



Minutes

of a Ordinary Meeting
held at 6.01pm

18 AUGUST 2008

Note:
Minutes subject to confirmation at
a meeting of the Council to be held on
15 September 2008

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Minutes of an ordinary meeting of the Central Coast Council held in the Council Chamber at the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 18 August 2008 commencing at 6.01pm

Councillors attendance

Cr Mike Downie (Mayor)	Cr Warren Barker
Cr Jan Bonde	Cr Lionel Bonde
Cr John Deacon	Cr David Dry
Cr Cheryl Fuller	Cr Gerry Howard
Cr Terry McKenna	Cr Tony van Rooyen

Councillors apologies

Crs Ken Haines and Brian Robertson

Cr David Dry attended the meeting at 6.04pm

Employees attendance

General Manager (Ms Sandra Ayton)
Director Assets & Engineering (Mr Bevin Eberhardt)
Director Corporate & Community Services (Mr Cor Vander Vlist)
Director Development Services (Mr Michael Stretton)
Strategic & Executive Services Manager (Mrs Sancia Noble)
Special Projects & Corporate Planning Manager (Mr Peter Murden)

Media attendance

The Advocate newspaper

Public attendance

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

Prayer

The meeting opened in prayer.

CONFIRMATION OF MINUTES OF THE COUNCIL

270/2008 Confirmation of minutes

The Director Corporate & Community Services reported as follows:

“The minutes of the previous ordinary meeting of the Council held on 21 July 2008 have already been circulated. The minutes are required to be confirmed for their accuracy.

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

- Cr McKenna moved and Cr Deacon seconded, “That the minutes of the previous ordinary meeting of the Council held on 21 July 2008 be confirmed.”

Carried unanimously

COUNCIL WORKSHOPS

271/2008 Council workshops

The Director Corporate & Community Services reported as follows:

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

- . 28.07.2008 – Planning Scheme
- . 04.08.2008 – Land development
- . 11.08.2008 – Social Atlas/Central Coast Community Profile.

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

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

Carried unanimously

Cr Dry attended the meeting at this stage.

MAYOR'S COMMUNICATIONS

272/2008 Mayor's message

The Mayor reported as follows:

“At this stage I will adjourn this meeting for approximately 15 minutes to invite Skye Luxmoore and Charlie Smith to address Councillors on their recent attendance at the National Leadership Camp in Sydney. The President of LIFT (the Life Imagination Fun Team – Central Coast Youth Council) Mr Sean Polden, will also be speaking to the meeting.”

Following the presentation, the Mayor resumed the meeting.

273/2008 Mayor's diary

The Mayor reported as follows:

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

- . Tasmania Police - Western Police District annual performance review (Burnie)
- . Forth Valley Meals on Wheels - Annual General Meeting
- . Cradle Coast Authority/UTAS - 2008 Café Forum Series: Energy - Blowing in the Wind (Burnie)
- . Lions Club of Forth Valley - changeover dinner
- . Guide Dogs Tasmania/The Advocate Newspaper - farewell for guide dog 'Leo' and the weekly puppy-in-training diaries
- . Central Coast Youth Strategy - official launch
- . Funeral for the late Kay Bellchambers
- . Ulverstone Red Cross - address by Red Cross North/North West Coordinator for Emergency Services
- . Imaginary Science Centre - official North West launch of National Science Week (Devonport)
- . Funeral for the late Jack Lusted
- . Funeral for the late Bob Jones
- . B&E - official opening of new look Ulverstone Branch
- . Cradle Coast Authority - Board Appointment Committee meeting (Burnie)
- . Ulverstone Angler's Club - annual dinner
- . Local Government Association of Tasmania - General Meeting (Hobart)
- . DairyTas and DairyAustralia - 2008 National Dairy Situation and Outlook Survey briefing (Burnie)
- . Apex Club of Ulverstone - changeover dinner

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- Ulverstone Municipal Band - annual dinner incorporating 50-year celebration.”

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

Carried unanimously

274/2008 Pecuniary interest declarations

The Mayor reported as follows:

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

The Director Corporate & Community Services 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.

No interests were declared at this time.”

275/2008 Public question time

The Mayor reported as follows:

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

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

COUNCILLOR REPORTS

276/2008 Councillor reports

The Director Corporate & Community Services 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 Deacon reported on a meeting of the Central Coast Chamber of Commerce and Industry Inc.

Cr Barker reported on a meeting of the Bush Watch Western District Committee.

Cr McKenna reported on a meeting of the Dulverton Regional Waster Management Authority.

APPLICATIONS FOR LEAVE OF ABSENCE

277/2008 Leave of absence

The Director Corporate & Community Services 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

278/2008 Deputations

The Director Corporate & Community Services reported as follows:

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

PETITIONS

279/2008 Petitions

The Director Corporate & Community Services reported as follows:

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

COUNCILLORS' QUESTIONS

280/2008 Councillors' questions without notice

The Director Corporate & Community Services 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.

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- (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.

281/2008 Councillors' questions on notice

The Director Corporate & Community Services 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.”

DEPARTMENTAL BUSINESS

DEVELOPMENT SERVICES

282/2008 Cities for Climate Protection (CPP) program

- Cr Fuller (having given notice) moved and Cr (J) Bonde seconded, “That the Council investigate participation in the Cities for Climate Protection program in order for it to effectively evaluate the environmental impact of its business.”

Cr Fuller, in support of her motion, submitted as follows:

“About CCP Australia;

The International Council for Local Environmental Initiatives was established when more than 200 local governments from 43 countries convened at a inaugural conference, the *World Congress of Local Governments for a Sustainable Future*, at the United Nations in New York. That organisation is now referred to as ‘Local Governments for Sustainability’ Delivered by International Council for Local Environmental Initiatives (ICLEI) Oceania in collaboration with the Australian Government Department of the Environment, Water, Heritage and the Arts, the Cities for Climate Protection (CCP) Australia program assists local governments and their communities to reduce greenhouse gas emissions and is proving to be an essential proponent of councils reducing their carbon footprint.

