



A Graduation Ceremony for 15 small local businesses who completed the Sustainable Business Program and Green Skills Program was held on May 12. Each of these businesses are now implementing practices to help run their business more sustainably.

Business Paper

ORDINARY MEETING

25 May 2011



This page is intentionally blank

MEETING NOTICE

The **ORDINARY MEETING**
of **Wyong Shire Council**
will be held in the **Council Chamber**,
Wyong Civic Centre, Hely Street, Wyong on
WEDNESDAY 25 MAY 2011 at **5.00 pm**,
for the transaction of the business listed below:

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY

RECEIPT OF APOLOGIES

1 PROCEDURAL ITEMS

1.1	Disclosures of Interest	5
1.2	Proposed Inspections and Briefings	6
1.3	Address By Invited Speakers	12
1.4	Confirmation of Minutes of Previous Meeting.....	13

2 MAYORAL MINUTES

2.1	Mayoral Minute - Changes to Wyong Banking Services	32
-----	--	----

3 PLANNING REPORTS

3.1	TA 126/2011 - Removal of Three Trees at 58A Gordon Avenue, Summerland Point.....	33
3.2	Coastline Management Plan	55

4 CONTRACT REPORTS

4.1	Contract CPA/158359 New Ourimbah Rural Fire Station - Lots 6 and 19 DP 224433, Ourimbah Creek Road Ourimbah.....	73
-----	---	----

5 GENERAL REPORTS

5.1	2010-11 Annual Plan - March Quarter Review	78
5.2	Contract Variations and Finalisation - April 2011	80
5.3	Determination of Fees and Charges 2011 - 2012	88
5.4	Draft Minutes - Gosford-Wyong Councils' Water Authority Board Meeting held on 18 May 2011	112
5.5	Draft Minutes of the Senior Citizens' Council - 28 April 2011 and confirmed minutes of 24 February 2011.....	119
5.6	Draft Minutes Wyong Shire Grants Committee Meeting - 18 May 2011	128
5.7	Goods and Services Tax Report	133
5.8	Boutique Street Lighting Poles in Wyong Shire.....	136
5.9	Conference Attendance - National Public Sector Fraud & Corruption Congress.....	143
5.10	Conference Attendance - Planning for Community Outcomes	145

6 INFORMATION REPORTS

6.1	Information Reports	148
6.2	Investments For April 2011.....	149
6.3	General Works in Progress	154
6.4	Activities of the Development Assessment Unit and Building Certification and Health Unit.....	165
6.5	Results on Water Quality Testing for Beaches and Lake Swimming Locations	171
6.6	Warnervale Town Centre April 2011 Progress Report.....	175
6.7	Works in Progress - Water Supply and Sewerage	178
6.8	Local Government & Shires Association Cost Shifting Survey	184
6.9	Central Coast Tourism - Update.....	186
6.10	Mardi to Mangrove Link Project Status	205
6.11	Outstanding Questions without Notice and Notice of Motions	210

7 NOTICES OF MOTION

7.1	Notice of Motion - Regional Push to Reinstate F3 Link.....	219
-----	--	-----

8 QUESTIONS ON NOTICE ASKED

At the conclusion of the meeting and at the discretion of the Mayor, Council may meet with staff in an informal, non-decision making mode for a period of no more than 30 minutes.

Michael Whittaker
GENERAL MANAGER

1.1 Disclosures of Interest

TRIM REFERENCE: F2011/00027 - D02598433
AUTHOR: Monica Redmond; Administration Assistant
MANAGER: Lesley Crawley; Manager Corporate Governance

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

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

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

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

RECOMMENDATION

That Councillors now disclose any conflicts of interest in matters under consideration by Council at this meeting.

1.2 Proposed Inspections and Briefings

TRIM REFERENCE: F2011/00027 - D02598437

AUTHOR: Monica Redmond; Administration Assistant

MANAGER: Lesley Crawley; Manager Corporate Governance

SUMMARY

Inspections to be conducted on 1 June 2011 are listed as follows:

Date of Inspection	Location	Requested By
1 June 2011	Mardi closed landfill, McPhersons Road, Mardi	Director Infrastructure Management
1 June 2011	DA 308/2011 Residential flat building consisting of 53 units (SEPP Affordable Rental Housing) at 35-41 Wilfred Barrett Drive, The Entrance North	Director Environment and Planning Services
1 June 2011	Request to Close Access Point Phillip Street Shelly Beach	Director Infrastructure Management
1 June 2011	Request to Close Walkway between Scribbly Gum Close and Northlakes Shopping Centre Car Park, San Remo	Director Infrastructure Management

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

Date	Briefing	Description	Time	Presented by
25 May 2011	Streetlighting	Information on the implications to Council of the provision of "boutique" or decorative street lighting poles within the urban release areas of Hamlyn Terrace, Woongarra and Wadalba.	12.00am – 12.30pm	Assets and Planning Manager, Roads and Drainage. Team Coordinator, Development Engineering.
25 May 2011	Q3 Annual Plan and Budget	Overview of Q3 Results – Annual Plan Measures and Financial Performance	12.30pm – 1.30pm	Director Corporate Services. Manager Strategic Finance
25 May 2011	GM's Performance Plan	General Manager's performance service.	1.30pm – 3.00pm	General Manager Manager Human Resources

A full list of Councillor Briefings for 2011 was adopted by Council at its meeting on 9 February 2011. The latest version of Briefings for 2011 list is available upon request to the General Manager's office.

RECOMMENDATION

That Council receive the report on Proposed Inspections and Briefings and endorse the recommended inspections and briefings.

ATTACHMENT

- 1 Updated Briefing Schedule 2nd, 3rd & 4th Quarters 2011 D02614603

PROPOSED QUARTER	PROPOSED DATE	AAA Briefing Title	Director	STAFF PRESENTING
2nd Quarter	08-Jun	1. Wyong Loyalty card	GM's Unit	GM's Unit
2nd quarter	08-Jun	2. Lakes Beach eco feasibility	Garry McLachlan	External presenters Dept of Land and possibly Ollie Philpot
2nd quarter	08-Jun	3. Shire-wide Heritage Review	Environment and Planning Services	Consultant David Scobie
2nd quarter	08-Jun	4. Norah Head boatramp replacement	Community & Recreation Services	Tara Mills/Boyd McMillan
2nd quarter	08-Jun	5. Strategic Plan Post Exhibition	Corporate Services	Dan Smith
2nd quarter	22-Jun	1. RTA Proposed works	Infrastructure Management	Bob Burch/RTA
2nd quarter	22-Jun	2. CCROC paper discussion	GM's Unit	
2nd quarter	22-Jun	3. Mariners and BEC agreements	Corporate Services	Bronwyn Rumbel Wayne Gates for BEC.
2nd quarter	22-Jun	4. The Entrance Town Centre Masterplan	Environment and Planning Services	Paul Bowditch/Stephen Ashton
2nd quarter	22-Jun	5. Engagement Strategy	Community & Recreation Services	Sue Ledingham
2nd quarter	22-Jun	6. Ausgrid - on electricity pricing	Infrastructure Management	Rob Fulcher/ Ausgrid Stephen temple and others.tbc
3rd quarter	July	Community Feedback and Complaint Management Policy. (Draft)	Legal And Risk GM's Unit	Belinda Charlton
3rd quarter	July	Chinese Cultural Village	Corporate Services	Garry McLachlan and external presenters
3rd quarter	July	NSW Taxi Council and the Central Coast Taxis	Infrastructure Management	Bob Burch
3rd quarter	July	Social Enterprise Plan for Central Coast	Corporate Services	Garry McLachlan/Graham Baker(Enterprise Connect)
3rd quarter	July	Vision and Values	Corporate services	Dom
3rd quarter	July	Wyong Civic & Cultural Masterplan	Environment and Planning Services	Paul bowditch / Gary Hamer
3rd quarter	July	CCRF	GM's Unit	Jane Hanlon contact CCRF Wej Paradise

PROPOSED QUARTER	PROPOSED DATE	AAA Briefing Title	Director	STAFF PRESENTING
3rd quarter	July	Climate Change Adaptation Report – March 2011.	Environment and Planning Services	Karen Douglas
3rd quarter	July	Detail matching fund guidelines and framework	Community & Recreation Services	Julie Vaughan
3rd quarter	24-Aug	The Entrance, Wyong & Toukley Town Centre management agreements	Corporate Services Environment & Planning Services	Bronwyn Rumbel / Paul Bowditch
3rd quarter	Aug	Q4 Annual Plan and Budget	Corporate Services	Cate Trivers
3rd quarter	Aug	Plan of Management Central Coast Caravan Parks	Community & Recreation Services	Tara Mills
3rd quarter	Aug	Present information on traditional custodians of lands and acknowledgement of country	Community & Recreation Services	Julie Vaughan
3rd quarter	Aug	Provide update of plans and financial viability of The Art House and Cultural Development	Community & Recreation Services	Julie Vaughan
3rd quarter	Sept	Enterprise Risk Management	Legal And Risk	Jeff Simpson
3rd quarter		Precinct 7A Masterplan - Feedback following exhibition	Environment and Planning Services	Scott Duncan / Jenny Mewing
3rd quarter		Desalination	Infrastructure Management	Garry Casement
3rd quarter		Greenhouse Mitigation Plan/Green Energy Funds Projects - May 2011	Environment and Planning Services	David Irving
3rd quarter		Iconic Development Sites DCP & Current Proposals	Environment and Planning Services	Paul Bowditch
3rd quarter		Lower Ourimbah Creek Floodplain Risk Mgt Strategy	Infrastructure Management	Rob Fulcher / Lara Critchley
3rd quarter		RZ/7/2009 Chittaway Point Rezoning	Environment and Planning Services	Martin Johnson/Kathryn Heintz
3rd quarter		Sea Level Rise Notification & 149 Certificate	General Counsel/Environment and Planning Services	Brian Glendenning
3rd quarter		Sustainability Update (Policy, Framework, Principles Review)	Environment and Planning Services	Karen Douglas
3rd quarter		The Entrance Town Centre Masterplan	Environment and Planning Services	Paul Bowditch/Stephen Ashton
3rd quarter		Tuggerah Lakes Floodplain Risk Mgt Plan	Infrastructure Management	Rob Fulcher / Lara Critchley
3rd quarter		Tuggerah Town Centre Masterplan	Environment and Planning Services	Paul Bowditch / Lynda Howson
4th Quarter	26-Oct	Tumbi Creek Floodplain Risk Mgt Plan	Infrastructure Management	Rob Fulcher / Lara Critchley

PROPOSED QUARTER	PROPOSED DATE	AAA Briefing Title	Director	STAFF PRESENTING
4th Quarter	October	Central Coast Sports field Management Strategy	Community & Recreation Services	Brett Sherar / Keith Ollier
4th Quarter	09-Nov	Code of Conduct revision training	Corporate Services	Jeff Simpson
4th Quarter	23-Nov	Learning Community Strategies	Community & Recreation Services	Julie Vaughan
4th Quarter	14-Dec	Q1 Annual Plan and Budget	Corporate Services	Cate Trivers
4th Quarter		Community Facilities Strategy	Community & Recreation Services	Julie Vaughan
4th Quarter		Biobanking	Environment and Planning Services	David Lemcke / Tricia Bancroft, Communications Manager, Biobanking
4th Quarter		Biodiversity Management Plan	Environment and Planning Services	Greg White
4th Quarter		Committee structure	Corporate Services	Lesley Crawley
4th Quarter		Comprehensive LEP	Environment and Planning Services	Martin Johnson
4th Quarter		Councillor attendance at formal dinners	Corporate Services	Lesley Crawley
4th Quarter		DCP 113 – Flood prone Land	Environment and Planning Services	Martin Johnson / Rod Mergan
4th Quarter		DCP 2011	Environment and Planning Services	Martin Johnson
4th Quarter		DCP 97 - Water Sensitive Urban Design	Environment and Planning Services	Martin Johnson / Peter Kavanagh
4th Quarter		Desalination	Infrastructure Management	Garry Casement
4th Quarter		Development Control Plan 61 – Car parking	Environment and Planning Services	Martin Johnson / Michael Conroy
4th Quarter		Draft Shire-Wide Contributions Plan	Environment and Planning Services	martin johnson
4th Quarter		Draft Wyong Employment Zone contributions plan	Environment and Planning Services	Martin Johnson
4th Quarter		Natural Resources Strategy	Environment and Planning Services	Greg White / David Lemcke
4th Quarter		Review of Grants	Community & Recreation Services	Julie Vaughan

PROPOSED QUARTER	PROPOSED DATE	AAA Briefing Title	Director	STAFF PRESENTING
4th Quarter		RZ/17/2009 Bundeena Road, Glenning Valley	Environment and Planning Services	martin Johnson/Kathryn Heintz
4th Quarter		Settlement Strategy	Environment and Planning Services	Scott Duncan / Jenny Mewing
4th Quarter		The Entrance, Wyong and Toukley Town Centre Masterplan	Environment and Planning Services	Paul Bowditch / Stephen Ashton
4th Quarter		Wyong Employment Zone – Results of exhibition of DCP & S94 Contributions Plan / Biocertification update, DCP amendment update	Environment and Planning Services	Martin Johnson / Scott Duncan
4th Quarter		Wyong town centre planning proposal and car parking study	Infrastructure Management	Bob Burch

1.3 Address By Invited Speakers

TRIM REFERENCE: F2011/00027 - D02598487
AUTHOR: Monica Redmond; Administration Assistant:
MANAGER: Lesley Crawley, Manager Corporate Governance

SUMMARY

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

RECOMMENDATION

- 1 That Council receive the report on Invited Speakers.**

1.4 Confirmation of Minutes of Previous Meeting

TRIM REFERENCE: F2011/00027 - D02598447

AUTHOR: Monica Redmond; Administration Assistant

MANAGER: Lesley Crawley; Manager Corporate Governance

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting held on 11 May 2011.

RECOMMENDATION

That Council confirm the minutes of the previous Ordinary Meeting held on 11 May 2011.

ATTACHMENTS

1 Minutes of Council's meeting of 11 May 2011 D02601916

WYONG SHIRE COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 11 May 2011
COMMENCING AT 5:00 PM**

PRESENT

Councillors D J Eaton (Chairperson), G P Best, R L Graham, L A Matthews, E M McBride (5.24 pm), J J McNamara, W R Symington (5.03 pm), D P Vincent, L D Webster and S A Wynn.

IN ATTENDANCE

Acting General Manager, Director Environment and Planning Services, Director Infrastructure Management, Director Community and Recreation Services, General Counsel (5.05 pm) and Manager Development Assessment (5.05 pm).

Manager Place Management, Manager Environment and Natural Resources, Manager Land Use Planning Policy Development, Senior Development Engineer and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.00 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

John Hardwick read an acknowledgment of country statement and Councillor Matthews delivered the opening prayer.

APOLOGIES

There were no apologies.

At the commencement of the ordinary meeting report nos 1.1, 1.2, 1.3, 2.1, 3.2, 3.1, were dealt with first then the remaining reports in order. However for the sake of clarity the reports are recorded in their correct agenda sequence.

1.1 Disclosures of Interest

Councillor McBride was not present during consideration of this item and as a result took no part in voting.

Councillor Symington was not present during consideration of this item and as a result took no part in voting.

6.5 Proposed Councillors' Community Improvement Grants

Councillor Matthews declared a non-pecuniary insignificant interest in the matter for the reason that she is a volunteer co-ordinator of "2261 Out of the Box" and participated in consideration of this matter.

Councillor Matthews stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I am not on the board and make no decisions for the group."

8.1 Notice of Motion – Aerial Inspection of 640Ha Power Station Site

Councillor Vincent declared a non-pecuniary significant conflict of interest in the matter for the reason that he is an employee of Delta Electricity left the chamber at 7.16 pm, took no part in discussion, did not vote and returned to the chamber at 7.47 pm.

9.1 Rustrum Pty Ltd 216-222 Main Road, 21 Rowland Terrace, Toukley, 224 Main Road, Toukley and Toukley Gardens - Proposed Release or Exchange of Operational Land

Councillor Best declared a non-pecuniary insignificant interest in the matter for the reason that he lives in the local area and participated in consideration of this matter.

Councillor Best stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because it is, in my view, insignificant."

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

That Council receive the report on Disclosure of Interest and note advice of disclosures.

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

AGAINST: NIL

1.2 Proposed Inspections and Briefings

Councillor McBride was not present during consideration of this item and as a result took no part in voting.

Councillor Symington was not present during consideration of this item and as a result took no part in voting.

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

That Council receive the report on Proposed Inspections and Briefings and endorse the recommended inspections and briefings.

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

AGAINST: NIL

1.3 Address by Invited Speaker

Councillor Symington entered the chamber at 5.03 pm during discussion of this item.

Councillor McBride was not present during consideration of this item and as a result took no part in voting.

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

1 That Council receive the amended report on Invited Speakers.

2 That Council agree meeting practice be varied to allow reports from Directors and/or the General Manager to be dealt with following an Invited Speaker's address.

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

AGAINST: NIL

1.4 Confirmation of Minutes of Previous Meeting

Councillor McBride was not present during consideration of this item and as a result took no part in voting.

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

That Council confirm the minutes of the previous Ordinary Meeting held on 27 April 2011.

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

AGAINST: NIL

Business Arising

There was no business arising out of the minutes.

2.1 Notice of Intention to Deal with Matters in Confidential Session

Councillor McBride was not present during consideration of this item and as a result took no part in voting.

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

1 That Council consider the following matters in Confidential Session, pursuant to Sections 10A(2)(c) and (d) of the Local Government Act 1993:

9.1 Toukley Gardens and Rustrum Pty Ltd Properties at 216-222 Main Road and 21 Rowland Terrace, Toukley - Proposed Release or Exchange of Operational Land

9.2 Facility Agreement – Westpac Banking Corporation

2 That Council note its reason for considering Report No 9.1 and Report No 9.2 in confidential session is that it contains commercial information of a confidential nature that would, if disclosed:

Report No 9.1

2(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,

Report No 9.2

2(d) commercial information of a confidential nature that would, if disclosed:

- (i) prejudice the commercial position of the person who supplied it, or**
- (ii) confer a commercial advantage on a competitor of the Council, or**
- (iii) reveal a trade secret,**

3 That Council request the General Manager to report on this matter in open session of Council.

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

AGAINST: NIL

3.1 Draft Policy - Incomplete Works and Dilapidated Buildings

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

- 1 That Council place the draft *Incomplete Works and Dilapidated Buildings Policy* on public exhibition for a period of four weeks.
- 2 That Council adopt the *Incomplete Works and Dilapidated Buildings Policy*, subject to there being no significant objections as a result of public exhibition and give appropriate public notice.

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

AGAINST: NIL

3.2 DA 1340/2010 - Demolition of Existing Structures, Removal of Six Trees and Construction of a Dwelling, Machinery Shed and Inground Pool at Wyong

Mr Matthew Lusted, the applicant, addressed the meeting at 5.07 pm, answered questions and retired at 5.15 pm.

Councillor McBride entered the meeting at 5.24 pm during consideration of this item.

Councillor Matthews left the meeting at 5.52 pm and returned to the meeting at 5.53 pm during consideration of this item.

Councillor Vincent left the meeting at 5.58 pm and returned to the meeting at 5.59 pm during consideration of this item.

PROCEDURAL MOTION

RESOLVED on the motion of Councillor WYNN and seconded by Councillor WEBSTER:

That Council move the Meeting into Confidential session to discuss this item.

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

AGAINST: COUNCILLORS GRAHAM AND MCNAMARA

The Public Gallery was cleared at 5.43 pm to allow Council to seek legal advice in Confidential Session.

PROCEDURAL MOTION

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

That Council resume in Open Session.

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

AGAINST: NIL

Council resumed in Open Session at 6.27 pm and the Public Gallery was re-opened.

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

That subject to the issue of concurrence from the Director General of the Department of Planning and Infrastructure and having regard to 79C of the EP&A Act, Council approve DA1340/2010 subject to the attached conditions of consent with the exception of condition 13.

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

AGAINST: COUNCILLOR WYNN

3.3 Adoption of Comprehensive Local Environmental Plan 2012 and Pecuniary Interests

RESOLVED unanimously on the motion of Councillor SYMINGTON and seconded by Councillor MCBRIDE:

- 1 That Council note the content of this report.**
- 2 That Council authorise the General Manager on behalf of all Councillors to lodge applications for pecuniary interest exemption to the Minister of Local Government under Section 458 of the Local Government Act, 1993.**

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

AGAINST: NIL

4.1 Classification of Land - Lot 51 DP 1154778 Bay Village Road, Bateau Bay

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

- 1 That Council classify Council land Lot 51 DP 1154778, Bay Village Road, Bateau Bay as Operational Land.**
- 2 That Council adopt the classification if no adverse submissions are received from the statutory exhibition period.**

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

AGAINST: NIL

4.2 Proposed Telstra Telecommunications Facility and Lease at Lot 1 DP 598579, Yuruga Avenue, San Remo

RESOLVED unanimously on the motion of Councillor WYNN and seconded by Councillor MCNAMARA:

- 1 That Council approve a lease of Part of Lot 1 DP 598579 at Yuruga Avenue, San Remo to Telstra Corporation Ltd subject to development consent being granted for the construction of a telecommunication facility.
- 2 That Council approve the terms of the lease as:
 - a a period comprising four consecutive five year leases for a period up to 20 years
 - b an annual rent commencing at \$28,875 with annual 5% increases over the period and market reviews every five years.
- 3 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the lease between Wyong Shire Council and Telstra Corporation Ltd.
- 4 That Council authorise the Mayor and General Manager to execute all documents relating to the Lease.
- 5 That Council endorse, as owner of Lot 1 DP 598579 at Yuruga Avenue, San Remo, a development application by KAW Consulting and Aurecon Australia Pty Ltd, on behalf of Telstra Corporation Ltd to construct a telecommunication facility on the land.
- 6 That Council note, for the public record, that its endorsement of the Development Application (as the landowner) cannot be interpreted in any way whatsoever as support or otherwise for the determination of the Application by Council.

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

AGAINST: NIL

5.1 CPA/159634 - Supply and Delivery of Bulk Oxygen to Various Sewerage Sites for a Period of up to 5 Years

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

- 1 That Council accept tender CPA/159634 from Coregas Pty Ltd for a period of up to 5 years commencing from the date of acceptance by the tender.
- 2 That Council note the estimated annual expenditure against this contract of \$443,755.00 (excl GST). Actual expenditure may vary significantly over time with fluctuations in demand and CPI cost adjustment.
- 3 That Council approve a contingency sum of \$225,000.00 (excl GST) for the period of the contract over 5 years.

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

AGAINST: NIL

5.2 Cancellation of Tender - Hire of Casual Labour CPA/182360.

RESOLVED unanimously on the motion of Councillor MCBRIDE and seconded by Councillor WYNN:

- 1 That Council decline to accept any of the tenders received for contract CPA/182360 Hire of Casual Labour in accordance with sub-clause 178 (1)(b), Local Government (General) Regulation 2005.**
- 2 That Council thank the tenderers for their interest.**

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

AGAINST: NIL

5.3 Contract CPA/193253 - Provision of Improvement Works 2011/2012 - Construction of Camp Kitchen and Barbeque Shelter at Canton Beach and Barbeque Shelter at Toowoon Bay Holiday Parks

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

- 1 That Council accept the alternative tender from Garard Moulded Pre-Cast Pty Ltd in the lump sum amount of \$199,000 (excl GST) for Contract CPA/193253 – Provision of Improvement Works 2010/2011 including the Construction of Camp Kitchen and Barbecue Shelter, Canton Beach Holiday Park and the Construction of a Barbecue Shelter, Toowoon Bay Holiday Park.**
- 2 That Council notes that a contingency amount of \$20,000 is budgeted in the Annual Plan.**

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

AGAINST: NIL

5.4 Contract CPA/181554 - Detailed Design and Documentation for Remediation of Former Mardi Landfill

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

- 1 That Council accept the tender from SMEC Australia Pty Ltd for the lump sum amount of \$264,186.00 (excl GST) for Contract CPA/181554 – Detailed Design and Documentation for Remediation of Former Mardi Landfill.**
- 2 That Council notes that a contingency amount of 10% of the tender price is budgeted in the Annual Plan.**

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

AGAINST: NIL

PROCEDURAL MOTION

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

- 1 That Council allow meeting practice to be varied.**
- 2 That Council use the exception method to deal with the balance of the Agenda.**

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

AGAINST: NIL

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

That with the exception of report numbers 6.1, 6.2, 6.3, 6.4, 6.8, 7.2, 7.3, 7.7, 7.8, 8.1, 9.1 and 9.2, Council adopt the recommendations contained in the remaining reports.

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

AGAINST: NIL

6.1 2011/2012 Wyong Shire Council Rural Fire Fighting Fund Estimates

RESOLVED unanimously on the motion of Councillor VINCENT and seconded by Councillor WYNN:

- 1 That Council note the proposed Wyong Rural Fire Service's proposed budget.**
- 2 That Council confirms continuance of financial support of the Wyong Rural Fire Service in accordance with s.111 of the Rural Fires Act 1997.**

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

AGAINST: NIL

6.2 Formation of New Precinct Committee at Norah Head

RESOLVED unanimously on the motion of Councillor VINCENT and seconded by Councillor WYNN:

That Council establish a Precinct Committee for the Norah Head Community.

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

AGAINST: NIL

6.3 Electricity Prices - Response from the Minister's Office

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

- 1 That Council note the response from the Office of the Minister for Energy regarding electricity prices.**
- 2 That Council formally request the Minister for Energy, The Honourable Chris Hartcher MP to inform Council of the Government's plans to manage electricity prices.**
- 3 That Council note the planned briefing by Energy Australia (now TRUenergy and Ausgrid) in response to Council's request for a formal briefing on electricity pricing.**

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

AGAINST: NIL

6.4 Review of Investment Policy

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

- 1 That Council adopt the Investment Policy detailed in Attachment 1.**
- 2 That Council authorise staff to re-format the adopted policy so that;**
 - a Clause C1 becomes B4**
 - b Clause C2 becomes D19**
 - c Part "E" is renamed "D"**
 - d Part "F" is renamed "E"**

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

AGAINST: NIL

6.5 Proposed Councillors' Community Improvement Grants

Councillor Matthews declared a non-pecuniary insignificant interest in the matter for the reason that she is a volunteer co-ordinator of "2261 Out of the Box" and participated in consideration of this matter.

Councillor Matthews stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I am not on the board and make no decisions for the group."

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

That Council allocate an amount of \$35,172 from the 2010-11 Councillors' Community Improvement Grants as outlined in the report.

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

AGAINST: NIL

**6.6 Adoption of Confirmed Minutes of the Wyong Shire Governance Committee
- 24 November 2010**

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

That the Council adopt the minutes of the Wyong Shire Governance Committee Meeting held 24 November 2010 and confirmed by the Committee on 16 March 2011.

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

AGAINST: NIL

6.7 Draft Minutes of the Wyong Shire Governance Committee - 16 March 2011

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

- 1 That Council receive the minutes of the Governance Committee meeting conducted on 16 March 2011.**
- 2 That Council adopt the following dates for the 2011 Governance Committee Meetings:**
 - a 29 June 2011**
 - b 21 September 2011**
 - c 5 October 2011**
 - d 7 December 2011**
- 3 That Council organise a Governance Committee Workshop, attended by the External Committee Members, all Councillors and Senior Executives of Council and that this workshop be convened by an independent facilitator.**
- 4 That Council request the External Members to provide a list of three (3) possible facilitators to the General Manager for submission to the Mayor to enable a facilitator to be selected for the proposed Workshop.**
- 5 That Council request staff to provide a report on Councils-on-line Review to the next meeting of the Governance Committee for consideration.**
- 6 That Council request staff to provide on the Chinese Cultural Theme Park to the next meeting of the Governance Committee.**
- 7 That Council authorise a workshop on Corporate Risk for Councillors, Senior Staff and the Governance Committee Members to be held at the inception of the Enterprise Risk Strategy project.**
- 8 That Council refer future finalised reports from Probity Advisors and External Auditors to the Governance Committee for information.**
- 9 That Council receive and note the resolutions contained in the Draft Confidential Minutes of the Wyong Shire Governance Committee Meeting held on 16 March 2011 (separate confidential enclosure).**

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

AGAINST: NIL

6.8 Update on the Provision of Project Management Services for the Mardi to Mangrove Link Project

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

- 1 That Council note the information contained in this report on the reduction of "Body Hire" staff on the project management team for the Mardi to Mangrove Link Project.**
- 2 That Council endorse the extension of engagement of the current Project Manager and Project Property Manager, under the existing arrangements, until 30 June 2011.**
- 3 That Council endorse the extension of engagement of the current Landholder Liaison Manager on a part time basis only until 30 June 2011.**

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

AGAINST: NIL

6.9 Conferences Attendance - National Investment for the Early Years and Centre for Community Child Health 2011 Conference

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

- 1 That Council authorise interested Councillor/s to attend the National Investment for the Early Years and Centre for Community Child Health 2011 conference.**
- 2 That Council meet reasonable expenses incurred by Councillors attending the above conference in accordance with Council's Facilities and Expenses Policy for Councillors.**

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

AGAINST: NIL

6.10 Acceptance of Loan Offers from Financial Institutions

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

- 1 That Council receive the report on loan borrowings circulated under separate cover.**
- 2 That Council adopt the recommendations made in the supplementary report (Item 9.2).**
- 3 That Council authorise the use of the Council seal in the execution of loan documents relating to the recommended offer.**

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

AGAINST: NIL

7.1 Information Reports

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

That with the exception of report numbers 7.2, 7.3, 7.7 and 7.8 Council receive the information reports and adopt the recommendations.

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

AGAINST: NIL

7.2 Sewer Improvement Program

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

That Council receive the report on Sewer Improvement Program.

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

AGAINST: NIL

7.3 Limited Access at Ourimbah Railway Station

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

That Council receive the report on Limited Access at Ourimbah Railway Station and refer to the matter to the Member for The Entrance and Minister for the Central Coast.

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

AGAINST: NIL

7.4 Investments for March 2011

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

That Council receive the report on Investments for March 2011.

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

AGAINST: NIL

7.5 Tuggerah Lakes Estuary Coastal and Floodplain Management Committee - Myrtle Rust Epidemic

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

That Council note the recommendations of the Tuggerah Lakes Estuary Coastal and Floodplain Management Committee - Myrtle Rust Epidemic being:

- 1 That the Committee receive the report on Myrtle Rust Epidemic.**

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

AGAINST: NIL

7.6 Audit for Best Practice Management Guidelines for Water Supply and Sewerage

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

That Council receive the report on Audit for Best Practice Management Guidelines for Water Supply and Sewerage.

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

AGAINST: NIL

7.7 Quarterly Update on Section 94 Contributions

Councillor Wynn left the meeting at 6.53 pm and returned to the meeting at 6.54 pm during consideration of this item.

Councillor Best left the meeting at 6.55 pm and returned to the meeting at 6.56 pm during consideration of this item.

RESOLVED unanimously on the motion of Councillor VINCENT and seconded by Councillor MATTHEWS:

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

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

AGAINST: NIL

7.8 Entrance Dynamics and Beach Condition at The Entrance and North Entrance Beaches

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

That Council receive the report on Entrance Dynamics and Beach Condition at The Entrance and North Entrance Beaches.

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

AGAINST: NIL

7.9 Mardi to Mangrove Link Project Status

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

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

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

AGAINST: NIL

7.10 Emergency Services Management Funding and Budget Process

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

That Council receive and note the report on Emergency Services Management Funding and Budget Process.

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

AGAINST: NIL

7.11 Outstanding Questions without Notice and Notice of Motions

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

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

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

AGAINST: NIL

8.1 Notice of Motion - Aerial Inspection of 640Ha Powerstation Site

Councillor Vincent declared a non-pecuniary significant conflict of interest in the matter for the reason that he is an employee of Delta Electricity left the chamber at 7:16 pm, took no part in discussion, did not vote and returned to the chamber at 7:47 pm.

Councillor McNamara left the meeting at 7:17 pm and returned to the meeting at 7:18 pm during consideration of this item.

RESOLVED on the motion of Councillor BEST and seconded by Councillor MCNAMARA:

- 1 ***That Council reinforce the intent its previous resolutions (10 November 2010 and 23 February 2011 (attached)) which requested staff actions be taken to facilitate the closure of the Lake Munmorah Coal-Fired Power Station.***
- 2 ***That Council notes with disappointment and deep concern, Delta Electricity's recent refusal of its request for a site inspection on behalf of Wyong residents.***
- 3 ***That Council asserts the massive 640ha PowerStation site is highly environmentally degraded and has substantially impacted the surrounding air, soil and water (lake) quality.***
- 4 ***That Council repeat its formal request of Delta Electricity to allow a Council inspection of the site on behalf of Wyong residents and in the best interests of transparency in the community.***
- 5 ***That Council formally urges Delta Electricity to cease attempts to block public scrutiny, effectively denying public transparency of their activities.***
- 6 ***That the Mayor approach the Minister for Energy's office with a view to facilitating a Council and senior staff inspection/tour of the Munmorah Power Station.***

FOR COUNCILLORS BEST, EATON, MCNAMARA, WEBSTER AND WYNN

AGAINST: COUNCILLORS GRAHAM, MATTHEWS, MCBRIDE AND SYMINGTON

QUESTIONS ON NOTICE**Q9/11 Condition of Louisiana and Minnesota Roads, Hamlyn Terrace
Councillor Greg Best**

"Mr General Manager,

My question is on behalf of the good people of the greater Warnervale district. As a long-standing local Councillor, I have received numerous representations, concerns and complaints over the condition of the farm roads, now urban highways, known as Louisiana and Minnesota Roads. My position regarding the upgrade of these roads is a matter of the public record and in my view, it is now time to definitively act on these road replacements. In recently reviewing these roads with local residents, it would be remiss of me if I did not raise the issue of safety. Could you please provide a thorough update as to when these roads will be rebuilt and as to what suggestions or recommendations could be made in the interim to improve safety?"

**Q10/11 Federal Government Deferring Feasibility Study into F3 Orbital Project
Councillor Greg Best**

"Mr General Manager I understand, with great concern, that in last night's Federal Budget the Federal Government will defer its contribution to a feasibility study into the F3 to Sydney Orbital Project until 2015 – 2016. This will reduce expenses by \$150m in 2013 – 2014 budget whilst redirecting funds to support other government initiatives. Could you please seek to confirm this redirection?"

CONFIDENTIAL SESSION

At this stage of the meeting being 7.50 pm council moved into Confidential Session with the members of the press and public excluded from the meeting of the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993 as the items listed come within the following provisions:-

- 2(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,*
- 2(d) commercial information of a confidential nature that would, if disclosed:*
 - (i) prejudice the commercial position of the person who supplied it, or*
 - (ii) confer a commercial advantage on a competitor of the Council, or*
 - (iii) reveal a trade secret,*

OPEN SESSION

Council resumed in open session at 8.13 pm and the Acting General Manager reported on proceedings of the confidential session of the Ordinary Meeting of Council as follows:

9.1 Rustrum Pty Ltd 216-222 Main Road, 21 Rowland Terrace, Toukley, 224 Main Road, Toukley and Toukley Gardens - Proposed Release or Exchange of Operational Land

- 1 That Council grant in-principle support to the investigation of the proposal for exchange of part of Lot 5 DP 514932, 224 Main Road, Toukley for part of Lot 91 DP 565884 21 Rowland Terrace, Toukley.**
- 2 That Council consult with the community and stakeholders concerning the proposed exchange as part of the master planning process associated with Iconic Development Site No 16 - Rustrum.**

9.2 Facility Agreement – Westpac Banking Corporation

- 1 That Council accept the offer of loan borrowings, as dated 6 May 2011, for an amount of \$26,000,000 for a 10 year term, based on a 20 year amortisation table, from Westpac Banking Corporation in accordance with the 2010-11 Annual Plan.**
- 2 That Council authorise the Common Seal to be affixed to the Facility Agreement between the Wyong Shire Council and Westpac Banking Corporation.**
- 3 That Council authorise the Mayor and General Manager to execute all documents relating to the Facility Agreement between the Wyong Shire Council and Westpac Banking Corporation.**

THE MEETING closed at 8.14 pm.

25 May 2011

To the Ordinary Meeting

Councillor

2.1 Mayoral Minute - Changes to Wyong Banking Services

TRIM REFERENCE: F2010/00500 - D02612399

AUTHOR: Doug Eaton; Councillor

The intended closure by Westpac of their Wyong branch is a serious blow to the township, local business owners, local citizens and the potential for local development.

It is an arrogant business decision by Westpac that has not been made with any prior customer (or potential customer) consultation – a fact which is astonishing for a Corporation which prides itself in its community support. It is an act that is completely out of tune with their TV campaign to put the “local” back into banking and an insult to those in the community who will have difficulty accessing facilities much further away.

Had Westpac made some effort to consult with the major stakeholders in the area they would have learned that major developments are already underway and to be supported by the Wyong Town Centre Planning Proposal due shortly.

Major developments such as the Regional Police Station, ALDI Stores, Iconic Developments and Wyong’s unique Heritage Shopfront Precinct, adds to Wyong’s commercial future. Westpac’s intended closure sends a loud, negative signal to anyone thinking of locating their business or their home in Wyong.

I believe that Council is a significant player as a customer for any bank and that purchasing influence should be used to ensure that banking services to the local community continue to provide this essential mainstay of the local infrastructure.

At the time of preparing this minute, I have a meeting scheduled with Mr Ray Dwyer, Regional General Manager of Westpac Central Coast and I will update Council on the outcomes shortly.

I formally move:

- 1 That Council’s note Westpac Banking Corporation’s intention to close their Wyong Branch on 3 June 2011 and endorses the Mayor’s action in requesting Westpac to retain their Wyong Branch.***
- 2 That Council review its banking arrangements with a view to supporting those banking institutions that maintain or improve local services.***
- 3 That Council invite the surviving Wyong banking interests to offer banking solutions that support and advance the Community’s development of the Wyong locality through the Wyong Town Centre planning Proposal.***

3.1 TA 126/2011 - Removal of Three Trees at 58A Gordon Avenue, Summerland Point

TRIM REFERENCE: TA/126/2011 - D02588465
AUTHOR: Ian Hills; Tree Assessment Officer
MANAGER: Peter Fryar, Manager Development Assessment

SUMMARY

An application has been lodged under the Environmental Planning and Assessment Act 1979, (EP&A Act) for the removal of three trees from a residential block in Summerland Point. The application has been examined having regard to the matters for consideration detailed in section 79C of the EP&A Act 1979 and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

Applicant	Mr Richard A Fisk & Mrs Ngaire C Delandre
Owners	Mr Richard A Fisk & Mrs Ngaire C Delandre
Application No	TA/126/2011
Description of Land	Lot 2911 DP 1098626 (No. 58A) Gordon Avenue, Summerland Point
Proposed Development	Removal of three trees
Site Area	625.4.6 m ²
Zoning	2(a) Residential Zone
Existing Use	Vacant

RECOMMENDATION

That Council, refuse the application on the basis that the development is prohibited, subject to the reasons for refusal detailed in the schedule attached to the report, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues.

BACKGROUND

Development Consent (TA/236/2010) granted approval for the removal of one tree and required the retention of 3 Forest Redgums (*Eucalyptus tereticornis*) which the applicant sought removal of.

The applicant has now lodged a new development application (TA/126/2011) for the removal of the remaining three trees existing on the subject site.

Summary of Issues

Statutory Issues

- The proposed removal of the three trees is defined as “clearing” under the definitions contained within Clause 7 of WLEP. The subject site is zoned Residential 2(a) under WLEP and “clearing” is a prohibited landuse activity pursuant to the landuse table under Clause 10 of WLEP.
- The subject site is currently vacant and the proposed tree clearing is not considered to be ancillary or incidental to any development purpose permitted within the zone. Accordingly, the proposed works are not permissible in the manner submitted in the development application.
- Clause 28 of Wyong Local Environmental Plan 991 (WLEP) states that a person shall not, in this instance, cut down any tree or native vegetation without the prior development consent of Council. The proposed tree removal is not defined as “exempt vegetation management works” and accordingly, is not permitted without development consent.
- Pursuant to the provisions of Clause 28(4)(a) of WLEP, Council shall not grant consent for the removal of the three trees proposed unless those works are ancillary to or necessary to undertake a use permitted on the land. The subject site is currently vacant and the proposed tree removal is not considered to be “ancillary” or “necessary” for the undertaking of a use permitted on the land. Consideration should be given to the tree removal as part of a development application for any future use or development of the subject site.
- Furthermore, Clause 24(4)(b) of WLEP states that consent for the proposed tree removal should not be granted unless the Council has made an assessment of the importance of the vegetation in relation to:
 - (i) soil stability and prevention of land degradation
 - (ii) water quality and associated eco-systems, such as streams, estuaries and wetlands
 - (iii) scenic or environmental amenity, and
 - (iv) vegetation systems and natural wildlife habitats

An assessment of the relevant matters detailed above is undertaken in the body of this report.

