



CENTRAL COAST COUNCIL

Minutes

of Ordinary Meeting

17 DECEMBER 2007

Note:
Minutes subject to confirmation at
a meeting of the Council to be held on
29 January 2007

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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, 17 December 2007 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 Cr Ken Haines	Cr Gerry Howard
Cr Terry McKenna	Cr Tony van Rooyen

Employees attendance

General Manager (Mrs Katherine Schaefer)
Director Assets & Engineering (Mr Bevin Eberhardt)
Director Corporate & Community Services (Ms Sandra Ayton)
Acting Director Development Services (Mr Michael Stretton)
Administration Group Leader (Mr Cor Vander Vlist)
Land Use Planning Group Leader (Mr Shane Warren)

Guests of the Council

Mrs Beryl Marshall

Media attendance

The Advocate newspaper

Public attendance

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

Prayer

The meeting opened in prayer.

CONFIRMATION OF MINUTES OF THE COUNCIL

452/2007 Confirmation of minutes

The Administration Group Leader reported as follows:

“The minutes of the previous ordinary meeting of the Council held on 19 November 2007 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 (J) Bonde seconded, “That the minutes of the previous ordinary meeting of the Council held on 19 November 2007 be confirmed.”

Carried unanimously

COUNCIL WORKSHOPS

453/2007 Council workshops

The Administration Group Leader reported as follows:

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

- . 26.11.2007 – Water and Sewerage Reform
- . 03.12.2007 – Showground
- . 10.12.2007 – Chamber of Commerce/Penguin Urban Design Guidelines.

This information is provided for purpose of record only.”

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

Carried unanimously

MAYOR'S COMMUNICATIONS

454/2007 Mayor's communications

The Mayor reported as follows:

"At the council's special meeting held on 6 November 2007 it was agreed (Minute No. 406/2007) that former Councillor Beryl Marshall be invited as a guest to this meeting.

I will now briefly adjourn this meeting for the purpose of presenting a Certificate of Service to Mrs Marshall in acknowledgement of her contributions to the Council.

Mrs Marshall joined Councillors at their evening meal before the meeting."

The meeting was resumed at this stage.

455/2007 Mayor's diary

The Mayor reported as follows:

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

- Penguin Seventy & Over Christmas Dinner Committee – Over 70's luncheon
- Ulverstone Judo Club – Annual Invitational Championships
- Ulverstone Red Cross Branch – Christmas luncheon
- St-Brendan-Shaw College – presentation night
- Slipstream Circus – 'Circus in the park' performance
- Ulysses Club (National) AGM 2006, Ulverstone – unveiling of commemorative plaque
- Lions Club of Penguin – Penguin Christmas Carols Christmas message."

Cr Robertson reported as follows:

"On behalf of the Mayor I attended the following functions;

- Ulverstone High School Grade 10 graduation and dinner,
- Ulverstone High School Leavers Assembly,
- Penguin High School Leavers Assembly, and
- Ulverstone Senior Citizens Dinner."

Cr Haines reported as follows:

"On behalf of the Mayor I attended the St Johns Ambulance Certificate presentation."

■ Cr Robertson moved and Cr McKenna seconded, "That the reports of the Mayor, Deputy Mayor and Cr Haines be received."

Carried unanimously

456/2007 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 Administration Group Leader 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."

Cr McKenna reported as follows:

"I will be declaring an interest in respect of Contracts and Agreements (Minute No. 477/2007)."

457/2007 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

458/2007 Councillor reports

The Administration Group Leader 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 meetings of the Cradle Coast Water Representatives Group and the Dulverton Regional Waste Management Authority.

Cr Robertson reported on a meeting of the Ulverstone Pool Committee.

APPLICATIONS FOR LEAVE OF ABSENCE

459/2007 Leave of absence

The Administration Group Leader 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

460/2007 Deputations

The Administration Group Leader reported as follows:

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

PETITIONS

461/2007 Petitions

The Administration Group Leader reported as follows:

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

COUNCILLORS' QUESTIONS

462/2007 Councillors' questions without notice

The Administration Group Leader 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.

463/2007 Councillors' questions on notice

The Administration Group Leader 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.

No questions on notice have been received."

DEVELOPMENT SERVICES

464/2007 Development Services determinations

The Acting Director Development Services reported as follows:

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

The Administration Group Leader reported as follows:

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

■ Cr (J) Bonde 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

465/2007 Council acting as a planning authority

The Mayor reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2005* provide that if a council intends to act at a meeting as a planning authority under the *Land Use Planning and Approvals Act 1993*, the chairperson is to advise the meeting accordingly.

The Acting Director Development Services has submitted the following report:

‘If any such actions arise out of Minute No. 466/2007, they are to be dealt with by the Council acting as a planning authority under the *Land Use Planning and Approvals Act 1993*.’”

The Administration Group Leader reported as follows:

“Councillors are reminded that the *Local Government (Meeting Procedures) Regulations 2005* provide that the general manager is to ensure that the reasons for a decision by a council acting as a planning authority are recorded in the minutes.”

■ Cr Robertson moved and Cr van Rooyen seconded, “That the Mayor’s report be received.”

Carried unanimously

466/2007 Items referred from Development Support Special Committee

The Acting Director Development Services reported as follows:

“In the event that any items listed for consideration by the Development Support Special Committee at its scheduled meeting on 10 December 2007 are referred, under its terms of appointment, to the Council or if the Committee is unable to make a determination within the relevant statutory time limit, such items will be placed before the Council at this time while it is acting as a planning authority under the *Land Use Planning and Approvals Act 1993*.”

The Executive Services Manager reported as follows:

“Associated reports and documents for items appearing before the Development Support Special Committee, which may potentially be referred to the Council for decision, are separately circulated to all Councillors together with a notice of meeting for that Committee. They are accordingly not reproduced in the agenda for this ordinary meeting of the Council.

All Councillors are asked to bring with them to this meeting any Development Support Special Committee agendas they have received since the last ordinary meeting of the Council.”

Item 6.1 on the agenda for the Committee’s meeting on 10 December 2007 (re Application to amend the Sealed Plan CT110230/11 at 3 Cheryl Court, Ulverstone – Application No. SPA2007.1) was unable to be determined unanimously by the Committee and must be referred to the Council.

Application No. SPA2007.1 is accordingly to be dealt with by the Council at Minutes No. 467/2007.”

467/2007 Application to amend Sealed Plan CT110230/11 at 3 Cheryl Court, Ulverstone Application No. SPA2007.1

The Land Use Planning Group Leader reported as follows:

<i>“APPLICATION NO.:</i>	SPA2007.1
<i>APPLICANT:</i>	Walsh Day James Mihal Pty on behalf of Ony Chu
<i>LOCATION:</i>	3 Cheryl Court, Ulverstone
<i>ZONING:</i>	Residential (RA) – Closed
<i>PLANNING INSTRUMENT:</i>	Central Coast S.46 Planning Scheme No.1 of 1993 (the Scheme)
<i>ADVERTISED:</i>	Not required
<i>REPRESENTATIONS EXPIRY DATE:</i>	Not applicable

<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	Not applicable
<i>DECISION DUE:</i>	10 December 2007
<i>PURPOSE</i>	

The purpose of this meeting is for all intents and purposes a Hearing in respect of an application to amend a sealed plan of subdivision. More specifically the report is to consider whether a particular covenant contained within the Schedule of Easements on the sealed plan of subdivision should be amended. The process to undertake this is set down in Section 103 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*. (the Act).

The existing Sealed Plan and Schedule of Easements is attached as Annexure 1.

Part of the process requires persons that might be affected by the amendment to be heard and for the Council to appoint a day for such a Hearing to occur.

The proponents and the objectors to the amendment have both been invited to the meeting to present their submission.

BACKGROUND

The owner of the property, Ms Ony Chu, applied to the Council in August for planning approval to develop the site with five grouped houses (Application No. DEV2007.24). During the 14-day public scrutiny period a representation was received that highlighted a covenant that exists on the Title.

This covenant reads:

“Not to erect on any Lot any building other than a single dwelling house and normal outbuildings”

It was considered prudent to allow opportunity for the applicant to eliminate this situation from any future planning appeal and a ‘stopclock’ was placed on the planning application until the matter was further considered. Other ‘stopclock’ matters are not considered in this report.

DISCUSSION

The Development Support Special Committee (DSSC) has the mandate from the Council to decide on the merits of whether or not to amend a sealed plan. The DSSC has two options to consider and these are discussed below.

Firstly, if the DSSC agree with the petition to amend the sealed plan they have to consider what effects this will have on the process and the rights of any person objecting to the amendment. The Act is unclear on any appeal process with the exception of some compensation for any demonstrated adverse effects. If the sealed plan is amended and the other 'stopclock' matters satisfactorily addressed the planning application will be able to be determined. This aspect of the planning application will be subject to a further report at a DSSC meeting in the New Year after the other 'stopclock' matters have been satisfactorily addressed.

A further opportunity exists for any representor to appeal against any decision of the Council to approve an application however the grounds of Appeal based on the covenant would no longer be an option if the sealed plan had been amended. That aside there may be other grounds of appeal to permit that the Resource Management Planning Appeal Tribunal (RMPAT) might uphold. Conversely if, for whatever reason, a Planning Permit is not granted the owner has similar appeal rights.

Secondly, if the DSSC decide not to cause the amendment to be made the matter to consider is how this affects the 'stopclock' on the current planning application and the appeal rights of the applicant. That is, will there be no alternative but to recommend refusal of the planning application based on clause 3.9.2(j) of the Scheme which requires Council to consider if appropriate

'any other matters which in the opinion of the Council should be considered'.

That is not to say there may be other reasons to recommend refusal but it is premature and unfair to predict any outcome until all responses to the 'stopclock' have been satisfied.

It may well get complicated if the Council does not consent to amending the sealed plan but ultimately consents to a planning permit for the five units on the basis that the covenant is not within the Council's jurisdiction to consider. This may result in the Resource Management and Planning Appeal Tribunal (RMPAT) determining that the application for the five grouped houses is void because it was within the scope of Council to consider it.

CONSULTATION

The application was subjected to 28 days of scrutiny by persons affected by the proposed amendment as required by the Act. This correspondence was undertaken by the owner's legal representative as required by the Act. The applicant advises that one representation was received.

The application as a matter of procedure was also referred to the Council's Planning and Assessment Team. No comments have been received that affect the determination of this application.

IMPACT ON RESOURCES

This report has no impact on resources.

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

Section 104 of the Act provides the Council with two options to consider at the conclusion of the hearing. The Council may either:

- (a) cause the amendment to be made with or without modifications; or
- (b) require as a condition of so doing that any person who benefits the amendment is to make compensation in money or land who is injured by it.

It is unclear on whether the Council has any option to refuse the application as the Act is only framed for approval or for compensation to a person who is injured by it. This would effectively require a party in this instance to demonstrate how the amendment financially affects the value of their land, their amenity etc.

The preferred option which allows both parties a further opportunity to present their individual case is to recommend that the amendment be made. This is submitted on the basis that the matter of amenity can be further considered during the assessment of the planning application and because the RMPAT system provides satisfactory and well established processes to address the planning concerns.

Recommendation

That the Council cause the amendment to be made to Sealed Plan 110230 as petitioned by Ony Chu on 26 September 2007."

The Land Use Planning Group Leader reported as follows:

“Copies of the Annexure referred to in the report have been circulated to all members.”

468/2007 Public question time

The time being 6.42pm, the Mayor introduced public question time.

Questions and replies concluded at 6.47pm.

Minute No. 467/2007 continued...

■ Cr van Rooyen moved and Cr Deacon seconded, “That the matter lay on the table pending further legal advice on the legalities of Sealed Plan Covenants and Council’s role relative to such matters.”