Results reveal that measuring cumulative actions at a local level is a powerful motivator. As well as cutting carbon emissions by almost 3.7 million tonnes, the 2600 actions reported by participating councils in 2006/07 saved money, reduced water use, air pollution and traffic congestion, and improved community health and fitness. 13.3 million tonnes of carbon dioxide equivalent have been saved since the start of the program in 1997.

Councils reported that energy–efficiency measures saved them at least \$7 million, and their communities close to \$11 million. The total savings reported since the start of the program are an inspiring \$70 million.

The Cities for Climate Protection campaign assists cities to adopt policies and implement measures to reduce local greenhouse gas emissions, improve air quality, and enhance urban livability and sustainability. More than 230 local governments participate in the CCP, integrating climate change mitigation into their decision–making processes.

Four of our Tasmanian counterparts have had the foresight to become members of CCP, namely Glenorchy, Hobart, Brighton and Launceston.

The campaign is based on an innovative performance framework structured around five milestones that local governments commit to undertake. The milestones allow local governments to understand how municipal decisions affect energy use and how these decisions can be used to mitigate global climate change while improving community quality of life. The CCP methodology is compliant with international standards and provides a simple, standardised way of acting to reduce greenhouse gas emissions and of monitoring, measuring, and reporting performance.

The CCP campaign is continually developing and will include approaches on adaptation to existing climate change; implementation modules on specific topics such as streetlights and purchasing; and a new focus on ambitious targets and carbon neutral communities.

Benefits of Participation;

Communities that participate in the CCP benefit from the actions that they take to reduce greenhouse gas emissions through:

- Financial savings in reduced utility and fuel costs to the local government, households, and businesses.
- Improved local air quality, contributing to the general health and well being of the community.
- Economic development and new local jobs as investments in locally produced energy products and services keep money circulating in the local economy.

The CCP program is effective because it commences with an inventory of the Council's CO₂e emissions. The Council then sets plans and takes actions to reduce these emissions by a certain date.

The Tasmanian Government has tabled the *Climate Change (State Action) Bill 2008*. The Bill makes Tasmania only the second state outside South Australia to legislate a greenhouse gas emissions reduction target. The Bill sets an ambitious target for Tasmania to reduce its emissions to at least 60 per cent of 1990 levels by 2050. It also provides for setting interim or sector-based targets through regulation. We would have no doubt that local government will be a sector provided with a strict target through regulation. The more proactive about this we are the lesser the impact on our staff and budget when the regulation arrives. But let us not develop an Environmental Policy and give ourself targets and aims just because the State Government is about to tell us to, let us show our community that we are ready to treat these issues seriously and we are the responsible custodians of this patch, however small it may be.

With the inevitability of a carbon emission trading system commencing in Australia in the next few years it is advisable for the Council to be prepared in advance, with data on its CO2e emissions, and be a leader in this regard on the North West Coast.

Our very lifestyle is dependant on agriculture and tourism; what I call the business end of the natural environment.

Councils' obligation to be fiscally responsible in all areas of our business means that we must investigate and then pursue every measure that means a saving for our community in the long term.

Not to mention an obligation as global citizens, and caretakers of our land for future generations, which requires us to provide the same careful management for our natural assets as all the other assets we are responsible for.

Let us fulfil our vision of '*leading a growing and innovative community*', by developing a policy that treats our community's air, water and land with respect and takes the long term view, which, from the experience of others is also the fiscally responsible one."

The Director Development Services reported as follows:

"PURPOSE

This report considers a motion on notice from Cr Fuller proposing that the Council investigate participation in the Cities for Climate Protection (CPP) program and develop an environmental policy for the Council.

BACKGROUND

Preparing Australia for the unavoidable impact of climate change is imperative. Australia's climate is clearly changing and increasing temperatures, sea level rise, changing rainfall patterns and more frequent and intense extreme climatic events are likely. Many Australian sectors and systems are highly vulnerable to climate change, including the functions and responsibilities of local government.

Local government's response to climate change requires a dual approach:

- . Management and reduction of greenhouse gas emissions (mitigation); and
- . Making adjustments to existing activities and practices so that vulnerability to potential impacts associated with climate change can be reduced or opportunities realised (adaption).

These two activities are complementary rather than exclusive and should be considered simultaneously.

The CPP program, which is well summarised in the Councillors Notice of Motion, provides local government with a tangible, straightforward means of managing and reducing its greenhouse gas emissions.

The CCP program is a performance-based program that builds local government capacity to address climate change through the following milestone framework:

- Milestone 1: Establish an inventory and forecast for key sources of greenhouse gas emissions for council operations such as; vehicle fleet, street lighting, buildings, waste, sewerage treatment plants; as well as the community such as residential, commercial, industrial, transport and waste.
- Milestone 2: Set an emissions reduction goal for both the Council and the community.
- Milestone 3: Develop and adapt a Local Greenhouse Action Plan to achieve these reductions.
- Milestone 4: Implement projects under the Local Greenhouse Action Plan.
- Milestone 5: Monitor and report on greenhouse gas emissions and the implementation of actions and measures undertaken.

To assist with this process, CCP Australia provides councils with technical and program support, resources, opportunities to network and exchange information, political support and recognition of achievements.

As at January 2008 two hundred and thirty (230) councils covering 83% of Australia's population had joined the CCP program. In Tasmania there are currently six (6) CCP councils. Additionally, in June 2008 the Devonport City Council resolved to participate in the CCP program and will be commencing Milestone 1 in the near future.

However, it must be understood that the CCP program is just one option available to assist the Council in managing its greenhouse gas emissions. As part of its 'Regional Action Plan for Climate Change' the Cradle Coast Authority is currently undertaking investigations and comparisons between the CCP program and a new Carbon Accounting Program, which has been developed by LG Infrastructure Services in Queensland. This program is similar to the CCP program in that it assists Councils to address climate change through a four step process:

Step 1 – Identify and benchmark tour emissions

This includes a life cycle inventory and life cycle assessment of greenhouse gas emissions across all of council operations. The analysis typically includes forecasts of emissions from business-as-usual as well as from implementation of abatement activities that assesses the feasibility of carbon mitigation strategies.

