



# Minutes

of an Ordinary Meeting  
held at 6.00pm

21 March 2011

Note:  
Minutes subject to confirmation at  
a meeting of the Council to be held on  
18 April 2011

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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, 21 March 2011 commencing at 6.00pm.**

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**Councillors attendance**

Cr Jan Bonde (Mayor)	Cr Tony van Rooyen (Deputy Mayor)
Cr Lionel Bonde	Cr Garry Carpenter
Cr John Deacon	Cr Amanda Diprose
Cr David Dry	Cr Cheryl Fuller
Cr Ken Haines	Cr Gerry Howard
Cr Brian Robertson	Cr Philip Viney

**Employees attendance**

General Manager (Ms Sandra Ayton)  
Director Corporate & Community Services (Mr Cor Vander Vlist)  
Director Development & Regulatory Services (Mr Michael Stretton)  
Director Engineering Services (Mr Bevin Eberhardt)  
Executive Services Officer (Miss Lisa Mackrill)  
Land Use Planning Group leader (Mr Ian Sansom)

**Media attendance**

The media was not represented.

**Public attendance**

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

**Prayer**

The meeting opened in Prayer.

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## CONFIRMATION OF MINUTES OF THE COUNCIL

### 64/2011 Confirmation of minutes

The Executive Services Officer reported as follows:

“The minutes of the previous ordinary meeting of the Council held on 21 February 2011 have already been circulated. The minutes are required to be confirmed for their accuracy.

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

- Cr Robertson moved and Cr Deacon seconded, “That the minutes of the previous ordinary meeting of the Council held on 21 February 2011 be confirmed.”

Carried unanimously

## COUNCIL WORKSHOPS

### 65/2011 Council workshops

The Executive Services Officer reported as follows:

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

- . 28.02.2011 – Planning for key actions for the 2011–12 Estimates
- . 07.03.2011 – Bureau of Meteorology re expanded weather forecasting in 2011/Leven River bridge and Anzac Park
- . 15.03.2011 – Coastal Pathways presentation/Cat management legislation/Forth Local Area Plan

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

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

Carried unanimously

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## MAYOR'S COMMUNICATIONS

### 66/2011 Mayor's communications

The Mayor reported as follows:

"I have no communications at this time."

### 67/2011 Mayor's diary

The Mayor reported as follows:

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

- . Ulverstone Proclamation Sesqui-Centenary Celebration – Ulverstone History Museum
- . Central Coast Community Safety Partnership Committee – meeting
- . Debrief with various agencies re flood
- . Thank you barbecue with Council staff, Army and contractors re flood recovery
- . Cradle Coast Authority – Representatives meeting (along with Deputy Mayor)
- . Ulverstone Soccer Club 50<sup>th</sup> birthday celebrations
- . Organic and Sustainable Living Festival – opening
- . Stories from the North West Food Bowl Exhibition – opening (UTAS Cradle Coast Campus)
- . Paul O'Halloran MP – new electoral office official opening
- . Penguin History Group – visit
- . Select Committee Tasmanian Water and Sewerage Corporations – hearing (Devonport Entertainment Centre)
- . Pancake Toss (Pancake Day) – Penguin Uniting Church
- . International Women's Day interactive morning tea with ABC host Geraldine Doogue
- . Miles Hampton (Tasmanian Water & Sewerage Corporations) – meeting."

Cr van Rooyen reported as follows:

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

- . Funeral for the late Maurice Hill OAM (former Deputy Mayor of Devonport City Council)."

Cr Deacon reported as follows:

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

- . Darwin Football Association – Season launch.”

- Cr Deacon moved and Cr Diprose seconded, “That the Mayor’s, Cr van Rooyen’s and Cr Deacon’s reports be received.”

Carried unanimously

### **68/2011 Pecuniary interest declarations**

The Mayor reported as follows:

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

The Executive Services Officer 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.”

### **69/2011 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).”

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## COUNCILLOR REPORTS

### 70/2011 Councillor reports

The Executive Services Officer 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 Carpenter reported on a meeting of the Gunns Plains Community Centre Committee.

Cr Fuller reported on the Clean-up Australia Day event organised by the Youth Making a Difference Group (combined Penguin Leo Club and Enormity youth groups).

Cr Howard reported on a meeting of the Riana Community Centre Committee and attendance at the Making Burnie 2030 Futures Conference.

## APPLICATIONS FOR LEAVE OF ABSENCE

### 71/2011 Leave of absence

The Executive Services Officer 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.”

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## DEPUTATIONS

### 72/2011 Deputations

The Executive Services Officer reported as follows:

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

## PETITIONS

### 73/2011 Petitions

The Executive Services Officer reported as follows:

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

## COUNCILLORS' QUESTIONS

### 74/2011 Councillors' questions without notice

The Executive Services Officer 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.



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- (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."

The allocation of topics ensued.

#### **75/2011 Councillors' questions on notice**

The Executive Services Officer reported as follows:

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

‘30 (1) A councillor, at least 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 & REGULATORY SERVICES

**76/2011 Development & Regulatory Services determinations**

The Director Development & Regulatory Services reported as follows:

“A Schedule of Development & Regulatory Services Determinations made during the month of February 2011 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reported as follows:

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

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

Carried unanimously

**77/2011 Public Open Space Contributions Policy**

The Director Development & Regulatory Services reported as follows:

*PURPOSE*

The purpose of this report is to consider the endorsement of the draft Public Open Space Contributions Policy. A copy of the draft Policy is appended to this report.

*BACKGROUND*

Public open space is public land (not necessarily owned by the Council) that is primarily open to the sky and has established recreational use or leisure benefits. Open space is not limited to green or natural areas, or those developed with facilities. It may include paved areas and forecourts. The *Local Government (Building and Miscellaneous Provisions) Act 1993* (the Act) defines public open space as ‘space for public recreation or public gardens or for similar purposes’.

The investment made by Central Coast in public open space is significant, with some 99 parks ranging from large passive recreation areas such as Fairway Park, Bicentennial Park, Hiscutt Park and Anzac Park to smaller 'pocket parks' within residential areas. These spaces need to be protected by good management and the Council achieves this through the Central Coast Parks and Open Space Service and Asset Management Plan (2009) and the Central Coast Open Space Plan (2009).

Each of Central Coast's towns, villages and rural areas have different characteristics and public open space requirements and these need to be considered when planning for their future development. In the planning of new residential areas both the Council and developers need to ensure the appropriate provision, location and design of public open space and recreation facilities.

When determining applications for subdivision of land, the Council has an obligation and the power under the Act in respect to public open space. The Act enables the Council to:

- . require a subdivider of land to provide to the Council up to 5% of the land being subdivided as public open space;
- . require public open space in excess of the 5% contribution as part of any subdivision proposal, subject to appropriate compensation;
- . require the subdivider to make a contribution of cash-in-lieu of 5% of the value of all new lots created;
- . refuse a plan of subdivision where it considers that it should be altered to include public open space and where it requires consideration of littoral and riparian reserves;
- . hold in trust, monies collected as cash-in-lieu contributions for public open space; and
- . use monies collected only for the acquisition or improvement of land for public open space for the benefit of inhabitants of the municipal area.

Improvement of land for public open space may include: landscaping, fencing and the provision of playground equipment, walking paths, car parking areas and toilet facilities.

On average the Council collects around \$30,000 in open space contributions from developers on an annual basis.

*DISCUSSION*

The draft Policy provides direction for the Council in the implementation of its powers and obligations in respect to public open space under the provisions of the Act. The Policy will specifically:

- (a) Provide a set of guidelines as to when the Council will request the provision of public open space contribution, whether through land or cash-in-lieu contributions, for subdivisions; and
- (b) Provide a set of guidelines for the use of funds held in trust for the acquisition or improvement of land for public open space.

One of the fundamental principles of the draft Policy is that irrespective of zoning, any residential subdivision of land will, or is likely to, increase the demand for provision of public open space in Central Coast and, therefore, it is appropriate that that every residential subdivision will be assessed in respect to the demand for an area of public open space and/or a cash-in-lieu contribution.

The taking of cash-in-lieu is to be the Council's preferred option for public open space contribution. The contribution will be as follows:

- . in the Residential Zone - 5% of the value of all new lots created; and
- . in the Low Density Residential, Rural Living or Mixed Use Zone - 3% of the value of all new lots created.

The public open space contribution will only be taken in land where:

- (a) the Council identifies that there is deficiency of public open space in the vicinity of the land being subdivided;
- (b) part of the land is suitable for public open space in terms of useable shape and area, topography, accessibility and safety for the public;
- (c) there is a need to provide linkages with other open spaces and/or contribute to recreational trails; or
- (d) it is required to preserve significant remnant habitat.

Where a land contribution is sought, developers must ensure that applications reflect the Council's needs and minimum criteria set out in the Central Coast Open Space Plan.

