

7.1 Information Reports

TRIM REFERENCE: F2011/00027 - D02810706

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Monica Redmond; Administration Assistant

SUMMARY

In accordance with Council's Code of Meeting Practice reports for the Information of Council are provided for adoption either by nominated exception or in total.

RECOMMENDATION

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

ATTACHMENTS

Nil.

7.2 Investment Report for October 2011

TRIM REFERENCE: F2004/06604 - D02830273
MANAGER: Cate Trivers, Chief Financial Officer
AUTHOR: Devini Susindran; Financial Accountant

SUMMARY

This report details Council's investments as at 31 October 2011.

RECOMMENDATION

That Council receive the report on Investment Report for October 2011.

BACKGROUND

WSC's investments are made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2005), Council's Investment Policy, Ministerial Investment Order issued February 2011 and Division of Local Government Investment Policy Guidelines published in May 2010.

Council's portfolio includes investments in managed funds which were permitted under the previous Minister's order, however are now held under the "grandfather" provisions of the current Ministers Order. The remaining WSC investments are held in the Blackrock Care and Maintenance Fund continue to be wound up progressively and are expected to be finalised by 2016.

CURRENT STATUS

Managed Funds

Blackrock Care and Maintenance Fund \$6.67m – "grandfathered" investment under the Ministers Investment Order, this is the residual balance of the fund now held to maturity with distributions of capital made when assets in the portfolio mature or are sold.

The October return of \$0.09m was a 1.43% upward revaluation (unrealised). Over the long-term, the fund has performed well returning around 8% p.a. over 3 years, or over +250 basis points over bank bills. No assets have defaulted and most underlying securities are still investment grade (rated BBB- or higher). Going forward, the fund will continue to outperform strongly should markets stabilise or spreads contract due to its high running yield (9.08% as at the end of October).

Cash and Term Deposit Funds

Cash flows in October were met thru redemption of \$14.0m from term deposits, with no new investments (ref Table 1). Cash and Investments peaked at end of September at \$150.81m and was drawn down to \$136.62m by end of October.

Return on cash and term deposits for October 2011 was \$0.64m.

Table 1 Movement of Funds

Institution	Term (Approx. Months)	Interest Rate %	Maturity	Investment / (Redemption)
CBA	2	5.77%	Oct 2011	(\$2,000,000)
Bankwest	1.5	5.70%	Oct 2011	(\$2,000,000)
Bankwest	6	6.00%	Oct 2011	(\$5,000,000)
Westpac	6	5.88%	Oct 2011	(\$5,000,000)

Total Funds

Total net return for October 2011 was \$0.73m consisting of \$0.64m interest earnings and \$0.09m capital gains.

Table 2 Investment Portfolio by Risk Category

	October 2011	Year-to-date Returns	
	\$ '000	%	\$ '000
Cash at Call	8,150	7.46	256
Term Deposits	121,807	5.92	2,349
Cash Management Funds	6,670	(8.61)	(216)
Enhanced Income			(1)
Total Investments	136,627	5.16	2,388

Year to date returns in October of 5.16% is favourable when comparing with the benchmark UBSA YTD Bank Bill Index of 5.01%. The year to date return excluding the capital losses on managed funds of \$0.37m is 5.95% and compares favourably to the benchmark.

Council investments are evaluated and monitored against a benchmark appropriate to the risk (Standard and Poor's BBB Long term or above) and time horizon of the investment concerned.

The target maximum limit in each category and the current spread of investments is as listed in Table 3. Portfolio is currently over-weight in A1 but is a positive position due these investments offering the best rates selected for the investment time frame.

Current world financial market volatility did not negatively impact on the portfolio in October, apart from the minor revaluation of Blackrock securities, however as these are held to

7.2 Investment Report for October 2011 (contd)

maturity this loss will not be realised in the long term. Interest rates are also trending downwards.

Table 3 – Portfolio Credit Framework

Investment Category Short Term	Target Allocation Maximum	Portfolio Allocation Short Term	Comments
A1	10.0%	76.8%	
A2	75.0%	17.6%	
A3	10.0%		
Unrated	15.0%	5.6%	Includes Managed Funds
TOTAL	110%	100.0%	

Investment transactions and earnings during October 2011 are shown in Table 4 - Portfolio Performance.

Table 4 Portfolio Performance

	Full Year 2010-11 \$m	Qtr to Sept 2011 \$m	October 2011 \$m	Year to Date 2011-12 \$m
Movement in Assets				
Opening Balance	126.39	136.86	150.81	136.86
Capital Gain/Loss – (see below)	1.90	(0.47)	0.09	(0.38)
Net Cash/Investments(Withdrawals)	8.57	14.42	(14.28)	0.14
Closing Balance	136.86	150.81	136.62	136.62
Trading Position				
Capital Gain/(Loss) Realised	-	-	-	-
Capital Gain/(Loss) Unrealised	1.90	(0.47)	0.09	(0.38)
Interest Earnings	5.33	2.13	0.64	2.77
Total Return for Period	7.23	1.66	0.73	2.39

Movements in investments comprised the changes in, valuation, new investments and redemptions during October shown in Table 5 – Changes in valuation and redemptions.

Table 5 Changes in valuation, new investments and redemptions.

Type of investment	Institution		\$m	\$m
Call deposit	Interest earned	Income	0.04	
	Net movement	Redemption	(0.32)	(0.28)
Term deposits	As detailed in Table 1	Redemptions	(14.0)	(14.00)
		Investments	-	
Managed Funds	Black Rock	Capital Distribution	-	

7.2 Investment Report for October 2011 (contd)

		Capital Gain / (Losses)	0.09	0.09
TOTAL				(14.19)

Interest and Investment Returns

Returns as at 31 October 2011 on the council investment portfolio of deposit accounts, term deposits and managed funds show a \$0.35m favourable variance when compared to the year to date budget.

Table 6 Annual Investment Portfolio Performance as at 31 October 2011

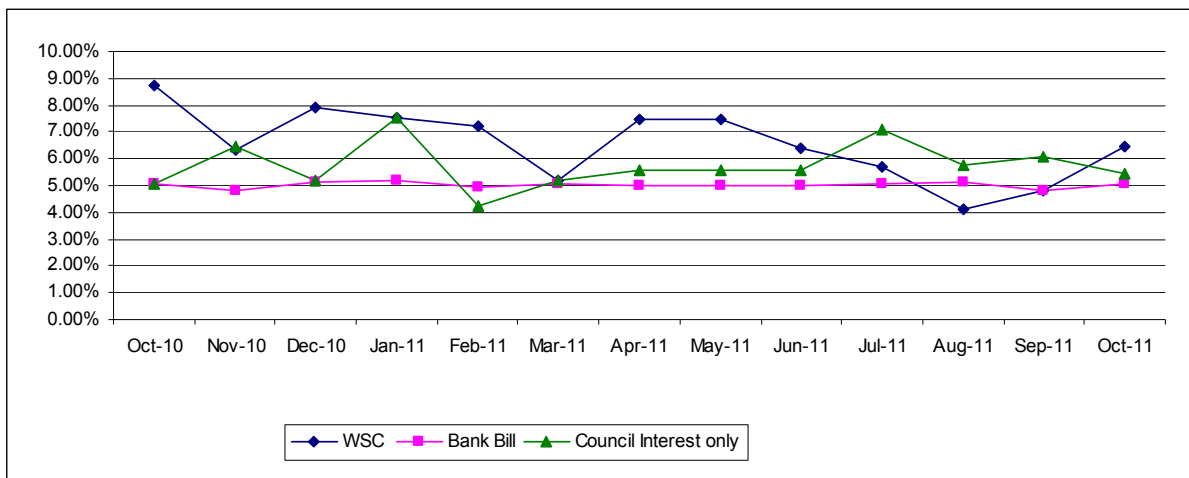
Investment Source	FYR Original Budget \$ '000	YTD Budget \$'000	YTD Interest Actual \$'000	YTD Change in valuation Actual \$'000	YTD Net Actual \$ '000	Variation YTD Budget \$ '000
General Fund	3,365	1,122	1,333	(178)	1,155	33
Water	1,082	361	1,094	(150)	944	583
Sewerage	1,653	551	336	(47)	289	(262)
Total	6,100	2,034	2,763	(375)	2,388	354

Interest rates in the month, on term deposits other than the statutory \$10.2m deposit for WorkCover, ranged from 5.65% to 6.4% and these rates exceeded the benchmark Union of Switzerland Australia (UBSA) bank bill index for October of 5.06%.

Benchmark - Monthly Returns (Annualised)

Council's overall investment return is compared to the UBSA Bank Bill Index which is a cash index and therefore determines a minimum performance level. A graph detailing the monthly return on a 12 monthly basis is as follows:

Table 7 UBSA Bank Bill Index Comparison



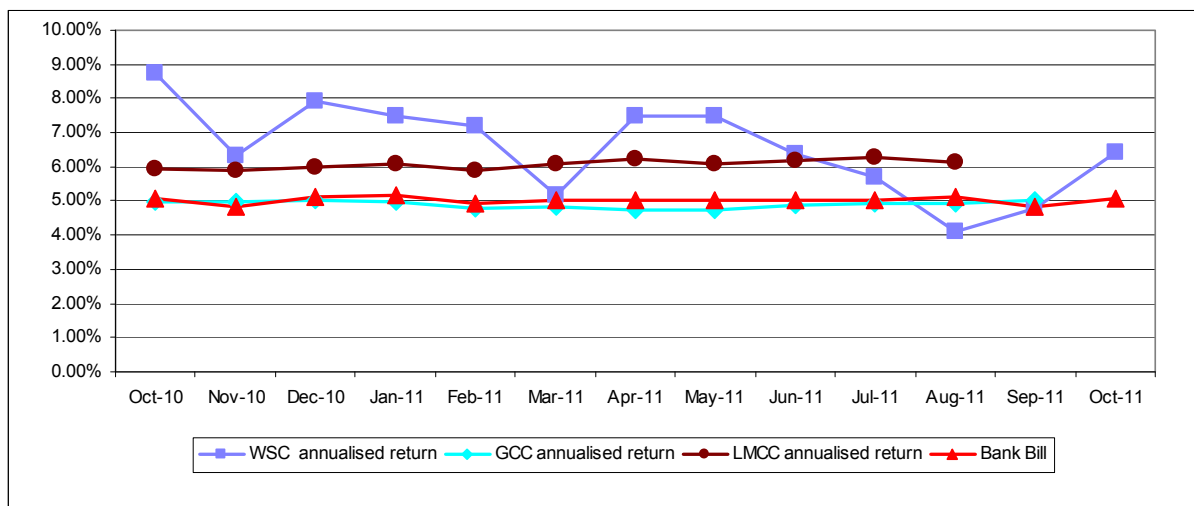
Council: Council Total Return (Interest and Investments)
 Bank Bill: UBSA Bank Bill Index
 Council Interest Only: Council Interest Earnings

Comparison to Similar Councils

Council’s annualised returns 4.78% for September and 5.16% for October compare to similar councils in the area, Lake Macquarie City Council (6.13% - August) and Gosford City Council (5.03% - September). Returns for August and September have been impacted by the unrealised capital losses on Blackrock Managed Fund, however as these investments are being held to maturity (or par) the unfavourable return in the first quarter will be recouped as markets recover, or securities mature. Capital gains in October are reflected in the increased return for October.

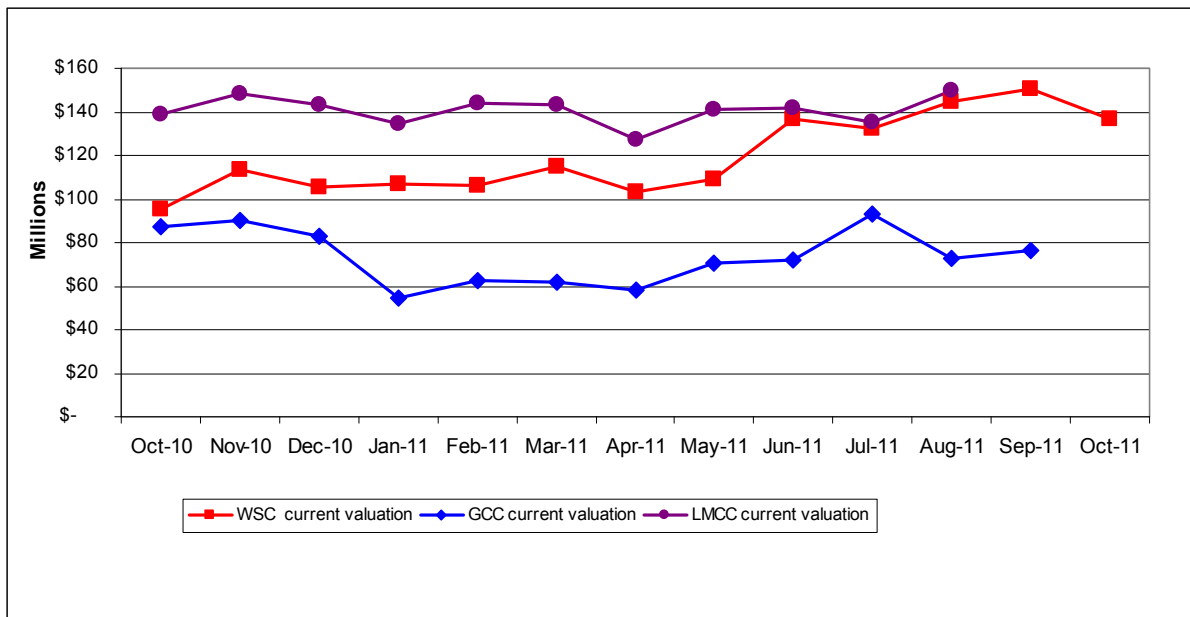
There is a one month lag in the information available and Lake Macquarie City Council’s investment reports for September have not been published at the time of writing this report.

Table 8 Portfolio Return - Comparison to Neighbouring Councils



WSC’s investment portfolio at the end of October was \$136.62m, demonstrating a strong cash position, and compares favourably with Lake Macquarie and Gosford City councils (refer Table 9).

Table 9 Total Investment – Comparison to Neighbouring Councils



INVESTMENT STATEMENT

In accordance with the Local Government (General) Regulation 2005, Part 9, Division 5, Clause 212, it is certified that the investments held as at 31 October 2011 have been made in accordance with the Act, the Regulations and Council's Investment Policies.

CONCLUSION

Council has significantly reduced its holdings in managed funds, with the majority of investments now held in term deposits in accordance with the provisions of the ministerial investment order.

Investments are being conservatively managed to ensure that value is added to the fixed interest portfolio and Council will be re-developing its long term investment strategy as the level of managed funds in the portfolio reduces.

ATTACHMENTS

- 1 Summary of Investments by Type - October 2011 D02832144

Wyong Shire Council
Summary of Investments - By Type
As at 31 October 2011

FUND MANAGER	MATURITY	PORTFOLIO BALANCE 30.9.11 \$	PORTFOLIO BALANCE 31.10.11 \$	INCOME FOR MONTH \$	INTEREST RATES % p.a.
CASH AT CALL:					
Westpac Corporate Investment Account (AA)	Daily	7,036,151	6,766,431	45,280	4.75
UBS Cash Account (AA)	Daily	1,384,380	1,383,860	0	
Total Cash At Call		8,420,531	8,150,291	45,280	
TERM DEPOSITS & BONDS					
Bankwest Term Deposit	05/10/2011	5,000,000	-	3,288	6.00
Westpac Term Deposit	05/10/2011	5,000,000	-	3,222	5.88
NAB Term Deposit	19/01/2012	5,000,000	5,000,000	25,649	6.04
Bankwest Term Deposit	18/04/2012	5,000,000	5,000,000	25,692	6.05
Bendigo/Adelaide Term Deposit	18/04/2012	5,000,000	5,000,000	26,753	6.30
NAB Term Deposit	27/03/2012	10,000,000	10,000,000	53,082	6.25
Bendigo/Adelaide Term Deposit	26/06/2012	4,000,000	4,000,000	21,742	6.40
IMB Term Deposit	04/07/2012	5,000,000	5,000,000	26,753	6.30
SunCorp Term Deposit	04/07/2012	10,000,000	10,000,000	53,507	6.30
NAB Term Deposit	28/12/2012	5,000,000	5,000,000	26,414	6.22
ANZ Bank	27/11/2011	5,000,000	5,000,000	25,479	6.00
SunCorp Term Deposit	27/01/2012	10,000,000	10,000,000	52,742	6.21
IMB Term Deposit	27/11/2011	5,000,000	5,000,000	25,904	6.10
Commonwealth bank Term deposit	07/01/2012	5,000,000	5,000,000	24,630	5.80
Commonwealth bank Term deposit	07/11/2011	2,500,000	2,500,000	12,294	5.79
Commonwealth bank Term deposit	03/10/2011	2,000,000		948	5.77
ANZ Bank	29/11/2011	5,000,000	5,000,000	24,843	5.85
Bankwest Term Deposit	27/02/2012	5,000,000	5,000,000	24,843	5.85
Bankwest Term Deposit	10/10/2011	2,000,000		2,811	5.70
ANZ Bank	26/12/2011	5,000,000	5,000,000	24,418	5.75
Bankwest Term Deposit	25/01/2012	5,000,000	5,000,000	24,630	5.80
Commonwealth bank Term deposit	25/01/2012	5,000,000	5,000,000	23,993	5.65
Bendigo/Adelaide Term Deposit	24/02/2012	5,000,000	5,000,000	24,206	5.70
Wyong Credit Union Term deposit	25/03/2012	1,000,000	1,000,000	4,841	5.70
T-Corp (WorkCover NSW)	04/11/2011		10,243,519	4,328	4.70
T-Corp (WorkCover NSW)	04/10/2011	10,243,519	-		4.70
Westpac Deposit Bond	24/09/2012	4,069,907	4,063,546	24,563	5.13
Total Term Deposit & Bonds:		135,813,426	121,807,065	591,575	
CASH MANAGEMENT FUNDS:					
BlackRock Care & Maintenance Fund	2016 (Estimate)	6,575,798	6,669,883	94,085	
Total Cash Management Funds		6,575,798	6,669,883	94,085	
TOTAL		150,809,755	136,627,239	730,940	

7.3 Quarterly Update on Section 94 Contributions

TRIM REFERENCE: F2004/00552 - D02800886

MANAGER: Martin Johnson, Manager Land Use Planning and Policy Development

AUTHOR: Sandy Rose, Contributions Officer

SUMMARY

This report provides the current status of Council's Section 94 and drainage contributions (excluding water and sewer) for the quarter July 2011 to September 2011.

RECOMMENDATION

That Council receive the report on Quarterly Update on Section 94 Contributions.

The following table shows the year to date budgeted Section 94 income per Contribution Plan compared with the year to date actual income.

Contribution Plan	Section 94				
	Actual Income YTD	Budgeted Income YTD	Variation YTD	Full Year Budget	Full Year Forecast
Budgewoi**	\$17,956	\$13,746	-\$4,210	\$55,000	\$20,000
The Entrance	\$215	\$137,448	\$137,233	\$550,000	\$200,000
Gorokan	\$0	\$27,486	\$27,486	\$110,000	\$20,000
Warnervale*	\$710,424	\$197,520	\$512,904	\$1,520,000	\$1,160,000
Ourimbah	\$0	\$13,746	\$13,746	\$55,000	\$40,000
Southern Lakes	\$6,485	\$58,224	\$51,739	\$233,000	\$100,000
San Remo	\$8,486	\$54,978	\$46,492	\$220,000	\$140,000
Toukley	\$8,389	\$27,489	\$19,100	\$110,000	\$40,000
Wyong	\$63,020	\$278,862	\$215,842	\$386,300	\$200,000
Shire Wide	\$12,341	\$68,721	\$56,380	\$275,000	\$40,000
Northern Districts	\$12,382	\$23,916	\$11,534	\$95,700	\$40,000
Total	\$839,698	\$902,136	\$62,438	\$3,610,000	\$2,000,000

Contribution Plan	Drainage				
	Actual Income YTD	Budgeted Income YTD	Variation YTD	Full Year Budget	Full Year Forecast
Budgewoi**	\$0	\$0	\$0	\$0	\$0
The Entrance	\$0	\$0	\$0	\$0	\$0
Gorokan	\$0	\$0	\$0	\$0	\$0
Warnervale*	\$113,758	\$119,952	\$6,194	\$480,000	\$480,000
Ourimbah	\$0	\$0	\$0	\$0	\$0
Southern Lakes	\$0	\$19,368	\$19,368	\$77,500	\$77,500
San Remo	\$11	\$0	-\$11	\$0	\$0
Toukley	\$0	\$0	\$0	\$0	\$0
Wyong	\$17,832	\$3,375	-\$14,457	\$13,500	\$13,500
Shire Wide	\$0	\$0	\$0	\$0	\$0
Northern Districts	\$0	\$0	\$0	\$0	\$0
Total	\$131,601	\$142,695	\$11,094	\$571,000	\$571,000

* This includes \$695,814 (S94 \$582,056 and Drainage \$113,758) contributions from the GP Super Clinic which will be included in the Warnervale Town Centre Contributions Plan when adopted.

** This includes 2 dual occupancies approved in the Buff Point Area.

*** The Q1 2012 budget variations do not include an adjustment down in S94 full year budgeted income (difference between last 2 columns).

The projected income for 2011/2012 is \$2,571,000 (including drainage). Projected income is based upon forecasting development activity and the review of previous year actual income received. A conservative approach has been used to project income for 2011/2012.

Whilst it was originally anticipated the State Government Section 94 cap and changes to Contribution Guidelines would significantly affect Council's Section 94 income, to date this has not proven to be the case. This is primarily due to the fact that the majority of Council's Section 94 Contributions Plans have contribution levels less than the \$20,000 cap and those that exceed the cap are within greenfield development precincts where higher contribution levels are permitted.

Unfunded Liabilities

Council's current unfunded liabilities fall into two areas, Section 94 monies owed to developers for works undertaken by those developers and the gap between future capital works and Council's ability to collect funds to cover the cost of those works.