Step 2 – Assess the most cost-effective means of reducing emissions

A detailed financial analysis is typically undertaken across all council activities to identify opportunities for improved energy efficiency. Examples include improvements to building efficiency, vehicle fleets, plant and equipment.

Step 3 – Develop an Emissions Monitoring Plan

The plan includes the setting of benchmarks and targets to improve council carbon and environmental impacts whilst ensuring councils can measure and report to their communities and regulatory bodies.

Step 4 – Implement an abatement strategy

This includes an assessment of the available off-set initiatives and actions to achieve a carbon-neutral business model, as well as identify financial implications and trading risks under the future Australian Emissions Trading Scheme.

The Cradle Coast Authority is currently investigating the feasibility of implementing the LG Infrastructure Services Carbon Accounting Program in North West Councils and will provide a recommendation to Councils on which of the two programs is preferred for adoption on a regional basis. However, it's also worth noting that this action is only one element of the Cradle Coast Authorities Climate Action Program. Through the Local Adaptation Pathway Program the Authority will also be undertaking first pass climate change risk assessments for member Councils by December 2008. This process will involve workshopping with Council staff to identify and assess climate change risk factors in each area. Additionally, the Authority will be implementing a sustainability actions program which will involve the facilitation of community 'home energy' seminars aimed at promoting sustainable living at the local level.

DISCUSSION

Environmental Policy

The Council does not currently have an environmental policy. An environmental policy is a statement of an organisation's intentions and principles in relation to its overall environmental performance which provides a framework for action and for

the setting of its environmental objectives and targets. These objectives and targets could include a broad range of issues such as waste minimisation, management of pollutant discharges, purchasing, planning and development, regulatory compliance, education and training, community communications/relations (etc).

Ideally, an environmental policy should form the cornerstone of an organisation's environmental initiatives and should be a driving force behind continual improvement, compliance with regulatory requirements, and the achievement of required environmental standards, whether imposed by law, or adopted by the organisation.

The Council's draft Strategic Framework for Settlement and Investment lists sustainability as one of its four platforms for the future. In building a sustainability platform, the Council is building into its decision-making processes the implicit consideration of the environmental, social and economic sustainability of all development. This platform will provide an ideal strategic basis under which the Council can develop an environmental policy.

Cities for Climate Protection (CCP) Program

Participation in the CCP program would present many benefits to the Council. These could include:

- . Money saved by lowering the Council's energy costs;
- . Establishing closer working relationship with the community by encouraging members to be more energy efficient;
- . Addressing high transport costs and emissions through improved transport management;
- . Increased business efficiency and facilitation of new local employment opportunities;
- . Strengthen the Council's local leadership role in the community;
- . Providing opportunities to establish strong partnerships with residents, businesses, farmers and government agencies operating at a regional, state and national level;
- . Accessing additional funding sources; and
- . Enhancing the livability of housing and communities.

Preliminary discussions with the Australian Greenhouse Office (AGO) has revealed that the International Council for Local Environmental Initiatives (ICLEI) is being discouraged from recruiting new councils for the CCP program. However, this revelation is contrary to recent decisions to admit both the Launceston City Council and the Devonport City Council, and any other participating North West Councils, into the program. If the Council is supportive of investigating participation in the CCP program it is suggested that the Council seek to participate in a regional CCP

program with the Devonport City Council. Such a program may provide a means of addressing the current ICLEI policy of not accepting more councils into the program, as regional approaches to the CCP program are actively encouraged by both the AGO and the ICLEI. Failing this, the Council could seek assistance from our Federal members in seeking government action in expanding the CCP program.

Additionally, given that the Cradle Coast Authority is currently investigating the feasibility of implementing either the CCP Program or the LG Infrastructure Services Carbon Accounting Program in North West Councils it may be pertinent to await the outcome of this investigation before committing to the CCP program.

CONSULTATION

In preparing this report consultation has been undertaken with the Australian Greenhouse Office, Devonport City Council and the Cradle Coast Authority.

IMPACT ON RESOURCES

Subject to further investigation.

CORPORATE COMPLIANCE

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

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

CONCLUSION

Cr Fuller's motion is submitted for consideration."

Continued after Minute No. 283/2008.

283/2008 Public question time

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

There were no questions from the public.

Minute No. 282/2008 continued...

DEVELOPMENT SERVICES

Voting for the motion

(7)

Cr Downie

Cr Barker

Cr (J) Bonde

Cr (L) Bonde

Cr Deacon

Cr Dry

Cr Fuller

Voting against the motion

(3)

Cr Howard

Cr McKenna

Cr van Rooyen

Motion

Carried

■ Cr Fuller (having given notice) moved and Cr (J) Bonde seconded, "That within one year the Council develop an Environmental Policy."

Voting for the motion

(8)

Cr Downie

Cr Barker

Cr (J) Bonde

Cr Deacon

Cr Dry

Cr Fuller

Cr Howard

Cr McKenna

Voting against the motion

(2)

Cr (L) Bonde

Cr van Rooyen

Motion

Carried

284/2008 Development Services determinations

The Director Development Services reported as follows:

"A Schedule of Development Services Determinations made during the month of July 2008 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities."

The Director Corporate & Community Services reported as follows:

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

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

Carried unanimously

GENERAL MANAGEMENT

285/2008 Minutes and notes of committees of the Council and other organisations

The Director Corporate & Community Services 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:

- . Ulverstone Local History Museum Committee – meetings held on 17 June and 22 July 2008
- . East Ulverstone Swimming Pool Management Committee – meeting held on 21 May 2008
- . Local Government Association of Tasmania – Annual General Meeting and General Meeting held on 18 June 2008
- . Youth Engaged Steering Committee – meeting held on 17 July 2008.