Carried unanimously

469/2007 Reform of the Historic Cultural Heritage Act 1995 (371/2007 – 15.10.2007)

The Acting Director Development Services reported as follows:

PURPOSE

The purpose of this report is to consider a letter (copy attached) received by the Mayor from the Minister for Tourism, Arts & the Environment regarding the reform of the *Historic Cultural Heritage Act 1995* (the Act).

BACKGROUND

Heritage Tasmania is an agency within the Department of Tourism, Arts and the Environment, and is responsible for the administration of the Act.

Local government has been seeking a review of the Act for some time. The Council and the State Government have included the review of the Act in their Partnership Agreement.

Despite a major report being prepared for Heritage Tasmania and tabled by consultants Godden Mackay Logan in November 2005, the Position Paper was only released in late September 2007, and submissions closed on 31 October 2007.

The release of this Paper and the associated consultation period coincided with the recent local government elections.

At the Council meeting held on 15 October 2007 the Council unanimously passed the following motion (371/2007 – 15.10.2007):

“That the Council:

- 1 express its dissatisfaction with the unrealistic time frame allowed for submissions and the release of the Position Paper coinciding with the current local government elections; and
- 2 advise Heritage Tasmania that it will make a detailed submission to the Draft Bill when released, provided sufficient time is allowed.”

DISCUSSION

While it was previously considered that there was insufficient time undertake an appropriate submission, the Council may wish to reconsider its previous decision in light of the letter received from the Minister.

Advice as to a timeline for a submission will be sought prior to the meeting.

CONSULTATION

Heritage Tasmania held a forum for local government on 25 September 2007, which was attended by the Mayor, Land Use Planning Group Leader and the Director Development Services.

A Councillor Workshop to consider the Paper was held on 8 October 2007.

Heritage Tasmania advised previously that it must provide its report to Cabinet by Christmas this year, with a view to tabling a Draft Bill amending the Act to the autumn 2008 session of State Parliament. It is expected an opportunity to comment on such a Draft Bill will be provided beforehand.

IMPACT ON RESOURCES

Although consideration of, and responding to, the Position Paper has little impact on resources other than officer time and travelling, there are potentially large scale impacts if some of the proposed roles for local government get incorporated into a new Act.

CORPORATE COMPLIANCE

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

- provide transparent, accountable public policy and decision making;

- . meet our statutory and regulatory obligations; and
- . plan for and develop a sustainable community.

CONCLUSION

It is recommended that the Council take up the opportunity offered to lodge a submission on the *Managing our Heritage* Position Paper.”

The Administration Group Leader reported as follows:

“A copy of the letter from the Minister has been circulated to all Councillors.”

- “That the Council take up the opportunity offered to lodge a submission on the *Managing our Heritage* Position Paper.”

Voting for the motion

(9)

Cr Downie

Cr (J) Bonde

Cr (L) Bonde

Cr Deacon

Cr Dry

Cr Haines

Cr Howard

Cr McKenna

Cr van Rooyen

Voting against the motion

(3)

Cr Robertson

Cr Barker

Cr Fuller

Motion

Carried

GENERAL MANAGEMENT

470/2007 Minutes and notes of committees of the Council and other organisations

The Administration Group Leader 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:

- . Cradle Coast Authority – meeting of Representatives and Annual general meeting held on 25 October 2007
- . Central Coast Community Safety Partnership Committee – meeting held on 24 October 2007
- . Development Support Special Committee – meeting held on 12 November 2007
- . Youth Engaged Steering Committee – meeting held on 15 November 2007
- . Ulverstone Local History Museum Committee – meeting held on 21 November 2007.

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

■ Cr Haines moved and Cr McKenna seconded, “That the Administration Group Leader’s report be received.”

Carried unanimously

471/2007 Annual General Meeting for the year ended 30 June 2007

The General Manager reported as follows:

“The Executive Services Manager has prepared the following report:

PURPOSE

This is a report on the conduct of the Council’s Annual General Meeting held on 20 November 2007.

BACKGROUND

The Annual General Meeting for 2007 was held on 20 November. A record of the meeting was kept by way of minutes. A copy of the minuted record is attached. The *Local Government Act 1993* provides that any resolution passed at an annual general meeting is to be considered at the next meeting of the Council. There were no resolutions other than the one to receive the Annual Report.

DISCUSSION

One undertaking was made at the Annual General Meeting. This was that issues of concern raised by members of the public present at the meeting would be referred to relevant Directors.

There is otherwise no discussion so far as this report is concerned.

CONSULTATION

Consultation is not required in respect of this report.

IMPACT ON RESOURCES

This matter does not impact on resources.

CORPORATE COMPLIANCE

The holding of an annual general meeting is a statutory requirement. The Central Coast Strategic Plan 2004–2009 includes the following objective:

- . Meet our statutory and regulatory obligations.

CONCLUSION

It is recommended that this report be received.'

The report is supported."

The Administration Group Leader reported as follows:

"A copy of the minutes of the Annual General Meeting for 2007 has been circulated to all Councillors."

- Cr Robertson moved and Cr Fuller seconded, "That the report on the conduct of the Council's Annual General Meeting for 2007 (a copy of the minutes of the meeting, held on 20 November 2007, being appended to and forming part of the minutes of this ordinary meeting of the Council) be received."

Carried unanimously

472/2007 Customer Service Charter

The General Manager reported as follows:

"The Administration Group Leader has prepared the following report:

'PURPOSE

The purpose of this report is to submit for review the Council's Customer Service Charter.

BACKGROUND

The Council, on 12 December 2005 (Minute No. 422/2005) adopted a Customer Service Charter.

The Charter was adopted by the Council following changes to the *Local Government Act 1993* wherein Section 339F provides as follows:

- "(1) A council must adopt a customer service charter on or before 1 January 2006.
- (2) The customer service charter is to –
 - (a) specify the principles relating to services provided by the council; and
 - (b) specify a procedure for dealing with complaints relating to services provided by the council; and
 - (c) include any prescribed matter.
- (3) The general manager is to make the customer service charter available –
 - (a) for public inspection at the public office during ordinary office hours; and
 - (b) on the council's internet site free of charge; and
 - (c) for purchase at a reasonable charge.
- (4) A council is to review its customer service charter at least once every 2 years.
- (5) The general manager is to provide the council with a report at least once a year of the number and nature of complaints received."

Regulation 30 of the *Local Government (General) Regulations 2005* provides as follows:

"A customer service charter adopted under section 339F of the Act is to address the following matters:

- (a) the manner in which a complaint referred to in section 339E of the Act may be made;
- (b) the manner in which a response to a complaint is to be made;
- (c) opportunities for a review of a response by the general manager;
- (d) the periods within which complaints are to be dealt with;
- (e) other actions that may be taken if a complainant is dissatisfied by the response;
- (f) reporting of the complaints received.”

DISCUSSION

The Senior Management Team (SMT) has critically reviewed the Customer Service Charter adopted in 2005. The Charter continues to meet the criteria set down in the amended Act and Regulations.

It is appropriate to note that while the legislation focuses almost solely on complaints handling, the charter treats customer service as much more than just dealing with complaints, and was prepared with a wider view of customer service in mind.

A minor change to the section titled ‘Calling in person’ has been made to ensure that the information provided within the Charter matches the information provided on the reverse of the current rates Notice.

A copy of the updated Central Coast Council Customer Service Charter is attached.

CONSULTATION

Significant consultation was undertaken in respect of the earlier Customer Service Policy which provided the basis for the Customer Service Charter adopted in 2005. This consultation process and outcomes is deemed to have been sufficiently current to be applied to the current Charter without further consultation.

IMPACT ON RESOURCES

There is minimal impact on resources

GENERAL MANAGEMENT

CORPORATE COMPLIANCE

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

- . Provide customer focused services.

CONCLUSION

It is recommended that the Council re-confirm the Customer Service Charter.’

The report is supported.”

The Administration Group Leader reported as follows:

“A Copy of the updated Customer Service Policy has been circulated to all Councillors.”

- Cr Fuller moved and Cr Haines seconded, “That the Central Coast Council Customer Service Charter dated December 2007 be re-confirmed.”

Carried unanimously

473/2007 Penguin Urban Design Guidelines (99/2007 – 19.03.2007)

The General Manager reported as follows:

“PURPOSE

To advise the Council of a meeting planned with key stakeholders with respect to the scope of the Penguin Urban Design Guidelines

BACKGROUND

The Council resolved at (99/2007) to undertake the Penguin Urban Design Guidelines which were identified in Penguin’s Community Plan in this current financial year. A budget allocation of \$70,000 has been provided in the Estimates.

A Councillor workshop was held on the 10 December to consider the scope of the consultant’s tender brief for the Penguin Urban Design Guidelines.

DISCUSSION

The purpose of the meeting is to invite key stakeholders within the community to a meeting to reach consensus on the scope for the Penguin Urban Design Guidelines prior to Council calling for tenders.

The invitation is to people from different groups within the community who have different visions for the future development of Penguin. These groups represent developers and community members with alternate views on Penguin's future development.

To enable the meeting process to be manageable the number of invitees is limited. We have invited three representatives from each of the differing stakeholder groups. The Council will be represented by the Mayor, the Deputy Mayor and the General Manager. The Acting Director Development Services, the Land Use Planning Group Leader and the Town Planner will be in attendance to present the proposed scope of the Urban Design Guidelines

Bob Campbell and Lynda Jones from Groupwork have been engaged as independent facilitators to chair this meeting to ensure the meeting process allows all invited stakeholders to provide input in a constructive and meaningful manner.

The meeting is scheduled for 18 December from 3.00 pm to 5.00 pm in the Council Chamber.

CONSULTATION

No consultation has been undertaken.

IMPACT ON RESOURCES

The cost of engaging the external facilitator which will be met within the General Manager's Office budget allocation.

CORPORATE COMPLIANCE

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

- . Provide effective leadership
- . Enable community participation in strategic directions
- . Plan for and develop a sustainable community
- . Meet our statutory and regulatory obligations

CONCLUSION

It is recommended that the Council note the report."

The Administration Group Leader reported as follows:

"A copy of the invitation letter has been circulated to all Councillors."

■ Cr McKenna moved and Cr Deacon seconded, "That the General Manager's report be received."

Carried unanimously

474/2007 Proposed reform of Tasmania's water and sewerage sector (66/2007 - 19.02.2007)

The General Manager reported as follows:

"The following report has been prepared primarily by the Director Assets & Engineering and is supported by the Director Corporate & Community Services.

'PURPOSE

This report considers the proposed reform of Tasmania's water and sewerage sector and its effects on Central Coast Council operations.

BACKGROUND

The State Government has established a Water and Sewerage Taskforce. The ultimate objective of the Taskforce is to establish the most appropriate structural and regulatory arrangements for Tasmania, which will provide all Tasmanians with access to the most efficient and cost-effective water and sewerage solutions. The Council provided a submission to a discussion paper in February 2007.

Since then, the Taskforce has identified ten Principles for Water and Sewerage Reform and invited further submissions to the process by 30 November 2007. Cradle Coast Water (CCW) has provided a submission for the six representative councils of the water authority. The other three (Burnie, West Coast and King Island) of the nine councils in the region may provide separate submissions. The Local Government Association of Tasmania (LGAT) has also provided a submission, together with the northern and southern regions providing separate submissions.

Noting that the State Treasurer has stated that the status quo in the provision of water and sewerage will not continue, the LGAT at its General Meeting on 14 November 2007 carried the following motions:

"Motion 1
Southern Midlands Council/Waratah-Wynyard Council

That LGAT advises the State Government that:

- it rejects the option of a single Statewide model.
- If there has to be water and sewerage reform, three regional, Local Government owned water and sewerage entities is the only model acceptable to the Local Government Association of Tasmania.