Tree Condition

- Council’s Arborist considers that trees 1, 2 and 3 are structurally sound with little evidence of any pests or diseases and therefore should be retained following pruning works to remove deadwood and some of the branches located nearest to the neighbouring dwellings.
- The Applicant’s Arborist supports Council’s assessment of the trees as healthy and notes that the trees offer each other protection from high winds. Additionally the Applicant’s Arborist observed that there is very little deadwood present in the canopy of

the trees, and that removal of deadwood should be carried out on a regular basis to manage the trees with an acceptable level of risk to persons and property.

- Both the Council's Arborist and the applicant's Arborist agree that there is not an unacceptable risk posed by the trees on the existing dwelling-houses on the adjoining properties.

Furthermore, the Applicant contends that the existence of one of the trees adjacent to an access handle to the residential property at 58 Gordon Avenue will create an *"impediment to the access to the house at the bottom which has a 4 metres easement access."* Contrary to the Applicant's assertion, the access handle identified on the Deposited Plan is only 3.5 metres wide at the front boundary to Gordon Avenue. The tree referred to by the Applicant does not impede the current access afforded to the premises at No 58 Gordon Avenue.

The Proposed Development

An application has been received for the removal of three trees from a vacant residential allotment of land in Summerland Point. A previous development application (TA 236/2010) for the removal of four trees, namely 4 Forest Redgum (*Eucalyptus tereticornis*) was received on 19 July 2010 and subsequently part-approved on 28 July 2010 with a condition requiring the retention of trees 1, 2 and 3. The development consent permitted the removal of only one tree. The applicant subsequently submitted an application on 3 September 2010 pursuant to Section 82A of the EP&A Act for removal of the remaining three trees which was refused on 25 January 2011.

In March 2011, the Applicant lodged a new development application for the removal of the three remaining trees. The current application has been assessed by Council's Tree Assessment Officer (Arborist), who has recommended that all three trees be retained.

The Applicant's contention is that all three trees pose an unacceptable risk of injury to persons or damage to property and that tree No 1 restricts vehicular access to the property located at the rear of the subject property (also owned by the applicant).

The subject site is currently vacant and is under the same ownership of the adjacent battle-axe allotment located at No 58 Gordon Avenue, which adjoins the waterfront. The applicant has cited 3 reasons for the removal of the trees, namely:

- Danger of falling limbs on No 56 Gordon Avenue and tree in easement
- Danger of falling tree and limbs on ridge of high wind area;
- Danger of falling limbs on No 60 Gordon Avenue and property damage.

The Applicant's Arborist has advised that all 3 trees are *"growing effectively on a ridge line, being exposed to winds from all directions. If any of these trees are removed for reasons outlined, the remaining will be adversely affected by a greater degree of wind exposure. This must be taken into account when planning any removal activities....it must be noted that these trees are healthy at present and removal of any of the 3 will affect the remaining."*

Council's Tree Assessment Officer, who is a qualified Arborist is of the same opinion as the Applicant's Arborist and cannot support the applicant's reasons for removal of the 3 trees. As previously mentioned, the subject site is currently vacant.

As previously discussed, the removal of the three trees requires development consent of Council under the provisions of Clause 28 (2)(a) of WLEP. The proposed tree removal is not deemed to be “exempt vegetation management works” and accordingly, the works are not permitted without consent.

Clause 28 (4)(a) of WLEP states that Council shall not grant consent in this instance for the proposed tree removal unless such works are “*ancillary to or necessary to undertake a use permitted on the land*”. The proposed removal of 3 healthy trees do not constitute works ancillary to or necessary to any use currently or proposed to be permitted on the vacant allotment of land. Accordingly, in accordance with provisions of Clause 28 (4)(a) of WLEP, the proposed tree removal should be refused.

INTRODUCTION

The Site

The site is vacant land located at 58A Gordon Avenue Summerland Point approximately 40 metres from Lake Macquarie. Access to the property at 58 Gordon Ave is provided along an access handle extending along the south-eastern boundary to the subject property in the form of a driveway consisting of two concrete strips.

The site is currently vacant and faces south-west. Partial shielding from strong winds from the west and south is provided by surrounding structures and vegetation.

Aerial View of Site**PERMISSIBILITY**

The subject site is zoned Residential 2(a) under WLEP. The definitions contained within Clause 7 of WLEP include “clearing” which means one or more of the following:

- (a) cutting down, felling, thinning, logging or removing native vegetation
- (b) killing, destroying, poisoning, ringbarking, uprooting or burning native vegetation
- (c) severing, topping or lopping branches, limbs, stems or trunks of native vegetation
- (d) substantially damaging or injuring native vegetation in any other way

Pursuant to the 2(a) land use table to Clause 10 of WLEP, development for the purpose of “clearing” is prohibited. The proposed tree removal is not considered to be ancillary to any development permissible under the land use table and the tree removal does not form part of any future development or use of the vacant allotment of land. Accordingly, Council cannot consent to the development application in the manner submitted as the proposed “clearing” is a prohibited land use activity.

Furthermore, Clause 28 (2) of WLEP states that development consent (where permissible) is required for the removal of any tree. The proposed tree removal is not defined as “exempt vegetation management works” and accordingly is not excluded from the requirements of subclause (2).

Clause 28 (4) of WLEP states:

“(4) *The Council shall not grant consent for the works referred to in subclause (2) unless –*

- a) *such works are ancillary to or necessary to undertake a use permitted on the land, and*
- b) *the Council has made an assessment of the importance of the vegetation in relation to:*
 - (i) *soil stability and prevention of land degradation*
 - (ii) *water quality and associated eco-systems, such as streams, estuaries and wetlands*
 - (iii) *scenic or environmental amenity*
 - (iv) *vegetation systems and natural wildlife habitats”*

The proposed tree removal is not considered to be ancillary to or necessary to undertake a use permitted on the land. The circumstances in regard to the subject proposal relate to the removal of trees not associated with any purpose/use or development of the subject site. Consequently, Clause 24 (4)(a) prevents Council granting consent in the circumstances.

Issues relating to matters contained within Subclause (4)(b) and in particular scenic and environmental amenity are discussed in further detail in the report.

VARIATIONS TO POLICIES

The removal of all three trees would be contrary to the aims of DCP Chapter 14 Tree Management particularly objective (d) which is “*To retain healthy individual trees of local amenity and aesthetic value.*”

The assessment of the state of the trees undertaken by both Council’s and the Applicant’s Arborist concludes that all three trees are currently in a healthy state. Additionally, the Applicant’s Arborist observed that there was very little deadwood present in the canopy of the trees.

The three trees being of a significant size and scale and located along the front boundary of the subject site, form a significant feature along the streetscape of Gordon Avenue. Upon approaching the subject site from the south, the trees are significant and dominant in their appearance and add positively to the amenity and aesthetics values of the locality.

RELEVANT STATE/COUNCIL POLICIES AND PLANS

The application has been assessed against the relevant provisions of the following environmental planning instruments, plans and policies:

DCP 2005, Chapter 14 – Tree Management

COUNCIL POLICY AND STRATEGIC IMPLICATIONS

Removal of all three trees from the property would be inconsistent with the aims of Councils Tree Management Policy DCP 2009 - Chapter 14, outlined in section 1.3 namely;

- c To minimise unnecessary injury to or destruction of trees and native vegetation*
- d To retain healthy individual trees of local amenity and aesthetic value*
- f To retain viable representative samples of native vegetation, which have an intact structure and complete floristics, wherever practicable”.*

In regard to objective (c) above, both the Council’s and Applicant’s Arborist are of the opinion that all three trees are healthy. The applicant argues that the trees should be removed for three main reasons being:

1. Danger of falling limbs on No’s 56 and 60 Gordon Avenue.

Consent – Council’s Arborist has assessed the risk associated with the loss of limbs and damage to property as being acceptable (see separate comments) on a risk assessment basis. The Arborist advises that the removal of minor deadwood from the canopy of all trees will further reduce the already low risk of damage to property or harm to persons.

2. Property damage to driveway at No 60 Gordon Avenue.

Consent – Council’s Arborist is of the opinion that the existing minor cracking to the driveway at No 60 Gordon Avenue is likely to be caused by other factors not associated with root damage from trees on the subject site. The Applicant has not supported his claim of root damage to the driveway with a Structural Engineers Report. A concrete pathway which extends adjacent to the common property boundary between No 58A and 60 Gordon Avenue shows no evidence of cracking which would normally be expected if damage to concrete areas was being caused by roots of the trees.

3. Tree causing restricted access along right-of-way (driveways to No 58 Gordon Avenue.

Consent – Tree No 1 is located approximately 3.5 metres from the southern boundary fence extending along the side boundary line and has a negligible encroachment into the right-of-way extending to No 58 Gordon Avenue. The clear width for vehicles to access the rear property adjacent to Tree 1 is greater than the gateway width at the property boundary. The claims of the applicant are not supported by the evidence on site.

The reasons provided by the applicant for the removal of the three trees are not supported. On that basis, it is considered that the proposal will result in the unnecessary destruction of the trees.

In regard to objective (d) above, the three trees due to their size and scale and location, add positively to the aesthetic values of the locality and their removal would detract from those existing aesthetic values. The removal of the trees would be contrary to the objective.

Finally, in regard to objective (f), the assessment of the health of the three trees by both the Council and Applicant's Arborist concludes that all trees are healthy. The removal of existing viable representative samples of native vegetation would be contrary to objective (f) and is unnecessary.

Issues regarding the permissibility of the proposed tree removal have been discussed previously in this report. Furthermore, Clause 28(2) of WLEP requires the prior development consent of Council (where permissible) for the removal of the 3 trees. In consideration of whether development consent should be granted for the removal of the 3 trees, Clause 28(4)(a) of WLEP states that consent shall not be granted unless such works are ancillary to, or necessary to, undertake a use permitted on the land. The subject site is currently vacant and the removal of the 3 trees cannot therefore be considered as ancillary works to any current use of the land. Any future use or development of the subject site would require a separate specific development consent from Council. Consideration of the removal of the trees prior to the lodgement and assessment of such an application is inappropriate and inconsistent with Council's statutory planning instrument.

ECOLOGICALLY SUSTAINABLE PRINCIPLES

The proposal does not result in the disturbance of any endangered flora or fauna habitats and is unlikely to significantly affect fluvial environments.

The trees contain a very small amount of deadwood which can be managed by careful pruning.

The removal of the 3 trees for no proper purpose is considered to be inconsistent with the ESD principles. The term Ecologically Sustainable Development is defined as:

"Development that meets the needs of the present without compromising the ability of future generations to meet their needs." (Our Common Future Report for the World Commission of the Environment and Development, 1987).

A number of key objectives apply to achieve ESD namely:

- Development and management of resources for the benefit of both present and future generations, particularly with regard to equity of choice in livelihood and lifestyle.
- Maintenance of the global ecosystems through acceptance of the interdependence of all its parts and the protection of its biological diversity.

The removal of three trees of significance in the locality for no proper purpose in a minor way, will contribute to the degradation of the global ecosystems by failing to protect the biodiversity the trees contribute to in the locality.

ASSESSMENT

Relevant Issues

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

Flora and Fauna

Following a visual assessment of the trees by Council's Arborist, it is noted that three trees (numbered 1, 2 and 3) appear to be in good health and vigour, and there is therefore no valid reason for removal. The pruning recommendations made by Council's Arborist, will minimise/reduce any potential risk of injury/property damage posed by these trees.

The applicant contends that Tree No 1 restricts vehicular access to the property at the rear of the subject site due to its location adjacent to the existing driveway. The clearance between Tree No 1 and the side boundary at the top of the driveway, is wider than the opening in the fence between the two properties by approximately 300mm. The canopy of the tree overhangs the neighbouring property at 56 Gordon Ave at its outer extremity at which point the branches are small with a diameter of less than 30mm, thus posing a very low risk of damage.

Tree No 2 is situated centrally on the vacant land and consequently creates no risks, other than the power supply network. In this case the risk will be managed by the Energy Authority.

Tree No 3 partially overhangs the carport located at 60 Gordon Avenue but is located more than 3 metres from the carport with only minor deadwood and one crossing branch (which have been approved for pruning) presenting an unacceptable risk of failure.

The applicant contends that tree roots have caused cracking of the driveway at No 60 Gordon Avenue. Examination by Council's Arborist found that the cracking is not consistent with damage by the tree's roots. The applicant has failed to support the claim that the tree's roots have caused the damage to the driveway by way of a Structural Engineer Assessment.

It should be noted that the applicant's Arborist, supports Council's assessment of the trees as healthy and notes that the trees offer each other protection from high winds. Additionally the Applicant's Arborist observed that there is very little deadwood present in the canopy of the trees, and that removal of deadwood should be carried out on a regular basis to manage the trees with an acceptable level of risk to persons and property.

THE PROVISIONS OF RELEVANT INSTRUMENTS/PLANS/ POLICIES (s79C(1)(a)(i-iv):

Wyong Local Environmental Plan 1991 (WLEP 1991)
DCP 2005, Chapter 14 Tree Management

THE LIKELY IMPACTS OF THE DEVELOPMENT (s79C(1)(b)):

The relationship to the regional and local context and setting

The trees provide significant visual amenity to users of Gordon Avenue and are clearly visible when approaching the subject site. In addition, *Eucalyptus tereticornis* is listed as keystone species in Wyong Shire and is an important winter forage species for Yellow Bellied Glider.

The access, transport and traffic management measures

The Applicant contends that the existence of one of the trees creates an impediment for access to the existing house at No 58 Gordon Avenue. The Applicant claims that the "4 metre easement access" would be restricted by the retention of the tree located adjacent to the access handle.

The Deposited Plan (refer Attachment 3) identifies a 3.5 metre wide access handle to No 58 Gordon Avenue for reasons previously discussed in this report, the retention of the tree adjacent to the access handle will not restrict the effective and efficient use of the access handle for the occupants of residential premises at No 58 Gordon Avenue.

The impact on the public domain (recreation, public open space, pedestrian links)

Nil Impact

The impact on utilities supply.

Nil Impact

The effect on heritage significance.

Nil Impact

Any effect on other land resources.

Nil Impact

Any impact on the conservation of water.

Nil Impact

Any effect on the conservation of soils or acid sulphate soils.

Nil Impact

Any effect on quality of air and microclimate conditions.

The immediate area is quite densely treed. This can affect wind patterns and dust transport by wind. The Applicant's Arborist recommends that all three trees if remained intact on the site, provide an effective buffer/protection for each other against strong winds which may impact on the ridgeline.

Any effect on the flora and fauna.

The removal of dead branches can be achieved by sensitive pruning. The proper management of the trees should result in the remaining trees improving in their current state of health. This species is known to provide essential winter forage for Yellow Bellied Glider.

The provision of waste facilities.

Nil Impact

Whether the development will be energy efficient.

Nil Impact.

Whether the development will cause noise and vibration.

Nil Impact

Any risks from natural hazards (flooding, tidal inundation, bushfire, subsidence, slip etc).

Tree Assessment Methodology

Tree safety management is a matter of limiting the risk of significant harm from tree failure whilst maintaining the benefits conferred by trees. Although it may seem counter intuitive, the condition of trees should not be the first consideration. Instead, tree managers should consider first the usage of the land on which the trees stand, which in turn will inform the process of assessing the trees.

The Quantified Tree Risk Assessment (QTRA) system which is accepted Australia wide applies established and accepted risk management principles to tree safety management. Firstly, the targets (people and property) upon which trees could fail are assessed and quantified, thus enabling tree managers to determine whether or not and to what degree of rigour a survey or inspection of the trees is required. Where necessary, the tree or branch is then considered in terms of both impact potential (size) and probability of failure. Values derived from the assessment of these three components (target, impact potential and probability of failure) are combined to calculate the probability of significant harm occurring.

The system moves the management of tree safety away from labelling trees as either 'safe' or 'unsafe', thereby requiring definitive statements of tree safety from either tree surveyors or tree managers. Instead, QTRA quantifies the risk of significant harm from tree failure in a way that enables tree managers to balance safety with tree value and operate to a predetermined limit of reasonable or acceptable risk.

Council's Arborist has undertaken a detailed QTRA (see attachment 4) of all three trees. It was concluded that all three trees to which the calculations have been applied pose acceptable levels of risk to persons and those properties immediately adjacent to the subject property.

Any risks from technological hazards.

Nil Impact

Whether the development provides safety, security and crime prevention.

Nil Impact

Any social impact in the locality.

Nil Impact

Any economic impact in the locality.

Nil Impact

Any impact of site design and internal design.

Nil Impact

Any impacts of construction activities (construction site management, protection measures).

Nil Impact

Any cumulative impacts.

The recommended management of the trees will ensure in the longer term that the locality is not impacted by loss of the existing treed environment. The cumulative impacts in the locality should these three trees be removed need to be considered in Council's assessment of the development application. For reasons detailed elsewhere in this report, removal is not supported.

THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT (s79C(1)(c)):

Whether the proposal fits in the locality.

Retention of these trees will provide continuity of the local landscape amenity. The trees are usually prominent in the streetscape. As previously discussed, removal of the trees will have a detrimental impact on the existing scenic quality of the locality.

Whether the site attributes are conducive to development.

Nil Impact

ANY SUBMISSION MADE IN ACCORDANCE WITH THIS ACT OR REGULATIONS (s79C(1)(d)):

Any submission from the public.

Not required to be advertised. No submissions received.

Any submission from public authorities

No submissions received

THE PUBLIC INTEREST (s79C(1)(e)):

Any Federal, State and Local Government interests and community interests.

The proposed tree removal will result in a degradation of the existing environment and is considered not to be in the interest of the community.

OTHER MATTERS FOR CONSIDERATION

No other matters for consideration

CONCLUSION

The proposed removal of three trees is considered to be prohibited development pursuant to the Residential 2(a) landuse title under Clause 10 of WLEP. The proposal is considered to be inconsistent with the provisions of Clause 28 of WLEP and accordingly, Council should not grant consent on that basis.

Removal of the three trees as sought by the Applicant in the manner of the Development Application is not supported.

PICTURES



Figure 1 – Location of the three trees at the front of the property

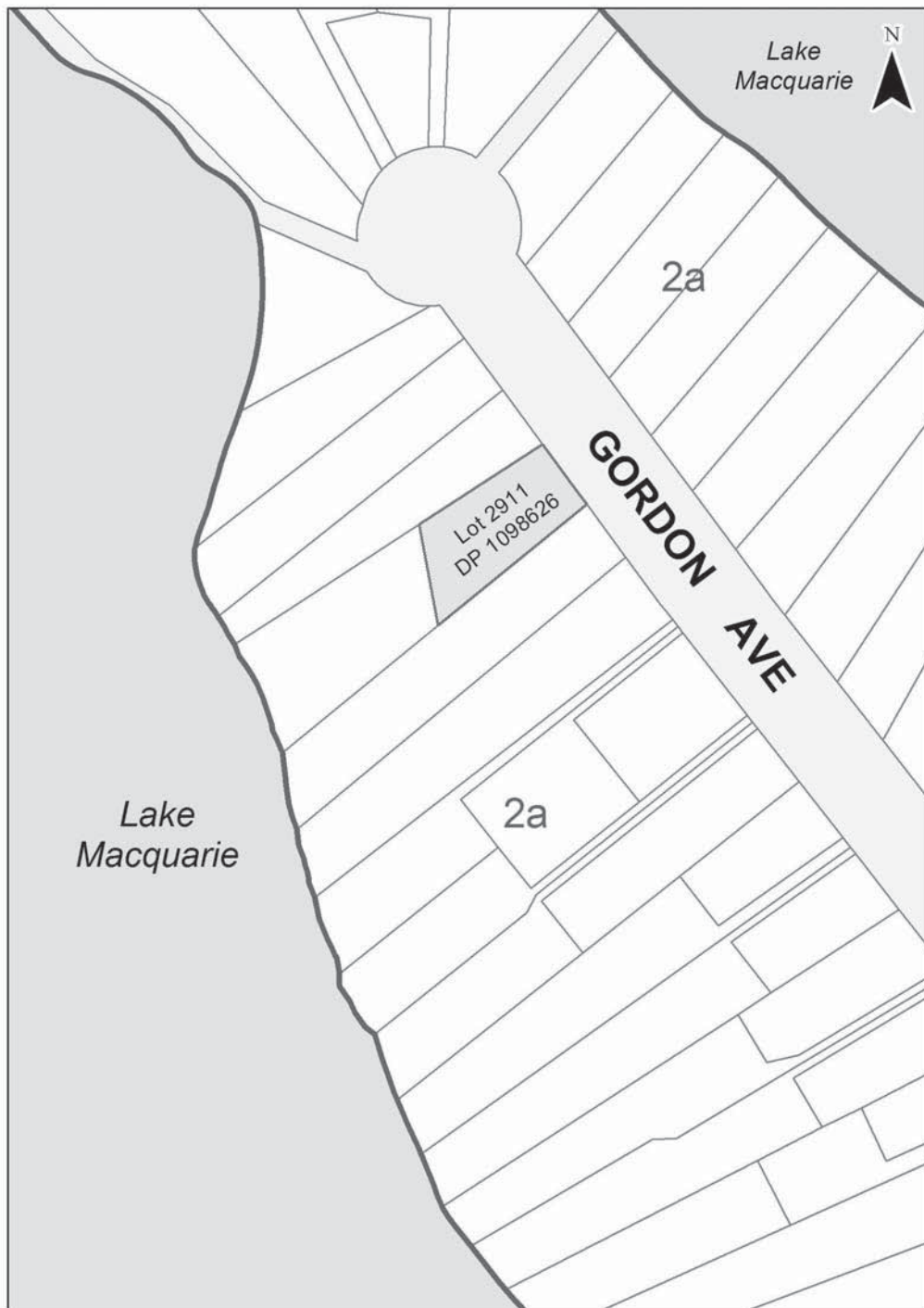


Figure 2 – Location of Tree 3 that is closest to the neighbours' properties carport.



Figure 3 – Location of Tree 1 closest to the strip driveway at the front of the property.

Locality Plan

**ATTACHMENTS**

1	Draft Reasons for Refusal		D02611190
2	Arborist Report and Site Plan	Enclosure	D02589807
3	Copy of the Deposited Plan		D02602078
4	Tree Risk Assessment		D02613803

Date: 16 May 2011
Responsible Officer: Ian Hills
Location: 58 Gordon Avenue, SUMMERLAND POINT NSW 2259
Lot 2912 DP 1098626,
Owner: Mr R A Fisk and Mrs N C Delandre
Applicant: Mr R A Fisk and Mrs N C Delandre
Date Of Application: 31 March 2011
Application No: TA/126/2011
Proposed Development: Remove three trees
Land Area: 995.40

DRAFT REASONS FOR REFUSAL

- 1 Pursuant to the provisions of Section 79C 1(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed removal of the *Eucalyptus tereticornis* is prohibited under the 2(a) Residential Land Use Table pursuant to Clause 10 of Wyong LEP 1991.
- 2 Pursuant to the provisions of Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed removal of three *Eucalyptus tereticornis* is contrary to the provisions of Wyong Local Environmental Plan 1991 Clause 28 (4)(a), in that the removal of the trees is not considered to be ancillary or necessary to undertake a use permitted on the land.
- 3 Pursuant to the provisions of Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979, removal of the trees is contrary to the provisions of Wyong Local Environmental Plan 1991 Clause 28 (4)(b), in that the trees are of high value in relation to scenic and environmental amenity in the locality.
- 4 Pursuant to the provisions of Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979 the removal of the trees is contrary to the provisions of Development Control Plan 2005 – Chapter 14 Tree Management, in that the trees have been identified as a keystone species within the local context and setting and the removal of the trees will be detrimental to the natural and built environment in the locality.
- 5 Pursuant to the provisions of Section 79C (1)(a)(iii) of the Environmental Planning and Assessment Act 1979 removal of the trees is contrary to the provisions of Development Control Plan 2005 – Chapter 14 Tree Management, in that the application fails to meet the aims and objectives of the DCP in providing a framework for the protection of trees and native vegetation in Wyong.
- 6 Pursuant to the provisions of Section 79C 1(e) of the Environmental Planning and Assessment Act 1979, the removal of the trees is not in the public interest as the proposal is contrary to the environmental characteristics of the Summerland Point area and would set an undesirable precedent for other properties to remove trees unnecessarily on vacant land.
- 7 Pursuant to the provisions of Section 79C 1(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 and Development Control Plan 2005 – Chapter 14 Tree Management, Section 2.5, the Applicant has failed to demonstrate appropriate justification for removal of the trees in the documentation submitted with the application.

Quantified Tree Risk Assessment of Three Forest Red Gum at 58 Gordon Ave Summerland Point

1. INTRODUCTION

For a tree-failure hazard to exist, two criteria must be fulfilled. There must be potential for failure of the tree, and potential for injury or damage to result. The tree owner or manager needs to consider the likelihood of a combination of tree failure, people and property resulting in harm, and the likely severity of the harm.

The system enables tree assessors to allocate numerical estimates of risk, which can be compared with a generally accepted level of risk.

2. ACCEPTABLE RISK

We are constantly exposed to and accept risks of varying degrees. For example, if we desire the convenience of electric lighting, we must accept that, having implemented control measures such as insulation, there remains a low risk of electrocution; this is an everyday risk taken and accepted by millions of people.

Having considered The British Medical Association Guide "Living With Risk" (1987) and with particular reference to the conclusion "few people would commit their own resources to reduce an annual risk of death that was already as low as 1/10,000", Helliwell (1990) suggests that 1/10,000 might be a suitable figure to start with as the limit of acceptable risk from tree failure. Furthermore, "For members of the public who have a risk imposed on them 'in the wider interest' HSE (Health and Safety Executive) would set this limit at 1/10,000 per annum" (Health and Safety Executive 1996). A tree owner or manager may adopt the 1/10,000 limit of acceptable risk or choose to operate to a higher or lower level.

[Ref. QTRA Risk Assessment Practice note – QTRA Limited 16 Pickwick Rd, Poynton, Cheshire , UK].

Calculating Risk of Harm

By multiplying the value of the target, the size of the tree part most likely to fail, and the likelihood that such a failure will occur in the coming 12 months QTRA arrives at a probable risk of harm for each tree.

Calculations are made using the calibrated wheel developed by QTRA founder Mike Ellison, to combine the relevant factors arriving at a numerical value representing the risk of harm factor which is then multiplied by 1000 to arrive at the final probability of harm.

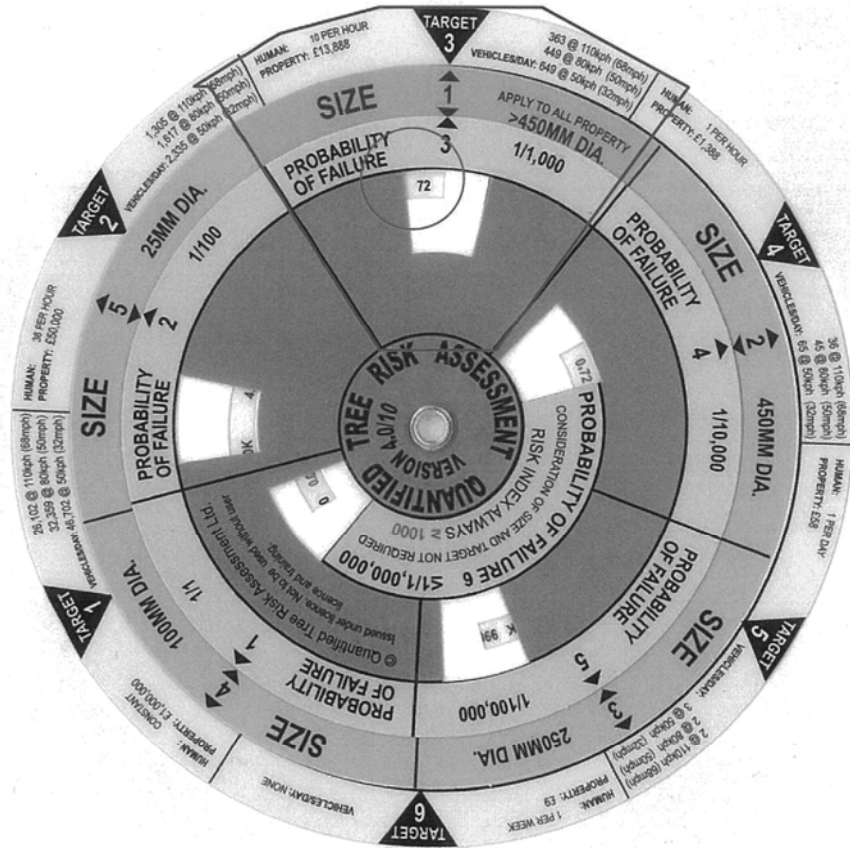


Figure 1 Calculation of Risk of Harm Trees 1 and 3

Calculation factors for trees 1 and 3 are the same

- Value - \$30 000
- Size of part - > 450mm diameter
- Probability - 1/1000

When multiplied these factors give a calculated risk of Harm of 1:72 000 which is clearly above the 1:10 000 threshold deemed to be acceptable

Calculation factors for tree 2 are reduced due to the lower target rating

- Occupation rate - 1 person per hour average
- Size of part - up to 450mm diameter
- Probability - 1/1000

When multiplied these factors give a calculated risk of Harm of 1:1 500 000 which is clearly above the 1:10 000 threshold deemed to be acceptable

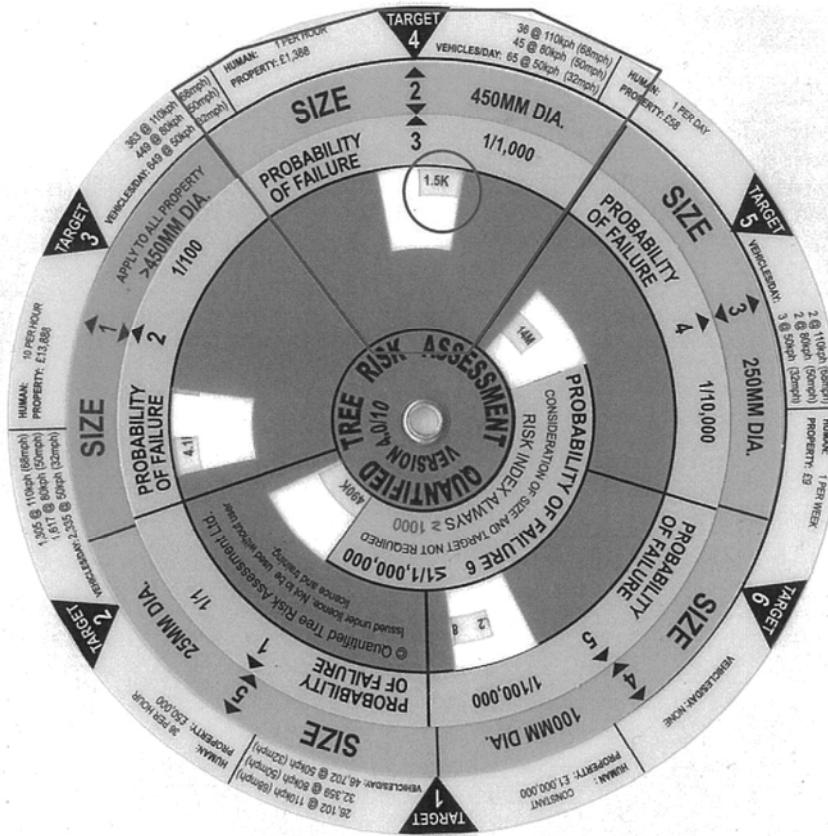


Figure Calculation of Risk of Harm for Tree 2

Conclusion

All three trees to which the calculation have been applied pose acceptable levels of risk to persons and those properties immediately adjacent to the subject property.

3.2 Coastline Management Plan

TRIM REFERENCE: F2009/01385 - D02601128

AUTHOR/ MANAGER: Greg White; Manager Environment and Natural Resources

SUMMARY

The Draft Wyong Shire Coastal Zone Management Plan has been prepared in accordance with the NSW Government's Coastal Zone Management Plan Guidelines, the Coastal Protection Act (1979), the NSW Coastal Policy (1997) and the NSW Coastal Zone Manual (1990). The Plan presents a strategic approach for creating and maintaining a safe and sustainable coast. The Plan provides Council with a range of strategies and actions to be implemented over the next ten years and is based upon an analysis of hazards, such as coastal erosion and landslip and a coastal study covering an examination of the coastal assets, community values and coastal issues. The Plan and its strategies and actions now require consideration by the community, by way of a formal exhibition process.

RECOMMENDATION

- 1** *That Council endorse the Wyong Shire Coastal Zone Management Plan for public exhibition.*
- 2** *That Council endorse the public exhibition to extend from 6 June to 26 August 2011.*
- 3** *That Council decline the option to authorise an appropriate Council officer under the Coastal Protection Act (1979) as amended to certify and regulate emergency protection works at certain locations and beaches.*

BACKGROUND

The Draft Wyong Shire Coastal Zone Management Plan (CZMP or the Plan) has been prepared in accordance with the NSW Government's Coastal Zone Management Plan Guidelines, the Coastal Protection Act (1979), the NSW Coastal Policy (1997) and the NSW Coastal Zone Manual (1990).

The aim of the Plan is to manage risks associated with coastal process hazards, such as coastal erosion and landslip, so that risks do not escalate. The Plan should also provide certainty about coastal change so that residents and visitors will be able to enjoy safe access to an attractive coastal landscape, now and over the 2050 and 2100 planning periods which the NSW Government requires Council to consider.

The Plan has been funded on a 50-50 basis by the State Government through its Coasts and Estuaries Program.

The Plan incorporates integrated information from four major coastal planning phases set out in the NSW Coastline Management Manual and the recently released NSW Guidelines for preparing Coastal Zone Management Plan (2010). By drawing together each of the phases identified in the manuals, the Plan provides clear guidance on Council's strategies, objectives and actions for the coast, how the actions will be implemented and the information and decision making process that underlie Council's priorities.

The Plan incorporates:

- *Coastline/Coastal Zone Management Plan:* This plan is a clear statement of Council's intended outcomes for the coastal zone and how it proposes to achieve those outcomes. The plan sets out the strategies and the priority actions and includes Council's implementation strategy, addressing responsibility for and coordination of activities, funding arrangements, monitoring, evaluation and review of progress, adaptive learning and future updating of the Plan.

The Plan is supported by:

- *Data compilation study:* This section of the Plan incorporates a review of all available information about the physical character, use and existing management framework of the coastline and provides a baseline for determining future actions and management. This includes information such as the Department of Planning's 2007 LiDAR or aerial laser mapping for the Shire's coastline. This data was used to undertake analysis of terrain characteristics and accurate mapping of the areas likely to be affected by coastal and landslip hazards.
- *Hazard definition study:* Two detailed technical studies were undertaken to identify those parts of the coast that are affected by coastal erosion, inundation and geotechnical or landslip hazards. The studies were undertaken to provide hazard lines to delineate the immediate, 2050 and 2100 hazard zones. The effects of climate variability and climate change are critical to these studies. The analyses used the NSW Government's policy statement on sea level rise and recognised the potential for significant changes to coastal processes and an increase in the hazards over the next 40-100 years.
- *Coastline Management Study:* The management study combined the best available science and technical studies with information about policy and the planning context. The community provided additional information on issues and values of coastal assets and what they wanted for the future through a series of community workshops.

The Documents

The Plan is divided into three documents. These include:

- The Plan: incorporating all aspects of the Draft Management Plan and associated studies.
- The Appendices: incorporating 6 appendices to support the development of strategies and actions within the Plan. The two hazard studies are presented here and information has been brought forward and presented within the Plan as required.

- The Snapshot of the Draft Plan (see attachment 1): This document summarises all the information in the Plan so that it can be more easily understood during the consultation period rather than reading the full Plan.

Why This Plan Is Important

The Plan is a key tool with which Council will manage risks associated with coastal hazards. Coastal erosion and recession are key hazards, but parts of the Wyong coastline are also affected by coastal inundation and by slope instability on cliffs and bluffs.

The Plan details how a coherent program of strategies and actions, implemented in a coordinated manner, can reduce coastal hazard risks, enhance the resilience of coastal ecological communities and maintain important community social, cultural and landscape values associated with the coast.

The Plan indicates that the changes to coastal processes that are occurring now mean that a 'business as usual' strategy is not appropriate. The Plan sets out how Council will manage change and uncertainty about future coastal hazards and risks. Council will work with its growing community to develop flexible and adaptable solutions as new information emerges, whilst maintaining an overall risk reduction objective.

The Plan sets out strategic actions to be implemented over the next ten years. Once these actions are in place, they will continue to guide coastal use to enhance community benefits and reduce risks, for planning periods of 40 years and longer. Council will continue to monitor and evaluate progress in implementing the Plan, including performance review and outcome review, so that actions can be adjusted as necessary to get the best results for the community and the coastal environment. This ongoing review process means that changes to State government policies and regulations such as might occur with a change of government, can be taken into account.

Coastal Zone Planning Context

Wherever possible Council will align its policies and plans with the strategic coastal zone management frameworks established by the NSW and Australian Governments.

Maintaining and improving the condition of coastal and marine ecological communities is a target of the NSW State Plan. Improving the capacity of coastal residents and management authorities to understand and accommodate the interactions of natural systems in the coastal landscape with development and other coastal uses is also a target of the NSW State Plan.

In 2009 and 2010, the NSW Government released a suite of policies, directions and guidelines to provide direction for effective management of coastal process hazards and risks. These include:

- NSW Sea Level Rise Policy Statement (DECCW 2009), which sets sea level rise benchmarks for planning purposes of 40cm above 1990 level by 2050 and 90cm above 1990 levels by 2100.
- Coastal Planning Guideline – Adapting to Sea Level Rise (Department of Planning 2009)
- Amendments to the NSW Coastal Protection Act 2010

3.2 Coastline Management Plan (contd)

- Coastal Risk Management Guide – Incorporating sea level rise benchmarks in coastal risk assessments (DECCW 2010)
- Minister’s Requirements under the Coastal Protection Act 1979 (DECCW 2010)
- Guidelines for Preparing Coastal Zone Management Plans (DECCW 2010)

All of this updated legislation, policy and guidance focuses on managing risks associated with coastal process hazards both now and into the future. It provides clear direction to Councils that they must properly consider coastal process hazards in their local land use planning, natural resource management planning and community development planning.

As a local government area with three coastal erosion ‘hotspots’ and two ‘Authorised Locations’ for coastal protection emergency works, Wyong Shire Council has been directed by the NSW Government to prepare a coastal zone management plan and emergency action sub-plans that show how it will manage coastal hazards and risks for the immediate, 2050 and 2100 planning horizons. These planning horizons are set in the NSW Sea Level Rise Policy Statement (2009). The *Local Government Act* 1994 also requires that councils address climate change and have regard to the principles of ecologically sustainable development.

When the Plan is complete and following consultation with the community, Council must submit it to the Minister for the Environment for certification. The Minister may take advice from the NSW Coastal Panel (a panel of coastal experts appointed under the *Coastal Protection Act* 1979, as amended 2010) before certifying the document. Council will regularly review and update the Plan to ensure it takes into account the best available knowledge about coastal processes, climate change science and community values.

In addition to the new statutory and policy requirements, Council must give effect to the NSW Coastal Policy (1997) and align with the targets of the NSW State Plan and Hunter Central Rivers Catchment Management Authority Catchment Action Plan in its planning and on ground works.

Coastal Protection Act (1979) Amendments – Authorised Officer

One of the provisions of the recent amendments to the Coastal Protection Act (1979) relates to the potential for Council to have an authorised officer under the Act to certify and regulate emergency coastal protection works (e.g. sand bags) in certain locations on beaches (for Wyong Shire this equates to Hargreaves Beach, Entrance North and Cabbage Tree Harbour). Under the provisions of the Act Councils can choose not to have any authorised officer and in this case any applications for emergency works from the community will be considered by the Office of Environment and Heritage (formally DECCW).

Other Central Coast Councils have chosen not to have an authorised officer at this stage due to the costs, resourcing requirements and liability concerns associated with authorising such works. The relevant business units within WSC have a strong collaborative relationship with the Office of Environment and Heritage and would therefore anticipate being consulted regarding the decisions of the Office’s authorised officers in relation to emergency works within Wyong Shire. On this basis it is recommended that Council not have an authorised officer at this point in time.

Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee

Over the last 10 years as the Plan has been developed through various stages, the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee has had an integral role. As a requirement of the State Government, the committee, as a committee of Council, is composed of State agency, community and Council representatives including up to four Councillors. The Committee has reviewed the various stages of the Plan and has provided a discussion forum for many coastal issues and as such both agency and community expertise and knowledge has been utilised in developing of the Plan.

At its meeting of the 5 May 2011, the Committee resolved the following motion.

“That the Committee support the submission of the Coastal Zone Management Plan to Council to be placed on exhibition for three months.”

The three month period for exhibition is required so that staff can visit the various community groups and enable an appropriate level of community engagement on this complex matter and to provide sufficient time for the community to comment on the Plan. This is reflected in the recommendation above.

THE PROPOSAL

The Plan’s Strategic Approach

The plan incorporates a coastal strategy which has three main components. These include dealing with the known serious risks, engaging the community and improving our understanding and knowledge of the coast. These strategies are embedded within an adaptive management framework that guide implementation and further development of the Plan over time.

Managing Coastal Risks

In the longer term, WSC’s strategy will be that of a planned retreat where affected assets, infrastructure and development are moved out of the coastal hazard zones whilst allowing some interim protection of public and private assets to give residents and business time to develop more adaptive long term measures. This will also reduce the risk of sterilizing coastal land unnecessarily before hazards are realized. A strategy of increased protection is not considered financially or environmentally sustainable for Wyong Shire at this time.

Improve Our Knowledge

Increasing our knowledge and understanding of coastal hazards and how to adapt to a changing environment are essential for a more sustainable future. WSC will gather and utilise new information as it becomes available whilst keeping the community informed.

Engaging with the Community

WSC will inform and engage with residents and business about the coastal zone management issues affecting their property and enjoyment of the coast, so that they can make more informed decisions about their property and assets and can actively participate in coastal management, for example, by way of volunteering.

Adaptive Management

WSC will apply an adaptive management framework in implementing the Coastal Zone Management Plan. As new information becomes available from research, government guidelines or policies, Council will use this information to guide future actions.

Draft Proposed Actions

Very high or urgent priority actions – 2 year timeframe

These actions either address urgent, high risk issues or are essential starting steps for future adaptive management.

Adaptive management framework and knowledge management

Strategy: Establish systems for adaptive management

- WSC will maintain a coastal zone management coordinator position, to facilitate streamlined implementation of key strategies.
- WSC will establish an asset register for community assets in the coastal zone, which will eventually include maintenance schedules, monitoring and relocation/redevelopment planning etc.
- WSC will continue the operation of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee as an ongoing community forum for coastal zone issues.
- WSC will implement a community awareness and education program about coastal hazards, climate change risks and their management, including actions for coastal emergencies.
- WSC will set up a schedule of annual progress reviews and a full program review after no more than 5 years.
- WSC will ensure that relevant officers are appropriately trained in coastal hazard management – from strategic to emergency response activities and timeframes.
- WSC will continue to attend and make presentations at coastal management forums and to liaise with DECCW and L&PMA to ensure up to date and consistent management approaches.

Land Use Planning – preparing for planned retreat and accommodation of coastal change**Strategy: Use precautionary planning tools to reduce coastal hazard risks**

- Council will use the planning system to reduce the exposure of coastal development to coastal processes over time and to control the increase of risk associated with coastal processes.
- No new development will be approved seaward of the immediate coastal erosion hazard line or seaward of the immediate geotechnical hazard line.
- WSC will place notation on the s149 certificate, for all properties within immediate, 2050 and 2100 coastal risk areas (coastal erosion) and also all properties seaward of the 2100 low risk line for geotechnical hazards. Council will also inform all affected ratepayers via information supplied with rate notices.
- WSC will introduce planning clauses in LEP and DCP (concurrently and consistently) with requirements for appropriate geotechnical assessments of proposed development within the zone bounded by the immediate hazard line and 2100 low geotechnical hazard line.
- WSC will introduce planning clauses in the LEP and DCP to introduce timed consents for new development in the 2050 coastal risk area. Before the expiry date of the timed consent, the landholder must apply and obtain an extension of time, or relocate the structure landward on the block (where this is possible) or remove the development.
- WSC may require proponents of new development in the 2050 coastal erosion hazard area and the 2100 coastal erosion hazard area to appropriately design residential buildings to address the hazard, including for example development which can be relocated landward as the coastal erosion scarp recedes.
- WSC will not approve new major infrastructure (such as main roads and sewerage systems) in the 2050 or 2100 coastal risk areas, except where it can be protected in a cost effective manner that does not increase risks to other coastal values.
- WSC will not approve new subdivisions, vulnerable development (including nursing homes and hospitals) or other development that intensifies land use in the 2050 or 2100 coastal risk areas
- Floor levels for new development in immediate inundation hazard areas must consider the 1 per cent AEP storm wave runup for each beach.
- WSC will plan for the relocation of surf clubs out of coastal erosion hazard areas when major upgrades of facilities are due, plus identify surf club services/facilities that must be in the immediate hazard zone.
- Development landward of the 2100 coastal risk area and 2100 geotechnical low hazard line is not constrained by coastal process issues and there are no specific coastal hazard management requirements.

Structural protection of coastal assets

Strategy: Allow interim protection of assets (in accordance with legislation and guidelines) that are affected by hazards now, so that landholders can prepare for longer term change

- WSC will construct a toe drainage structure at Cabbage Tree Harbour that both improves groundwater drainage and protects the toe of the slope against erosion. This structure will be partly funded by DECCW.
- WSC will review the structural integrity of The Entrance sea wall and schedule structural upgrades as necessary to balance risk and cost.
- WSC will approve emergency beach protection works at North Entrance and Hargraves Beach in accordance with the 2010 amendments to the *Coastal Protection Act 1979* and related Guidelines, and in accordance with the Emergency Management Plan for those beaches.
- For properties where existing structures are inside the immediate coastal erosion risk area, land holders may apply to construct interim protection (for up to 10 years), pending further evidence about sea level rise driven recession on the Wyong coastline. Such works must be designed to withstand at least a 1 in 20 recurrence interval storm. Structures must be removed after 10 years, unless an extension of the consent is granted. Landholders who build these structures may be liable for a levy to be paid to WSC for ongoing maintenance of beach amenity.
- WSC will consider applications for the construction of permanent rock sea walls to protect existing houses which are located in the **immediate hazard zone** only if:
 - all affected properties along a section of beach are involved/included;
 - the wall is built entirely on private property;
 - the wall will have minimal impact/risk in terms of erosion at the ends;
 - the landholders agree to contribute to the ongoing cost of beach nourishment to maintain beach amenity for the agreed life of the rock wall;
 - landholders are responsible for ongoing maintenance of the structure, as per standards specified by DECCW and Council;
 - public safety and access are not compromised.

WSC has identified some locations in the immediate hazard zone where it will not approve the construction of a permanent sea wall, because of unacceptable risks to community access to the beach and to the stability of adjoining areas.

- At this time Council will not consider the construction of rock sea walls to protect residential property in the 2050 or 2100 coastal risk areas. Council will manage new development in these hazard zones using planning controls.
- WSC will prepare detailed designs and environmental documentation for providing interim (up to 10 years) protection for existing surf clubs and major access infrastructure at surf clubs which are at immediate risk.

Beach nourishment, dune enhancement and vegetation management

Strategy: Strengthen the ecological resilience of the coast

- WSC will conduct a benchmark biodiversity condition assessment for coastal ecological communities, in partnership with HCRCMA and local Dunecare groups.
- WSC will continue to dredge sand from the active tidal delta at The Entrance and place the sand on North Entrance Beach. Some sand may also be placed at South Entrance to maintain beach amenity.
- WSC will commission further studies of sediment dynamics in The Entrance channel, with sea level rise. These studies will help determine whether additional sand could be dredged from The Entrance for beach nourishment purposes. Sand used for emergency beach nourishment or to fill geotextile bags must comply with relevant Ministerial Guidelines.
- WSC will continue to support Landcare groups to maintain and enhance the condition of vegetation communities on coastal dunes, including weed removal and replanting.
- WSC will continue to work with the Office of Environment and Heritage and the HCR CMA to protect nesting and roosting habitat for protected shore birds such as little tern (e.g. from disturbance by pedestrians, dogs and vehicles, possibly from short term wave overtopping).

Recreational enhancement

Strategy: Facilitate visitor-attracting recreational access infrastructure

- WSC will continue to develop plans for a coastal walking track, which can be promoted as a recreational attraction for the coastline.
- WSC will begin to prepare and/or review detailed Plans of Management for foreshore reserve areas, including those at surf clubs, to maximise recreational opportunities and safety.
- WSC will review the design and integrity of structures such as stairways and lookouts, which are within immediate geotechnical hazard zones and relocate or modify as necessary.

Consolidating Change: High priority actions for the 5 year timeframe

These actions consolidate and enhance the outcomes proposed in the first two years of implementing the WSCZMP.

Funding and resources**Strategy: Diversity funding sources for coastal zone management**

- WSC will continue to maintain a coastal zone coordinator position
- WSC will consider introducing a Shire wide levy to provide funds for managing climate change impacts on community assets along the coast, such as sewerage systems, roads and public beach access ways.

Adaptive management and knowledge enhancement**Strategy: Collect quality data to evaluate progress**

- WSC will work with Hunter Councils and the NSW government to acquire new high resolution LiDAR data at regular intervals. LiDAR data, combined with aerial photogrammetry and satellite imagery provides a rapid process for evaluating changes to coastal terrain and terrestrial coastal ecology as sea level rises
- WSC will continue to work with the Office of Environment and Heritage to provide the most up to date methodology for assessing coastal erosion and recession hazards, including the interaction between coastal recession and processes operating in the entrance of the Tuggerah Lakes system.
- WSC will review progress in implementing the CZMP at intervals of approximately 5 years. This performance review will be linked wherever possible to assessments of coastal condition (natural, cultural, social and economic values/assets), so that the effectiveness of investment can be evaluated. These condition reviews may be undertaken by management partners such as the Office of Environment and Heritage or HCR CMA.
- WSC will report the outcomes of its management decisions and investment in coastal management to its community on a regular basis.

Land use planning and land management**Strategy: Implement and monitor LEP and DCP requirements in the coastal zone**

- WSC will continue to make planning decisions in accordance with the principles set out in the NSW coastal planning guidelines (DoP), so that new development is located and/or designed in a manner which minimises risk from coastal recession.

Beach nourishment and managing coastal ecological communities**Strategy: Strengthen the ecological resilience of the coastal zone**

- WSC will continue to protect the value of important coastal ecological communities (and protected species), in consultation with HCR CMA, the Office of Environment and Heritage and DPI (formally L&PMA).

3.2 Coastline Management Plan (contd)

- WSC will continue to support dune care, dune height management and dune volume protection works, particularly for relatively natural sections of the coastline, but also as part of the risk reduction strategy for existing residential areas.

Cultural landscapes

Strategy: Enhance collaboration with local Aboriginal knowledge holders

- WSC will work with Darkinjung Local Aboriginal Land Council and other Aboriginal community groups to document stories of Aboriginal attachment to the Wyong coastline and identify information that could be used in interpretative signage/booklets etc for the broader community, to raise awareness of the significance of the coastal landscape for Aboriginal people.
- WSC will work with the Darkinjung Local Aboriginal Land Council to monitor the condition of known Aboriginal sites in land under its care and to take proper action to protect the cultural values of those sites.

Coordinated emergency management

Strategy: Integrate management of coastal process and flood hazards in the coastal zone

- WSC will work with the Office of Environment and Heritage and SES to enhance communication about coastal emergencies, particularly where coastal emergencies are concurrent with flooding emergencies and decision need to be made quickly about egress from affected locations.

Recreation enhancement

Strategy: Facilitate visitor-attracting recreational access infrastructure

- WSC will work with NSW Maritime and commercial and recreational boating users to determine the best strategy for ocean boating access in Wyong Shire, including upgrades of existing facilities as necessary.
- WSC will conduct regular surveys (at approximately 3 year intervals) of beach users to ascertain satisfaction with beach facilities and amenity.

Checking and reviewing progress: Medium priority actions for the 10 year timeframe

These actions continue long term projects and evaluate and review the implementation of the plan, to identify opportunities for improved management.

Adaptive management and knowledge enhancement**Strategy: Review assumptions, progress and strategic approaches**

- WSC will continue the review, evaluation and reporting activities described for shorter time frames, so that all stakeholders continue to have access to good information with which to assess and manage risks.
- WSC will review its assessment of coastal erosion and recession hazards, as new information from IPCC and the Australian and State governments becomes available. Hazard lines and planning lines will be reviewed in the light of new information.
- WSC will review its LEP and DCP requirements for coastal hazard areas, based on best available evidence of actual coastal recession and the costs and benefits of planning controls.
- WSC will consider options for government acquisition of private land affected by coastal hazards. Council will work with NSW and Australian Governments to develop an appropriate strategy for high risk locations where planned retreat is adopted. Government acquisition of private land in coastal risk areas is not currently supported by any of these levels of government.

Beach nourishment, dune management and coastal ecological communities**Strategy: Evaluate the cost/benefit of alternative sand sources to buffer dune communities against climate change**

- WSC will review beach nourishment procedures and the availability of suitable sand for beach nourishment at key locations.
- WSC will work with NSW government to study the feasibility of off shore sand being used for beach nourishment purposes for maintaining beach area, volume and amenity at key locations – not for use in the immediate term, but in the context of likely increasing need after 2020. For instance a large volume of sand would be needed to enhance the dune buffer to prevent overtopping/breakthrough at Budgewoi. Offshore sand supplies are a high cost sand source and Council's decisions will be affected by decisions made for very high profile beaches in the Sydney metropolitan area and the evolution of NSW government policy over the next 5 to 10 years.

Recreation enhancement**Strategy: Facilitate visitor-attracting recreational access infrastructure**

- WSC will complete a coastal walking and cycling pathway, connecting coastal settlements and linking with the lake shore pathway.
- WSC will continue to invest in relocation of surf club facilities, in accordance with a schedule based on erosion hazard and significance of the facility to safe beach use in the Shire.

OPTIONS

WSC has an obligation to manage coastal risks and to plan appropriately for the coastal zone. These risks to development and our coastal environment are accentuated by the potential impacts of climate change, notably sea level rise.

In accordance with Section 733 of the Local Government Act 1993 – *Exemption from Liability- flood liable land and land in the coastal zone*, Council must ensure that information provided to the public and relied on by staff is consistent with the Guidelines for Developing Coastal Zone Management Plans and other relevant State Government Policies and Legislation. The information presented in the Plan is the best information available to Council on the current and future risks of coastal hazards and the management actions to address them.

The alternative by not developing the Plan is the “do nothing” approach. This would require a “business as usual” approach which has been determined as inappropriate under the current and future coastal environmental conditions. The assessment of development and continued management of the coastal zone would be based on outdated information and would potentially increase the risks to current and future development. As such Council would be in contravention of Section 733 of the Local Government Act.

STRATEGIC LINKS

Annual Plan

<i>Principal Activity</i>	<i>Strategy or Program</i>	<i>Financial Line Item No and Description</i>
A More Sustainable Community	Nil Impact	Nil Impact
A More Sustainable Economy	Nil Impact	Nil Impact
A More Sustainable Environment	Completion of the Coastline (Coastal Zone) Management Plan	D316
Infrastructure	Nil Impact	Nil Impact
Organisation	Nil Impact	Nil Impact

**Contribution of Proposal to the Principal Activity
Link to Shire Strategic Vision**

Priority Objective	How the proposal contributes or links to the Priority Objectives in Shire Strategic Vision and Annual Plan
<p>Communities - Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood.</p>	<p>1.5 Develop and implement the Wyong Shire Settlement Strategy</p> <p>Comment</p> <p>The adopted coastal hazard information will be used to inform the development of the Wyong Local Environmental Plan 2011 and the Development Control Plan 2011.</p>
<p>Travel - There will be ease of travel within the Shire, and to other regional centres and cities. Travel will be available at all hours and will be safe, clean and affordable.</p>	<p>Nil impact</p>
<p>Facilities and Services - Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.</p>	<p>The Plan should provide a more sustainable approach to the development and continuation of facilities and services along the coast.</p>
<p>Education - The community will be well educated, innovative and creative. People will attain full knowledge potential at all stages of life.</p>	<p>4.4- Establish and maintain a committed network of education, community, business and government representatives.</p> <p>Comment:</p> <p>Awareness of coastal hazards and fostering the perception that our coastline is changing over time is very important. The Plan will provide clear and concise information to the community regarding the risks, the hazards and the changing nature of our coast.</p>
<p>Employment - There will be a strong and sustainable business sector and increased local employment built on the Central Coast's business strengths.</p>	<p>Nil impact</p>

Priority Objective	How the proposal contributes or links to the Priority Objectives in Shire Strategic Vision and Annual Plan
Telecommunications - Information communication technology will be consistent with world's best practice and adaptive to technological advances across all sectors.	Nil impact
Natural Areas - Areas of natural value in public and private ownership will be enhanced and retained to a high level in the context of ongoing development.	7.4 Development and implement strategies to reduce the Shire's footprint. Comment Implementation of the management actions will ensure a more sustainable approach to ensuring our coastlines for community use.
Environmental Programs - There will be a sense of community ownership of the natural environment through direct public involvement with environmental programs.	Local coastal communities will be engaged to support actions to improve both community and ecological resilience to the current and future impacts of coastal erosion and recession.

Financial Implications

Implementation of the Plan will require significant and recurrent funds over the initial 10 year period. The following table provides cost estimates on a yearly basis for the first five years and for the 6-10 year period.

Estimates for Implementing the Plan

	Year 1	Year 2	Year 3	Year 4	Year 5	Years 6-10
Total	\$325 000	\$475 000	\$475 000	\$555 000	\$565 000	\$2 205 000
Estimates requiring additional funding	\$215 000	\$375 000	\$375 000	\$455 000	\$465 000	\$1 705 000

The total is an estimate to cover all work necessary to implement the actions in the Plan with the exception of staff costs. However, many actions can be implemented using existing staff and resources that are already involved in coastal programs subject to a change in priorities or will only be implemented should grant funds become available. Similarly, some of the actions rely on the involvement of the community or other levels of government. Therefore, the estimates in the table indicate only the additional funding required over and above that which can be found in existing programs.

Funds have been allocated in the 2011-12 Annual Plan and the Financial Model for the Four Year Delivery Plan now on exhibition to cover the estimated additional costs for the first four years of the Plan's implementation. Consideration by Council for allocation of funds beyond the Four Year Delivery Plan will be addressed when the Plan is submitted for adoption.

Principles of Sustainability

A properly considered Coastal Zone Management Plan will enable the ongoing use and management of the coastline in a more sustainable manner and will be one of the first of such plans within the State (Sustainability Principle 6).

The options developed and ranked within the Plan have been considered within a sustainability context thereby considering the economic, social, environmental and governance aspects within a decision making framework (Sustainability Principles 1 and 3).

By examining the potential impacts of climate change the document supports planning for the future but also considers the current risks to development and our coastal environment (Sustainability Principle 2).

The Plan also recognises the need to build partnerships, communicate information and engage the community which it considers to be integral in implementing the various actions (Sustainability Principle 5).

The Plan has been developed consistent with the governance requirements of the State Government and that of Council. The implementation strategy has also been developed within the constraints of Council's ability to finance and resource (Sustainability Principle 4).

CONSULTATION

The Plan has been developed in accordance with the NSW Government's Coastal Zone Management Plan Guidelines, and the Office of Environment and Heritage Coasts and Estuaries Program. As such, there has been on-going consultation with the community via the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee. This committee has representatives from elected Councillors, relevant technical staff, community representatives and officers from relevant Government agencies such as the Office of Environment and Heritage, the Hunter Central Rivers Catchment Management Authority, NSW Maritime and the State Emergency Services as well as representatives of relevant industry bodies.

In addition, during the preparation of the Plan, a number of coastal specific community workshops were held to inform the plan. Two community workshops were held over the past year to determine issues and values of the coastal zone and to assess options for management. Results of these workshops and other consultation measures appear in the Plan.

Council staff have also visited relevant Precinct Committee and Ratepayer Associations along the coast to discuss the development of the Plan.

As part of the public exhibition of the Plan, Council staff will revisit all of the relevant Precinct Committees and Progress Associations to present the Plan to the community and discuss the implications for coastal residents and visitors from within the Shire.

A significant degree of consultation also occurred between Council staff and included the General Manager, the Directors and relevant Unit Managers, to examine the implications for resources, budgets and priorities and to set the Plan's implementation within the Annual Plan and the Four Year Delivery Plan.

GOVERNANCE

The Plan when adopted will ensure the replacement and updating of DCP 2005 Chapter 77 Coastal Hazards. This current document is outdated and does not contain appropriate information for the planning and management associated with coastal hazards. The Plan contains the strategies, actions and information necessary to develop a replacement to Chapter 77 that will cover the whole coastline now and into the future.

The information contained within the Plan will also inform the LEP review to ensure that land is appropriately zoned to minimise risks in coastal hazard areas and contain provisions to ensure that development in these areas is compatible with the risks. The LEP will be both concurrent and consistent with the DCP.

The following legislation and guidelines have been referred to in preparing the Plan:

The NSW Local Government Act (1993);

Coastal Protection Act (1979);

Amendments to the NSW Coastal Protection Act 2010;

Ministers Requirements under the Coastal Protection Act 1979 (DECCW 2010);

The NSW Coastal Policy (1997);

Guidelines for Preparing Coastal Zone Management Plans (DECCW 1010);

The NSW Coastal Zone Manual (1990);

NSW Sea Level Rise Policy Statement (DECCW 2009);

Coastal Planning Guideline – Adapting to Sea Level Rise (Department of Planning 2010);

Coastal Risk Management Guide – Incorporating sea level rise benchmarks in coastal risk assessments (DECCW 2010);

CORPORATE RISKS

The current and potential impacts of climate change have been identified as a high risk for WSC. The risk is centred around not so much that climate change will occur but that the adaptation measures to address the impacts of climate change are not effectively addressed at a corporate level leading to an uncoordinated and ineffective response. There would be significant costs and disruptions to services and to the community. The Plan provides a coordinated and effective response to ensure that the corporate risks are addressed.

A further corporate risk has arisen recently with the new State Government indicating that there may be changes to the recent coastal reforms or amendments to the relevant coastal legislation. At this stage, however, there is currently no direction to alter policy so all the recent coastal reforms, the amendments to the Coastal Protection Act and regulations, coastal policy and guidelines form the status quo.

The State Government's intentions may become clearer in the future but any directions for government staff to prepare and promulgate new or altered policy or guidelines or changes to legislation will take considerable time, extending to years in some instances.

The Plan has been developed to be consistent with the current legislative and policy requirements of the State Government and specific directions from the Minister that the Plan should be completed by the end of 2011 and the Emergency Sub-plans by July 2011. Any delay in the exhibition and adoption of the Plan, whilst awaiting further coastal reforms, would increase the risk of Council not meeting the current legislative and policy requirements and the Ministerial directions. Additionally, given that some changes may take years it would not be in the best interests of the community to delay adoption and roll out of the plan for too long. The Plan's actions are proposed to roll out over the next ten years with priority actions being undertaken within the next two years. Two important actions include informing the LEP and DCP which are on a tight schedule.

The Plan also has an adaptive management strategy built in to cater for changes in Govt policy and legislation over time. Any changes in Govt policy, legislation, guidelines or regulations will need to be acted upon in a timely fashion when they are announced but such changes also have commencement dates and usually time for Council to make the appropriate changes. The adaptive management strategy incorporated within the Plan will accommodate this issue.

CONCLUSION

Wyong Shire Council is responsible for developing a Coastal Zone Management Plan. In accordance with Council's planning responsibilities under the EP&A Act, Council must plan for development and manage the coastal zone in accordance with the hazards both now and into the future.

The Plan has been prepared in accordance with the NSW Coastal Zone Manual (1990) as well as the most recent version of the NSW Guidelines for Preparing Coastal Zone Management Plans (2010) and the Office of Environment and Heritage's Coasts and Estuaries Program, and other relevant State Government legislation and policies. The State Government have contributed financially to the development of the Plan on 50-50 basis.

The Plan incorporates a set of strategies and eight action plans designed to manage the risks associated with coastal hazards in a sustainable manner. The estimated costs to Council for implementation of the proposed actions have been incorporated with the Strategic Plan for 2011-12 and the Four Year Delivery Plan.

Effective community consultation is required as part of the process of adopting the Plan and gaining certification by the Minister. The intention of the public exhibition of the Plan is to consider the opinions of the local community on the proposed strategies and actions of the Draft Plan.

ATTACHMENTS

- 1 Snapshot of the Wyong Shire Draft Coastal Zone Management Plan - Enclosure
D02615153 - to be distributed under separate cover)

4.1 Contract CPA/158359 New Ourimbah Rural Fire Station - Lots 6 and 19 DP 224433, Ourimbah Creek Road Ourimbah

TRIM REFERENCE: CPA/158359 - D02494647

AUTHOR: Tim Burch; Project Manager

MANAGER: Mike Long; Contract and Project Management

SUMMARY

This report discusses the recent construction of the new Ourimbah Rural Fire Station and makes recommendations to address the shortfall in the project budget.

RECOMMENDATION

- 1 That Council receive the report on Contract CPA/158359 New Ourimbah Rural Fire Station - Lots 6 and 19 DP 224433, Ourimbah Creek Road Ourimbah.**
- 2 That Council make available \$200,000.00 (excl. GST) from the Brigade Station line of the budget and \$20,000.00 (excl. GST) from the reimbursement received from the (volunteer and state wide support) State Government Rural Bushfire Fire Fighting Fund to cover completion of this project.**

BACKGROUND

The Rural Fires Act 1997 requires Council to provide adequate facilities to enable the Rural Fire Service (RFS) to carry out its role within the Wyong Shire Rural Fire District. These facilities must be provided to a standard as approved by the Rural Fire Service Commissioner.

In recent years Council received numerous requests from the RFS, local parliamentary members and the community to upgrade the facilities for the RFS at Ourimbah. The existing facility at Yates Road, Ourimbah had become too small to house the fire fighting equipment necessary to service its fire district. The relatively small size of the property also meant that it was not possible to extend the existing premises. The provision of adequate facilities required relocation to a larger parcel of land and construction of a new building.

A report addressing these issues was considered at the Ordinary Meeting of 14 May 2008. At that meeting Council resolved to make available land contained within Lots 6 and 19 DP 22433 Ourimbah Creek Road for the construction and operation of a new Ourimbah Rural Fire Station.

At the Ordinary Meeting of Council held on 9 December 2009, a tender for construction of the new station building was awarded to GWH Construction Pty Ltd. Preliminary earthworks and civil works including provision of drainage, landscaping and construction of a car park were proposed to be undertaken by Council's day labour resources.

Construction of the new Station commenced in late 2009. Construction of the building was undertaken between January and July 2010. Completion of the station, including finalisation of the carpark with a layer of asphaltic concrete (AC), was programmed for the end of August 2010. Prolonged wet weather towards the end of the project seriously affected the completion of the carpark. The identification of a funding shortfall at the time also required deferral of completion of the carpark. The carpark has since been used with a gravel bitumen seal that has been adequate for the opening and operation of the Station. While this is suitable as an interim arrangement, AC sheeting of the carpark will provide a superior longer term solution.

The RFS was granted an interim Occupation Certificate (OC) for the new Ourimbah Rural First Station on 22 December 2010, allowing the RFS to occupy and operate the station indefinitely. An Interim OC, as opposed to a Final OC, was issued given the sealing of the car park with AC had not been completed in accordance with the stamped plans.

Completion of outstanding minor works such as the installation of emergency lighting and roof litter guards have been undertaken at minimal cost.

This report reviews over expenditure that has occurred on this project and proposes how this might be addressed.

CURRENT EXPENDITURE & BUDGET

All figures in this report are exclusive of GST.

The new Ourimbah Rural Fire Station was proposed to be funded by the RFS through annual grant funding. The original budget reported to Council at the Ordinary Meeting of 14 May 2008 was \$476,000.00. This consisted of \$246,000.00 for civil works (including earthworks, carpark construction, drainage etc) and \$230,000.00 for construction of the building.

Subsequent reports to Council at the Ordinary Meetings of 8 July 2009 and 9 December 2009 reported revised project budgets of \$660,000.00 and \$745,000.00 respectively. The revised estimates at the time were generally attributable to improvements to the standard of the building and site development required to meet new RFS requirements, and compliance with the Development Consent. These standards included: provision of additional parking; AC finish for access and trafficable areas; kerb and gutter and drainage of the site; adequate room in the building for staff training; air conditioning; amenities; kitchen; three vehicle storage etc. Following tendering the cost for construction of the building was revised upwards to \$378,000.00.

As at 14 April 2011 the current expenditure for the project was \$846,000.00. An approximate breakdown of the current expenditure against the \$745,000.00 budget approved at the Ordinary Meeting on 9 December 2009, is shown in Table 1. It is further noted that RFS funding received to date for the project is \$751,000.00

Table 1 Current Budget vs. Expenditure (14 April 2011)

Item	Budget Approved (9 December 2009)	Current Expenditure (14 April 2011)	Variance
Civil Earthworks	\$297,000.00	\$353,000.00	+\$56,000.00
Building Construction	\$400,000.00	\$391,000.00	-\$9,000.00
Project Management	\$20,000.00	\$78,000.00	+\$58,000.00
Electrical Connection	\$15,000.00	\$11,000.00	-\$4,000.00
Fencing & Guardrail	\$13,000.00	\$13,000.00	Nil
Total	\$745,000.00	\$846,000.00	+\$101,000.00

As seen in Table 1, the largest cost overruns on the project relate to Civil Earthworks and Project Management.

The majority of cost overruns on the project for Civil Earthworks related to issues beyond Council's control. These included:

- The selected site location and building position involved additional excavation in rock, and subsequently more filling on site (to utilise won material) than other site options
- Delays and costs incurred due to wet weather e.g. additional pavement testing issues
- Design changes, including additional pavement added to the design in lieu of landscaping
- Additional mobilisation costs (2 vs. 1) due to staging issues that arose with the building contractor
- Additional subsoil drainage provided to suit actual site conditions not included in design
- Additional concrete slabs adjacent to the retaining wall required due to site conditions, and had not been included in the original design.

Additional Project Management costs were attributable to insufficient allocation of funds in original budget and resource issues. Typical costs for project management range between 8-12%. The original budget optimistically forecast these costs at \$20,000 (2.7%). Increased project management costs were incurred to manage scope changes found to be necessary as the project progressed.

The RFS was regularly updated on expenditure incurred throughout the project. Grant funding was subsequently increased from \$495,000 in the RFS 2009/2010 budget to \$751,000 in the 2010/2011 budget to cover revised costs forecast on the project. In May 2010, however, forecast costs to complete the station were incorrectly reported to the RFS. Reported costs did not include \$140,000 in committed costs already charged to the project from the previous financial year. Consequently the RFS were led to believe the project was tracking on budget when it was not. Had the missing costs been identified, cost overruns on the project would have been identified earlier and corrective actions to reduce scope or seek additional funds could have been made.

FORECAST COSTS TO COMPLETE PROJECT

Costs to complete the project are estimated to be \$125,000.00. This work will include: repair of possible damaged pavement arising from early occupation; removal of temporary access works installed to achieve Interim OC; construction of AC pavement; reinstatement of linemarking and wheel stops; and completion of landscaping works.

The estimated total project cost against the current available funds is as follows:

The total project cost - \$971,000.00
Current (RFS) funding provided - \$751,000.00

The total shortfall in funding to cover completion of the Fire Station in accordance with the original approved plans is therefore \$220,000.

REQUEST TO REGIONAL RFS TO PROVIDE ADDITIONAL FUNDING

A number of discussions and meetings were held with the RFS at the end of 2010 to discuss budget issues. At a meeting held 6 December 2010 the RFS was informed there was no funding available to finalise the car park with a final layer of AC in accordance with the approved plans, and consequently Council would need to defer these works to a future date subject to funding by the RFS or Council. The vehicle entry and car park was completed nonetheless with a sprayed bitumen seal considered adequate to allow the station to open and operate as an interim solution.

The RFS confirmed they had no further grant funding available to commit to the project but an application for more grant funding could be lodged for the 2011/2012 budget.

PROPOSED FUNDING OPTIONS

There are two issues arising from the budget shortfalls discussed above that require resolution. They are:

- 1 Allocation of funds to meet budget shortfall between current expenditure and available grant funding (i.e. \$846,000.00 - \$751,000.00 = approx \$95,000.00); and
- 2 Consideration of future allocation of funds to complete the carpark in accordance with approved plans (approximately \$125,000.00).

In the budget submission approved by Council at the Ordinary Meeting of 11 May 2011, \$200,000.00 of the Brigade Station line of the budget was proposed to address the deficit on this project. Note, since forecasts to complete the project were made in December 2010, the price of asphalt has increased, and the estimate to complete works has since been increased to \$220,000.00 to accommodate for the potential repair of a larger area of damaged pavement arising from early occupation. This is in response to recent visual inspection of the pavement that identified damage to the pavement already. It is recommended that the \$200,000.00 be made available to cover a portion of the over expenditure on the project to date and the completion of the carpark.

It is further noted that Council has received a \$108,419.00 reimbursement from the (volunteer and state wide support) State Government Rural Bushfire Fire Fighting Fund for the 2009/2010 budget. It is also recommended that Council approve allocation of \$20,000.00

of these funds to cover the additional \$20,000.00 deficit for the over expenditure on the project to date and the completion of the carpark.

CONCLUSION

The Rural Fires Act 1997 requires Council to provide adequate facilities to enable the Rural Fire Service (RFS) to carry out its role within the Wyong Shire Rural Fire District. These facilities must be provided to a standard as approved by the Rural Fire Service Commissioner.

The new Ourimbah Fire Station constructed in 2009/2010 is a significant improvement in facilities to the old Ourimbah Fire Station in Yates Road and is adequate in its current form for the RFS to operate and provide its services. A number of issues arose during the course of this project that increased costs. Many of these were outside Council's control. The project has not yet fully met RFS requirements and further funds are required to complete the project.

To address the existing over expenditure on the project and provide sufficient funding to complete the carpark to the standard shown on the approved plans, it is recommended funding proposed in the Brigade Station line of the approved April budget submission and a portion of reimbursement from the (volunteer and state wide support) State Government Rural Bushfire Fire Fighting Fund be allocated to this project.

ATTACHMENTS

Nil.

5.1 2010-11 Annual Plan - March Quarter Review

TRIM REFERENCE: F2004/07006 - D02526808
AUTHOR: Mellissa McKee; Corporate Planning Executive
MANAGER: Cate Trivers; Manager Financial Services

SUMMARY

This paper reports on Wyong Shire Council's progress performance as measured against the organisation's Annual Plan for 2010-2011. The report covers the period for the nine months ending 31 March 2011 (Q3).

RECOMMENDATION

- 1** *That Council receive the third Quarterly Review report on progress against the WSC 2010-11 Annual Plan.*
- 2** *That Council note that Council's Responsible Accounting Officer has declared the financial position of Wyong Shire Council to be satisfactory.*
- 3** *That Council approve budget variations as contained in the detailed report enclosure.*

BACKGROUND

Council is required to prepare and adopt a Review of its Annual Plan progress each quarter in accordance with s.203 of Local Government (General) Regulations 2005.

CURRENT STATUS

The March quarter management and budget report is included as an enclosure.

Services are proceeding as normal and in line with planned levels and quality.

Financial Implications

Variations requiring Council's approval are outlined in the enclosed report.

Principles of Sustainability

N/A

CONSULTATION

All departments were consulted and involved in the preparation of this report.

GOVERNANCE

Quarterly reporting of Council's financial and operating performance is mandatory.

CONCLUSION

All requirements of the relevant legislation governing management reporting have been met.

The advice from the Responsible Accounting Officer that Council's financial position is "satisfactory" – not withstanding that further management actions/decisions will be required to maintain that position.

ATTACHMENTS

- | | | |
|----------|--|-----------|
| 1 | Business Report Q3 - March 2011 (Distributed Under Separate Cover) | Enclosure |
| 2 | Annual Plan March 2011 Quarter Review (D02599718 - Distributed Under Separate Cover) | Enclosure |

5.2 Contract Variations and Finalisation - April 2011

TRIM REFERENCE: D02599322
AUTHOR: John McCarthy; Supply Coordinator
MANAGER: Mike Long; Manager Contracts and Project Management

SUMMARY

This paper reports on variations, proposed variations or finalisations to contracts with a value greater than \$150,000.00 (excl GST).

The report covers contract variations processed in April 2011.

RECOMMENDATION

- 1 That Council receive the *Contract Variations and Finalisation April report (Attachment 1)*.
- 2 That Council approve additional expenditure above resolved estimates for the following contracts:

Contract Title	Contract No	Adjusted Contract Value (excl GST)	Additional Budget Approval
Provision of Cleaning Services	178719	\$190,160.00 per annum	\$6,770.00 per annum
Sewer Main Rehabilitation Various Locations in Wyong Shire	173205	\$953,000.00	\$33,000.00
Asphaltic Concrete Works	147662	\$6,255,213.00	\$1,000,000.00

- 3 That Council note the additional expenditure requested has been funded through both current and future years rolling work programs.

BACKGROUND

Contracts entered into by Council are awarded either by Council resolution or under delegated authority. The Local Government Act 1993 section 55 requires that contracts of an estimated value greater than \$150,000.00 (excl GST) must be publicly tendered and approved by Council resolution.

Contracts of an estimated value less than \$150,000.00 (excl GST) are awarded under delegations made by Council to the General Manager or his/her delegate.

Contracts routinely require variations during the course of the contract due to unforeseeable circumstances, changes in design or changes in service demand on the finished product.

All contracts commonly include a contingency sum to cover unforeseen changes. It is generally expressed as a percentage of the contract value, being typically 10% of the contract value, but may vary between 5% and 30% or more depending upon the nature of the contract, or may be expressed as a specific dollar value.

The need to vary contracts (explained above) arises out of differences in estimating strategies where two extremes denote a range of risk that offers Council a choice of budget/estimate methodology.

Council estimates on the basis of known costs of assessment, design and construction. This approach allows budgets to maximise the number of works undertaken in an annual program, at the optimal risk level of programs being materially curtailed as unforeseen needs arise.

Budgets for projects are established within the Annual Plan. When tenders are called, specific approvals are sought from Council in accordance with section 55 of the Act. It is not uncommon for additional approvals to be sought within the approved project budget as unforeseen changes (from the tender approval) occur in the works.

THE PROPOSAL

The report for April 2011 includes a requirement to seek Council's formal approval for additional funding on 3 contracts to ensure compliance with section 55 of the Local Government Act 1993.

Approval for additional expenditure is required for contracts CPA/178719 - Provision of Cleaning Services, CPA/173219 - Sewer Main Rehabilitation Various Locations in Wyong Shire and CPA/147662 – Asphaltic Concrete Works. Details of all variations processed plus reasons for additional funding requests are provided in Attachment 1.

A further contract variation was processed for \$90K in respect to contract CPA/170950 – Coastline Management Plan. However, there are sufficient funds within the overall project budget and that of Environment and Planning Services budget to meet these costs given that the costs are covered on a 50-50 basis with the NSW Office of Environment and Heritage (formally DECCW).

Summary for April period.

Variations processed in April 2011	4
Contracts requiring increase to the contract budget estimate	3
Contract where current funds are sufficient to complete	1
Contracts finalised in April 2011	0

OPTIONS

The variations reported in Attachment 1 were required to ensure the reported contracts could be progressed in a timely and effective manner to deliver best value for Council and ensure compliance with the contract conditions.

Council's approval of these variations is the recommended option to ensure sufficient approved funds are available for contract payments to be made and to ensure Council's compliance with section 55 of the Local Government Act 1993.

STRATEGIC LINKS

Strategic links for the various contracts were identified in the initial assessment and approval reports for each contract.

FINANCIAL IMPLICATIONS

Increased expenditure is identified in the recommendation with the source of funds detailed in Attachment 1.

PRINCIPLES OF SUSTAINABILITY

This proposal applies good governance improving Council processes by being consistent and demonstrating a sound basis for the variation of contract estimates to ensure better outcomes for the community via appropriate allocation of resources.

CONSULTATION

Consultation has occurred with all Contract Officers responsible for the management of contracts reported in Attachment 1.

