
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, 15 August 2016 commencing at 6.00pm.

Councillors attendance

Cr Jan Bonde (Mayor)
Cr John Bloomfield
Cr Garry Carpenter
Cr Rowen Tongs
Cr Philip Viney

Cr Kathleen Downie (Deputy Mayor)
Cr Shane Broad
Cr Gerry Howard
Cr Tony van Rooyen

Councillors apologies

Employees attendance

General Manager (Ms Sandra Ayton)
Director Community Services (Mr Cor Vander Vlist)
Director Infrastructure Services (Mr John Kersnovski)
Director Organisational Services (Mr Vernon Lawrence)
Land Use Planning Group Leader (Mr Ian Sansom)
Executive Services Officer (Miss Michelle Gillett)

Media attendance

The Advocate newspaper.

Public attendance

Ten Members of the public attended during the course of the meeting.

Prayer

The meeting opened in prayer.

CONFIRMATION OF MINUTES OF THE COUNCIL

215/2016 Confirmation of minutes

The Executive Services Officer reported as follows:

“The minutes of the previous ordinary meeting of the Council held on 18 July 2016 have already been circulated. The minutes are required to be confirmed for their accuracy.

The *Local Government (Meeting Procedures) Regulations 2015* provide that in confirming the minutes of a meeting, debate is allowed only in respect of the accuracy of the minutes.”

- Cr Viney moved and Cr Tongs seconded, “That the minutes of the previous ordinary meeting of the Council held on 18 July 2016 be confirmed.”

Carried unanimously

216/2016 Council workshops

The Executive Services Officer reported as follows:

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

- . 25.07.2016 – Future Use of Penguin Recreation Centre
- . 08.08.2016 – Slipstream Circus/Judo & Life-long Dog Registrations

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

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

Carried unanimously

MAYOR’S COMMUNICATIONS

217/2016 Mayor’s communications

The Mayor reported as follows:

“I have no communications at this time.”

218/2016 Mayor's diary

The Mayor reported as follows:

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

- . Local Government Association of Tasmania – Annual Conference and AGM (Hobart)
- . Local Government Association of Tasmania – General Management Committee meeting (Hobart)
- . Local Government Association of Tasmania – Mayor's Workshop re Review of the Local Government Act (Hobart)
- . Ulverstone RSL Sub-branch – Commemorative service for the centenary of the Battle of Pozieres – welcome and key address
- . Crime Stoppers Tasmania – launch of national ‘Dob in a Dealer’ campaign (Devonport)
- . QantasLink Cradle Coast Regional Tourism Forum – Launch, Forum (incl. welcome address) and Awards event
- . Eliza Purton Auxiliary – annual soup and sandwich luncheon fundraiser
- . North Western Fisheries Association – raffle draw and media photo
- . Council and Central Coast Chamber of Commerce and Industry – quarterly meeting
- . Rural Alive & Well Inc. (RAW) – meet and greet in Apex Park
- . Cradle Coast Mayors – tour of Latrobe
- . St John Ambulance (Tasmania) – Volunteer long-service celebration
- . Cradle Coast Authority – meeting re Shared Services (Burnie)
- . Coordinator-General (Tasmania) – meeting re Destination Strategy and Accommodation Demand Study
- . Australian School of Applied Management – 2016 Australian Local Government Leadership Summit (Melbourne)
- . Radio 7AD – community reports
- . TastroFest – lectures by Dr Jules Harnett and Dr Alice Gorman
- . SEABL – NW Tall Timbers Thunder sponsors' function and roster game
- . Ulverstone High School – assembly and awards presentation
- . Dianne Davis – morning tea to celebrate tourism award.”

The Deputy Mayor reported as follows:

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

- . Ulverstone Municipal Band – annual dinner.”

Cr van Rooyen reported as follows:

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

. Lions Clubs International District 201T1 – District Dinner 2016.”

■ Cr Downie moved and Cr Viney seconded, “That the Mayor’s, Deputy Mayor’s and Cr van Rooyen’s reports be received.”

Carried unanimously

219/2016 Declarations of interest

The Mayor reported as follows:

“Councillors are requested to indicate whether they have, or are likely to have, a pecuniary (or conflict of) 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.”

No interests were declared at this time.

220/2016 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 2015* and the supporting procedures adopted by the Council on 20 June 2005 (Minute No. 166/2005).”

COUNCILLOR REPORTS

221/2016 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 Howard report on a recent meeting of the Bush Watch.

Cr Broad reported on a recent meeting of the Central Coast Chamber of Commerce and Industry.

APPLICATIONS FOR LEAVE OF ABSENCE

222/2016 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.”

DEPUTATIONS

223/2016 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

224/2016 Petitions

The Executive Services Officer reported as follows:

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

COUNCILLORS' QUESTIONS

225/2016 Councillors' questions without notice

The Executive Services Officer reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2015* provide as follows:

'29 (1) A councillor at a meeting may ask a question without notice –

- (a) of the chairperson; or
- (b) through the chairperson, of –
 - (i) another councillor; or
 - (ii) the general manager.

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- (2) In putting a question without notice at a meeting, a councillor must not –
 - (a) offer an argument or opinion; or
 - (b) draw any inferences or make any imputations –except so far as may be necessary to explain the question.
 - (3) The chairperson of a meeting 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 at a meeting may decline to answer the question.
 - (5) The chairperson of a meeting may refuse to accept a question without notice 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 of the meeting.
 - (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 at an ordinary council meeting, ..., may decide to deal with a matter that is not on the agenda if –
 - (a) the general manager has reported the reason it was not possible to include the matter on the agenda; and
 - (b) the general manager has reported that the matter is urgent; and
 - (c) in a case where the matter requires the advice of a qualified person, the general manager has certified under section 65 of the Act that the advice has been obtained and taken into account in providing general advice to the council.'

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.

226/2016 Councillors’ questions on notice

The Executive Services Officer reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2015* provide as follows:

‘30 (1) A councillor, at least 7 days before an ordinary council meeting or a council committee meeting, 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

GENERAL MANAGEMENT

227/2016 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:

- . Central Coast Youth Engaged Steering Committee – meeting held 21 July 2016
- . Central Coast Community Shed Management Committee – meeting held 1 August 2016
- . Forth Community Representative’s committee – meeting held 4 August 2016.

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

■ Cr Viney moved and Cr Downie seconded, “That the (non-confidential) minutes and notes of committees of the Council be received.”

Carried unanimously

228/2016 Amendments to the Dulverton Waste Management Rules (72/2016 – 21.03.2016)

The General Manager reported as follows:

“PURPOSE

The purpose of this report is to seek formal approval of the amended Dulverton Waste Management Authority Rules.

BACKGROUND

The Council at its meeting on 21 March 2016 considered the proposed amendments to the draft Rules and authorised those amendments to the Dulverton Regional Waste Management Authority Rules as endorsed by the Representatives on 19 February 2016.

Whilst the amendments to the Rules appeared to be substantial, a number of the changes are merely formatting or minor changes to wording, e.g. substitution of

‘Representatives’ instead of ‘reps’. A number of additional interpretations had been added to support additional or amended clauses in the Rules and other items have been further defined.

DISCUSSION

Since all the member councils of the Dulverton Waste Management Authority authorised the changes, the rules, as amended were advertised in the Advocate Newspaper and were displayed at the Participating Council’s offices for 21 days. No submissions were received from the public.

A copy of the proposed amended Authority Rules has also been forwarded to the Director of Local Government.

The Rules have now been certified by Lawyer, Cassandra Blair, of Rae & Partners in Launceston and have been certified by a General Manager from the participating Councils.

To finalise the adoption of the amended Rules, each Participating Council is required to pass a motion to formally approve the amended Authority Rules. A copy of the certified Rules is attached for your reference.

CONSULTATION

The proposed amended Authority Rules was advertised in the Advocate newspaper were displayed at the Participating Council’s offices for 21 days. No further consultation is required.

IMPACT ON RESOURCES

There is no impact on Council resources in formally approving the amended Rules.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2014–2024 includes the following strategies and key actions.

Council Sustainability and Governance

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

CONCLUSION

It is recommended that the Council formally approve the amended Dulverton Regional Waste Management Authority Rules (a copy of the certified Rules being appended to and forming part of the minutes)."

The Executive Services Officer reported as follows:

"A copy of the Amendments to the Dulverton Waste Management Rules (72/2016 – 21.03.2016) have been circulated to all Councillors."

■ Cr Carpenter moved and Cr Howard seconded, "That the Council formally approve the amended Dulverton Regional Waste Management Authority Rules (a copy of the certified Rules being appended to and forming part of the minutes)."

Carried unanimously

COMMUNITY SERVICES

229/2016 Statutory determinations

The Director Community Services reported as follows:

“A Schedule of Statutory Determinations made during the month of July 2016 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 Broad moved and Cr Carpenter seconded, “That the Schedule of Statutory Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

230/2016 Council acting as a planning authority

The Mayor reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2015* 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 Community Services has submitted the following report:

‘If any such actions arise out of Agenda Item 9.5, 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 2015* 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 Howard moved and Cr Viney seconded, “That the Mayor’s report be received.”

Carried unanimously

231/2016 Proposed amendments to the Central Coast Interim Planning Scheme 2013 involving a rezoning to Low Density Residential of land at Leith, north of the Western Rail Line, and changes to standards for development in the Rural Living zone at Leith south of the Western Rail Line, East Ulverstone and West Ulverstone.

The Director Community Services reported as follows:

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

<i>PROPOSED AMENDMENT:</i>	Rezone land north of the Western Rail Line as Low Density Residential and amend the minimum lot size, dwelling density and setback standards in the Rural Living Zone at Leith south of the Western Rail Line, East Ulverstone and West Ulverstone.
<i>CURRENT ZONING:</i>	Rural Living Zone
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>LEGISLATION</i>	<i>Land Use Planning and Approvals Act 1993</i> (the Act)

PURPOSE

The purpose of this report is to:

- 1 Inform the Council of changes to the Scheme proposed by the Tasmanian Planning Commission (the Commission), in response to representations made to it.
- 2 Report on the response of land owners to the proposed changes, and
- 3 Recommend a suggested response from the Council to the proposed amendments.

Accompanying the report are the following documents:

- . Annexure 1 – copy of letters and explanatory information sent to land owners.

BACKGROUND

When the Central Coast Interim Planning Scheme was adopted in October 2013 it contained numerous matters that attracted representations from the public and the Council itself. Of a particular concern was the rezoning of various

areas from Low Density Residential to Rural Living, required by the Commission.

The Commission held hearings on the matters raised by land owners and the Council, and has proposed various changes to the current Scheme in response. The proposed changes are:

- . Leith (north of the Western Rail Line)
Rezone from Rural Living to Low Density Residential

And

- . Leith (south of the Western Rail Line)
- . East Ulverstone (Merinda Drive, Kimberleys Road, Gumnut Place, Froms Road and Waverley Road areas)
- . West Ulverstone (Knights Road, Bladen-Lee Crescent, Levenview Court, Grange Court, Brockmarsh Place, Maxwell Street, Reid Street and 13 Ellis Street Areas)

Amend the following standards of the Rural Living Zone as follows:

CRITERIA	CURRENT STANDARD	PROPOSED STANDARD
Minimum lot size	1ha	4,000m ²
Dwelling density	1 dwelling per 1ha	1 dwelling per 4,000m ²
Front setback	20m	10m
Side setbacks	10m	5m
Rear setback	10m	5m

On 2 May 2016 the Commission requested that the Council advise all affected land owners in the above areas seeking their response to its proposed changes. It also requested the Council's views on the proposed amendments.

Affected land owners were advised of the proposed changes by letter dated 4 July 2016 (for Leith resident's north of Western Rail Line) and 7 July 2016 (for residents in the remainder of Leith and Rural Living zoned areas of East Ulverstone and West Ulverstone). The letters included a response form for recipients to complete and return to the Council indicating their support for the changes, or otherwise.

Response –

The number of letters sent and responses received by location is outlined in Table 1, as follows:

Table 1 Survey response rate –

LOCATION	LETTERS SENT	RESPONSES RECEIVED
Leith (north of the Western Rail Line)	76	43 (57% response)
Leith (south of Western Rail Line) East Ulverstone West Ulverstone	210	64 (31% response)

The response rate was quite strong for a written survey, particularly so in Leith (north of the Western Rail Line). There were also many telephone calls regarding the proposed changes. The survey responses and number of enquiries suggests a strong interest in the planning and development of the individual areas.

The results of the survey were interesting in that most respondents did not support the Commission's proposed change for Leith, north of the Western Rail Line. An almost equivalent proportion of respondents did support the Commission's proposed changes in the Rural Living Zone at Leith (south of the Western Rail Line) and East and West Ulverstone, as illustrated in Table 2 as follows:

Table 2 Survey results –

LOCATION	SUPPORT CHANGE	NOT SUPPORT CHANGE
Leith (north of the Western Rail Line)	16 (38%)	26 (62%)
Leith (south of Western Rail Line) East Ulverstone West Ulverstone	48 (69%)	15 (31%)

DISCUSSION

Various responses included attached comments which provide an insight into the concerns of the respondent. The comments are summarised as follows:

Leith (north of the Western Rail Line) –

Eleven of the 43 respondents attached comments to their survey sheet. Only one was supportive of the Commission's proposed zoning change.

The principal concern listed by those opposed to the zoning change was that the minimum lot size of 500m² would result in a denser suburban character for the area, contrary to their expectation or desire, and a loss of amenity caused by lesser distances between buildings.

An associated concern was the lack of reticulated sewerage and stormwater systems to cope with the impacts that would result from an increase in dwelling density.

Some respondents also stated that the proposed change requires a greater level of consultation and discussion with residents before an amendment of the sort proposed by the Commission, is made.

The majority of the 43 respondents were not in favour of a rezoning of this area to Low Density Residential, seemingly on the basis of a loss of character and amenity and because the required sewerage and stormwater infrastructure is not available or planned.

It is not clear why the Commission proposed the rezoning: it did not provide any substantiation of its position on the matter.

