Planning and Assessment Act 1979.**

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

- d following receipt of the "Written Authority to Exercise Delegations" the draft Local Environmental Plan be referred to the appropriate authorities for comment and be placed on public exhibition.*
- e should no significant objections be received as a result of the exhibition, the Minister for Planning be requested to create the Local Environmental Plan.*
- f Council's Section 149 Certificates be noted.*

228 Future Planning Unit's 2007/08 Work Program

F2005/00149 DJM:RE

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

- 1 That the attached Future Planning Work Program be adopted as the current work program for 2007/08.**
- 2 That updates of the Work Program continue to be reported to Councillors via quarterly Councillor Briefings.**

229 Proposed Primary School at Lot 6 DP 1071685, 179-201 Warnervale Road, Hamlyn Terrace

DA/1095/2006 WKW

COUNCILLOR WELHAM LEFT THE CHAMBER AT 8.15 PM AND RETURNED TO THE CHAMBER AT 8.18 PM.

It was MOVED by Councillor GRAHAM and SECONDED by Councillor STEVENS:

- 1 That Council note the Minister's direction.*
- 2 That at the forthcoming meeting with the Minister for the Central Coast, the Hon John Della-Bosca (who is also the Minister for Education), the Mayor and General Manager highlight the financial impact on the ratepayers caused by the State Government's failure to pay the same contributions as required of private developers.*

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

- 3 *That the Mayor and General Manager request the Minister for the Central Coast to arrange an urgent meeting with the Minister for Planning, the Hon Frank Sartor, to discuss this issue.*

An AMENDMENT was MOVED by Councillor EATON and SECONDED by Councillor BEST:

That the applicant and the Department be advised that Council is prepared to grant its consent on the terms dictated by the Minister; however without payment of Council contributions, provision of water and sewerage services to the property cannot be advanced on Council's priority list, particularly given the recent storm event and demands on Council services.

FOR: COUNCILLORS BEST, EATON AND VEUGEN

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

The AMENDMENT was put to the VOTE and declared LOST.

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

- 1 ***That Council note the Minister's direction.***
- 2 ***That at the forthcoming meeting with the Minister for the Central Coast, the Hon John Della-Bosca (who is also the Minister for Education), the Mayor and General Manager highlight the financial impact on the ratepayers caused by the State Government's failure to pay the same contributions as required of private developers.***
- 3 ***That the Mayor and General Manager request the Minister for the Central Coast to arrange an urgent meeting with the Minister for Planning, the Hon Frank Sartor, to discuss this issue.***

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

That the remaining reports and recommendations of the Ordinary Meeting of Council, with the exception of report numbers 233 and 242 be received and the recommendations adopted.

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

230 Acquisition for Easements for Sewer Rising Mains at Woongarra

F2007/00699 JMT

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

- 1 That Council acquire easements for sewer rising mains 5 metres wide over the following land:**

Lot 84 DP 7527	81-91 Hakone Road, Woongarra
Lot 83 DP 7527	93-103 Hakone Road, Woongarra
Lot 80 DP 7527	129-139 Hakone Road, Woongarra
Lot 78A DP 24951	111-115 Hiawatha Road, Woongarra
Lot 82 DP 7527	105-115 Hakone Road, Woongarra
Lot 78B DP 24951	105-109 Hiawatha Road, Woongarra
Lot 78C DP 24951	99-103 Hiawatha Road, Woongarra
Lot 79B DP 24951	147-151 Hakone Road, Woongarra
Lot 1 DP 774021	153-175 Hakone Road, Woongarra
Lot 2 DP 561923	117-127 Hakone Road, Woongarra
Lot 120A DP 24673	151-155 Allinga Road, Woongarra
Lot 79C DP 24951	141-145 Hakone Road, Woongarra
Lot 78 DP 24951	117-121 Hiawatha Road, Woongarra
Lot 120 DP 24673	141-157 Hiawatha Road, Woongarra

- 2 That Council authorise the payment of compensation, if necessary, for the acquisition of the easements in Item 1 in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 and based on assessment by a qualified valuer.**
- 3 That Council proceed to compulsorily acquire the easements in the event that negotiations with the property owners cannot be satisfactorily resolved.**

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

- 4 *That Council authorise for the Common Seal of the Wyong Shire Council to be affixed to the Transfers and/or Plans and to any necessary applications to the Department of Local Government for the approval of the Minister and the Governor in order to proceed with the compulsory acquisition.*
- 5 *That Council authorise the Mayor and the General Manager to execute all documents relating to the Transfers and/or Plans and all documents relating to the applications to the Department of Local Government*

231 Classification of Land at Woongarra

DA/678/2005 PF

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

- 1 *That Council propose classification of Lots 2 and 3 DP 1104475 as Operational Land.*
- 2 *That the proposal be advertised in accordance with Section 34 of the Local Government Act 1993.*
- 3 *That, if no adverse submissions are received, the classification be adopted.*

232 Renewal of Lease to Wyong Shire Council Employees Credit Union, Anzac Road, Wyong

F2005/00384 PF

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

- 1 *That the Wyong Shire Council Employees Credit Union Limited be granted a new lease of office space within Council's administration building, Hely Street, Wyong on the same terms as the current lease at a commencing rent of \$1,500 per annum increased annually in accordance with the Consumer Price Index.*
- 2 *That Council authorise the affixing of the Common Seal of the Wyong Shire Council to the Lease document between the Wyong Shire Council and the Wyong Shire Council Employees Credit Union Ltd.*

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

- 3** *That Council authorise the Mayor and the General Manager to execute all documents relating to the Lease between the Wyong Shire Council and the Wyong Shire Council Employees Credit Union Ltd.*

233 Proposed Lease Agreements with Delta Electricity for a Desalination Plant and a Micro Filtration Plant

F2007/00813, F2007/00814 PF

COUNCILLOR EATON DECLARED A NON-PECUNIARY SIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THE PROPOSED RECYCLED WATER MAIN PASSES ALONG HIS COMPANY PROPERTY BOUNDARY AND DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER. HE LEFT THE CHAMBER AT 8.23PM AND RETURNED TO THE CHAMBER AT 8.24 PM AND AS A RESULT TOOK NO PART IN VOTING.

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

- 1** *That Council lease part of Lot 23 DP 717226, being the Mannering Park Sewer Treatment Plant site at Tall Timbers Road, to Delta Electricity for the purpose of construction and operation of a micro filtration plant for a maximum of 25 years at nominal rent.*
- 2** *That Council lease part of Lot 2 DP 825212, Rutleys Road, Mannering Park from Delta Electricity for the purpose of construction and operation of a desalination plant for two years with an option for a further two years at nominal rent.*
- 3** *That Council authorise for the Common Seal of Wyong Shire Council to be affixed to the Leases between Wyong Shire Council and Delta Electricity.*
- 4** *That Council authorise the Mayor and the General Manager to execute all documents relating to the Leases between Wyong Shire Council and Delta Electricity.*

234 Contract CPA 118477 – Supply and Application of Pavement Markings and Associated Works

CPA/118477 TC:JEM

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

That Council accept Tender No. CPA 118477 from the Atlantis Group of Companies for a period of up to two years, commencing on 1 June 2007. The estimated annual expenditure against this contract is \$275,000 including GST (\$250,000, excluding GST).

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

235 Contract CPA 120554 – In Situ Stabilisation Works

CPA/120554 TC:JEM

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

That Council accept Tender No CPA 120554 from Stabilised Pavements of Australia for a period of up to two years commencing on 1 July 2007. The estimated annual expenditure against this contract is \$750,000 including GST (\$681,819, excluding GST).

236 Proposed Naming of Section of Land – Part Lot 1 and Part Lot 3, DP 369486, Wadalba

F2004/07690 MN:MN

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

That the section of land to the south west of the soccer fields within the Wadalba Sporting Complex be named “Mascord Park”

237 Determination by the Local Government Remuneration Tribunal on Councillor Fees for 2007/2008

F2004/06505 ED

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

- 1** *That in accordance with the provisions of Section 249 of the Local Government Act 1993, the annual Mayoral Fee for the period 1 July 2007 to 30 June 2008 be fixed at \$49,165.*
- 2** *That the annual Mayoral Fee of \$49,165 be reduced by \$1,672 for use of the Mayoral Motor Vehicle in accordance with Clause 5.3 of the Council’s Facilities and Expenses Policy for Councillors.*
- 3** *That the annual Mayoral fee be further reduced by \$7,022 and be payable to the Deputy Mayor in accordance with Clause 6.2 of Council’s Facilities and Expenses Policy for Councillors.*

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

- 4 ***That in accordance with the provisions of Section 248 of the Local Government Act 1993, the Annual Councillor Fee be fixed at \$18,510 for the period 1 July 2007 to 30 June 2008.***
- 5 ***That all fees be paid in accordance with the provisions of Section 250 of the Local Government Act 1993.***

238 Goods and Services Tax Compliance

F2004/06651 MB

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

That Council note the lodgement of the Goods and Services Tax Compliance Certificate for the period 1 May 2006 to 30 April 2007 as signed by the Mayor, Deputy Mayor, Acting General Manager and Director Corporate Services and submitted to NSW Department of Local Government on 1 June 2007.

239 Proposed Councillors' Community Improvement Grants

F2006/00788 SG

COUNCILLOR BEST DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HIS FATHER IS AFFECTED BY ASBESTOSIS AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR BEST STATED THAT:

"I CHOOSE TO REMAIN IN CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY BECAUSE MY FATHER IS ONLY A MEMBER OF THE DUST DISEASES GROUP".

COUNCILLOR WELHAM DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST FOR THE REASON THAT HE IS A PATRON OF TOUKLEY SWIMMING CLUB AND WARNERVALE RUGBY UNION CLUB.

COUNCILLOR WELHAM STATED THAT:

"I CHOOSE TO REMAIN IN CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY BECAUSE I DO NOT HOLD ANY OFFICE BEARER'S POSITION IN EITHER OF THESE ORGANISATIONS"

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

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

That an amount of \$18,431 be allocated from the 2006/2007 Councillors' Community Improvement Grants as outlined in Attachment 1.

240 Australian Sister Cities Association Annual Conference

F2004/06466 MW

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

- 1 That Council authorise interested Councillors to attend the 2007 Australian Sister Cities Conference.**
- 2 That reasonable expenses incurred in Councillors attending the conference be met in accordance with Council's Facilities and Expenses Policy for Councillors.**

241 Information Reports

F2006/02282 ED:MR

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

That the Information Reports and recommendations of the Ordinary Meeting of Council, with the exception of report number 242 be received and the information noted.

242 Formation of Consultative Committees for Storage Van Owners at Council's Holiday Parks

F2004/08335 F2004/08336 F2004/08337 F2004/08333 TM:JEM

COUNCILLOR BEST DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HIS FAMILY AND INLAWS HOLIDAY AT COUNCIL PARKS FROM TIME TO TIME AND DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER. HE LEFT THE CHAMBER AT 6.50 PM AND RETURNED TO THE CHAMBER AT 6.53 PM AND AS A RESULT TOOK NO PART IN VOTING.

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

MR GLENN ANTHONY, ON BEHALF OF RESIDENTS OF WYONG COUNCIL'S FOUR HOLIDAY PARKS, ADDRESSED THE MEETING AT 6.50 PM, ANSWERED QUESTIONS AND RETIRED AT 6.53 PM.

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

That the information be received and noted.

THE MAYOR DECLARED A RECESS OF FIVE MINUTES FROM 6.53PM TO 6.58PM. COUNCILLOR EATON DID NOT RETURN UNTIL 7.02 PM.

243 Schedule of Bank Balances and Investments – April 2007

F2004/06604 HS

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

That the information be received and noted.

244 Hospital Waiting Times

F2004/06377 MC

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

That the information be received and noted.

245 Outstanding Questions Without Notice and Notices of Motion

F2006/02282 MW:SW

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

That the information be received and noted.

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

QUESTIONS WITHOUT NOTICE ASKED**Q054 – Empty Coal Ships****Councillor Eaton**

F2004/06935

“Can Council advise if a risk analysis and/or safety plan exists for empty coal ships going onto our beaches in storm events?”

Q055 – Development of Shire’s Employment Lands**Councillor Eaton**

F2004/08168

“Can Council confirm that development of the Shire’s employment lands is now being prejudiced by identification of Porter’s Creek as a water supply/catchment?”

Q056 – Attendance at Briefings and Inspections**Councillor Stewart**

F2006/02282

“Could the General Manager please send out a memo to all Councillors appealing to them to attend briefings and inspections? At our formal meetings we are wasting time going over and over the briefings and inspection subjects.”

Q057 – Anvil Hill Coal Mine**Councillor Veugen**

F2006/00259

“As a member of the Association of Coal Mine Related Councils, could staff write to the Association in regards to their view on the Anvil Hill Coal Mine which was recently approved by Minister Sartor, in regards to community concerns?”

Q058 – Use of High Pressure Hoses at Charmhaven Pound**Councillor Veugen**

F2004/06957

“Myself and Councillor Best have been approached by a local resident regarding high pressure hoses being used to clean out dog cages at our Charmhaven Pound while the animals are still in their cages. Could staff report on whether this is common practice and that there is no bedding or blankets supplied especially during winter?”

Minutes of the Ordinary Meeting of Council held on 13 June 2007 (contd)

Q059 – Stormwater Levy

Councillor Best

F2004/00118

“I table a letter from Mr Peter Killen regarding Stormwater Levy, could the General Manager provide a response?”

Q060 – Reluctance of Joint Water Authority to apply to IPART for the Introduction of Inclined Block Tariffs

Councillor Best

F2004/06782

“I table an E-mail received from Mr Phil Heaton regarding the reluctance of the Joint Water Authority to apply to IPART for their introduction of Inclined Block Tarrifs. Could the General Manager provide a response?”

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.35 PM.

.....
CHAIRPERSON

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

251 **Notice of Motion – Support of Chain Valley Bay Hall Committee**

F2004/07635

Councillor C W Veugen has given notice that at the Ordinary Meeting of Council to be held on Wednesday 27 June 2007, he will move the following Motion:

- “1 *That Council recognise the already significant contribution made by the Chain Valley Bay Hall Committee in funding:*
- a *Half the cost of the initial hall construction.*
b *Two thirds the cost of the hall extension.*
c *All the costs of the basketball courts - \$28,000.*
d *All the cost of playground equipment at the hall.*
e *All the cost of playground equipment at the boat ramp.*
- 2 *That in order for the Hall Committee to fund the identified needs of other important projects such as:*
- Softfall for playground area - \$15,000*
New chairs are for hall - \$2,600
New tables for the hall - \$1,600
Picnic tables for the playground area for playgroup mums
- Council fund the full cost of security fencing around the local community hall at a cost of approximately \$12,000.”*

General Manager’s Note

The following table shows Councillors’ Community Improvement Grants requests in relation to the fencing cost:

Amount	Council Meeting	Status	Budget
\$1,650	Resolved 13 December 2006	Paid by cheque to Hall Committee*	2006/2007
\$1,000	Resolved 23 May 2007	Not yet paid	2006/2007
\$1,000	Proposed to be resolved 11 July 2007	Proposed allocation	2007/2008

* Money being held in Hall Committee’s account.

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

252 Notice of Motion – Community Involvement in Shire Entry Designs

F2004/06729

Councillor G P Best has given notice that at the Ordinary Meeting of Council to be held on Wednesday 27 June 2007, he will move the following Motion:

- “1 That further to Council’s decision to erect entry signs in three locations around the Shire, at a cost of approximately \$100,000, Council afford our residents and ratepayers the opportunity to be involved in the design process through such organisations as our TAFE and Universities. Graphic Design/Art Faculties and interested schools should also be encouraged to participate, with a view to provide community ownership of the project while lessening of the likelihood of vandalism.*
- 2 That staff review and recommend possible structural material alternatives that may reduce the overall signage costs.”*

General Manager’s Note

Council resolved to install three signs at Scenic Drive Doyalson, Sparks Road Warnervale and Cobbs Road Mardi.

On 7 March 2007, an initial presentation was provided at a briefing of Councillors. Some modifications were made to the draft proposals and on 9 May 2007 a further “mock-up” of the sign was presented at another briefing of Councillors. Some further changes have subsequently been made with the Councillors present at the briefing requesting an on site inspection of one of the sites with the latest edition of the “mock-up” in place. It is intended to include this inspection as part of the Rolling Works inspections on 27 June 2007.

The signs will require Development Consent and it is envisaged construction could be completed by end of 2007. Since there are no adjoining private land owners, no public notification is required under Council policy unless specified by the Development Assessment Plan at the time of determination.

The signs are proposed to be constructed predominately from masonry and stainless steel.

These construction materials were discussed at the briefings and received concurrence from the Councillors who were present.

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

253 Notice of Motion – Premature Electrification of New Estates

F2004/06351

Councillor D J Eaton has given notice that at the Ordinary Meeting of Council to be held on Wednesday 27 June 2007, he will move the following Motion:

“That Council put the following motion to the next Local Government Association Conference (LGA):

That the LGA lobby Energy Australia and the appropriate State Minister to cease its premature electrification of new estates.”

This page is intentionally blank

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

254 CPA 122173 – Hire of Plant for the Operation of Buttonderry Waste Management Facility

CPA/122173 PRW: EBL

SUMMARY

Evaluation and selection of tenders for Contract No CPA 122173 – Hire of Plant for the Operation of Buttonderry Waste Management Facility.

RECOMMENDATION

- 1** *That all complying tenders received for the hire of plant for the operation of Buttonderry Waste Management Facility be accepted for inclusion on a priority ranking list for 12 months.*
- 2** *That the Director Shire Services be authorised to arrange engagement of plant as required from time to time for the effective operation of the facility in accordance with Contract CPA 122173 Hire of Plant for the Operation of Buttonderry Waste Management Facility. The estimated annual expenditure for all plant against this contract is \$1,168,455 including GST (\$1,062,232 excluding GST) however actual expenditure may vary significantly with fluctuations in demand.*

BACKGROUND

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

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

- * Dozer D6 or equivalent with operator
- * Bogie Truck with operator
- * Excavator and Bogie Truck combination with a single operator (with option for a second operator if required)
- * Backhoe and Truck combination with a single operator (with option for a second operator if required)

CPA 122173 – Hire of Plant for the Operation of Buttonderry Waste Management Facility (contd)

- * Excavator 12 tonne with hydraulic grab attachment with operator.

The proposed contract is for a period of 12 months commencing from the date of acceptance of tender. The current contract expires on 5 August 2007. The tender documents required that all tendered rates be fully inclusive of GST, operating maintenance and fuel costs.

Tender Process

Tenders were invited by way of public invitation. Tenders were advertised in both the local and metropolitan newspapers over the period 3 April 2007 to 10 April 2007 and closed on 26 April 2007 at 2.00 pm at Council Chambers.

EVALUATION OF TENDERS

Tenders were evaluated by a panel of three staff members from the Contracts and Special Projects section. In the past, staff from Council's Plant Pool were part of the assessment panel for plant hire contracts for Buttonderry due their high level of expertise in all plant hire matters. As Plant Pool submitted a tender for various Plant items for Buttonderry, Plant Pool was not represented on the evaluation panel on this occasion.

The following threshold and weighted criteria were used:

- 1 Conformance with the requirements of the tender documents.
- 2 Ability to manage Occupational Health and Safety risk.
- 3 Price.
- 4 Previous performance on other contracts and track record.
- 5 Equipment offered and compliance with technical requirements.

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

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

CPA 122173 – Hire of Plant for the Operation of Buttonderry Waste Management Facility (contd)

The evaluation was conducted in the following stages:

- 1 Assessment of receipt of tenders.
- 2 Assessment of conformance of tenders.
- 3 Shortlisting of tenders.
- 4 Detailed weighted evaluation of shortlisted tenders.
- 5 Due diligence checks on preferred tenderers.
- 6 Independent review of the tender selection process.