Monies collected by the Council as public open space contributions are accounted for separately to general revenue in a Public Open Space Reserve. Funds would be expended only for new or improvement work relating to public open space as opposed to ongoing maintenance of open space or the funding of non-open space infrastructure.

When making decisions on the expenditure of public open space funds the following guidelines will be adhered to:

- . expenditure must meet the community's future recreational and open space needs;
- . the distribution of public open space facilities must occur on an equitable basis across the broader community irrespective of where funds were collected;
- . any new public open space facilities which are established must:
  - . have the capacity to support a diversity of recreational activities;
  - . allow for safety and security for users and adjoining residents; and
  - . be appropriately suited (size, shape, gradient and location) for the intended use.

### *CONSULTATION*

The draft Policy has been developed by a cross-divisional team of Development & Regulatory Services and Engineering Services staff and has been subject to assessment and review by the Senior Management Team.

### *IMPACT ON RESOURCES*

A decision to endorse the draft Policy will have no direct impact upon Council resources. The Council has collected public open space cash-in-lieu contributions for a number of years and is an established element of the subdivision assessment process. The allocation of funds from the Public Open Space Reserve would have a significant benefit to upgrading the standard of infrastructure in Council parks. Any decision to expend funds will be undertaken as part of the Council's normal annual planning and budgeting processes.

### *CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2009-2014 includes the following strategies and key actions:

The Shape of the Place

- Conserve the physical environment in a way that ensures we have a healthy and attractive community
- Encourage a creative approach to new development

A Connected Central Coast

- Improve community wellbeing

The Environment and Sustainable Infrastructure

- Invest in and leverage opportunities from our natural environment
- Contribute to a safe and healthy environment
- Develop and manage sustainable built infrastructure
- Contribute to the preservation of the natural environment

Council Sustainability and Governance

- Strengthen local–regional connections

*CONCLUSION*

It is recommended that the Council endorse the draft Public Open Space Contributions Policy.”

The Executive Services Officer reported as follows:

“A copy of the draft Public Open Space Contributions Policy has been circulated to all councillors.”

■ Cr Fuller moved and Cr Diprose seconded, “That the Council endorse the Public Open Space Contributions Policy.”

Carried unanimously

**78/2011 Council acting as a planning authority**

The Mayor reported as follows:

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

The Director Development & Regulatory Services has submitted the following report:

‘If any such actions arise out of Minute No. 79/2011 they are to be dealt with by the Council acting as a planning authority under the *Land Use Planning and Approvals Act 1993*.’”

The Executive Services Officer reported as follows:

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

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

**79/2011 Business and professional services (change of use to an office) – Variation to car parking at 34 Alexandra Road, Ulverstone – Application No. DA210220**

The Director Development & Regulatory Services reported as follows:

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

<i>DEVELOPMENT APPLICATION NO.:</i>	DA210220
<i>APPLICANT:</i>	Julian Moore
<i>LOCATION:</i>	34 Alexandra Road, Ulverstone
<i>ZONING:</i>	Business
<i>PLANNING INSTRUMENT:</i>	Central Coast Planning Scheme 2005 (the Scheme)
<i>ADVERTISED:</i>	9 February 2011
<i>REPRESENTATIONS EXPIRY DATE:</i>	23 February 2011
<i>REPRESENTATIONS RECEIVED:</i>	None
<i>42-DAY EXPIRY DATE:</i>	16 March 2011 (extension granted to 28 March 2011)
<i>DECISION DUE:</i>	28 March 2011

*PURPOSE*

The purpose of this report is to consider an application for a change of use to the existing shop premises at 34 Alexandra Road, Ulverstone. The existing use is General retail and hire and the new use will be Business and professional services to enable the premises to be used for office space for health programs.



*BACKGROUND*

Annexure 1 is a copy of the application. Annexure 2 is a location plan.

The site was previously occupied by Ron Morton Blinds. The proposal is for consulting offices to be used for counselling and health promotion activities. These will include Aboriginal health services, an aged care co-ordinator and a community support officer. Once a month there will be a diabetes educator clinic and midwife consultations. These services are currently provided at the Cradle Coast Medical Centre opposite the premises. The offices involve internal alterations which are exempt under the Scheme.

A discretionary planning application was required on the basis that the proposal does not meet the permitted car parking standards detailed in the Scheme.

*DISCUSSION*

The following table is an assessment of the relevant Scheme provisions:

<i>CLAUSE</i>	<i>ASSESSMENT AND COMMENT</i>
2.0 Objectives for Planning 2.1(a)	Complies.  Proposal is an existing commercial activity located within the existing urban area.
12.1 Zone purpose	Complies.  To provide for the safety, comfort and enjoyment of workers, residents and visitors through the provision of good quality spaces and effective urban design.
12.2.1 Use table	Complies.  Business and professional services is a permitted use in the Business Zone.
12.4.3 Building design and siting	Not applicable.  Internal alterations are exempt under the Scheme.

DEVELOPMENT & REGULATORY SERVICES

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<p>12.4.4 Building access and services</p>	<p>Complies.</p> <p>The building is connected to all the required services: road, water, reticulated sewage, reticulated stormwater, telecommunications and electricity.</p> <p>There is an existing vehicular access over a right-of-way to the rear of the property.</p>
<p>12.4.5 Crime prevention</p>	<p>Complies.</p> <p>There is no change proposed to the existing front entrance of the existing shop. The existing entrance to the building is visible from Alexandra Road, the entrance area is visible from within the building, artificial street lighting illuminates the entrance at night.</p>
<p>12.4.6 Delivery areas</p>	<p>Not applicable.</p> <p>As detailed in the Commercial/Community Business Questionnaire, there will be no delivery vehicles visiting the site (see Annexure 3).</p>
<p>12.4.7 Refuse areas</p>	<p>Complies.</p> <p>The existing shop building has adequate internal refuse storage facilities.</p>
<p><i>RELEVANT SCHEDULES</i></p>	
<p>S11.0 Car parking</p>	<p>Does not comply.</p> <p>Under the Car Parking Schedule a Business and professional service use requires car parking spaces made up of one per employee plus three per 100m<sup>2</sup> of net floor area.</p> <p>The building has a floor area of 300m<sup>2</sup> and the number of staff proposed is four. Therefore the required car parking spaces for this development would be 13.</p>

	<p>The previous use, General retail and hire, would have required car parking spaces made up of one per employee plus seven per 100m<sup>2</sup> of net floor area.</p> <p>There is sufficient land at the rear of the building accessed by a right-of-way to provide some of the required car parking spaces.</p> <p>Supporting documentation provided by 4 Planning advises there is a capacity for seven spaces, but there is no supporting plan (see Annexure 4).</p> <p>Currently the staff and clients attend the Cradle Coast Medical Centre at 11 Alexandra Road. This development was approved with a variation to the car parking requirements in March 2009.</p> <p>This building will free up some floor area in the Medical Centre which would have the potential to increase the number of staff employed and consequently the parking demand.</p> <p>Staff employed in the building will be two social workers, one aged care co-ordinator and a community support officer. There will also be a diabetes educator clinic once a month and a midwife consulting one day per month. There will be one or two clients per day per social worker. There are other activities proposed and some of these will only be one to two times a year and then only at night-time.</p> <p>Although the full-time staff currently park across the road it would be feasible for them to park behind the consulting rooms. This would require four car parking spaces. The car park is accessed by a right-of-way which is in close proximity to a residential dwelling. Limiting car parking to four spaces would limit traffic movements passing the house and consequently the impact on the residential use. Clients would still use the Medical</p>
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	<p>Centre car parks and on-street car parking.</p> <p>Accordingly, it would be appropriate to require four staff parking spaces at the rear of 34 Alexandra Road, and for an exercise of discretion on the outstanding spaces.</p> <p>The relevant Performance Criteria of the Car Parking Schedule allows for a variation in the standard number of the car parking spaces where:</p> <ul style="list-style-type: none"><li>(i) there is no adverse effect on the streetscape;</li><li>(ii) the number or size of vehicles will not create a traffic hazard or create on-street parking congestion; and</li><li>(iii) there is no adverse impact on the amenity of the surrounding locality.</li></ul> <p>In this case it is considered that:</p> <ul style="list-style-type: none"><li>(a) there would be no adverse effect on the streetscape because there would be only a minimal increase in parking which can be accommodated by existing on-street parking and car parks in the area;</li><li>(b) the limited increase in traffic generated by the development and its after hours operation, is unlikely to cause any traffic hazard or congestion because there is sufficient parking in the area; and</li><li>(c) the impact on the amenity of the area is not likely to be adversely affected by the expected traffic volume. Also the amenity of the neighbour should be protected by limiting the number of parking spaces at the rear of the property to four.</li></ul>
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	<p>There is sufficient parking in the area which can accommodate the minor parking demand associated with this development. Therefore, there is no need to provide more customer/patient parking in the area and it is recommended that the Council waive nine of the required 13 car parking spaces.</p> <p>A cash-in-lieu payment for each space not provided may be required under S11.3.1(b). However, because the Council does not currently have a Parking Strategy or Policy, it is considered that there is insufficient basis to require a cash-in-lieu contribution for the parking shortfall.</p>
<p>Car park design and construction</p>	<p>Section 11.3.3 requires that parking spaces in the Business Zone must be paved with concrete, masonry blocks or bituminous seal and be graded, drained, kerbed and marked out.</p> <p>The applicant proposes to formalise the parking and access with a compacted gravel surface and drain it to a silt arrestor pit.</p> <p>The proposed surface treatment does not accord with the Acceptable Solution, and there are no Performance Criteria against which to assess a variation to the Acceptable Solution. However Section 4.3.3 of the Scheme allows for the use of the Objective of an Acceptable Solution to clarify its purpose. The Objective requires that "...car parks provide safe parking and are well designed and constructed...". In this case, the proper construction of a gravel car park would be consistent with that Objective. On this basis it is considered that the alternative surface treatment would be acceptable.</p>

