



CENTRAL COAST COUNCIL

Minutes

of Ordinary Meeting

17 MARCH 2008

Note:
Minutes subject to confirmation at
a meeting of the Council to be held on
21 April 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, 17 March 2008 commencing at 6.00pm.

Councillors attendance

Cr Mike Downie (Mayor)	Cr Brian Robertson (Deputy Mayor)
Cr Warren Barker	Cr Jan Bonde
Cr Lionel Bonde	Cr John Deacon
Cr David Dry	Cr Cheryl Fuller
Cr 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)
Director Development Services (Mr Michael Stretton)
Administration Group Leader (Mr Cor Vander Vlist)
Recreation Facilities Coordinator (Mr Robert Bourke)

Media attendance

The Advocate newspaper

Public attendance

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

Prayer

The meeting opened in prayer.

CONFIRMATION OF MINUTES OF THE COUNCIL

66/2008 Confirmation of minutes

The Administration Group Leader reported as follows:

“The minutes of the previous ordinary meeting of the Council held on 18 February 2008 have already been circulated. The minutes are required to be confirmed for their accuracy.

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

- Cr Robertson moved and Cr Haines seconded, “That the minutes of the previous ordinary meeting of the Council held on 18 February 2008 (subject to a change to the voting on Minute No. 49/2008) be confirmed.”

Carried unanimously

COUNCIL WORKSHOPS

67/2008 Council workshops

The Administration Group Leader reported as follows:

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

- . 25.02.2008 – Ulverstone Cultural Precinct Plan and Water/Sewerage reform.
- . 11.03.2008 – Land Use Planning and Approvals Act.

This information is provided for the purpose of record only. A suggested resolution is submitted for consideration.”

- Cr Deacon moved and Cr McKenna seconded, “That the Group Leader’s report be received.”

Carried unanimously

MAYOR'S COMMUNICATIONS

68/2008 Mayor's communications

The Mayor reported on the opening of the Penguin Medical Centre.

69/2008 Mayor's diary

The Mayor reported as follows:

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

- . Australians Donate - awareness function (Devonport)
- . Funeral for the late Pam Barker
- . Local Government Association of Tasmania - briefing re Water and Sewerage Reform
- . Penguin Sub-branch RSL - annual dinner
- . Make-A-Wish Foundation - Long Table Dinner
- . Combined Rotary Clubs of Ulverstone - Festival in the Park
- . Scouts Australia, Leven District Scout Association - Founders Day Service
- . Mersey Police & Community Youth Club - launch of Operation Re-Wind (Devonport)
- . Ulverstone Anglers Club - Carnival of the Grasshopper
- . Ulverstone R&SLA Sub-branch - annual dinner
- . Ulverstone Repertory Theatre Society - annual general meeting
- . Beacon Foundation - launch of Beacon Foundation's Careers Leaders (Devonport)
- . Penguin Festival Committee - Music 4 Life Festival
- . Local Government Association of Tasmania - General Management Committee Meeting (Hobart)
- . Local Government Board - Cradle Coast Authority Review (Burnie)
- . Municipal Bowls Association - annual bowls day
- . Church of Christ - centenary dinner celebration
- . Patrick Street Clinic - opening of clinic at Penguin."

The Deputy Mayor reported as follows:

"On behalf of the Mayor I attended the North West Cricket Association Final."

■ Cr (J) Bonde moved and Cr Haines seconded, "That the reports of the Mayor and Deputy Mayor be received."

Carried unanimously

70/2008 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 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. 87/2008).”

Cr Fuller reported as follows:

“I will be declaring an interest in respect of Feasibility investigation – Purchase, demolition and car park construction – 4 Arnold Street, Penguin (Minute No. 101A/2008).”

71/2008 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

72/2008 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.”

C Deacon reported on the Local Government Association of Tasmania’s Councillor’s Workshop held at Grindlewald.

The Mayor reported on the Central Coast Council team’s success in winning the Municipal Association Bowls Tournament recently held in Penguin.

Cr McKenna reported on the running of the Municipal Association Bowls Tournament and made special mention of the assistance provided by Mrs Debra Lynch in the lead-up to the Tournament.

The Deputy Mayor reported on a Representatives meeting of the Cradle Coast Authority.

Cr Fuller reported on a meeting of the Castra/Sprent/Nietta Community Advisory Committee.

Cr McKenna reported on a Representatives meeting of the Dulverton Regional Waster Management Authority and a meeting of Cradle Coast Water.

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

Cr Deacon provided an update on the status of the Drop-in Centre.

APPLICATIONS FOR LEAVE OF ABSENCE

73/2008 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

74/2008 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

75/2008 Petitions

The Administration Group Leader reported as follows:

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

COUNCILLORS' QUESTIONS

76/2008 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.

77/2008 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.”

Cr Dry left the meeting at this stage.

DEPARTMENTAL BUSINESS

DEVELOPMENT SERVICES

78/2008 Motion for General Meeting of Local Government Association of Tasmania on 18 June 2008 – Multi planning applications under Land Use Planning and Approvals Act 1993

The Administration Group Leader reported as follows:

“The Local Government Association of Tasmania has given formal advice of its General meeting to be held on 18 June 2008 and has invited councils to submit motions on matters connected with the objectives of the Association or of common concern to members for inclusion in the agenda of the General Meeting.

