
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 MAY 2008,
COMMENCING AT 5.00 PM

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ORDINARY MEETING OF COUNCIL

28 May 2008

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WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

General Manager's Report

201 Disclosures of Interest

F2008/01064 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 May 2008
To the Ordinary Meeting of Council

General Manager's Report

202 Proposed Inspections

F2008/00003 MW:SW

SUMMARY

A briefing on the rolling works program will be conducted prior to departure for the inspections which are all part of the proposed rolling works program. Those to be conducted prior to the second Ordinary Meeting are listed as follows:

Date of Inspection	Location	Requested By
28 May 2008	Cambridge Circle and Yates Road, Ourimbah	Director Shire Services
28 May 2008	Brooke Avenue, Killarney Vale - School Improvement	Director Shire Services
28 May 2008	Toukley Sewage Treatment Plant Upgrade and provision of treated effluent to Toukley Golf Club, Slade Park, Budgewoi Soccer Club and Halekulani Oval	Director Shire Services
28 May 2008	Charmhaven Sewage Treatment Plant upgrade to service growth at Warnervale	Director Shire Services
28 May 2008	Woongarra Sporting Fields, Warnervale	Director Shire Services

RECOMMENDATION

That the report on inspections to be conducted on Wednesday, 28 May 2008 be received and the information noted.

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

General Manager's Report

203 Proposed Briefings

F2008/00003 MW:SW

SUMMARY

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

Date	Briefing	Description	Time	Presented by
4 June 2008	Workshop	Various Issues	12.00 noon – 6.00 pm	General Manager

RECOMMENDATION

That the report be received and the information noted.

28 May 2008
To the Ordinary Meeting of Council

General Manager's Report

204 Address by Invited Speakers

F2008/00003 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 Director's and General Manager reports to be dealt with following the speaker's address.*

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

General Manager's Report

205 Notice of Intention to Deal With Matters in Confidential Session

F2008/00003 MW:SW

SUMMARY

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the "Confidential" business paper which has been circulated to Councillors.

The Local Government Act, 1993 requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the Local Government Act, 1993.

RECOMMENDATION

- 1 That pursuant to Section 10A(2)(a) and 10A(2)(c) of the Local Government Act, 1993, the following reports be dealt with in Confidential Session:**
 - W010 - Proposed Lease to Central Coast Legal Centre of Lot 3 DP 11131 being 18 Margaret Street, Wyong**
 - W011 - Council's Landholdings**
 - W012 - Leadership Development Program**
 - W013 - Wyong Community Recreation Association**
- 2 That the reason for dealing with Report No W010 - Proposed Lease to Central Coast Legal Centre of Lot 3 DP 11131 being 18 Margaret Street, Wyong confidentially is that it contains personnel matters concerning particular individuals (other than Councillors).**
- 3 That the reason for dealing with the Report No W011 – Council's Landholdings confidentially is that it is information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.**
- 4 That the reason for dealing with Report No W012 – Leadership Development Program confidentially is that it contains personnel matters concerning particular individuals (other than Councillors).**

Notice of Intention to Deal With Matters in Confidential Session (contd)

- 5** *That the reason for dealing with the Report No W013 – Wyong Community Recreation Association confidentially is that it is information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

- 6** *That, in accordance with the Council resolution, the General Manager will report on this matter to the meeting in Confidential Session.*

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

General Manager's Report

206 Confirmation of Minutes of Previous Meeting

F2008/00003 MW:SW

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on 14 May 2008.

RECOMMENDATION

That the minutes of the previous Ordinary Meeting of Council held on 14 May 2008 be received and confirmed.

WYONG SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 14 MAY 2008,
COMMENCING AT 5.09 PM

PRESENT

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

IN ATTENDANCE

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

- * COUNCILLOR GRAHAM ADVISED THAT HE ACCEPTED ON BEHALF OF COUNCIL A PRESENTATION FROM THE SHIRE'S SURF LIFESAVING CLUBS ASSOCIATION IN RECOGNITION OF COUNCIL'S ASSISTANCE TO SURF LIFESAVING.
- * COUNCILLOR ROSE ADVISED THAT HE ACCEPTED ON BEHALF OF COUNCIL FROM SURFING NEW SOUTH WALES A PRESENTATION IN RECOGNITION OF COUNCIL'S SUPPORT FOR THE SURFING EVENT "ARRIVE ALIVE – CENTRAL COAST PRO" HELD AT SOLDIERS BEACH. THIS IS AN EMERGING SURFING EVENT FOR PROFESSIONAL SURFERS WHICH WILL BECOME PART OF THE WORLD QUALIFYING CIRCUIT AND WILL PUT THE CENTRAL COAST ON THE MAP.
- * COUNCILLOR STEVENS ADVISED THAT HE ATTENDED THE TUGGERAH LAKES SECONDARY COLLEGE - TUMBI CAMPUS FOR THE LAUNCHING OF THE BLUE PLANET WEBSITE. THIS IS AN INTERACTIVE WATER EDUCATION WEBSITE THAT WAS DEVELOPED BY GOSFORD AND WYONG COUNCILS IN PARTNERSHIP WITH LOCAL STUDENTS AND TEACHERS AND IS ACCESSIBLE VIA A LINK FROM THE GOSFORD/WYONG COUNCILS' WATER AUTHORITY WEBSITE.

THE MAYOR, COUNCILLOR W J WELHAM, DECLARED THE MEETING OPEN AT 5.09 PM, ADVISED THAT THE MEETING IS BEING RECORDED AND PASTOR JOHN BETTS DELIVERED THE OPENING PRAYER.

APOLOGY

AN APOLOGY FOR THE INABILITY TO ATTEND THE MEETING WAS RECEIVED ON BEHALF OF COUNCILLOR PAVIER AS HE IS ON ANNUAL LEAVE.

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

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

Minutes of the Ordinary Meeting of Council held on 14 May 2008 (contd)

181 Disclosures of Interest

F2008/01064 ED:MR

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

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

182 Proposed Inspections

F2008/00003 ED:MR

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

That the report on inspections to be conducted on Wednesday, 28 May 2008 be received and the information noted.

183 Proposed Briefings

F2008/00003 ED:MR

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

That the report be received and the information noted.

184 Address by Invited Speakers

F2008/00003 ED:MR

COUNCILLOR BEST ADVISED THAT THE PROPOSED SPEAKER, DR NORMAN THOMPSON, HAD SENT HIS APOLOGIES FOR HIS INABILITY TO ATTEND THE MEETING THIS EVENING.

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

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

185 Confirmation of Minutes of Previous Meeting

F2008/00003 ED:MR

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

That the minutes of the previous Ordinary Meeting of Council held on 23 April 2008 be received and confirmed.

BUSINESS ARISING FROM THE MINUTES

THERE WAS NO BUSINESS ARISING FROM THE MINUTES.

186 Draft Development Control Plan 2005: Chapter 23 – Caravan Parks

F2004/12355 PJK

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

- 1 That draft Development Control Plan 2005: Chapter 23 – Caravan Parks be adopted and appropriate public notice be given within 28 days that the draft Chapter will come into effect as Chapter 23 within Development Control Plan 2005 on 2 June 2008.***
- 2 That a press release be issued detailing the major changes and advising that the provisions of the adopted Chapter will be operational, and applied to all relevant Development Applications received from 2 June 2008.***
- 3 That a copy of Development Control Plan 2005 containing the amended Chapter 23 be forwarded to the Director General of the NSW Department of Planning within 28 days.***
- 4 That Council's Section 149 Certificates be noted as to the adoption of Chapter 23.***
- 5 That all those who made submissions be advised of Council's decision.***
- 6 That Policy L3 – Long-term Caravan Parks be repealed and appropriate public notice be given.***
- 7 That in the formation of Council's Settlement Strategy and the Wyong Principal Local Environmental Plan, Council review appropriate locations for tourist parks and for affordable living in long-term caravan parks, and take these issues into consideration in formulating land use zone boundaries, including the prohibition of such parks from zones and locations not considered to be in accordance with the Strategy.***

Minutes of the Ordinary Meeting of Council held on 14 May 2008 (contd)

**187 Repeal of Development Control Plan 2005: Chapter 101 –
Building Over and Adjacent to Sewer Mains**

F2005/03170 PJK

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

- 1 That Development Control Plan 2005: Chapter 101 – Building Over and Adjacent to Sewer Mains be repealed in accordance with the requirements of the Regulations.**
- 2 That a copy of Development Control Plan 2005, with the repealed Chapter 101 removed, be forwarded to the Director General of the NSW Department of Planning within 28 days of the date of the public notice.**
- 3 That Council's Section 149 Certificates be amended to remove any references to Chapter 101.**

188 Plan of Management No 9 – Jubilee Park and Baden Powell Park

F2005/03198 BMc:RE

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

- 1 That in accordance with Section 36 of the Local Government Act 1993, Council adopt the revised Plan of Management No 9 for Jubilee Park and Baden Powell Park.**
- 2 That public notice be given of the decision.**
- 3 That those people who made a submission to the exhibition be informed of the decision.**

189 **2007 Warnervale Rail Station**

DA/261/2005 JW

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

- 1** *That Council staff bring back a report on the new Warnervale Rail Station Development Application with a view to Council issuing deferred development consent.*
- 2** *That Council write to the Minister for Environment and Climate Change and indicate a preference that the issue of the *Rutidosia heterogama* (Heath Wrinklewort) be dealt with under the biodiversity certification which is proposed for the town centre in Warnervale.*

190 **Contract Nos CPA 131816 and CPA 141595 - Sludge Dewatering at Council's Wyong South, Charmhaven and Mannering Park Sewage Treatment Plants**

CPA/141595 SM:DP

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

- 1** *That, due to the intervening changes occurring at the Wyong South Treatment Plant in regards to desludging requirements which arose after the close of tenders, Council decline to accept any of the tenders received for Contract CPA 131816.*
- 2** *That Council accept tender No 1 from Waste Processing Solutions for Contract CPA 141595 for the Sludge Dewatering of No 2 Sludge Lagoon at Charmhaven STP and Nos 1 and 2 Sludge Lagoons at Mannering Park STP for an estimated total amount of \$216,520 including GST (\$ 196,836 excluding GST).*
- 3** *That Council approve a contingency amount of \$22,000 including GST (\$20,000 excluding GST), representing approximately 10% of the contract value, to provide for any unforeseen additional works that may become necessary during the course of the project for Contract CPA 141595.*

Minutes of the Ordinary Meeting of Council held on 14 May 2008 (contd)

191 Extension of Alcohol Free Zone at Long Jetty

F2008/00602 MW

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

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

 Long Jetty: Surf Street, The Entrance Road and Watkins Street up to and including Swadling Street to corner of Oaks Street.**
- 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.**

192 Goods and Services Tax Compliance

F2004/06615 RDG

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

- 1 That the report on Goods and Services Tax be noted.**
- 2 That the Goods and Services Tax Compliance Certificate for the period 1 May 2007 to 30 April 2008 be signed by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer and submitted to NSW Department of Local Government before 1 June 2008.**

Minutes of the Ordinary Meeting of Council held on 14 May 2008 (contd)

**193 New Rural Fire Station Ourimbah - Lots 6 and 19 DP 22433
Ourimbah Creek Road, Ourimbah**

F2004/07102 GAW:JK

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

- 1 That Council make available land contained within Lots 6 and 19 DP 22433 Ourimbah Creek Road for the construction and operation of a Rural Fire Station.***
- 2 That Council pursue grant funding opportunities to fund the construction of the Ourimbah Rural Fire Station.***
- 3 That Council authorise the lodgement of a development application for the construction of a Rural Fire Station within Lots 6 and 19, DP 22433, Ourimbah Creek Road, Ourimbah.***
- 4 That this matter be reported back to Council when results of the current funding application are known.***

Information Reports

The information reports were dealt with by the exception method with report numbers 194 and 196 called for debate.

194 Geotextile Bag Investigations

F2007/00876 GW

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

- 1 That the report be received and the information noted.***
- 2 That this report be referred to the Peak Manufacturers of this technology Geofabrics Australasia to provide a current product performance update for Council's consideration.***

Minutes of the Ordinary Meeting of Council held on 14 May 2008 (contd)

195 Drainage on Tuggerah Straight

F2004/00156 ABP:JEM

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

That the report be received and information noted.

196 Schedules of Bank Balances and Investments – March 2008

F2004/06604 HS

COUNCILLOR VEUGEN LEFT THE CHAMBER AT 5.40 PM AND RETURNED TO THE CHAMBER AT 5.41 PM AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR BEST LEFT THE CHAMBER AT 5.41 PM AND RETURNED TO THE CHAMBER AT 5.42 PM AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

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

That the report be received and the information noted.

197 Outstanding Questions Without Notice and Notices of Motion

F2008/00003 MW:SW

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

That the report be received and the information noted.

Minutes of the Ordinary Meeting of Council held on 14 May 2008 (contd)

198 Notice of Motion – Zero Carbon Footprint Homes

F2004/00080 MR

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

That in liaison with the Developers Forum, would staff please provide a report to Council on:

- 1 The definition of "Zero Carbon Footprint" as it relates to all construction, habitation and/or ongoing maintenance;*
- 2 The current status and legislation regarding design and construction of Zero Carbon Footprint construction;*
- 3 The financial and environmental benefits and costs of requiring all construction in Wyong to have a Zero Carbon Footprint; and*
- 4 The most efficient way to ensure that all new buildings constructed in Wyong have a Zero Carbon Footprint and the appropriate timeframe for its introduction.*

The MOTION was put to the vote and declared LOST.

FOR: COUNCILLORS FORSTER, ROSE, STEVENS AND WELHAM.

AGAINST: COUNCILLORS BEST, EATON, GRAHAM, STEWART AND VEUGEN.

199 Notice of Motion – Car Pooling Website to Combat Increase in Petrol Costs

F2004/06719 MR

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

That Council investigate and report on ways to alleviate the petrol price crisis by promoting car pooling for example by developing a website to connect car poolers.

The MOTION was put to the vote and declared LOST.

FOR: COUNCILLORS BEST, EATON, AND VEUGEN.

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

Minutes of the Ordinary Meeting of Council held on 14 May 2008 (contd)

200 Notice of Motion – Ban on Political Donations

F2004/06402 MR

COUNCILLOR BEST LEFT THE CHAMBER AT 6.24 PM AND RETURNED TO THE CHAMBER AT 6.25 PM AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR GRAHAM LEFT THE CHAMBER AT 6.36 PM AND RETURNED TO THE CHAMBER AT 6.37 PM AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

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

- 1 *That Council recognise and endorse the community's view that all electoral donations should be banned.*
- 2 *That Council request that all candidates for the September 2008 Council Elections provide statutory declarations committing themselves to personally funding their own election campaigns and refusing all election donations.*
- 3 *That Council publish by way of a full page advertisement in the Central Coast Express on 3 September 2008 a register of those candidates who have provided such a declaration and noting that candidates not listed have failed to provide such a declaration.*
- 4 *That the Local Government Association be requested to forward copies of this resolution to every Council Mayor and Councillor in NSW.*
- 5 *That Council write to the Minister for Local Government requesting a reasonable expenditure limit be placed on candidates in Local Government campaigns.*

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

That this Council reaffirm its submission to the NSW Parliament Select Committee on Political Donations and support the actions of the Mayor in representing this Council in giving evidence at that Select Committee.

It was MOVED by Councillor STEWART and seconded by Councillor BEST :

That the MOTION be put.

RESOLVED unanimously that the MOTION be put.

The AMENDMENT was put to the vote and declared CARRIED.

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

AGAINST: COUNCILLORS BEST, EATON AND VEUGEN.

The AMENDMENT then became the MOTION.

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

That this Council reaffirm its submission to the NSW Parliament Select Committee on Political Donations and support the actions of the Mayor in representing this Council in giving evidence at that Select Committee.

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

AGAINST: COUNCILLORS BEST, EATON AND VEUGEN.

COUNCILLOR GRAHAM NOTED THAT THE ACTING DIRECTOR OF CORPORATE SERVICES, CRAIG BENNETT, HAD RECENTLY ANNOUNCED HIS RESIGNATION AS HE WAS MOVING TO TAKE UP A POSITION AS DIRECTOR OF CORPORATE AND COMMUNITY SERVICES AT CESSNOCK CITY COUNCIL AND EXTENDED THANKS TO CRAIG ON BEHALF OF COUNCIL FOR HIS SERVICES OVER THE PAST THREE YEARS.

QUESTIONS WITHOUT NOTICE ASKED

Q030 – State of the Jetty at Long Jetty

Councillor Stewart

F2005/02289

“What has been done about the previously investigated state of the “Long Jetty”, action is now urgently needed on repairs to the Jetty or there will no longer be one as it is in a very bad state?”

Q031 – Outstanding Report on WYCRA

Councillor Forster

F2008/00352

“Given it’s been some months since the relevant briefing, can staff advise when the outstanding report on WYCRA will be reported to Council?”

Q032 – Preferred Route for the Pacific Highway

Councillor Eaton

F2004/07589

“Can Council seek confirmation from the RTA that the preferred route for the Pacific Highway through Wyong is through the town centre?”

Minutes of the Ordinary Meeting of Council held on 14 May 2008 (contd)

Q033 – Cabbage Tree Bay Sea Wall

Councillor Best

CPA/13545

“Mr General Manager, Council made an announcement in February 2008 that it would be proceeding to build a toe drainage sea wall in Cabbage Tree Bay and that construction would commence approximately June 2008. Could staff provide information on progress to date?”

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7.23 PM.

.....
CHAIRPERSON

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WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

207 'Living Sustainably In Wyong Shire' - A Sustainability Initiative

F2007/00404 KD:KD

SUMMARY

Progression of the Sustainability Decision Making Framework within Council (SDMF) - The development of the framework will improve Council's ability to link the implementation of sustainability principles to core business.

RECOMMENDATION

- 1** *That the consultants report 'Living Sustainably in Wyong Shire' be noted.*
- 2** *That the report's recommendations for implementation of Phases Two and Three of the decision making framework be endorsed and implemented as appropriate.*
- 3** *That the draft Sustainability Principles be adopted for interim use.*
- 4** *That further refinement of the Principles occur to reflect the Shire Strategic Vision process.*

BACKGROUND

Council has a responsibility and a legal obligation to lead by example and guide the shift towards a more sustainable future – for current and future generations. A sustainable future is not just about environmental sustainability. True sustainability is also about considering the social and economic implications of our actions. It is about the many things we value and need for every day life, including food and shelter, education and employment, health and welfare services, cultural and recreational activities, transport, water and energy supplies.

Council is working to ensure current and future development and practices are sustainable, however no cohesive framework presently exists. Some of Council's current or recent sustainability initiatives include the recent Quality of Life study (undertaken with Gosford City Council and CSIRO), the Shire's Strategic Vision process and the move toward State of the Shire Reporting. Other plans include the Annual Report and Management Plan, and the soon to be completed Community Plan. However, these reports and strategies are often seen as stand alone documents and are not always well integrated.

Wyong Council is developing a Sustainability Decision Making Framework which will provide the overarching framework and direction for Council's decision making and will assist with better integration of these documents. It will also provide direction for improving operational and development practices.

'Living Sustainably In Wyong Shire' - A Sustainability Initiative (contd)

Council received a \$20,000 seed funding grant in May 2007 from the Environmental Trust under the Urban Sustainability Program. This was considered the first step in the development of a broader sustainability decision making framework. Objectives for the seed funding component (Phase 1) were:

- To initiate and raise awareness of the need for a decision making framework.
- To commence the process for the preparation of a sustainable decision making framework/plan for Wyong Shire Council.
- To develop the guiding sustainability principles, by engaging internal staff and targeted external groups, through roundtable discussions, from which a sustainable decision making framework/plan would evolve. The aim of the roundtable sessions was to raise a better awareness, encourage discussion and the sharing of ideas on sustainability and the future of Wyong Shire.

The roundtable sessions were facilitated by professional corporate environmental educators, Sustainable Futures Australia in July/August 2007 and resulted in the formulation of key draft Sustainability Principles and a report providing direction for continuing development of the Decision making Framework, for implementation through all aspects of Council's decision-making process.

Activities undertaken and outcomes achieved to date

Activity	Outcome	Completion Dates
Information paper to Council advising of grant application and intended steps	Incorporated into Councillor briefing Information paper circulated at briefing along with invitation to Councillors to attend the external roundtable session.	4 July 2007
Roundtables – internal discussion	4 internal roundtables (3 staff sessions and 1 senior management session) In total, 80 staff attended.	5-6 July 2007
Sustainability Survey Circulated to 1100 staff.	104 (approximately 10%) of staff responded. Run in parallel to the roundtable sessions to capture the views of as many staff members as possible	4 July 2007
Roundtables – external discussion Representing 28 organisations	57 invited 30 attended (including 2 Councillors)	1 August 2007
Roundtables – internal follow-up discussion	28 staff attended	2 August 2007

'Living Sustainably In Wyong Shire' - A Sustainability Initiative (contd)

Activity	Outcome	Completion Dates
Final report from facilitator to roundtable sessions and survey results	Draft received and reviewed Final submitted	27 August 2007 21 September 2007
6-month progress report to Environmental Trust	Preliminary meeting with Environmental Trust representatives Report due	11 September 2007 31 October 2007
Presentation to Strategy Forum to provide update and seek support for project outcomes	Support for continuing development of decision making framework and integration with the Shire Strategic Vision process. Consent to use draft Guiding Principles	11 December 2007
Councillor briefing to provide update and seek support for project outcomes	Support for continuing development of decision making framework and integration with the Shire Strategic Vision process. Consent to use draft Guiding Principles	12 December 2007
Dissemination of sustainability information	Sustainability survey results have been uploaded to Council's Intranet site. A 'Green Living' Booklet was distributed to all staff. Progress is communicated to staff through the 'daily' Intranet page.	Ongoing

Next Steps – Continuing development of the Sustainability Initiative

Presentations to Councillors and Senior Managers have acknowledged the synergies between the Strategic Vision process and formulation of the draft sustainability guiding principles. Hence, implementation of the Phase Two recommendations includes refinement of the guiding principles to reflect the Shire's Vision to allow seamless integration.

Phase Two recommendations also includes the establishment of a staff working group to:

- promote sustainability across the organisation,
- continue the more detailed elements of the framework and
- assist in developing a culture of sustainability.

This group has been initiated with approximately 17 staff members attending each of the first two scheduled meetings. Progress to date includes identification of focus areas such as purchasing and contracts specifications, where sustainability criteria can be developed to improve decision making for selection of goods and services. Small working groups will now advance these projects.

'Living Sustainably In Wyong Shire' - A Sustainability Initiative (contd)

Phase three recommendations include further developing and broadening the sustainability decision making framework to include sustainability engagement and education and enable application of specific criteria for use across the organisation.

Preliminary discussions are being held with Environmental Trust representatives and staff from Gosford City and Lake Macquarie Councils for subsequent regionally based grant applications. These will hopefully assist the ongoing development of the sustainability framework and fund a broader (regional) sustainability program.

A final report is required to be submitted to the Environmental Trust in May 2008.

Enclosure 1
Enclosure 2

Wyong Final SDMF Report 21 September 2007
Wyong Final SDMF Report Attachments 21 September 2007

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

**208 CPA 94307 - Hire of Compactor and Traxcavator for
Buttonderry Waste Management Facility**

CPA/94307 GHK:EBL

SUMMARY

Contract CPA 94307 for the Hire of Compactor and Traxcavator for Buttonderry Waste Management Facility commenced on 23 January 2006 for a term of 3 years. This report considers the extension option of the contract for a period of two years.

RECOMMENDATION

That Council exercise the extension option of 2 years for Contract CPA 94307 for the Hire of Compactor and Traxcavator for Buttonderry Waste Management Facility at a cost of \$1,501,022 (excl GST) and subject to rise and fall adjustments.

BACKGROUND

Contract CPA 94307 for the Hire of Compactor and Traxcavator for Buttonderry Waste Management Facility (BWMF) was awarded to Twigg Plant Hire Pty Ltd and commenced on 23 January 2006.

Prior to this contract, the hire of a compactor and traxcavator was for a 12 month term in line with all other plant utilised at the BWMF. This relatively short contract period has resulted in a low tender interest for the specialised and therefore less available plant such as the compactor. Consideration was given to lengthen the contract period with the intent of making investment into these plant items more attractive as costs can be amortised over a longer period.

While there was a need to extend the contract period there was uncertainty on the most appropriate period that allows Council to source high quality plant at competitive prices without compromising medium or long term operational and management options for the facility. As a result two options were included in the original tender. Option 1 consisted of a contract period of 2 years with a 1 year extension option. Option 2 consisted of a contract period of 3 years with a 2 year extension option. On 23 November 2005, Council resolved to accept the three year contract period as it offered distinct cost advantages. Clause 2.4.2 provides for the option for the Principal to extend the initial contract period by two years.

Twigg Plant Hire Pty Ltd was subject to an acquisition and as a result the contract was assigned to the new owner, Transpacific Industries on 11 May 2007.

CPA 94307 - Hire of Compactor and Traxcavator for Buttonderry Waste Management Facility (contd)

DISCUSSION

The traxcavator is used to push the waste materials unloaded by customers into the landfill face and spread it. It is also required to assist in the construction of bund walls, apply daily cover material, and spread drainage material along the unsealed access road to the landfill face during wet weather to ensure trafficable conditions.