Motion 2

Meander Valley Council/Central Coast Council

- . That, LGAT actively pursue during and after the Federal election campaign the provision of \$350 million government grant funding to Local Government to undertake major capital works projects, which is essential to underpin any reform process and make it affordable to the community.

Motion 3

Kingborough Council/Glenorchy City Council

- . An additional 11th principle that Local Government regional water and sewerage authorities/corporations pay both dividends and equivalent tax payments to member councils as occurs now for joint bulk water authorities.

Motion 4

West Tamar Council/Southern Midlands Council

- . That Tasmanian Councils need to be left in a financial state that maintains their viability i.e. there should be no detrimental effects on other council works and community services due to the formation of regional water and sewerage authorities/corporations.

Motion 5

Circular Head Council/Dorset Council

- . That representatives from the three regional water and sewerage working groups meet next week to formulate an LGAT submission to the Taskforce.”

The Council’s current policy on this matter is as follows (minute No. 66/2007–19.02.2007):

“That the Council:

- 1 support the previous 1995 Council policy of:
 - (a) the creation of three regional bulk water supply authorities established as joint authorities under the *Local Government Act 1993* with representation from elected members and officers;
 - (b) councils to be directly responsible for water reticulation, sewage treatment and reticulation;

- (c) catchment regulation to be the responsibility of State Government; and
 - (d) catchment management to be the responsibility of councils on a regional basis;
- 2 endorse the Local Government Association of Tasmania response to the Discussion Paper on the Reform of Tasmania's Water and Sewerage Sector; and
 - 3 provide the report on this matter prepared by the Directors Assets & Engineering and Corporate & Community Services as the Council's response to the Discussion Paper."

A working group with representatives from Burnie, Central Coast, Devonport, Waratah-Wynyard and CCW was established in June 2007 by the nine councils in the Cradle Coast Region to consider the following model options:

- A Existing arrangement (status quo) to be used as the base model;
- B Bulk model, whereby councils retain responsibility for water reticulation and sewerage reticulation, with a "bulk entity" as a Regional Water Authority providing bulk water supply and sewage (wastewater) treatment; and
- C Fully integrated model, whereby a fully vertically and horizontally "integrated" water and sewerage entity operating as a Regional Water Authority, responsible for water and sewerage, including bulk water supply and distribution and sewage collection and treatment.

Consultants GHD were commissioned by CCW (representing six of the councils) and the Burnie City Council to assist the working group in this process. The report on findings from the GHD report was used as the Cradle Coast Water submission. Extracts from the GHD report will be considered as the basis for this report.

ASSESSMENT OF REFORM MODELS

The various reform models were evaluated as part of the report.

Status Quo

This option is not acceptable to the State Government as a model, and has not been discussed other than for use as a "base model" for use as a

reference for Councils to compare whether or not they are better or worse-off with the alternative reform option models.

The “Status Quo” model would not meet the following critical criteria for reform:

- . Does not meet any of the ten (10) principles of water and sewerage reform as specified by the State Government.
- . Cannot fund the major infrastructure needs of some Councils without significant Government grants/funding. Single Councils are unlikely to be able to access the Federal Government’s Water Fund.
- . Cannot achieve efficiencies/economies of scale or the structural efficiencies that can be achieved by a Regional Authority.
- . Cannot achieve consistency of service and the elimination of duplication/rationalisation of equipment, etc that can be achieved by a Regional Authority.
- . Cannot achieve the attraction and retention of staff that can be achieved by a Regional Authority.

Bulk Model for Water and Sewerage

In this model Councils retain responsibility for water reticulation and sewerage reticulation, with a “bulk entity” as a Regional Water Authority providing bulk water supply and sewage (wastewater) treatment, similar to the current arrangement with Cradle Coast Water and the provision of treated water to six (6) councils along the north-west coast.

This model is *not* consistent with the principles and options being considered by the State Government.

Similar benefits to the integrated regional model will be realised, however at a reduced economy of scale which translates to reduced benefits of reform.

Fully Integrated Regional Model

In this model a fully vertically and horizontally “integrated” water and sewerage entity, operating as a Regional Water Authority, responsible for water and sewerage, including bulk water supply and distribution and sewage collection and treatment, would be established.

This will be a \$500M business in terms of assets, with an annual capital works budget of about \$15M for new infrastructure, assuming the proposed ten-year plan is achieved. Hence it will be a significant business for the

region. This model and size of authority is similar in terms of asset value, area, population/demographics and likely staff numbers to the rural water authorities in Victoria, which have proved to be both efficient and cost-effective. Hence the regional model has a proven track record. This model is consistent with the principles and the options being considered by the State Government.

This model does provide many benefits including the following:

- . Does comply with the 10 principles identified in the State Government document titled "Principles for Water and Sewerage Reform" which identified 10 principles which a single entity or enhanced regional model must comply with.
- . Does comply with the issues discussed in the Ministerial Water and Sewerage Task Force Discussion Paper.
- . Is of appropriate "size" to fund major infrastructure.
- . Likely to be able to attract Federal Government funds (Water Fund).
- . Ability to achieve operational and structural efficiencies and eliminate duplication, etc.
- . Ability to achieve consistency of service, standards.

Statewide Model

The Statewide Model ignores regional vagaries (dry east, wet NW), geographic considerations (distances between regions, catchment regions) and the natural/existing cohesion of the north-west region. There is also a risk of less efficient bureaucracy with a much larger Statewide model which may also become political because it is so large with no competitors/comparators within the state.

A Statewide Model will also not generate the natural "ownership" that a regional model is likely to engender.

It is likely that a Statewide Model will not be any more efficient/financially effective than the regional model for the above reasons.

A Statewide model would likely have its head office outside the north-west region. The loss of skills from the region to head office would have a significant impact on the region. The community in which the head office is located would receive significant social and financial benefits with the provision of services to it. These benefits should remain within each region and not just benefit one region alone.

It is important to separate the commercial operations of the new entity from the regulatory operations as this avoids any conflict of interest. Hence a Council owned commercial entity with a State Government controlled regulatory authority would satisfy these important criteria.

With a Statewide/owned entity all profits/dividends would presumably go to the State Government, hence Councils would suffer a significant financial penalty as they would not be able to recover the losses/inefficiencies due to the loss of water and sewerage services.

The Statewide model is also more susceptible to a waste of resources related to regular restructuring which seems to be common to statewide entities as these seem to regularly centralise and decentralise.

Other Drivers/Issues

In addition to the above drivers for reform, there are a number of other criteria upon which the various reform options can be assessed. These include the following:

- Potential Benefits of Reform
- Ability to Solve Regional Problems
- Impact on Existing Councils
- Social Issues

These “drivers” and the associated criteria issues have been assessed/scored by the Water Reform Working Group.

Some 53 criteria/issues were assessed and scored on a very subjective system of non-compliant (0) to best compliant (10) .The average scores were Status Quo (6.5), Bulk Model (8.3), Fully Integrated (8.4) and Statewide (7.4).

Taking into consideration the increased economy of scale which translates to increased benefits of reform, the Fully Integrated Regional Entity is the most suitable model.

The Bulk Model concept may be of use in consideration of transitional arrangements in respect to operational issues such as service agreements in the interim.

It is also noted that the State Treasurer advised during the process that: *“I note that of the three options you have asked your consultant to consider, only Option 3 is consistent with the principles and the options still being*

considered by the State Government. I encourage you to consider this point when determining how best to focus your consultant's efforts."

Option 3 is the Fully Integrated Regional Entity.

STATE GOVERNMENT PRINCIPLES OF WATER AND SEWERAGE REFORM

The State Government released two documents with the aim to progress Water and Sewerage Reform in Tasmania. These documents are the "Ministerial Water and Sewerage Task Force Discussion Paper" and the "Principles for Water and Sewerage Reform". The former was considered by the Council in the February 2007 report.

The Principles for Water and Sewerage Reform provides a set of requirements, which any businesses involved in the provision of water and sewerage services will need to satisfy. The principles have been considered in the context of the implementation of an Integrated Regional Water and Sewerage Entity as follows:

- 1. Have the delivery of water and sewerage services as a primary business focus*

The development of an integrated regional water and sewerage entity will provide a business of appropriate size and scope to allow direct focus on water and sewerage operations. Conflicting business requirements are significantly less likely to occur for a primary focussed entity than in a local Council situation where reduced resources and a multitude of other Council issues make a primary focus on water and sewerage service impossible.

- 2. Have an expert and independent board appointed for its commercial and technical expertise through a formal and transparent process involving consultation between the business(es) owner(s) and the Treasurer*

It is agreed that this is a sensible approach and will ensure a cost effective operation and that debate at Board level would be argued from a professional point of view as distinct from a parochial one that could occur with political appointees.

The role of the Treasurer would need to be clearly defined to ensure that the interests of the region and owner Councils are protected.

3. *Be run as a commercial entity(s) and be established as a Government owned company(s) that complies with Australian Corporations Law and enabling legislation*

This will meet the COAG requirements and also help achieve a cost effective service to ensure that dividends are returned to the owner Councils. The new entity is to be owned by the local Councils i.e. owned by Local Government, not the State Government.

4. *Operate under formal arrangement that ensure appropriate and workable governance and reporting, including providing a clear mechanism for the shareholder(s) to clearly and unambiguously provide guidance to the Board on matters that fall beyond the defined scope of the Board*

An integrated regional water and sewerage entity will be of adequate size to attract and engage an expert board possessing a wide range of technical and strategic skills and experiences. The board will be the key driver of the business and its selection and operation will be critical to the success of any reformed entity.

The corporate structure of the entity will determine the effectiveness of strategic, corporate and operational management. In line with the State Governments requirements it is suggested that an integrated regional water and sewerage entity be developed as a corporation's law entity in the form of a company model. The company model, as described in the Department of Treasury and Finance Government Business Enterprise (GBE) Corporate Principles, would consist of an independent Board and Councils as owner shareholders. The Company model is similar to a Joint Authority model however provides corporate veil distinction between board and shareholders.

The structure of the new entity would include the capability for the owners (Councils) to direct the Board to undertake tasks outside the defined scope of the Board e.g. non-commercial activities such as community service obligations (CSO's) etc.

A further benefit of this structure is it eliminates the possible conflict of interest, which would potentially exist if a state owned entity was implemented and was then subsequently state regulated, as the commercial operations are completely separate from the regulatory responsibility.

It will be necessary that the structure, operation and governance of the new entity be developed in a collaborative process involving all stakeholders.

5. *Have the organisational, management and technical capacity to appropriately respond to significantly enhanced economic and technical regulatory framework (including the ability to comply with*

relevant health, water management, environment, pricing regulation and National Water initiative reporting obligations)

The proposed north-west regional authority would be very similar in area, population, water volume, asset value, demographics, etc to many of the Victorian country water authorities which have operated over the past 10 years or so, which have proven to be cost effective. It is understood that these Victorian Water Authorities are used by water authorities in other states for benchmarking of performance.

6. *Have the organisational and management capability to appropriately manage transitional and operational business activities (including strategic asset management and works management, core support system functionality, and transitional industrial relations and change management issues)*

It is expected that a new integrated regional water and sewerage entity will have the resource and skills capacity to facilitate the management of enhanced operational frameworks. The regional entity will also allow integrated implementation of applicable requirements.

It is important to note when discussing regulatory frameworks that the proposed ten-year capital investment program for the North West Councils has been based on the premise that no significant changes to current regulatory requirements (specifically discharge requirements and potable water quality requirements) are expected in this period (next ten years).