If any motions are to be put forward by the Central Coast Council, they should first be subject to Council endorsement. Councillors have been invited to submit any such motions to an ordinary meeting of the Council for consideration. As motions need to be received at the Association’s offices by 11 April 2008, the Council’s meeting of 17 March is the final opportunity for this year.”

■ Cr Robertson (having given notice) moved and Cr Deacon seconded, “That the Council support the following motion for discussion/resolution at the General Meeting of the Local Government Association of Tasmania’s annual conference on 18 June 2008:

- “That the Local Government Association of Tasmania investigate and obtain advice in seeking to review and amend the provisions of the *Land Use Planning and Approvals Act 1993* to prevent multi planning applications being made on the same parcel of land for the same or similar use and development until the first application has been determined by the planning authority.”

Cr Robertson, in support of his motion, submitted as follows:

“The Council has statutory and regulatory responsibilities under the *Land Use Planning and Approvals Act 1993* and acts as a planning authority.

The purpose of the Council’s Land Use Planning Group is to provide for effective land-use planning and control through the development and implementation of up-to-date urban and rural planning principles and standards.

Over the last few years the Council has received concurrent planning applications on various sites within the municipal area on numerous occasions.

Multiple applications have severely stretched our planning resources, both physically and financially.

Enquiries reveal that applications for a permitted use take minimal staff resources to process, whilst discretionary applications take very many hours before it comes to the Council. Any subsequent appeal requires additional hours in preparation and tribunal attendance.

The present system is an impost on our Council and flies in the face of the purpose of our Land Use Planning Group whose aim is to provide for effective land-use planning and control.

I seek support for this motion.”

The Director Development Services reported as follows:

PURPOSE

This report considers a motion on notice from Cr Robertson proposing that the Council submit a motion for debate by the Local Government Association of Tasmania (LGAT) at the Association’s General Meeting on 18 June 2008. The proposal is that LGAT investigate and obtain advice in seeking review and amendment of the *Land Use Planning and Approvals Act 1993* (LUPAA) to prevent multi planning applications being made on the same parcel of land for the same or similar use and development until the first application has been determined by the planning authority.

BACKGROUND

Cr Robertson’s supporting comments provide background to his motion.

DISCUSSION

Planning approval is required if a person proposes to undertake a development, or change the use to which they are putting their land. Planning approval is obtained by seeking a planning permit from the local planning authority. A planning permit means any permit, approval or consent required by a planning scheme or special planning order to be issued or given by a planning authority for a use or development.

Any proposed use or development should be checked against the planning scheme to determine whether a planning permit is required.

If a permit is required, the applicant will need to determine which category applies to the proposed development. Division 2 of Part 4 of LUPAA establishes the process for lodging a planning permit application under an existing planning scheme.

LUPAA is silent on the issue of multiple planning applications being submitted for a property at the same time. It is understood from informal legal advice to the Council's Land Use Planning Group that the practice is legally permitted under the Act.

There is merit in Cr Robertson's motion as LUPAA is currently silent on the matter and it would be advantageous for the Land Use Planning Group to have some certainty.

CONSULTATION

No consultation is required.

IMPACT ON RESOURCES

The preparation of a motion for the LGAT General Meeting will have 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.

CONCLUSION

Cr Robertson's motion is submitted for consideration."

Cr Dry returned to the meeting at this stage.

Continued after Minute No. 79/2008.

79/2008 Public question time

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

Questions and replies concluded at 6.43pm.

Minute No. 78/2008 continued...

Motion carried unanimously

80/2008 Development Services determinations

The Director Development Services reported as follows:

“A Schedule of Development Services Determinations made during the month of February 2008 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 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

81/2008 Planning Scheme Amendment – Specified Departure to allow the development of a car park and staff training facility at 7 Jetty Street, Ulverstone – Application No. COM2007.2 (437/2007 – 19.11.2007)

The Director Development Services reported as follows:

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

<i>‘AMENDMENT NO.:</i>	5/2007
<i>LOCATION:</i>	7 Jetty Street Ulverstone CT 227506/1
<i>OWNERS:</i>	Simplot Australia
<i>APPLICANT:</i>	Tasmanian Consulting Services Pty Ltd
<i>TOTAL AREA:</i>	8145 sq. m
<i>PROPOSED AMENDMENT:</i>	To insert a Specified Departure into the Planning Scheme and application for planning approval to allow the development of a car park and staff training facility
<i>ZONING:</i>	Residential (RA) –Closed
<i>PLANNING INSTRUMENT:</i>	Central Coast S.46 Planning Scheme No.1 of 1993 (the Scheme)

LEGISLATION: *Land Use Planning and Approvals Act 1993 (LUPAA)*

PURPOSE

The purpose of this report is to receive advice of approval by the Resource Planning and Development Commission (the Commission) of the above-mentioned Application No. COM2007.2.

BACKGROUND

On 19 November 2007 (Minute No. 437/2007) the Council initiated and certified draft Amendment 5/2007 and the associated permit for the above-mentioned purposes.

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

DISCUSSION

The combined Scheme amendment and permit was forwarded to the Commission. The Commission has now advised that the combined Scheme amendment and permit has been approved and came into operation on 20 February 2008.

