
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, 28 MARCH 2007,
COMMENCING AT THE CONCLUSION OF THE
ADJOURNED 14 MARCH 2007 MEETING
OR 7.00PM WHICHEVER OCCURS FIRST

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ORDINARY MEETING OF COUNCIL

28 March 2007

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WYONG SHIRE COUNCIL

28 March 2007
To the Ordinary Meeting of Council

General Manager's Report

125 Disclosure of Interests

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

28 March 2007
To the Ordinary Meeting of Council

General Manager's Report

126 Proposed Inspections

F2006/02282 MW:SW

SUMMARY

Inspections proposed to be held on 28 March 2007 and prior to the second Ordinary Meeting are listed as follows:

Date of Inspection	Location	Requested By
28 March 2007	Kathleen White Crescent, Killarney Vale (road rehabilitation/drainage project)	Director Shire Services
28 March 2007	Eastern Road, Tumbi Umbi (road rehabilitation project)	Director Shire Services
28 March 2007	Ted Doyle Carpark, Berkeley Road, Glenning Valley (adjacent to the Oval where new skate facility is being built)	Director Shire Services
28 March 2007	7 Lucca Road, North Wyong	Director Shire Planning

RECOMMENDATION

That the report on inspections to be conducted on Wednesday, 28 March 2007 be received and the information noted.

WYONG SHIRE COUNCIL

28 March 2007
To the Ordinary Meeting of Council

General Manager's Report

127 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
28 March 2007	Computer Access	Briefing for Councillors to discuss their Computer Access.	2.00pm – 3.00pm	Director Corporate Services
4 April 2007	Workshop Session	Workshop session on various issues	8.30am – 12.30pm	General Manager
11 April 2007	Holiday Park Update	Briefing on the concept plans for the improvement works as identified in the Business Strategy.	11.00am – 12.00 noon	Manager Business Unit Contractor, Special Projects BHI
11 April 2007	Performing Arts Centre	Draft Business Plan and Design Brief with staff and consultants.	12.00 noon – 1.00pm	Senior Social Planner David Fishel, Positive Solutions Virginia Ross, Williams Ross Architects
11 April 2007	Meeting Procedures	Discussion on proposed amendments to Council's Code of Meeting Practice	1.00pm – 1.45pm	Director Corporate Services
11 April 2007	Entry to Shire Signs	Mock-up	1.45pm – 2.00pm	Manager Customer and Community Services Landscape Architect
11 April 2007	Water Authority	Briefing prior to 18 April 2007 Board Meeting	2.00pm – 3.00pm	Manager Headworks

WYONG SHIRE COUNCIL

28 March 2007
To the Ordinary Meeting of Council

General Manager's Report

128 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

28 March 2007
To the Ordinary Meeting of Council

General Manager's Report

129 Confirmation of Minutes of Previous Meeting

F2006/02282 MW:SW

The Ordinary Meeting of Council held on 14 March 2007 stands adjourned, due to the lack of a quorum.

It is anticipated that the minutes of the Ordinary Meeting of 14 March 2007 will be presented to Council for confirmation at the Ordinary Meeting of 11 April 2007.

**130 Proposed Rehabilitation Centre in Louisiana Road,
Hamlyn Terrace (Attachment 1)**

Locality Plan



WYONG SHIRE COUNCIL

28 March 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

130 Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace

DA/2444/2005 WKW:WKW

SUMMARY

An application has been received for the construction of a women's drug and alcohol rehabilitation centre fronting Louisiana Road, Hamlyn Terrace. The application has been examined having regard to the matters for consideration detailed in Section 79C of the *Environmental Planning and Assessment Act 1979* (The Act) and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

Applicant	NSW Department of Commerce
Owner	Health Commission of NSW
Application No	2444/2005
Description of Land	Lot 100 DP 1035522, 664 Pacific Highway, Hamlyn Terrace (Wyong Hospital)
Proposed Development	Rehabilitation Centre – known as Kamira Farm
Site Area	20.7ha (total hospital site) 5,999m ² (area to be developed)
Zoning	5(a) Special Uses (Hospital)
Existing Use	Vacant

RECOMMENDATION

Submitted for consideration.

INTRODUCTION

The Site

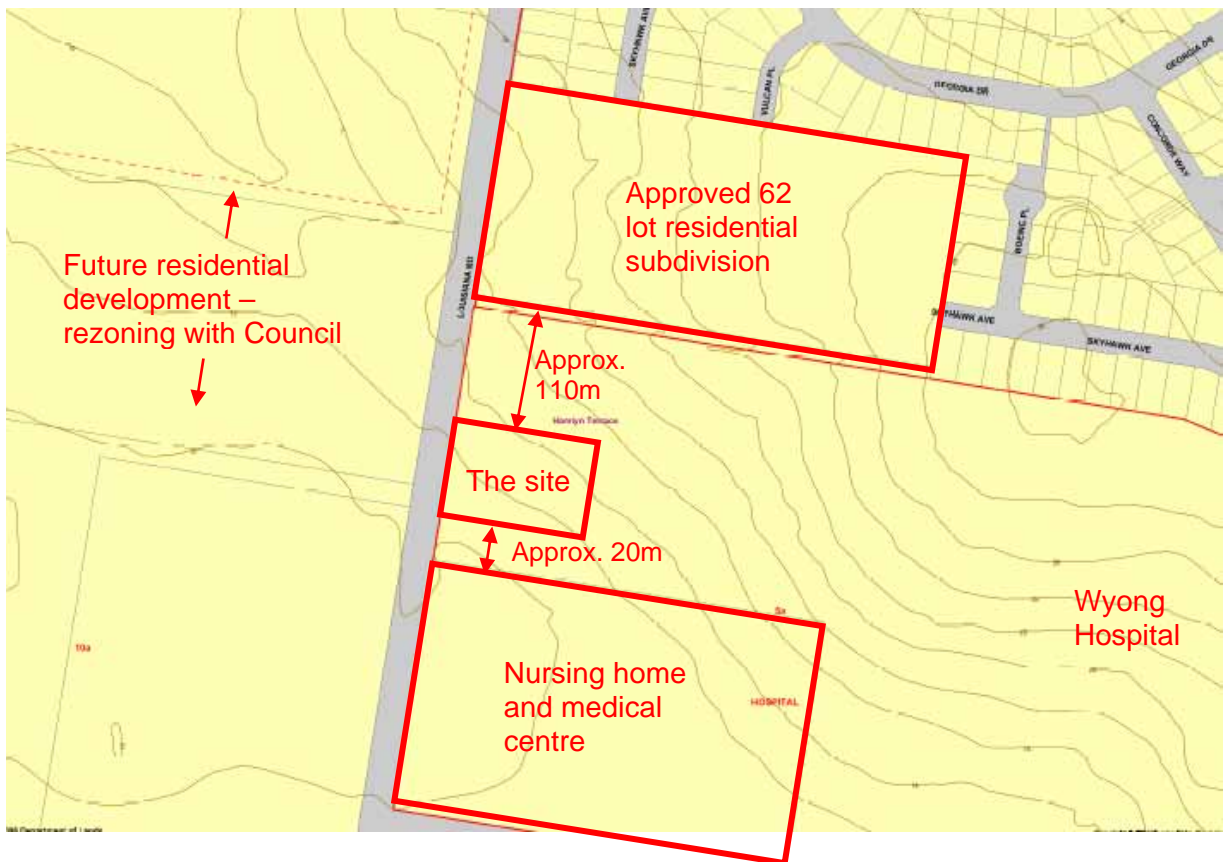
The subject site is located on the eastern side of Louisiana Road, approximately 500 metres north of the Pacific Highway. The site slopes gently from the rear, north-eastern corner to Louisiana Road. The site is relatively cleared apart from scattered trees and a strip of vegetation along the western, front boundary.

Access to the site is currently via two driveways leading from Louisiana Road.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (contd)

The Surrounding Area

Land to the north is currently being developed for low-density residential purposes (the centre will be built approximately 110 metres from this development); land to the east contains Wyong Hospital; land to the south is currently vacant but has an approval for a medical centre and nursing home; land to the west is zoned 10(a) Investigation and is currently the subject of a rezoning application to allow the land to be developed for residential purposes. The existing residential area of Hamlyn Terrace is located approximately 250 metres to the north of the site. See map below for detailed site analysis.



Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (contd)

The Proposal

Consent is sought for the construction of a residential rehabilitation centre for highly alcohol and/or drug dependent women and their accompanying children.

The centre contains 11 bedrooms accommodating 24 people. There is also a large commercial kitchen, living and dining areas, laundry, bathrooms and children's play room, together with offices, counselling rooms and a four car garage.

A driveway off Louisiana Road will provide temporary access to the four car garage and 11 space visitors' carpark. A more permanent driveway is also shown from a 'possible future hospital access roadway'; however the likelihood of this future access being provided is currently unknown and cannot be relied upon for providing access to the site.

The carpark and buildings have been set back a minimum of 10 metres from the Louisiana Road frontage to enable existing vegetation to be retained as a privacy screen and to enable the planting of additional buffer vegetation.

HISTORY

The Application Process

The Department of Commerce (the applicant) lodged an application for the new facility in December 2005. Council was generally supportive of the location and design of the new facility; however the applicant was asked to further address stormwater drainage and access and respond to concerns raised by several nearby residents.

Draft conditions of consent were issued to the applicant for endorsement before formal determination, as required under Section 116C of the *Environmental Planning and Assessment Act 1979*. The conditions of consent required, among other things, the construction of road pavement, kerb and guttering, a combined foot/cycle path and stormwater drainage along the Louisiana Road frontage of the hospital site and the payment of Section 94 and water and sewer contributions/charges (totalling \$178,043.99). Given the nature of the facility, Section 94 contributions were not levied for community facilities or open space.

Council received correspondence from the applicant in July 2006 advising that it did not agree to Council's draft conditions. Objections focused on, but were not limited to, the requirements outlined above. Council responded to the applicant in August 2006 advising that it was not willing to delete or amend various conditions.

Council was advised in September 2006 that the applicant had formally requested the Minister for Planning to determine the application under Section 116D of the Act as it had not been determined by Council within the required 60 days.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (contd)

The Mediation Process

Mediation involving Council staff, representatives from Kamira Farm and officers from the Departments of Commerce, Health and Planning was held in late October 2006, in accordance with Section 116E of the Act. Whilst not agreeing to delete conditions regarding road works and contributions, Council did agree to various changes to conditions.

The applicant was still not agreeable to these changes and the Minister for Planning was therefore required to make a decision regarding the application and the conditions of consent to be imposed.

The Minister's Decision

The Minister's decision (not to agree with Council's conditions of consent) was received by Council on 13 March 2007 and Council has been directed to formally determine the application, by way of approval in accordance with the Department of Planning's conditions, within 15 days (29 March 2007).

In accordance with Section 116E of the Act, if Council does not formally determine the application by this date, the application is deemed to have been determined by Council in accordance with the Minister's decision.

STATUTORY REQUIREMENTS

Integrated Development

Mine Subsidence Board (MSB)

The MSB has granted its conditional approval for the rehabilitation centre. The Minister has imposed a condition of consent to ensure compliance with the requirements of the MSB.

Rural Fire Service (RFS)

The RFS has granted a Bushfire Safety Authority for the proposal, subject to the following conditions:

- 1 The entire property shall be managed as an Inner Protection Area, as outlined in Section 4.2.2(b) of 'Planning for Bushfire Protection 2001'.
- 2 The openable section of all windows shall be screened with non corrosive steel mesh to prevent the entry of wind blown embers and reduce the radiant heat impact upon the glass.

The Minister has imposed a condition requiring compliance with the requirements of the Bushfire Safety Authority.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (contd)

Wyong Local Environmental Plan 1991 (Wyong LEP)

Clause 10 – Zone objectives and development control table

The subject site is zoned 5(a) Special Uses (Hospital) Zone under Clause 10 of the Wyong LEP. The objectives of this zone are:

- “a to cater for the provision of community and public facilities and services, and*
- b to provide for any other development of land within this zone, with the consent of the Council, provided that:*
 - (i) the other development is ancillary to or related to the current or future use of the land for the purpose of a community or public facility or service, and*
 - (ii) the other development does not adversely affect the current or future usefulness of the land for the purpose of those facilities or services.”*

The proposed development is considered to meet the objectives of the zone in that it is related/ancillary to the predominant use of the site (hospital) and will provide much needed health services for the Wyong Shire. Additionally, the proposal will not adversely affect the current or future usefulness of the land (ie there is ample land remaining on the hospital site to enable expansion of the hospital and the proposal positively reinforces the desired outcome for the land).

Under Clause 10, any purpose is permissible within the 5(a) zone with development consent and having regard to the zone's objectives. The proposed development is defined as a **hospital**, which is permissible with development consent and meets the objectives of the zone.

Clause 28 – Tree management

Consent is sought for the removal of approximately four trees from the site. The impacts of tree removal as part of the development are further considered below under *Development Control Plan No 14 – Tree Management* in the *Council Policy and Strategic Implications* Section.

Clause 29 – Services

Services (water, sewer and electricity) are readily available in the immediate area and can be extended to service the development, at the developer's full cost. Stormwater can drain to Louisiana Road. The Minister has imposed conditions of consent ensuring final design plans for water and sewer systems are submitted to and approved by Council prior to the commencement of works.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (contd)

COUNCIL POLICY AND STRATEGIC IMPLICATIONS

DCP 2005, Chapter No 14 – Tree Management

The relevant aims of this Chapter to the proposed development are:

- "a To ensure that proper consideration is given to trees and native vegetation in planning, designing and constructing development;*
- b To minimise unnecessary injury to or destruction of trees and native vegetation; and*
- c To retain healthy individual trees of local amenity and aesthetic value."*

The development will necessitate the removal of approximately four trees; however, this will be positively and appropriately offset by the following:

- * Retention of various other native trees around the site;
- * Retention of vegetation along the Louisiana Road frontage of the site (initially proposed for removal, but with an increased setback to carpark and buildings, will now be retained);
- * Planting of 39 native trees (species including Forest Oak, Smooth barked Apple, Grey Gum, Claret Ash and Native Frangipani) to a height of 20 metres.