The compactor is a highly specialised and essential component of the plant pool required to operate BWMF. The 45 tonne machine compacts the waste spread by the traxcavator by continuously traversing over it. Surveys undertaken determine that compaction levels of at least 1.2 tonnes per cubic metre are regularly achieved. The Environment Protection Licence issued by the Department of Environment stipulates a minimum compaction level of 0.85 tonnes per cubic metre. The 34 tonnes compactor used under previous contracts was able to achieve approximately 1 tonne per cubic metre. It is considered pertinent to maximise waste compaction in a move to conserve landfill space and to delay cell construction of future cells.

Approximately 430 tonnes of waste are currently land filled per day between Monday and Friday which amounts to about 125 truck movements per day. On weekends about 50 tonnes of waste are disposed of per day which amounts to 25 truck movements. Both the traxcavator and the compactor are adequate to move, spread and compact these quantities in a safe and timely manner.

In the report to Council on the assessment of tenders for Contract CPA 94307 in November 2005, the contract cost for the compactor and traxcavator for 3 years was estimated to be \$2,095,450 (excluding GST) based on the weekly rates tendered. The second highest ranked tenderer's prices would have amounted to \$2,561,432 (excluding GST). The difference between the Contractor's rate and the rate of the second ranked tenderer amounted to approximately 22%. Based on this significant difference between the tender price of the contractor and the second ranked tenderer, the current cost of the compactor and traxcavator is still considered very competitive. Also, escalating fuel prices in recent times provide surety that the current rates are advantageous to Council. Fresh tenders would without doubt provide rates that reflect the recent strong upward move in global oil prices. Irrespective of this trend, Transpacific has indicated a willingness to continue the contract under the extension option.

The weekly tendered price is subject to quarterly rise and fall adjustments and as a result has increased from \$13,380 per week at the time of tender to currently \$14,295 (excl GST). Based on the current weekly rates for the compactor and the traxcavator, the cost for the two year extension will be \$1,501,022 (excl GST) subject to rise and fall adjustments.

Transpacific Industries has generally been found to be a very cooperative contractor. Periodic requests to update OH&S information were completed without delay and claims for payment are generally on time. While two complaints have been received regarding the use of abusive language and inappropriate behaviour by the Transpacific employee operating the traxcavator, the company was very cooperative in resolving this matter.

CPA 94307 - Hire of Compactor and Traxcavator for Buttonderry Waste Management Facility (contd)

Transpacific has a sound OH&S system with detailed Safe Work Method Statements to reflect that safety is of paramount concern at BWMF. Both plant items are regularly maintained and break downs are infrequent. In August 2007, the traxcavator sustained serious damage which required replacement of the running gear including idler arms, rollers and tracks. While the plant was off-site for 16 days to be repaired, Transpacific sourced and provided a replacement traxcavator.

CONCLUSION

Transpacific is a cooperative contractor with a sound OH&S system. The equipment is superior and is achieving outstanding compaction results which is essential in order to maximise landfill air space. Based on the tendered rates, the cost of providing the compactor and traxcavator is very competitive and reasonable. For these reasons it is recommended that the two year extension of the contract period for CPA 93407 for the Hire of Compactor and Traxcavator for Buttonderry Waste Management Facility be exercised.

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WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

209 Determination of Water and Sewer Charges for 2008/09

F2004/06782 TD

SUMMARY

In order to comply with Section 315 of the Water Management Act 2000 No 92 Council is required to determine water and sewerage charges no later than one month before the beginning of each charging year.

Being a Water Authority, Council's water and sewerage charges are subject to approval by the Minister for Energy and Utilities following determination by the Independent Pricing and Regulatory Tribunal (IPaRT). On 18 May 2006 in their Determination No 3, 2006 IPaRT made a three year determination concerning Council's water and sewerage charges. Charges included in the recommendation are as per that Determination. 2008/09 represents the final year of the price path.

RECOMMENDATION

That Council as the Water Supply Authority in accordance with Sections 315 and 316 of the Water Management Act 2000 No 92 adopt the service charges set out in Enclosure for the period 1 July 2008 to 30 June 2009 based on the determinations of the Authority set out in a, b and c below:

- a That the amount of money estimated by the Authority that is proposed to be raised by way of service charges levied uniformly on all land that is reasonably available for connection to the Authority's water supply pipes and sewerage service discharge pipe is \$54,479,000 for the period 1 July 2008 to 30 June 2009.***

- b That all land that is reasonably available for connection to the Authority's water supply pipes and sewerage service discharge pipes is classified for the purposes of levying service charges on the basis of the following factors:***
 - i whether the land is residential or non residential; and***

 - ii the nature and extent of the water or sewerage services connected to each individual allotment.***

- c That service charges shall be uniformly levied on the following basis:***
 - i the nominal size of the water service supply pipe supplying water to the land or to which, in the opinion of the Authority, it is reasonably available for water to be supplied to the land, expressed as a charge determined by the nominal pipe size attaching to the Authority's service supply meter;***

Determination of Water and Sewer Charges for 2008/09 (contd)

- ii by charge following an assessment of the cost of supplying water and sewerage services by the Authority; and*
- iii where water pressure requires larger sizes of pipes and meters a charge as assessed by the Authority.*

BACKGROUND

The estimated revenue to be raised from Water and Sewer Service Charges based on the IPaRT Determination for 2008/09 is \$54,479,000.

The following table summarises the IPaRT Determination No 3, 2006 and shows a comparison between year 2 (2007/08) and year 3 (2008/09) for a typical residential ratepayer who consumes 139kL of water per annum.

The 2008/09 charges have been calculated using the 2006 IPaRT Price Path Determination and using a change in Consumer Price Index (CPI) from March 2006 to March 2008 of 6.3% as notified by IPaRT on 5 May 2008. This provided an increase from 2007/08 to 2008/09 of 3%.

The next IPaRT price determination is due to commence in 2009/10 and recent indications from IPaRT are that the determination could be extended from three years to a four year term.

The IPaRT regulation process is tied to movements in the all ords CPI index for the previous 12 months to March. The impact of this process is that Council wears the cash flow impact of cost increases in the current year. These cost increases are not recovered through the CPI pricing adjustment until the following year. As CPI rates move upwards this cash flow impact on Council starts to become significant. At present the Reserve Bank has forecast CPI levels of 4% and above for at least the next 12 months. This is well above recent CPI movements

**Charges – 2007/08 Compared to 2008/09
for the Typical Residential Ratepayer consuming 139kL per annum**

	2007/08 Charges	2008/09 Charges	Increase 2007/08 to 2008-09	Percentage Increase 2007/08 to 2008/09	Draft 2008/09 Management Plan
Council Water Service Charge	\$95.19	\$97.30	\$2.11	2.2%	\$97.49
Climate Change Levy**	\$15.78	\$14.86	(\$0.92)	(5.8%)	\$15.78
Total Water Service Charge	\$110.97	\$112.16	\$1.19	1.1%	\$113.27
Water Usage (139kL)	\$191.82	\$231.85	\$40.03	20.9%	\$232.13
Sewerage	\$397.53	\$412.67	\$15.14	3.8%	\$413.46
Total	\$700.32	\$756.68	\$56.36	8.05%	\$758.86

Determination of Water and Sewer Charges for 2008/09 (contd)

****Climate Change Fund**

On 19 May 2006 Council received the three year determination to apply from 1 July 2006 by the NSW Department of Energy, Utilities and Sustainability

Under section 34(J) of the Energy Utilities Administration Act 1987 from 1 July 2006 Council must make a contribution to the Water Savings Fund. In 2005, the NSW Government introduced legislative provisions to encourage water savings and the legislation provides for the establishment of the Water Savings Fund to provide funding to encourage water savings and reduce the demand for water.

In 2007/08 the State introduced changes to rename the fund the Climate Change Fund. The fund currently operates in the areas of operation of Sydney Water Corporation as well as Wyong and Gosford Council areas.

In 2008/09 Council's required contribution is \$950,000. In order for Council to recover this contribution all Water Services Charges should incorporate an annual levy of \$15.49 per property. However IPaRT has advised that an overstatement of this charge in 2007/08 has resulted in Council raising an additional \$38,138 over and above the required contribution of \$950,000. Council is required to offset this amount against the 2008/09 contribution of \$950,000. This leaves \$911,862 to be recovered through the water service charges through a levy of \$14.86 per property. The per property quantum has been calculated in accordance with a methodology provided by IPaRT.

Enclosure

Schedule of Water Supply and Sewerage Charges for 2008/09

210 Hunter Connection Project – Major Contracts Summary Report

F2005/02394 PRW:RA

SUMMARY

Report on the completion of six major contracts for the Hunter Connection Project.

RECOMMENDATIONS

- 1** *That the information in the report be noted.*
- 2** *That Council endorse the Director's decisions with respect to the major contracts for delivery of the Morisset Water Pumping Station and Morisset to Warnervale Water Truck Main.*

BACKGROUND**History**

The Hunter Connection Project is a major drought contingency project that allows the bulk transfer of water between the Hunter Water Corporation's water supply system and the Gosford/Wyong water supply system. Investigations for the project were initiated in early 2005 in response to the continuing drought conditions in the Gosford/Wyong Region and the consequent critical depletion of the Region's water storages. Commissioning of the transfer system prior to the 2006/07 summer season was identified as being critical to the capacity of Gosford and Wyong Councils to provide adequate potable water supplies to their distribution areas. The highest priority was given to completing this transfer system as quickly as possible.

This project is, however, much more than just a drought contingency project. It provides a valuable strategic asset for both Council and the Hunter Water Corporation by linking two major water supply systems in such a way that water transfers between the respective systems are now possible when and as required. This significantly increases the security of both systems and provides major operational advantages.

It is worth noting that when the Hunter Connection was made operational in December 2006, total water storage on the Coast had fallen to 13.81%, with demand at 65 megalitres per day. The new pipeline was able to provide approximately 50% of this demand at a critical time for the Coast's water supply.

In the six months following completion of the Project, 2,630 megalitres of water were delivered to the Central Coast from the Hunter to reduce the impacts of the drought, while in the following twelve months some 525 megalitres of water were transferred back to the Hunter to assist them when water supply levels for the Coast had sufficiently increased. Also during this period a further 276 megalitres of water were transferred from the Hunter back to the Central Coast to assist with the operation of the water supply system. The flexibility of this water sharing arrangement will continue to provide enormous benefits to Council into the future.

Hunter Connection Project – Major Contracts Summary Report (contd)

Components

The Hunter Connection is made up of the following major elements:

- Construction of the Fennel Bay Pumping Water Pumping Station (WPS)
- Construction of the northern pipelines (Rathmines to Dora Creek)
- Construction of the Morisset Water Pumping Station (WPS)
- Construction of the Morisset to Kiar Ridge Water Trunk Main (WTM)

In addition, to complete the physical connection between the two water supply systems it was necessary to construct the Kiar Ridge to Warnervale WTM that had been identified as a future Wyong water distribution project. Under the agreement between Hunter Water, Wyong Council and Gosford Council, Hunter Water was responsible for the Fennel Bay WPS and northern pipelines and Wyong Council was responsible for the delivery of the Morisset WPS and the Morisset to Warnervale WTM.

Funding

The costs for delivery of the Project were shared between Wyong Council, Gosford Council and the Hunter Water Corporation according to a formula established in the Hunter/Central Coast Pipeline Agreement, executed between the three organisations. No direct funding was provided by the NSW Government. The Commonwealth Government contributed \$6.61 million of funding towards the Project through the National Water Commission.

The current breakdown of contributions to the Project cost (excluding GST) is as follows:

Wyong Shire Council	= \$10.045 million
Gosford City Council	= \$10.045 million
Hunter Water Corporation	= \$8.38 million
National Water Commission	= \$6.61 million
Total	= \$35.08 million

The original estimate for the Project of \$26.75 million was made on the basis of an expected yield to the Central Coast system of 20 ML/day. Enhancements made to the Project during construction allowed the original average scheme yield to be increased from 20 ML/annum to 33 ML/day (a 65% increase). These enhancements increased the Project cost to \$35.08M million, with Wyong Council's contribution increasing from \$6.57 million to \$10.045 million. Approvals were sought and granted for this increase.

The increased yield possible from this additional expenditure provides a very significant benefit to the Central Coast under drought conditions. Modelling of worst drought conditions has shown that the additional transfer capacity that has been achieved on the Project defers the need for alternate, more expensive sources of supply. The overall security of the Coast's water supply system has been markedly improved through this work.

Hunter Connection Project – Major Contracts Summary Report (contd)

Investigations

Investigations for the Morisset WPS and the Morisset to Warnervale WTM were completed in June 2005 by consultants Patterson Britton & Partners who were commissioned to proceed with concept designs and tender documentation for the WPS and the WTM. In order to meet the very tight programme for delivery of the project a "fast track" delivery strategy was adopted. This involved the calling of design and construct contracts and a number of separate contracts for equipment and material supply so that long lead time items such as the supply of pumps, motors, pipes, fittings and valves did not delay achievement of the overall project timeline.

The identified major contracts were:

- Design and Construction of the Morisset to Warnervale WTM
- Design and Construction of the Morisset WPS
- Manufacture, Supply and Delivery of 11 kms of 600mm nominal diameter ductile iron cement lined pipe
- Manufacture, Supply and Delivery of 8.8 kms of 750mm nominal diameter glass reinforced plastic pipe.
- Manufacture, Supply and Delivery of Valves
- Manufacture, Supply and Delivery of Pumps and Motors for the Morisset WPS

Minor Contracts

Minor contracts included survey of the 19.8 km length of the pipeline route; provision of power to the Morisset WPS and the Bushells Ridge flow meter and control valve; and supply of switchboards. In addition to the above procurement contracts, Council also entered into an agreement with AGL Pty Ltd to enable approximately 12 kms of the WTM to be constructed within an oil and gas pipeline easement that is located adjacent to the F3 Freeway. That agreement included payment for relinquishment of use of part of AGL's existing easement and payment for the provision of Permit Issuing Officers who were required to oversight all construction works within the easement in compliance with AGL's safety obligations under the Pipelines Act.

Significant Dates

Construction works on the Morisset to Warnervale WTM commenced in April 2006 and on the Morisset WPS in July 2006. The pipeline and water pumping station were commissioned and put into operation on 11 December 2006. Construction of all works on the WTM was completed in August 2007.

The remainder of this report provides details of the major contracts undertaken, variations required and final status of these contracts.

Hunter Connection Project – Major Contracts Summary Report (contd)**STATUS OF MAJOR CONTRACTS**

The major contracts completed by Wyong Council for the Hunter Connection Project are summarised in the following table and discussed in detail in the report.

Contract No.	Description	Lump Sum / SOR⁽ⁱⁱ⁾ Amount at Award (\$)	Final SOR⁽ⁱⁱⁱ⁾ Amount (\$)	Variations (\$)	Final Contract Amount (\$)
Morisset to Warnervale Water Trunk Main					
CPA/98601	Design development and construction of the WTM	9,686,371.78	9,717,180.48	1,764,742.34	11,481,922.82
CPA/97403	Supply and delivery of 750mm glass reinforced plastic pipe and associated DICL fittings	3,467,793.00	3,065,486.18	829,931.40	3,895,417.58
CPA/10236 2	Supply and delivery of 600mm ductile iron cement lined pipe and associated fittings	3,338,099.00	2,751,140.00	1,229,354.44	3,980,494.44
CPA/10236 5	Supply and delivery of air valves, scour valves and isolation valves	261,256.00	261,256.00	258,894.64	520,150.64
CPA/11456 2	AGL/Alinta easement compensation and management costs				377,008.50
CPA/10688 1	AGL/Alinta – Provision of Permit Issuing Officers				676,758.50
All other works required to deliver the water trunk main ⁽ⁱⁱⁱ⁾					3,621,625.52
Total					24,553,378.00
Morisset Water Pumping Station					
CPA/10257 9	Design development and construction of Morisset WPS	1,543,310.25	1,543,310.25	1,519,134.47	3,062,444.72
CPA/10396 6	Supply and delivery of pumps for Morisset WPS	160,100.00	160,100.00	78,330.00	238,430.00
All other works required to deliver the water pumping station ⁽ⁱⁱⁱ⁾					883,210.00
Total					4,184,084.00

Hunter Connection Project – Major Contracts Summary Report (contd)

Notes for previous table:

- i All amounts are exclusive of GST
- ii SOR refers to the Schedule of Rates form of contract
- iii All other works includes concept design costs, project management costs, minor contracts and local office orders for survey, power supply, telemetry, etc.

DETAILS OF CONTRACTS**1 CPA/98601: Design Development and Construction of the Morisset to Warnervale Water Trunk Main**

At the Ordinary Meeting of Council held on Wednesday 22 March 2006, Council resolved:

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

- 1 That Council accept the tender of Diona Pty Ltd in the estimated schedule of rates amount of \$9,686,371.78 (exclusive of GST) or \$10,665,008.96 (including GST) for Contract No. CPA98601 for the Design Development and Construction of the Morisset to Warnervale Water Trunk Main and including the provision for liquidated damages to be applied at a rate of \$7,500 per day up to a maximum amount of 12.5% of the Contract Sum.*
- 2 That Council approve a contingency amount of \$2,000,000.00, representing approximately 20% of the tender amount to provide for any unforeseen additional works that may become necessary during the course of the works and including the implementation of route contingency plans, if found necessary.”*

The Letter of Acceptance was issued to Diona Pty Ltd on 29 March 2006. By 11 December 2006, the Contractor had completed the pipe laying and testing of the water trunk main to an extent that allowed the pipeline and the associated Morisset Water Pumping Station to be put into operation.

To enable the Principal to take over and operate the pipeline, the Contract was divided into two separable portions as follows:

Separable Portion 1: Pipelaying and testing works completed to 11 December 2006

Separable Portion 2: All remaining works including the F3 Freeway crossings, pit covers, final restoration and Work-as-Executed Drawings.

Practical Completion of Separable Portion 1 was granted on 11 December 2006. Separable Portion 2 was determined to be practically complete on 6 November 2007.

Hunter Connection Project – Major Contracts Summary Report (contd)Variations

During the course of the Contract a number of variations to the contract works were approved. The variations were a combination of: increases in scope necessary to achieve the increased system capacity; payments for works due to the contractor encountering latent conditions; costs to accelerate the works to meet the December 2006 deadline for pipeline operation; and refined quantities under the Schedule of Rates for the work. Although a number of individual variations exceeded the \$150,000 approval threshold, timely acceptance was essential and was provided to maintain the Contractor's construction programme to complete this vital component of the drought contingency works. The total of all variations (\$1,764,742.34) was still within the contingency amount of \$2 million approved by Council.

A summary table of approved variations to the Contract is provided below.

Variation No.	Description	Amount (Excl. GST)
1	Locate Optus fibre optic cable in oil/gas pipeline easement.	\$627,834.13
2	Under bore pipeline at Jack Grant Avenue	\$147,705.00
3	Boring crew standby at pipeline crossing of Optus cable	\$7,936.00
4	Under bore pipeline at creek in Sparks Road	\$48,875.00
5	Lay PVC conduits across pipeline in Morisset Golf Course for future water and sewer services	\$279.00
6	Wyee Creek geotechnical investigation	\$10,198.13
7	Suspension of works in Amey/Paton properties	\$17,093.90
8	Provision of Rail Track Protection Officers	\$104,903.91
9	Morisset rail crossing in rock (latent condition)	\$156,939.75
10	Provision of additional crews to accelerate work	\$27,020.00
11	Revisit installation of pipeline fittings	\$56,454.00
12	Preliminary flushing of water main	\$8,613.58
13	Wyee Creek crossing	\$32,928.49
14	Supply pipe marker tape	\$2,967.00
15	Tree report for Morisset rail crossing	\$350.00
16	Transport of flow meter	\$850.00
17	Warnervale rail crossing in rock (latent condition)	\$11,592.00
18	Restoration of paddock/scrub	\$170,352.00
19	Install 450mm stop valve with integrated bypass	\$7,090.91

Hunter Connection Project – Major Contracts Summary Report (contd)

Variation No.	Description	Amount (Excl. GST)
20	F3 crossing-connecting pipework at Mountain Road	\$34,609.03
21	Dust suppression on Bushells Ridge Road	\$15,531.97
22	F3 Bore at Bushells Ridge (latent condition)	\$122,330.70
23	Bench testing of flow meter	\$1,768.64
24	Additional crossings of fibre optic cable	\$7,164.00
25	Straw mulching	\$27,168.05
26	Boring crew standby at Warnervale rail bore	\$8,755.33
27	Accelerate pit construction	\$15,000.00
28	Supply of scour fittings	\$2,109.55
29	Construction supervision by Optus Field Officer	\$31,467.80
30	Deduction variation for materials supplied by Principal	-\$13,071.00
31	Revised rate for installation of 750mm valves	\$23,737.49
32	Additional design costs	\$16,788.56
33	Tree mulching	\$14,135.00
34	375mm off take at Wyee Road	\$12,410.86
35	Welding of lettering on pit lids	\$2,799.56
36	Stabilised crossing of Wallarah Creek	\$2,036.00
Total (excl. GST)		\$1,764,742.34

All the above scheduled variations have been agreed with the Contractor. There are no other known outstanding variation claims or potential variation claims at this time.

Hunter Connection Project – Major Contracts Summary Report (contd)

Current Contract Status

The Contract is due to be finalised at the end of the defects liability period on 6 November 2008. The current financial status of the Contract as of April 2008 is shown in the following table.

	Tender (Excl. GST)	Paid to April 2008 (Excl. GST)	Agreed Current Contract Value (Excl. GST)
Schedule of Rates Items	\$9,686,371.78	\$9,717,180.48	\$9,717,180.48
Variations	-	\$1,764,742.34	\$1,764,742.34
Total (excl. GST)		\$11,481,922.82	\$11,481,922.82

2.0 Background to Supply of Pipes, Valves and Fittings for Water Trunk Main Construction – Morisset to Nikko Road, Warnervale

To ensure that materials with long lead times for manufacture and supply did not delay construction of the water trunk main, tenders for the manufacture, supply and delivery of pipes, fittings and valves were called in advance of the concept design being completed and well before detailed designs had commenced. At the time of calling tenders only the pipe diameters and the overall route of the pipeline were known. It was not possible to determine actual type and quantities of pipe fittings (bends, tees, etc) or quantities of valves (air valves, scour valves and isolating valves) that were required to complete the pipeline construction. Estimates only of the type and quantities of materials were made and included in the Request for Tender documents.

Schedule of Rates tenders for the Supply of Pipes, Valves and Fittings for the Water Trunk Main Construction – Morisset to Nikko Road, Warnervale, were called on 27 September 2005. The tender schedules were divided into three separable portions, as follows:

Separable Portion 1: Manufacture, supply and delivery of 750mm nominal diameter pipe and fittings.

Separable Portion 2: Manufacture, supply and delivery of 600mm nominal diameter pipe and fittings.

Separable Portion 3: Manufacture, supply and delivery of valves.

Hunter Connection Project – Major Contracts Summary Report (contd)

Tenders closed on 20 October 2005. At the Ordinary Meeting of Council held on Wednesday 14 December 2005, Council resolved:

“RESOLVED on the motion of Councillor PAVIER and seconded by Councillor GRAHAM:

- 1 That Council accept the tender of Iplex Pipelines Australia in the schedule of rates amount of \$3,437,052.30 (including GST) for Separable Portion 1 of Contract No CPA/97403 for the supply and delivery of approximately 8,800 metres of 750mm nominal diameter glass reinforced plastic pipe and associated fittings for construction of the pipeline between Morisset Reservoir and Nikko Road, Warnervale.*
- 2 That Council accept the tender of Tyco Water Pty Ltd in the schedule of rates amount of \$3,671,908.90 (including GST) for Separable Portion 2 of Contract No CPA97403 for the supply and delivery of approximately 11,000 metres of 600mm nominal diameter ductile iron cement lined pipe and associated fittings for construction of the pipeline between Morisset Reservoir and Nikko Road, Warnervale.*
- 3 That Council accept the tender of Iplex Pipelines Australia in the schedule of rates amount of \$287,381.60 (including GST) for Separable Portion 3 of Contract No CPA97403 for the supply and delivery of air valves, scour valves and isolation valves for construction of the pipeline between Morisset Reservoir and Nikko Road, Warnervale.*
- 4 That Council approve a contingency amount of \$400,000, representing approximately 5% of the total tender amounts, to provide for any unforeseen additional works that may become necessary during the course of the works.*

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

AGAINST: COUNCILLOR EATON.”

The Letter of Acceptance for Separable Portion 1 was issued to Iplex Pipelines Australia on 6 February 2006. Contract No. CPA/97403 was used for this portion of the work.

The Letter of Acceptance for Separable Portion 2 was issued to Tyco Water Pty Ltd on 17 January 2006. A new Contract No. CPA/102362 was raised for this portion of the work.

The Letter of Acceptance for Separable Portion 3 was issued to Iplex Pipelines Australia on 17 January 2006. A new Contract No. CPA/102365 was raised for this portion of the work.

Due to the preliminary nature of the information upon which the Request for Tender documents were based, all three separable portions were subject to significant changes in scope as detailed investigation, design and construction progressed. Variation changes to each of the three main supply contracts are summarised in the following sections.

Hunter Connection Project – Major Contracts Summary Report (contd)

2.1 CPA/97403: Manufacture, Supply and Delivery of 750mm ND GRP Pipe and Fittings - Iplex Pipelines Australia

Change in Class of GRP Pipe

Specifications for pipe supply were based on preliminary hydraulic analyses of the system. The early preliminary analyses considered the surge effects resulting from pump failure at Morisset Reservoir under a number of scenarios. This indicated that Class PN12.5 glass reinforced plastic (GRP) pipe would satisfactorily handle the predicted pressures. Due to the complex nature of pressure analyses more time was required to complete the investigation. At the time that pipe supply tenders were called the preliminary analyses indicated that Class PN12.5 glass reinforced plastic (GRP) pipe would be satisfactory.

