



Minutes

of Ordinary Meeting

16 June 2008

Note:

Minutes subject to confirmation at
a meeting of the Council to be held on
21 July 2008

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Minutes of an ordinary meeting of the Central Coast Council held in the Council Chamber at the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 16 June 2008 commencing at 6.00pm.

Councillors attendance

Cr Mike Downie (Mayor)	Cr Brian Robertson (Deputy Mayor)
Cr Warren Barker	Cr Jan Bonde
Cr Lionel Bonde	Cr John Deacon
Cr David Dry	Cr Cheryl Fuller
Cr Ken Haines	Cr Gerry Howard
Cr Terry McKenna	

Councillors apologies

Cr Tony van Rooyen

Employees attendance

General Manager (Mrs Katherine Schaefer)
Director Assets & Engineering (Mr Bevin Eberhardt)
Director Corporate & Community Services (Ms Sandra Ayton)
Director Development Services (Mr Michael Stretton)
Executive Services Manager (Mr Graeme Marshall)

Media attendance

The Advocate newspaper.

Public attendance

Five members of the public attended during the course of the meeting.

Prayer

The meeting opened in prayer.

CONFIRMATION OF MINUTES OF THE COUNCIL

180/2008 Confirmation of minutes

The Executive Services Manager reported as follows:

“The minutes of the previous ordinary meeting of the Council held on 19 May 2008 have already been circulated. The minutes are required to be confirmed for their accuracy.

The *Local Government (Meeting Procedures) Regulations 2005* provide that in confirming the minutes of a meeting, debate is allowed only in respect of the accuracy of the minutes.”

■ Cr Robertson moved and Cr Deacon seconded, “That the minutes of the previous ordinary meeting of the Council held on 19 May 2008 be confirmed.”

Carried unanimously

COUNCIL WORKSHOPS

181/2008 Council workshops

The Executive Services Manager reported as follows:

“The following council workshops have been held since the last ordinary meeting of the Council.

- . 22.05.2008 – Tasmania’s Planning System Review
- . 26.05.2008 – Showground redevelopment
- . 02.06.2008 – Capital works program and asset management
- . 10.06.2008 – Penguin Urban Design Guidelines and Estimates 2008–2009.

This information is provided for the purpose of record only.”

■ Cr (J) Bonde moved and Cr Haines seconded, “That the Manager’s report be received.”

Carried unanimously

MAYOR'S COMMUNICATIONS

182/2008 Mayor's communications

The Mayor reported as follows:

“Letters of congratulations have been forwarded to Mr Chris Lusted (re Queens Birthday Honours) and Mrs Sue Smith (re Legislative Council Presidency).”

183/2008 Mayor's diary

The Mayor reported as follows:

“I have attended the following events and functions on behalf of the Council:

- . Ulverstone Rowing Club – annual dinner
- . Leven District Scout Association – annual meeting
- . Dulverton Waste Management – site visit
- . Cradle Coast Authority – Representatives meeting (Wynyard)
- . Funeral for the late Bruce Mahoney
- . Riverlinks Tasmania – ‘Discover the Leven’ river tour
- . Darwin Football Association v. North Western Football Association – pre-game function and match (Wynyard)
- . Filipino–Australian Association of Tasmania – Bayanihan Club – Philippines Independence Day celebration
- . Leven Canyon upgrade – official opening.”

■ Cr Deacon moved and Cr Howard seconded, “That the Mayor’s report be received.”

Carried unanimously

184/2008 Pecuniary interest declarations

The Mayor reported as follows:

“Councillors are requested to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.”

The Executive Services Manager reported as follows:

“The *Local Government Act 1993* provides that a councillor must not participate at any meeting of a council in any discussion, nor vote on any matter, in respect of

which the councillor has an interest or is aware or ought to be aware that a close associate has an interest.

Councillors are invited at this time to declare any interest they have on matters to be discussed at this meeting. If a declaration is impractical at this time, it is to be noted that a councillor must declare any interest in a matter before any discussion on that matter commences.

All interests declared will be recorded in the minutes at the commencement of the matter to which they relate.”

The Mayor reported as follows:

“I will be declaring an interest in respect of the report on Application No. COM2007.1 at Minute No. 194/2008.”

185/2008 Public question time

The Mayor reported as follows:

“At 6.40pm or as soon as practicable thereafter, a period of not more than 30 minutes is to be set aside for public question time during which any member of the public may ask questions relating to the activities of the Council.

Public question time will be conducted as provided by the *Local Government (Meeting Procedures) Regulations 2005* and the supporting procedures adopted by the Council on 20 June 2005 (Minute No. 166/2005).”

COUNCILLOR REPORTS

186/2008 Councillor reports

The Executive Services Manager reported as follows:

“Councillors who have been appointed by the Council to community and other organisations are invited at this time to report on actions or provide information arising out of meetings of those organisations.

Any matters for decision by the Council which might arise out of these reports should be placed on a subsequent agenda and made the subject of a considered resolution.”

Cr McKenna reported on a meeting of Cradle Coast Water.

Cr Deacon Reported on a meeting of the Central Coast Chamber of Commerce & Industry Inc.

APPLICATIONS FOR LEAVE OF ABSENCE

187/2008 Leave of absence

The Executive Services Manager reported as follows:

“The *Local Government Act 1993* provides that the office of a councillor becomes vacant if the councillor is absent without leave from three consecutive ordinary meetings of the council.

The Act also provides that applications by councillors for leave of absence may be discussed in a meeting or part of a meeting that is closed to the public.

There are no applications for consideration at this meeting.”

DEPUTATIONS

188/2008 Deputations

The Executive Services Manager reported as follows:

“No requests for deputations to address the meeting or to make statements or deliver reports have been made.”

PETITIONS

189/2008 Petitions

The Executive Services Manager reported as follows:

“No petitions under the provisions of the *Local Government Act 1993* have been presented.”

COUNCILLORS' QUESTIONS

190/2008 Councillors' questions without notice

The Executive Services Manager reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2005* provide as follows:

- ‘29 (1) A councillor at a meeting may ask a question without notice of the chairperson or, through the chairperson, of –
- (a) another councillor; or
 - (b) the general manager.
- (2) In putting a question without notice, a councillor must not –
- (a) offer an argument or opinion; or
 - (b) draw any inferences or make any imputations –
- except so far as may be necessary to explain the question.
- (3) The chairperson must not permit any debate of a question without notice or its answer.
- (4) The chairperson, councillor or general manager who is asked a question without notice may decline to answer the question.
- (5) The chairperson may refuse to accept a question if it does not relate to the activities of the council.
- (6) Questions without notice, and any answers to those questions, are not required to be recorded in the minutes.
- (7) The chairperson may require a councillor to put a question without notice in writing.’

If a question gives rise to a proposed matter for discussion and that matter is not listed on the agenda, Councillors are reminded of the following requirements of the Regulations:

- ‘8 (5) Subject to subregulation (6), a matter may only be discussed at a meeting if it is specifically listed on the agenda of that meeting.