The Minister has imposed a condition requiring protection of retained vegetation/trees during construction works.

DCP 2005, Chapter No 49 – Warnervale East and Wadalba North West

While the objectives and various residential/subdivision requirements of this Chapter are not relevant to the proposed development, the map attached to the Chapter identifies the site as 'future hospital expansion' and shows a bus stop along the sites Louisiana Road frontage. Additionally, Clause 12.1 of the Chapter requires overhead power and telecommunication lines in Louisiana Road to be relocated underground.

Comments:

- * The proposed development is considered to form part of the overall expansion of the hospital site providing related/ancillary public and community services and facilities.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (contd)

- * Provision of a bus stop along the Louisiana Road frontage of the site is not considered necessary as one will be provided immediately to the south (as part of the nursing home/medical centre development) and there is ample remaining hospital site frontage to enable a bus stop in close proximity to the chosen future hospital access road.
- * Overhead power and telecommunication lines run along the western side of Louisiana Road and it will therefore be the responsibility of landowners on that side to ensure these services are relocated.

DCP 2005, Chapter No 61 – Carparking

The following table sets out compliance with the requirements of Chapter 61:

Hospital Rate	Amount required	Amount provided
1 space per 3 beds	24 beds / 3 = 6 spaces	6 spaces
1 space per 3 employees	7 full time staff / 3 = 2.3 spaces	3 spaces
1 space per professional staff	Unknown but assume 2 = 2 spaces	2 spaces
TOTAL	10.3 (11) spaces	11 spaces (plus 4 car garage)

The application originally proposed six carparking spaces and a four car garage and was therefore deficient. Amended plans show 11 carparking spaces and a four car garage, which is well in excess of the required number.

The overall carparking layout and access arrangements have been designed generally in accordance with Council's requirements.

DCP 2005, Chapter No 69 – Waste Management

There is no demolition work required as part of the development; however, the development's estimated value is \$1.5 million and Council usually requires a Waste Management Plan (WMP) for the construction and on-going operational phases of the development. A WMP has not been submitted with the application; however, the Department of Commerce has stated that construction waste will be managed in accordance with its own contract conditions. This is considered to achieve the same result as a WMP and is therefore acceptable.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (contd)

General domestic waste and recyclable materials generated by the use of the development will be conveyed to a designated storage area next to the loading area, between the building and the four car garage. The plan indicates the provision of six x 240L split bins, which is adequate for the development. These bins will be collected on a weekly basis by normal Council contractors. The storage area will be screened from the driveway and rear yard by timber slats.

Council's Waste Coordinator has reviewed the proposal and concurs with the above advice.

Landscape Policy No L1

A Category 3 Landscape Plan, prepared by an approved Landscape Consultant – Vision Dynamics Landscape Design, was submitted with the application and has been reviewed by Council's Landscape Architect, who considers the plan acceptable. The Minister has imposed a condition requiring compliance with the submitted landscape plan.

ECOLOGICALLY SUSTAINABLE PRINCIPLES

The proposal has been assessed having regard for ecologically sustainable development principles and is considered to be consistent with the principles. A majority of trees on the site will be retained with no endangered flora or fauna habitats disturbed. The Minister has imposed conditions requiring on-site stormwater detention, retention, reuse and quality control facilities to ensure the development minimises detrimental impacts on fluvial environments. Conditions have also been imposed regarding sediment and erosion control measures during construction works. The proposal will not decrease environmental quality for future generations.

RELEVANT ISSUES

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

Context and Setting

Kamira Farm currently operates from a site on the Pacific Highway, Wadalba (opposite the Dam Hotel). The existing facility is substandard and cannot be rebuilt on the current site. Several years of negotiations with nearby landowners (including several large project home builders) did not result in a suitable alternative site being found and the Department of Health subsequently offered to accommodate the facility in the proposed location.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (contd)

The location is considered optimal for the following reasons:

- * The facility will be located on hospital land with a buffer on both the north (110+ metres to nearest houses) and south (20+ metres to the nursing home/medical centre site) sides to ensure residential amenity in nearby estates is maintained/protected.
- * Increased setback (minimum 10 metres) with buffer landscaping along frontage will ensure privacy for guests of the facility and amenity for future residents on the western side of Louisiana Road.
- * Greater distance from the hotel site and close proximity to the hospital/medical facilities.
- * Public transport and pedestrian/cycle linkages make the development very accessible.

Given the objective and operation of the facility, there is not likely to be a conflict with future residences on the western side of Louisiana Road. Kamira Farm will not advertise its activities to the public and will most likely not attract any attention once operational.

The setback of the carpark and buildings has been increased to a minimum 10 metres to ensure the screen/buffer vegetation along Louisiana Road is retained. This will be supplemented with additional trees and landscaping.

External Access and Traffic

The subject site has frontage to and access via Louisiana Road, which is classified as a Category C Road. The intersection of Louisiana Road and the Pacific Highway is approximately 500 metres to the south.

Louisiana Road requires upgrading to accommodate two full lanes and a bus route. It was considered appropriate to require *Kamira Farm* to construct half of Louisiana Road, including kerb and guttering and associated stormwater drainage system, for the full frontage of the development site only (ie not for the entire hospital site frontage). Some transition works may also have been required to ensure new works adequately connected to the existing works to the north. A condition of consent was proposed regarding construction of the above works at no cost to Council; however the Minister for Planning has removed the requirement for Kamira Farm to construct any roadworks except for a vehicle entry to the site.

Council's requirement for a 2.5m wide footpath along the Louisiana Road frontage of the site has also been removed by the Minister for Planning.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (contd)

Internal Access

The carpark and access arrangements have been amended to accommodate a future access road to the hospital and to indicate a future driveway off this access road. Turning circles have also been provided, indicating that the vehicle access and loading area can satisfactorily accommodate a heavy rigid vehicle. The overall layout complies with Council's requirements.

Drainage and Stormwater Management

A revised Concept Drainage Plan has been submitted by Greg Sainsbury & Associates and assessed for adequacy. The following comments have been provided by Council's Development Engineer:

- * An above ground on-site detention facility has been added to the revised stormwater plan. The applicant has demonstrated that sufficient volume is proposed to cater for storms up to the 100 year event, which is satisfactory.
- * Whilst no provision has been made for water quality treatment devices, the Minister has imposed a condition requiring these.
- * A rainwater tank has been added to the revised stormwater plan; however, its size has not been nominated on the plan. The Minister has imposed a condition requiring a tank with a minimum capacity 10,000L for reuse in toilets, the laundry, and landscaping.

Excavation/Regrading

To create a level building platform, approximately 1-2 metres of regrading is proposed. Level changes will be battered rather than retained with the resultant batters forming part of the landscaped outdoor areas.

These works are considered acceptable. The Minister has imposed conditions of consent requiring appropriate sediment and erosion control, dust control and revegetation measures to minimise impacts.

Noise and Vibration

There are no external sources of uncontrollable or unacceptable noise or vibration which would detrimentally impact upon the amenity of residents within the proposed facility.

The facility will operate in a similar manner to a normal dwelling with noise generated from the daily functioning of the facility likely to be very minimal. With a minimum of 110 metres to the closest residences, and a minimum 10 metre landscaped setback to Louisiana Road, noise impacts are not likely.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (contd)

Safety, Security and Crime Prevention

The application was referred to the NSW Police for comment by the Crime Prevention Officer. The Crime Prevention Officer has verbally indicated that the centre is not of concern to the police, except for normal security measures aimed at preventing unauthorised/unwanted entry to the site and buildings.

The open plan design of the building with lots of windows allows passive surveillance of the outdoor recreation areas and carpark (see additional comments below under *Social Impacts*).

Economic Impacts

The proposed development is likely to have positive economic impacts in the locality by providing construction and longer term full and part time employment.

Social Impacts

The application was referred to Council's Human Services Project Co-ordinator for the Warnervale/Wadalba area, who provided the following comments:

"I am in principle supportive of the Kamira Farm relocation. This service is the only residential drug rehabilitation service for women and their children in Wyong Shire. They are currently operating from an inadequate building and it would be advantageous to relocate to a purpose built facility. I think that the relocation of this service to the rear of the hospital is a good location."

There are two main areas of the Statement of Environmental Effects that should be given greater consideration/further detail:

1 'Adjacent properties are semi rural land'

While this may currently be true, there are 550 residential lots planned, proposed medical facilities and aged care services to be located adjacent and next door to this development. There needs to be greater investigations into the compatibility with surrounding land uses both current and in the future.

Given the future surrounding development, the applicant should further consider the current allocation of a 3 metre buffer to the road and better screening of the development with vegetation and use of landscaping techniques.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (contd)

2 *'No significant social impact is anticipated'*

There are potential social impacts that have not been addressed adequately in the submission. Further investigations specifically relating to safety need to be adequately addressed such as:

- * Risk perception in the community
- * Will there be a greater call on emergency services as a result of the development?
- * Will there be adequate surveillance and protection including lighting and landscaping?
- * Will people feel safe around the development?

In response to the above comments, a long term staff member of *Kamira Farm* has provided a detailed outline of the operations of the existing facility and a history of problems (or lack thereof) which have arisen at the existing locality. The salient points of this response are summarised below:

- * *Kamira Farm* has been operating in Wadalba since 1982. While there was initially significant resistance to the opening of the centre, Council's records indicate that there have been no complaints lodged against the activities carried out at, or behaviour of residents of *Kamira Farm* since commencing operation.
- * Women being treated at the facility are not forced to attend. Rather, they voluntarily enter the program after a thorough application process. Women who enter the treatment program are generally highly motivated and eager to change.
- * Treatment is not offered to people who:
 - Are experiencing complicated mental health issues;
 - Have not been stabilised on appropriate medication;
 - Are experiencing complicated physical health issues; or
 - Have a history of violence and potential for aggressive behaviour.
- * *Kamira Farm* does not offer crisis accommodation and no threats from abusive spouses/partners etc have been recorded. Most family members are generally supportive of the move to rehabilitation.
- * The Dam Hotel is located across the road from the facility, yet twice weekly urinalysis screens confirm women remain alcohol and drug free during their stay at *Kamira Farm*.
- * Security measures include sensor lighting, clear visibility of facility from road, security screen doors, back to base alarms.

28 March 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (contd)

Contributions

Section 94 Contributions Plan No 7A - Warnervale District and Development Servicing Plan No 7 apply to the proposed development and the following contributions were proposed to be levied:

Warnervale/Wadalba Studies and Coordinator	\$814.64
Warnervale/Wadalba Roads	\$75,298.62
Warnervale/Wadalba Water DSP	\$22,681.23
Warnervale/Wadalba Water Quality Land	\$15,750.00
Warnervale/Wadalba Drainage Land	\$7,634.40
Warnervale/Wadalba Water Quality Works	\$17,591.56
Warnervale/Wadalba Drainage Works	\$19,205.65
Warnervale/Wadalba Area 2 Sewer DSP	\$20,123.46
Total:	\$179,099.56

Following mediation, Council agreed not to levy contributions for drainage land and drainage works in this instance, given the provision of an on-site stormwater detention basin catering for stormwater up to and including the 1 in 100 year storm event, leaving the following contributions applicable:

Warnervale/Wadalba Studies and Coordinator	\$814.64
Warnervale/Wadalba Roads	\$75,298.62
Warnervale/Wadalba Water DSP	\$22,681.23
Warnervale/Wadalba Area 2 Sewer DSP	\$20,123.46
Total:	\$118,917.95

However, the Minister for Planning has removed the requirement to pay a majority of these contributions, with Kamira Farm only being responsible for payment of approximately \$16,000 for road upgrade works.

As no physical offsite works will be carried out, credits under the above plans will not be available for road works in Louisiana Road, footpaths and water and sewer main upgrade works.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (contd)

Public Interest

The proposed development was advertised for a period of four weeks (two week extension to the normal period required). Two submissions were received during this time.

The **first submission**, received from a Hamlyn Terrace family, objects to the proposal and raises the following concerns:

Issue:	Comment:
The area will turn into a known area for drug addicts.	The facility does not provide a needle exchange or other drug related programs. It is a voluntary facility for women who are highly motivated in being rehabilitated from addictive substances and are not at risk of substance abuse while being treated at the facility.
Crime rates will increase in the area.	This comment is unsubstantiated. For the reasons outlined in the above point, and having regard to the fact that most of the women's spouses/families are fully supportive of the choice to rehabilitate, the operation and behaviour of the facility is likely to go unnoticed, as it has done from its current, nearby location for over 20 years.
Where will the troubled children go to school?	School age children will either continue to attend their existing schools (most women are already from within Wyong Shire) or attend local schools.
Will residents be allowed off the premises to walk the neighbourhood?	Residents are free to leave the facility at any time but are closely monitored during their rehabilitation program.
Why is the entry to the centre off Louisiana Road and not through the main hospital entry on the Pacific Highway?	The facility is not run by the Department of Health and requires independent access, with Louisiana Road being the most appropriate option.
The centre will downgrade the area and reduce home prices.	This comment is unsubstantiated and does not reflect the experience of the existing, nearby facility at Wadalba.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (contd)

The **second submission**, received from a development company, does not oppose the facility, but requests Council to consider the implications of the subject development on an impending development of some 550 residential lots on the opposite side of Louisiana Road.

Specifically, it is requested that the facility, which will operate 24 hours/day, seven days/week, be set back at least 10 metres from all proposed new boundaries and adequately screened from the adjoining future residential development by appropriate vegetation.