CONSULTATION

Formal consultation has been undertaken in accordance with legislated requirements.

IMPACT ON RESOURCES

The impact of the decision is administrative in nature.

CORPORATE COMPLIANCE

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

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

CONCLUSION

It is recommended that the information be received.'

The report is supported.”

- Cr Robertson moved and Cr Deacon seconded, “That the Land Use Planning Group Leader’s report be received.”

Carried unanimously

GENERAL MANAGEMENT

82/2008 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:

- Youth Engaged Steering Committee – meeting held on 7 February 2008
- Forth Community Representatives Committee – meeting of Council officers with Committee Representatives on 14 February 2008
- Ulverstone Local History Museum Committee – meeting held on 26 February 2008.

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

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

Carried unanimously

83/2008 Local Government Association of Tasmania – 2008 Election – Nominations for General Management Committee representation

The General Manager reported as follows:

“The Executive Services Manager has prepared the following report:

PURPOSE

This report invites consideration of nominations for the Local Government Association of Tasmania’s 2008 Election; in particular for General Management Committee representation

BACKGROUND

The Deputy Electoral Commissioner, Tasmanian Electoral Commission, has written as follows:

“The Tasmanian Electoral Commission has been requested to conduct the 2008 election of President and 6 Members to the General Management Committee for a two–year term, in accordance with the rules of the Local Government Association of Tasmania (LGAT).

Nominations are now invited from LGAT members and must be received at my office by 5pm Wednesday 7 May 2008. Candidates will be notified of receipt of their nominations by this office.

Election timetable

Nominations open.....Thursday 31 January 2008

Nominations close.....5 pm Wednesday 7 May 2008

Ballot material posted (if ballot is required)..Monday 12 May 2008

Close of postal ballot.....10 am Wednesday 4 June 2008

Declaration of result.....Wednesday 4 June 2008

Annual General Meeting.....Wednesday 18 June 2008

Nomination forms (showing electoral districts on the reverse) together with a reply paid envelope have been enclosed for your convenience.

If you need further information or assistance, Rod Huskins of this office will be pleased to assist – 6233 2421.”

DISCUSSION

Attached is a copy of the electoral Nomination Form. Also attached is an extract from the LGAT Rules in which the General Management Committee’s functions and composition are outlined and in which the representative process is detailed.

Most current members of the General Management Committee are mayors but membership is not limited to mayors.

Within the North West & West Coast Electoral District, nominations are invited for two candidates; one to represent the member councils which have a population of 20,000 or more, and another to represent the remaining councils. All councils vote for both positions.

There are two councils in this District with a population of 20,000 or more. These are Central Coast and Devonport City. They are currently represented by Cr Mike Downie.

Cr Downie has indicated his interest in candidacy for nomination once again and seeks the Council's endorsement.

In the event of there being more than one Central Coast Councillor seeking nomination, a ballot will be required to determine the successful candidate. It is noted in this regard that the *Local Government (Meeting Procedures) Regulations 2005* provide that "voting at a meeting may be conducted by secret ballot if the purpose is to select a person to represent the council on a committee or other body."

CONSULTATION

Consultation is not required in respect of this matter.

IMPACT ON RESOURCES

Apart from provision of briefings in respect of agenda items being considered by the General Management Committee, and travel costs to meetings, this representative role does not otherwise impact on the Council's resources.

CORPORATE COMPLIANCE

Corporate compliance is not relevant to this matter.

CONCLUSION

The Council's consideration of nominations is invited.'

The report is supported."

The Administration Group Leader reported as follows:

"Copies of the LGAT Rules (extract) and electoral Nomination Form have been circulated to all Councillors."

- Cr Haines moved and Cr McKenna seconded, "That Cr Downie. be nominated as a candidate for election as the Central Coast's representative on the General Management Committee of the Local Government Association of Tasmania."

Carried unanimously

- Cr Robertson moved and Cr Dry seconded, "That Cr Downie be nominated as a candidate for election as the Central Coast and Devonport City Councils' representative on the General Management Committee of the Local Government Association of Tasmania for a two-year term commencing in June 2008."

Carried unanimously

84/2008 Ulverstone Showground Redevelopment – Detailed design tenders

Cr Deacon, 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 Ulverstone Showground Redevelopment – Detailed design tenders.

The General Manager reported (confidentially) as follows:

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

PURPOSE

The purpose of this report is to recommend that the Council:

- appoint Philp Lighton Architects as the preferred consultant for the detailed design phase of the Ulverstone Showground Redevelopment; and
- Formally adopt the revised project scope.

BACKGROUND

In 2006, the Council developed a Master Plan for the Ulverstone Showground Complex with a view to:

- rationalize some existing facilities;
- relocate some groups from other ageing community buildings dotted throughout the Council’s open space network;
- relocate community groups from the Ulverstone Wharf to the Showground to enable a more strategic use of the Wharf area; and
- accommodate new activities not currently catered for within the area.

GHD Consultants assisted the Council to develop the Master Plan concept.

The concept Master Plan was used to attract a combined State and Federal Government funding contribution of \$3.7 million, which gave the Council confidence to proceed to detailed design stage.

The project team completed a period of extensive consultation with existing and proposed user groups and the Council in late 2007. The consultation identified around 250 requirements that were included in the revised project scope.