Further detailed and comprehensive analysis of the system, completed after tenders had closed, modelled the potential for changed operating conditions. The final report indicated the potential for higher pressure heads to occur within the system under a number of scenarios, including pump shut down of the future Mardi High Lift Pumping Station.

This pressure head could exceed the design working head of Class PN12.5 GRP pipe under certain situations. Whilst this potential was not high, it did present an unacceptable risk. It was determined that Class PN16 GRP pipe, which has a higher design working pressure, would satisfactorily handle the pressures.

Prior to the issue of the Letter of Acceptance for this portion of the work, an acceptable price to provide Class PN16 GRP pipe in lieu of PN12.5 GRP pipe was negotiated with Iplex Pipelines, Australia. The outcome of the negotiations was that Iplex Pipelines offered to supply 750mm nominal diameter Class PN16 GRP pipe at a unit rate of \$368.00 per metre. In addition, Iplex Pipelines offered to discount the tendered rates for the fittings by 1.5%.

This variation change for the supply of Class PN16 GRP pipe was documented in a report to Council and at the Ordinary Meeting of Council held on Wednesday 8 February 2006, Council resolved:

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

- 1 *That Council approve the variation to Contract No CPA/97403 Supply of Pipes, Valves and Fittings for Water Trunk Main Construction – Morisset to Nikko Road, Warnervale - Separable Portion 1, to upgrade the pressure class of GRP pipe from PN12.5 to PN16 in the estimated amount of \$343,200 (exclusive of GST) or \$377,520 (incl. GST).*
- 2 *That Council approve increasing the schedule of rates Contract No CPA/97403 - Supply of Pipes, Valves and Fittings for Water Trunk Main Construction – Morisset to Nikko Road, Warnervale - Separable Portion 1, from \$3,437,052.30 (including GST) to \$3,814,572 (including GST) or (\$3,467,793 excluding GST).”*

Hunter Connection Project – Major Contracts Summary Report (contd)Schedule of Rates Quantities

Development of the detailed design of the water trunk main by the Contractor for CPA/98601 resulted in a number of changes to the Schedule of Rates quantities assumed for tendering purposes. The changes in quantities resulted in changes to the contract value, as follows:

Schedule of Rates Item	Rate	Tender Qty	Tender Amount (Excl. GST)	Final Quantity	Final Amount (Excl. GST)
750mm ND GRP pipe	\$368.00	8,800 m	\$3,238,400.00	7,534.2 m	\$2,772,585.60
750mm ND Sp/Fl pipe	\$1,516.90	20	\$30,338.00	20	\$30,338.00
7500x200 Scour Tee	\$3,417.95	8	\$27,343.60	19	\$64,941.05
750x750 Flanged Tee	\$2,942.19	3	\$8,826.57	3	\$8,826.57
750x450 Tee	\$2,745.19	1	\$2,745.19	2	\$5,490.38
750x80 Air Valve Tee	\$2,847.64	8	\$22,781.12	0	-
750x600 Taper	\$2,264.52	3	\$6,793.56	4	\$9,058.08
11° Bend	\$2,245.80	14	\$31,441.20	18	\$40,424.40
22° Bend	\$2,383.70	2	\$4,767.40	18	\$42,906.60
45° Bend	\$3,496.75	26	\$90,915.50	26	\$90,915.50
Total (excl. GST)			\$3,464,352.14		\$3,065,486.18

Note: The tendered rates for fittings have been discounted by 1.5% in accordance with Iplex Pipelines' accepted offer for Class PN16 GRP pipe in lieu of Class PN12.5 GRP pipe.

Provision of Pipe in 3 metre Lengths

The contract for provision of the ND750 GRP called for the pipes to be supplied in standard lengths. These are approximately 6 metres long.

In order to reduce delays likely to be experienced when laying pipe in difficult ground conditions, the contractor for CPA/98601 Design and Construction of the Water Trunk Main requested that some pipes be supplied in shorter lengths approximately 3 metres long. The shorter length pipes not only meant that less excavation needed to be open at any one time, but also changes in direction could be more easily accommodated by pulling pipe joints instead of providing bends. The request was assessed as reasonable and the length of pipe required was determined to be 1263 metres.

Hunter Connection Project – Major Contracts Summary Report (contd)

Providing pipes in shorter lengths incurs an additional cost to the per metre rate for the pipe because of the additional ends that need to be machined to accommodate the collars used for joining the pipes as well as the additional collars required for jointing. The contract rate for supply of pipe in 6 metres lengths was \$368.00 per metre (excl. GST). The agreed rate to supply pipe in 3 metre lengths was \$437.91 per metre (excl. GST). The resulting increase in the contract value was determined as follows:

Supply and deliver 1263 m of 3 metre long pipe @ \$437.91/m	=	\$553,080.33
Less cost to supply and deliver 1263 m of 6 metre long pipe @ 368.00/m	= -	<u>\$468,748.00</u>
Net increase in contract value	=	\$ 84,332.33

Additional Fittings not Included in the Schedule of Rates

The tendered Schedule of Rates contained an estimate of fittings that would be required by the construction contractor, based on preliminary information related to the overall route of the pipeline only. With the development of the detailed design of the water trunk main by the contractor for CPA/98601, a number of additional fittings were identified as necessary to complete the construction of the pipeline.

Items that could only be provided through a specific supplier (Iplex or Tyco) were ordered direct from that manufacturer. Iplex Pipelines Australia and Tyco Water were then requested to competitively tender the remainder of the fittings that had not been identified within the tendered Schedule of Rates. Selection was based on both price and the capacity to deliver within the time required to complete construction. The final Schedule of fittings supplied by Iplex under Contract No. CPA/97403 is shown in the following table.

Description	Unit	Rate(Excl. GST)	Quantity	Amount (Excl. GST)
600mm ND PN16 Hobas pipe	m	\$360.40	60	\$21,624.00
750 So-So Connectors	ea	\$1,696.36	6	\$10,178.18
750x600 So-So-FI Tee	ea	\$3,344.00	2	\$6,688.00
750 PN16 Hobas Coupling	ea	\$361.00	36	\$12,996.00
750 Dismantling Joint (non-thrust)	ea	\$2,236.00	10	\$22,360.00
750 Gibault Joint	ea	\$2,681.82	9	\$24,136.38
600 Blank Flange	ea	\$946.00	4	\$3,784.00
450 Blank Flange	ea	\$564.00	6	\$3,384.00
375 Blank Flange	ea	\$330.00	5	\$1,650.00
750 End Cap	ea	\$1,226.00	1	\$1,226.00
750 FI-Sp pipe 3000 long	ea	\$4,414.00	1	\$4,414.00
750 FI-Sp pipe 912 long	ea	\$2,067.00	4	\$8,268.00
750 FI-Sp Thrust Connector	ea	\$3,523.80	1	\$3,253.00
750 FI-Sp pipe 2000 long	ea	\$3,290.00	5	\$16,450.00

Hunter Connection Project – Major Contracts Summary Report (contd)

Description	Unit	Rate(Excl. GST)	Quantity	Amount (Excl. GST)
450x22° Bend	ea	\$1,413.00	2	\$2,826.00
450 FI-So Thrust Connector	ea	\$1,427.00	2	\$2,854.00
450 FI-Sp Connector	ea	\$646.00	3	\$1,938.00
450 FI-Sp Thrust Connector 1000 long	ea	\$1,246.00	2	\$2,492.00
450 FI-Sp pipe 5300 long	ea	\$2,880.00	4	\$11,520.00
375 PN16 MPVC pipe	ea	\$813.60	10	\$8,136.00
100 FI-FI pipe 150 long	ea	\$48.00	11	\$528.00
80 FI-FI pipe 150 long	ea	\$37.00	34	\$1,258.00
50 Pipe - S/steel Sch 40, 200mm long	ea	\$80.00	1	\$80.00
50x90° Stainless steel Sch 40 BSP	ea	\$96.00	1	\$96.00
300 Shroud Pipe	ea	\$17.00	49	\$833.00
375 DI End Cap	ea	\$333.00	2	\$666.00
450 PN35 Tytonexcel pipe	ea	\$270.91	22	\$5,960.02
Shroud Pipe 3000 long	ea	\$81.97	36	\$2,950.92
Shroud Pipe 6000 long	ea	\$140.71	4	\$562.84
Hydrant Box Shroud Cover	ea	\$20.80	12	\$249.60
200 FI-So Connector	ea	\$153.00	8	\$1,224.00
750 FI-FI Spool Pipe 801 long	ea	\$2,918.00	4	\$11,672.00
200 Gasket Set	ea	\$50.00	32	\$1,600.00
150 Gasket Set	ea	\$48.00	65	\$3,120.00
100 Gasket Set	ea	\$28.00	26	\$728.00
80 Gasket Set	ea	\$28.00	40	\$1,120.00
80 FI-FI Hydrant Riser 150 long	ea	\$65.00	12	\$780.00
80 FI-FI Hydrant Riser 300 long	ea	\$85.00	20	\$1,700.00
80 FI-FI Hydrant Riser 450 long	ea	\$112.00	16	\$1,792.00
80 FI-FI Hydrant Riser 600 long	ea	\$135.00	10	\$1,350.00
100 FI-FI Hydrant Riser 150 long	ea	\$52.59	6	\$315.54
100 FI-FI Hydrant Riser 300 long	ea	\$70.12	6	\$420.72
200 DICL Tytonexcel pipe	ea	\$477.00	1	\$477.00
450 Gasket Set	ea	\$324.00	7	\$2,268.00
750x100 So-So-FI Air Valve Tee	ea	\$2,847.64	18	\$51,257.52
750-600 FI-FI Taper	ea	\$2,264.52	3	\$6,793.55
Marker Tape	roll	\$150.00	44	\$6,600.00
TOTAL (excl. GST)				\$276,851.07

Note: The cost of 2 off 750 Dismantling Joint (non-thrust) @ \$2,236.00 each = \$6,708.00 was recovered from Contract No. CPA98601 (included in Variation No. 30 in summary table of approved variations in Section 1 of the Report)

Hunter Connection Project – Major Contracts Summary Report (contd)Final Contract Status

The status of Contract No. CPA/97403 at completion of all work is as follows:

Cost of materials supplied under Schedule of Rates	= \$3,065,486.18
Provision of pipe in 3 metre lengths	= \$ 553,080.33
Provision of additional fittings	= \$ 276,851.07
TOTAL	= \$3,895,417.58 (excl. GST)

2.2 CPA/102362: Manufacture, Supply and Delivery of 600mm ND DICL Pipe and Fittings – Tyco Water Pty Ltd

This Contract was established in accordance with the Council resolution at the Ordinary Meeting of 14 December 2005 (refer to Section 2.0 of this Report).

Schedule of Rates Quantities

Development of the detailed design of the water trunk main by the Contractor under CPA/98601 resulted in a number of changes to the Schedule of Rates quantities assumed for tendering purposes. The changes in quantities are shown in the following table.

Schedule of Rates Item	Rate (Excl. GST)	Tender Qty	Tender Amount (Excl. GST)	Final Quantity	Final Amount (Excl GST)
600mm DICL pipe	\$280.00	11,000 m	\$3,080,000.00	8,382 m	\$2,346,960.00
600mm Sp/FI pipe	\$1,494.00	30 off	\$44,820.00	30 off	\$44,820.00
600x150 Scour Tee	\$2,487.00	12 off	\$29,844.00	30 off	\$74,610.00
600x600 FI. Tee	\$2,640.00	2 off	\$5,280.00	2 off	\$5,280.00
600x450 So-So-FI Tee	\$2,595.00	1 off	\$2,595.00	3 off	\$7,785.00
600x80 Hyd. Tee	\$2,105.00	22 off	\$46,310.00	29 off	\$61,045.00
11° Bend	\$2,210.00	10 off	\$22,100.00	26 off	\$57,460.00
22° Bend	\$2,210.00	10 off	\$22,100.00	18 off	\$39,780.00
45° Bend	\$2,835.00	30 off	\$85,050.00	40 off	\$113,400.00
TOTAL (excl. GST)			\$3,333,099.00		\$2,751,140.00

Hunter Connection Project – Major Contracts Summary Report (contd)**Mine Subsidence Pipe**

After tenders for the supply of pipe had been awarded the Mine Subsidence Board determined that a section of the water trunk main, crossed a designated mine subsidence area and would require pipes to be installed that met the designated mine subsidence criteria. The accepted varied rate of \$288.00 per metre to supply the mine subsidence pipe was \$8.00 per lineal metre greater than the original tendered rate, resulting in a net increase to the Contract amount of approximately \$21,604.00 (excl. GST).

Additional Fittings Not Included in the Schedule of Rates

The tendered Schedule of Rates contained an estimate of fittings that would be required by the construction contractor, based on preliminary information related to the overall route of the pipeline only. During the development of the detailed design of the water trunk main a number of additional fittings were identified to complete the construction of the pipeline.

Items that could only be provided through a specific supplier (Iplex or Tyco) were ordered direct from that manufacturer. Iplex Pipelines Australia and Tyco Water were asked to competitively tender the remainder of the fittings that had not been identified within the tendered Schedule of Rates. Selection was based on both price and the capacity to deliver within the time required to complete construction. The final schedule of fittings supplied by Tyco Water under Contract No. CPA/102362 is shown in the following table.

Description	Unit	Rate (Excl. GST)	Quantity	Amount (Excl. GST)
600x150 FI-FI Tee	ea	\$2,448.00	22	\$53,856.00
600 Gibault Joint	ea	\$1,644.00	12	\$19,728.00
600 Tyton So-So Connector	ea	\$1,247.00	27	\$33,669.00
600 FI-So Thrust Connector	ea	\$1,797.00	7	\$12,579.00
600x200 Flanged Tee	ea	\$2,420.00	4	\$9,680.00
600x375 So-So-FI Tee	ea	\$2,688.40	5	\$13,442.00
600 Dismantling Joint (non-thrust)	ea	\$1,995.00	10	\$19,950.00
600 Dismantling Joint (thrust)	ea	\$3,225.00	6	\$19,350.00
600 End Cap	ea	\$1,122.00	1	\$1,122.00
600 FI-So Connector	ea	\$1,125.00	11	\$12,375.00
600 FI-Sp pipe 2000 long	ea	\$2,005.00	1	\$2,005.00
600 FI-Sp pipe 2250 long with puddle flange	ea	\$2,999.00	11	\$32,989.00
600 gasket set	ea	\$848.00	72	\$61,056.00
600 FI-FI pipe 1500 long	ea	\$2,239.00	1	\$2,239.00
600 FI-FI pipe 700 long	ea	\$1,737.00	2	\$3,474.00
600 FI-FI pipe 5300 long	ea	\$4,629.00	1	\$4,629.00
375 FI-FI pipe 1700 long	ea	\$1,404.00	1	\$1,404.00
200x90° FI-FI bend	ea	\$407.00	7	\$2,849.00

Hunter Connection Project – Major Contracts Summary Report (contd)

Description	Unit	Rate (Excl. GST)	Quantity	Amount (Excl. GST)
200 FI-So connector	ea	\$175.00	19	\$3,325.00
200 FI-FI pipe 4750 long	ea	\$713.00	1	\$713.00
200 FI-FI pipe 390 long	ea	\$265.00	4	\$1,060.00
200 DICL pipe	ea	\$450.00	11	\$4,950.00
200 Dismantling Joint (non-thrust)	ea	\$407.00	2	\$814.00
150x90° FI-FI bend	ea	\$186.00	25	\$4,650.00
150 FI-FI pipe 1000 long	ea	\$224.00	12	\$2,688.00
150 FI-FI pipe 300 long	ea	\$170.00	22	\$3,740.00
150 FI-So connector	ea	\$106.00	17	\$1,802.00
150 Gibault Joint	ea	\$115.00	12	\$1,380.00
150 Gasket Set	ea	\$50.00	65	\$3,250.00
150 DICL pipe	ea	\$339.00	11	\$3,729.00
300 Shroud Pipe	ea	\$15.00	49	\$735.00
450x375 FI-FI taper	ea	\$1,061.00	1	\$1,061.00
200 FI-FI pipe 600 long	ea	\$312.00	1	\$312.00
200 FI-FI pipe 1000 long	ea	\$365.00	1	\$365.00
200 Gasket Set	ea	\$53.00	14	\$742.00
80 Hydrant Control Valve	ea	\$574.00	21	\$12,054.00
80 Gasket Set	ea	\$28.00	21	\$588.00
750-600 FI-FI Taper	ea	\$3,380.00	1	\$3,380.00
750 Tyton Collar	ea	\$1,935.00	14	\$27,090.00
750 FI-FI pipe 1000 long with weep flange	ea	\$4,300.00	14	\$60,200.00
600 weep flange with FI-So thrust conn	ea	\$739.00	7	\$5,173.00
Blue Boss sleeving	ea	\$143.00	4	\$572.00
Freight for weep flange, sleeving and pipe	LS	\$797.00		\$797.00
Freight for 600 Gibault Joint (urgent delivery)	LS	\$44.44		\$44.44
TOTAL (excl. GST)				\$451,610.44

Final Contract Status

The status of Contract No. CPA/102562 at completion of all work is as follows:

Cost of materials supplied under the Schedule of Rates	= \$2,751,140.00
Provision of pipe for mine subsidence	= \$ 777,744.00
Provision of additional fittings	= \$ 451,610.44
TOTAL	= \$3,980,494.44 (excl. GST)

Hunter Connection Project – Major Contracts Summary Report (contd)**2.3 CPA/102365: Supply and Delivery of Valves**

This Contract was established in accordance with the Council resolution at the Ordinary Meeting of 14 December 2005 (refer to Section 2.0 of this Report).

Schedule of Rates Quantities

At the time tender documents were prepared, the only information available for estimating valve requirements was the Feasibility Report prepared by the consultant, Patterson Britton & Partners and the standard operational requirements of the Hunter Water Corporation and Wyong Council for the sections of the pipeline to be located within their respective areas of responsibility. Items and quantities included in the Tender Schedules were based on this limited level of information. The tender for the supply of valves was awarded to Iplex Australia to supply and deliver valves to the project as shown in the following table.

Schedule of Rates Item	Tender Rate (Excl. GST)	Tender Qty	Tender Amount (Excl. GST)
Isolation Valves			
750mm FI-FI Valve	\$26,266.00	4 off	\$105,064.00
600mm FI-FI Valve	\$8,718.00	14 off	\$122,052.00
450mm FI-FI Valve	\$5,495.00	2 off	\$10,990.00
Scour Valves			
150mm FI-FI Valve	\$430.00	20 off	\$8,600.00
Air Valves			
80mm DAV	\$485.00	30 off	\$14,550.00
TOTAL (excl. GST)			\$261,256.00

Note: FI-FI means Flanged Valves
DAV means Double Air Valve

Changes to Isolation Valves

Within their tender Iplex also offered alternative prices to supply larger isolation valves with integral bypasses. Bypasses on large valves are required to balance pressures across the valves to facilitate opening and closing of the valve. They are generally constructed as a separate item, requiring the construction contractor to supply and install separate fittings, pipework and valves when constructing the pipeline.

Hunter Connection Project – Major Contracts Summary Report (contd)

A further evaluation of the integral bypass offer showed that time and cost savings could be achieved through this option. Wyong Council Water Operations Section indicated that the integrated bypass systems were acceptable but Hunter Water advised that they would only accept a separate bypass for valves installed in the Hunter Water section of pipeline.

The Iplex offer for the supply of integrated bypass valves was therefore accepted for valves to be provided within the Wyong area only and the unit prices (excl. GST) were adjusted as follows:

750mm FI-FI Isolation Valves (Wyong)	\$46,200.00 per valve
600mm FI-FI Isolation Valves (Wyong)	\$12,100.00 per valve

The additional cost of this variation was \$86,500 (excl. GST).

Additional Gearboxes for Valves

After the award of contract, and following further review, the operational arms of both Wyong Council and Hunter Water advised that all large stop valves needed to be supplied with gear box operation on their spindles for ease of operation. Gear box operation was not included in the original tender offer submitted by Iplex. A variation price to supply large valves with gear box operation was negotiated with Iplex and the new unit rates (excl. GST) for the supply and delivery of the valves adjusted as follows:

750mm FI-FI Isolation Valves (Wyong)	\$50,400.00 per valve
600mm FI-FI- Isolation Valves (Wyong)	\$15,600.00 per valve
600mm FI-FI Isolation Valves (HWC)	\$12,218.00 per valve

The additional cost of this variation was \$65,800.00 (excl. GST).

Additional Valves Not Included in the Schedule of Rates

Development of the detailed design of the water trunk main by the Contractor for CPA/98601 resulted in a number of changes to the quantities of valves assumed for tendering purposes, as well as identifying a number of other valves and fittings that were necessary for the complete installation and operation of the pipeline. Prices for small valves and fittings were obtained from both Tyco Water and Iplex Australia. The rates were reviewed and Iplex was chosen to supply the valves on the basis that the prices offered were similar from both companies and there were advantages in maintaining consistency in supply and warranty. The changes in unit rates, items and quantities resulted in changes to the contract value as shown in the following table.

Hunter Connection Project – Major Contracts Summary Report (contd)

Item Description	Rate (Excl. GST)	Qty	Amount (Excl. GST)	Comment
Isolation Valves				
750mm FI-FI Valve	\$50,400.00	4 off	\$201,600.00	Includes integral bypass and geared operation
600mm FI-FI Valve	\$12,218.00	12 off	\$146,616.00	Geared operation only
600mm FI-FI Valve	\$15,600.00	2 off	\$31,200.00	Includes integral bypass and geared operation
450mm FI-FI Valve	\$7,655.91	4 off	\$30,623.64	Includes integral bypass
375mm FI-FI Valve	\$5,256.00	5 off	\$26,280.00	
Scour Valves				
150mm FI-FI Valve	\$430.00	20 off	\$8,600.00	
200mm FI-FI Valve	\$735.92	21 off	\$15,454.32	
Air Valves				
80mm DAV	\$485.00	32 off	\$15,520.00	
80mm Hydrant CV	\$441.82	24 off	\$10,603.68	
Miscellaneous				
Valve Box	\$78.00	8 off	\$624.00	
80x80 Flange Valve Hydrant Spring	\$120.00	13 off	\$1,560.00	
50 Valve Ball	\$130.00	3 off	\$390.00	
Hyd Box NSW CI Top Flange	\$26.00	50 off	\$1,300.00	
600mm Butterfly Valve	\$13,880.00	2 off	\$27,760.00	
Valve spindle	\$241.00	1 off	\$241.00	
Hyd. Box CI Schroud	\$36.40	35 off	\$1,274.00	
1050 Valve Ext. Spindle	\$158.00	1 off	\$158.00	
1650 Valve Ext. Spindle	\$168.00	1 off	\$168.00	
2500 Valve Ext. Spindle	\$178.00	1 off	\$178.00	
TOTAL (excl. GST)			\$520,150.64	

Hunter Connection Project – Major Contracts Summary Report (contd)

Final Contract Status

The status of Contract No. CPA/102365 for the supply and delivery of valves at completion of all work is summarised below.

Cost of materials supplied under Schedule of Rates	= \$261,256.00 (excl. GST)
Changes to isolation valves	= \$ 86,500.00 (excl. GST)
Additional gearboxes for valves	= \$ 65,800.00 (excl. GST)
Additional valves not included in Schedule of Rates	= <u>\$106,594.64</u> (excl. GST)
TOTAL	= \$520,150.64 (excl. GST)

3 CPA/102579: Design and Construction of the Morisset Water Pumping Station

At the Ordinary Meeting of Council held on Wednesday 22 March 2006, Council resolved:

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

- 1 *That Council accept tender No. 1 from Ledonne Constructions Pty Ltd in the lump sum amount of \$1,697,641.27 including GST (\$1,543,310.25 excluding GST).*
- 2 *That Council approve a contingency amount of \$240,000.00, representing approximately 15% of the contract value, to provide for any unforeseen additional works that may become necessary during the course of the project.”*

The Letter of Acceptance was issued to Ledonne Constructions Pty Ltd on 19 June 2006.

Variations

The concept design for the pumping station was based on using two pumps (one duty pump and one standby pump) drawing water from the existing Morisset Reservoir. The pumps were to be provided by Council under a separate contract and installed, tested and commissioned under this contract. Each pump was to be capable of delivering an average of 20 mega litres per day (ML/day) with a peak transfer rate of 256 L/s, in accordance with the agreed capacity of the Hunter Water system to transfer water to Wyong through Morisset.

After contract award, further investigations by Hunter Water revealed the potential to provide significantly more water (up to 27 ML/day) through their southern system than was assumed for the development of concepts for the transfer system. Hunter Water also concluded that the existing inlet/outlet pipework, including the valve and associated pit controlling the water levels within Morisset Reservoir, would constitute a significant constraint on both the capacity and dependability of the transfer system. Their replacement with a new pipe work and valve arrangement would not only give greater transfer capability but also provide significantly improved operational dependability for the transfer system.

Hunter Connection Project – Major Contracts Summary Report (contd)

Although the contract to manufacture, supply and deliver the pumps was already awarded, it was determined that by increasing the size of the pump impeller, with a consequent increase in size to the pump motor, the capacity of the pumps to be supplied would be increased to 400 L/s or 32 ML/day. Further increases to the transfer capacity of the pumping station were also achieved by modifications to the pumping station pipe works to enable the pumps to be operated in parallel (up to 450L/s or 36 ML/day).