Comment

The implications of siting the facility across the road from future residential development have been considered with the location of the facility supported. The carpark and building will be setback a minimum of 10 metres from Louisiana Road with existing landscaping providing a screen/buffer to Louisiana Road. Additional trees and landscaping will further separate the facility from Louisiana Road and future residential development.

The issues raised within the two submissions do not warrant refusal of the application.

IMPLICATIONS

As Council would be aware, up until recently, the practice has been that Crown developments have paid both Section 94 contributions and water and sewer charges despite the fact that Circular D6 now being relied upon by the Department of Planning was issued in 1995. It is apparent that the Minister for Planning and his Department has now adopted the Circular as policy and that decision will have significant implications not only for this development, but other current and future Crown development applications, including Hamlyn Terrace and Warnervale Primary Schools, expansion of Wyong Hospital and numerous others.

This decision means that both the local community and all other ratepayers in the Shire will subsidise the cost of the community facilities and infrastructure required to service this development. In this instance, Council does not have the option of reviewing relevant Section 94 plans to recover the shortfall from future developers as the locality is already almost fully developed and there will be minimal future development to carry the additional cost.

OPTIONS

Staff have obtained legal advice as to whether Council has any options other than issuing consent subject to the Minister's conditions. The advice received is that Council has no alternative but to issue a development consent in accordance with the Minister's direction.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (contd)

Whilst Council remains the determining authority, Council has no legal power to add, subtract or amend conditions or to refuse the application, without the Minister's approval. Any such changes in the process at this time (ie now that the Minister has determined the conditions to be applied), would be void and have no effect. Should the Council not determine the development application within the 15 day period specified, ie by 29 March 2007, it will be legally deemed to have been determined by Council in accordance with the conditions specified by the Minister.

Council has no appeal rights in respect of the Minister's decision, with the exception of an administrative appeal which Council's Solicitor has advised would have no chance of success.

CONCLUSION

The proposed development meets the objectives and requirements of Wyong Local Environmental Plan 1991 and relevant Development Control Plans. However, whilst the proposal provides a valuable public asset with positive social impacts for the locality and Shire generally, the Minister's decision to refuse to impose conditions relating to Section 94 and Water and Sewer charges, means that the community of Wyong Shire will be disadvantaged in an overall sense as a consequence of this development proceeding. Despite this, taking into account Council's legal advice, there are no alternatives open to Council other than the approval of the application in accordance with the Minister's direction.

Attachment 1
Attachment 2

Locality Plan (1 page)
Minister's Final Conditions of Consent (6 pages)

Enclosure

Site Plan

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (Attachment 2)

PROPOSED CONDITIONS OF CONSENT

- 1 The development taking place in accordance with the approved development plans reference number 0506, Drawings DA00 Revision 2 dated 13-12-05, A02 Revision 5 dated 12-05-06, DA02 Revision 3 dated 12-12-05, DA03 Revision 2 dated 12-12-05 and DA04 Revision 2 dated 12-12-05, together with the Concept Drainage Plan reference number 11452-02 Amendment E, dated 12-05-06, except as modified by any conditions of this consent and any amendments in red.

Prior to Commencement of Works:

The following conditions must be satisfied prior to the commencement of site works, including any works relating to demolition, excavation or vegetation removal.

Contributions

- 2 The payment to Council of contributions (as contained in the attached Schedule) under Section 94 of the *Environmental Planning and Assessment Act 1979* and Council's Contribution Plan. Council's contributions are adjusted on the first day of February, May, August and November. The amount of the contributions will be adjusted to the amount applicable at the date of payment.

Dilapidation

- 3 A dilapidation report must be submitted to Council prior to the commencement of works. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs or any other Council assets in the vicinity of the development.

Erosion and Sediment Control

- 4 The control of soil erosion on the site and the prevention of silt discharge into drainage systems and waterways in accordance with the guideline document 'Managing Urban Stormwater (MUS): Soils and Construction', Landcom 2004.
- 5 The provision of a single all weather access way incorporating a vehicle shake down device within the property, extending from the kerb and gutter to the building under construction so as to provide appropriate access to the site which will reduce the potential for erosion to occur and for materials to be tracked onto the road by vehicles.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (Attachment 2) (contd)

Filling and Haulage

- 6 Heavy construction vehicles, including any trucks used to transport fill to/spoil from the site, must access the site from the south, via the Pacific Highway. No heavy construction vehicles will be permitted to use Louisiana Road, Warnervale Road or any other local roads north of the subject site.

Roads

- 7 Separate approval from Council as the Roads Authority must be obtained under Section 138 of the *Roads Act 1993* prior to the commencement of works, including any works within a Council road reserve. For any such works, design plans must be submitted to and approved by Council prior to the commencement of works.
- 8 The provision to Council of a plan of management for any works for the development that impact on any public roads and public land for the construction phase of the development, prior to the commencement of works. This plan must be prepared by the civil contractor or builder responsible for construction of the development. All works must be conducted in accordance with this plan. The plan is to include a Traffic Management Plan and/or a Work Method Statement for any works or deliveries that impact the normal travel paths of vehicles, pedestrians or cyclists or where any materials are lifted over public areas.
- 9 The provision of a footpath and gutter crossing in accordance with Council's Development Control Plan 2005 Chapter No 67 - Engineering Requirements for Development. The design plans must be approved by Council prior to the commencement of works.

Stormwater

- 10 Compliance with the stormwater drainage details identified on the Greg Sainsbury and Associates Concept Stormwater Drainage Plan reference 11452-02 Amendment E, dated 06-05-2006 and the requirements of DCP 2005, Chapter 67 – Engineering Requirements for Development.
- 11 The provision of appropriate water quality control facilities to treat stormwater runoff from the development before reaching downstream waters. Details are to be submitted to and approved by Council prior to the commencement of works.
- 12 Stormwater generated from roofed areas is to be collected and stored within a minimum 10,000 litre storage tank for re-use within the development site for laundries, toilets, landscaping and car washing. Details to be submitted to and approved by Council.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (Attachment 2) (contd)

Water and Sewer Services

- 13 All water and sewer services necessary to service the development must be provided in accordance with Council's requirements. All services are to be designed and constructed in accordance with Council's Development Control Plan 2005 Chapter 67 - Engineering Requirements for Development. The design plans for the required services must be approved by Council prior to the commencement of works.

Other Authorities

- 14 Compliance with the following Rural Fire Service conditions, as outlined in their Bushfire Safety Authority dated 6 March 2006:
- a The entire property shall be managed as an Inner Protection Area as outlined in Section 4.2.2(b) of 'Planning for Bushfire Protection 2001.
 - b The openable section of all windows shall be screened with non corrosive steel mesh to prevent the entry of wind blown embers and reduce the radiant heat impact upon the glass.
- 15 Compliance with the following Mine Subsidence Board conditions, as outlined in their general terms of approval dated 20 December 2005:
- a The final drawings to be submitted prior to the commencement of construction, contain a certification by a qualified structural engineer, to the effect that any improvement constructed to meet the specifications of such final drawings will be safe, serviceable and repairable taking into account the following mine subsidence parameters:
 - i Maximum vertical subsidence of 150mm
 - ii Maximum ground strains of ± 1.5 mm/m
 - iii Maximum tilt of 1.5 mm/m
 - iv Maximum radius of curvature of 8,000 metres
 - b Architectural plans must show the location and detailing of articulation control joints in brickwork to comply with the requirements of the Building Code of Australia and best building practices.
- 16 Other public authorities may have separate requirements and should be consulted in the following respects:
- * Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments;
 - * AGL Sydney Limited for any change or alteration to gas line infrastructure;
 - * Energy Australia for any change or alteration to electricity infrastructure or encroachment within transmission line easements;
 - * Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (Attachment 2) (contd)

Site Requirements

- 17 The provision of a temporary closet on site from the time of commencement of building work to ensure that adequate sanitary provisions are provided and maintained on the building site for use by persons engaged in the building activity. The temporary closet is to be a water closet connected to the sewerage system or approved septic tank or a chemical closet supplied by a licensed contractor approved by the Council.
- 18 The provision of a metal waste skip (with self-closing lid or secure covering) or lined mesh steel cage(s) on site for the duration of the construction to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site.
- 19 The provision of a hoarding or safety fence between the work site and the public place in accordance with Work Cover Authority requirements, for the duration of the project.
- 20 The Principal Contractor is to erect a sign in a prominent position on the site (not attached to any tree) identifying the name, address and telephone number of the Principal Contractor for the work; and stating that unauthorized entry to the site is prohibited. The sign must be maintained while the work is being carried out and is to be removed when the work is completed.
- 21 Construction work is only to be undertaken in accordance with the provisions of the Environmental Protection Authority's 'Environmental Noise Control Manual-Guidelines for Construction Noise' as identified below:

Monday to Friday 7.00 am to 6.00 pm
Saturday 8.00 am to 1.00 pm.
Work is not to be carried out on Sundays or Public Holidays.

Trees

- 22 The protection of native trees and vegetation retained on site by fencing or other accepted protection method in accordance with Council's Development Control Plan 2005 Chapter No 67 - Engineering Requirements for Development. Such protection measures must be installed prior to the commencement of works and maintained in good order for the duration of the works. No cement wastings, materials or vehicles are to be stored within the protective fence area.

Prior to Occupation of the Development:

The following conditions must be satisfied prior to occupation of any buildings associated with the development.

Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace (Attachment 2) (contd)

Dilapidation

- 23 Any damage not shown in the Dilapidation Report submitted to Council before site works had commenced will be assumed to have been caused as a result of the site works undertaken and must be rectified at the applicant's expense.

Dust Control

- 24 Appropriate measures must be employed during demolition, excavation and construction works to prevent the emission of dust and other impurities into the surrounding environment. All such measures are to be co-ordinated with site sedimentation controls to ensure polluted waters do not leave the site.

Erosion and Sediment Control

- 25 All erosion and sediment control works must be approved by Council prior to occupation of the development.

Filling and Haulage

- 26 The making good to the satisfaction of Council, or payment of the costs incurred by Council in making good, any pavement damage or structural deterioration caused to Council's roads by the use of such roads as haulage routes for materials used in construction or the operation of the approved development.

Food Act

- 27 Compliance with the requirements of the *New South Wales Food Act 2003*, the Food Regulation 2004, and AS 4674-2004 – Design, Construction and Fitout of Food Premises, and AS 1668 Part 11 – Mechanical Ventilation, for all food preparation and food storage areas, including liquor areas.
- 28 The installation of hand wash facilities with a minimum dimension of 500mm x 400mm providing warm running water through a common mixing spout with hands-free tap operation (consisting of elbow or wrist operated tap levers, foot or hip operated tap levers, or electronic sensor tap operation).
- 29 No food handling (as defined by the *NSW Food Act 2003*) is permitted in the food premises prior to occupation of the development.

**Proposed Rehabilitation Centre in Louisiana Road, Hamlyn Terrace
(Attachment 2) (contd)**

Landscaping

- 30 The provision and maintenance of landscaping in accordance with the Dewsnap Landscape Plan reference no. KC/05/98, dated December 2005 and Council's Policy [Number L1 - Landscape for Category 3 development, including the engagement of an approved landscape contractor to construct the landscaping. All landscaping works are to be completed prior to occupation of the development.

Plumbing

- 31 All toilet cisterns, showerheads and aerators on bathroom and kitchen hand basins must be a minimum "AAA" rated.

Roads

- 32 Road widening of 1.0 metre along the full frontage of Louisiana Road is to be dedicated as public road prior to occupation of the development.

Stormwater

- 33 The stormwater system with water quality control facilities to treat stormwater runoff from the development must be approved by Council under Section 68 of the *Local Government Act* prior to occupation of the development.

Trade Waste

- 34 The submission to Council and approval of an application to discharge trade waste into the sewerage system prior to occupation of the development.

Water and Sewer Services

- 35 A Section 307 Certificate of Compliance under the *Water Management Act 2000* for water and sewer requirements for the development must be obtained from Wyong Shire Council as the Water Supply Authority prior to occupation of the development. All works for the development must be approved by Council prior to the issue of a Certificate of Compliance and prior to occupation of the development.