-
- (6) A council by absolute majority... may decide at an ordinary meeting to deal with a matter that is not on the agenda if the general manager has reported –
- (a) the reason it was not possible to include the matter on the agenda; and
 - (b) that the matter is urgent; and
 - (c) that (qualified) advice has been provided under section 65 of the Act.’

Councillors who have questions without notice are requested at this time to give an indication of what their questions are about so that the questions can be allocated to their appropriate Departmental Business section of the agenda.”

Allocation of topics ensued.

191/2008 Councillors’ questions on notice

The Executive Services Manager reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2005* provide as follows:

‘30 (1) A councillor, 7 days before an ordinary meeting of a council or council committee, may give written notice to the general manager of a question in respect of which the councillor seeks an answer at that meeting.

(2) An answer to a question on notice must be in writing.’

It is to be noted that any question on notice and the written answer to the question will be recorded in the minutes of the meeting as provided by the Regulations.

Any questions on notice are to be allocated to their appropriate Departmental Business section of the agenda.

Questions on notice have been received from Cr Fuller and are listed at Minute No. 205/2008.”

DEPARTMENTAL BUSINESS

DEVELOPMENT SERVICES

192/2008 Development Services determinations

The Director Development Services reported as follows:

“A Schedule of Development Services Determinations made during the month of May 2007 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Manager reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

■ Cr McKenna moved and Cr Haines seconded, “That the Schedule of Development Services Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

193/2008 Dulverton Waste Management Authority - Quarterly Report, January-March 2008

The Director Development Services reported as follows:

PURPOSE

The purpose of this report is to receive a quarterly report from Dulverton Waste Management as required under Section 36B of the *Local Government Act 1993*.

BACKGROUND

The Dulverton Regional Waste Management Authority, trading as Dulverton Waste Management (DWM), operates under s30-39 of the *Local Government Act 1993* as a Joint Authority of the Central Coast, Devonport, Kentish and Latrobe Councils for the management and disposal of waste and is governed by the Rules adopted on 15 August 2005. The core business of the Authority is defined by the Rules as:

- ‘Management of waste generated within the Mersey-Leven Region;

- . Management of waste solid inert material, putrescible waste, fill material and low level contaminated soil as defined or explained in the *Landfill Sustainability Guide*;
- . Activities identified in the Strategic Plan as approved by the Representatives’.

Section 36B of the *Local Government Act 1993* requires that DWM present a quarterly report demonstrating general performance and financial position to participating Councils.

DISCUSSION

In accordance with its obligations under the *Local Government Act 1993*, DWM has provided a quarterly report for the period January 2008 – March 2008. The report has been prepared with the intention that it be presented in an open Council meeting to brief Councillors of DWM’s performance.

A copy is appended.

CONSULTATION

This is an administrative matter and consultation is not required.

IMPACT ON RESOURCES

There are no resource implications to consider in this matter.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2004–2009 includes the following objective:

- . Meet our statutory and regulatory obligations.

CONCLUSION

It is recommended that the report be received.”

The Executive Services Manager reported as follows:

“A copy of the Dulverton Waste Management Statutory Quarterly Report, January 2008 – March 2008 has been circulated to all Councillors.”

- Cr McKenna moved and Cr Robertson seconded, “That the Director’s report be received.”

Carried unanimously

194/2008 Planning Scheme Amendment – Rezoning from Business (BB) – Satellite and Recreation and Community (POS) – Public Open Space to Residential (RA) – Closed and demolition of existing motel and development of 17 apartments at CT104952/1 Tasma Parade, Ulverstone – Application No. COM2007.1 (436/2007 – 19.11.2007)

The Mayor, having declared an interest, retired from the meeting and left the Chamber for that part of the meeting relating to the consideration, discussion and voting on the matter of Application No. COM2007.1.

The Deputy Mayor assumed the chair in the Mayor’s absence.

The Director Development Services reported as follows:

“The Land Use Planning Group Leader has prepared the following report:

<i>‘AMENDMENT NO.:</i>	4/2007
<i>LOCATION:</i>	CT104952/1 Tasma Parade, West Ulverstone
<i>OWNERS:</i>	B & S Howard
<i>APPLICANT:</i>	B & S Howard
<i>TOTAL AREA:</i>	5,358 sq.m
<i>AMENDMENT:</i>	Rezoning from Business (BB) – Satellite and Recreation and Community (POS) – Public Open Space to Residential (RA) – Closed and demolition of existing motel and development of 17 apartments
<i>PLANNING INSTRUMENT:</i>	Central Coast S.46 Planning Scheme No.1 of 1993 (the Scheme)
<i>LEGISLATION:</i>	<i>Land Use Planning and Approvals Act 1993</i> (LUPAA)

PURPOSE

The purpose of this report is to receive advice of approval by the Resource Planning and Development Commission (the Commission) of the above-mentioned Application No. COM2007.1.

BACKGROUND

On 19 November 2007 (Minute No. 436/2007) the Council initiated and certified draft Amendment 4/2007 and the associated permit for the above-mentioned purposes.

The draft Amendment was advertised on 24 November 2007 and 28 November 2007. No representations were received.

DISCUSSION

The combined Scheme amendment and permit was forwarded to the Commission. The Commission has now advised that the combined Scheme amendment and permit has been approved subject to the following condition:

“The development being in accordance with the minimum recommendations set out in Clause 5 and 6.1 of the document entitled “Central Coast Council Report for 1 Tasma Street, Ulverstone Coastal Vulnerability Report May 2008”; particularly that the site be filled to no less than 2.66m AHD and that any floor level be no less than 3.0m AHD.”.

The combined amendment and permit came into operation on 21 May 2008.

CONSULTATION

Formal consultation has been undertaken in accordance with legislated requirements.

IMPACT ON RESOURCES

The impact of the decision is administrative in nature.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2004–2009 includes the following objectives:

- . Meet our statutory and regulatory obligations
- . Plan for and develop a sustainable community
- . Create a municipal area that is productive and socially and aesthetically attractive.

CONCLUSION

It is recommended that the information be received.’

The report is supported.”

DEVELOPMENT SERVICES

- Cr McKenna moved and Cr Deacon seconded, "That the Land Use Planning Group Leader's report be received."

Carried unanimously

The Mayor returned to the meeting and resumed the Chair.

GENERAL MANAGEMENT

195/2008 Minutes and notes of committees of the Council and other organisations

The Executive Services Manager reported as follows:

“The following minutes and notes of committees of the Council and other organisations on which the Council has representation have been received:

- . Central Coast Community Safety Partnership Committee – meeting held on 7 May 2008
- . Local Government Association of Tasmania – meeting of General Management Committee held on 14 May 2008
- . Youth Engaged Steering Committee – meeting held on 15 May 2008
- . Ulverstone Local History Museum Committee – meeting held on 20 May 2008
- . Cradle Coast Water – meeting of Representatives held on 22 May 2008 (incl. Approved Corporate Plan 2009–2013 and Amended Charter).