*CONSULTATION*

In accordance with s.57(3) of the *Land Use Planning and Approvals Act 1993*:

- . a site notice was posted;
- . letters to adjoining owners were sent;
- . an advertisement was placed in the Public Notices section of The Advocate newspaper.

The application was referred to the Council's Planning and Assessment Team. Any relevant comments received from the Planning and Assessment Team are included in the recommendation of the application.

*REPRESENTATION*

There were no representations received after the required 14 days public scrutiny period.

*IMPACT ON RESOURCES*

This report has no impact on resources other than the usual resources in assessment of the application and preparation of a report. Additional resources required in the event of an appeal are unknown.

*CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2009–2014 includes the following strategies and key actions:

The Shape of the Place

- . Adopt an integrated approach to land use planning

The Environment and Sustainable Infrastructure

- . Contribute to a safe and healthy environment

The proposal is consistent with these strategies and key actions.

*CONCLUSION*

The proposed development adequately complies with the all the relevant development standards of the Scheme. A discretionary planning application was triggered on the basis that the development did not comply with permitted standards of the Scheme relating to car parking. In accordance with the above assessment and the nature of the proposal on the site which is in conjunction with the Medical Centre across the road, the discretion to

allow for a lesser number of car parking spaces is considered acceptable without a cash-in-lieu contribution.

*RECOMMENDATION*

It is recommended that the application is approved, with the conditions and notes listed below:

General

- 1 The development must be in accordance with the plans and information submitted as part of the application for the permit.
- 2 The provision of four car parking spaces on the site.
- 3 The car parking area to be appropriately surfaced and drained to the satisfaction of the Director Engineering Services.
- 4 The access, dimension and design of the car parking spaces must comply with the Australian Standard AS 2890.1-1993 Off Street Parking Part 1 – Car Parking Facilities.

Please note:

- A The permit expires two years from the date of issue unless the development has been substantially commenced. An extension of time to this period may be granted once only, but only if the request is received prior to the expiry of the specified time. Substantial commencement will be considered to be the lodgement of a building permit application.
- B Any works undertaken within the road reservation require a Road Reserve Permit to be issued prior to the commencement of construction. An application form can be obtained from the Engineering Services Department. A fee applies.
- C Any works associated with existing kerb and channel, footpaths, roads or existing Council services will be undertaken by the Council at the owner's/developer's/applicant's cost, unless alternative arrangements are approved by the Council.
- D Please contact the Council's Engineering Services Department if you wish to discuss or arrange any infrastructure work requirements.

- E Building and plumbing permits are required for the proposed development.'

The report is supported."

The Executive Services Officer reported as follows:

"A copy of the Annexures referred to in the Land Use Planning Group Leader's report have been circulated to all Councillors."

- Cr Deacon moved and Cr van Rooyen seconded, "That the proposal for a change of use from General retail and hire to Business and professional services at 34 Alexandra Road, Ulverstone be approved subject to the following conditions:

General

- 1 The development must be in accordance with the plans and information submitted as part of the application for the permit.
- 2 The provision of four car parking spaces on the site.
- 3 The car parking area to be appropriately surfaced and drained to the satisfaction of the Director Engineering Services.
- 4 The access, dimension and design of the car parking spaces must comply with the Australian Standard AS 2890.1-1993 Off Street Parking Part 1 - Car Parking Facilities.

Please note:

- A The permit expires two years from the date of issue unless the development has been substantially commenced. An extension of time to this period may be granted once only, but only if the request is received prior to the expiry of the specified time. Substantial commencement will be considered to be the lodgement of a building permit application.
- B Any works undertaken within the road reservation require a Road Reserve Permit to be issued prior to the commencement of construction. An application form can be obtained from the Engineering Services Department. A fee applies.
- C Any works associated with existing kerb and channel, footpaths, roads or existing Council services will be undertaken by the Council at the owner's/developer's/applicant's cost, unless alternative arrangements are approved by the Council.



## DEVELOPMENT & REGULATORY SERVICES

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- D Please contact the Council's Engineering Services Department if you wish to discuss or arrange any infrastructure work requirements.
- E Building and plumbing permits are required for the proposed development.”

Carried unanimously

GENERAL MANAGEMENT

**80/2011 Roadside crash markers**

■ Cr Fuller (having given notice) moved and Cr Diprose seconded, "That the Council direct the General Manager to arrange our participation in the Roadside Crash Marker Program."

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

"Roadside crash markers have been an issue for discussion at the Central Coast Community Safety Committee for some time.

The decision to proceed with the installation of these markers now rests with Council.

The Department of Transport for Tasmania's website [http://www.transport.tas.gov.au/safety/roadside\\_crash\\_markers#2](http://www.transport.tas.gov.au/safety/roadside_crash_markers#2) outlines the program as follows:

...The Aim of the Roadside Crash Marker Program

The Program aims to raise awareness of road trauma at the sites of fatal and serious injury crashes by reminding drivers of the constant risk of a crash.

What are Roadside Crash Markers?

Roadside crash markers are standard roadside guideposts placed adjacent to where a fatal or serious injury crash has occurred.

There are two types of Roadside Crash Marker posts:

Black Markers to identify the location of a fatal crash. These posts have a small red or white reflective cross. Fatality markers will be installed following consultation with next-of-kin family members.

Red markers to identify the location of a serious injury crash. These posts have a small red or white reflective dash. Serious injury markers are placed at the request of individuals and next-of-kin family members.

Other Information

. When notified, families will be given the opportunity to opt out of the program.

- . Markers will be placed for crashes, which have occurred in the past 3-year period.
- . Markers are only placed where the roadside environment permits (ie where guideposts exist).
- . Markers are designed as a road safety initiative and are not intended to be memorials.
- . For a crash where there is more than one fatality or serious injury, reflective crosses or strips can be applied to the marker post to represent each additional injury or fatality.
- . Markers will be removed after 5 years in order to keep the road safety message current and in recognition that the road environment, driver attitudes and vehicle safety can change over time.
- . Explanatory signs are erected on major roads to inform motorists of the program. ...'

Both the Devonport and Burnie municipalities participate in this program.

Central Coast should commence participation to:

- 1 Assist in the provision of a consistent road safety message on the North West Coast; and
- 2 Provide Central Coast families, or the families of those involved in a fatal or serious accident in our municipality, the opportunity to consent to the event being used as a reminder to other drivers of the 'constant risk of a crash'."

The General Manager reported as follows:

*"BACKGROUND*

The Community Safety Partnership Committee has considered this matter on several occasions since 7 May 2008. The view of the Committee, on the recommendation of the Road Safety Partnership Group (which consisted of the Road Safety Officer, Police and Council staff), was that the program not be adopted in the Central Coast municipal area. This was based on community feedback received at the time. The feedback indicated a more positive approach to road safety would be preferred.

*DISCUSSION*

The Community Safety Partnership Committee is an Advisory Committee but ultimately it is the Council's decision as to whether roadside crash markers are installed in Central Coast.

There are a number of views on whether roadside crash markers are a disincentive for the erection of shrines. In fact roadside crash markers could actually serve as a distraction for motorists on our roads.

The Department of Infrastructure, Energy and Resources (DIER) would provide all roadside crash markers to the Council if they wish to participate in the Roadside Crash Marker Program, but the installation and maintenance of the roadside crash markers would be the responsibility of the Council and must be conducted in accordance with the Tasmanian Code for Traffic Control at Worksites.

A copy of the Guidelines for Roadside Crash Markers sourced from the DIER is attached.