The effect of these changes to the pumps and pipe work was to increase the transfer capacity of the system from 20 ML/day to 27 ML/day. This represented a 35% increase in volume delivered, based on a 5 year rolling average capacity, or an increase from 256 L/s to 450 L/s in instantaneous capacity. However, this increased capacity required the following major changes to the contract for the design and construction of the Morisset Water Pumping Station, with consequent cost impacts:

- Significant changes to the design and construction of the connecting pipework between the pumping station and the existing Hunter Water pipework, including the design and construction of a much larger reservoir inlet control valve and associated pit. The changes also needed to take into account not only the capacity to transfer from the Hunter Water system into the Gosford/Wyong system, but also the capacity, in the future, to transfer from the Gosford/Wyong system into the Hunter Water system.
Total approved variations = \$727,014.74 (excl. GST).
- An approximate 25% increase in the size of the building to accommodate the larger pump motors and associated switchboards.
Total approved variations = \$107,762.59 (excl. GST).
- Potential delays to the design and construction programme, putting the target date of December 2006 for the commissioning of the transfer system at significant risk. In order to mitigate this risk the contractor was requested to accelerate the programme by working two shifts a day.
Total approved variations = \$380,359.44 (excl. GST).

A summary of all approved variations to the contract to date is provided in the following table.

Variation No.	Description	Amount (Excl. GST)
1	Install submains to new pumping station substation	\$28,175.00
2	Revised design of new AIV pit	\$1,751.75
3	Construction of amended building design to accommodate modified pumps and motors	\$107,762.59
4	Construction of amended pipe work arrangement between the pumping station and the Hunter Water existing system	\$467,464.37
5	Construction of new AIV pit (reservoir inlet control valve pit) and associated works	\$257,768.62

Hunter Connection Project – Major Contracts Summary Report (contd)

Variation No.	Description	Amount (Excl. GST)
6	Compliance with DA conditions imposed by Lake Macquarie City Council after contract award	\$37,947.37
7	Additional pump station control works	\$12,531.82
8	Fabrication of 4x600mm diameter stainless steel bends	\$33,467.00
9	Cost of acceleration during months of July and August	\$106,832.25
10	Cost of acceleration during month of September	\$140,749.44
11	Cost of acceleration during month of October	\$132,777.75
12	Cost of acceleration during month of November	\$5,137.65
13	Construction of power supply substation foundation and earthing	\$11,320.00
14	Supply of Quantum PLC and associated works for transfer system controls	\$70,365.23
15	Engagement of Priestley Electrical for day works	\$4,042.50
16	Additional Pump Station Electrical Works Carried Out by Subcontractor, Priestley Electrical	\$49,646.68
17	Additional Pump Station Control Works Carried Out by Ledonne Constructions' Subcontractor, Priestley Electrical	\$15,738.00
18	Additional electrical works requested by HWC	\$4,924.50
19	Stainless Steel Gasket Sets	\$30,731.95
	TOTAL (incl. GST)	\$1,519,134.47

Practical Completion for this contract was achieved on 20 December 2006.

Final Contract Status

The financial status of Contract CPA/102579 as of December 2007 is as follows:

Contract Lump Sum Amount	=	\$1,543,310.25 (excl. GST)
Approved variations	=	<u>\$1,519,134.47</u> (excl. GST)
TOTAL	=	\$3,062,444.72 (excl. GST)

Hunter Connection Project – Major Contracts Summary Report (contd)**4 CPA/103966: Supply and Delivery of Pumps and Motors for the Morisset Water Pumping Station**

At the Ordinary Meeting of Council held on Wednesday 12 April 2006, Council resolved:

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

- 1 That Council accept the tender submitted by Malcolm Thompson Pumps Pty Ltd for Contract No. CPA/103966 for the Supply and Delivery of Pumps for the Morisset Water Pumping Station in the lump sum amount of \$160,100.00 (ex. GST) or \$176,110 (incl. GST).*
- 2 That Council approve a contingency amount of \$8,000.00 representing approximately 5% of the tender sum, to provide for any unforeseen additional works that may be found necessary during the course of the work.”*

The Letter of Acceptance for the work was issued to Malcolm Thompson Pumps Pty Ltd on 20 April 2006.

Minor Technical Changes

After the contract was awarded additional technical reviews carried out by Council's Project Manager, the Department of Commerce, in conjunction with the Hunter Water Corporation identified the following minor changes to improve the technical compliance and operational reliability of the pumps and motors:

- Addition of rotor grounding bushes to the motors
- Addition of PT100 RTDs to each pump set for monitoring during the commissioning phase
- Replacement of the flanges to each pump set to comply with AS4078 in lieu of ANSI.

Accordingly, a variation in the total lump sum amount of \$6,730.00 (excl. GST) to allow for the provision of these items was approved.

Increased Pumping Capacity

The specified technical requirements for the manufacture and supply of the pumping units were based on satisfying a transfer rate for the system of 20 ML/day. To achieve this rate the pumps were specified to meet a pump duty of 400 L/s at 65 m head.

Subsequent investigations by Hunter Water showed that the Hunter Water system had the potential to transfer greater quantities than originally assessed. It was determined that the pump capacity could be increased to 450L/s at the specified head without risk to the project programme. A variation was approved to provide larger pump impellers and increase the motor size at a total addition cost to the contract of \$23,200.00 (excl. GST).

Hunter Connection Project – Major Contracts Summary Report (contd)

Additional Air Freight Costs

In their tender Malcolm Thomson Pumps advised that the pumps and motor sets offered were to be manufactured in Brazil and Korea respectively and then shipped by sea freight to Australia for assembly in their Perth factory. (Note: There are no pumps or motors of this size manufactured in Australia by any pump supplier). Delivery by sea freight adds at least 6-8 weeks to the pump manufacture, supply and delivery programme.

The ongoing Project Risk Management process identified the proposed delivery program for the pumping units as being of high risk to meeting the target commissioning date. To mitigate this risk prices were sought from Malcolm Thomson Pumps for the transfer of the pumps and motor units by air freight instead of sea freight. A variation was approved in the lump sum amount of \$49,500.00 (excl GST) to transfer the individual units to Australia by air freight. This enabled the units to be delivered to site on 4 November 2006 in time for installation of the units, including electrical and control systems, to start testing and commissioning to achieve the December 2006 target for the transfer system operation.

Final Contract Status

The final status of Contract No. CPA/103966 for the manufacture, supply and delivery of pump sets for the Morisset Water Pumping Station is as follows:

Contract lump sum payment	=	\$161,100.00 (excl. GST)
Deduction to Contract LS for allowance upgrade of flanges included in variation below	=	-\$ 1,100.00 (excl. GST)
Supply of rotor grounding bushes, RTDs and AS flanges	=	\$ 6,730.00 (excl. GST)
Increase impeller size and motors	=	\$ 23,200.00 (excl. GST)
Air freight pump components	=	<u>\$ 49,500.00</u> (excl. GST)
Total contract value	=	\$238,430.00 (excl. GST)

5 Contracts with AGL Pty Ltd and Alinta for Pipeline Works within the Oil/Gas Pipeline Easement

Background

The optimum pipeline route was identified in the Feasibility Report prepared by the consultant, Patterson Britton & Partners. Approximately 12 kilometres of the pipeline is located adjacent to the F3 Freeway within an existing oil and gas pipeline easement. The oil and gas pipeline easement is approximately 24.4 metres wide and easements for the purposes of pipeline construction, operations and maintenance over this stretch of land are held in the names of AGL Pty Ltd and Caltex Pty Ltd respectively. The encumbered land contains an existing 200mm ND steel gas pipeline, owned by AGL Pty Ltd, and a 300mm ND steel oil pipeline owned by Caltex Pty Ltd.

Hunter Connection Project – Major Contracts Summary Report (contd)

In recent years Optus has also laid a major communications cable along the eastern boundary of the existing easement. Alinta is contracted to AGL for ongoing maintenance of AGL's pipeline and the easement. This section of the pipeline route was selected for a number of reasons including:

- All the properties affected by the water pipeline were already encumbered by an existing pipeline easement across that portion of the land and therefore the acquisition of a water pipeline easement represented minimal additional encumbrance.
- The existing easement width of 24.4 metres had been significantly disturbed in the past by the construction of the oil and gas pipelines and the Optus cable. It was maintained by Alinta in a cleared state for significant portions of the easement, thereby minimising the environmental impacts of the construction of the water pipeline.
- The route is through open pasture or woodland, providing time and cost benefits to construction of the water pipeline.

Both AGL and Caltex have significant statutory obligations under the Pipelines Act for the safety of their respective pipelines. Immediately after the route of the water pipeline was confirmed, negotiations with AGL/Alinta were commenced with respect to the proposed construction and operation of the water pipeline. The negotiations also involved the Hunter Water Corporation as the owner and operator of portion of the water pipeline and were rigorous and time consuming. Early in the process representatives from Caltex indicated that they did not want direct involvement and would be satisfied with whatever outcomes were reached with AGL with respect to protection of the existing pipelines. Negotiations with AGL/Alinta covered the areas of:

- Compensation for loss of easement rights over the 5 metre width of the new water pipeline easement that would prevent AGL from constructing a new pipeline in that location in the future and would impose some limitations on maintenance activities for the existing pipeline.
- Methodology to be employed for the design, construction and maintenance of the new water pipeline.

Expenditure to Date

Following an intensive effort by Wyong Council and Hunter Water, including their respective legal representatives, an agreement was concluded between the parties on 30 June 2006. This allowed the construction of the water pipeline within the easement to proceed. The main outcomes of the agreement are:

- Payment by the Hunter Connection Project of a lump sum amount of \$200,000.00 (excl GST) in compensation for the loss of easement rights by AGL.
- Payment of AGL/Alinta's project management, legal and administrative costs incurred in the preparation of the agreement and activities connected to the Hunter Connection Project. To date these costs total \$177,008.50 (excl.GST). No further costs are anticipated.

Hunter Connection Project – Major Contracts Summary Report (contd)

- Payment for the cost of an Alinta representative (Permit Issuing Officer) to be present when any consecution activity is taking place on site. The agreed rate for a Permit Issuing Officer was \$105.00 per hour and a Permit Issuing Officer was required at every construction face. At the completion of construction, payments to Alinta for Permit Issuing Officers totalled \$676,758.50 (excl. GST).

Hunter Connection Expenditure

The Morisset to Warnervale Water Trunk Main is made up of two separate components, consisting of:

Hunter Connection Works - Morisset to Mountain Road (Kiar Ridge)

Wyong Distribution Works - Mountain Road to Nikko Road, Warnervale

Hunter Connection Works are jointly funded by Wyong Shire Council, Gosford City Council and the Hunter Water Corporation in accordance with the Hunter/Central Coast Pipeline Agreement. The National Water Commission has also agreed to provide funding for the Hunter Connection in the total amount of \$6.6 million. Wyong Distribution Works are fully funded by Wyong Shire Council. A breakdown of current estimated expenditure on the Morisset Water Pumping Station and Morisset to Warnervale Water Trunk Main into the two components is as follows:

Hunter Connection	\$ 21,510,600.00
Wyong Distribution	\$ 6,980,000.00

Total expenditure and funding commitments for the Hunter Connection (northern and southern works) to date are summarised in the following table.

Hunter Connection Project – Major Contracts Summary Report (contd)**Comparison of Original and Current Estimated Project Costs ⁽ⁱ⁾**

DESCRIPTION OF WORKS	ESTIMATED COST (\$M)		HWC'S CONTRIBUTION (\$M)		GOSFORD/WYONG CONTRIBUTION (\$M)		NWC CONTRIBUTION (\$M) ⁽ⁱⁱ⁾
	Original	Current	Original	Current	Original	Current	
Section North of Morisset							
Pump Station	0.7	2.21	0	1.51	0.7	0.7	
Rathmines Watermain Upgrade	1.06	1.36	0.53	0.68	0.53	0.68	
Wangi Watermain Upgrade	10.56	10.0	5.28	5.0	5.28	5.0	
Subtotal	12.32	13.57	5.81	6.37	6.51	4.15	3.05
Section South of Morisset							
Morisset to Kiar Ridge Watermain	13.7	17.3	2.97	2.01	11.46	15.94	3.56
Morisset WPS	0.73	4.21					
TOTAL	26.75	35.08	8.78	8.38	17.97	20.09	6.61

Note: i Costs are direct project costs only.

ii Federal funding has been generally been allocated at the ratio of 27% to Hunter Water contributions and 73% to Central Coast contributions in accordance with the Hunter/Central Coast Pipeline Agreement

iii HWC means the Hunter Water Corporation

iv NWC means the National Water Commission

CONCLUSION

All programming and expenditure adjustments were progressively reported to Council by way of the Joint Councils Water Authority Reports. Progressive reconciliations on expenditure by each of the organisations have also been made. A final expenditure reconciliation between the Hunter Water Corporation, Gosford City Council and Wyong Shire Council will be made when all contracts have been finalised.

28 May 2008
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

Hunter Connection Project – Major Contracts Summary Report (contd)

It is recommended that Council endorse the Director's decisions and fast track methodology required to ensure the successful delivery of this essential contingency water supply project.

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WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

General Manager's Report

211 2007/08 Management Plan – March 2008 Quarter Review

F2004/07006 BR

SUMMARY

Quarterly report on progress against Council's 2007/08 Management Plan.

RECOMMENDATION

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

BACKGROUND

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

This report contains an overview of progress against Council's Key Focus Areas and the Performance Measures and Strategic Programmes identified in the 2007/08 Management Plan. It highlights achievements during the quarter and potential impediments to undertaking actions or meeting performance targets.

HIGHLIGHT OF THE QUARTER

There has been a concerted effort from staff across the organisation, particularly during the March quarter, to reduce the percentage of service requests outstanding to its lowest ever figure.

At the end of the September Quarter overdue service requests were 39.23%. This increase in service requests, resulting from the June storm event, increased demands on resources and resulted in a significant number of requests exceeding their due dates during August/September. The major categories of overdue service requests included requests for road maintenance, drainage investigation and maintenance, fallen trees, and damaged signs.

In the March Quarter the organisation achieved Strategic Programme 5.4.2.1 – by reducing the percentage of overdue customer service requests to 15%.

2007/08 Management Plan – March 2008 Quarter Review (contd)

This is a key strategic programme as it highlights the organisation's responsiveness to the community and their concerns.

KEY FOCUS AREAS

In addition to Council's ongoing commitment to a range of services and facilities, the 2007/08 Management Plan includes a list of priority actions, or Key Focus Areas, that Council has committed to achieving during the current term (from March 2004 to September 2008). Refer to pages 113 and 114 of the Quarterly Review enclosure for a timetable of Key Focus Area projects.

Action plans have been developed to implement each of the twelve key focus areas and they are being emphasised in work programmes across the organisation. Progress to date is reported below:

1 Performing Arts Centre

The report providing a Business Plan and Design Brief for the proposed Performing Arts Centre has been finalised and has been peer reviewed externally. The peer review concluded that the Business Plan assumed an optimistic utilisation rate and it recommended adjusting the staffing requirements and revenue forecasts accordingly. The review of the Design Brief found the range of construction costs still reasonably reflected the cost of building the centre depending on the level of finish required.

Potential external funding sources have been identified but none have been confirmed. No funding commitments were made during the recent Federal election campaign and the State Government has not committed any grants to the project. In addition, the proposed restrictions on the types of facilities that Council can levy Section 94 contributions for, will also impact on the Performing Arts Centre. In light of these recent developments, the Project Control Group is undertaking a complete review of its funding options.

The Council will be briefed on the outcomes of the peer review, the finalised project structure, funding sources and the Business Plan and Design Brief in June 2008.

Given the uncertainty surrounding funding, it is not possible to commit with certainty to the projected opening date of 2010.

2 Sportsgrounds

Construction of facilities at the Wadalba Sports Fields has been completed during the March quarter and the facility was officially opened on 29 March 2008. Turf establishment has progressed to allow use by soccer groups over Winter. Minor tidy-up works will continue to the end of April. Further improvement to surface drainage of the growing medium by the installation of slit drainage is proposed to be undertaken in December 2008.

2007/08 Management Plan – March 2008 Quarter Review (contd)

Pre-construction works for the Woongarra Sports Fields are proceeding. A Part 4 Development Application (DA) was submitted in December 2007 but was withdrawn and a Part 5 application submitted instead in February 2008 following introduction of the new Infrastructure SEPP. Detailed design and documentation has been progressed in parallel with the planning approval application and will be completed once the determination is received. Construction is expected to commence in September 2008 and the fields will be available for use at the earliest by December 2009.

The Warnervale District Fields (off Virginia Road) may be impacted by the proposed changes to Section 94 funding. Further progress on the detailed design and further investigations are still dependent upon the State Government resolving the Warnervale Town Centre Master Plan and clarifying the developer contribution issues. No dates are available as to when these issues will be resolved.

The Hamlyn Terrace Sports Fields have been progressed with identification of the preferred location for these fields. A report detailing a location for the playing fields was adopted by Council on 26 September 2007. Purchase of the land is now progressing, initial negotiations with land holders have not been successful and Council has resolved to pursue compulsory acquisition. Investigation and design of new sporting facilities will commence during the June quarter.

3 Shared Pathways

During the March quarter the location of the shared pathway past residences in Terilbah Place, North Entrance, has been resolved and construction (of 0.24km) will commence in early April. Matters have progressed with the Lands Department approving the concept location of the pathway through Crown Land immediately north of Terilbah Place. Approval of the REF will be required before Lands will grant a licence to construct the facility on the Crown Land.

In 2007/08 the emphasis at North Entrance will continue to be on refining routes and undertaking more detailed environmental studies to assist in obtaining approvals for the selected route.

The Roads and Traffic Authority advised Council in April 2008 that grant funds were available for work on the "missing links" of the Tuggerah Lakes foreshore cycleway in 2007/08. At least 0.6km of this shared pathway will be constructed this financial year.

2007/08 Management Plan – March 2008 Quarter Review (contd)

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

Substantial information relating to stormwater, traffic and access, water, sewer and landscaping remain outstanding. The applicant has prepared a Species Impact Statement (SIS) to address the issue of the Heath Wrinklewort (Wyong Daisy) and this document has been received by Council and referred to the Department of Environment, Conservation and Climate Change for consideration.

Warnervale Town Centre Masterplan

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

The draft plans were publicly exhibited for a period of 5 weeks to 19 March 2008. Council resolved on 12 March 2008 to make a formal submission to the exhibition. This has been done. Ongoing meetings and liaison with Department of Planning representatives are occurring to discuss matters raised in Council's submission.

The delay in finalising the Masterplan for the Warnervale Town Centre has stopped all works on the Aquatic and Recreation centre project until the constraints of the project and the location of the future facilities are known, and issues in respect of Section 94 funding are clarified.

5 Employment Projects

The Department of Planning has publicly exhibited amendments to the Major Project SEPP, State Significant Sites Study, State Infrastructure Contribution Plan and supporting studies to enable the Wyong Employment Zone (WEZ) to proceed. The exhibition closed on 19 March 2008. Council resolved on 12 March 2008 to make a formal submission to the exhibition. This has been done. It is now up to the Minister to review the submissions, amend the exhibited drafts and gazette the final proposal. In conjunction with the State Government exhibition Council placed on exhibition its draft Section 94 Contributions Plan and draft Development Control Plan.

The rezoning of industrial land at North Wyong was gazetted in January 2008.

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

2007/08 Management Plan – March 2008 Quarter Review (contd)

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

6 Town Centre Strategies

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

Notwithstanding this however, Council has adopted the Wyong/Tuggerah Planning Strategy and has just completed the exhibition of The Entrance Peninsula Planning Strategy.

Toukley Town Centre

Work on this strategy has been deferred to 2008/09 due to the impact of the Draft CCRS which proposes no significant redevelopment in Toukley and the requirement of the Department of Planning (DoP) for Council to resolve the population modelling for the Shire prior to its consideration of any LEP or DCP that may be endorsed by a planning strategy. Council has made written and verbal representations to the Member for Wyong to expedite the release of the final CCRS.

Wyong-Tuggerah Town Centres

The Wyong-Tuggerah Strategy was adopted by Council in December 2007. Staff have commenced implementation of the strategy recommendations with the commissioning of consultants to prepare the Baker Park and River Road Master Plan Options (due for completion in June 2008), preparation of the first dLEP in Wyong (due for completion mid-2009) and commencement of a review of Chapter 7 (Wyong Township) of DCP 2005 (due for completion in December 2008).

2007/08 Management Plan – March 2008 Quarter Review (contd)

The Entrance/Long Jetty Town Centres

The draft strategy and infrastructure report was on public exhibition up to 29 February 2008. Over 150 submissions were received as a result of the extensive consultation conducted by staff. The target completion date remains August 2008. However as with all of Council's planning strategies this project may be impacted by the population modelling for the Shire required by the DoP.

Ourimbah Town Centre

Consultants have prepared preliminary development options for precincts across Ourimbah, however, in accordance with the adopted Future Planning Works Programme, consideration of the options is deferred until mid 2008 due to issues relating to the RTA upgrade of the Pacific Highway, sporting field upgrades, Ourimbah Sawmill review and Ourimbah campus master planning. Additionally the Draft CCRS requires the preparation of a Regional Economic Development Strategy by the State Government which has not yet commenced, but may influence the rezoning of land adjacent to the F3 freeway.

7 The Entrance Town Centre

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

8 Estuary Management Plan

Following the Federal Government's \$20 million funding allocation announcement for the implementation of the Plan, the Estuary Management Unit was established to coordinate the implementation of the Plan. The most recent advice from Federal Government is that these grant funds will be made available over a five year period, \$4 million per year, commencing in 2008/09.

Work is proceeding to implement the initial year's works programme, however given that Federal funding will not be available during the 2007/08 financial year and the lead time required to obtain approvals from statutory authorities, a revised works programme has been developed to reflect the works that Council is capable of achieving this financial year.

Along with new activities, the Estuary Management Unit has begun the coordination of existing activities to ensure that all works relating to the management of the estuary and its catchment are in accordance with the objectives of the Tuggerah Lakes Estuary Management Plan.

2007/08 Management Plan – March 2008 Quarter Review (contd)

The Estuary Management Plan was gazetted on 7 December 2007, making it the first such plan in NSW to achieve this status and giving the actions and recommendations within the Plan statutory force.

9 Pacific Highway

Tuggerah

Construction of Stage 1 should be completed by June 2008. Preliminary works (major culvert) have commenced for Stage 2. The tender for construction of Stage 2 has been awarded to Nace Constructions, the company that is currently undertaking Stage 1. It is anticipated that the Stage 2 contract will commence by June 2008. There remains no commitment from the RTA to improve the Pacific Highway/Wyong Road intersection, the RTA is currently investigating alternatives. A letter was sent in January 2008 requesting funding for the Stage 2 contract and Wyong Road intersection.

Wyong

The RTA is still working on the alternative routes suggested from the public exhibition for the Wyong Township and Council is unaware of proposed timing for the release of a decision on the RTA's preferred route. However, it is hoped that the RTA will exhibit further options based on the alternative routes raised during 2008.

Ourimbah

Preliminary works for Stage 2, Glen Road to Burns Road, have commenced. The tender for Stage 2 closed on 19 December 2007. Awarding of the contract is anticipated soon. Because of service adjustments, it is unlikely that the roadworks contract will commence until the second half of 2008. The treatment of Burns Road is still being discussed with the RTA.

10 Water Supply

The details of Council's progress to secure the water supply via drought management and recovery initiatives are detailed in the Board papers for the meeting of the Gosford/Wyong Councils' Water Authority scheduled for 21 May 2008 (and in the attachment to this report).

11 Buttonderry

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

2007/08 Management Plan – March 2008 Quarter Review (contd)

Tenders for a consultancy to develop a commercial strategy for the western side (Area 5) of the Buttonderry Waste Management Facility closed on 24 April 2008. The objective of the commercial strategy is to maximise the economic value of the site and to ensure long-term access for waste disposal. It is anticipated that this strategy will be completed by October 2008.

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

The DA for the upgrade of the transfer area, construction of a new office, amenities and car parking area was approved. Earthworks for the transfer area will commence in April 2008 and is scheduled for completion by June 2008. Tenders for the construction of the transfer area roof, site shed and storage area together with the construction of the office, amenities and car park will be called in April 2008. The transfer area is scheduled to be completed by December 2008.

Stage 2 of the upgrade will include the construction of a new staff and visitors' car park, office and amenities which is scheduled for completion by December 2008.

12 Shire Strategic Vision

The Shire Strategic Vision program continued through the month of March with most activities on schedule. The only exception was the delay in finalisation of the Shire Profile that was originally due for release in early March.

Other progress included:

- Finalisation of details for the Speakers and Speculation Program. The Environment Forum was held in April and the Economy and Community Forums are scheduled for May.
- Formulation of a Draft Community Strategic Vision Statement based on preliminary analysis of the community consultations by the Community Liaison Group.
- Establishment of an internal working group to draft a State of the Shire Report. This is scheduled to be completed, in accordance with the project outline, by November 2008.
- Cooperation with local Federal Members of Parliament conducting local Australia 2020 seminars to complement the Federal Government's national conference being held on 19-20 April in Canberra.
- Compilation of the Activity Outline for the Assimilation Activity.