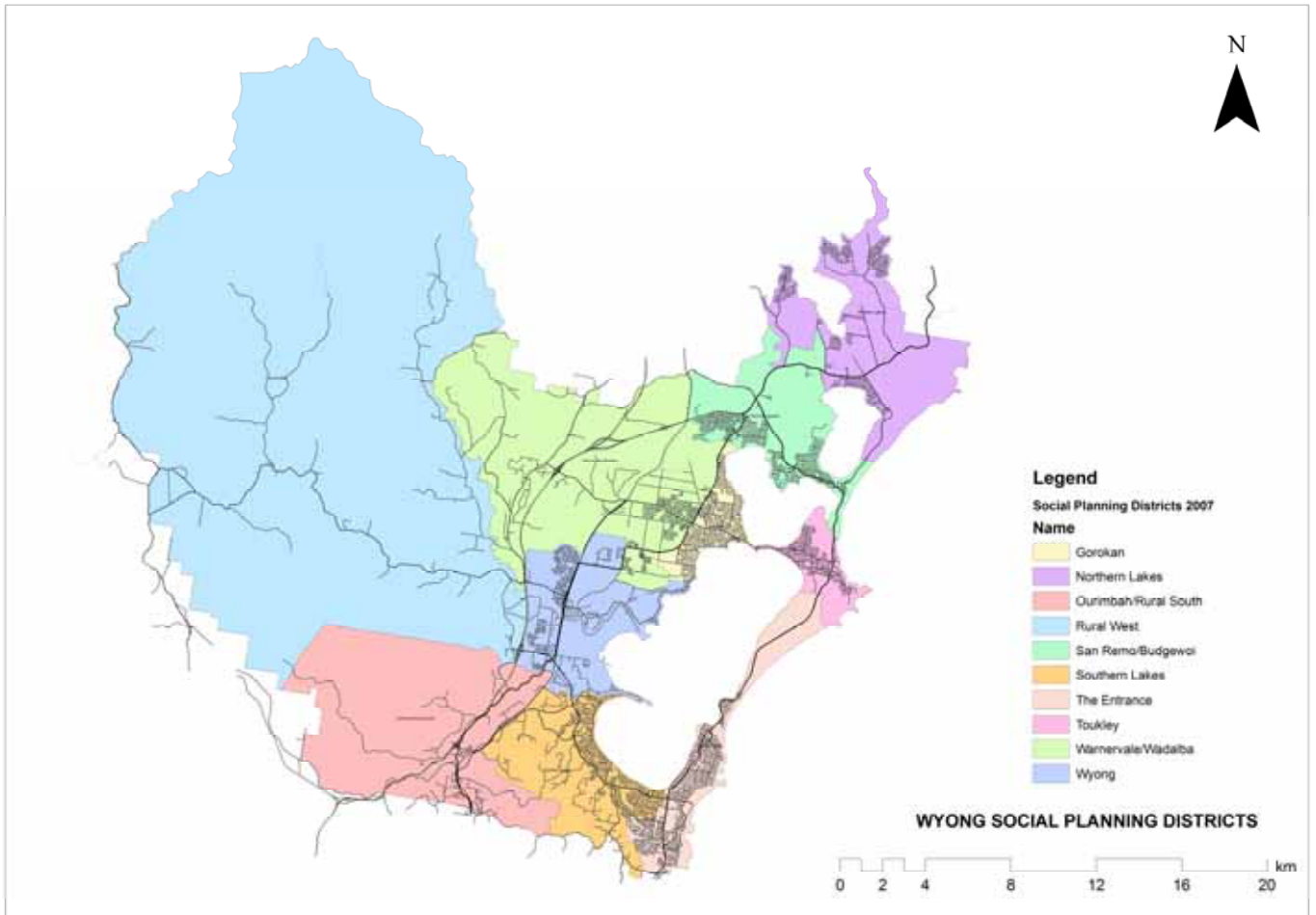
In respect to credits owed to developers, the current liability is \$17,490,961. It should be noted, however, that in most cases this liability does not all fall due today, but is spread over a number of years.

In respect to capital works, all future identified works are covered by the monies to be collected under the relevant Section 94 Contributions Plan other than for Warnervale. In respect to Warnervale, there is a gap of over \$24 million.

In addition, Council has a liability to the RTA for the upgrade of Craigie Avenue and the Pacific Highway to the value of \$724,017. This liability is being paid off on an annual basis.

ATTACHMENTS

- 1 Plan showing the Location Boundaries of the Plans D02590786



7.4 Annual Water Supply and Sewerage Performance Reporting

TRIM REFERENCE: F2004/06842 - D02809551

MANAGER: Daryl Mann, Acting Manager Water and Sewer

AUTHOR: Daniel Kemp; Engineer

SUMMARY

Report by the NSW Office of Water (NOW) on the performance of Council's Water Supply and Sewerage operations in 2009-10.

RECOMMENDATION

That Council receive the report on Annual Water Supply and Sewerage Performance Reporting.

BACKGROUND

NOW compiles and publishes annual reports on the performance of the water supply and sewerage operations of 106 Councils / Utilities in New South Wales (NSW).

Council provides a range of information generally in October of each year, covering operations and financial data for the previous financial year from which this report is prepared. NOW typically takes up to 12 months to compile the data, prepare and distribute the report.

The NOW Annual Report is distributed to each Council and comprises two components:

- 1 A comprehensive report "NSW Water Supply and Sewerage Performance Monitoring Report" covering all Councils / Utilities. This report is issued to all Councils and gives a broad overview of state-wide performance. This particular report is available on file.
- 2 NOW issues to each Council an individual Summary Report (Triple Bottom Line) detailing the performance of that particular Council. The TBL report provides specific performance and performance ranking information which enables each Council to compare its performance against the State-wide Median for a range of performance indicators. The report also gives information to each Council in relation to its performance against five performance bands, ie Band 1 is the highest performing band whereas Band 5 is the lowest performing band.

The NOW TBL Summary Report for Water and Sewerage for Wyong Council for 2009/2010 and the NOW Guide for Councillors to assist in interpreting the TBL Summary Reports are attached.

7.4 Annual Water Supply and Sewerage Performance Reporting (contd)

The following comments are made in relation to this report.

- 1 The State Government views performance monitoring as a means to achieve improvement in the quality and efficiency of services provided by water utilities. Performance monitoring is required under National Competition Policy and the National Water Initiative as it is considered important for public accountability to the community.
- 2 NOW in the preamble to the Triple Bottom Line reports for water supply and sewerage (Attachments 1 and 2) have provided an overview and description of Council's facilities and some brief commentary on some of the key elements of Council's performance.
- 3 Council's continuing high level of performance in the implementation and compliance with State Government "Best Practice Management" Guidelines is particularly highlighted. These Guidelines are designed to promote business and environmental sustainability in areas such as;
 - pricing (achieving full cost recovery and removal of cross subsidies)
 - water conservation and drought management practices
 - holistic management of the water cycle
 - cost reflective developer charges
 - management of liquid trade waste discharge to sewerage system

The results of the 2009/10 "Best Practice" audits are summarised below:

COMPLIANCE WITH BEST PRACTICE MANAGEMENT GUIDELINES (WATER SUPPLY)

(1)	Complete Current Strategic Business Plan & Financial Plan	YES
(2)	(2a) Pricing – Full Cost Recovery, without significant cross subsidies	YES
	(2b) & (2c) Pricing – Complying Residential Charges	YES
	(2c) Pricing – Complying Non-residential Charges	YES
	(2d) Pricing – DSP with Commercial Developer Charges	YES
(3)	Sound water conservation implemented	YES
(4)	Sound drought management implemented	YES
(5)	Complete performance reporting (by 15 September)	YES
(6)	Integrated water cycle management strategy	YES
	COMPLIANCE WITH ALL REQUIREMENTS	100%

COMPLIANCE WITH BEST PRACTICE MANAGEMENT GUIDELINES (SEWERAGE)

(1)	Complete Current Strategic Business Plan & Financial Plan	YES
(2)	(2a) Pricing – Full Cost Recovery, without significant cross subsidies	YES
	(2b) Pricing – Complying Residential Charges	YES
	(2c) Pricing – Complying Non-residential Charges	YES
	(2d) Pricing – Complying Trade Waste Fees and Charges	YES
	(2e) Pricing – DSP with Commercial Developer Charges	YES
	(2f) Pricing – Liquid Trade Waste Approvals and Policy	YES
(3)	Complete performance reporting (by 15 September)	YES
(4)	Integrated water cycle management strategy	YES
	COMPLIANCE WITH ALL REQUIREMENTS	100%

The State Government places a high priority on water utilities implementing "Best Practice".

4 Other examples of Council's high level of performance are demonstrated in the following areas:

a) Typical Residential Bill (Water Supply Item 14)

This is calculated using the 2009/10 Average Annual Residential Water Consumption (Water Supply Item 33), ie 154 kilolitres per property and the 2010/11 water service and usage charge (Water Supply items 12 & 13). The performance ranking reflects Council's continuing strong emphasis on water conservation and demand management programs and general customer awareness of water issues.

b) Physical, Chemical and Microbiological Water Quality Compliance (Water Supply Items 19 - 20)

Council treats and reticulates filtered water in accordance with the 2004 Australian Drinking Guidelines as promulgated by the National Health and Medical Research Council.

c) Average Annual Residential Water Consumption (Water Supply Item 33)

Performance ranking reflects Council's strong emphasis on water conservation and demand management programs and general customer awareness of water issues.

d) Real losses (Water Supply Item 34)

Reflects Council's strategy of pro-active leak detection programs in the early identification and rectification of leaks.

e) Percentage of sewerage treated that complied (Sewerage item 18)

Performance ranking reflects the high level of Council's treatment processes and treated effluent quality.

f) Total Recycled Water Supplied (Sewerage Item 26a)

Reflects Council's initiatives in establishing recycled water programs in order to reduce use of filtered water for non potable uses by substituting highly treated effluent.

g) Biosolids Reuse (Sewerage Item 28)

Reflects Council's program to reuse sludge (waste material from the sewage treatment process) for beneficial purposes such as composting.

h) Compliance with Effluent Discharge Licence (Sewerage Items 34 and 35)

Performance ranking reflects the high level of sewage treatment processing undertaken before discharge to the ocean at Norah Head and Wonga Point.

- i) Operating Cost and Treatment cost per property (Sewerage Items 50 and 53)

Performance ranking reflects pro-active maintenance programs in minimising major breakdowns and process failures. Council actively undertakes energy reduction and efficiency programs and accesses competitive electricity tariffs via government contracts.

- 5 There are a number of examples where Council's 2009/10 performance was placed in the lower performing bands in particular in the following areas;

- a) Financial Indicator (Water Supply Item 47b)

As a result of the recent drought, Council had to substantially increase borrowings to finance drought contingency infrastructure.

This borrowing program resulted in high debt repayments which continue to negatively impact Council's 2009/10 financial position and reflected in "Net Profit after Tax".

This situation is also exacerbated by continuing reduced income levels for water sales in 2009/10 which are still impacted by the recent drought and attendant water restrictions.

- b) Financial Indicators (Sewerage Item 47b)

Similar comments to Water Supply Financial Indicators above particularly in relation to borrowings for sewerage capital infrastructure.

- c) Typical Developer Charges (Water Supply Item 15 and Sewerage Item 13)

The relatively low "Typical Developer Charge" regime applied by Wyong has been classified by NOW into a lower or apparent "poorer" performance band even though this may be seen as advantageous.

In this regard developer charges in Wyong are calculated in accordance with the methodology prescribed by the Independent Pricing and Regulatory Tribunal (IPaRT). As IPaRT is Council's pricing regulator Council is mandated to use the specified methodology.

- d) Efficiency Measures (Water Supply Items 48, 49, 50, 51 and 55)

NOW compiles and calculates this information directly from each Council's annual financial statements as reported to the Department of Local Government each year.

While Wyong Council's unit costs were higher than the "Statewide median" it is not clear what other Councils may have included or excluded in their reported operational, maintenance and management expenses (OMA).

In addition IPaRT in its 2009 Pricing Determination had concerns that the current level of corporate overheads borne by the water supply and sewerage business may be excessive and is working with Council to clarify this further.

Financial performance is still being negatively impacted by expenditures associated with the recent Central Coast drought.

e) Efficiency Measures (Sewerage Items 49 and 50)

Although operating cost per 100km of main (Item 49) was above the “Statewide Median”, it is considered that the more reflective measure of Council’s performance is operating cost per property (Item 50) where Council’s performance was better than the State median.

Item 50 is considered to be the more reliable indicator for comparison purposes as the number of properties is more readily auditable, and inherently accurate, than an indicator based on the length of mains which, for other Councils without good asset records (not this Council), may be based on only estimates of main length.

f) Efficiency Measures (Sewerage Item 54)

The topography of Wyong requires a relatively high level of pumpage to transport sewage resulting in higher pumping costs than the State median.

ATTACHMENTS

1	Water Supply Performance Report 2009-10	D02775401
2	Sewerage Performance Report 2009-10	D02775398
3	Triple Bottom Line Attachment 2009-10	D02775407

Wyong Shire Council TBL Water Supply Performance 2009-10

WATER SUPPLY SYSTEM - Wyong Shire Council serves a population of 148,900 (59,820 connected properties). Supply is provided by the Gosford-Wyong Joint Water Supply. Water is drawn from 12 bores (1.2 ML/d) and Wyong River, Ourimbah Creek, Mooney Mooney Creek and Mangrove Creek. Mangrove Creek Dam (190,000 ML) is the key storage followed by Mardi Dam (7,400ML) and Mooney Mooney Dam (4,600 ML). The Wyong Shire Council system comprises 1 direct filtration water treatment works (160 ML/d), 22 service reservoirs (186 ML), 21 pumping stations, 160 ML/d delivery capacity into the distribution system, 179 km of transfer and trunk mains and 966 km of reticulation. The water supply is fully treated.

PERFORMANCE - Wyong Shire Council achieved 100% compliance with Best Practice requirements. The typical residential bill was \$409 which was close to the statewide median of \$430 (Indicator 14). The economic real rate of return was 1.6% which was greater than the statewide median (Indicator 43). The operating cost (OMA) per property was \$391 which was above the statewide median of \$350 (Indicator 49). Water quality complaints were above the statewide median of 4 (Indicator 25). Compliance with microbiological water quality was 100% with 1 of 1 zones compliant (Indicator 20), physical compliance was 100% (Indicator 19) and chemical compliance was 100% with 1 of 1 zones compliant (Indicator 19b). Current replacement cost of system assets was \$713M (\$11,600 per assessment), cash and investments were \$35.6M, debt was \$150.7M and revenue was \$46.3M (excluding capital works grants).

COMPLIANCE WITH BEST-PRACTICE MANAGEMENT GUIDELINES REQUIREMENTS

(1) Complete Current Strategic Business Plan & Financial Plan	YES	(3) Sound water conservation implemented	YES
(2) (2a) Pricing - Full Cost Recovery, without significant cross subsidies	Yes	(4) Sound drought management implemented	Yes
(2b) & (2c) Pricing - Complying Residential Charges	Yes	(5) Complete performance reporting (by 15 September)	Yes
(2c) Pricing - Complying non-Residential Charges	Yes	(6) Integrated water cycle management strategy	Yes
(2d) Pricing - DSP with Commercial Developer Charges	Yes	COMPLIANCE WITH ALL REQUIREMENTS	100%

TRIPLE BOTTOM LINE (TBL) PERFORMANCE INDICATORS

		NWI No.		LWU RESULT	RANKING >10,000 properties All LWUs			STATEWIDE MEDIAN	
				Col 1	Note 1 Col 2	Note 2 Col 3	Note 3 Col 4		
UTILITY	CHARACTERISTICS	C1	1 Population served: 148900						
		C4	2 Number of connected properties: 59820						
		C2	3 Residential connected properties (% of total)	Number of assessments: 61720					
		4	4 New residences connected to water supply (%)		95			91	
		A1	5 Properties served per kilometre of water main		0.6	5	4	1.0	
		6	6 Rainfall (% of average annual rainfall)		52			32	
		7	7 Total urban water supplied at master meters (ML)		76	4	5	104	
		8	8 Peak week to average consumption (%)		13,900			6,600	
		9	9 Renewals expenditure (% of current replacement cost of system assets)		142	3	2	145	
		10	10 Employees per 1000 properties	per 1,000 prop	1.3	2	2	0.3	
SOCIAL	OFFICES & BILLS	F1	12 Residential tariff structure: two part; independent of land value						
		13	13 Residential water usage charge (c/kL) all usage (Note 5)	\$ 187	2	1	163		
		14	14 Typical residential bill per assessment (\$)	\$ 409	2	1	430		
		15	15 Typical developer charge per equivalent tenement (\$)	\$ 2,770	5	4	4,700		
		HEALTH	18	18 Urban population without reticulated water supply (%)	0.1	2	2	0.8	
			19a	19a Risk based drinking water quality plan?	Yes				
			19	19 Physical water quality compliance (%)	100	1	1	100	
			19a	19a Chemical water quality compliance (%)	100	1	1	100	
			19b	19b Number of zones with chemical compliance	1 of 1				
			20	20 Microbiological (E. coli) water quality compliance (%)	100	1	1	100	
SERVICE LEVELS	C9	25 Water quality complaints per 1000 properties	per 1,000 prop	5	4	4	4		
	C10	26 Water service complaints per 1000 properties	per 1,000 prop	3	2	2	3		
	C17	27 Average frequency of unplanned interruptions per 1000 properties	per 1,000 prop	81	4	5	37		
	C18	28 Average duration of interruption (min)	min	204	4	5	159		
	A1	30 Number of water main breaks per 100 km of water main	per 100km	6	2	1	10		
	31	31 Drought water restrictions (% of time)		100	4	3	87		
	32	32 Total days lost (%)		0.8	3	3	2.4		
	ENVIRONMENTAL	W12	33 Average annual residential water supplied per property (kL)		154	2	1	175	
		33a	33a Average annual residential water supplied - COASTAL (kL/property)		154	3	2	150	
		33b	33b Average annual residential water supplied - INLAND (kL/property)					252	
A10		34 Real losses (leakage) (L/service connection/day)	L/connection	30	1	1	70		
35		35 Energy consumption per Megalitre (kiloWatt hours)	kWh				670		
E12		36 Renewable energy consumption (% of total energy consumption)	%				0		
ECONOMIC	FINANCE	F5	40 Revenue per property - water (\$)	\$ 770	5	4	647		
		F4	41 Residential revenue from usage charges (% of residential bills)	%	73	3	2	73	
		F17	43 Economic real rate of return - Water (%)	%	1.6	2	2	0.7	
		44	44 Return on assets - Water (%)	%	0.6	2	3	0.9	
		F22	45 Net Debt to equity - Water (%)	%	18	1	1	-1.0	
		F23	46 Interest cover - Water		2	4	4	4.5	
		47	47 Loan payment per property - Water (\$)	\$	239	1	1	55	
		F24	47b Net profit after tax - WS & Sge (\$'000)	\$'000	-4,500	5	5	0	
		EFFICIENCY	48	48 Operating cost (OMA) per 100km of main (\$'000)	\$'000	2,040	5	5	1,140
			F11	49 Operating cost (OMA) per property (\$) (Note 6)	\$/prop	391	5	3	350
50	50 Operating cost (OMA) per kilolitre (cents)		c/kL	127	4	4	116		
51	51 Management cost per property (\$)		\$/prop	154	5	5	134		
52	52 Treatment cost per property (\$)		\$/prop	21	2	1	39		
53	53 Pumping cost per property (\$)		\$/prop	24	3	2	31		
54	54 Energy cost per property (\$)	\$/prop				18			
55	55 Water main cost per property (\$)	\$/prop	117	5	5	56			
F14	56 Capital Expenditure per property (\$)	\$/prop	862	1	1	282			

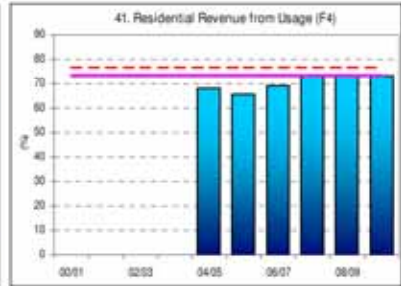
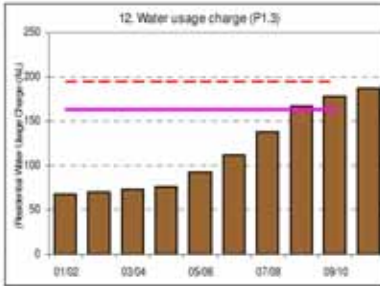
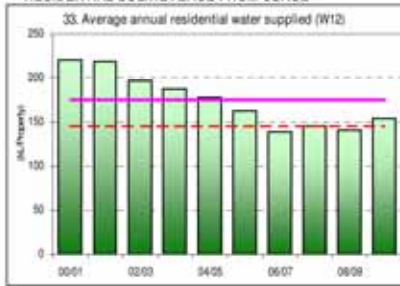
NOTES:

- The ranking compared with LWUs with >10,000 properties connected properties (Col 2) is on a % of LWUs basis - relevant for comparing performance with similar sized LWUs - see attachment.
- The ranking compared with all LWUs (Col 3) is on a % of LWUs basis - relevant for comparing performance with all other LWUs - see attachment.
- The Statewide Median (Col 4) is on a % of connected properties basis. It best reveals statewide performance by giving due weight to larger LWUs & reducing the effect of smaller LWUs - see attachment.
- Annual review of key projections and actions in LWU's Strategic Business Plan (SBP) are required, together with annual updating of LWU's financial plan. The SBP should be updated after 4 years.
- Non-residential Tariff: Access Charge based on Service Connection Size (eg. 40mm: \$483.06), Two Part Tariff; For all usage = 187c/kL. Water supplied to non-residential customers was 27% of potable water supplied excluding non-revenue water. Non-residential customers provided 0% of the revenue from annual charges and usage charges.
- The operating cost (OMA)/property was \$391. Components were: management (\$184), operation (\$71), maintenance (\$117), energy (\$0) & chemical (\$0) & bulk purchase (\$20).