It is likely that the absence of reticulated sewerage and stormwater would make realisation of the 500m² minimum lot size difficult. Provision of individual on-site treatment and disposal systems is likely to require lot areas of 2,000m² to 4,000m², certainly greater than 500m².

Also, development to a 500m² lot size standard undoubtedly has the potential to significantly change the form and character of the Leith area. Such a change is likely to be contentious and deserves a greater level of investigation and consultation than has occurred hitherto.

On land use criteria it is hard to support the Commission's position for rezoning to Low Density Residential. A more appropriate solution for the area would be for it to remain in Rural Living zoning and be subject to the same

changes to lot size, density and setback provisions as is proposed in the other Rural Living areas at Leith south of the Western Rail Line, East Ulverstone and West Ulverstone.

Leith (south of Western Rail Line), East Ulverstone and West Ulverstone –

Seven of the 64 respondents attached comments to their survey sheet. Three were supportive of the Commission's proposed amendments to lot size, density and setback standards, and four were against.

Reasons why respondents were supportive were:

- . To avoid pressure for a reticulated sewerage system that may arise with denser development;
- . The changes would be more appropriate to the 4,000m² lot size that has developed in the area, being a consequence of lesser setback distances contained in earlier planning schemes; and
- . Service easements on lots constrain development of lots.

Reasons why respondents were not supportive were:

- . Further subdivision should be prevented because of stormwater runoff problems;
- . Further development would adversely affect vegetation and wildlife;
- . Front setback standard of the 2005 Scheme was 6m. Numerous properties were built to this standard and it should be reinstated; and
- . Expectation of longer term residents of Leith was for a 1ha density which was changed to 4,000m² when the 2005 Scheme was introduced. Should retain 1ha.

Reasons of greatest land use planning relevance in the current context are that the 4,000m² lot size applied to the land through the 2005 Scheme and it helped produce the current character of the identified areas. It is not appropriate to now make such a significant change in development standards.

For similar reasons the suggestion of one respondent that the original front setback standard of 6m in the 2005 Scheme should also be reinstated, has some merit. The side and rear setbacks of the 2005 Scheme were 3m and 10m respectively. However, these standards are only a little different to those now proposed by the Commission, being 10m front, and 5m side and rear boundaries.

The majority of the 210 respondents in the constituent Rural Living Zone areas support the changes proposed by the Commission. These changes were also

sought by the Council in its response to exhibition of the Interim Planning Scheme in early 2014.

The changes are considered appropriate because they are generally consistent with the standards which applied under the 2005 Scheme and on which the areas have largely developed. On this basis implementation of the proposed changes should be supported.

The setback standards of the 2005 Scheme and the current Scheme differ to some extent, but in the context of a 4,000m² lot size, are considered reasonably minor and unlikely to cause any significant difficulty for most owners to satisfy. The setbacks proposed by the Commission are reasonable and should be supported.

RESOURCE, FINANCIAL AND RISK IMPACTS

The proposal has no likely impact on Council resources outside those usually required for assessment and reporting.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2014–2024 includes the following strategies and key actions:

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

CONCLUSION

The case for rezoning the area of Leith north of the Western Rail Line is not well made out. It would effectively encourage a denser type of development than was provided for under the 2005 Scheme, in circumstances where the level of reticulated services is inadequate and the allowable lot size is too small to adequately accommodate on-site waste water and stormwater disposal systems.

The Commission's proposed change is not supported by most respondents and is not considered appropriate in the context of any changes in development policy being limited to those required for transposition of policy purposes from the 2005 Scheme to the Interim Planning Scheme.

The proposed rezoning should not be supported. The more appropriate zoning would be Rural Living with incorporation of the development provisions now proposed for the other Rural Living locations by the Commission.

The proposed changes to lot size, dwelling density and setback provisions in existing Rural Living areas at Leith (south of Western Rail Line), East Ulverstone and West Ulverstone were supported by the majority of respondents from those areas.

The standards are the same or close to those of the 2005 Scheme, are more appropriate to the evolved development form and density of those areas. Also, the standards would avoid most development in those areas being discretionary, which is currently the case.

The proposed changes would be more appropriate than the current standards and are consistent with the changes advocated by the Council in its previous submissions. On this basis the proposed standards should be adopted.

Recommendation –

It is recommended that the Council advise the Tasmanian Planning Commission that:

- . All land owners in the areas of Leith (north of the Western Rail Line), Leith (south of Western Rail Line) and Rural Living zoned areas at East Ulverstone and West Ulverstone were written to by the Council and advised of the Commission's proposed changes to the Central Coast Interim Planning Scheme 2013, as follows:
 - the area of Leith north of the Western Rail Line to be rezoned Low Density Residential; and
 - the Rural Living zoned areas of Leith south of the Western Rail Line, East Ulverstone (Merinda Drive, Kimberleys Road, Gumnut Place, Froms Road and Waverley Road areas) and West Ulverstone (Knights Road, Bladen-Lee Crescent, Levenview Court, Grange Court, Brockmarsh Place, Maxwell Street, Reid Street and 13 Ellis Street areas) to be amended to change the minimum lot size to 4,000m², dwelling density to 1 dwelling per 4,000m² and front setback to 10m and side and rear setbacks to 5m.
- . While the response from land owners was mixed the majority of respondents indicated they:
 - were not in favour of rezoning the area of Leith north of the Western Rail Line to Low Density Residential; and
 - supported the proposed changes to the Rural Living Zone in the Leith area south of the Western Rail Line, East Ulverstone and

West Ulverstone to having a minimum lot size of 4,000m², a dwelling density of 1 dwelling per 4,000m² and a front setback of 10m and side and rear setbacks of 5m.

- . The Council believes that:
 - the area of Leith north of the Western Rail Line should be zoned Rural Living and be subject to the same development standards as proposed for the other Rural Living areas of Leith south of the Western Rail Line and East and West Ulverstone; and
 - the development standards for the Rural Living zoned areas of Leith south of the Western Rail Line and East and West Ulverstone should be changed to require a minimum lot size of 4,000m², a dwelling density of 1 dwelling per 4,000m², a front setback of 10m and side and rear setbacks of 5m.

The report is supported.”

The Executive Services Officer reported as follows:

“A copy of the Annexures referred to in the Group Leader's report have been circulated to all Councillors.”

■ Cr Howard moved and Cr Broad seconded, “That the Council advise the Tasmanian Planning Commission that:

- . All land owners in the areas of Leith (north of the Western Rail Line), Leith (south of Western Rail Line) and Rural Living zoned areas at East Ulverstone and West Ulverstone were written to by the Council and advised of the Commission's proposed changes to the Central Coast Interim Planning Scheme 2013, as follows:
 - the area of Leith north of the Western Rail Line to be rezoned Low Density Residential; and
 - the Rural Living zoned areas of Leith south of the Western Rail Line, East Ulverstone (Merinda Drive, Kimberleys Road, Gumnut Place, Froms Road and Waverley Road areas) and West Ulverstone (Knights Road, Bladen-Lee Crescent, Levenview Court, Grange Court, Brockmarsh Place, Maxwell Street, Reid Street and 13 Ellis Street areas) to be amended to change the minimum lot size to 4,000m², dwelling density to 1 dwelling per 4,000m² and front setback to 10m and side and rear setbacks to 5m.
- . While the response from land owners was mixed the majority of respondents indicated they:

- were not in favour of rezoning the area of Leith north of the Western Rail Line to Low Density Residential; and
- supported the proposed changes to the Rural Living Zone in the Leith area south of the Western Rail Line, East Ulverstone and West Ulverstone to having a minimum lot size of 4,000m², a dwelling density of 1 dwelling per 4,000m² and a front setback of 10m and side and rear setbacks of 5m.

The Council believes that:

- the area of Leith north of the Western Rail Line should be zoned Rural Living and be subject to the same development standards as proposed for the other Rural Living areas of Leith south of the Western Rail Line and East and West Ulverstone; and
- the development standards for the Rural Living zoned areas of Leith south of the Western Rail Line and East and West Ulverstone should be changed to require a minimum lot size of 4,000m², a dwelling density of 1 dwelling per 4,000m², a front setback of 10m and side and rear setbacks of 5m.

Carried unanimously

INFRASTRUCTURE SERVICES

232/2016 Tenders for bridge replacement – Leven River, Marshalls Bridge Road, Gunns Plains

The Director Infrastructure Services reported as follows:

“The Engineering Group Leader has prepared the following report:

‘PURPOSE

The purpose of this report is to make recommendation on tenders received for the replacement of the bridge over the Leven River on Marshalls Bridge Road, Gunns Plains. The previous bridge was washed away in the June 2016 floods.

BACKGROUND

The previous timber bridge was built in 1996 and included a concrete overlay deck. Minor repairs were carried out after the floods in 2011 to replace a broken pile. The bridge was listed for replacement in 2019.

Marshalls Bridge Road is subject to general traffic in low volumes and is one of two bridges across the Leven River in Gunns Plains.

DISCUSSION

Tenders were called for the replacement of the bridge on 25 June 2016 and closed at 2.00pm on 26 July 2016.

A minimum conforming standard was outlined in the design brief.

Three conforming tenders and one alternative tender were received as follows (including GST and \$50,000 contingency):

TENDERER	PRICE \$
BridgePro Engineering P/L	1,003,370.00
VEC Civil Engineering P/L	1,045,896.00
Timber Restoration Systems P/L	1,491,864.00
TasSpan Civil Contracting P/L	1,550,185.00
<i>ESTIMATE</i>	<i>No budget</i>

Following is an outline of each tender:

TENDERER	LENGTH (M)	CLEAR WIDTH (M)	SUPERSTRUCTURE	SUBSTRUCTURE
BridgePro Engineering P/L	42.0	4.5	Precast prestressed concrete with galvanised steel square hollow section (SHS) barriers	Driven steel tube piles with full depth abutments, wingwalls and pier.
VEC Civil Engineering P/L	40.0	4.5	Precast prestressed concrete with galvanised steel w-beam barriers	Driven steel universal column (UC) piles with full depth abutments and wingwalls.
Timber Restoration Systems	Not specified	4.5	Glulam timber beams and deck with galvanised steel barriers	Reinforced concrete abutments and pier.
TasSpan Civil Contracting P/L	42.0	4.5	Precast prestressed concrete with galvanised steel w-beam barriers	Driven steel universal column (UC) piles with full depth abutments and wingwalls.

All four tenderers offered construction programs in compliance with the specified completion date of the 31 December 2016. These programs allow for design work to commence in August (on acceptance of the successful tenderer), component construction to start soon after and onsite works to commence in October/November 2016.

BridgePro Engineering P/L, VEC Civil Engineering P/L and TasSpan Civil Contracting P/L have previously carried out work successfully for the Council and are recognised as being competent to perform the works with their structures conforming to relevant standards. Timber Restoration Systems P/L have not previously undertaken any work for the Council.

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

BridgePro Engineering P/L, VEC Civil Engineering P/L and TasSpan Civil Contracting provide for permanent concrete options. These designs are similar in that they propose a structural concrete deck sitting on concrete abutments over piled footings with a 100-year design life. The bridge barrier system proposed by BridgePro Engineering Pty Ltd has benefits when considering entrapment of debris during flood events.

The alternative submission by Timber Restoration Systems P/L consists of glulam treated timber beams and deck on reinforced concrete abutments and pier base. This design is presented as a 100-year life option also.

The Council uses a weighted tender assessment method based on:

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

BridgePro Engineering P/L 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.

RESOURCE, FINANCIAL AND RISK IMPACTS

The unscheduled replacement of this bridge is a substantial impact on resources. Funding will effectively consist of 25% share from the Council and 75% share from the Natural Disaster Relief and Recovery Arrangements. The Council share will be funded from deferred projects within the 2016–2017 works budgets. A separate report on funding of all flood repair projects is being prepared for the September Council Meeting.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2014–2024 includes the following strategies and key actions:

A Connected Central Coast

- Provide for a diverse range of movement patterns

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure

Council Sustainability and Governance

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

CONCLUSION

It is recommended that the tender from BridgePro Engineering P/L for the sum of \$912,154.55 (exc. GST) [\$1,003,370.00 (incl. GST)] for the replacement of the Leven River bridge on Marshalls Bridge Road, Gunns Plains be accepted and approved by the Council.'

The Engineering Group Leader's report is supported."

The Executive Services Officer reported as follows:

"A copy of the confidential tender assessment has been circulated to all Councillors."

■ Cr Broad moved and Cr van Rooyen seconded, "That the tender from BridgePro Engineering P/L in the amount of \$1,003,370.00 (incl. GST) for the replacement of the Leven River bridge on Marshalls Bridge Road, Gunns Plains be accepted."

Carried unanimously

233/2016 Tenders for CBD Bins Waste Collection Service

The Director Infrastructure Services reported as follows:

“The Environmental Engineer has prepared the following report:

‘PURPOSE

The purpose of this report is to consider the tenders for the provision of the CBD Bins Waste Collection Service through to the end of the 2018–2019 financial year.

BACKGROUND

The Council arranges for the collection and disposal of waste from street bins generally within the CBD areas of Ulverstone and Penguin, and the Forth, Turners Beach, Sulphur Creek and Heybridge urban environments.

The current contract for this work is with Tox Free Australia. The contract expired at the end of June 2016, and was extended to 30 September 2016.

Public tenders for the CBD Bins Waste Collection Service were called on Saturday 9 July 2016 and closed on Monday 25 July 2016.

DISCUSSION

Tenderers were requested to provide an annual price through a schedule of rates tender based on the daily collection and disposal of waste from 57 street bins in nominated locations.

Three tenders were received as follows:

Tenderer	Rate per Bin \$ (exc. GST)	Annual Total \$ (inc. GST)
Tox Free Australia P/L		64,229.88
Weekday collection & disposal	2.42	
Weekend day collection & disposal	3.80	
Veolia Environmental Services (Australia) P/L		108,245.28
Weekday collection & disposal	4.20	
Weekend day collection & disposal	6.10	
		116,570.00

TJ Contracting	
Weekday collection & disposal	4.60
Weekend day collection & disposal	6.30

<i>Estimate</i>	<i>85,000.00</i>
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Tox Free Australia P/L and Veolia Environmental (Australia) P/L have successfully undertaken work of the same or similar nature for the Council and numerous other local government authorities in Tasmania. TJ Contracting indicate that they have previously undertaken slashing, block maintenance and rubbish removal work for the Council, State Government and private entities.