One of the critical issues in implementing reform will be the management of the transitional period. Key to this issue is the retention of existing staff and knowledge, attraction of new staff with specific skills and the development of staff to drive the new entity. Cradle Coast Water and Councils have in place existing management and operational systems to be able to manage the business transitional and operational tasks. Staff transferring from the regional Councils will likely be familiar with existing systems as there has been a close working relationship between CCW and the regional councils for many years. Grouping of all these staff with a common interest in "water" into a single group will enable this interest and the business to "blossom". A new integrated regional water and sewerage entity should be well placed to facilitate the transitional and operational business activities due to the existing common interest/knowledge of CCW and local Council staff, the significant size of the new entity, the extensive and sustained capital works program and the special environment/standard of living of the north west coast of Tasmania.

It is a reasonable argument to suggest that a Statewide entity could potentially lead to:

- . a loss of experienced resources and system/operational knowledge in the short term,
 - . a loss of skill to the region in the longer term.
7. *Based on an appropriate and formalised dividend policy, have the appropriate balance sheet, profit and loss and cash-flow strength to enable access to debt funding to the level required to support required investment and to fund all business activities on a sustainable basis;*

A new integrated regional water and sewerage entity would have a current combined written down asset value in the order of \$500 million. In reality the asset value will be greater as most valuations are not current and also do not reflect recent construction cost increases. This combined asset value will provide a lending base of sufficient order to fund the ten-year capital investment program with only a moderate rate increase.

In addition to funding investment, the entity would be required to fund all business activities on a sustainable basis and provide Council owner shareholders a commercially competitive dividend. Based on the financial information provided by CCW and the Councils it is clear that the new entity would be able to fund the new capital and refurbishment works as identified in the ten (10) year investment plan, and provide the owner of owners councils with a reasonable dividend to compensate for their increased operating costs, without significant rate increases—although an injection of funds would be necessary over the initial period to keep rate increases to about CPI (about 5% PA).

A new larger regional authority will achieve some operational efficiencies and will also provide some structural efficiencies by rationalising some services and removing service duplication.

It is also acknowledged that, in order to fund the construction of significant infrastructure in some (smaller) areas e.g. Queenstown, it will be necessary for the larger regional areas to “cross subsidise” these smaller areas, otherwise it will not be possible to overcome the infrastructure funding difficulties faced by these smaller communities. This will be one of the major benefits of a regional scheme over the current system. Cross subsidies will also be more “acceptable” politically if they are kept within the region rather than a State-wide situation.

8. *Be capable of managing the transfer of all existing water and sewerage services and functions and associated assets and liabilities of relevant bulk water authorities and relevant local government to the new business or businesses in the shortest practical timeframe*

but within a period not exceeding three years from operational commencement, targeted for early 2009;

Tasmania tends to operate naturally in three (3) regions due to geographical constraints, being the south, the north and the north-west. Each region has major urban centres, ports, airports and industrial/agricultural focuses. There are a number of working examples of the north-west area working effectively as a region includes the Cradle Coast Authority, Cradle Coast Water, the Dulverton Regional Waste Management Authority and the Natural Resource Management organisation.

This is not expected to be a difficult task for a north-west regional entity as CCW and the local councils have had a closed working relationship since CCW was established. CCW is owned by most of the regional councils, and CCW provides other services to some Councils currently. All staff live in the region and many mix socially. It is expected that the transfer/transition will be reasonably straight forward—certainly much less difficult than to a State-wide entity where many staff would relocate out of the region.

9. *Be capable of managing the transfer of all existing water and sewerage employees of the bulk water authorities and local government to the new business(es) on a no-detriment basis; and*

As per principles 5 & 6 transition management is a critical issue in the implementation of any reform entity. The implementation of a new entity must also consider potential impacts upon Councils relinquishing management of water and sewerage infrastructure and operations, such as the implementation of a fair and equitable system of allocating dividends and tax equivalents to Council owner shareholders is essential.

In reality there is likely to be some adverse impact/in-efficiencies on some Councils in the short term due to issues such as fixed overheads being spread over a smaller workforce, larger works depots than now needed, services to Council owner properties and CSO's, etc. Some Councils also use water and sewerage rates to assist in the provision of other services. Provided Councils receive sufficient dividends to match the "profit/gross margin" provided by water and sewerage services the majority of Councils will be no "worse-off".

As discussed in principle 8 above the transfer of existing employees to the new local regional entity will be a very much simpler process than the transfer to a remote Statewide entity. Every effort will be made to retain the existing local water and sewerage staff as it will be crucial for the effective operation of the new entity that existing staff/knowledge is retained. It is likely that many staff would not transfer to a remote Statewide entity. The objective would be to achieve a "seamless" transition from the existing

entities to the new entity. This will much more likely for a regional entity than to a Statewide entity.

It is likely that the changes can be managed in a way that will minimise any adverse impacts to Councils.

This issue will be the same for a regional or a state-wide authority and is likely to be more accepted for a regional model as the benefits of a regional model will be much more apparent/obvious and the local councils will have more “ownership” of a regional authority. The “profits” generated by the new entity will remain in the region and “reward” those Councils that have managed their water and sewerage infrastructure wisely in the past.

10. *Be of sufficient scale to attract and retain high calibre staff and to provide for their ongoing training, skills enhancement and development needs.*

CCW and Councils have existing systems, training programs, etc which can be readily applied/adapted to meet the ongoing training, skills enhancement and development needs of staff. Some additional facilities will need to be provided as the entity grows over the transition period, however the new entity is likely to be of sufficient scale and have most of the services and systems, etc. necessary to retain existing staff and attract new high calibre staff.

The ten (10) year investment program of about \$200M is also likely to be of sufficient scale to retain and attract new high calibre staff. The beauty and quality-of-life of the north-west coast is also likely to retain and attract staff. It is acknowledged that there is a skills shortage in these areas, hence the likelihood of attracting new staff to the new enhanced entity will be easier than is the case for the existing entity. Due to the skills shortage it is crucial that existing staff are retained. A new regional entity will have a much higher likelihood of retaining existing staff than a remote Statewide entity.

The Victorian water reform experience for rural/regional entities has been that they were able to both retain existing staff and attract new high calibre staff.

CAPITAL INVESTMENT PROGRAM

One of the tasks of the GHD commission was to identify and estimate the cost of refurbishment/replacement and new capital works required by the region over the next ten (10) years in order to meet current statutory drinking water and sewerage emission limit standards. This would assist in identifying the extent of works required to be undertaken by a new authority.

Each Council has nominated their planned refurbishment works and new infrastructure requirements for the next 10 years.

GHD has also discussed other known “short-comings/problems” of water and sewerage infrastructure with each Council and CCW. This included single council issues and also “structural infrastructure” projects which would result in service efficiencies if a regional authority was established. An example is the Burnie to Somerset water supply link which would enable Somerset/Wynyard to be supplied with treated water from the Burnie WTP, which would enable the Cam WTP to be “moth-balled”. These projects have been added to the list.

The ten year capital works program identified will cost in excess of \$205M. This amount includes about \$55M for the refurbishment of existing water and sewerage infrastructure, \$63M for water treatment, \$9M for water reticulation systems, \$53M for sewerage treatment and \$25M for sewerage reticulation systems.

The required water and sewerage services will augment existing infrastructure throughout the region as well as providing services to a number of areas/developments where services do not exist, thereby overcoming existing health and environmental problems. It will also encourage further development, including tourism, and the attraction of “water needy” industries to the north-west region as this is one of the few areas in Australia where water is not scarce. Water infrastructure, including drinking water supply and sewage treatment, is likely to be a major driver for the attraction of significant development in the north west region of Tasmania.

Many of these projects are not able to be delivered in isolation/by single councils or without significant financial assistance, hence a strong regional water and sewerage authority is crucial in helping realise this growth/development potential.

This list has been considered by the Water and Sewerage Reform Working Group who have prepared a consolidated list into the Ten Year Capital Investment Program as follows:

Table 1 Future Capital Works

<i>Project</i>	<i>Value (\$M)</i>
<i>Burnie Council</i>	
Burnie WTP Upgrade	\$0.72M
Burnie Sewerage Reticulation	\$6.00M

<i>Project</i>	<i>Value (\$M)</i>
<i>Central Coast Council</i>	
Ulverstone WWTP Upgrade	\$5.15M
Forth to Gawler water supply link	\$8.90M
Turners Beach trunk water main	\$0.25M
<i>Circular Head Council</i>	
Arthur River Sewerage	\$0.20M
Smithton WWTP Upgrade	\$6.20M
Water and Sewerage to Coastal Settlements	\$4.00M
<i>Devonport Council</i>	
Treated water to Spreyton/Melrose area	\$6.23M
Devonport WWTP Upgrade	\$12.75M
<i>Kentish Council</i>	
Sheffield and Railton WWTP upgrades	\$0.50M
<i>King Island Council</i>	
Water and sewerage upgrades	\$0.40M
<i>Latrobe Council</i>	
Wesley Vale Reservoir	\$1.00M
Port Sorell WWTP upgrade and reuse	\$1.72M
Latrobe Sewerage upgrade	\$2.47M
<i>Waratah-Wynyard Council</i>	
Boat Harbour/Sisters Beach water supply	\$8.90M
Waratah WTP	\$0.50M
Yolla WTP	\$0.25M
Burnie to Somerset water supply link	\$2.90M
Wynyard WWTP Upgrade	\$2.40M
Somerset WWTP Upgrade	\$3.00M
<i>Regional Projects</i>	
Regional Biosolids Treatment/Reuse	\$10.00M
Telemetry System	\$3.00M
Information System	\$1.00M
Drainage separation/infiltration reduction	\$4.00M

The total estimated cost is just over \$100M and has been and could continue to be used to seek Federal Government Funding for the reform process.

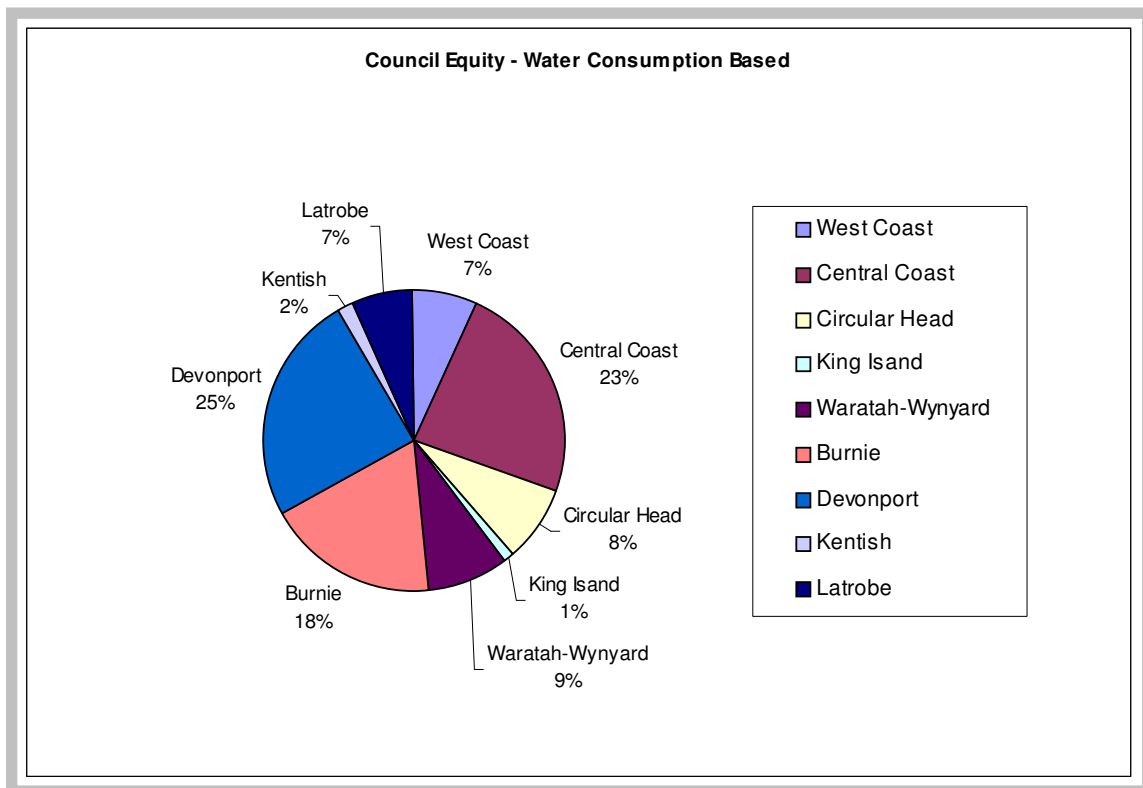
NEW REGIONAL WATER AND SEWERAGE AUTHORITY

It has been assumed that the new regional authority will comprise the water and sewerage assets (and debts) of the nine north-west Councils, together with CCW. The authority would be owned by the nine Councils, who would receive the profits/dividends in proportion to ownership/equity.