Assessment of Receipt

The following tenders were received:

Tender No	Tender	Tendered plant	Estimated annual cost (Incl GST)	Status
1	Casson Trucking and Earthmoving Pty Ltd	Bogie truck	\$203,840	Submitted on time
2	RL Equipment Pty Ltd	Bogie Truck	\$166,479	Submitted on time
3	Duncan Excavations (NSW) Pty Ltd	Excavator and Bogie truck combination	Non-conforming tender	Submitted on time
		Backhoe and Bogie truck combination	Non-conforming tender	
	Duncan Excavations (NSW) Pty Ltd (Alternative Tender)	Backhoe only	Non-conforming tender	
		Excavator only	Non-conforming tender	
4	Roboni Pty Ltd	Bogie Truck	\$203,840	Submitted on time
		12 t Excavator	\$217,620	Submitted on time
5	RW Leete Pty Ltd	D6 Dozer	\$169,400	Submitted on time
6	H and F Tippers Pty Ltd	Bogie Truck	\$156,957	Submitted on time
		Backhoe and Bogie truck combination	\$284,856	

CPA 122173 – Hire of Plant for the Operation of Buttonderry Waste Management Facility (contd)**Assessment of Receipt continued**

Tender No	Tender	Tendered plant	Estimated annual cost (Incl GST)	Status
7	John E Hogan Pty Ltd	Bogie Truck	\$214,614	Submitted on time
		Backhoe and Bogie truck combination	\$378,721	
8	Roy Lamb the Sand Man	Bogie Truck	\$208,208	Submitted on time
9	Toveety Pty Ltd	Bogie Truck (Western Star)	\$206,606	Submitted on time
		Excavator and Bogie truck combination	\$360,360	
		12 t Excavator	\$218,790	
		D6 Dozer	\$192,500	
10	TCX Pty Ltd	Bogie Truck (3 trucks)	\$144,144	Submitted on time
		12 t Excavator	\$180,180	
		Excavator and Bogie truck combination	\$296,010	
11	RK Talbot Enterprise Ltd Pty	Bogie Truck	\$180,544	Submitted on time
		Backhoe and Bogie truck combination	\$383,856	
12	Wyong Shire Council Plant Pool	Bogie Truck	\$224,224	Submitted on time
		12 t Excavator	\$190,476	
		Backhoe and Bogie truck combination	\$391,560 *	

* The Estimated annual cost for the Backhoe and Bogie truck combination tendered by Wyong Shire Council was adjusted to include the cost of a second operator.

The estimated annual cost was based on the anticipated annual utilisation (hours/yr) for each plant and the tendered hourly rate.

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

CPA 122173 – Hire of Plant for the Operation of Buttonderry Waste Management Facility (contd)

Assessment of Conformance

Tenders were assessed against:

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

Duncan Excavations (NSW) Pty Ltd tendered for the backhoe and truck combination and the excavator and truck combination. The tender for both plant item combinations are non-conforming as the backhoe will not be equipped with solid tyres and the excavator will not be equipped with a Roll Over Protection System (ROPS). This tender will not be included in the detailed assessment as the solid tyres are critical requirements to minimise plant stand down and the ROPS is a critical safety mechanism as the excavator will be required to work on steep batters etc.

Duncan Excavations (NSW) Pty Ltd also submitted an alternative tender. The alternative tender provides fees for a backhoe only and an excavator only without bogie trucks. Similar to the conforming tender, the backhoe does not have solid tyres and the excavator does not have ROPS. The alternative tender from Duncan Excavations (NSW) Pty Ltd will not be included in the detailed assessment.

A sensitivity analysis undertaken established that the tender from Duncan Excavations (NSW) Pty Ltd would not change the tender relativity if it was included in the detailed assessment.

All other tenders were conforming and included in the shortlisting process

Shortlisting

Tender No 6 from H and F Tippers was excluded from the weighted assessment process. The Evaluation Panel had serious concerns that the company has the ability to manage safety risks due to previous disputes over Workers Compensation Insurance.

All other conforming tenders were progressed to the weighted evaluation process.

CPA 122173 – Hire of Plant for the Operation of Buttonderry Waste Management Facility (contd)**Weighted Evaluation**

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

Dozer

Tender	Tenderer	Make & Model	Estimated Annual cost (incl GST)	Estimated Annual cost (excl GST)	Assessment Score	Rank
5	R W Leete	Cat D6H	\$169,400	\$154,000	90	1
9	Toveety Pty Ltd	Cat D6	\$192,500	\$175,000	83	2

Tender No 5 from RW Leete Pty Ltd is the highest scoring tender for the D6 dozer and on balance, this tender represents the best value-for money for Council.

Bogie Trucks

Tender No	Tenderer	Make and Model	Estimated Annual Cost (incl GST)	Estimated Annual cost (excl GST)	Assessment Score	Rank
10	TCX Pty Ltd	Sterling	\$144,144	\$131,040	94	1
		Kenworth	\$144,144	\$131,040	94	1
		Ford	\$144,144	\$131,040	94	1
2	RL Equipment Pty Ltd	Ford Louisville	\$166,479	\$151,345	81	2
11	RK Talbot Enterprises	White 4000	\$180,544	\$164,131	73	3
1	Casson Trucking and Earthmoving Pty Ltd	Mack Tipper	\$203,840	\$185,309	63	5
8	Roy Lamb the Sand Man	Kenworth	\$208,208	\$189,280	63	5
9	Toveety Pty Ltd	Western Star	\$206,606	\$187,824	60	6
3	John Hogan	Ford	\$214,614	\$195,104	58	7
12	Wyong Shire Council Plant Pool	UD Nissan	\$224,224	\$203,840	53	8
4	Roboni Pty Ltd	Kenworth	\$203,840	\$185,309	49	9

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

CPA 122173 – Hire of Plant for the Operation of Buttonderry Waste Management Facility (contd)

Tender No 10 from TCX Pty Ltd is the highest scoring tender for the Bogie truck and on balance, this tender represents the best value-for money for Council.

Backhoe and Bogie Truck Combination – Single Operator

Tender	Tenderer	Make & Model	Estimated Annual Cost (incl GST)	Estimated Annual Cost (excl GST)	Assessment Score	Rank
7	John E Hogan	Ford New Holland Ford	\$378,721	\$344,292	93	1
11	R K Talbot	Case 580 White	\$383,856	\$348,960	92	2
12	Wyong Shire Council Plant Pool	MF 860 Mack Metro	\$391,560	\$355,964	89	3
9	Toveety Pty Ltd	JCB Bogie Mack	\$396,282	\$360,256	75	4

Tender No 7 from John E Hogan is the highest scoring tender for Backhoe and Bogie truck combination and on balance, this tender represents the best value-for money for Council.

Excavator and Bogie Truck Combination

Tender	Tenderer	Make and Model	Estimated Annual cost (incl GST)	Estimated Annual Cost (excl GST)	Assessment Score	Rank
10	TCX Pty Ltd	Excav. Hitachi Bogie Kenworth	\$296,010	\$269,100	94	1
9	Toveety Pty Ltd	Excav. Hyundai Bogie Mack	\$360,360	\$327,600	77	2

Tender No 10 Alternative Tender from TCX Pty Ltd is the highest scoring tender for the Excavator and Bogie truck combination and on balance, this tender represents the best value-for money for Council.

CPA 122173 – Hire of Plant for the Operation of Buttonderry Waste Management Facility (contd)**12 Tonne Excavator and Grab**

Tender	Tenderer	Make & Model	Estimated Annual Cost (incl GST)	Estimated Annual Cost (excl GST)	Assessment Score	Rank
10	TCX Pty Ltd	Hitachi EX160LC	\$180,180	\$163,800	80	1
		Hitachi ZX210K	\$180,180	\$163,800	80	1
12	Wyong Shire Council Plant Pool	Komatsu PC120-7	\$190,476	\$173,160	75	2
9	Toveety Pty Ltd	Hitachi EX120	\$218,790	\$198,900	64	3
4	Roboni Pty Ltd	Daewoo Ex130	\$217,620	\$197,836	63	4
		Komatsu Ex120				
		Kobelco 150				

Tender No 10 from TCX Pty Ltd is the highest scoring tender for the 12 tonne excavator and on balance, this tender represents the best value-for money for Council.

The following table presents the tendered rates and the current rates for each plant item for comparison purposes:

Plant Item	Current hourly rate (highest ranked Contractor on priority list) August 2006 - July 2007	Tendered hourly rate August 2007 – July 2008
Dozer	\$118.00	\$121.00
Bogie Truck	\$50.80	\$49.50
Backhoe and Bogie Truck combination	\$113.30 cost of 2 nd operator \$25.75	\$108.90 cost of 2 nd operator \$33.00
Excavator and Bogie Truck combination	\$107.00 cost of 2 nd operator \$41.40	\$85.00 cost of 2 nd operator \$41.50
12 tonne excavator	\$67.24	\$77.00

CPA 122173 – Hire of Plant for the Operation of Buttonderry Waste Management Facility (contd)

All above tenders were included in the due diligence process

Due Diligence

Referees were contacted for all Tenderers and all plant tendered was inspected by a Council technician. Upon inspection some plant was no longer available. The plant inspection report was used to score the suitability of the plant. Plant that could not be inspected due to unavailability received a score of zero. All shortlisted tenderers received satisfactory references and all are considered able to manage OHS risks.

Process Review

This evaluation process and recommendations have been endorsed by the Manager – Contract Systems

BUDGET

The contract will be funded from the Buttonderry Operating Expenditure Budget. Sufficient funding has been allocated for this work in the 2007/2008 budget.

LOCAL CONTENT

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

CONCLUSION

The following tenders on balance represent the best value-for money for Council.

Tender No	Tenderer	Plant
10	TCX Pty Ltd	Bogie truck
7	John E Hogan Pty Ltd	Backhoe and Bogie truck combination
10	TCX Pty Ltd	12 t Excavator
10	TCX Pty Ltd	Excavator and Bogie truck combination
5	RW Leete Pty Ltd	D6 dozer

In summary it is recommended that all complying tenders received for the hire of plant/trucks for the operation of Buttonderry Waste Management Facility be accepted for inclusion on a priority ranking list for 12 months.

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

255 **CPA 122103 - Collection and Purchase of Scrap Metal from Charmhaven Depot, Long Jetty Depot and Buttonderry Waste Management Facility**

CPA/122103 PRW:EBL

SUMMARY

Report on the assessment of tenders received for Tender CPA 122103 – Collection and Purchase of Scrap Metal from Charmhaven Depot, Long Jetty Depot and Buttonderry Waste Management Facility.

RECOMMENDATION

That Council accept Tender No 2 from Smorgon Steel Recycling for the Collection and Purchase of Scrap Metal from Charmhaven Depot, Long Jetty Depot and Buttonderry Waste Management Facility for a period of six months commencing on 1 August 2007 at an estimated income to Council of \$255,883 (GST inclusive) or \$232,621 (GST exclusive).

BACKGROUND

As part of its efforts to reduce the quantity of waste disposed of to landfill, Council has for some years encouraged the source separation of recyclable metals and car batteries from the waste stream received at the Buttonderry Waste Management Facility. Metals, including white goods, car bodies, corrugated iron sheets, water heaters etc can be taken to the facility free of charge to maximise the diversion of materials from landfill.

In addition, facilities exist at Charmhaven and Long Jetty Works Depots for the separate collection of scrap metal, copper and brass resulting from Council's activities.

In the past, tenders have been invited twice annually for the exclusive rights to purchase all scrap metals collected at the Charmhaven and Long Jetty Depots and Buttonderry Waste Management Facility. Industry representatives have indicated that a contract with a contract term greater than six months would introduce uncertainty and risks due to the at times unpredictable behaviour and volatility of the world metal prices which may result in metal prices that are less advantageous to Council.

Frequent contract change overs however can create service disruptions associated with the removal and replacement of bulk bins used for the storage of scrap metals at the Council depots.

In order to determine whether a longer contract period indeed results in lower tender rates, tenderers were requested to provide rates for a six months as well as a 12 months contract period.

CPA 122103 - Collection and Purchase of Scrap Metal from Charmhaven Depot, Long Jetty Depot and Buttonderry Waste Management Facility (contd)

The current contract with CMA Metal Corporation expires on 31 July 2007, therefore fresh tenders have been invited for the purchase of scrap steel, copper and brass collected from the Depots and mixed scrap metals and car batteries from Buttonderry Waste Management Facility for the next six months.

Tender Process

Tenders were invited by way of public invitation. Advertisements were placed in the Sydney Morning Herald on 3 April 2007 and the Central Coast Express Advocate on 4 April 2007. Tenders closed at Council Chambers at 2:00pm on 26 April 2007.

EVALUATION OF TENDERS

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

- * Conformance with the requirements of the tender documents.
- * Ability to manage safety risk.
- * Price.
- * Previous Contractor performance.

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

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

The evaluation was conducted according to the following process.

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

CPA 122103 - Collection and Purchase of Scrap Metal from Charmhaven Depot, Long Jetty Depot and Buttonderry Waste Management Facility (contd)

Assessment of Receipt

The following tenders were received:

Tender	Estimated revenue for 6 months (based on tendered rates for a 6 months Contract period (incl GST))	Estimated revenue for the first 6 months (based on tendered rates for 12 months Contract period) (incl GST)	Status
1 CMA Metal Corporation	Did not tender for 6 months contract period	\$236,585	Submitted on time
2 Smorgon Steel Recycling	\$255,883	\$213,541	Submitted on time
3 Sell and Parker	\$219,634	\$223,521	Submitted on time

Table 1: Receipt of tenders

Smorgon Steel Recycling and Sell and Parker both tendered for a six and a 12 months contract period. CMA Metal Corporation tendered only for a 12 months contract period.

Assessment of Conformance

All tenders were assessed for conformance with the general tender requirements, including the specification. The tenders were fully conforming and were progressed to the next stage of evaluation.

CPA 122103 - Collection and Purchase of Scrap Metal from Charmhaven Depot, Long Jetty Depot and Buttonderry Waste Management Facility (contd)

Weighted Evaluation

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

Tender	Estimated revenue 6 for months (based on tendered rates for a 6 months Contract period (ex GST))	Estimated revenue for 6 months (based on tendered rates for 12 months Contract period)) (ex GST)	Weighted Evaluation Score
Smorgon Steel Recycling	\$232,621		92
CMA Metal Corporation		\$215,077	91
Sell and Parker		\$203,201	88
Sell and Parker	\$199,667		87
Smorgon Steel Recycling		\$194,128	79
CMA Metal Corporation	Did not tender for 6 months contract period		Not rated

Table 2: Tender Scores

The tender prices from Smorgon Steel Recycling for a six months contract period are significantly higher than the tender prices for the 12 months contract period. The tendered rates from Sell and Parker only show a marginal difference between the tender prices for the two contract period options. As CMA Metal Corporation only tendered for the 12 months contract option it is impossible to confidently exclude the 12 months contract period as a viable option in the future.

The revenue stated in Table 2 for the six months contract period includes an adjustment of \$5,000 to reflect the cost of undertaking a second tender process within a 12 months period. As only one tender process is required under the 12 months contract option the tender prices for this option were not adjusted. While this cost saving is insufficient to make the tender from Smorgon Steel Recycling for a 12 months contract period viable it would make the tender from Sell and Parker for a 12 months contract period more competitive than the six months contract period if Sell and Parker were the highest ranked tenderer.

CPA 122103 - Collection and Purchase of Scrap Metal from Charmhaven Depot, Long Jetty Depot and Buttonderry Waste Management Facility (contd)

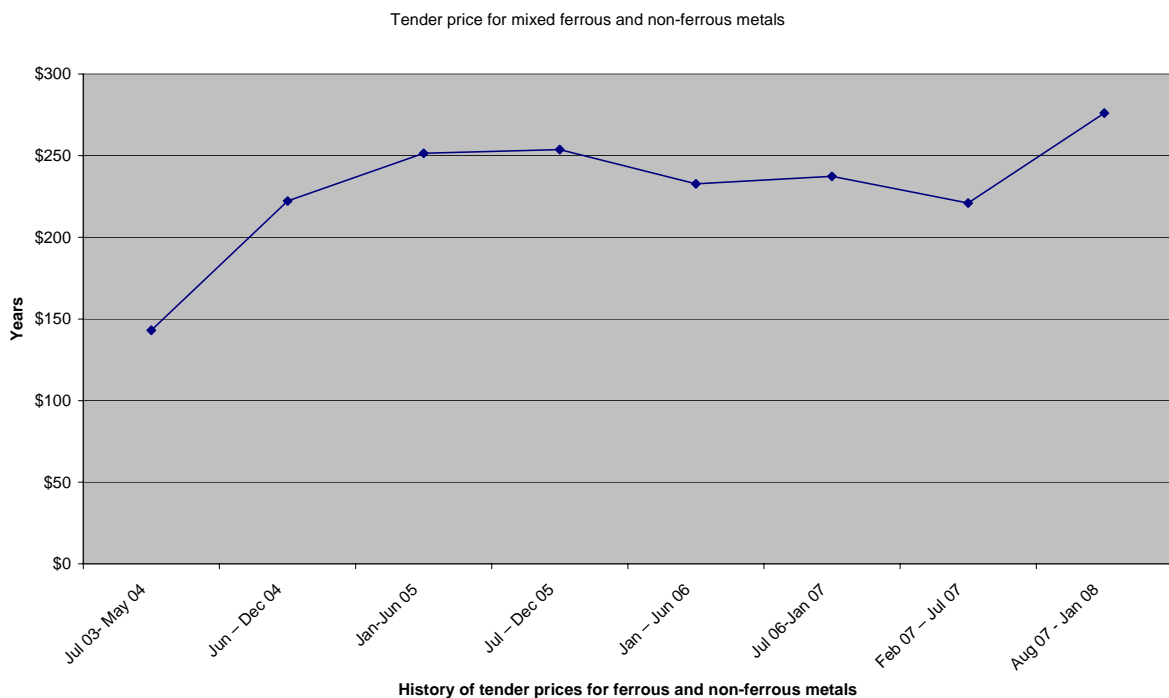
Tender No 2 from Smorgon Steel Recycling for a six months contract period, being the highest scoring tender, was progressed to the due diligence stage of the evaluation.

The quantities of scrap metals generated are subject to fluctuations. The following table shows the amount of materials collected from November 2006 to April 2007 as well as the six month average based on tonnages collected between July 2003 and December 2006.

	Material collected (November 2006 to April 2007)	6 months average (July 2003 – Dec 2006)
Mixed Scrap Metal	883 tonnes	1,234 tonnes

Table 3: Records of Scrap Metal collected

Graph 1 provides a history of tender prices for scrap metal:



Graph 1: Scrap Steel prices

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

CPA 122103 - Collection and Purchase of Scrap Metal from Charmhaven Depot, Long Jetty Depot and Buttonderry Waste Management Facility (contd)

The income generated from the collections of scrap metals, inclusive of GST, was \$219,091 for the period November 2006 to April 2007. The same quantities of scrap metal at the rates tendered by Smorgon Steel Recycling would generate a GST inclusive income of approximately \$260,883 for the next six months.

Due Diligence

Smorgon Steel Recycling has provided scrap metal collection services for Wyong Shire Council on previous occasions. While Smorgon Steel Recycling have been at time slow in responding to service requests, the overall performance was satisfactory. Smorgon is a local company located at Lisarow.

Process Review

This evaluation process and recommendations have been endorsed by the Manager – Contract Systems.

TIME-FRAME

The contract will commence on 1 August 2007 for a period of six months.