Whilst the revised scope has substantially increased the range and scale of activities that could be conducted at the Showground, the likely cost has also increased proportionately. The probable cost for the initial concept was in the order of \$5.55 million. The probable cost of the revised scope is now in the order of \$7.29 million.

The \$1.74 million increase is directly attributable to improving the way issues identified in the initial scope will be dealt with. The consultation and detailed staff review has led to the identification of improved opportunities that will substantially increase the capability of the Showground to address a greater range of community needs. A copy of the revised concept and associated estimate is attached.

Significant additions to/deviations from the initial scope include the following:

- . Increasing the capacity of the proposed new auditorium (initially planned to house Slip Stream Circus and Judo) to a new multipurpose sports arena.
 - . Judo/Slip Stream will now be accommodated in an existing renovated sports arena;
 - . The new stadium will include retractable tiered seating for up to 1000 spectators (in show-court mode) and will accommodate a new range of sports, not currently catered for within the stadium, such as indoor soccer and netball;
 - . The new dimensions will enable indoor netball to be played to full competition standards – even in show-court mode. The size of the two existing stadiums currently does not permit indoor netball to full competition standard;
 - . It will also have the capacity to host large-scale community events (such as Australia Day celebrations);
 - . This third full-size stadium will allow for hosting of national championships (e.g. basketball);
 - . It will provide a large multipurpose space to better accommodate the needs of schools and community groups; and

- . This increased capacity will allow the Council to program and offer a range of community-based physical activity programs for all ages.
- . Increasing the scope of the dormitory style accommodation (initially to address the needs of the Naval Cadets and Scouts).
 - . It will continue to meet the needs of community groups such as the Scouts and Cadets; and
 - . In conjunction with the sporting and other ancillary facilities, it increases the capability of local sports and community groups to provide intensive training/development camps and clinics (actively supporting pathways for talented young performers).
- . Community Precinct (a new multi-purpose space proposed to address the space required to relocate the Naval Cadets and Scouts).
 - . This is a new Precinct located at the northern end of the Showground. It has been integrated into the overall Master Plan and so will still act as the base for Naval Cadets and Scouts. It will also be available for the Ulverstone Show;
 - . This centrally-managed facility will substantially increase Council's capacity to meet a whole range of current unmet and future demand for community space. The Precinct will have full disabled access and includes a range of flexible indoor and outdoor undercover activity and storage space; and
 - . Dealing with this new space has removed the need to reclaim under-utilized space such as the Squash Courts.
- . Upgrade of existing services such as stormwater, sewerage and car parks.

The revised scope formed the basis for the tender documentation for detailed design. The Community Precinct remains part of the overall revised scope. However, it has been excluded from the tender documentation, as this in effect is a renovation of an existing building. The project team intends to project manage this renovation without the need for additional architectural services.

The closing date for tenders was 26 February 2008.

Ten conforming tenders were received and assessed by the project team. The panel was of the opinion that the overall quality of the applications was very high. A weighted criterion approach was used to assess the applications based on:

- . Proponent Capability 25%
- . Previous Experience 25%
- . Cost* 50%

** As the final construction cost is not known, the consultants were advised to assume a construction cost of \$5 million for the purposes of submitting an application.*

The lowest tender was \$192,302 (3.84% of the construction figure) and the highest tender was \$479,313 (9.58%). A list of tenderers and their respective prices is provided in Table 1.

Table 1

TENDER SUBMISSIONS

APPLICANT NAME	LUMP SUM FEE
	\$
Tasmania Consulting Services	192,302
Philp Lighton Architects	236,500
Loop Architecture	286,900
BSPM	354,750
GHD	435,000
Bullock Consulting	450,000
Artas Architects	471,510
Terroir	471,900
Bonner Consulting Engineers	479,313

DISCUSSION

The three lowest tenders were:

- 1 Tasmanian Consulting Services – \$192,302; Weighted score = 77%
- 2 Philp Lighton Architects – \$236,500; Weighted score = 85%
- 3 Loop Architecture – \$286,900; Weighted score = 75%

Despite being the second lowest price, the project team concluded that Philip Lighton Architects offered the best balance of experience, capability and price.

The Tender Brief requires that the architect's design will be based on the full revised project scope. However, it will need to be itemised in such a way that the redevelopment could be staged depending on the final available construction budget.

The project methodology will ensure that the redevelopment could proceed within the original estimate of around \$5.5 million; however, it would not deliver the full benefits of the revised scope.

- . Including the expanded scope into the current stage of development would better position the Council to sooner realise important opportunities to build a better and more inclusive community;
- . The community sector is under pressure to attract and retain volunteers. Concentrating such community activity as proposed will reduce the pressure on individual groups, through sharing and supporting each other. It also allows the Council to provide a range of support services that would not be possible if such participation was fragmented throughout the community;
- . The Council has demonstrated its enthusiasm for the redevelopment of the Showground. The support received from current and proposed user groups is evidence of strong community cohesion and commitment. By working together they and the Council have added substantial value to what was an already exciting concept; and
- . The Federal and State Governments have demonstrated their support for the initial concept and have acknowledged the additional value and community benefit generated in the revised scope.