The Council uses a weighted tender assessment method based on:

- . compliance with tender documents;
- . experience;
- . personnel (field);
- . personnel (management)
- . vehicle fleet/backup capacity;
- . WHS system and record; and
- . tender price/value for money.

Tox Free Australia P/L achieved the highest rating based on this method.

CONSULTATION

This item has followed a public tendering process.

RESOURCE, FINANCIAL AND RISK IMPACTS

The amount total based on the rates tendered can be accommodated with the budget allocation.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2014–2024 includes the following strategies and key actions:

The Shape of the Place

- . Improve the value and use of open space

The Environment and Sustainable Infrastructure

- . Contribute to the preservation of the natural environment

- Council Sustainability and Governance
- Improve service provision

CONCLUSION

It is recommended that the tender from Tox Free Australia P/L for the rate of \$2.42 (exc. GST) [\$2.66 (incl. GST)] per bin serviced for weekday collection and disposal, and for the rate of \$3.80 (exc. GST) [\$4.10 (incl. GST)] per bin serviced for weekend day collection and disposal be accepted and approved by the Council.'

The Environmental Engineer's report is supported."

The Executive Services Officer reported as follows:

"A copy of the confidential tender assessment has been circulated to all Councillors."

■ Cr van Rooyen moved and Cr Downie seconded, "That the tender from Tox Free Australia P/L for the rate of \$2.42 (exc. GST) [\$2.66 (incl. GST)] per bin serviced for weekday collection and disposal, and for the rate of \$3.80 (exc. GST) [\$4.10 (incl. GST)] per bin serviced for weekend day collection and disposal be accepted."

Carried unanimously

234/2016 Request to LGAT to Lobby the State Government for additional funds for linemarking on local (government) roads.

■ Cr Bloomfield moved and Cr Howard seconded, Cr Bloomfield (having given notice) to move, "That LGAT be asked to lobby the State Government to increase the level of funding available for linemarking on local (government) roads, including railway crossing stop/warning lines, to cover the annual requirements across the state."

Cr Bloomfield, in support of his motion, submits as follows:

"Councils are required to advise the Department of State Growth (DSG) annually on what they believe is the linemarking maintenance requirements within their municipalities. This advice outlines the locations and requirements and from this, the DSG plan the statewide linemarking program.

The Central Coast Council participates in this program and has provided lists for the past two years of what is believed to be the minimum required. Unfortunately, a substantial portion of what was listed as required was not re-linemarked resulting in community complaints about linemarking across the municipality.

This year, the DSG linemarking program seems to have completed approximately 70% of what was requested with a number of smaller but important issues still requiring to be dealt with. Some of the linemarking undertaken was not on our Council list and no advice was received by staff during the works. One could suggest that this additional work was not in places where it was needed or having a high priority.

The DSG linemarking program this year has made changes to the type of linemarking on our roads. In some instances, the old linemarking was not removed or modified when the new linemarking was undertaken thus causing what could be considered a confusing and dangerous situation, particularly in heavy rainfall events and at night e.g. Penguin Road. This matter has been reported to DSG and Council is awaiting advice on what will be done about this.

Advice received from other North West Councils indicates that these Councils have also had issues and not all of what they believe to be essential is being undertaken in the annual linemarking program.

It is believed that the reason for the lack of completing the program each year is as a result of insufficient funding being provided for this program. In view of this, it is recommended that LGAT contact all Councils across the state to ascertain what linemarking has not been completed and then to lobby the State Government for an increase in funds to cover this basic road safety component."

The Director Infrastructure Services reported as follows:

"BACKGROUND

This report considers a motion on notice from Cr Bloomfield proposing that LGAT be asked to lobby the State Government to increase the level of funding available for linemarking on local (government) roads, including railway crossing stop/warning lines, to cover the annual requirements across the state."

DISCUSSION

The arrangements between Local Government Councils and the Department of State Growth (DSG) [formerly Department of Infrastructure, Energy and Resources (DIER)] have been under constant change and a source of disagreement for many years.

Prior to 2007 all line marking of roads, whether on new projects, resealing programs or maintenance of existing lines was carried out and funded by DIER. In January 2007 councils received advise from DIER regarding line marking on local Government roads regarding an agreement between LGAT and DIER that would "...deliver improved outcomes on the line marking component of the local road network for the next four years.

It was agreed:

- . The State Government will contribute additional funds for line marking on local roads of \$1million over four consecutive financial years, commencing 2006/07
- . This additional funding will increase the annual State Governments contribution to \$550k per annum over the four years to 2009/10
- . The base \$300k per annum is a recurrent budget item and will be maintained during this period
- . The \$550k per annum will be expended on existing line marking maintenance only and be managed by the Department of Infrastructure Energy and Resources (DIER)
- . New line marking, including new line marking on road resurfacing schemes, will be included by Local Government Authorities as an integral cost in any new road pavement surface or resurfacing project.”

Whether the intended outcomes were achieved is now debatable. In effect what this agreement achieved was that the Council took over responsibility for a task that had always been undertaken and funded by DIER with State Government funding. It should be noted that even with these arrangements in place DIER still continued to line mark resealed roads until 2010–2011.

In 2010 the level of funding was reviewed and increased to \$810,000 per annum for “local road line marking maintenance” and the current level is at \$1million per annum. At the time of this report no record could be found of when the funding lifted from \$810,000 to \$1million.

The cost to the Council for remarking after reseals has varied between \$31,500 and \$40,100 between 2011–2012 and 2015–2016. This means that there is less actual reseal being undertaken than in previous years prior to the acceptance of the agreement. It should also have meant even more funds were available for line marking maintenance that DSG/DIER were not using from State budgets.

In 2013 the Council wrote to DIER expressing concern over the way the line marking was being managed pointing out several examples where some items had not been followed up. It was requested that DIER improve their systems and data management to identify required funding levels and attend to line marking in a timelier manner. The response received stated that “The Department of Infrastructure Energy and Resources (DIER) has insufficient resources to manage Local Road Line marking facility database in addition to State Road facilities” and suggested the Council could do this. The Council also have limited resources in this regard.

In November 2014 DSG advised the Council that it was rescinding the "...long standing arrangement that that Traffic Facilities installed by Council require approval of the Transport Commission" in the interest of streamlining the process when responding to traffic management issues. This included signs and lines but does not include speed limits, traffic signals and road humps.

The system of nominating lines for renewal has remained effectively the same with the Council nominating roads they consider warrant line marking, but DSG control the budget, the program and the contracts. Council officers are currently waiting on a response from DSG regarding the status of the 2015–2016 program which was not completed to the Council's satisfaction.

The current system provides for only one opportunity per year to request that lines are re-marked in the following financial year. Any lines not re-marked require renomination in the following year. The expectation is that councils will fund their own urgent works, releasing DSG from its obligation.

It is not just the funding that needs to be increased. The level of service from DSG also requires scrutinising to ensure that the needs of all the councils in Tasmania can be adequately addressed in a timely manner. It would also be prudent to request that DSG are accountable for the distribution of funding and that councils are provided with a breakdown of the expenditure from the Local Government Line Marking Fund.

CONSULTATION

Consultation has been undertaken with other North West Councils and LGAT on the issues surrounding linemarking.

RESOURCE, FINANCIAL AND RISK IMPACTS

There is no immediate impact on Council resources. Since 2011 the Council have funded line marking for various new projects and reseal programs in the order of \$40,000 per annum. If DSG continues not to complete all of the line marking requested as part of its statewide re-marking program, the Council may need to step in and undertake the line marking at its own cost which could thus amount to a substantial amount of funding if the program delivers less and less of the line marking requirements within the Central Coast area.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2016–2026 includes the following strategies and key actions:

The Shape of the Place

- . Improve the value and use of open space

The Environment and Sustainable Infrastructure

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

Council Sustainability and Governance

- . Improve service provision.

CONCLUSION

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

Carried unanimously

ORGANISATIONAL SERVICES

235/2016 Contracts and agreements

The Director Organisational Services reported as follows:

“A Schedule of Contracts and Agreements (other than those approved under the common seal) entered into during the month of July 2016 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 Broad moved and Cr van Rooyen seconded, “That the Schedule of Contracts and Agreements (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

236/2016 Correspondence addressed to the Mayor and Councillors

The Director Organisational Services reported as follows:

“PURPOSE

This report is to inform the meeting of any correspondence received during the month of July 2016 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 regarding storm damage to Leven River Cruises.
- . Letter regarding support for Motion 36 proposed by the Town of Gawler at the National General Assembly of Local Government.
- . Letter requesting Council support for Ulverstone rainfall data to be included in the Advocate.
- . Email informing Councillors of the publication of the book “Flames of Fear” that contains details of major bushfires in Tasmania.

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

Carried unanimously

237/2016 Common seal

The Director Organisational Services reported as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 19 July 2016 to 15 August 2016 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 Downie moved and Cr Carpenter 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

238/2016 Financial statements

The Director Organisational Services reported as follows:

“The following principal financial statements of the Council for the period ended 31 July 2016 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 Downie moved and Cr Tongs seconded, “That the financial statements (copies being appended to and forming part of the minutes) be received.”

Carried unanimously

239/2016 Public question time

The Mayor introduced public question time at 6.27pm as the business in the open part of the meeting had been dealt with and the Council was about to proceed into the closed section of the meeting.

Roz Flanagan:

Question 1:

“Can we change the time limits in the Main Street of Penguin as it is affecting business with the parking inspector frequenting Penguin?”

The Mayor responded:

“The limits have been the same since 2009. As part of the parking strategy we are looking at changes on the Northern side. We can look at this and talk to businesses in relation to the matter. We do give consideration to businesses before changes are made.”

Question 2:

“Why did we need the section in the middle of the road when the petition asked for a pedestrian crossing? It has been stated, to perform a “calming effect” yet it appears to be stopping traffic as it is too narrow for trucks and buses and caravans. Road safety appears to be compromised.”

The Mayor responded:

“Yes, the petition did ask for a crossing as Penguin has an aged community. The Department of State Growth wouldn’t approve the crossing that was requested. We implemented traffic calming to slow down the traffic. We received a Vulnerable Persons Grant to enable us to put in a couple of crossings. There is also a median strip to allow people to cross. We have been down and had a look. There was

consultation with the business owners, and then plans were released to the public following this consultation, and then some minor changes were made. It had the backing of the community.”

Leah Morrow:

Question 1:

“Regarding the bollards next to the disabled parking. I’ve actually tested the bollards myself, and you can’t open the door wide enough to get a wheelchair or wheelie walker in there to get the person with the disability out. Why were they put in front of the library in particular? Can the bollards be moved back so people with a disability have more of a chance of getting out of the car?”

The Director of Infrastructure Services at the Mayor’s invitation responded:

“The bollards were put in both locations to prevent cars driving onto the footpaths. Experience has been, nationwide, that bollards go in like this, as people drive up onto the footpath if you don’t. They are there to protect pedestrians against traffic. The disability parking is raised so it’s level with the footpath. We can look at the bollards being moved back, the difficult is, disability bays are much wider, and the idea is that you don’t park right over to one side. The spaces are as per Australian Standards. Unfortunately, we won’t be able to move them too far.”

Question 2:

“Why hasn’t the footpath been repaired as opposed to the road that really didn’t require it? Note, a lady tripped and fell a couple of weeks ago. All along the footpath is patched & untidy. There is a sink hole out the front of my shop not repaired properly, the extra paver has sunk.”

The Director of Infrastructure Services at the Mayor’s invitation responded:

“It’s in the Financial Plan, and we do monitor them regularly. Any raised areas are ground down and assessed on a regular basis. It’s in the long term plan, but not in the next 2 years.”

Neil Maggs:

Question 1:

“Why have we gone to so much trouble to have so many forums regarding Penguin and it’s outlay, and money spent with consultants, while you say you had a meeting with some business owners, not all got notified, nor did any residents. Therefore,

why do we have a forum in 2006 to have a beautiful seaside village, yet at the moment what is being done is to bring it up to a suburban area, like Ulverstone. It's supposed to be an RV friendly town, Councillor Carpenter talked about tourism, Councillor Howard talked about a men's shed. You talk about relationships within the community, yet we aren't asked about anything to do with Penguin. You can't park at Lions Park anymore, there's two pedestrian crossovers that never get used, and the public wasn't advised, two bollards where you can cross the road, a median strip so you can walk to the middle of the road, narrowed streets, no parking for RV tourists, buses struggle to get down the road, there's no long term planning. You need to look outside the square. There needs to be more consulting with the public. If you can have a meeting with shop owners, surely you can with the public as well."

The Mayor responded:

"Most of that is a statement, on the issue of consultation, I guess we were doing what's in the best interests of the rate payers as we saw it at the time. After receiving a petition, we believed we were doing the right thing by slowing the traffic and making it more friendly. We are doing magnificent work with the dial and the recreation ground. There is a point with how far you can consult with people and how far you go. At the time we were doing something as we had a lot of community angst about safety, so we did what we thought was best."

Question 2:

"What was the final costing? Did the council put any money towards these works?"

The Mayor responded:

"We will follow this up and get back to you."