GOVERNANCE

These contract variations are reported to Council to ensure compliance with Section 55 of the Local Government Act and Part 7 - Tendering of the Local Government (General) Regulation 2005.

CORPORATE RISKS

This report contributes to the mitigation of the following risks identified in Council's Risk Register:

Identified Risk	Rating	Actions to Mitigate
Budget Control Inadequate budget control that creates significant funding shortfalls leading to an inability to provide priority services. (shorter-term consequence)	Moderate	Monthly reporting of variations.
Legislative Requirements Council non-compliance with legislative requirements leading to penalties, civil claims and/or contractual disputes.	Low	- Monthly reporting of variations. - Local Government Act requirements in relation to Tenders.

CONCLUSION

Variations detailed in this report are driven by "normal" contract issues.

The reported contracts are generally within planned expenditure in terms of coverage, quantity and quality albeit in this instance the originally calculated budgets were understated.

ATTACHMENTS

1 Contract Variations - April 2011 D02600841

Attachment 1 Contract Variations for April 2011

Provision of Cleaning Services

Contract Number	Date of Council Approval	Contractor	(a) Approved Contract Value \$	(b) = (a) + Contingency Total Approved Budget \$	(c) Value of Variations Previously Reported \$	(d) Value of Variations For Reporting Period \$	(e) = (c) + (d) Total Value Of Variations \$	(f) = (a) + (e) Actual Contract Value \$	Source Of Funds	Expenditure to Date \$	
CPA/178719	8 Sep 2010	Academy Services Pty Ltd	183,390.00 (Per annum)	183,390.00 (Per annum)	Nil	6,770.00	6,770.00	190,160.00 (Per annum)	Multiple cost centres	90,912.55	
Individual Variations for Reporting Period											
Description						Value \$	Description				Value \$
Variation 1 Additional site added to the contract to service Watanobbi Community Centre. This ensured continuity of service providers across multiple Council sites. Rates were competitive relative to non contracted quotes obtained from other cleaning companies.						6,770.00					

This contract is a schedule of rates period contract expiring in September 2011. Two optional one year extensions may be granted by Council based on satisfactory performance.

With the information currently available, the revised contract budget as approved by Council is considered sufficient.

Management of Toukley Aquatic Centre, Wyong Olympic Pool, The Entrance Ocean Baths and/or Lake Haven Recreation Centre

Contract Number	Date of Council Approval	Contractor	(a) Approved Contract Value \$	(b) = (a) + Contingency Total Approved Budget \$	(c) Value of Variations Previously Reported \$	(d) Value of Variations For Reporting Period \$	(e) = (c) + (d) Total Value Of Variations \$	(f) = (a) + (e) Actual Contract Value \$	Source Of Funds	Expenditure to Date \$
158914	27-05-2009	YMCA of Sydney	1,389,000.00	1,530,000.00	111,930.58	13,257.45	125,188.03	1,514,188.03	Management Plan lines 1.7.13 and 1.7.14 Pools & Recreation Centre	711,931.70
Individual Variations for Reporting Period										
Description						Value \$	Description		Value \$	
Variation 6 Repairs to several items of gymnasium equipment have been made at the Lake Haven Recreational Centre Contract conditions require Council to repair all broken gymnasium equipment that is owned by Council through the term of the contract. Maintaining minimum down time for all gymnasium equipment is vital for the Lake Haven recreational centre to remain competitive in this specialist market.						10,533.50	Variation 7 Consultant Service - A number of items in the Lake Haven Recreational centre gym are being replaced with new upgraded equipment. A valuation assessment of this Gym equipment was prepared by a professional valuer. The independent valuation assessment provides Council with a realistic value of the equipment prior to being placed for sale in a public auction.		510.00	
Variation 8 Break down repairs were required on the air conditioning system at Lake Haven Recreational Centre. A faulty electric motor was replaced. The replacement motor is an essential component of the air conditioning system at the Lake Haven Recreational Centre.						2,213.95				

The contract is in its second year of operation of a three year contract. With the information currently available, the contract budget as approved by Council is considered sufficient. At this time, no further increase to the contract budget is therefore sought.

Sewer Main Rehabilitation - Various Locations in Wyong Shire

Contract Number	Date of Council Approval	Contractor	(a) Approved Contract Value	(b) = (a) + Contingency Total Approved Budget	(c) Value of Variations Previously Reported	(d) Value of Variations For Reporting Period	(e) = (c) + (d) Total Value Of Variations	(f) = (a) + (e) Actual Contract Value	Source Of Funds	Expenditure to Date
173205	25 Aug 2010	Interflow Pty Limited	835,769.29	84,230.71	Nil	66,490.26	66,490.26	902,259.55	Sewer Fund. Sewer Mains- Area 3. Replacement Works	644,150.08
Individual Variations for Reporting Period										
		Description		Value	Description		Value			
Variation 1				\$			\$			\$
			Investigation and rehabilitation of a section of the sewer main in Hutton Road North Entrance. Sand was getting into the sewer from collapsed sections apparently due to construction activities in relation to other services above the sewer. The repairs included a combination of lining part of the sewer and relaying the rest. These modifications were outside original scope of the contract.	53,891.86	Variation 2	Repairs to 32 metre long 450 sewer mains using relining. This main was identified as requiring repairs by the maintenance staff. The prices in the contract cover up to 300 mm diameter sewer mains. This work was out side the original scope of the contract. The rates provided by the contractor were assessed as competitive and the repair was ordered as a variation for expediency.	12,598.40			

Project is 90% complete.

Although variations processed to date are within pre contract estimates three further variations have been identified requiring urgent repairs to avoid blockages and surcharges of sewage. These locations were outside the original list of service locations identified as requiring rehabilitation works at the time of tendering.

These repairs are required at:

- Replace house service line due to sand accumulation causing blockage at 95, Hutton Road, The Entrance North at an estimated cost of \$10,560.00
- Root infestation and crack pipes at Lake Haven Drive. Works required are to clean, CCTV and reline pipe at an estimated cost of \$30,000.00
- Condition assessment of 750 mm diameter main across The Entrance Road, Long Jetty at an estimated cost of \$10,000.00.

With the above information it is expected that additional amount of \$ 33,000.00 would be required bring the total contract budget to \$953,000.00.

Asphaltic Concrete Works

Contract Number	Date of Council Approval	Contractor	(a) Approved Contract Value \$	(b) = (a) + Contingency Total Approved Budget \$	(c) Value of Variations Previously Reported \$	(d) Value of Variations For Reporting Period \$	(e) = (c) + (d) Total Value Of Variations \$	(f) = (a) + (e) Actual Contract Value \$	Source Of Funds	Expenditure to Date \$	
147662	22 October 2008	Fulton Hogan Industries Pty Ltd	5,255,213.00	0	Nil	1,000,000.00	1,000,000.00	6,255,213.00	RTA/User Charges	5,057,842.03	
Individual Variations for Reporting Period											
Description						Value \$	Description				Value \$
Variation 1	As part of Council's ongoing Rolling Works, Maintenance Programs and RTA Contracted Works it is necessary to complete these Roads projects using Asphaltic Concrete. Wyong Shire Council has just completed \$220,000.00 project for the RTA with a further \$700,000 worth of projects currently in progress. To complete these works the current contract value will require an increase in the limit until the end of the current contract, 31 October, 2011. All works are fully funded by the RTA.					1,000,000.00					

This contract is in its final year and expires on the 31 October 2011.

The contract value requires increase due to unforeseen works required by the RTA for their roads maintenance program. The initial contract value is based on forecasts for Wyong Shire Councils rolling works program. Additional funding is required to cater for RTA funded works not factor into original contract value. This work provides a commercial opportunity for Council to work more closely with other state agencies.

5.3 Determination of Fees and Charges 2011 - 2012

TRIM REFERENCE: F2004/06782 - D02600077
AUTHOR: Michelle Best; Financial Accountant
MANAGER: Greg Ashe; Manager Finance

SUMMARY

This report details the proposed Water Supply, Sewerage and Drainage Fees and Charges for 2011-12.

RECOMMENDATION

- 1 That Council approve the water, sewerage and drainage Service Charges set out in Attachment 1**
- 2 That Council note the amount of revenue to be raised by way of the Service Charges is estimated at \$71,130,000.**
- 3 That Council classify all land for the purpose of levying Services Charges according to the following factors:**
 - a whether the land is residential or non residential;**
 - b where the land is residential, by the intensity of the use of the land; and**
 - c the nature and extent of the water or sewerage services connected to each individual allotment.**
- 4 That Council determine the Service Charges shall be levied in accordance with the Water Management Act 2000.**

BACKGROUND

Council is required to determine the water and sewerage charges no later than one month before the beginning of each charging year in accordance with Section 315 of the Water Management Act 2000,.

Council's water and sewerage charges are also subject to approval by the Minister for Water following determination by the Independent Pricing and Regulatory Tribunal (IPART).

IPART made a four-year determination concerning Council's water and sewage charges on 15 May 2009,.

The 2011-12 proposed fees and charges have been calculated using the base prices and formula specified in the 2009 IPART Final Price Path Determination.

A component of the price calculation formula is the annual increase in the Australian Consumer Price Index (CPI) published by the Australian Bureau of Statistics.

CURRENT STATUS

Service Charges for Water & Sewage contained in the Wyong Shire Council Strategic Plan 2011-15 on exhibition were calculated using an estimated increase in CPI.

The official increase in CPI has now been released, requiring all calculations to be updated for Council’s approval. The variance between “estimated” and “actual” movement in the CPI was 0.06%.

The following table summarises the Fees and Charges for 2011-12 and shows a comparison between proposed Fees and Charges 2011-12 and those levied in 2010-11 for a typical residential ratepayer who consumes 152kL of water per annum.

Comparison Charges 2010-11 - 2011-12 based on a “Typical Residential Ratepayer”

Consumption 152kL per annum

	2010-11 Charges	2011-12 Charges	Increase 2010-11 to 2011-12	% Increase 2010-11 – 2011-12	Draft 2011-12 Management Plan
Council Water Service Charge	\$120.77	\$142.32	\$21.55	17.85%	\$142.10
Climate Change Levy**	\$15.28	\$15.21	-\$0.07	-0.45%	\$15.21
Total Water Service Charge	\$136.05	\$157.53	\$21.48	15.79%	\$157.31
Water Usage (152kL)	\$284.24	\$300.96	\$16.72	5.88%	\$299.44
Sewerage	\$437.39	\$450.31	\$12.92	2.95%	\$449.62
Drainage	\$84.72	\$87.23	\$2.50	2.95%	\$87.09
Total	\$942.40	\$996.03	\$53.62	5.69%	\$991.31

N.B. **Climate Change Fund - The Climate Change Fund was introduced by the NSW Government in 2005, and requires Water Authorities to make an annual contribution. Council’s required contribution is \$950,000 for 2011-12. To recover this contribution, all Water Service Charges incorporate an annual levy of \$15.21 per property, calculated in accordance with the methodology specified by IPART.

CONCLUSION

The estimated revenue to be raised from Water, Drainage and Sewer Service Charges based on the IPART Determination for 2011-12 is \$71,130,000.

IPART determines the methodology and limits of calculating Service Charges for water, sewage and drainage.

Council staff have complied with all requirements pertaining to the setting of new Service Charges. Adoption by Council is required to formalise the revenue source

ATTACHMENTS

- 1 2011/2012 Water and Sewerage fees and Charges D02599973

Proposed Water, Drainage and Sewer Fees and Charges – 2011/12

WATER SUPPLY, SEWERAGE AND DRAINAGE SERVICE CHARGES

Being constituted as a Water Supply Authority under the Water Management Act 2000 all of Council's water, drainage and sewerage charges are subject to approval by the Minister for Water following determination by the Independent Pricing and Regulatory Tribunal (IPART).

Water, drainage and sewerage charges for 2011/1212 are as per IPART's Water – Determination and Final Report - May 2009.

Pension Rebates - Water and Sewerage Service Charges

In accordance with Part 8, Division 5 of the Water Management (Water Supply Authorities) Regulation 2004 Council provides a reduction of 50% of the water service charges levied up to a maximum of \$87.50 and a further reduction of 50% of sewerage service charges levied up to a maximum of \$87.50. Of these reductions 55% is reimbursed by the New South Wales Government.

The estimated total amount of the pension rebate in 2011/12 is \$2,541,000.

2.4 Water Supply Service Charges (In accordance with IPART Determination)

The proposed charges for water supply are as follows:

Water Service Charge – Metered Services

Nominal Pipe/Meter Size (mm)	Total (\$)
20	157.53
25	237.59
40	584.49
50	904.71
80	2,292.33
100	3,573.22
150	8,020.73
200	14,247.25
250	22,252.71

The above charges incorporate the State Government's "Climate Change Fund" contribution of \$15.21 per property (subject to gazetta).

Charges for meters not specified above are calculated using the formula: (Meter Size)² x \$142.32 / 400 + \$15.21.

The total yield in 2011/1212 from this charge is estimated to be \$10,575,000.

Water Usage Charge

All water used is proposed to be charged at the rate of \$1.98 per kilolitre.

The total yield in 2011/1212 from this charge is estimated to be \$24,448,000.

Water Service Charges Strata Title Properties

It is proposed that where water usage to a residential strata titled property is measured through a common meter, each individual strata title lot be levied a service charge of \$157.53 (Inclusive of the Climate Change Levy of \$15.21). Water usage is to be apportioned and charged to the various lots in the strata plan in accordance with the schedule of unit entitlement and charges to the strata title owners at the rate of \$1.98 per kilolitre.

Water Service Charges Retirement Villages

It is proposed that where water usage to a retirement village is measured through a common meter only, the service charge is to be commensurate with the size of the meter. Usage consumed through the common meter is to be charged at the rate of \$1.98 per kilolitre.

Water Service Charges Community Development Lot

It is proposed that where water usage to a community development lot is measured through a common meter only, the service charge is to be commensurate with the size of the meter and this charge is apportioned to the various lots in the community development lot in accordance with the schedule of unit entitlement. Usage consumed through the common meter is to be apportioned and charged to the individual unit owners in accordance with the unit entitlement at the rate of \$1.98 per kilolitre.

Water Service Charges Company Title Dwelling

It is proposed that where water usage to a company title dwelling is measured through a common meter only, each individual company title dwelling be levied a service charge of \$157.53 (Inclusive of the Climate Change Levy of \$15.21). Water usage is to be charged to the owner of the company title building (within the company title dwelling) at the rate of \$1.98 per kilolitre.

Water Service Charges Vacant Land

It is proposed that a water service charge be levied on vacant land which is not connected to the water supply system but is reasonably available for connection to the water supply system at the rate of \$157.53 (Inclusive of the Climate Change Levy of \$15.21).

Nominal Service Size

Where water pressure requires larger sizes of pipes and meters a charge as assessed by Council will apply.

Water Fire Service

There is no charge for a separate Water Fire Service. Where a property has a combined fire and commercial service the property will be charged a Water Service Charge – Metered Service commensurate with the meter size.

Part Year Charges and Fees

For those properties that become chargeable or non-chargeable during the year a proportional charge or fee calculated on a weekly basis is applied.

2.5 Sewerage Service Charges (In accordance with IPART Determination)

Residential Charges

Single Residential Properties Including Residential Strata Properties and Company Title Dwellings

It is proposed to continue the current charging structure based on a service charge for each residential property. The proposed charge is \$450.31 for each single residential property/lot/dwelling. There is no usage charge for this category.

The total yield in 2011/12 from this charge is estimated to be \$25,801,000.

Metered Non-Residential Charges

In the determination of Council's 1995/96 charges, the Independent Pricing and Regulatory Tribunal approved the introduction of a pay for use system of charging for sewerage based upon a service charge and a usage charge.

Non-Residential customers are those that do not meet the classification as a single residential customer. These include non strata titled residential units and Retirement Villages.

In line with this approval it is proposed to continue with this charging structure, as detailed below:

The maximum price for sewerage services to a non-residential property connected to the sewerage system is the greater of:

- The non-residential minimum sewerage charge; or
- The sum of the non-residential sewerage service charge commensurate with meter size and the non-residential sewerage usage charge.

Non-Residential Properties - Service Charge

Meter Size (mm)	Meter Charge (\$)
20	\$162.23 x discharge factor
25	\$253.48 x discharge factor
40	\$648.92 x discharge factor
50	\$1,013.93 x discharge factor
80	\$2,595.66 x discharge factor
100	\$4,055.71 x discharge factor
150	\$9,125.35 x discharge factor
200	\$16,222.85 x discharge factor
250	\$25,347.93 x discharge factor

A discharge factor is applied to the charge based on the volume of water discharged into Council's sewerage system.

Charges for meters not specified above are calculated using the formula: (Meter Size)² x \$162.23 / 400 x discharge factor.

Non-Residential Properties - Usage Charge

The price for sewerage usage charges is proposed to be 81.00 cents per kilolitre.

The usage charge is to be based on the estimated volume of metered water usage discharged into the Council's sewerage system. Metered water usage is to be multiplied by a discharge factor, based on the type of premises to estimate the volume of water discharged.

Non-Residential Properties - Minimum Charge

The proposed minimum amount payable for a non-residential customer is \$450.31

Non-Residential Properties - Community Development Lots

The proposed sewerage service charge for a community development lot is calculated by: the non-residential sewerage usage charge commensurate with meter size apportioned to the various lots in the community development lot in accordance with the schedule of unit entitlement.

Nominal Service Size

Where water pressure requires larger sizes of pipes and meters a charge as assessed by Council will apply.

Sewerage Service Fees – Exempt Properties

For all properties exempt from service charges under Schedule 4 of the Water Management Act 2000 it is proposed that a fee be charged, in accordance with Section 310(2) of the Act, of \$63.57 per annum for each water closet and \$22.51 per annum for each cistern servicing a urinal where installed.

Sewerage Service Charges – Vacant Land

It is proposed that the charge for sewerage services on vacant land which is not connected to the sewerage system but is reasonably available for connection to the sewerage system is \$337.74.

The total yield in 2011/12 from all non-residential sewer charges is estimated to be \$1,738,000 for service charges and \$819,000 for usage charges.

Liquid Trade Waste Charges

A summary of the trade waste policy outlining the property classifications and charges is as follows:

Premises are classified into the following classifications:

Classification A	is for low risk liquid trade waste. Is of low volume and/or strength and has standard non-complex pre-treatment requirements.
Classification B	is for medium risk liquid trade waste (<20kL per day) with prescribed pre-treatment requirements.
Classification C	is for high risk and large liquid trade waste dischargers which are not nominated as a Classification A or B discharger and/or involve a discharge volume of over 20 kL/day.
Classification S	is for acceptance of septic tank waste, pan waste and ship-to shore pump-outs into Council's sewerage system. Private pumping stations are also included in Category S.

Categories for liquid trade waste pricing:

Pricing for Liquid Trade Waste discharges from the above classifications (excluding Classification S) is calculated based on the following three categories.

Category 1 Liquid Trade Waste Dischargers are those conducting an activity deemed by Council as requiring nil or minimal pre-treatment equipment and whose effluent is well defined and or relatively low risk to the sewerage system. The volume discharged to sewer is deemed to be low. Also included are Classification A or B activities with prescribed pre-treatment but low impact on the sewerage system.

Category 2 Liquid Trade Waste Dischargers are those conducting an activity deemed by Council as requiring a prescribed type of liquid trade waste pre-treatment equipment and whose effluent is well characterised. The volume discharged to sewer may be approved up to 20KL/day.

Category 3 Liquid Trade Waste Dischargers are those conducting an activity which is of an industrial nature and/or which results in the discharge of large volumes (generally over 20KL/day) of liquid trade waste to the sewerage system. Any Category 1 or 2 discharger whose volume exceeds 20 kL/day becomes a Category 3 discharger.

Category S Liquid Trade Waste Discharges are those conducting an activity of transporting and/or discharging septic tank waste, pan waste and ship to shore pump-outs into the sewerage system. Private pumping stations are included in Category S, however the septic waste Disposal charge does not apply.

The charging components associated with Category 1, 2, 3 & S are indicated below;

Liquid Trade Waste Discharge Category	Liquid Trade Waste Application Fee	Annual Trade Waste Fee	Re-inspection Fee	Liquid Trade Waste Usage Charge/kL	Excess Mass Charges/kg	Non-compliance Excess Mass Charges	Septic Waste Disposal Charge
1	Yes	Yes	Yes	No	No	No	No
2	Yes	Yes	Yes	Yes	No	No	No
3	Yes	Yes	Yes	No	Yes	Yes	No
S	Yes	Yes	Yes	No	No	No	Yes

Trade Waste Charges

Charge Component	Basis	Proposed Charge \$
Trade Waste Application Fee	<p>The application fee covers the cost of administration and technical services provided in processing an application on a scale related to the category into which the discharger is classified, and reflects the complexity of processing the application. It includes processing change of ownership of the discharger.</p> <p>The application fee for Category 2 dischargers covers the primary treatment device e.g. grease arrester, with an additional fee for each subsequent treatment device.</p> <p>The application fee for Category 3 dischargers includes allowance for two site visits during the construction stage. Additional site visits will incur an extra cost.</p> <p>The Application Fee for Category 5 discharges covers the cost of administration and one inspection of the installation.</p>	<p>Category 1 – 46.81</p> <p>Category 2 – 59.58</p> <p>Category 3 – 913.80</p> <p>Category 5</p> <p>– Residential 49.34</p> <p>- Non-Residential 199.52</p>
Annual Trade Waste Fee	This fee recovers the cost incurred by Council for administration and the scheduled inspections each year to ensure a liquid trade waste discharger's ongoing compliance with the conditions of their approval.	<p>Category 1 – 81.87</p> <p>Category 2 – 327.49</p> <p>Category 3 – 550.12</p> <p>Category 5</p> <p>– Residential 43.88</p> <p>- Non-Residential 89.12</p>
Re-inspection Fee	Where non-compliance with the conditions of an approval has been detected and the discharger is required to address these issues, Council will undertake re-inspections to confirm that remedial action has been satisfactorily implemented. Council will impose a fee for each re-inspection. The re-inspection fee will be based on full cost recovery.	All Categories – \$76.76 per inspection
Trade Waste Usage Charge	The trade waste usage charge is imposed to recover the additional cost of transporting and treating liquid trade waste from Category 2 dischargers. Either one of two charges is applicable.	<p>0.66/kL – Compliant pre-treatment equipment</p> <p>14.06/kL – Non-compliant pre-treatment equipment.</p>
Excess Mass and Non-compliant Excess Mass Charge	Excess mass charges will apply for the substances specified that are discharged in excess of the deemed concentrations in domestic sewage.	<p>0.68 / kg</p> <p>0.87 / kg</p> <p>1.23 / kg</p> <p>0.68 / kg</p> <p>0.38 / kg</p>
Biochemical Oxygen Demand Suspended Solids Total Oil and Grease Ammonia (as Nitrogen) pH	Non-compliant excess mass charges will apply for the substances specified that are discharged in excess of the Trade Waste Approval Limit.	<p>0.17 / kg</p> <p>1.40 / kg</p> <p>0.04 / kg</p> <p>0.13 / kg</p>
Total Kheldhal Nitrogen Total Phosphorus Total Dissolved Solids Sulphate (as SO4)	The nominated charges are applied in accordance with the formulas contained in Council's Liquid Trade Waste Policy.	

In addition to the substances listed above, the following excess mass charges will apply per kilogram of waste discharged in excess of the Liquid Trade Waste Policy Guideline Acceptance Limits. Non-compliant excess mass charges will apply for trade waste discharged in excess of the Liquid Trade Waste Approval Limit. The nominated charges are applied in accordance with the formulas contained in Council's Liquid Trade Waste Policy.

Substance	Proposed Charge \$	Substance	Proposed Charge \$
Aluminium		Manganese	6.91 / kg
Arsenic	0.68 / kg	Mercaptans	69.08 / kg
Barium	34.54 / kg	Mercury	2,302.80 / kg
Boron	0.68 / kg	Methylene Blue Active Substances (MBAS)	0.68 / kg
Bromine	13.81 / kg	Molybdenum	0.68 / kg
Cadmium	319.83 / kg	Nickel	23.02 / kg
Chloride	No Charge	Organoarsenic compounds	690.84 / kg
Chlorinated Hydrocarbons	34.54 / kg	Pesticides general (excludes organochlorines and organophosphates)	690.84 / kg
Chlorinated Phenolics	1,381.68 / kg	Petroleum Hydrocarbons (non-flammable)	2.30 / kg
Chlorine	1.40 / kg	Phenolic compounds (non-chlorinated)	6.91 / kg
Chromium	23.02 / kg	Polynuclear aromatic hydrocarbons (PAH's)	14.06 / kg
Cobalt	14.06 / kg	Selenium	48.61 / kg
Copper	14.06 / kg	Silver	1.27 / kg
Cyanide	69.08 / kg	Sulphide	1.40 / kg
Fluoride	3.44 / kg	Sulphite	1.52 / kg
Formaldehyde	1.40 / kg	Thiosulphate	0.24 / kg
Herbicides/defoliants	690.84 / kg	Tin	6.91 / kg
Iron	1.40 / kg	Uranium	6.91 / kg
Lead	34.54 / kg	Zinc	14.06 / kg
Lithium	6.91 / kg		

Septic Waste Disposal Charges (Category S)

In accordance with the provisions of Section 310(2) of the Water Management Act 2000 and Clause 6 of the Water Management (Water Supply Authorities) Regulation 2004, it is proposed the maximum fees for the period 1 July 2011 to 30 June 2012 be as follows:

Service	Proposed Cost of Service \$
Residential	
Fortnightly effluent removal and disposal service	1,037.36 per annum
Additional effluent removal and disposal service	40.15 per service
Sludge removal and disposal services	
• Septic tanks with a capacity up to 2750 litres	291.01 per service
• Septic tanks exceeding 2750 litres or AWTS with one tank	377.55 per service
• AWTS with more than one tank	563.20 per service
• Sludge disposal only (collection organised by customer)	31.36 per kilolitre
Non-Residential	
Commercial effluent removal and disposal service	13.31 per kilolitre
Sludge removal and disposal services	
• Septic tanks with a capacity up to 2750 litres	291.01 per service
• Septic tanks exceeding 2750 litres or AWTS with one tank	377.55 per service
• AWTS with more than one tank	563.20 per service
• Sludge disposal only (collection organised by customer)	31.36 per kilolitre

The yield from these charges in 2011/1212 is estimated to be \$39,000.

Charge Component	Basis	Proposed Charge \$
Septic and Chemical Toilet Charges	Volume charges will apply for each kilolitre of waste specified, that is discharged to the sewerage system.	15.35 / kL

Chemical Closet Charges (Category S)

In accordance with the provisions of Section 310(2) of the Water Management Act 2000, and Clause 6 of the Water Management (Water Supply Authorities) Regulation 2004, it is proposed the maximum fees for the period 1 July 2011 to 30 June 2012 be as follows:

Type of Service	Proposed Cost of Service
Annual Fortnightly service	\$ 1,495.13
Each requested weekly special service	29.12

It should be noted that Trade Waste Charges apply in addition to Sewer service charges. Where properties discharging Liquid Trade Waste become chargeable or non-chargeable for a part of the financial year a proportional charge calculated on a weekly basis is to apply. The total yield in 2011/12 from liquid trade waste charges is estimated to be \$804,000.

2.6 Drainage Service Charges (In accordance with IPART Determination)

In it's Determination of Council's 2009/10 charges, the Independent Pricing and Regulatory Tribunal approved the introduction of a drainage service charge.

Residential Charges

Single Metered Residential Properties

The proposed charge is \$87.23 for each single residential property/lot/dwelling. There is no usage charge for this category.

The total yield in 2011/12 from this charge is estimated to be \$4,421,000.

Metered Non-Residential Properties

Non-Residential Properties are those that do not meet the definition of Residential Properties or Multi Premises Properties. It is proposed to use the charging structure detailed below for Non-Residential Properties that are serviced by a water meter:

Meter Size (mm)	Meter Charge \$
20	87.23
25	136.30
40	348.90
50	545.16
80	1,395.62
100	2,180.65
150	4,906.47
200	8,722.61

Charges for meters not specified above are calculated using the formula: (Meter Size)² x \$ 87.23 / 400.

The yield from these charges in 2011/1212 is estimated to be \$464,000.

Nominal Service Size

Where water pressure requires larger sizes of pipes and meters a charge as assessed by Council will apply.

Multi Premises Properties

The proposed charge is \$65.42 for each Multi Premises property that is serviced by a common water meter or multiple common water meters.

Multi Premises properties include;

- a) Strata Title lots
- b) Company Title dwellings
- c) Community Development lots
- d) Retirement Village units and
- e) a part of a building lawfully occupied or available for occupation (other than those described in paragraphs a) to d) above.

Multi Premises properties do not include hotels, motels, guest houses or backpackers hostels.

The yield from these charges in 2011/1212 is estimated to be \$702,000.

2.7 Interest on Overdue Rates and Charges

In accordance with Section 566 of the Local Government Act 1993 and Section 356 of the Water Management Act 2000 Council charges interest on all rates and charges which remain unpaid after they become due and payable. Interest will be calculated on a daily basis using the simple interest method.

The due dates for payment of rates and charges are as follows:

- If payment is made in a single instalment, the instalment is payable by 31 August 2011.
- If payment is made by quarterly instalments, the instalments are payable by 31 August 2011, 30 November 2011, 28 February 2012 and 31 May 2012.
- For water usage charges, the account is due 30 days after posting date.

The rate of interest applied to overdue rates and charges levied under the Local Government Act 1993 will be the maximum rate as specified by the Minister for Local Government and published in the Government Gazette. The rate of interest is currently 9.0%.

The rate of interest applied to overdue charges levied under the Water Management Act 2000 will be the rate of interest payable for the time being on an unpaid judgment of the Supreme Court which is currently 9%.

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2010/11	Proposed Fee (Inclusive of GST, where applicable) 2011/12	Comment	Legislation / Regulation
20.01	Conveyance Certificate (Section 360 Water Management Act 2000) Statement of Outstanding Charges - Conveyance Certificate	B	N	\$17.31	\$17.82	Usually charged in combination with Certificate - Section 603 Local Government Act	IPART Determination May 2009
20.02	Property Sewerage Diagram - Up to and Including A4 size Diagram showing the location of the house-service line, building and sewer for the property. Certified	B	N	\$17.31	\$17.82		IPART Determination May 2009
20.03	Uncertified Service Location Diagram Location of Sewer and / or Water mains in relation to a property's boundaries Sewer Service Location Diagram	B	N	\$17.31	\$17.82		IPART Determination May 2009
20.04	Special Meter Reading Statement	B	N	\$53.07	\$54.64	Per IPART determination 2009.	IPART Determination May 2009
20.05	Billing Record Search Statement - Up to and including 5 Years	B	N	\$17.31	\$17.82	Comments as for Item 20.4	IPART Determination May 2009

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2010/11	Proposed Fee (Inclusive of GST, where applicable) 2011/12	Comment	Legislation / Regulation
20.06	Water Reconnection During business hours	B	N	\$35.78	\$36.83	Comments as for Item 20.4	IPART Determination May 2009
	Outside business hours	B	N	\$147.70	\$152.06	Comments as for Item 20.4	IPART Determination May 2009
20.07	Workshop Test of Water Meter Removal and full mechanical test of the meter by an accredited organisation at the customers request to determine the accuracy of the water meter. This involves dismantling and inspection of meter components. Note: If the meter is faulty no charge will be levied.	B	N	\$177.69	\$182.94	Comments as for Item 20.4	IPART Determination May 2009
	20mm	B	N	\$177.69	\$182.94	Comments as for Item 20.4	IPART Determination May 2009
	25mm	B	N	\$177.69	\$182.94	Comments as for Item 20.4	IPART Determination May 2009
	32mm	B	N	\$177.69	\$182.94	Comments as for Item 20.4	IPART Determination May 2009
	40mm	B	N	\$177.69	\$182.94	Comments as for Item 20.4	IPART Determination May 2009
	50mm	B	N	\$177.69	\$182.94	Comments as for Item 20.4	IPART Determination May 2009

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2010/11	Proposed Fee (Inclusive of GST, where applicable) 2011/12	Comment	Legislation / Regulation
	60mm	B	N	\$177.69	\$182.94	Comments as for Item 20.4	IPART Determination May 2009
	80mm	B	N	\$177.69	\$182.94	Comments as for Item 20.4	IPART Determination May 2009
20.08	Application for Disconnection - All Sizes	B	N	\$29.99	\$30.87	This covers the administration fee only. There will be a separate charge payable to the utility if they also perform the physical disconnection, refer Item 20.35. Other comments as for Item 20.4.	IPART Determination May 2009
20.09	Application for Water Service Connection (all sizes)	B	N	\$29.99	\$30.87	This covers the administration fee only. There will be a separate charge payable to the utility if they also perform the physical connection.	IPART Determination May 2009
20.10	Metered Standpipe Hire Security Bond (25mm)	B	N	\$365.80	\$376.60	Comments as for Item 20.4	IPART Determination May 2009
	Security Bond (63mm)	B	N	\$703.89	\$724.67	Comments as for Item 20.4	IPART Determination May 2009
20.11	Metered Standpipe Hire Annual Fee	B	N	As per water service charge based on meter size (pro-rata for part of year on a monthly basis)	As per water service charge based on meter size (pro-rata for part of year on a monthly basis)	Incorporated on the monthly fee as per IPART Determination Comments as for Item 20.4	IPART Determination May 2009
	Quarterly Fee	B	N	As per water service charge based on meter size (pro-rata for part of year on a monthly basis)	As per water service charge based on meter size (pro-rata for part of year on a monthly basis)	Incorporated on the monthly fee as per IPART Determination Comments as for Item 20.4	IPART Determination May 2009

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2010/11	Proposed Fee (Inclusive of GST, where applicable) 2011/12	Comment	Legislation / Regulation
	Monthly Fee	B	N	As per water service charge based on meter size (pro-rata for part of year)	As per water service charge based on meter size (pro-rata for part of year)	Comments as for Item 20.4	IPART Determination May 2009
20.12	Standpipe Water Usage Fee (All Usage)	B	N	As per standard water usage charges per kilolitre	As per standard water usage charges per kilolitre	Comments as for Item 20.4	IPART Determination May 2009
20.13	Backflow Prevention Device Application and Registration Fee	B	N	\$61.16	\$62.96	This fee is for the initial registration of the backflow device.	IPART Determination May 2009
20.14	Major Works Inspection Fee This fee is for the inspection, for the purpose of approval, of water and sewer mains, constructed by others that are longer than 25 metres and/or greater than 2 metres in depth. Water Mains (\$ per metre)	B	N	\$5.31	\$5.47	Comments as for Item 20.4	IPART Determination May 2009
	Gravity Sewer Mains (\$ per metre)	B	N	\$7.08	\$7.29	Comments as for Item 20.4	IPART Determination May 2009
	Rising Sewer Mains (\$ per metre)	B	N	\$5.31	\$5.47	Comments as for Item 20.4	IPART Determination May 2009
20.15	Statement of Available Pressure Flow	B	Y	\$129.24	\$133.05	This fee covers all level whether hydraulic modelling is required or not. Other comments as for Item 20.4.	IPART Determination May 2009

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2010/11	Proposed Fee (Inclusive of GST, where applicable) 2011/12	Comment	Legislation / Regulation
20.16	Plumbing and Drainage Inspection Residential - single dwellings, villas and units Caravans and mobile homes Commercial/Industrial Alterations Additional Inspections	B B B B B	Y Y Y Y Y	\$157.39 \$79.32 \$157.39 plus \$45.69 / wc \$79.32 \$58.39	\$162.04 \$81.66 \$162.04 plus \$47.03 / wc \$81.66 \$60.11	Per unit Other comments as for Item 20.4. Per permit Other comments as for Item 20.4. Per inspection plus \$47.03 / wc. Other comments as for Item 20.4. Per permit Other comments as for Item 20.4. Per inspection Other comments as for Item 20.4 Comments as for Item 20.4 Comments as for Item 20.4	IPART Determination May 2009 IPART Determination May 2009 IPART Determination May 2009 IPART Determination May 2009 IPART Determination May 2009 IPART Determination May 2009
20.17	Billings Record Search - Further Back than 5 Years	B	N	\$17.31 for the first 15 minutes or part thereof then \$11.53 per 15 minutes or part thereof	\$17.82 for the first 15 minutes or part thereof then \$11.87 per 15 minutes or part thereof		
20.18	Relocate Existing Stop Valve or Hydrant Price exclusive of plant hire charges, material costs and traffic control where applicable.	B	N	\$118.27 for the first hour or part thereof then \$29.42 per 15 minutes or part thereof	\$121.76 for the first hour or part thereof then \$30.29 per 15 minutes or part thereof		

FEES & CHARGES								
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2010/11	Proposed Fee (Inclusive of GST, where applicable) 2011/12	Comment	Legislation / Regulation	
20.19	Provision of Water Services Application for water service connection fee is also applicable. Meter only (20mm)	B	N	\$101.54	\$104.54	Comments as for Item 20.4	IPART Determination May 2009	
	Short Service - 20mm	B	N	\$616.19	\$634.38	Comments as for Item 20.4	IPART Determination May 2009	
	Long Service - 20mm	B	N	\$616.19	\$634.38	Comments as for Item 20.4	IPART Determination May 2009	
	Short Service - 25mm	B	N	\$747.74	\$769.82	Comments as for Item 20.4	IPART Determination May 2009	
	Long Service - 25mm	B	N	\$747.74	\$769.82	Comments as for Item 20.4	IPART Determination May 2009	
	Short Service - 40mm	B	N	\$1,405.47	\$1,446.98	Comments as for Item 20.4	IPART Determination May 2009	
	Long Service - 40mm	B	N	\$1,868.19	\$1,923.36	Comments as for Item 20.4	IPART Determination May 2009	
	Short Service - 50mm	B	N	\$2,005.50	\$2,064.73	Comments as for Item 20.4	IPART Determination May 2009	

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2010/11	Proposed Fee (Inclusive of GST, where applicable) 2011/12	Comment	Legislation / Regulation
	Long Service - 50mm	B	N	\$2,472.84	\$2,545.87	Comments as for Item 20.4	IPART Determination May 2009
	Larger Service - provision of live main connection only	B	N	\$118.27 for first hour or part thereof then \$29.42 per 15 minutes or part thereof	\$121.76 for first hour or part thereof then \$30.29 per 15 minutes or part thereof	Comments as for Item 20.4	IPART Determination May 2009
	Price exclusive of plant hire charges, material costs and traffic control where applicable. Relocate Existing Service Short - 20mm	B	N	\$300.01	\$308.87	Comments as for Item 20.4	IPART Determination May 2009
	Long - 20mm	B	N	\$467.34	\$481.14		IPART Determination May 2009
	Larger services - provision of live main connection only	B/E	N	By Quote	By Quote		IPART Determination May 2009
	Price exclusive of plant hire charges, material costs and traffic control where applicable. Alteration from Dual Service to Single Service 20mm service only	B	N	\$358.88	\$369.47	Comments as for Item 20.4	IPART Determination May 2009
20.20							
20.21							

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2010/11	Proposed Fee (Inclusive of GST, where applicable) 2011/12	Comment	Legislation / Regulation
20.22	Sewerage Drainage Arrester Approval	B	N	\$96.93	\$99.79	Comments as for Item 20.4	IPART Determination May 2009
	Annual Inspection	B	N	\$29.42	\$30.29	Comments as for Item 20.4	IPART Determination May 2009
20.23	Sewerage Junction Cut-in (150mm) No excavation, no concrete encasement removal, no sideline, junction within property. Excavation provided by customer.	B	Y	\$291.94	\$300.56	Comments as for Item 20.4	IPART Determination May 2009
20.24	Sewerage Junction Cut-in (150mm) with sideline less than 3m	B	Y	\$305.78	\$314.81	Comments as for Item 20.4	IPART Determination May 2009
20.25	No excavation, no concrete encasement removal, sideline, junction outside the property. Excavation provided by customer. Sewerage Junction Cut-in (225mm)	B	Y	\$683.11	\$703.29	Comments as for Item 20.4	IPART Determination May 2009
20.26	No excavation, no concrete encasement removal, no sideline, junction within property. Excavation provided by customer. Sewerage Junction Cut-in (225mm) with sideline less than 3m – excavation provided by Customer	B	Y	\$721.19	\$742.48	Comments as for Item 20.4	IPART Determination May 2009
	No excavation, no concrete encasement removal, sideline, junction outside property.						