2007/08 Management Plan – March 2008 Quarter Review (contd)

- Meetings with Federal and State parliamentarians.
- Presentations to all Precinct Committees (The Entrance, Ourimbah, Gwandalan/Summerland Point, Munmorah/Chain Valley Bay).
- Consultation with community groups.

PERFORMANCE MEASURES

The 2007/08 Management Plan includes performance measures to assess whether Council is moving towards its longer term goals of a better society, a better economy and a better environment. Twenty long-term performance measures have been included in the 2007/08 Management Plan and are updated on an annual basis.

Volume I of the Management Plan identifies 53 performance measures against Council's Key Issues, and these are reviewed and reported on a quarterly basis. Council has direct control over the majority of these indicators. At the end of March 43 out of 50 of the indicators under Council's control (or 86%) met the targets identified in the Management Plan.

STRATEGIC PROGRAMMES

The 2007/08 Management Plan identifies 127 strategic programmes (or actions) to achieve Council's objectives.

At the end of March it was anticipated that 115 (or 91%) of the 127 actions would be achieved by 30 June 2008 and 4 (or 3%) are currently uncertain as to whether they will be achieved by 30 June 2008. Of the 8 actions (or 6%) that are not anticipated to meet their original timeframe, 6 (or 4.5%) are due to factors outside of Council's control and 2 (or 1.5%) were due to factors within Council's control.

2007/08 Management Plan - Summary of Strategic Programmes

	<i>Better Society</i>	<i>Better Economy</i>	<i>Better Environment</i>	<i>Infrastructure</i>	<i>Organisation</i>	<i>Totals</i>
Currently on Target to meet original timeframe	44	6	24	21	20	115
Currently uncertain to meet original timeframe	0	1	1	1	1	4

2007/08 Management Plan – March 2008 Quarter Review (contd)

	<i>Better Society</i>	<i>Better Economy</i>	<i>Better Environment</i>	<i>Infrastructure</i>	<i>Organisation</i>	<i>Totals</i>
Currently not on Target to meet original timeframe Matter outside Council control	4	0	1	1	0	6
Currently not on Target to meet original timeframe Matter within Council control	1	0	0	1	0	5
Total	49	7	26	24	21	127

The following strategic programmes were identified, for the first time, in the March quarter as not on target to be completed within their original timeframe:

Outside Council's Control**1.1.2.2 Undertake design for Hamlyn Terrace Community Centre.**

Acquisition of the land has not yet been possible however the compulsory acquisition process has commenced. Design of the centre will commence in July 2008.

Revised completion date – Unknown.

1.1.2.3 Continue planning, design, and integration and commence construction of community facilities in Warnervale Town Centre.

This action is subject to securing funding for community facilities.

Revised completion date – Unknown.

Within Council's Control**1.2.3.1 Undertake Concept Design to documentation stage of Performing Arts Centre.**

Potential external funding sources have been identified but none have been confirmed. This item has been impacted by the proposed changes to the types of facilities for which Council can levy Section 94 contributions. While the finalised project structure, funding sources and Design Brief will be complete this financial year, it is anticipated that, should Council resolve to proceed with this project, the Concept Design will not be complete until July 2009.

Revised completion date – July 2009

2007/08 Management Plan – March 2008 Quarter Review (contd)

ACTIONS CARRIED OVER FROM 2006/07 MANAGEMENT PLAN

As foreshadowed in the June Review of the 2006/07 Management Plan, the actions that were not completed during 2006/07 will continue to be monitored and reported on until they are finalised.

Of the 35 actions from 2006/07 Management Plan that were not completed, 20 (57%) were incorporated into 2007/08 or future actions of the Management Plan, 1 (3%) has been completed and 14 (40%) are in progress.

2006/07 Management Plan - Actions Carried Forward

	<i>Better Society</i>	<i>Better Economy</i>	<i>Better Environment</i>	<i>Infrastructure</i>	<i>Organisation</i>	<i>Totals</i>
Incorporated into 2007/08 or future actions	11	4	3	0	2	20
Complete	1	0	0	0	0	1
In progress	6	2	2	2	2	14
<i>Total</i>	18	6	5	2	4	35

Of the fourteen actions in progress two are not on target to be completed by the end of 2007/08.

The following strategic programme was identified, for the first time, in the March quarter as not on target to be completed within its original timeframe:

4.5.2.1 Upgrade the entry and drop-off area at Buttonderry Waste Management Facility to improve the level of service by faster through-put and safer operational for customers.

The completion date for this project has been impacted by several events. During the initial consultation phase there were several minor changes to the design to ensure it achieved the most effective outcomes for customers. The Development Application was originally scheduled to take six weeks to approve but due to the Christmas break it was not approved until April 2008. The earthworks have been delayed due to the wet weather and should be completed by June 2008.

Tenders for the construction of the site roof, site sheds and storage areas will be called in the June quarter and construction of the transfer area is scheduled for completion by December 2008.

Revised Completion Date – December 2008

2007/08 Management Plan – March 2008 Quarter Review (contd)

BUDGET OVERVIEW

In the 2007/08 Management Plan, Council originally adopted a balanced budget. The forecast result adopted by Council for the December Quarter Review was a deficit of \$360,000.

The March Quarter Review is forecasting a full-year deficit of \$75,000 (a favourable movement to Council's bottom line of \$285,000). Some of the major impacts in this quarter include:

- a \$500,000 reduction in the contribution required to the Roads and Traffic Authority for the Pacific Highway upgrade;
- an additional \$175,000 being required for restoration works at Cabbage Tree Harbour;
- a shortfall of \$118,000 in rates income; and
- \$90,000 less than anticipated funding for works relating to the June long weekend storm.

The March Quarter Review has proposed a number of changes across the Water and Sewer budget lines. These changes reflect redeployments of resources between various maintenance and operational areas and changes in the timing on delivery of capital projects. The overall position of the Water and Sewer Funds has not been impacted.

Enclosure 1	<i>March Quarter Review – 2007/08 Management Plan (distributed under separate cover)</i>
Enclosure 2	<i>Budget Summary 2007/08 Management Plan March Quarterly Review Detailed Budget 2007/08 Management Plan March Quarterly Review</i>

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

Committee Report

**212 Minutes of the Central Coast Regional Organisation of
 Councils – 19 March 2008**

F2004/06390 ED

SUMMARY

Minutes of the Central Coast Regional Organisation of Councils meeting held on 19 March 2008.

RECOMMENDATION

That the minutes of the Central Coast Regional Organisation of Councils meeting held on 19 March 2008 be received and the recommendations contained therein, adopted.

BACKGROUND

A meeting of the Central Coast Regional Organisation of Councils was held on 19 March 2008. The minutes of that meeting are enclosed.

Enclosure

***Minutes of the Central Coast Regional Organisation of
Councils meeting held on 19 March 2008***

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

Committee Report

213 **Minutes of the Wyong Shire Governance Committee Meeting –
14 May 2008**

F2004/07245 MW

SUMMARY

Minutes of the Wyong Shire Governance Committee Meeting held on 14 May 2008.

RECOMMENDATION

That the minutes of the Wyong Shire Governance Committee meeting held on 14 May 2008 be received and the recommendations contained therein, adopted.

BACKGROUND

A meeting of the Wyong Shire Governance Committee meeting was held on 14 May 2008. The minutes of that meeting are enclosed.

Enclosure

***Minutes of the Wyong Shire Governance Committee held on
14 May 2008***

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

Committee Report

**214 Minutes of the Gosford/Wyong Councils' Water Authority
Board Meeting – 21 May 2008**

F2004/06390 ED

SUMMARY

Minutes of the Gosford/Wyong Councils' Water Authority Board meeting held on 21 May 2008.

RECOMMENDATION

That the minutes of the Gosford/Wyong Councils' Water Authority Board meeting held on 21 May 2008 be received and the recommendations contained therein, adopted.

A meeting of Gosford/Wyong Councils' Water Authority Board was held on 21 May 2008. The minutes of that meeting are enclosed.

Enclosure

***Minutes of the Gosford/Wyong Councils' Water Authority
Board Meeting held on 21 May 2008***

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Information Reports

The following information reports are to be dealt with by the exception method.

28 May 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

215 Resumption (or Buy Out) Policy

F2004/07782 GW

SUMMARY

At its meeting held on 13 February 2008, Council considered a report following a Notice of Motion on resumptions or a buy out policy to address coastal erosion and climate change issues. The resolution arising from the report required that Council report back on initiatives relative to the issue from Waverley and Byron Councils.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

At the Ordinary Meeting held on Wednesday 13 February 2008, Council resolved;

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

- 1 That the report provided in response to its Notice of Motion No. 398 on resumptions or a buy out policy to address coastal erosion and climate change issues be received and the information noted.*
- 2 That Council report back on initiatives taken by Waverley Council on tidal readings and monitoring.*
- 3 That Council report on the retreat policy of Byron Bay's Council."*

Waverley Council's Sea Level Readings

In March 2008, Waverley Councillor George Newhouse initiated the installation of a permanent sign on Bondi Beach near the children's pool to indicate the height of potential sea level rise in the area. The sign has two markers indicating the predicted sea level rise for 2050 and 2100 together with information on the impacts of climate change. The idea behind the sign is to raise awareness of climate change impacts which it does by indicating that should the average sea level rise to the predicted heights, most of the beach could be affected. It could result in the loss of a beach considered to be a National icon and may require large scale engineering works to combat storm surges and protect the Boulevard and urban development. The erection of the sign is part of Waverley Council's program on climate change which incorporates a suite of projects including events to mark the signing of the Kyoto Agreement and Earth Hour, etc.

Resumption (or Buy Out) Policy (contd)

Waverley Council staff consider that the program of events has resulted in an increased awareness of climate change within the local community as it was associated with significant media coverage. Whilst the sign at Bondi Beach was part of this program, its significance in creating awareness was considered minimal.

Byron Council's Planned Retreat Policy

Background

Since 1988, Byron Shire Council Development Control Plan has incorporated provisions relating to "planned retreat". This sets out a policy for restrictions relating to development within the coastal erosion zone (similar to Wyong Council's DCP 2005, Chapter 77 Coastal Hazards) as well as the progressive inland progression of development as a result of coastal processes.

Byron Shire DCP Part J – Coastal Erosion Lands

The objectives of this Part of the DCP are:

- *"To make provision for the orderly and economic development of land within the coastal erosion zones.*
- *To ensure that such development is carried out in a manner which does not adversely affect coastal processes and which will not be adversely affected by coastal processes.*
- *To provide guidelines for determination of the merits of development on coastal lands as required by section 79C(a)(iv) of the Environmental Planning and Assessment Act 1979".*

Under Part J the coastal erosion zone has been divided into three Precincts, each with differing regulations relating to the erection of dwellings and improvements. These precincts are:

- Precinct 1 – from the beach escarpment to the immediate impact line.
- Precinct 2 – between the immediate impact line and the 50 year erosion line.
- Precinct 3 – between the 50 year and 100 year erosion lines.

Wyong Council's DCP 2005 Chapter 77 Coastal Hazards has similar structure and is divided into similar zones.

Resumption (or Buy Out) Policy (contd)

Byron Shire DCP - Precinct 1

The objective of Precinct 1 is to ensure that the impact of coastal processes on potential development is minimised by limiting development and ensuring any new development is only temporary. New buildings and works in this Precinct are to be temporary and capable of removal in the event of coastal erosion.

Any dwelling must consist of not more than three movable modules which must fall within the dimension criteria contained in the DCP and be capable of relocation in the event of inland movement of the erosion escarpment. In addition, development that is of a community nature, which relates to the use of the beachfront, may be considered, provided that any building is easily removable and does not require a major extension to a service main.

Extensions to existing non-movable dwellings located within Precinct 1 may also be considered on their merits. Consideration should be given to the location of the erosion escarpment, the type of building involved and the access to the site. Alterations and extensions shall be considered only where there is no adverse effect on the ability of the building to be removed in an emergency. Generally extensions will be limited to no more than 10% of the original floor area for a dwelling over 100m² in floor area and in the case of dwellings under 100m², the overall floor area shall not exceed 100m² as a result of the extension.

Currently, Wyong Council's DCP 2005 Chapter 77 Coastal Hazards does not permit construction in the immediate hazard zone for the bluffs or erosion zone along the beaches.

Precinct 2

The objective of Precinct 2 is to ensure that the impact of coastal processes on potential development is minimised by ensuring any development is readily relocated as the erosion escarpment nears the development.

Development within Precinct 2 is to be designed to be relocated or demolished should the erosion escarpment come within 50m. Development consent within this Precinct shall be granted on the understanding that any consent granted will be subject to the proviso that should the erosion escarpment come within 50m of any building then development consent will cease. Where consent ceases, the owner of the land will be responsible for the cost of demolition or relocation of the building. Within this Precinct all dwellings must be designed to be relocatable.

Resumption (or Buy Out) Policy (contd)

Precinct 3

The objective of Precinct 3 is to ensure the impact of coastal processes on potential development is minimised by ensuring any development ceases as the erosion escarpment nears the development.

As with Precinct 2, development within Precinct 3 must be designed to be relocated or demolished should the erosion escarpment come within 50m of the development. Development consent shall cease once the erosion escarpment comes within 50m with the land owner being responsible for the cost of demolition or relocation. Unlike Precinct 2, there is the option for dwellings to be demolished rather than relocated within this Precinct.

Part J of the DCP also contains provisions relating to the location of servicing for development that will potentially be threatened by coastal processes. All servicing must be provided on the landward side of the development such that the building is between the servicing and the erosion escarpment.

In addition, beach protection works proposed by individual property owners will only be considered where works will not adversely affect adjoining properties or coastal processes. Rock, concrete and similar hard materials must not be used.

Byron Shire Coastline Management Study

In 2003, a Coastline Management Study was undertaken for Byron Bay Shire which explored the existing planned retreat provisions of the DCP as well as other potential options for the protection of coastline structures. These included:

Policy methods:

- Retreat under Public Ownership – land is transferred into public ownership as the hazard line advances.
- Retreat under Private Ownership – land holders pay the expense of retreat (this is the current practice).
- Retreat under private and public ownership.

Resumption (or Buy Out) Policy (contd)

Structural methods:

- Terminal protection (seawalls).
- Groynes and artificial headlands.
- Offshore breakwaters and submerged reefs.

Beach nourishment was also explored as a complimentary measure to the structural methods.

Several recommendations are contained in this study which relate to different areas within the Byron Shire. These are:

- In *undeveloped areas* the preferred option is to implement planning strategies that prevent permanent development in erosion prone areas, thus allowing natural coastal processes to continue.
- For *development under erosion threat in the long term* the preferred option is to implement appropriate planning and management strategies which prevent the intensification of development within the 100 year erosion zone. Ongoing monitoring and review of the Plan is considered crucial in these areas.
- For *development under immediate or mid-term erosion threat* the recommendations vary according to the nature of the development and the consequences of different management options.
 - For areas with *limited development under threat* the preferred option is planned retreat.
 - For *Belongil Beach* (just north of Byron Bay) the preferred option is beach nourishment coupled with an end control structure and upgrade of existing seawalls. This is seen to be the most sustainable option at this location. If approval cannot be gained to access suitable offshore sand resources then planned retreat under private and public ownership becomes the preferred option.

Resumption (or Buy Out) Policy (contd)

- For the *New Brighton* area, (just north of Brunswick Heads) where the rate of recession is not high, beach nourishment is the preferred option. It is intended to implement beach scraping in the short term to provide short term protection. Should sand for beach nourishment not be available and beach scraping prove ineffective in the long term then retreat under public and private ownership is the next best option.

Byron Shire's Coastline Management Plan, which is currently being developed, is due for exhibition in mid to late 2008. Following discussions with the Byron Council's Coastline and Estuary Officer, the expected management strategy will be planned retreat under a mixture of private and public ownership.

Implications of Enforcing Planned Retreat within Byron Shire

There are many foreseeable issues with practically enforcing planned retreat particularly in terms of social and economic impacts. These include but are not limited to:

- The legal ramifications of enforcing retreat requirements particularly in relation to development pre 1988 as there are currently no legislative provisions for compulsory acquisition and part J of the DCP relates only to development post 1988. Byron's coastal residents are also very active and are currently challenging Council on a range of development sites.
- Issues with fair and equitable compensation for loss of property.
- Social dislocation and disruption.
- Loss of revenue from rates on coastal properties.
- Removal of expensive development.

Careful consideration also needs to be given to adopting an appropriate trigger mechanism in Local Environmental Plans or Development Control Plans to initiate the retreat of development and ensuring methods of enforcement which are equitable, legal and practical.

CONCLUSION

These and other issues should be appropriately considered at the time of formulation of the Coastline Management Plan. It would be premature to consider any policy direction or decisions prior to completion of that Plan.

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

216 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, construction and subdivision applications for the month of April.

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	15	2,447,500	18	1,127,000
Industrial	3	10,500	5	98,000
Residential	88	7,225,446	92	7,103,555
Other	20	1,273,000	18	650,000
Total	126	10,956,446	133	8,978,555

Subdivision Applications Received and Determined

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	-	-	-	-
Industrial	1	4	-	-
Residential	3	2	9	35
Rural	1	1	3	97
Total	4	7	12	132

Activities of the Development Assessment Unit (contd)

Mean Turn-around Time

There were no Employment Generating applications determined during the month.

The mean (average) turn-around time in calendar days for development applications determined during the month was 28 days.

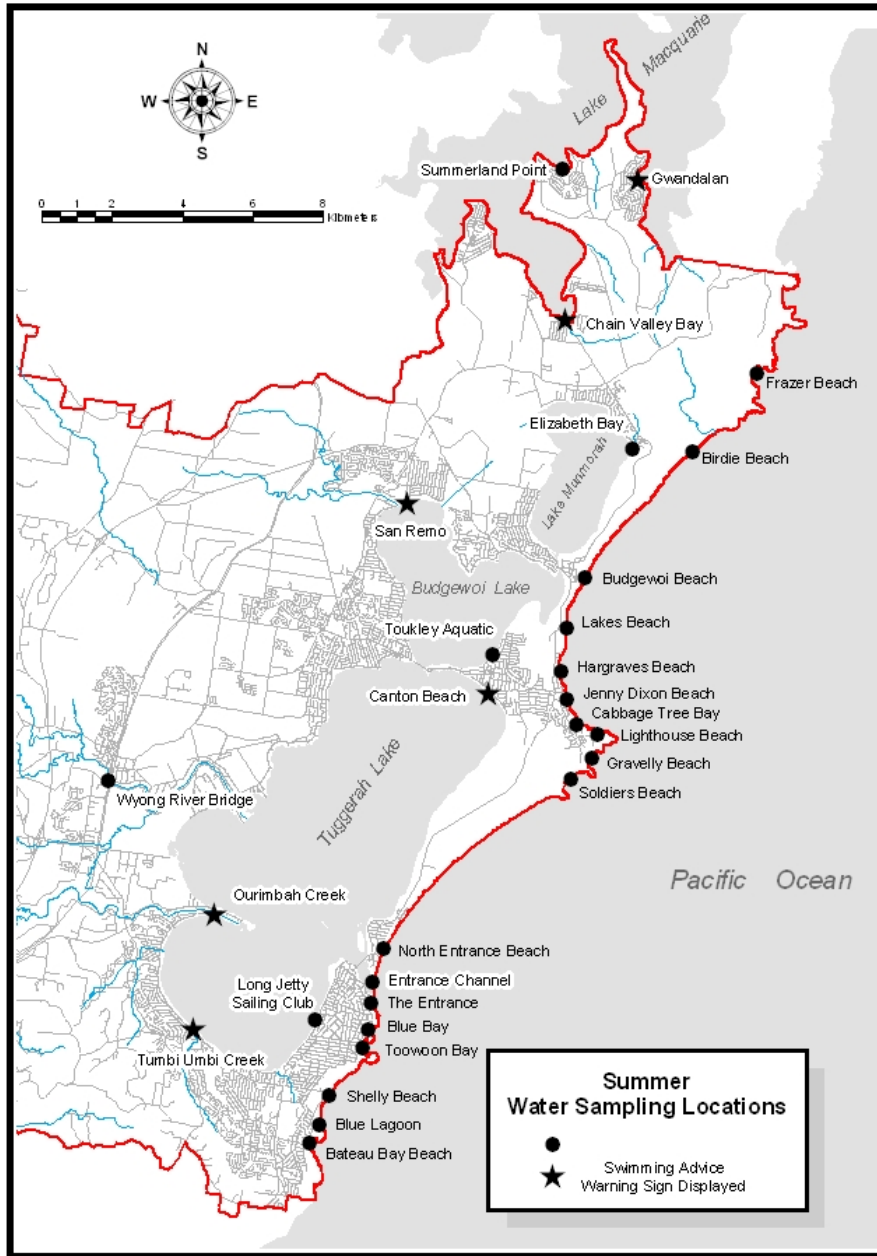
Other Approvals and Certificates

Type:	Number Determined:
Trees	34
Section 149 D Certificates	14
Construction Certificates	89
Complying Development Certificates	17

Enclosure

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

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



WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

218 Results of Water Quality Testing for Bathing Beaches

F2004/06822 JS:JS

SUMMARY

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

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND**Primary Recreation Water Quality Monitoring Program**

Wyong beaches are regularly monitored for swimming safety in accordance with the *NHMRC Guidelines for Recreational Water Use* (1990). These guidelines allow for beaches to be awarded a star rating based upon the potential for sewage and stormwater contamination. These star ratings are awarded as detailed in the table attached *Table 1: NHMRC Star Rating Interpretation*.

During the bathing (Summer) season, Wyong Council undertakes this monitoring program in partnership with the NSW DECC Beachwatch Program. Sampling of all beaches occurs 5 times each month as required to report against the NHMRC Guidelines. The Beachwatch program recommenced in October and April is the final month of the summer sampling season.

The ocean beaches adjacent to the outfalls are required to be monitored 5 times a month throughout the year by the NSW DECC ocean outfall licences for Norah Head and Wonga Point.

Results of Water Quality Testing for Bathing Beaches (contd)**Summary of Results for April 2008**

In April, all the Ocean and the Lake beaches were rated as 4 star – good water quality/safe for swimming. Four sampling locations received a 3 star rating – fair water quality/safe for swimming. Tumbi Creek, Wyong River, Canton Beach and Elizabeth Bay have been affected by the above average rainfall for this month where they have received a low star rating and are recommended as being unsafe for swimming. Council is currently investigating the water quality of the lake and river sites in accordance with s.5.2.2 of the Estuary Management Plan to help determine the contributing factors and any trends.

Table 2: OCEAN BEACHES – April 2008

LOCATION	STAR RATING	RECOMMENDATION
Cabbage Tree Bay	****	Site is safe for swimming
Soldiers Beach	****	Site is safe for swimming
Gravelly Beach	****	Site is safe for swimming
Lighthouse Beach	****	Site is safe for swimming
Shelly Beach	****	Site is safe for swimming
Toowoan Bay	****	Site is safe for swimming
Blue Bay	****	Site is safe for swimming
Blue Lagoon	****	Site is safe for swimming
Bateau Bay	****	Site is safe for swimming
Frazer	****	Site is safe for swimming
Birdie	****	Site is safe for swimming
Budgewoi	****	Site is safe for swimming
Lakes	****	Site is safe for swimming
Hargraves	****	Site is safe for swimming
Jenny Dixon	****	Site is safe for swimming
North Entrance	****	Site is safe for swimming
The Entrance	****	Site is safe for swimming

Results of Water Quality Testing for Bathing Beaches (contd)

Table 3: RIVER AND LAKE BEACHES – April 2008

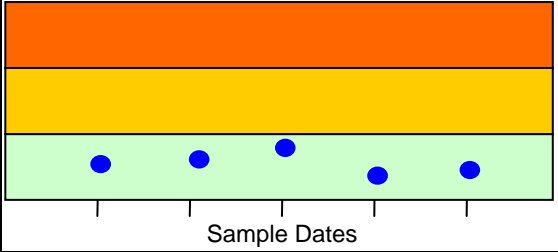
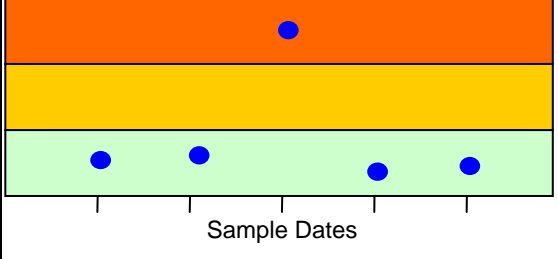
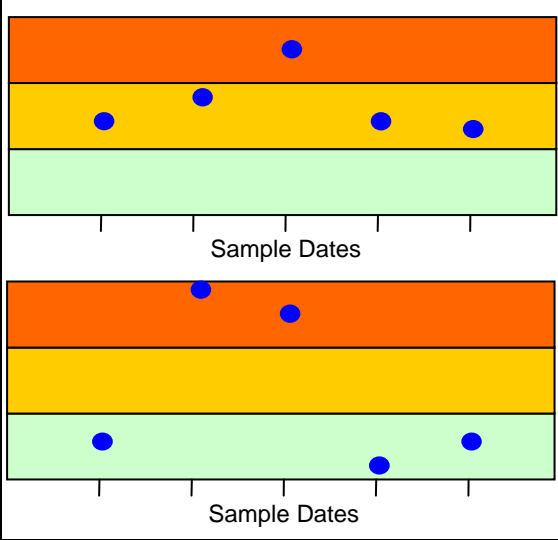
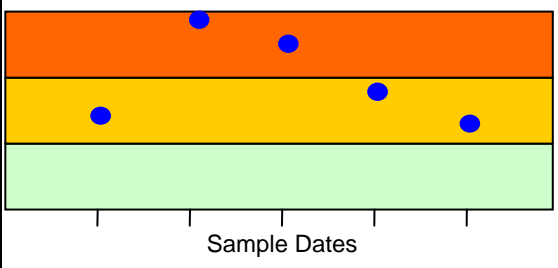
LOCATION	STAR RATING	RECOMMENDATIONS
Pelican	****	Site is safe for swimming
Summerland Point	****	Site is safe for swimming
Chain Valley Bay	****	Site is safe for swimming
Gwandalan	****	Site is safe for swimming
Ourimbah Creek Chittaway Point	***	Site is safe for swimming
Long Jetty	***	Site is safe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

Attachment 1

Table 1: NHMRC Star Rating Interpretation (1 page)

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

Table 1: NHMRC Star Rating Interpretation

Star Rating	Interpretation	Graphic Representation
****	Good: NHMRC indicates site safe for swimming	 <p>The graphic shows a horizontal bar divided into three colored zones: orange (top), yellow (middle), and green (bottom). Five blue dots representing samples are plotted along the x-axis, with all dots falling within the green zone. The x-axis is labeled 'Sample Dates'.</p>
***	Fair: NHMRC indicates site is safe for swimming	 <p>The graphic shows a horizontal bar divided into three colored zones: orange (top), yellow (middle), and green (bottom). Five blue dots representing samples are plotted along the x-axis. One dot is in the orange zone, and the other four are in the green zone. The x-axis is labeled 'Sample Dates'.</p>
**	Poor: NHMRC indicates swimming at site is not recommended. Or The median of all samples is low, but two samples exceeded the NHMRC maximum safe value for swimming.	 <p>The graphic shows two horizontal bar charts, each divided into three colored zones: orange (top), yellow (middle), and green (bottom). The x-axis is labeled 'Sample Dates'. The first chart shows one blue dot in the orange zone and four blue dots in the yellow zone. The second chart shows two blue dots in the orange zone and three blue dots in the green zone.</p>
*	Bad: NHMRC indicates swimming at site is not recommended.	 <p>The graphic shows a horizontal bar divided into three colored zones: orange (top), yellow (middle), and green (bottom). Five blue dots representing samples are plotted along the x-axis. Two dots are in the orange zone, two are in the yellow zone, and one is in the green zone. The x-axis is labeled 'Sample Dates'.</p>

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

218 Chikarovski Mining Enquiry Report

F2004/07086 MW

SUMMARY

Response from the Minister for Planning regarding Chikarovski Mining Enquiry Report.