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

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

Carried unanimously

286/2008 Dulverton Waste Management Authority – Quarterly Report, April 2008 – June 2008

The General Manager reported as follows:

“The Director Development Services has prepared the following report;

PURPOSE

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

BACKGROUND

The Dulverton Regional Waste Management Authority, trading as Dulverton Waste Management (DWM), operates under s30–39 of the *Local Government Act 1993* as a Joint Authority of the Central Coast, Devonport, Kentish and Latrobe Councils for the management and disposal of waste and is governed

by the Rules adopted on 15 August 2005. The core business of the Authority is defined by the Rules as:

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

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

DISCUSSION

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

A copy is appended.

CONSULTATION

This is an administrative matter and consultation is not required.

IMPACT ON RESOURCES

There are no resource implications to consider in this matter.

CORPORATE COMPLIANCE

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

- . Meet our statutory and regulatory obligations.

CONCLUSION

It is recommended that the report be received.’

The report is supported.”

The Director Corporate & Community Services reported as follows:

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

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

Carried unanimously

287/2008 Proposed reform of Tasmania’s water and sewerage sector – Constitutions (121/2008 – 21.04.2008)

The General Manager reported as follows:

“The following report has been prepared by the Director Assets & Engineering/ Project Manager WST(NWR).

PURPOSE

This report has been provided to seek Councils endorsement of the proposed constitutions for the Water & Sewerage Corporations.

BACKGROUND

The CEO of LGAT advises as follows:

“As previously indicated, to satisfy subsections 13(1) and 13(2) of the Water and Sewerage Corporations Act 2008, councils are required to give a copy of the proposed constitutions to the Treasurer. This is considered both burdensome and impractical so a proforma that allows for the endorsement of the constitutions by councils while meeting the requirements of the legislation is being developed.

It is proposed to circulate the proforma on 15 August 2008. While Treasury would ideally prefer to receive the completed proformas the following week, it is requested that councils expedite the document through whatever process they may require to achieve the endorsement from council. It is understood that some councils may require the matter to be discussed at a formal council meeting, others will address the matter through a workshop and others may have already provided delegation to the General Manager to progress the matter. Whatever the circumstance, there is a degree of urgency associated with this process as it is necessary to table the constitutions in the Parliament for approval in early September. The time

imperative here relates to the appointment of the Board and the CEO's and the notional commencement of operations of the entities.

This timing will also enable any residual issues with the constitutions to then be addressed leading up to or at the next meeting of the IJSC on 26 August 2008.

DISCUSSION

There are a number of issues that need to be resolved in the draft constitutions for the Tasmanian Water and Sewerage Corporation (North-Western Region) Pty Limited and the Water and Sewerage Corporation (Common Services) Pty Limited.

The Southern Region has engaged the services of a solicitor to review the constitutions and the Northern and North-Western Regions have been able to use this advice rather than seek separate legal advice.

It is anticipated that these issues will be resolved following the LGAT General Meeting on 13 August 2008.

In order to facilitate the endorsement of the constitutions by Councils in a timely manner it is suggested that the Mayor and General Manager be delegated this activity.

CONSULTATION

Meetings with Mayors and General Managers have been undertaken.

IMPACT ON RESOURCES

The direct impact on resources at this stage has been the pressures placed on people and processes in dealing with the constant stream of documents and demands associated with this reform exercise and meeting the tight timelines.

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 Mayor and General Manager be delegated responsibility to endorse the constitutions of the Tasmanian Water and Sewerage Corporation (North-Western Region) Pty Limited and the Water and Sewerage Corporation (Common Services) Pty Limited.'

The report and recommendations are supported."

- Cr Fuller moved and Cr Barker seconded, "That the Mayor and General Manager be delegated responsibility to endorse the constitutions of the Tasmanian Water and Sewerage Corporation (North-Western Region) Pty Limited and the Water and Sewerage Corporation (Common Services) Pty Limited."

Carried unanimously

CORPORATE & COMMUNITY SERVICES

288/2008 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 July 2008 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.

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

- Cr Barker moved and Cr Deacon 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

289/2008 Contracts 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 July 2008 has been submitted by the General Manager to the Council for information. The information is reported in accordance with approved delegations and responsibilities.

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

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

Carried unanimously

290/2008 Correspondence addressed to the Mayor and Councillors

The Director Corporate & Community Services reported as follows:

"PURPOSE

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

CORRESPONDENCE RECEIVED

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

- . Received 25.07.2008 – Letter concerning the state of roads in the Dial Range.
- . Received 28.07.2008 – Letter requesting the consideration of a local weather bureau station.
- . Received 31.07.2008 – Letter concerning the playing of cricket at the Penguin Cricket Ground.

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.

A suggested resolution is submitted for consideration."

- Cr Fuller moved and Cr Deacon seconded, "That the Director's report be received."

Carried unanimously

291/2008 Common seal

The Director Corporate & Community Services reported as follows:

"A Schedule of Documents for Affixing of the Common Seal for the period 22 July to 18 August 2008 is submitted for the authority of the Council to be given. Use of the common seal must first be authorised by a resolution of the Council.

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

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

Carried unanimously

292/2008 Accounts paid

The Director Corporate & Community Services reported as follows:

“A Schedule of Accounts Paid during the month of July 2008 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities. Councillors are invited to direct any questions on the Schedule to me at a convenient time prior to the meeting.

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

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

Carried unanimously

293/2008 Debtor remissions

The Director Corporate & Community Services reported as follows:

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

<i>DEBTOR NO.</i>	5318
<i>PROPERTY ADDRESS</i>	6 Brandsema Street, Turners Beach
<i>REMISSION</i>	\$176.44
<i>REASON</i>	Leaking water pipe running underground – as per Council policy (Minute No. 383/2003 – 13.10.2003)

<i>DEBTOR NO.</i>	7462
<i>PROPERTY ADDRESS</i>	33 Ocean Drive, Ulverstone
<i>REMISSION</i>	\$64.37
<i>REASON</i>	Leaking water pipe running underground – as per Council policy (Minute No. 383/2003 – 13.10.2003)

<i>DEBTOR NO.</i>	9263
<i>PROPERTY ADDRESS</i>	59 Deviation Road, Penguin
<i>REMISSION</i>	\$39.60
<i>REASON</i>	Leaking water pipe running underground – as per Council policy (Minute No. 383/2003 – 13.10.2003).”