SCHEDULE OF CONTRIBUTIONS

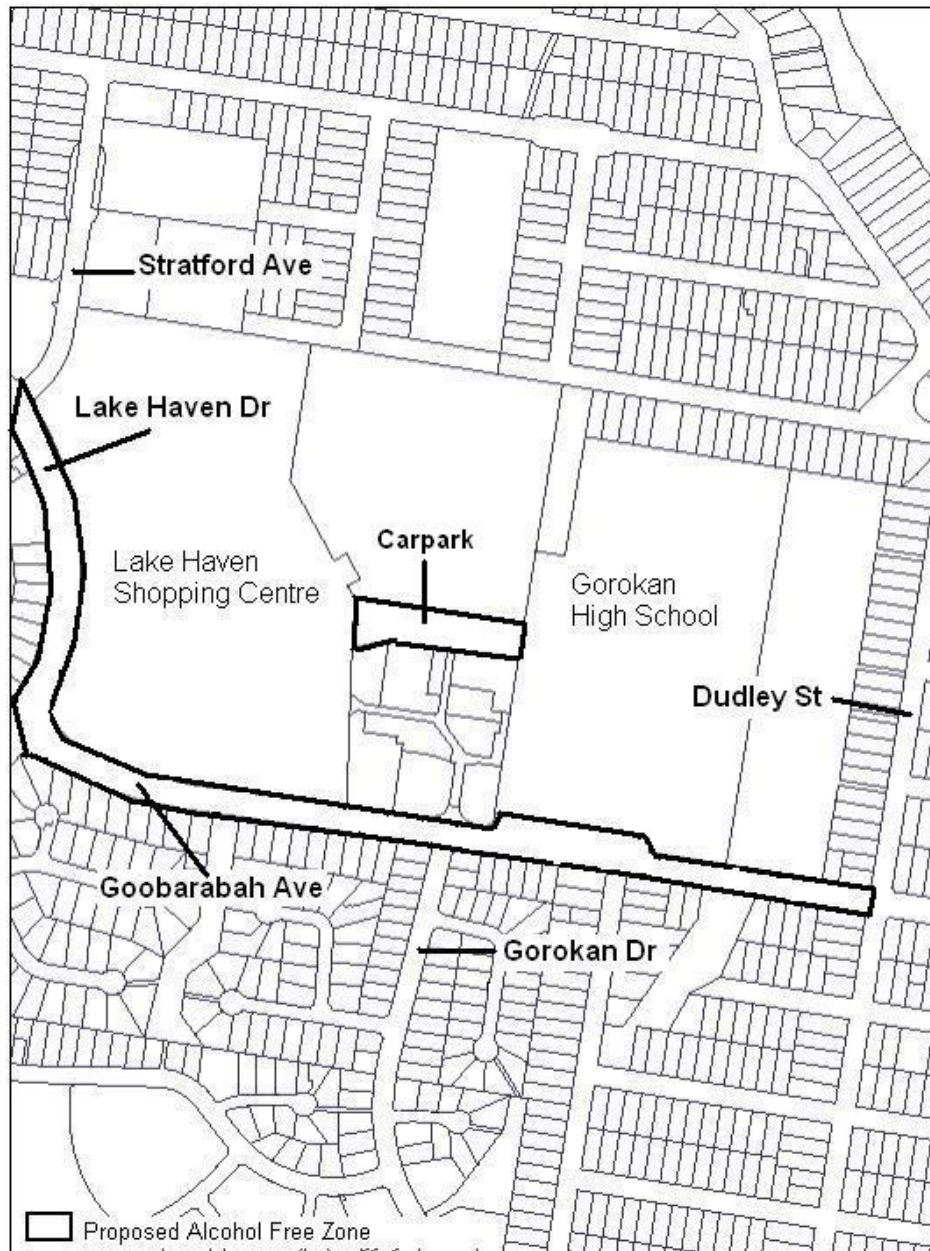
Warnervale/Wadalba Roads

\$16,362.94

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**131 Establishment of an Alcohol Free Zone – Lake Haven
(Attachment 1)**

**Proposed Alcohol Free Zone - Lake Haven Drive, Goobarabah Avenue and
Lake Haven Recreation Centre Carpark**



WYONG SHIRE COUNCIL

28 March 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

131 Establishment of an Alcohol Free Zone – Lake Haven

F2006/00420 MW

SUMMARY

A proposal to establish an Alcohol Free Zone within Lake Haven has been advertised and is submitted for approval.

RECOMMENDATION

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

Lake Haven: **Goobarabah Avenue, Lake Haven Drive, Lake Haven Recreation Centre Carpark**

BACKGROUND

At its meeting held on 24 January 2007, Council considered a report concerning the establishment of an Alcohol Free Zone at Lake Haven and resolved the following:

- “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:*

Lake Haven: Goobarabah Avenue, Lake Haven 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 all the proposals.*
- 4 *That the matter be resubmitted for Council determination following compliance with these procedures.”*

In addition, Council proposes to include the Lake Haven Recreation Centre Carpark as part of the Alcohol Free Zone.

The proposal was advertised in the Central Coast Express on 9 February 2007 and representation was received in favour of the zone and no objections were received during the statutory 14 day period.

Establishment of an Alcohol Free Zone – Lake Haven (contd)

Notice was forwarded to the relevant Police Station, holders of licences under the *Liquor Act 1982* adjacent to the zone and also the NSW Anti-Discrimination Board. No representations or objections were received during the statutory 30 day period.

Council may now resolve to establish the Alcohol Free Zone within the Lake Haven area to expire on 30 June 2009, the common date of expiry established for Alcohol Free Zones within the Shire.

It should also be noted that Council owned land such as reserves and cycleways are not classified as a public road or carpark and therefore cannot be included within an Alcohol Free Zone. However, under section 632 of the *Local Government Act 1993* ordinance signs are located on these properties which prohibit amongst other things, the consumption of alcohol. Additional signage has recently been placed around the Gravity Youth Centre and Amphitheatre to enforce restrictions. Ordinance signs are also erected near the skate ramp and oval.

The road between Lake Haven Recreation carpark and Goobarabah Avenue, Bannister Drive, is privately owned and is therefore not permitted to be an Alcohol Free Zone in accordance with Section 644 (4)(a) of the *Local Government Act 1993*.

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

Attachment 1

Proposed Alcohol Free Zone within Lake Haven (1 page)

WYONG SHIRE COUNCIL

28 March 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

132 Proposed Councillors' Community Improvement Grants

F2006/00788 JL

SUMMARY

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

RECOMMENDATION

That an amount of \$9850.00 be allocated from the 2006/2007 Councillors' Community Improvement Grants as outlined in Attachment 1.

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**
(2 pages)

28 March 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services
Department

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

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
28 March 2007												
Central Coast CC Australian Italian Friendship Society Inc	Assist in developing database of Central Coast residents of Italian heritage; Cover costs of stationery and printing	200	200								200	600
Glengara Seniors Computer Club	To further tuition program by replacement of consumables and the purchase of a web cam, scanner, portable speakers					100						100
Office of Fair Trading	Donation to assist with the Aboriginal Artist Exhibition and competition for reconciliation week 2007; donation for prizes										100	100
St Vincent's Hospital, Blood diseases and Cancer Research Unit	Donation in memory of the Late Patricia Smith, to further research into Lymphoma	100			500							600
Tea Tree Board Riders	To provide new equipment for the members; A generator \$1500, Timing equipment \$695, new tent \$1300	250									250	500
Toukley and District Chamber of Commerce	Annual Business Awards; two awards 'Young Achiever' and 'Outstanding Customer Service'	200	500								200	900
Toukley and Districts Senior Citizens Club inc	Replace 3 of 5 table tennis tables, at \$400 each	250	300									550
Toukley Fun 'N' Fitness	Assist in covering costs of increased public liability insurance	100									250	350
Total Proposed Allocations for 28/03/2007		2,350	1,900	1,400	700	400	300	400	200	0	2,200	9,850
Total Accumulated Allocations as at 28/03/2007		14,050	5,650	8,000	7,100	9,800	11,678	3,700	3,765	9,450	10,419	83,612
Balance Uncommitted as at 28/03/2007		950	9,350	7,000	7,900	5,200	3,322	11,300	11,235	5,550	4,581	66,388

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WYONG SHIRE COUNCIL

28 March 2007
To the Ordinary Meeting of Council

Board Report

133 Gosford and Wyong Councils' Water Authority Board Meeting

F2004/06808

SUMMARY

Minutes of the Gosford and Wyong Councils' Water Authority Board meeting held on 21 March 2007.

RECOMMENDATION

That the minutes of the Gosford and Wyong Councils' Water Authority Board meeting held on 21 March 2007 be received and the recommendations contained therein, adopted.

A meeting of Gosford and Wyong Councils' Water Authority Board was held on 21 March 2007. The minutes of that meeting are enclosed.

Enclosure

Minutes of the Gosford and Wyong Councils' Water Authority Board meeting held on 21 March 2007 (distributed under separate cover)

WYONG SHIRE COUNCIL

28 March 2007
To the Ordinary Meeting of Council

Committee Report

134 Central Coast Regional Organisation of Councils

F2004/06390 MW:SW

SUMMARY

Minutes of the Central Coast Regional Organisation of Councils meeting held on 7 February 2007.

RECOMMENDATION

That the minutes of the Central Coast Regional Organisation of Councils meeting held on 7 February 2007 be received and the recommendations contained therein, adopted.

A meeting of Central Coast Regional Organisation of Councils was held on 7 February 2007 at 9.00 am. The minutes of that meeting are attached.

Attachment 1 ***Minutes of the Central Coast Regional Organisation of Councils (6 pages)***

28 March 2007
To the Ordinary Meeting of Council

Committee Report

Central Coast Regional Organisation of Councils (Attachment 1)

TITLE **Central Coast Regional Organisation of Councils Committee Meeting held on 7 February 2007 (IR 3157111)**

Directorate: General Manager
Business Unit: General Manager

MEETING NUMBER

Meeting No RO/07/01 commenced at 9.00 am Wednesday 7 February 2007 at Gosford City Council.

ATTENDANCE

Present: Laurie Maher, Mayor, Gosford City Council
Peter Wilson, General Manager, Gosford City Council
Chris Holstein, Councillor, Gosford City Council
Jim Macfadyen, Councillor, Gosford City Council
Bob Graham, Mayor, Wyong Shire Council
Kerry Yates, General Manager, Wyong Shire Council
Robyn Stewart, Councillor, Wyong Shire Council

Apologies: Doug Eaton, Councillor, Wyong Shire Council

Guests: Mr Glenn Weymer, Roads and Traffic Authority
Ms Leonie Baldwin, Central Coast Premiers Office
Miss Cassie Dege, CCROC Recipient

COMMITTEE CHANGES

Nil

DECLARATION OF PECUNIARY INTEREST

The Chairperson invited Committee members to declare any pecuniary interest they might have, in accordance with Section 451 of the Local Government Amendment Act 2000, in respect to the agenda for this meeting.

No declarations were received.

DECLARATION OF NON-PECUNIARY INTEREST

The Chairperson invited Committee members to declare any non-pecuniary interest they might have, in accordance with Section 440 of the Local Government Act 1993 and Council's Code of Conduct, in respect to the business of this meeting.

No declarations were received.

CONFIRMATION OF PREVIOUS MINUTES

CCROC resolved (Maher/Graham) that the minutes from meeting RO/06/03 on 9 November 2006 be confirmed.

Central Coast Regional Organisation of Councils (Attachment 1) (contd)

BUSINESS ARISING FROM PREVIOUS MINUTES

RO.027 LOCAL GOVERNMENT ASSOCIATION SYDNEY METROPOLITAN STRATEGY

At its last meeting the Committee recommended that a working party be established between Gosford and Wyong Councils to develop a response to the State Government on the Central Coast Regional Strategy and future actions by the two Councils.

A staff working party developed a joint response to State Government that incorporated the common elements of the responses submitted by the individual councils. The timeframe available for responses did not allow for a joint meeting of the two councils to consider the joint response.

THE COMMITTEE RESOLVES (Wilson/Yates) that the information be noted.

AGENDA ITEMS

RO.001 CCROC SPONSORSHIP PRESENTATION

Sponsorship cheque in the amount of \$500 was made to Cassie Dege to compete in the U/23 National Steeplechase at the National Track and Field Championships to be held at the Domain Athletic Centre, Hobart, Tasmania from 9th to 11th February 2007.

RO.002 CENTRAL COAST ROAD AND TRANSPORT ISSUES - RTA SESSION

Mr Glenn Weymer, Central Coast RTA Office, was in attendance for the special RTA session which is held at each CCROC meeting to discuss road and transport issues on the Central Coast.

A copy of the notes distributed in conjunction with the presentation are attached to the minutes (Attachment A).

It was also reported that the technical working group will be again assessing the priorities for works on the Central Coast in March. This priority list will then be submitted to Gosford and Wyong Councils for comment and to the State Government for decision.

THE COMMITTEE RESOLVES (Graham/Stewart) that RTA discuss with Railcorp the poor condition of the areas adjacent to Tuggerah Straight and Ourimbah.

RO.003 REGIONAL PERSPECTIVE

Ms Leonie Baldwin, Central Coast Premier's Office Co-ordinator provided an update on State Government Regional issues.

A copy of the notes distributed in conjunction with the presentation are attached to the minutes (Attachment B).

It was agreed that Premiers Department will work with the two councils to progress the Central Coast Sport and Recreation Strategy and in particular joint utilization of school sports grounds.

THE COMMITTEE RESOLVES that the information be noted.

Central Coast Regional Organisation of Councils (Attachment 1) (contd)

RO.004 ELECTION OF CHAIRPERSON

The Constitution requires that:

- 5.1 The official of the Association shall be the Chairperson
- 5.2 The Chairperson is to be elected for a period of 12 months
- 5.3 The role of the Chairperson is to alternate between Gosford and Wyong Councils on an annual basis
- 5.4 The election of the Chairperson is to be undertaken at the first meeting of the Association following the Mayoral Elections in September with each Council nominating its Chairperson for the relevant year.

On 2 November 2005 Councillor Bob Graham, Mayor of Wyong Shire Council was elected as Chairperson for the ensuing year.

THE COMMITTEE RESOLVES (Holstein/Graham) that Councillor Laurie Maher, Mayor of Gosford City Council be Chairperson of CCROC for the period up to the first meeting of the Association following the Mayoral elections in September 2007.

RO.005 SPONSORSHIP FOR LYN BLAIKIE

THE COMMITTEE RESOLVES (Holstein/Stewart) that:

- 1 Due to the extenuating circumstances Ms Blaikie not be required to refund the sponsorship.
- 2 CCROC make representations to the airlines to either assist with a refund or the provision of another ticket.

RO.006 BREAKDOWN OF SPONSORSHIP PROGRAM ALLOCATION

THE COMMITTEE RESOLVES (Stewart/Macfadyen) that the information be noted.

RO.007 CCROC SPONSORSHIP PROGRAM

A Financial Update

THE COMMITTEE RESOLVES (Macfadyen/Stewart) that the information be noted.

B Reports from Successful Applicants

Reports from successful applicants were tabled for CCROC information

THE COMMITTEE RESOLVES (Macfadyen/Stewart) that the information be noted.

GENERAL BUSINESS

RO.008 Draft Central Coast Regional Strategy

It was noted that all opportunities should be taken for the two councils to jointly discuss and respond to issues such as the Central Coast Regional Strategy.