RECOMMENDATION

That the report be received and the information noted.

A response has been received from the Hon Frank Sartor MP, Minister for Planning following representations to the Minister for the urgent release of the Chikarovski Mining Enquiry Report.

Attachment 1

***Letter from the Hon Frank Sartor MP, Minister for Planning
(1 page)***

Chikarovski Mining Enquiry Report (Attachment 1)



NEW SOUTH WALES

Office of the Hon Frank Sartor MP

Minister for Planning
Minister for Redfern Waterloo
*Minister for the Arts*Mr K Yates
General Manager
Wyang Shire Council
PO Box 20
WYONG NSW 2259

D08/1417

14 APR 2008

Dear Mr Yates

I refer to your letter addressed to the Hon Frank Sartor MP, Minister for Planning concerning the independent Wyong coal inquiry. The Minister has asked me to reply on his behalf.

Mr Sartor has noted Council's resolution and will keep those points in mind as the Government moves to finalise this important exercise.

Council will be kept informed of all critical steps in this process.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steve Whan'.

Steve Whan MP
Parliamentary Secretary

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

219 Local Government Amendment (Elections) Bill 2008

F2004/06385 ED

SUMMARY

Reporting on the recent presentation to Parliament of the Local Government Amendment (Elections) Bill 2008.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

The proposals in the bill have been developed to address recurring and significant issues identified in the usual review of local government election provisions conducted following the last council ordinary elections.

Two issues which Council needs to have regard to are:

Reducing Councillors numbers at individual council without the need for holding a costly constitutional referendum

The Government introduced such a scheme during 2005 and 21 applications were received which resulted in an overall reduction of councillor numbers by 47. The total saving from that initiative across NSW was between \$298,600 and \$598,000 or approximately \$15,000 to \$27,000 per council area.

A council will not be permitted to reduce its numbers to less than five councillors per council, which is the minimum set under the Act. Also, the current provisions requiring that the same number of councillors is to be elected for each ward and that a popularly elected mayor is to be excluded when determining that number, will not be altered.

The councillor reduction opportunity is again available to all councils and applications are required to be made by 30 June 2008 as the proposal will impact on the Electoral Commission's preparations for the next ordinary election. To participate in this scheme, Council must pass a resolution indicating its intention to make a councillor reduction application. The Council must then allow a period of 21 days public notice during which submissions can be made. Following consideration of any submissions, if Council decides to proceed to apply for a reduction it must provide the Minister with a summary of the submission and relevant comments received.

Local Government Amendment (Elections) Bill 2008 (contd)

Council decision making during lead up to local government elections

The Department of Local Government receives complaints about major decisions such as controversial developments being fast-tracked to avoid election deadlines. As a result, a new principle will state that a council is to exercise its functions responsibly, including during the lead-up to ordinary elections and to observe "caretaker government" conventions issued under guidelines to be prepared by the Director General of the Department. These caretaker conventions will apply for a six week period leading up to the ordinary elections.

The types of decisions that a council should refrain from making during an election period would include:

- * entering into major contracts or undertakings where tenders have not been called
- * the employment of a permanent general manager
- * determination of publicly controversial or significant developments.

Enclosure

Speech to Parliament on the Local Government Amendment (Elections) Bill 2008 by Minister for Local Government, the Hon Paul Lynch

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

220 Recruitment Activities of the Staff Services Unit

F2004/00355 BSS:KL

SUMMARY

Recruitment activities of the Staff Services Unit for the months of November 2007 through to March 2008.

RECOMMENDATION

That the report be received and the information noted.

CURRENT WORKFORCE STATISTICS

As at 30 November 2007

Department	Actual Number Permanent Employees	Actual Number Temporary Employees	Actual Number Casual Employees	Total Headcount	Permanent FTE
General Managers Unit	8	-	1	9	7.52
Corporate Services	151	12	1	164	139.66
Shire Planning	124	12	14	150	120.15
Shire Services	636	74	207	917	598.19
Total	919	98	223	1240	865.52

As at 31 December 2007

Department	Actual Number Permanent Employees	Actual Number Temporary Employees	Actual Number Casual Employees	Total Headcount	Permanent FTE
General Managers Unit	8	-	1	9	7.52
Corporate Services	153	11	4	168	142.05
Shire Planning	123	11	13	147	119.20
Shire Services	635	83	189	907	596.87
Total	919	105	207	1231	865.64

Recruitment Activities of the Staff Services Unit (contd)**As at 31 January 2008**

Department	Actual Number Permanent Employees	Actual Number Temporary Employees	Actual Number Casual Employees	Total Headcount	Permanent FTE
General Managers Unit	8	-	1	9	7.92
Corporate Services	154	11	10	175	140.66
Shire Planning	122	11	14	147	118.15
Shire Services	633	83	200	916	596.10
Total	917	105	225	1247	862.83

As at 29 February 2008

Department	Actual Number Permanent Employees	Actual Number Temporary Employees	Actual Number Casual Employees	Total Headcount	Permanent FTE
General Managers Unit	12	-	1	13	11.52
Corporate Services	156	10	7	173	141.85
Shire Planning	124	10	14	148	120.07
Shire Services	630	78	212	920	592.46
Total	922	98	234	1254	865.90

As at 31 March 2008

Department	Actual Number Permanent Employees	Actual Number Temporary Employees	Actual Number Casual Employees	Total Headcount	Permanent FTE
General Managers Unit	12	-	1	13	11.52
Corporate Services	160	11	7	178	145.85
Shire Planning	122	10	14	146	118.07
Shire Services	634	77	219	930	592.85
Total	928	98	241	1267	868.29

Recruitment Activities of the Staff Services Unit (contd)

EMPLOYEES LEAVING COUNCIL

(as at termination date)

November 2007

Department	Permanent	Temporary	Casual	Reason	Total
General Managers Unit	-	-	-		-
Corporate Services	2	-	-	1 x Resignation – Other Employment 1 x Retirement	2
Shire Planning	2	1	-	2 x Resignation – Other Employment 1 x Resignation - Unknown	3
Shire Services	3	2	1	1 x Resignation - Unknown 2 x Resignation – Other Employment 2 x End of Contract 1 x Retirement	6
Total	7	3	1	2 x Resignation - Unknown 5 x Resignation – Other Employment 2 x End of Contract 2 x Retirement	11

December 2007

Department	Permanent	Temporary	Casual	Reason	Total
General Managers Unit	-	-	-		-
Corporate Services	-	-	1	1 x Resignation – End of Contract	1
Shire Planning	-	-	-		-
Shire Services	2	-	-	1 x Resignation - Unknown 1 x Resignation – Moving Interstate	2
Total	2	-	1	1 x Resignation - Unknown 1 x End of Contract 1 x Resignation – Moving Interstate	3

Recruitment Activities of the Staff Services Unit (contd)**EMPLOYEES LEAVING COUNCIL***(as at termination date)***January 2008**

Department	Permanent	Temporary	Casual	Reason	Total
General Managers Unit	1	-	-	1 x Retirement	1
Corporate Services	2	-	-	1 x Resignation – Other Employment 1 x Retirement	2
Shire Planning	-	2	-	2 x Resignation - Unknown	2
Shire Services	5	10	-	2 x Resignation - Unknown 3 x Resignation – Other Employment 8 x End of Contract 1 x Retirement 1 x Resignation – Full-Time Study	15
Total	8	12	-	4 x Resignation - Unknown 4 x Resignation – Other Employment 8 x End of Contract 3 x Retirement 1 x Resignation – Full-Time Study	20

February 2008

Department	Permanent	Temporary	Casual	Reason	Total
General Managers Unit	-	-	-		-
Corporate Services	2	-	-	1 x Resignation – Other Employment 1 x Retirement	2
Shire Planning	1	-	-	1 x Resignation – Moving interstate	1
Shire Services	8	4	1	4 x Resignation - Unknown 1 x Resignation – Moving Interstate 5 x Resignation – Other Employment 1 x End of Contract 1 x Retirement 1 x Abandonment	13
Total	11	4	1	4 x Resignation - Unknown 1 x End of Contract 2 x Resignation – Moving Interstate 1 x Abandonment 2 x Retirement 6 x Resignation – Other Employment	16

Recruitment Activities of the Staff Services Unit (contd)**March 2008**

Department	Permanent	Temporary	Casual	Reason	Total
General Managers Unit	-	-	-		-
Corporate Services	-	-	-		-
Shire Planning	2	1	2	2 x End of Contract 3 x Resignation – Other Employment	5
Shire Services	6	1	1	3 x Resignation - Unknown 2 x Resignation – Other Employment 3 x Retirement	8
Total	8	2	3	3 x Resignation - Unknown 2 x End of Contract 3 x Retirement 5 x Resignation – Other Employment	13

Wyong Shire Council currently has an internal turnover rate benchmark of 9.0%. As at 31 March 2008 Council was operating at a turnover rate of 7.21% and meeting this target.

APPOINTMENTS

(as at commence date)

November 2007

Department	Permanent	Temporary	Casual	Total
General Managers Unit	-	-	-	0
Corporate Services	4	-	3	7
Shire Planning	-	1	-	1
Shire Services	5	8	7	20
Total	9	9	10	28

December 2007

Department	Permanent	Temporary	Casual	Total
General Managers Unit	-	-	-	0
Corporate Services	2	1	2	5
Shire Planning	2	-	-	2
Shire Services	7	8	12	27
Total	11	9	14	34

Recruitment Activities of the Staff Services Unit (contd)**APPOINTMENTS***(as at commence date)***January 2008**

Department	Permanent	Temporary	Casual	Total
General Managers Unit	-	-	-	0
Corporate Services	1	1	3	5
Shire Planning	-	-	1	1
Shire Services	2	14	9	25
Total	3	15	13	31

February 2008

Department	Permanent	Temporary	Casual	Total
General Managers Unit	-	-	-	0
Corporate Services	1	1	3	5
Shire Planning	1	1	-	2
Shire Services	3	12	11	26
Total	5	14	14	33

March 2008

Department	Permanent	Temporary	Casual	Total
General Managers Unit	-	-	-	0
Corporate Services	3	1	1	5
Shire Planning	1	-	1	2
Shire Services	6	2	8	16
Total	10	3	10	23

STAFF ESTABLISHMENT VACANCIES BEING RECRUITED*(including Temporary and Casual)***As at 30 November 2007**

Department	Total Vacancies	Positions vacant for more than 3 months	Vacancies not filled after initial advertising and have been re-advertised
General Managers Unit	-	-	-
Corporate Services	16	3	-
Shire Planning	14	5	-
Shire Services	79	35	3
Total	109	43	3

This is inclusive of temporary and casuals

28 May 2008
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

Recruitment Activities of the Staff Services Unit (contd)

STAFF ESTABLISHMENT VACANCIES BEING RECRUITED

(including Temporary and Casual)

As at 31 December 2007

Department	Total Vacancies	Positions vacant for more than 3 months	Vacancies not filled after initial advertising and have been re-advertised
General Managers Unit	1	-	-
Corporate Services	18	2	-
Shire Planning	12	5	-
Shire Services	70	33	1
Total	101	40	1

This is inclusive of temporary's and casuals

As at 31 January 2008

Department	Total Vacancies	Positions vacant for more than 3 months	Vacancies not filled after initial advertising and have been re-advertised
General Managers Unit	1	-	-
Corporate Services	13	3	-
Shire Planning	14	6	1
Shire Services	54	9	5
Total	82	18	6

This is inclusive of temporary's and casuals

As at 29 February 2008

Department	Total Vacancies	Positions vacant for more than 3 months	Vacancies not filled after initial advertising and have been re-advertised
General Managers Unit	1	-	-
Corporate Services	19	3	-
Shire Planning	15	5	-
Shire Services	40	11	7
Total	75	19	7

This is inclusive of temporary's and casuals

As at 31 March 2008

Department	Total Vacancies	Positions vacant for more than 3 months	Vacancies not filled after initial advertising and have been re-advertised
General Managers Unit	-	-	-
Corporate Services	13	2	-
Shire Planning	20	8	1
Shire Services	61	20	7
Total	94	30	8

This is inclusive of temporary's and casuals

221 Submission for Black Spot Funding

F2004/06312 SF

SUMMARY

Report on submission to the Black Spot funding programme for;

- the intersection of Wyong Road and The Pacific Highway at Tuggerah, and
- the Cobbs Road / F3 interchange at Mardi.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

At the Ordinary Meeting of Council held on Wednesday 12 March 2008, Council resolved:

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

- 1 *That Council formally make submission to the black spot funding program for:
 - a *the roundabout intersection of Wyong Road and Tuggerah Straight*
 - b *The Cobbs Road/F3 Interchange.**
- 2 *That Council advise the Roads and Traffic Authority (RTA) that it has taken this action because of its extreme concern of the potential for a fatality to occur at both of these locations.*
- 3 *That staff report to Council relevant data to support the submission including traffic volumes”*

The NSW RTA administer the Federal Black Spot funding Programme in NSW and call for applications annually around August. At that time, Wyong Shire Council (and other road authorities throughout New South Wales) submitted projects for consideration as part of this programme.

Submission for Black Spot Funding (contd)

Council's most recent submission for funding under this programme was undertaken in August 2007. The upgrade of the intersection of Wyong Road and The Pacific Highway, Tuggerah was included in that submission. Additional projects submitted included intersection improvement works at Lakehaven Drive/Stratford Avenue, Lakehaven and Lakin Street/Rushby Street, Bateau Bay. Previous to this, a number of projects submitted for consideration by Council have been successful in gaining funding, whilst others have been denied.

Projects successfully funded between 2004-05 and 2007/08 include intersection works/traffic signals at Eastern Road/Village Road, Bateau Bay (\$200K), intersection works/traffic signals at The Entrance Road and Tuggerah Parade, Long Jetty (\$322K) and a seagull intersection at Enterprise Drive, Berkeley Vale (\$300K).

Council has contacted the NSW RTA seeking a status report on Council's 2007 application. The NSW RTA have advised that the resulting announcements are being withheld at the request of the NSW Treasury who have indicated they will not be releasing the results of the funding until around June following delivery of the state budget.

The process of submitting a Black Spot Funding Application involves obtaining detailed accident data, identifying appropriate treatments to address the problem/trend in accidents, and using these results to calculate a Benefit / Cost Ratio (BCR). Applications are then prioritised in accordance with these applications.

The maximum allocation for funding for a single project Black Spot Project is \$750,000 and the total allocation of funding for 2007/08 in NSW is around \$14M.

INFORMATION REQUESTED

The following data has been compiled for the intersection of Wyong Road and The Pacific Highway, Tuggerah (2002-05):

Number of Fatal Crashes:	0
Number of Injury Crashes:	10
Number of Tow-away Crashes:	21

Traffic Volumes: 35,663 vehicles per day (average)

The following data has been compiled for the Cobbs Road / F3 interchange, Mardi (2002-06):

Number of Fatal Crashes:	1
Number of Injury Crashes:	30
Number of Tow-away Crashes:	48

Traffic Volumes: 32,973 vehicles per day (average)

Submission for Black Spot Funding (contd)

Concepts have been identified for works at the intersection of the Pacific Highway and Wyong Road. Options considered included traffic lights and a Wyong Road 'flyover' intersection. The construction of a flyover was seen as the most viable option, provides the most favourable BCR score, and is therefore the best option. Given the high capital costs (around \$10M) additional RTA funding in excess of \$9M would be required over and above that available under the Black Spot program.

Traffic data has been collected and concepts are being investigated for the Cobbs Road/F3 freeway intersection. The RTA advised that it is currently completing concept designs for this location and that this project will be considered as part of the regular RTA funding prioritisation. Nevertheless, staff are in the process of obtaining concept design information from the RTA which will allow Council to submit an application under the Black Spot Program in accordance with Councils resolution.

Given the high capital costs of works on these State Roads relative to the accident history, both these projects score poorly with respect to the BCR used to prioritise project funding. Additionally the limitation of a maximum of \$750,000 funding per Black Spot Project and a total allocation of around \$14M throughout NSW.

Staff have written to the RTA requesting that the intersection improvement works on the subject State roads receive priority for funding given concerns for future accidents and fatalities. Furthermore, the RTA have been advised that Council will be submitting applications for Black Spot funding at these intersections as part of the 2008 nominations due around August 2008.

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

222 General Works in Progress Report

F2004/07830 JEM

SUMMARY

General works in progress and completed works for the period March 2008 to April 2008.

RECOMMENDATION

That the report be received and the information noted.

ROADS AND DRAINAGE SECTION OVERVIEW

Capital Works In Progress

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

Item Description	Estimated Cost \$	% Completed	Estimated Completion Date	Comments
Lauren Avenue Lake Munmorah, Drainage Works (between Lakeway Drive and Anita Avenue)	552,500	50	June 2008	<p>Upgrading existing drainage. Works include new pipe work down Lauren Avenue across Anita Avenue and out onto the foreshore. Roadwork reinstatement required on completion of drainage.</p> <p>Drainage and reinstatement works on the foreshore, and in Anita Avenue now completed.</p> <p>Kerb and gutter installed, roadworks and reinstatement works now completed in Anita Avenue.</p> <p>Drainage works now continuing into Lauren Ave.</p>

General Works in Progress Report (contd)

Item Description	Estimated Cost \$	% Completed	Estimated Completion Date	Comments
The Ridgeway Stage 1b, Tumbi Umbi CH:2165 to CH:2815 650m Section (Between Koorin Road and Awabakil Road.	954,000	30	July 2008	<p>Upgrading of the existing gravel road (approximately 650m) to current standards including sealing of pavement, concrete dish drains and installation of guardrails. Excavation will require significant rock cutting.</p> <p>Further tree removal is required for service pole relocation.</p> <p>Bulk earthworks on site in progress, with cutting on Northern side nearing completion. Works to continue on Southern side with further cutting required.</p>
Pollock Ave - Wyong Kooindah Boulevard to Jenson Road Road Reconstruction	1.1M	25	July 2008	<p>Road Reconstruction of existing road to current standards, including road widening and realignment works.</p> <p>Design works completed and approvals received.</p> <p>Service relocation works to continue.</p> <p>Drainage and shoulder works in progress.</p>

General Works in Progress Report (contd)

Item Description	Estimated Cost \$	% Completed	Estimated Completion Date	Comments
McLachlan Ave -Long Jetty The Entrance Road to Lindsay Street. Road and Drainage Reconstruction	1.9M	40	July 2008	<p>Upgrading existing road and drainage. Drainage works include new box culverts and pipes with kerb and gutter.</p> <p>Road upgrade includes full pavement reconstruction with traffic calming devices and concrete footpath.</p> <p>Drainage works in McLachlan Lane have been completed.</p> <p>Drainage works now continuing into McLachlan Ave.</p> <p>Pavement works have commenced in McLachlan Ave at Eastern end of works.</p>
Dickson Road Jilliby Stage 2 chainage (2600 to 2900)	350,000	100	Completed	<p>Upgrading of the existing gravel road (approximately 300m) to current standards including pavement upgrade, sealing works, concrete dish drains and drainage improvement.</p> <p>Works on site now completed.</p>

General Works in Progress Report (contd)**General Maintenance Work**

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

	North	South
Drainage Maintenance	San Remo Budgewoi Lake Munmorah Dooralong Ravensdale Yarramalong	Berkeley Vale Ourimbah North Entrance Wyong Bateau Bay
Replacement of Damaged Foot paving	San Remo	Nil
Sign Maintenance	Toukley Kanwal Hamlyn Terrace Blue Haven Wadalba Budgewoi Tuggerawong San Remo Canton Beach Wyongah Tuggerawong Jilliby Yarramalong Buff Point	Toowoan Bay Berkeley Vale Ourimbah Long Jetty The Entrance Killarney Vale Shelly Beach Bateau Bay Tuggerah Wyong Mardi Chittaway
Shoulder Restoration	San Remo Jilliby Yarramalong	Long Jetty
Heavy Patching	Jilliby Yarramalong	Nil
Table Drain Maintenance	Lake Haven Mannering Park Chain Valley Bay San Remo Charmhaven Jilliby Budgewoi Toukley Lake Munmorah	Berkeley Vale Long Jetty Bateau Bay Killarney Vale Tuggerah Glenning Valley Fountaindale Ourimbah
Rural Road Grading	Dooralong Yarramalong Ravensdale Jilliby Kiar	Ourimbah Palmdale
Foot paving Construction	Nil	Nil

General Works in Progress Report (contd)

	North	South
Carpark Maintenance	Toukley Budgewoi Norah Head Gorokan	Nil
Fencing		Nil
Vegetation control	Dooralong Jilliby Budgewoi Buff Point Woongarra Halloran Hamlyn Terrace Lake Haven Toukley Chain Valley Bay South	Tuggerah Berkeley Vale Tumbi Umbi Ourimbah Watanobbi Wyong The Entrance Killarney Vale

CONTRACTS AND SPECIAL PROJECTS SECTION

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

Contract No	Contract Description/Contract or	Contract Status	% Completed
Contract CPA 94531	Consultancy for investigation and design of Link Road and trunk water main to Mardi Dam	Design and tender documentation of the Link Road and adjacent trunk water main complete. See CPA 127795 below for status of construction contract. Design and tender documentation for the trunk water main connection back to Mardi Dam is expected to be completed by August 2008 to allow construction as a separate contract.	70
Contract CPA 94559	Design and Documentation of Woongarra Sports fields	Part 5 approval has been sought under the provision of the new SEPP infrastructure. Detailed design and documentation is well advanced to allow tenders to be called by July 2008. Construction is anticipated to commence October 2008, with completion by October 2009. Subject to weather and favourable growing conditions it may be possible to allow some summer competition on the fields by December 2009. Winter competition should be possible from April 2010. Estimated construction cost \$4.7M.	75

General Works in Progress Report (contd)

Contract No	Contract Description/Contract or	Contract Status	% Completed
Contract CPA 94561	Dredging of Tumbi Creek	Approximately 95% of dredging spoil has been disposed of to Buttonderry Landfill. Surveys have shown that storm events have deposited approximately 1000m ³ of additional material into the dredged channel. Recent rain and minor flooding have further delayed work and it is believed that additional siltation of the dredged channel has occurred. All dredging works are now due for completion by the end of May 2008. Completion of the remaining site works including salt marsh establishment and restoration and any necessary rehabilitation of surrounding roads will be completed by June 2008. Environmental surveys and other related project works are expected to be completed by February 2009. Total project cost will be within budget of \$1.8M	95 (dredging contract)
Contract CPA 98240	Implementation of Buttonderry Waste Management Facility Entry Master plan	Development Approval for the upgrade entry and administration areas was issued on 17 March 2008. Detailed design and documentation is well advanced to allow tenders to be called by June 2008. Pre-construction works for Stage 1 will commence in early April 2008 with completion of all works by April 2009.	35
Contract CPA 99940	Construction of Wadalba Sports Facility	Turf cover to playing fields was completed in October 2007. Some further slit drains and sand topdressing works will be done at the end of 2008 due to unavailability of specialised subcontractor. Winter sports have commenced on the fields from April 2008. The field was officially opened on 29 March 2008. Approximate contract value is \$6M.	99
Contract CPA 107166	Warnervale District Sports Fields	Some preliminary investigations and property issues only have been completed. Project still on hold until the Warnervale Town Centre Master Plan is finalised.	2