Lionel Bonde:

Question 1:

"My question is in regard to the allocated Secretary's office in the Recreation Centre for which the Show Society is charged \$500. On Monday 8 August, 13 people attended for a scheduled Show Society Committee meeting. We were informed that our usual meeting room upstairs was not available nor was any other venue so we had to hold the meeting in the Show office. To put 13 people into that room where there is only room for about 3 chairs so the rest of the committee had to stand. This is unfair, unsafe, and unhealthy with the current flu epidemic in Central Coast, and this is no longer acceptable. I am aware that the Central Coast Council through its generosity to help the flood relief has over committed its accommodation and while that is a reason for the lack of meeting room it cannot be used as an excuse. The

person in charge of the centre should be aware of our regular meeting roster and should prepare for these meetings as they are charging \$500 for that. It is long overdue for the Councillors to become interested in what is happening at the Show Society. As Councillors you have not shown any concern in the past when I have expressed many concerns over the way the Show Society is treated. I have been a member of the Ulverstone Show for 63 years and I can say the past 30 years watching the way the Show Society is treated is appalling. We have been bullied, we have been lied to on at least 4 serious matters. It shows a total lack of understanding and respect. My question is, why the lack of respect to such a hard working committee that offers such a good support to the Community and that offers more financial returns to the Community than any other similar organisation?"

The Mayor responded:

"First of all, I would dispute the fact that there is a lack of respect. I have spoken with the Show Society, and immediate committee on many occasions, they have assured me that they are more than happy with things that are happening. I can't comment on the meeting space. I will have to do some research on this and get back to you."

Question 2:

"With regards to the charges for the Ulverstone Show, I cannot find any reference to charges proposed for the Rodeo, and the Ulverstone Festivale or the proposed charges for the Show Society and the other 3 organisations. I have not received a reply to my request. My question to the Council is will I get a reply to my letter?"

The Mayor responded:

"Yes, you will receive an answer."

Tessa Frazer-Oakley:

Question 1:

"I would like to back up what Neil Maggs has said. First I knew of the changes to main street was when it was being destroyed. Not long ago, we were into discussing the appearance and the feel of the town. The work done has been detrimental to these concepts. I haven't heard any positive comments about what has been done to the street. I've heard that most find it confusing, and not a lot of people use the actual crossing. I don't think they're obvious and you don't feel any safer. I can't comment on the traffic speed and whether that has been effected. You said you received a vulnerable person project grant, which led to the pulling up of the tiling which was attractive. Would that grant cover the repairs to the footpath? I have come to grief on

that footpath and broke my leg. It is slippery and uneven and needs a lot of work. I'm surprised it wasn't done at the same time."

The Mayor responded:

"The Vulnerable Persons Grant was for the pedestrian crossing upgrade. The Director Infrastructure Services has already responded in relation to the footpath in a previous question raised in Public Question Time."

Question 2:

"The length of the actual parking spaces in Penguin, I am wondering whether they were done by some standards? I have a rodeo, which is a standard vehicle in Penguin, I have a tow ball, which most people have, and the tow ball was right at the end of the parking space. There was 36cm between the front of the parking space and my tow ball. Is this spacing correct?"

The Mayor responded:

"I believe they have been marked to standard, they are a little wider than standard, but the length is standard."

Darryl Barker:

Question 1:

"I received a letter on 20th July regarding my questions about improvements to Johnsons Beach and surrounds that I asked on 20 June 2016. I asked a question about the asphalt car park, your answer was that the car park is only sufficient in size to accommodate car and motorbike parking and the area will be marked for five car spaces when the line marking is undertaken. The car spaces will be 5.5m in length and 2.5m in width which meets the Australian Standard for car parking. Parking of campervans and motorhomes is not possible in the small car park. It is anticipated that the oversized vehicles such as campervans and motorhomes will continue to park on the grassed area along the edge of the beach from the car park to the private caravan park to the west of Johnsons Beach. My question to this unusual reply is, are all car spaces controlled by Central Coast Council the same area and do the Council consider the asphalt sealed area large enough to park 5 cars or larger tourist vehicles. Also, who is going to tell campervan and motorhome tourists they cannot park on the asphalt area? Is it recommended by weed spray distributors that Capeweed be sprayed in Autumn after capeweed plants emerge and then in early Spring when the later plants emerge? Some car park spaces in Penguin are 2.5m, some are 2.7m and some are 3.0m. If the asphalt area is marked for 2.5m spaces, how do people in larger vehicles get out of their vehicles safely"

The Director of Infrastructure Services at the Mayor's invitation responded:

"The width of carparking spaces at Johnsons Beach is greater than the minimum Australian standard. The normal minimum width is 2.4m, however the standard allows for them to be reduced to 2.1m under specific circumstances. The minimum standard we use is 2.5m. and is mostly what Councils use across the nation. Larger cars should still be able to use the car spaces as a standard car is usually less than 2m wide.

Parking of caravans and camper vans has not been possible in the car park even before the resurfacing and these usually park on the grass verge along the road along Johnsons Beach."

Question 2:

"In relation to the Walking Tour, there is no time or details on the advert, it says to check details on the website. How do people without internet access check the details?"

The Mayor responded:

"People can call into the Council and ask about the walk and receive more information. If in Penguin, they can call into the desk at the visitor centre, or phone and get all the details."

Questions and replies concluded at 6.53pm.

CLOSURE OF MEETING TO THE PUBLIC

240/2016 Meeting closed to the public

The Executive Services Officer reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2015* provide that a meeting of a council is to be open to the public unless the council, by absolute majority, decides to close part of the meeting because one or more of the following matters are being, or are to be, discussed at the meeting.

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:

- . Confirmation of Closed session minutes.

These are matters relating to:

- . information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

A suggested resolution is submitted for consideration.”

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

- . information of a personal and confidential nature or 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:

- . Confirmation of Closed session minutes.

Carried unanimously and by absolute majority

The Executive Services Officer further reported as follows:

- “1 The *Local Government (Meeting Procedures) Regulations 2015* provide in respect of any matter discussed at a closed meeting that the general manager is to record in the minutes of the open meeting, in a manner that protects

confidentiality, the fact that the matter was discussed and a brief description of the matter so discussed, and is not to record in the minutes of the open meeting the details of the outcome unless the council determines otherwise.

- 2 While in a closed meeting, the council is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.
- 3 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.

- 4 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."

241/2016 Confirmation of Closed session minutes

The Executive Services Officer reports as follows:

“The Closed session minutes of the previous ordinary meeting of the Council held on 18 July 2016 have already been circulated. The minutes are required to be confirmed for their accuracy.

The *Local Government (Meeting Procedures) Regulations 2015* provide that in confirming the minutes of a meeting, debate is allowed only in respect of the accuracy of the minutes.”

■ Cr Viney moved and Cr Tongs seconded, “That the Closed session minutes of the previous ordinary meeting of the Council held on 18 July 2016 be confirmed.”

Carried unanimously

ORGANISATIONAL SERVICES

242/2016 Dial Regional Sports Complex – acquisition of land

The General Manager reports as follows:

“The Director Organisational Services has prepared the following report:

‘PURPOSE

The purpose of this report is to seek the Council's support for the General Manager to enter into negotiations for the purchase of land adjoining the Dial Regional Sports Complex, to enable the development of the main ground to proceed with suitable separation between the development and the adjoining residents.

The Dial Regional Sports Complex has reached an advanced stage of design. An Expression of Interest process was conducted to identify a preferred contractor to further develop the design under a guaranteed maximum price process. At this stage the external funding for the development has not been confirmed. Once funding is confirmed the preferred contractor will be in a position to commence with the construction as soon as Council has approved the final design and associated costings. The acquisition of the adjoining land is considered necessary for the construction and the operation of the main ground.

Copies of the minutes and notes having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

...

The *Local Government (Meeting Procedures) Regulations 2015* provide in respect of a matter discussed at a closed meeting –

‘34(1)(b) in relation to a matter discussed at the closed meeting –

- (i) the fact that the matter was discussed at the closed meeting; and
- (ii) a brief description of the matter so discussed –

are to be recorded in the minutes of that part of the meeting that is open to the public, but are to be recorded in a manner that does not disclose any confidential information and protects confidentiality; and

-
- (c) in relation to a matter discussed at the closed meeting, the details of the discussion of the matter, and the outcome of the discussion, are not to be recorded in the minutes of that part of the meeting that is open to the public unless the council, or council committee, determines otherwise.'

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

Closure

There being no further business, the Mayor declared the meeting closed at 7:06pm.

CONFIRMED THIS 19TH DAY OF SEPTEMBER, 2016.

Chairperson

(mg:lb)

Appendices

- Minute No. 228/2016 – Amendments to the Dulverton Waste Management Rules (72/2016 – 21.03.2016)
- Minute No. 229/2016 – Schedule of Statutory Determinations
- Minute No.235/2016 – Schedule of Contracts & Agreements
- Minute No.237/2016 – Schedule of Documents for Affixing of the Common Seal
- Minute No. 238/2016 – Financial statements

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

Associated Reports And Documents

DULVERTON REGIONAL WASTE MANAGEMENT AUTHORITY

*(A Joint Authority under s30-39 Local Government Act of the Central Coast, Devonport City,
Kentish and Latrobe Councils for the management and disposal of waste)*

RULES

As adopted on 1 September 2016


CENTRAL COAST COUNCIL
I certify that this is <u>The Amendments...</u> <u>to the Dulverton Waste Manag</u> <u>ement Rules (72/2016 - 21.3.16)</u> referred to in
Minute No. <u>228/2016</u> of a meeting of the
Council held on <u>15 / 08 / 2016</u>

Executive Services Officer

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AUTHORITY RULES

PART 1 - PRELIMINARY

1. Title

These Rules may be cited as the Dulverton Regional Waste Management Authority Rules.

2. Name

The name of the *Authority* is the Dulverton Regional Waste Management Authority.

3. Interpretation

(1) In these Rules, unless the contrary intention appears:

- '*Act*' means the *Local Government Act 1993 (Tas)*;
- '*aftercare fund*' means a fund for long term aftercare management of a landfill site;
- '*aftercare funding plan*' means a financial plan accounting for all known assets and liabilities relating to the landfill at the current date and at the estimated landfill closure date articulating the proposed financial path and addressing any gap between assets and liabilities;
- '*aftercare management*' is the management of a *Site* that has been used for landfill to avoid environmental harm after that *Site* has been closed as an active landfill and until such time as that *Site* is deemed to pose no further potential environmental harm;
- '*AGM*' means an annual general meeting of the *Representatives* held in accordance with Rule 12;
- '*Authority*' means the Dulverton Regional Waste Management Authority;
- '*Board*' means the *Board of directors* appointed by the *representatives*;
- '*chair*' means the chair of the *Board*;
- '*chief representative*' means the chair of the *representatives* and where the context permits, refers to the person chairing the relevant *Representatives' meeting*;
- '*CEO*' means the chief executive officer of the *Authority*;

- **‘closure date’** is the date when the *landfill* is closed such that waste is no longer deposited at the Site;
- **‘Corporations Law’** means the Corporations Law of Tasmania and the Commonwealth;
- **‘Council’** means a council established under section 18 of the *Local Government Act, 1993*;
- **‘councillor’** means an elected member of a *participating council*;
- **‘deputy chief representative’** means the deputy chair of the *representatives*;
- **‘director’** means a member of the *Board* and includes the *chair*;
- **‘DWM Policies and Procedures’** means the Dulverton Waste Management policies and procedures that are adopted from time to time;
- **‘environmental harm’** has the same meaning it does in section 5 of the *EMPCA*
- **‘EMPCA’** means the *Environmental Management and Pollution Control Act 1994 (Tas)* as amended from time to time;
- **‘financial ratio’** means the following equity ratio:

Owner Council	Equity Share
Devonport City Council	43.45%
Central Coast Council	36.82%
Latrobe Council	11.25%
Kentish Council	8.48%

- **‘general manager’** means a general manager of the *participating council*;
- **‘Mersey-Leven Region’** means the municipal areas of the *participating councils*;
- **‘participating council’** means a council which is a member of the *Authority*;
- **‘rehabilitation’** is the capping and vegetation of landfill *waste* cells as they are filled;
- **‘rehabilitation fund’** means a fund for *rehabilitation*;

- **‘representative’** means a person appointed by a *participating council* to represent it on the *Authority* and includes a substitute appointed under Rule 9(4);
 - **‘representatives’** means the *representatives* acting together at a *Representatives’ meeting*;
 - **‘Representatives’ meeting’** means a meeting of *representatives*;
 - **‘Rules’** means these rules as amended from time to time;
 - **‘Treasurer’** means the Treasurer for the State of Tasmania;
 - **‘special resolution’** means a resolution of the *representatives* complying with Rule 22;
 - **‘Site’** is all land owned by the *Authority* for the purpose of landfilling, composting, leasing to other entities or any other like use;
 - **‘Statute’** means an Act, Regulation or By-law whether made by the State of Tasmania or the Commonwealth of Australia or by any *participating council*;
 - **‘waste’** includes any product or material allowed by the current landfill and compost Environmental Protection Notice as amended from time to time.
- (2) These Rules are to be interpreted in accordance with the Acts Interpretation Act unless the contrary intention appears.

PART 2 - FUNCTIONS AND POWERS

4. Function

- (1) The principal function of the *Authority* is to manage *waste*.
- (2) The principal function includes:
 - (a) collecting, purchasing and otherwise acquiring *waste* (whether or not the *waste* is generated within the *Mersey-Leven Region*; and
 - (b) storing (whether temporarily or permanently), treating and disposing of *waste*; and
 - (c) reconstituting, refurbishing, recycling, cleansing, composting and otherwise treating *waste* and any product or by-product of *waste* or of any of those processes; and
 - (d) trading or dealing in any product or by-product of any of the activities referred to in any of the preceding subclauses; and
 - (e) anything which any *participating council* may do under any *Statute* with respect to any function expressly set out in these Rules; and
 - (f) anything which the *Authority* may in its own right do under any *Statute* with respect to any function expressly set out in these Rules; and
 - (g) formulating, implementing and monitoring policies and programs for reducing, managing or recycling *waste*, whether for itself, its *participating councils* or any other council;
 - (h) undertaking any function, power, duty or requirement (however expressed) of any *waste* management policy or guideline (however named) issued in any way by any State or Federal body with respect to *waste* reduction, management or recycling; and
 - (i) managing and owning a council waste transfer station or undertaking other waste services on behalf of a council.
- (3) The *Authority* may formulate, implement and monitor policies and programs for the development and use of land owned by it for purposes compatible with a licensed waste disposal land-fill, including for industrial uses of a heavy industrial or regional nature (whether or not the region so considered is limited to the *Mersey-Leven Region*).