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2010/11	Proposed Fee (Inclusive of GST, where applicable) 2011/12	Comment	Legislation / Regulation
20.27	Sewerage Junction Cut-in Greater than 225mm or where excavation or removal of concrete encasement required by Council Price exclusive of plant hire charges, material costs and traffic control where applicable. Sewer Main Encasement with Concrete Encasement inspection fee when construction is not by Council	B	Y	\$130.09 per hour for first hour or part thereof then \$32.36 per 15 minutes or part thereof	\$133.93 per hour for first hour or part thereof then \$33.32 per 15 minutes or part thereof	Comments as for Item 20.4	IPART Determination May 2009
20.28		B	Y	\$98.65	\$101.57	Comments as for Item 20.4	IPART Determination May 2009
20.29	Construction by Council Sewer Advance Scheme - Administration Charge	B/E B	Y Y	By quote \$257.67	By quote \$265.28	Comments as for Item 20.4	Pricing principles regulated by IPART IPART Determination May 2009
20.30	Raise and Lower Sewer Manholes	B	N	\$98.66	\$101.57	Raise or lower manhole greater than 300mm. Price listed is the manhole adjustment inspection fee. Charge for actual physical adjustment is by quote. Other comments as for Item 20.4	IPART Determination May 2009
20.31	Underground Services Locations - Council assists in on-site physical locations. Customer provides all equipment.	B	Y	\$78.06 per hour for first hour or part thereof then \$19.03 per 15 minutes or part thereof	\$80.36 per hour for first hour or part thereof then \$19.59 per 15 minutes or part thereof	Customer to provide all plant required to expose asset. Other comments as for Item 20.4.	IPART Determination May 2009
20.32	Underground Services Locations - Council undertakes on-site physical locations and provides all equipment.	B	Y	\$130.09 per hour for first hour or part thereof then \$32.36 per 15 minutes or part thereof	\$133.93 per hour for first hour or part thereof then \$33.32 per 15 minutes or part thereof	Customer to provide all plant required to expose asset. Other comments as for Item 20.4.	IPART Determination May 2009

FEES & CHARGES							
Item No.	Description	Price Cat.	GST Apply (Y/N)	Fees & Charges (Inclusive of GST, where applicable) 2010/11	Proposed Fee (Inclusive of GST, where applicable) 2011/12	Comment	Legislation / Regulation
20.33	Water Sample Analysis for Water Quality Testing Private Supplies	B	Y	\$79.31	\$81.66	Comments as for Item 20.4	IPART Determination May 2009
20.34	Raise/Lower/Adjust existing services (no more than 2 metres from existing location) 20mm service only (no Materials)	B	N	\$118.86	\$122.37	Comments as for Item 20.4	IPART Determination May 2009
	Larger services or requiring materials	B/E	N	By quote	By quote		Pricing principles regulated by IPART
20.35	Disconnection of Existing Service	B	N	\$117.08	\$120.53	Payable when customer requests Council to disconnect existing service Other comments as for Item 20.4.	IPART Determination May 2009
20.36	Supply of reticulated tertiary treated sewerage effluent (except when covered by individual agreement).	A	N	\$0.94	\$0.99	Per kilolitre The proposed 2010/11 price of tertiary treated effluent (\$0.99) has been calculated as 50% of the proposed 2010/11 price of treated water (\$1.98 per kilolitre).	IPART Determination May 2009

5.4 Draft Minutes - Gosford-Wyong Councils' Water Authority Board Meeting held on 18 May 2011

TRIM REFERENCE: F2008/00407 - D02558366

AUTHOR: Jacquie Elvidge; Administration Assistant Sonia Witt, Team Leader Governance & Councillor Services

MANAGER: Lesley Crawley; Manager Governance & Administration

SUMMARY

Minutes of the Gosford-Wyong Councils' Water Authority Board meeting held on 18 May 2011.

RECOMMENDATION

- 1 That Council receive the draft minutes of the Gosford-Wyong Councils' Water Authority Board Meeting conducted on 18 May 2011.**
- 2 That Council adopt the recommendations included in the draft minutes of the Gosford-Wyong Councils' Water Authority Board Meeting conducted on 18 May 2011.**
- 3 That Council consider holding:**
 - a A Gosford Wyong Councils' Water Authority Board meeting on 16 June 2011 to consider a handover package to the Water Corporation Board.**
 - b A joint meeting of the current Gosford Wyong Councils' Water Authority Board members and the Water Corporation Board members on 14 July 2011.**
- 4 That Council endorse the proposed water restriction triggers and restriction rules detailed in this report, as amended to remove the data relating to the 2050 trigger and target reductions, and refer it to the new Central Coast Water Corporation Board for final adoption.**
- 5 That Council enter into a memorandum of understanding to explore the water supply opportunities that may result from the Porters Creek Catchment Stormwater Harvesting Scheme and consider how the scheme may relate to WaterPlan 2050.**
- 6 That Council, in relation to item 2.4 Project report Update on Capital Works in the minutes below, recommend the following:**
 - a Hunter Link Pipeline and Link Road Project**
 - i That the cost to repair the Hunter Link pipeline crossing of Link Road including the associated consequential cost to the Link Road be recognised as a Joint Water Cost.**

ii That the estimated final cost for the pipeline repairs including the consequential cost to the Link Road is \$1.43M.

iii That a report be prepared advising on the potential to recover the costs for the repairs including a budget to pursue those costs.

b Gosford Distribution Works for the Mardi Lift Pump Station

i That a budget increase of \$350,000 (excl GST) be approved for the Gosford Distribution Works for the Mardi Dam Lift Pump Station representing a total approved budget of \$1,870,000.

ii That the increase in budget for these works be provided from the approximate \$1.3M of remaining unallocated funds from the completed Mardi Suite of Works Project'

7 That Council recommend the Water Corporation review water tank rebates in conjunction with an overall review of water demand management.

A meeting of the Gosford-Wyong Councils' Water Authority Board Meeting was held on 18 May 2011 and the minutes of this meeting are supplied below:

WYONG SHIRE COUNCIL

MINUTES OF THE

**GOSFORD / WYONG COUNCILS' WATER AUTHORITY BOARD
MEETING OF COUNCIL**

HELD IN THE WILFRED BARRETT & TIM FARRELL COMMITTEE ROOMS
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 18 May 2011
COMMENCING AT 8:30 AM

PRESENT:

CR EATON*

CHAIRPERSON

GOSFORD

CR MAHER *

CR MACFADYEN*

WYONG

CR GRAHAM*

MR P WILSON*

MR R WILLIAMS*

MR D JACK*

MS D DICKSON*

GOSFORD CITY COUNCIL STAFF

MRS P MCCANN

MR B KOIZUMI-SMITH

WYONG SHIRE COUNCIL STAFF

MR D MANN

MR S PEPPERALL

MS M REDMOND

MS J ELVIDGE

* BOARD MEMBERS WITH VOTING RIGHTS AT THIS MEETING.

AUTHORITY STAFF
MR G CASEMENT

APOLOGIES
MR G MCDONALD
MR M WHITTAKER
CR HOLSTEIN
CR SYMINGTON

1.1 Disclosure of Interest

RESOLVED unanimously on the motion of Cr EATON and seconded by Mr WILSON:

That the Board receive the report on Disclosures of Interest and the fact that no disclosure was made be noted.

FOR: CREATON, CR GRAHAM, CR MAHER, CR MACFADYEN, MR JACK, MS DICKSON, MR WILLIAMS AND MR WILSON.

AGAINST: NIL

1.2 Confirmation of Minutes of Previous Meeting

RESOLVED unanimously on the motion of Cr MACFADYEN and seconded by Cr GRAHAM:

That the Board confirm the minutes of the previous Gosford/Wyong Councils' Water Authority Board meeting held on 16 February 2011.

FOR: CREATON, CR GRAHAM, CR MAHER, CR MACFADYEN, MR JACK, MS DICKSON, MR WILLIAMS AND MR WILSON.

AGAINST: NIL

BUSINESS ARISING FROM THE MINUTES

THERE WAS NO BUSINESS ARISING FROM THE MINUTES.

2.1 Proposed Schedule of Board Meetings 2011

RESOLVED unanimously on the motion of Mr WILSON and seconded by Ms DICKSON:

- 1 *That the Board receive and note the report of Proposed Schedule of Board Meetings 2011.***
- 2 *That the Board recommend to the two Councils that Gosford Wyong Councils' Water Authority Board meeting be held on 16 June 2011 to consider a handover package to the Water Corporation Board and a joint meeting of the current GWCWA Board members and the Water Corporation Board members be held on 14 July 2011.***

FOR: CREATON, CR GRAHAM, CR MAHER, CR MACFADYEN, MR JACK, MS DICKSON, MR WILLIAMS AND MR WILSON.

AGAINST: NIL

2.2 Water Restrictions

RESOLVED unanimously on the motion of Mr WILSON and seconded by Cr GRAHAM:

- 1 ***That the Board receive and note the report on Water restrictions.***
- 2 ***That the Board recommend, to the two Councils, that the proposed water restriction triggers and restriction rules detailed in this report, as amended to remove the data relating to the 2050 trigger and target reductions, be endorsed for referral to the new Central Coast Water Corporation Board for final adoption.***

FOR: CR EATON, CR GRAHAM, CR MAHER, CR MACFADYEN, MR JACK, MS DICKSON, MR WILLIAMS AND MR WILSON.

AGAINST: NIL

2.3 Porters Creek Catchment Stormwater Harvesting Scheme

RESOLVED unanimously on the motion of Mr WILSON and seconded by Cr MACFADYEN:

- 1 ***That the Board receive and note the report on Porters Creek Catchment Stormwater Harvesting Scheme.***
- 2 ***That the Board recommend to the two Councils that Gosford City Council and Wyong Shire Council enter into a MOU to explore the water supply opportunities that may result from the Porters Creek Catchment Stormwater Harvesting Scheme and consider how the scheme may relate to WaterPlan 2050.***

FOR: CR EATON, CR GRAHAM, CR MAHER, CR MACFADYEN, MR JACK, MS DICKSON, MR WILLIAMS AND MR WILSON.

AGAINST: NIL

2.4 Project Report - Update on Capital Works

Mr Kozumi-Smith left the meeting at 8.50 am and returned at 8.53 am during consideration of this item.

RESOLVED unanimously on the motion of Mr WILSON and seconded by Cr GRAHAM:

- 1 ***That the Board receive and note the report Project Report – Update on Capital Works.***
- 2 ***That the Board recommend the following to the two Councils:***

Hunter Link Pipeline and Link Road Project

- a) ***That the cost to repair the Hunter Link pipeline crossing of Link Road including the associated consequential cost to the Link Road be recognised as a Joint Water Cost.***

- b) *That the estimated final cost for the pipeline repairs including the consequential cost to the Link Road is \$1.43M.*
- c) *That a report be prepared advising on the potential to recover the costs for the repairs including a budget to pursue those costs.*

Gosford Distribution Works for the Mardi Lift Pump Station

- a) *That a budget increase of \$350,000 (excl GST) be approved for the Gosford Distribution Works for the Mardi Dam Lift Pump Station representing a total approved budget of \$1,870,000.*
- b) *That the increase in budget for these works be provided from the approximate \$1.3M of remaining unallocated funds from the completed Mardi Suite of Works Project*

FOR: CREATON, CR GRAHAM, CR MAHER, CR MACFADYEN, MR JACK, MS DICKSON, MR WILLIAMS AND MR WILSON.

AGAINST: NIL

3.1 Information Reports

RESOLVED unanimously on the motion of Cr GRAHAM and seconded by CR MAHER:

That the Board deal with the following Information Reports by the exception method with the following reports being pulled for discussion 3.2 and 3.3.

FOR: CREATON, CR GRAHAM, CR MAHER, CR MACFADYEN, MR JACK, MS DICKSON, MR WILLIAMS AND MR WILSON.

AGAINST: NIL

3.2 Regular Information Report

RESOLVED unanimously on the motion of Mr WILSON and seconded by Cr GRAHAM:

- 1 That the Board receive and note the Regular Information Report***
- 2 That the Board recommend the Water Corporation review water tank rebates in conjunction with an overall review of water demand management.***

FOR: CREATON, CR GRAHAM, CR MAHER, CR MACFADYEN, MR JACK, MS DICKSON, MR WILLIAMS AND MR WILSON.

AGAINST: NIL

3.3 Mardi to Mangrove Link Project Status

RESOLVED unanimously on the motion of Cr GRAHAM and seconded by Cr MAHER:

That the Board receive and note the report on Mardi to Mangrove Link Project Status.

FOR: CR EATON, CR GRAHAM, CR MAHER, CR MACFADYEN, MR JACK, MS DICKSON, MR WILLIAMS AND MR WILSON.

AGAINST: NIL

3.4 Central Coast Water Savings Fund

RESOLVED unanimously on the motion of Cr GRAHAM and seconded by Cr MACFADYEN:

That the Board receive and note the report on the Central Coast Water Savings Fund

FOR: CR EATON, CR GRAHAM, CR MAHER, CR MACFADYEN, MR JACK, MS DICKSON, MR WILLIAMS AND MR WILSON.

AGAINST: NIL

3.5 Communications Update

RESOLVED unanimously on the motion of Cr GRAHAM and seconded by Cr MACFADYEN:

That the Board receive and note the report on Communications Update.

FOR: CR EATON, CR GRAHAM, CR MAHER, CR MACFADYEN, MR JACK, MS DICKSON, MR WILLIAMS AND MR WILSON.

AGAINST: NIL

3.6 Budget and Financial Summary

RESOLVED unanimously on the motion of Cr GRAHAM and seconded by Cr MACFADYEN:

That the Board receive the report on Budget and Financial Summary.

FOR: CR EATON, CR GRAHAM, CR MAHER, CR MACFADYEN, MR JACK, MS DICKSON, MR WILLIAMS AND MR WILSON.

AGAINST: NIL

GENERAL BUSINESS

GB2/11 Water Corporation Update

Ms Pam McCann left the meeting at 9.15 am and did not return.

Peter Wilson advised that Brett Kozumi-Smith will continue to develop the necessary documentation for the first meeting of the Water Corporation and organise the resources required to establish the Corporation by 1 July 2011.

Interviews for the positions of Board members of the Water Corporation will take place on 30 May 2011. From these interviews a report will be considered at the Central Coast Regional Organisation of Councils (CCROC) meeting on 30 June 2011, where both Councils will select the Water Corporation Board members.

The first meeting of Water Corporation Board is scheduled for the 14 July 2011.

Councillor Eaton queried the status of the staff engagement process in regard to the formation of the Water Corporation. Brett Kozumi-Smith advised that both Councils have actively engaged with their staff and union representatives and that a meeting with Union representatives is scheduled for 3 June 2011 to discuss a consultation framework and formal process of engagement.

David Jack advised that the Unions have been informed on the progress of the formation of the Water Corporation through Wyong Council's Consultative Committee meetings and monthly informal meetings with union representatives.

THE MEETING terminated at 9.18 am.

ATTACHMENTS

Nil

5.5 Draft Minutes of the Senior Citizens' Council - 28 April 2011 and confirmed minutes of 24 February 2011

TRIM REFERENCE: F2008/00407 - D02601764

AUTHOR: Susanna Gardiner; Administration Assistant

MANAGER: Lesley Crawley; Manager Corporate Governance

SUMMARY

Draft minutes of the Senior Citizens' Council meeting held on 28 April 2011 submitted together with the minutes 24 February 2011 which were confirmed at this meeting.

RECOMMENDATION

- 1 ***That Council receive the report on the Draft Minutes – Wyong Shire Senior Citizens' Council Meeting of 28 April 2011, adopt the recommendations contained therein.***
- 2 ***That Council note that, in the event of a review of Council's Committee Structure, the Senior Citizens' Council members strongly recommend that the monthly meeting structure be maintained.***
- 3 ***That Council receive the report on the Confirmed Minutes – Wyong Shire Senior Citizens' Council Meeting of 24 February 2011 and adopt the recommendations contained therein.***

A meeting of the Senior Citizens' Council was held on 28 April 2011 and the minutes of this meeting are supplied below:

WYONG SHIRE COUNCIL

MINUTES OF THE SENIOR CITIZENS' COUNCIL OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 28 April 2011 COMMENCING AT 1:10 PM

PRESENT

Councillor G Best - Chairperson (arrived at 1.40pm – departed at 1.55pm)
Councillor D Eaton - Mayor - (arrived at 1.30pm – departed at 1.55pm)
Ms J Goss (Older Women's Network, isolated neighbourhoods)
Mrs J Axford (Health and Fitness)

Mr B Kirkness (Toukley Senior Citizens Club)
Ms D Thompson (National Serviceman's Association)
Ms B Brown (Long Jetty Seniors')
Ms Maryanne Housham (Indigenous and grandparent communities)

IN ATTENDANCE

Ms Maxine Kenyon, Director Community and Recreation Services Department
(arrived at 1.11pm departed at 2.00pm)
Ms A Evans, Community Development Worker
Ms M Redmond, Minute Secretary

APOLOGIES

Mr Luigi Bruni (Australian/Italian Friendship Group)
Ms P Parperis (Long Jetty Seniors Choral Group)

June Goss, declared the meeting open at 1.10 pm, advised that the meeting is being recorded and acknowledged the past and present Aboriginal elders of the Shire.

1.1 Disclosure of Interest

SENIOR CITIZENS COUNCIL RECOMMENDATION

That the Senior Citizens' Council receive the report on the Disclosure of Interest and note the fact that no disclosures were made.

2.1 Confirmation of Minutes of Previous Meeting

SENIOR CITIZENS COUNCIL RECOMMENDATION

That the Senior Citizens' Council confirm the minutes of the previous meeting held on 24 February 2011.

BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

3.1 Introducing Ms Maxine Kenyon who is the Director of Community and Recreation Services

SENIOR CITIZENS RECOMMENDATION

That the Senior Citizens' Council receive the verbal report Introducing Ms Maxine Kenyon who is the Director of Community and Recreation Services.

The Committee members introduced themselves to Maxine and gave an overview of their organisations.

Maxine gave a summary of her work which has been focused on working with NGO's and local government in community services, facilities, major projects and strategy.

Maxine circulated an information sheet which shows the organisational structure of the newly formed Community and Recreation Services Department. The objectives are:

- to increase community involvement and connection through education, culture, recreation and engagement.
- to provide well maintained buildings, facilities and services for the use and enjoyment of community spaces and recreational facilities.

The flyer details the six units and contact phone numbers for the each manager. The departments include:

- Community Buildings
- Community Engagement
- Community Lifelong Learning
- Community & Cultural Development
- Open Space
- Sport, Leisure and Recreation

Maxine stressed that this flyer is for use to explain the structure and is not for release to members of the public. The usual procedure to request service is to phone Council's Customer Contact Centre 4350 5555.

Maxine suggested that Council's newly designed website would be an ideal learning tool for use in computer training classes at Senior Citizens Clubs. This might be a good way to promote online interaction with Council and will provide contact details to the relevant Manager.

3.2 Performing Arts Centre Committee Report

SENIOR CITIZENS RECOMMENDATION

That the Senior Citizens' Council receive the report on the Performing Arts Centre Committee.

Juliet Axford advised that, due to the State elections the last meeting of the Performing Arts Centre Committee was deferred, she will provide a progress report to the next meeting. Juliet Axford circulated a colour brochure titled *Art House Info Pack*, which contains details of the proposed performing arts building and advised that this brochure is available for viewing in the Customer Contact/Reception Area of Council Chambers.

Councillor Eaton advised that the application for State funding for this project was not successful in the first round of grant applications however he was hopeful that it would be successful in the second round.

3.3 NSCCAHS Community Participation Committee

SENIOR CITIZENS RECOMMENDATION

That the Senior Citizens' Council receive the report on NSCCAHS Community Participation Committee meeting.

Maryanne Housham gave an update on the NSCCAHS CPC and matters relating to the Carers Advisory Council as follows:

- Mr Peter Primrose has now been replaced by the Hon Andrew Constance who has been appointed as the Minister for Ageing, and Minister for Disability Services.
- Northern Sydney Central Coast Health has now been split into two separate Local Health Networks (LHNs) i.e. North Sydney Local Health Network and Central Coast Local Health Network. Mr Matthew Hanrahan has been appointed as the CEO of Central Coast Local Health Network.
- The Community Participation Committee has been disbanded at this stage
- Maryanne represents four main areas at the Carer's Advisory Council:
 - Grandparents support (primary carers)
 - Young carers (some as young as 7 – 8 yrs old)
 - Homeless people (particularly the elderly)
 - Mental health and community care issues
- Maryanne reported on the proposed closure of rehab and aged care facilities by 2017 by the State government with a view to integrating people back into the community in smaller homes with the assistance of carers.

3.4 Seniors Week 2011

SENIOR CITIZENS' RECOMMENDATION

That the Senior Citizens' Council receive the report on Seniors Week 2011.

Annette Evans was congratulated on the success of the Seniors Concert which was enjoyed by groups from various areas of the Shire who participated on the day.

The following suggestions for improving future concerts were put forward:

- Varying the location of the concert to add variety and as an opportunity to showcase other club venues. However it was noted that the Tony Sheridan Function Room was an excellent location and could accommodate up to 200 people.
- Generate more publicity using a variety of different mediums as well as verbal promotion by members. Plan to promote events at least two weeks prior to the event.

5.5 Draft Minutes of the Senior Citizens' Council - 28 April 2011 and confirmed minutes of 24 February 2011 (contd)

The participation of all involved in this event, including the various groups who provided entertainment, in particular the interactive sessions such as line dancing, drumming, tai chi was greatly appreciated and contributed to the success of this event.

The Mayor's attendance was also noted and appreciated.

3.0 GENERAL BUSINESS

3.1 Upcoming Events

Annette circulated flyers with information regarding the following events

GENERAL BUSINESS INFORMATION UPDATE		
NSW Seniors Peer Education Centre (NSW SPEC) - ENERGY EFFICIENCY- THE POWER TO CHANGE forums		
Memory Lane Café, Blue Haven Community Centre – ADSSI in conjunction with Community Care Services		1 st Monday each month
Multicultural Friendship Club Findings Summary – report of working part to investigate and develop a model for aged multicultural community access to respite and social support		
Sydney CAREX 2011 - "Australia's Premier Health & Aged Care Expo" Rosehill Racecourse, James Ruse Drive, Rosehill go to www.totalagedservices.com.au/sydney.asp		10 th & 11 th August
The Entrance Community Centre Gallery Launch of Photographic Exhibition – 6pm Friday 29th April		30 th April – 8 th May
Wyong Shire Council's Reconciliation Week Ceremony		Tuesday 31 st May

Bruce Kirkness gave details of the following event:

- **Forum on Dementia Care at Toukley Senior Citizens – 7 June 2011**
Attendees need to book by phoning Commonwealth Carelink 1800 052 222.

3.2 Request from members YMCA to become members of the Seniors Council

Annette Evans advised that at this stage, under the current structure, the YMCA would not be considered as a member of the Senior Citizens' Council but could be invited as guest speakers to a meeting.

3.3 Proposed Amalgamation between Wyong and Gosford Councils

In response to a query from June Goss regarding the proposed amalgamation, the Mayor advised that a Mayoral Minute was on the Agenda for Council's 27 April 2011 meeting and was adopted. A copy of Council's resolution on this item will be distributed to all. He suggested that this item be listed for discussion at the next Seniors Citizens' Council meeting and he would attend for an hour to give a briefing on the proposal.

3.4 Review of the Senior Citizens' Council as part of Council's Committee Structure

Annette Evans provided suggestions for consideration for the future committee structure:

- Formal meetings to be held on a quarterly basis
- Informal Meetings to be held between quarterly meetings and locations to vary e.g. meetings could also be held at Toukley or Lake Munmorah
- Representatives of community aged care service providers e.g. Meals on Wheels or Community Transport to become members of the committee

Discussions centred on the impact of the above proposed changes. It was considered that quarterly meetings would have a negative impact on the operation of the committee. Members felt that there would be a loss of focus, direction and continuity. In light of these discussions the following recommendation was then moved.

SENIOR CITIZENS COUNCIL RECOMMENDATION

That, in relation to the report being prepared for Wyong Council to consider a review of its Committee Structure, the Senior Citizens' Council members strongly recommends that the monthly meeting structure be maintained.

THE MEETING terminated at 3.10pm.

The minutes of the Senior Citizens' Council held on 24 February 2011 below were confirmed at 28 April 2011 meeting as follows:

WYONG SHIRE COUNCIL

MINUTES OF THE SENIOR CITIZENS' COUNCIL OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 24 February 2011 COMMENCING AT 1:07 PM

PRESENT

Ms J Goss (Older Women's Network, isolated neighbourhoods)
Mrs J Axford (Health and Fitness)
Mr L Bruni (Italian Community)
Mr B Kirkness (Toukley Senior Citizens Club)
Ms D Thompson (National Serviceman's Association)
Ms B Brown (Long Jetty Seniors')

IN ATTENDANCE

Ms K O'Brien (Wyong Shire Community Transport)
Ms A Evans (Wyong Shire Council)

APOLOGIES

Councillor D Eaton (Wyong Shire Council)
Councillor G Best (Wyong Shire Council)
Ms P Parperis (Long Jetty Seniors Choral Group)
Ms M Housham (Indigenous and grandparent communities)

June Goss, declared the meeting open at 1.07 pm, advised that the meeting is being recorded.

1.1 Disclosure of Interest

SENIOR CITIZENS COUNCIL RECOMMENDATION

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

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

2.1 Confirmation of Minutes of Previous Meeting - 27 January 2011

SENIOR CITIZENS COUNCIL RECOMMENDATION

That the Committee confirm the minutes of the previous Meeting held on 27 January 2011.

BUSINESS ARISING FROM THE MINUTES

Photographic Display for Senior's Week – Active Ageing

The photographic display will be held in the foyer of the Council Chambers. Various photos have been supplied by members. Bruce Kirkness offered to resize photos from A4 onto photo quality print paper.

Meet and Hear Candidates for Central Coast State Government Elections

Annette Evans updated members on a meeting arranged by Central Coast Community Council at Erina Fair on 9 March 2011 from 9.30 am – 12.30 pm.

Banner for Senior's Week

Annette Evans presented two styles for the banner for Senior's Week. Members of the Council suggested other styles and colours. Annette to send members of the Council the final version once decided.

3.1 Presentation by Manager of Wyong Shire Community Transport

SENIOR CITIZENS COUNCIL RECOMMENDATION

- 1 *That Council receive the report on Presentation by Project Coordinator of Wyong Shire Community Transport.***
- 2 *That Council acknowledge and support the ongoing success of Wyong Shire Community Transport.***

Ms Kate O'Brien, Project Coordinator of Wyong Shire Community Transport, briefed members on the types of services for people who are frail and aged and younger people with a disability who are transport disadvantaged and cannot arrange transport to essential services. Eligibility assessment and bookings can be arranged over the phone.

Wyong Shire Community Transport also brokerage vehicles to the following groups:

- Area Health
- Department of Veteran Affairs
- Red Cross
- Central Coast Meals on Wheels

Ms O'Brien handed out a brochure providing members with the type of services available.

Luigi Bruni, Italian Community asked for more brochures. Annette Evans to arrange.

Annette Evans to supply members with a list of phone numbers of services available for people who are frail and aged.

Bruce Kirkness left the meeting at 2.42 pm and did not return.

3.2 Performing Arts Centre Committee Report

SENIOR CITIZENS COUNCIL RECOMMENDATION

That Council receive the report on Performing Arts Centre Committee Report.

Juliet Axford updated members on the progression of the Performing Arts Centre. Aspects of financing / budgeting and logo for The Art House are being finalised. Josh Horner was announced in Shire Wide as the local ambassador. The next meeting of the committee is to be held on 7 March 2011. Designs for logos to be finalised by 8 March 2011.

3.3 Planning for Seniors Week 2011

RECOMMENDATION

That Council receive the report on Planning for Seniors Week 2011.

Launch of Senior's Week

Seniors Week will be launched at Wyong Civic Centre on Monday 21 March 2011. The morning will involve a variety of displays and performances and opportunities for active participation. The proposed program includes:

- 10.00 am Opening by Mayor
- 10.25 am Line Dancers from Toukley Senior Citizens' Club
- 10.40 am Tai Chi group from Long Jetty Senior Citizens' Club
- 11.00 am Drumming by Frank Galt who will invite attendee participation
- 11.20 am Harpist or guitarist performance

Also displays by active local groups to include:

- Golden Zumba
- Art and Craft groups
- Men's Sheds
- Gwandalan Craft and Art Group
- University of the 3rd Age (U3A)

There will also be pedometers and 'active ageing' information to give away on the day.

Annette Evans is to contact a speaker from the Department Sport and Recreation and/or health Promotions Unit for the day.

Members of the Council suggested that Senior's Week 2011 be advertised as part of the Mayor's Column including a series of events in Shire Wide as well as a media release. These arrangements will be made through the Council Communications Unit.

Betty Brown suggested A3 posters to encourage members of groups to attend the launch. Annette Evans will organise flyers for members to distribute through their networks.

4 GENERAL BUSINESS

There was no general business.

THE MEETING closed at 3.09 pm.

ATTACHMENTS

Nil.

5.6 Draft Minutes Wyong Shire Grants Committee Meeting - 18 May 2011

TRIM REFERENCE: F2008/02110 - D02605447
AUTHOR: Susanna Gardiner; Administration Assistant
MANAGER: Lesley Crawley; Manager Corporate Governance

SUMMARY

A meeting of the Wyong Shire Grants Committee was held on 18 May 2011.

RECOMMENDATION

- 1 ***That Council receive the draft minutes of the Wyong Shire Grants Committee Meeting held on 18 May 2011.***
- 2 ***That Council adopt the recommendations included in the draft minutes of the Wyong Shire Grants Committee Meeting held on 18 May 2011.***
- 3 ***That Council allocate \$7,980 from the 2010-11 Sports Person Grant program as follows:***

Applicant	Selection	Amount
S Aston	State Netball Championships and CC Academy of Sport NSW Academy Games	\$190
A Bailey	Joss State Zone Trials AFL	\$190
M Buchanan	U15 Country Championships Rugby Union	\$190
K Burke	State Netball Championships	\$190
S Byfield	Central Junior League	\$190
Z Crowe	State Netball Championships	\$190
J Faimanu	State Netball Championships	\$190
C Farrelly	State Netball Championships	\$190
L Ferreira	State Netball Championships	\$190
E Free	State Netball Championships	\$190
S Free	State Netball Championships	\$190
B Goddard	State Netball Championships	\$190
L Gorrie	CC Junior League Basketball Competition	\$190
S Gorrie	CC Junior League Basketball Competition	\$190
K Hally	State Netball Championships	\$190
S Harper	State Netball Championships	\$190
B Hoolihan	State Netball Championships	\$190
K Hynes	State Netball Championships	\$190
M Jeffrey	Central Junior League	\$190
T Jeffrey	Central Junior League	\$190
D Judge	State Netball Championships	\$190
G Keevill	State Netball Championships	\$190
I Kelly	State Netball Championships	\$190
C Maher	State Netball Championships	\$190
T Martin	State Netball Championships	\$190
B Mashman	State Netball Championships	\$190
M Mashman	State Netball Championships	\$190
C Mills	State Netball Championships	\$190
B Nelson	State Netball Championships	\$190
S O'Hagan	State Netball Championships	\$190
A Power	AFL Northern Coast Regional Team	\$190
T Simpson	State Netball Championships	\$190

<i>J Stonestreet</i>	<i>CC Junior Rugby Union and CC Academy of Sport Rugby</i>	<i>\$190</i>
<i>D Than</i>	<i>Central Basketball Junior League</i>	<i>\$190</i>
<i>T Tangitu</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>L Tapsell</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>A Walker</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>Y Walker</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>J L Williams</i>	<i>CJL Basketball NSW</i>	<i>\$190</i>
<i>J Williams</i>	<i>State Netball Championships</i>	<i>\$190</i>
<i>C Whyburn</i>	<i>Tuggerah Lakes U18M Division 1 representative team</i>	<i>\$190</i>
<i>L Whyburn</i>	<i>Tuggerah Lakes U14M Division 2 representative team</i>	<i>\$190</i>
Total		\$7,980

4 That Council note the withdrawal of application from S McKinnon.

5 That Council decline applications as indicated in the table below:

Applicant	Selection	Reason
<i>K Campbell</i>	<i>State Netball Championships</i>	<i>Proof of residency not provided</i>
<i>O Duffy</i>	<i>State Netball Championships</i>	<i>CCROC grant provided for same event</i>
<i>J Grange</i>	<i>Central Coast Academy 2011 Clubs NSW Academy Games</i>	<i>Previous funding for same sport already provided in current financial year</i>
<i>M Reed</i>	<i>State Netball Championships</i>	<i>Not Shire resident</i>
<i>B Sloane</i>	<i>State Netball Championships</i>	<i>CCROC grant provided for same event</i>
<i>F Watene</i>	<i>State Netball Championships</i>	<i>Proof of residency not provided</i>

BACKGROUND

A meeting of the Wyong Shire Grants Committee was held on 18 May 2011. Minutes of that meeting are as follows:

WYONG SHIRE COUNCIL
MINUTES OF THE
WYONG SHIRE GRANTS COMMITTEE MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 18 May 2011
COMMENCING AT 3:08 PM

PRESENT

Councillors D J Eaton (Chairperson) and D P Vincent.

IN ATTENDANCE

Manager Corporate Governance, Grants Officer and Administration Assistant.

The Chairperson, Councillor D J Eaton, declared the meeting open at 3.08 pm and advised that the meeting is being recorded.

APOLOGY

An apology was received from Councillor L A Matthews on her inability to attend the meeting.

COMMITTEE RECOMMENDATION

That the Committee accept the apology and grant leave of absence to Councillor Matthews from the meeting.

1.1 Disclosure of Interests

COMMITTEE RECOMMENDATION

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

2.1 Confirmation of Minutes of Previous Meeting

COMMITTEE RECOMMENDATION

That the Committee receive the report on Minutes of the previous meeting held on 16 March 2011.

BUSINESS ARISING FROM THE MINUTES

Grants Process

The Manager Corporate Governance advised the Committee that a new form is being finalised amalgamating all of the grants. The timelines for grants would now be twice a year. The next round of grants for the financial year will commence on 1 June 2011 and close on 22 June 2011. A recommendation on timelines for the grants will be considered at the next Grants Committee on 20 July 2011. The form will include advice that funding is subject to the adoption of grant funding in the 2011/2012 Annual Plan.

3.1 Sports Person Grants - Applications April 2011

The Grants Officer advised that the application from S McKinnon was withdrawn.

COMMITTEE RECOMMENDATION

- 1 ***That Council allocate \$7,980 from the 2010-11 Sports Person Grant program as follows:***

Applicant	Selection	Amount
S Aston	State Netball Championships and CC Academy of Sport NSW Academy Games	\$190
A Bailey	Joss State Zone Trials AFL	\$190
M Buchanan	U15 Country Championships Rugby Union	\$190
K Burke	State Netball Championships	\$190
S Byfield	Central Junior League	\$190
Z Crowe	State Netball Championships	\$190
J Faimanu	State Netball Championships	\$190
C Farrelly	State Netball Championships	\$190
L Ferreira	State Netball Championships	\$190
E Free	State Netball Championships	\$190
S Free	State Netball Championships	\$190
B Goddard	State Netball Championships	\$190
L Gorrie	CC Junior League Basketball Competition	\$190
S Gorrie	CC Junior League Basketball Competition	\$190
K Hally	State Netball Championships	\$190
S Harper	State Netball Championships	\$190
B Hoolihan	State Netball Championships	\$190
K Hynes	State Netball Championships	\$190
M Jeffrey	Central Junior League	\$190
T Jeffrey	Central Junior League	\$190
D Judge	State Netball Championships	\$190
G Keevill	State Netball Championships	\$190
I Kelly	State Netball Championships	\$190
C Maher	State Netball Championships	\$190
T Martin	State Netball Championships	\$190
B Mashman	State Netball Championships	\$190
M Mashman	State Netball Championships	\$190
C Mills	State Netball Championships	\$190
B Nelson	State Netball Championships	\$190
S O'Hagan	State Netball Championships	\$190
A Power	AFL Northern Coast Regional Team	\$190
T Simpson	State Netball Championships	\$190
J Stonestreet	CC Junior Rugby Union and CC Academy of Sport Rugby	\$190
D Than	Central Basketball Junior League	\$190
T Tangitu	State Netball Championships	\$190
L Tapsell	State Netball Championships	\$190
A Walker	State Netball Championships	\$190
Y Walker	State Netball Championships	\$190
J L Williams	CJL Basketball NSW	\$190
J Williams	State Netball Championships	\$190
C Whyburn	Tuggerah Lakes U18M Division 1 representative team	\$190
L Whyburn	Tuggerah Lakes U14M Division 2 representative team	\$190
Total		\$7,980

- 2 ***That Council note the withdrawal of application from S McKinnon.***

3 That Council decline applications as indicated in the table below:

Applicant	Selection	Reason
<i>K Campbell</i>	<i>State Netball Championships</i>	<i>Proof of residency not provided</i>
<i>O Duffy</i>	<i>State Netball Championships</i>	<i>CCROC grant provided for same event</i>
<i>J Grange</i>	<i>Central Coast Academy 2011 Clubs NSW Academy Games</i>	<i>Previous funding for same sport already provided in current financial year</i>
<i>M Reed</i>	<i>State Netball Championships</i>	<i>Not Shire resident</i>
<i>B Sloane</i>	<i>State Netball Championships</i>	<i>CCROC grant provided for same event</i>
<i>F Watene</i>	<i>State Netball Championships</i>	<i>Proof of residency not provided</i>

ATTACHMENTS

Nil

5.7 Goods and Services Tax Report

TRIM REFERENCE: F2004/06651 - D02605104
AUTHOR: Devini Susindran; Financial Accountant
MANAGER: Greg Ashe; Manager Finance

SUMMARY

This report provides information on Council's requirements in terms of Goods and Services Tax (GST) compliance, confirms compliance with such processes and seeks submission of the Goods and Services Tax Certificate to the Department of Local Government.

RECOMMENDATION

- 1 That Council receive the report on Goods and Services Tax.**
- 2 That Council submit the Goods and Services Tax compliance certificate for the period 1 May 2010 to 30 April 2011, signed by the Mayor, Deputy Mayor, General Manager and Director of Corporate Services, to NSW Department of Local Government before 1 June 2011.**

BACKGROUND

The Department of Local Government (DLG) requires councils to submit an annual GST compliance certificate. This Certificate is to cover a twelve month period from 1 May to 30 April each year. WSC's compliance responsibilities extend to developing and maintaining internal controls, which ensure compliance and reduce the risk of cash flow issues and under / over payment of GST.

Councils are requested to provide the certificate before 1 June each year. The Department of Local Government will then provide the advice to the NSW Treasury for confirmation with the Commonwealth Commissioner of Taxation.

The certificate is to be signed by the Mayor, one other councillor, the General Manager and the Responsible Accounting Officer in accordance with a resolution of Council. A copy of the certificate is attached.

THE PROPOSAL

This report seeks Council approval to issue the Goods and Services Tax certificate confirming that

- o Council has paid voluntary GST from 1 May 2010 to 30 April 2011.
- o Adequate management arrangements and internal controls are in place to enable council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed

5.7 Goods and Services Tax Report (contd)

- No GST non-compliance events by the council were identified by or raised with the Australian Tax Office.

Council staff review and identify changes to the GST legislation on an on-going basis and ensure compliance with requirements. Where issues are identified opinion is sort from external taxation advisory services and / or external auditors as and when necessary. Council has controls and processes in place to ensure that GST legislation is complied with throughout the year, and transactions are reviewed by the relevant officers each month to ensure compliance and correctness of records.

CONSULTATION

Consultation is ongoing within corporate services and with the external taxation advisory services and / or external auditors when necessary.

GOVERNANCE

The resolution of Council is required to allow WSC to comply with the GST requirements of the Department of Local Government. NSW councils are required to provide the Department with the GST Certificate before 1 June each year. The Department will then provide this advice to the NSW Treasury for confirmation with the Australian Taxation Office.

CONCLUSION

Council to receive report on Goods and Services Tax and certify the attachment confirming that

- Voluntary GST has been paid by Wyong Shire Council for the period 1 May 2010 to 30 April 2011.
- Adequate management arrangements and internal controls were in place to enable council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed
- No GST non-compliance events by the council were identified by or raised with the Australian Tax Office.