Copies of the minutes and notes have been circulated to all Councillors.”

- Cr Haines moved and Cr Howard seconded, “That the Manager’s report be received.”

Carried unanimously

196/2008 Review of the Planning System of Tasmania

The General Manager reported as follows:

“PURPOSE

The purpose of this report is to consider the Council’s submission to the State Government’s Review of the Tasmanian Planning System.

BACKGROUND

The Minister for Infrastructure, Resources, Planning and Workplace Relations announced the review of Tasmania’s Planning System with a view to streamlining decision making. The planning system has been in place for over ten years. The Review is intended to identify where improvements can be made to the approval process for State policies, Projects of State Significance, and planning schemes and amendments. The specific focus is to consider the overarching governance of the planning part of the Resource Management and Planning System and the relative

roles and functions of the various bodies that operate within it to ensure that the planning system operates efficiently.

It is not the intention of the Review to substantially alter the fundamentals of the Tasmanian Planning System like the role of independent statutory bodies in determining planning decisions, the powers of local councils as planning authorities, and the involvement of the public in making representations and lodging appeals where they have a legitimate interest.

Terms of Reference for the Review were circulated to all Councillors and submissions close on 16 June 2008. The discussion below is based on the elected members' views on the Review of the Planning system.

DISCUSSION

Suggested responses to the Terms of Reference questions (identified in italics) are provided below.

1 Identify and make recommendations on:

(a) Streamlining the planning system decision making by

- reviewing the allocation of roles and functions in the planning system between State Ministers and agencies, including the new Environment Protection Agency, the RPDC and RMPAT*
- increasing efficiency through statutory timelines, case management or other means*
- mechanisms to give greater weight to State policy priorities*
- reviewing the process for making and reviewing State policies*
- reviewing the process for approving Projects of State Significance*
- wider use of mediation, including mandatory mediation and*
- reviewing the process of third party appeals*

The Legislative Council Select Committee on Planning Schemes' recommendations should form the basis of the Review of the Planning System.

The function of the Resource Planning and Development Commission (RPDC) should be an advisory role to ensure that proper process is followed and policies adhered to. It should be amalgamated with the State Planning Department.

The newly formed body should provide professional advice to Government on Projects of State Significance. The Tasmanian Parliament should make the planning decisions on Projects of State Significance.

Concern is expressed about the time delay between appeals being received and hearings on planning matters. The Resource Management and Planning Approval Tribunal (RMPAT) should have to adhere to time limits when setting dates for hearings. Timeframes should be more definitive from a developer's perspective, at least including minimum and maximum periods.

(b) The viability of amalgamating the RPDC and RMPAT

The RPDC and RMPAT should not be amalgamated.

The RPDC should be the advisor and RMPAT should be the arbiter.

RMPAT should be responsible for hearing all appeals against council planning decisions. The council's decision should be set aside and RMPAT become the independent arbiter.

The RPDC and the State Planning Department should be amalgamated and their role should be advisory. The new body should provide councils and State Government with independent advice and assistance in preparing planning schemes and planning scheme amendments. This new department could be the approving authority of planning schemes and rezonings created under the *Land Use Planning and Approvals Act* (LUPAA).

(c) The structure of the RPDC

Internal structure of the RPDC should be determined by the head of this newly formed Department.

(d) Assessing best practice models for ministerial call in powers

Planning decisions should be at arm's length from the State Government unless they are deemed a Project of State Significance. The Minister for Planning should not be able to interfere in planning decisions – if a Minister can override a decision made by an independent body there is no point having the independent body.

(e) Assessment of projects of regional significance by expert panels

Regional panels made up of elected members and professionals should assess projects of regional significance. A pool of elected members who have had education/training in planning could be available to assess projects of regional significance when required.

The RPDC should have an advisory role if the project conflicts with the relevant planning scheme but it should not be the arbiter.

2 Manage consultation on the reform options

Consultation should be undertaken with all interested parties who have been involved with the suggested reforms.

3 Prepare legislative amendments to implement these options

Depending on the nature of the reforms relevant legislative changes will be necessary (ie LUPAA).

Legislation should be enabling not prescriptive.

4 Implement the changes following passage through Parliament

New body formed by amalgamation of the RPDC and the State Planning Division could oversee the implementation of the changes.

CONSULTATION

A workshop for Councillors was held on 22 May 2008 and the notes from that workshop have been circulated to all Councillors.

IMPACT ON RESOURCES

Apart from officers time with the preparation of this report, no additional resources are required.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2004–2009 includes the following objectives:

- . Meet our statutory and regulatory obligations
- . Plan for and develop a sustainable community.

CONCLUSION

It is recommended that the discussion section of this report forms the basis of the Council's submission to the Review of the Planning System of Tasmania."

The Executive Services Manager reported as follows:

"A copy of the workshop notes and the Legislative Council Select Committee recommendations referred to in those notes have been circulated to all Councillors."

■ Cr Barker moved and Cr Robertson seconded, "That the following responses to the Terms of Reference questions be endorsed as the Council's submission on the Review of the Planning System of Tasmania being conducted by the State Government's Department of Justice:

1 Identify and make recommendations on:

(a) Streamlining the planning system decision making by

- reviewing the allocation of roles and functions in the planning system between State Ministers and agencies, including the new Environment Protection Agency, the RPDC and RMPAT*
- increasing efficiency through statutory timelines, case management or other means*
- mechanisms to give greater weight to State policy priorities*
- reviewing the process for making and reviewing State policies*
- reviewing the process for approving Projects of State Significance*
- wider use of mediation, including mandatory mediation and*
- reviewing the process of third party appeals*

The Legislative Council Select Committee on Planning Schemes' recommendations should form the basis of the Review of the Planning System.

The function of the Resource Planning and Development Commission (RPDC) should be an advisory role to ensure that proper process is followed and policies adhered to. It should be amalgamated with the State Planning Department.

The newly formed body should provide professional advice to Government on Projects of State Significance. The Tasmanian Parliament should make the planning decisions on Projects of State Significance.

Concern is expressed about the time delay between appeals being received and hearings on planning matters. The Resource Management and Planning Approval Tribunal (RMPAT) should have to adhere to time limits when setting dates for hearings. Timeframes should be more definitive from a developer's perspective, at least including minimum and maximum periods.

(b) The viability of amalgamating the RPDC and RMPAT

The RPDC and RMPAT should not be amalgamated.

The RPDC should be the advisor and RMPAT should be the arbiter.

RMPAT should be responsible for hearing all appeals against council planning decisions. The council's decision should be set aside and RMPAT become the independent arbiter.

The RPDC and the State Planning Department should be amalgamated and their role should be advisory. The new body should provide councils and State Government with independent advice and assistance in preparing planning schemes and planning scheme amendments. This new department could be the approving authority of planning schemes and rezonings created under the *Land Use Planning and Approvals Act* (LUPAA).

(c) The structure of the RPDC

Internal structure of the RPDC should be determined by the head of this newly formed Department.