### *CONSULTATION*

Community feedback was sought when this program was investigated for adoption in Central Coast. The outcome of this consultation was that a more positive approach to road safety would be preferred.

### *IMPACT ON RESOURCES*

There would be an impact on resources as the Council would be responsible for the installation and maintenance of the roadside crash markers.

### *CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2009–2014 includes the following strategies and key actions:

- The Environment and Sustainable Infrastructure
  - Contribute to a safe and healthy environment
- Council Sustainability and Governance
  - Effective communication and engagement

### *CONCLUSION*

The motion on notice from Cr Fuller is submitted for consideration.”

Voting for the motion  
(7)  
Cr Carpenter  
Cr Diprose  
Cr Dry  
Cr Fuller  
Cr Haines  
Cr Howard  
Cr Viney

Voting against the motion  
(5)  
Cr (J) Bonde  
Cr (L) Bonde  
Cr Deacon  
Cr Robertson  
Cr van Rooyen

Motion

Carried

**81/2011 Public question time**

The time being 6.39pm, the Mayor introduced public question time.

Questions and replies concluded at 6.47pm.

**82/2011 Minutes and notes of committees of the Council and other organisations**

The General Manager reported as follows:

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

- Riana Community Centre Committee – annual general meeting and ordinary meeting held on 1 September 2010
- Forth Community Representatives Committee – meeting held on 10 February 2011
- Development Support Special Committee – meetings held on 14 February and 28 February 2011
- Penguin Miniature Railway Management Committee – meeting held on 22 February 2011
- Central Coast Community Safety Partnership Committee – meeting held on 23 February 2011
- Riana Community Centre Committee – meeting held on 23 February 2011
- Youth Engaged Steering Committee – meeting held on 24 February 2011.

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

- Cr Howard moved and Cr Viney seconded, "That the (non-confidential) minutes and notes of committees of the Council be received."

Carried unanimously

**83/2011      Schedule of Appointments to Statutory Bodies, Groups and Organisations, Council and Special Committees, Community Advisory Groups and Working Groups (349/2009 – 03.11.2009 and 379/2010 – 13.12.2010)**

The Executive Services Officer reported as follows:

*PURPOSE*

The purpose of this report is to consider an amendment to the Schedule of Appointments to Statutory Bodies, Groups and Organisations, Council and Special Committees, Community Advisory Groups and Working Groups and in particular to the appointment of a replacement for the role undertaken by Cr Cheryl Fuller on the Small Grants Panel.

*BACKGROUND*

Immediately following the Local Government Elections, the Council undertakes a review of its Schedule of Appointments. The Schedule, as intermittently amended since its last full review on 3 November 2009 (Minute No. 349/2009), currently provides appointment details for the Small Grants Panel as follows:

- . Cr Amanda Diprose
- . Cr Cheryl Fuller
- . Cr Gerry Howard
- . Two representatives of the Corporate & Community Services Department

Cr Fuller has recently advised that she no longer wishes to serve on the Small Grants Panel as she is involved with organisations which are considering submitting applications for grants. This would remove Cr Fuller from any conflict of interest.

Applications for small grants from community groups will be called for shortly and will be determined in May of this year.

*DISCUSSION*

The Council's practice of providing a governance/management structure based on a combination of Council meetings and delegations has proven to be substantially superior in efficiency and effectiveness as opposed to the management of business

through a Committee-based system. Committees are extremely resource hungry and inefficient in terms of day-to-day decision making and should only be created when all other alternative considerations have been exhausted and there is a clear need to do so.

Review of existing committees and appointments is ongoing and, should changes be required or warranted prior to the next Local Government elections, they are dealt with as they arise.

*CONSULTATION*

Consultation is not relevant to this report.

*IMPACT ON RESOURCES*

This is a governance matter. The Estimates provide for the governance operations of the Council.

*CORPORATE COMPLIANCE*

The *Local Government Act 1993* provides for the establishment of council committees and special committees.

The Central Coast Strategic Plan 2009–2014 includes the following strategies and key actions:

Council Sustainability and Governance

- . Improve corporate governance
- . Effective communication and engagement

*CONCLUSION*

That nominations be called for the replacement of Cr Cheryl Fuller on the Small Grants Panel.”

- Cr Carpenter moved and Cr Robertson seconded, “That the Schedule of Appointments to Statutory Bodies, Groups and Organisations, Council and Special Committees, Community Advisory Groups and Working Groups be and is hereby amended as follows:

- . Cr Viney replace Cr Cheryl Fuller on the Small Grants Panel.”

Carried unanimously

CORPORATE & COMMUNITY SERVICES

**84/2011 Corporate & Community Services determinations made under delegation**

The Director Corporate & Community Services reported as follows:

“A Schedule of Corporate & Community Services Determinations made during the month of February 2011 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reported as follows:

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

■ Cr Deacon moved and Cr Robertson seconded, “That the Schedule of Corporate & Community Services Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

**85/2011 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 2011 has been submitted by the General Manager to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reported as follows:

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

■ Cr Haines 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

**86/2011 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 2011 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:

- . Letter requesting consideration for the development of a precinct plan for the Johnsons Beach area in Penguin.

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

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

Carried unanimously

**87/2011 Common seal**

The Director Corporate & Community Services reported as follows:

"A Schedule of Documents for Affixing of the Common Seal for the period 22 February 2011 to 21 March 2011 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 Schedule also includes for information advice of final plans of subdivision sealed in accordance with approved delegation and responsibilities."

The Executive Services Officer reported as follows:

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

- Cr Viney moved and Cr Dry 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, and that the advice of final plans of subdivision sealed in accordance with approved delegation and responsibilities be received."

Carried unanimously

**88/2011 Financial statements**

The Director Corporate & Community Services reported as follows:

“The following principal financial statements of the Council for the period ended 28 February 2011 are submitted for consideration:

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

The Executive Services Officer reported as follows:

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

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

Carried unanimously

**89/2011 Rate remissions**

The Director Corporate & Community Services reported as follows:

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

<i>PROPERTY NO.</i>	505550.0260
<i>PROPERTY ADDRESS</i>	317 South Nietta Road, Nietta
<i>REMISSION</i>	\$569.62
<i>REASON</i>	Property has been revalued and new AAV provided by the Valuation Department

The Executive Services Officer 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 Diprose moved and Cr Robertson seconded, “That the following remission be approved:

- . Property No. 505550.0260 – \$569.62.”

Carried unanimously and by absolute majority

**90/2011 Special Event Place of Assembly Licence – Request to waive fees**

The Director Corporate & Community Services reported as follows:

*“PURPOSE*

The purpose of this report is to consider a request for the waiving of the fees relating to the running of the Forth Valley Blues Festival.

*BACKGROUND*

The Forth Valley Blues Festival Inc. has written asking if the Council would waive the various fees that relate to the running of the Forth Valley Blues Festival. These fees include ground hire fees, Place of Assembly Licence and Temporary Occupancy Permit.

*DISCUSSION*

The Council sets the fees and charges each year and any waiver of these fees requires a remission from the Council.

The Forth Valley Blues Festival is a very successful annual event that is run each year at the Forth Recreation Ground over a two day period on the third Saturday in March every year. The Council will, under the current list of fees and charges as set by the Council for 2010–11, charge a fee of \$250.00 for each of the two days of the festival making a total of \$500.00 for ground hire.

The fee charged by the Council to issue a Place of Assembly Licence for a special event is \$120.00. This is a fee that was introduced in the 2009–10 fees and charges that reflects earlier changes to the requirements that groups need to meet when holding a special event anywhere within the Central Coast area. In setting the fee it was established that the approximate cost to the Council in assessing applications for Temporary Place of Assembly Licences for special events is between \$133.00 and \$275.00 per event. In recognition of the public benefit of this service it was proposed not to cover the full cost of providing the service.

The cost of a Temporary Occupancy Permit in 2010–11 would have been \$230.00 based on the cost of undertaking the necessary assessment. It should be noted that the requirement for a Place of Assembly Licence and Temporary Occupancy Permit are not in fact the result of ‘increasing council regulation and fees’ but are in fact the result of statutory obligations imposed on the Council through building and health legislation.

The Council has a policy that groups and organisations that are classified as a charitable organisation and are either based in the Central Coast area or have strong Central Coast membership are eligible for a 50% rebate on fees charged for the hire of certain facilities. In the past the Council has believed that the value to the community of such events would warrant such a rebate.

There are a number of service clubs and not-for-profit organisations that run events that are currently free to all members of the Central Coast community. Events such as Christmas Parades, Christmas Carols and Playgroup in the Park are all events that benefit the community as a whole and are largely popular because they are freely available to any member of the public. The Council has chosen to offer a discount on the Temporary Occupancy Permit and the Place of Assembly Licence for special events held by not-for-profit organisations (either based in the Central Coast area or with strong Central Coast membership) that is free to the public.