- Cr (J) Bonde moved and Cr McKenna seconded, “That the following remissions be approved:

- . Debtor No. 5318 - \$176.44
- . Debtor No. 7462 - \$64.37
- . Debtor No. 9263 - \$39.60."

Carried unanimously

294/2008 Ulverstone Caravan Park lease extension

The Director Corporate & Community Services reported as follows:

"Purpose

To consider a request for either the extension of the Ulverstone Caravan Park Lease or the purchase of the Caravan Park by the current lessee.

BACKGROUND

At the Council meeting held on 18 March 2002 the Council passed the following motion (Minute No. 108/2002 - 18.03.2002)

'That:

- 1 the Council agree to the long-term lease of the Ulverstone Caravan Park;
- 2 a working group comprised of the Administrative and Financial Services Managers and Crs Edwards and Smith be established for this purpose, the working group to arrange discussions with a specialist in the business of leasing caravan parks regarding establishment of a lease;
- 3 the lease be prepared in time for the earliest possible introduction of the leasing invitation into the marketplace; and
- 4 negotiations be targeted at achieving an introduction of the leasing period from 1 July 2002;

and that in the event the Council is unable to attract a lessee on satisfactory terms, a short-term management contract be entered into pending a review of the position and consideration of alternatives.'

Subsequently the Council undertook to call for tenders for the lease of the Ulverstone Caravan Park and at the Council meeting held on 11 November 2002 passed the following motion (Minute No. 390/2002 - 11.11.2002);

'That the tender of RA & LH Butler and SL & WC Deane in the sum of \$202,000 (inclusive of agent's fee and GST), for the lease of the Ulverstone Caravan Park and Buttons Creek Reserve, all in accordance with the tender form executed as a deed by the tenderer on 22 October 2002, be accepted.'

A lease was drawn up for a period of three years with five further renewal options of three years commencing on 17 December 2002.

In December 2006 the lease was sold to Ulverstone Holiday Park Pty Ltd who remain the current lessee. Since taking over the lease of the Ulverstone Caravan Park, Ulverstone Holiday Park Pty Ltd have invested significantly in the provision of cabins and wish to invest further in the growth of the Park. To further facilitate their investment in the Park they have requested either an extension to the number of renewal options left on the current lease or the opportunity to purchase the property as follows:

'Following our recent discussions I hereby wish to submit a formal request for an extension of the existing lease at the Ulverstone Holiday Park at 57 Water Street together with the Buttons Creek Reserve.

As you would be aware since our acquisition from Joe and Lonie Butler, several significant changes have occurred at the Caravan Park including, but not limited to:

- 1) Purchase of 3 new 2 bedroom cabins from ECO Cabins at Kingston via Hobart. Approx Cost \$180,000.00
- 2) Completion of underground stormwater drains to all cabins in the "top" section of the Caravan Park including that that was previously not completed. Approx Cost \$10,000.00
- 3) Connection of all cabins in the top section of the park on a single bottle in-line gas service including an allowance for future cabins. Approx Cost \$11,000.00
- 4) Upgrading of electrical services for cabins including underground installation. Approx Cost \$8,500.00
- 5) Complete renovation of 2 of the brick cottages in the lower level of the park. Approx \$6,000.00

We continue to upgrade bedding and general facilities throughout the Caravan Park and contrary to many other Caravan Parks throughout Australia have maintained our 4 Star Rating with AAAT.

We have, as council are aware, received a significant increase in our cost of land tax which is again a burden to our business.

Recently we have been advised by Aurora Energy that the street lighting will be the responsibility of the operators of the Caravan Park, adding further to our expenses.

We have as lessees enjoyed growth in the business through our management expertise and the fact that the Ulverstone Big4 Holiday Park has a solid reputation for providing facilities that exceed our clients' expectations.

We wish to continue to expand our tourist facilities with the installation of additional cabins as required plus the installation of a jumping pillow in November 2008. The cost will be in the vicinity of \$18,000.00.

We see the need as business grows to employ more "live-in" staff and as such, will require in the near future, additional managed accommodation.

The current residence is not adequate in size for the number of staff combined with their need for privacy and, as such, we see the need to expand the residence with the addition of an additional 1 BR fully self contained flat at the south eastern side of the residence.

At the same time we would like to render the existing red brick to modernize the current building to give it a "wow" factor when entering the Caravan Park.

As this early stage we have not finalised costings but would envisage around \$100,000.00 – \$150,000.00 would be in the vicinity.

We would be pleased if Council would cover the cost of the residence extension.

We realise that there is always a strain on Council budgets so as an alternative we would be prepared to cover the cost of the extensions from our own resources in exchange for a lease extension from our current 13 years (approx) to 25 years ie an additional 12 years.

As you will see from this letter we have already spent considerable money on the Caravan Park and would like to continue doing so as we believe it is for the good of all.

Lease extensions certainly have a value and we believe our offer would certainly cover the commercial cost of just purchasing additional years.

Our company is prepared to meet with Council with detailed plans etc should you favourably consider our request.

Unfortunately as leases got shorter lessees are less inclined to invest in their businesses and that is certainly not our philosophy.

Alternatively, we would be prepared to purchase the freehold of both Water Street and Buttons Creek at valuation as further evidence of our commitment to Ulverstone and tourism in Tasmania

We look forward to your response in due course.'

DISCUSSION

The Council needs to give consideration to the Lessee's request for either an extension to the terms of the renewed lease or the sale of the property to the current Lessee.

Since taking over the Lease in 2006 the Lessee has invested a considerable sum in the amenity of the Ulverstone Caravan Park through the installation of more cabins and the upgrade of the certain services. The Lessee continues to actively promote the Central Coast Area's many scenic attractions and places of interest.