(d) Assessing best practice models for ministerial call in powers

Planning decisions should be at arm's length from the State Government unless they are deemed a Project of State Significance. The Minister for Planning should not be able to interfere in planning decisions – if a Minister can override a decision made by an independent body there is no point having the independent body.

(e) Assessment of projects of regional significance by expert panels

Regional panels made up of elected members and professionals should assess projects of regional significance. A pool of elected members who have had education/training in planning could be available to assess projects of regional significance when required.

The RPDC should have an advisory role if the project conflicts with the relevant planning scheme but it should not be the arbiter.

2 Manage consultation on the reform options

Consultation should be undertaken with all interested parties who have been involved with the suggested reforms.

3 Prepare legislative amendments to implement these options

Depending on the nature of the reforms relevant legislative changes will be necessary (ie LUPAA).

Legislation should be enabling not prescriptive.

4 Implement the changes following passage through Parliament

New body formed by amalgamation of the RPDC and the State Planning Division could oversee the implementation of the changes.”

Carried unanimously

197/2008 Local Government Association of Tasmania – 2008 Election – General Management Committee representation (174–174A/2008 – 19.05.2008)

The General Manager reported as follows:

“The Executive Services Manager has prepared the following report:

‘PURPOSE

This report is to inform the Council of the outcome of the Local Government Association of Tasmania’s 2008 Election; in particular for General Management Committee (GMC) representation.

BACKGROUND

At its meeting on 17 March 2008 (Minute No. 83/2008) Cr Downie was nominated by this Council as a candidate for election as the Central Coast and Devonport City Councils’ representative on the GMC for a two-year term commencing in June 2008. Devonport and Central Coast are the two councils within the North West & West Coast Electoral District having a population of 20,000 or more who have been represented by Cr Downie for the 2006–2008 term.

Central Coast was also entitled to vote for a representative of the remaining councils (those below 20,000 population) in the Electoral District.

The Council's voting position was determined at its meeting on 19 May 2008 (Minute No. 174-174A/2008) and the relevant ballot papers were lodged with the Tasmanian Electoral Commission.

DISCUSSION

The Electoral Commissioner has forwarded a Certificate of Election which includes the following advice in respect of candidates elected for GMC membership for the next two-year term of office:

- . North West & West Coast Electoral District (over 20,000)
Lynette May LAYCOCK
- . North West & West Coast Electoral District (under 20,000)
Kevin HYLAND.

A copy of the Certificate, is appended to this report.

CONSULTATION

Consultation is not required in respect of this matter.

IMPACT ON RESOURCES

This outcome does not impact on resources.

CORPORATE COMPLIANCE

Corporate compliance is not relevant to this matter.

CONCLUSION

It is recommended that this report be received.'

The report is supported."

The Executive Services Manager further reported as follows:

"A copy of the Certificate of Election has been circulated to all Councillors."

■ Cr McKenna moved and Cr Robertson seconded, “That the advice of the outcome of the Local Government Association of Tasmania’s 2008 Election for General Management Committee representation be received .”

Carried unanimously

An expression of the Council’s thanks was extended to the Mayor in appreciation of the representative role he has played on the General Management Committee and the Premier’s Local Government Council during the past six years.

CORPORATE & COMMUNITY SERVICES

198/2008 Correspondence addressed to the Mayor and Councillors

The Director Corporate & Community Services reported as follows:

"PURPOSE

This report is to inform the meeting of any correspondence received during the month of May 2008 and which was addressed to the 'Mayor and Councillors'. Reporting of this correspondence is required in accordance with Council policy.

CORRESPONDENCE RECEIVED

The following correspondence has been received and circulated to all Councillors:

- . Received 19.05.2008 – Letter requesting support for junior soccer players selected for National Youth Championships.
- . Received 26.05.2008 – Letter providing information on the Kids Connecting Communities program.

Where a matter requires a Council decision based on a professionally developed report the matter will be referred to the Council. Matters other than those requiring a report will be administered on the same basis as other correspondence received by the Council and managed as part of the day-to-day operations."

- Cr Haines moved and Cr (L) Bonde seconded, "That the Director's report be received."

Carried unanimously

199/2008 Public question time (185/2008 – 16.06.2008)

The time being 6.40pm, the Mayor introduced public question time.

Questions and replies concluded at 6.50pm.

200/2008 Common seal

The Director Corporate & Community Services reported as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 1–31 May 2008 is submitted for the authority of the Council to be given. Use of the common seal must first be authorised by a resolution of the Council.”

The Executive Services Manager reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

■ Cr Robertson moved and Cr (J) Bonde seconded, “That the common seal (a copy of the Schedule of Documents for Affixing of the Common Seal being appended to and forming part of the minutes) be affixed subject to compliance with all conditions of approval in respect of each document.”

Carried unanimously

201/2008 Financial statements

The Director Corporate & Community Services reported as follows:

“The following principal financial statements of the Council for the period ended 31 May 2008 are submitted for consideration:

- Bank Reconciliation
- Summary of Rates and Fire Service Levies
- Operating Statement
- Capital Works Statement
- Capital Works Resource Schedule.”

The Executive Services Manager reported as follows:

“Copies of the financial statements have been circulated to all Councillors.”

■ Cr Deacon moved and Cr Fuller seconded, “That the financial statements (copies being appended to and forming part of the minutes) be received.”

Carried unanimously

202/2008 Accounts paid

The Director Corporate & Community Services reported as follows:

“A Schedule of Accounts Paid during the month of May 2008 is submitted to the Council for information. The information is reported in accordance with approved

delegations and responsibilities. Councillors are invited to direct any questions on the Schedule to me at a convenient time prior to the meeting.”

The Executive Services Manager reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

■ Cr Deacon moved and Cr (J) Bonde seconded, “That the Schedule of Accounts Paid (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

203/2008 Rate remissions

The Director Corporate & Community Services reported as follows:

“The following rate remissions are proposed for the Council’s consideration:

PROPERTY NO. 100615.0260
PROPERTY ADDRESS 12-14 Harley Court, West Ulverstone
REMISSION \$407.74
REASON Properties adhered effective 26 November 2007 – only one water and sewerage charge applicable

PROPERTY NO. 100710.0180
PROPERTY ADDRESS 17 Hobbs Parade, West Ulverstone
REMISSION \$12.83
REASON Property revalued – now only two tenancies

PROPERTY NO. 101270.0120
PROPERTY ADDRESS 57 Olivers Road, West Ulverstone
REMISSION \$49.06
REASON Property revalued following objection to general revaluation

PROPERTY NO. 403448.0100
PROPERTY ADDRESS 2 Oceanside Boulevard, Sulphur Creek
REMISSION \$200.19
REASON Property revalued following objection to general revaluation

PROPERTY NO. 403448.0180
PROPERTY ADDRESS 10 Oceanside Boulevard, Sulphur Creek
REMISSION \$202.06
REASON Property revalued following objection to general revaluation