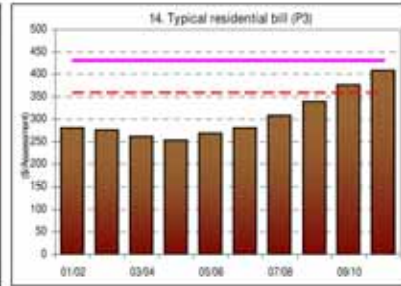
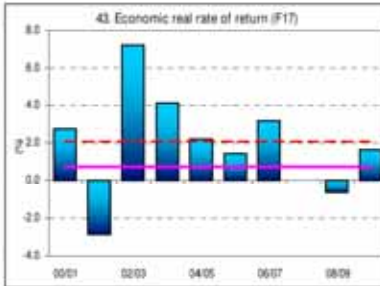
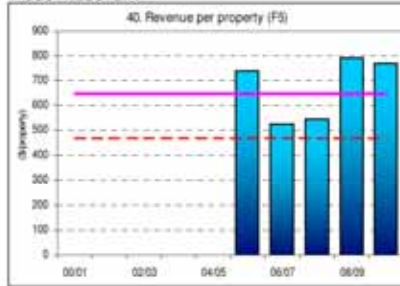
Wyong Shire Council TBL Water Supply Performance (page 2) 2009-10

(Results shown for 10 years together with 2009-10 Statewide Median and Top 20%)

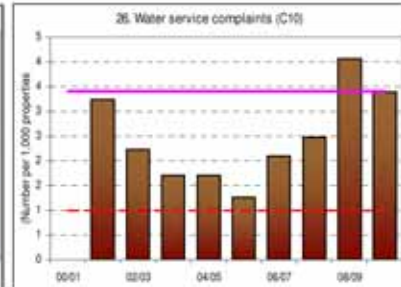
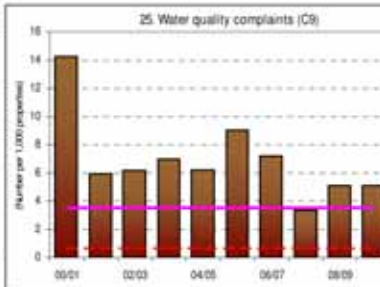
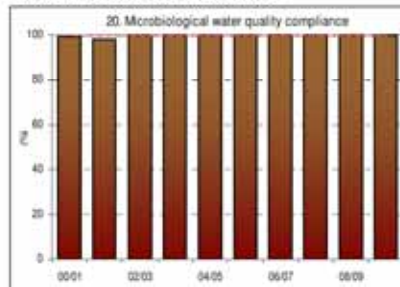
RESIDENTIAL USE/REVENUE FROM USAGE



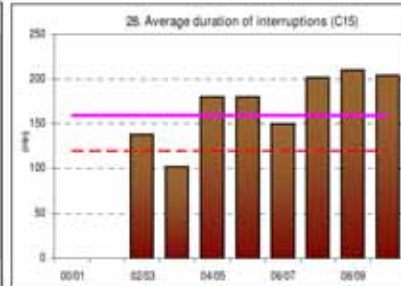
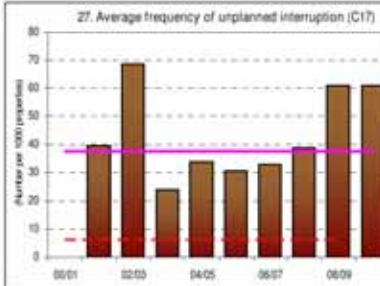
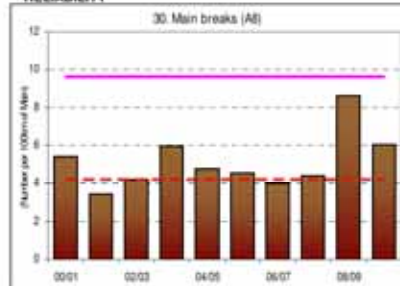
COST RECOVERY



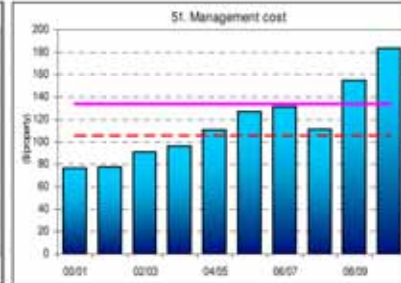
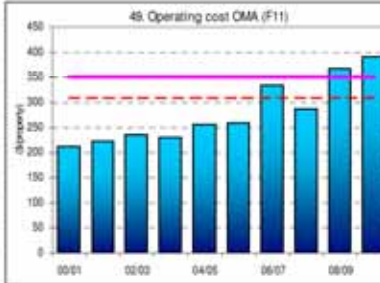
WATER QUALITY/CUSTOMER SERVICE



RELIABILITY



EFFICIENCY



NOTES:

1. Costs are in Jan 2010\$.
2. Microbiological water quality compliance 1999-00 to 2003-04 was on the basis of 1996 NHMRC/ARMCANZ Australian Drinking Water Guidelines for E. coli; from 2004-05 compliance was on the basis of the 2004 NHMRC/NRMMC Australian Drinking Water Guidelines.

LEGEND
 2009-10 State Median ———
 2009-10 Top 20% - - - - -

Wyong Shire Council	TBL Sewerage Performance	2009-10
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SEWERAGE SYSTEM - Wyong Council has 6 sewage treatment works providing secondary treatment. The system comprises 211,500 EP treatment capacity (Intermittent Extended Aeration (Activated Sludge) and Trickling Filter), 149 pumping stations (530 ML/d), 195 km of rising mains and 1025 km of gravity trunk mains and reticulation. Treated effluent is discharged to ocean.

PERFORMANCE - Residential growth for 2009-10 was 0.8% which is similar to the statewide median. Wyong Shire Council achieved 100% compliance with Best Practice requirements. The typical residential bill was \$437 which was less than the statewide median of \$530 (Indicator 12). However, the economic real rate of return was negative (Indicator 46). The operating cost per property (OMA) was \$327 which was close to the statewide median of \$360 (Indicator 50). Sewage odour complaints were above the statewide median of 0.6 (Indicator 21). Wyong Council reported 6 Category 2 (limited impact) environmental incidents and 3 Category 2 (limited impact) public health incidents. Council complied with the requirements of the environmental regulator for effluent discharge. The current replacement cost of system assets was \$567M (\$9,300 per assessment), cash and investments were \$25M, debt was \$20M and revenue was \$29M (excluding capital works grants).

COMPLIANCE WITH BEST-PRACTICE MANAGEMENT GUIDELINES REQUIREMENTS

(1) Complete current strategic business plan & financial plan	YES	(2e) Pricing - DSP with commercial developer charges	Yes
(2) (2a) Pricing - Full Cost Recovery without significant cross-subsidies	Yes	(2f) Pricing - Liquid trade waste approvals & policy	Yes
(2b) Pricing - Complying Residential Charges	Yes	(3) Complete performance reporting (by 15 September)	YES
(2c) Pricing - Complying Non-Residential Charges	Yes	(4) Integrated water cycle management strategy	YES
(2d) Pricing - Complying Trade Waste Fees and Charges	Yes	COMPLIANCE WITH ALL REQUIREMENTS	100%

TRIPLE BOTTOM LINE (TBL) PERFORMANCE INDICATORS

		NW1 No.		LWU RESULT		RANKING		STATEWIDE MEDIAN		
						>10,000 properties		All LWUs		
						Note 1		Note 2		
						Col 1		Col 3		
UTILITY	CHARACTERISTICS	C5	1	Population served: 146,900	Number of assessments: 60,670					
		C6	2	Number of connected properties:	59,160					
		C6	3	Number of residential connected properties:	56,240					
		A6	4	New residences connected to sewerage (%)		0.8	4	2	0.9	
		A6	5	Properties served per kilometre of main		49			40	
		W15	6	Volume of sewage collected (ML)		13,960			4,900	
		W15	7	Renewals expenditure (% of current replacement cost of system assets)		0.0	4	3	0.3	
		W15	8	Employees per 1000 properties		1.6	3	3	1.6	
SOCIAL	CHARGES & BILLS - 2010-11	P4	11	Description of residential tariff structure:	access charge/prop: independent of land value (Note 5)					
		P4	11	Residential access charge / assessment (\$)		\$ 437	2	2	\$25	
		P6	12	Typical residential bill / assessment (\$)		\$ 437	1	2	\$30	
		P6	13	Typical developer charge / equivalent tenement (\$)		\$ 2,460	5	4	\$2,000	
		P6	14	Non-residential sewer usage charge (c/kL)		c/kL 78	5	5	105	
		HEALTH	E3	16	Urban properties without reticulated sewerage service (%)		0.1	1	1	3.8
			E3	17	Percent of sewage treated to a tertiary level (%)		7	5	4	93
			E4	18	Percent of sewage volume treated that complied (%)		100	1	1	99
			E5	19	Sewage treatment works compliant at all times		6 of 6			
			SERVICE LEVELS	C11	21	Odour complaints per 1000 properties	per 1,000 prop	0.9	4	4
C11	22	Service complaints per 1000 properties		per 1,000 prop	12	3	3	10		
C18	23a	Average sewerage interruption (minutes)			150	5	5	118		
C18	25	Total days lost (%)			0.8	2	4	2.5		
ENVIRONMENTAL	WATER, REDUCE & WASTE MANAGEMENT	W16		26	Volume of sewage collected per property (kL)		236	1	1	220
		W26	25a	Total recycled water supplied (ML)		1,020	2	1	620	
		W27	27	Recycled water (% of effluent recycled)		7	4	4	11	
		E8	28	Biosolids reuse (%)		100	1	1	100	
		E8	30	Energy consumption per Megalitre (kiloWatt hours)					910	
		E12	31	Renewable energy consumption (% of total energy consumption)					0	
		E12	32	Net greenhouse gas emissions - WS & Sge (net tonnes CO2 equivalents per 1000 properties)					390	
		E12	33	90 Percentile licence limits for effluent discharge:						
		ENVIRONMENTAL PERFORMANCE	E13	34	Compliance with BOD in licence (%)		100	1	1	100
			E13	35	Compliance with SS in licence (%)		100	1	1	100
A12	36		Sewer main breaks and chokes per 100 km of main	per 100km main	48	4	3	39		
E13	37		Sewer overflows per 100 km of main	per 100km main	31	4	5	15		
E13	39		Non res & trade waste % of total sge volume					18		
ECONOMIC	FINANCE	F6	42	Revenue per property - Sge (\$)		\$ 490			\$680	
		F6	43	Revenue from non-residential plus trade waste charges (% of total revenue)		13	4	4	18	
		F6	44	Revenue from trade waste charges (% of total revenue)		3.7	2	1	2.3	
		F12	46	Economic real rate of return - Sge (%)		-1.0	5	5	1.3	
		F12	46a	Return on assets - Sge (%)		-1.0	5	5	1.6	
		F22	47	Net Debt to equity - Sge (%)		-1	3	1	-2	
		F23	48	Interest cover - Sge		0	5	5	3	
		F24	48a	Loan payment per property - Sge (\$)		\$ 42	3	2	\$38	
		F24	47b	Net profit after tax - WS & Sge (\$'000)		\$'000 -4,915			\$'000 303	
		EFFICIENCY	F12	49	Operating cost (OMA) per 100 km of main (\$'000)		\$'000 1,610	4	5	\$'000 1,490
F12	50		Operating cost (OMA) per property (\$) Note 8		\$ 327	1	3	\$360		
F12	51		Operating cost (OMA) per kilolitre (cents)		c/kL 138	2	2	164		
F12	52		Management cost per property (\$)		\$ 127	2	4	\$128		
F12	53		Treatment cost per property (\$)		\$ 93	1	2	\$115		
F12	54		Pumping cost per property (\$)		\$ 69	4	5	\$55		
F12	55		Energy cost per property (\$)		\$ 35	2	2	\$40		
F12	57	Capital Expenditure per property (\$)		\$ 130	5	3	\$252			

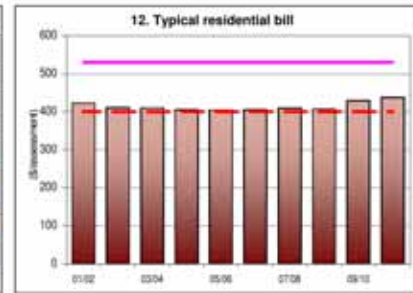
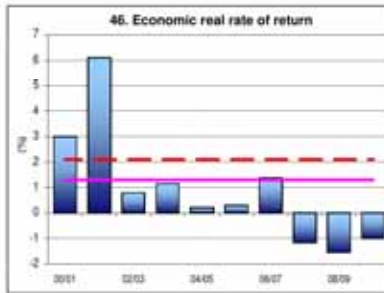
NOTES:

- Council's ranking in Col 2 is based on a comparison of its result in Col 1 with the percentiles for LWUs with >10,000 properties. This is on a % of LWUs basis - see also Note 2.
- Council's ranking in Col 3 is based on a comparison of its result in Col 1 with the percentiles for all LWUs. This is also on a % of LWUs basis as this is relevant for comparing the performance of an LWU with all other LWUs - see attachment.
- The Statewide Median (Col 4) is on a % of connected properties basis. It best reveals statewide performance giving due weight to larger LWUs & reducing the effect of smaller LWUs.
- Annual review of the key projections & actions in your LWU's Strategic Business Plan (SBP) are required, together with annual updating of your LWU's Financial Plan. The SBP should be updated after 4 years.
- Non-residential: Access Charge based on square of meter size, sewer usage charge - 78c/kL.
- Non-residential customers provided 13% of the revenue from annual charges, usage and trade waste charges.
- Compliance with Total N in Licence was 100%. Compliance with Total P in Licence was 100%.
- The operating cost (OMA)/property was \$327. Components were: management (\$127), operation (\$104), maintenance (\$96), energy (\$0) and chemical (\$0).

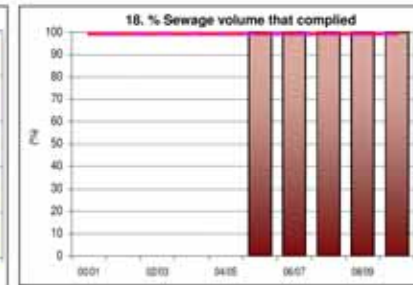
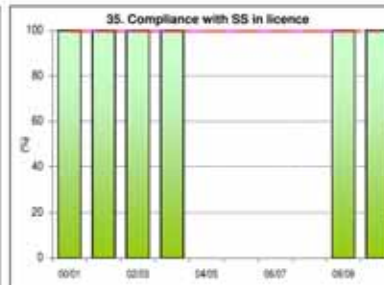
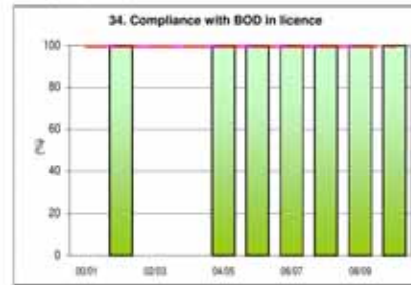
Wyong Shire Council TBL Sewerage Performance (page 2) 2009-10

(Results shown for 10 years together with 2009/10 Statewide Median and Top 20%)

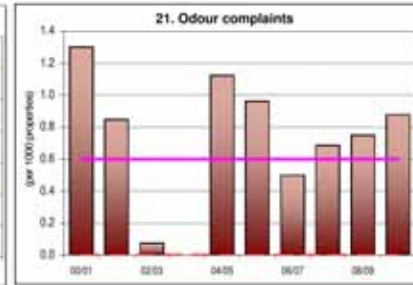
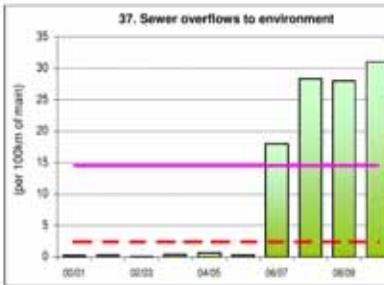
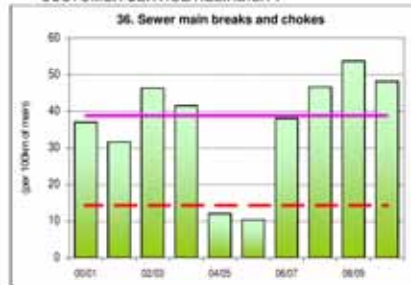
COST RECOVERY



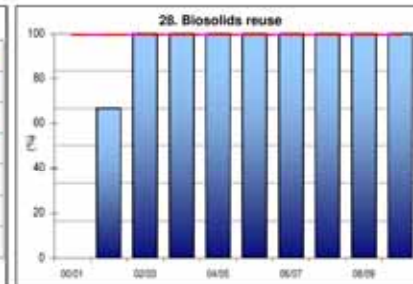
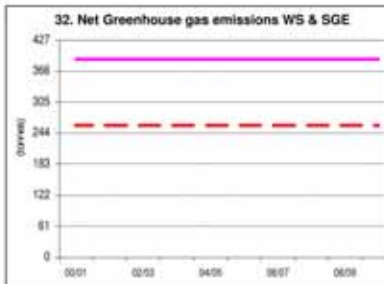
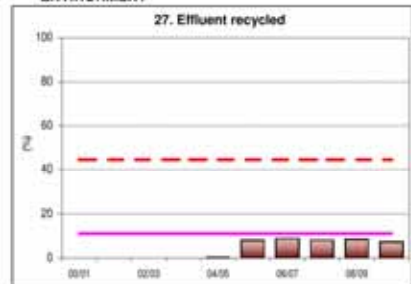
COMPLIANCE



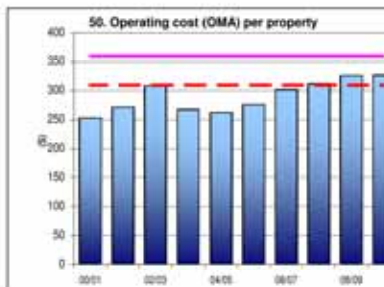
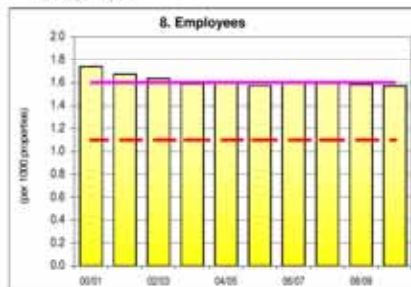
CUSTOMER SERVICE/RELIABILITY



ENVIRONMENT



EFFICIENCY



NOTES:

1. Costs are in Jan 2010\$.

LEGEND
 2009-10 State Median (solid magenta line)
 2009-10 Top 20% (dashed red line)

G TBL Performance Reports and Action Plans – Understanding and Using Your Report

G1 Introduction

This appendix has been prepared to assist Councillors with their Council's 2009-10 Triple Bottom Line (TBL) Performance Reports for water supply and sewerage. It will also help the Water and Sewerage Manager prepare a sound Action Plan to Council. Action plans should include a strategy for addressing any areas of under-performance. A sample Action Plan is shown on page 62 of the 2009-10 NSW Performance Monitoring Report. The NSW Office of Water prepares the annual TBL report for each Local Water Utility's water supply business and for its sewerage business together with an Action Plan template for completion by the Water and Sewerage Manager. A copy of the TBL report is also provided to IPART.

The TBL reports show your LWU's key performance indicators (column 1), your ranking compared to other LWUs in your size range (column 2) and your ranking relative to all NSW LWUs (column 3). Column 4 shows the Statewide medians which are calculated from the 50 percentile result for all connected properties (statewide). This best reveals Statewide performance by giving due weight to larger LWUs and reducing the effect of smaller LWUs.

There are four size ranges: > 10,000, 3,000 to 10,000, 1,500 to 3,000 and 200 to 1,500 connected properties. Rankings shown in Columns 2 and 3 of the TBL Report are based on the top 20% of LWUs for each indicator being ranked 1 and the bottom 20% being ranked 5 (LWUs in the range 40% to 60% are ranked 3).

G2 Factors Impacting on Performance

When comparing reported performance with other utilities, LWUs should take account of the wide range of factors which can impact on effectiveness and efficiency of a business. An indicator with a low ranking may not necessarily imply **poor** performance, for example, business efficiencies and effectiveness are functions of:

- **Number of connected properties** - there are significant economies of scale for large LWUs,
- **Type of services provided** - eg. whether the LWU provides a full water supply system or whether is a reticulator or bulk supplier,
- **Provision of bulk storage and/or long transfer systems** - these costs are not incurred by LWUs relying on groundwater or those receiving a regulated supply from a State Water dam.
- **Regional topography and soil types** affects pumping costs, frequency of main breaks and useful life,
- **Regional rainfall and evaporation,**
- **Water quality at the source** – for example, a good quality groundwater will require minimal water treatment,
- **Standard of nutrient removal facilities** at the sewage treatment works,

APPENDIX G

NSW Water and Sewerage Strategic Business Planning Guidelines

An understanding of such factors is essential for valid interpretation of performance data. Utilities are encouraged to compare and contrast their performance with other LWUs having similar characteristics. Further factors to assist your LWU in its assessment of performance are listed below.

G2.1 UTILITY CHARACTERISTICS

- **Properties served per km** – lower density of urban development significantly increases the infrastructure cost, particularly for those LWUs with very low densities (ie. < 20 properties per km).
- **Renewals** – each LWU should ensure that its Typical Residential Bill (see below) is adequate and consistent with the projection in its 30 year strategic business plan to ensure it is raising sufficient revenue for developing, maintaining and renewing the required infrastructure. It should also examine its total asset management policy and ensure that the necessary funds are directed to maintenance and renewals.
- **Employees per 1000 properties** – this is a good indicator of operating and management costs (see page 130).

G2.2 SOCIAL FACTORS - Affordability

- **Typical Residential Bill (TRB)** – is the **principal indicator of the overall cost** of a water supply or sewerage system (it is the annual bill paid by a residential customer using the utility's average annual residential water supplied). The main element of the TRB is the operating cost (OMA – operation, maintenance and administration). The TRB should be consistent with the projection in your LWU's 30 year strategic business plan.
- **Residential Water Usage Charge (c/kL)** – Highest charges are automatically ranked "1" and lowest charges as "5". These rankings however, should be compared with your TRB and whether your LWU is achieving full cost recovery, and the required residential revenue from water usage charges, in which case a low water usage charge may be a good result.

Please note that Circular LWU 11 of March 2011 has removed the need for LWUs to use inclining block tariffs. In addition, the **NSW Government encourages LWUs to use a two-part tariff with a uniform water usage charge** per kL for all water use (see page 4 of the *2009-10 NSW Performance Monitoring Report*)

G2.3 SOCIAL FACTORS - Health

- **Risk based drinking water quality management plan** – each LWU should develop and implement such a drinking water quality management plan on a priority basis (tools and assistance are available from the NSW Office of Water - see page 7 of the *2009-10 NSW Performance Monitoring Report*).
- **Microbiological water quality compliance (%)** – This is the **most important** water supply **health indicator** and all LWUs should aim for a value of 100%. LWUs with less than 98% do not comply with the *Australian Drinking Water Guidelines, 2004* and must develop and implement a corrective strategy (see page 7 of the *2009-10 NSW Performance Monitoring Report*). If your LWU failed to achieve microbiological compliance in either of the last 2 financial years, the corrective action implemented and whether it was successful must be reported in your LWU's annual Action Plan to Council.

- **'Boil water alerts'** – if your LWU has issued any 'boil water alerts' in the last 18 months, the corrective action implemented and whether it was successful must be reported in your LWU's annual Action Plan to Council.