- (4) The *Authority* may do anything reasonably incidental to the performance of its functions including, as incidental activities, undertaking projects or activities for the purpose of raising revenue even if they are not directly authorised by its other functions but remains limited by Rule 38(1).
- (5) Whether or not the *Authority* exercises a function a *participating council* may exercise that function itself or obtain the benefit of that from any other source.
- (6) If, for any reason, the functions described in any part of this Rule 4 exceed the functions that the *Authority* can legally perform, those functions are to be read down so as to be those that the *Authority* can legally perform, but no further.

5. Powers of the Authority

- (1) In performing its functions, the *Authority* may do anything:
 - (a) which the *Act* authorises a joint authority to do; and
 - (b) which the *Act* authorises a council to do with respect to the functions of a council, (including the making of by-laws in accordance with Part 11 of the *Act*) excepting those things which the *Act* stipulates are not provided for in the rules of a joint authority; and
 - (c) which a *participating council* is empowered to do under any *Statute* with respect to the functions in Rule 4 which a *participating council* could otherwise perform; and
 - (d) which the *Authority* is otherwise empowered to do either specifically or generally under any *Statute*.
- (2) Without the prior approval of a majority of the *participating councils* the *Authority* must not acquire any land which it did not own as at the 1st January 2005.

6. Core Activities

- (1) The provisions of Rules 4 and 5 are enabling provisions. Nothing in those Rules requires the *Authority* to undertake or perform any of those functions or powers.
- (2) The core activities of the *Authority* are the management of *waste*.
- (3) Until determined to the contrary under Rule 6(4) the *Board* may only perform the functions and exercise the powers of the *Authority* with respect to the core activities of the *Authority*.

- (4) The *Board* may perform such functions and exercise such powers of the *Authority* that are not core activities if:
- (a) the *representatives* authorise that specifically or generally by special resolution; or
 - (b) the strategic plan or annual plan clearly includes it.
- (5) Any act, transaction, agreement or resolution of the *Board* or any other thing which is within the *Authority's* functions or powers under Rules 4 and 5 is not rendered invalid because it is outside the functions or powers of the *Board* specified by or in accordance with Rule 6(2) to 6(4).

PART 3 – MEMBERSHIP AND FINANCIAL CONTRIBUTIONS**7. Members and Contributions**

- (1) The members of the *Authority* are the *participating councils*.
- (2) *Participating councils* are:
 - (a) those councils listed in Schedule 1; and
 - (b) any council which becomes a member under subrule (3);which have not withdrawn from membership.
- (3) Another council may become a member and a *participating council* if:
 - (a) it resolves to do so and to be bound by these Rules; and
 - (b) a majority of the *participating councils* approve its membership; and
 - (c) that council and a majority of *participating councils* agree the terms and conditions on which it will become a member, including:
 - (i) the number of *representatives* it may appoint under Rule 9; and
 - (ii) the *financial ratio* for that council and each of the *participating councils*.
- (4) The *participating councils* are only required to make financial contributions to the *Authority*:
 - (a) when agreed by the majority of *participating councils* and in the proportions so agreed; or
 - (b) as required under Rules 38, 54 or 55.

8. Withdrawal

- (1) Subject to any requirements of the *Act*, a *participating council* may only withdraw from membership of the *Authority* if it gives notice to the *CEO* of its intention to withdraw at least 3 months prior to the commencement of the financial year at the end of which it wishes to withdraw.
- (2) If a *participating council* has given notice under subrule (1), it may cancel that notice by further notice to the *CEO* at any time before its withdrawal becomes effective.

- (3) A withdrawal from membership becomes effective on the expiration of a notice given under subrule (1).
- (4) A council which has withdrawn from the *Authority*:
 - (a) remains liable to pay all amounts due by it to the *Authority*; and
 - (b) remains bound by Rules 54(5) and (6) and 55(5).
 - (c) is not entitled to any payment with respect to any interest it may have in the *Authority's* assets.
- (5) All property and assets owned or controlled by the *Authority* including those located within the municipal area of a council which has withdrawn from the *Authority* remain the property of or under control of the *Authority* unless they are purchased from or otherwise transferred by the *Authority* to that council.

9. Representatives

- (1) Each *participating council* is to appoint 2 persons to represent and vote on its behalf as a *participating council*.
- (2) A *representative* may resign from that office by notice given to the *general manager* of the relevant *participating council*.
- (3) A *participating council* may terminate an appointment and appoint a replacement *representative*.
- (4) The *general manager* may appoint a substitute *representative* to act in place of the *representative* whenever that *representative* is unable to act as a *representative*.
- (5) An appointment, resignation, substitution or replacement of a *representative* is not effective until the *CEO* is notified in writing.
- (6) Only a *representative* appointed under this Rule is authorised to represent a *participating council* and vote at a *Representatives' meeting*.
- (7) The commissioner under section 230 or 231 of the *Act* of a *participating council* may:
 - (a) personally fulfil the role and exercise the powers and functions of the *representatives* of that council and for that purpose is to be counted as 2 *representatives* in the quorum and voting; or
 - (b) appoint 2 persons as *representatives*, one of whom may be the administrator.

PART 4 - MEETINGS AND POWERS OF REPRESENTATIVES**10. Convening of Representatives' Meetings**

- (1) The *Authority* may hold such *Representatives' meetings* as are desirable to carry out its functions.
- (2) The *CEO* is to convene a *Representatives' meeting* at the request of the *chief representative*, the *Board* or 2 or more *representatives*.

11. Notice of Representatives' Meeting

- (1) The *CEO* is to give to the:
 - (a) *representatives*;
 - (b) *general managers*; and
 - (c) *directors*;at least:
 - (d) 14 days' notice in writing of the *AGM* or of a *Representatives' meeting* which includes a matter which requires a *special resolution*; and
 - (e) at least 4 days' notice in writing of any other *Representatives' meeting*.
- (2) The notice is to specify the place, the day, and the hour of the meeting and the general nature of the business to be transacted at the meeting.
- (3) Even if no notice is given under subrule (1)(b) and (c) the *representatives* may by resolution passed or signed by all of them waive the requirement for notice of a *Representatives' meeting* other than an *AGM*.

12. AGM

- (1) An *AGM* must be held in every year before the end of November.
- (2) The *AGM* is to:
 - (a) receive and consider the accounts and reports of the *Board*; and
 - (b) Bi-annually elect the *chief representative* and deputy *chief representative* which representatives shall hold such position as determined in accordance with Rules 18(4) and 18(5).
- (3) The *AGM* may transact any other business specified in the notice of the meeting.

- (4) *Councillors* and the employees of a *participating council* and *directors* and employees of the *Authority* may attend any *AGM* but are not entitled to vote.
- (5) The *chief representative* is to provide a “question time” during which persons entitled to be present may ask questions of the *representatives*, the *Board* or the *CEO*.

13. **Representatives’ Powers and Duties**

The *representatives* have powers and duties:

- (a) with respect to the matters which require a *special resolution*; and
- (b) to review the performance of the *Board* and the individual *directors* at least once in each 2 years and not less than 3 months prior to commencing any *director* recruitment process; and
- (c) in accordance with Part 6 of these Rules with respect to:
 - (i) the appointment of *directors*; and
 - (ii) the setting of terms of office of *directors*; and
 - (iii) the setting of remuneration of *directors*; and
 - (iv) the suspension and dismissal of *directors*; and
- (d) to approve the *Authority’s* strategic plan, annual plan and budget under Schedule 2; and
- (e) to appoint the auditor in accordance with Rule 43 and with respect to all matters reasonably incidental to that appointment; and
- (f) to set their requirements for reporting to them by the *Board*; and
- (g) The *representatives* may consider the admission of other Councils as members of the *Authority* and hold discussions with such other Councils concerning such membership and make a recommendation to the *participating councils* as to another Council or Councils becoming a member of the *Authority*.

14. **Policies and Guidelines**

- (1) The *representatives* may by special resolution establish any policy for any process or other matter with respect to their exercise of any of their powers and duties listed in Rule 13.

- (2) In establishing any policy the *representatives* must obtain the advice of the *CEO* and, where the *CEO* certifies that it is required, the advice of an appropriately qualified person who is not an employee of the *Authority*.
- (3) The *representatives* may revoke or amend any policy in the same manner and required by subrules (1) and (2).
- (4) The *representatives* may establish, revoke or amend any guidelines for any process or other matter to be considered by them.
- (5) In establishing any guideline the *representatives* may obtain the advice of the *CEO* or any other appropriately qualified person.
- (6) The *representatives* are to comply with any policy or guideline but their failure to do so will not invalidate any decision.

PART 5 - PROCEEDINGS OF REPRESENTATIVES' MEETINGS**15. Attendance at Representatives' Meetings**

- (1) The *representatives* may require any of the *directors* and the *chief executive officer* to attend any *Representatives' meeting* and provide information.
- (2) A *Representatives' meeting* is not open to the public.
- (3) The *chief representative* may invite any other person to attend a *Representatives' meeting*.
- (4) Any person who attends a *Representatives' meeting* who is not:
 - (a) a *representative*; or
 - (b) a *director* or the *CEO* required to attend under subrule (1);may not speak unless authorised by the *chief representative* to do so.
- (5) The *chief representative* may direct any person attending a *Representatives' meeting* who is not a *representative* to leave the meeting or any part of the meeting.
- (6) A *representative* may participate in a *Representatives' meeting* by telephone, television or video conference or any other means of communication approved by the *representatives*.
- (7) A *representative* who participates in a way referred to in subrule (6) is taken to be present at the meeting for all purposes, including the quorum.

16. Quorum of Representatives

- (1) The quorum at a *Representatives' meeting* is:
 - (a) a majority of the *representatives* who may be appointed under Rule 9(1); and
 - (b) a majority of *participating councils* represented by at least one *representative* on their behalf.
- (2) A *Representatives' meeting* may only transact business if a quorum is present while that business is being considered.

17. Quorum Not Present

- (1) If a *Representatives' meeting* lacks a quorum, either at the beginning or during a meeting, the *chief representative* must adjourn the meeting.
- (2) The *chief representative* may:
 - (a) resume the meeting that day when a quorum is present; or
 - (b) adjourn the meeting until a date, time and place acceptable to a majority of the *representatives* present.
- (3) Only business left unfinished at the adjourned meeting may be transacted at the rescheduled meeting.
- (4) If at the rescheduled meeting, a quorum is not present within 30 minutes after the time specified for holding the meeting, the meeting is to be abandoned.

18. Chair of Representatives' Meeting

- (1) The *chief representative* is entitled to chair every *Representatives' meeting*.
- (2) The deputy *chief representative* may chair any *Representatives' meeting* or part of it if:
 - (a) the *chief representative* is not present at the specified time for holding the meeting; or
 - (b) the *chief representative* is present but is unwilling to chair the meeting or part of the meeting.
- (3) If both the *chief representative* and deputy *chief representative* are absent or unwilling to chair a *Representatives' meeting* or part of a meeting, the *representatives* are to choose a *representative* to chair the *Representatives' meeting* or that part of it.
- (4) The *chief representative* and deputy *chief representative* hold office until the end of the second annual *AGM* after their appointment unless the *representatives* by *special resolution* terminate either or both appointments.
- (5) Despite Rule 18(4), the *representatives* may by *special resolution* dismiss a *chief representative* or deputy *chief representative* from office if the *representatives* consider it in the best interests of the *Authority* or the *participating councils* to do so.

19. Voting at Representatives' Meetings

- (1) Each *representative* is entitled to one vote at a *Representatives' meeting*.
- (2) The *chief representative* has a deliberative vote only.
- (3) Unless otherwise specified in these Rules, a question arising at a *Representatives' meeting* is determined by a majority of the *representatives* present whether or not they vote.
- (4) If a vote is tied, the resolution is lost.
- (5) A vote is to be taken in the manner the *chief representative* directs.

20. Declaration of Vote at Representatives' Meetings

Unless a division is demanded the *chief representative* may declare that a resolution of *representatives* has been passed or lost.

21. Resolution in Writing

- (1) A resolution in writing signed by all *representatives* is as valid as if it had been passed at a *Representatives' meeting* duly called and constituted.
- (2) The resolution may consist of several documents in the same form, each signed by one or more *representatives* or bearing a copy of those signatures transmitted in accordance with Rule 51(2).

22. Special Resolution of Representatives

- (1) A *special resolution* is passed if:
 - (a) notice of the matter has been given in accordance with Rule 11; and
 - (b) it is passed by a majority of the *representatives* (whether or not they are all present and vote) which majority of *representatives* between them represent a majority of the *participating councils* and at least one representative from each Council represented at the *Representatives' meeting* (whether or not all the *participating councils* are represented at that *Representatives' meeting* by a *representative* who is present).
- (2) A *special resolution* is required for the:
 - (a) appointment of the *chair* and other *directors* (Rule 24(2)); or
 - (b) termination, suspension or other changes to the terms of appointment of a *director* prior to the end of their term of appointment (Rules 26 & 27); or

- (c) approval of the *Authority's* strategic plan, annual plan or budget when there is a dispute with the *Board* (Schedule 2 Clause 2.4); or
- (d) appointment of a person to wind up the *Authority* (Rule 54); or
- (e) termination of office of *chief representative* or deputy *chief representative* (Rule 18(4)); or
- (f) deletion or variation of the requirements of the annual report (Rule 44(3)); or
- (g) any other Rule which requires a *special resolution*.

23. Validity of Proceedings of Representatives' Meetings

An act or proceeding of the *representatives* or of any person acting under their direction is:

- (a) not invalid only by reason that at the time when the act or proceeding was done, taken or commenced, there was a vacancy in a position as a *representative*; and
- (b) valid, even if the appointment of a *representative* was defective.