<i>PROPERTY NO.</i>	504270.0540
<i>PROPERTY ADDRESS</i>	245 Castra Road, Ulverstone
<i>REMISSION</i>	\$498.97
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	504430.0400
<i>PROPERTY ADDRESS</i>	98 Creamery Road, Sulphur Creek
<i>REMISSION</i>	\$100.69
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	504490.0420
<i>PROPERTY ADDRESS</i>	204 Dial Road, Penguin
<i>REMISSION</i>	\$187.22
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	504490.0480
<i>PROPERTY ADDRESS</i>	268 Dial Road, Penguin
<i>REMISSION</i>	\$287.29
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	504490.0500
<i>PROPERTY ADDRESS</i>	272 Dial Road, Penguin
<i>REMISSION</i>	\$339.44
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	505060.0530
<i>PROPERTY ADDRESS</i>	Lobster Creek Road, West Ulverstone
<i>REMISSION</i>	\$210.99
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	504460.0580
<i>PROPERTY ADDRESS</i>	725 Cuprona Road, Cuprona
<i>REMISSION</i>	\$103.89
<i>REASON</i>	Two properties adhered effective 7 December 2007
<i>PROPERTY NO.</i>	504490.0200
<i>PROPERTY ADDRESS</i>	Dial Road, Penguin
<i>REMISSION</i>	\$304.88
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	504490.0220
<i>PROPERTY ADDRESS</i>	Dial Road, Penguin
<i>REMISSION</i>	\$312.02
<i>REASON</i>	Property revalued following objection to general revaluation

PROPERTY NO. 504490.0460
PROPERTY ADDRESS 214 Dial Road, Penguin
REMISSION \$190.45
REASON Property revalued following objection to general revaluation

PROPERTY NO. 504490.0540
PROPERTY ADDRESS 284 Dial Road, Penguin
REMISSION \$466.12
REASON Property revalued following objection to general revaluation

PROPERTY NO. 504490.0560
PROPERTY ADDRESS Dial Road, Penguin
REMISSION \$208.32
REASON Property revalued following objection to general revaluation

PROPERTY NO. 505170.0080
PROPERTY ADDRESS 104 McKennas Road, Gawler
REMISSION \$131.86
REASON Property revalued following objection to general revaluation.

Total to date of rates amended due to objections/adjustments to revaluation – \$48,352.06.”

The Executive Services Manager reported as follows:

“The *Local Government Act 1993* provides that a council, by absolute majority, may grant a remission of all or part of any rates.”

■ Cr Deacon moved and Cr Howard seconded, “That the following remissions be approved:

- . Property No. 100615.0260 – \$407.74
- . Property No. 100710.0180 – \$12.83
- . Property No. 101270.0120 – \$49.06
- . Property No. 403448.0100 – \$200.19
- . Property No. 403448.0180 – \$202.06
- . Property No. 504270.0540 – \$498.97
- . Property No. 504430.0400 – \$100.69
- . Property No. 504490.0420 – \$187.22
- . Property No. 504490.0480 – \$287.29
- . Property No. 504490.0500 – \$339.44
- . Property No. 505060.0530 – \$210.99
- . Property No. 504460.0580 – \$103.89
- . Property No. 504490.0200 – \$304.88
- . Property No. 504490.0220 – \$312.02

- . Property No. 504490.0460 – \$190.45
- . Property No. 504490.0540 – \$466.12
- . Property No. 504490.0560 – \$208.32
- . Property No. 505170.0080 – \$131.86.”

Carried unanimously and by absolute majority

204/2008 Rate remission – Property No. 403630.0380, Warreen Drive, Penguin

The Director Corporate & Community Services reported as follows:

“PURPOSE

This report considers a request that Property No. 403630.0380, Warreen Drive, Penguin not be charged a sewage removal charge.

BACKGROUND

The owners of this property have written as follows:

‘Having noted my objection, verbally and written towards your 2007/2008 rates notices, and methodologies for such increases.

I was advised by two councilors when mentioning our situation of paying for sewage removal on our Warren Drive Penguin block Id No 1923683 for some six years, to submit a request to have this removed.

This block is under the P.A.L .system thus not being able to build on ,therefore not able to utilize this service.

Full well understanding that it comes within 30 meters of our boundary, this request as explained to myself by these councilors can be granted if agreed upon.

With a current increase of 153% on our general levy and overall increase of 78% on our rates. I find this request to be more than reasonable.

Hoping for all your concern and duly required answer of this request in the near future so that this matter can be closed.’

DISCUSSION

Advice has been sought from both the Land Use Planning Group Leader and the Environmental Engineering Group Leader in regards to the issues raised.

The Environmental Engineering Group Leader states that whilst not all the property could be serviced by sewerage, there are certainly sections of the property that can and there is actually a sewage pipe that runs along part of this property.

The Land Use Planning Group Leader has advised as follows:

'In the Central Coast Planning Scheme 2005 ("the scheme") the property is zoned Rural Resource with a small portion of Residential behind 6 Warreen Drive. The Council does not have any information on the land capability of this site under the *State Policy on the Protection of Agricultural Land 2000*; however, this would only be relevant depending upon the location of a dwelling proposed for the site

For example, if a Development Application was received for a dwelling on the portion of site behind 6 Warreen Drive zoned Residential, a preliminary assessment has identified that it may be possible for an approval to be granted as it would comply with the Scheme and could be connected to sewer. This location also seems to be the only portion of the 9.556ha title that could be connected with easy access from Warreen Drive.

However, if a Development Application was received for a dwelling on the portion of the site with agricultural potential, and/or within 100m of adjoining land, it is unlikely to be approved as it would not comply with the Scheme.'

It would be inequitable to other property owners in the sewerage district if the Council were to remit the sewage removal charge if there is development capacity on the property.

The Council's current rates resolution includes that 'a Sewage Removal Service Charge of \$246.00 for each tenement is payable within the sewerage district...'

CONSULTATION

No consultation (apart from internal staff) was required for this report.

IMPACT ON RESOURCES

If the request is granted there would be a reduction in the current year of \$246.00 in sewage removal charges.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2004–2009 includes the following objectives:

- . Provide effective leadership
- . Provide transparent, accountable public policy and decision making.

CONCLUSION

It is recommended that, as the property is within the sewerage district and appears to have the potential to be developed and have sewer connection capability, remission of the sewage removal charge of \$246.00 not be granted.”

- Cr McKenna moved and Cr Fuller seconded, “That, due to extenuating circumstances, the Council agree to a remission of the Sewage Removal Service Charge of \$246.00 for 2007–2008 in respect of Property No. 403630.0380, Warren Drive, Penguin; and that, while the area of the property zoned Residential is not developed, it not be further subject to this Charge.”

Voting for the motion
(5)
Cr Robertson
Cr Deacon
Cr Dry
Cr Fuller
Cr McKenna

Voting against the motion
(6)
Cr Downie
Cr Barker
Cr (J) Bonde
Cr (L) Bonde
Cr Haines
Cr Howard

Motion

Lost

- Cr Robertson moved and Cr Howard seconded, “That, as the property is within the sewerage district and appears to have the potential to be developed and have sewer connection capability, remission of the sewage removal charge of \$246.00 not be granted.”