Assistance is available to your LWU from your NSW Office of Water Regional Water and Sewerage Inspector (page 34 of the *2009-10 NSW Benchmarking Report*).

G2.4 SOCIAL FACTORS - Customer Service

- **Water quality complaints** – water quality may depend for example, on whether the supply is unfiltered, good quality groundwater or whether a fully treated supply is provided.
- **Odour complaints** – This is an important indicator of the effectiveness of sewage treatment and transfer. LWUs with a high number of complaints (ranking of 5) should investigate the reasons for the complaints, including past performance, as indicated in page two of their TBL Report.
- **Number of water main breaks** – water mains with a high incidence of breaks (say treble the statewide median) may indicate that renewals are required.

G2.5 ENVIRONMENTAL FACTORS

- **Average annual residential water supplied** – is influenced by the number of connected properties, geographic location, climate, strength of the utility's pricing signals (NWI Indicator F4 – percent of residential revenue from usage charges – see G2.6 below) and the presence of drought water restrictions. Inland LWUs have significantly higher residential water supplied due to their hotter and drier climate and the use of evaporative air coolers. The weighted median value for inland LWUs was 252kL/connected property (percentage of connected properties basis). The weighted median for coastal LWUs was 150kL/property.
- **Real Losses (Leakage)** – At present, many LWUs do not have sufficient data to determine the true extent of leakage in their system (refer note 8 on page 25 of the *2009-10 NSW Performance Monitoring Report*). It is strongly recommended that each LWU undertake a reservoir drop test or detailed waste metering, with the assistance of a leakage control specialist, such as the LGA & SA and Water Directorate, Water Loss Program (Ian Maggs on 9242 4127).
- **Sewer main chokes and collapses** – sections of sewer main with a high incidence of chokes and collapses (say treble the statewide median) require close attention.
- **Sewer overflows to the environment** – are untreated sewage spills and may increase during wet weather due to infiltration of sewage mains and flooding. They do not include discharges or overflows contained within emergency storages.

G2.6 ECONOMIC FACTORS - Financial

- **Residential revenue from usage charges (%)** – The *Best Practice Management Guidelines 2007* require LWUs with greater than 4,000 properties to raise at least 75% of residential revenue from water usage charges, while LWUs with 4,000 or fewer properties, including LWUs with a dual supply must raise at least 50% of residential revenue from usage charges. The strategic benefits of providing such **strong pricing signals** are highlighted on page 5 of the *NSW Performance Monitoring Report*.

APPENDIX G

NSW Water and Sewerage Strategic Business Planning Guidelines

- **Economic real rate of return (ERRR)** – reflects the rate of return from operating activities (ie. excluding interest income, grants for acquisition of assets and gain/loss on disposal of assets). Water and sewerage charges should be sufficiently high to achieve full cost recovery. All LWUs should aim to achieve a positive ERRR. LWUs which have met all the Best-Practice Management requirements are encouraged to pay an 'efficiency dividend' from the surplus of their water and sewerage businesses to the Council's general revenue (see page 11 of the *NSW Performance Monitoring Report*). Refer also to Circular LWU 11 of March 2011.
- **Net Debt to equity** – LWUs facing significant capital investment are encouraged to make greater use of borrowings to reduce their TRB. This avoids unfairly burdening existing customers and facilitates inter-generational equity (see page 12 of the *NSW Performance Monitoring Report*).
- **Loan payment (\$/property)** – A high loan payment per property indicates a relatively high capital cost per property, recent construction of significant capital works or use of short-term loans. 20-year loans are generally optimal (see page 12 of the *NSW Performance Monitoring Report*).
- **Interest cover** – this ratio provides an indicator of the LWU's ability to meet interest commitments. The interest cover is nil for a business incurring a loss. As a general guide, an interest cover >2 is a good interest cover position. This should be considered in conjunction with the comment on making greater use of borrowings for capital investment.
- **Net profit after tax (NPAT) ratio** – this is NPAT divided by the revenue. LWUs should have a positive NPAT ratio. LWUs facing major capital expenditure for expanding system capacity may need a relatively high value for this indicator in order to help fund this investment.

G2.7 ECONOMIC FACTORS - Efficiency

Operating cost (OMA – operation, maintenance and administration) per property is a prime indicator of the performance of an LWU. The **components of operating cost** are:

- **Management cost** – includes administration, engineering and supervision and is typically almost 40% of the total operating cost. The number of employees per 1,000 properties can be a useful indicator of the operating and management costs and hence the efficiency of an LWU. LWUs with a number of separate water supply schemes and those with smaller water or sewage treatment works will need a higher level of employees per 1000 properties in order to effectively manage their systems.
- **Treatment cost (water)** – is dependent on the type and quality of the water source and the types of treatment used. In addition, there are great economies of scale for the operation of larger water treatment works (ie. facilities involving at least filtration and disinfection).
- **Treatment cost (sewage)** – is dependent on type of treatment and discharge requirements. Where the discharge licence conditions are stringent involving for example, a low level of phosphorus, treatment costs will be high. There are significant economies of scale for operation of larger treatment works.
- **Pumping cost (water)** – is influenced by topography and distance to the water source. For example, Country Energy and Goldenfields Water have a high pumping cost due to the distance required to pump from the water source, while Fish River Water Supply is almost a fully gravitational supply, with negligible pumping costs. For water supply, there are significant economies of scale in pumping cost per connected property.

7.5 General Works in Progress

TRIM REFERENCE: F2004/07830 - D02812279

AUTHOR/S: Peter Sheath; Manager Design and Projects & Josette Matthews; PA to Manager, IM Support

MANAGER: David Witherdin; Manager Contract and Project Management

SUMMARY

This report shows the current status of significant capital and maintenance expenditure in progress, as at the end of October 2011. General Water and Sewerage services are not included.

RECOMMENDATION

That Council receive the report on General Works in Progress.

ROADS AND STORMWATER SECTION OVERVIEW

Capital Works In Progress

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

Item Description	Est Cost	Start Date	% Spent	% Comp	Est Comp Date	Comments
Lindsay St, between Bonnieview and Koorinda St, Long Jetty Road & drainage upgrade	\$819K	5/7/11	90	90	Nov 2011	Drainage complete. Asphalt surface remaining.
Horns Bridge Reconstruction, Ourimbah Creek Rd, Ourimbah	\$232K	6/12/10	92	98	Nov 2011	Road seal and asphalt to be completed.
Hidden Valley Bridge Reconstruction, Ourimbah Creek Rd, Ourimbah	\$357K	30/3/11	95	95	Nov 2011	Road seal and asphalt to be completed.

Item Description	Est Cost	Start Date	% Spent	% Comp	Est Comp Date	Comments
Palmdale Road Bridge No. 2 - Reconstruction	\$415K	17/10/11	-	0	Dec 2011	Temporary bridge under construction.
Woodlawn Avenue, Budgewoi - Drainage Upgrade	\$1.1M	23/5/11	95	95	Nov 2011	Drainage complete. Road reinstatement remaining.
Minnesota Road, Hamlyn Terrace. Road & Drainage-Upgrade – Stage 1	\$1.828M	1/9/11	2	5	Feb 2012	Site established. Vegetation clearing undertaken. Roadworks commenced

General Maintenance Work

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

	North	South
Drainage Maintenance	Blue Haven Hamlyn Terrace Toukley	Long Jetty Berkeley Vale Bateau Bay The Entrance Tumbi Umbi
Replacement of Damaged Foot paving	Toukley Wyong Lake Haven	Bateau Bay Killarney Vale
Sign Maintenance	Toukley Kanwal Hamlyn Terrace Blue Haven Wadalba Budgewoi Tuggerawong San Remo Canton Beach Wyongah Jilliby Yarramalong Buff Point Gwandalan Summerland Point	Toowoona Bay Berkeley Vale Ourimbah Long Jetty The Entrance Killarney Vale Shelly Beach Bateau Bay Tuggerah Wyong Mardi Chittaway
Shoulder Restoration	Charmhaven Budgewoi	The Entrance

	North	South
Heavy Patching	Budgewoi Lake Munmorah Charmhaven	Nil
Table Drain Maintenance	Charmhaven Budgewoi Toukley Gwandalan San Remo Wyongah Chain Valley Bay Nth	Long Jetty Bateau Bay Killarney Vale Tumbi Umbi Berkeley Vale The Entrance Ourimbah
Rural Road Grading	Dooralong Yarramalong Ravensdale Jilliby Kiar	Ourimbah Palmdale Tuggerah
Carpark Maintenance	Nil	Nil
Fencing	Nil	Nil
Vegetation control	Jilliby Woongarra Halloran Hamlyn Terrace Toukley Mannering Park Yarramalong Dooralong	Tuggerah Berkeley Vale Tumbi Umbi Ourimbah The Entrance Killarney Vale Long Jetty Tumbi Umbi

CONTRACTS AND PROJECT MANAGEMENT SECTION

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

Item Description	Est Cost (excl. GST)	Start Date	% Spent	% Comp	Est Comp Date	Comments
CPA/115479 The Rehabilitation and Redevelopment of Bateau Bay Landfill	\$17M	Dec 2006	98	98	Softball cages due for completion 11 November and other fencing by end of November 2011. The contractor is significantly behind schedule and there is a risk that these dates will not be met.	Fabrication of the softball cages has commenced but is well behind schedule. The Contract Specified Practical Completion by 26 October, 2011 but this has not been met.

7.5

General Works in Progress (contd)

Item Description	Est Cost (excl. GST)	Start Date	% Spent	% Comp	Est Comp Date	Comments
CPA/136021 (complete) and CPA/168802 (complete) Tumbi Landfill Remediation – Investigations only	\$190K	Nov 2007	75	75	April 2012 (RAP & concept design)	Preliminary and detailed site investigations completed. Documents commenced for tenders for Remedial Action Plan (RAP) to be invited in December 2011.
CPA/142750 (complete) and CPA/173290 (complete) Shelly Beach Landfill Remediation – Investigations only	\$185K	Nov 2007	75	75	April 2012 (RAP & concept design)	Preliminary and detailed site investigation completed. Documents for tenders for Remedial Action Plan (RAP) under preparation, for invitation in November 2011.
CPA/155500 - Consultancy for Investigation and Design of C3 and C6 Sewer Pump Station upgrades, and new C16 Sewer Pump Station – San Remo and Blue Haven	\$163K	Dec 2008	92	90	December 2011	Contract awarded to SMEC Australia Pty Ltd. Final design and tender documents currently being reviewed. Preliminary project construction cost estimate \$1.32M.
CPA/158361 Construction Work for Stormwater Treatment Works in Reach 2, Saltwater Creek	\$630K	May 2009	85	85	Mar 2013	Hunter Land Management achieved Practical Completion in March 2010. Bush regeneration and maintenance works will continue until March 2013.
CPA/196356 - Remedial Action Plan and Concept Design for former Toukley Landfill		May 2011	85	85	November 2011 Remedial Action Plan (RAP)	Engagement of Golder & Associates for completion of the Remedial Action Plan (RAP) by the end of November 2011.

7.5 General Works in Progress (contd)

Item Description	Est Cost (excl. GST)	Start Date	% Spent	% Comp	Est Comp Date	Comments
CPA/164957 – Tuggerah Lakes Saltmarsh Rehabilitation (TL19 & TL20 – Berkeley Vale)	\$500K	Feb 2011	90	98	December 2011	Minor fencing and site restoration work has been completed.
CPA/172612 Construction of Hamlyn Terrace Community and Sporting Facility	\$7.85m	Apr 2010	85	95	Sports fields use possibly by Winter 2012.	Turf to the main playing fields is almost complete. The Community Centre has obtained Practical Completion and is awaiting approval for an interim Occupancy Certificate. Roadworks entry and footpaths on Minnesota Road are under construction.
CPA/173286 (complete) CPA/181554 Remediation of Mardi Landfill – Design only	\$350K	N/A	15	15	April 2012 (Detailed design)	Detailed design contract awarded to SMEC. Design work commenced in June and currently in progress. Initial draft landforms and recreation options examined. Design proceeding.
CPA/184446 – Shelly Beach SLSC Construction	\$3.72M	Oct 2010	72	99	Work is complete.	Site works are completed and the surf club has occupied the facility.
CPA/189208 & CPA/189207 Landfill Gas Installations Monitoring & Report Buttonderry Waste Management Facility	\$160K	Nov 2010	65	65	April 2012	Subsurface landfill gas encountered around active landfill area. Regular ongoing monitoring of this gas continues. Tenders for gas management strategy to be invited in 2012.

7.5

General Works in Progress (contd)

Item Description	Est Cost (excl. GST)	Start Date	% Spent	% Comp	Est Comp Date	Comments
CPA/189210 CPA/194091 CPA/201014 New Cell 4.3 at Buttonderry Waste Management Facility. Investigation and design only	\$430K	Nov 2010	15	15	June 2012	Tenders for detailed design & documentation for Cell 4.3 received. Report to Council of 23/11/11 for determination
F2008/02330 McKenzie Reserve Foreshore Stabilisation Works and Upgrade of Recreational Facilities	\$200K	Dec 2010	80	85	June 2012	Main shelter upgrade works complete. Landscaping works complete. Playground upgrade works complete.
CPA/179981 B9 Sewage Rising Main Extension – Long Jetty	\$2,338K	Sept 2011	0	65	April 2012	Work commenced in September 2011. Approximately 1300m of pipe laid to date out of a total of 2000m to be laid.

CONTRACTS REACHING PRACTICAL COMPLETION IN LAST THREE MONTHS		
Contract No.	Contract Description	Date of Practical Completion
CPA/144547	Construction of Stormwater Treatment Works Colongra Bay Rd, Lake Munmorah	17 August 2011
CPA/184454	Soldiers Beach SLSC Construction	29 July 2011

CONTRACTS STILL IN DEFECTS LIABILITY PERIOD		
Contract No	Contract Description	Contract Status
CPA/184901	Construction of Stormwater Treatment Works, Gascoigne Rd Gorokan as part of the Estuary Management Plan.	Practical Completion on 10 June 2011
CPA/184904	Construction of Stormwater Treatment Works, Catalina Rd & Liamena Av San Remo	Practical Completion on 20 July 2011
CPA/173205	Sewer main rehabilitation, various locations in Wyong Shire	Practical Completion on 31 May 2011
CPA/179982	Replacement of Pope Air Conditioning	Practical Completion achieved.

7.5

General Works in Progress (contd)

	Equipment at Wyong Civic Centre	
CPA/127662	Mardi Suite of Works Mardi Transfer System, High Lift Pump Station and Intake Tower (Baulderstone)	Practical Completion Separable Portion 1 - 26 November 2010 Separable Portion 2A - 26 November 2010 Separable Portion 2B - 26 November 2010 Separable Portion 3 - 26 November 2010
CPA/160794	Construction of the Northern Section of the Link Road	Practical Completion Separable Portion 1 – 16 March 2010 Separable Portion 2 - 1 September 2010 Separable Portion 3 - 15 November 2010
CPA/154562	Toukley Sewage Treatment Plant Inlet Works Upgrade	Practical Completion 10 December 2010
CPA/171026	Installation of Subsoil drainage at Halekulani Oval, Kurraba Oval and Killarney Vale Oval	Practical Completion 1 December 2010
CPA/173205	Sewer main rehabilitation, various locations in Wyong Shire	Practical completion achieved on 31 May 2011
CPA/184901	Construction of Stormwater Treatment Works, Gascoigne Road, Gorokan	Practical Completion granted 10 June 2011

ATTACHMENTS*Nil.*

7.6 Results of Water Quality Testing for Beaches and Lake Swimming Locations

TRIM REFERENCE: F2004/06822 - D02819515

MANAGER: Rob Van Hese, Manager Regulation and Compliance

AUTHOR: Jon Scorgie, Senior Environmental Health Officer

SUMMARY

Reporting on the results of bacteriological tests for primary recreation water quality for the beaches in Wyong Shire and lake swimming sites in the Tuggerah Lakes catchment for the month of October 2011.

RECOMMENDATION

That Council receive the report on Results of Water Quality Testing for Beaches and Lake Swimming Locations.

Primary Recreation Water Quality Monitoring Program

Wyong Shire beaches are regularly monitored for swimming safety in accordance with the latest National Health and Medical Research Council (NHMRC) *Guidelines for Managing Risks in Recreational Water (2008)*. These guidelines have superseded NHMRC (1991), however, they still 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 1 below.

Wyong Shire Council continues in partnership with the Office of Environment and Heritage (OEH) in implementing the "Beachwatch" program during the bathing season of summer, October through to April.

Council at its meeting held on 9 June 2010 resolved as follows:

"RESOLVED on the motion of Councillor Graham and seconded by Councillor Webster:

- 1 *That Council adopt the recommendations of the Tuggerah Lakes Estuary Coastal and Floodplain Management Committee being:*
 - a *That all lake water quality testing sites that are not designated "lake swimming locations", be removed from future Beachwatch programs commencing 1 July 2010.*

7.6 Results of Water Quality Testing for Beaches and Lake Swimming Locations (contd)

- b That future results of water quality testing for lake locations that are not designated swimming locations continue to be monitored to detect changes in water quality and the results of such testing be submitted to the Estuary Management Unit.*

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

AGAINST: COUNCILLORS BEST AND EATON"

As a result of the above resolution 22 monitoring locations are now sampled once a week as required by the NHMRC Guidelines and the Beachwatch program. These monitoring locations include 17 ocean beaches and 5 lake swimming sites in the Tuggerah Lakes catchment.

Beachwatch have updated their program to bring it in line with NHMRC (2008), which are based on the World Health Organisation (WHO) Guidelines for Safe Recreational WaterEnvironments, 2003. The new guidelines, NHMRC (2008), have lead to a change unacceptable faecal indicator levels and how they are reported as part of the Beachwatchpartnership program.

The acceptable level for the faecal indicator enterococci has now been elevated to200cfu/100mL, compared with 33cfu/100mL (Nb: cfu= colony forming units). This change isbased on studies conducted by the WHO and relates to a health based risk of contracting an illness due to swimming in potentially contaminated waters.

Another change that has been brought in by Beachwatch is that Star Ratings are now reported weekly, based on one result. This is a big difference to NHMRC (1991), as that guideline recommended that the star rating be based on five previous results with a star rating being given for the month. This now means that each site can be rated weekly with the results being placed on the Beachwatch website.

As a part of the National Health and Medical Research Council - Guidelines for Managing Risks in Recreational Water 2008 (NHMRC 2008), DECCW's Beachwatch program has requested that all sites be re-evaluated to identify their potential pollution sources and the risk that they may pose to human health. The potential pollution sources identified in this evaluation will lead to management strategies being developed for each site so that risk to human health can be minimised. Advisory signs have been erected at all lake sampling sites advising "This area can be affected by Stormwater Pollution for up to 3 Days after heavy rain. Swimming during this period in NOT Recommended". The signs have been erected to advise the public that there is a potential for poor water quality at the site due to the stormwater inundation after heavy rain. It does not mean that the water quality is poor at all times.

Summary of results for October 2011 (Summer Program)

For the months of October all ocean and lake beach sites achieved a star rating that is defined as being safe for swimming under the NHMRC 2008 for all of the sampling days.

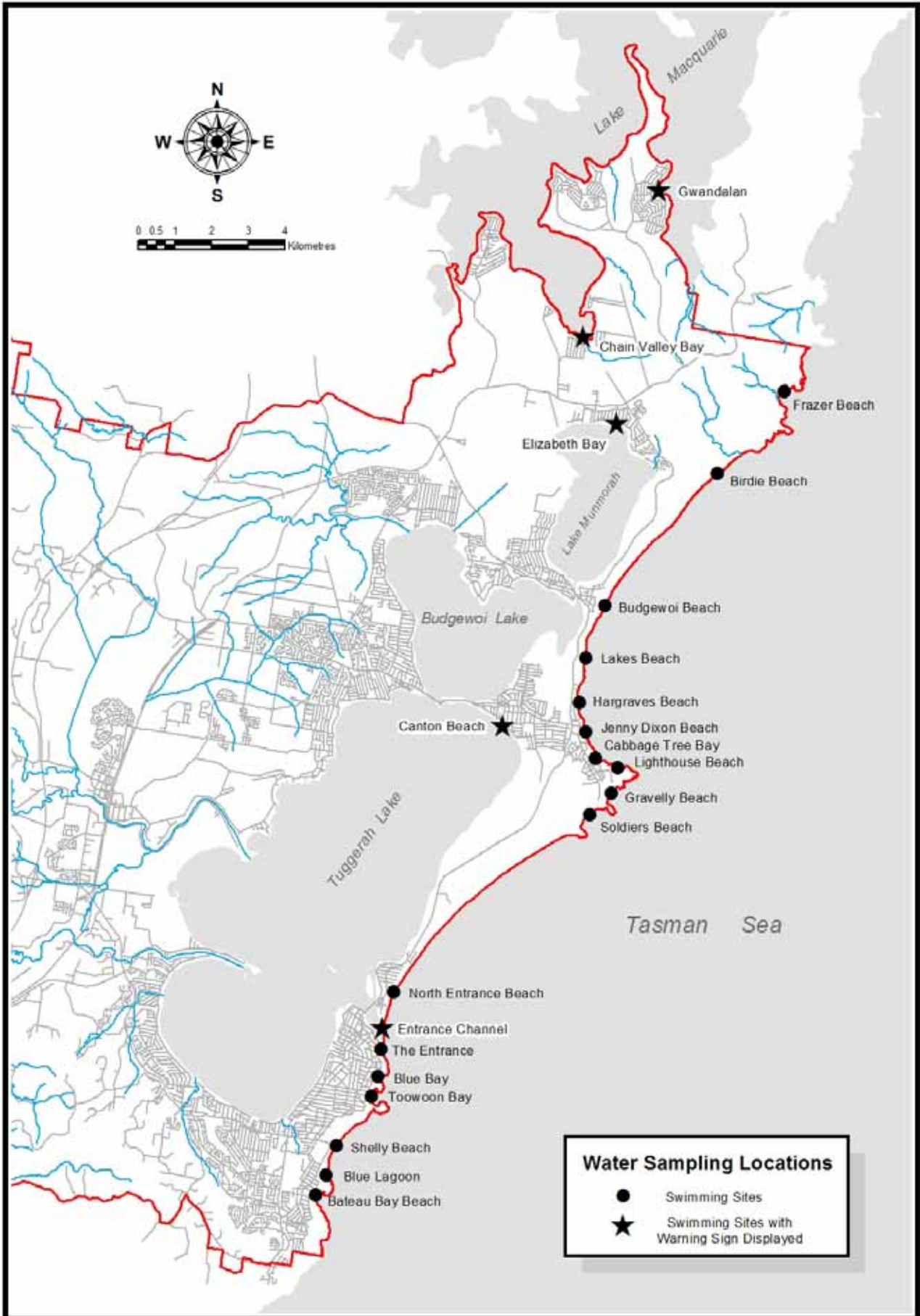
A definition of the star rating system can be seen in Table 1 below.