Central Coast Regional Organisation of Councils (Attachment 1) (contd)

RO.009 Master Builders

A recognition plaque from the Masters Builders thanking CCROC for its sponsorship of the 2006 Excellence in Building Awards was tabled.

Action by the Committee

RO.005 SPONSORSHIP FOR LYN BLAIKIE

- 1 Ms Blaikie be advised that due to her extenuating circumstances she is not required to refund the sponsorship.
- 2 CCROC make representations to the airlines to either assist with a refund or the provision of another ticket.

Attachments: A Central Coast Roads - RTA Update
B Update Premier's Department

Tabled Items: Nil

NEXT MEETING

Date: Wednesday 2 May 2007
Time: 9.00 am
Venue: Wyong Shire Council

CLOSE OF BUSINESS

The meeting closed at 10.52 am.

RECOMMENDATION

The Minutes of the Central Coast Regional Organisation of Councils be received and noted.

Central Coast Regional Organisation of Councils (Attachment 1) (contd)

ATTACHMENT A

CCROC AT GOSFORD CITY COUNCIL – 7 FEBRUARY CENTRAL COST ROADS – RTA UPDATE

Wyang

- Pacific Highway, Tuggerah Straight – Stage 1 - Anzac Rd to Mildon Rd – Nace Civil Engineering started roadworks with sod turning 31 January 2007. Stage 2 – Mildon to Johnson Rd – Preliminary Contract Documentation being prepared.
- Pacific Highway Ourimbah

Stage 1 – Dog Trap Rd intersection Construction under way by RTA's Hunter Road Services.

Stage 2 from Glen Rd to Burns Rd – on display – community response to be incorporated into the environmental assessment and consider any call for modifications to the proposal.
- Pacific Highway Wyong township – undertaking further assessment following community input via briefing sessions and reply paid forms. Considering alternative proposals.
- The Entrance Road Long Jetty traffic management – Swadling St intersection – activated late 2006, operation being monitored.

Gosford

- Central Coast Highway (The Entrance Rd) – Terrigal to Carlton Rd. Reed Constructions continuing – earthworks progressing. Next switch of traffic will be onto the eastern side to allow reconstruction of existing pavement and to build the western half of the bridge over Hubbard's Creek.
- Central Coast Highway (The Entrance Rd) – Ocean View Drive to Tumby Rd.

Stage 1 Pitt Rd to Tumby Rd being built by Hunter Road Services. Pitt Rd lane modifications complete. Working closely with utility agencies.

Stage 2 Ocean View Dr to Pitt Rd - Tenders being assessed.
- Avoca Drive – The Entrance Rd to Sun Valley Rd. Daracon Contractors started work on 20 November 2006. Works are progressing well.
- Avoca Drive – Sun Valley to Bayside – options on display for community input.
- Cycleway – Woy Woy Inlet cycle/footway bridge. Being built by Waeger Construction Group. The cable stayed structure was scheduled for completion in December 2006, but Waeger solving some structural issues before it can be opened for public use.
- Central Coast Highway – Dane Dr/Masons Pd upgrade – integration with GCC's Waterfront planning essential. Council's proposed Dane Drive relocation fundable?

Central Coast Regional Organisation of Councils (Attachment 1) (contd)

ATTACHMENT B



PREMIER'S DEPARTMENT
NEW SOUTH WALES

CCROC MEETING
7th February 2007
Update Premier's Department

- State Plan
- Warnervale Wadalba – integrated human services.
- REDES
- Planning issues (Gosford CBD, sport and recreation facilities)
- Data Analysis and social impact assessment
- Interagency coordination (Water, Umina)
- Agency Directory

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EMAIL: leoni.baldwin@premiers.nsw.gov.au

Level 3 Kenamen Building
131 Donnison Street
GOSFORD NSW 2250

WYONG SHIRE COUNCIL

28 March 2007
To the Ordinary Meeting of Council

General Manager's Report

135 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

28 March 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

136 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 February.

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	19	814,511	17	4,040,235
Industrial	4	2,275,000	3	805,000
Residential	127	11,891,922	75	7,443,249
Other	16	1,239,500	17	1,428,820
Total	166	16,220,933	112	13,717,304

Subdivision Applications Received and Determined

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	0	0	0	0
Industrial	1	4	1	2
Residential	8	14	5	5
Rural	1	5	1	2
Total	10	23	7	9

Activities of the Development Assessment Unit (contd)

Mean Turn-around Time

There were no priority applications determined during the month.

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

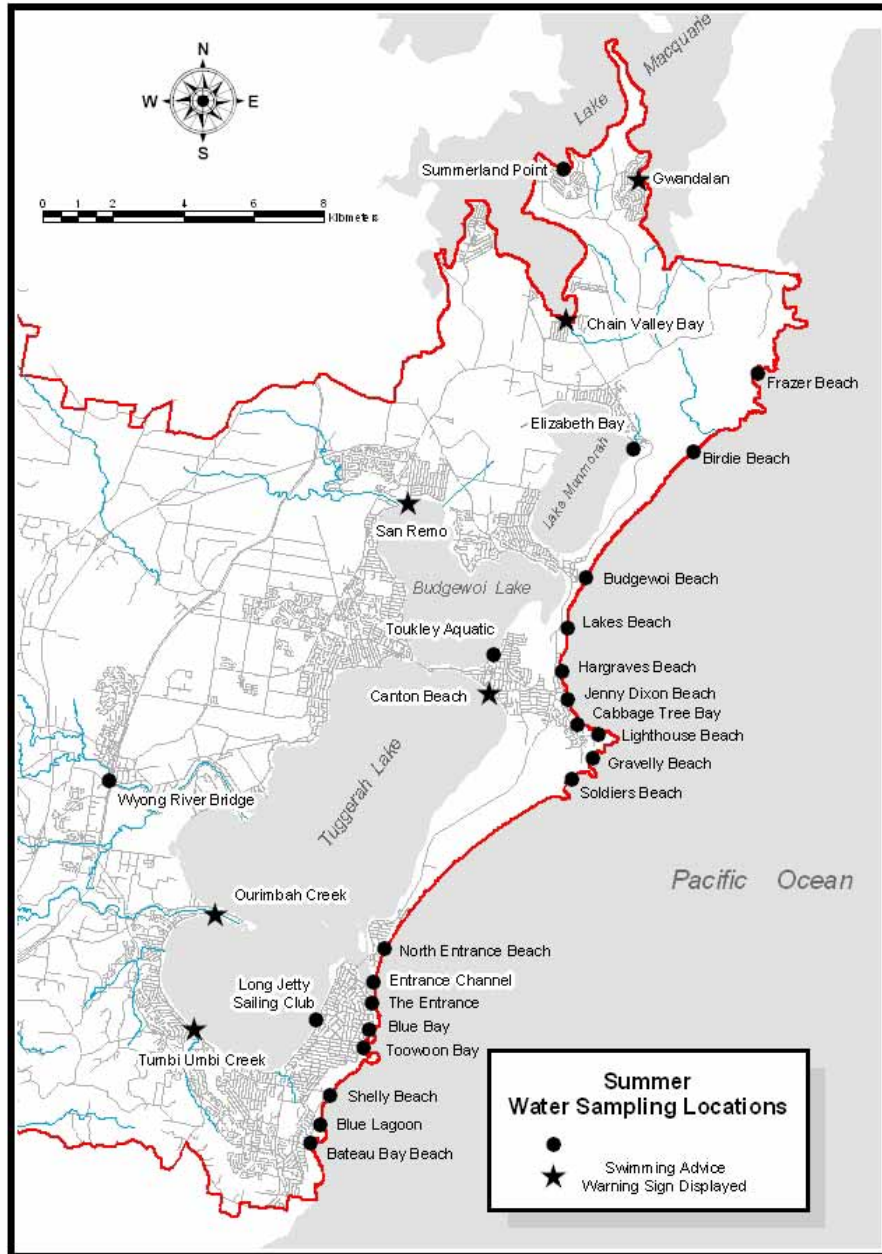
Other Approvals and Certificates

Type:	Number Determined:
Trees	48
Section 149 D Certificates	18
Construction Certificates	65
Complying Development Certificates	10

Enclosure

*Graphs – Development Applications Lodged and
Development Applications Determined*

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



WYONG SHIRE COUNCIL

28 March 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

137 Results of Water Quality Testing for Bathing Beaches

F2004/06822 RHM

SUMMARY

Reporting on the results of bacteriological tests for primary recreation water quality for beaches in Wyong Shire. Summer water sampling recommenced in October for the swimming season.

RECOMMENDATION

That the report be received and the information noted.

Summary of Results

In February all the ocean beaches had excellent water quality ie were rated as 4 stars. All lake beaches except San Remo and Elizabeth Bay had excellent water quality (4 stars), San Remo and Elizabeth Bay had good water quality (3 stars).

Ourimbah and Tumbi Umbi Creeks and Wyong River continued to have very poor water quality (1 star), with the level of bacterial contamination increasing in comparison to previous results. This is a result of runoff from recent rainfalls flushing pollution into the waterways and the pollution flowing down waterways which have had little flow during the drought.

Results of Water Quality Testing for Bathing Beaches (contd)**Standards**

The star rating system is based on the National Health and Medical Research Council (1990) Australian Guidelines for Recreational Use of Water. Five results collected over a calendar month are used to determine the star rating.

Star Rating	Calculation of faecal coliforms FC	Calculation of enterococci (ent)
4 stars	the median FC value is less than or equal to 150, and the maximum FC value is less than 600.	the median ent value is less than or equal to 35, and the maximum ent value is less than 100.
3 stars	the median FC value is less than or equal to 150, and the second highest FC value is less than 600 (but max is greater than or equal to 600).	the median ent value is less than or equal to 35, and the second highest ent value is less than 100 (but max is greater than or equal to 100).
2 stars	the median FC value is greater than 150, and the second highest FC value is less than 600. or b) fails on second highest value: the median FC value is less than or equal to 150, and the second highest FC value is greater than or equal to 600	the median ent value is greater than 35, and the second highest ent value is less than 100. or b) fails on second highest value: the median ent value is less than or equal to 35, and the second highest ent value is greater than or equal to 100
1 star	the median FC value is greater than 150, and the second highest FC value is greater than or equal to 600	the median ent value is greater than 35, and the second highest ent value is greater than or equal to 100

The star rating for a site would be determined as the lowest star rating obtained for FC and ent.

Results of Water Quality Testing for Bathing Beaches (contd)

OCEAN BEACHES –1 February 2007 to 28 February 2007

LOCATION	MEDIAN FC COUNT (≤150 fc/100ml)	% OF SAMPLES (< 600 fc/100ml)	MEDIAN ENT COUNT (≤35 ent/100ml)	% OF SAMPLES (< 100 ent/100ml)	STAR RATING
Cabbage Tree Bay	26	100	0	100	****
Soldiers Beach	0	100	0	100	****
Gravelly Beach	10	100	0	100	****
Lighthouse Beach	6	100	0	100	****
Shelly Beach	25	100	0	100	****
Toowoan Bay	2	100	0	100	****
Blue Bay	50	100	10	100	****
Blue Lagoon	0	100	0	100	****
Bateau Bay	0	100	6	100	****
Frazer	4	100	0	100	****
Birdie	1	100	2	100	****
Budgewoi	0	100	0	100	****
Lakes	0	100	0	100	****
Hargraves	10	100	1	100	****
Jenny Dixon	0	100	2	100	****
North Entrance	0	100	0	100	****
The Entrance	0	100	0	100	****

Results of Water Quality Testing for Bathing Beaches (contd)**RIVER AND LAKE BEACHES – 1 February 2007 to 28 February 2007**

LOCATION	MEDIAN FC COUNT (≤150 fc/100ml)	% OF SAMPLES (< 600 fc/100ml)	MEDIAN ENT COUNT (≤35 ent/100ml)	% OF SAMPLES (< 100 ent/100ml)	STAR RATING
Ourimbah Chittaway Point	3000	40	1000	0	*
Toukley Aquatic	13	100	6	100	****
Tumbi Creek Tumbi Umbi	1000	40	600	20	*
Canton Beach	20	100	3	100	****
San Remo	15	100	50	80	***
Long Jetty	100	100	20	100	****
Chain Valley Bay	7	100	2	100	****
Gwandalan	4	100	0	100	****
Summerland Point	2	100	0	100	****
Wyong River at Wyong	480	60	70	60	*
Elizabeth Bay	40	100	15	80	***
Pelican	20	100	20	100	****

Attachment 1**Water Sampling Locations (1 page)**

WYONG SHIRE COUNCIL

28 March 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

138 Picnic Shelters at Jenny Dixon Reserve

F2004/05301 KS

SUMMARY

Cost options for replacement of shelters at Jenny Dixon Reserve.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

At its Ordinary Meeting held on 14 February 2007, Council considered a Notice of Motion concerning the demolition of the picnic shelters at Jenny Dixon Reserve Norah Head and resolved that staff report on:

- “1 *The functionality of the existing picnic facilities at Jenny Dixon reserve.*
- 2 *An appropriate relocation of a larger covered structure to cater for larger user groups.*
- 3 *The likely costs associated with any upgrade of facilities.*
- 4 *Where these funds may be sourced.”*

REPORT

- 1 There are currently four small shelters, one with a barbeque at Jenny Dixon Reserve. All shelters are in a poor state and the reserve would benefit from upgrading the facilities.
- 2 The site could accommodate either of the following shelter configurations as it is a popular location for passive recreation and special events:
 - a Six standard shelters (4m x 4m) which are ideal for hosting a number of small groups simultaneously.
 - b One large shelter and six smaller shelters to cater for both large groups and small groups simultaneously.
 - c One large shelter to cater for large groups.