The Lessee wishes to continue to improve the Caravan Park and has offered to invest in the Council's infrastructure by modernising and enlarging the Manager's residence by investing between \$100,000.00 and \$150,000.00 in the property. As an offset to what is a considerable investment in upgrading the Council's infrastructure the Lessee is asking for an extension to the terms of the existing lease of a further twelve years.

As there is no change to any other condition of the Lease, the Council retains all its rights under the lease in the event of any failure by the Lessee in the Lessee's obligations under the lease. The Council has the opportunity upon each renewal anniversary to review it's relationship with the Lessee and, in the event of persistent breaches of the covenant and conditions, to refuse to grant a further term on the Lease.

At the time that the Council previously considered options as to the future of the Ulverstone Caravan Park (in 2002) the possibility of the sale of the property was an option that was not pursued. At that time it was considered that as the land in question was public land, and as such, ownership should be retained by the Community through the Council. It is believed that this view remains unchanged and that the sale of the property is not an option at this time.

CONSULTATION

The report outlines the consultation undertaken.

IMPACT ON RESOURCES

There is no anticipated impact on resources.

CORPORATE COMPLIANCE

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

- . Provide effective management of recreation facilities and open space, and
- . Facilitate strategic alliances to enhance tourism services.

CONCLUSION

It is recommended that the Council agree to an additional extension option of four lots of three years to Clause 7 (a) of the renewed lease for the Ulverstone Caravan Park and Buttons Creek Reserve, subject to the remaining terms and conditions of the Lease remaining unchanged.”

- Cr Barker moved and Cr Dry seconded, “That the Council agree to an additional extension option of four lots of three years to Clause 7 (a) of the renewed lease for the Ulverstone Caravan Park and Buttons Creek Reserve, subject to the remaining terms and conditions of the Lease remaining unchanged.”

Carried unanimously

295/2008 North West Regional Hospital Chaplaincy support

The Director Corporate & Community Services reported as follows:

“PURPOSE

To consider a request for assistance in supporting the appointment of a permanent full-time Chaplain at the North West Regional Hospital.

BACKGROUND

The Council has received a request from the Office of Sid Sidebottom MP, supported by Bryan Green MP, Brett Whitely MP, Ruth Forrest MLC and Senator Stephen Parry, which reads as follows:

'We are writing to request your Council's support for the continuance of the very important role of the Chaplain's position at the North West Regional Hospital. Since the retirement in January 2008 of the previously full time Chaplain, the position has been filled by volunteers and funded by local churches. There is however, a need that this position be once more filled in a permanent capacity, in order to deliver the required level of service to the clients and staff of the North West Regional Hospital, their families and friends.

\$45,000 represents the total figure required to fund the position. The Department of Health and Human Services have generously offered to assist in the full time funding of the position to the tune of \$25,000 per year, for five years. Burnie City Council has also committed \$3000 per year, for five years.

This leaves a shortfall of \$17,000 per year.

We are asking that your Council consider setting up a Line Item within your budget to help fund this chaplaincy on a five year basis. We would be very grateful for any support that you could give to the continuation of this valuable service. We are confident, that with support from Councils across the North-West, the chaplaincy at the North West Regional Hospital will more effectively be able to provide support, assistance and counselling as needed by those who may have travelled long distances to access the hospital and who may have no other local support network.

It is our hope that you will consider our request as soon as possible. To assist, someone from the Chaplaincy Support Team will be more than happy to address your Council as to the importance of the Hospital Chaplain. Please contact Kay Eastley on 64 311 333 for contact details.

Thank you for your consideration of this issue and we look forward to your response.'

DISCUSSION

While the letter is self-explanatory it is important to note the non-partisan nature of this request. This service has been previously funded by the Church of England and it is proposed that the new service would be managed by a Committee drawn from a wide range of supporting churches and supported by local Service Clubs, business organisations and the Department of Health and Human Services.

There is currently also a similar service being provided at the Mersey Hospital by volunteers from the united churches of the Latrobe/Devonport area and while the

service at Burnie is currently being supported by a range of volunteers it is felt that the level of demand for the service is such that there is a need for a permanent full-time Chaplain.

This is a service that would be utilised by residents and ratepayers from the central Coast area and it seems appropriate that the Council should agree to assist in supporting such a worthwhile service.

CONSULTATION

The report outlines the consultation undertaken.

IMPACT ON RESOURCES

An amount of \$3,000.00 has been budgeted for Chaplaincy Services in Burnie and Latrobe in the 2008/2009 Budget.

CORPORATE COMPLIANCE

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

- . Support access to physical and social resources to promote quality of life.

CONCLUSION

It is recommended that the Council agree to commit an amount of \$2,000.00 toward the funding of a permanent full-time Chaplain at the North West Regional Hospital for the 2008/2009 financial year.”

- Cr Barker moved and Cr van Rooyen seconded, “That the Council agree to commit an amount of \$2,000.00 toward the funding of a permanent full-time Chaplain at the North West Regional Hospital for the 2008/2009 financial year.”

Carried unanimously

296/2008 Application by Penguin Sports and Services Club Inc for loan

The Director Corporate & Community Services reported as follows:

“The Finance Group Leader has prepared the following report:

'PURPOSE

To consider loan funding for the Penguin Sports and Services Club's contribution to the car park upgrade.

BACKGROUND

Councils 2007/08 Capital Budget included an allocation of \$80,000 for the Dial Regional Sports Complex car park upgrade. The Penguin Sports and Services Club agreed to contribute \$40,000 (excl GST) to the project. The Club have now written to Council applying for a \$44,000 loan to be repaid over a ten year period.

DISCUSSION

The Club's Audited Financial Reports for the preceding three financial years have been examined. Trading profits have steadily increased and the Club's financial position remains stable.

The final repayment of the Club's previous loan was made in January 2008. It appears that they should be able to meet the commitment for the repayment of the new loan.