Voting for the motion
(8)
Cr Downie
Cr Robertson
Cr Barker
Cr (J) Bonde
Cr (L) Bonde
Cr Dry
Cr Haines
Cr Howard

Voting against the motion
(3)
Cr Deacon
Cr Fuller
Cr McKenna

Motion

Carried

ASSETS & ENGINEERING

205/2008 Councillors' questions on notice (191/2008 – 16.06.2008)

The General Manager reported as follows:

“The following questions on notice have been received from Cr Fuller:

‘Could you please provide a response to the questions below at the next ordinary meeting of the Council:

- 1 Have Council staff received any information from the Central Cost Chamber of Commerce regarding their members preferred model of commercial rubbish collection, as discussed at a Council Workshop, with the Chamber, earlier this year?
- 2 Have Council staff completed any further modelling for commercial collections, independent of the Chamber of Commerce?’

The following answers are provided by the Director Assets & Engineering:

- ‘1 No information has been received from the Central Coast Chamber of Commerce.
- 2 Further modelling has not been pursued at this stage due to the recent garbage collection tender and proposed changes to recycling collection.

A regional waste management strategy is also being considered.

The review of commercial rubbish collection will now be undertaken in 2008–2009.’”

206/2008 Tenders for Ulverstone Wastewater Treatment Plant inlet screen

The Director Assets & Engineering reported as follows:

“*PURPOSE*

This report considers tenders for the design, supply, installation, commissioning and testing of a new screen system for the existing inlet works at the Ulverstone Wastewater Treatment Plant (WWTP).

BACKGROUND

The WWTP was commissioned in 1983 and has operated in the same manner for the past 25 years to produce a high quality secondary-treated sewage effluent.

The inlet screen to the plant requires asset renewal and upgrade to meet current standards.

The consultant, GHD Pty Ltd, reported as follows:

‘Tenders for the Ulverstone WWTP new inlet screen project were advertised in the Examiner and Advocate Newspapers on Saturday 3rd May 2008 and closed at GHD’s Launceston office at 4pm on Thursday 22nd May 2008.

The following eleven (11) firms expressed interest and requested tender documents:

- . Pumptech Tasmania
- . SPIRAC Pty Ltd
- . Johnson Screens Australia Pty Ltd
- . Mobile Onsite Engineering
- . Enviroaer
- . Environmental Service and Design Pty Ltd
- . ITT Water and Wastewater
- . Blue H2O Filtration Pty Ltd
- . Prism Engineering Australia Pty Ltd
- . IDEC Instrumentation Services
- . VoR Environmental

A notice to tenderers (Notice to Tenders No. 1) was issued to all firms providing minor amendments to the Specification and a drawing of the existing inlet works.

Tenders Received

At the closing of tenders, 4pm on Thursday 22nd May 2008, the following five (5) tenders were received:

TENDERER	TENDER SUM (EXCLUDING GST)	TOTAL PROJECT SUM (EXCLUDING GST)	TIME FOR COMPLETION (WEEKS AFTER ACCEPTANCE)	NOTES
Johnson Screens	\$110,720.00	\$141,190.00	20	5mm screen rather than the specified 3mm
Enviroaer Industries	\$113,658.00	\$138,658.00	19	No quality system
VoR Environmental	\$116,550.00	\$141,550.00	22	Testing by others
Mobile Onsite Engineering Pty. Ltd.	\$137,300.00	\$162,300.00	19	Spirac equipment
DPM Engineering Tas.	\$164,470.00	\$194,440.00	23	Spirac equipment

The above tenders include a Provisional Sum of \$25,000.00 to be used at the discretion of the Superintendent for works and items not included under the Tender...'

DISCUSSION

'...Tender Evaluation

Completeness of Tenders

Tenders were assessed for completeness and conformity with the technical specification and tender requirements. Tenders were also checked for arithmetical correctness. All tenders were arithmetically correct and four tenders complied with the technical specification and tender requirements. The fifth tenderer, Johnson Screens, submitted a non-complying tender in that the offered step screen had bar spacings of 5mm rather than the specified 3mm.

Lowest Tender

Enviroaer Industries submitted the lowest complying tender in the sum of \$138,658.00 (total project sum excluding GST). Enviroaer industries are offering a Kuhn step screen and Kuhn screenings wash press. The screen offered is made from 2mm thick sections, where as the other screens offered are 3mm and hence more robust. Enviroaer are relatively new to the market. Enviroaer do not have a quality system. GHD therefore do not recommend Enviroaer for this contract.

VoR Environmental submitted the second lowest complying tender in the sum of \$141,550.00 (total project sum excluding GST). VoR Environmental have approximately 200 installations across Australia and New Zealand, with a number in Tasmania, including at the new Burnie WWTP. VoR Environmental are offering a Meva Rotoscreen and a Meva screw wash press. GHD has contacted other individuals/organisations that have previously dealt with VoR Environmental and Meva equipment. GHD have been advised that the equipment is good and VoR Environmental are competent contractors who offer good service and support.

VoR Environmental's tender price is comparable to other recent projects with a similar scope of works.

VoR Environmental as part of their tender included a number of comments on the conditions of contract...

Other Tenders

The other two tenders were offering reputable equipment from Spirac. The two tenders offering Spirac equipment were from local engineering firms. The complying tenders ranged from \$162,300.00 to \$194,440.00, hence are significantly more expensive than the VoR Environmental tender. In comparison to the lowest tender there is no financial or equipment benefit for Council to consider the other tenders further.

Recommendations

It is recommended that Central Coast Council accept the tender for Contract No. 32-14168, Ulverstone WWTP Supply and Installation of a New Inlet Screen, submitted by VoR Environmental for a Meva Rotoscreen step screen and Meva screw wash press for the total project sum of \$141,550.00, including provisional sums.

Please note as there are no detailed “As-Constructed” drawings available for the inlet structure, minor changes and repairs may be required to ensure correct installation and operation of the new equipment. Minor changes and repairs to the inlet structure have not been included as part of this tender.’

The Consultant’s report is supported.

CONSULTATION

GHD staff consulted with the tenderers during the tender process. The tender submissions have been discussed with GHD staff.

IMPACT ON RESOURCES

The budget estimate for this project is \$170,000. The design allocation will be expended in 2007–2008 with the supply and installation budgeted for in 2008–2009.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2004–2009 includes the following objectives:

- . Meet our statutory and regulatory obligations
- . Develop and manage sustainable infrastructure.

CONCLUSION

It is recommended that the tender submitted by VoR Environmental for a Meva Rotoscreen step screen and Meva screw wash press for the total project sum of \$141,550.00 (exc. GST), including provisional sums, be accepted and approved by the Council.”

- Cr Robertson moved and Cr McKenna seconded, “That the tender submitted by VoR Environmental for a Meva Rotoscreen step screen and Meva screw wash press for the total project sum of \$141,550.00 (exc. GST), including provisional sums, be accepted.”