CONCLUSION

Tender No 2 from Smorgon Steel Recycling for a six months contract period is the highest scoring tender and meets all of Council's requirements for this contract. On balance, this tender represents the best value-for-money for Council.

This page is intentionally blank

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

256 Annual and Rolling Works Program 2007/2011 – Buildings

F2004/11318 BP:BA

SUMMARY

This report outlines the Building Section upgrading and capital works program proposed for 2007/2008 and the three year Rolling Works Program identifying capital building works proposed to be undertaken in the years 2008/2009, 2009/2010 and 2010/2011.

RECOMMENDATION

- 1 *That the Buildings Annual Works Program as detailed in the report covering works funded in the 2007/2008 Management Plan be adopted.***

- 2 *That the Buildings Rolling Works Program as detailed in the report covering building items programmed in the 2008/2009, 2009/2010 and 2010/2011 years be noted.***

BACKGROUND

Council has the responsibility to both build and maintain a diverse range of community facilities throughout the Shire. The financial responsibility to maintain these buildings is spread between Council (directly) and Management Groups to Council 355 Committees and direct leases to selected groups.

The inventory of Shire assets identifies that Council has the responsibility for:

Civic Centre (1)	Halls (31)
Libraries (5)	Surf Clubs (4)
Cottages (26)	Senior Citizens Centres (3)
Neighbourhood Centres (6)	Art Centres (1)
Tourist Offices (2)	Meals on Wheels (1)
Historic Buildings (3)	Community Centres (18)
Child Care Centres and Pre Schools (17)	Community Centres - Clubhouses (25)
Buildings associated with Sewer Treatment Plants (6)	Community Centres - Recreation Centres (2)
Buildings associated with Water Treatment Plants (1)	Community Centres - Youth Centres (3)
Pump Stations (150)	Grandstands (3)
Amenities (23)	Sports Complexes (2)
Public Toilets (76)	Swimming Pools (3)
Bus Shelters (157 approximately)	Jetties
Bus Seats	Cycleway Bridges
Boat Ramps	Waste Depot Buildings (4)
Picnic Shelters	Beach Access Stairs and Rails
Bushfire Brigades (16)	Utility Buildings (15)
Depots (7)	

Annual and Rolling Works Program 2007/2011 – Buildings (contd)

Although some of these facilities are leased from Council or have contributing maintenance obligations from Care Control and Management groups, the main responsibility for funding maintenance rests with Council.

Council has in place an asset maintenance system which considers the defects in a structure (building) and assigns a ranking. As each building is inspected annually, individual defects are placed in priorities according to their rate of deterioration and the resulting urgency to rectify. Asset maintenance programs are then developed to rectify the identified defects.

The enclosure identifies the Annual and Rolling Works Program for years 2007/2008, 2008/2009, 2009/2010 and 2010/2011.

In accordance with previous practice a three year rolling works program is submitted to Council each year which will confirm/amend previously adopted plans and add one further year.

Projects funded by Section 94 income are included in the Annual Rolling Works Program, with some of the projects requiring supplementary funding from revenue as detailed within the program.

Details of 2007 – 2008 Works

PUBLIC AMENITIES Upgrading existing toilets and providing disabled toilets	Buff Point Oval – Upgrade existing disabled access
	Killarney Vale Athletics Toilets – Upgrade existing disabled access
COMMUNITY BUILDINGS (providing disabled access)	Charmhaven Hall – Disabled access from carpark to hall
	Kulnura Hall, Disabled access to hall and disabled car parking
COMMUNITY BUILDINGS (major refurbishment)	Tunkuwallin Hall – Install internal toilets including disabled facilities
SECTION 94 PROJECTS	The Entrance Multipurpose Community Facility – Construction Stage 2. A construction contract will be awarded by the end of 2007 and construction completed by June 2008. The works include the refurbishment of four buildings and carpark and extensive landscaping works. This will provide facilities for , arts and culture, active uses such as guides, martial arts, physical fitness groups and ballet, computer training rooms and a wood and metalwork workshop.

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

Annual and Rolling Works Program 2007/2011 – Buildings (contd)

Details of 2007 – 2008 Works

SECTION 94 PROJECTS continued	Wyong Performing Arts Centre – The PAC is programmed to be delivered by 2010 at an estimated cost of \$23.6 million. The Business Plan and Architectural Brief will be completed during 2006/07 and design development will continue through 2007/08. Construction is planned to commence (subject to all funding issues being resolved) during 2008/2009 with expenditures of at least \$10.5 million in 2008/2009 and \$10.5 million in 2009/2010.
	Warnervale Town Centre - Design and Construct works associated with community floor space including the Knowledge Centre, Integrated Child and Family Centre, Links to Health Centre, Recreation and Aquatic Facility within the Town Centre (Subject to DoP approval)
	Hamlyn Terrace Community Centre – This relates to the detailed design of the community centre and the acquisition of suitable land within the Hamlyn Terrace suburb at a site yet to be determined by Council which will be the subject of a report to Council during early 2007/2008.

The Rolling Works Programs for 2007/2008, 2009/2010 and 2010/2011 are submitted for Council's information. The Rolling Works Program will allow the early preparation of designs to ensure the timely implementation of construction programs.

Enclosure

***Annual and Rolling Works Programs for Buildings – Years
2007/2008, 2008/2009, 2009/2010 and 2010/2011***

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

**257 Annual and Rolling Works Program 2007/2011 – Contracts and
Special Projects**

F2004/11318 DBT:DBT

SUMMARY

This report outlines the Contracts and Special Project Section capital works proposed for 2007/2008 and a three year Rolling Works Program identifying capital works to be undertaken in the years 2008/2009, 2009/2010 and 2010/2011.

RECOMMENDATION

- 1 *That the Contracts and Special Project Section Annual Works Program as detailed in the report covering works funded in the 2007/2008 Management Plan be adopted.***

- 2 *That the Contracts and Special Projects Section Rolling Works Program as detailed in the report covering major capital items programmed in the 2008/2009, 2009/2010 and 2010/2011 financial years be noted.***

BACKGROUND

The Contracts and Special Projects Section within the Shire Services Department undertakes the project management of most major capital projects detailed within the various sections' rolling works program. A number of key projects for recreational facilities are detailed in this report. Also detailed are the major capital works proposed to be undertaken at Buttonderry Waste Management Facility, the rehabilitation of closed land fills and swimming pools.

Council is responsible for managing the disposal of solid waste within the Shire. This involves the construction, operation and rehabilitation of land fills within the Shire. Buttonderry Waste Management Facility currently receives approximately 180,000 tonnes of waste, green waste, scrap metals, concrete and clean fill per annum of which about 127,000 tonnes are being land filled. Approximately 43,000 tonne/annum is diverted from landfill by either recycling or reprocessing. Due to the Department of Environment and Climate Change tightening the definition for Virgin Excavated Natural Material (VENM) and reducing the use of VENM for operational purposes, the quantities of clean fill and VENM received are estimated to be only about 9,000 tonnes for 2007/2008.

Buttonderry will continue to receive quantities of waste/material at the facility and the infrastructure will need to be expanded to receive this material in the context of escalating environmental, occupational health and safety, and community expectation. Strategies to maximise the diversion of waste from land fill will be implemented whenever it is cost effective for the capacity of the landfill to be conserved.

Annual and Rolling Works Program 2007/2011 – Contracts and Special Projects (contd)

The construction of a new small vehicle transfer and recycling area commenced in 2006/2007 and will be completed by 2007/2008. This facility will greatly improve safety conditions at the site and facilitate the diversion of recyclables. The construction of a new carpark for staff and visitors and office building will commence in 2007/2008 and will be completed in 2008/2009. A wheel wash facility will be constructed in 2007/2008 for large vehicles to prevent mud tracking onto Hue Hue Road.

Council has a number of closed land fills at Bateau Bay, Mardi, Gwandalan and Tumbi Umbi that have been programmed for progressive rehabilitation. The initial stages of the closed Bateau Bay Landfill rehabilitation, comprising the Pat Morley Oval section of the site, were completed in 2004/2005. Works on the remaining Bateau Bay section commenced during 2006/2007 and will be completed in December 2007. The site will be available for use in October 2008.

An investigation to determine the scope of the rehabilitation works at the closed Mardi Landfill was undertaken during 2006/2007 and the rehabilitation is programmed to be completed by 2010/2011. Investigation of Gwandalan Landfill and the Bellevue Vegetation Landfill will commence in 2007/2008 and be finalised in 2008/2009. The rehabilitation of Gwandalan landfill is scheduled for completion in 2012/2013 and the Bellevue vegetation landfill will be completed by 2013/2014 in accordance with the Management Plan.

The Section also manages Council's three public swimming pools at Toukley, Wyong and The Entrance. The focus for 2007/2008 will be the repainting of Wyong Pool and installation of upgraded security fencing around the Toukley Aquatic Centre. A new pool management contract will also be arranged to begin on 1 October 2007. Details of proposed pool works are included in the Open Space and Recreation report.

The Section has expanded its ability to handle multiple projects and manages a significant number of water, sewerage and other joint water infrastructure projects. These projects are identified in the Annual and Rolling Works Program for the Water and Waste Section. Similarly, a number of new playing fields are being implemented by the group and these are identified in the Program for the Open Space and Recreation Section. The Contracts and Special Projects Section also manages several landfill remediation projects that are included in this report.

The Section continues to manage important water supply infrastructure works, including the new pipeline to Mangrove Dam, provision for emergency desalination units and the Link Road between Watanobbi and Warnervale.

ANNUAL WORKS PROGRAM 2007/2008

Council has allocated funds in the 2007/2008 Management Plan for various capital works. The works from this program proposed to be carried out during this period are shown in the enclosure.

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

Annual and Rolling Works Program 2007/2011 – Contracts and Special Projects (contd)

The scope of works proposed under each budget allocation is based on preliminary cost estimates only. As designs and full resource based estimates are completed the list of works will need to be revised within budget allocations.

WASTE ROLLING WORKS PROGRAM 2008/2009, 2009/2010 and 2010/2011

Whilst the Contracts and Special Projects Section manages many capital works projects detailed in the Rolling Works Programs of other Sections, it has specific responsibility for the management of waste functions for Council.

The capital works programs for waste management for the above periods are submitted to Council for consideration and are detailed in the enclosure. The adoption of these programs will allow the Contracts and Special Projects Section to prepare designs early to ensure the programs are implemented in a timely manner.

In accordance with previous practice a three year rolling works program is submitted to Council each year, which will confirm/amend previously adopted plans and update a further year.

Enclosure

Annual and Rolling Works Programs for Contracts and Special Projects – Years 2007/2008, 2008/2009, 2009/2010 and 2010/2011

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

**258 Annual and Rolling Works Program 2007/2011 – Open Space
and Recreation**

F2004/11318 IR:LM

SUMMARY

This report outlines the Open Space and Recreation Section capital works proposed for 2007/2008 and a three year Rolling Works Program identifying capital open space and recreation works proposed to be undertaken in the years 2008/2009, 2009/2010 and 2010/2011.

RECOMMENDATION

- 1 *That the Open Space and Recreation Section Annual Works Program as detailed in this report covering works funded in the 2007/2008 Management Plan be adopted.***

- 2 *That the Open Space and Recreation Section Rolling Works Program as detailed in this report covering capital items programmed in the 2008/2009, 2009/2010 and 2010/2011 Open Space and Recreation budget be noted.***

ANNUAL WORKS PROGRAM 2007/2008

Council has responsibility for the building and maintenance of a diverse range of recreational facilities throughout the Shire. These include:

- * 810 hectares of parks and reserves and conservation areas, many with barbeques, shelters and picnic areas.
- * Over 135 playground facilities.
- * 6 patrolled ocean beaches and associated rescue infrastructure.
- * 40 square kilometres of lakes and estuaries.
- * 44 ovals/sports field facilities.
- * Various tennis, netball and basketball courts and skate parks.
- * Over 26 kilometres of off-road cycleways.

Annual and Rolling Works Program 2007/2011 – Open Space and Recreation (contd)

Although there is some contribution to maintenance costs from user groups in the area of sportsgrounds, the main responsibility for funding maintenance works rests with Council. This cost is in the order of \$6M per annum for the wide variety of activities undertaken by this section.

Council has allocated funds in 2007/2008 for various capital works. The following works from this program are proposed to be carried out under the fund allocations shown to the limit of budget provision.

Over the next three years there will be a need to focus on the delivery of capital works expenditure that improves the carrying capacity of the Shire's sportsfields. This will involve the construction of new playing fields as well as the upgrading of existing facilities by way of improved lighting, drainage, irrigation (non potable) and amenities. Design and construction work has already commenced in this endeavour with the recently completed Jubilee Oval available for use. This will be followed by the completion of the Wadalba Sportsfield Complex in late 2007 which will be available for use by sporting groups in April 2008.

ROLLING WORKS PROGRAM 2008/2009, 2009/2010 AND 2010/2011

In accordance with previous practice a three year rolling works program is submitted to Council each year to confirm/amend previously adopted plans and add one further year (refer enclosure).

The rolling works programs for 2007/2008, 2008/2009, 2009/2010 and 2010/2011 are submitted to Council for information and are detailed in the enclosure. The Open Space and Recreation Section will use these programs as a basis for early preparation of designs to ensure the timely implementation of construction programs.

There are two projects from the 2006/07 Rolling Works Program that have been deferred. The floodlighting upgrades at Halekulani Oval and Don Small Oval which were delayed due to the unresolved external grants (Regional Partnerships) and these will be undertaken in 2007/08 and 2008/09 respectively. Whilst the announcement as to whether these projects were successful in attracting this funding has not yet been made however it is expected that this will be resolved by the end of June 2007.

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

Annual and Rolling Works Program 2007/2011 – Open Space and Recreation (contd)

The following table details the significant works for 2007/2008:

1	Cycleway Improvements (Revenue/RTA Funds) Stage 2 of The Entrance North to Toukley Cycleway will be constructed on Crown Land in the vicinity of Terilbah Place at North Entrance.	\$213,000
2	Open Space Improvements (Revenue and Section 94 funds) This includes Open Space embellishment projects that are not related to sportsgrounds and includes the following works: New park construction at McKellar Boulevard Blue Haven Saltwater Creek park upgrade Long Jetty Playground upgrades at Ourimbah Construct park at Peppercorn Ave Warnervale	\$1,203,000
3	Ovals Construction and Upgrading (Section 94 Funds) This includes sports facility projects funded by Section 94 contributions and includes the following works: Installation of dual use posts at Wadalba High hard courts Construct netball court at San Remo Floodlight upgrade at Baker Park Netball Courts Wyong Floodlight upgrade at Halekulani Oval Construct additional netball courts at Baker Park Wyong (funding sourced from Wyong Netball Association and NSW Sport and Recreation)	\$233,000
4	Ovals Construction and Upgrading (Revenue Funds) This includes sports facility projects funded by revenue funds and includes the following works: Re-surface Lake Munmorah Netball Courts Install synthetic wicket at Darren Kennedy Oval Install synthetic wicket at Halekulani Oval Install synthetic wicket at EDSACC north	\$50,000
5	Crown Reserves Improvements This includes coastal projects on Crown Land and is funded by revenue generated from Wyong Shire Holiday Parks. The works are subject to the approval of NSW Lands under the terms of the Holiday Park Cluster Plan. These works will commence in May 2008 and be completed by early 2008/09 and include- The upgrade of picnic facilities at Picnic Point, Terilbah Reserve and Jenny Dixon reserves.	\$60,000
6	Asset refurbishment to playgrounds (Revenue Funds) This line item is dedicated to the renovation of existing playgrounds as they approach the end of their serviceable life. Three playgrounds will be upgraded this year: Woodward Ave Reserve Wyong Stanley St Reserve Kanwal Vena Ave Gorokan	\$40,000

**Enclosure Annual and Rolling Works Programs for Open Space and Recreation
– Years 2007/2008, 2008/2009, 2009/2010, 2010/2011**

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

259 Annual and Rolling Works Program 2007/2011 – Roads and Drainage

F2004/11318 TC:SMF

SUMMARY

This report outlines the Roads and Drainage Section Capital Works Program proposed for 2007/2008 and a three year Rolling Works Program identifying capital works proposed to be undertaken in the years 2008/2009, 2009/2010 and 2010/2011.

RECOMMENDATION

- 1 That the Roads and Drainage Section Annual Works Program as detailed in the report covering works funded in the 2007/2008 Management Plan be adopted.**
- 2 That the Roads and Drainage Section Rolling Works Program as detailed in the report concerning works programmed in the 2008/2009, 2009/2010 and 2010/2011 years be noted.**

CAPITAL WORKS PROGRAM – 2007/2008

Council has allocated funds in the 2007/2008 Management Plan for various capital works, including Roads Rehabilitation, Bitumen Resealing and Drainage.

The works proposed to be carried out during this period are as detailed in the enclosure.

It should be noted that all funding available under this program has been allocated to the nominated projects. If Council is of mind to include additional projects during the 2007/2008 year, projects on the proposed works program will require to be deferred to future programs. This may include deferment of Road Rehabilitation projects with accompanying Drainage works.

MAIN ROADS (4.1.2 – Management Plan Line)

Regional Roads Program

Regional Roads are defined as major local roads with relatively high traffic volumes and which link major centres and/or provide a link to State roads. In Wyong Shire, these roads are Enterprise Drive/Chittaway Road, Tumbi Road, Elizabeth Bay Drive/Mimosa Road/Ourringo Street and Wye Road.

Project selection for this program is based on a cost-benefit analysis and is heavily weighted to the improvement of traffic safety. The RTA contributes 50% of the cost of these Repair Program projects.

Annual and Rolling Works Program 2007/2011 – Roads and Drainage (contd)

Projects proposed for completion under the program during 2007/2008 are:

- * Enterprise Drive, Fountaindale – between Turpentine Bridge and Old Chittaway Road.
- * Enterprise Drive, Berkeley Vale – between Berkeley Road and Catamaran Drive.

RTA Black Spot Projects

A number of projects have been submitted to the RTA for approval and allocation of funding under the Federal Government Black Spot Program.

The RTA is currently revising these projects and a decision is anticipated by October. These projects are fully funded under the Black Spot Program.

Projects submitted and approved under this program are based on traffic safety, accident history and traffic management issues. Submitted projects awaiting approval include:

- * Thompson Street / Watkins Street, Long Jetty - Proposed street closure.
- * Goobarabah Avenue / Gorokan Drive, Lake Haven - Proposed pedestrian refuge.
- * Lake Haven Drive / Stratford Avenue, Lake Haven - Proposed traffic signals (funded by Blackspot and Developer contributions).
- * Lakin Street / Rushby Street, Bateau Bay - Proposed roundabout.
- * Eastern Road / Gwydir Street, Bateau Bay - Proposed seagull intersection.

SECONDARY ROADS CONSTRUCTION (4.1.3 – Management Plan Line)

In 2007/2008 an allocation of approximately \$23 million has been identified for Section 94 contribution works with the bulk of this money (\$20.6 million) being related to the Warnervale Link Road (Railway Road) project.

Annual and Rolling Works Program 2007/2011 – Roads and Drainage (contd)

SECONDARY ROADS REHABILITATION (4.1.4 – Management Plan Line)

Project Selection and Prioritisation

Roads selected for rehabilitation are identified and prioritised using criteria which include the following:

- * Traffic volume and speed.
- * Percentage of heavy vehicle use.
- * Traffic safety issues such as accident history.
- * Existing road condition including pavement and drainage.
- * Road use (bus route, cycleway etc).
- * Economic benefit (tourist route, access to industrial areas etc).

In addition to this, sections of unsealed road are also identified for upgrading to a sealed condition and prioritised with an emphasis on traffic safety issues such as accident history. As such, these projects generally involve the realigning of horizontal and/or vertical curves.