The Council also chooses to only charge the minimum fee for the hire of the ground even though the impact on the ground and surrounds is significantly greater than the usual ground hire. The Council also does not charge for that area that is used for camping each year. The cost of maintaining the Council's Recreation Grounds is considerable, such that the community, through the Council, already subsidise the use of the Forth Recreation Ground in the amount of \$5.00 for every \$1.00 that is charged for the use of the ground.

*CONSULTATION*

This item has no effect in relation to consultation.

*IMPACT ON RESOURCES*

The waiver of fees for the Forth Valley Blues Festival would result in a reduction in income from fees and charges in the order of \$850.00.

*CORPORATE COMPLIANCE*

The Strategic Plan 2009–2014 includes the following objectives:

The Shape of the Place

- . Improve the value and use of open space

A Connected Central Coast

- . Connect the people with services
- . Improve community wellbeing

Community Capacity and Creativity

- . Community capacity–building
- . Cultivate a culture of creativity in the community

The Environment and Sustainable Infrastructure

- . Develop a manage sustainable built infrastructure

Council Sustainability and Governance

- . Improve service provision
- . Improve the Council’s financial capacity to sustainably meet community expectations.

*CONCLUSION*

The Council already has a policy that groups and organisations that are classified as a charitable organisation and are either based in the Central Coast area or have strong Central Coast membership are eligible for a 50% rebate on fees charged for the hire of certain facilities.

Additionally the Council has adopted a policy that groups and organisations who are classified as not–for–profit organisations and are either based in the Central Coast area or have strong Central Coast membership are eligible for a 50% rebate on all Licence/Certificate/Permit fees charged for special events, providing that the event is free to the public and held with the Central Coast area.

It is recommended that the Council advise the Forth Valley Blues Festival Inc. of the Council’s policy with regard to the hire of council facilities for special events held within the Central Coast area.”

The Executive Services Officer reported as follows:

“A copy of the letter from the Forth Valley Blues Festival Inc. has been circulated to all Councillors.”

■ Cr (L) Bonde moved and Cr Diprose seconded, “That the request from the Forth Valley Blues Festival Inc. to waive fees in respect of the running of the Forth Valley Blues Festival 2011 not be granted as it does not comply with the Council’s not–for–profit organisations fee policy, and further, the Forth Valley Blues Festival Inc. be advised that the Council grants groups and organisations who are classified as not–for–profit organisations and are either based in the Central Coast area or have strong Central Coast membership, a 50% rebate on all Licence/Certificate/Permit fees charged for special events providing that the event is free to the public and held within the Central Coast area.”

Carried unanimously

**91/2011 Use of the Council's roads for Targa Tasmania – 9 April 2011 (53/2011 – 21.02.2011)**

The Director Corporate & Community Services reported as follows:

“The Administrative/Cultural Officer has prepared the following report:

*PURPOSE*

The purpose of this report is to consider an additional closure and use of the Council's roads on 9 April 2011 for Targa Tasmania 2011.

*BACKGROUND*

At its meeting on 21 February 2011 the Council resolved (Minute No. 53/2011) as follows:

“That, subject to reassessment of the road conditions prior to the event, no objection be offered to the requested road closures of the ‘Riana’ stage for Targa Tasmania 2011, and also subject to Targa Tasmania:

- 1 maintaining its standard organisational arrangements;
- 2 following this approval having been given by the Council, undertaking public notification of the event by a minimum of two advertisements in a daily newspaper circulating in the municipal area in the weeks immediately preceding the event;
- 3 meeting the cost of the Council reinstating any damage to any roads used for the Rally;
- 4 arranging same-day repair of any fences damaged during the Rally; and
- 5 that Targa Tasmania be advised that the Council's roads are currently to a standard applicable to normal rural traffic only and are maintained accordingly.”

Subsequent to that motion the Council has received the following correspondence from the Sporting Director, Octagon, which reads as follows:

“Further to our ongoing discussions with council's Engineering Group Leader, I wish to make further application to council seeking road closure approval for the Gunns Plains (Short) Targa Stage in 2011.

It is proposed that a shortened course design of the nineteen year traditional Gunns Plains Targa Stage be run in 2011, which would see damaged sections of the road ways avoided.

SATURDAY 9 APRIL 2011

'GUNNS PLAINS'	08:21 – 13:21
ROAD CLOSED:	BETWEEN FOLLOWING ROADS:
Preston Castra Road	Central Castra Road and Preston Road
Preston Road	Preston Castra Road Raymond Road

Also, Targa Tasmania wishes to vary the previously approved road closure time for the Riana Targa Stage to 8:39 – 13:39, to ensure roadworks found on the current route can be travelled over at the appropriate speed.

Targa Tasmania wishes to advise that due to the proximity of time to the event, standard organisational and public notification processes are currently taking place in anticipation of councils support of these proposals.

Targa Tasmania also wishes to confirm its desire to work with council in line with Clr Carpenter's request to develop a driver training initiative within the local community including local schools.

I thank you in anticipation and should you require further information please to not hesitate to contact me."

#### *DISCUSSION*

The requested change in road closures in Central Coast are on Saturday, 9 April 2011 as follows:

- . Preston–Castra Road – from Central Castra Road to Preston Road;
- . Preston Road – from Preston–Castra Road to Raymond Road;

from 8.21am to 1.21pm; and a variation of the Riana stage in time to 8.39 am to 1.39 pm

The proposed non-competition uses do not require approval. Closure to the public only applies to competition stages.

The Engineering Group Leader advised previously that, due to the recent flood damage in the Gunns Plains area, the roads requested for that stage are not to a suitable standard, and that Octagon has been notified of this. Following the advice by the Council of the outcome of the February Council

meeting, discussions between Octagon and the Engineering Group Leader have led to an agreement that the section of Preston–Castra Road, between Isandula Road (detour) and Preston Road, and Preston Road between Preston–Castra Road and Raymond Road (as per the diagram attached) would not present any issues from an engineering perspective.

*CONSULTATION*

The Sporting Director has advised that the notifications requested by the Council have been previously implemented.

No representations about the event were received by the Council following Octagon’s mail-out to affected residents.

*CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2009–2014 includes the following strategies and key actions:

The Shape of the Place

- Conserve the physical environment in a way that ensures we have a healthy and attractive community

A Connected Central Coast

- Improve community wellbeing

Community Capacity and Creativity

- Cultivate a culture of creativity in the community

The Environment and Sustainable Infrastructure

- Contribute to a safe and healthy environment
- Contribute to the preservation of the natural environment

*CONCLUSION*

It is recommended that, subject to a reassessment of the road conditions prior to the event, no objection be offered to the additional requested road closures for the ‘Gunns Plains’ stage of Targa Tasmania 2011, and also subject to Targa Tasmania:

- 1 maintaining its standard organisational arrangements;
- 2 following this approval having been given by the Council, undertaking public notification of the event by a minimum of two advertisements



- in a daily newspaper circulating in the municipal area in the weeks immediately preceding the event;
- 3 meeting the cost of the Council reinstating any damage to any of the roads used for the Rally;
  - 4 arranging same-day repairs of any fences damaged during the Rally; and
  - 5 and that Targa Tasmania be advised that the Council's roads are currently to a standard applicable to normal rural traffic only and are maintained accordingly.'

The report is supported."

The Executive Services Officer reported as follows:

"Copies of the promoter's supporting information have been circulated to all Councillors."

■ Cr Howard moved and Cr Fuller seconded, "That, subject to reassessment of the road conditions prior to the event, no objection be offered to the requested road closures of the 'Gunns Plains' stage for Targa Tasmania 2011, and also subject to Targa Tasmania:

- 1 maintaining its standard organisational arrangements;
- 2 following this approval having been given by the Council, undertaking public notification of the event by a minimum of two advertisements in a daily newspaper circulating in the municipal area in the weeks immediately preceding the event ;
- 3 meeting the cost of the Council reinstating any damage to any roads used for the Rally;
- 4 arranging same-day repair of any fences damaged during the Rally; and
- 5 that Targa Tasmania be advised that the Council's roads are currently to a standard applicable to normal rural traffic only and are maintained accordingly."

Carried unanimously

ENGINEERING SERVICES

**92/2011 Adoption of Integrated Natural Resource Management Plan**

The Director Engineering Services reported as follows:

*"PURPOSE*

The purpose of this report is to consider the adoption by the Council of an Integrated Natural Resource Management Plan (INRMP). A copy of the INRMP is appended to this report.

*BACKGROUND*

The Asset Management Group Leader reports as follows:

'The Central Coast Council has a commitment through its Strategic Plan 2009–14 to provide a natural resource management capacity and to develop an INRMP to promote the sustainable use of natural resources under the jurisdiction and control of the Council.