Equity should be based on the asset value less debt.

The asset valuation (written-down/fair value) of assets has been provided by the individual Councils, however in order to provide a consistent “base” upon which to base the equity apportionment, all assets would need to be re-valued. Currently the valuation dates and standards appear to vary from council to council, so the preliminary financial dividend estimates for the various reform models have been based on water consumption as directed by the Working Group. The equity of each council based on water consumption is shown in Figure 1 below.

*Figure 1 Water Consumption Based Council Equity
Council Comments on Proposed Regional Authority*



In discussions with Council officers, a number of issues were raised with respect to a new regional water and sewerage authority. Potential problems raised by Councils included the following issues:

- . Due to the likelihood of a centralised regional office/depot, all the more “remote” Councils expressed concern over the ability of the new authority to respond to break-downs/faults, etc. in a timely manner. (This issue will be managed by the new entity maintaining permanent operations in a number of locations in order to be able to deal with operational issues in a timely manner.)
- . Inefficiencies, as many Councils use the same staff for both sewerage and stormwater collection/pipe-work tasks as the skills necessary are very similar.
- . Possible dis-economies of scale as it does not always follow that a larger entity is more efficient.
- . Some adverse financial impacts to Council even though water and sewerage staff and current debt would transfer to the new authority. These may include issues such as:
 - . not all staff would transfer
 - . larger and more expensive works depots than necessary for future activities
 - . general municipal fixed overheads will need to be “spread” over fewer staff, hence less over-all efficient
 - . no longer “free” water and sewerage services to Council facilities. (The current services are not actually “free” but are costed into the “paid” rates, however Council will no longer be able to manage this cost in this way.)
 - . size and cost of Community Service Obligations
 - . the cost of possible internal restructuring.

Potential benefits included the following:

- . Some smaller councils struggle to be able to afford/provide water and sewerage services, particularly those with many small towns. Some of these Councils welcomed the idea of a separate authority to be responsible for this service.

- . The ability to be able to fund major new infrastructure, which is beyond the capacity of an individual council. This is not necessarily due to poor management/planning but more related to issues such as the take-over of old infrastructure from mines or the impact of very large short-term tourist numbers. An example is Queenstown water, which is very old infrastructure, inherited from mining operations. Another example is coastal shack sites where sewage disposal is causing environmental harm, but the cost of providing effective collection and treatment is prohibitive for individual Councils.
- . Structural and operational efficiencies.
- . Consistency of service.
- . Need for regional bio-solids treatment/disposal facility.

OTHER ISSUES

The brief requested consideration of a number of other issues concerning Councils which will impact on water and sewerage reform including irrigation, drainage, human and social impacts and governance.

These issues are discussed below.

Irrigation

There are synergies between water supply and irrigation, particularly when building new dams and pipelines which can service both sectors.

The broad scale irrigation of agricultural land is controlled by the Rivers Commission and is not of direct concern of Councils/Water entities. Currently CCW provide untreated water to some clients from the Palooona Water Supply System and they are looking to provide these customers with treated water, hence the Palooona supply would be available for other uses including irrigation. CCW also provide surplus water into farmer's dams and storages adjacent their trunk water mains during off-peak periods. This provides security to farmers for additional cropping.

CCW are also involved in the Sassafras - Wesley Vale Irrigation Project which involves diverting surplus high-surety water via the existing Australian Paper pipeline from the Mersey River into the Sassafras - Wesley Vale areas, providing reliable irrigation infrastructure and reducing the environmental impact on the water resources of the Panatana catchment.

These projects and others can "dove-tail" into the regions water infrastructure in a cost-effective manner to significantly aid the growth and

sustainability of the north- west region of Tasmania and generate greater profits for the new entity and the owner Councils.

Treated effluent re-use is also a significant potential resource which needs to be maximised as it will provide a benefit to agriculture or industry as well as providing environmental improvements to the current receiving waters.

Maximising the use of existing under-utilised infrastructure, or extending/upgrading existing infrastructure/resources may enable the new entity to generate significant additional profits and minimum cost, as well as providing development/growth opportunities to the region.

Drainage

There are some operational issues regarding the separation of sewerage and stormwater systems. Currently where both services are under the control of Councils and the issue of stormwater inflow/infiltration (I/I) into the sewerage system is easily managed. However this will be more difficult if/when the two services are controlled by separate entities.

This issue can be managed and is the “normal” situation for most of Australia where Councils manage stormwater and the water authority manages the sewerage system. In reality it may tend to focus more attention on the I/I issue as the water authority will be looking to minimise sewerage collection and treatment costs and providing system efficiencies. The issue of cost sharing will obviously need to be resolved.

The other issue with the separation of stormwater and sewerage services is that generally the same Council workforce would operate and maintain both the stormwater and the sewerage systems as the skills required are very similar. This separation is likely to create some operational inefficiencies within Councils, at least in the shorter term until some restructuring occurs. Provided the transition period is not too short the restructure should be able to be managed to minimise the cost impact to Councils.

Human and Social Impacts

During the course of this commission GHD have met with Council Officers from each Council to discuss the issues of reform including human and social impacts.

The main issues of concern to the officers spoken to regarding human and social issues were loss of employment to smaller towns and the level of service provided by a “remote” entity. This was less of an issue for a regional entity than a Statewide entity, and could be largely resolved by maintaining a local workforce in the more remote locations e.g. King Island, West Coast and possibly Circular Head.

Local employment was an issue, but this impact would be mitigated to some degree for a regional entity.

The future capital and refurbishment infrastructure program of a regional entity will also be of significant economic and social benefit to the region.

Governance

Governance would need to comply with the requirements as set-out in the document titled "Principles for Water and Sewerage Reform". This would require the establishment of the following components:

- an expert and independent board appointed for its commercial and technical expertise
- be run as a commercial entity and comply with the Australian Corporations Law
- have appropriate organisational, management and technical capacity.

In order to minimise the adverse impact of the loss of water and sewerage services on the effected Councils, the entity would need to be owned by the nine (9) regional Councils who would receive dividends in accordance to their equity stake.

The above governance system would enable the new entity to meet the criteria established by the State Government, COAG and the other drivers for water reform.

FUTURE ISSUES

Key issues to be given further attention include:

- . Revaluation of water and sewerage assets of all councils and Cradle Coast Water on a consistent basis.
- . Identification of the extent to which the first year transition costs will be experienced in the second and subsequent years, after the Authority is fully established.
- . Completion of detailed financial/organisational assessments of the implications of asset transfers for specific Council viability/sustainability.
- . Identification of the possible size of financial assistance/support to be given to individual Councils during the transition period of the new Authority.

- . Estimation of the likely annual tariff revisions to be introduced on a location-by-location basis.
- . Identification of specific technical advisory/training needs on a plant-by-plant basis, to begin to achieve operational efficiency gains.
- . Prioritisation of the capital investment program to be introduced by the new Authority, and the extent to which additional debt servicing will be required.”

CONSULTATION

The LGAT has prepared a submission on behalf of all councils.

CCW has also provided a submission on behalf of representative councils.

Public consultation will be required in the process in order to explain the water and sewerage reform process and likely outcomes to the community.

IMPACT ON RESOURCES

Financial Performance of Fully Integrated Model

Financial assessment has been undertaken to provide an indication of financial impacts that may occur as an outcome of the fully integrated model. This assessment has been based as a comparison with current performance of individual councils and CCW. It is important that the following aspects are addressed:

- . The long-term financial sustainability of the new entity.
- . The transition impacts on the participating councils, particularly with regard to financial impacts associated with loss of water and wastewater revenues and lossess/changes in staffing from the formation of the new entity.

The basis of the financial assessment for the fully integrated model is as follows:

- . Estimate the average existing water and sewerage rate for the region.
- . Assess how this rate will be impacted by the 10 year investment program. (These works will be required regardless of the model adopted).

- . Provide a dividend back to the owner councils to compensate them generally for loss of revenues/inefficiencies due to the loss of providing water and sewerage services.
- . Assess how the rate increase can be limited to an 'acceptable' annual increase (say about 5% per annum i.e. about CPI).

The annual expenditure for new capital works and the refurbishment of existing infrastructure is about \$20.5M per year. In order to limit rate increases to about 5% per year, to complete the 10 year Plan and to compensate councils, a significant injection of funding will be necessary over this period. If there is no injection of funds; an immediate rate increase of about 35% will be required. Assuming the same criteria is applied, this situation will be expected to be higher for a Statewide entity. In reality the situation is likely to be worse if a statewide entity is adopted because it would appear that the infrastructure needs will be proportionally greater in the northern and southern regions.

The current average rate for water and sewerage is about \$725 per year.

There will be need to be an initial levelling out of water and sewerage charges across the region with an integrated water and sewerage authority and future increases in charges to meet pricing and funding requirements. This will be further complicated by two part water pricing across the region. Adjustments will need to be phased in over the transition period.

Water and sewerage averages 23% of total council business in the region and therefore any changes will be significant.

Water and Sewerage Rates for Central Coast Council are currently \$315 and \$246 respectively, a total of \$561.

General rate increases for Central Coast in the order of 7.5% for the Regional Model and 10% for the Statewide Model are expected, subject to the amount of dividends being returned to the councils. This is based on estimated total overhead costs of \$610,000 and current dividends from CCW, which would be lost under the Statewide Model. The return on dividends to the authority and councils is critical to the reform process.

There will also need to be adjustments for plumbing inspection services which are currently funded from water and sewerage. This could add a further increase of 1.7% to the general rate if appropriate dividends are not returned to councils.

Transitional costs and issues

It is not clear how the transition of water and sewerage assets from Council to the new entities will occur, however the Treasurer has indicated that the transition period would be about three years and that the State Government would provide some funding, presumably to assist in the setting-up of the new entities.

Legislation will also need to be enacted to transfer the assets (and debts) from councils to the new entities.

In the north-west region it is likely that a new centralised administration and operations centre would need to be provided as the existing CCW centre would not be adequate for the new entity.

The staff numbers engaged in water and sewerage services at Councils are estimated at about 116 in a total local government workforce of 867 for the region. Most of the engineering and works staff are expected to transfer to the new entity. Together with existing CCW staff, and some other strategic staff needed for the larger entity, total staff numbers of about 130 is predicted. The new entity would establish depots at a number of locations in the region and local permanent teams at these depots in order to avoid response delays to break-downs and emergencies.

Impact on councils and management with increased workload just by consideration of the process of possible reform needs to be taken into account in respect of day-to-day operations. Staff will handle the change in various ways but the process creates an uncertainty. Many of the Council's staff are long-term employees who have made a career in local government. Some will not be concerned, others will see it as a challenge, and some may opt out of local government or the water/sewerage sector.

The latter could be a real issue in the reform process but is considered a lesser risk under a regional authority provided the transition is planned by the councils and CCW.

In respect to works/operational and administration staff, the total number affected in water and sewerage is 19 in a total workforce of 120 people. Some 16 may be required to operate under the new water and sewerage entity taking into consideration that they are most familiar with the local water and sewerage systems, particularly wastewater treatment plants which are a specialised field.