ATTACHMENTS

- 1 Goods and Services Tax Compliance Certificate 2010-2011 D02605391

WYONG SHIRE COUNCIL

GOODS AND SERVICES TAX CERTIFICATE

Payment of Voluntary GST 1 May 2010 to 30 April 2011

To assist compliance with Section 114 of the Commonwealth Constitution, we certify that:

- Voluntary GST has been paid by Wyong Shire Council for the period 1 May 2010 to 30 April 2011.
- Adequate management arrangements and internal controls were in place to enable the Council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed.
- No GST non-compliance events by the Council were identified by or raised with the Australian Taxation Office.

Signed in accordance with a resolution of Council made on 25 May 2011.

.....
Councillor D Eaton
MAYOR

.....
Councillor B Graham
DEPUTY MAYOR

.....
M Whittaker
GENERAL MANAGER

.....
D J Jack
RESPONSIBLE ACCOUNTING OFFICER

5.8 Boutique Street Lighting Poles in Wyong Shire

TRIM REFERENCE: M2010/00189 - D02608365
AUTHOR/ MANAGER Gina Vereker; Director

SUMMARY

This report provides background information on the implications to Council of the provision of "boutique" or decorative street lighting poles within the urban release areas of Hamlyn Terrace, Woongarra and Wadalba.

The report also recommends options for the replacement of decorative poles that have been condemned by Ausgrid (formally Energy Australia) after a recent maintenance inspection.

RECOMMENDATION

- 1 That Council receive the report on the 42 condemned decorative street light poles within Wyong Shire.**
- 2 That Council advise Ausgrid that the 42 condemned decorative poles be transferred from AUSGRID's Rate 2 tariff to AUSGRID's Rate 1 tariff and an additional number (approximately 25) of unaffected poles in the vicinity of those that have been condemned also be transferred.**
- 3. That Council note that the implementation of resolution 2 will result in the 42 condemned decorative poles being replaced by AUSGRID with standard galvanised poles and an additional number (approximately 25) of unaffected poles in the vicinity of those that have been condemned also being replaced.**
- 4 That Council advise Ausgrid that it will consider further the steps that it will take in relation to other decorative poles as those poles require replacement.**

BACKGROUND

During the 1990's Council adopted Development Control Plan (DCP) No 67 (Engineering Requirements for Development). The DCP required that new urban release areas be provided with boutique (decorative) street lighting. The type of post, luminaire and colour were specified for each of the three suburbs of the urban release areas of Hamlyn Terrace, Wadalba and Woongarra.

The boutique street light poles are required for the local and minor road networks with the collector roads required to be provided with taller galvanised standard street lighting system.

Other than the Warnervale East – Wadalba North West urban release area there are a number of other precincts where boutique lighting was provided within the public road reserve. Boutique lighting was provided in these developments within public roads at the request of the Developer and did not form part of controls within a DCP.

Street lights provided in all new subdivisions are at the expense of the developer. Provision by the developer automatically determines what tariff rate is applied by Ausgrid to Council as a network charge for operation and maintenance. In this instance, street lights (irrespective if they are standard or boutique) fall into the “Rate 2” tariff and associated requirements.

The “Rate 2” requirements as defined below, automatically provides that ownership of the street light asset rests with Ausgrid. The assumption of ownership is generally done at the time the asset is energized. As defined by “Rate 2” the replacement costs of the poles are the responsibility of Council as Council is deemed to be the “customer” of the original developer who has funded the capital cost of the asset.

Tariff Definitions

Rate 1

Energy Australia/Ausgrid paid for:

- a) Installation and fully maintains the installation. Customer charged for energy (if appropriate)
- b) NUOS (network use of system),
- c) Luminaire maintenance,
- d) Capital recovery for the different components,
- e) Connection maintenance

Current Rate 1 charge is \$417.32 per pole per annum.

Rate 2

Developer paid for the installation but Energy Australia/Ausgrid assumes ownership of the installation. Council (Customer) charged for:

- a) energy (if appropriate)
- b) NUOS(network use of system),
- c) Luminaire maintenance,
- d) Connection maintenance,
- e) Repairs due to damage and replacement due to age to be paid for by the customer.

Current Rate 2 charge is \$71.50

Ausgrid Street Light Pole Audit

As part of Ausgrid’s maintenance responsibility, all street light poles are visually inspected for structural integrity on a four yearly cycle. The outcome of the visual inspection determines subsequent steps in the process in order to program repairs and future renewals. Ausgrid requires the replacement of any poles that it assesses would pose an unacceptable risk to its employees and/or to the public.

According to Ausgrid there are 1,043 Rate 2 boutique street light poles within Wyong Shire. Based on an average unit cost of \$4,500 this calculates to an asset replacement value of \$4.7M.

In early 2010, Ausgrid undertook an audit (as part of the cyclic inspection programme) of a number of poles within Wyong Shire. Late in 2010 Ausgrid advised Council that its audit had identified 42 of the street light poles in the Hamlyn Terrace, Woongarah and Wadalba as representing an unacceptable risk and that these would be “condemned.” On the basis of questions from Council regarding the validity of the visual inspection, Ausgrid undertook structural testing of the condemned poles to confirm its original visual assessment.

Ausgrid require the replacement of the poles by August 2011. This date is based on a requirement to replace condemned poles within 12 months of the risk assessment undertaken during the initial pole inspection.

Pole Characteristics

The condemned poles are scattered across the various release suburbs with no geographical pattern obvious. The age of the condemned poles ranges from 6.5 to 10.5 years. This is significantly less than the minimum 20 year expected service life of street light poles generally. It is expected that this pattern may continue and due to the current rate of deterioration, Ausgrid’s next audit will reveal a significant increase in the number of condemned poles.

Senior Council staff have met with senior officers from Ausgrid on a number of occasions to determine the responsibilities of both parties, the extent of the problem and attempt to negotiate an appropriate outcome taking into account Council’s financial restrictions.

The 42 condemned poles are subject to the Rate 2 regime.

To allow enough time to procure and install the poles, Ausgrid have asked Council to advise its preferred course of action as soon as possible.

OPTIONS

Council has the following options:

Option 1 - Retain the Rate 2 tariff and Council, at its cost, install similar decorative lighting poles.

- The ongoing operation and maintenance cost is lower. (see above for break-even point – however as we are seeing poles condemned prior to 15 years life this becomes a negative impact).
- The streetscape is maintained.
- The initial capital replacement cost is borne by Council.
- The risk of assets not fulfilling their service life or being damaged is retained by Council.
- Resources will need to be committed to better asset management and long term financial planning to ensure the cost of replacing future condemned poles is accounted for.
- Council is responsible to prepare specifications and tender documents, to go to contract for the removal and the replacement of the condemned poles by an Accredited

Service Provider. (This would mean Council would find it difficult to replace the poles prior to August 2011, Ausgrid's deadline).

- Capital replacement cost between \$168,000 and \$189,000.
- Current ongoing network charge of \$3,003 per annum is maintained.

Option 2 - Convert the condemned poles from Rate 2 to Rate 1 and Ausgrid at it's cost, will install, a galvanised standard pole. (Recommended)

- There is a reduced up front financial imposition to Council.
- The risk of assets not fulfilling their service life or being damaged is transferred to Ausgrid.
- On-going asset management and renewal planning is resourced by Ausgrid.
- The ongoing operation and maintenance cost is higher. (The break-even point based on current values is approx. 15 years. Beyond this the impact from a whole of life cost is negative.)
- There will be aesthetic impact on the streetscape by both the change in pole and the possible ad-hoc replacement regime. (Note: It may take many years to replace decorative poles however it is intended to replace whole streets or sections of streets depending on the road alignment where appropriate to reduce this impact.)
- Increase from \$71.50 to \$417.32 per annum per pole meaning a total increase of \$14,524 per annum in ongoing network charges (based on 42 poles)

Option 3 - Retain the Rate 2 tariff and Council, at our cost, install an Ausgrid approved galvanized pole of similar height to the existing.

- This option would be difficult to achieve due to the August 2011 timeline. however could be investigated further, especially in regard to future developments. If it is possible to procure a suitable decorative pole that meets aesthetic and durability requirements, then there is a possible ongoing operational saving to Council. Enhanced asset and long term financial planning would need to be considered in conjunction with this option.
- Finance - similar to option 2 however cost saving may be achieved if a more durable pole is obtained.

Option 4 - Remove the condemned poles without replacement .

- No consideration should be given to the removal of the condemned poles without a suitable replacement. Removing sections of the lighting network without specialist review could present significant hazards.
- On-going total network charge reduction of \$3,003

THE PROPOSAL

It is recommended that Council advise Ausgrid to replace the condemned street lights with standard galvanised fittings and convert to a Rate 1 charge ie, Option 2.

The impost on WSC means a cost of \$417.32 per annum, per pole, - an increase of \$345.82 per annum per pole over the Rate 2 tariff. However, this would not require Council to fund the replacement of the poles with a capital cost of approximately \$189,000, ie Option 1.

As part of Option 2, the replacement would involve Ausgrid installing a standard 6.5m high galvanised steel pole with the now current standard luminaire fitting. The lighting from a standard luminaire is better than the existing with nearly half the energy usage.

In some locations, not all decorative poles within a street have been condemned.

Replacing the condemned poles will mean that a number of 4.5m high painted decorative poles that passed audit will be located adjacent to new 6.5m high standard galvanised poles.

In this situation, Ausgrid has agreed that where appropriate they will also replace non-condemned poles to maintain consistency in the streetscape. A mapping exercise has been undertaken of the likely additional poles that will be affected with the preliminary total being 25.

Therefore it is likely that a total of 67 poles will be replaced and transferred to tariff 1.

Future Development and Current Consents

As well as the short term issue involving the current 42 condemned poles, Council needs to consider an appropriate means of managing current existing development consents requiring boutique poles and future development.

Initial investigation has revealed that WSC has 21 subdivisions for which development consent has been obtained, which are yet to be constructed. These subdivisions will result in approximately an additional 150 x Rate 2 streetlights to come on line as part of these developments. A strategy for dealing with this issue will be put to Council in mid 2011.

In relation to development applications yet to be lodged, and the development of future Greenfield precincts, Council will need to consider whether it wishes to pursue the requirement for boutique street lighting poles.

Whilst, when in good condition these poles are visually pleasing, the risk of such poles failing long before their service life expires, and the resultant financial cost, may make the continued installation of these poles prohibitive.

STRATEGIC LINKS**Annual Plan**

Infrastructure Street lighting charges - 4.1.8

Contribution of Proposal to the Principal Activity

Council is responsible for funding the operation and maintenance of street lighting through the Ausgrid network charge.

There is no mechanism for Council to approve the structural elements or installation of street lights however Council is notified of proposed work and required to accept the network charges when streetlights are energised.

Link to Shire Strategic Vision

Council's ongoing commitment to street lighting helps to provide a safer environment for road users and pedestrians.

Financial Implications

The options available to Council for the management of the 42 condemned poles and the financial implications of these options are included in the options table above.

The recommended option involving a conversion from Rate 2 to Rate 1 for the 42 condemned poles plus a potential 25 unaffected poles will mean an increased annual network charge of \$23,169.94.

This amount will require a budget adjustment to the draft 2011/2012 Annual Plan.

Principles of Sustainability

The replacement of luminaries with a more energy efficient product, resulting in a minor positive environmental impact.

CONSULTATION

Should Council adopt the recommendation to enable replacement of the 42 condemned poles with standard galvanised poles, it will be necessary to consult all residents within those affected streets/precincts. It is important for the interests of all those people affected that all property owners understand the reasons behind the decision to replace the decorative poles.

GOVERNANCE**Nil Impact****CORPORATE RISKS**

There is an estimated asset replacement value of \$4.7M should Council replace all 1,043 decorative poles with standard galvanised poles that has not previously been identified in Council's long term financial planning. The risk of failure in this asset class, whilst not catastrophic, does present a financial risk to Council. Whilst this report recommends that the current condemned poles be transitioned to standard poles therefore minimising the future risk, it does not address the remainder of decorative poles. Further investigation is required to advise Council of the most appropriate and cost effective means of addressing the remaining poles (which may or may not fail). A further report will be provided to Council in mid 2011.

CONCLUSION

The recommendation to transfer the 42 condemned decorative poles plus a potential additional 25 unaffected poles charged at Rate 2 to standard galvanised poles charged at Rate 1 provides the best outcome to Council from both a financial and risk management perspective.

The longer term issue of the management of the remaining decorative poles requires further investigation and will be the subject of a future report.

ATTACHMENTS

Nil.

5.9 Conference Attendance - National Public Sector Fraud & Corruption Congress

TRIM REFERENCE: F2004/06517 - D02606688

AUTHOR: Monica Redmond; Administration Assistant

MANAGER Lesley Crawley; Manager Corporate Governance:

SUMMARY

Reporting approval in accordance with Council's Facilities and Expenses Policy for Councillors for the attendance of Councillor Wynn at the National Public Sector Fraud and Corruption Congress held in Canberra on 9-10 May 2011.

RECOMMENDATION

- 1 That Council confirm the approval given by the Mayor and Acting General Manager for Councillor Wynn to attend the National Public Sector Fraud & Corruption Congress.**
- 2 That Council authorise the reasonable expenses incurred by Councillor Wynn in attending the above Congress.**

BACKGROUND

Councillor Wynn received a late invitation to attend the conference and contribute on Wyong's behalf.

Due to the short timeframes, Councillor Wynn's attendance at this Congress was approved by the Mayor and Acting General Manager in accordance with Clause E17 of Council's Facilities and Expenses.

The policy requires that Council resolve to confirm the use of the authority delegated to the Mayor and GM.

CURRENT STATUS

Councillor Wynn participated on the local government panel at the National Public Sector Fraud & Corruption Congress held in Canberra on 9-10 May 2011 which brought together professionals from all levels of government to discuss the challenges in preventing and managing fraud and corruption in the public sector.

The following issues which affect local councils were listed for discussion:

- Ensuring good governance is central to local government
- Identifying key risks faced by local government
- Ensuring good governance with limited resources

- Developing the role of independent governors – the role of the internal ombudsman

STRATEGIC LINKS**Annual Plan**

Nil Impact.

Contribution of Proposal to the Principal Activity

Nil Impact.

Link to Community Strategic Plan

Attendance at the Congress provided an opportunity for Councillor Wynn to advance Wyong's reputation and to contribute her skills and experience to the seminar through her participation on the panel.

Financial Implications

The cost for attendance at the Congress and associated travel expenses was \$949.00 and is covered by budget estimate.

Principles of Sustainability

Nil Impact.

CONSULTATION

This submission complies with Council's adopted Facilities and Expenses Policy for Councillors.

GOVERNANCE

Councillors are encouraged to attend external work-related events/training that support and/or advance the interests of the community through Council.

CORPORATE RISKS

Nil Impact

CONCLUSION

Authority to attend the conference at Council's expense was provided by the Mayor and General Manager in accordance with the Facilities & Expenses Policy.

Council is required by the policy to confirm the delegated authority by resolution.

ATTACHMENTS

Nil.

5.10 Conference Attendance - Planning for Community Outcomes

TRIM REFERENCE: F2004/06517 - D02613662
AUTHOR: Monica Redmond; Administration Assistant
MANAGER: Lesley Crawley, Manager Corporate Governance

SUMMARY

Council has received information from the Results Leadership Group that it will be presenting a Conference on Planning for Community Outcomes which will be held in Sydney on Thursday 2 June 2011. Councillor Symington has indicated interest in attending this Conference.

RECOMMENDATION

- 1 That Council authorise Councillor Symington, and any interested Councillor/s, to attend the Planning for Community Outcomes conference being held in Sydney on Thursday 2 June 2011.**
- 2 That Council meet reasonable expenses incurred by Councillors attending the above conference in accordance with Council's Facilities and Expenses Policy for Councillors.**

BACKGROUND

Conferences or seminars

In accordance with the provisions of Council's Facilities and Expenses Policy for Councillors, and subject to Council's prior approval, WSC will pay for attendance at a maximum of three conferences per year for each elected member and attendance at the annual NSW Local Government Association Conference.

The maximum number of elected members authorised to attend a conference or seminar is three.

Training Courses

WSC will pay for the attendance at training courses, subject to Council Resolution, for up to three Councillors per course, per year where the total expense for attendance of each councillor is less than \$5000.

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

THE PROPOSAL

The Conference is to be held at The Menzies Hotel, Sydney on 2 June 2011 and will address issues related to Results Based Accountability such as:

- Enhancement of integrated planning and reporting
- Creation of measurable outcomes for communities
- Demonstration of effective service delivery
- Demonstration of how services benefit the community in plain language

Collection of relevant data
Improvement of the well-being of citizens

OPTIONS

Nil Impact.

STRATEGIC LINKS**Annual Plan**

Nil Impact.

Contribution of Proposal to the Principal Activity

Nil Impact.

Link to Shire Strategic Vision

The conference will enable Councillors to communicate with the community more effectively and also aid them in achieving positive outcomes that will in turn benefit the community.

Financial Implications

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

Planning for Community Outcomes	Councillor Fees
Registration (incl GST)	\$396
Travel (by vehicle approx)	\$140
Accommodation (based on approx \$199 per night) at Conference Venue	\$199
Other disbursements (approx meals etc)	\$100
Total - estimate	\$835

Principles of Sustainability

Nil Impact.

CONSULTATION

This submission complies with Council's adopted Facilities and Expenses Policy for Councillors.

GOVERNANCE

In accordance with the provisions of Council's Facilities and Expenses Policy for Councillors, Councillors are encouraged to attend external training sessions that will support their professional development as a Councillor. Reasonable expenses incurred in Councillors attending external training are met in accordance with that policy.

CORPORATE RISKS

Nil Impact.

CONCLUSION

The conference listed would be of benefit to the professional development of Councillors and attendance is encouraged.

ATTACHMENTS

Nil.

6.1 Information Reports

TRIM REFERENCE: F2011/00027 - D02598459
AUTHOR: Monica Redmond; Administration Assistant
MANAGER: Lesley Crawley; Manager Corporate Governance

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.

6.2 Investments For April 2011

TRIM REFERENCE: F2004/06604 - D02551598
AUTHOR: Devini Susindran; Financial Accountant
MANAGER: Greg Ashe; Manager Finance

SUMMARY

This report details Council's investments as at 30 April 2011.

RECOMMENDATION

That Council receive the report on Investments For April 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 investment held in the Blackrock Care and Maintenance Fund continues to be wound up progressively by 2015

CURRENT STATUS

Managed Funds

WSC has \$12.99m invested in managed funds which are "grandfathered" investments under the Ministers Order. These investments in April made a capital gain of \$0.12m.

The creditworthiness of these investments remains satisfactory.

- Blackrock Care and Maintenance Fund \$7.85m – Residual balance of fund now held to maturity with distributions of capital made when assets in the portfolio mature or are sold. Income for April was \$82,642.47.
- Macquarie Global Income Opportunity \$5.14m – Approximately two thirds of the investment in this fund was redeemed in April. Net income for the month of April was \$111,528.37. . It is anticipated that the investment in the Macquarie Global Income Opportunity fund will be fully redeemed by 31 May 2011.

Cash Deposit Funds

Total net return for April 2011 was \$0.58m consisting of \$0.27m interest earnings and \$0.31m capital gain.

Table 1 Investment Portfolio by Risk Category

	April 2011	Year-to-date Returns	
	\$ '000	%	\$ '000
Cash at Call	20,633	5.90	791
Term Deposits	69,345	6.06	3,238
Cash Plus Funds		-11.58	-1
Cash Management Funds	7,857	13.89	1,083
Enhanced Income Funds	5,141	9.47	1,092
Total Investments	102,976	7.48	6,203

Year to date returns in April of 7.48% reflects WSC's capital recovery and compares favourably with the year-to-date UBSA Bank Bill Index of 4.98%.

Investment transactions and earnings during April 2011 are shown in Table 2 - Portfolio Performance.

Table 2 Portfolio Performance

	July - September 2010 \$m	October - December 2010 \$m	January- March 2011 \$m	April 2011 \$m	Year to Date 2010-11 \$m
<i>Movement in Assets</i>					
Opening Balance	126.39	84.26	105.60	114.9	126.39
Capital Gain/Loss – (see below)	0.92	0.52	0.23	0.12	1.79
Net Cash/Investments(Withdrawals)	(43.05)	20.82	9.07	(12.04)	(25.20)
Closing Balance	84.26	105.60	114.9	102.98	102.98
<i>Trading Position</i>					
Capital Gain/(Loss) Realised	-	-	-	-	-
Capital Gain/(Loss) Unrealised	0.92	0.52	0.23	0.12	1.79
Interest Earnings	1.32	1.17	1.45	0.47	4.41
Total Return for Period	2.24	1.69	1.68	0.62	6.20

Table 2a Draw-downs

Month	Amount \$m	Funding Need	Placement
July	2.5	Mardi-Mangrove/Mardi Suite	Water a/c
August	2.5	Mardi-Mangrove/Mardi Suite	Water a/c
August	20.0	General operational cash	Current a/c
September	2.2	Mardi-Mangrove/Mardi Suite	Water a/c
September	2.0	Link Road Warnervale	Current a/c
September	15.0	General operational cash	Current a/c
October	(10.7)	Re-investment	Current a/c
November	(18.4)	Re-investment	Current a/c
December	8.4	Mardi-Mangrove/Mardi suite	Water a/c
January	(1.7)	Reinvestment	Current a/c
February	(1.37)	Mardi-Mangrove/Mardi suite	Water a/c
March	(8.66)	Re-investments	Current a/c
April	6.00	Mardi-Mangrove / Mardi Suite	Water a/c
April	6.04	General Operational Cash	Current a/c

Interest and Investment Returns

Returns as at 30 April 2011 on the council investment portfolio of deposit accounts, term deposits and managed funds show a minor unfavourable variance overall compared to the original budget.

Table 3 Performance at 30 April 2011

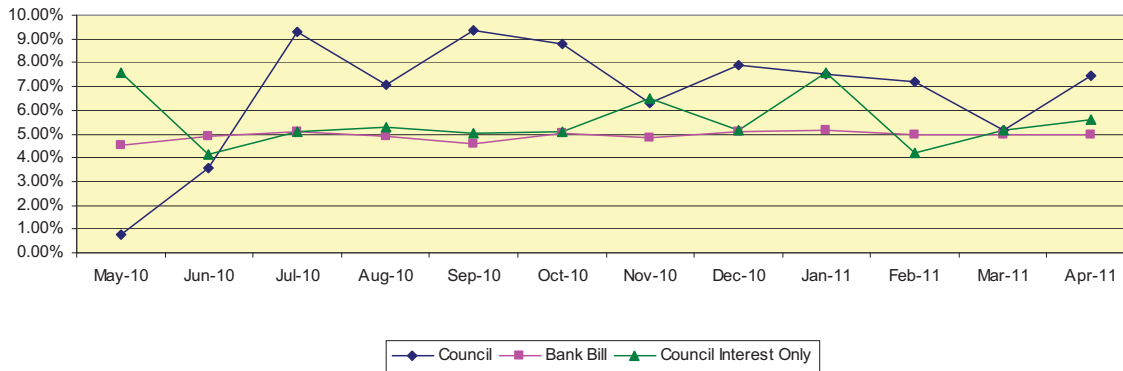
Investment Source	YTD Budget \$ '000	YTD Actual \$ '000	Var. \$ '000
General Fund	3,025	2,708	(317)
Water	2,283	1,575	(708)
Sewerage	1,190	1,920	730
Total	6,498	6,203	(295)

Interest rates in the month on term deposits, other than a statutory \$10.2m deposit for WorkCover, ranged from 5.13% to 6.40% and these rates exceeded the Union of Switzerland Australia (UBSA) bank bill index for April of 4.98%.

Benchmark - Monthly Returns (Annualised)

Council's overall investment return is compared to the UBSA Bank Bill Index. This is a common benchmark used in Local Government and establishes a minimum performance level. A graph detailing the monthly return on a 12 monthly basis is as follows:

6.2 Investments For April 2011 (contd)



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

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 30 April 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 as required under the provisions of the ministerial investment order.

Investments are being carefully managed to ensure that value is added to the considerable fixed interest portfolio.

ATTACHMENTS

- 1 Summary of Investments by Type April 2011 D02609138

Wyong Shire Council
Summary of Investments - By Type
As at 30 April 2011

FUND MANAGER	MATURITY	PORTFOLIO BALANCE 31.03.11 \$	PORTFOLIO BALANCE 30.04.11 \$	INCOME FOR MONTH \$	INTEREST RATES % p.a.
CASH AT CALL:					
Westpac Corporate Investment Account (AA)	Daily	28,291,680	20,572,442	110,763	
LGFS Overnight Call Account (A2)	Daily	9,140,245	6,521	6,521	
UBS Cash Account (AA)	Daily	56,358	54,370	0	
Total Cash At Call		37,488,283	20,633,333	117,284	
TERM DEPOSITS & BONDS					
Bendigo/Adelaide Term Deposit	15/04/2011	5,000,000	5,000,000	12,274	6.40
NAB Term Deposit	18/04/2011	10,000,000		969	6.06
IMB Term Deposit	09/05/2011	5,000,000	5,000,000	25,603	6.23
LGFS Term Deposit	17/05/2011	5,000,000	5,000,000	25,315	6.16
SunCorp Term Deposit	22/06/2011	5,000,000	5,000,000	26,096	6.35
NAB Term Deposit	07/07/2011	5,000,000	5,000,000	25,562	6.22
IMB Term Deposit	18/07/2011	5,000,000	5,000,000	25,274	6.15
T-Corp (WorkCover NSW)	02/09/2011	10,243,519	10,243,519	41,928	4.98
Bankwest Term Deposit	05/10/2011		5,000,000	18,904	6.00
Westpac Term Deposit	05/10/2011		5,000,000	18,526	5.88
NAB Term Deposit	19/01/2012		5,000,000	9,929	6.04
Bankwest Term Deposit	18/04/2012		5,000,000	9,945	6.05
Bendigo/Adelaide Term Deposit	18/04/2012		5,000,000	10,356	6.30
Westpac Deposit Bond	24/09/2012	4,107,456	4,107,456	24,033	5.13
Total Term Deposit & Bonds:		54,350,975	69,350,975	274,714	
CASH PLUS:					
ING Enhanced (A)	To be liquidated - Fund Termination in Process.	304		4	
Total Cash Plus		304	0	4	
CASH MANAGEMENT FUNDS:					
BlackRock Care & Maintenance Fund	June 2015 (Estimate)	7,774,750	7,857,392	82,642	
Total Cash Management Funds		7,774,750	7,857,392	82,642	
ENHANCED INCOME:					
Macquarie Global Income Opportunity	Open Ended	15,280,725	5,141,392	111,528	
Total Enhanced Income		15,280,725	5,141,392	111,528	
TOTAL		114,895,037	102,983,093	586,173	

6.3 General Works in Progress

TRIM REFERENCE: F2004/07830 - D02591741

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

MANAGER: Mike Long; Manager Contract and Project Management

SUMMARY

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

RECOMMENDATION

That Council receive the report on General Works in Progress.

ROADS AND DRAINAGE 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 Shelly Beach Rd and Bonnieview St, Long Jetty road and drainage upgrade	\$1.88M	23/03/10	79	85	Mid May 2011	Drainage works 100% complete, Road works 75% Complete.
Mataram Road Culverts, Woongarra	\$1.49M	15/11/10	74	95	Mid May 2011	Culvert and roadwork complete. Big savings due to reduced spoil disposal costs. Footpath and pedestrian handrail to be installed. Delayed due to emergency works in Yarramalong Road for M2M.
Marks Rd, Gorokan drainage	\$247K	5/01/11	63	99	April 2011	Safety fencing yet to be completed. Reduced spoil disposal costs resulted in big savings.

6.3

General Works in Progress (contd)

Item Description	Est Cost	Start Date	% Spent	% Comp	Est Comp Date	Comments
Horns Bridge Reconstruction, Ourimbah Creek Rd, Ourimbah	\$232K	6/12/10	92	95	End May 2011	Road sealing and vegetation restoration outstanding, to be completed in conjunction with works on adjoining Hidden Valley Bridge.
Hidden Valley Bridge Reconstruction, Ourimbah Creek Rd, Ourimbah	\$286K	30/3/11	28	20	End May 2011	Clearing of vegetation, set out. High initial costs of materials. Project on target.
Wilfred Barrett Drive Road (South of Magenta) Shoulder widening for bicycle lane (for RTA)	\$330K	4/5/11	7	2	Mid May 2011	Project on target. High initial commitments for pavement contractor.
Bakers Lane Upgrade	\$446K	23/3/11	44	50	Mid May 2011	Drainage complete. Kerb Complete. Roadworks yet to be done.
Warren Road, Warnervale. Earthworks to improve land for future sale.	\$638K	29/3/11	21	15	June 2011	Earthworks progressing. Difficulty with rain.
Lakeway Drive, Lake Munmorah, Kerb & Gutter	\$288K	14/3/11	68	65	Mid May 2011	Sub-soil drainage complete. Laid kerb on one side. Awaiting pavement. Delayed by rain.

General Maintenance Work

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

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

	North	South
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	New soccer and AFL fields available 2011 winter season.	Construction works proceeding under Council's direct management. Turf completed to all fields. Softball games have started.
CPA/135454 Consultancy for Investigation, Design and Construction Supervision for Toe Drainage Structure at Cabbage Tree Harbour, Norah Head	\$464K	Aug 2007	85	95	No further work proposed for this consultancy. In process of engaging WorleyParsons to act as consulting engineer for project moving forward	Council briefing 9 February 2011 confirmed construction of Low Cost Option (\$1.1M structure) by day labour resources to proceed in second quarter 2011.
CPA/136020 (complete), CPA/162445 (complete) and CPA/181535 Gwandalan Landfill Remediation – Investigations Only	\$290K	Nov 2007	98	98	June 2011 (RAP & concept design)	Preliminary and detailed site investigations completed. Draft Remedial Action Plan (RAP) & concept design report received. Referred to EPA accredited Site Auditor for review and comment.
CPA/136021 (complete) and CPA/168802 (complete) Tumbi Landfill Remediation – Investigations only	\$190K	Nov 2007	75	75	Dec 2011 (RAP & concept design)	Preliminary and detailed site investigations completed. Tenders for Remedial Action Plan (RAP) to be invited in July 2011.
CPA/142750 (complete) and CPA/173290 (complete) Shelly Beach Landfill Remediation – Investigations only	\$185K	Nov 2007	75	75	Dec 2011 (RAP & concept design)	Preliminary and detailed site investigation completed. Tenders for Remedial Action Plan (RAP) to be invited in July 2011.

6.3

General Works in Progress (contd)

Item Description	Est Cost (excl. GST)	Start Date	% Spent	% Comp	Est Comp Date	Comments
CPA/144547 Construction of Stormwater Treatment Works, Colongra Bay Rd, Lake Munmorah	\$270K	Jan 2010	80	80	June 2011	Work due for completion by end of June 2011.
CPA/144772 - Consultancy for Investigation and Design of T22 Sewer Pump Station upgrade – Budgewoi	\$171K	Mar 2008	88	95	June 2011	Contract awarded to Cardno (NSW) Pty Ltd. Final design and tender documents currently being reviewed. Preliminary project construction cost estimate \$2.43M.
CPA/147230 - Consultancy for Investigation and Design of T8 Sewer Pump Station upgrade – Norah Head	\$150K	Jun 2008	98	98	June 2011	Contract awarded to Cardno (NSW) Pty Ltd. Delays due to coastal hazard investigations requiring relocation of pump station. Final design and tender documents currently being reviewed. Preliminary project construction cost estimate \$1.32M.
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	\$190K	Dec 2008	80	85	June 2011	Contract awarded to SMEC Australia Pty Ltd. Final design and tender documents currently being reviewed. Preliminary project construction cost estimate \$1.32M.
CPA/157337 – Pre-Construction Documentation and Construction of 150mm diameter Water main Upgrade along Pollock Avenue	\$366K	Apr 2010	10	15	June 2011	Documentation preparation in hand to seek approvals and for construction tenders to be called.

6.3

General Works in Progress (contd)

Item Description	Est Cost (excl. GST)	Start Date	% Spent	% Comp	Est Comp Date	Comments
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 for two years. Further de- silted work to be undertaken once funds become available.
CPA/160358 Project Management Services for the Clearing and Engineering Works Associated with Sub Division of Council land at Sparks Road Warnervale	\$170K	Mar 2009	53	95	June 2011	Council day labour started bulk earthworks on site end of March 2011. Estimated timeframe for completion mid June 2011 subject to weather.
CPA/160794 Construction of the Northern Section of the Link Road	Construction contract \$9.5M	Mar 2009	90	99	June 2011	Southern section to the senior school opened 21 February. Minor landscaping works to be completed.
CPA/164637 (complete) CPA/185467 Detailed Investigation Toukley Landfill (Sewage Treatment Plant and Transfer site)	\$250K (three contracts)	Dec 2009 Aug 2010 Jan 2011	100 88 0	100 95 0	Complete (Preliminary Investigation works) May 2011 (Detailed site investigation) June 2011 Remedial Action Plan (RAP)	Detailed site investigation field work completed by Douglas Partners P/L. Final report due May 2011. Engagement of consultant in hand for completion of the Remedial Action Plan (RAP) by the end of June 2011.

6.3

General Works in Progress (contd)

Item Description	Est Cost (excl. GST)	Start Date	% Spent	% Comp	Est Comp Date	Comments
CPA/172612 Construction of Hamlyn Terrace Community and Sporting Facility	\$7.53m	Apr 2010	40	47	July 2011	The Community Centre will be complete by the end of June; the Amenities Building completion date is mid July. Continuing wet weather has again delayed progress on the playing field (five months of delay in last 12 months). Fields are complete to the underside of the growing medium and 50% of irrigation lines have been installed.
CPA/173205 Sewer main rehabilitation, various locations in Wyong Shire	\$920K	Sep 2010	70	95	June 2011	Works are progressing satisfactorily.
CPA/173286 (complete) CPA/181554 Remediation of Mardi Landfill – Design only	\$350K	N/A	5	5	April 2012 (Detailed design)	Tenders for detailed design & documentation reported to Council in May for approval.
CPA/179982 Replacement of Pope Air Conditioning Equipment at Wyong Civic Centre	\$240K	Jan 2010	54	65	June 2011	Work proceeding on variations to work for the original 6 new air conditioners for Building C
CPA/184446 – Shelly Beach SLSC Construction	\$3.23M	Oct 2010	37	44	July 2011	Projected completion date is late July. Federal government has extended date for completion to end July 2011.
CPA/184454 – Soldiers Beach SLSC Construction	\$3.2	Oct 2010	50	57	June 2011	Roof sheeting 99% completed; internal wall linings and service rough in proceeding. Projected completion end of June 2011.
CPA/184901 Construction of Stormwater Treatment Works, Gascoigne Rd Gorokan	\$308K	Nov 2010	90	90	June 2011	Work nearing completion.

6.3 General Works in Progress (contd)

Item Description	Est Cost (excl. GST)	Start Date	% Spent	% Comp	Est Comp Date	Comments
CPA/184904 Construction of Stormwater Treatment Works, Catalina Rd & Liamena Av San Remo	\$415K	Nov 2010	15	15	June 2011	On-site work commenced.
CPA/189208 & CPA/189207 Landfill Gas Installations Monitoring & Report Buttonderry Waste Management Facility	\$150K	Nov 2010	80	80	April 2012	Initial rounds of gas monitoring revealed unexpected presence of subsurface landfill gas. Interim report submitted to DECCW in March 2011 as requirement of Environmental Protection Licence (EPL). Ongoing monitoring proceeding. Tenders for gas management strategy to be invited in June 2011.
CPA/189210 CPA/194091 Investigation & Design Only, for New Cell 4.3 at Buttonderry Waste Management Facility	\$430K	Nov 2010	7	7	June 2012	Site survey (CPA/189210) completed. Geotechnical investigations finalised. Tenders for Area 4 Development Strategy (CPA/194091) closed, to be awarded in May 2011. Design tenders to follow.
F2008/02330 McKenzie Reserve Foreshore Stabilisation Works and Upgrade of Recreational Facilities	\$200K	Dec 2010	5	8	June 2012	Geotechnical investigations, tree assessment and environmental reports in progress for foreshore stabilisation works. Minor upgrade works to existing recreational facilities including painting of shelters and landscaping to take place May/June 2011.

CONTRACTS STILL IN DEFECTS LIABILITY PERIOD			
Contract No	Contract Description	Contract Status	% Completed
CPA/117144	Toukley Reclaimed Effluent WTP Augmentation Works	Practical Completion 20 August 2009. Defects Liability Period extended until the defects identified are completed.	90
CPA/127662	Mardi Suite of Works Mardi Transfer System, High Lift Pump Station and Intake Tower (Boulderstone)	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	50
CPA/140816	The Entrance Community Facility Stage 2 – Construction	Defects liability period expired 24 April 2010. Final account yet to be finalised – now in formal dispute with contractor	100
CPA/142295	Mardi Suite of Works High Voltage Upgrade to Mardi Dam site (Poles and Underground)	Practical Completion Separable Portion 1 - 10 August 2010 Separable Portion 2 - 10 August 2010 Separable Portion 3 - 27 August 2010	75 75 65
CPA/153228	Construction of Woongarra Sports Facility	Practical Completion 4 June 2010 Defects being repaired by Contractor	95
CPA/154562	Toukley Sewage Treatment Plant Inlet Works Upgrade	Practical Completion 10 December 2010 Defective step screen is being repaired. Other step screen is in operation. WAE Drawings and O&M manuals received.	45
CPA/158359	Ourimbah RFS Building Construction	Practical Completion 21 May 2010	93
CPA/159880	Construction of Mannering Park Sewage Treatment Plant Inlet Works	Practical Completion 17 June 2010	80

Contract No	Contract Description	Contract Status	% Completed
CPA/159848	Reservoir Lining – Tuggerah 1 and Ridgeway	Practical Completion 6 November 2010	50
CPA/160330	Upgrade to Floodlighting at Various Ovals in the Southern Region of Wyong Shire	Practical Completion 1 October 2010	70
CPA/160331	Upgrade to Floodlighting at Various Ovals in the Northern Region of Wyong Shire	Practical Completion 30 August 2010	80
CPA/164633	Excavation & lining of Cell 4.2B Buttonderry Waste Management Facility	Practical Completion 28 August 2010.	75
CPA/171026	Installation of Subsoil drainage at Halekulani Oval, Kurraba Oval and Killarney Vale Oval	Practical Completion 1 December 2010	50
CPA/174474	Stormwater Treatment Works Project #6, Parkside Dr Charmhaven	Practical Completion 29 October 2010	60
CPA/177219	Amenities Block at Tenth Avenue, Budgewoi	Practical Completion 30 September 2010	70

ATTACHMENTS

Nil.

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

TRIM REFERENCE: F2004/07830 - D02592881

AUTHOR: Jane Doyle; Senior Administration Support Officer

MANAGER/ DIRECTOR: Gina Vereker; Director Environment and Planning Services

SUMMARY

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

RECOMMENDATION

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

Development Applications Received and Determined – April 2011

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	8	2,517,053	6	1,920,410
Industrial	1	165,000	3	400,000
Residential	84	19,087,989	71	11,556,385
Other	2	1,019,847	-	-
Total	95	22,789,889	80	13,876,795

Note: The total number of development applications lodged in the "Residential" category was made up as follows: 37 Dwelling Applications valued at \$8.5m, 2 Residential Flat Buildings valued at \$8.2m and 45 Applications for Alterations And Additions valued at \$2.2m. Included in the determined category of "Commercial" was a Water Bottling Production Plant located at Kulnura valued at \$1.7m.

6.4 Activities of the Development Assessment Unit and Building Certification and Health Unit (contd)

Subdivision Applications Received and Determined – April 2011

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	-	-	-	-
Industrial	-	-	-	-
Residential	2	130	4	6
Rural	-	-	-	-
Total	2	130	4	6

Note: Included in the number of Subdivision Applications received for April in the “Residential” Category included an application for a 129 Residential Lot Subdivision at Woongarra valued at \$5m.

Net Median Turn-around Time

The net median turn-around time in working days for development applications determined during the month of April was 15 days.

The net median turn-around time in working days for priority applications determined during the month of April was 144 days. There was one priority development application determined, which was for a water bottling production plant at Kulnura valued at \$1.7 million. There were a number of issues which delayed the assessment of the application, including:

- The need for road works to be undertaken outside of the Wyong Local Government Area, which required negotiation between Council, the Applicant, Gosford City Council and the NSW Land and Property Management Authority in order to facilitate the necessary approvals for land acquisition and road widening;
- Timeframes associated with referrals to the Department of Environment Climate Change and Water and the Department of Industry and Investment in relation to water extraction and the use of agricultural land;
- Delays with the Applicant providing necessary information.