This includes land owned by the Council and land owned by the Crown leased or licenced to the Council, but does not include private land.

The INRMP provides a document that brings together all aspects and processes for the use and conservation of our natural resources.

*DISCUSSION*

Natural resource management is the management of all activities that use, develop and/or conserve our air, water, land flora, fauna and the systems they form.

The INRMP brings together the various aspects of natural resource management and will provide an overview of the way natural resource management is carried out within the Central Coast area.

*CONSULTATION*

Consultation has been undertaken in conjunction with staff in the Engineering Services Department and the Senior Management Team.

*IMPACT ON RESOURCES*

There is no immediate impact on resources; however there will be longer term maintenance that will need to be accommodated within future budgets.

*CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2009–2014 includes the following strategies and key actions:

The Shape of the Place

- . Improve the value and use of open space
- . Conserve the physical environment in a way that ensure we have a healthy and attractive community

A Connected Central Coast

- . Provide for a diverse range of movement patterns

Community Capacity and Creativity

- . Community capacity–building

The Environment and Sustainable Infrastructure

- . Invest in and leverage opportunities from our natural environment
- . Contribute to the preservation of the natural environment

Council Sustainability and Governance

- . Improve corporate governance
- . Strengthen local–regional connections

*CONCLUSION*

It is recommended that the Integrated Natural Resource Management Plan be adopted.’

The Asset Management Group Leader’s report is supported.”

The Executive Services Officer reported as follows:

“A copy of the Integrated Natural Resource Management Plan has been circulated to all Councillors.”

■ Cr Fuller moved and Cr Howard seconded, “That the Integrated Natural Resource Management Plan (a copy being appended to and forming part of the minutes) be adopted.”

Carried unanimously

- Cr Fuller moved and Cr (L) Bonde seconded, "That the Council write to Brian Wightman MP, Minister for Environment, Parks and Heritage, supporting a request for ongoing funding for the Tasmanian Landcare Association."

Carried unanimously

### **93/2011      Opening of various streets/roads**

The Director Engineering Services reported as follows:

"It is necessary to formally resolve that the Council intends to 'open', after the expiration of 28 days, the following streets/roads which have been constructed in new subdivisions:

- Explorer Drive, Turners Beach (Stubbs Road end);
- Christina Court, Turners Beach;
- Explorer Drive, Turners Beach (Forth Road end);
- Charlene Court, Turners Beach;
- Midway Lane (extension), Sulphur Creek."

The Executive Services Officer reported as follows:

"Plans of Explorer Drive, Turners Beach (Stubbs Road end); Christina Court, Turners Beach; Explorer Drive, Turners Beach (Forth Road end); Charlene Court, Turners Beach and Midway Lane, Sulphur Creek have been circulated to all Councillors."

- Cr (L) Bonde moved and Cr Viney seconded, "That, having given notice in accordance with the *Local Government (Highways) Act 1982*, the Council open as a highway Explorer Drive, Turners Beach (Stubbs Road end); Christina Court, Turners Beach; Explorer Driver, Turners Beach (Forth Road end); Charlene Court, Turners Beach and Midway Lane, Sulphur Creek (plans of the streets/roads being appended to and forming part of the minutes)."

Carried unanimously

### **94/2011      Various streets/roads – Certificate of completion**

The Director Engineering Services reported as follows:

"It is necessary for the Council to certify that the following streets/roads have been constructed substantially in accordance with the plans and specifications approved by the Council:

- Explorer Drive, Turners Beach (Stubbs Road end);

- . Christina Court, Turners Beach;
- . Explorer Drive, Turners Beach (Forth Road end);
- . Charlene Court, Turners Beach;
- . Midway Lane (extension), Sulphur Creek.”

The Executive Services Officer reported as follows:

“Plans of Explorer Drive, Turners Beach (Stubbs Road end); Christina Court, Turners Beach; Explorer Drive, Turners Beach (Forth Road end); Charlene Court, Turners Beach and Midway Lane, Sulphur Creek have been circulated to all Councillors.”

■ Cr Robertson moved and Cr Viney seconded, “That the Council certify under the hand of the Corporation’s engineer that Explorer Drive, Turners Beach (Stubbs Road end); Christina Court, Turners Beach; Explorer Drive, Turners Beach (Forth Road end); Charlene Court, Turners Beach and Midway Lane, Sulphur Creek (plans of the streets/roads being appended to and forming part of the minutes) have been constructed substantially in accordance with the plans and specifications approved by the Council.”

Carried unanimously

**95/2011 Budget reallocations for the year ending 30 June 2011 (205/2010 – 28.06.2010)**

The Director Engineering Services reported as follows:

*“PURPOSE*

This report considers the deferral of minor projects and reallocation of budgets to balance the expenditure required to complete the safety improvements to Alexandra Road.

*BACKGROUND*

The Engineering Group Leader reports as follows.

‘Preliminary budgets were presented to the Council at a workshop on 31 May 2010 and for approval at the Special Council meeting on 28 June 2010 (Minute No. 205/2010).

The project for Alexandra Road was approved and is to be jointly funded by the Department of Infrastructure, Energy and Resource’s (DIER) Safer Travel Speeds in Shared Urban Spaces (STISUS) program.

An increase of \$91,000 to the current budget of \$325,000 is required to complete the works. The increase is associated with the final detail design and additional works required for services and wet weather delays.

*DISCUSSION*

Proposed changes are as follows:

*Urban Sealed –*

Blackburn Drive – Reduce from \$10,000 to \$0

Queen Street crossing – Reduce from \$20,000 to \$0

Alexandra Road – Increase from \$325,000 to \$416,000

*Footpaths –*

Amy Street – Reduce from \$15,000 to \$0

Leven River bridge footpaths – Reduce from \$131,000 to \$110,000

Forth Road – Reduce from \$25,000 to \$0.

These projects have been selected as much of the Council's works resources have been reallocated to flood rectification for the remainder of the year and these projects are not critical to complete this financial year.

Blackburn Drive is still in the process of being designed and discussions have commenced with the operator of The Berry Patch on potential for a shared solution to the "hooning" problem in the area.

The Queen Street crossing is still to be submitted to DIER for approval and will require Aurora infrastructure to be altered. This process will take at least eight weeks and there is an alternative available at the Alice Street intersection.

The design for the section of Amy Street footpath has been completed. Difficulties with steep driveways will require additional funding which will be considered in the 2011–12 Estimates process.

Leven River bridge footpath funding has been partially allocated to this project with the balance to be carried forward for the footpath construction next year. At this stage DIER has agreed to fund the footpath works as part of the Leven River bridge project and the Council is to reimburse DIER next financial year.

The Forth Road footpath is currently a sealed footpath but is to be renewed and extended. As it is still functional it is deemed acceptable to delay and reconsider in the 2011–12 Estimates process.

*CONSULTATION*

The projects have been selected following consultation between the Engineering Group Leader, Works Group Leader and Director Engineering Services.

*IMPACT ON RESOURCES*

The impact of the changes is shown on the revised schedule attached at Annexure 1.

The Council's current design and works resources have been considered when determining this recommendation.

*CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2009–2014 includes the following strategies and key actions:

A Connected Central Coast

- . Provide for a diverse range of movement patterns
- . Connect the people with services

The Environment and Sustainable Infrastructure

- . Develop and manage sustainable built infrastructure

*CONCLUSION*

It is recommended the following proposed budget reallocations for capital funding be accepted and approved by the Council:

*Urban Sealed –*

- Blackburn Drive – Reduce from \$10,000 to \$0
- Queen Street crossing – Reduce from \$20,000 to \$0
- Alexandra Road – Increase from \$325,000 to \$416,000.'

*Footpaths –*

- Amy Street – Reduce from \$15,000 to \$0
- Leven River bridge footpaths – Reduce from \$131,000 to \$110,000
- Forth Road – Reduce from \$25,000 to \$0.'

The Engineering Group Leader's report is supported."

The Executive Services Officer reported as follows:

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

- Cr Deacon moved and Cr Robertson seconded, “That the capital budget reallocations of:

*Urban Sealed –*

Blackburn Drive – Reduce from \$10,000 to \$0

Queen Street crossing – Reduce from \$20,000 to \$0

Alexandra Road – Increase from \$325,000 to \$416,000

*Footpaths*

Amy Street – Reduce from \$15,000 to \$0

Leven River bridge footpaths – Reduce from \$131,000 to \$110,000

Forth Road – Reduce from \$25,000 to \$0

for the 2010–11 financial year be accepted and approved.”

Carried unanimously

**96/2011      Tenders for Gawler River bridge – Bellchambers Road, Gawler (49/2011 – 21.02.2011)**

The Director Engineering Services reported as follows:

*“PURPOSE*

The purpose of this report is to make recommendation on tenders received for the replacement of the previous bridge over the Gawler River at Bellchambers Road, Gawler. This bridge is one of four timber bridges washed away in the January 2011 floods.