General Works in Progress Report (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
Contract CPA 110431	Mardi Landfill Remediation – Investigations Only	The final report for the Mardi Landfill site has been finalised as per Council's independent contaminated lands auditor's comments. Remediation works on the site will be a separate future contract based on the recommendation of the Stage 2 report and completion of the detail design works. The value of these required remediation works is yet to be determined. Construction is not expected to commence until 2009/10.	20
Contract CPA 113367	The Entrance Community Facility Stage 2 – Design and Documentation for Refurbishment of Building C (Arts and Culture), Building D (Activities), Building E (Education), Building F (Mens' Shed) and Design only for Building AA (Family and Children's' Services).	Tenders for the work were called during April and closed on 1 May 2008. Site inspections have been held and tender queries responded to Site works are programmed to commence in July 2008 for completion in February 2009. Project Value is \$2.5M.	95 (pre-construction)
Contract CPA 115479	Bateau Bay Landfill Rehabilitation and Redevelopment	Work is continuing on the installation of the synthetic capping liner, however, as the work is extremely sensitive to wet weather progress has been significantly delayed. Work is continuing on the new amenities building for the new AFL/Softball Oval on the southern side of the site with the floor slab being completed and wall brickwork being commenced. Work has also started on the refurbishment of the existing amenities building at Pat Morley oval. Contract completion date is expected to be September 2008, with turf fields able to be used by April 2009 for winter sports of soccer and AFL (subject to suitable establishment conditions). Estimated contract value is \$12M.	40

General Works in Progress Report (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
Contract CPA 116884	Construction of underground tank for oval irrigation – Halekulani Oval, Budgewoi.	<p>Connection of roof water from community hall to tank has been completed. Pump has been installed. Connection to existing irrigation system and commissioning to be completed by end of May 2008 to allow limited irrigation initially.</p> <p>The 100kl tank will be supplemented with treated effluent from future pipeline to the Budgewoi Soccer Club. This will allow all fields to then be irrigated.</p> <p>Contract value is \$63,000.</p>	95
Contract CPA 127795	Construction of Link Road and Water Main, Watanobbi to Warnervale	Tenders for construction were called 9 October 2007 and closed 13 December 2007. In November 2007 the Department of Planning issued a circular regarding proposed changes to S94 funding arrangements which indicated that the Link Road is no longer eligible for funding from this source. Council staff have been seeking urgent advice from the Department but to date have received no response. Evaluation of tenders has been suspended and the tender validity period has now expired. Assessment of planning approval under Part 5 is continuing but most other pre-construction activities have been put on hold.	0
Contract CPA 130591	Consultancy for Investigation and Design of Trunk Sewer Mains to Warnervale Town Centre and Wyong Employment Zone.	Contract awarded to Bonacci Group Pty Ltd on 31 January 2008. Initial investigations commenced and concept designs received and reviewed. Anticipated completion of design and tender documentation by mid July 2008. Subject to development approval being granted, construction expected to commence in October 2008 and be completed by June 2009. This will be separately reported. Estimated Project cost \$9.0 M.	15

General Works in Progress Report (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
Contract CPA 137955	Construction of Intersection Upgrade at Minnesota and Warnervale Roads	Contract was approved at Council meeting of 26 March 2008 for the upgrade of intersection at Minnesota Road and Warnervale Road, Hamlyn Terrace. Relocation of services has commenced on site. Work includes new traffic lights outside new school. Work is expected to be completed by end of August 2008. Estimated cost \$1.3M.	15
Contract CPA 141675	Widening of Culverts and footbridge at Mataram Road, Shared Pathways and associated Road Construction	Tenders have been called for the provision of the works and closed on 27 March 2008. Tenders are being reviewed. Temporary pedestrian access has been installed to the culvert on the southern side of Mataram Road. It is anticipated construction will commence in July and be completed by mid September 2008. Estimated cost \$ 700,000.	0
F2004/07982	The Entrance Town Centre Refurbishment Works	Current actions being undertaken to address 5 year work programme for TETC include: <ol style="list-style-type: none"> 1 Installation of five pedestrian ramps to lower end of The Entrance Road to be completed by September 2008. 2 Replacement of lights to Fountains: Lights and electrician are available. Awaiting completion of SS collars. Planning installation in May 2008. 3 Second batch of tile samples have been received from Ryowa, Japan. The tiles forwarded are high friction surface as previously sent. 4 Visitor Information Signs: Request for quotes has been issued. Awaiting quotes. Work is planned to be completed prior to end of June 08. 5 Quotes for replacement timber to decks under sails have been obtained. The work will be undertaken in 2008/09 budget. 	65
F2007/02014	Construction of under ground tank for oval irrigation Wadalba Community School	Construction of tank and associated drainage works have been completed. Pump and connection to existing irrigation system subject to further design input. Contract value \$68,000.00	90
F2007/01491	Construction of under ground tank for irrigation of playing fields, Wyong Hockey Centre	Construction of tank and associated drainage works have been completed. Pump and connection to existing irrigation system subject to further design input. Contract value \$68,000.00	90

General Works in Progress Report (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
Contract 2408	Capture and Commercial Utilisation of Landfill Gas from Buttonderry Landfill	Council resolved that the General Manager be authorised to execute any contract arising out of the acceptance of the proposal by LMS. Finalisation of the Agreement that will form the basis of the contract has been a protracted process between Council, Council's legal representatives and the contractor. No site works have commenced or are possible until the Agreement is finalised and executed in accordance with the Council resolution.. A recent development, which has placed the finalisation of the agreement in a delicate balance, is the Garnaut Report to the Federal Government which could deprive the contractor of the ability to create tradeable carbon credits, a major source of revenue. New clauses are being considered to enable Council to meet its obligation and to measure and report on emissions and to ensure costs incurred and benefits derived are shared equitably between Council and the Contractor. It is anticipated that the Agreement will now be finalised in May 2008.	5
F2008/00868	Construction of under ground tank for irrigation Wyong Leagues club	Construction of tank has been completed. Associated drainage works and connection to existing irrigation system to be completed by June 2008. Contract Value \$49,000.00	80

28 May 2008
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Director's Report
Shire Services Department

General Works in Progress Report (contd)

CONTRACTS STILL IN DEFECTS LIABILITY PERIOD			
Contract No	Contract Description/Contractor	Contract Status	% Completed
Contract CPA 104754	Construction of Ourimbah Creek Upper Weir Fish Ladder	Contract works in Defects Liability Period until 17 August 2008.	100
Contract CPA 98601	Design, Development and Construction of the Morisset to Warnervale water trunk main	Contract works in Defects Liability Period until 28 September 2008.	100
Contract CPA 113366	Detail Design and Construction of Central Coast Lifetime Learning Centre (CLLC) at Palmdale	Contract works in Defects Liability Period until 1 June 2008.	100

223 Works in Progress Report – Water and Sewerage

F2004/07830 IC:DP

SUMMARY

Water supply and sewerage works in progress and completed for April 2008.

RECOMMENDATION

That the report be received and the information noted.

WATER SUPPLY

Work has commenced on the replacement of 100mm asbestos cement (AC) water distribution main in Lake Street Budgewoi.

The water main is located in the concrete footpath area in front of the Budgewoi shops. The water main is approximately 41 years old and has been identified for replacement due to the age and material of the pipeline. The work consists of the replacement of approximately 50 metres of 100mm diameter AC water main and associated fittings with a 100mm diameter mPVC water main complete with new fittings and valves. The work has been programmed at night to minimise the impact on the commercial businesses in the street. The new main will improve supply into the area and will lessen the risk to Council of a main failure.

The work, estimated to cost \$40,000, is being carried out by Council's Water and Sewerage construction day labour staff and is due for completion early May 2008. The work is being funded from the Water and Sewerage Capital Works programme.

Water Storage

As at 19 May 2008 the storage in Mangrove Creek Dam was 24.7% while the total system storage was 29.1%. Mardi Dam was at 97.1% and Mooney Dam 100%.

SEWERAGE

Ongoing sewer main and manhole replacement and adjustment works have been occurring as part of the RTA works of upgrading the Pacific Highway at Ourimbah and Tuggerah

Council's maintenance program of replacing sections of sewer mains and repairing manholes and junctions that are causing operational problems due to root infestation and storm water infiltration is ongoing in the areas of Norah Head, Budgewoi, Buff Point, Charmhaven, Kanwal, Wadalba, Watanobbi, Bateau Bay, Berkeley Vale, Killarney Vale and Tumbi Umbi.

Works in Progress Report – Water and Sewerage (contd)

PROCESS

Water Treatment

All water produced by the Water Treatment Plant, for the period 1 April 2008 to 30 April 2008, has met National Health and Medical Research Council Guidelines.

Sewage Treatment

All effluent discharged from the sewage treatment plants, for the period 1 April 2008 to 29 April 2008, has met Environmental Protection Authority Licence requirements.

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

Enclosure ***Water Storage, Water Usage and Rainfall***

Works in Progress Report – Water and Sewerage (Attachment 1)**Monday, 19 May 2008****STORAGES**

Storage	Capacity Full [MI]	Volume in Storage [MI]	Percent Full [%]	Storage Change over last Week
Mangrove Dam	190000	47,014	24.7	Up 70 ML
Mardi Dam	7400	7,188	97.1	Down 198 ML
Mooney Dam	4600	4,600	100.0	Unchanged
Total	202000	58,802	29.1	Down 128 ML

Total stored water volume has increased by 2.5% since last month.

This day last year the volume stored as a percentage of total capacity was 13.4% lower.
Hunter Water Corporation supplied 0 ML last week keeping this years supply at 41.2 ML.
Gosford/Wyong supplied 0 ML to Hunter Water last week keeping this years supply at 80 ML.
Groundwater Bores supplied 5.515 ML last week increasing this years supply to 55.4 ML

WATER USAGE & RAINFALL

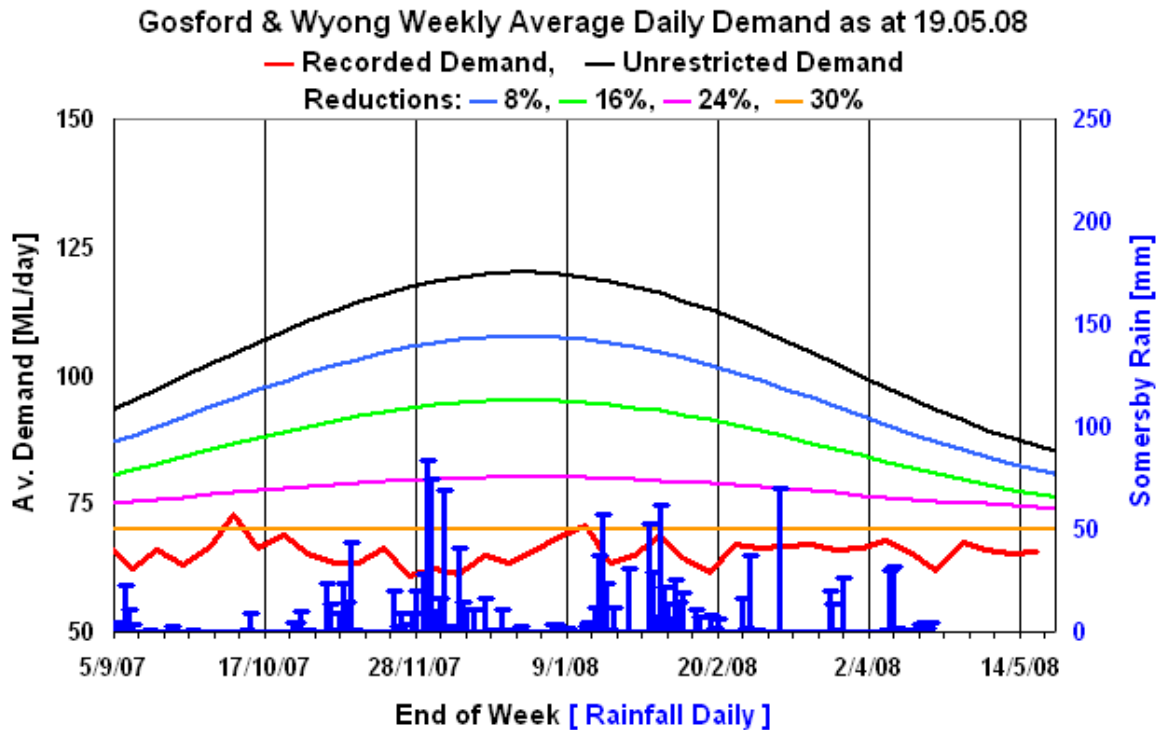
Period	Water Usage [MI]	Rainfall [mm]		
		Somersby WTP	Mardi WTP	Mangrove Dam
Week to date	459	6	3	6
Previous week	457	0	0	0
Current week last year	434	10	9	12
This year to date	9,245	980	760	628
Same period last year	8,932	721	552	455

Week to date consumption was 459 ML, 5.8% more than the same week last year and 0.4% more than the previous week.

Consumption this year to date is 9,245 ML, 3.5% more than the same period last year.

Level 3 Water Consumption Target for the week ending Monday, 26 May 2008 is 490 ML

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



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

28 May 2008
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

224 **Wyong Shire Library Statistics**

F2004/11651 JM: JM

SUMMARY

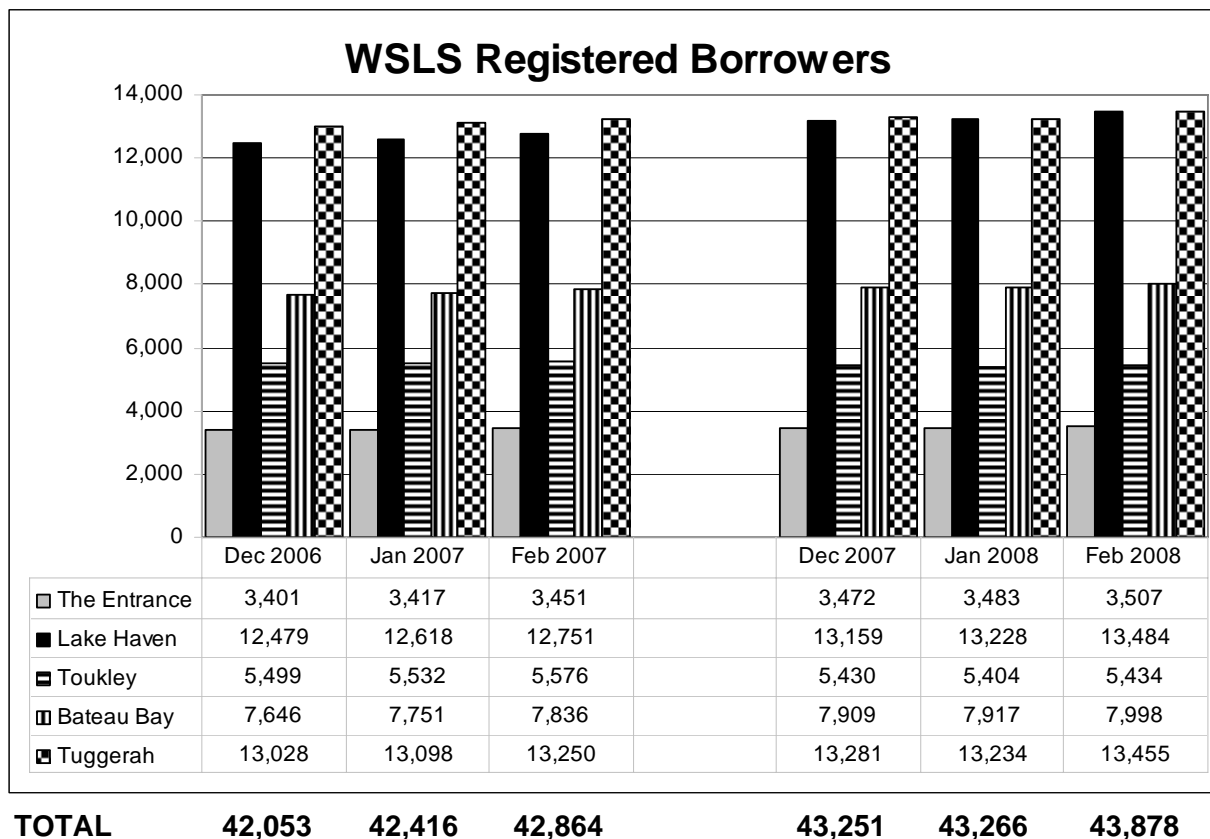
Statistical report on the activities of Wyong Shire Library Service.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

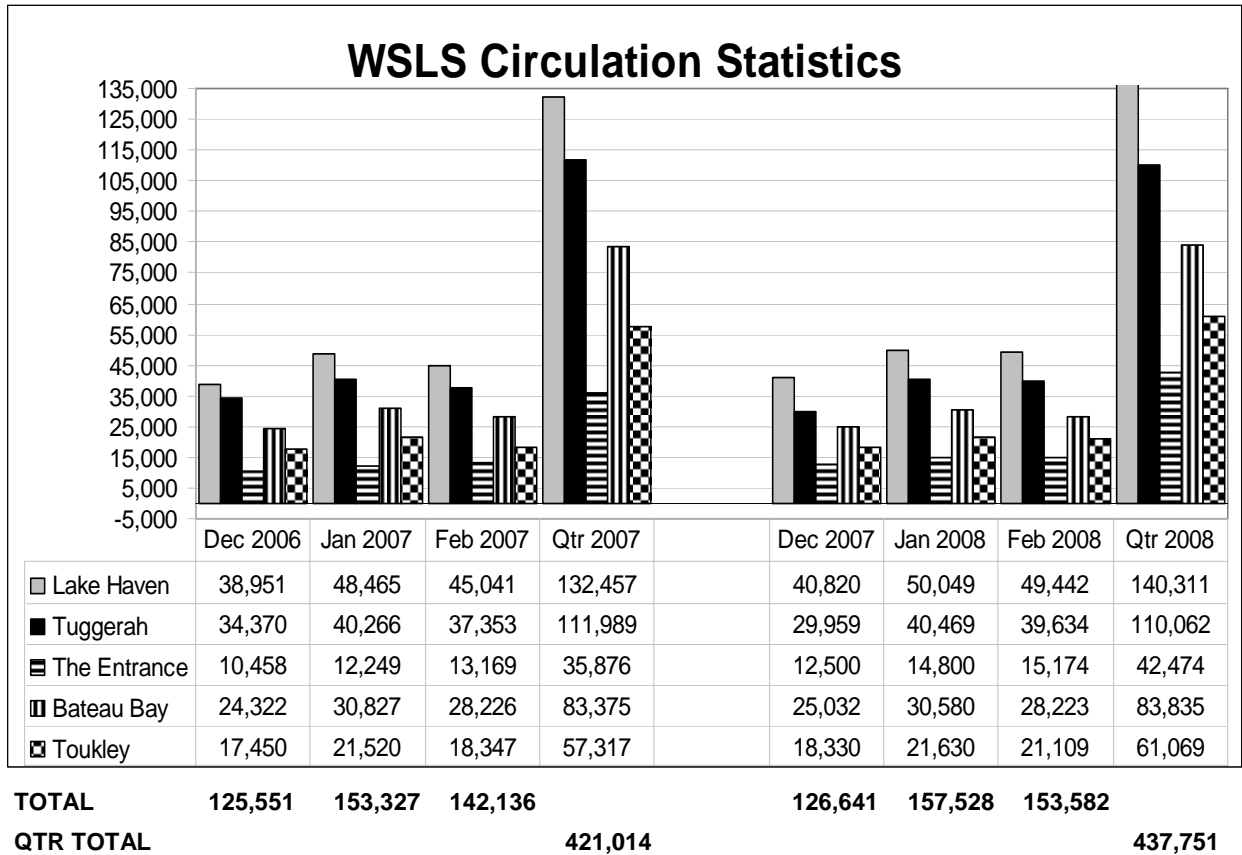
The following statistics present a picture of the activity experienced by the Wyong Shire Library Service in the months December 2007 to February 2008 and the corresponding months of the previous years.

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 on a monthly basis.

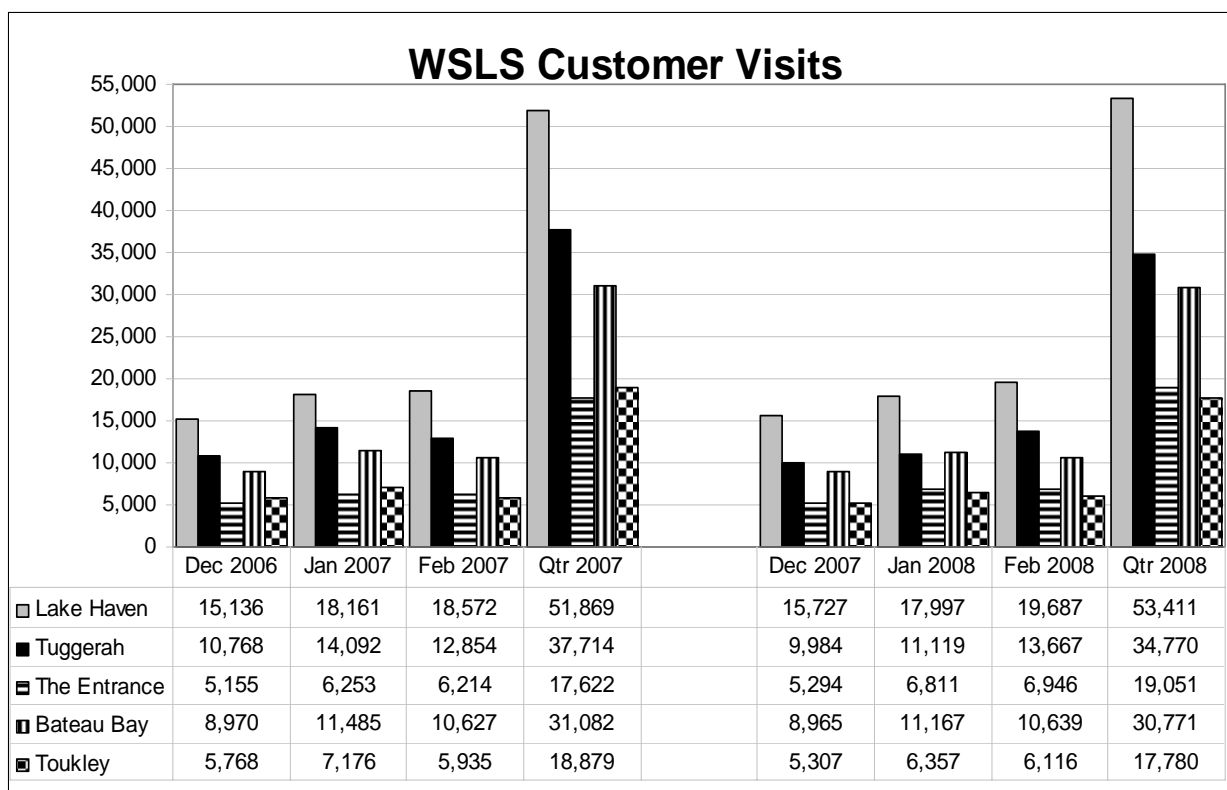
The total number of registered borrowers at February 2008 has increased by 2.3% compared to February 2007.

The total number of borrowers now represents approximately 33% of the Wyong Shire population. The average of similar Councils to Wyong is 44.1%. The State average is 47.5% of the population from the State Library of New South Wales Statistics.

Wyong Shire Library Statistics (contd)

The number of items circulated includes loans and returns and has shown a slight decrease at Tuggerah during the 2007/08 quarter. All other sites show an increase.

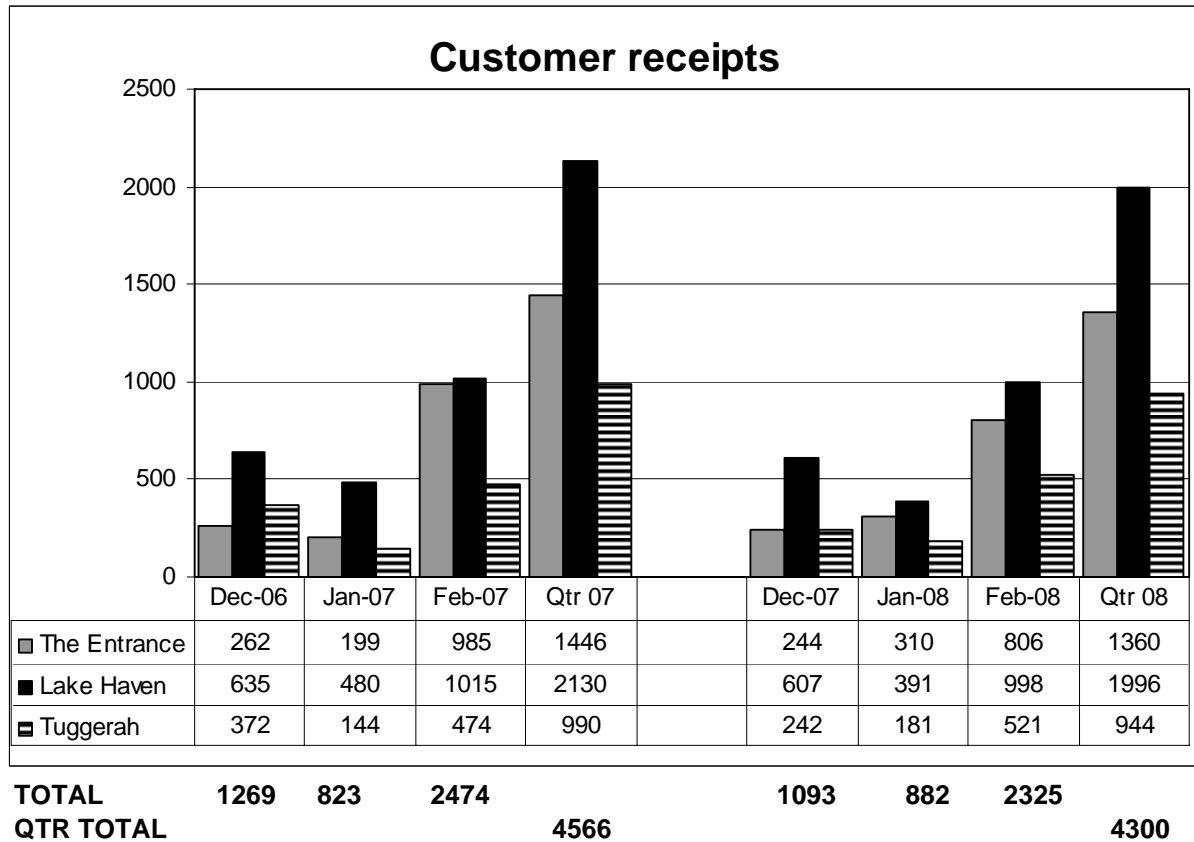
Overall, there has been a 3.9% increase in the circulation of items in this quarter when compared to the same period last year.