PART 6 - THE BOARD

24. Appointment of Directors

- (1) The *Board* consists of at least 3 and no more than 7 *directors*, one of whom is the *chair*.
- (2) The *representatives* are by *special resolution* to appoint the *chair* and other *directors* of the *Board*.
- (3) When appointing the *chair* and other *directors*, the *representatives* are to:
 - (a) take into account the functions and powers of the *Board* and appoint persons who collectively have the skills and experience to carry out those functions and powers; and
 - (b) specify in the terms of each appointment a term of office no longer than five years, which term may be different for any *director*; and
 - (c) consider the desirability of establishing arrangements for the retirement of no more than half the *Board* at a time so as to preserve continuity of corporate knowledge and skills at *Board* level; and
 - (d) specify the continuing eligibility (if any) on which the *directors*' term of office is a condition so that the *directors*' term of office will automatically cease if the director ceases to comply with that continuing eligibility; and
 - (e) determine the size of the *Board* within the limits required by subrule (1); and
 - (f) take into account the likely conflict or perceived conflict of interests arising from employment or association with other organisations; and
 - (g) consult with the *Board chair* regarding skills/diversity required in the recruitment process.
- (4) A *director* whose term has just expired is eligible for appointment for another term.

25. Eligibility for Appointment as Director

- (1) A person must not be both a *representative* and a *director*. If a *representative* is appointed as a *director* that *representative* must resign their appointment as a *representative* before accepting appointment as a *director*.

- (2) The *representatives* are not to appoint to the *Board* a person who:
- (a) is a *councillor* or employee of a *participating council*; or
 - (b) under the *Corporations Law* of any State is not entitled to manage a corporation or has been disqualified by Court order from managing a corporation; or
 - (c) is suspending payment generally to creditors or compounding with or assigning his or her estate for the benefit of the creditors; or
 - (d) is of unsound mind or is a patient under a law relating to mental health or whose estate is administered under laws relating to mental health; or
 - (e) has been dismissed from office under Rule 27.

26. Suspension of Directors

- (1) Subject to Rule 27A, the *representatives* may by *special resolution* suspend a *director* from office for a period of no more than 3 months.
- (2) If the *representatives* suspend the *chair*, they may suspend him or her from that office only, or as a *director* as well.

27. Dismissal of Directors

- (1)
 - (a) Subject to Rule 27A, the *representatives* may by *special resolution* dismiss a *director* from office if the *representatives* consider it in the best interests of the *Authority* or the *participating councils* to do so.
 - (b) If the *representatives* dismiss the *chair*, they may dismiss him or her from that office only, or as a *director* as well.
 - (c) The *representatives* may dismiss a *director* from office at any time without prior notice if the *director* is guilty of grave misconduct or wilful neglect in the discharge of his or her duties, becomes bankrupt, loses legal capacity or makes any arrangement or composition with his or her creditors.
 - (d) In circumstances other than those set out in clause 27(1)(c) any *director* that is dismissed shall be given 6 months' notice but the *representatives* may decide to pay the *director* the equivalent of the notice period and not require that he or she serve the notice period.

27A. Process for Discipline of Director

- (1) The *representatives* may not make a resolution under Rule 26(1) or 27(1) unless they have first complied with Rules 27A(2) and 27A(3).
- (2) Where the *representatives* consider that there is prima facie evidence of conduct by a director that requires the action considered in Rule 26(1) or Rule 27(1), the *representatives* shall, as soon as practicable, cause a notice to be given to the *director*:
 - (a) setting out the substance of that evidence and breach constituted by it;
 - (b) stating that the *director* may address the representatives with reference to the notice and its contents at a meeting;
 - (c) stating the date, place and time of that meeting being not earlier than two (2) days and not later than seven (7) days after the giving of the notice; and
 - (d) informing the *director* that the director may do either of the following:
 - (i) attend and speak at that meeting;
 - (ii) submit to the representatives at or prior to the date of the meeting written representations relating to the resolution.
- (5) Where the *representatives* make a resolution under Rule 26(1) or Rule 27(1) the *representatives* shall, within seven (7) days thereof, by written notice, inform that *director* of that resolution and of the *director's* right of appeal under Rule 27A(7).
- (6) A resolution by the *representatives* under Rule 26(1) or Rule 27(1) does not take effect:
 - (i) until the expiration of the period in which the *director* is entitled to appeal against the resolution where the *director* does not exercise the right of appeal within that period; or
 - (ii) where within that period the *director* exercises the right of appeal, unless and until the *representatives* confirms the resolution in accordance with Rule 27A(11).
- (7) A director may appeal to the representatives against a resolution under Rule 26(1) or Rule 27(1) within seven (7) days after the notice of the resolution is given to the director by lodging with the chief representative a notice to that effect.

- (8) The available grounds of appeal are:
- (i) where a decision is wrong having regard to the application of the relevant rule, regulation, policy or laws or where new evidence becomes available; or
 - (ii) where natural justice has been denied.
- (9) On receipt of the notice under rule 27A(7) the chief representative shall convene a representatives' meeting to be held within 21 days after the date on which the chief representative received the notice or as soon as possible after that date.
- (10) At the representatives meeting held in accordance with rule 27A(9):
- (i) no business other than the question of the appeal shall be transacted;
 - (ii) the representatives and the director shall have the opportunity to make representations in relation to the appeal orally or in writing, or both; and
 - (iii) after receiving the representations made under Rule 27A(10)(ii), the representatives shall vote on the question that the resolution made under Rule 26(1) or Rule 27(1) be confirmed.
- (11) The resolution made under Rule 26(1) or Rule 27(1) is revoked unless confirmed by Rule 27A(10)(iii).
- (12) Where there is any inconsistency or conflict between this Rule 27A and the *Act*, the *Act* prevails to the extent of the inconsistency or conflict.

28. Vacation of Office of Director

The office of a *director* becomes vacant:

- (a) if the *director* has been absent from 3 consecutive *Board* meetings without leave of absence granted by the *Board* and the *representatives* by ordinary resolution declare that *director's* office vacant; or
- (b) if the *director* is no longer eligible under Rule 25 to be appointed to the *Board* or ceases to be eligible under Rule 24(3)(d); or
- (c) on the written resignation of the *director* being received by the *CEO*; or
- (d) if the *director* is dismissed under Rule 27; or
- (e) on the *director's* death.

29. Remuneration of Directors

- (1) The *directors* are to be paid the remuneration the *representatives* determine in accordance with the voting procedure at Rule 19.
- (2) That remuneration may be different for different *directors* and may include incentives based on performance.

30. Travel and Other Expenses of Directors

A *director* is to be paid all reasonable travel, accommodation and other expenses incurred by the *director* while engaged on the business of the *Authority* in accordance with its normal procedures and policies.

31. Functions and Powers of the Board

Subject to Rule 6(1) the *Board* may perform all the functions and exercise all of the powers of the *Authority* except those functions and powers which these Rules expressly require to be performed by the *representatives* or the *participating councils* only.

32. The Duties of the Board and Directors

- (1) The *Board* is to direct the affairs of the *Authority* in a manner consistent with:
 - (a) the *Authority's* strategic plan, annual plan and budget; and
 - (b) the requirements of the corporatisation model for government business enterprises referred to in the Competition Principles Agreement made between the Commonwealth, the States and the Territories as amended from time to time.
- (2) Except as otherwise provided in these Rules or the *Act*, in the exercise of their functions and powers:
 - (a) each *director* has the same duties and is to exercise the same degree of care, diligence and good faith as a director of a corporation subject to the *Corporations Law*; and
 - (b) the *director* must not do anything which the *Corporations Law* provides that a director of a corporation subject to that law must not do.
- (3) *Directors* may rely on information and advice in the same manner as a director of a corporation subject to the *Corporations Law*.

33. Notifying Representatives of Adverse Developments

The *Board* is to promptly notify the *representatives* of anything which may:

- (a) prevent or significantly adversely affect the achievement of any objective (however called) set out in the strategic plan or annual plan; or
- (b) significantly adversely affect the financial viability or operating ability of the *Authority* and which is not referred to or allowed for in the strategic plan, annual plan or budget.

34. Board Proceedings

Schedule 3 applies to meetings of the *Board*.

35. Board Committees

- (1) The *Board* may establish committees as it considers appropriate and delegate to those committees the functions and powers the *Board* considers appropriate.
- (2) A committee may be comprised entirely of persons who are not *directors*.
- (3) If the *Board* does not direct the manner in which a committee conducts its business, the committee may determine that method.
- (4) The *Board* may discontinue any established committee as it considers appropriate.

PART 7 - CEO AND EMPLOYEES**36. CEO**

- (1) The *Board* is to appoint a *CEO* to be responsible for the administration and operation of the *Authority*.
- (2) The *Board* may delegate any of the *Board's* functions and powers to the *CEO*.
- (3) The *Board* may require the *CEO* to:
 - (a) attend meetings of the *Board*; or
 - (b) leave any part of a *Board* meeting.

37. Delegations of Power by the CEO

Subject to any direction to the contrary by the *Board*, the *CEO* may delegate any of the *CEO's* functions and powers to any person appointed by the *CEO* to assist the *Board* in performing its functions and exercising its powers in accordance with its normal procedures and policies.

PART 8 – FINANCE, ACCOUNTS AND AUDIT**38. Financing of Authority's Activities**

- (1) The expenses incurred by the *Authority* are to be met or defrayed out of the *Authority's* funds raised as follows:
 - (a) fees charged by the *Authority* for any service or facility provided by the *Authority*, including those fees charged to the *participating councils*; and
 - (b) revenue of any other nature received by the *Authority*; and
 - (c) loans made by the *participating councils* to the *Authority* with the prior written consent of all the *participating councils* which loans must be contributed by the *participating councils* in proportion to the *financial ratios*; and
 - (d) the financial contributions as the *participating councils* from time to time unanimously agree to contribute in proportion to the *financial ratios*;
 - (e) loans taken by the *Authority* from any financial institution with the authorisation of the *representatives*; and
 - (f) any other method of raising funds that is permitted to councils under section 73(b) to (i) of the *Act*.
- (2) The *Authority* shall not require any *participating council* to return to the *Authority*:
 - (a) any dividend paid by the *Authority* to the *participating council*; and
 - (b) the net amount of any income tax equivalent or guarantee fee paid to the *participating council* by the *Treasurer* or comptroller in accordance with section 39C of the *Act*.
- (3) The Board is to make full provision for *aftercare management*. To do so:
 - (a) Each year the *Board* must determine an amount that it reasonably believes is necessary in accordance with the *aftercare funding plan*;
 - (b) The amount determined in Rule 38(3)(a) is to be paid into the *aftercare fund*;
 - (c) The *Board* is to determine the closure date at least ten (10) years prior to the landfill *Site* ceasing to be an active landfill and upon doing so, develop a

- closure plan to the satisfaction of the *representatives* for the discharge of funds from the *aftercare fund*;
- (d) The *Authority* may borrow against the *aftercare fund* at the then Tascorp borrowing rate for landfill capital projects provided that:
- (i) The *Authority* is solvent;
 - (ii) The total funds being loaned from the accumulated *aftercare fund* are approved by the *representatives*; and
 - (iii) All borrowings, including all accumulated interest, are repaid not later than two (2) years before the planned *closure date*.
- (e) The *Authority* may lend to any *participating council* funds from the *aftercare fund* provided that:
- A. The *participating council* is solvent;
 - B. The total funds being loaned from the accumulated *aftercare fund* are approved by the *representatives*; and
 - C. All loaned funds, including interest, are to be repaid not later than two (2) years before the planned closure date.
- (4) If the *Board* determines that the *Authority's* budget will not otherwise be sufficient to ensure proper and sufficient reserves as required by subclause (3), it is to give written notice to all *participating councils* requiring them to pay to the *Authority* the amount so required in proportion to their *financial ratio*.
- (5) The *participating councils* must promptly pay to the *Authority* any amount required under subclause (4).
- (6) The *Authority* is to place all amounts it receives for the *aftercare fund* into the *aftercare fund* in accordance with the *aftercare management plan*.
- (7) The *Board* is to make full provision for *rehabilitation*. To do so:
- (a) Each year the *Board* must determine an amount that it reasonably believes is necessary for *rehabilitation*;
 - (b) The amount determined in Rule 38(7)(a) is to be paid into the *rehabilitation fund*.

39. Investments

The *Authority* may only invest money in a manner in which a trustee is authorised by law to invest trust funds.

40. Borrowing

- (1) The *Board*, for the purpose of raising a loan or obtaining any form of financial accommodation, may decide to provide any of the following forms of security:
 - (a) debentures;
 - (b) bills of sale, mortgages or other charges;
 - (c) inscribed stock;
 - (d) guarantees;
 - (e) any other document evidencing indebtedness other than bearer instruments.
- (2) The *Authority* may not raise a loan in any financial year exceeding any amount the *Treasurer* determines for that financial year.
- (3) In this Rule, 'loan' includes any financing arrangement as determined by the *Treasurer*.

41. Accounting Records

The *Authority* is to keep accounting records that correctly record and explain its transactions and financial position and keep those records in a manner that:

- (a) allows true and fair accounts of the *Authority* to be prepared from time to time; and
- (b) allows the accounts of the *Authority* to be conveniently and properly audited or reviewed; and
- (c) complies with generally accepted Australian accounting practices.

42. Financial Statements

Within the time prescribed by the Tasmanian Audit Office, the *Board* is to prepare the financial statements of the *Authority* relating to that financial year including:

- (a) a statement of financial performance for the financial year; and
- (b) a statement of financial position as at the end of the financial year; and

- (c) a statement of cash flows for the financial year; and
- (d) statements, reports and notes attached to or intended to be read with the financial statements.

43. Audit

- (1) The accounts and financial reports of the *Authority* are subject to the Financial Management and Audit Act 1990.
- (2) The accounts and financial reports of the *Authority* may be audited by private auditors with the approval of, and subject to any terms and conditions determined by, the Auditor-General.
- (3) The *representatives* are to appoint and review the appointment of the *auditor*.
- (4) The auditor is to report to the *representatives* and the *Board*.