*BACKGROUND*

The Engineering Group Leader reports as follows.

‘Design and construct tenders were called for the above bridge replacement on 5 February 2011, closing at 2.00pm on 2 March 2011. A minimum conforming standard was outlined, along with general evaluation criteria for improved structures.

Due to the significant damage to timber bridges in the floods, compared to concrete bridges the option of a timber bridge is not considered a long-term solution.



*DISCUSSION*

Tenders were received as follows (including GST and \$25,000 contingency):

TENDERER	PRICE \$
TasSpan Pty Ltd	356,142.00
VEC Civil Engineering Pty Ltd	376,511.60
Hazell Bros Group Pty Ltd	463,119.28
<i>ESTIMATE</i>	<i>300,000.00</i>

*Hazell Bros Group Pty Ltd -*

- . Single span, 19.2m overall.
- . Replaced in the same location as previous.
- . Single lane - 4.5m between barriers.
- . Superstructure - Precast concrete plank.
- . Substructure - Steel pile and concrete construction.
- . W-beam guardrail on bridge with w-beam guardrail on approaches.
- . Roadworks at both ends to match into existing.
- . Dry rock armour.
- . Lifespan 100 years.

*TasSpan Pty Ltd -*

- . Single span, 19.5m overall.
- . Replaced in the same location as existing.
- . Single lane - 4.5m between barriers.
- . Superstructure - Precast concrete tee-beams.
- . Substructure - Steel pile and concrete construction.
- . W-beam guardrail on bridge with w-beam guardrail on approaches.
- . Roadworks at both ends to match into existing.
- . Concrete abutment to invert, one end only.
- . Concrete wingwalls.
- . Lifespan 100 years.

*VEC Civil Engineering Pty Ltd -*

- . Single span, 18.0m overall.
- . Replaced in the same location as existing.
- . Single lane - 4.3m between barriers.
- . Superstructure - Precast concrete tee beams.

- . Substructure – Steel pile and concrete construction.
- . W-beam guardrail on bridge with w-beam guardrail on approaches.
- . Roadworks at both ends to match into existing.
- . Concrete abutments to invert.
- . Concrete wingwalls.
- . Lifespan 100 years.

The preferred option for any bridge replacement is with a permanent concrete structure as there are low lifecycle and maintenance costs. All tenderers provided concrete permanent options.

The three tenderers are recognised as being competent to perform the works and their structures conform to relevant standards.

All designs are similar in that they propose a structural concrete deck sitting on concrete abutments over steel piles. Standard w-beam railing is proposed on all three.

The Council asked that particular attention be paid to scour protection around abutments and piers. Recent floods identified shortcomings in dry rock armour with numerous bridges being damaged in this area. Both VEC Civil Engineering and TasSpan have addressed this by using concrete abutments and wingwalls. Hazell Bros Group has specified dry rock armour.

The Council uses a weighted tender assessment method based on:

- . compliance with tender documents;
- . experience;
- . personnel;
- . construction period;
- . OHWS system and record;
- . tender price/value for money.

Tenderers were notified that extra weighting would be placed on the construction period given the urgency of these works. Preferable schedules were presented by Hazell Bros Group and VEC Civil Engineering indicating June 2011 and July 2011 finish dates respectively, with TasSpan indicating a November 2011 finish date.

VEC Civil Engineering achieved the highest rating based on this method.

### *CONSULTATION*

This item has followed a public tendering process.

Local consultation and public notice will be provided at the time of construction.

*IMPACT ON RESOURCES*

The unscheduled replacement of this bridge is a substantial impact on resources. This was outlined at the Council meeting on 21 February 2011 (Minute No. 49/2011). Funding will effectively consist of 25% share from the Council and 75% share from the Natural Disaster Local Government Relief Policy. Due to the construction period of this project, budget allocations will be required in both the 2010–11 and 2011–12 financial years.

*CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2009–2014 includes the following strategies and key actions:

A Connected Central Coast

- Provide for a diverse range of movement patterns
- Connect the people with services

The Environment and Sustainable Infrastructure

- Contribute to a safe and healthy environment
- Develop and manage sustainable built infrastructure

Council Sustainability and Governance

- Improve service provision
- Improve the Council's financial capacity to sustainably meet community expectations

*CONCLUSION*

It is recommended that the tender from VEC Civil Engineering Pty Ltd in the amount of \$376,511.60 (including GST) for the replacement of the Gawler River bridge at Bellchambers Road, Gawler be accepted and approved by the Council.'

The Engineering Group Leader's report is supported."

- Cr (L) Bonde moved and Cr Haines seconded, "That the tender from VEC Civil Engineering Pty Ltd in the amount of \$376,511.60 (including GST) for the replacement of the Gawler River bridge at Bellchambers Road, Gawler be accepted."

Carried unanimously

**97/2011 Tenders for Leven River bridge – Bannons Road, Gunns Plains (49/2011 – 21.02.2011)**

The Director Engineering Services reported as follows:

*“PURPOSE*

The purpose of this report is to make recommendation on tenders received for the replacement of the previous bridge over the Leven River at Bannons Road Gunns Plains. This bridge is one of four timber bridges washed away in the January 2011 floods.

*BACKGROUND*

The Engineering Group Leader reports as follows.

‘Design and construct tenders were called for the above bridge replacement on 5 February 2011, closing at 2.00pm on 2 March 2011. A minimum conforming standard was outlined, along with general evaluation criteria for improved structures.

Due to the significant damage to timber bridges in the floods, compared to concrete bridges the option of a timber bridge is not considered a long-term solution.

*DISCUSSION*

Tenders were received as follows (including GST and \$80,000 contingency):

TENDERER	PRICE \$
TasSpan Pty Ltd	917,643.00
VEC Civil Engineering Pty Ltd	954,302.00
Hazell Bros Group Pty Ltd	1,015,499.03
<i>ESTIMATE</i>	<i>750,000.00</i>

*Hazell Bros Group Pty Ltd –*

- . Three span, 45.0m overall.
- . Replaced downstream from previous bridge.
- . Single lane – 4.5m between barriers.
- . Superstructure – Precast concrete plank.
- . Substructure – Steel pile and concrete construction.

- . Concrete blade piers.
- . W-beam guardrail on bridge with w-beam guardrail on approaches.
- . Roadworks at both ends to match into existing.
- . Dry rock armour.
- . Lifespan 100 years.

*TasSpan Pty Ltd -*

- . Two span, 42.0m overall.
- . Replaced downstream from previous bridge.
- . Single lane - 4.5m between barriers.
- . Superstructure - Precast concrete tee-beams.
- . Substructure - Steel pile and concrete construction.
- . Concrete blade pier.
- . W-beam guardrail on bridge with w-beam guardrail on approaches.
- . Roadworks at both ends to match into existing.
- . Concrete abutment to invert, one end only.
- . Concrete wingwalls.
- . Lifespan 100 years.

*VEC Civil Engineering Pty Ltd -*

- . Two span, 44.0m overall.
- . Replaced downstream from previous bridge.
- . Single lane - 4.3m between barriers.
- . Superstructure - Precast concrete tee beams.
- . Substructure - Steel pile and concrete construction.
- . Concrete blade piers.
- . W-beam guardrail on bridge with w-beam guardrail on approaches.
- . Roadworks at both ends to match into existing.
- . Concrete abutments to invert.
- . Concrete wingwalls.
- . Lifespan 100 years.

The preferred option for any bridge replacement is with a permanent concrete structure as there are low lifecycle and maintenance costs. All tenderers provided concrete permanent options.

The three tenderers are recognised as being competent to perform the works and their structures conform to relevant standards.

All designs are similar in that they propose a structural concrete deck sitting on concrete abutments over steel piles. Standard w-beam railing is proposed on all three.

The Council asked that particular attention be paid to scour protection around abutments and piers. Recent floods identified shortcomings in dry rock armour with numerous bridges being damaged in this area. VEC Civil Engineering and TasSpan have addressed this by using concrete abutments and wingwalls. Hazell Bros Group has specified dry rock armour.

The Council uses a weighted tender assessment method based on:

- . compliance with tender documents;
- . experience;
- . personnel;
- . construction period;
- . OHWS system and record;
- . tender price/value for money.

Tenderers were notified that extra weighting would be placed on the construction period given the urgency of these works. Hazell Bros Group has indicated an August 2011 finish date, VEC Civil Engineering has indicated a September 2011 finish and TasSpan a December 2011 finish date. A temporary Bailey bridge has been installed at this location and therefore the installation of a permanent bridge is not as time critical.

TasSpan achieved the highest rating based on this method.

### *CONSULTATION*

This item has followed a public tendering process.

Local consultation and public notice will be provided at the time of construction.