Carried unanimously

207/2008 Asset Management Improvement Strategy

The Director Assets & Engineering reported as follows:

"PURPOSE

This report considers the adoption by the Council of an Asset Management Improvement Strategy.

BACKGROUND

The Asset Management Group Leader reported as follows:

'The Central Coast Council joined the Local Government Association of Tasmania's Asset Management Improvement (TAMI) program in 2007 and that process identifies the need for an Asset Management Improvement Strategy.

DISCUSSION

The attached Improvement Strategy has been prepared for adoption.

The purpose of the Strategy is to support and underpin the principles outlined in the Asset Management Policy adopted by the Council on 19 May 2008 (Minute No. 169/2008).

The Strategy describes linkages between policies, plans, strategies and statutory requirements. It identifies a budgetary framework for asset management. It looks at objectives and performance measures, risk management and financial planning among others.

The key element of the Strategy is the improvement/action plan that will improve the way the Council undertakes asset management using best practice principles.

It is intended to be a working document, to be reviewed periodically and kept up to date as Service and Asset Management Plans are developed. If any significant changes are required to the Strategy it will be referred back to the Council.

CONSULTATION

Consultation has been undertaken in conjunction with the TAMI consultants, the Service and Asset Management Team and the Senior Management Team.'

The Asset Management Group Leader's report is supported.

IMPACT ON RESOURCES

Resourcing is subject to operational budgets and development of the Strategy.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2004–2009 includes the following objectives:

- . Plan for and develop a sustainable community
- . Develop and manage sustainable infrastructure.

CONCLUSION

It is recommended that the Asset Management Improvement Strategy be adopted.”

The Executive Services Manager reported as follows:

“A copy of the Asset Management Improvement Strategy – May 2008 has been circulated to all Councillors.”

- Cr Fuller moved and Cr Haines seconded, “That the Asset Management Improvement Strategy – May 2008 be adopted.”

Carried unanimously

208/2008 Municipal Emergency Management Plans (97/2007 – 19.03.2007)

The Director Assets & Engineering/Municipal Emergency Management Coordinator reported as follows:

“PURPOSE

This report considers emergency management plans of the Council and the region and seeks the endorsement of the plans by the Council and further consideration of emergency management by local government.

BACKGROUND

The *Emergency Management Act 2006* (the Act) provides the Tasmanian emergency management arrangements for the protection of life, property and the environment in the event of an emergency.

Under the Act, councils are required to have a Municipal Emergency Management Plan. The Central Coast Municipal Emergency Management Plan (the Plan) has been

updated over the last year and has been submitted to the State Controller for approval.

The Plan includes the following appendices:

- . Recovery Management Plan
- . Municipal Emergency Risk Register (Mersey Region – Combined Area).

The Mersey Region is a ‘Combined Area’ for the purpose of the establishment of a Municipal Emergency Management Committee and as determined by the Minister in accordance with section 19(1) of the Act.

The Combined Region includes the municipal areas of:

- . Central Coast
- . Devonport City
- . Kentish
- . Latrobe

Other reference Emergency Plans include the following:

- . Lower Forth Flood Response and Recovery Plan
- . Mersey District Pandemic Plan

The tables of contents of the various plans are provided as an appendix to this report for information. A complete copy of the plans is available at the Municipal Emergency Management Coordinator’s office for viewing by Councillors. The Municipal Emergency Management Plan will be posted on the Council’s website following approval by the State Controller. The Lower Forth Flood Response and Recovery Plan is currently available on the website.

DISCUSSION

The plans have been prepared in conjunction with the Deputy Municipal Coordinator, Municipal Recovery Coordinator and Deputy, the Mersey Region Emergency Management Committee, the State Emergency Service (SES) and consultants.

The plans will be subject to review in two years time. The Municipal Emergency Management Plan will need to be reviewed to comply with SES guidelines that are currently being prepared. This will be a substantial change.

As part of the recommendations of a report to the Council on 19 March 2007 (Minute No. 97/2007), the Council resolved to:

'...pursue the provision of an Executive Officer/Deputy Co-ordinator for the Mersey Regional Emergency Management Planning Committee over the next two years with appropriate funding form the respective councils and grants...'

This suggestion needs to be considered as part of the Water and Sewerage Reform project currently being undertaken, as it provides an opportunity for a shared resource between councils in order to overcome the corporate risk associated with emergency management. This risk is likely to increase as officers involved will have less time to dedicate to emergency management as a result of the transition process.

CONSULTATION

Consultation has occurred with the Mersey Emergency Management Planning Committee, the community and the SES in the provision of the emergency plans. Communication of the plans to the community, Council staff and the local SES unit will be further undertaken during the year.

IMPACT ON RESOURCES

The impact on resources to produce these plans has been significant as it has affected normal Council operations, with some of the staff involved required to work outside normal hours on occasions. It is not dissimilar to the local SES unit volunteers who attend emergencies on the ground.

The allocations made in the Estimates for this emergency management planning in 2007-2008 were as follows:

- . Emergency and Risk Management Planning – \$10,000 (ongoing)
- . Forth Flood Response and Recovery Plan – \$18,000 (part of total one-off grant of \$60,000)

The Central Coast Council's current allocation for emergency services in 2007-2008 is \$21,000 for the local SES unit operations only, with \$25,000 proposed for 2008-2009 in order to cover additional costs associated with increased activity, training, new uniform standards and road crash rescue services.

Most of the cost of time spent in emergency management planning by the Municipal Emergency Coordinator (and Deputy) and Municipal Recovery Coordinator (and Deputy) is currently absorbed in the Council's operations as part of normal duties. It is important that the true cost of emergency management be reflected in the Estimates in the future. This could be of the order of \$40,000 – \$50,000 per year if

all the duties and responsibilities required under the Act are to be fulfilled. This needs to be considered for future Estimates.

The estimated cost for an Executive Officer/Deputy Coordinator for the Mersey Region is in the order of \$100,000 – \$130,000 per year. If this resource was considered on an appropriate cost-sharing arrangement between the respective councils and supplemented by grants it would be an achievable outcome.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2004–2009 includes the following objectives:

- . Improve community safety
- . Foster partnerships and strategic alliances
- . Meet our statutory and regulatory obligations
- . Develop and manage sustainable infrastructure.

CONCLUSION

It is recommended that the Council:

- 1 endorse the Municipal Emergency Management Plan, including the following appendices:
 - (a) Recovery Management Plan; and
 - (b) Municipal Emergency Risk Register (Mersey Region – Combined Area);
- 2 endorse other reference Emergency Plans as follows:
 - (a) Lower Forth Flood Response and Recovery Plan; and
 - (b) Mersey District Pandemic Plan; and
- 3 pursue the provision of an Executive Officer/Deputy Coordinator for the Mersey Region Emergency Management Planning Committee over the next two years with appropriate funding from the respective councils and grants.”

The Executive Services Manager reported as follows:

“The tables of contents of the various plans referred to in the Director/Coordinator’s report have been circulated to all Councillors and the plans have been tabled.”