There is also an impact on the plant and equipment pool of the Council due to the integrated nature with other services such as drainage, roads and parks. The Council will not be able to operate the range of plant and equipment it currently owns.

In respect to engineering, there would also be reduced diversity in the range of services under the fully integrated model which could result in difficulty for the Council to retain staff.

If the current workload and staff numbers are considered in Central Coast's situation it is not considered unrealistic that all administration and engineering staff could be absorbed/redeployed/retired in the reduced Council services if carefully planned and phased in. The additional work includes financial management; asset management, emergency management and risk management which are ever-increasing responsibilities for local government and need to be sustained in the future even with the potential reduced number of services.

Whether the community and Council would allow this based on a potential rate increase in the general rate and further increases in the water and sewerage charges is unlikely.

Following the establishment of a fully integrated regional entity, which will be responsible for all water and sewerage functions on behalf of all nine (9) North West Regional councils, it is expected that the new Authority will generate significant financial benefits. These benefits will be distributed to all of the councils as dividend payments. At issue is how to reconcile likely financial gains derived from increases in tariffs (allowing for increased returns on assets), with the anticipated financial costs for each council, associated with the transfer of all water and sewerage assets, and the subsequent restructuring of the individual councils.

CORPORATE COMPLIANCE

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

- . Develop innovative strategies to foster business opportunities
- . Foster strategic partnerships across industry sectors and establish industry clusters
- . Promote best practice environmental management of the hinterland and coast
- . Encourage sustainable land management
- . Participate in water and catchment management
- . Develop river precinct studies to determine sustainable land-use opportunities

- . Foster partnerships and strategic alliances
- . Meet our statutory and regulatory obligations
- . Develop and manage sustainable infrastructure
- . Foster an integrated transport and planning system.

CONCLUSION

It is recommended that the Council:

Noting that the State Treasurer has stated that the status quo in the provision of water and sewerage will not continue:

- 1 Advises the State Government that:
 - (a) It rejects the option of a single statewide model.
 - (b) If there has to be water and sewerage reform, three regional, local government-owned water and sewerage entities is the only model acceptable to the Council.
 - (c) That the Council, together with Cradle Coast councils, Cradle Coast Water and the Local Government Association of Tasmania, actively pursue the provision of Federal Government grant funding to local government to undertake major capital works projects, which is essential to underpin any reform process and make it affordable to the community.
 - (d) An additional 11th principle that local government regional water and sewerage authorities/corporations pay both dividends and equivalent tax payments to member councils as occurs now for joint bulk water authorities.
 - (e) That Tasmanian councils need to be left in a financial state that maintains their viability, i.e. there should be no detrimental effects on other council works and community services due to the formation of regional water and sewerage authorities/corporations.
 - (f) The Council endorses the Cradle Coast Water submission to the Water and Sewerage Taskforce.'

The report and recommendations are supported.”

■ Cr van Rooyen moved and Cr Haines seconded, "That the Council, noting that the State Treasurer has stated that the status quo in the provision of water and sewerage will not continue:

1 Advises the State Government that:

- (a) It rejects the option of a single statewide model.
- (b) If there has to be water and sewerage reform, three regional, local government-owned water and sewerage entities is the only model acceptable to the Council.
- (c) That the Council, together with Cradle Coast councils, Cradle Coast Water and the Local Government Association of Tasmania actively pursue the provision of Federal Government grant funding to local government to undertake major capital works projects, which is essential to underpin any reform process and make it affordable to the community.
- (d) An additional 11th principle that Local Government regional water and sewerage authorities/corporations pay both dividends and equivalent tax payments to member councils as occurs now for joint bulk water authorities.
- (e) That Tasmanian councils need to be left in a financial state that maintains their viability, i.e. there should be no detrimental effects on other council works and community services due to the formation of regional water and sewerage authorities/corporations.
- (f) The Council endorses the Cradle Coast Water submission to the Water and Sewerage Taskforce."

Carried unanimously

475/2007 Ulverstone Showground Complex – Draft Master Plan (328/2006)

The General Manager reported as follows:

"The Special Projects/Corporate Planning Manager has prepared the following report:

'PURPOSE

The purpose of this report is to advise the Council of the contents of correspondence received from the TS Leven Naval Cadet Unit regarding their relocation to the Showgrounds, as part of the proposed redevelopment. Despite an extensive consultation process, the Unit Committee has advised that the concept plan relating to their proposed relocation is unsatisfactory in its current form.

Direction is sought from the Council as to how to progress the negotiation.

BACKGROUND

To satisfactorily relocate the Ulverstone Wharf tenants is fundamental to the successful redevelopment of the Ulverstone Wharf Precinct. The Ulverstone Showgrounds Complex has been considered as a suitable alternate location for the current Wharf tenants.

Whilst the Council agreed that the Wharf development would not proceed if there was not a satisfactory solution for relocation, the Crown has since advised the tenants that, irrespective of whether the Wharf is redeveloped or not, they will not be able to remain at the Wharf buildings long term.

A concept master plan was created to demonstrate the feasibility of the redevelopment and to seek Council, State and Federal Government support for the project. With this support confirmed, the project has been progressing from the concept to detailed design stage.

Extensive consultation has been conducted to progress the concept. It is fair to say that the input from user groups has generally been very good and has led to a much improved, albeit more costly, concept than was originally planned.

The Naval Cadets have participated in the process from the outset, although it has been complicated by the fact that representatives from the State and National levels of the Naval Cadets have had to be included.

The revised concept was presented to all of the user groups, including the Naval Cadets. The groups were requested to provide letters of support for the concept prior to the 3 December 2007 Councillor Workshop on the concept. The response was pleasing, including a letter of support from the Naval Cadets Tasmanian Headquarters.

Council received a letter from the 'independent committee' of the TS Leven on 4 December 2007 (copy of letter attached), outlining why the committee believes the current concept is unacceptable to them and seeking further consultation.

DISCUSSION

The TS Leven Committee has always maintained that they did not believe the relocation would succeed unless they had in affect, what they currently have in terms of facilities and management autonomy. Other groups have had similar views, but the consultation process has identified how the majority of requirements and issues can be addressed within the existing concept.

The consultation process identified in the vicinity of 250 requirements across 16 groups, including schools. These have all been addressed in various precincts within the Showgrounds.

The Naval Cadets requirements have been the most complex, and while they have been addressed, the physical size and extensive nature of the requests have necessitated that their needs cannot be accommodated within one single location, or as an autonomous facility. The original concept did include their requirements within one central facility, however it was argued that the space provided was insufficient. The initial concept implied shared use and centrally managed facilities.

Some of the requirements included in the revised concept are only feasible if they are accessible to numerous groups, such as the dormitory accommodation and large social / catering facilities. (A summary of their requirements is provided as an attachment). With Naval Cadet's local membership currently at around 18 to 27 members per annum over the last three years, providing them with stand alone facilities on the scale requested would be cost prohibitive.

Despite the extensive consultation and substantial changes from the original concept, The TS Leven Unit Committee has written to Council stating that they are:

- . Vehemently opposed to any form of separation (of their various activities);
- . They expect nothing less than what they currently have now; and
- . They must have autonomy and total management control of any proposed facility.

These requirements are inconsistent with the current concept and if met would substantially change the scope, functionality, management implications and the cost of the redevelopment.

Further negotiation with the TS Leven Unit Committee on these requirements is beyond the scope of the project team and so direction from Council is requested as to how to they wish negotiations to proceed.

CONSULTATION

Initial consultation took place to develop the Master Plan. The TS Leven did not support the initial concept and circulated a petition, mid year to generate support for remaining where they are and continued support for Unit. Copies of responses to the petition were attached to the 3 December 2007 letter. It should be noted that remaining in the current location is no longer an option,

and the current concept for redevelopment has substantially changed from the original.

Consultation has been extensive, with workshop sessions that included representation from members of the TS Leven Committee, Senior Officer, Australian Navy Cadets – Tasmania and the Assistant Director, Australian Navy Cadets Accommodation – Australian Navy Cadets Headquarters.

The Senior Officer, Australian Navy Cadets – Tasmania has advised Council in writing (copy of letter attached) that they are supportive of the concept in its current form subject to clarification of a number of points discussed during the workshop sessions. The issues to be addressed are referred to as refinements and do not fundamentally change the integrity of the overall concept.

IMPACT ON RESOURCES

To consider accommodating the TS Leven Local Committee's stand alone requirements would cost in the order of \$1m – \$1.5m and would have a substantial impact on the scope, functionality and management of the redeveloped Showgrounds Complex.

CORPORATE COMPLIANCE

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

- . Supporting access to physical and social resources to promote quality of life: and
- . Facilitate equitable access to a range of cultural, leisure and recreational opportunities.

CONCLUSION

Being able to successfully relocate the current Ulverstone Wharf tenants to the Showgrounds, despite not now being a barrier to the Ulverstone Wharf redevelopment, is in keeping with the intent of the Ulverstone Wharf Master Plan.

Council has gone to extraordinary lengths to accommodate a vast array of user groups and their requirements that will substantially improve the sustainable provision of recreation opportunities for the current local community and provide a legacy for future generations.

The TS Leven Local Committee has identified a list of requirements that have been in the main addressed, albeit not in one specific location. The Committee have indicated that the current concept is unacceptable to them.

RECOMMENDATION

It is recommended that the Council advise the TS Leven Local Committee that it is prepared to continue to work with the group to refine the show grounds concept (within the current design, financial structure and management frame work) however it is not prepared to consider a stand alone self-managed facility.'

The report is supported."

The Administration Group Leader reported as follows:

"Copies of the letters referred to in the report and a summary of current and proposed user group requirements have been circulated to all Councillors."

■ Cr Deacon moved and Cr Haines seconded, "That the Council advise the TS Leven Local Committee that it is prepared to continue to work with the group to refine the show grounds concept (within the current design, financial structure and management frame work) however it is not prepared to consider a stand alone self-managed facility."

CORPORATE & COMMUNITY SERVICES

476/2007 Corporate & Community Services determinations made under delegation

The Director Corporate & Community Services reported as follows:

“A Schedule of Corporate & Community Services Determinations Made Under Delegation during the month of November 2007 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Administration Group Leader reported as follows:

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

■ Cr Haines moved and Cr (J) Bonde seconded, “That the Schedule of Corporate & Community Services Determinations Made Under Delegation (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

477/2007 Contracts and agreements

Cr McKenna, 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 Contract and Agreements.

The Director Corporate & Community Services reported as follows:

“A Schedule of Contracts and Agreements (other than those approved under the common seal) entered into during the month of November 2007 has been submitted by the General Manager to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Administration Group Leader reported as follows:

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

■ Cr van Rooyen moved and Cr Deacon seconded, “That the Schedule of Contracts and Agreements (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

Cr McKenna returned to the meeting at this stage.

478/2007 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 October 2007 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 1.11.2007 – Letter objecting to Development Application DEV2007.48
- . Received 2.11.2007 – Petition requesting a fairer rate system
- . Received 6.11.2007 – Letter protesting about the removal of the gum tree outside the Forth Hotel
- . Received 14.11.2007 – Letter raising concerns over the lack of barrier between Westella Drive and the Bass Highway.

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 Robertson moved and Cr (J) Bonde seconded, “That the Director’s report be received.”

Carried unanimously

479/2007 Common seal

The Director Corporate & Community Services reported as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 20 November to 17 December 2007 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 Administration Group Leader reported as follows:

“A copy of the Schedule has been circulated to all Councillors, a suggested resolution is submitted for consideration.”