Projects that have been selected for rehabilitation during the 2007/2008 financial year are also subject to pre-existing commitments and obligations, including Council's contribution to the rehabilitation of sections of The Ridgeway (Tumbi Umbi), which has received a significant grant under the Auslink Program.

The Secondary Roads Rehabilitation Program comprises a number of sub-programs, with a budget allocation totalling \$11.874 million. These sub-programs include Major Roads Rehabilitation, Minor Roads Rehabilitation, Bitumen Reseals, and ancillary works such as footpath construction, kerb and gutter infill, pedestrian protection and intersection adjustments.

Works in this area are also funded by the Roads to Recovery Program. Further, the Federal Government has announced funding for upgrade works to Dicksons Road, Jilliby and Brush Road, Tumbi Umbi and are included in the 2007/2008 program.

Major Roads Rehabilitation Program

The 2007/2008 program has increased from previous years by approximately \$1.6 million (approximately 16%) to allow the completion of projects with outstanding commitments. This increase in expenditure is primarily due to the inclusion of the projects funded partially by the Federal Government via the Auslink Strategic Regional Program.

Annual and Rolling Works Program 2007/2011 – Roads and Drainage (contd)

Projects to be undertaken in 2007/2008 include:

- * Pollock Avenue, Wyong (Stage 1) – in conjunction with development of Kooindah Waters project. This project has been delayed pending investigation of services including power poles and water mains, both in close proximity to the proposed construction site. Works will include pavement upgrade.
- * Old Maitland Road, Mardi – in conjunction with the installation of the water pipeline.
- * Glen Road / Fern Road, Ourimbah – sealing of an unsealed road.
- * Panorama Avenue, Charmhaven – Stage 2.
- * Bush Street – Stage 1.
- * The Corso, Gorokan – Stage 2.
- * Brush Road, Tumby Umbi.
- * Dicksons Road, Jiliby – Stage 2.
- * Eloora Road, Long Jetty – Stage 1.

In addition, projects that were programmed for commencement in May/June 2007, to be completed during 2007/2008 include:

- * The Ridgeway, Tumby Umbi – works to be undertaken by Wyong Shire Council, jointly funded by Wyong Shire Council, Gosford City Council and the Federal Government.
- * Berkeley Road – Stage 1

Bitumen Resealing Program

The Bitumen Resealing Program is determined using Council's Pavement Management System (PMS) considering condition data relating to surface roughness, cracking, structure integrity etc and traffic volume increases to determine when a pavement should be protected by bitumen resealing, and when a pavement has reached its economic and structural life, and should be strengthened or replaced.

Keeping this in mind, a review of the existing bitumen seal condition, has determined that a budget of approximately \$1.8 million would be appropriate for the 2007/2008 program. In order to continue to address the pavement resealing requirements within the shire, it is proposed to increase the budget allocation in 2008/2009 and 2009/2010 to a total of \$2.2 million per annum.

Annual and Rolling Works Program 2007/2011 – Roads and Drainage (contd)

The proposed expenditure for the Bitumen Resealing Program includes an amount for road preparation works, which typically include heavy patching, table drain improvements and ride improvements.

Intersection Adjustments

A number of intersections constructed in the past do not conform to current design standards based on the turning movements, and entry and exit speeds of vehicles. A program has been initiated to modify the geometry of these intersections and upgrade them to current standards.

During 2007/2008, it is proposed to modify and upgrade the roundabout at the following intersection:

- * Anzac Avenue / Hely Street, Wyong.

Auslink Strategic Regional Program

Council has been successful in receiving funding for three projects in 2007/2008, which have been included in the program.

These projects are:

- * Upgrade of The Ridgeway, Tumbi Umbi.
- * Upgrade of Dicksons Road, Jilliby.
- * Upgrade of Brush Road, Tumbi Umbi.

Footpath Construction Program

The 2007/2008 Footpath Construction Program has a budget allocation of \$420,000, as part of the Secondary Roads Rehabilitation Program.

Entry Signs to Shire

Three type 5 sign will be provided as entry signs to the Shire at the following locations:

- * Cobbs Road, Wyong
- * Scenic Drive, Doyalson
- * Sparks Road, Warnervale

Annual and Rolling Works Program 2007/2011 – Roads and Drainage (contd)

BRIDGE CONSTRUCTION (4.1.6 – Management Plan Line)

The budget allocation for the Bridge Program for the 2007/2008 financial year is \$401,000, which includes part funding for the replacement of Boyds Lane bridge in November 2007.

CARPARK CONSTRUCTION (4.1.7 – Management Plan Line)

As with previous years the carpark program will remain at \$103,000 per annum which will be directed towards necessary rehabilitation and maintenance works.

DRAINAGE (4.2.2 - Management Plan Line)

The 2007/2008 program comprises an increased emphasis on resolving Category 1 (inundation of habitable dwelling) flooding problems as well as drainage works associated with road projects. Projects programmed for completion or commencement during 2007/2008 include:

- * Perouse Avenue, San Remo
- * George Evans Road, Killarney Vale
- * McLachlan Avenue, Long Jetty – Stage 2
- * Watkins Avenue, Long Jetty
- * Lauren Avenue, Lake Munmorah

Water Quality Improvement Works

Council's dedication to continual improvement of water quality is ongoing. The following projects are programmed to contribute to water quality improvement:

- * Boat Harbour, Summerland Point – rock wall and foreshore works.
- * Quinalup Street, Gwandalan – catchment improvement.

Flood Mitigation

Projects designed to contribute to the alleviation of major flooding problems previously identified, or anticipated following development, have been included in this program. Projects include:

- * Skyhawk Basin, Hamlyn Terrace

Annual and Rolling Works Program 2007/2011 – Roads and Drainage (contd)

ROLLING WORKS PROGRAM 2008/2011

The Capital Works Program proposed for the above three year period is submitted to Council for consideration and is detailed in the enclosure.

The adoption of this program will allow early preparation of detailed design estimates and preparation of job packages to ensure the timely implementation of construction programs.

In accordance with previous practice, a three year Rolling Works Program is submitted to Council each year which will confirm/amend previously adopted plans and add one for the third year.

This program has been produced on the assumption that funding for the particular programs will remain at least as proposed in the 2007/2008 Management Plan.

Enclosure ***Annual and Rolling Works Programs for Roads and Drainage –
Years 2007/2008, 2008/2009, 2009/2010 and 2010/2011***

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

260 Annual and Rolling Works Program 2007/2011 – Water and Sewerage

F2004/11318 MR:DP

SUMMARY

This report outlines the Water and Sewerage capital works proposed for 2007/2008 and a three year rolling works program identifying capital works proposed to be undertaken in the years 2008/2009, 2009/2010 and 2010/2011.

RECOMMENDATION

- 1 *That the Water and Sewerage Section Annual Works Program for 2007/2008 as detailed in the report be adopted.***

- 2 *That the Water and Sewerage Section Rolling Works Program as detailed in the report for 2008/2009, 2009/2010 and 2010/2011 be noted.***

ANNUAL WORKS PROGRAM 2007/2008

Council has allocated funds in the 2007/2008 Management Plan for various capital works. The works, identified in Council's Future Capital Works Program that are proposed to be carried out during this period, are detailed in the enclosure.

The amount of work proposed under each budget allocation is based on preliminary cost estimates only. As designs and full resource based estimates are completed, the list of works will need to be revised within budget allocations.

The budget allocations for the Joint Water Supply projects managed by Wyong Council, and identified by the suffix (JW) in the enclosure, represent the total cost of the project. A contribution is made by Gosford Council for 50% of the works, which is shown as income within the Management Plan.

Achievement of the Water and Sewerage Rolling Works Program will require resources to be committed to the preparation of designs and contract documentation. This resource will be provided by contracting out this work where appropriate. This proposed program of works is an update of the program originally submitted to Independent Pricing and Regulatory Tribunal (IPaRT) in October 2005, and reflects the latest drought contingency works planning. The additional works not included in the previous IPaRT submission amount to \$18.23M and include the increase in the capacity of the Hunter Connection from 20ML/d to 35ML/d, Porter's Creek temporary weir, Lower Wyong Transfer System upgrade, Lower Mangrove Weir to Mooney Dam pipeline and the Warnervale Stormwater Harvesting project.

Annual and Rolling Works Program 2007/2011 – Water and Sewerage (contd)

IPaRT has been requested to issue a revised pricing determination effective from 1 July 2008 to ensure water pricing is adequate to fund the works not previously identified. No advice has been received from IPaRT to date on this request.

PROJECT DETAILS – WATER SUPPLY

Reservoirs and Mains

The water main renewal program is prepared based on the recorded performance of the mains within the network. Mains found to be performing at less than the defined level of service, are prioritised for replacement under this program. The pipe network includes in excess of 700km of asbestos cement (AC) pipelines, with the majority installed between 1960 and 1987. Of these mains, approximately 400km are over 40 years old and are approaching the end of their service life. The replacement program provides for the proactive replacement of these mains. During repair of failed sections of main, samples of sound pipe from adjacent to the failure are taken and sent to the CSIRO to assess the residual service life. The results of this testing and other random testing of AC pipelines form the basis for the future replacement programs.

Provision has been made for the bankrolling of works for the Warnervale Town Centre. These works will be funded by future developer contributions.

Major distribution works have been programmed for construction in 2007/2008 to service the growth areas within the Shire. These works include the Mardi to Warnervale Trunk Main and the Sparks Road Trunk Main and Kiar Ridge/Bushells Ridge service reservoirs.

The reservoir rehabilitation program is based on annual condition assessment. Typically, steel reservoirs require replacement of the corrosion protection coating system every 15 to 20 years. When the condition assessment indicates that the coating system is failing, the work is prioritised and carried out before the structure suffers any permanent damage. The Bateau Bay reservoir is targeted for rehabilitation within the 2007/2008 program.

Water Treatment

This program includes capital upgrades to Mardi Dam and the Water Treatment Plant.

The Mardi Dam works include preliminary works for increasing the storage capacity by raising the dam wall by two metres. This level of increased storage was determined as providing the best value for money without compromising the safety of the dam structure.

Annual and Rolling Works Program 2007/2011 – Water and Sewerage (contd)

The existing outlet structure within Mardi Dam is in poor condition and needs to be replaced. A replacement strategy has been developed and is expected to be completed within the 2008/2009 financial year.

Drought Management and Water Supply Security Projects

Hunter Water has identified works within their supply system that will increase the security and capacity of transfers to Wyong via the Hunter Connection which was completed in late 2006. Funding has been provided for the works at Hunter Water's Balickera Treatment Plant and associated pumping stations. These works will increase the capacity of the transfer system from an average of 20 ML/day to approximately 35 ML/day

Funding has been identified for the Warnervale storm water harvesting project, which will extend over several years. This project has the potential to provide an additional 5,000ML/a of water, subject to strict regulatory requirements being achieved. A Federal grant, that will partially fund this project, has been secured.

Provision has been made to implement a range of storm water harvesting and effluent reuse opportunities to maintain municipal sporting facilities. These works will provide benefits in the short term, allowing the maintenance of a range of facilities that otherwise could not have been maintained under the existing water restrictions. The works will also provide ongoing benefits through a more sustainable approach to facilities management. Grants have been secured from Round 1 of the Central Coast Water Savings Fund for works at Baker Park, Taylor Park, Tunkuwallin Oval and Wadalba School Oval. Grant funding has also been provided for an efficiency audit of all of the major irrigation systems, to ensure the water is being applied evenly over the oval. This will minimise wastage and ensure best use of the available water. Applications have been made under Round 2 of the program for works at Blue Haven Oval, Adelaide Street, Chittaway Oval, Slade Park, Northlakes Oval, Killarney Vale Athletics Field, Wentworth Avenue Oval, Wattanobbi Oval and Eastern Road Oval.

Provision has been made for the extension and improvement to the existing effluent reuse systems to ensure potable water substitution programs are provided wherever feasible. Projects currently under review include provision of alternative supplies for irrigation of ovals in Budgewoi. This program currently has the potential to replace in excess of 10% of the existing potable water demand.

Provision has been made for undertaking preconstruction works and commencing construction, in 2007/2008, for major works arising from Water Plan 2050. Current programming provides for finalisation of construction of these works by July 2010.

Annual and Rolling Works Program 2007/2011 – Water and Sewerage (contd)

PROJECT DETAILS – SEWERAGE

Sewage Pumping Stations

The 2007/2008 program provides for the upgrade and renewal of 10 sewage pumping stations (detailed in the enclosure). These are in need of upgrade as a result of growth and/or having reached the end of their service life. Provision has also been made for the continuation of the program to replace heavy lids with light weight alternatives, as part of an occupational health and safety program to reduce the risk of injuries.

Additional generator connection points for emergency power supply have also been provided. This will allow the ready connection of a mobile generator in the event of a prolonged power outage, reducing the risk of sewage overflows, in accordance with our sewerage system licence issued by the Environmental Protection Agency (EPA). Provision has also been made for the procurement of additional generators to provide onsite generating capacity at pump stations where the consequences of a sewage overflow are unacceptable. These initiatives form a key element of Council's response to the increasingly stringent sewerage system license requirements imposed by the EPA.

Mains

The sewer main renewal program has been prepared based on the condition of mains within the network, to ensure the reticulation network continues to perform at the required level of service. Mains found to be performing at less than the defined level of service are prioritised for refurbishment or replacement under this program. Mains found to be impacted by heavy root intrusion, salt water or storm water infiltration are also prioritised for renewal or rehabilitation.

The 2007/2008 program includes bank rolling of stage 1 of the sewerage infrastructure for Warnervale Town Centre. These works will be funded by future developer contributions.

Sewage Treatment

Items covered in the 2007/2008 capital works program include provision for the renewal of electrical and mechanical equipment within the six treatment plants that is approaching the end of its useful life, based on condition assessment.

Provision has been made for the upgrade of treatment capacity at Charmhaven and Wyong South treatment plants to meet the needs of development within those areas. The Charmhaven Sewage Treatment Plant has an existing capacity of 40,000 equivalent persons (ep) and will be upgraded to a capacity of 60,000 ep. The Wyong South Sewage Treatment Plant has an existing capacity of 48,000 ep and will be upgraded to a capacity of 72,000 ep. Both projects will be multi-year projects, commencing in 2007/2008, with commissioning in 2008/2009.

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

Annual and Rolling Works Program 2007/2011 – Water and Sewerage (contd)

ROLLING WORKS PROGRAM 2008/2009, 2009/2010 AND 2010/2011

The capital works programs for the above period are submitted to Council for consideration and are detailed in the enclosure. The adoption of these programs will allow the early preparation of designs to ensure the timely implementation of construction programs.

In accordance with previous practice, a three year rolling works program is submitted to Council each year which will confirm/amend previously adopted plans and add one further year.

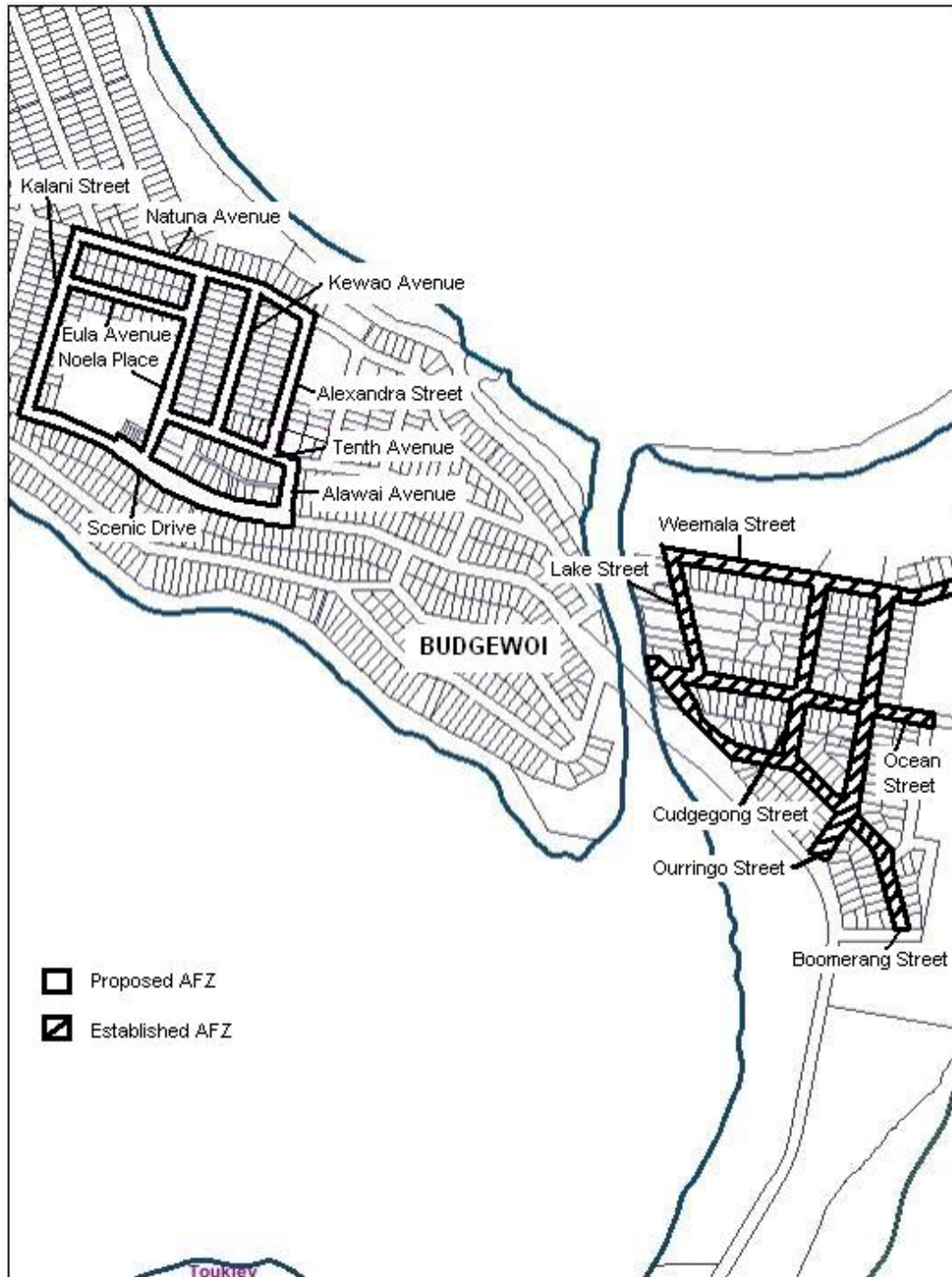
The Budget Allocations for the rolling works program are preliminary at this stage and are subject to further review following more detailed investigations and design.

Enclosures

Annual and Rolling Works Program 2007/2011 – Water Supply
Annual and Rolling Works Program 2007/2011 – Sewerage

261 Establishment of Alcohol Free Zone at Budgewoi (Attachment 1)

Map Showing Location of Alcohol Free Zone Proposal



WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

261 Establishment of Alcohol Free Zone at Budgewoi

F2006/06070 MW

SUMMARY

The Tuggerah Lakes Local Area Command of the NSW Police has indicated its support for the establishment of an additional Alcohol Free Zone (AFZ) at Budgewoi.

RECOMMENDATION

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

Budgewoi: The Alcohol Free Zone would be bound by Scenic Drive in the South, Natuna Avenue in the North, Kalani Street in the West, Alawai Avenue and Alexandra Street in the East. All streets within this boundary would be included within the Alcohol Free Zone.
- 2 That procedures for advertisement and notification of the proposal be implemented in accordance with the Ministerial Guidelines on Alcohol Free Zones.**
- 3 That Council exercise the option of advising the NSW Anti-Discrimination Board of the proposal.**
- 4 That the matter be resubmitted for Council determination following compliance with these procedures.**

BACKGROUND

Correspondence has been received from Mr Tony Caws, Secretary of the Budgewoi Progress Association, requesting an additional AFZ be established at Budgewoi. The Progress Association has communicated with shopkeepers and residents and concludes the community would benefit from the establishment of the additional AFZ.