Table 1: NHMRC Star Rating Interpretation

Star Rating		Enterococci (cfu/100mL)	Interpretation
****	Good	≤ 40	NHMRC indicates site suitable for swimming
***	Fair	41 – 200	NHMRC indicates site is suitable for swimming
**	Poor	201- 500	NHMRC indicates swimming at site is not recommended.
*	Bad	>500	NHMRC indicates swimming at site is not recommended.

ATTACHMENTS

- 1 Water Sampling Locations D02345961



7.7 Activities of the Building Certification and Health Unit and Development Assessment Unit

TRIM REFERENCE: F2004/07830 - D02819522

MANAGER: Peter Fryar, Manager Development Assessment

AUTHOR: Jane Doyle; Senior Administration Support Officer

SUMMARY

The report includes information and statistics regarding the operations of the Development Assessment Unit and the Building Certification and Health Unit which covers the submission and determination of development, construction and subdivision applications for the month of October 2011.

RECOMMENDATION

That Council receive the report on Activities of the Building Certification and Health Unit and Development Assessment Unit.

Development Applications Received and Determined – October 2011

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	17	9,610,265	13	17,404,626
Industrial	-	-	3	10,620,000
Residential	71	5,569,267	70	6,440,821
Other	14	735,000	17	337,810
Total	102	15,253,032	103	34,803,257

Note: Included in the number of development applications determined in the "Commercial" category was a shopping centre (Woolworths supermarket) located at Lake Munmorah valued at \$14M. Included in the "Industrial" category were three industrial buildings at Berkeley Vale valued at \$10.5M both of which were determined by the Central Coast Hunter Joint Regional Planning Panel.

Subdivision Applications Received and Determined – October 2011

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	-	-	-	-
Industrial	-	-	-	-
Residential	1	1	3	3
Rural	-	-	1	2
Total	1	1	4	5

Net Median Turn-around Time - October

The net median turn-around time in working days for development applications determined during the month of October was **16** days.

The net median turn-around time in working days for priority applications determined during the month was **10** days. The two priority development applications included a shopping centre (Woolworths supermarket) located at Lake Munmorah and three (3) industrial buildings located at Berkeley Vale both of which were determined by the Central Coast Hunter Joint Regional Planning Panel.

Other Approvals and Certificates

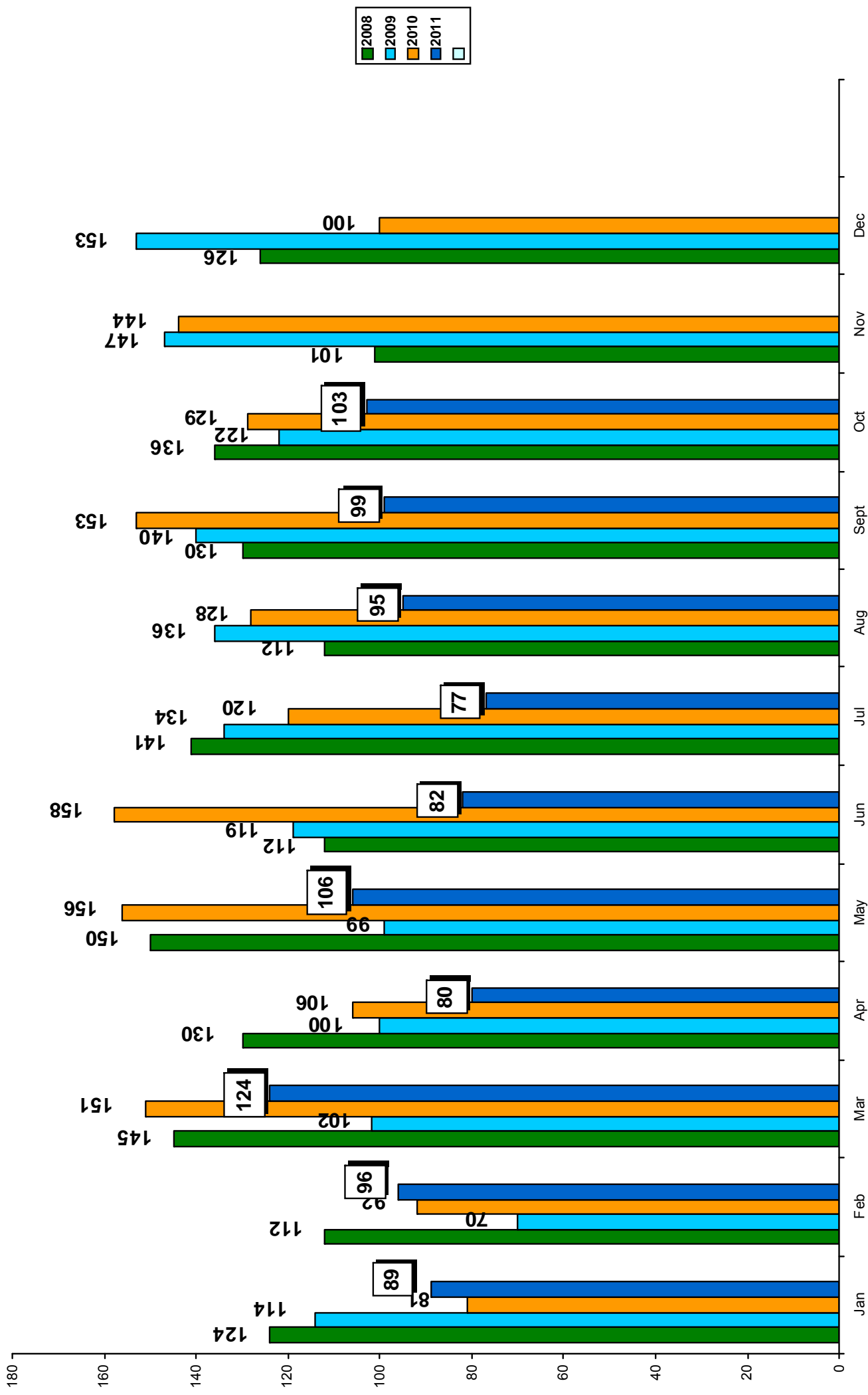
Type:	Number Determined October:
Trees	31
Section 149 D Certificates (<i>Building Certificates</i>)	11
Construction Certificates	52
Complying Development Certificates	17

ATTACHMENTS

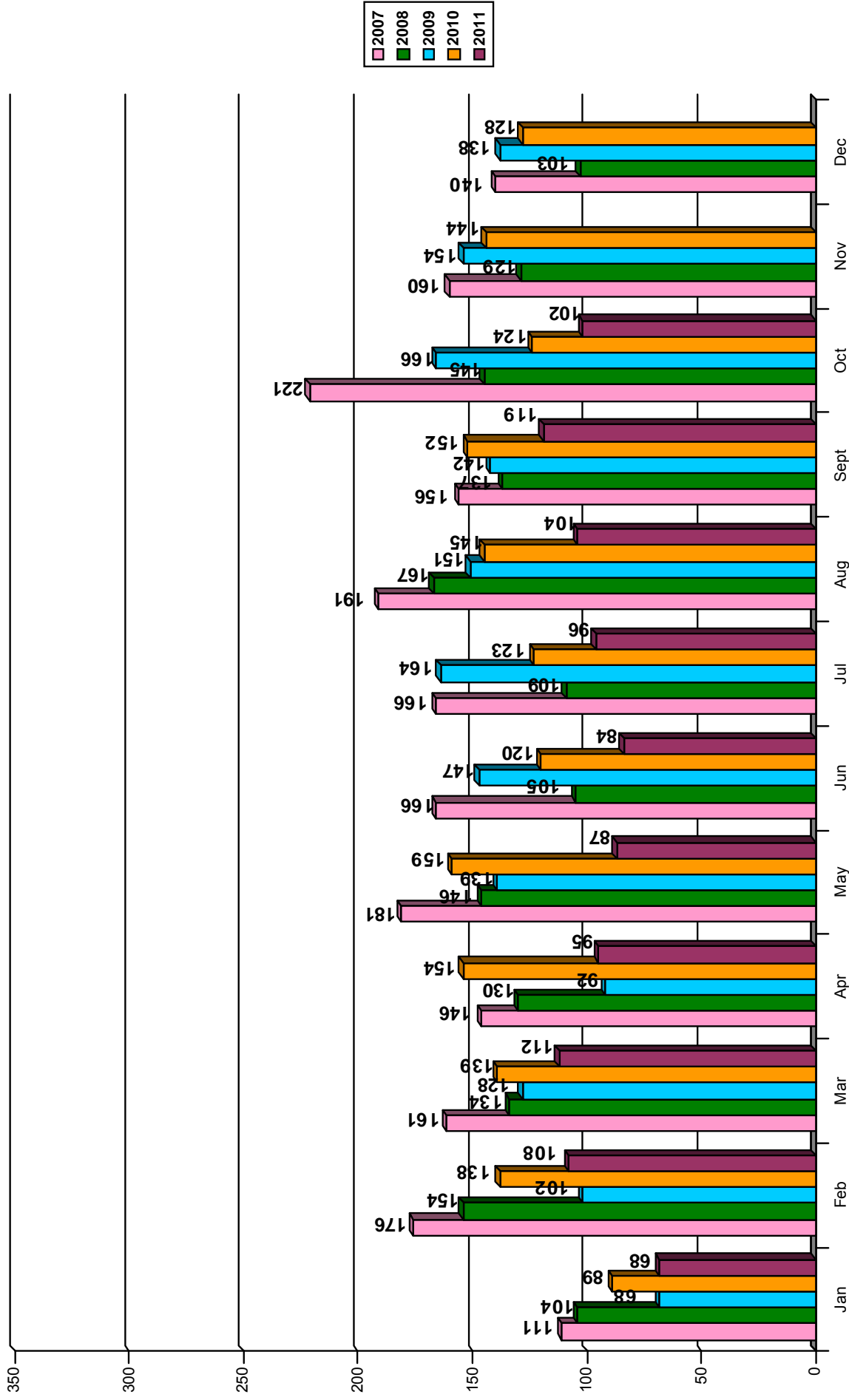
- 1 Graphs - Da's Lodged, Determined and Construction Certificates Determined (A4 Colour)

D02828694

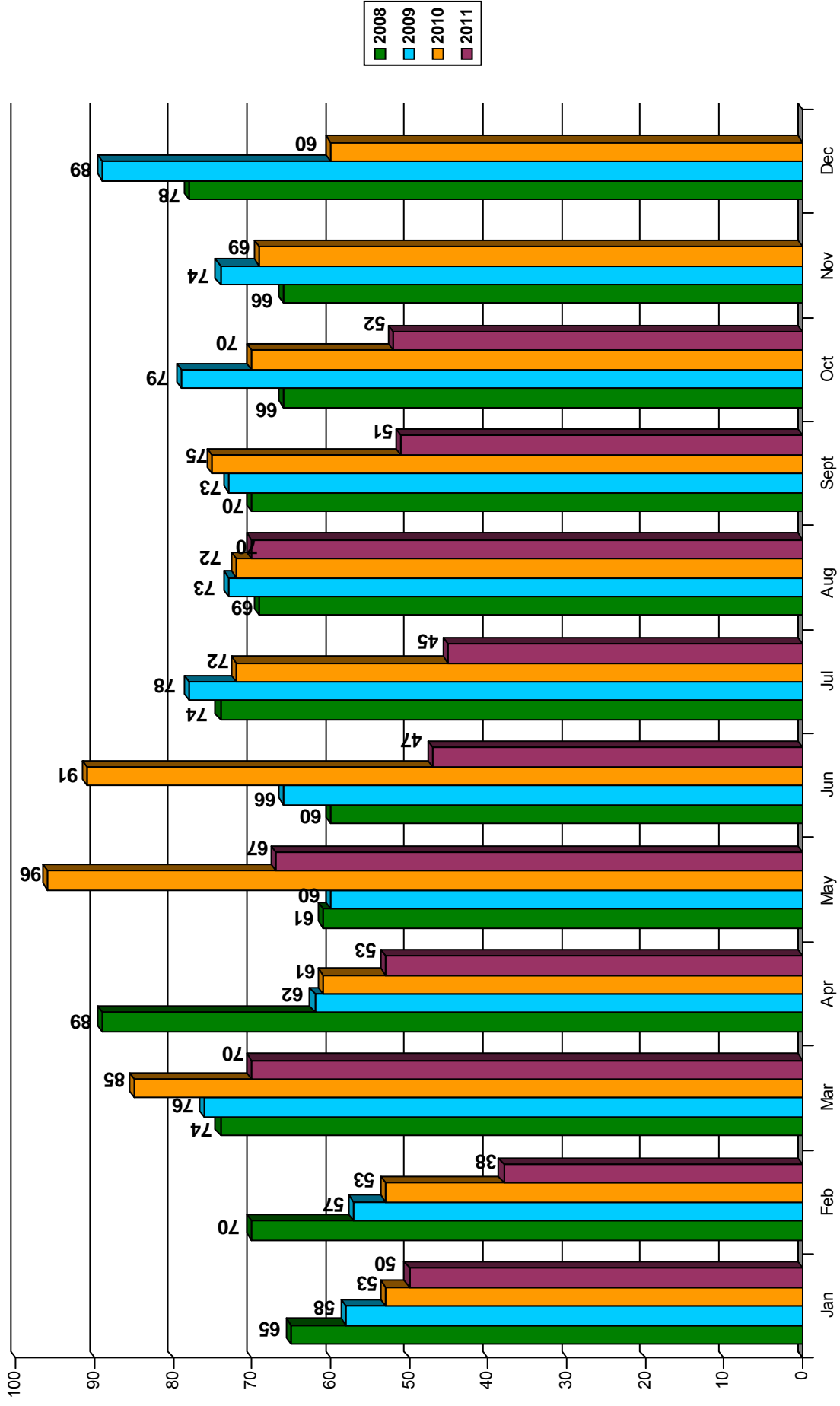
DAs DETERMINED



DAS LODGED



CCs DETERMINED



7.8 Response to Mayoral Minute - Reversal of onus of proof for graffiti tag offences

TRIM REFERENCE: F2004/07937 - D02825995

MANAGER: Maxine Kenyon, Director

AUTHOR: Margaret Collins; Personal Assistant to Director

SUMMARY

This report provides Council with responses received in relation to the Mayoral Minute of 24 August 2011.

RECOMMENDATION

That Council receive the report on Response to Mayoral Minute - Reversal of onus of proof for graffiti tag offences.

At its Ordinary Meeting held on 24 August 2011, Council:

“RESOLVED unanimously on the motion of Councillor EATON:

- 1 That Council request the General Manager to formally approach the State government, via its local member, to reverse the onus of proof for graffiti offences such that the owner of a “tag” is prima facie guilty of a graffiti offence whenever this “tag” appears illegally.*
- 2 That Council request the General Manager to submit this motion to the next NSW Local Government Association Conference for conference support and adoption.*

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

AGAINST: NIL”

Two written responses were received in relation to Resolution 1. Copies of correspondence are attached to this report.

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | Thank you re your letter 6/10/2011 Graffiti legislation - Reversal of onus of proof for graffiti tag offences - The Hon Chris Hartcher MP | D02812133 |
| 2 | Response council letter 6 October 2011 - graffiti legislation - Darren Webber MP | D02813070 |



Chris Hartcher

21 October 2011

Mr Michael Whittaker
PO Box 20
WYONG NSW 2259

Dear Mr Whittaker,

Thank you for your letter dated 6 October 2011 about graffiti.

As you know the State Government has recently passed further legislation to assist Councils in combating graffiti, the Graffiti Legislation Amendment Bill 2011.

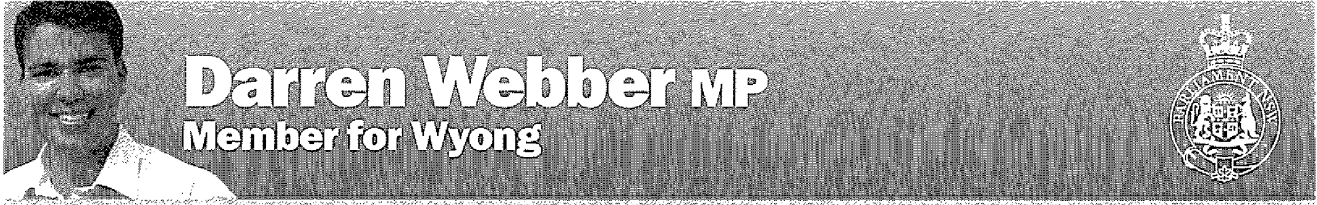
I note your resolution is to be forwarded to the Local Government Conference for its consideration.

Thank you for keeping me advised.

Kind Regards

CHRIS HARTCHER MP
Member for Terrigal

Per Ray Carter
Electorate Officer



21 October 2011

Mr Michael Whittaker
General Manager
Wyong Shire Council
PO Box 20
WYONG NSW 2259

Dear Mr Whittaker

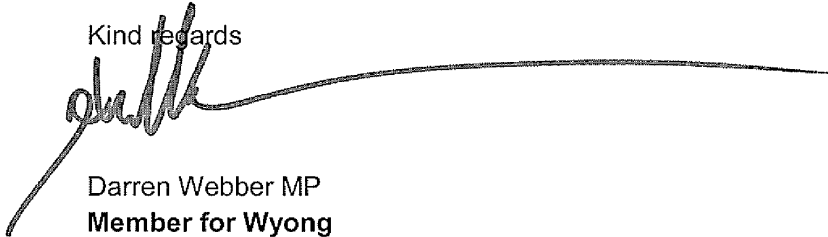
Thank you for your letter dated 6 October 2011 regarding Graffiti Legislation.

The NSW Government is committed to combating the problems associated with graffiti which affects the Wyong Shire.

As you are aware I am keen to continue to work closely with Wyong Shire Council and NSW Police to ensure that graffiti in our local area is eliminated.

Please don't hesitate to contact me if I can be of further assistance.

Kind regards



Darren Webber MP
Member for Wyong

Phone: (02) 4397 1000 **Fax:** (02) 4397 1012 **Mail:** PO Box 717, Toukley NSW 2263
Electorate Office: 243 Main Road, Toukley NSW 2263 **Email:** wyong@parliament.nsw.gov.au

7.9 Reducing the Graffiti Canvas

TRIM REFERENCE: F2004/07937 - D02826134

MANAGER: Peter Fryar, Manager Development Assessment

AUTHOR: Emily Goodworth; Senior Development Planner

SUMMARY

This report outlines the most common initiatives adopted by Councils around Australia to reduce vandalism and graffiti.

RECOMMENDATION

That Council receive the report on Reducing the Graffiti Canvas.

BACKGROUND

Council at its meeting held 26 October 2011 resolved unanimously on the motion of Councillor Best and seconded by Councillor Matthews:

- “1 That Council note with concern the escalating costs to Council and its ratepayers as a result of the local graffiti epidemic.
- 2 That Council request the General Manager to report on any emerging urban planning initiatives that may reduce graffiti on boundary fences in new subdivision areas which front public domain areas such as parks and reserves.”

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

AGAINST: NIL

Urban Planning Initiatives Which Aim To Reduce Vandalism

The most common initiatives adopted by Councils around Australia have a direct correlation with the principles of Crime Prevention through Environmental Design (CPTED). CPTED uses principles that aim to reduce the opportunity for crime through the design of the built environment and increasing the perception of safety perceived by authorised users of a space. These principles can be used to manipulate human behaviour, encouraging desirable behaviours whilst simultaneously discouraging unwanted behaviours (Safer by Design material, NSW Police).

A development application requires an assessment under Section 79C of the Environmental Planning and Assessment Act 1979. Section 79C outlines general matters for consideration. Under Section 79C (1)(b) *the likely impacts of that development*, Council is required to

consider safety, security and crime prevention (CPTED) as part of its assessment. The Environment and Planning Services Development Assessment Unit considers these CPTED principles as part of its assessment of every application. In addition, Wyong DCP 2005 and the proposed DCP 2012 contains many Chapters which reference safety and security issues, based upon the CPTED principles, for example, Chapter 58 –Dual Occupancy (Chapter 2.3 in DCP 2012), Chapter 64-Multiple Dwelling Residential (Chapter 2.4 in DCP 2012), Chapter 110-Centre Support Development (Chapter 6.3 in DCP 2012), Bateau Bay and Chapter 114-Lake Munmorah Village Centre (Chapter 6.58 in DCP 2012).

There are numerous Councils around Australia that undertake a range of initiatives to reduce graffiti and vandalism in their local government area. These Councils include:

- The City of Rockingham (WA)
- Brisbane City Council
- Burwood Council (NSW)

The following initiatives can be adopted either during the design/assessment phase of a development or be implemented for existing development:

- Use of vegetation or 'Green Screen Planting' -planting creepers and foliage along walls and fences which can restrict access to walls or views into building;
- Painting fences in dark colours where graffiti is not as easily seen;
- Keeping the property well maintained so it has a sense of ownership
- Lighting – A well-lit area has the potential to deter vandalism e.g. installation of sensor lights;
- Paints and coating - Applying anti graffiti coating;
- Removing all graffiti as soon as possible to deter a recurrence- Rapid repair of surfaces;
- Legal art and murals- It is proven that vandals rarely attack the work of other artists;
- Graffiti resistant surfaces - Avoiding plain, smooth surfaces on buildings and fences (e.g. porous concrete or brick surfaces);
- Minimising the need for fences unless required for acoustic purposes;
- Use of alternatives to solid fences e.g. palisade fencing, use of landscaping as a delineation between public/private open space;
- Strategically locating windows within dwellings to facilitate natural surveillance;
- Ensuring that fencing is setback from the boundary to allow for appropriate landscaping.

An example of the effective use of vegetation along a fence that adjoins a popular public walking and cycling path has been implemented in Adamstown, Newcastle. Newcastle City Council undertook a 'green screen planting project' which created a hedge along a fence line at the rear of properties adjacent to the Fernleigh Track which has had a history of heavy graffiti and vandalism. The Council received \$150, 000 grant funding from the Department of Attorney General and Justice to assist in the funding of this and other 'pride of place' initiatives.