Wyong Shire Library Statistics (contd)

TOTAL	45,797	57,167	54,202		45,277	53,451	57,055	
QTR TOTAL				157,166				155,783

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 and other programs, 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.

Overall, the quarterly figures show a small (less than 1%) decrease compared to the same period in the last years.

Wyong Shire Library Statistics (contd)

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

The total number of receipts issued at the library based Council customer service centres fell by 6% in this period compared to the same period in the previous years.

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

225 Outstanding Questions Without Notice and Notices of Motion

F2008/00003 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
Q123 - Darcy Smith Court Case (A response will be reported to Council when the case has been finalised in the LEC)	Councillor Pavier	12 December 2007	Shire Planning
Q017 – Date of Proposed Meeting Between Council and Minister Nathan Rees (A response will be reported when a reply has been received from the Minister)	Councillor Eaton	12 March 2008	General Manager's Unit
Q024 – Coral Street Carpark Louvers (A response will be submitted to Council at the 11 June 2008 Ordinary Meeting)	Councillor Stewart	23 April 2008	Shire Services
Q026 - Community and Staff Parking in and around Council's Civic Centre (A response will be submitted to Council at the 11 June 2008 Ordinary Meeting)	Councillor Best	23 April 2008	Shire Planning

Outstanding Questions Without Notice and Notices of Motion (contd)

Question Asked	Asked By	Meeting Asked	Department
Q027 – Red-Eared Slider Turtle (A response will be submitted to Council at the 11 June 2008 Ordinary Meeting)	Councillor Veugen	23 April 2008	Shire Services
Q029 – Cessnock City's Performing Art Centre Design and Cost (A response will be submitted to Council at the 11 June 2008 Ordinary Meeting)	Councillor Eaton	23 April 2008	Shire Planning
Q030 – State of the Jetty at Long Jetty (A response will be submitted to Council at the 11 June 2008 Ordinary Meeting)	Councillor Stewart	14 May 2008	Shire Services
Q032 – Preferred Route for the Pacific Highway (A response will be submitted to Council at the 9 July 2008 Ordinary Meeting)	Councillor Eaton	14 May 2008	Shire Planning
Q033 – Cabbage Tree Bay Sea Wall (A response will be submitted to Council at the 25 June 2008 Ordinary Meeting)	Councillor Best	14 May 2008	Shire Planning

Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>326 - National Natural Disaster Funding</p> <p><i>Report required on climate change impacts.</i></p>	Shire Planning	8 August 2007	A report will be submitted to Council when response from Department of Environment and Climate Change (DECC) is received. Finalisation of Coastline Management Plan is not anticipated until January/February 2009.
<p>470 – Ferry Service between Wyong and The Entrance</p> <p><i>Report to be provided on investigation of a wharf and passenger ferry service between Wyong and The Entrance.</i></p>	Shire Planning	14 November 2007	Report to be submitted following exhibition. A Councillor briefing was held on 7 May 2008.
<p>009 – Fairer Beach Access for Dog Owners</p> <p><i>That Council review its policies associated with beach access for dogs to provide responsible dog owners greater and fairer use of our Shire's beaches particularly during low usage periods.</i></p>	Shire Planning	23 January 2008	A briefing will be held on 4 June 2008.
<p>110 – Submission for Black Spot Funding</p> <p><i>That Council formally make submission to the black spot funding program for a roundabout intersection on Wyong Road and Tuggerah Straight and Cobbs Road/F3 interchange. That Council advise the Roads and Traffic Authority of the potential for a fatality to occur at both of these locations. Staff report to Council relevant data supporting the submission including traffic volumes and accident history.</i></p>	Shire Services	12 March 2008	Relevant supporting data is being collected for the completion of the funding application.
<p>138 – Affordable Housing Summit</p> <p><i>That Council convene a summit to examine ways to achieve a significant price reduction in new housing and land costs.</i></p>	Shire Planning	26 March 2008	Project plan being developed. Date of summit to be resolved, but anticipated to occur before the end of July 2008.

Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
140 – Mowing and Maintenance of Open Space and Park Areas <i>Report to be provided on the adequacy of the current scheduling and targets achieved.</i>	Shire Services	26 March 2008	A report will be submitted to Council at the 25 June 2008 Ordinary Meeting.
157 – Corridor for Future Rail Track Upgrades <i>Request Cityrail to confirm it no longer requires wider corridor in places like Ourimbah and the decision for future track upgrades and improved services such as fast train.</i>	Shire Planning	9 April 2008	Awaiting a response from Railcorp.
177 – Indian Myna Bird Plague <i>Report to be provided detailing eradication initiatives used by other Councils giving an indication of costs associated with the implementation of these initiatives.</i>	Shire Services	23 April 2008	A report will be submitted to Council at the 25 June 2008 Ordinary Meeting.
178 - Australian National Surf Lifesaving Championships <i>Council to liaise with Gosford City Council, Central Coast Tourism Inc and Surf Lifesaving Central Coast to establish support for the bid to host the 2010, 2011 and 2012 Championships on the Central Coast as part of a regional initiative.</i>	General Manager's Unit	23 April 2008	A report will be submitted to Council detailing outcome of discussions with key stake holders.
179 - Briefing to Explain Calculation of Development Levies <i>Council to convene an urgent briefing on how Section 94 Contributions are calculated.</i>	Shire Planning	23 April 2008	A briefing will be held on 2 July 2008
200 – Ban on Political Donations <i>That this Council reaffirm its submission to the NSW Parliament Select Committee on Political Donations and support the actions of the Mayor in representing this Council in giving evidence at that Select Committee.</i>	Corporate Services	14 May 2008	Correspondence to be forwarded to the NSW Parliament Select Committee by 30 May 2008.

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

Shire Planning Department

Answers to Questions Without Notice

Q020 – Competitive Section 94 Analysis

Asked by Councillor Best at the Ordinary Meeting held on 12 March 2008
F2006/01781, F2006/002289

“Mr General Manager my question is seeking information as to what comparisons were undertaken with regard to contributions levied in other similar Local Government Areas, such as the Lower Hunter, to ensure market parity and competitiveness in the Wyong Employment Zone and the Warnervale Town Centre. Further, on what basis were the standards of provision of facilities and Services in the Warnervale Town Centre determined? Could analysis and summaries please be attached to Staff’s reply?”

The draft Section 94 contributions plans for the Warnervale Town Centre and the Wyong Employment Zone were prepared with the aim of ensuring that future development of these areas contributed towards the costs associated with the provision of facilities to meet the demand generated by that new development. As a consequence, the draft plans also ensure that the existing community is not burdened by the provision of public amenities and public services as a result of future development. On that basis, a comparison of contributions levied in other similar Local Government Areas to ensure market parity and competitiveness was not an objective of the process and was therefore not undertaken.

It is difficult to compare contribution rates from one Local Government Area to another simply on the basis of the overall amount as the type of contributions levied and range of facilities required may differ markedly from area to area. In fact, this variation is evident within Wyong Shire from one contribution plan to another. This is because each contributions plan area has different growth potential, population projections and demographics, thereby resulting in different requirements for the provision and/or upgrading of facilities. In addition, some Local Government areas fall within the control of a Water Board which means that drainage contributions would be handled by the Board rather than the Council.

It should be noted that in order to meet the nexus requirements as outlined in the legislation, it is vital that contribution levels reflect the specific needs and characteristics of the particular area and it is therefore entirely appropriate that contribution rates differ from one Local Government Area to another.

A comparison of the Section 94 contribution rates contained in the draft contributions plans for the Warnervale Town Centre and the Wyong Employment Zone to the contribution rates for similar development types of Local Government Areas of the Lower Hunter (plus Gosford) is shown below. Whilst the contribution rates for both the Wyong Employment Zone and the Warnervale Town Centre may be comparatively higher than the contribution rates for the other Local Government Areas in these tables, the main reasons for the difference is the scope of contributions being sought in the Wyong Employment Zone and the Warnervale Town Centre due to those sites being greenfield sites and also the influence of land values on the contribution rates. It also needs to be remembered that the contribution rates for the Wyong Employment Zone would be more comparable to the other Local Government Areas if it were not located adjacent to a State significant wetland that requires extraordinary environmental controls.

Answers to Questions Without Notice (contd)**Q020 – Competitive Section 94 Analysis (contd)**

It should be noted that the contribution rates contained in the tables below exclude water and sewer contribution rates and also State Government Special Infrastructure Contributions that may apply. It should also be noted that a number of the comparison Councils have now developed Section 94A plans for their commercial and industrial areas and hence a direct comparison to Wyong's Section 94 contribution rates is not possible.

Industrial Development				
Local Government Area	Contribution Rate per hectare			Types of Contributions Included
	Land	Works	Total	
Wyong Employment Zone	\$32,882 \$32,882	\$298,037 \$196,293	\$229,175 - \$330,919	Roads, Drainage, Water Quality, Integrated Water Cycle Management, Conservation Land Acquisition, Conservation Land Embellishment, Studies and Admin
Cessnock City Council	Not Applicable	Not Applicable	Not Applicable	
Lake Macquarie City Council	Not Applicable	Not Applicable	Not Applicable	
Maitland City Council	Not Applicable	Not Applicable	Section 94A – 1% of value	
Newcastle City Council	Not Applicable	Not Applicable	Section 94A – 1% of value	
Port Stephens Council	Not Applicable	Not Applicable	Not Applicable	
Gosford City Council	\$0	\$252,600	\$252,600	Recreational Facilities, Community Facilities, Road Works and Environmental Protection Works

The average "for sale" price for a new house in an urban release area (source: domain website) for each Local Government Area has been included in the residential table below. It is apparent from the table that the sale prices do not appear to be influenced by the S94 contribution amounts, i.e. a reduced s94 contribution, does not mean reduced housing prices or "more affordable housing".

Answers to Questions Without Notice (contd)**Q020 – Competitive Section 94 Analysis (contd)**

Residential Development					
Local Government Area	Contribution Rate per lot (600m²)			Average New House Price	Types of Contributions Included
	Land	Works	Total		
Warnervale Town Centre	\$26,542 \$18,781	\$29,209 \$23,343	\$49,000 - \$59,000	\$329,500 (Hamlyn Terrace)	Roads, Drainage, Water Quality, Integrated Water Cycle Management, Open Space Land & Embellishment, Community Facilities Land & Embellishment, Studies & Admin plus Shire Wide Facilities
Cessnock City Council	\$1,057	\$13,693	\$14,750	\$311,500	Open Space, Community Facilities, Roads & Admin
Lake Macquarie City Council	\$14,970	\$16,630	\$31,600 (excl. city wide)	\$384,950	Open Space, Community Facilities, Roads, Drainage and Admin
Maitland City Council	\$2,400	\$29,160	\$31,560	\$314,500	Open Space, Community Facilities, Roads, Cycleways & Admin plus City Wide Facilities
Newcastle City Council	\$0.00	\$13,953	\$13,953	\$398,000	Open Space, Community Facilities, Roads & Admin
Port Stephens Council	\$0.00	\$10,627	\$10,627	\$332,000	Open Space, Community Facilities, Roads & Admin
Gosford City Council	\$8,833	\$8,467	\$17,300	\$352,000	Open Space, Community Facilities, Roads & Drainage

Answers to Questions Without Notice (contd)

Residential Contributions Comparison (for average lot)									
	Roads	Drainage & Water Quality	Comm. Fac.	Open Space	Admin	Studies	City/Shire Wide	Other	TOTAL
Warnervale Town Centre¹	\$12,936	\$7,408	\$3,457	\$29,742	\$877	\$78	\$1,136	-	\$55,634
Cessnock² (Mulbring North)	\$12,387	-	\$869	\$1,057	\$231	\$206	-	-	\$14,750
Lake Macquarie¹ (Northlakes)	\$5,777	\$1,295	\$2,595	\$14,050	\$164	-	\$25,514	\$2,828	\$52,223
Maitland¹ (Thornton North)	\$19,436	-	\$1,587	\$5,005	\$466	-	\$5,066	-	\$31,560
Newcastle¹ (Fletcher)	\$1,927	-	\$2,479	\$8,830	\$350	-	-	\$367	\$13,953
Port Stephens² (LGA wide)	\$1,296	-	\$2,479	\$6,496	\$356	-	-	-	\$10,627
Gosford² (LGA wide)	\$3,081	\$4,349	\$435	\$9,435	-	-	-	-	\$17,300

Notes:

- 1 Denotes local government areas with designated Greenfield release areas similar to Warnervale.
- 2 Denotes local government areas without designated Greenfield release areas.
- 3 Four of the seven local government areas do not presently levy a shire/city wide contribution, therefore their total amounts are significantly less than the two that do.
- 4 The table does not recognise an abundance or shortfall in particular categories within other local government areas (e.g. Lake Macquarie may have a greater area of existing open space, therefore their contribution rate for this category is less, whereas their rate for community facilities is similar to that of Warnervale).

Answers to Questions Without Notice (contd)

Q020 – Competitive Section 94 Analysis (contd)

Commercial Development				
Local Government Area	Contribution Rate per hectare			Types of Contributions Included
	Land	Works		
Warnervale Town Centre	\$161,777 \$32,440	\$3,492,099 \$3,415,743	\$3.4 - \$3.6mill	Roads, Drainage, Water Quality, Integrated Water Cycle Management, Studies and Admin
Cessnock City Council	Not Applicable	Not Applicable	Not Applicable	
Lake Macquarie City Council	\$0.00	\$398,200	\$398,200	Roads and Admin
Maitland City Council	Not Applicable	Not Applicable	Section 94A – 1% of value	
Newcastle City Council	Not Applicable	Not Applicable	Section 94A – 3% of value	
Port Stephens Council	\$0.00	\$578,000	\$578,000	Admin and Roads (estimate only based on comparison of vehicle trip rates for roads)
Gosford City Council	Not Applicable	Not Applicable	Section 94A – 4% of value	

Standards of Provision

The standards of provision of facilities and services in the Warnervale Town Centre were determined using numerous sources. A discussion of each major category of facility is set out below.

Road Works and Traffic Management

The standard of provision of road works in the Warnervale Town Centre is largely governed by the draft Development Control Plan (DCP) for the area that was prepared by the Department of Planning. The draft DCP sets out road widths and intersection treatments within town centre.

The draft contributions plan seeks to collect contributions towards the cost of constructing half the road frontages of the roads adjacent to open space or community land within the town centre. Also, the draft plan seeks to collect contributions for all major intersections with the town centre and a proportional contribution to those intersections external to the town centre that are required to partly serve to town centre.

Answers to Questions Without Notice (contd)

Q020 – Competitive Section 94 Analysis (contd)

Finally, the draft contributions plan seeks to collect contributions towards the proportional costs of major external roads within the Warnervale District such as Railway Road

Integrated Water Cycle Management, Drainage and Water Quality

The standard of provision of integrated water cycle management, drainage and water quality facilities within the town centre is based on design concepts prepared by Council's hydrological consultants and Council staff and having regard to best practice concepts in this area.

The scheme aims to partly fund the establishment of a stormwater harvesting and reuse scheme. The stormwater harvesting and reuse project comprises the design and implementation of a regional stormwater storage and treatment wetland system located at a disused brick pit site. Stormwater infrastructure from future and existing developments can be connected to this regional storage system.

A transfer pipe system will convey treated stormwater from the Warnervale Town Centre area to the regional storage which will then receive secondary treatment in a facility below Porters Creek Wetland. The transfer pipeline will eventually discharge treated water into the Wyong River weir pool. Discharge will be managed to specifically meet (or help to meet) the downstream environmental flow requirements of the river, developed under the Water Sharing Plan. This will allow similar quantities to be extracted upstream in the weir pool for transfer to the potable water supply that are additional to water allocations developed under the Water Sharing Plan.

Community Facilities

The standard of provision of community facilities in the Warnervale Town Centre has been developed to date through a comprehensive consultative process. A Human Services Strategy was prepared in 2002 and a Community Facilities Study in 2003 for the Warnervale/Wadalba area. Also, a Human Services Planning Team was established by the NSW Premier's Department delegated with the responsibility for implementing the Strategy. The Planning Team has representations from the core State Government agencies that provide human services for the region and Council staff.

Answers to Questions Without Notice (contd)

Q020 – Competitive Section 94 Analysis (contd)

The draft contributions plan seeks to levy contributions towards the construction of the following facilities:

- Warnervale Knowledge Centre
- Integrated Child and Family Centre
- Primary Health Care Centre
- Youth Precinct
- Arts and Cultural Centre
- Aquatic and Leisure Centre

Open Space

The standard of provision of open space facilities in the Warnervale Town Centre is also largely governed by the draft DCP prepared by the Department of Planning, Council's Wyong Open Space Principles Plan and the Wyong Local Parks Strategy.

The draft contributions plan seeks to collect contributions towards the land acquisition and embellishment costs of the parks, riparian corridor and a share of the sporting fields that will serve the population within the town centre.

The acquisition costs are based on land valuations prepared by Robertson and Robertson and the embellishment costs are based on the current cost of embellishing similar open space areas in recent times.

Answers to Questions Without Notice (contd)

Q021 – Development Application Trends

Asked by Councillor Eaton at the Ordinary Meeting held on 26 March 2008
F2004/12148

“Could Council prepare a graph showing Development Application number trends with local and state unemployment levels over the last 10 years?”

As requested, graphs indicating a comparison of Development Applications lodged and unemployment levels in Wyong Shire and NSW unemployment rates from 1998 to 2007 are enclosed.

Enclosure

Graph

28 May 2008
To the Ordinary Meeting of Council

Corporate Services Department

Answers to Questions Without Notice (contd)

Q025 – Rent Paid on The Entrance Visitors Centre

Asked by Councillor Stewart at the Ordinary Meeting held on 23 April 2008
F2004/12356

“Could staff please advise if the rent on The Entrance Visitors Centre has been paid from the date of the signing on 14 September 2007?”

Rent on The Entrance Visitors Centre has been paid from 1 March 2007, the date of commencement of the lease, and is paid up to 31 May 2008.

Answers to Questions Without Notice (contd)

Q028 – Vision Speakers Forum Fees

Asked by Councillor Eaton at the Ordinary Meeting held on 23 April 2008
F2004/11115

“Could Council advise on fees paid to speakers for the Strategic Vision Speakers Forum (eg Ian Keirnan)?”

At the Ordinary Meeting of Council held on Wednesday 28 November 2007, Council resolved:

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

- 1 That Council commence a Shire Strategic Vision process generally in accordance with that outlined in this report.*
- 2 That the Shire Strategic Vision process be designated a “Key Focus Area” unanimously under Wyong Shire’s 2007/08 Management Plan.*
- 3 That an initial budget of \$50,000 be allocated to this project in 2007/08, with subsequent allocations subject to normal budget processes.”*

Of the nine speakers booked to address the forum, three have charged fees: Ian Keirnan (\$9,000), Keith Suter (\$5,500) and Peter Kenyon (\$4,500). This is inclusive of GST.

The Department of State and Regional Development has provided a grant of \$3,000 for the Economic Forum as part of the Speakers and Speculation series. Therefore, the total Council expenditure is \$16,000 which has been funded from the total allocation of \$50,000. A Councillor Briefing was held on 14 November 2007 to discuss the Project Outline for the Shire Strategic Vision. The Project Outline included a budget allocation of \$40,000 for the Speakers and Speculation component.

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

226 **Notice of Motion – Opposition to 20 Storey Tower Proposal by Westfield**

RZ/2/2007 SW

Councillor D J Eaton has given notice that at the Ordinary Meeting of Council to be held on Wednesday, 28 May 2008 he will move the following Motion:

- “1 That Council reiterate its opposition to the 20 storey tower proposal by Westfield on its old abattoir site.*

- 2 That Council censure the Mayor for this apparent support for the 20 storey tower concept given;*
 - a Council's unanimous opposition to the concept in adopting the Wyong Tuggerah Planning strategy, and*

 - b Westifeld's donation of \$1/4 million to the labor party.”*

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

227 Notice of Motion – Wallarah 2 Funding

F2006/01080 SW

Councillor B J Pavier has given notice that at the Ordinary Meeting of Council to be held on Wednesday, 28 May 2008 he will move the following Motion:

“Council previously set aside funds for the examination of the State investigation into the Wallarah 2 Coal Mine and loader.

Council now seeks a further report on whether the funds set aside are adequate given the expert fields of study that will be required to be examined.”

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

228 Notice of Motion – Management Plan Newsletter

F2007/00880 SW

Councillor B J Pavier has given notice that at the Ordinary Meeting of Council to be held on Wednesday, 28 May 2008 he will move the following Motion:

“That Council in principle support a bi-annual, shire wide newsletter promoting the work of the Estuary Management Plan on Tuggerah Lakes.

That a report be produced on how:

- a the most cost effective way of distribution (ie with rate notices etc) be examined.*
- b whether the Member for Dobell (given the Federal Government) would like to participate and to what extent.*
- c that political comment be invited from the Mayor (of the day), Estuary Management Deputy Chair and the Member for Dobell (should he contribute).*
- d the timing of the first newsletter.”*

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

229 Notice of Motion – Central Coast Action Plan

F2004/06677 SW

Councillor B J Pavier has given notice that at the Ordinary Meeting of Council to be held on Wednesday, 28 May 2008 he will move the following Motion:

“That staff investigate the Central Coast Action Plan as it was previously advertised and publicly exhibited to follow up on the following issues with regards to the plan;

- a the funding (how much has been set aside over the years)*
- b what has been impletemed*
- c any task forces to be created or discussion groups that were to be formed*
- d how long it has been on the Council website”*

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

230 Notice of Motion – Inaugural 2008 National Whale Day Event

F2004/10946 SW

Councillor G P Best has given notice that at the Ordinary Meeting of Council to be held on Wednesday, 28 May 2008 he will move the following Motion:

- “1 That Council on behalf of its residents and ratepayers re-affirm its strident opposition to the outrageous practice of so called scientific whaling in the Antarctic’s international whale sanctuary.*
- 2 That Council support the inaugural Whale Day event hosted by Whale Call and IFAW to be staged at Soldiers Beach on Saturday 14 June 2008 by publicising this important community initiative through Council’s various media avenues.*
- 3 That Council allocate the sum of \$500 to Whale Call to assist with the event and for general administration costs subject to meeting Council’s public donation criteria.”*

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

**231 Notice of Motion – Poll on Popularly Elected Mayor and
Electricity Privatisation**

F2007/06511 F2004/08138 SW

Councillor G P Best and D J Eaton have given notice that at the Ordinary Meeting of Council to be held on Wednesday, 28 May 2008 they will move the following Motion:

- “1 That Council offer the residents and ratepayers of Wyong Shire the opportunity to choose their Mayor at a Council general election through the initial step of holding a poll / referendum at the upcoming 2008 Council general election seeking community support for this initiative.*

- 2 That due to the highly controversial and contentious issue of privatisation of the community’s electrical supply assists, Council also provide its residents and ratepayers with a voice on this challenging issue through a poll / referendum at the upcoming 2008 Council general election.”*

WYONG SHIRE COUNCIL

28 May 2008
To the Ordinary Meeting of Council

232 Notice of Motion – Surf Club Renewal Program

F2006/00977 SW

Councillor G P Best and D J Eaton have given notice that at the Ordinary Meeting of Council to be held on Wednesday, 28 May 2008 they will move the following Motion:

- “1 That Council recognise the outstanding contribution to our community by Surf Life Saving Central Coast and the importance of adequate resourcing of this vital service.*
- 2 That having regard to 1 above, Council recognise the urgent need to formally commence the Surf Club Renewal Program (SCRP) through identifying an indicative allocation of \$2.5M in the staff 2009/10 pre budgeting planning process, with a view to providing recurring funding in subsequent budget years to deliver a complete roll out of the SCRCP.*
- 3 That staff in partnership with Surf Life Saving Central Coast formally brief Council on the key issues and processes required to commence the SCRCP.*
- 4 That both the State and Federal Governments through our respective local members be engaged to assist Council and its residents and ratepayers in delivery of this vital community project.”*