■ Cr Robertson moved and Cr (J) Bonde seconded, “That the Council:

- 1 endorse the Municipal Emergency Management Plan, including the following appendices:

- (a) Recovery Management Plan; and
 - (b) Municipal Emergency Risk Register (Mersey Region – Combined Area);
- 2 endorse other reference Emergency Plans as follows:
- (a) Lower Forth Flood Response and Recovery Plan; and
 - (b) Mersey District Pandemic Plan; and
- 3 pursue the provision of an Executive Officer/Deputy Coordinator for the Mersey Region Emergency Management Planning Committee over the next two years with appropriate funding from the respective councils and grants.”

Carried unanimously

CLOSURE OF MEETING TO THE PUBLIC

209/2008 Meeting closed to the public

The Executive Services Manager reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2005* provides that a meeting of a council is to be open to the public unless the council, by absolute majority, decides to close the meeting or part of the meeting because it wishes to discuss a matter (or matters) in a closed meeting and the Regulations provide accordingly.

Moving into a closed meeting is to be by procedural motion. Once a meeting is closed, meeting procedures are not relaxed unless the council so decides.

It is considered desirable that the following matters be discussed in a closed meeting:

- . Minutes and notes of other organisations and committees of the Council;
- . Council Ambassador;
- . Proposals for sale of Council land; and
- . Replacement of General Manager.

These are matters relating to:

- . information provided to the Council on the condition it is kept confidential;
- . proposals for the disposal of land; and
- . personnel.”

■ Cr Robertson moved and Cr Deacon seconded, “That the Council close the meeting to the public to consider the following matters, they being matters relating to:

- . information provided to the Council on the condition it is kept confidential;
- . proposals for the disposal of land; and
- . personnel;

and the Council being of the opinion that it is lawful and proper to close the meeting to the public:

- . Minutes and notes of other organisations and committees of the Council;
- . Council Ambassador;
- . Proposals for sale of Council land; and
- . Replacement of General Manager.”

Carried unanimously and by absolute majority

The Executive Services Manager further reported as follows:

- “1 The *Local Government (Meeting Procedures) Regulations 2005* provide in respect of any matter discussed at a closed meeting that the general manager is to record in the minutes of the open meeting, in a manner that protects confidentiality, only the fact that the matter was discussed and is not to record the details of the outcome unless the council determines otherwise.
- 2 The *Local Government Act 1993* provides that a councillor must not disclose information seen or heard at a meeting or part of a meeting that is closed to the public that is not authorised by the council to be disclosed.

Similarly, an employee of a council must not disclose information acquired as such an employee on the condition that it be kept confidential.
- 3 In the event that additional business is required to be conducted by a council after the matter(s) for which the meeting has been closed to the public have been conducted, the Regulations provide that a council may, by simple majority, re-open a closed meeting to the public.”

GENERAL MANAGEMENT

210/2008 Minutes and notes of other organisations and committees of the Council

The Executive Services Manager reported (reproduced in part) as follows:

“The following minutes and notes of committees of the Council and other organisations on which the Council has representation have been received:

...

The *Local Government (Meeting Procedures) Regulations 2005* provide in respect of any matter discussed at a closed meeting that ‘the general manager –

- (a) is to record in the minutes of the open meeting, in a manner that protects confidentiality, only the fact that the matter was discussed; and
- (b) is not to record the details of the outcome unless the council or council committee determines otherwise.’

The details of this matter are accordingly to be recorded in the minutes of the closed part of the meeting.”

211/2008 Council Ambassador

The General Manager confidentially reported (reproduced in part) as follows:

“The purpose of this report is to consider the appointment of a person to act as an Ambassador...”

The Executive Services Manager reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2005* provide in respect of any matter discussed at a closed meeting that ‘the general manager –

- (a) is to record in the minutes of the open meeting, in a manner that protects confidentiality, only the fact that the matter was discussed; and
- (b) is not to record the details of the outcome unless the council or council committee determines otherwise.’

GENERAL MANAGEMENT

The details of this matter are accordingly to be recorded in the minutes of the closed part of the meeting.”

CORPORATE & COMMUNITY SERVICES

212/2008 Proposal for sale of Council Land

The Director Corporate & Community Services reported (reproduced in part) as follows:

“The Administration Group Leader has prepared the following confidential report:

...

‘This report considers the disposal of certain Council-owned property...’”

The Executive Services Manager reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2005* provide in respect of any matter discussed at a closed meeting that ‘the general manager –

- (a) is to record in the minutes of the open meeting, in a manner that protects confidentiality, only the fact that the matter was discussed; and
- (b) is not to record the details of the outcome unless the council or council committee determines otherwise.’

The details of this matter are accordingly to be recorded in the minutes of the closed part of the meeting.”

213/2008 Proposal for sale of Council Land

The Director Corporate & Community Services reported (reproduced in part) as follows:

“The Administration Group Leader has prepared the following confidential report:

...

‘This report considers the disposal of certain Council-owned property...’”

The Executive Services Manager reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2005* provide in respect of any matter discussed at a closed meeting that ‘the general manager –

- (a) is to record in the minutes of the open meeting, in a manner that protects confidentiality, only the fact that the matter was discussed; and

- (b) is not to record the details of the outcome unless the council or council committee determines otherwise.'

The details of this matter are accordingly to be recorded in the minutes of the closed part of the meeting.”

GENERAL MANAGEMENT

214/2008 Replacement of General Manager (179-179A/2008 – 05.06.2008)

The Mayor confidentially reported (reproduced in part) as follows:

“I will inform the meeting ... in respect of the position of General Manager.”

The Executive Services Manager reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2005* provide in respect of any matter discussed at a closed meeting that ‘the general manager –

- (a) is to record in the minutes of the open meeting, in a manner that protects confidentiality, only the fact that the matter was discussed; and
- (b) is not to record the details of the outcome unless the council or council committee determines otherwise.’

The details of this matter are accordingly to be recorded in the minutes of the closed part of the meeting.”

Closure

There being no further business, the Mayor declared the meeting closed at 9.17pm.

CONFIRMED THIS 21ST DAY OF JULY, 2008.

Chairperson

(gjm:dil)

Appendices

Minute No. 192/2008– Schedule of Development Services Determinations

Minute No. 200/2008– Schedule of Documents for Affixing of the
Common Seal

Minute No. 201/2008– Financial statements

Minute No. 202/2008– Schedule of Accounts Paid

QUALIFIED PERSON'S ADVICE

The *Local Government Act 1993* provides (in part) as follows:

. A general manager must ensure that any advice, information or recommendation given to the council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

. A council is not to decide on any matter which requires the advice of a qualified person without considering such advice unless the general manager certifies in writing that such advice was obtained and taken into account in providing general advice to the council.

I therefore certify that with respect to all advice, information or recommendation provided to the Council within these minutes:

(i) the advice, information or recommendation was given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and

(ii) where any advice was directly given by a person who did not have the required qualifications or experience that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.

Katherine Schaefer
GENERAL MANAGER