44. Annual Report

- (1) Before the end of November in each year the *Board* is to prepare an annual report for the last financial year.
- (2) The annual report is to include the following information and documents:
 - (a) the current statement of the contents of the strategic plan referred to in Schedule 2 clause 2.1(4) and the achieved outcomes; and
 - (b) the financial statements of the *Authority* for the financial year to which the annual report relates; and
 - (c) a copy of the opinion of the auditor in respect of the financial statements; and
 - (d) reports of the *chief representative* and the *chair*; and
 - (e) performance targets achieved; and
 - (f) any other matter required by the *Act*; and
 - (g) any other matter as directed by the *representatives*.
- (3) The *representatives* may by *special resolution* delete all or any part of the requirements of subrule (2)(a) and (e), unless that is contrary to the *Act*.
- (4) The Annual Report must be submitted to the participating councils in accordance with Section 36A of the Local Government Act. The Participating Councils may

determine that the Annual Report be considered in a closed section of a council meeting in accordance with Regulation 15(2) of the Local Government (Meeting Procedures) Regulations 2015 (Tas) as amended from time to time.

45. Quarterly Report

- (1) The *Authority* must submit to the *participating councils* a report as soon as practicable after the end of March, June, September and December in each year.
- (2) The quarterly report of the *Authority* is to include:
 - (a) a statement of its general performance; and
 - (b) a statement of its financial performance.

PART 9 - DIVIDENDS AND OTHER PAYMENTS**45. Comptroller**

If the *Authority* is required to pay guarantee fees under section 39D of the *Act*, then under section 39E of the *Act* the *participating councils* must appoint a comptroller for the purposes of that section.

46. Dividends

- (1) The *Board* may declare a dividend in each financial year with respect to the results of the financial transactions of the *Authority* during the prior financial year.
- (2) Dividends may only be paid out of the profits after providing for the reserves required by Rule 38(3), depreciation and after payment of financial guarantees and tax equivalents.
- (3) The *participating councils* are to share in the distribution of declared dividends in proportion to their *financial ratios*.

47. Distribution of Other Payments

To the extent that these Rules can so provide, the *Treasurer* and a comptroller are to distribute payments made to the Treasury and comptroller under Part 3A of the *Act* in proportion to the *financial ratio* of each *participating council*.

PART 10 - MISCELLANEOUS**48 Participating Councils' Domestic Waste Collection**

Each of the *participating councils* is to use its reasonable endeavours to conduct, or cause to be conducted, the collection of domestic waste from its municipal area in a manner that renders the operation of the *Authority's* licensed *waste* disposal landfill as cost effective as practicable.

49. Indemnity for Representatives, Directors and Employees

- (1) The *Authority* may indemnify a person who is, or has been, a *representative, director* or an employee against any liability incurred to a person other than the *Authority* by that person in his or her capacity as a *representative, director* or an employee.
- (2) Subrule (1) does not apply if the liability arises out of conduct on the part of the *representative, director* or employee which involves a lack of good faith or wilful breach of duty in relation to the *Authority*.
- (3) The *Authority* may pay a premium on a contract insuring a person to whom subrule (1) applies against any liability to which subrule (1) applies.

50. Minutes and Confidentiality

- (1) The *Board* and the *representatives* are to ensure that minutes of their respective meetings and of any committees are duly recorded in any manner they respectively think fit.
- (2) The minutes are to include the names of the:
 - (a) *representatives* present at *Representatives' meetings*; and
 - (b) *directors* present at each *Board* meeting; and
 - (c) persons present at any committee meeting.
- (3) The minutes are to include a record of the resolutions and proceedings of:
 - (a) *Representatives' meetings*; and
 - (b) meetings of the *Board*; and
 - (c) meetings of any committee.
- (4) The minutes of any meeting, if purported to be signed (in writing or by email or otherwise allows by law) by the *chair* of the meeting or by the *chair* of the next

succeeding meeting of the *representatives*, the *Board* or the committee (as the case may be), are evidence of the matters stated in the minutes.

- (5) The *CEO* is to ensure that within 14 days of each meeting copies of the minutes of the meeting (even if they are not yet confirmed) are forwarded as follows:
- (a) of *Board* meetings to each:
 - (i) *director*; and
 - (ii) *representative*.
 - (b) of *Representatives' meetings* to each:
 - (i) *representative*; and
 - (ii) *director*; and
 - (iii) *general manager*.
 - (c) of committee meetings, to each:
 - (i) *director*; and
 - (ii) member of that committee.
- (6) *Representatives, directors, CEO, general managers and councillors* are to ensure that the minutes (whether confirmed or unconfirmed) of all *Board* and committee meetings are kept confidential unless the *chair* gives written approval to the contrary.
- (7) (a) Minutes of *Representatives' meetings* are confidential unless the *representatives* determine to the contrary, either generally or specifically with respect to all or any part of those minutes.
- (b) If any part of the minutes of a *Representatives' meeting* are specified to be confidential, the *general managers* may only publish those confidential sections of the minutes in the confidential papers of the council.
- (c) Except as provided in subrule (b), all persons who receive confidential minutes of any part of a *Representatives' meeting* are to keep those minutes confidential.
- (d) *Representatives* are to keep confidential all information given, and discussions made during, that part of a *Representatives' meeting* for which the minutes are specified to be confidential.

51. Notices

- (1) A notice required to be given to a *participating council* is to be given to both its *general manager* and its *representatives*.
- (2) A document is effectively given to an individual under these Rules if it is:
 - (a) given to the person; or
 - (b) left at, or sent by post to, the person's postal or residential address or place of business or employment last known to the giver of the document; or
 - (c) sent by way of electronic mail or facsimile transmission to the person's electronic mail address or facsimile number last known to the giver of the document.
- (3) A document is effectively given to a *participating council* under these Rules if it is marked to the attention of its *general manager* and:
 - (a) left at, or sent by post to, its principal office; or
 - (b) sent by way of electronic mail or facsimile transmission to its electronic mail address or facsimile number of its principal office.

52. Common Seal and Execution of Documents

- (1) The common seal of the *Authority* is to be kept and used as authorised by the *Board*.
- (2) The common seal to any document is to be attested by:
 - (a) the *chair* and the *CEO*; or
 - (b) any two *directors*.
- (3) The *Board* may determine the method of the signing or execution of any document on behalf of the *Authority* which does not require the affixing of the common seal.

53. Amendment of Rules

These Rules may only be amended in accordance with the *Act*.

54. Insolvency

- (1) If the *Board* considers it is likely that the *Authority* will be unable to meet its financial obligations as and when they fall due, it may levy the *participating councils* for contributions to meet those obligations.
- (2) The contributions payable are to be calculated according to the *financial ratios*.
- (3) The *participating councils* must pay the amount so levied within 60 days of receiving written notice from the *Board* of that levy, whether or not they have given notice of withdrawal under Rule 8(1) before or after the *Board* makes the levy.
- (4) Any such levies are to be repaid to the *participating councils* from subsequent surpluses prior to any dividends being declared.
- (5) If:
 - (a) the *Board* resolves to make a levy under subrule (1); and
 - (b) a council has withdrawn from the *Authority* under Rule 8(1) within 2 years prior to the *Board* making that resolution; and
 - (c) in the *representatives'* opinion at least a major cause of the *Authority's* inability to meet its financial obligations occurred while that council was a member of the *Authority*;then the *Board* may levy that council as if it were a *participating council* and subrule (3) binds that council.
- (6) If the *Board* makes a levy under subrule (5), the proportions under subrule (2) are to be calculated as if the council that has withdrawn is a *participating council* and in accordance with the *financial ratios* that applied immediately before it withdrew from the *Authority*.

55. Winding Up

- (1) The *Authority* may only be wound up under section 37 of the *Act*.
- (2) On the winding up of the *Authority* its net assets are to be distributed between the *participating councils* in proportion to their *financial ratio*.
- (3) The *participating councils* may unanimously approve a different formula for distribution for the purposes of subrule (2).

- (4) If on its winding up the *Authority* is insolvent then the *participating councils* are responsible for the net liabilities of the *Authority* in proportion to their *financial ratios*.
- (5) If subrule (4) applies and any former *participating council* withdrew within 2 years before the decision was made to wind up or at any time after the decision to wind up, then the *participating councils* including that former *participating council* are responsible for the net liabilities of the *Authority* in proportion to the *financial ratios* that applied immediately before the withdrawal of that former *participating council*.

56. Dispute Resolution

- (1) The provisions of Schedule 4 apply to any dispute as to any issue the subject of these Rules or arising from their interpretation between:
 - (a) any or all of the *participating councils*; and
 - (b) any or all of the *participating councils* and the *representatives* or the *Board*; and
 - (c) the *representatives* and the *Board* (other than one to which Schedule 2 clause 2.4 applies; and
 - (d) any council that has withdrawn and the *Authority*, the *Board* or the *representatives*.
- (2) Schedule 4 does not apply to any dispute with a *participating council* where that dispute relates to that council as a customer of the *Authority*.

SCHEDULE 1

PARTICIPATING COUNCILS

Central Coast Council

Devonport City Council

Kentish Council

Latrobe Council

SCHEDULE 2

STRATEGIC & ANNUAL PLANS & BUDGETS

2.1 The Strategic Plan

- (1) The *Board* is to ensure that the *Authority* has a strategic plan for the next 3 to 5 years the contents of which and the approval of which complies with the provisions of this Schedule.
- (2) The strategic plan is to contain such information as the *Act* requires for the strategic plans of councils as is relevant to the *Authority's* functions.
- (3) Subject to subrule (2) the content of the strategic plan is to be consistent with the requirements of the corporatisation model for government business enterprises referred to in the Competition Principles Agreement made between the Commonwealth, the States and the Territories as amended from time to time.
- (4) The strategic plan is to specify the broad policy expectations of the *participating councils* for the *Authority* and the means by which the performance of the business activities of the *Authority* are to be measured.
- (5) The strategic plan is to cover such matters as the representatives determine.
- (6) Until the *representatives* determine by *special resolution* to the contrary the strategic plan is to cover the following:
 - a) the objectives of the *Authority's* activities; and
 - b) the identification of and objectives of any community service activities of the *Authority*; and
 - c) broad policy statements such as:
 - (i) compliance with environmentally sound and sustainable principles; and
 - (i) regard to the obligations of the *Authority* and the *participating councils* in relation to the Competition Principles Agreement as amended from time to time and their impact on future policies, procedures and practices concerning the *waste* management industry;
 - d) key financial parameters and performance indicators; and
 - e) financial and service performance targets; and

- f) the *participating councils* dividend expectations; and
- (7) Either the *representatives* or the *Board* may propose to the other an amendment or replacement of the strategic plan for adoption in accordance with clause 2.3 of this Schedule.
- (8) At least once in each year the *representatives* and the *Board* are to review the strategic plan.

2.2 The Annual Plan and Budget

- (1) In each financial year the *Board* is to prepare and submit to the *representatives* a draft annual plan for the *Authority* for the next financial year and the following four years.
- (2) The annual plan is to:
 - (a) be consistent with the strategic plan; and
 - (b) cover such matters as s72(2) of the *Act* requires for the operational plans of councils as are relevant to the *Authority's* functions; and
 - (c) include such other matters as the *Board* or the *representatives* determine;
 - g) cover key financial parameters and performance indicators; and
 - h) cover financial and service performance targets
 - i) cover the *participating councils* dividend expectations.
- (3) The *Board* and the *representatives* are to use their best endeavours to approve the annual plan for a financial year in sufficient time to enable the *CEO* to prepare the annual budget with respect to that annual plan by the time required by clause 2.3(6).
- (4) In each financial year the *CEO* is to prepare a budget for the *Authority's* revenue and expenditure for each financial year.
- (5) The *annual* budget is to include:
 - (a) matters similar to those required of councils by section 82(2) of the *Act*; and
 - (b) any other matters required by the *Board* or the *representatives*.
- (6) The budget is to be consistent with the annual plan for that financial year.
- (7) The *Authority* is not bound by any of the other provisions of section 82 of the *Act*.

- (8) Once the *Board* has approved the annual budget for a financial year it must submit that budget to the *representatives* for adoption.
- (9) Unless the *representatives* determine by *special resolution* to the contrary, the timetable for adoption of the annual budget is:
 - (a) approval by the *Board* of the draft budget prepared by the *CEO* by the end of April preceding the financial year of the budget; and
 - (b) adoption by the *representatives* of the budget approved by the *Board* by the end of June preceding the financial year of the budget.

2.3 Adoption of Strategic Plan, Annual Plan and Budget

- (1) The *Authority's* strategic plan or any amendment to it or replacement of it is adopted:
 - (a) when the *representatives* resolve to adopt a draft submitted to them by the *Board*; or
 - (b) when the *Board* resolves to adopt a draft submitted to it by the *representatives*; or
 - (c) in accordance with subclauses (8) or (10).
- (2) The *Authority's* annual plan and budget for a particular period is adopted:
 - (a) when the *representatives* resolve to adopt the draft of the relevant document submitted to them by the *Board*; or
 - (b) in accordance with subclauses (8) or (10).
- (3) If the *representatives* and the *Board* have not been able to agree on the Annual Plan and Budget within 60 days of:
 - (a) either of the *representatives* or the *Board* submitting the draft strategic plan to the other of them for approval; or
 - (b) the *Board* submitting a draft annual plan or budget to the *representatives* for approval;

then the *chief representative* is to call a joint meeting of the *representatives* and the *Board* to resolve the issue.
- (4) The *chief representative* may call a joint meeting earlier than the time period referred to in subclause (3) if the *chief representative* and the *chair* agree to do so.