Other Approvals and Certificates

Type:	Number Determined:
Trees	18
Section 149 D Certificates (<i>Building Certificates</i>)	13
Construction Certificates	53
Complying Development Certificates	14

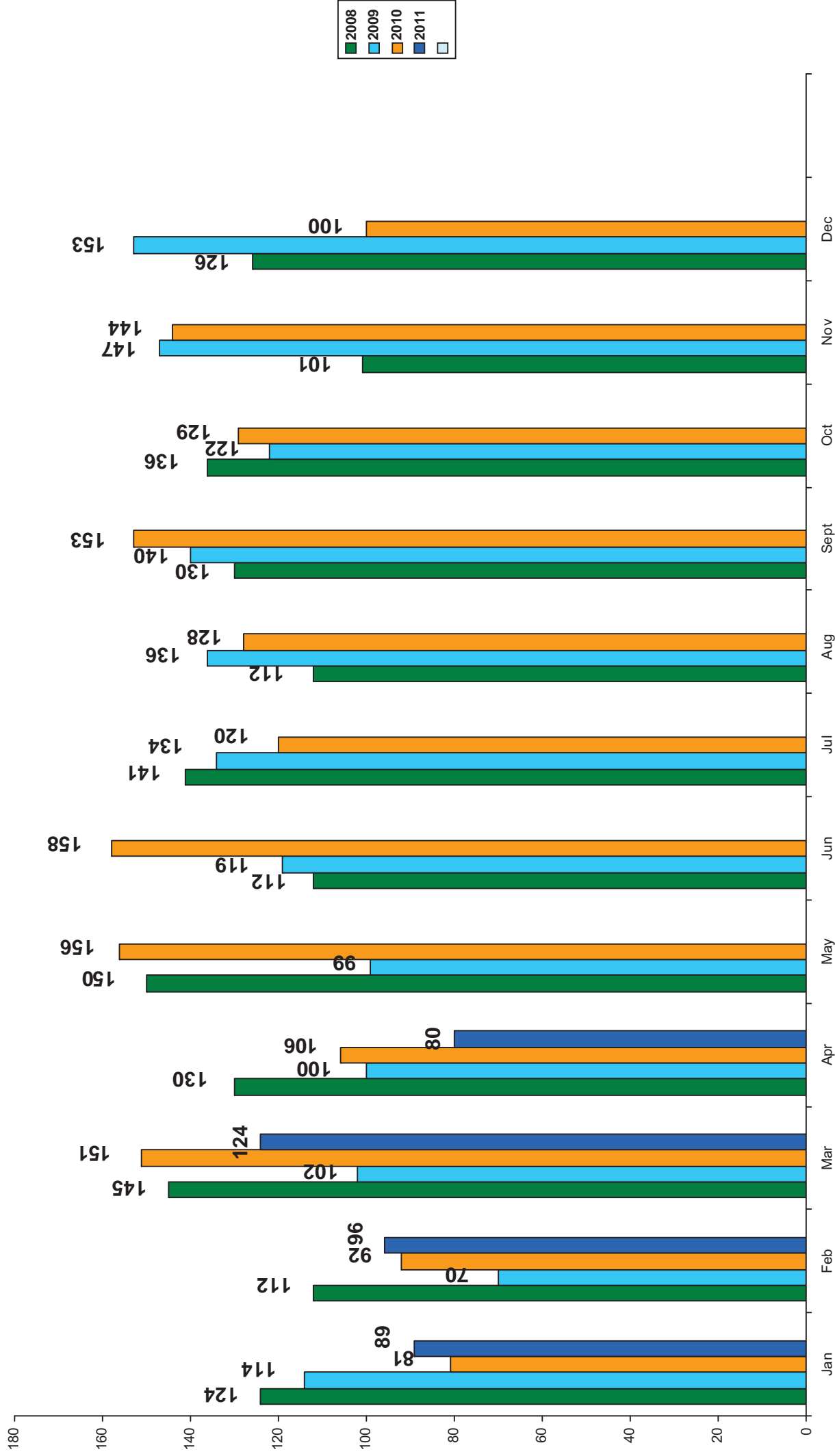
State Environmental Planning Policy No 1

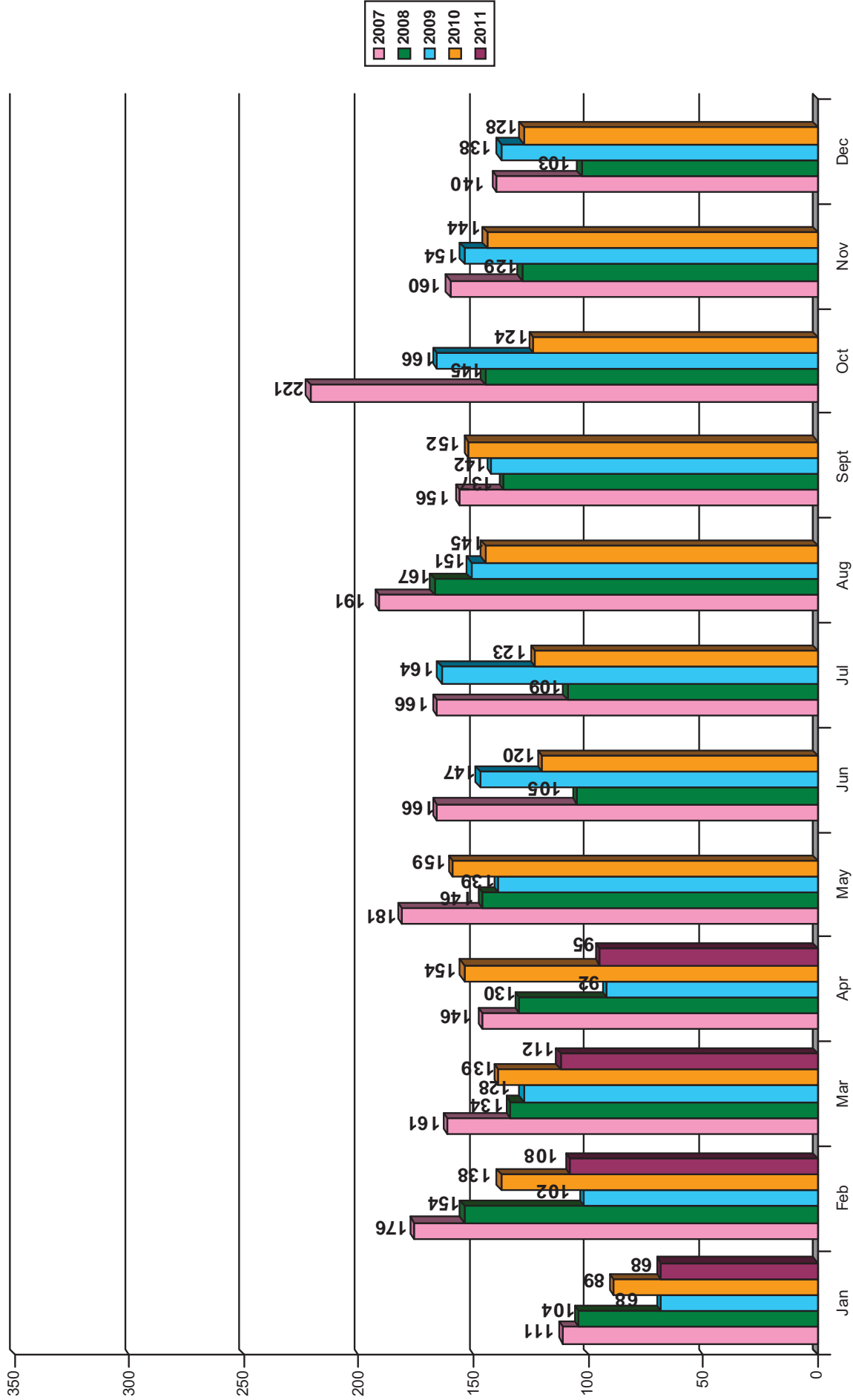
There was one application that relied on SEPP 1 variations for the Month of April which was less than 10%. This application was for a Residential Subdivision at Buff Point.

ATTACHMENTS

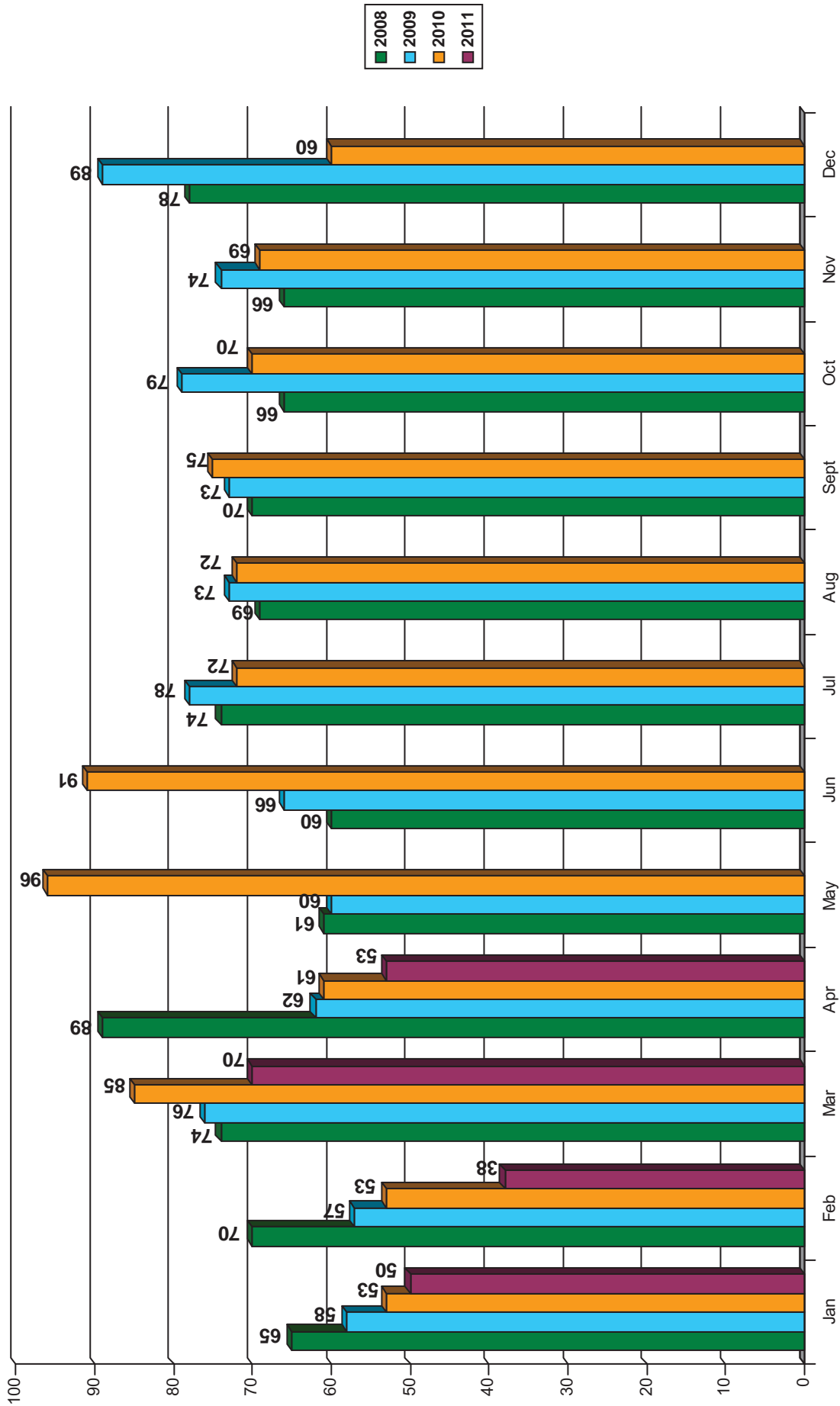
- 1 Graphs – Development Applications Lodged, Development Applications Determined and Construction Certificates Determined D02598467

DAS DETERMINED





CCs DETERMINED



6.5 Results on Water Quality Testing for Beaches and Lake Swimming Locations

TRIM REFERENCE: F2004/06822 - D02595233

MANAGER: Rob Van Hese; Manager Compliance and Regulation

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 April 2011.

RECOMMENDATION

That Council receive the report on Results on 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 has been in partnership with the Department of Environment, Climate Change and Water (DECCW) 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.*
 - 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.*

6.5 Results on Water Quality Testing for Beaches and Lake Swimming Locations (contd)

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 Water Environments*, 2003. The new guidelines, NHMRC (2008), have lead to a change in acceptable faecal indicator levels and how they are reported as part of the Beachwatch partnership program.

The acceptable level for the faecal indicator *enterococci* has now been elevated to 200cfu/100mL, compared with 33cfu/100mL (Nb: cfu= colony forming units). This change is based 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.

During the winter season the Beachwatch program becomes inactive, sampling is conducted once a month to assess any changes in water quality. If these monthly results indicate high levels of sewage and stormwater contamination further investigations are triggered to determine the source of its origin.

Additionally, Council is still required to monitor the ocean outfalls five times a month, year round. This monitoring and sampling regime is undertaken in accordance with the DECCW "Environmental Protection License's", this sampling is carried out at ten sites around Norah Head and Wonga Point.

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.

6.5 Results on Water Quality Testing for Beaches and Lake Swimming Locations (contd)

Summary of results for April 2011

For the month of April 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.

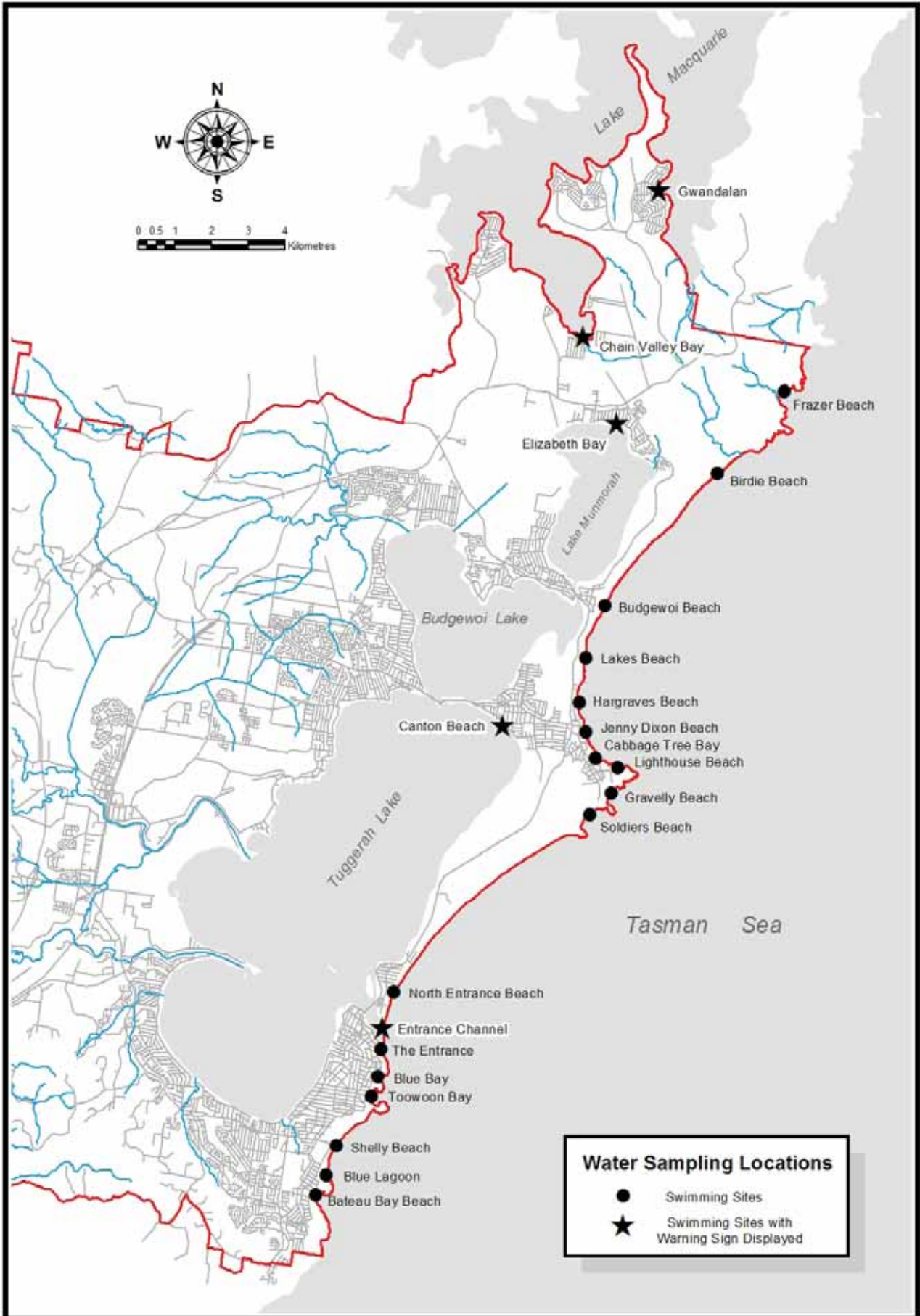
A definition of the star rating system can be seen in Table 1 below.

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



6.6 Warnervale Town Centre April 2011 Progress Report

TRIM REFERENCE: F2004/00535-08 - D02598973

AUTHOR/ MANAGER: John Pearce; Senior Development Manager

SUMMARY

The Council has requested a monthly update on the progress of the Warnervale Town Centre project. This report shows the current status of the Warnervale Town Centre project for the month of April 2011.

RECOMMENDATION

That Council receive the report on Warnervale Town Centre April 2011 Progress Report.

KEY PROGRESS ITEMS

Road Rationalisation complete:

In order to improve the walk ability and gradient of the town centre, in particular in relation to the main hill top park, Council has led a process of rationalisation of the proposed internal road network. This has resulted in a reduction of some 700 lm of road with a projected \$2.8M overall cost saving, and an increase of developable area of 14,000 m². Importantly the new road layout excludes any road construction from the bounds of the previous 'tree tip'. The new road layout has been signed off by the parties and will be incorporated in the amendments to the Development Control Plan (DCP) prepared by the Department of Planning.

DCP/ SEPP Amendments agreed:

1. Refining zoning areas to achieve a higher and better use of land
2. Density targets revised
3. Implementation of Councils Public Domain Plan

The Department of Planning is now proceeding to redraft the above plans with exhibition scheduled for the end of June. Councils S 94 plan is scheduled for concurrent exhibition.

Other Highlights:

In addition to the above, work was undertaken to prepare a detailed grant submission under the Regional Development Australia (RDA) Fund for the Sparks Road Intersection. Council has requested \$6 million. The request was endorsed by the local RDA Board and the project was nominated by the board as *strongly aligned* with the Central Coast Regional Plan.

On the same matter confirmation was also received from the Roads and Traffic Authority that the previously supplied intersection is agreed as satisfactory and the strategic estimate of cost for the concept design is within the range of 8-10 million.

CURRENT STATUS**Deliverable Status**

	Scheduled Start	Scheduled Completion	% Work Complete
Milestone 1: DCP Amendments			
Revert B2 (local centres) to R1 (residential) & B4 (mixed use)	November 2010	May 2011 (Dependant on DoP)	90%
Internal roads rationalization; Objective of rationalization; <ul style="list-style-type: none"> • Reduce roads and intersections • Create larger development parcels • Reduce infrastructure costs 	February 2010	May 2011	90%
Hill Top Park Review of height relationships between the town centre and park and location of community facilities. Objective; Integrated with rezoning and roads rationalization.	February 2010	May 2011	50% Dependant on the above
Milestone 2: Entry Road;			
Negoating Deed of Agreements and budgets with adjoining landowners.	January 2011	May 2011	50%
Milestone 3: Biocertification			
Council, DECCW, DoP & Department of Premiers and Cabinet met to discuss the adopted methodology and next steps for WTC	March 2011	March 2011	100%
Council to draft Bio-certification Agreement with DECCW	April 2011	Dependant on DECCW	
Biocertification Strategy placed on public exhibition	May 2011		
Milestone 4: Sparks Rd Intersection			
Council continuing ongoing dialogue with RTA requesting actual extent of intersection scope and cost.	March 2011	On going	
Milestone 5: Railway Station			
Railcorp and Woolworths agreed on design integration, rail concourse and road levels	March 2011	March 2011	complete
Railcorp finalizing Plan of management	May 2011		
Railcorp is preparing a response to outstanding issues such as stormwater management, non compliance with the DCP and integration with services on site for submission to council together revised Statement of Environmental Effects.	April 2011	June 2011	100%

Deliverable Status

	Scheduled Start	Scheduled Completion	% Work Complete
WSC to respond		May 2011	0%
Milestone 6: S94 Contribution Plan			
Contribution Plan is continually updated with changing amendments to the DCP. The following tasks are dependant on the DoP.			
Adjust Contribution Plan upon 1. receipt of asset managers confirmation of infrastructure costing , 2. deletions of infrastructure items and 3. additional revenue from DCP amendments	April to May 2011	May 2011	90%
Briefing of Council seeking approval to exhibit.	May 2011	June	
Forward to DoP seeking approval to exhibit	May 2011	June	
Exhibit plan for public comment.	June 2011	July	
Report to Council on results of exhibition.	July 2011	July end	
Notify Department of Planning of adoption of the plan.	July 2011	July end	
New Ministerial Direction given.	August 2011	August end	
Contributions Plan comes into force.	August 2011	August end	

Stakeholder Liaison**Media**

Media interest following Mayoral Minute on Sparks Rd Intersection.

RISKS**Spotted Gum Ironbark Forest.**

The Lower Hunter Spotted Gum Ironbark forest (LHSGIF) was once widespread in the Lower Hunter region, approximately 65 km by 35km centered on the Cessnock-Beresfield area.

Spotted Gum Ironbark Forest in Wyong Shire is a common vegetation and sub-types are floristically similar to those mapped around the core region in the Lower Hunter. The points of difference are in geographic range, soil types and different landscape threats between the two regions. Councils experts conclude that the LHSGIF does not apply to the Wyong Shire.

The current wording in the Scientific Communities determination is open means that it is difficult to say with legal certainty whether the Hunter Spotted Gum Ironbark forest should apply in Wyong Shire Council, or whether it should not. If this was to be read to apply it would have broad strategic impacts to the Wyong Shire. Council has approached the NSW Department of Premiers and Cabinet seeking the NSW Scientific Committee to clarify the wording of the determination to clearly define the extent of the vegetation community and unambiguously describe its distribution in the region.

ATTACHMENTS

Nil.

6.7 Works in Progress - Water Supply and Sewerage

TRIM REFERENCE: F2004/07830 - D02599384

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 April 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
Mataram Rd, Woongarra	42,000	Mar 2011	75	95	May 2011	<p>Work is nearing completion to relocate approximately 60m of 200mm DICL water pipe in Mataram Rd Woongarra.</p> <p>This work forms part of the Roads and Drainage upgrade work and the construction of new culverts to widen the road to reduce localised flooding by installing an upstream wetland.</p> <p>The water relocation work is being partially funded by Water & Sewerage and Roads and Drainage Capital Works Program.</p>

Item Description	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Bateau Bay Killarney Vale Ourimbah The Entrance Tuggerah Watanobbi Wyong	50,000	May 2011	90	90	Jun 2011	<p>Ongoing water main, stop valve and hydrant replacement works are underway to improve system supply operations.</p> <p>This work is funded by the Water and Sewerage Operations and Maintenance Program.</p>
Dudley St, Lake Haven	80,000	May 2011	40	50	Jun 2011	<p>Work is underway to relocate approximately 80m of 100mm MPVC water pipe and 375mm polyethylene pipe at the intersection of Dudley St and Chelmsford Rd East Lake Haven.</p> <p>This work forms part of the Roads and Drainage upgrade work and is being partially funded by Water & Sewerage and Roads and Drainage Capital Works Program.</p>

Item Description	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Burnett Rd, Warnervale	190,000	Feb 2011	120	95	May 2011	<p>Work is nearing completion on the installation of approximately 180m of 375mm MPVC water main including an underground bore to connect to the 750mm PVC Wyong to Hunter Transfer Main. This work is to maintain water security/supply to Burnett Rd industrial area.</p> <p>Due to wet weather the concreting work was delayed by 5 days. The construction of the concrete pit for the 375mm isolation valve and restoration works is nearing completion.</p> <p>Expenditure has exceeded the estimated cost due to excavation and boring in sandstone rock and work associated with the fusion welding the poly pipe when boring under Sparkes Rd. This work is being funded by Water & Sewerage Capital Works 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 2010	85	90	Jun 2011	<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 funded by the Water and Sewerage Operations and Maintenance Program.</p>

PROCESS**Water Treatment**

All water produced by Mardi Water Treatment Plant, for the period 1 to 30 April 2011 has met National Health and Medical Research Council Guidelines.

Sewage Treatment

All effluent discharged from the sewage treatment plants, for the period 1 to 30 April 2011 has met Environmental Protection Authority Licence requirements.

Sewer Overflows

One minor environmental incident occurred on T6 sewer rising main in Reynolds Rd Toukley during the period 1 to 30 April 2011. A small amount of effluent leaked around T6 sewage pumping station and two residential homes which caused no harm to the environment and was cleaned up in a timely manner. The matter was referred to Manager of Regulation and Compliance and the incident was reported to Department of Environment Climate Change and Water. To date, no further advice or requests regarding this incident has been received from DECCW.

WATER STORAGE

Monday, 9 May 2011				
STORAGES				
Storage	Capacity Full [MI]	Volume in Storage [MI]	Percent Full [%]	Storage Change over last Week
Mangrove Dam	190000	53,787	28.3	Down 56 ML
Mardi Dam	7400	5,919	80.0	Up 253 ML
Mooney Dam	4600	4,593	99.8	Down 7 ML
Total	202000	64,299	31.8	Up 190 ML
STORAGE:				
<ul style="list-style-type: none"> Total stored water volume has increased by 0.9% since last month. This day last year the volume stored as a percentage of total capacity was 3.4% lower. 				
HUNTER TRANSFERS:				
<ul style="list-style-type: none"> Hunter Water Corporation supplied 0 ML last week keeping this year's supply to 12 ML. Gosford/Wyong supplied 0ML to Hunter Water last week keeping this year's supply to 0ML. 				
GROUND WATER BORES:				
<ul style="list-style-type: none"> Groundwater Bores supplied 6.4 ML last week, increasing this years supply to 69.2 ML 				
WATER USAGE & RAINFALL				
Period	Water Usage [MI]	Rainfall [mm]		
		Somersby WTP	Mardi WTP	Mangrove Dam
Week to date	472	0	1	0
Previous week	458	90	83	36
Current week last year	487	6	2	10
This year to date	10,019	605	58	30
Same period last year	9,387	430	43	43
			8	1
<p>Week to date consumption was 472 ML, 3.1% less than the same week last year and 3.1% more than the previous week.</p> <p>Consumption this year to date is 10,019 ML, 6.7% more than the same period last year.</p> <p>Level 3 Water Consumption Target for the week ending Monday, 16 May 2011 is 522 ML</p>				

ATTACHMENTS

Nil.

6.8 Local Government & Shires Association Cost Shifting Survey

TRIM REFERENCE: F2004/06596 - D02599635

AUTHOR: Mellissa McKee; Corporate Planning Executive:

MANAGER Cate Trivers; Chief Financial Officer

SUMMARY

The Local Government and Shires Association of NSW (LGSA) cost shifting survey is an annual survey which seeks to establish the extent of cost shifting by the NSW Government on to NSW Local Government. This report details the cost to Wyong Shire Council for providing NSW State Government Services in 2009-10. It is based on information provided to the LGSA 2009-10 cost shifting survey in May 2011.

RECOMMENDATION

That Council receive the report on Local Government & Shires Association Cost Shifting Survey.

Background

Cost shifting describes a situation where the responsibility for, or merely the costs of, providing a certain service, concession, asset or regulatory function are "shifted" from a higher level of government on to a lower level of government without the provision of corresponding funding or the conferral of corresponding and adequate revenue raising capacity.

The LGSA have identified 25 detailed expenditure items where costs of this nature are being incurred by NSW Councils. These items, and the costs to Wyong, where they can be reliably estimated, are shown in the following table.

Cost shifting continues to place a significant burden on Councils' financial situation. In the 2009-2010 financial year it is estimated that the total amount of cost shifting for WSC was \$23.9 million (\$22.7 million in 2008-2009). This represented 11.80% (11.89% in 2008-2009) of Council's general operating income.

The results of the survey will be published by LGSA later this year.

WSC Cost Shifting Information 2008-09 & 2009-10

Cost Item (1)	Notes	2008-09 \$	2009-10 \$
Total income from continuing operations before capital amounts (for comparison)		190,495,000	202,346,000
Cost Shifting detail amounts:			
1. Contribution to NSW Fire Brigade		1,132,453	1,083,000
2a. Contribution to Rural Fire Service		385,000	327,000
2b. Local emergency management (contribution to state emergency services)		31,000	100,000
3. Pensioners rates rebates		2,676,000	2,686,000
4. Voluntary conservation agreements		Unable to estimate	Unable to estimate
5. Public library operations		2,374,000	2,074,500
6. On-site sewerage facilities	2	-	-
7. Administration of the Companion Animal Act (NSW) 1998	3	540,000	565,000
8. Administration of Contaminated Land Management Act (NSW) 1997		70,000	74,000
9. Functions under the Protection of the Environment Operations Act (NSW) 1997		500,000	525,000
10. Functions as control authority for noxious weed		200,000	94,000
11. Functions under the Rural Fires Act (NSW) 1997		300,000	315,000
12. Immigration services and citizenship ceremonies		90,000	100,000
13. Administering food safety regulation	3	305,000	320,000
14. Provision of educational services		Not applicable	Not applicable
15. Community safety	4	-	-
16. Flood Mitigation program		400,000	450,000
17. Transfer of responsibilities for roads under recent RTA road reclassification reviews	5	-	-
18. Medical services		Not applicable	Not applicable
19. Road safety		50,000	50,000
20. Community and human services		550,000	575,000
21. Waste levy	6	8,680,000	10,670,000
22. Sewerage treatment system license fee		110,000	115,000
23. Waste management site license fee		30,000	30,000
24. Maintenance of crown reserve land	7	1,732,500	1,795,000
25. Processing of Development Applications		2,501,000	1,919,000
Total net cost shifting in \$		\$ 22,656,953	\$ 23,867,500
Cost shifting ratio (total net cost shifting divided by total income before capital amounts times 100) in %		11.89%	11.80%

Notes

1 Definitions 1 -25 are taken from the Local Government Association/Shires Association website; http://www.lgsa-plus.net.au/resources/documents/lgsa-cost-shifting-survey-2009-10-excel-spreadsheet_04112.xls

2 Property owners are charged for this service but the charge is set such that WSC recovers its costs. Other councils may have different recovery models.

3 Includes a proportion of ranger costs.

4 Responsibility for collecting parking fines was transferred to local government from the NSW police but fine revenue covers the associated costs incurred by WSC.

5 No recent transfers.

6 2009-10 includes \$1.6 million Waste Levy backpayment.

7 This figure includes maintenance of WSC assets on crown reserves and WSC assets on crown reserves under WSC's control.

ATTACHMENTS

Nil.

6.9 Central Coast Tourism - Update

TRIM REFERENCE: F2004/07096 - D02601258

AUTHOR/ MANAGER: Bronwyn Rumbel; Manager Economic Property Development

SUMMARY

March quarter report from Central Coast Tourism.

RECOMMENDATION

That Council receive the March Quarter report on Central Coast Tourism - Update.

On 1 September 2010 a Memorandum of Understanding between Wyong Shire Council and Central Coast Tourism was signed by the Chief Executive Officers of both organisations. (reported to Council in Item 7.16 on 22 September 2010.)

Part 6 of the Memorandum of Understanding states the deliverables required from Central Coast Tourism.

Central Coast Tourism has now provided a report for the March quarter of progress against actions in the Destination Management Plan and tourism/event activity in Wyong Shire.

A copy of their quarterly report is attached.

ATTACHMENTS

- 1 Central Coast Tourism - MOU Progress Report - March 2011 D02615170



Wyong Shire Council Report 2010/11

Updated for 3rd Quarter: January–March 2011

Contents

Value of Tourism to the Central Coast and Wyong Shire	3
Key Achievements.....	4
Key Deliverables	5
Destination Management Plan Report	6
Support provided to The Entrance Town Centre and Wyong Shire	8
Media Exposure for Wyong Shire	9
Media Releases Issued for Wyong Shire tourism operators	9
Quotations for conference business.....	10
Accessible/Disability Tourism Precinct Assistance	10
Industry Meetings & Events attended	11
Site Inspections in Wyong Shire.....	12
Promotion of Wyong Shire Events.....	12
Existing and New Wyong Shire Members in CCT.....	13
Wyong Shire Accommodation Bookings.....	14
Key Statistics	15 & 16
Summary	17

Value of Tourism to Wyong Shire and the Central Coast

Tourism delivers \$762 million in expenditure to the Central Coast annually*

Tourism employs almost 3000 people in the Federal Electorate of Dobell.

Electorate of Dobell

COMPOSITION OF RESIDENTS' EMPLOYMENT

Industry Sector	Employment (full-time equivalent)	% of total Employment	National Average
Tourism	2,924	5.2%	5.7%
Accommodation/Casinos/Gambling	430		
Cafes/Restaurants/Pubs/Clubs/Taverns	501		
Tourism retail	923		
Tourism-related transport	275		
Other tourism	795		
Transport (non tourism-related)	1,548	2.8%	2.5%
Air/Water	75		
Road/Vehicle hiring	1,080		
Rail	393		
Other	51,392	92.0%	91.8%
Manufacturing (non tourism-related)	5,527	9.9%	11.0%
Agriculture/Forestry/Fishing	604	1.1%	3.9%
Mining	188	0.3%	0.9%
Other	45,073	80.7%	76.0%
TOTAL	55,864	100%	100%

Central Coast Tourism Key Achievements

Under the Memorandum of Understanding with Wyong Shire Council

- Creation of the first ever Destination Management Plan for the Central Coast region
- Complete overhaul of membership structure resulting in an additional 97 new members
- Central Coast Tourism organisational restructure refocusing key roles on industry engagement, including the creation of membership service, business development and event manager roles
- Enacted a new Constitution increasing the representation of skills based positions and industry members on the Board
- Establishment of an MOU with both Wyong Shire Council and The Entrance Town Centre Management for the provision of tourism services for the Central Coast
- New Central Coast Tourism and Business Events Manager appointed

Key Deliverables to Wyong Shire Council through the Memorandum of Understanding

Deliverable	Status	Comment
1. Apply recurrent funding from Wyong Shire Council to deliver actions in Destination Management Plan (DMP)	Achieved & ongoing	Some priority projects within DMP already achieved- see pages 6 & 7 for details
2. Deliver and support accredited visitor services in Central Coast region	Achieved & ongoing	MOU agreed with TETCM; regular meetings held; formal BookEasy training completed; familiarisation programs planned
3. Promote tourism and events in Wyong Shire and include in quarterly reports to Council	Achieved & ongoing	Events assistance and promotion provided to numerous Wyong Shire events – see page 12
4. Lead implementation and review of the DMP	Achieved & ongoing	Central Coast Tourism continues to increase awareness of DMP and lead implementation of actions
5. Develop annual Business Plan based on DMP and submit to WSC by 30 Sept 2010	Completed	Business Plan submitted 25 Oct 2010
6. Within 2 months of end of each quarter, provide a progress report against actions in DMP and tourism/event activity in Wyong Shire	Completed	This is the report due 31 st May 2011 Final report (to end June) due 31 Aug 2011
7. Provide a tax invoice to WSC in first business week of each quarter for amount of recurrent funding for that quarter	Completed	Next due 8 Apr 2011.
8. Notify Council in writing of any urgent or contentious issues that may place Council at risk	Completed	No issues to report.
9. Provide Council a final report of how CCTI met obligations under MOU and audited financial statement by 31 Oct 2011	Pending	Will be provided October 2011 as per terms of the MOU

10. Secure public liability & workers compensation insurance	Completed	Public Liability \$20M: QBE Policy #140A489330BPK (exp. 22/8/2011) Workers Compensation: GIO Policy #WC198052157 (exp. 30/6/2011)
--	-----------	--

Central Coast Destination Management Plan Report

Priority 1: Activate the Waterfront

- Working closely with Gosford City Council on the draft Local Environmental Plan to assess current planning guidelines to ensure they encourage sustainable tourism development along waterfront areas. Full presentation was made to Gosford Council on 4 August. Will work with Wyong Shire Council as Wyong LEP is reviewed in 2011.
- In conjunction with Regional Development Australia, NSW Industry & Investment, Gosford City Council and Wyong Shire Council, CCT is leading the development of a Regional Tourism Investment & Infrastructure Plan for the Central Coast. Consultant commissioned, literature review completed. Prioritization of infrastructure projects planned for January-March. Assessment criteria confirmed.
- Repositioned the Central Coast brand to align to the Destination Management Plan Brand Blueprint. Brand vision confirmed as "The Central Coast will be recognised as NSW's premier waterfront lifestyle destination."
- Facilitating The Entrance revitalization and enhancement steering groups. Central Coast Tourism has now commissioned Andrew Neil/ Lantz Marshall to produce an economic and tourism development plan for The Entrance to feed directly into The Entrance Masterplan being implemented by council. Data collection has already begun, and Central Coast Tourism continues to work with the revitalise the Entrance group. Shortly, Central Coast Tourism will be briefing the secondary students of Tuggerah Lakes Secondary College on the work of the Revitalise the Entrance committee.
- Central Coast Tourism stands to receive \$250,000 in product development funds through the new coalition government in September 2011. The guidelines and objectives of this funding are currently being finalised by the new Tourism Minister and will be made available shortly.

Priority 2: Enhance and promote the lifestyle and culture of the Central Coast

- Repositioned the Central Coast brand and implemented marketing campaigns targeting short breaks from Sydney and redeveloped the visitcentralcoast.com.au website.
- Have created a local discount pass for attractions and tour operators which will feature in the new regional guide.

- Implemented a \$70,000 conferencing and business events campaign to offset shoulder season declines which generated over 1,000 conference leads directly to members.
- Launched The Legendary Pacific Coast touring route with a \$200,000 campaign in the Sydney market utilizing the Triple M Grill Team morning crew to undertake a road trip from Sydney to Brisbane featuring outside broadcasts at destinations along the route. www.pacificcoast.net.au launched and iPhone app released.
- Various local marketing campaigns undertaken in conjunction with Central Coast media
- Continue to undertake Search Engine Optimisation and Search Marketing for new website
- Proposed cooperative marketing campaign with wotif.com postponed due to surprising lack of support by accommodation members

Priority 3: Attract and grow here, business and tourism events

- Commissioned the development of a Central Coast events strategy which was finalised and released in November 2011.
- Held the Central Coast Events Summit at Mingara on 18 October which was attended by over 60 event coordinators and facilitated by Central Coast Tourism & Tourism NSW.
- Assisted a number of events in securing grants under the Tourism NSW Regional Flagship Events program. The Central Coast 5 Lands Walk and Peats Ridge Sustainable Music Festival were recently announced as successful applicants.
- Formed a Central Coast Event Alliance consisting of event coordinators, Council event managers and Central Coast Tourism to better plan for, coordinate and schedule events on the Coast.
- Central Coast Tourism appointed a new Tourism and Business Events Manager in March 2011, funded jointly by Central Coast Tourism and NSW Industry and Investment.
- The second Central Coast Events Alliance meeting was held in April 2011. Staff from both councils attended.
- A list of target leads for new events to attract to the Central Coast is currently being developed by Central Coast Tourism.
- Central Coast Tourism has met with representatives from both Wyong Shire Council and Gosford City Council to begin drafting a terms of agreement/ MOU to clearly identify the role each organisation plays in different event attraction/ management scenarios.
- Wyong Shire Council, Gosford City Council and Central Coast Tourism will jointly bid for the Local Government Shires Association Tourism Conference for March 2012. A joint bid is currently being finalised.

- Central Coast Tourism is working with The Entrance Town Centre Management to expand the Central Coast Country Music Festival in 2012 to become a coast wide event. Central Coast Tourism's Events Manager has been appointed to the steering committee.