### *IMPACT ON RESOURCES*

The unscheduled replacement of this bridge is a substantial impact on resources. This was outlined at the Council meeting on 21 February 2011 (Minute No. 49/2011). Funding will effectively consist of 25% share from the Council and 75% share from the Natural Disaster Local Government Relief Policy. Due to the construction period of this project, budget allocations will be required in both the 2010-11 and 2011-12 financial years.

### *CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2009-2014 includes the following strategies and key actions:

A Connected Central Coast

- . Provide for a diverse range of movement patterns
- . Connect the people with services

The Environment and Sustainable Infrastructure

- . Contribute to a safe and healthy environment
- . Develop and manage sustainable built infrastructure

Council Sustainability and Governance

- . Improve service provision
- . Improve the Council's financial capacity to sustainably meet community expectations

*CONCLUSION*

It is recommended that the tender from TasSpan Pty Ltd in the amount of \$917,643.00 (including GST) for the replacement of the Leven River bridge at Bannons Road, Gunns Plains be accepted and approved by the Council.'

The Engineering Group Leader's report is supported."

- Cr Deacon moved and Cr Viney seconded, "That the tender from TasSpan Pty Ltd in the amount of \$917,643.00 (including GST) for the replacement of the Leven River bridge at Bannons Road, Gunns Plains be accepted."

Carried unanimously

**98/2011 Tenders for Leven River bridge – Purtons Road, North Motton (49/2011 – 21.02.2011)**

*Cr Robertson, 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 Tenders for Leven River Bridge – Purtons Road, North Motton (49/2011 – 21.02.2011).*

The Director Engineering Services reported as follows:

*"PURPOSE*

The purpose of this report is to make recommendation on tenders received for the replacement of the previous bridge over the Leven River at Purtons Road, North Motton. This bridge is one of four timber bridges washed away in the January 2011 floods.

*BACKGROUND*

The Engineering Group Leader reports as follows.

'Design and construct tenders were called for the above bridge replacement on 5 February 2011, closing at 2.00pm on 2 March 2011. A minimum conforming standard was outlined, along with general evaluation criteria for improved structures.

Due to the significant damage to timber bridges in the floods, compared to concrete bridges the option of a timber bridge is not considered a long-term solution.

*DISCUSSION*

Tenders were received as follows (including GST and \$80,000 contingency):

TENDERER	PRICE \$
VEC Civil Engineering Pty Ltd	839,919.60
TasSpan Pty Ltd	903,306.00
Hazell Bros Group Pty Ltd	937,258.23
<i>ESTIMATE</i>	<i>800,000.00</i>

*Hazell Bros Group Pty Ltd -*

- . Three span, 45.0m overall.
- . Replaced in the same location as previous.
- . Single lane - 4.5m between barriers.
- . Superstructure - Precast concrete plank.
- . Substructure - Steel pile and concrete construction.
- . Concrete blade piers.
- . W-beam guardrail on bridge with w-beam guardrail on approaches.
- . Roadworks at both ends to match into existing.
- . Dry rock armour.
- . Lifespan 100 years.

*TasSpan Pty Ltd -*

- . Two span, 49.0m overall.
- . Replaced in the same location as existing.
- . Single lane - 4.5m between barriers.
- . Superstructure - Precast concrete tee-beams.



- . Substructure – Steel pile and concrete construction.
- . Concrete blade pier.
- . W-beam guardrail on bridge with w-beam guardrail on approaches.
- . Roadworks at both ends to match into existing.
- . Concrete abutment to invert, one end only.
- . Concrete wingwalls.
- . Lifespan 100 years.

*VEC Civil Engineering Pty Ltd –*

- . Three span, 44.0m overall.
- . Replaced in the same location as existing.
- . Single lane – 4.3m between barriers.
- . Superstructure – Precast concrete tee beams.
- . Substructure – Steel pile and concrete construction.
- . Concrete blade piers.
- . W-beam guardrail on bridge with w-beam guardrail on approaches.
- . Roadworks at both ends to match into existing.
- . Concrete abutments to invert.
- . Concrete wingwalls.
- . Lifespan 100 years.

The preferred option for any bridge replacement is with a permanent concrete structure as there are low lifecycle and maintenance costs. All tenderers provided concrete permanent options.

The three tenderers are recognised as being competent to perform the works and their structures conform to relevant standards.

All designs are similar in that they propose a structural concrete deck sitting on concrete abutments over steel piles. Standard w-beam railing is proposed on all three.

The Council asked that particular attention be paid to scour protection around abutments and piers. Recent floods identified shortcomings in dry rock armour with numerous bridges being damaged in this area. VEC Civil Engineering has addressed this by using concrete abutments and wingwalls. TasSpan has shown one concrete abutment and wingwalls at one end only, with the other end located beyond the river bank. Hazell Bros Group has specified dry rock armour.

The Council uses a weighted tender assessment method based on:

- . compliance with tender documents;
- . experience;
- . personnel;
- . construction period;
- . OHWS system and record;
- . tender price/value for money.

Tenderers were notified that extra weighting would be placed on the construction period given the urgency of these works. Hazell Bros Group has indicated an August 2011 finish date, VEC Civil Engineering has indicated a September 2011 finish and TasSpan a December 2011 finish date.

VEC Civil Engineering achieved the highest rating based on this method.

### *CONSULTATION*

This item has followed a public tendering process.

Local consultation and public notice will be provided at the time of construction.

### *IMPACT ON RESOURCES*

The unscheduled replacement of this bridge is a substantial impact on resources. This was outlined at the Council meeting on 21 February 2011 (Minute No. 49/2011). Funding will effectively consist of 25% share from the Council and 75% share from the Natural Disaster Local Government Relief Policy. Due to the construction period of this project, budget allocations will be required in both the 2010–11 and 2011–12 financial years.

### *CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2009–2014 includes the following strategies and key actions:

#### A Connected Central Coast

- . Provide for a diverse range of movement patterns
- . Connect the people with services

#### The Environment and Sustainable Infrastructure

- . Contribute to a safe and healthy environment
- . Develop and manage sustainable built infrastructure

Council Sustainability and Governance

- . Improve service provision
- . Improve the Council's financial capacity to sustainably meet community expectations

*CONCLUSION*

It is recommended that the tender from VEC Civil Engineering Pty Ltd in the amount of \$839,919.60 (including GST) for the replacement of the Leven River bridge at Purtons Road, North Motton be accepted and approved by the Council.'

The Engineering Group Leader's report is supported."

- Cr Diprose moved and Cr Howard seconded, "That the tender from VEC Civil Engineering Pty Ltd in the amount of \$839,919.60 (including GST) for the replacement of the Leven River bridge at Purtons Road, North Motton be accepted."

Carried unanimously

Cr Robertson returned to the meeting at this stage.

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## CLOSURE OF MEETING TO THE PUBLIC

### 99/2011 Meeting closed to the public

The Executive Services Officer 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; and
- . Cradle Mountain Water Quarterly Report to the Owners’ Representatives.

These are matters relating to:

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

■ Cr Robertson moved and Cr Carpenter 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 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; and
- . Cradle Mountain Water Quarterly Report to the Owners’ Representatives.”

Carried unanimously and by absolute majority

The Executive Services Officer 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

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protects confidentiality, only the fact that the matter was discussed and is not to record in the minutes of the open meeting 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

**100/2010 Minutes and notes of other organisations and committees of the Council**

The General Manager reported as follows:

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

...

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 in the minutes of the open meeting 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.”

**101/2010 Cradle Mountain Water Quarterly Report to the Owners’ Representatives**

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

“This report is to present the Cradle Mountain Water Quarterly Report to Owners’ Representatives for the period 1 October 2010 to 31 December 2010. This report is provided to all owner councils on an ‘In Confidence’ basis.

...

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 in the minutes of the open meeting 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.”

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## **Closure**

There being no further business, the Mayor declared the meeting closed at 8.12pm.

CONFIRMED THIS 18TH DAY OF APRIL, 2011.

## **Chairperson**

(Imm:vjl)

## **Appendices**

- Minute No. 76/2011 – Schedule of Development & Regulatory Services Determinations
- Minute No. 84/2011 – Schedule of Corporate & Community Services Determinations
- Minute No. 85/2011 – Schedule of Contracts & Agreements
- Minute No. 87/2011 – Schedule of Documents for Affixing of the Common Seal
- Minute No. 88/2011 – Financial statements
- Minute No. 92/2011 – Integrated Natural Resources Management Plan
- Minute Nos. 93 & 94/2011 – Plans of Explorer Drive, Turners Beach (Stubbs Road end); Christina Court, Turners Beach; Explorer Drive, Turners Beach (Forth Road end); Charlene Court, Turners Beach; Midway Lane (extension), Sulphur Creek

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## 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