The Department of Treasury and Finance have approved Councils application for new borrowings up to \$1,000,000 for the 2008/09 financial year. The Council's adopted budget includes new loan borrowings of \$700,000. The Council will not be required to make further application to borrow the funds on behalf of the Penguin Sports and Services Club.

If approved the new loan would be taken up by the Council through Tascorp, for a period of ten years at the interest rate quoted at the time of draw down. Semi annual repayments will be approximately \$3,000.

CONSULTATION

Consultation is not applicable in respect of this report

IMPACT ON RESOURCES

There is no impact on Council resources

CORPORATE COMPLIANCE

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

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

CONCLUSION

It is recommended that approval be granted for the Council to borrow \$44,000 for ten years on behalf of the Penguin Sports and Services Club for their contribution to the car park upgrade, with total repayment of principal and interest being met by the club.’

The report is supported.”

- Cr van Rooyen moved and Cr McKenna seconded, “That approval be granted for the Council to borrow \$44,000 for ten years on behalf of the Penguin Sports and Services Club for their contribution to the car park upgrade, with total repayment of principal and interest being met by the club.”

Carried unanimously

ASSETS & ENGINEERING

297/2008 Assets & Engineering determinations

The Director Assets & Engineering reported as follows:

“A Schedule of Assets & Engineering Determinations made during the months of April to July 2008 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Director Corporate & Community Services reported as follows:

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

■ Cr Dry moved and Cr van Rooyen seconded, “That the Schedule of Assets & Engineering Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

298/2008 Opening of Allegra Drive, Heybridge

The Director Assets & Engineering reported as follows:

“It is necessary to formally resolve that the Council intends to ‘open’, after the expiration of 28 days, the following street which has been constructed in a new subdivision:

. Allegra Drive, Heybridge.”

The Director Corporate & Community Services reported as follows:

“A plan of Allegra Drive, Heybridge, having been circulated to all Councillors.”

■ Cr Dry moved and Cr van Rooyen seconded, “That, having given notice in accordance with the *Local Government (Highways) Act 1982*, the Council open as a highway, Allegra Drive, Heybridge (a plan of the street being appended to and forming part of the minutes).”

Carried unanimously

299/2008 Allegra Drive, Heybridge – Certificate of completion

The Director Assets & Engineering reported as follows:

“It is necessary for the Council to certify that the following street has been constructed substantially in accordance with the plans and specifications approved by the Council:

- . Allegra Drive, Heybridge.”

The Director Corporate & Community Services reported as follows:

“A plan of Allegra Drive, Heybridge, has been circulated to all Councillors.”

■ Cr McKenna moved and Cr (J) Bonde seconded, “That, the Council certify under the hand of the Corporation’s engineer that Allegra Drive, Heybridge (a plan of the street being appended to and forming part of the minutes) has been constructed substantially in accordance with the plans and specifications approved by the Council.”

Carried unanimously

300/2008 Tenders for Helen Street Pump Station (ULV16) electrical upgrade

The Director Assets & Engineering reported as follows:

PURPOSE

This report considers tenders for the part design, supply, installation, commissioning and testing of a replacement electrical switchboard for the ULV16 sewage pump station at Helen Street, Ulverstone.

BACKGROUND

The Environmental Engineering Group Leader reported as follows.

‘The Helen Street Pump Station (ULV16) is the critical combined inflow and outfall pumping station associated with the Ulverstone Waste Water Treatment Plant (WWTP). Approximately 85% of the raw sewage from Ulverstone’s sewerage system is pumped through ULV16 to the WWTP, while some 10 million litres a day of treated WWTP effluent and Simplot wastewater is pumped through to the Picnic Point Outfall.

The Helen Street (ULV16) Pump Station has been in continuous operation for the past 25 years. Assets associated with this pump station are subject to a particularly aggressive environment. This has resulted in a number of failures which have become more frequent in the past couple of years.

It was decided to upgrade the electrical installation at this pump station to improve reliability and reduce the potential single points of failure associated with the pump station operation. As a result of a condition assessment and operational review of the existing installation, it was decided that a new integrated switchboard is required to improve reliability and address the key risks associated with this critical facility.

The Consultant, Pitt & Sherry Pty Ltd, reports as follows:

“Pitt & Sherry were engaged by Council to provide detailed design, specification and Tender Documents for the supply and installation of the new switchboard and the overall electrical installation upgrade required. Following the submission of a concept design report for review, a set of Tender Documents including design and specification details was prepared. A public call for Tenders was advertised on 5 July 2008, closing at 2.00pm on Friday 25 July 2008...

...A list of the Tenders received before the tender closing time along with the associated ‘Schedule A’, GST exclusive lump sum amounts tendered is provided below in Table 2.1. (Tenders are listed in the order received).

TENDERER	SCHEDULE A - LUMP SUM (GST EXCLUSIVE)
Russell-Smith Electrical	\$ 203,212
CB&M Design Solutions	\$ 162,590
Dobson Electrical Pty. Ltd.	\$ 162,239

Table 2.1 – Tenders Received

The two lowest tenderers can be seen to have submitted prices which are within \$351 or 0.25% of each other (i.e. virtually identical). The highest tender was more than 25% higher than the other two with the cost of the switchboard being the main item of price differentiation...

...Evaluation Methodology

A weighted attribute assessment methodology was nominated to rank the Tenders received. This was carried out in accordance with the weighted attribute framework indicated in the Form of Tender. The attributes considered and their associated weighting are listed below:

ATTRIBUTE	DESCRIPTION	WEIGHTING	INFORMATION TO BE SUBMITTED AT TENDER REF NOS.*
Experience, Quality and Performance	Previous experience, workmanship and Contract performance on similar projects (including that of the nominated switchboard manufacturer)	25%	1, 2, 3
Price	Tender Sum	75%	4

...3.1 Weighted Attribute Assessment Details

In assessing each of the non price attributes, each of the sub-attributes were scored out of ten, using the following guidelines:

Below average	1 – 3
Average	4 – 6
Above average	7 – 8
Excellent	9 – 10

The sub-attribute scores were then combined using the sub-attribute weight and attribute weight, to provide an overall attribute score...