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

Establishment of Alcohol Free Zone at Budgewoi (contd)

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

The ministerial guidelines require Council, after preparing a proposal to establish or re-establish an AFZ, to undertake public consultation through publishing details of the proposal in a newspaper circulating in the area inviting representation or objection within 14 days; sending a copy of the proposal to local Police (and liquor licensees and registered clubs if adjacent to the proposed zone) inviting representations or objections within 30 days.

The guidelines also provide that specific councils must consult with the Anti-Discrimination Board regarding proposals with all other councils having the option of advising the Board. Whilst Wyong Council is not required to consult the Board, it is proposed that Council advise the Board for their records.

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

Ministerial guidelines state that an AFZ can be established for no longer than a three year period. It is recommended that this AFZ proposal be synchronised to expire on the same date as Council's other AFZ's, being 30 June 2009 to streamline future review.

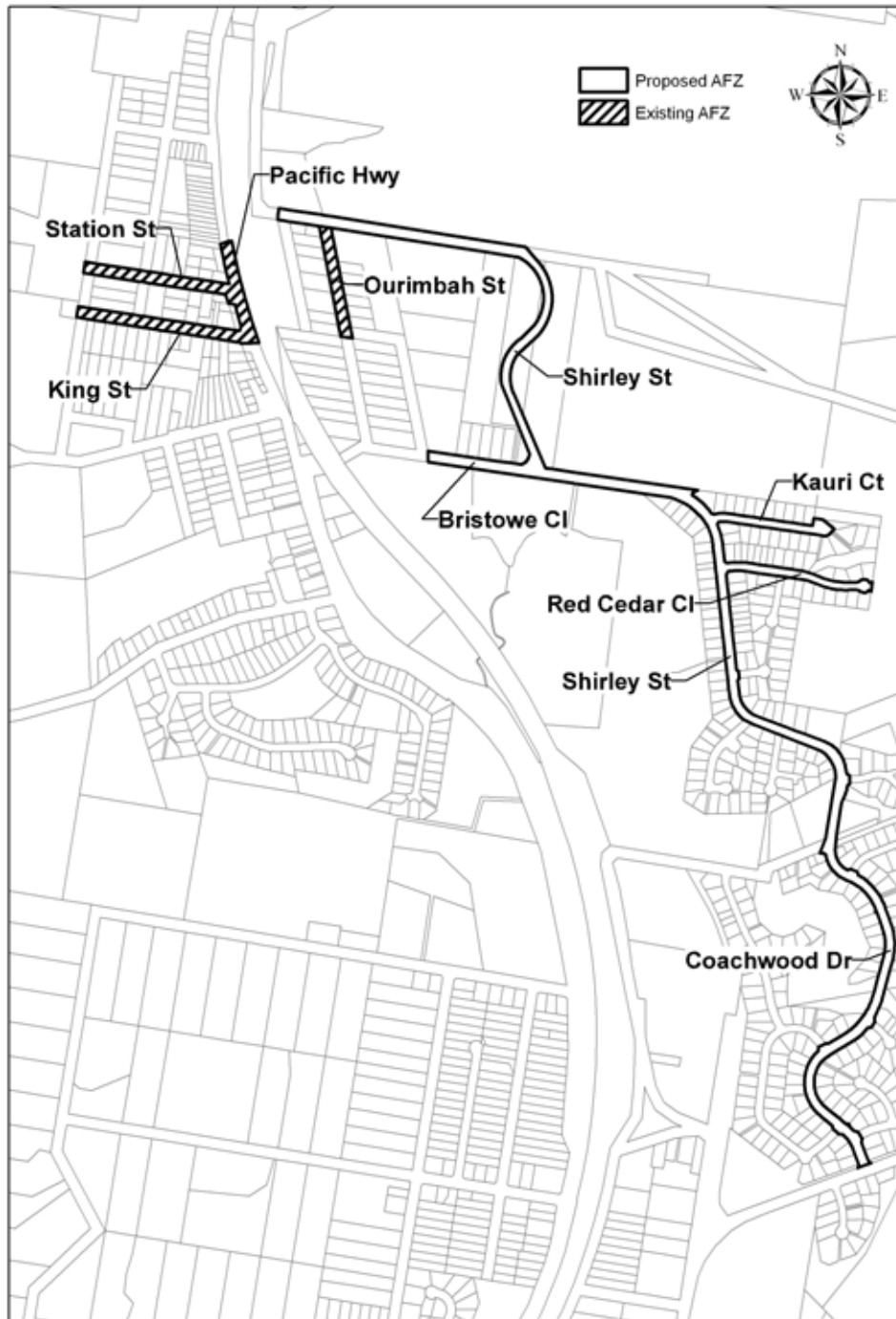
Attachment 1

Map showing location of proposed AFZ at Budgewoi (1 page)

This page is intentionally blank

262 Establishment of Alcohol Free Zone at Ourimbah (Attachment 1)

Map Showing Location of Alcohol Free Zone Proposal



WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

262 Establishment of Alcohol Free Zone at Ourimbah

F2006/06076 MW

SUMMARY

The Tuggerah Lakes Local Area Command of the NSW Police has indicated its support for the establishment of an additional Alcohol Free Zone (AFZ) at Ourimbah.

RECOMMENDATION

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

Ourimbah: The Alcohol Free Zone would include Bristowe Close, Kauri Court and Red Cedar Close and the lengths of Shirley Street and Coachwood Drive.
- 2 That procedures for advertisement and notification of the proposal be implemented in accordance with the Ministerial Guidelines on Alcohol Free Zones.**
- 3 That Council exercise the option of advising the NSW Anti-Discrimination Board of the proposal.**
- 4 That the matter be resubmitted for Council determination following compliance with these procedures.**

BACKGROUND

Correspondence has been received from Ms Di Willard, Chairperson of the Ourimbah Precinct Committee, requesting the establishment of an additional AFZ. The Precinct Committee hopes it will assist in lessening anti-social behaviour.

The proposed AFZ would adjoin an existing zone and meet at Shirley and Ourimbah Streets. The existing zone previously included Sohier and Frost Streets but these public roads have been closed to traffic.

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

Establishment of Alcohol Free Zone at Ourimbah (contd)

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

The ministerial guidelines require Council, after preparing a proposal to establish or re-establish an AFZ, to undertake public consultation through publishing details of the proposal in a newspaper circulating in the area inviting representation or objection within 14 days; sending a copy of the proposal to local Police (and liquor licensees and registered clubs if adjacent to the proposed zone) inviting representations or objections within 30 days.

The guidelines also provide that specific councils must consult with the Anti-Discrimination Board regarding proposals with all other councils having the option of advising the Board. Whilst Wyong Council is not required to consult the Board, it is proposed that Council advise the Board for their records.

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

Ministerial guidelines state that an AFZ can be established for no longer than a three year period. It is recommended that this AFZ proposal be synchronised to expire on the same date as Council's other AFZ's, being 30 June 2009 to streamline future review.

Attachment 1

Map showing location of proposed AFZ at Ourimbah (1 page)

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

263 Proposed Councillors' Community Improvement Grants

F2006/00788 SG

SUMMARY

Councillors proposed the following allocation of funds for expenditure from Councillors' Community Improvement Grants.

RECOMMENDATION

That an amount of \$11,572 be allocated from the 2006/2007 Councillors' Community Improvement Grants as outlined in Attachment 1.

BACKGROUND

Funds are available and expenditure is permissible under Section 24 and 356(1) of the Local Government Act, 1993.

Attachment 1

***Councillors' Community Improvement Grants 2006/2007
(3 pages)***

Proposed Councillors' Community Improvement Grants (Attachment 1)**Proposed Councillors' Community Improvement Grants 2006/2007**

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION		Best	Eaton	Forster	Graham	Pavier	Rose	Stevens	Stewart	Veugen	Welham	SUB TOTAL
Allocation 01/07/2006 - 30/06/2007		15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	150,000
Proposed expenditure up to and including Ordinary Council Meeting of 13/06/2007		15,000	10,450	12,025	14,500	15,000	14,569	8,400	12,890	13,450	14,819	131,103
Available allocation as at 13/06/2007		0	4,550	2,975	500	0	431	6,600	2,110	1,550	181	18,897
27 June 2007												
1st Kanwal Scout Group	Assist to purchase sporting and safety equipment							300				300
Ambassadors C/- Mr D Linton	To assist volunteers who sing for residents at aged care facilities			200				100				300
CAPS - Child Abuse Protection Service, Central Coast Inc	Printing of brochures and stationery. Brochures will inform the public for the warning signs of child sexual abuse.							200				200
Central Coast Chinese Assoc	Assist with administration costs including public liability insurances		1,500									1,500
Central Coast Community Chest	Printing costs to raise public awareness of Community Chest and local grass root charities							500				500
Central Coast Multiple Sclerosis and Handicapped Group Inc	Assist with costs associated with rust damage repair work carried out on group's buses							500				500
Country Women's Association Toukley	Assist with building maintenance							300				300
Gwandalan Lions Club	To assist with the expenditure involved in staging the Gwandalan Spring Festival							200				200
Lucy Bailes	Assistance to travel to London to accept placement in Post Graduate (Masters) Degree in Vocal Performance										181	181
Manning Park Sports and Community 355 Committee	Assist to purchase lawnmower to maintain areas around clubhouse and courts							150				150

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

Proposed Councillors' Community Improvement Grants (Attachment 1) (contd)

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION		Best	Eaton	Forster	Graham	Pavier	Rose	Stevens	Stewart	Veugen	Welham	SUB TOTAL
Natalie Johnson	Assist to attend the 10th National Student Leadership Forum in Canberra						81					81
NETS - NSW Newborn & Paediatric Emergency Transport Service	Assist to purchase an electric trolley							300				300
Northern Sydney Central Coast Health Services	Assist with staging of NAIDOC Week						150					150
Northlakes Junior Landcare Group	Purchase of native plants & gardening materials such as mulch, soil and fertilizer							150				150
Samaritans Foundation	Assist with raising funds for the Central Coast 2007 Samaritans Winter Appeal							400				400
San Remo Tidy Towns Community Group	Purchase more equipment, Mowers etc. To beautify area, with gardens etc.							300				300
Soldiers Beach Surf Life Saving Club	Assist with purchase of Rhino, two way radios and training equipment							400				400
St Barnabas Church Yarramalong 355 Committee	Assist with funding for airconditioner for comfort of hirers, visitors, tourists & wedding parties								510			510
The Lakes Singers	Assist with payment of copyright music fees and continued entertainment							200				200
Toukley District Chamber of Commerce	Annual Business Awards - Two Awards: 'Young Achiever' and 'Outstanding Customer Service'							400				400
Toukley District Senior Citizens Club Inc	Replace 3 of 5, 30 year old Table Tennis Tables							300				300
Toukley Fun'n Fitness	Assist with the purchase of equipment for the group							300				300
Toukley Torchbearers for Legacy	Assist with the purchase of a hot water service in kitchen for use by volunteers							200				200

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

**Proposed Councillors' Community Improvement Grants (Attachment 1)
(contd)**

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION		Best	Eaton	Forster	Graham	Pavier	Rose	Stevens	Stewart	Veugen	Welham	SUB TOTAL
Warnervale Family and Community Centre	Assist to provide a four week pilot workshop aimed at reducing social isolation and enhancing child/parent bonds						200	250				450
Wycare Inc	Assist with security fence at land care office							400				400
Wyongah Progress Assoc & Community Centre	Assist with replacing a boundary fence							400				400
Wyong Drama Group	Assist with holding Central Coast Theatre Festival in June 2007		1,500	500								2,000
Youth Connections Inc	Assist with Retail Skills Workshop June 2007			250						250		500
Total Proposed Allocations for 27/06/2007		0	3,000	950	0	0	431	6,250	510	250	181	11,572
Total Accumulated Allocations as at 27/06/2007		15,000	13,450	12,975	14,500	15,000	15,000	14,650	13,400	13,700	15,000	142,675
Balance Uncommitted as at 27/06/2007		0	1,550	2,025	500	0	0	350	1,600	1,300	0	7,325

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

264 **10th International River Symposium and Environmental Flows Conference**

F2004/06466 ED

SUMMARY

Council has received information in respect of the 10th International River Symposium and Environmental Flows Conference.

RECOMMENDATION

- 1** *That Council authorise interested Councillors to attend the 10th International River Symposium and Environmental Flows Conference.*

- 2** *That reasonable expenses incurred in Councillors attending the conference be met in accordance with Council's Facilities and Expenses Policy for Councillors.*

BACKGROUND

In accordance with the provisions of Council's Facilities and Expenses Policy for Councillors, a Councillor may attend a maximum of three conferences per year excluding the NSW Local Government Association Annual Conference. Reasonable expenses incurred in Councillors attending the conferences will be met in accordance with that policy.

Details of conferences, seminars and external training sessions are provided for determination of Councillor Attendance.

10th International River Symposium and Environmental Flows Conference

The Symposium / Conference is being held in Brisbane from 3 September 2007 to 6 September 2007. Councillor Rose has indicated his desire to attend.

The Symposium will focus on the emerging field of river management and environmental flows. The program features presentations on innovative practices and case studies from all over the world and a wide range of perspectives on managing river flows for people and ecosystem health.

**10th International River Symposium and Environmental Flows Conference
(contd)**

The table below indicates the cost for attendance at the Conference and associated travel expenses per Councillor:

10th International River Symposium and Environmental Flows Conference Attendance Costs	(\$)
Registration (Early Bird)	\$820.00
Travel (approx return airfare – early booking)	\$232.00
Accommodation (based on approx \$150 per night)	\$750.00
Other disbursements (meals, taxis etc)	\$400.00
Total - estimate	\$2,202.00

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

265 World Youth Day – “Journey of World Youth Day Cross and Icon”

F2007/00887 JCB

SUMMARY

As a forerunner to the celebration of “World Youth Day” in Sydney next year, the World Youth Day Cross and Icon are making their way around the world. Wyong Shire has been singled out for inclusion in the journey of the cross. Arrangements are in place to receive it in the Shire, but Council needs to address certain issues to accommodate those arrangements.

RECOMMENDATION

- 1 *That Council endorse the scheduled visit to Wyong Shire of the “Journey of World Youth Day Cross and Icon”.***

- 2 *That Council note the Wyong Shire Traffic Committee’s decision to authorise the closure of:***
 - * *Bush Street from the south-east corner of Bush Street Reserve to the boundary of the Norah Head Lighthouse Reserve between 5.30 am and 8.30 am on Wednesday 11 July 2007, to facilitate a public procession of the cross and icon from Bush Street Reserve to the lighthouse.***

 - * *That section of The Entrance Road between Marine Parade and Ashton Avenue at The Entrance between 11.30 am and 12.15 pm on Wednesday 11 July 2007, to facilitate the procession of the cross and icon from Memorial Park to “Our Lady of the Rosary Catholic Church”.***

- 3 *That Council authorise the use of Bush Street Reserve between the hours of 5.30 am and 9.30 am on Wednesday 11 July 2007, for the purpose of public assembly and breakfast by the participants in the procession of the cross.***

- 4 *That the fees applicable to such an event as outlined in this report be waived.***

- 5 *That the following authorities be notified of these arrangements:***
 - * *The Entrance Town Centre Management Corporation.***

 - * *The Australian Volunteer Coast Guard Association.***

 - * *Greater Toukley Vision.***

World Youth Day – “Journey of World Youth Day Cross and Icon” (contd)

BACKGROUND

“World Youth Day” (WYD) is held every three years. The last WYD was held in Cologne, Germany, in 2005. It was attended by more than a million young people ranging in age from 16 to 35 years.

The 2008 “World Youth Day” will be hosted by the Catholic Diocese of Sydney. It will be held between Tuesday 15 July 2008 to Sunday 20 July 2008. There will be many events across Sydney during this period. Several will be attended by His Holiness, Pope Benedict XVI who will be present from 17 July 2008 to 20 July 2008.

Because of its proximity to Sydney, the Central Coast can expect some impact from the large numbers of international visitors expected to take part. In its circular dated 9 February 2007, (No. 05/07), the New South Wales Local Government Association alerted councils to the likelihood of the event having an impact on their areas, and urged co-operation on the part of councils to facilitate its organisation.

Two significant features of “World Youth Day” are a cross and an icon that make their way across the world from the Vatican to be present at the event. In some respects, an analogy might be drawn with the Olympic Torch. Council has been informed that Wyong Shire is on the itinerary of the cross and icon. They are currently travelling New Zealand and will arrive in Sydney on 1 July 2007. They will arrive in the Catholic Diocese of Broken Bay on 8 July 2007, and are scheduled to arrive in the Toukley Parish on Wednesday 11 July 2007.

The following is the program for the duration of the cross and icon's visit:

5.30 am	The cross arrives at Bush Street Reserve, Norah Head. Public to assemble from this time.
6.00 am	Public to proceed in procession to Norah Head Lighthouse Dawn rite to take place.
8.00 am	Public breakfast at Bush Street Reserve.
10.00 am	Cross to be transported to Canton Beach.
10.30 am	Cross to be loaded onto a boat and transported by boat to Picnic Point at The Entrance.
11.00 am	Boat with cross and icon to arrive at Picnic Point and transported in public procession to Memorial Park.
11.30 am – 12.15 pm	Cross transported in procession up The Entrance Road to Our Lady of the Rosary Catholic Church.

World Youth Day – “Journey of World Youth Day Cross and Icon” (contd)

In the interests of safety, formal notification of the event is recommended to be made to the Australian Volunteer Coast Guard Association. Contact with The Entrance Town Centre Management Corporation is also recommended to ensure local businesses are aware of the event.

The expected number of people to be involved is unknown, although organisers state that a gathering of 200 people at Norah Head would be “pleasing”.

Obviously, an event of this nature will require certain issues to be addressed – possible road closures, traffic management, authorisation to use public reserves, supply of toilet facilities, food handling and neighbourhood amenity (noise, etc). Most of these matters would normally require processing by formal applications which attract fees and charges.

Road Closures

The ceremony at the Norah Head Lighthouse will be held at dawn. This means that the procession along Bush Street will be held in the dark along a largely un-lit road. For these reasons, there will be a need to close Bush Street between the hours of 5.30 am and 8.30 am from the south-east corner of Bush Street Reserve for the 400 metres to its entry into the Norah Head Lighthouse Reserve. The remainder of the road to the lighthouse is the responsibility of the Lighthouse Reserve Trust.

The intended procession from Memorial Park to Our Lady of the Rosary Church will take place mid-day mid-week during the school holidays. Footpaths will be busy, so the use of the roadway is anticipated.

Applications for temporary road closures affecting these roads were considered by the Wyong Shire Traffic Committee on Wednesday 6 June 2007. The Committee approved the requests. The management plans are being prepared jointly by local police and Council staff.

Use of Reserves

Bush Street Reserve will be used between 5.30 am and 9.00 am on the Wednesday. The main use will occur between 5.30 am and 6.30 am for assembly and 8.00 am and 9.00 am for breakfast. Although this will take place during the school holidays, it is not expected to be a busy time, and the expected 200 people can be adequately catered for. Canton Beach Reserve will be used for a short time only for the purpose of loading the cross into a boat for carriage to Picnic Point. Similarly, Picnic Point Reserve will be used for an equally short time to unload the craft. Memorial Park will be used for a short time to marshal people to form the procession.

World Youth Day – “Journey of World Youth Day Cross and Icon” (contd)

Toilet and Refuse Facilities

An assessment of toilet and refuse facilities required confirm that existing facilities at Bush Street Reserve, Canton Beach Reserve, Picnic Point Reserve and Memorial Park are adequate for the event.