Picnic Shelters at Jenny Dixon Reserve (contd)

Given that Jenny Dixon Reserve has a relatively small area of turf available for picnicking it was found that Option A is the most appropriate form of development as it allows greater flexibility for simultaneous use by smaller groups or use by a larger group of people.

The individual shelters can be clustered in such a way that privacy for small groups is maintained or a large group can be accommodated. This clustered style of shelter has proved to be serviceable and popular on the Tuggerah Parade Foreshore at Long Jetty. The single large shelter has proven to be a potential source of conflict between users when they may not have like affiliations.

- 3 The likely costs associated with the Option A upgrade are as follows:

Demolition and disposal of existing shelters (including concrete & slabs)	\$8,000
Five standard shelters using the existing concrete base @ \$6,000 each	\$30,000
One standard shelter with dual barbeque @ \$10,000 each	\$10,000
Total	\$48,000

- 4 There is no current funding available in Council's 06/07 rolling works program. Funding has however been allocated within the 07/08 rolling works program as this upgrade was included in the original work to be funded from profits generated by Council's Holiday Parks.

WYONG SHIRE COUNCIL

28 March 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

139 **General Works in Progress Report**

F2004/07830 CS

SUMMARY

General works in progress and completed for the period January 2007 to February 2007.

RECOMMENDATION

That the report be received and the information noted.

ROADS AND DRAINAGE SECTION OVERVIEW

Roadworks have commenced at Brush Road, Ourimbah and Dicksons Road, Jilliby. Works include upgrade of the road pavement and minor drainage works.

Road and drainage works continue at Eastern Road, Tumbi 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
Kathleen White Crescent, Killarney Vale	480,000 (road) 110,000 (drainage)	80	March 2007	Upgrade of drainage and road pavement including kerb and gutter.
Cresthaven / Rotherham roundabout, Bateau Bay	350,000	90	March 2007	Construction of a roundabout at the intersection of Cresthaven Avenue and Rotherham Street to improve road safety.
Eastern Road, Tumbi Umbi	904,000	20	April 2007	Upgrade of road pavement between Roberta Street and Bertram Avenue. Includes mid block traffic calming device and shared paths.
Lukela Avenue, (Budgewoi School). School Crossing, Road closure	186,000	100	February 2007	Relocation of school crossing in Lukela Avenue. Includes road closure at Woodlawn Avenue to improve pedestrian safety.

General Works in Progress Report (contd)

Item Description	Estimated Cost \$	% Completed	Estimated Completion Date	Comments
Ted Doyle Oval car park, Berkeley Vale	353,000	100	February 2007	Car park reconstruction adjacent to Ted Doyle Oval. Adjacent to new skate park currently under construction.
Sunrise Avenue, Budgewoi - drainage	450,000	100	February 2007	Major drainage upgrade to 106 year capacity. Includes construction of 1200 x 900mm box culverts.
Wiowera Road, Kanwal – Road Closure	80,000	60	March 2007	Road closure at intersection of Wiowera Road and Pacific Highway to improve traffic and pedestrian safety. Includes extension of pathway to primary school.
Dicksons Road, Jilliby	290,000	5	April 2007	Upgrading of the existing gravel road (approximately 320m) to current standards including sealing upgrade of culverts and placing concrete dish drain.
Brush Road, Ourimbah	440,000	15	April 2007	Upgrading of approximately 350 metres of existing gravel road to a sealed pavement. Includes widening and realignment of one major bend to improve road safety.

28 March 2007
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Director's Report
Shire Services Department

General Works in Progress Report (contd)

GENERAL MAINTENANCE WORK

	North	South
Drainage Maintenance	Hamlyn Terrace Woongarra Lake Menorah	Killarney Vale Wyong Tuggerah
Replacement of Damaged Footpaving	Hamlyn Terrace Budgewoi Woongarra	Berkeley Vale
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	Tuggerah
Heavy Patching	Yarramalong	Nil
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
Rural Road Grading	Dooralong Yarramalong Ravensdale Jilliby	Ourimbah Palmdale
Footpaving Construction	Nil	Nil
Carpark Maintenance	Toukley Budgewoi Norah Head	Nil

General Works in Progress Report (contd)

	North	South
Fencing	Nil	Nil
Vegetation control	Dooralong Norah Head Jiliby Yarramalong Budgewoi Buff Point Woongarra Halloran Hamlyn Terrace	Tuggerah Berkeley Vale Tumbi Umbi Ourimbah Watanobbi Wyong The Entrance Killarney Vale Mardi

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 now in Defects Liability Period. Cell commenced receiving waste on 2 November 2006.	100
CPA/94560	Construction of Sewage Pumping Stations B3, B4 and pipelines, Lucinda Avenue Killarney Vale	Contract works now in Defects Liability Period. Parks and Gardens day labour has been engaged to undertake landscaping of both pump stations.	100
CPA/94531	Consultancy for investigation and design of Link Road and trunk water main	Preliminary designs advanced. Additional studies and investigations required by conditions of consent are advanced. Significant design problems presented by the soft foundation soils for the Link Road through the Porters Creek wetland section. Options report presented to senior management and decision for bridge made. Separate briefing to Council planned. Consultancy expected to be complete by the end of May 2007.	80

General Works in Progress Report (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
CPA/98601	Design development and construction of the Morisset to Warnervale water trunk main	The pipeline connecting Morisset to Warnervale was completed and commissioned on 15 December 2006 and has been in operation since. The Contractor is currently completing a cross connection to the future Bushells Ridge Reservoir underneath the F3 Freeway and the installation of covers to valve pits. It is anticipated that all contract works will be completed by end-February 2007.	96
CPA/97897	Feasibility Study – shared pathway linking The Entrance North and Toukley	Overall preferred route option still under review. Commenced process for obtaining approvals for likely section of route through Crown land north from Terilbah Place, North Entrance.	95
CPA/99940	Construction of Wadalba Sports facility	Contract awarded and works commenced. Target August 2007 to complete works and for use of fields in April 2008.	45
CPA/94559	Design and documentation of Woongarra Sportsfields.	Design contract awarded. Master plan design still underway. Issues regarding Native Vegetation Act and development of this site are currently under review and delaying project.	20
CPA/113453	Holiday Parks Upgrade Works – Design Consultancy	Design consultancy tender including masterplan, full documentation and the preparation of building tender packages for four holiday parks let to BHI Architects on the 27 November 2006. These upgrade works proposed for the next five years are as identified in the Business Development Strategy for Holiday Parks. To date preliminary concept plans for each park have been provided for consideration.	5
CPA/104754	Construction of Fishway, Ourimbah Creek Upper Weir	Contract awarded 21 August 2006. Construction proceeding satisfactorily. No significant issues. Construction expected to be complete mid April 2007.	70

General Works in Progress Report (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
CPA/98705	Construction of Edwards Creek Bridge, Dooralong	Contract works now in Defects Liability Period.	100
CPA/97631	Lake Haven Leisure Centre	Refurbishment works to Leisure Centre complete. Contractor currently attending to defects.	100
CPA/96544	Blue Haven Community Centre	Practical Completion achieved February 2007. Application made for occupation certificate. Hand over inspection in early February 2007.	100
CPA/110431	Mardi Landfill Remediation	Consultant has submitted investigation/design proposal for approval as part of Stage 1 works. Stage 2 works (includes additional investigation and testing) for the final report is yet to be finalised and let.	45
CPA/107166	Warnervale District Sports Fields	Project placed on hold until Warnervale Town Centre Master Plan has been completed	5
CPA/101669	Collection of Waste and Recyclables	Wyong and Gosford Councils jointly called tenders on 28 March 2006 - tenders closed on 6 June 2006. On 13 December 2006, the contract was awarded to Thiess Environmental Solution for a 10 year contract term. Commencement date is 1 February 2008.	100
CPA/101670	Receival and Processing of Organics at the Buttonderry Waste Management Facility	The contract for the Receival and Processing of Organics was awarded to Australian Native Landscapes on 13 December 2006 for a contract period of seven years. Commencement date is 1 February 2008.	100
CPA/94561	Dredging of Tumbi Creek	Further expert consultant's report for foreshore remediation provided January 2007. Final approvals for dredging from Department of Lands now awaited. Potentially dredging could commence in April 2007 for completion in September 2007.	5

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Shire Services Department

General Works in Progress Report (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
CPA/116821	Construction of Underground Concrete Tank for Oval Irrigation Taylor Park Oval, The Entrance	Construction of tank and associated civil works completed.	100
CPA/116882	Construction of underground concrete tank for oval irrigation – Harry Moore Oval, Toukley	Construction of tank has commenced, with associated drainage and irrigation works to be completed during April 2007	80
CPA/115906	Construction of underground concrete tank for oval irrigation – Baker Park Oval, Wyong	Construction of tank has commenced, with associated drainage and irrigation works to be completed during April 2007	60
CPA/116822	Construction of underground concrete tank for oval irrigation – Bill Sohler Park, Ourimbah	Construction of tank has commenced, with associated drainage and irrigation works to be completed during April 2007	70
CPA/112098	Design and Construction of Berkeley Vale Skate Park	Design completed. Construction started in early January 2007. Works to be completed by end of February 2007.	30
CPA/113366	Detail Design and Construction of Central Coast Lifetime Learning Centre at Palmdale	Detail design completed. Construction Certificate issued 5 February 2007. In interim Contractor has established on site and commenced preliminary earth and civil works. Programmed finish in July 2007.	20
F2004/07982	The Entrance Refurbishment Works	<p>Current actions include:</p> <ol style="list-style-type: none"> 1 Completed documentation to obtain quotes for rubber wetpour to steps in Vera's Watergarden. 2 Source tiles and obtain quotes for replacement of tiles to pedestrian ramps to tiled areas in The Entrance Town Centre. 3 Source lights and obtain quotes for lights to the Sails and Fountains. <p>All above works to be completed by May 2007.</p>	45

General Works in Progress Report (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
CPA/105697	Toukley Aquatic Centre Refurbishment	Refurbishment works completed and pool re-opened November 2006. Defects list issued - 75% completed. Finalising payments for work. Monitoring operation of pool.	100
CPA/98240	Buttonderry Waste Management Facility Entry Masterplan	Drawings being prepared for new site for Small Vehicle Waste Transfer Facility. Construction not expected to commence until third quarter of 2007 with completion expected by December 2008.	65
CPA/113367	The Entrance Community Facility Stage 2	Design consultant appointed to commence pre-construction activities. Site works programmed to commence August 2007 for completion in February 2008.	10

WYONG SHIRE COUNCIL

28 March 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

140 Works in Progress Report – Water and Sewerage

F2004/07830 KRG:DP

SUMMARY

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

RECOMMENDATION

That the report be received and the information noted.

WATER SUPPLY

Work has commenced on the relocation of water mains and water services along Eastern Road between Bertram and Roberta Streets, Tumbi Umbi.

The work consists of the lowering and replacement of approximately 30 metres of 100mm AC water main, the installation of four new isolation valves and the adjustment of approximately 20 water services. The existing water mains and services are being adjusted to facilitate construction of the road and drainage works currently being undertaken along this section of Eastern Road.

The work, estimated to cost \$25,000, is being carried out by Council's Water and Sewerage day labour staff in conjunction with Council's road construction staff and is due for completion by mid March 2007. The work is being jointly funded from Council's roads and drainage rolling works programme and the water and sewerage mains refurbishment programme.

Water Storage

As at 5 March 2007 the storage in Mangrove Creek Dam was 10.4% while the total system storage was 13.5%. Mooney Dam is currently 42.6% and Mardi Dam 76.0%.

For January 2007, 40mm of rain was received at Mangrove Creek Dam. This is 52mm less than the January long term average rainfall of 92mm. For February 2007, 133mm of rain had fallen at Mangrove Creek Dam. This was 12mm higher than the long term February average rainfall of 121mm.

Works in Progress Report – Water and Sewerage (contd)

SEWERAGE

Sewer main maintenance and refurbishment work has commenced in Erin and Elaine Avenues at Berkeley Vale and Cresthaven Avenue Bateau Bay. These works form part of Council's ongoing maintenance programme 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.

PROCESS

Water Treatment

All water produced by the Water Treatment Plant has met National Health and Medical Research Council Guidelines.

Sewage Treatment

All effluent discharged from the sewage treatment plants has met Environmental Protection Authority Licence requirements.

Effluent Re-use Projects

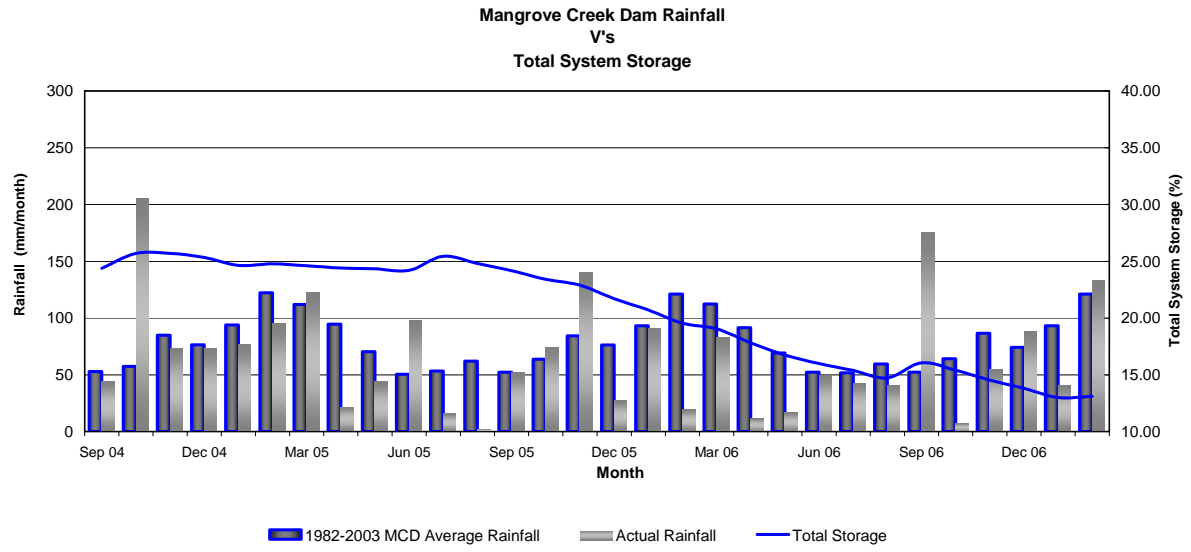
Revised National Recycled Water Quality Guidelines were published in November 2006. The specification for the proposed Toukley Reclaimed Water Treatment Plant upgrade has had to be amended to incorporate these revised guidelines. The major amendments to the guidelines provide for higher quality targets to ensure ecoli, parasites and viruses do not present a risk to community health. This has resulted in a delay in progressing the project to tender. The tender for this upgrade was scheduled to be issued in February 2007, but will now be issued in March 2007. The upgrade is expected to be completed by December 2007, providing additional production capacity to meet increasing demands. It will also provide a more robust treatment process ensuring the increasingly stringent quality targets are met.