The final result will be an exciting blend of high quality performance, competition and functional community spaces that can cater for the full spectrum of community participation opportunities. This is a substantial initial investment that will realise immediate benefits as well as being a major legacy for future generations.

The Council's leadership and commitment to the proposed redevelopment has been crucial in getting to the detailed design stage. As the process moves in to a more publicly visible stage, it is important that the Council's commitment to the project is formalised. In order to provide certainty when

moving into the detailed design and construction phases, it is proposed that the Council formally commit to the redevelopment and in particular the revised scope.

The Council has a confirmed Federal and State Government financial contribution of \$3.7 million. It is proposed that the Council underwrite the balance of the project cost to a maximum of \$7.3 million.

The General Manager and the Mayor are currently endeavouring to secure the additional funds to deliver the entire revised scope within the current stage of development. Approaches have already been made to the State and Federal Governments with a view to sharing the additional cost. Negotiations are ongoing.

CONSULTATION

Extensive current and proposed user group and Councillor consultation has led to the revised scope.

Staff from the Offices of the Premier and Minister for Sport and Recreation have been briefed on the revised scope.

Federal Member of Parliament Sid Sidebottom and Senator Richard Colbeck have also been briefed.

IMPACT ON RESOURCES

This report requests a commitment from the Council to contribute up to \$3.6 million. An amount of \$617,000 has already been included in the 2007–2008 financial year.

The balance would be payable over the 2008–2009 and 2009–2010 financial years.

Whilst there has been no additional commitment from the State and Federal Governments at this stage, the response to the revised scope has been very well received.

The tender for the detailed design asked tenderers to base their costing on a figure of \$5 million. If the project cost increases (e.g. up to \$7.3 million), then the consultancy fees would increase proportionately.

Philp Lighton Architect's fee is based on 4.73% of the project construction cost. Any increase would still be within the allowance made for the design in the original project estimates.

CORPORATE COMPLIANCE

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

- Provide effective management of recreation facilities and open space.

CONCLUSION

The revised scope has substantially increased the range and scale of activities that could be conducted at the Showground. The likely cost has also increased proportionately.

The final result will be an exciting blend of high quality performance, competition and functional community spaces that can cater for the full spectrum of community participation opportunities. This is a substantial initial investment that will realise immediate benefits as well as being a major legacy for future generations.

There has never been a better time to invest in the physical and social capital to progress toward a stronger, inclusive, sustainable community.

In order to provide certainty when moving into the detailed design and construction phases, it is proposed that the Council formally commit to the redevelopment and in particular the revised scope.

The tenders for the detailed design were of a high standard. The project team believes Philp Lighton Architects have the relevant experience and capability and provided a tender that offers the Council good value for money.

It is recommended that the Council:

- accept Philp Lighton's tender based on a lump sum fee of \$236,500 (based on the construction cost of \$5 million) and authorise the General Manager to approve, if necessary, a revised cost not to exceed 4.73% of the approved construction amount; and
- formally adopt the revised scope.'

The report is supported."

The Administration Group Leader reported as follows:

“A copy of the revised concept and associated estimate has been circulated to all Councillors.”

- Cr van Rooyen moved and Cr (J) Bonde seconded, “That the Council:
 - accept Philp Lighton’s tender based on a lump sum fee of \$236,500 (based on the construction cost of \$5 million) and authorise the General Manager to approve, if necessary, a revised cost not to exceed 4.73% of the approved construction amount; and
 - formally adopt the revised scope.”

Voting for the motion

(10)

Cr Downie

Cr Robertson

Cr Barker

Cr (J) Bonde

Cr Dry

Cr Fuller

Cr Haines

Cr Howard

Cr McKenna

Cr van Rooyen

Voting against the motion

(1)

Cr (L) Bonde

Motion

Carried

Cr Deacon returned to the meeting at this stage.

CORPORATE & COMMUNITY SERVICES

The Mayor stood down from the chair at this time and in the Mayor's absence the Deputy Mayor assumed the chair.

85/2008 Feasibility Study on other revenue-raising opportunities

■ Cr Downie (having given notice) moved and Cr Fuller seconded, "That the Council allow in the 2008–2009 Estimates an amount of \$10,000 to allow a feasibility study to be conducted to ascertain how the Council could receive other forms of revenue outside the normal revenue stream; i.e. the general rate."

Crs Downie and Fuller, in support of their motion, submitted as follows:

"Councillors are aware of the proposed changes to the water and sewerage section (and at this point not fully understanding what this reform may bring with regards to council's revenue/cash flows, etc.) believe it is an opportune time to investigate what other means of raising revenue outside the general rate may be available to the Council.

Some examples may be:

- Are there further opportunities with the proposed redevelopment of the Showground and wharf areas?
- Do we receive an adequate return from the land and building assets that we own?
- Should we be considering the installation of gas reticulation within our municipal area, with the Council being the retailer?"

The Director Corporate & Community Services reported as follows:

"PURPOSE

This report considers a motion on notice from Cr Downie proposing that the Council provide in the 2008–2009 Estimates an amount of \$10,000 to allow a feasibility study to be conducted to ascertain how the Council could receive other forms of revenue outside the normal revenue stream; i.e. the general rate.

BACKGROUND

Crs Downie and Fuller's supporting comments provide background to their motion.