Food Handling

The only location where food will be involved is for the breakfast assembly at Norah Head. The food is being donated. Cooking will take place on service club barbecues and breakfast will be supplied to participating members of the public without charge. Food-handling advice and assistance is being supplied in this respect by Council's Environmental Health Officers.

Miscellaneous

The event is alcohol free and an assessment of noise impacts confirms that no noise control measures are required.

The organisers are willing to meet with or address Council prior to the event. A 20-minute DVD is available for viewing. Otherwise, the matter is submitted to Council for consideration.

Budget Impact

The proposed event requires no additional resources from Council or specific organisation.

The fees applicable to such an event are; \$50 administration fee, \$500 refundable bond and \$100 electrical testing fee.

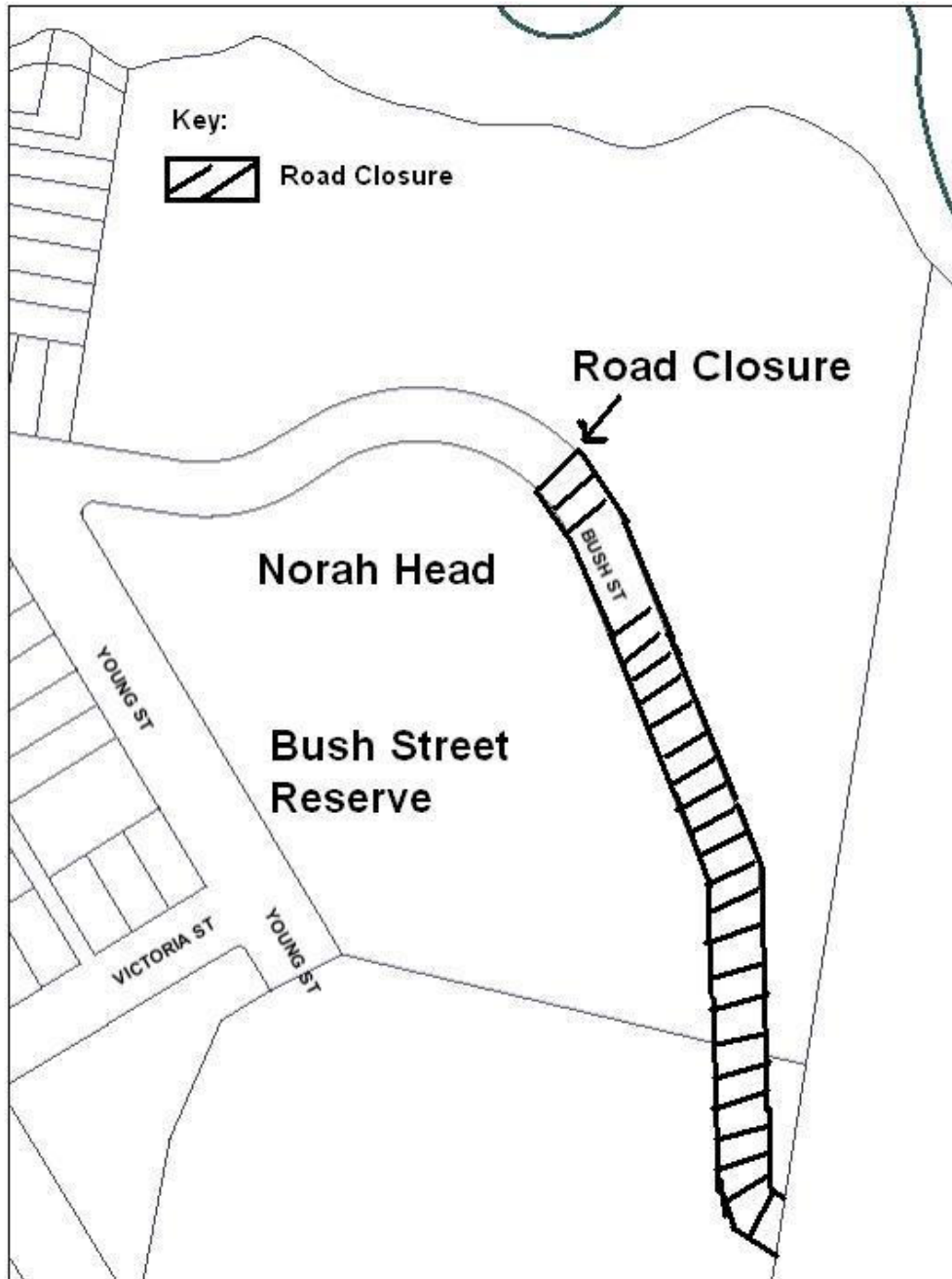
However, as the event is a not for profit community event it is recommended that these fees be waived.

Attachment 1

Location maps showing the extent of road closure, route of procession and affected parks (2 pages)

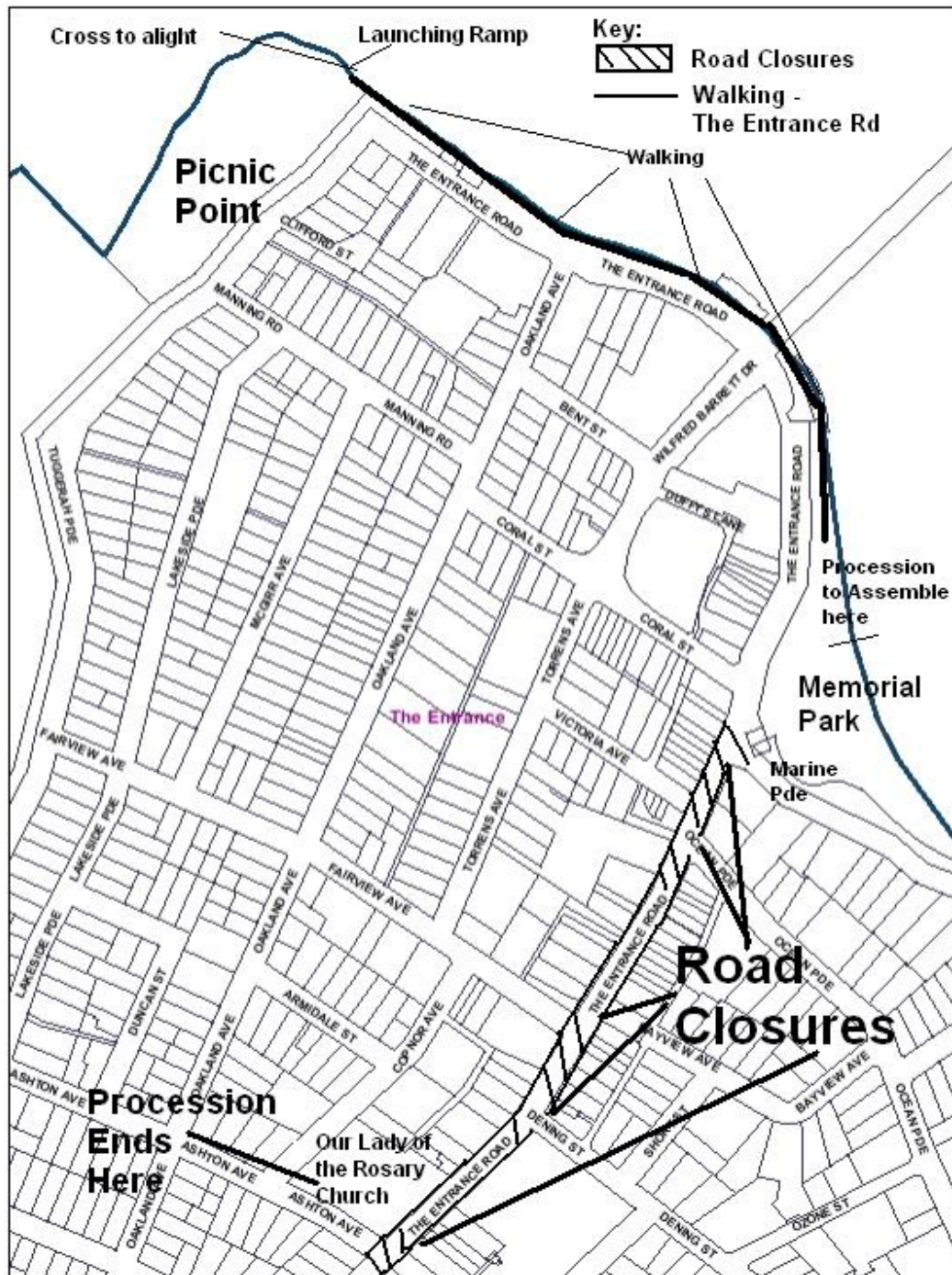
World Youth Day – “Journey of World Youth Day Cross and Icon” (Attachment 1)

Location of Road Closure and Procession of Cross at Norah Head



**World Youth Day – “Journey of World Youth Day Cross and Icon”
(Attachment 1) (contd)**

Location of Road Closures and Procession of Cross at The Entrance



WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Board Report

266 Gosford and Wyong Councils' Water Authority Board Meeting

F2004/06808

SUMMARY

Minutes of the Gosford and Wyong Councils' Water Authority Board meeting held on 20 June 2007.

RECOMMENDATION

That the minutes of the Gosford and Wyong Councils' Water Authority Board meeting held on 20 June 2007 be received and the recommendations contained therein, adopted.

A meeting of Gosford and Wyong Councils' Water Authority Board was held on 20 June 2007. The minutes of that meeting are enclosed.

Enclosure

Minutes of the Gosford and Wyong Councils' Water Authority Board meeting held on 20 June 2007

This page is intentionally blank

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

General Manager's Report

267 Information Reports

F2006/02282 MW:SW

SUMMARY

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

RECOMMENDATION

That Council determine the method of adoption of the Information Reports for this meeting.

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

268 Activities of the Development Assessment Unit

F2004/07830 NL:NL

SUMMARY

The report includes information and statistics regarding the operations of the Development Assessment Unit and covers the submission and determination of development and subdivision applications for the month of May 2007.

RECOMMENDATION

That the report be received and the information noted.

Development Applications Received and Determined

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	26	5,772,960	26	1,653,925
Industrial	10	6,397,077	11	23,930,800
Residential	131	16,459,828	131	12,741,120
Other	14	1,711,100	17	1,942,777
Total	181	30,340,965	185	40,268,622

Subdivision Applications Received and Determined

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	0	0	0	0
Industrial	0	0	0	0
Residential	6	33	17	121
Rural	0	0	0	0
Total	6	33	17	121

Activities of the Development Assessment Unit (contd)

Mean Turn-around Time

One priority application was determined during the month (a recreation facility at Golflinks Estate) with turn-around time of 39 calendar days.

The mean (average) turn-around time in calendar days for development applications determined during the month was 33 days.

Other Approvals and Certificates

Type:	Number Determined:
Trees	72
Section 149 D Certificates	28
Construction Certificates	94
Complying Development Certificates	12

Enclosure

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

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

269 Bio Banking and Carbon Credits

F2004/09073 CT

SUMMARY

This report responds to Council's resolution of the 24 January 2007 on Notice of Motion 008 Bio Banking and Carbon Credits:

"That Council report on the use of part of its investment funds to invest in land suitable for bio banking and carbon credits."

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

Investigations into the current status of the Bio Banking and Carbon Credits schemes indicate that no systems have yet been implemented.

The Department of Environment and Climate Change (DECC) is currently piloting a Bio Banking Assessment Methodology. Phase One of the pilot programme involves testing the assessment methodology that will be used by DECC to assess the biodiversity values of each site. Wyong Shire Council was invited and is currently participating in Phase One of this pilot project which involves a field based survey of the flora and fauna of particular sites.

Phase Two of the pilot programme involves developing a Management Plan for the pilot sites. Following completion of the programme the DECC will be preparing a report which will then be reviewed with the Ministerial Reference Group. At this time, the DECC expect the Draft Methodology to go on exhibition in August 2007.

The sites within Wyong Shire involved in the pilot programme are indicated on Attachment 1 and identified as sites 6h and 6i. These sites are currently zoned 7(A) Conservation or 6(A) Open Space and Recreation and are currently also the subject of a grant from the Hunter Rivers CMA for the assessment and rehabilitation of sensitive environmental land. Utilising these sites for the pilot programme will enable Council to begin to understand the relative benefits of the bio banking schemes currently being proposed and will place Council in a better position to make decisions regarding the potential financial and environmental benefits of such schemes when they are released in final form by the government.

At this stage Council is not in a position to make informed decisions on the extent to which the Bio Banking or Carbon Credit Schemes, both of which are yet to be finalised, will be suitable for investment.

Attachment 1

Bio Banking Sites – Glenning Valley (1 page)

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

270 General Works in Progress Report

F2004/07830 JEM

SUMMARY

General works in progress and completed for the period April to May 2007.

RECOMMENDATION

That the report be received and the information noted.

ROADS AND DRAINAGE SECTION OVERVIEW

Roadworks have commenced at The Ridgeway (Stage 1a), Tumby Umbi (at the intersection of Awabakil Road – 300m length of works), Warrigal / Taylor / Gosford Streets, The Entrance and Dicksons Road, Jiliby (1.7km from Hue Hue Road – 375m length of works). Works include the upgrade of the road pavement and minor drainage works.

Road and drainage works continue at Eastern Road, Tumby Umbi. This work includes new road pavement between Roberta Street and Bertram Avenue including kerb and guttering and the construction of a shared pathway.

Capital Works In Progress

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

Item Description	Estimated Cost \$	% Completed	Estimated Completion Date	Comments
Eastern Road Stage 3, Tumby Umbi	904,000	85	June 2007	Upgrading existing pavement with new asphalt seal, new kerb and gutter and mid block traffic calming device. Works include a shared path each side of Eastern Road.
The Ridgeway Stage 1a, Tumby Umbi (Awabakil Road intersection) CH: 3215 to CH:3515 300m Section.	420,000	75	June 2007	Upgrading of the existing gravel road (approximately 300m) to current standards including sealing upgrade, concrete dish drains and installation of guardrails.

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

General Works in Progress Report (contd)

Item Description	Estimated Cost \$	% Completed	Estimated Completion Date	Comments
Station Road East, Fountaindale	745,000 (incl school contribution 214,000)	5	August 2007	Upgrade of existing rural road and drainage to current standards including asphalt, K&G and concrete dish drain, parking, drop and kiss zone and a roundabout at the intersection of Station Road and Catamaran Road to facilitate truck turning movements in the industrial area.
Dicksons Road, Jilliby CH: 1635 to CH: 2010 Stage 1, 2007. (1.7km from Hue Hue Road)	290,000	85	May 2007	Upgrading of the existing gravel road (approximately 320m) to current standards including sealing upgrade of culverts and placing concrete dish drain.
Warrigal / Taylor / Gosford Intersection	265,000	98	May 2007	Upgrade of Intersection with roundabout and new kerb and gutter to improve traffic and pedestrian safety at the intersection.

GENERAL MAINTENANCE WORK

	North	South
Drainage Maintenance	Hamlyn Terrace Woongarra Lake Munmorah San Remo Jilliby	Killarney Vale Wyang Tuggerah Berkeley Vale
Replacement of Damaged Footpaving	Budgewoi Woongarra Toukley Noraville Canton Beach	The Entrance Bateau Bay

General Works in Progress Report (contd)

	North	South
Sign Maintenance	Toukley Kanwal Hamlyn Terrace Blue Haven Wadalba Budgewoi Tuggerawong San Remo Canton Beach Wyongah Tuggerawong Jilliby	Toowoan Bay Berkeley Vale Ourimbah Long Jetty The Entrance Killarney Vale Shelly Beach Bateau Bay Tuggerah Wyong Mardi Chittaway
Shoulder Restoration	Jilliby Yarramalong	
Heavy Patching	Charmhaven Warnervale	Bateau Bay Tumbi Umbi
Table Drain Maintenance	Gwandalan Summerland Point Mannering Park Chain Valley Bay San Remo Charmhaven Canton Beach Budgewoi	Berkeley Vale Long Jetty Bateau Bay The Entrance Ourimbah Fountaindale Killarney Vale
Rural Road Grading	Dooralong Yarramalong Ravensdale Jilliby	Ourimbah Palmdale
Footpaving Construction	Nil	Nil
Carpark Maintenance	Toukley Budgewoi Norah Head	Wyong
Fencing	Charmhaven	Nil
Vegetation control	Dooralong Norah Head Jilliby Yarramalong Budgewoi Buff Point Woongarra Halloran Hamlyn Terrace	Tuggerah Berkeley Vale Tumbi Umbi Ourimbah Watanobbi Wyong The Entrance Killarney Vale Mardi

General Works in Progress Report (contd)

CONTRACTS AND SPECIAL PROJECTS SECTION

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

Contract No	Contract Description/Contractor	Contract Status	% Completed
CPA/94532	Excavation and lining of cell 4.2A, Buttonderry landfill	Contract works in Defects Liability Period until October 2007. Cell commenced receiving waste on 2 November 2006.	100
CPA/94560	Construction of Sewer Pumping Stations B3, B4 and pipelines, Lucinda Avenue Killarney Vale	Contract works in Defects Liability Period until 30 July 2007.	100
CPA/94531	Consultancy for investigation and design of Link Road and trunk water main	Consultancy expected to be complete by end of July 2007. Fast tracking design and tender documentation for northern section of project adjacent to Lakes Anglican Grammar School for separate construction contract to be awarded to enable access to the senior school for Term 1 2008 .	80
CPA/98601	Design, Development and Construction of the Morisset to Warnervale water trunk main	Pipeline connecting Morisset to Warnervale completed and commissioned on 15 December 2006 and has been in operation since. It is anticipated that Practical Completion of all works will be achieved on 19 June 2007.	99
CPA/97897	Feasibility Study – shared pathway linking The Entrance North and Toukley	Overall preferred route option still under review. Commenced process for obtaining approvals by January 2008 for likely route through Crown land north from Terilbah Place, North Entrance. Short 200m section of pathway from caravan park to south off Terilbah Place, North Entrance has been completed.	4
CPA/99940	Construction of Wadalba Sports Facility	Issues with quality of growing medium for turf have delayed completion. Other landscaping, building and facility works still progressing. Anticipate completion of works by October 2007 with use of fields by May 2008. Growing medium technical solution to be agreed by mid June 2007.	70

General Works in Progress Report (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
CPA/94559	Design and Documentation of Woongarra Sportsfields	Master Plan well advanced but under review due to proposed inclusion of a new Rugby Clubhouse and spectator seating facility (proposed funding by Rugby). Cost plan under review due to changes in scope. Purchase of land from developer to be finalised. Catchment Management Authority's Property Vegetation Plan agreement is currently being finalised for parties to sign.	40
CPA/104754	Construction of Fishway, Ourimbah Creek Upper Weir.	Construction complete. Commissioning / testing scheduled for 1 June 2007.	95
CPA/98705	Construction of Edwards Creek Bridge, Dooralong.	Contract in Defects Liability Period until October 2007.	100
CPA/97631	Lake Haven Leisure Centre Upgrade Works	Contract works in Defects Liability Period.	100
CPA/96544	Blue Haven Community Centre	Contract works in Defects Liability Period until 31 January 2008	100
CPA/110431	Mardi Landfill Remediation	Stage 1 works completed. Stage 2 works (to include additional investigations and the report for the remediation of the Mardi Landfill site); awaiting revised quotes from consultants for the works.	5
CPA/107166	Warnervale District Sports Fields	Project still on hold until the Warnervale Town Centre Master Plan is finalised. No change to status.	5
CPA/94561	Dredging of Tumbi Creek	Dredging contract awarded and due for completion September 2007. Preparatory work underway by contractor to commence on site in early June 2007. Completion of project will require additional work including special saltmarsh remediation works on foreshore and assessment report, final environmental studies and Fisheries reports. All of this work to be completed by April 2008.	10