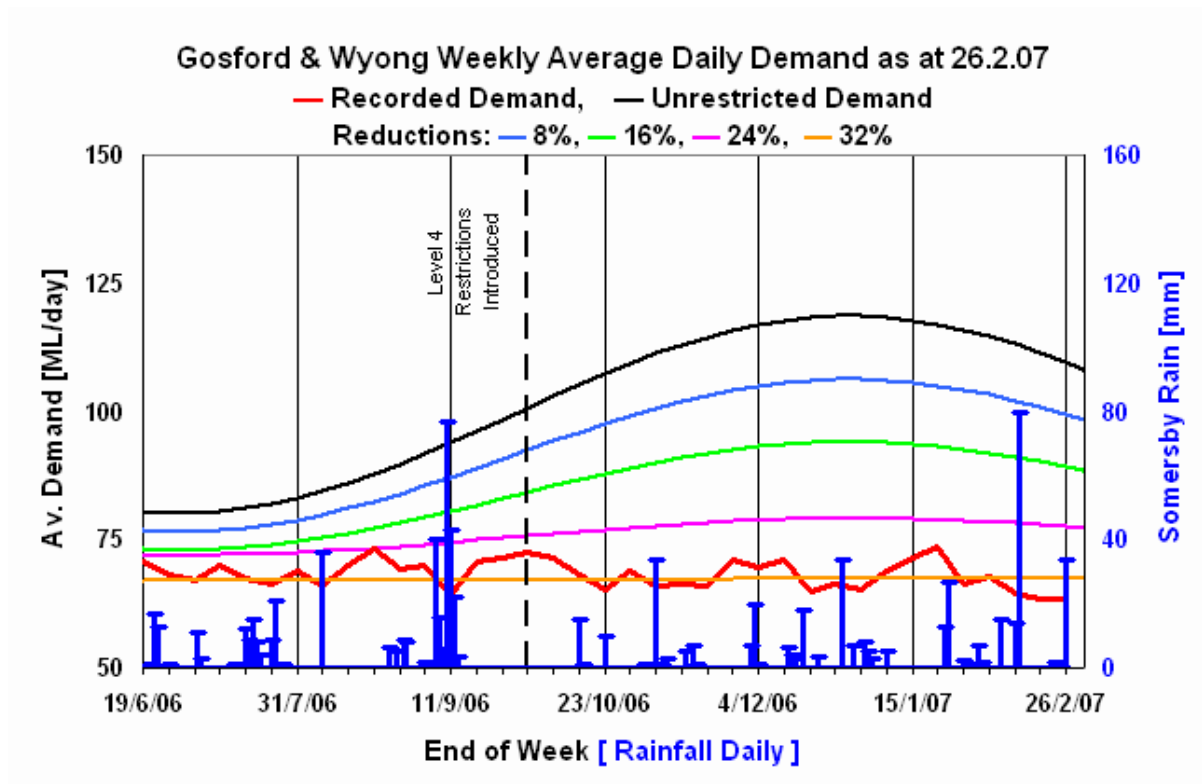
The existing Bateau Bay Treatment Plant already has a sufficiently robust process which will be further enhanced by the commissioning of the Ultra Violet Disinfection System in early April 2007. As such it is expected that the more stringent quality targets will be met without the need for further upgrade works.

Attachment 1 Actual Total Storage September 2004 – February 2007 (2 pages)

Enclosure Actual Total Storage September 2004 – February 2007

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



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

28 March 2007
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Director's Report
Shire Services Department

141 **Wyong Shire Library Statistics**

F2004/11651 JM/JM

SUMMARY

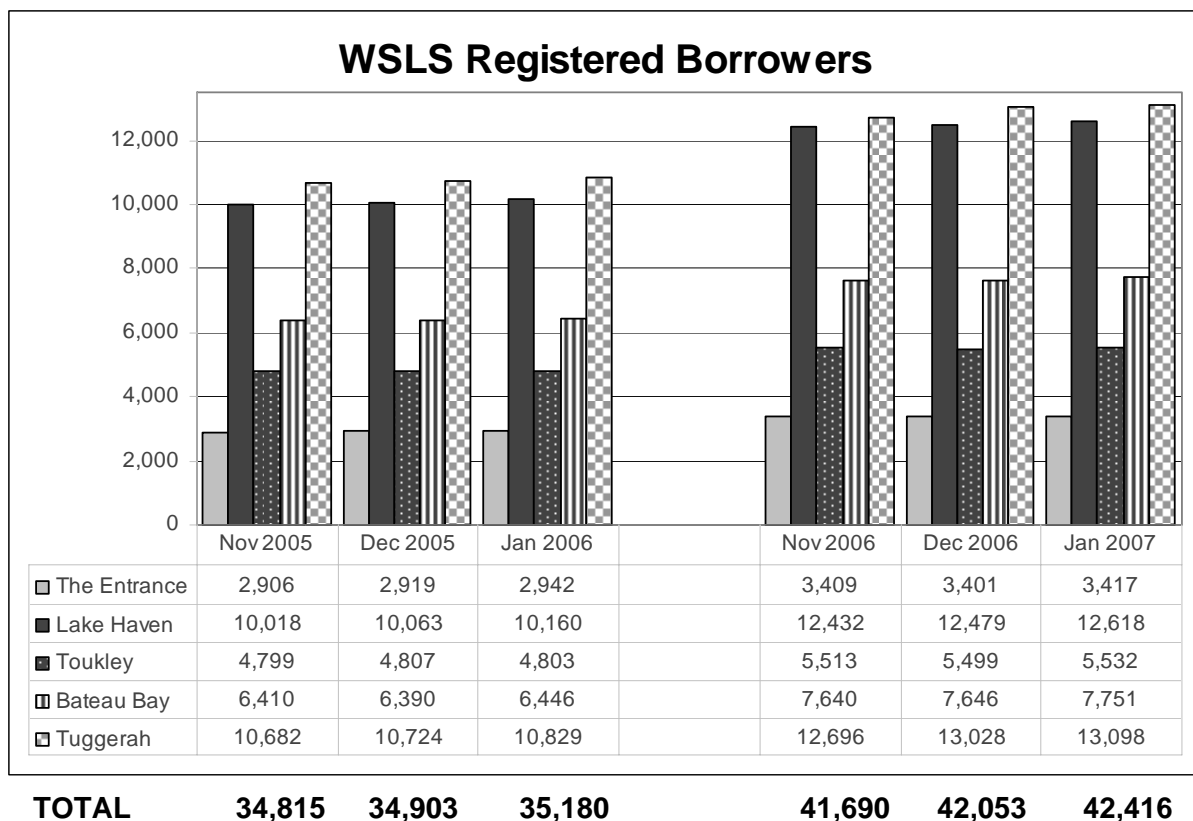
Statistical report on the activities of Wyong Shire Library Service.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

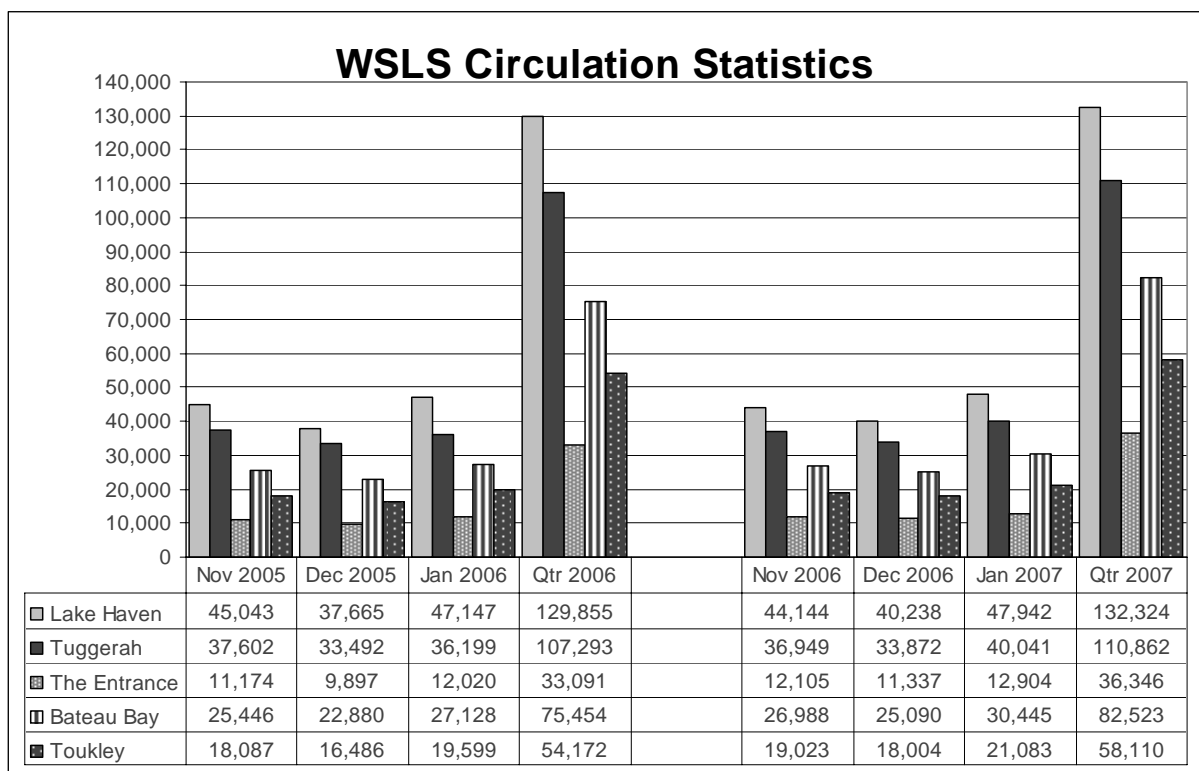
The following statistics present a picture of the activity experienced by the Wyong Shire Library Service in the months November 2006 to January 2007 and the corresponding months of the previous years.



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 borrowers increased for the quarter November 2006 to January 2007 by approximately 20% compared to the corresponding quarter of November 2005 to January 2006. The total number of borrowers now represents approximately 30% of the Wyong Shire population.

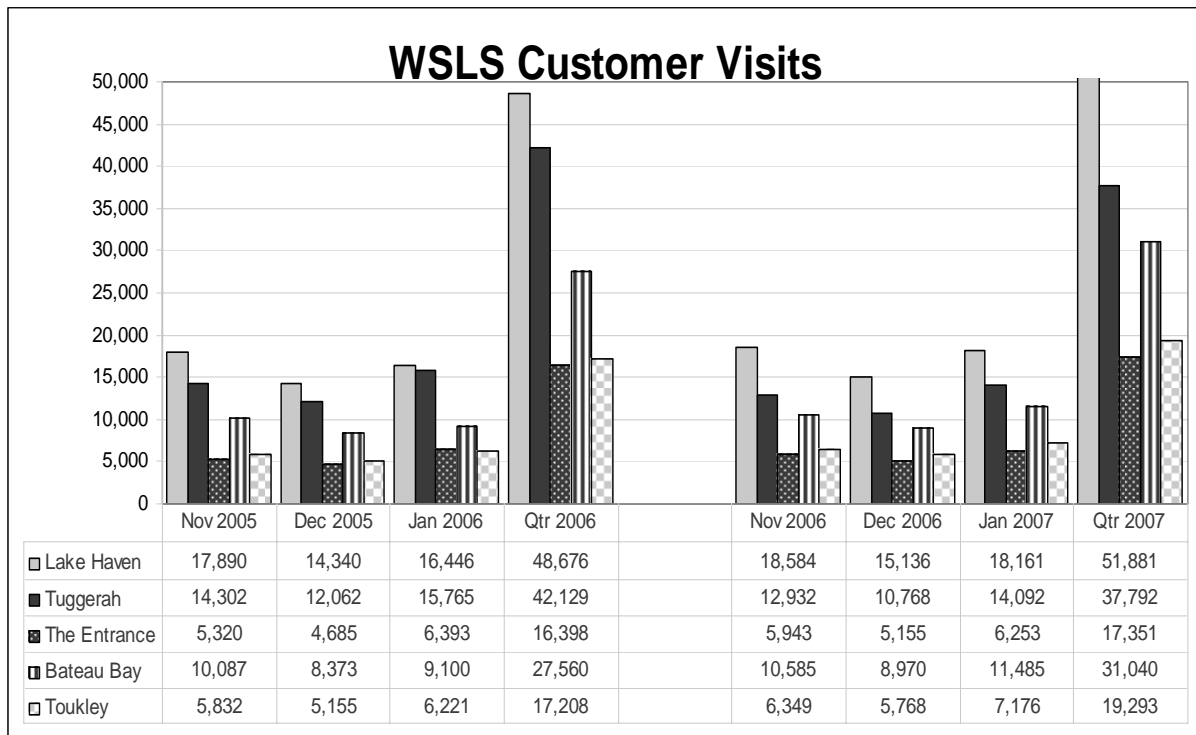


TOTAL	137,352	120,420	142,093		139,209	128,541	152,415	
QTR TOTAL				399,865				420,165

The number of items circulated (this figure includes loans and returns) in January 2007 increased at all libraries. This reflects an increased use of the libraries during the school holidays when a summer reading program was held for children and a number of associated activities were conducted.