DISCUSSION

The Council needs to explore ways of increasing its revenue-raising capacity from 'other' sources outside rates and charges. The 2006-2007 Annual Report indicated that 57% of the Council's revenue was derived from rates and charges. The apparent global trend (using ABS data) sees local governments in Australia deriving increasing proportions of their total revenue from 'other' sources and decreasing proportions of their total revenue from rates and charges.

Two areas which will put pressure on the Council to increase revenue are;

- . financial sustainability, including 'renewals funding gap', defined as the gap between the depreciation expense on infrastructure assets and the level of capital funding provided by councils for infrastructure renewals, and the infrastructure funding backlog; and
- . water and sewerage reform.

Crs Downie and Fuller's motion allows the Council the opportunity to be pro-active and look at areas outside its traditional sources of raising revenue. If the motion is successful then the project would need to be scoped, and the Economic Development Planning Committee could become the Council's reference group to progress the study.

CONSULTATION

Consultation is not required at this stage.

IMPACT ON RESOURCES

Along with staff time, an amount of \$10,000 would be required in the 2008-2009 Estimates to allow for some external resources to help deliver the study.

CORPORATE COMPLIANCE

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

- . Provide effective leadership
- . Plan for and develop a sustainable community.

CONCLUSION

The motion is submitted for consideration."

Motion

Carried unanimously

The Mayor resumed the chair.

86/2008 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 February 2008 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 van Rooyen moved and Cr Haines 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

87/2008 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 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 February 2008 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 Deacon moved and Cr van Rooyen 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.

88/2008 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 February 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 12.02.2008 – Letter concerning street signage in Penguin.
- . Received 12.02.2008 – Letter concerning alternative Penguin Market parking.
- . Received 13.02.2008 – Letter concerning developing and implementing policies on Genetically Manipulated (GM) crops and foods.
- . Received 20.02.2008 – Letter concerning the closure of the public toilets located within the South Reibey Street Car Park.
- . Received 26.02.2008 – Letter concerning the closure of the public toilets located within the South Reibey Street Car Park.

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

Carried unanimously

89/2008 Common seal

The Director Corporate & Community Services reported as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 19 February to 17 March 2008 is submitted for the authority of the Council to be given. Use of the common seal must first be authorised by a resolution of the Council.”

The Administration Group Leader reported as follows:

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

■ 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

90/2008 Financial statements

The Director Corporate & Community Services reported as follows:

"The following principal financial statements of the Council for the period ended 29 February 2008 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 Deacon moved and Cr (J) Bonde seconded, "That the financial statements (copies being appended to and forming part of the minutes) be received."

Carried unanimously

91/2008 Accounts paid

The Director Corporate & Community Services reported as follows:

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

The Administration Group Leader reported as follows:

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

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

Carried unanimously

92/2008 Rate remissions

The Director Corporate & Community Services reported as follows:

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

PROPERTY NO. 101340.2020
PROPERTY ADDRESS 650 Penguin Road, Penguin
REMISSION \$402.76
REASON Property revalued following objection to general revaluation

PROPERTY NO. 101390.0730
PROPERTY ADDRESS 95 Queen Street, West Ulverstone
REMISSION \$215.99
REASON Property revalued following objection to general revaluation

PROPERTY NO. 101470.0800
PROPERTY ADDRESS 90 River Road, West Ulverstone
REMISSION \$118.86
REASON Property revalued following objection to general revaluation

PROPERTY NO. 101570.0400
PROPERTY ADDRESS 14 Spencer Place, Ulverstone
REMISSION \$65.68
REASON Property revalued following objection to general revaluation

PROPERTY NO. 403010.0200
PROPERTY ADDRESS 22 Anne Street, Heybridge
REMISSION \$485.67
REASON Property revalued as 18 Anne Street and 1 Cuprona Road adhered

PROPERTY NO. 403120.0320
PROPERTY ADDRESS 25 Coroneagh Street, Penguin
REMISSION \$98.16
REASON Property revalued following objection to general revaluation

PROPERTY NO. 403448.0020
PROPERTY ADDRESS 1 Oceanside Boulevard, Sulphur Creek

<i>REMISSION</i>	\$1,164.80
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	403398.0020
<i>PROPERTY ADDRESS</i>	19 Lyndale Road, Penguin
<i>REMISSION</i>	\$904.40
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	403420.2500
<i>PROPERTY ADDRESS</i>	196 Main Road, Penguin
<i>REMISSION</i>	\$138.84
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	504780.0060
<i>PROPERTY ADDRESS</i>	Harveys Road, North Motton
<i>REMISSION</i>	\$89.14
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	505320.0840
<i>PROPERTY ADDRESS</i>	Pine Road, Riana
<i>REMISSION</i>	\$211.14
<i>REASON</i>	Property revalued following objection to general revaluation
<i>PROPERTY NO.</i>	505890.0780
<i>PROPERTY ADDRESS</i>	Wilmot Road, Forth
<i>REMISSION</i>	\$267.44
<i>REASON</i>	Property revalued following objection to general revaluation.

Total to date of rates amended due to objections to revaluation – \$17,228.92”

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.”