■ Cr Robertson moved and Cr McKenna 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

480/2007 Financial statements

The Director Corporate & Community Services reported as follows:

"The following principal financial statements of the Council for the period ended 30 November 2007 are submitted for consideration:

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

The Administration Group Leader reported as follows:

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

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

Carried unanimously

481/2007 Accounts paid

The Director Corporate & Community Services reported as follows:

"A Schedule of Accounts Paid during the month of November 2007 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 Administration Group Leader reported as follows:

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

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

Carried unanimously

482/2007 Rate remissions

The Director Corporate & Community Services reported as follows:

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

PROPERTY NO. 100020.0420
PROPERTY ADDRESS 61 Alexandra Road, Ulverstone
REMISSION \$163.53
REASON Property revalued following objection to general revaluation

PROPERTY NO. 100180.0080
PROPERTY ADDRESS 9 Braddon Street, Ulverstone
REMISSION \$73.41
REASON Property revalued following objection to general revaluation

PROPERTY NO. 100195.0007
PROPERTY ADDRESS 7 Brockmarsh Place, Ulverstone
REMISSION \$211.12
REASON Property revalued following objection to general revaluation

PROPERTY NO. 100260.1060
PROPERTY ADDRESS 34 Clara Street, Ulverstone
REMISSION \$73.41
REASON Property revalued following objection to general revaluation

PROPERTY NO. 100300.0100
PROPERTY ADDRESS 10 Coral Avenue, Ulverstone
REMISSION \$129.92
REASON Property revalued following objection to general revaluation

PROPERTY NO. 100400.1180
PROPERTY ADDRESS 32 Eastland Drive, Ulverstone
REMISSION \$52.87
REASON Property revalued following objection to general revaluation

PROPERTY NO. 100625.0100
PROPERTY ADDRESS 6 Hazel Court, Gawler
REMISSION \$118.86
REASON Property revalued following objection to general revaluation

PROPERTY NO. 100640.0760
PROPERTY ADDRESS 42 Heathcote Street, Ulverstone
REMISSION \$67.89
REASON Property revalued following objection to general revaluation

PROPERTY NO. 100990.0960
PROPERTY ADDRESS 10 Leighlands Avenue, Ulverstone
REMISSION \$163.54
REASON Property revalued following objection to general revaluation

PROPERTY NO. 100990.0600
PROPERTY ADDRESS 55 Leighlands Avenue, Ulverstone
REMISSION \$58.63
REASON Property revalued following objection to general revaluation

PROPERTY NO. 100990.0780
PROPERTY ADDRESS 71 Leighlands Avenue, Ulverstone
REMISSION \$129.60
REASON Property revalued following objection to general revaluation

PROPERTY NO. 101050.1080
PROPERTY ADDRESS 54 Lovett Street, Ulverstone
REMISSION \$157.37
REASON Property revalued following objection to general revaluation

PROPERTY NO. 101130.0120
PROPERTY ADDRESS 40 Maskells Road, Ulverstone
REMISSION \$276.87
REASON Property revalued following objection to general revaluation

PROPERTY NO. 101180.0360
PROPERTY ADDRESS 20 McDonald Street, Ulverstone
REMISSION \$812.86
REASON Property revalued following objection to general revaluation

PROPERTY NO. 101230.0060
PROPERTY ADDRESS 5 New Street, Ulverstone
REMISSION \$185.14
REASON Property revalued following objection to general revaluation

PROPERTY NO. 101485.0040
PROPERTY ADDRESS 11 Robertsons Road, Ulverstone
REMISSION \$119.24
REASON Property revalued following objection to general revaluation

PROPERTY NO. 101520.0160
PROPERTY ADDRESS 2 Shaw Street, Ulverstone
REMISSION \$73.41
REASON Property revalued following objection to general revaluation

CORPORATE & COMMUNITY SERVICES

PROPERTY NO. 101880.0380
PROPERTY ADDRESS 12 Wilson Place, Ulverstone
REMISSION \$191.31
REASON Property revalued following objection to general revaluation

PROPERTY NO. 202050.0860
PROPERTY ADDRESS 46 Esplanade, Turners Beach
REMISSION \$64.07
REASON Property revalued following objection to general revaluation

PROPERTY NO. 202050.1180
PROPERTY ADDRESS 82 Esplanade, Turners Beach
REMISSION \$381.64
REASON Property revalued following objection to general revaluation

PROPERTY NO. 202050.1220
PROPERTY ADDRESS 86 Esplanade, Turners Beach
REMISSION \$379.53
REASON Property revalued following objection to general revaluation

PROPERTY NO. 202050.1400
PROPERTY ADDRESS 104 Esplanade, Turners Beach
REMISSION \$141.94
REASON Property revalued following objection to general revaluation

PROPERTY NO. 302321.0060
PROPERTY ADDRESS Beach Street, Leith
REMISSION \$67.89
REASON Property revalued following objection to general revaluation

PROPERTY NO. 302321.0080
PROPERTY ADDRESS 10 Beach Street, Leith
REMISSION \$175.93
REASON Property revalued following objection to general revaluation

PROPERTY NO. 403000.0060
PROPERTY ADDRESS 3 Adina Court, Penguin
REMISSION \$58.62
REASON Property revalued following objection to general revaluation

PROPERTY NO. 504270.0520
PROPERTY ADDRESS 209 Castra Road, Ulverstone
REMISSION \$383.33
REASON Property revalued following objection to general revaluation

<i>PROPERTY NO.</i>	504580.0080
<i>PROPERTY ADDRESS</i>	170 Ellis Road, Abbotsham
<i>REMISSION</i>	\$337.45
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	504740.1170
<i>PROPERTY ADDRESS</i>	Gunns Plains Road, Gunns Plains
<i>REMISSION</i>	\$337.97
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	505113.0020
<i>PROPERTY ADDRESS</i>	79 Marshalls Bridge Road, Gunns Plains
<i>REMISSION</i>	\$62.41
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	505190.0200
<i>PROPERTY ADDRESS</i>	95 Medici Drive, Gawler
<i>REMISSION</i>	\$781.98
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	505190.0300
<i>PROPERTY ADDRESS</i>	105 Medici Drive, Gawler
<i>REMISSION</i>	\$202.07
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	505190.0440
<i>PROPERTY ADDRESS</i>	104 Medici Drive, Gawler
<i>REMISSION</i>	\$253.37
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	505820.0560
<i>PROPERTY ADDRESS</i>	West Gawler Road, Gawler
<i>REMISSION</i>	\$175.32
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	505860.0380
<i>PROPERTY ADDRESS</i>	159 Whitehills Road, Penguin
<i>REMISSION</i>	\$63.00
<i>REASON</i>	Property receives untreated water (charged 80% of treated water rate).

Total to date of rates amended due to objections to revaluation – \$6,862.50.”

The Administration Group Leader 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.”

CORPORATE & COMMUNITY SERVICES

■ Cr Robertson moved and Cr van Rooyen seconded, "That the following remissions be approved:

.	Property No. 100020.0420	- \$163.53
.	Property No. 100180.0080	- \$73.41
.	Property No. 100195.0007	- \$211.12
.	Property No. 100260.1060	- \$73.41
.	Property No. 100300.0100	- \$129.92
.	Property No. 100400.1180	- \$52.87
.	Property No. 100625.0100	- \$118.86
.	Property No. 100640.0760	- \$67.89
.	Property No. 100990.0960	- \$163.54
.	Property No. 100990.0600	- \$58.63
.	Property No. 100990.0780	- \$129.60
.	Property No. 101050.1080	- \$157.37
.	Property No. 101130.0120	- \$276.87
.	Property No. 101180.0360	- \$812.86
.	Property No. 101230.0060	- \$185.14
.	Property No. 101485.0040	- \$119.24
.	Property No. 101520.0160	- \$73.41
.	Property No. 101880.0380	- \$191.31
.	Property No. 202050.0860	- \$64.07
.	Property No. 202050.1180	- \$381.64
.	Property No. 202050.1220	- \$379.53
.	Property No. 202050.1400	- \$141.94
.	Property No. 302321.0060	- \$67.89
.	Property No. 302321.0080	- \$175.93
.	Property No. 403000.0060	- \$58.62
.	Property No. 504270.0520	- \$383.33
.	Property No. 504580.0080	- \$337.45
.	Property No. 504740.1170	- \$337.97
.	Property No. 505113.0020	- \$62.41
.	Property No. 505190.0200	- \$781.98
.	Property No. 505190.0300	- \$202.07
.	Property No. 505190.0440	- \$253.37
.	Property No. 585820.0560	- \$175.32
.	Property No. 505860.0380	- \$63.00."

Carried unanimously and by absolute majority

483/2007 Excess Water Remission – Beach Haven Caravan Park

The Director Corporate & Community Services reported as follows:

"The following excess water remission is proposed for the Council's consideration:

EXCESS WATER ACCT. 5323
PROPERTY ADDRESS 6 Turners Beach Road, Ulverstone
REMISSION \$23,311.78
REASON Leaking water pipe running underground – as per Council policy (Minute No. 383/2003 – 13.10.2003).

During the period 9 May 2006 to 1 May 2007 the Beach Haven Caravan Park used 56,858kl. Their annual allowance was 1,099kl. On 29 November 2006 the Water Meter Clerk carried out a six monthly check reading on the property and a letter was sent to the Caravan Park advising them that they had used 35,194 kl. during the period 9 May 2006 to 29 November 2007 and suggesting that they check for leaks.

On Wednesday, 24 January 2007 the Caretaker of the Caravan Park advised the Council that they had found some small leaks in the water pipe and believed they had been fixed. The Council tested the water meter on the same day and found that water was still running through the meter at a very quick rate and indicated to them that there was still a much larger problem.

The Caretaker subsequently called in Bourkes Excavating Services and Briggs Plumbing to help locate the loss of water. The contractors spent three days digging in the Caravan Park and located a ruptured plastic water pipe buried deep in shingle ground at the Park. The leak was then isolated and stopped by closing down the pipe and installing two gate valves. The Caretaker indicated that the plumber from Briggs Plumbers stated that they would not have found the leak because of the nature of the soil being of a shingle substance and in their opinion it would not have risen to the surface.

Another reading was carried out in February 2007 which indicated that the meter was now running much slower and in accordance with expected usage of the park.

The Council's Policy states (Minute No. 383/2003 – 13.10.2003):

'That a remission or refund, as applicable, of 50% of an excess water account be granted in cases where the Council is satisfied that such excess has been caused because of a leaking pipe that runs underground from the Council's meter and is external to buildings on the property being supplied; provided always that the Council is satisfied in every respect that the leak(s) was not clearly detectable and that the pipe(s) has been satisfactorily repaired and that evidence in that respect be supported by the completion of a statutory declaration by the owner and/or occupier incorporating the production of a licensed plumber's account or certificate.'

A statutory declaration was provided along with accounts for repairs amounting to \$4,705.25. The excess water account amounted to \$46,623.56."

- Cr Robertson moved and Cr Dry seconded, "That the following remissions be approved:

- . Excess Water Acct. 5323 – \$23,311.78.”

Carried unanimously

484/2007 State Grants Commission Distribution 2007–2008

The Director Corporate & Community Services reported as follows:

PURPOSE

The purpose of this report is to advise the Council’s allocation from the State Grants Commission for 2007–2008 and the impact that this had on the Estimates for the year ending 30 June 2008.

BACKGROUND

The State Grants Commission is responsible for making recommendations to the Treasurer concerning the distribution of Commonwealth financial assistance grants and identified local road funds to local government. The State Grants Commission is established under the State Grants Commission Act 1976.

In performing its task the Commission, *inter alia*, adopts the principle of horizontal fiscal equalisation to ensure that as far as possible, the grants which it recommends are sufficient to enable Councils to function, by reasonable effort, at a standard not lower than the average standard of other Councils within the State.

DISCUSSION

The Secretary of the State Grants Commission has advised councils of the schedule for payment of the Financial Assistance Grants to Councils in 2007–2008.