General Works in Progress Report (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
CPA/116881	Construction of underground concrete tank for wicket only irrigation - Taylor Park, The Entrance	Construction of tank and associated civil works completed. Irrigation system has been commissioned.	100
CPA/116882	Construction of underground concrete tank for wicket only irrigation – Harry Moore Oval, Toukley	Construction of tank and associated civil works completed. Irrigation system has been commissioned.	100
CPA/115906	Construction of underground concrete tank for wicket only irrigation – Baker Park Oval, Wyong	Construction of tank and associated civil works completed. Pump and connection to irrigation system to be completed by mid June 2007 with commissioning by the end of June 2007.	90
CPA/116822	Construction of underground concrete tank for oval irrigation – Bill Sohler Park, Ourimbah	Construction of tank and associated civil works completed. Connection to irrigation system and commissioning to be completed by end June 2007.	90
CPA/116947	Construction of underground tank for oval irrigation – Kurraba Oval, Berkeley Vale.	Earthworks for tank construction has been completed. Tank construction and associated civil works to be completed by mid June 2007. Irrigation works to be completed by end June 2007.	10
CPA/112098	Design and Construction of Berkeley Vale Skate Park	Contract works in Defects Liability Period.	100
CPA/113366	Detail Design and Construction of Central Coast Lifetime Learning Centre at Palmdale	Contractor nearing completion of contract works on site. WSC to conduct fitout of the CCLLC Facility. Programmed finish in early July 2007. At this stage the CCLLC Facility is scheduled to be opened on 23 July 2007.	95
F2004/07982	The Entrance Town Centre Refurbishment Works	Current actions include: 1 Rubber wetpour to steps in Vera's Watergarden to be completed by end of July 2007. 2 Source tiles and obtain quotes for replacement of tiles to pedestrian ramps to tiled areas in The Entrance Town Centre – to be completed by end of July 2007. 3 Replacement of lights to the Sails completed. Replacement of lights to Fountains to be completed by end of July 2007. 4 Arrange for refurbishment of public toilets beside Visitor Information Centre by September 2007.	65

General Works in Progress Report (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
CPA/105697	Toukley Aquatic Centre Refurbishment	Contract works in Defects Liability Period ending 1 November 2007. Finalising payments for work.	100
CPA/98240	Implementation of Buttonderry Waste Management Facility Entry Masterplan	Currently waiting consultants (structural and services) quotes to document Stages 1 and 2. Programmed to submit DA by early July 2007. Pre- construction work for Stage 1 is expected to commence around September / October 2007 with completion of Stage 2 expected by December 2008.	25
CPA/113367	The Entrance Community Facility Stage 2 – Design and Documentation for refurbishment of Building C (Arts and Culture), Building D (Activities), Building E (Education), Building F (Mens' Shed) and Design only for Building AA (Family and Childrens' Services).	Design consultant appointed to commence pre-construction activities. Consultant currently preparing sketch plans for DA submission. Consultant scope includes tender documents. Site works programmed to commence August 2007 for completion in February 2008.	20
CPA/115479	Bateau Bay Landfill Rehabilitation and Redevelopment	Design completed and tendered. Construction tender let to Neumann Contractors in December 2006. Site establishment and earthworks commenced on-site 2007. Various construction issues have been identified during initial site works and are currently under review.	5
CPA/122995	Warnervale Town Centre and Wyong Employment Zone Water Supply and Sewerage, Review of Environmental Factors (REF)	Consultancy for REF awarded to GHD Pty Ltd. Commenced preliminary investigations.	5

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

271 **Wyong Shire Library Statistics**

F2004/11651 JM/JM

SUMMARY

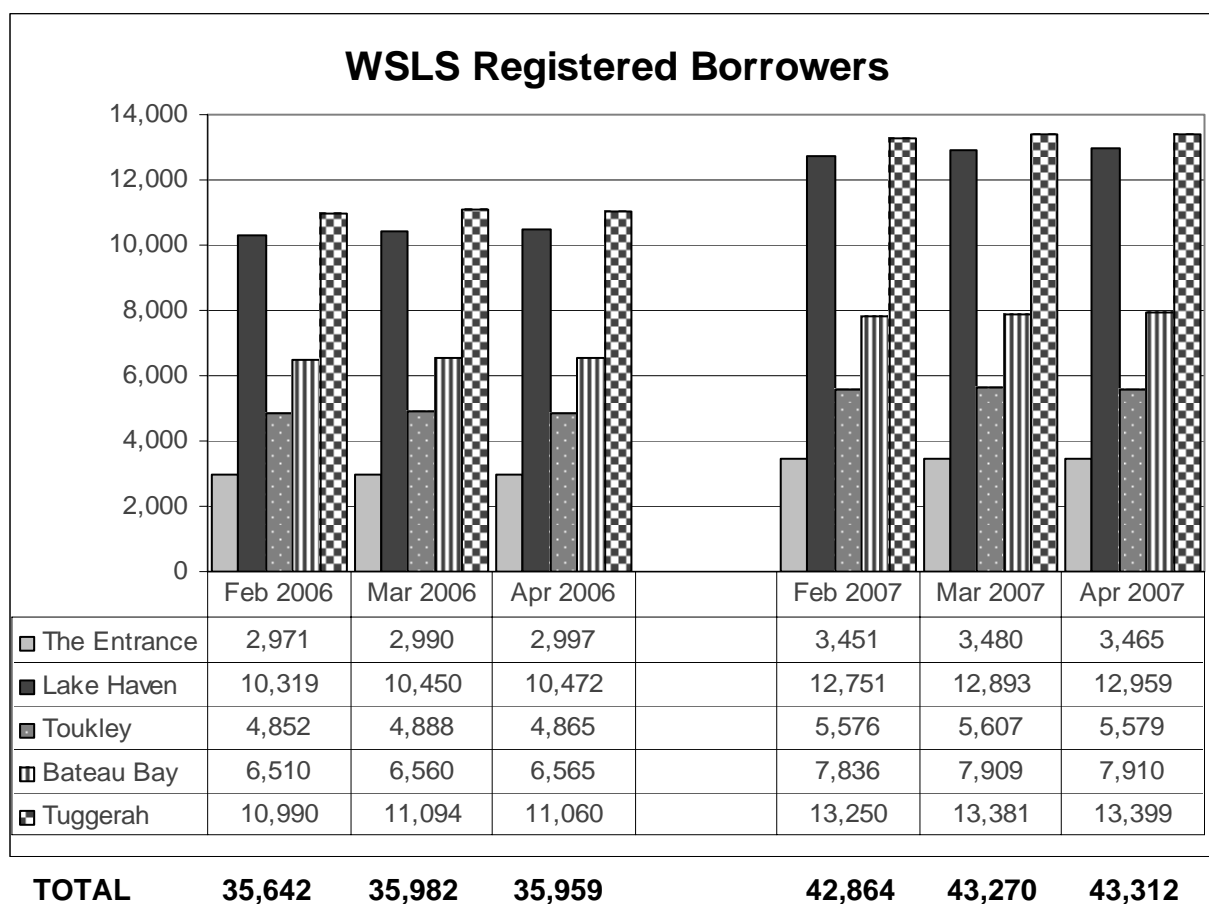
Statistical report on the activities of Wyong Shire Library Service.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

The following statistics present a picture of the activity experienced by the Wyong Shire Library Service in the months February to April 2007 and the corresponding months of the previous year.

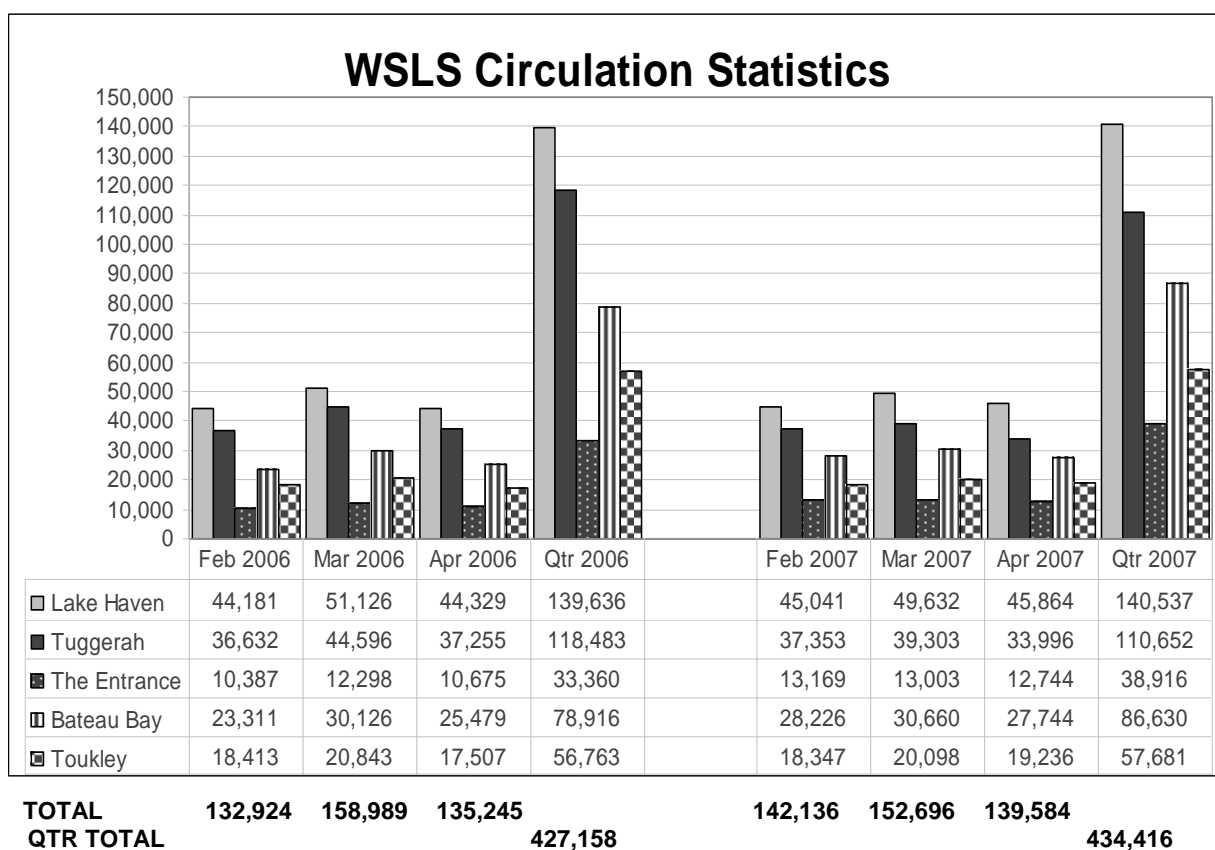


Wyong Shire Library Statistics (contd)

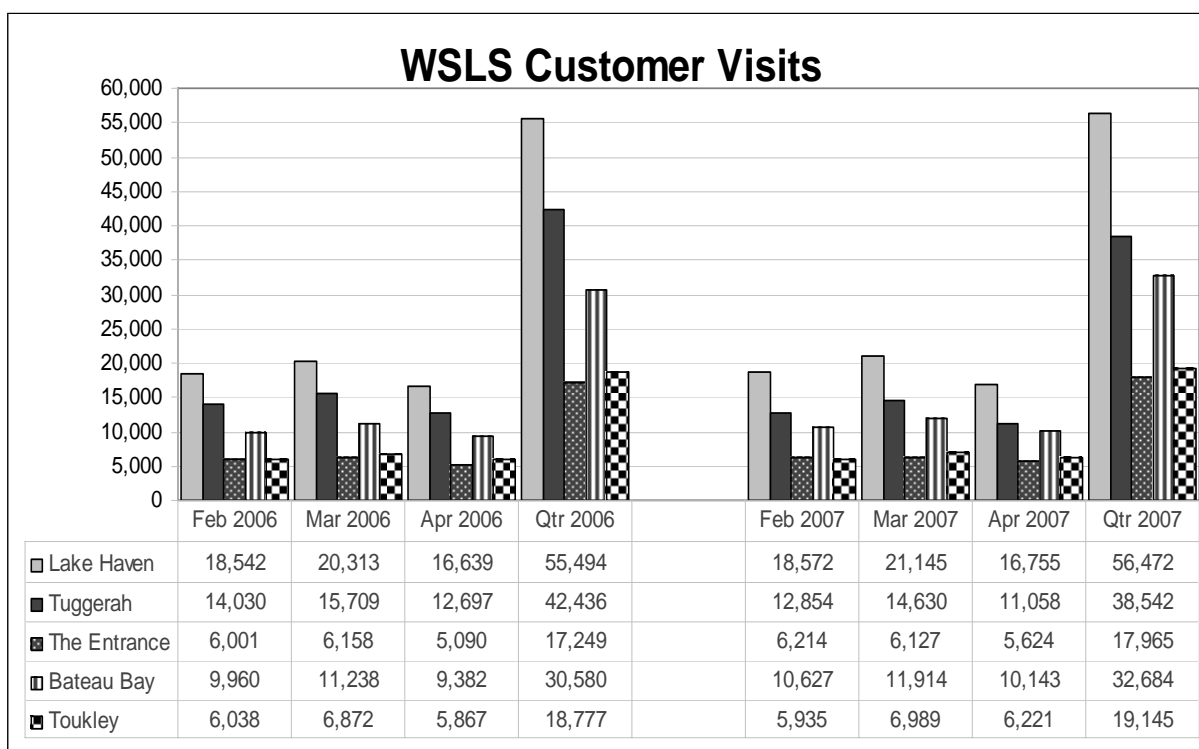
These figures reflect current users of the library service. Borrowers who have not used the Library for a number of years are deleted from the database. This occurs on a monthly basis.

The number of registered members for the quarter February to April 2007 increased by approximately 20% compared to the corresponding quarter of February to April 2006. While this is a significant increase in the number of people choosing to acquire a library card, there has not been a similar increase in the circulation and library visits. There are a number of reasons why this has not occurred including an alteration in the parameters used to delete inactive members, active encouragement of young children having their own card and the use of library databases which require library membership but can be accessed remotely.

The total number of borrowers now represents approximately 33% of the Wyong Shire population.



The number of items circulated (this figure includes loans and returns) increased at all libraries during the 2007 quarter with the exception of Tuggerah. As fewer people visited Tuggerah in the 2007 quarter (see table below) there was a consequent decrease in the circulation figures for that branch. Overall, the circulation figures show an increase of 1.7%.

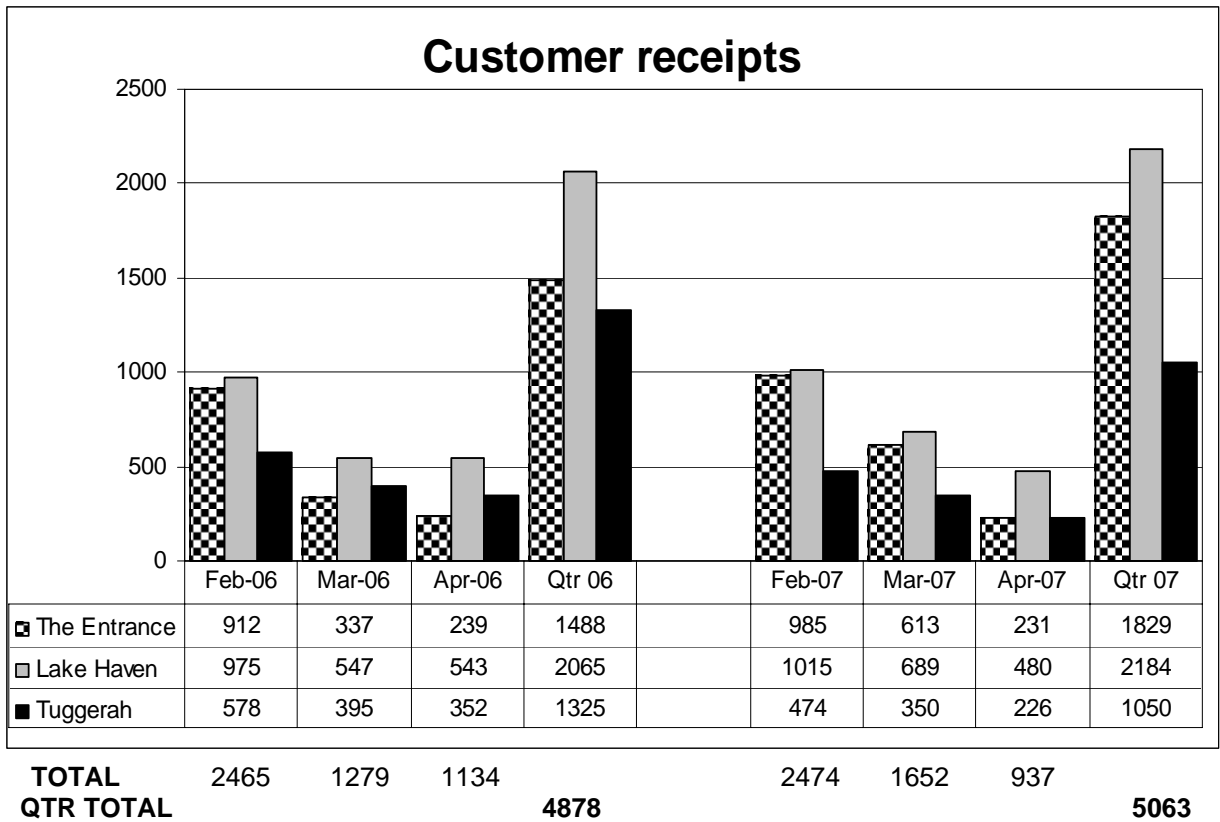
Wyong Shire Library Statistics (contd)

TOTAL	54,571	60,290	49,675		54,202	60,805	49,801	
QTR TOTAL				164,536				164,808

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

Visits increased at all libraries during the 2007 quarter when compared to the same months in 2006, with the exception of Tuggerah. There is no apparent reason for the decrease in visits at Tuggerah. Overall, the figures show a small increase.

Wyong Shire Library Statistics (contd)



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

The reduction in the number of receipts issued at Tuggerah may be due to the proximity of the Library to the main Council building and the other avenues of payment available to customers in the Tuggerah Shopping Centre.

The number of receipts issued at the library based Council customer service centres has risen by 3.8% in this period compared to the same period in the previous year.

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

272 Works in Progress Report – Water and Sewerage

F2004/07830 KRG:DP

SUMMARY

Water supply and sewerage works in progress and completed for May 2007.

RECOMMENDATION

That the report be received and the information noted.

WATER SUPPLY

Work has commenced on the installation of a 150mm fire main and a 100mm domestic water main to service the shopping centre development at the corner of Noela Place and Tenth Avenue, Budgewoi.

The work consists of the installation of 32 metres of 150mm and 100mm diameter ductile iron pipe and associated fittings. The work involves a 10 metre long road crossing.

The work, estimated to cost \$19,000, is being carried out by Council's day labour staff, is due for completion in late May 2007 and is being funded by the developer.

Water Storage

As at 18 June 2007 the storage in Mangrove Creek Dam was 16.9% while the total system storage was 21.9%. Mooney Dam was 100% and Mardi Dam 100%.

Water Usage and Rainfall data is detailed at Attachment 1.

SEWERAGE

Sewer mains maintenance and refurbishment work has commenced in Elouera Road, Buff Point. These works form part of Council's ongoing maintenance program of replacing sections of sewer mains and repairing manholes and junctions that are causing operational problems due to tree root infestation and storm water infiltration.

Works in Progress Report – Water and Sewerage (contd)

PROCESS

Water Treatment

All water produced by the Water Treatment Plant, for the period 1 May 2007 to 28 May 2007, has met National Health and Medical Research Council Guidelines.