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

- . Property No. 101340.2020 – \$402.76
- . Property No. 101390.0730 – \$215.99
- . Property No. 101470.0800 – \$118.86
- . Property No. 101570.0400 – \$65.68
- . Property No. 403010.0200 – \$485.67
- . Property No. 403120.0320 – \$98.16
- . Property No. 403448.0020 – \$1,164.80

- . Property No. 403398.0020 – \$904.40
- . Property No. 403420.2500 – \$138.84
- . Property No. 504780.0060 – \$89.14
- . Property No. 505320.0840 – \$211.14
- . Property No. 505890.0780 – \$267.44.”

Carried unanimously and by absolute majority

93/2008 Debtor remissions

The Director Corporate & Community Services reported as follows:

“The following debtor remission is proposed for the Council’s consideration:

<i>DEBTOR NO.</i>	8905
<i>PROPERTY ADDRESS</i>	590 Forth Road, Forth
<i>REMISSION</i>	\$561.00
<i>REASON</i>	Leaking water pipe running underground – as per Council policy (Minute No. 383/2003 – 13.10.2003).”

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

- . Debtor No. 8905 – \$561.00.”

Carried unanimously

94/2008 2008 Tour of Tasmania Road Cycling Classic – Sponsorship

The Director Corporate & Community Services reported as follows:

“PURPOSE

The purpose of this report is to consider a submission from Caribou Publications Pty Ltd for the Council to host a full day (two stages) of the 2008 Tour of Tasmania Road Cycling Classic.

BACKGROUND

On 19 March 2007 (Minute No. 111/2007) the Council agreed to contribute sponsorship of \$15,000 to secure hosting rights to two stages of the Tour of Tasmania 2007, and then to review its commitment to this event for the further two years after the completion of the 2007 Tour.

A proposition from Caribou Publications Pty Ltd inviting the Council to participate in the 2008 Tour of Tasmania Road Cycling Classic is attached.

DISCUSSION

The marketing benefits for Central Coast from the 2007 event included:

- international exposure of Central Coast as a host municipal area;
- acknowledgement as sponsor in tour literature, including Central Coast Council identification in the official race program;
- Central Coast Council acknowledgement on the Tour of Tasmania website (the website has 50,000 hits per day from visitors over 90 countries);
- photographic coverage on the website www.cyclingnews.com with picturesque views of Gunns Plains and Ulverstone and a great promotion for the Penguin business area;
- newspaper coverage in The Examiner, Mercury and Advocate;
- daily updates and information sent out to newspapers, radio stations and television stations interstate and internationally;
- Central Coast Council banners displayed at the Tour of Tasmania Media Launch; and
- tourism information bags were produced by the Ulverstone Visitor Information Centre and given to each of the participants at the Launch.

Economic benefits for the municipal area included at least two motels booked out with cyclists in Ulverstone and one apartment building in Penguin booked out for four days with cyclists. While the cyclists and their support teams were staying in our area over these four days there would have been spin-offs to other businesses including food outlets, etc.

The community also benefited through school promotions programs where riders made school visits to highlight the benefits of cycling, safety issues, healthy eating, etc. The Criterium, which was raced in the vicinity of the Central Primary School, enabled other schools along with Central Primary School to watch the event within the safety of the School grounds. This generated much interest amongst the students and created a vibrant atmosphere for the riders.

If the Council wishes to continue supporting the Tour then it is suggested that, apart from visits to schools, a promotional campaign also be held within the CBD area to lift the profile of the event to the community.

In 2007 the Burnie and Devonport Councils each had a team racing in the tour in its own name and colours. This assisted in further raising the profile of these communities. As the Criterium route is in the direct vicinity of Simplot the Mayor

and I approached Simplot with the view of sponsoring a Central Coast–Simplot team. Simplot has advised that it is prepared to enter into a team sponsorship as naming–rights sponsor at a cost of \$5,000.

It is recommended that the Council host two stages of the Tour on Wednesday, 1 October and also enter a Central Coast–Simplot team in the Tour with the sponsorship contribution made by Simplot.

CONSULTATION

Some consultation has occurred to ascertain whether there was an economic benefit to businesses in the Central Coast area.

IMPACT ON RESOURCES

The recommendation has an impact on resources and would require funding through the Estimates process. The Council would contribute \$15,000, with Simplot contributing \$5,000.

CORPORATE COMPLIANCE

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

- . Promote events and major festivals and build our cultural identity
- . Foster partnerships and strategic alliances.

CONCLUSION

It is recommended that the Council host two stages of the Tour on Wednesday, 1 October and also enter a Central Coast–Simplot team in the Tour with the sponsorship contribution made by Simplot.”

The Administration Group Leader reported as follows:

“A copy of the Caribou Publications proposition has been circulated to all Councillors.”

- Cr Haines moved and Cr McKenna seconded, “That the Council host two stages of the Tour of Tasmania Road Cycling Classic on 1 October 2008 and also enter a Central Coast–Simplot team in the Tour with the sponsorship contribution made by Simplot.”

Carried unanimously

ASSETS & ENGINEERING

95/2008 Assets & Engineering determinations

The Director Assets & Engineering reported as follows:

“A Schedule of Assets & Engineering Determinations made during the months of December 2007 to February 2008 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 Fuller moved and Cr (J) Bonde seconded, “That the Schedule of Assets & Engineering Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

96/2008 Tenders for truck – F406

The Director Assets & Engineering reported as follows:

PURPOSE

The purpose of this report is to consider tenders received for truck number F406.