...4 Evaluation Results

...In evaluating and scoring the Tenders the following key points were noted;

- . There was no significant difference between the two lowest prices
- . The project plan submitted with the two lowest price tenders was appropriate, sufficiently detailed and indicated Practical Completion within the required period (12 weeks).
- . Both the lowest tenders included comprehensive details of appropriate OH&S systems. CB&M Design Solution's OH&S system is third party certified to AS/NZS 4801 while Dobson Electrical's OH&S system is based on the requirements of AS/NZS 4801 but is not third party certified.
- . CB&M Design Solutions have extensive water and waste water industry electro-technology experience which includes switchboard

replacements. They have 'in-house' switchboard manufacturing facilities (in Launceston). Nominated referees report a history of good workmanship, build quality and implementation standard.

- . Dobson Electrical nominate Bartech Switchboards (based in Hobart) as their switchboard manufacturer (sub-contractor). Bartech has had relevant experience with industrial/pump station installations. Nominated referees report good build quality, responsiveness and above average documentation.

In summary the key points of differentiation between these two close tenders were;

- . Third party OH&S system certification
- . Amount of relevant experience with water/waste water pump station installations.

Recommendations

Based on the results of the weighted attribute assessment process undertaken it is recommended that CB&M Design Solutions Pty. Ltd. be nominated as the preferred Tenderer..."

The Consultant's report is supported.'

The Environmental Engineering Group Leader's report is supported.

DISCUSSION

In summary, there are some relevant points that have been considered in respect to this support as follows:

- . The recommended tenderer has third party OHS certification similar to that recently acquired by the Council.
- . All tenderers comply with the Code for Tenders & Contracts adopted by the Council in respect to Local Business which is defined as all businesses operating in the State, which have a permanent office or presence in Tasmania and employ Tasmanian workers.
- . The Water and Sewerage Reform process will require specialist skills and experience in respect to water and sewerage assets, both of which are provided by the recommended tenderer.

CONSULTATION

Pitt & Sherry staff consulted with the tenderers during the tender process. The tender submissions have been discussed with Pitt & Sherry staff.

IMPACT ON RESOURCES

The 2008–2009 budget estimate for this project is \$95,000. The additional funds required to support this project can be accommodated within the sewerage budget. Initial indications are that the two replacement pumps for ULV16 and the disinfection installation at the WWTP will come in less than budgeted. An increased contribution from Simplot is also expected.

The difference in estimate and tender price is mainly due to the difficulty of installation and complexity of the final design of the switchboard. Decisions were also made in the final design not to reuse any of the existing equipment which is near the end of its useable life and difficult to change over while still maintaining pump operations.

CORPORATE COMPLIANCE

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

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

CONCLUSION

It is recommended that the tender submitted by CB&M Design Solutions Pty Ltd for the total project sum of \$162,590.00 (exc. GST), be accepted and approved by the Council.”

- Cr van Rooyen moved and Cr Deacon seconded, “That the tender submitted by CB&M Design Solutions Pty Ltd for part design, supply, installation, commissioning and testing of a replacement electrical switchboard for the ULV16 sewage pump station at Helen Street, Ulverstone for the total project sum of \$162,590.00 (exc. GST), be accepted.”

Carried unanimously

CLOSURE OF MEETING TO THE PUBLIC

301/2008 Meeting closed to the public

The Director Corporate & Community Services reported as follows:

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

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

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

- . Minutes and notes of other organisations and committees of the Council;
- . Proposed future use of Council-owned land;
- . Proposal for sale of Council land.

These are matters relating to:

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

Cr (J) Bonde left the meeting at this stage.

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

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

and 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;
- . Proposed future use of Council-owned land;
- . Proposal for sale of Council land.”

Carried unanimously and by absolute majority

The Director Corporate & Community Services further reported as follows:

“1 The *Local Government (Meeting Procedures) Regulations 2005* provide in respect of any matter discussed at a closed meeting that the general manager is to record in the minutes of the open meeting, in a manner that protects confidentiality, only the fact that the matter was discussed and is not to record the details of the outcome unless the council determines otherwise.

2 The *Local Government Act 1993* provides that a councillor must not disclose information seen or heard at a meeting or part of a meeting that is closed to the public that is not authorised by the council to be disclosed.

Similarly, an employee of a council must not disclose information acquired as such an employee on the condition that it be kept confidential.

3 In the event that additional business is required to be conducted by a council after the matter(s) for which the meeting has been closed to the public have been conducted, the Regulations provide that a council may, by simple majority, re-open a closed meeting to the public.”

GENERAL MANAGEMENT

302/2008 Minutes and notes of other organisations and committees of the Council

The Strategic & 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.”

303/2008 Proposed future use of Council-owned land

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

“The purpose of this report is to advise the Council of the progress of negotiations regarding a portion of Council-owned land.

...

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.”

304/2008 Proposed future use of Council-owned land

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

“The purpose of this report is to advise the Council of the progress of negotiations regarding a portion of Council-owned land.

...

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

- (c) 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.”

305/2008 Proposal for sale of Council land

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

“The purpose of this report is to consider the disposal of certain Council-owned property that is considered to be surplus to council requirements.

...

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

- (d) 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 9.42pm.

CONFIRMED THIS 15TH DAY OF SEPTEMBER, 2008.

Chairperson

(sn:dil)

Appendices

- Minute No. 284/2008 – Schedule of Development Services Determinations
- Minute No. 288/2008 – Schedule of Corporate & Community Services Determinations Made Under Delegation
- Minute No. 289/2008 – Schedule of Contracts & Agreements
- Minute No. 291/2008 – Schedule of Documents for Affixing of the Common Seal
- Minute No. 292/2009 – Schedule of Accounts Paid
- Minute No. 297/2008 – Schedule of Assets & Engineering Services Determinations

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.

Sandra Ayton
GENERAL MANAGER