During the development assessment process Council staff makes comment on and influences the design of a development having particular regard for CPTED principles. Any development that fronts the public domain is required to make provision for anti graffiti measures in its overall design and ongoing management. This can be done by way of appropriate landscaping, minimising blank walls and the use of graffiti resistant surfaces. An example of where this has been implemented is the anti graffiti coating applied to the recently constructed Wyong Police Station in Hely Street Wyong.

Additionally, Council staff reinforces these measures through the implementation of conditions of consent. The following are examples of conditions that are imposed on a Notice of Determination:

“Safer by Design

- *To minimise the opportunity for crime and in accordance with CPTED principles, the development shall incorporate the following:*
 - a. *Ensure the development management adopts an ongoing policy of rapid repair of vandalism and graffiti and ensuring that all lighting is in working order.*
 - b. *The use of durable and easily maintained external materials and finishes.*
 - c. *Anti-graffiti paint to external vertical surfaces*
- *The development shall be carried out and designed in accordance with the submitted CPTED report.*

Site Appearance, Maintenance and Security Requirements

- *The owner/operator(s) of the site must maintain the external finishes of the building(s), structures, walls and fences for the life of the development and any graffiti must be removed in a timely manner. **Note:** amend “owner/operator(s)” and “building(s), structures, walls and fences” to suit the application to which you are applying the condition.*
- *All security/front/perimeter fencing is to be maintained for the life of the development in its approved location.*

External Materials

- *The external finish must be maintained and any graffiti removed.*

Landscaping

- *Prior to the issue of an Occupation Certificate, to ensure landscaping works are properly completed, the landscape designer must provide certification to the Principal Certifying Authority certifying that landscaping has been implemented in accordance with the approved landscape plan as amended by any conditions of this consent.*
- *Prior to the issue of an Occupation Certificate, a detailed maintenance schedule for all landscaping areas associated with the development is to be provided to and approved by the Principal Certifying Authority.*
- *Landscaping is to be maintained to maturity through use of mulch and watering and allowed to achieve their natural height. Where the landscaping dies or is substantially damaged within 5 years of planting, it must be replaced and maintained to maturity.*
- *All site landscaping is to be maintained for the life of the development in accordance with the approved landscape plan, as amended by the conditions of this consent, and with the approved maintenance schedule”*

ATTACHMENTS

Nil.

7.10 Mardi to Mangrove Link Project Status

TRIM REFERENCE: F2007/01120 - D02826162
AUTHOR: AUTHOR: Daniel Kemp; Engineer
MANAGER: Daryl Mann; Acting Manager Water and Sewerage

SUMMARY

Report on status of Mardi to Mangrove Link Project.

RECOMMENDATION

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

PROJECT SCOPE

- Wyong River off-take structure and pumping station
- Wyong River to Mardi-Dam 2.1 kilometre pipeline
- Inlet works at Mardi Dam
- Mardi-Mangrove transfer pumping station
- Mardi Dam to Mangrove Creek Dam 19 kilometre pipeline
- Lower Wyong River Weir, Fishway and Gauging

CURRENT STATUS

Expenditure to date	October 2011	\$108m
Value of works Complete	October 2011 (est)	\$110.1m
Approved Budget		\$120.6m
Overall Construction Status (excluding Commissioning)	Completion Date: 25 November <u>2011</u>	% Work Complete: <u>99%</u>

Construction Status

	Scheduled Start	Scheduled Completion	% Work Complete
Milestone 1:		25 November 2011	99%
Pre-construction – Management Plans & Approvals	4 January 2010		100%
Work Package 1 – Wyong River Off-take	7 April 2010		100%
Work Package 2 – Wyong River Pump Station	19 February 2010		99%
Work Package 3 – Wyong Mardi Rising	16 February 2010		100%

7.10

Mardi to Mangrove Link Project Status (contd)

Main 3			
Work Package 4 – Wyong Mardi Inlet	6 May 2010		100%
Work Package 7 – Mardi Mangrove Transfer Main	1 March 2010		100%
Work Package 18 – Wyong Weir, Fishway & Gauging	5 August 2010		100%

Milestone 2:		4 April 2011	100%
Work Package 6 – Mardi Mangrove Transfer Pump Station	21 June 2010		100%
Milestone 3:		1 February 2012 *	70%
Commissioning	1 August 2011		

*(Dates as per JH latest program C23) * excl 2 week contractor's float*

Key Dates

	Scheduled Completion	Actual Completion	Complete
Review of Environmental Factors (REF) submitted	30 June 2009	30 June 2009	<input checked="" type="checkbox"/>
Call for Expressions of Interest (EOI)	9 July 2009	9 July 2009	<input checked="" type="checkbox"/>
EOI closes	30 July 2009	30 July 2009	<input checked="" type="checkbox"/>
Determination Approval	14 October 2009	23 September 2009	<input checked="" type="checkbox"/>
Issue Request for Tenders (RFT)	16 October 2009	16 October 2009	<input checked="" type="checkbox"/>
Tenders close	12 November 2009	12 November 2009	<input checked="" type="checkbox"/>
Council consider Award of Construction Contract	9 December 2009	9 December 2009	<input checked="" type="checkbox"/>
Expiry of PAN 90 day notification period	31 December 2009	31 December 2009	<input checked="" type="checkbox"/>
Minister/Governor determination of compulsory acquisition applications	27 January 2010	27 January 2010	<input checked="" type="checkbox"/>
Pipeline Construction	27 January 2011	25 September 2011	<input checked="" type="checkbox"/>
Transfer Pump Station Construction	31 January 2011	4 April 2011	<input checked="" type="checkbox"/>
Commissioning	6 May 2011		<input type="checkbox"/>
Project Completion	June 2011		<input type="checkbox"/>

Land Matters

- Pipe laying has been completed on all properties.
 - 50/56 properties have been restored (excluding minor outstanding works).
 - Works have been 100% completed by John Holland on 50/56 properties.
 - 42/56 landholders have signed releases.
 - Easement Plans have been prepared for all properties and have been sent to the Office of Water.
-

Stakeholder Liaison**Media**

- No media releases this week.

Resident communication

- Direct liaison with affected landholders is ongoing via the project's Property Team.
-

Incidents

- No significant Environmental or safety incidents occurred in the last period.
 - Ongoing monitoring of siltation controls at Ingram property.
-

Major Achievements / Issues

Note: Wyong river extractions have ceased to allow pigging of WP03.

Work Package 1: Work on this package has been completed

- Work Package 2: Work on the Wyong River Pump Station has also been effectively completed. During the commissioning / testing process there has been identified issues with the Knife gate valves and intake mains. JH have rectified the Knife gate valves and are currently undertaking pressure testing on the intake mains.
- Work Package 3: Work on this package has been completed
 - All air valves that have previously been installed on WP 03 have been rejected on performance and quality. JH have started to replace air valves with a complying product.
 - JH are preparing to pig the rising main
- Work Package 4: Construction of the Mardi Dam Discharge Structure has been completed.
- Work Package 6: Construction of the Mardi to Mangrove Transfer Pump Station has been completed. Commissioning of the transfer pump station has now commenced.
 - Commissioning has identified issues with pumps and valves which are being rectified by the contractor/supplier.
- Work Package 7: Construction of the pipeline is now completed. All the hydrostatic pressure testing is complete, commissioning has now commenced.
 - JH are preparing to clean the rising mains
- Work Package 18: Wyong River weir has now been completed



WP 07 restoration of creek crossing
(Work Package 7)

ATTACHMENTS

Nil.

7.11 Works in Progress - Water Supply and Sewerage

TRIM REFERENCE: F2004/07830 - D02826442

AUTHOR: Vanessa Trzcinka; Technical Operations Engineer Water and Sewerage Operations

ACTING MANAGER: Daryl Mann; Water and Sewerage Operations

SUMMARY

Water supply and sewerage works in progress and completed for October 2011.

RECOMMENDATION

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

WATER SUPPLY

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

Item Description	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Mulloway Rd, Chain Valley Bay	10,000	Sept 2011	75	75	Nov 2011	<p>The installation of 100mm and 150mm fire service, 50mm domestic water and sprinkler services to provide potable water supply to industrial businesses developing on the Central Coast has been completed at these locations.</p> <p>All works were funded by the Developer.</p> <p>W&S are currently processing the application for the installation of 150mm fire service and 100mm domestic water service for the Mariners Stadium Tuggerah.</p>

Item Description	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Bateau Bay Charmhaven Killarney Vale Ourimbah The Entrance Toukley Tuggerah Watanobbi Wyong	500,000	Jul 2011	10	15	Jun 2012	<p>Ongoing water main, stop valve and hydrant replacement works are underway to improve system supply operations.</p> <p>This work is being funded by the Water and Sewerage Operations and Maintenance Program.</p>
Albatross Rd, Berkeley Vale	120,000	Sept 2011	50	50	Nov 2011	<p>Work has commenced to replace and lower approximately 30 services in aid of road resurfacing works being carried out by Roads and Stormwater.</p> <p>This work is being funded by the Roads and Stormwater Maintenance Program.</p>
Hume Boulevard, Killarney Vale	75,000	Nov 2011	50	50	Nov 2011	<p>Work has commenced to replace 15 dual water services with 30 single services in Hume Boulevard.</p> <p>Dual services are replaced with single services to reduce the impact of water hammer for the residents.</p> <p>This forms part of the road resurfacing works being carried out by Roads and Stormwater.</p> <p>This work is being funded by the Roads and Stormwater Maintenance Program and Water and Sewerage Valve and Fittings Replacement Program.</p>

Item Description	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Elden St Toukley	45,000	Nov 2011	50	50	Nov 2011	<p>Work has commenced to replace 9 dual water services with 18 single services in Elden St.</p> <p>Dual services are replaced with single services to reduce the impact of water hammer for the residents.</p> <p>This forms part of the road resurfacing works being carried out by Roads and Stormwater.</p> <p>This work is being funded by the Roads and Stormwater Maintenance Program and Water and Sewerage Valve and Fittings Replacement Program.</p>

SEWERAGE

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

Location	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Bateau Bay Berkeley Vale Blue Haven Budgewoi Buff Point Gorokan Killarney Vale Lake Munmorah Long Jetty Watanobbi Wyong	150,000	Jul 2011	25	42	Jun 2012	<p>Ongoing sewer main and manhole replacement and adjustment works are underway to improve system operations.</p> <p>Council's maintenance program of CCTV inspections, replacing sections of sewer mains and repairing manholes and junctions causing operational problems due to root infestation and stormwater infiltration.</p> <p>This work is being funded by the Water and Sewerage Operations and Maintenance Program.</p>

PROCESS**Water Treatment**

All treated water produced by Mardi Water Treatment Plant, for the period 1 to 31 October 2011 met the health requirements of the Australian Drinking Water Guidelines produced by the National Health and Medical Research Council.

Sewage Treatment

All effluent discharged from the sewage treatment plants, for the period 1 to 31 October 2011 has met Environmental Protection Authority Licence requirements.

WATER STORAGE

Monday, 7 November 2011				
STORAGES				
Storage	Capacity Full [MI]	Volume in Storage [MI]	Percent Full [%]	Storage Change over last Week
Mangrove Dam	190000	68,618	36.1	Down 22 ML
Mardi Dam	7400	6,599	89.2	Down 328 ML
Mooney Dam	4600	4,537	98.6	Up 5 ML
Total	202000	79,754	39.5	Down 345 ML
STORAGE:				
<ul style="list-style-type: none"> • Total stored water volume has increased by 0.2% since last month. • This day last year the volume stored as a percentage of total capacity was 9.3% lower. 				
HUNTER TRANSFERS:				
<ul style="list-style-type: none"> • Hunter Water Corporation supplied 0ML last week keeping this year's supply to 12ML. • Gosford/Wyong supplied 0.0 ML to Hunter Water last week keeping this year's supply to 0ML. 				
GROUND WATER BORES:				
<ul style="list-style-type: none"> • Groundwater Bores supplied 1.5 ML last week, increasing this years supply to 133.2 ML 				
WATER USAGE & RAINFALL				
Period	Water Usage [MI]	Rainfall [mm]		
		Somersby WTP	Mardi WTP	Mangrove Dam
Week to date	479	6	6	1
Previous week	494	20	18	20
Current week last year	495	90	136	78
This year to date	22,317	1,583	1,500	1,005
Same period last year	22,246	1,007	1,084	831
<p style="text-align: center;">Week to date consumption was 479 ML, 3.2% less than the same week last year and 3.0% less than the previous week.</p> <p style="text-align: center;">Consumption this year to date is 22,317 ML, 0.3% more than the same period last year.</p> <p style="text-align: center;">Level 3 Water Consumption Target for the week ending Monday, 14 November 2011 is 564 ML</p>				

ATTACHMENTS

Nil.

7.12 Key Road Projects in the Warnervale Area

TRIM REFERENCE: CPA/160357 - D02828729

MANAGER: Greg McDonald, Director Infrastructure Management

AUTHOR: Andrew Pearce; Manager, Roads and Stormwater

SUMMARY

Report on key road upgrade projects in the Warnervale area.

RECOMMENDATION

That Council receive the report on Key Road Projects in the Warnervale Area.

Council, at its meeting held on 26 October 2011 considered the following Motion submitted by Councillors Best and McNamara in regard to Warnervale Key Road Projects:

- "1 That Council note the completion of the 1.3 M upgrade and traffic light installation at the intersection of Warnervale and Minnesota Roads and the subsequent \$4.6 M reconstruction of the southern section of Minnesota Road.*
- 2 That Council request the General Manager provide a report detailing the traffic management initiatives that will be implemented during the construction phase to assist local residents and ratepayers.*
- 3 That Council note that as Minnesota Road is being completely reconstructed, closures and partial closures may be necessary, which will have a significant impact on movements in neighbouring Louisiana Road and particularly at the dangerous Pacific Highway intersection.*
- 4 That Council request the General Manager to seek urgent advice from the State regarding the measures proposed to minimise risk and increase safety at the Pacific Highway intersection.*
- 5 That Council recognise the efforts of the WSC Infrastructure Unit in delivering the much needed \$250,000 upgrade of Louisiana Road.*
- 6 That Council thank the local community for its patience and understanding throughout the period of construction of these important safety upgrade works.*
- 7 That Council request the General Manager to report on options and opportunities, including possible partnership with the State and Federal Governments, to upgrade Warnervale Road as a priority."*

At that meeting it was RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor MCNAMARA:

- “1 That Council note the completion of the 1.3 M upgrade and traffic light installation at the intersection of Warnervale and Minnesota Roads and the subsequent \$4.6 M reconstruction of the southern section of Minnesota Road.
- 2 That Council request the General Manager provide a report detailing the traffic management initiatives that will be implemented during the construction phase to assist local residents and ratepayers.
- 3 That Council note that as Minnesota Road is being completely reconstructed, closures and partial closures may be necessary, which will have a significant impact on movements in neighbouring Louisiana Road and particularly at the dangerous Pacific Highway intersection.”
- 4 That Council request the General Manager to seek urgent advice from the State regarding the measures proposed to minimise risk and increase safety at the Pacific Highway intersection.
- 5 That Council recognise the efforts of the WSC Infrastructure Unit in delivering the much needed \$250,000 upgrade of Louisiana Road.
- 6 That Council thank the local community for its patience and understanding throughout the period of construction of these important safety upgrade works.
- 7 That Council request the General Manager to report on options and opportunities, including possible partnership with the State and Federal Governments, to upgrade Warnervale Road as a priority.

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

AGAINST: NIL

Minnesota Road Construction Traffic Management

The Minnesota Road and Culvert upgrade project has been broken into two stages: The first stage is the northern half, which has been funded this financial year and is currently under construction. The first stage has also been broken into two sub-stages: Stage 1A: In front of the new sports field and Stage 1B: Heading south downhill to the beginning of the floodplain.

Stage 1A is currently being constructed under one-way traffic, with Minnesota Road closed to northbound traffic. The temporary diversion route was established on October 26th (See attachment 1). NSW Police undertook an enforcement blitz following implementation of the revised traffic arrangements to address a number of motorists whom intentionally chose to ignore traffic signage and road barriers and the diversion route is now operating successfully. Maintenance of the southbound traffic allows for traffic to safely continue using the traffic lights at Minnesota Road to make right turns onto the Pacific Highway. Stage 1A will be completed by early December.

Stage 1B is planned to commence December 2011 and run through to February 2012. Whilst it is preferable from a safety and efficiency perspective that a full closure occurs during the

latter part of these works, it will be possible but not preferable to complete stage 1B under the current one way traffic arrangements.

A full road closure will however be required in order to complete stage 2 of the works across the floodplain, with these works in the draft works program for early 2012/2013.

Louisiana Road and Pacific Highway Intersection Traffic Management

The NSW State Government is the roads authority with responsibility for the intersection of Louisiana Road and Pacific Highway.

Whilst there is a future proposal to install a signalised intersection at the intersection of Louisiana Road and Pacific Highway, timing is dependant on the subdivision of nearby lands and completion of the works by the relevant conditioned developments.

The proposed temporary closure of Minnesota Road to enable future construction works would further increase the traffic volumes using the Louisiana Road intersection with the Pacific Highway and thereby overload the intersection and impact on road user safety. In June 2011, Council Officers met with the RTA to discuss proposed interim traffic control device options at Louisiana Road and the Pacific Highway as part of the planning for the Minnesota Road construction project.

A left-turn-in/left-turn-out treatment at Louisiana Road was considered, whereby a median would be installed up the middle of the Pacific Highway to stop right-hand-turn movements. However this option was rejected because of the likelihood of drivers attempting illegal U-turns further along the highway, which would create an uncontrolled risk.

A temporary roundabout was identified to be the most likely traffic management treatment. Such a roundabout could remain until such time as the signalised intersection is installed as part of future development in the area.

Council staff subsequently carried out traffic counts at the Louisiana Road intersection and undertook traffic modelling whereby the traffic at both intersections would be combined at Louisiana Road to simulate the closure of Minnesota Road. The results showed that the intersection would suffer from long traffic queues trying to turn right out of Louisiana Road. However, a two lane roundabout option was shown to appropriately manage the traffic queues and significantly improve safety at the intersection.

In September 2011 Council Officers met with the RTA's Traffic and Safety Manager – Central Coast to further discuss concept design plans developed by Council for a temporary roundabout (See attachment 2). The estimated cost for these works, incorporating a new asphalt overlay across the intersection to strengthen the pavement, is \$150,000 with a construction period of approximately 1 week. The RTA advised that they would require up to six weeks to approve the intersection design proposal.

An additional component of the submission was to request the RTA provide partnership funding for the intersection improvements given the works would have a longer term benefit to the state road network through improving the existing safety of the intersection.

On 28 October 2011 the RTA provided positive design feedback on the plans from the perspective of a permanent design. The RTA is yet to formally advise if the plans are deemed acceptable or their willingness to fund.

If the RTA does not agree to the installation of a temporary roundabout at the intersection of Louisiana Road and the Pacific Highway then it will increase the duration of construction of stage 1B by a number of weeks and a corresponding increase in the cost of construction. It may also delay the future commencement of stage 2 of the Minnesota Road.

Warnervale Road Upgrade

The Warnervale Road and Culvert upgrade project is currently identified within the Warnervale Section 94 (S94) contributions plan. The majority of preconstruction activities have recently been completed, including engineering designs and environmental assessment. The concept estimate for these works is \$1.8M. A detailed estimate is proposed to be completed in December 2011.

During the 2011-2012 annual planning process, Councillors considered the priority of S94 projects for 2011-12 and a decision was made to defer the Warnervale Road upgrade project to future years based on the limited availability of funds, reduced projected income and the priority of this project compared to other projects.

There continues to be a significant shortfall in the collection of S94 contributions. Until there is a significant upturn in development activity, there will be ongoing financial restriction on S94 expenditure, unless other sources of funding can be identified.