The Council’s share of the total estimated 2007–2008 entitlement is \$3,271,925.

This is an increase of \$224,080.72 over what the Council received in 2006–2007. The Councils Estimates for the year ended 30 June 2008 budgeted to receive \$3,306,000 in funding, which is a shortfall of \$34,075.

In consultation with the Director Assets & Engineering it is recommended that River Road footpath (\$35,000) be deferred to the following year.

CONSULTATION

Consultation is not applicable in respect of this report.

IMPACT ON RESOURCES

The deferral of the River Road footpath construction works will allow the balance of the capital works program to be completed within the available funds.

CORPORATE COMPLIANCE

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

- . Provide transparent accountable public policy and decision making
- . Plan for and develop a sustainable community

CONCLUSION

It is recommended that River Road footpath construction be deferred and that the Estimates for the year ending 30 June 2008 be altered accordingly.”

The Administration Group Leader reported as follows:

“A decision by the Council to amend the Estimates for the year ending 30 June 2007 must be made by absolute majority.”

- Cr Robertson moved and Cr McKenna seconded, “That River Road footpath construction be deferred and that the Estimates for the year ending 30 June 2008 be altered accordingly.”

Carried unanimously and by absolute majority

485/2007 Central Coast Positive Ageing Strategy 2007 - 2012

The Director Corporate & Community Services reported as follows:

“The Community Development Officer has prepared the following report:

‘PURPOSE

The purpose of this report is to present the Central Coast Positive Ageing Strategy to Council for adoption. A copy of the Strategy is attached.

BACKGROUND

The Central Coast Positive Ageing Strategy is the culmination of Council’s objective to support access to physical and social resources to promote quality of life, which in this Strategy encourages the coordination of services for seniors, as outlined in the Central Coast Council Strategic Plan 2004 – 2009.

The Strategy framework provides strategic guidelines for fostering and supporting older people and their needs and roles in the community.

Support for the development of the Positive Ageing Strategy has also come to light via the community consultations that were undertaken recently throughout the municipal area.

The Strategy also addresses many of the issues which were outlined under the heading of Positive Ageing and Healthy Living in the Partnership Agreement between the State Government and the Council:

- “ The development of a collaborative Positive Ageing Plan that ensures older people in the Central Coast municipal area are valued, treated with respect and dignity, and have opportunities to participate in and contribute their wealth of experience and skills to community life;

The strategic framework of the Tasmanian Plan for Positive Ageing 2000–2005 will be used to guide this development. The parties acknowledge, however, that the Tasmanian Plan for Positive Ageing has been redeveloped during 2005 and the new strategic framework may contain changes that are not reflected in the Positive Ageing Plan developed by the Central Coast municipal area;

Development of the ‘coastal pathways’ project, town walkways and recreation pathways, (in consultation with the Department of Sport and Recreation, Parks and Wildlife) to foster increases in walking, cycling, jogging, pram walking and skateboarding within the municipal area;

planning additional seating, lighting and signage once an audit of infrastructure associated with municipal walkways and parks has been completed.”

There are also clearly defined linkages with Tasmania Together Benchmarks.

DISCUSSION

The Central Coast Council will join Clarence, Burnie, Kingborough, and Hobart Councils in adopting a Positive Ageing Strategy. In comparison, the greater majority of councils in Victoria have implemented such a strategy.

The need for Central Coast to have a Positive Ageing Strategy was identified through the recent Community Plans as well as the Council’s Strategic Plan 2004–2009. A number of residents have also made similar comments once they knew that such a strategy was to be undertaken.

The Strategy hasn't been developed as a "standalone" document, but rather, a measured approach towards developing and supporting a clear direction and to enable effective future planning for our ageing population. Council has long acknowledged that we must be responsive to the needs of older people as valued members of our community.

Discussions with both internal and external stakeholders, focusing on the actions outlined in the latter half of the Plan have also taken place. The outcome of which, has been to ensure that the actions support the strategies, and that the timeframes for completion are realistic and attainable.

CONSULTATION

A consultative process was implemented throughout the Strategy's development, with the Seniors Bureau, Volunteers Tasmania, the School of Sociology and Social Work University of Tasmania, Australian Bureau of Statistics, and Central Coast schools.

These bodies provided feedback that was important in the context of national and regional perspectives. During this time, dialogue was also taking place with community members, each of whom were able to contribute according to the area of their expertise. A workshop was also conducted with Councillors on 13 August 2007.

The process of consultation is ongoing and feedback will be sought as actions evolve.

IMPACT ON RESOURCES

At this point in time there is no immediate impact on resources, however, over the lifetime of the Strategy some financial resources will have to be allocated from Council budgets, and wherever possible, funds/resources will be sought through grants.

CORPORATE COMPLIANCE

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

- . Support access to physical and social resources to promote quality of life.
- . Create meaningful lifelong learning opportunities.
- . Facilitate equitable access to a range of cultural, leisure and recreational opportunities.

CONCLUSION

It is recommended that the Central Coast Positive Ageing Strategy 2007–2012 be adopted.’

The report is supported.”

The Administration Group Leader reported as follows:

“A copy of the Central Coast Positive Ageing Strategy 2007–2012 has been circulated to all Councillors.”

■ Cr Haines moved and Cr van Rooyen seconded, “That the Central Coast Positive Ageing Strategy 2007–2012 (a copy being appended to and forming part of the minutes) be adopted.

Carried unanimously

486/2007 Crown Land Assessment and Classification Project – Transfer of Crown Land

The Director Corporate & Community Services reported as follows:

“The Administration Group leader has submitted the following report:

‘PURPOSE

The purpose of this report is to facilitate the transfer of certain parcels of Crown land into the ownership of the Central Coast Council.

BACKGROUND

In July 2004 the Hon Judy Jackson MHA, as the Minister for Environment and Planning wrote to the Central Coast Council advising that the Department of Primary Industries, Water and Environment (DPIWE) would be commencing the Crown Land Assessment and Classification (CLAC) Project.

The CLAC Project involved the assessment and classification of parcels of unallocated Crown land and land currently classified as Public Reserve under the *Crown Lands Act 1976*.

The CLAC Project investigated whether these land parcels should be reserved for conservation purposes, retained for public use or whether they have future development or sale potential. The Project built on the Partnership Agreements between Local and State Governments and involved a comprehensive examination of all Crown land in each municipality.

Councils and other stakeholders were consulted throughout the project on the most appropriate future use and management of Crown land in each municipality. Public consultation was also undertaken following the release of the draft project report for each municipality.

The assessment of Crown land within the Central Coast municipality has now been completed. As the result of the CLAC Project a range of Crown land parcels have been assessed as suitable for transfer to the ownership of the Central Coast Council. While the Crown is proposing to transfer these parcels of land to the Council at no charge for the land itself, there are certain survey costs, stamp duty costs and transfer costs that will need to be met by the Council.

It should also be noted that, while the land is being transferred to the ownership of the Council, the titles on the land will include a condition that ensures that the land is to continue to be used for public purposes. The land cannot be sold or have a major change of use without the written consent of the relevant Minister. In the event of a sale or major change of use without the written consent of the Minister the ownership of the land would revert to the Crown.

The Council has received a communication from the Department of Primary Industries and Water requesting that the Council confirm its intention to complete the process of the transfer of certain Crown Land to the Council by signing a Deed.

DISCUSSION

The State Government has advised the Council that it has agreed to transfer a number of significant parcels of land to the ownership of the Central Coast Council following consultation with the Council and other interested parties as well as a period of public comment. A copy of that communication (which includes the schedule of land to be transferred) is attached.

These parcels include, but are not limited to, such key recreation areas as the Penguin and Ulverstone Recreation Grounds, the Ulverstone Showground and the Sulphur Creek Hall, as well as the Aged Persons Units in Helen Street, Ulverstone.

These are parcels of land that have been maintained by the Council, in a number of cases significant infrastructure has been erected on the land over time by the Penguin and Ulverstone Councils as well as the Central Coast Council. While there are certain conditions relating to the continuation of the land for public purposes, it is considered that the transfer of these parcels of land into Council ownership will enable the Council to more easily develop and implement long-term strategies for the management of these areas.

The Ulverstone Showground development is such an example and the transfer of the Showground into the ownership of the Council will assist the Council in moving forward this project.

The Wharf Development is being dealt with as a separate issue.

CONSULTATION

Consultation has occurred at every phase of the project involving all interested parties.

An opportunity for public comment on the proposed land transfers was provided following the release of the first draft.

IMPACT ON RESOURCES

There is a significant cost involved in the transfer, which includes stamp duty on certain properties and survey costs on land currently without a surveyed title.

It is anticipated that the Council will need to fund an amount between \$105,000 and \$120,000 to complete the transfers and the Director, Corporate and Community Services has proposed that this amount be allocated from the Council's investment reserve.

CORPORATE COMPLIANCE

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

- . Foster partnerships to improve shared use of reserves and tracks.
- . Provide effective management of recreation facilities and open space.

CONCLUSION

It is recommended that the Council complete the Deed enabling the transfer of certain parcels of Crown Land into the ownership of the Central Coast Council and that associated costs be funded from the Council's Investment Reserve.'

The report is supported"

The Administration Group Leader reported as follows:

"A decision by the Council to amend the Estimates for the year ending 30 June 2007 to fund the costs from the Council's Investment Reserve must be made by absolute majority. A copy of the communication from the Department of Primary Industries

and Water, including the schedule of land to be transferred by the Crown to the Council, has been circulated to all Councillors.”

- Cr McKenna moved and Cr van Rooyen seconded, “That the Council complete the Deed enabling the transfer of certain parcels of Crown Land into the ownership of the Central Coast Council, and that associated costs be funded from the Council’s Investment Reserve, and further that the Mayor and Deputy Mayor approach the Minister for Primary Industries and Water to request the waiver of stamp duty on the transfer of land to the Council.”

Carried unanimously and by absolute majority

ASSETS & ENGINEERING

ASSETS & ENGINEERING

487/2007 Assets & Engineering

The Director Assets & Engineering reported as follows:

“There are no matters from the Assets & Engineering Department for decision at this meeting.”

CLOSURE OF MEETING TO THE PUBLIC

488/2007 Meeting closed to the public

The Administration Group Leader 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 matter be discussed in a closed meeting:

- Minutes and notes of other organisations and committees of the Council.

This is a matter relating to:

- information provided to the Council on the condition it is kept confidential.”

■ Cr Robertson moved and Cr Dry seconded, “That the Council close the meeting to the public to consider the following matter, it being a matter relating to:

- information provided to the Council on the condition it is kept confidential;

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.”

Carried unanimously

The Administration Group Leader 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.”

Cr Fuller left the meeting at this stage.

GENERAL MANAGEMENT

489/2007 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.”

490/2007 Proposed future use of Council-owned land situated at Maskells Road, Ulverstone – Exclusivity Agreements (352A/2007 – 17.09.2007)

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

“To advise the Council of the results of a valuation undertaken of certain Council-owned land situated at Maskells Road, East Ulverstone:

...

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

- (b) 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 9.25pm.

CONFIRMED THIS 29TH DAY OF JANUARY, 2008.

Chairperson

(gjm:dil)

Appendices

- Minute No. 464/2007 – Schedule of Development Services Determinations
- Minute No. 471/2007 – Minutes of Annual General Meeting 2007
- Minute No. 476/2007 – Schedule of Corporate and Community Services
Determinations Made Under Delegation
- Minute No. 477/2007 – Schedule of Contracts & Agreements
- Minute No. 479/2007 – Schedule of Documents for Affixing of the
Common Seal
- Minute No. 480/2007 – Financial Statements
- Minute No. 481/2007 – Schedule of Accounts Paid
- Minute No. 485/2007 – Central Coast Positive Ageing Strategy
2007 – 2012

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