Sewage Treatment

All effluent discharged from the sewage treatment plants, for the period 1 May 2007 to 28 May 2007, has met Environmental Protection Authority Licence requirements.

Effluent Re-use Projects

The ultra violet disinfection system at Bateau Bay Reclaimed Water Treatment Plant has been commissioned, providing a higher level of treatment that is required for the recycled effluent to be used for applications such as the watering of school ovals.

The Department of Water and Energy has recently issued new guidelines on the management of water recycling systems. Staff are currently working with the department to ensure Council's management systems align with the guidelines which require formal documentation of all risks and the procedures in place to manage those risks. The guidelines also require a more comprehensive testing program to demonstrate achievement of quality targets for treated effluent.

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

Works in Progress Report – Water and Sewerage (Attachment 1)**Monday, 18 June 2007****STORAGES**

Storage	Capacity Full [MI]	Volume in Storage [MI]	Percent Full [%]	Storage Change over last Week
Mangrove Dam	190,000	32,186	16.9	Up 667 ML
Mardi Dam	7,400	7,400	100.0	Up 7 ML
Mooney Dam	4,600	4,600	100.0	Unchanged
Total	202,000	44,186	21.9	Up 674 ML

Total stored water volume has increased by 6.2% since last month.

This day last year the volume stored as a percentage of total capacity was 5.6% lower.

Hunter Water Corporation supplied 2.1 ML last week increasing this years supply to 2,423 ML.

Gosford/Wyong supplied 35.2 ML to Hunter Water last week increasing this year's supply to 265 ML.

Groundwater Bores supplied 5.7 ML last week increasing this year's supply to 311 ML.

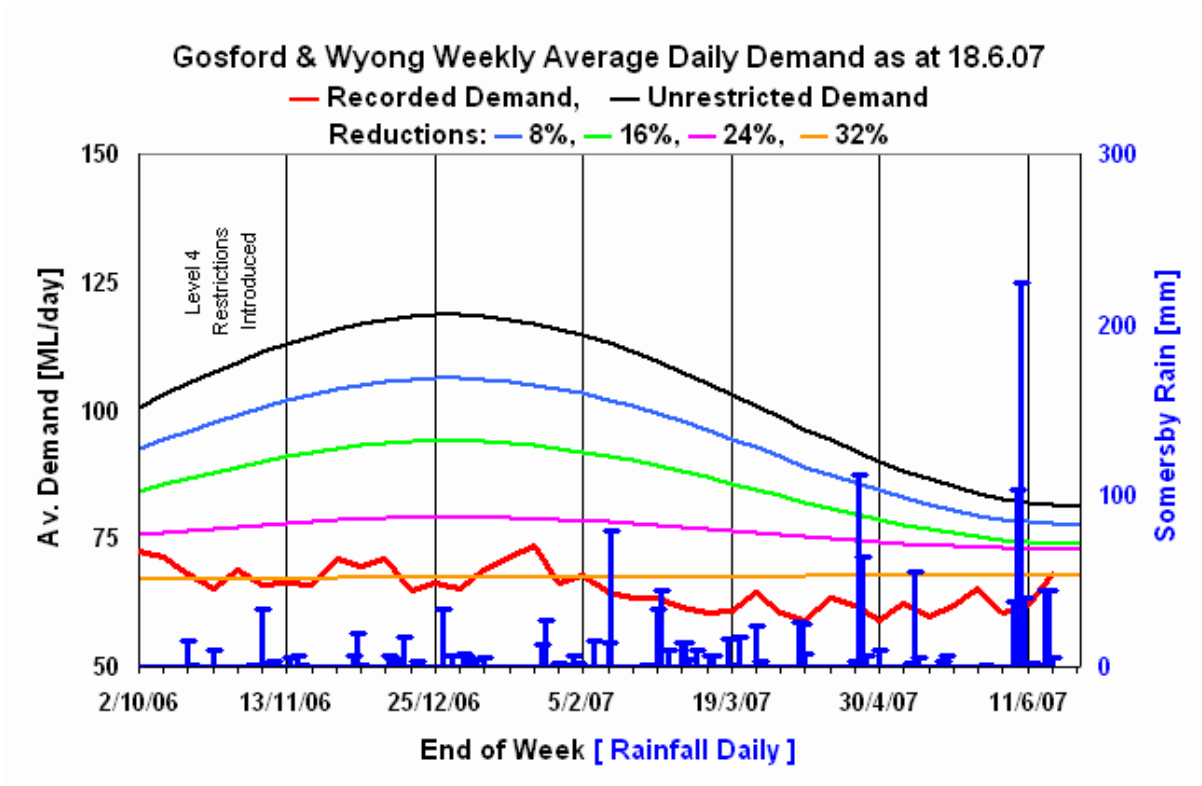
WATER USAGE AND RAINFALL

Period	Water Usage [MI]	Rainfall [mm]		
		Somersby WTP	Mardi WTP	Mangrove Dam
Week to date	476	98	94	72
Previous week	435	407	338	327
Current week last year	496	1	0	0
This year to date	10,791	1,227	986	855
Same period last year	13,071	412	390	247

Week to date consumption was 476 ML, 4.0% less than the same week last year and 9.4% more than the previous week.

Consumption this year to date is 10,791 ML, 17.4% less than the same period last year.

Level 4 Water Consumption Target for the week ending Monday, 25 June 2007 is 474 ML

Works in Progress Report – Water and Sewerage (Attachment 1) (contd)

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

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

273 Outstanding Questions Without Notice and Notices of Motion

F2006/02282 MW:SW

SUMMARY

Report on outstanding Questions Without Notice and Notices of Motion.

RECOMMENDATION

That the report be received and the information noted.

Question Asked	Asked By	Meeting Asked	Department
Q038 – International Cities, Town Centres and Communities Organisation and Conference (A response will be reported once a reply is received from Councillor Welham)	Councillor Pavier	28 March 2007	Corporate Services
Q043 - Extensive Tree Clearing Along Pacific Highway at Lake Munmorah (A response will be reported to the Ordinary Meeting on 25 July 2007)	Councillor Eaton	9 May 2007	Shire Planning
Q047 - Informal Briefing (A response will be reported to the Ordinary Meeting on 11 July 2007)	Councillor Best	9 May 2007	General Manager's Unit
Q051 - Local Government Association Conference Motion to "meet or beat" Kyoto Targets (A response will be reported to the Ordinary Meeting on 11 July 2007)	Councillor Veugen	23 May 2007	General Manager's Unit
Q052 - Repair of Car park at Rear of Ebbtide Mall, The Entrance (A response will be reported to the Ordinary Meeting on 25 July 2007)	Councillor Stewart	23 May 2007	Shire Services

Outstanding Questions Without Notice and Notices of Motion (contd)

Question Asked	Asked By	Meeting Asked	Department
Q053 – Sale of No 20 Manning Road, The Entrance (A response will be reported at a future Ordinary Meeting)	Councillor Stewart	23 May 2007	Corporate Services
Q054 – Empty Coal Ships (A response will be reported to the Ordinary Meeting on 11 July 2007)	Councillor Eaton	13 June 2007	Shire Services
Q055 – Development of Shire's Employment Lands (A response will be reported to the Ordinary Meeting on 25 July 2007)	Councillor Eaton	13 June 2007	Shire Planning
Q056 – Attendance at Briefings and Inspections (A response will be reported to the Ordinary Meeting on 11 July 2007)	Councillor Stewart	13 June 2007	General Manager's Unit
Q057 – Anvil Hill Coal Mine (A response will be reported to the Ordinary Meeting on 25 July 2007)	Councillor Veugen	13 June 2007	Corporate Services
Q058 – Use of High Pressure Hoses at Charmhaven Pound (A response will be reported to the Ordinary Meeting on 25 July 2007)	Councillor Veugen	13 June 2007	Shire Planning
Q059 – Stormwater Levy (A response will be reported to the Ordinary Meeting on 25 July 2007)	Councillor Best	13 June 2007	General Manager's Unit
Q060 – Reluctance of Joint Water Authority to apply to IPaRT for the Introduction of Inclined Block Tariffs (A response will be reported to the Ordinary Meeting on 25 July 2007)	Councillor Best	13 June 2007	Shire Planning

27 June 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

Outstanding Questions Without Notice and Notices of Motion (contd)

Motion of Urgency	Department	Meeting Asked	Status
049A – Safety of Beach Patrons at Magenta Beach.	Shire Planning	14 February 2007	Awaiting response from Department of Planning.

Notice of Motion	Department	Meeting Asked	Status
314 – Regional Sporting Facilities <i>Investigations into the possibility of constructing an integrated regional sporting/educational facility to service the Tuggerah / Mardi area.</i>	Shire Planning	9 August 2006	A prospective purchaser has been asked to include the development of regional sports fields in their feasibility investigations. This includes the need for seasonal flora and fauna surveys due to the presence of threatened species. The results will be reported back to Council as soon as Council receives a reply.

This page is intentionally blank

WYONG SHIRE COUNCIL

27 June 2007
To the Ordinary Meeting of Council

Shire Services Department

Answers to Questions Without Notice

Q003 – Business Arising – December 14 2005

Asked by Councillor Welham at the Ordinary Meeting held on 23 January 2006
F2004/06507

“In the transcript of Business Arising from the minutes of the meeting held on December 14 2005, Councillor Best indicated that Murlrose Pty Ltd was one of the subscribers to his electoral fund. Could he report to Council who were the other subscribers?”

Councillor Best has advised as follows:

QUOTE “....That having regard to Councillor Welham’s Q003 I have researched this matter, given it due consideration and taken extensive advice. It is with this understanding that I can now advise my answer.

No.....” END OF QUOTE

27 June 2007
To the Ordinary Meeting of Council

Shire Services Department

Answers to Questions Without Notice (contd)

Q048 – Investigation of “Pix-O-Gram” Trial Conducted by Brisbane City Council

Asked by Councillor Welham at the Ordinary Meeting held on 23 May 2007
F2004/05534

“Could staff investigate the “Pix-o-Gram” trial conducted by Brisbane City Council as outlined in the attached article from “Local Government Focus” newspaper dated 5 May 2007 aimed at fixing and reducing vandalism and provide a report to Council on any possibilities of adopting a similar initiative in Wyong Shire?”

Brisbane City Council has commenced a trial of a customer service request system that allows residents to advise Council of property damage by sending text messages containing a photograph of the problem. The trial commenced in March 2007 and will run until 30 June 2007 at which time the scheme will be evaluated by staff before results are then considered by Brisbane Council.

The trial scheme which is known as the “Pix-o-gram” can be used to report on the following matters:

- * Roadside and park litter
- * Park maintenance including broken furniture, play equipment and damaged signage
- * Road and footpath maintenance including potholes, damaged signage and overgrown vegetation
- * Stormwater drainage maintenance.

The caller is required to provide Council with contact details, information on the issue being reported and the exact location requiring attention. Council then acknowledges the incoming call and contacts the caller if more information is required or to advise if the problem will take more than 30 days to repair.

The trial is aimed at young people as they are generally proficient in multi-media communication. Despite being widely publicised the take up rate has been relatively low and Brisbane City Council’s Youth Team is attempting to gather data as to why this is the case.

At this point, the data management is quite cumbersome as a Council Officer physically retrieves the incoming message from a mobile phone then uploads the image into the customer service request system for despatch to the relevant maintenance area. When contacted by Wyong Shire Council, the Pix-o-gram Co-ordinator advised that if the scheme is to continue data management will need to be automated.

When the trial in Brisbane is completed, staff will be in contact to further examine the matter and a report will be provided to Wyong Council on the proposal at that time.

Attachment 1

Article from “Local Government Focus” Newspaper Dated 5 May 2007 (1 page)

Answers to Questions Without Notice (contd)

Q048 – Investigation of “Pix-O-Gram” Trial Conducted by Brisbane City Council (Attachment 1)

Brisbane’s pix-o-gram trial provides great results

Brisbane City Council residents are using mobile phones to photograph damaged Council property and text them to Council to be fixed. The pilot pix-o-gram program began mid March and will finish on 30 June 2007.

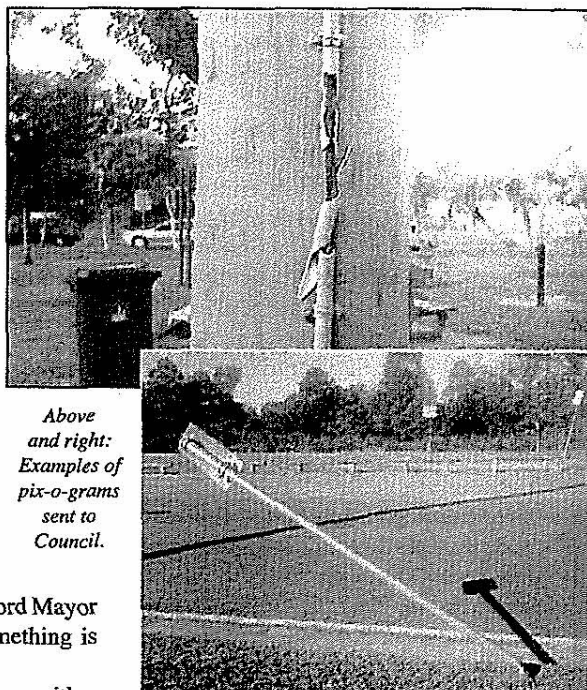
Brisbane Lord Mayor, Campbell Newman, said the program, which is thought to be an Australian first, has been a great success. He said in the first month of the program, over 30 residents had already sent in photos of things such as broken signs, damaged rubbish bins, broken locks in park toilets and drinking fountains that do not work.

“Pix-o-grams provide another channel for the community to communicate with Council and let us know about local problems that need attention around the city,” the Lord Mayor said. “If Council doesn’t know something is broken, we can’t fix it.”

Residents text Council a photo, along with a description of the problem, the place and suburb, and their name and age. For example, ‘leaking taps, Mowbray Park toilets, east Brisbane – Julia Citizen 16’. Once received by Council, it is instantly stored in an electronic system and logged for immediate investigation.

Small problems are fixed on the spot, while more complicated problems are logged with the relevant Council department after an initial inspection.

Lord Mayor Newman said the pilot program reflects the fact that many people in today’s modern society now rely on their mobile



Above and right: Examples of pix-o-grams sent to Council.

phones as a primary source of communication.

“Many of the texts are coming from Brisbane’s youth, who are leading the way as active citizens who care about their city and neighbourhoods,” he said. “About 72 per cent of the pix-o-grams have been received from residents under 30 years old, one from a 15 year old.”

Council is continuing to target youth through its marketing campaign, which involves the distribution of cardboard cutouts of mobile phones, providing instructions on how to lodge a photo. Council is also using local media to promote the initiative.

Answers to Questions Without Notice (contd)

Q049 – Roundabout Sign at Tuggerah Indicates Traffic Flow in Wrong Direction

Asked by Councillor Welham at the Ordinary Meeting held on 23 May 2007
F2004/13054

“Could staff approach the Roads and Traffic Authority as to why the recently installed ‘round-a-bout’ give way signs installed on Tuggerah Straight temporary ‘round-a-bout’ indicate that traffic should travel in an anti-clockwise direction?”

Mr Craig Leckie of the Roads and Traffic Authority has been contacted by telephone and he has agreed to change the ‘round-a-bout’ signage as a matter of urgency on Tuggerah Straight to indicate that traffic should travel in a clockwise direction.

A recent inspection of the round-a-bout reveals that the signage has now been changed.

27 June 2007
To the Ordinary Meeting of Council

Shire Services Department

Answers to Questions Without Notice (contd)

Q050 – Community Notification Process Involved with “Big W” art project at Watanobbi

Asked by Councillor Eaton at the Ordinary Meeting held on 23 May 2007
F2007/00792

“Can Council report on the community notification processes involved with the ‘Big W’ art project at Watanobbi and why no Development Application was submitted?”

Watanobbi Community centre was opened in 2000. At that stage community art was not included as part of original planning or allocation of funding. The process of developing art as part of a new community facility was undertaken commencing in late 2006.

The following ideas were incorporated in the design of the artwork:

- * something that would help put Watanobbi ‘on the map’
- * a prominent artwork positioned outside the Community Centre, within the Centre precinct, to help attract people into the building
- * a local icon that represented a ‘Welcoming’ entry point to the suburb and the Centre, that expressed something unique about Watanobbi
- * identifying the significance of “W” for Welcome, Watanobbi and Wyong in a playful, symbolic way
- * creation of something fun, lyrical, and colourful
- * something about the environment, our indigenous culture and the community

Four habitat boxes were created to be placed atop four Ironbark poles. Each habitat box told its own story of the people and place of Watanobbi.

Community notification and consultation processes commenced in November 2006 and involved the following actions:

- * Community Art workshops which specifically dealt with the community art pieces at Watanobbi. It included students from Wyong Public School, Wyong High School, Wyong Schools as Community Centres based at both Wyong High School and Wyong Public School, and Wyong TAFE Outreach Craft Group (mature age students).

Answers to Questions Without Notice (contd)

Q050 – Community Notification Process Involved with “Big W” art project at Watanobbi (contd)

The habitat boxes designed by these students reflected local imagery such as Wyong River and its natural environment including a decorative depiction of flora and local fauna; the coastal lifestyle symbolised by the Surf Life Saving red and yellow flag, marine life, and aquatic activity; and, the impact of urban development and technology on the local community (communications, transport, commercial buildings).

The students felt that current community concerns about global warming, climate change and the strive for ecological sustainability were also important issues (using symbolism) to represent. A number of cardboard models were constructed by students based on these concepts.

- * Letterbox drop to 1,300 households in the immediate area to attend a full day community art workshop at Watanobbi community centre on Saturday 25 November 2006. At this workshop (attended by approximately 10 local residents), further concept design was undertaken, and another cardboard model for the project was constructed. This design was based on concepts developed by earlier groups which depicted Watanobbi's agricultural practices and early farming heritage.
- * Watanobbi Community Centre newsletter circulated via post (approximately 650 in both January and April 2007) which promoted future community art workshop.
- * 24 community art workshops held at various locations around Watanobbi. The workshops were undertaken with various community groups including Watanobbi Kids Club, Wyong Vacation School Care, a community Aboriginal Cultural Workshop, and several workshops at Wyong Preschool. At these various hands-on workshops, participants designed and constructed panels for the remaining habitat boxes, either using metal assemblages or vitreous glass mosaic tiles. The process was thorough, extensive and exhaustive.
- * A further hands-on community art workshop (attended by over 30 local residents) held at WyWat (Wyong Watanobbi) Community Network BBQ in De Lisle Close on 18 April 2007.

Development Application Requirements

It was thought that the initial Development Application for the building included provision for community artwork; however this was not the case.

27 June 2007
To the Ordinary Meeting of Council

Shire Services Department

Answers to Questions Without Notice (contd)

Q050 – Community Notification Process Involved with “Big W” art project at Watanobbi (contd)

Advice from the Development Assessment Section states that retrospective approval will not be given. They also advise that technically consent was required and at this stage a building certificate will need to be applied for to authorise the works. This should be accompanied by a structural certificate to demonstrate the structure is sound. This application will also be notified via newspaper and mail to adjoining residents for 14 days.

The Team Co-ordinator, Major Applications, advises that:

QUOTE “regarding the legalization of the works, ultimately it is judgement call whether a notice of intention is issued, followed by an order to demolish the illegal works, or whether Council recommends to the owner to lodge a Building Certificate. If the works are potentially dangerous or are substantially beyond what would achieve approval if a Development Application had been lodged, obviously the notice of intention path is taken, however a building certificate may still be lodged if the owner so wished.

In this case it is likely that if a development application had been lodged it would have been favourably considered, obviously balanced by the public submission we may have received. It is on this basis that a notice of intention to demolish has not been issued.” END OF QUOTE