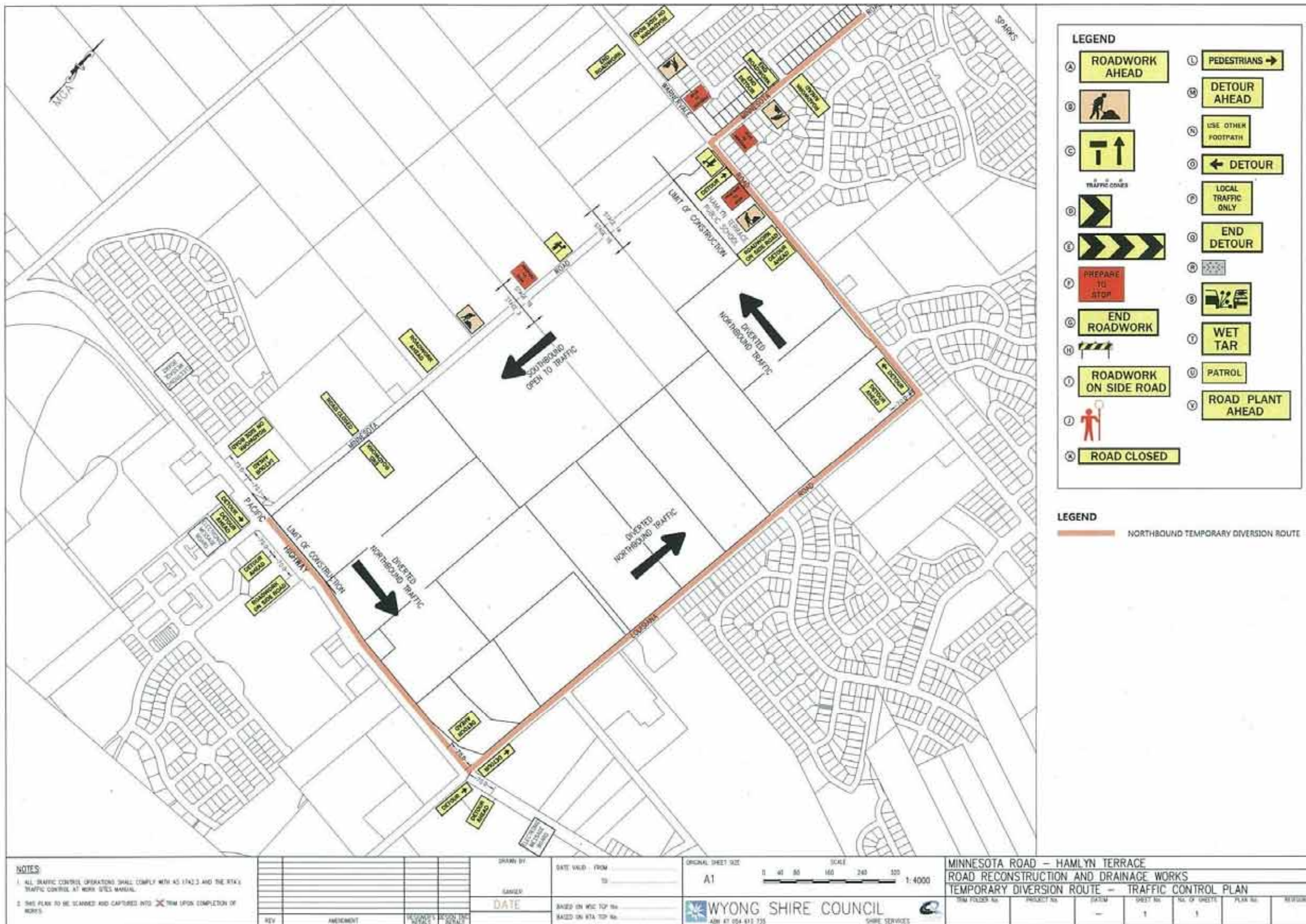
Options available to Council to fund the Warnervale Road project in the short term include:

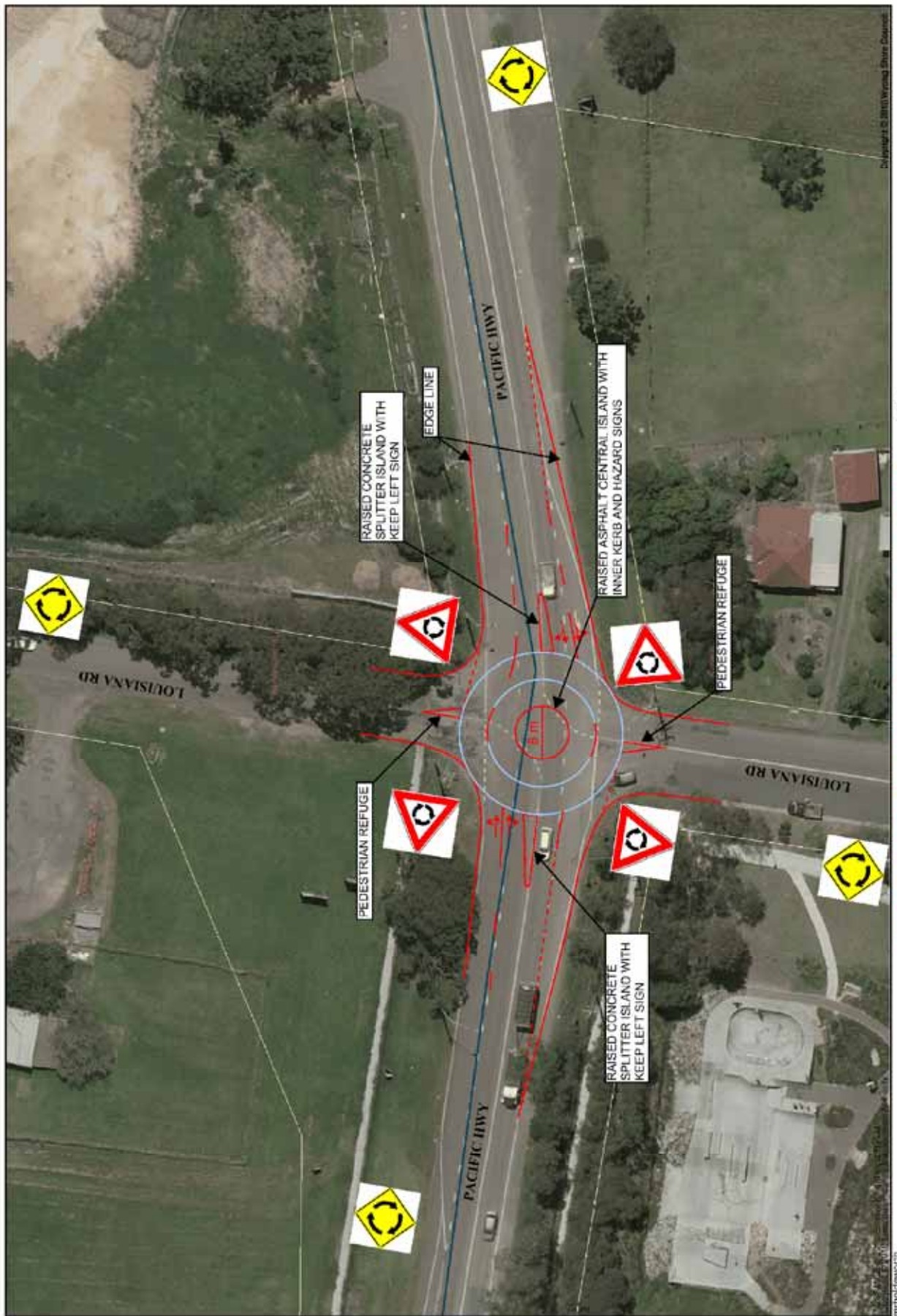
- Reprioritisation of the S94 funded projects. Council will have an opportunity to review the priorities for S94 funding in early 2012 as part of Councils annual planning process for the 2012-2013 budget year.
- Bankrolling of the project from general revenue. Council could defer funding from other Councils activities and projects and then reimburse as contributions income is delivered in future years. This decision should be made in conjunction with Councils annual planning process for the 2012-2013 budget year.
- Grant funding. Opportunities for project based grant funding of local road upgrade projects are currently limited and usually require co contributions. Council was recently unsuccessful in receiving Round 1 funding through the Regional Development Australia Fund for the upgrade of stage 2 of neighbouring Minnesota Road which has similar design objectives. Staff will continue to actively pursue future opportunities for grant funding of this project as circumstances arise.

It is accordingly recommended that Council review the prioritisation and funding of the Warnervale Road upgrade project as part of the 2012-2013 annual planning process.

ATTACHMENTS

1	Temporary Diversion Route Traffic Control Plan for Minnesota Road	D02831900
2	Proposed Roundabout Concept Option - Louisiana Rd and the Pacific Hwy HAMLIN TERRACE	D02828996





7.13 NSW Government Public Sector Wages Policy Response

TRIM REFERENCE: F2004/08724 - D02831040
MANAGER: Lesley Crawley, Manager Corporate Governance
AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

Attached is a response from the Hon Greg Pearce MLC, Minister of Finance Services, regarding Councils resolution on the NSW Government's Public Sector Wages Policy (Hospital Workers).

RECOMMENDATION

That Council receive the report on NSW Government Public Sector Wages Policy Response.

BACKGROUND

At its meeting of 13 July 2011 Council resolved the following:

“RESOLVED on the motion of Councillor MCNAMARA and seconded by Councillor WEBSTER:

That Council support and applaud the outstanding contributions to our local community made by all hospital workers and acknowledge that they should be paid appropriately by their employer.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MCNAMARA AND WEBSTER
AGAINST: COUNCILLORS SYMINGTON AND VINCENT”

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Comments re council resolution NSW Government public sector wages policy - Minister Finance Services Hon Greg Pearce MLC | D02806420 |
|---|--|-----------|



The Hon **Greg Pearce** MLC
Minister for Finance and Services
Minister for the Illawarra

NSW IR Ref: 11MIN0226
Min Ref: IM11/17904

Mr M Whittaker
General Manager
Wyong Shire Council
PO Box 20
Wyong NSW 2259

Dear Mr Whittaker

Thank you for taking the time to write to the Premier regarding the Wyong Shire Council's resolutions relating to the NSW Government's public sector wages policy. The Premier has forwarded your letter to the relevant Minister, the Hon Greg Pearce MLC, Minister for Finance and Services. I am responding on the Minister's behalf.

The NSW Government values and respects the professionalism and service of our dedicated public servants. The NSW Government has committed to continuing the same wages policy as the former Labor government, however, we have made changes to the way the wages policy operates to ensure that its key requirements are actually followed.

The previous Labor government introduced a wages policy in 2007. The key elements were to maintain the value of wages by funding increases of up to 2.5%. Further increases were available where employee related savings were identified.

The policy was intended to strike a balance between maintaining the real value of wages for public servants and the ability of the State budget to fund wage increases. However, under the previous Government, a number of the agreed savings that were to fund wages increases were never achieved. This resulted in an additional \$900 million in costs to NSW taxpayers.

To address this problem, the NSW Government has:

- Retained the key elements of Labor's wages policy - with any wage rise above 2.5% required to be funded from employee related savings;
- Improved the integrity of the policy by requiring savings actually be achieved before they can be passed on in higher wages;
- Legislated to ensure the Industrial Relations Commission (IRC) gives effect to the Government's wages policy in making public sector awards; and,
- Introduced the key elements of the wages policy through a disallowable Regulation, meaning the Legislative Council has the reserve power.

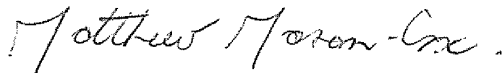
The current application for Police Officers before the Industrial Relations Commission is exempt from the Regulation and Local Government employees and employees of State Owned Corporations will not be affected by the policy.

Under the policy, where agencies, employees, and their representatives, are able to identify and deliver employee related savings, these will be able to be passed on in higher wages.

Under the legislation, as passed, the IRC has retained a key role in the wage setting process. However, it will be required to give effect to the Government's wages policy in making its decisions. Given the NSW Liberals & Nationals don't have a majority in the Legislative Council, our approach to the establishment of the wages policy in Regulation ensures proper accountability and safeguards.

Thank you again for taking the time to write to me.

Yours sincerely



Matthew Mason-Cox MLC
Parliamentary Secretary for Treasury and Finance

5/10/11

7.14 Council's Support for Registered Clubs against Poker Machine Regulation - Responses from Federal Members

TRIM REFERENCE: F2004/11827 - D02831729

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Monica Redmond; Administration Assistant

SUMMARY

Notification of comments received from Federal Members Jill Hall MP (Shortland) and Craig Thomson MP (Dobell) in response to Council's letters of support for registered clubs on the Central Coast against the introduction of the proposed Poker Machine (Reduced Losses—Interim Measures) Bill 2010.

RECOMMENDATION

That Council note the responses regarding from Federal Members regarding Council's Support for Registered Clubs against Poker Machine Regulation - Responses from Federal Members.

BACKGROUND

Council at its meeting of 27 July 2011;

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

- 1 That Council support the local registered clubs on the Central Coast in their debate over proposed new poker machine regulations.*
- 2 That Council provide a letter of support which outlines the important role played by clubs in our community.*
- 3 That Council formally advise the local Federal Members of Parliament of Council's concerns about the loss of local funding that would result from the Government's proposed reforms.*

FOR: COUNCILLORS EATON, GRAHAM, MCNAMARA AND WEBSTER

AGAINST: COUNCILLORS MCBRIDE AND SYMINGTON”

Copies of the letters received from Jill Hall MP Federal Member for Shortland and Mr Craig Thomson MP Federal Member for Dobell are attached.

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | Response to letter from Council re support for local registered clubs - Jill Hall MP | D02805000 |
| 2 | Response and comments regarding Council's letter supporting local registered clubs - Craig Thomson MP | D02801047 |



Jill Hall MP

FEDERAL MEMBER FOR SHORTLAND • GOVERNMENT WHIP

26 Macquarie Street, Belmont NSW 2280, PO Box 499 Belmont NSW 2280

Tollfree: 1300 301 792 Ph: (02) 4947 9711 Fax: (02) 4947 9722 Email: Jill.Hall.MP@aph.gov.au Web: www.jillhall.com

12 October 2011

Mr Michael Whittaker
General Manager
Wyong Shire Council
PO Box 20
WYONG NSW 2259

Michael
Dear Mr Whittaker

Thank you for your letter of 30 September concerning the Council's resolution of 27 July and local registered clubs.

I appreciate your passing on the points made in your letter and will bear them in mind whenever the matter arises.

Kind regards

Jill Hall

Jill Hall MP
Member for Shortland
Jh.kt



Michael Whittaker,
General Manager,
Wyang Shire Council,
PO Box 20,
Wyang NSW 2259

Dear Mr Whittaker,

Thank you for your correspondence regarding Council's resolution to support local registered clubs. I would like to take the opportunity to highlight some of the issues with poker machine use in the Wyong Local Government area.

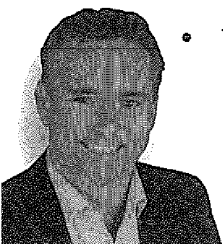
The Productivity Commission Report estimates that

- 61% of clubs income comes from electronic gaming machines
- 4% of the adult population regularly use electronic gaming machines (once a week)
- 15% of regular uses are problem gamblers
- Problem gamblers account for approximately 40% of all gambling revenue
- Average amount spent on poker machines by problem gamblers annually is \$21,000

Wyang has an adult population of around 105,000. In 2010 the combined income from clubs in Wyong was around \$160 million.

Using Productivity Commission estimates then the figures for Wyong would be

- Income from electronic gaming machines - **\$97 million**
- Amount of the adult population regularly using gaming machines – **4200**
- Problem gamblers in Wyong – **630**
- Amount problem gamblers spend in Wyong on electronic gaming machines - **\$37 million**
- Average amount spent by problem gamblers in Wyong in 2010 - **\$58,730**
- Club contribution through CDSE - **\$180,000**
- The average income in Wyong LGA in 2009 was **\$39,694**



Craig Thomson MP – Fighting for our community

Mail: PO Box 3763, Westfield Tuggerah, Tuggerah NSW 2259

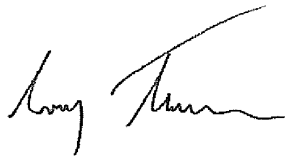
Phone: (02) 4351 1223 **Fax:** (02) 4353 6480 **Email:** Craig.Thomson.MP@aph.gov.au

As you can see the average amount spent by problem gamblers in Wyong is nearly three times the amount estimated by the Productivity Commission Report. This can be best explained by findings from the commission that problem gambling is a greater problem in areas of socio-economic disadvantage.

The reality is that everyday in Wyong more money is being put through poker machines than clubs contribute to CDSE in a year.

If you want any further information, please contact Sue Mueller in my office.

Yours sincerely,



Craig Thomson MP
Member for Dobell

The Productivity Commission Report and is available online at
http://www.pc.gov.au/data/assets/pdf_file/0010/95680/gambling-report-volume1.pdf.

7.15 Outstanding Questions without Notice and Notice of Motions

TRIM REFERENCE: F2011/00027 - D02830252

MANAGER: Lesley Crawley; Manager Corporate Governance

AUTHOR: Jacquie Elvidge; Administration Assistant

SUMMARY

Report on outstanding Questions without Notice and Notices of Motion.

RECOMMENDATION

That Council receive the report on Outstanding Questions without Notice and Notice of Motions.

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | Table of Outstanding Questions on Notice and Notices of Motion - 23 November 2011 | D02829928 |
|---|---|-----------|

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
1	Environment and Planning Services	9.5 - Notice of Motion – Sea Level Rise Notification 1 <i>Write to all property owners affected by the State Governments sea level rise policies.</i> 2 <i>Text of the letter be endorsed by Council.</i>	24 February 2010 Cr Eaton / Cr Graham	Affected properties identified, waiting on Council's General Counsel to submit additional information for the report to be submitted to Council.
2	General Department - Major Projects	7.6 - Notice of Motion – Warnervale Town Centre Viability <i>Staff report on the viability of developing the 1,100 units proposed for Warnervale Town Centre and possible variation of proposed densities to ensure viable town centre development.</i>	12 May 2010 Cr Eaton / Cr Best	A consultant has been engaged and commenced work on the report responding to this question. A draft report is proposed prior to the end of this calendar year.
3	Environment and Planning Services	8.1 - Notice of Motion – Clause 14 Fund Improving Conservation Outcomes <i>Investigate and report back to Council on the best use of the Clause 14 (3) (b), funds for improving conservation outcomes.</i>	14 July 2010 Cr Wynn / Eaton	A briefing was held on 11 May 2011. This report to Council needs to be reviewed following the submission of the Natural Resources Management Strategy draft to Council. A report is being prepared for early next year (2012).
4	Community and Recreation Services	8.2 - Notice of Motion – Acknowledgement of the Darkinjung People <i>Defer this item to allow time to further consider this matter and receive further information.</i>	27 October 2010 Cr Graham / Cr Eaton	Councillor briefing has been postponed. A Councillor Business Update to be provided.
5	Community and Recreation Services	Q114/11 – Memorandum of Understanding with Department of Housing <i>Progress on the development of an MOU between Council and NSW Department of Housing Central Coast division regarding the affordable housing undertaking/initiative?</i>	23 February 2011 Cr Best	A meeting was held with representatives of Housing NSW on 5 July to discuss and finalise the MOU. The final draft MOU will now be forwarded to ET for endorsement. Recommendation for endorsing draft MOU has been forwarded to GM for consideration.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
6	Infrastructure Management	Q2/11 – Odour in Water at Chain Valley Bay North Residents in the Chain Valley Bay North area have reported that their town water smells “fishy”. Could Council staff please advise if there is any <u>link</u> between the recently reported manganese levels in the water and the fishy smell. If no <u>link</u> exists, could staff please advise what might be causing the fishy smell?	9 March 2011 Cr Vincent	Due to no specific location provided for the complaint, other than it was in Chain Valley Bay, Council's flusher cleaned the mains in Chain Valley Bay in April and could not find any problems which related to the particular request. Records since this date indicate no similar problem. A Councillor Business Update is being prepared.
7	Infrastructure Management	7.1 - Notice of Motion - Regional Push to Reinstate F3 Link 1 That Council form a whole of Government Regional Partnership to include Gosford City Council, Wyong Shire Council and appropriate Sydney Councils (if required), Central Coast State Government Members and Federal Government Members with a view to organising a deputation to raise this issue with the Federal Government. 2 That Council <u>urge</u> the Regional Partnership to take-up Mr Swan's offer to receive representation from the Central Coast Regional Partnership to have the F3 Link funding reinstated in the 12-13 budget.	25 May 2011 Cr Best / Cr Eaton	A letter has been issued to the Minister for Resources and Energy. A report will be submitted to Council once a response has been received. A follow up email has been sent from the General Manager to the Minister for Central Coast, Minister for Resources and Energy.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
8	Environment and Planning Services	<p>6.5 - Notice of Motion - Destruction of Natural Environment and Indigenous Heritage at Norah Head</p> <p>1 That Council <u>acknowledge</u> the community groups that contribute to the highly successful phenomena of whale watching at Norah Head.</p> <p>2 That Council <u>request</u> the General Manager to provide a staff report on the resultant human impact on the natural environment around Soldiers Beach at Norah Head and the report should cover preliminary details of current and proposed initiatives available for Council's consideration in managing the escalating damage to the natural and indigenous heritage.</p> <p>3 That Council <u>request</u> the report be prepared in partnership with the appropriate agencies and indigenous community.</p> <p>4 That, upon consideration of the requested report, the local land council be <u>invited</u> to address the Council meeting.</p>	13 July 2011 Cr Best / Cr Vincent	This NOM has been put on the Environment and Natural Resources Work Programme and timing will depend on the availability within the works programme to undertake unallocated projects unlikely to occur prior to the 2nd quarter.
9	Infrastructure Management	<p>7.2 - Notice of Motion - Proposed Major Transport Infrastructure Projects</p> <p>That Council <u>request</u> the General Manager to arrange for the preparation of a report on the proposed major transport infrastructure projects of the M9 (F3 to F7) freeway, the fast rail and the second Sydney Airport.</p>	10 August 2011 Cr Eaton	<p>A meeting has been arranged for the relevant staff to discuss preparation of a scoping brief for the report.</p> <p>A consultant has been engaged to prepare a report for council. This project is now being managed by the Manager Major Projects.</p>

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
10	Community Recreation Services and Recreation Services	<p>U26/11 - Proposed Grant Application for the Wyong Skills Centre</p> <p>1 <i>That Council <u>note and endorse</u> the funding application as submitted to the Federal Government's Community Infrastructure Grants – Youth Commitments Program for the development of the Wyong Skills Centre on Nos 18 – 20 Margaret Street, Wyong for \$2,985,000.</i></p> <p>2 <i>That Council <u>undertake</u> an Expression of Interest process for partners to provide a suitable site and build and operate the Wyong Skills Centre.</i></p> <p>3 <i>That Council <u>consider</u> a report on the outcome of the Expression of Interest process.</i></p> <p>4 <i>That Council <u>reaffirm</u> the request for staff to investigate other larger suitable sites as possible locations for the Wyong Skills Centre.</i></p>	24 August 2011 Cr Symington	<p>Council has commenced the project planning required to implement the Expression of Interest process required by this resolution.</p> <p>The Expression of Interest has been advertised and closes on Thursday 6 October 2011. An assessment and recommendation will be undertaken by staff and then reported to Council.</p>
11	Corporate Services	<p>Q23/11 - Projected Additional Revenue Raised by Charging School to Utilise Sports Grounds</p> <p><i>"Could Council staff please advise on the projected additional annual revenue that will be raised by charging local schools to utilise Council's sports grounds and facilities?"</i></p>	24 August 2011 Cr Vincent	An answer to this question will be submitted to a Council meeting in December 2011.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
12	Environment and Planning Services	<p>8.2 - Notice of Motion - Coal Seam Gas (CSG) Inquiry</p> <p><i>That Wyong Shire Council:</i></p> <p>1 <i>Write and thank the State Government for banning the chemicals used in the tracking process.</i></p> <p>2 <i>Support the Coal Seam Gas (CSG) inquiry being undertaken by the NSW Legislative Council;</i></p> <p>3 <i>Call on the NSW Government to ensure the role of councils is adequately considered in dealing with CSG exploration and production; and</i></p> <p>4 <i>Calls on the government to institute a full moratorium on all forms of coal seam gas drilling until the environmental, social and health impacts have been rigorously and independently assessed.</i></p> <p>6 <i>Place a prohibition on coal seam gas exploration and mining in important bushland, valuable farmland, groundwater aquifers and public lands.</i></p>	14 September 2011 Councillor Wynn	<p>Letter being drafted in response to points 1, 3, 4 and 6 of the resolution.</p> <p>Point 2 of resolution - submission to enquiry has been sent.</p>
13	Community and Recreation Services	<p>8.3 - Notice of Motion - Sporting Ground Fees and Charges for Local Schools</p> <p>4 <i>That Council meet with the Regional Council of Parents and Citizens Association as soon as practicable.</i></p>	14 September 2011 Councillor Vincent	Report to be submitted to 14 December 2011 Council meeting.
14	Environment and Planning Services	<p>Q26/11 Pioneer Dairy</p> <p><i>"Could staff provide a 'Councillor Update' on the current status of Wyong Shire Council in relation to the Pioneer Dairy Trust (community access / progress of site)?"</i></p>	Councillor McBride / 14 September 2011	Awaiting additional information from the Trust, Crown lands and Darren Webber before a CBU can be prepared.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
15	Community Recreation Services and	<p>Notice of Motion - Tidy Towns</p> <p>1 That WSC <u>report</u> to Council on the interface between WSC, the community and Tidy Towns.</p> <p>2 That WSC <u>look</u> at the current model used with our Landcare volunteers to see if a similarly designed policy would achieve the right outcome for Council and the community.</p> <p>3 That a cost benefits analysis of supporting this program <u>be considered</u> as part of the report.</p>	Councillor Wynn / 12 October 2011	Initial Community consultation will be undertaken before the end of October.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
16	Environment and Planning Services	<p>8.2 Notice of Motion - Development Applications for Retail Liquor Outlets & 8.6 Notice of Motion - Proliferation of Alcohol Outlets</p> <p>1 That Wyong Shire Council make representation to the Crime Prevention Partnership Committee to establish a working party of this group to provide advice on any Development Application submitted for a Retail Liquor Outlet.</p> <p>2 If the crime prevention partnership Committee group can not form a working party then Council will establish a licensed premises reference group comprising of:</p> <ul style="list-style-type: none"> a) Council Officers, including Rangers b) NSW Police Local Area Commander c) A NSW Office of Liquor and Gaming Representative d) Central Coast Area Health Representative <p>3 That Council reject the further proliferation of alcohol availabilities through the recent push by the Australian Association of Convenience Stores to sell alcohol in local petrol stations.</p> <p>4 That Council make formal representation on behalf of its residents and ratepayers to the current Productivity Commission's Inquiry into the industry's proposal with the grounds for objection to include but not limited to:</p> <p>.....(Please see minutes for complete resolution.)</p>	Councillor Wynn / 12 October 2011	<p>Investigations have been made with the Crime Prevention Partnership Committee in relation to Resolution 1.</p> <p>Letter has been sent on 4 November 2011 in relation to resolutions 3 and 4.</p>