Priority 4: Improve partnerships, packaging and accessibility

- Held joint Central Coast and Hunter Tourism awards in Newcastle in September. The 2011 awards will be held on the Central Coast. Bluetongue Brewery identified as a possible venue.
- Established agreements with both Councils for the implementation of the Destination Management Plan.
- Improved partnerships with membership and industry through regular marketing meetings, networking functions, e-news, training and membership services.
- Facilitating an accessible tourism precinct working group for the Northern Lakes area in conjunction with local stakeholders, Wyong Shire Council and the community. Central Coast Tourism continues to be an active member of the accessible tourism precinct group.
- Provided opportunities for Central Coast Tourism members to attend product and packaging workshops.
- Central Coast Tourism is hosting a tourism awards application training workshop on the 6th May 2011 open to all members to assist them in preparing their Regional, State and National tourism award submissions.

General Support Provided to The Entrance Town Centre Management and Wyong Shire

- Increased awareness for accessible tourism products and services in the Wyong Shire by attending the Disability Expo at Mingara Recreation Club.
- Engaged with Wyong Shire business and key stakeholders for the Central Coast Infrastructure needs - Literature Review
- Participated in the development of the Central Coast Social Enterprise Strategy
- Provided onsite BookEasy training to TETCM
- Created & managed Ourimbah Campus 2010 Science & Eng Challenge website
- Provided support for Central Coast Tourism and TETCM transition period of running The Entrance VIC
- Implemented open invitation program to Toukley District Arts Society and TETCM to attend site familiarisations and product update opportunities
- Collated bookings activity and report for TEVIC team
- Introduced tourism display stand at Borders Westfield Tuggerah
- Held Central Coast Events Summit for event coordinators based in Wyong Shire
- Conducted team overview for ticketing the Ex-HMAS Adelaide site
- Conducted familiarisation programs for TNSW & international trade delegates to The Entrance including Pelican Feeding, breakfast on the waterfront, Mingara and Toowoan Bay Holiday Park
- Undertook a training session with TETCM staff on bookeasy online booking system following evidence of a substantial decrease in online bookings since operational management changeover
- Working with TETCM on the Central Coast Music Festival expansion for 2012
- Provided advice and assistance to TETCM on the Federal Government TQUAL grants program 2011
- Conducted an assessment of Treetops Adventure Park to assist in attaining RTA directional signage
- Advised Optus on their grant application to develop Wyong smartphone application technology

Media Exposure for Wyong Shire Tourism Operators

Media Visits:

Tourism NSW China Media Group: Treetops Adventure Park
 Jenny Ringland, Daily/Sunday Telegraph journalist: Norah Head Lighthouse
 Mike Smith, 2UE radio – live cross: Whale watching at Crackneck Point
 Crave China Media Group – Treetops Adventure Park

Media Filming:

Studio 2 NZ Australia promotion: Treetops Adventure Park & Pelican feeding at The Entrance

Marketing Initiatives – The Legendary Pacific Coast Touring Route:

Launched Legendary Pacific Coast Touring Route in November with two of the three legends being located in the Wyong Shire area – Pelican Feeding at The Entrance and Norah Head Lighthouse. Shopping at The Entrance and Crackneck Point were included as secondary experiences.

Radio Promotion: 2UE Sydney

Partnered with the DVD release of South Solitary to run a two week promotion in December on Radio 2UE to win a stay at the Norah Head Lighthouse.

Media Releases Issued for Wyong Shire Tourism Operators

Experience Everything Under the Australian Sun:

Mingara Recreation Club

And the Award goes to ...:

TreeTop Adventure Park

Warning – Loosen your Belt when you come to the Central Coast:

Toukley Indian Restaurant, Best Indian/Sub Continent Restaurant

Top 10 Remedies to Fight SAD this Winter:

The Entrance Farmers Markets; The Entrance Winter Blues & Jazz Festival; Gathering of the Clans; Norah Head Lighthouse Keepers Quarters; Mantra Kooindah Waters; Quay West Magenta Shores

Hot Offers to Drive you Coastal This Winter:

The Entrance Pelican Feeding; Bateau Bay Ten Pin Bowling; TreeTop Adventure Park; Circus Stuff Workshops; Elephant Shop; Norah Head Lighthouse; Ocean Front Motel

Spring to Life on the Central Coast:

Mountain bike in Ourimbah State Forest

Eight Things to Do this October:

The Entrance Farmers Markets; Mingara Recreation Club; Chromefest

Last Chance to Exploit Special Offers:

Mingara Recreation Club; Tuggerah Lakes Mardi Gras Festival

It's Ho Ho Ho-liday Season on the Central Coast:

Lake Haven Shopping Centre; Westfield Tuggerah; Mingara Recreation Club; New Years Eve, The Entrance

Quotations for Conference Business in Wyong Shire

Pitched Wyong Shire operators to host the following conferences:

- AFT Directors Meeting – El Lago Resort (Sydney venue was chosen for conference)
- Easton Creative Conference – Mingara, Mantra Kooindah Waters, Quay West Magenta Shores, El Lago Resort, Coastal Liner (South Australia was chosen as the destination for the conference)
- Local Government Shires Associations Tourism Conference 2012

Northern Lakes Precinct Accessible Disability Tourism Initiative

- Participation on the committee for the Northern Lakes Disability Tourism Precinct.
- Creating website www.accessibletourism.com.au to showcase Lakes Beach Project, Audit for disability services and accessible activities, accommodation and attractions in the Wyong Shire LGA.
- An invitation has been sent to Simon Darcy – Senior Professor in Leisure Sport and Tourism at the University of Technology Sydney- Australia’s foremost academic on accessible/disability tourism to attend a committee meeting. Simon has accepted the offer to attend and a date is to be confirmed.
- Conducted audit of Kariong Visitor Information centre for access
- Contact made with Norah, self contained accessible accommodation at Norah Head.
- Contacted Master Locksmiths and received quotations for MLAK Keys for the Region

Wyong Shire industry meetings attended

- 10 Big ideas for the Central Coast – attended launch
- Bendigo Bank Youth Forum – Wyong Council
- Booth at B2B Buy Local Festival 13 May – Wyong Race Course
- Business Enterprise Centre
- Central Coast Business Showcase at NSW Parliament House
- Central Coast Events Alliance inaugural meeting
- Central Coast Social Enterprise Strategy – attended meetings
- Central Coast Sports Federation
- Central Coast Spotlight & Australian Bureau of Statistics meeting at NSW Business Chamber
- Central Coast Tourism networking event at Toowoong Bay Holiday Park
- Central Coast Training Group (Greg Best)
- Craig Thomson MP
- Dive operators meeting at Kariong with Pro Dive, Killarney Vale attending
- Friends of Central Coast Campus (at Wyong Campus)
- Innovations Festival
- Mariners development in Wyong Shire
- Norah Head Lighthouse Trust
- Northlakes Toukley Rotary (Halekulani Bowling Club)
- NSW Business Chamber meeting
- Regional Development Australia Central Coast
- Represented at Focus on the Coast Forum held at RDA (Climate Change for Business)
- Represented at Focus on the Coast Forums held at RDA (Arts and Culture)
- Restaurant & Catering Awards
- Sunset Scenic Tours – meeting re potential new tourism product for The Entrance area
- SLSC CC (Chad Griffith) regarding promotion of Surf Clubs
- Sports Events strategy meeting
- The Entrance Peninsula Community Precinct Committee
- The Entrance Revitalization project
- The Entrance Town Centre Management & VIC
- Wyong Chamber of Commerce
- Wyong Shire Council presentation
- Wyong Shire Council Performing Arts Presentation
- Youth Connections re Northern Lakes Disability Tourism Precinct Committee projects
- Marketing the Central Coast as a Business Location
- Toukley Chamber of Commerce
- ARTS NSW & Wyong Shire Council
- Regional Development Australia Funding
- Mingara Central Coast Events Alliance
- The Entrance / Tuggerah Lakes Secondary School Revitalisation Project
- Central Coast Mariners/ Bob Graham

Wyong Shire Tourism Operator Site Inspections

- Norah Head Lighthouse – tour & cottages
- Blue Lagoon Beach Resort
- The Entrance Town Centre Management & VIC
- Bluetongue Brewery
- TAFE Ourimbah Campus – Hospitality & Tourism
- Coachman Motor Inn
- Quay West Resort Magenta Shores
- Chittaway Motel
- Mantra Kooindah Waters / Karinyas Restaurant
- Rijdale B&B
- Mingara Recreation Club
- Big 4 Monterey Mannering Park
- Oaks Waterfront Resort The Entrance
- Halekulani Bowling Club
- The Entrance Reef Resort
- The Entrance Community Centre
- Kims Beach Hideaway
- The Beachcomber
- Westfield Tuggerah
- Chipmunks Tuggerah
- Toowoan Bay Holiday Park
- Borders Westfield Tuggerah
- Norah Head Holiday Park
- Two Birds Gallery
- Camp Breakaway
- Pro Dive Central Coast
- Treetop Adventure Park
- Roses2Go farm
- Beachfront Blue Bay
- Shelly Beach Golf Club
- Allamanda Resort
- Dunleith Caravan Park
- Yarramalong Macadamia Nut Farm
- Central Coast Cottages at Toowoan Bay
- Breeze B&B
- Amazement
- Forest of Tranquility
- The Entrance Pelican Feeding

Central Coast Tourism Promotion of Events in Wyong Shire

Through www.visitcentralcoast.com.au, as well as Social Media

(Twitter and Facebook), visitnsw.com and iMag editorial:

- Pelican feeding at The Entrance
- Kids school holiday activities
- Live entertainment every weekend at Mingara
- The Entrance Farmers Markets
- Weekend & holiday entertainment at The Entrance
- Norah Head Lighthouse Tours
- Jewel by the Lake Festival
- Cinema Under The Stars
- Australia Day Eve at Canton Beach
- Australia Day at The Entrance
- Summer Day Out in Yarramalong
- In-house Markets: Two Birds Gallery
- F.R.E.E - Flood Relief Entertainment
- Wet Wild & Rhythm - Toukley
- Helicopter High Tea on the Green
- World's Greatest Shave at Doylo RSL
- Warnervale Annual Fair
- Central Coast Country Music Festival

The Customer Service and Sales Team also compiled a range of comprehensive guides for the holiday season and major events, which included promoting events right across the Central Coast:

- Central Coast Gig Guide – list of upcoming major musical and performing acts at venues including Mingara Recreation Club, Diggers at The Entrance, Doyalson-Wyee RSL and more.
- Valentine's Day on the Central Coast
- Australia Day on the Central Coast
- Summer School Holiday Activities

Wyong Shire Businesses - Membership of Central Coast Tourism

Existing Central Coast Tourism members at 1st January 2011

(new members since 1st April 2010 highlighted in orange)

76S Health	Doyalson Wyee RSL Club	Pro Dive
Adrift Surf	Dezire Hair & Fashion	Quay West Magenta Shores Red
A Paradise Park Cabins	Diggers @ The Entrance	Baron Tours
A Dozen Roses	Ecomist	Red Bus Coach Service
Amazement	El Lago Waters Resort	Richard's Old Bookshop
Al Mare Beachfront Retreat	Fashion Array	Rijdale B&B
Allamanda Retreat	First National Real Estate	Rotary Club of the Entrance
Annexe's Galore	Forresters Beach B&B	Springfield Trails
Adventure Golf Mingara	Gorgeous Please, Hair Design	Sun Valley Tourist Park
Beachcomber Motel	Greater Toukley Vision	Shelly Beach Cabins
Beachfront at Blue Bay	Healing Haven	Shelly Beach Golf Club
Big 4 Lake Macquarie	Hibiscus Lakeside Motel	Stockland Bay Village
Blue Bay Caravan Park	Hunter Institute TAFE	Surf Life Saving Central Coast
Buccaneer Motel	Kims Beach Hideaway	Toowoan Bay Holiday Park
Boutique B&B Group	Keen 2 Tour	Two Shores Holiday Village
Bateau Bay B&B	Lake Haven Shopping Centre	The Entrance AMCAL Chemist
Breeze B&B	Lake Front Motel	The Entrance Arts & Craft Markets
Budgewoi Holiday Park	Lake Haven Castle Cottage	The Entrance Ice Creamery
Burbank Nurseries	Lake House B&B	The Entrance Kebab King
Business 2 Business	Lakeside Dry Cleaners	The Entrance Reef Resort
Bang Rak Thai	Lakeview Tourist Park	The Greens The Entrance
Borders Books	Lavender House B&B	Terry McDermott Surf Coaching
Coco for Beauty Therapy	Leela Thai Massage	Toowoan Bay Cottage
Chang Thai @ The Entrance	Long Jetty Catamaran Hire	Tour de Long Jetty
The Coffee Club	Mantra Kooindah Waters	Toukley Chamber of Commerce
Cold Rock Ice Cream	Mingara Recreation Club	Treetop Adventure Park
Camp Breakaway	Maddie's Boutique	Two Birds Gallery
Canton Beach Holiday Park	Michel's Patisserie	Wyong District Museum
Chittaway Motel	Ming Dragon	Waldorf Apartments
Coachman Motor Inn	Norah Head Holiday Park	Warnervale Air
Cedar Park Lavender Farm	Miss Devine Collections	Westfield Tuggerah
Chipmunks Tuggerah	Norah Head Lighthouse	Waterfront Tourist Park
Coastal Limousines	NSW National Parks & Wildlife	Wyong Regional Chamber
Coastal Liner	Oaks Waterfront Resort	Yarramalong Macadamia Farm
Club Toukley	Ocean Front Motel	Zenith Tuggerah P/L
Dunleith Caravan Park	Orana Holiday Units	

Existing Wyong Shire members at 1st April 2010: 50

New members since 1st April 2010: 57

Central Coast Tourism facilitated accommodation bookings for Wyong Shire tourism operators

Membership Year to Date – 1 April 2010 - 31 March 2011

Name	Membership Level	Membership Cost	Total Apr10 - Mar11	ROI %
A Paradise Park Cabins	Regional	\$396.00	\$0.00	-100.00%
Allamanda Retreat	Regional	\$396.00	\$1,438.00	263.13%
Al Mare Beachfront Retreat	Regional	\$396.00	\$0.00	-100.00%
Beachfront at Blue Bay	Regional	\$396.00	\$3,398.00	758.08%
Big 4 Monterey Tourist Park	Regional	\$396.00	\$0.00	-100.00%
Blue Lagoon Beach Resort	Regional	\$396.00	\$3,293.00	731.57%
Central Coast Holiday Parks	International	\$0.00	\$2,048.50	2,048.50%
Chittaway Motel	Regional	\$396.00	\$130.00	-67.17%
The Coachman Motor Inn	Regional	\$396.00	\$1,425.00	259.85%
El Lago Waters Resort	National	\$1584.00	\$0.00	-100.00%
Hibiscus Lakeside Motel	Regional	\$396.00	\$1,370.00	245.96%
Kims Beach Hideaway & Toowoan Bay Cottages	National	\$1584.00	\$580.00	-63.39%
Lake Front Motel	Regional	\$396.00	\$1,522.00	284.34%
Lake Haven Castle Cottage	Regional	\$396.00	\$0.00	-100.00%
Lavender House by the Sea	Regional	\$396.00	\$1,060.00	167.68%
Mantra Kooindah Waters	National	\$1584.00	\$664.00	-58.08%
Norah Head Lighthouse Reserve Trust	National	\$0.00	\$101,530.00	101,530.00%
Norah Head Lighthouse Tours	National	\$0.00	\$2,405.00	2,405.00%
Oaks Waterfront Resort	Regional	\$396.00	\$7,319.00	1,748.23%
Ocean Front at The Entrance	Regional	\$396.00	\$13,123.00	3,213.89%
Quay West Resort, Magenta Shores	National	\$1584.00	\$1,733.00	9.41%
Shelly Beach Cabins	National	\$1584.00	\$969.00	-38.83%
Sun Valley Tourist Park	Regional	\$396.00	\$0.00	-100.00%
The Beachcomber	Regional	\$396.00	\$0.00	-100.00%
The Reef Resort - The Entrance	Regional	\$396.00	\$0.00	-100.00%
Two Shores Holiday Village	Regional	\$396.00	\$2,100.00	430.30%
Waldorf Apartments The Entrance	Regional	\$396.00	\$9,075.00	2191.67%
Camp Breakaway REFERRAL ONLY	Regional	\$396.00	N/A	N/A
Dunleith Tourist Park REFERRAL ONLY	Regional	\$396.00	N/A	N/A
Lakeview Tourist Park REFERRAL ONLY	Regional	\$396.00	N/A	N/A

Member Comparison: Sep 09 - Mar 11 (all Central Coast)

ACCOMMODATION MEMBERS	Total operating on the Coast	Member of CCT Sept 2009 (34.9% of market)	Member of CCT Dec 2010 (55.21% of market)
Property Type:			
Cabin Parks	24	19	20
B&B & Self Contained	70	15	35
Hotel / Resorts	28	11	21
Motels	35	10	13
Pub Stays/Backpackers	6	2	1
TOTAL	163	57	90
Clubs			
	Total operating on the Coast	Member of CCT Sept 2009 (19% of market)	Member of CCT Dec 2010 (28.57% of market)
Registered Clubs	42	8	12
Restaurants & Cafes			
	Total operating on the Coast	Member of CCT Sept 2009 (11% of market)	Member of CCT Dec 2010 (15.92% of market)
Restaurants	201	23	32

**Visitor Information Centre
Mail outs & Distribution Packs Jan-Mar 2011**

	Jan 2011	Feb 2011	Mar 2011	Year to date
Mail outs & distribution packs	323	98	120	541
Email & online enquiries & information pack requests	118	54	105	277

Visitor Information Centre Booking & Visitor Statistics Jan – Mar 11

Bookings	Jan-11	#Jan-11	Feb-11	#Feb-11	Mar-11	#Mar-11	YTD Jan-Mar 11
2011	\$29,546.00	50	\$11,545.00	32	\$16,539.00	41	\$57,630.00
Bookings	Jan-10	#Jan-10	Feb-10	#Feb-10	Mar-10	#Mar-10	YTD Jan-Mar 10
2010	\$63,814.80	122	\$20,301.00	58	\$19,872.00	58	\$10,3987
Comparison%							
Bookings by centre	Jan-11	#Jan-11	Feb-11	#Feb-11	Mar-11	#Mar-11	YTD Jan-Mar 11
The Entrance VIC	\$299.00	3	\$1,820.00	9	\$2,284.00	10	\$4,403.00
Gosford VIC	\$140.00	1	\$0.00	0	\$0.00	0	\$140.00
Kariong VIC	\$19,987.00	29	\$7,824.00	14	\$9,956.00	21	\$37,767.00
Internet/Online	\$9,120.00	17	\$1,901.00	9	\$4,299.00	10	\$15,320.00
Total	\$29,546.00		\$11,545.00		\$16,539.00		\$57,630.00

Visitor Information Centre Door Counter Statistics Jan – Mar 11

Kariong VIC	Jan 11	Feb 11	Mar 11	YTD Jan – Mar 11
	3086	1770	2247	7103
	Jan 10	Feb 10	Mar 10	YTD Jan – Mar 10
	3414	2429	2353	8196
Comparison	-10%	-27%	-5%	-13%
Gosford	Jan 11	Feb 11	Mar 11	YTD Jan – Mar 11
	1,250	512 *	709	8834
	Jan 10	Feb 10	Mar 10	YTD Jan – Mar 10
	1,280	1,020	1,107	10277
Comparison	-2%	-50%	-36%	-14%

* Gosford VIC was closed for renovations during February 2011

* Gosford VIC door counter – manual head count by staff as of March 2011

Summary

Central Coast Tourism has developed a new strategy for the destination as well as for the organization, and moved definitively to enact change and improve its engagement with the industry.

The Destination Management Plan has served to increase the awareness of the value of tourism to the Central Coast and laid a platform for stakeholder engagement.

Central Coast Tourism is delivering measurable results to the tourism industry and now plays a central role to policy formation in tourism and economic development planning efforts with RDA, Councils, Tourism NSW, NSW Industry and Investment.

The Central Coast tourism industry requires further investment, prioritisation and resourcing to drive economic development on the coast.

An extension of the MOU with Wyong Shire Council for a period of 3 years, in line with the Destination Management Plan, is critical to deliver certainty and a strategic approach to tourism for the future.

Central Coast Tourism continues to work with Wyong Shire staff and council to develop the events strategy

* * * * *

6.10 Mardi to Mangrove Link Project Status

TRIM REFERENCE: F2007/01120 - D02605358

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	April 2011	\$96.5m
Value of works Complete	End May 2011 (est)	\$100.2m
Approved Budget		\$120.6m
Overall Construction Status (excluding Commissioning)	Completion Date: <u>25 June 2011</u>	% Work Complete: <u>96%</u>

Construction Status

	Scheduled Start	Scheduled Completion	% Work Complete
Milestone 1:		21 June 2011	98%
Pre-construction – Management Plans & Approvals	4 January 2010		100%
Work Package 1 – Wyong River Off-take	7 April 2010		98%
Work Package 2 – Wyong River Pump Station	19 February 2010		98%

6.10 Mardi to Mangrove Link Project Status (contd)

Work Package 3 – Wyong Mardi Rising Main 3	16 February 2010		100%
Work Package 4 – Wyong Mardi Inlet	6 May 2010		99%
Work Package 7 – Mardi Mangrove Transfer Main	1 March 2010		96%
Work Package 18 – Wyong Weir, Fishway & Gauging	5 August 2010		100%

Milestone 2:		25 June 2011	99%
Work Package 6 – Mardi Mangrove Transfer Pump Station	21 June 2010		99%
Milestone 3:		16 Aug 2011*	30%
Commissioning	1 August 2011		

*(Dates as per JH latest program C17) * 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		<input type="checkbox"/>
Transfer Pump Station Construction	31 January 2011		<input type="checkbox"/>
Commissioning	6 May 2011		<input type="checkbox"/>
Project Completion	June 2011		<input type="checkbox"/>

Land Matters

- Pipe laying has been completed on 54/56 properties.
- 38/56 properties have been restored.
- Works have been 100% completed by John Holland on 19/56 properties (assuming hydro testing is satisfactory and valves have been completed). A

further 11 properties appear to be completed by JHG and the property team is liaising with these landholders for final confirmation of any outstanding restoration work.

- Final landholder release negotiations have commenced with 43/56 landholders.
 - 10 landholders have signed releases.
 - Easement Plans have been prepared for 17/53 properties. Council's surveyors have agreed to provide easement plans for a further 26 properties this week.
 - Key property and landholder issues at present include:
 - Handover arrangements when property team leaves
 - Corridor maintenance arrangements after landholders have signed releases
 - On-going delays associated with the HDD problems
 - Minor outstanding works still to be completed by John Holland on most properties – landholders are reluctant to sign releases until all restoration work has been completed
-

Stakeholder Liaison

Media

- A feature on the restoration of Yarramalong Road was included in the May edition of the Rural Grapevine and Village Grapevine.
- A Letter to the Editor was sent to the Central Coast Express Advocate responding to the negative publicity regarding Yarramalong Road.
- A positive road restoration story was included in the Central Coast Express Advocate detailing current restoration works underway.
- Traffic updates, including details of restoration works, continue to be issued weekly to the media. The updates are provided to residents, emergency services, local schools, bus companies and relevant staff.

Resident communication

- Weekly traffic emails continue to be sent to more than 30 households who have sought direct updates. The focus of these updates has changed from construction to restoration.
- A letter was sent to all Yarramalong Valley residents detailing the plans for restoration of Yarramalong Road.
- Direct liaison with affected landholders is ongoing via the project's Property Team.

Incidents

- No significant safety incidents occurred in the last period.

Major Achievements / Issues

- Work Package 1: The river off-take structure is effectively complete and bank restoration work has commenced
- Work Package 2: Pre-commissioning works, including running the six pumps, is well advanced. Site landscaping works is nearing completion.
- Work Package 3: Work on this package is essentially complete.
- Work Package 4: This work package is also essentially complete. Pre-commissioning works are progressing
- Work Package 6: Construction works are effectively complete and pre-commissioning works, including running the two transfer pumps, is progressing well.
- Work Package 7: All pipe is laid except for 260m HDD, which is again progressing slowly with the last back-ream (60 inch) approximately half way through. A revised design has been received from the Principal's Designer, GHD, to rectify the rotational joints located on the pipe bridges. The new Bunning Creek Road bridge is now available for public use.
- Work Package 18: Work on this package is essentially complete.



HDD, 54" reamer completed ready for the final 60" reamer before the placement of the pipe.
(Work Package 7)

ATTACHMENTS

Nil.

6.11 Outstanding Questions without Notice and Notice of Motions

TRIM REFERENCE: F2011/00027 - D02598453
AUTHOR: Susanna Gardiner; Administration Assistant
MANAGER: Lesley Crawley; Manager Corporate Governance

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 without Notice & Notices of Motion - 25 May 2011 | D02601744 |
|---|---|-----------|

No	Department	Question Asked / Councillor	Meeting Asked	Status
1	Environment and Planning Services	<p>8.2 - Notice of Motion – Possibility for the Establishment of an Environmental Committee Provide a report that outlines the possibilities for establishment of an Environment Committee.</p> <ul style="list-style-type: none"> • The Terms of Reference (charter, roles, responsibilities and function); • Possible membership • Whether it should be a committee or Council; and report on environment committees that have been established in other Council areas, their roles, functions and achievements 	9 September 2009 Cr Wynn / Cr Best	This proposal will be considered as part of the Committee Review. A workshop has been requested by Councillors and is proposed to be conducted in the 4 th Quarter round of briefings.
2	Environment and Planning Services	<p>5.1 - Notice of Motion – Planning Disputes Mediation Process Trial</p> <ol style="list-style-type: none"> 1 <u>Recognise in principle that the establishment of a Mediation process may reduce litigation and expedite dispute resolution in cases.</u> 2 <u>Report required on the establishment of Mediation process/planning disputes.</u> 	9 February 2010 Cr Eaton / Cr Graham	This report will now be submitted to the 8 June 2011 meeting.
3	Environment and Planning Services	<p>9.5 - Notice of Motion – Sea Level Rise Notification</p> <ol style="list-style-type: none"> 1 <u>Write to all property owners affected by the State Governments sea level rise policies.</u> 2 <u>Text of the letter be endorsed by Council.</u> 	24 February 2010 Cr Eaton / Cr Graham	Affected properties identified. Council's Senior Counsel to submit additional information in the report to be submitted for inclusion in June round of Council meetings.
4	Community and Recreation Services	<p>7.2 - Notice of Motion – Shared Pathway (matching funds for Pathways and Various Council Facilities)</p> <ol style="list-style-type: none"> 1 <u>Build partnerships with community in building and extending the network of shared pathways throughout the Shire identified in the Draft On-Road Bicycle and Shared Pathway Strategy policy document.</u> 2 <u>Consider the inclusion of this scheme in the 2011 – 2012 Management Plan or during the Quarterly Review if the opportunity arises.</u> 3 <u>Advertise the Scheme widely multiple times throughout the year.</u> 4 <u>Staff develop a set of guidelines for consideration of these projects and submit to Council for adoption.</u> 	12 May 2010 Cr Wynn / Cr Vincent	Community consultations held on draft guidelines for Matching Funds. Councillor Briefing scheduled for 27 July 2011.

No	Department	Question Asked / Councillor	Meeting Asked	Status
5	General Manager's 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	Council has made representations to the Department of Planning (DoP) recommending amendments to the Development Control Plan (DCP) and State Environmental Planning Policy (SEPP) which will impact on the results of this assessment. This assessment is in progress, which has an impact on the DCP amendments and it is anticipated to be completed by end of May 2011.
6	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. A report is being prepared for the July 2011 meetings.
7	Community and Recreation Services	10.2 – Notice of Motion – San Remo Xtreme Sports Park 1 <i>Consult with the community and potential stakeholders to develop a sustainable management mode of operation for the San Remo Disability Friendly Xtreme Sport.</i> 2 <i>Following initial community consultation conduct an on-site meeting.</i> 3 <i>Consider a report on the outcome of the above, including the financial and recourse implications to Council.</i>	25 August 2010 Cr McBride / Wynn	Information relating to this Notice of Motion will be distributed as a Councillor Business Update
8	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	A Councillor briefing has been planned for the next financial year.

No	Department	Question Asked / Councillor	Meeting Asked	Status
9	General Manager's Department - Major Projects	<p>2.1 - Mayoral Minute – Local Job Creation – the Shire of the Third Age</p> <p><i>Adopt a strategic target of creating 5,000 local jobs over 10 years. The following strategies would be involved in reaching this target:</i></p> <ul style="list-style-type: none"> a <i>Establish a register of sites appropriate for development of aged housing.</i> b <i>Increasing flexibility in the new Local Environmental Plan to encourage aged housing for example consider allowing aged housing and associated medical facilities in the Wyong Employment Zone.</i> c <i>Amend dual occupancy DCP to encourage the redevelopment of single cottages more than 30 years old in existing urban areas.</i> d <i>In conjunction with the public and private sector identify and market the advantages of Wyong Shire for aged housing.</i> e <i>Reviewing Council owned sites for possible aged housing including the Warnervale Country Music site.</i> f <i>Work with local registered clubs to encourage their participation.</i> g <i>Call for expressions of interest to form an expert panel to advise Council on this initiative.</i> 	10 November 2010 Cr Eaton	Landuse Planning and Policy are working with Environmental and Planning Services/ Major Projects Section to develop a project outline. Resolutions (b) and (c) to be implemented as part of the Comprehensive LEP and DCP 2011 process. Council is preparing expressions of interest to form an expert panel.
10	Corporate Services	<p>9.1 - Notice of Motion – Women's Committee</p> <ul style="list-style-type: none"> 1 <i>Include consideration of a Status of Women Committee during their deliberations on the whole committee structure.</i> 2 <i>Consider participation / membership to include Councillors, staff and community reps.</i> 	10 November 2010 Cr Matthews / Cr Webster	This proposal will be considered as part of the Committee Review. A workshop has been requested by Councillors - and is proposed to be conducted in the 4 th Quarter round of briefings.

No	Department	Question Asked / Councillor	Meeting Asked	Status
11	Environment and Planning Services	<p>9.2 - Notice of Motion – Lot 1 DP 450166 Main Road, Toukley</p> <p>1 Council <u>reiterate</u> on behalf of its residents and ratepayers its serious concern regarding the unsightly and potentially unsafe condition of the partially built structure locally known as the Toukley Taj Mahal on Lot 1 DP 450166, Main Road, Toukley at the bridge.</p> <p>2 That acknowledging the substantial period of time that has lapsed since any work has taken place on the property and noting that a Notice of Intent has been issued requiring the completion of the development:</p> <p>a Council <u>proceed</u> to issue a formal Order for completion.</p> <p>b Council's legal counsel <u>investigate</u> any other avenues to achieve completion.</p> <p>c Should the owners not comply with the terms of the Order upon its expiry, Council commence legal action in the Land and Environment Court.</p>	10 November 2010 Cr Best / Cr McNamara	<p>A Section 34 Conference was held on 4 May 2011 before Commissioner Hussey of the Land and Environment Court following an appeal lodged by the owner of the property, Evensay Pty Ltd, seeking that a S121B Order requiring completion of the development be revoked.</p> <p>Commissioner Hussey made Orders that Council's 121B Order be substituted with Orders that require Evensay Pty Ltd to complete the Development within 30 months and within a period of 6 weeks of 4 May 2011 certain works be undertaken to maintain the site in a neat condition including the erection of new fencing.</p>
12	Community and Recreation Services	<p>11.2 – Notice of Motion – Drains along Long Jetty Foreshore</p> <p>1 <u>Research</u> the potential to develop a program similar to "Adopt a Road" within the Shire.</p> <p>2 Refer the issue to the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee for consideration.</p> <p>3 <u>Express</u> its thanks to Messrs Darlington, Bond and Bevege for their initiative in suggesting the scheme.</p>	24 November 2010 Cr Graham / Cr Webster	<p>A report titled "Adopt a Drain" dealing with this item will be provided to Council at 8 June 2011 meeting.</p>
13	Infrastructure Management	<p>11.2 - Notice of Motion – Improved Taxi Services</p> <p>Council invite NSW Taxi Council and Central Coast Taxis to brief Council on their service delivery model and plans for future improvement.</p>	23 February 2011 Best / Webster	<p>Date of briefing to be advised.</p>
14	Community and Recreation Services	<p>Q114/11 – Memorandum of Understanding with Department of Housing</p> <p>Progress on the development of an MOU between Council and NSW Department of Housing Central Coast division regarding the affordable housing undertaking/initiative?</p>	23 February 2011 Cr Best	<p>MOU has been drafted and forwarded to Housing NSW for final discussion.</p>

No	Department	Question Asked / Councillor	Meeting Asked	Status
15	Community and Recreation Services	<p>8.1 – Notice of Motion – Drains along Long Jetty Foreshore</p> <p>1 <u>Acknowledge</u> the potential environment and social benefits of establishing an "Adopt a Drain" program.</p> <p>2 <u>Acknowledge</u> the safety, insurance and resourcing issues of establishing such a program and recommend consideration be given to establishing program under the auspices of its existing Landcare model.</p> <p>3 <u>Recommend</u> that a report be provided outlining the additional resource required within the Landcare section to enable it to establish an 'Adopt a Drain' program and options for funding the required resource.</p>	9 March 2011 Cr Graham / Cr Webster	A report titled "Adopt a Drain" dealing with this item will be provided to Council at 8 June 2011 meeting.
16	Infrastructure Management	<p>Q2/11 – Odour in Water at Chain Valley Bay North</p> <p>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 link between the recently reported manganese levels in the water and the fishy smell. If no link exists, could staff please advise what might be causing the fishy smell?</p>	9 March 2011 Cr Vincent	Investigation to take place after locations determined and response will be provided to a future Council meeting.

No	Department	Question Asked / Councillor	Meeting Asked	Status
17	Community and Recreation Services	<p>8.2 - Notice of Motion - Doubling and Promoting Council's \$10,000 Vandalism Reward</p> <p>1 That, with ratepayers now funding \$1,474,825.00 for vandalism repairs over the term of a Council, Council <u>support</u> the good work of the community and Police through a public awareness campaign promoting the existing \$10,000 Council Vandalism Reward Program.</p> <p>2 That Council now double the vandalism reward to \$20,000 for a conviction for selected major and repeat malicious damage attacks.</p> <p>3 That Council make any such reward also available where repeat offences compromise public safety, such as the current deliberate glassing of The Entrance Baths.</p> <p>4 That having regard to the above, staff report to Council where necessary, vandalism events for Council's consideration and inclusion in the Vandalism Rewards Program.</p> <p>5 That Council urgently <u>consider</u> further initiatives that may be available to minimize the continuing vandalism attacks at The Entrance Ocean Baths at its meeting on 27 April 2011.</p>	23 March 2011 Cr Best	Resolutions 1, 2, 3 complete. Resolution 4 noted for future reports where necessary. Resolution 5 - a report will be provided to Council at 8 June 2011 meeting.
18	Community and Recreation Services	<p>10.1 - Notice of Motion - Storage of Dinghies on Foreshore in Wyong Shire</p> <p>1 That Council consult with the community and potential stakeholders to develop a policy for the storage of dinghies on foreshores in Wyong Shire.</p> <p>2 That following community consultation a policy is developed and reported to council for adoption.</p> <p>3 That the report includes the cost/return/savings of implementing the policy.</p> <p>4 That, if the policy is adopted it be communicated thoroughly to the broader community prior to any implementation.</p>	27 April 2011 Cr Wynn	A report will be submitted to Council following staff investigation.
19	Corporate Services	<p>Q5/11 - Land on Beach Side, South of Lakes Surf Club</p> <p>Mr. General Manager, Could you provide Councillors with an update on this site and its future use?</p>	27 April 2011 Cr Best	A Councillor Briefing has been scheduled for 8 June 2011 to provide an update on this site and its future use. Interested Councillors are encouraged to attend, as there will be the opportunity to ask questions.

No	Department	Question Asked / Councillor	Meeting Asked	Status
20	Corporate Services	Q6/11 - Carbon Tax <i>Mr General Manager, if the Federal Government introduces a carbon tax what will be the cost to Council?</i>	27 April 2011 Cr Best	A response to this question will be submitted to Council's meeting on 8 June 2011.
21	Community and Recreation Services	Q7/11 - Central Coast Tourist Parks <i>When and why have the Wyong Shire Tourist Parks been renamed Central Coast Tourist Parks?</i>	27 April 2011 Cr Wynn	A Councillor Business update on the item will be provided before the end of May 2011.
22	Environment and Planning Services	Q8/11 - Control of Rabbit Plague <i>What is the Council's management plan for the control of the rabbit plague that is being experience by the Commonwealth funded, in partnership with WSC, rehabilitation of the coastal foreshore by Budgewoi Dune Care threatening the work by killing the immature plants?</i>	27 April 2011 Cr Wynn	A response to this question will be submitted to Council after a report has been forwarded to the Tuggerah Lakes Estuary and Coastal Management Committee for their consideration.
23	Environment and Planning Services	8.1 - Notice of Motion – Aerial Inspection of 640Ha Power station Site 1 That Council reinforce the intent its previous resolutions (10 November 2010 and 23 February 2011 (attached)) which requested staff actions be taken to facilitate the closure of the Lake Munmorah Coal-Fired Power Station. 2 That Council notes with disappointment and deep concern, Delta Electricity's recent refusal of its request for a site inspection on behalf of Wyong residents. 3 That Council asserts the massive 640ha PowerStation site is highly environmentally degraded and has substantially impacted the surrounding air, soil and water (lake) quality. 4 That Council repeat its formal request of Delta Electricity to allow a Council inspection of the site on behalf of Wyong residents and in the best interests of transparency in the community. 5 That Council formally urges Delta Electricity to cease attempts to block public scrutiny, effectively denying public transparency of their activities. 6 That the Mayor approach the Minister for Energy's office with a view to facilitating a Council and senior staff inspection/tour of the Munmorah Power Station.	11 May 2011 Cr Best/McNamara	Letters currently being prepared in relation to the matter.

No	Department	Question Asked / Councillor	Meeting Asked	Status
24	Infrastructure Management	Q9/11 - Condition of Louisiana and Minnesota Roads, Hamlyn Terrace <i>"... on behalf of the good people of the greater Warnervale district. As a long-standing local Councillor, I have received numerous representations, concerns and complaints over the condition of the farm roads, now urban highways, known as Louisiana and Minnesota Roads. My position regarding the upgrade of these roads is a matter of the public record and in my view, it is now time to definitively act on these road replacements. In recently reviewing these roads with local residents, it would be remiss of me if I did not raise the issue of safety. Could you please provide a thorough update as to when these roads will be rebuilt and as to what suggestions or recommendations could be made in the interim to improve safety?"</i>	11 May 2011 Cr Best	A response to this question will be submitted to Council's meeting on 22 June 2011.
25	Corporate Services	Q10/11 - Federal Government Deferring Feasibility Study into F3 Orbital Project <i>"I understand, with great concern, that in last night's Federal Budget the Federal Government will defer its contribution to a feasibility study into the F3 to Sydney Orbital Project until 2015 - 2016. This will reduce expenses by \$150m in 2013 - 2014 budget whilst redirecting funds to support other government initiatives. Could you please seek to confirm this redirection?"</i>	11 May 2011 Cr Best	A response to this question will be submitted to Council's meeting on 22 June 2011.

Questions Without Notice and Notices of Motion Removed from the Above Lists since the Previous Meeting

Question without Notice / Notice of Motion	Date Asked/ Councillor	Outcome
8.1 - Notice of Motion - Fluorescent Light Globes and Batteries Recycling 1 <i>Introduce a fluorescent light globe and battery recycling program for a 1 year trial and report is to come back outlining the success or otherwise of the program and its cost.</i> 2 <i>Enable this recycling to occur by providing suitable collection sites</i>	8 September 2010 Cr Wynn/ Vincent	Trial commenced 14 March 2011 - as per Councillor update 4 March 2011. Drop off points are located at 7 venues including the Civic Centre, Council libraries and Charmhaven depot. A report to Council will be provided once the \$10,000 WaSIP funding for the trial has been fully expended.

25 May 2011

To the Ordinary Meeting

Councillor

7.1 Notice of Motion - Regional Push to Reinstate F3 Link

TRIM REFERENCE: F2004/07706 - D02611284

AUTHOR: Greg Best; Councillor

Councillors Best and Eaton have given notice that at the Ordinary Meeting to be held on 25 May 2011 they will move the following Motion:

- "1 That Council note with concern the Federal Government's withdrawal of their budgeted \$150 million pledge to commence the orbital extension of the F3 Freeway and Treasurer Swan's subsequent advice that these allocated funds (\$150 million) were left dormant by the previous State Government resulting in the funds being returned to Federal general revenue.*
- 2 That Council form a whole of Government Regional Partnership with Gosford City Council, Central Coast State Government Members and Federal Government Members.*
- 3 That Council urge 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. "*