The quarterly result for November 2006 to January 2007 shows an increase of 5% over the same period in the previous years.

Wyong Shire Library Statistics (contd)

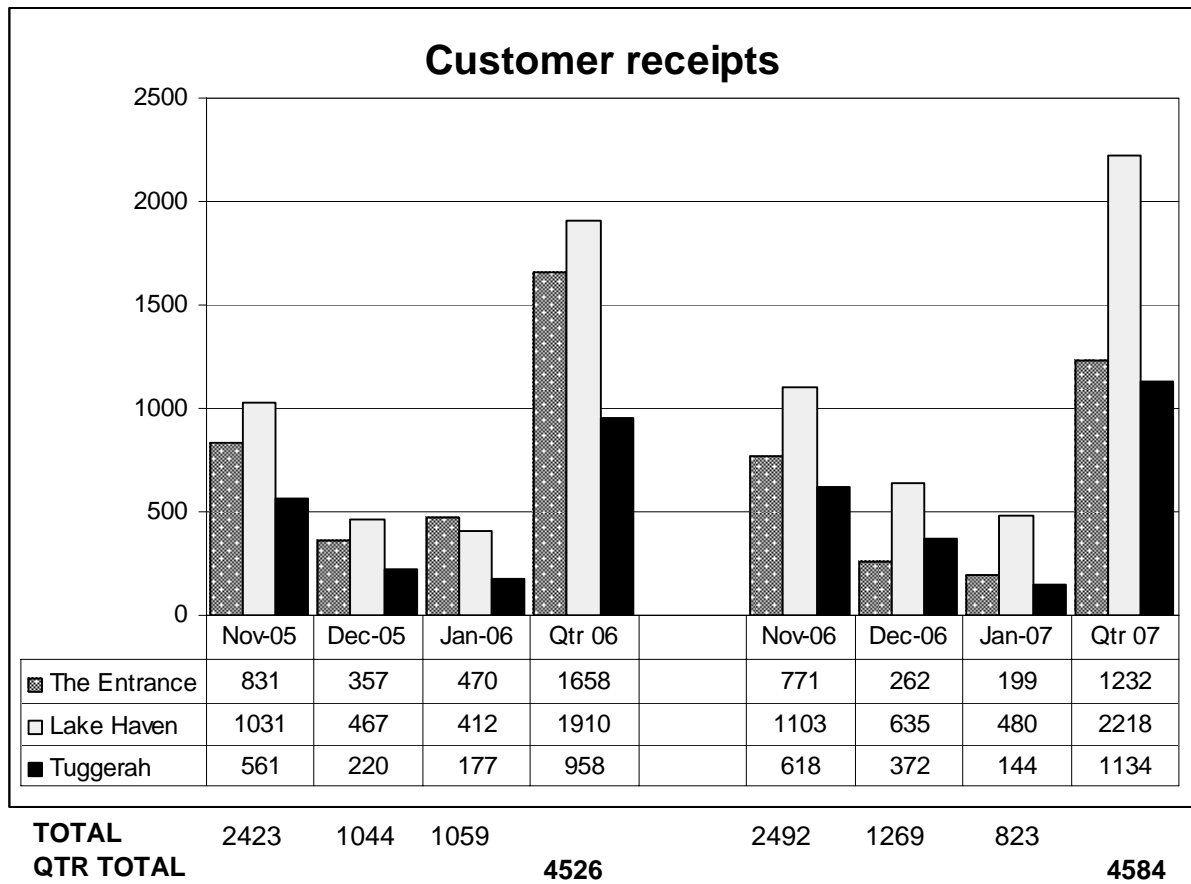


TOTAL	53,431	44,615	53,925		54,393	45,797	57,167	
QTR								
TOTAL				151,971				157,357

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 to all libraries increased in January 2007 compared to December 2006. This is usual and can also be seen in the figures for 2005/2006. The children's activities associated with the summer reading program attracted visits to the libraries.

There has been a 3.5% increase in the number of visits to the libraries in the 2006/07 quarter compared to the same period the previous years.

Wyong Shire Library Statistics (contd)

The number of receipts issued is one measure of the activity but does not include enquiries which are made at the libraries relating to Council business.

The number of receipts issued at the library based Council customer service centres has risen by 1.28% in the 2006/07 quarter compared to the same period in the previous years.

WYONG SHIRE COUNCIL

28 March 2007
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Director's Report
Corporate Services Department

142 Outstanding Questions Without Notice and Notices of Motion

F2005/00926 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
Q003 – Business Arising – 14 December 2005 (Staff sent Memo to Councillor Best on 7 February 2006, 11 October 2006 and 1 March 2007 requesting an answer)	Councillor Welham	23 January 2006	Corporate Services
Q022 – Donations to Liberal Party by Central Coast Tourism Inc (A response will be reported once a reply is received from Central Coast Tourism Inc.)	Councillor Eaton	28 February 2007	Corporate Services
Q023 - Non Declaration of Interest by Councillor Stevens in relation to Central Coast Tourism Inc. (A response will be reported once a reply is received from Councillor Stevens)	Councillor Eaton	28 February 2007	Corporate Services
Q024 – Query on Public Walkways and Foreshores Access in Gwandalan/ Summerland Point Area (A response will be reported to the Ordinary Meeting on 11 April 2007)	Councillor Welham	28 February 2007	Shire Services

Outstanding Questions Without Notice and Notices of Motion (contd)

Questions Asked	Department	Meeting Asked	Status
Q025 - Installation of Bike Rack at San Remo Shops (A response will be reported to the Ordinary Meeting on 11 April 2007)	Councillor Welham	28 February 2007	Shire Services
Q026 - Removal or Update of Lakes Restoration Signs (A response will be reported to the Ordinary Meeting on 11 April 2007)	Councillor Stewart	28 February 2007	Shire Services

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.

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Corporate Services Department

Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Asked	Status
<p>314 – Regional Sporting Facilities</p> <p><i>Investigations into the possibility of constructing an integrated regional sporting/educational facility to service the Tuggerah / Mardi area.</i></p>	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.
<p>423 – Blue Bell Park, Berkeley Vale</p> <p><i>Conduct a survey of residents on anti-social behaviour. Report on what community social services exist to engage the youth and outline cost and options of providing lighting in the park.</i></p>	Shire Services	11 October 2006	Awaiting community consultation. A report will be submitted to the Ordinary Meeting of 11 April 2007.

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Answers to Questions Without Notice

Q013 – Possibility of Foam Injection Used on Sporting Fields

Asked by Councillor Veugen at the Ordinary Meeting held on 14 February 2007
F2005/01141

“Could staff investigate and report into the possibility of foam injection into our new and existing sporting fields as has been done to the Umina Oval, to conserve our water usage?”

In 2003, Council trialled the use of foam injection at Chittaway Oval. By incorporating foam into both the northern and southern goalmouth areas, Council staff sought to improve soil moisture retention and aeration leading to improved turf cover. The results were not immediately apparent at Chittaway Oval, however there did seem to be an improvement in the grass cover in the goalmouths by the end of the following growing season. During the 2004 winter season however, the turf wore completely away and it appeared that the foam injection did not have a lasting effect.

From the analysis of this trial and in comparison with similar applications at Ku-ring-gai Council, it became apparent that foam injection produces acceptable benefits in sand profiles (eg Umina Oval) but not in heavier soil profiles (eg Chittaway Oval).

Council's existing playing fields are typically prepared on heavier soil profiles and this being the case there is no significant benefit in the application of foam injection techniques when measured against the cost of \$26,800/hectare for this soil improvement strategy. However all new fields are being developed on sand profiles with alternative irrigation sources and foam injection may provide benefits in terms of moisture retention in these profiles. The costs of undertaking such a practice should however be offset against the need. Because the new irrigation systems are generally not drawing off the town supply it will be unlikely this solution will provide a viable cost/benefit.

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Answers to Questions Without Notice (contd)

Q014 – Installing Shelter at Picnic Point, The Entrance

Asked by Councillor Stewart at the Ordinary Meeting held on 14 February 2007
F2004/00521

“Would Council please bring back a report on the cost of installing a large shelter/picnic shelter at Picnic Point, The Entrance?”

Council’s standard picnic shelter is typically comprised of a 4m x 4m hardwood framed structure built on a concrete slab. These units are usually clustered in groups of three with two containing seating and the third housing an electric barbeque. This configuration has proved serviceable and popular as it allows privacy for smaller groups or can be used by larger groups occupying the whole area. By combining these units into clusters the needs of both small (or a number of small) or a single large group of people can be met.

The costs associated with the construction of the three unit cluster are as follows:

Three standard shelters on concrete slabs @ \$6,000 each	\$18,000
One dual barbeque unit	\$5,500
Total	\$23,500

Funding has been allocated within the 07/08 rolling works program for the provision of this work as this upgrade was included in the original work to be funded from profits generated by Council’s Holiday Parks.

28 March 2007
To the Ordinary Meeting of Council

Shire Services Department

Answers to Questions Without Notice (contd)

Q015 – Installing Shelter at Terilbah Reserve, The Entrance North

Asked by Councillor Stewart at the Ordinary Meeting held on 14 February 2007
F2004/00521

“Would Council please bring back a report on the cost of installing a large shelter/picnic shelter at Terilbah Reserve, The Entrance North?”

Council’s standard picnic shelter is typically comprised of a 4m x 4m hardwood framed structure built on a concrete slab. These units are usually clustered in groups of three with two containing seating and the third housing an electric barbeque. This configuration has proved serviceable and popular as it allows privacy for smaller groups or can be used by larger groups occupying the whole area. By combining these units into clusters the needs of both small (or a number of small) or a single large group of people can be met.

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Answers to Questions Without Notice (contd)

Q017 – Computer Usage at Council’s Libraries

Asked by Councillor Welham at the Ordinary Meeting held on 14 February 2007
F2004/00326

“Could staff provide a report on computer numbers and usage at Council’s libraries and any data that shows numbers and usage over the last few years?”

The following table has been provided to illustrate the growth in the number and use of personal computers provided at the Wyong Shire Library branches since 2000.

Year	Number of PCs	Number of bookings
2000	11	2,782
2001	13	4,302
2002	13	6,546
2003	40	30,521
2004	41	41,673
2005	41	48,543

The marked increase in 2003 was as a result of a State Government sponsored scheme to extend public access to the internet into all libraries in New South Wales. Ongoing costs and replacement cost of these machines has been borne by Wyong Shire Council.

The number of public access machines provided for the Wyong community represents one for every 3,670 people. Access to these PCs is managed to provide equity of service for all. An individual may book a PC in ½ hour or one hour blocks but is limited to two hours per day.

The uses to which the PCs are put are varied as the machines are all capable of multiple functions such as word processing, CD Rom access and internet access. It is reasonable to assume that the majority of bookings would involve Internet access.

28 March 2007
To the Ordinary Meeting of Council

Shire Planning Department

Answers to Questions Without Notice (contd)

Q019 – Coastal Hazard Zone

Asked by Councillor Pavier at the Ordinary Meeting held on 14 February 2007
F2004/06935

‘What is the status of the coastal hazard zone and when will it be completed and provided to Council?’

The Department of Natural Resources has reviewed the draft Coastal Hazard Assessment and has significant concerns regarding the methodology used by Council's consultants to assess the hazard along the Wyong Shire beaches. The methodology involves the use of the “S-Beach” model developed in the United States. The Department is concerned that the application of the model to NSW coastlines will produce an underestimation of the extent of the high hazard zones and these concerns were not evident at the time when the consultants were engaged.

As a result, Council is now in the process of negotiating further work to be done by the consultants to finalise the hazard assessment using the more traditional means of aerial photography. It is anticipated that this work will be finalised by 30 June 2007. Once the hazard assessment is finalised, work will begin on the Coastline Management Study and Plan. It is anticipated that this work will take approximately one year to complete.

Answers to Questions Without Notice (contd)

Q021 – Query on Level 5 and Level 6 Water Restrictions

Asked by Councillor Eaton at the Ordinary Meeting held on 14 February 2007
F2004/08147

“Can Council advise when on current climactic conditions level 5 restrictions are likely to be imposed and what level 6 restrictions contain?”

Council Resolution 252 of 28 June 2006 relating to recommendations from the 14 June 2006 Meeting of the Board of the Gosford and Wyong Councils' Water Authority provides for Level 5 restrictions to be considered should total storage levels fall to 10% (March-April), 12% (May-August and November-February) or 14% (September-October). These guidelines provide for Level 5 Restrictions to be considered when total storage levels fall below the target trigger level. In considering whether Level 5 restrictions should be recommended for implementation the Board would take into account issues such as future weather forecasts, the timing and potential impact of future drought management works, the time of year and probable future water demands etc.

The current storage level is 13.5% (5 March 2007). It is unlikely that storages will fall below 12% over the cooler Autumn/Winter period, therefore it is estimated that the earliest Level 5 restrictions would need to be considered is September 2007.

Under the adopted strategy for managing the current drought, measures have been implemented or identified for implementation, to ensure that storage levels do not fall below 10%. Accordingly, restrictions beyond Level 5 should not be required and as such have not been determined. Should higher levels of restrictions be required they would indicatively involve further voluntary reductions on internal water usage.