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
17	Infrastructure Management	<p>5.1 Notice of Motion - Waste Levy Charges</p> <p>1 That Council note with concern the continued State Government cost shifting and rate pegging and its effects on the social and economic status of the Shire.</p> <p>2 That Council request the General Manager to formally request the NSW Minister for the Environment to amend the Protection of the Environment Operations (Waste) Regulation 2005, or whatever other mechanism is available, to ensure the following:</p> <p>a Exemption from the payment of the waste and sustainability levy for the removal and/or disposal of mixed waste, ENM (Excavated Natural Material) and VENM (Virgin Excavated Natural Material), from Wyong Shire Council's road construction works at its Buttonderry Waste Management Facility.</p> <p>b Return of 50% of the total annual Waste Levy paid by Wyong Shire Council for use on local road maintenance and environmental initiatives.</p> <p>c Future Waste and Sustainability Levy increases being limited to the official CPI figure.</p>	Councillor Webster / 26 October 2011	<p>A letter will be drafted for the General Managers signature formally requesting that the NSW Minister for the Environment amend the Protection of the Environment Operations (Waste) Regulation 2005 to allow:</p> <ul style="list-style-type: none"> • levy exemption for ENM and VENM from Council's road works • return of 50% of the total levy paid by Council • cap future levy increases based on the CPI

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
18	Corporate Services	5.2 Notice of Motion - Central Coast Bears - Foundation Membership <i>That Council become a Foundation Member of the Central Coast Bears Rugby League Club.</i>	Councillor McNamara / 26 October 2011	Membership details currently being worked through with the Club.
19	Environment and Planning	5.3 Notice of Motion - Submission to the Planning System Review Committee 1 <i>That Council request the General Manager to make a submission to the planning system review committee highlighting problems with the current planning system including:</i> a <i>delays particularly with rezonings, but also with other government agencies,</i> b <i>uncertain outcomes even after land has been rezoned for development,</i> c <i>infrastructure provision including alternative funding mechanisms such as muni bonds,</i> d <i>more local flexibility, one size does not fit all,</i> e <i>more local authority, empowering council to make decisions on minor rezonings and rezonings in line with adopted strategic plans</i> f <i>cheaper, simpler system.</i> 2 <i>Council request the General Manager to schedule a briefing, in late January or early February, on the issues paper with a view to developing a Council submission to the issues paper.</i>	Councillor Eaton / 26 October 2011	A submission will be prepared upon release of the issues paper.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
20	Community and Recreation Services	<p>6.3 Notice of Motion - White Ribbon in Wyong, say NO to Domestic Violence</p> <p>1 <i>That Council note with concern that Wyong Shire is now approaching the highest level of domestic violence in NSW.</i></p> <p>2 <i>That Council recognise the contribution already made by WSC staff to previous White Ribbon Events and the efforts of the Tuggerah Lakes Area Command in its endeavours to battle this unacceptable behaviour.</i></p> <p>3 <i>That Council acknowledge that a more community wide inclusive approach, which includes all levels of government, is needed to take a stand and reject this social scourge.</i></p> <p>4 <i>That Council note that the upcoming White Ribbon Event/Program commences on 25 November 2011 and continues for 16 days.</i></p> <p>5 <i>That Council request the General Manager to review the request for assistance from the Tuggerah Lakes Area Command to resource the White Ribbon Event/Program.</i></p> <p>6 <i>That Council encourage the community, individual Councillors and WSC staff to join the current 14,932 Australians who have pledged an oath of support to the White Ribbon Campaign.</i></p> <p>7 <i>That Council, through the Shire's community groups network and other education institutions seek to encourage their support of the White Ribbon initiative particularly, the adoption of the ambassador program.</i></p>	Councillor Best / 9 November 2011	<p>Ongoing discussions have occurred with the Men's Interagency, NSW Health and NSW Police to ascertain resourcing and support for White Ribbon Day.</p> <p>Staff will be attending a breakfast, hosting a foyer display and promoting community pledge.</p>

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
21	Environment and Planning Services	<p>6.1 Notice of Motion - Enforcement Policy for Control of Vehicles and Parking Around Schools</p> <p>1 <i>That Council request the General Manager to report on Wyong Shire Council's enforcement policy for the control of vehicles and parking around schools in Wyong Shire.</i></p> <p>2 <i>That Council request the General Manager to include in the report:</i></p> <p>a <i>Information including the guidelines, training and management directions provided to staff to ensure the balance between education of drivers, safety of children, and the issuing of Personal Infringement Notices.</i></p> <p>b <i>Details in relation to the frequency of Wyong Shire Council staff being present at schools for enforcement purposes and the management triggers to allocate staff resources to undertake enforcement operations at a particular school.</i></p>	Councillor Symington / 9 November 2011	Report to be submitted to Council in February 2012.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
22	Corporate Services	<p>6.2 Notice of Motion - Independent Legal Advice</p> <p>1 <i>That Council propose an amendment to the Wyong Shire Council's Policy on Facilities and Expenses for Councillors as follows (see minutes for amendment)</i></p> <p>2 <i>That Council acknowledge that the proposed amendment is substantial and give public notice of its intention to amend its policy for the Payment of Expenses and Provision of facilities allowing 28 days for the making of public submissions.</i></p> <p>3 <i>That Council adopt the amended Wyong Shire Council's Policy on Facilities and Expenses for Councillors should no significant objection be received to the proposed amendment.</i></p> <p>4 <i>That Council forward the amended policy to the Director General in accordance with Section 253 of the Local Government Act, 1993.</i></p>	Councillor Symington / 9 November 2011	Councillors will be updated once the information has been provided.
23	Infrastructure Management	<p>Q28/11 Dangerous Driveway at Ruttleys Road</p> <p><i>"Mr General Manager, my question is to you, you will recall I raised a safety issue on another property on the same road at our last meeting, it has now been drawn to my attention that there is another even more dangerous driveway on this road. The site in question is at the model aero club, I am particularly concerned as I understand this land may be owned by Council. Please advise what Council can do with this gravel driveway, on an almost blind corner, to assist the safety of club members and the community at large?"</i></p>	Councillor Best / 9 November 2011	A response will be submitted at a meeting in February 2012.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
24	Corporate Services	Q29/11 Carbon Tax on Council <i>"Mr General Manager, now that the Federal Government has levied its new carbon tax and that the costing methodology is clearer, could staff please update Council on what extra costs will now likely be passed on to the ratepayers and also as to what compensation is available to offset this new tax on Council?"</i>	Councillor Best / 9 November 2011	Councillors will be updated once the information has been provided.
25	Community Recreation Services and	Q30/11 Wyong Swimming Pool Grandstand <i>"Could staff please advise of the plans for the Wyong Swimming Pool Grandstand?"</i>	Councillor McBride / 9 November 2011	A Councillor Business update was posted on SharePoint on 15 June 2011. The information provided in this update has not changed.
26	Community Recreation Services and	Q31/11 Status of Community Park at Killarney Vale <i>"Could staff please advise of the status of the Community Park on Wyong Road, Killarney Vale?"</i>	Councillor McBride / 9 November 2011	Assigned to Principal Landscape Architect for action.

**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE 9 NOVEMBER
2011**

	Department	Question on Notice / Notice of Motion	Date Asked/ Councillor	Status
1	Community and Recreation Services	5.4 - Notice of Motion - Reducing the Graffiti Canvas	26 October 2011 Councillor Best	Report included in this business paper.
2	Infrastructure Management	5.5 - Notice of Motion - Warnervale Key Road Project	26 October 2011 Councillor Best	Report included in this business paper.
3	Environment and Planning Services	8.1 - Notice of Motion - Proposed Public Meeting - Coal Mining Projects	14 September 2011 Councillor Wynn	Meeting held on 15 November 2011.
4	Community and Recreation Services	Q27/11 - Shire Wide Security Contract - Relocatable Security Cameras	Councillor Symington / 26 October 2011	Councillor Business Update issued 10 November 2011.
5	Environment and Planning Services	6.1 - Notice of Motion - Assisting Community Events	Councillor Eaton / 9 November 2011	Currently being implemented.
6	Environment and Planning Services	6.1 - Rescission Motion - Joint Regional Planning Panel Representation	Councillor Eaton / 26 October 2011	Letter was issued on 15 November 2011.

7.16 Arrangement for Staffing over Holiday Period

TRIM REFERENCE: F2004/07080 - D02838004

AUTHOR/MANAGER: Lesley Crawley; Manager Corporate Governance

SUMMARY

Reporting arrangements made for staffing over the 2011-2012 holiday period.

RECOMMENDATION

That Council receive the report on Arrangement for Staffing over Holiday Period.

In the 2010/11 holiday period the Civic Centre was shut down during Christmas and New Year to accommodate the building works that were occurring as a result of the Service Delivery Review. During that time all non-essential staff were required to take leave. Staff were also encouraged to extend their leave during the wider of period from the 2nd week in December to the 2nd week in January.

In 2011/2012 there is no shut down period, however staff are encouraged to use this holiday period to reduce any outstanding leave and/or reduce their annual entitlement prior to the end of the financial year.

Each Unit will determine the level of resources required to ensure that essential services to the community are not affected during this period and that services in demand (eg water and sewer, open space and recreation and waste) are appropriately staffed. Residents are encouraged to submit non-urgent requests online.

WSC's on-call service will operate during this period addressing localised emergencies relating to WSC services.

In the event of larger scale emergency, such as bushfire, flooding etc, WSC's Emergency Response Plan would be put into place with appropriate staff available.

Contact Information	Contact Details
General Council Services – Office hours 8:30 – 5:00pm Online Customer Requests	4350 5555 Online www.wyong.nsw.gov.au
Waste Services- Thiess Services 8:30 – 5:00pm	1300 126 278
Library Services (minor reduction in closing times)	4350 5555
WSC After hours On Call (emergencies only)	4350 5555 (follow the prompts)

ATTACHMENTS

Nil.

7.17 Fire Safety Report from Fire and Rescue NSW

TRIM REFERENCE: F2010/00500 - D02839295

AUTHOR: Jamie Loader; Manager Building Certification and Health

SUMMARY

Council has received a Fire Safety Report from Fire and Rescue NSW in respect to the premises known as 464 Ruttleys Road, Mannering Park, NSW.

It is recommended that Council note that the Fire Safety Report was tabled before Council, as required under Section 121ZD(2)(a) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

RECOMMENDATION

That Council note that the Fire Safety Report from Fire and Rescue NSW was tabled before Council, in accordance with Section 121ZD(2)(a) of the Environmental Planning and Assessment Act, 1979.

BACKGROUND

Council received a Fire Safety Report dated 17 October 2011 from Fire and Rescue NSW ("FRNSW") in respect to premises known as 464 Ruttley's Road Mannering Park. A copy of that Report is attached. A copy of that Report is attached. Council, as required under Section 121ZD(2)(a) of the EP&A Act have to table Fire Safety Reports before an Ordinary Meeting of Council.

Clause 121Zd states:

"121ZD Inspection reports by fire brigades

- (1) *If the Commissioner of New South Wales Fire Brigades carries out an inspection of a building under section 118L, the Commissioner must furnish to the council of the area in which the building is located:*
 - (a) *a report of the inspection, and*
 - (b) *if of the opinion that adequate provision for fire safety has not been made concerning the building, such recommendations as to the carrying out of work or the provision of fire safety and fire-fighting equipment as the Commissioner considers appropriate.*

- (2) *A council must:*
- (a) *table any report and recommendations it receives under this section at the next meeting of the council, and*
 - (b) *at any meeting of the council held within 28 days after receiving the report and recommendations or at the next meeting of the council held after the tabling of the report and recommendations, whichever is the later, determine whether it will exercise its powers to give order No 6 or 8 in the Table to section 121B.*
- (3) *A reference in subsection (2) to a meeting of a council does not include a reference to a special meeting of the council unless the special meeting is called for the purpose of tabling any report and recommendations or making any determination referred to in that subsection.*
- (4) *A council must give notice of a determination under this section to the Commissioner of New South Wales Fire Brigades.”*

Councillors should note that Council will be required to determine, for the purposes of Section 121ZD(2)(b) of the EP&A Act, whether or not it will exercise its power to give an Order 6 in the Table to Section 121B of the EP&A Act. Council cannot make that determination at the Ordinary Meeting of Council on 23 November 2011. A separate report will be provided in the Business Papers for the 14 December 2011.

ATTACHMENTS

- 1 Report from Fire and Rescue NSW D02812434

**FIRE & RESCUE NSW**

COMMUNITY SAFETY DIRECTORATE
BUILDING COMPLIANCE UNIT
LOCKED BAG 12 GREENACRE NSW 2190
Telephone: (02) 9742 7400 Facsimile: (02) 9742 7388

Your Reference: wi/st
File No: NFB/ 08233
Contact Officer: W. Isemonger

Telephone: (02) 9742 7304
Facsimile: (02) 9742 7388
Email: warwick.isemonger@fire.nsw.gov.au

17 October 2011
General Manager
Wyong Shire Council
PO BOX 20
WYONG NSW 2259
'Attn B Ball'

Dear Sir,

**Premises
Eatons Timber and Trusses
Lot 11 Ruttleys Rd
Manning Park**

I refer to a compliant received on 5 October regarding fire safety and egress from a large factory complex at the above address. The premises is a large isolated building over 500 square metres in size of type c construction which is used as an open factory to produce and assemble timber frames and trusses.

A complaint was received regarding the travel distances both within the factory area and to a point of choice to an exit but an inspection of the premises on 7 October 2011 proved that this was not the case and the compliant was deemed frivolous.

However during the inspection which was done in company of Supt Mc Bain and the Manager of the Timber yard the following matters were observed are reported to Council for information.

- The entrance to the premises was not clearly marked but once within the confines of the premises it was noticed that large amounts of storage of timber products were stored in an open yard configuration. There was no fire protection of hydrants provided to this open yard storage which in the event of a bush fire or fire in a timber stack been impossible to extinguish or implement fire fighting strategies
- A hydrant system ran along the southern wall of the factory approximately 20 metres from the external wall but being in an RFS area had RFS hose couplings fitted to the hydrants. This hydrant system ran down one side of the building and about halfway across the rear of the building where it appeared to cease and no hydrant protection was provided on the northern side of the building, within the building or across the open yard storage area at the front of the building. The fire load and calorific value of the timber and fuel would have produced a significant fire without adequate suppression capability.
- Whilst walking around the perimeter of the premises it was noticed that the building considered a large isolated building in accordance with clause C2.4 of the Building Code of Australia 2011 and as such requires vehicular access around

PREVENT PREPARE PROTECT

**FIRE & RESCUE NSW**

all sides of the building with a 6 metres wide open road space not further than 18 metres from the building and capable of withstanding and providing a hardstand capability for a fire truck so that a fire can be controlled from any point around the building and prevent any potential for fire spread into neighbouring property.

- Finally, pressures and flows indicated that the existing fire hydrants did not provide adequate pressures and flows and no certification or maintenance on the system appeared to have been conducted. Further, as there were more than 2 hydrants a fire hydrant booster facility with block plan and signage is required to be installed at the main vehicular entrance to the complex so that F&R NSW can boost the pressure in the system to assist the RFS in the event of a fire.

I have written an order 6 out on the owners to rectify and make good the access around the premises and provide a compliant hydrant system with booster facility so that we can assist the RFS in a fire or emergency and have listed the time for compliance to 30 days for the access in and around the complex and 45 days for the hydrant system (see copy attached)

I have not at this time referenced AS 3959 regarding developments in Bushfire Prone areas but believe the RFS Building Services Unit may have similar concerns regarding the large fuel load the poor level of fire protection provided by the premises owners in what could in the event of a fire have a major impact on traffic management and residents in the area.

Should you have any further enquiries regarding this matter please contact me the first instance on 9742-7304.

Yours Faithfully,

A handwritten signature in black ink, appearing to read 'W. Isemonger'.

Supt Warwick Isemonger
Manager
Building Compliance Unit
Fire & Rescue NSW

PREVENT PREPARE PROTECT



Fire & Rescue NSW
 Community Safety Division
 Building Compliance Unit
 Locked Bag 12 • Greenacre NSW 2190
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Order No.6

**Under the Environmental Planning and Assessment Act 1979
 Part 6 - Implementation and Enforcement: Division 2A – Orders**

Tables to Section 121B: Order No.6

Please note:

- Pursuant to Section 121ZK of the Act, there is no right of appeal against this Order
- Failure to comply with this Order may result in further Orders and/or fines being issued.
- Substantial penalties may be imposed under Section 125 of the Act for failure to comply with an Order.

I, . . . **Warwick Isemonger** Superintendent **5405**
 (name) (rank) (number)

being an authorised Fire Officer within the meaning of Section 121ZC of the Environmental Planning and Assessment Act 1979, and duly authorised for the purpose, hereby order you:-

. . . **EATON & SONS** **TIMBER FRAMES AND PANELS** . . **MR EATON**
 (name of person whom Order is served) (position eg owner)

with respect to the premises at

.LOT 11 RUTTLEYS ROAD **MANNERING PARK NSW**
 (address of premises to which Order is served)

To do or refrain from doing the following things:-

- (1) Provide fire hydrant coverage to comply with AS 2419.1 2005 and E1.3 of Building Code of Australia 2011 to all parts of the building and meet Fire & Rescue NSW and or Rural Fire Service requirements regarding flows and pressures of that system (45 days)
- (2) Provide a hydrant booster facility to comply with AS 2419.2005 and E1.3 of the Building Code of Australia 2011 at designated entry point to the complex (45 days)
- (3) As the building is over 500 metres square of C type construction provide vehicular access around all sides of the building in accordance with C2.4 of the building Code of Australia 2011 within 14 days
- (4) Provide open yard protection as prescribed in AS 2419.1 (45 days)

The terms of this order are to be complied within...**30 & 45** .days of the Order or as indicated above

The reason for the giving of this order is to provide, **a means for fire crews to intervent the premises in the event of a fire, implement defensive firefighting strategies in event of fire and have adequate water supplies at the premises to fight a fire effectively and efficiently .**

This Order 6 was served by: . . . hand . . . at hrs, on
 (manner/hand, fax, mail,,email) (time) (date)

Signed by

Authorised Fire & Rescue NSW Officer under Environmental; Planning & Assessment Act 1979

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 State Government of NSW (FRNSW)

23 November 2011

To the Ordinary Meeting

Councillor

8.1 Notice of Motion - Improved Library Services

TRIM REFERENCE: F2010/00500 - D02834566

MANAGER: Adam Holland, Manager Lifelong Learning

AUTHOR: Doug Eaton; Councillor

Councillors Eaton and McNamara have given notice that at the Ordinary Meeting to be held on 23 November 2011 they will move the following Motion:

- "1 That Council recognise the rapid adoption of e-book reader technology and likely phasing out of paper books and the implications of this for Council's Library Service.
- 2 That Council consider a report on:
- a entry into this technology possibly by way of trials,
 - b benefits and disbenefits
 - c budgetary implications (if any)."

RESOURCES

To develop a report on this matter, a minimum of 14 hours of staff time equating to \$2100.00 would be required.

Please note:

Trials of e-books have commenced in the Wyong library service in February 2011 with young adult book clubs utilising KOBO devices. KOBO e-books allow electronic books to be downloaded to the e-book and then stored, viewed and shared in electronic format. Surveys response from participants has been positive and indicates that they want more. After a full year of implementation we will undertake a full evaluation and identify if there are other opportunities to improve or enhance this particular project.

The NSW State Library has commenced work on developing a state wide approach to electronic resources. Council staff will be developing a digital access strategy as part of the Library Strategic Plan due for next financial year which will incorporate the findings and direction from the State Library.

23 November 2011

To the Ordinary Council Meeting

Councillor

9.1 Rescission Motion - Consultative Committee

TRIM REFERENCE: F2009/01343 - D02836511

AUTHORS: Lisa Matthews; Councillor

Bill Symington; Councillor

Doug Vincent; Councillor

Council, at the Ordinary Meeting held on 12 October 2011 gave consideration to a report regarding Representation by Councillors on Committees and External Organisations.

At that meeting, Council resolved in part as follows:

“4 That Council classify the Consultative Committee as a staff committee with no Councillor delegates.”

A Rescission Motion has been received from Councillors Matthews, Symington and Vincent to be moved at the Ordinary Council Meeting of Council to be held on Wednesday, 23 November 2011, as follows:

“MOVE that the following resolution carried at the Ordinary Meeting of Council held on 12 October 2011 be rescinded:

“4 That Council classify the Consultative Committee as a staff committee with no Councillor delegates.