BACKGROUND

The Fleet Management Officer reported as follows.

‘Tenders were called on 4 February and closed on 19 February 2008.

Tenders were received as follows:

TENDERER	MAKE	GROSS PRICE \$ (Exc. GST)	TRADE-IN PRICE \$ (Exc. GST)	NETT PRICE \$ (Exc. GST)
CJD Equipment P/L	Fuso Fighter FM65FH1	101,990.00	27,536.36	74,453.64

Table continued

CJD Equipment P/L	Fuso Fighter FM65FH2	107,400.00	27,536.36	79,863.64
Co-Operative Motors	Hino 500 Series GH1JJKG9 (Spring)	99,290.00	16,818.18	82,471.82
Co-Operative Motors	Hino 500 Series GH1JJKG9 (Air)	101,910.00	16,818.18	85,091.82
Motors Trucks P/L	Isuzu FVR 1000	106,562.73	0.00	106,562.73
Brigold P/L	<i>Purchase only</i>		16,692.73	
A-K Kerbing & Contracting	<i>Purchase only</i>		11,000.00	
<i>ESTIMATE</i>		<i>100,000.00</i>	<i>10,000.00</i>	<i>90,000.00</i>

DISCUSSION

The Council fleet currently operates units equivalent or similar to those that have been offered. All of those have a good operating history and none have exhibited any performance or safety-related issues.

Consultation with the Capital Works Supervisor and the current unit operator concluded that both the Fuso Fighter FM65FH2 and Hino Series 500 GH1 (Spring) offered similar specifications and were confirmed as being the most suitable of the units offered for the intended duties in roadworks.

The operator inspected both of the units offered and expressed a preference for the option of the Fuso Fighter FM65FH2. The Capital Works Supervisor confirmed that selection.

CONSULTATION

This item has followed a public tendering process and consultation has been undertaken with the tenderers and operators in respect to options and safety aspects.

IMPACT ON RESOURCES

The preferred option can be accommodated within the Plant Replacement Estimates.

CORPORATE COMPLIANCE

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

- . 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:

- 1 Accept the tender from CJD Equipment Pty Ltd for plant item F406, being a Mitsubishi Fuso Fighter FH65FH2RFAE in the amount of \$118,140.00 (including GST); and
- 2 Accept the trade-in offer from CJD Equipment Pty Ltd for plant item F406, being an Isuzu FVR13HA in the amount of \$30,290.00 (including GST).'

The Fleet Management Officer's report is supported."

■ Cr Robertson moved and Cr Mckenna seconded, "That:

- 1 the tender from CJD Equipment Pty Ltd for plant item F406, being a Mitsubishi Fuso Fighter FH65FH2RFAE in the amount of \$118,140.00 (including GST), be accepted; and
- 2 the trade-in offer from CJD Equipment Pty Ltd for plant item F406, being an Isuzu FVRA3HA in the amount of \$30,290.00 (including GST), be accepted."

Carried unanimously

CLOSURE OF MEETING TO THE PUBLIC

Cr Barker left the meeting at this stage.

97/2008 Meeting closed to the public

The Administration Group Leader 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;
- . Future of the Devonport Airport; and
- . Carparking in Penguin – Feasibility investigation.

These are matters relating to:

- . information provided to the Council on the condition it is kept confidential; and
- . proposals for the Council to acquire land or an interest in the land.

A suggested resolution is submitted for consideration.”

■ Cr Robertson moved and Cr Dry 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; and
- . proposals for the Council to acquire land or an interest in the 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;
- . Future of the Devonport Airport; and

-
- Carparking in Penguin – Feasibility investigation.”

Carried unanimously and by absolute majority

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 Barker returned to the meeting at this stage.

GENERAL MANAGEMENT

98/2008 Minutes and notes of other organisations and committees of the Council

The Administration Group Leader 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.”

99/2008 Future of the Devonport Airport

The Administration Group Leader reported (reproduced in part) as follows:

“To invite the Council to consider a request to provide written ‘in principle’ conditional support for a consortium of mainly local business people to enter into a period of due diligence with exclusivity regarding sale of the Devonport Airport:

...

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.”

ASSETS & ENGINEERING

100/2008 Feasibility investigation – Purchase, demolition and carpark construction – 4 Arnold Street, Penguin

The Administration Group Leader reported (reproduced in part) as follows:

“To invite the Council to examine the feasibility of purchasing 4 Arnold Street, Penguin and transforming the property into a Council carpark:

...

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.”

Closure

There being no further business, the Mayor declared the meeting closed at 10.50pm.

CONFIRMED THIS 21ST DAY OF APRIL, 2008.

Chairperson

(cvv:dil)

Appendices

- Minute No. 80/2008 – Schedule of Development Services Determinations
- Minute No. 86/2008 – Schedule of Corporate & Community Services Determinations Made Under Delegation
- Minute No. 87/2008 – Schedule of Contracts & Agreements
- Minute No. 89/2008 – Schedule of Documents for Affixing of the Common Seal
- Minute No. 90/2008 – Financial statements
- Minute No. 91/2008 – Schedule of Accounts Paid
- Minute No. 95/2008 – Schedule of Assets & Engineering 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.

Katherine Schaefer
GENERAL MANAGER