- (5) The *chief representative* is to:
- (a) call the joint meeting in the same manner as a *representatives' meeting*; and
 - (b) chair the joint meeting as if it were a *representatives' meeting*; and
 - (c) during that meeting give the *directors* the same rights to speak and vote as the *representatives* have.
- (6) If it appears to the *chief representative* that the *representatives* and the *Board* have reached agreement during the joint meeting, the *chief representative* may adjourn the joint meeting to enable separate meetings of the *representatives* and the *Board*.
- (7) The separate meetings of the *representatives* and the *Board* require no notice if they are held at the same place as the joint meeting and promptly after its adjournment.
- (8) When considering the provisions of the document in which they are not in agreement:
- (a) the *Board* is to take into account that the *representatives* represent the owners of the *Authority*; and
 - (b) the *representatives* are to take into account that the *Board* is charged with the conduct of the affairs of the *Authority*.
- (9) If within 30 days after the joint meeting the *Board* and the *representatives* are still unable to agree on the document, the *representatives* may by *special resolution* adopt the document.
- (10) A *special resolution* under subclause (9) may only be moved at a *representatives' meeting* the notice for which was issued after the period of 30 days.
- (11) The *representatives* and the *Board* may agree any other process for resolving a dispute between them as to the approval of a strategic plan, annual plan or budget.
- (12) The provisions of this clause 2.4 apply to any amendment of the strategic plan, annual plan or budget proposed by either the *representatives* or the *Board*.

2.4 Exclusion of Processes of the Act

The *Authority* is not required to follow any process provided in the *Act* that may otherwise be relevant to the preparation or adoption of any document referred to in this Schedule unless the *Act* specifically requires that process for that document for joint authorities generally or specifically for the *Authority*.

2.5 Legal Effect of Strategic Plan, Annual Plan and Budget

The validity of any act, transaction, agreement, resolution or other thing is not affected by:

- (a) the failure of the *representatives* or the *Board* to adopt any document that is required by this Schedule or to do anything in the process of that adoption; or
- (b) any inconsistency between any of those documents; or
- (c) any non compliance of any of those documents with any provision of this Schedule; or
- (d) any non compliance of that act, transaction, agreement, resolution or other thing with any of those documents; or
- (e) any other non compliance in those documents or the process of their adoption.

2.6 Availability of Copies

- (1) *Councillors* and *general managers* are entitled to copies of current strategic plans, annual plans and budgets of the *Authority*.
- (2) If the *Board* considers that public disclosure of any part of any of those documents is likely to disadvantage the *Authority*, it may determine that such part is to be kept confidential.
- (3) *Representatives, directors, councillors and general managers* are to keep confidential those parts of any document that the Board has determined are to be kept confidential.

SCHEDULE 3

PROCEEDINGS OF THE BOARD

3.1 Convening of Board Meetings

- (1) The *Board* may hold such meetings as are desirable to carry out its functions.
- (2) The *CEO* is to convene a *Board* meeting at the request of the *chairman* or any two *directors*.

3.2 Notice of Board Meetings

The *Board* may determine generally or specifically the requirements for notice of its meetings.

3.3 Chairing of Board Meetings

- (1) The *chair* is entitled to chair every *Board* meeting.
- (2) If the *chair* is absent, unwilling or unable to chair a meeting or part of a meeting, the *directors* are to choose a *director* to chair the meeting or that part of the meeting.

3.4 Quorum at Board Meetings

- (1) A quorum of the *Board* is a majority of the total number of *directors*.
- (2) The quorum is to be counted at the commencement of the meeting.
- (3) If a *director* is excluded from being present at a *Board* meeting in relation to a matter, a quorum for the purposes of considering and making a decision in relation to that matter is constituted by the number of *directors* specified as constituting a quorum less the number of *directors* so excluded.
- (4) A quorum under subclause (3) is to be at least 2 of the *directors*.

3.5 Voting at Board Meetings

- (1) The *chair* has a deliberative vote only.
- (2) A question is decided:
 - (a) by a majority of votes of the *directors* present and voting; and
 - (b) in the negative if there is an equality of votes of the *directors* present and voting.

3.6 Conduct of Meetings

- (1) The *Board* may regulate the calling of, and the conduct of business at, its meetings as it considers appropriate.
- (2) A *director* may participate in a meeting by telephone, television or video conference or any other means of communication approved by the *Board*.
- (3) A *director* who participates in a way referred to in sub-clause (2) is taken to be present at the meeting for all purposes, including the quorum.
- (4) The *Board* may allow or invite a person to attend a meeting for the purpose of advising or informing it on any matter.

3.7 Resolutions Without Meetings

The *Board* may make resolutions in a similar manner to that set out in Rule 21.

3.8 Validity of Proceedings

An act or proceeding of the *Board* or of any person acting under any direction of the *Board* is:

- (a) not invalid by reason only that at the time when the act or proceeding was done, taken or commenced, there was a vacancy in the membership of the *Board*;
- (b) is valid, even if:
 - (i) the appointment of a *director* was defective; or
 - (ii) any person appointed as a *director* was disqualified from acting as, or incapable of being, a *director*.

3.9 Confidentiality

All persons who attend a *Board* meeting are to keep confidential all information given and discussion made during that meeting except to the extent that the *chair* gives approval to the contrary or these Rules provide to the contrary.

SCHEDULE 4**DISPUTE RESOLUTION****4.1 Outline of Resolution Process**

The parties to which any dispute to which Rule 56 applies must use the following dispute resolution process:

- (a) negotiation in good faith;
- (b) if negotiation do not resolve the dispute, then mediation;
- (c) if mediation does not resolve the dispute, then arbitration if clause 4.6(2) applies.

4.2 Other Parties May Join

Even though a dispute may be primarily between two of the parties referred to in Rule 57, any other party may require that it be included in the dispute resolution process as a party to the dispute.

4.3 Notice of Dispute

If a dispute as defined in Rule 57 arises, then any party to that dispute may give written notice to the other or others of that dispute. That notice is to specify the general nature of the dispute in such a way as to facilitate resolution of all issues relevant to the dispute.

4.4 Notice of Mediation

If with 30 days of the giving of a notice of dispute under clause 4.3, any party to the dispute considers that it is unlikely that the dispute or any part of it will be resolved by negotiation, it may give written notice to the other or others requiring mediation.

4.5 Mediation Rules

If within 14 days of the receipt of the notice requiring mediation, the parties to the dispute do not agree on:

- (a) the selection and compensation of an appropriate mediator; or
- (b) another dispute resolution technique and procedures; or
- (c) an actual resolution of the dispute;

then the parties to the dispute must mediate it in accordance with the mediation rules of the Law Society of Tasmania. The mediator is to be a person nominated by the President

of the Local Government Association of Tasmania who may also determine the mediator's remuneration.

4.6 Arbitration

- (1) If the mediator appointed under clause 4.5 certifies that the mediation has been unable, and is unlikely, to resolve the dispute, or any part of it, then the dispute, or that part which is unresolved, is to be referred to arbitration under the Commercial Arbitration Act 1986. If the parties cannot agree on an arbitrator, the arbitrator is to be a person nominated by the President of the Local Government Association of Tasmania.
- (2) Subclause (1) only applies if the unresolved dispute is one in respect of which a party has a right enforceable in a Court of law and that party wishes to enforce that right.

4.7 Other Processes

The parties to a dispute may agree on any other process for resolving a dispute or any part of it.

Certification of Rules

I certify in accordance with Section 32(2) Local Government Act that these Rules are in accordance with the law.

Dated 20 / 07 / 2016



Cassandra Amie Blair
Qualified legal practitioner, Launceston

I certify in accordance with Section 32(2) Local Government Act that these Rules have been made in accordance with the Local Government Act.

Dated 26 / 07 / 2016



General Manager *Devonport City* Council

Central Coast Council

List of Development Applications Determined

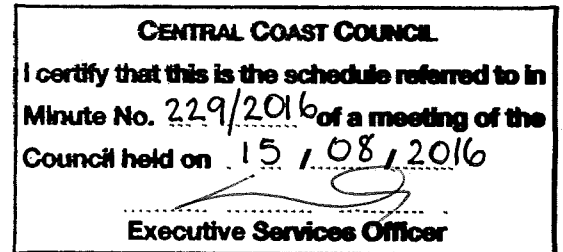
Period From: 01-Jul-2016 To 31-Jul-2016

Application Number	Property Address	Development Application Type	Description of Proposed Use	Application Date	Decision Date	Day Determined
DA215169	26 Berkshire Parade Penguin 7316	Discretionary Development Application	Residential (outbuilding - garage)	30-Mar-2016	13-Jul-2016	19
DA215160	25 Queen Street Ulverstone 7315	Discretionary Development Application	Subdivison (two lots), demolition of outbuildings and development of fence and new outbuilding (garage) and Residential (multiple dwellings)	27-May-2016	19-Jul-2016	37
DA215199	Olivers Road West Ulverstone 7315	Permitted Development Application	Residential (dwelling)	30-May-2016	13-Jul-2016	14
DA215209	9 Maxwell Street West Ulverstone 7315	Discretionary Development Application	Residential (dwelling) and outbuilding (shed)	31-May-2016	11-Jul-2016	16
DA215149	3 Barker Avenue Penguin 7316	Discretionary Development Application	Residential (dwelling) and outbuilding (carport)	02-Jun-2016	19-Jul-2016	13
DA215198	42 Jermyn Street Ulverstone 7315	Discretionary Development Application	Residential (multiple dwellings)	03-Jun-2016	01-Jul-2016	26
DA215152	14 Beach Road Ulverstone 7315	Discretionary Development Application	Subdivision (5 Lots)	10-Jun-2016	15-Jul-2016	33
DA215216	59 Kindred Road Forth 7310	Permitted Development Application	Residential (awning)	17-Jun-2016	01-Jul-2016	10
DA215197	38 Leven Street Ulverstone 7315	Discretionary Development Application	Business and Professional Services (Dental Clinic)	20-Jun-2016	13-Jul-2016	21
DA215215	U 2/21 Russell Avenue Ulverstone 7315	Discretionary Development Application	Residential (verandah for multiple dwelling)	20-Jun-2016	14-Jul-2016	23
DA215139-1	130 Raymond Road Gunns Plains 7316	Discretionary Development Application	Visitor Accommodation (guest house)	21-Jun-2016	01-Jul-2016	3
DA215221	298 Westella Drive Turners Beach 7315	Discretionary Development Application	Residential (dwelling) and outbuilding (shed)	24-Jun-2016	22-Jul-2016	12
DA215219	174 Allport Street East Leith 7315	Discretionary Development Application	Residential (dwelling)	29-Jun-2016	27-Jul-2016	20

Application Number	Property Address	Development Application Type	Description of Proposed Use	Application Date	Decision Date	Day Determined
DA215208	8 Clerke Street Leith 7315	Discretionary Development Application	Residential (dwelling)	30-Jun-2016	28-Jul-2016	22
DA215225	27 Explorer Drive Turners Beach 7315	Discretionary Development Application	Residential (dwelling)	04-Jul-2016	27-Jul-2016	18
DA215173-1	179 Maxfields Road South Nietta 7315	Discretionary Development Application	Utilities (Water Transfer Infrastructure, including Pump House, Pipeline, Penstock and Turbine House)	12-Jul-2016	25-Jul-2016	10
DA216008	1 Maxwell Street Ulverstone 7315	Permitted Development Application	Residential (dwelling and outbuilding - shed)	13-Jul-2016	25-Jul-2016	7
DA216003	117 Edinborough Road Abbotsham 7315	Permitted Development Application	Residential (outbuilding to required dwelling)	14-Jul-2016	19-Jul-2016	5

**SCHEDULE OF STATUTORY DETERMINATIONS
MADE UNDER DELEGATION**

Period: 1 July 2016 to 31 July 2016



Building Approvals – 18

<i>Type</i>	<i>No.</i>	<i>Total Value (\$)</i>
Dwellings	4	1,206,567
Flats/Units	0	0
Additions/Alterations	7	516,144
Outbuildings	4	45,860
Other	3	860,000
The estimated cost of building works totalled		2,628,571

Minor Works Applications – 3

Plumbing Permits – 14

Food Business registrations (renewals) – 16

Temporary Food Business registrations – 2

Temporary 12 month Food Business Registrations – 4

Kennel Licences issued – 1

<i>Address</i>	<i>Owner</i>
35 Chellis Road, Riana	Jennifer McArthur

Cor Vander Vlist
DIRECTOR COMMUNITY SERVICES

SCHEDULE OF CONTRACTS AND AGREEMENTS

(Other than those approved under the Common Seal)

Period: 1 to 31 July 2016

Contracts

- Contract No. 1/2016-17
Green Building Surveying
Surveying for Dial Regional Sports complex development
Net Price \$7,449.20 (incl. GST)

Agreements

- Development Agreement – Muri Pty Ltd
Notification of Agreement under Land Use Planning and Approvals Act 1993
- Tenancy Agreement
Unit 2 Ganesway, 51-55 Queen Street, West Ulverstone
- TasRacing Pty Ltd
Lease agreement – Greyhound Training Track
River Road Recreation Area, West Ulverstone
- North West Woodcraft Guild
Lease for Clubrooms, Workshop, Craft Outlet & Teaching Workshop
Leven Training Centre
- Ulverstone Tennnis Club
Clubrooms lease
Ulverstone Tennis Club, West Ulverstone



Sandra Ayton
GENERAL MANAGER

**SCHEDULE OF DOCUMENTS FOR AFFIXING OF
THE COMMON SEAL**

Period: 19 July 2016 to 15 August 2016

Documents for affixing of the common seal

· Nil

Final plans of subdivision sealed under delegation

- Final Survey Plan
6 Turners Beach Road, Turners Beach
Application No. COM 2006.1



Sandra Ayton
GENERAL MANAGER

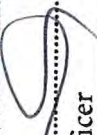
CENTRAL COAST COUNCIL

I certify that this is The Financial Statements

.....referred to in

Minute No. 238/2016 of a meeting of the

Council held on 15 / 08 / 2016


Executive Services Officer

A SUMMARY OF RATES & FIRE SERVICE LEVIES FOR THE PERIOD ENDED 31 JULY 2016

	2015/2016		2016/2017	
	\$	%	\$	%
Rates paid in Advance	-	-	-	-
Rates Receivable	837,326.01	-5.97	892,195.10	-6.21
Rates Demanded	295,911.64	2.11	228,216.09	1.59
Supplementary Rates	14,561,987.40	103.86	15,038,148.67	104.62
	-	0.00	-	0.00
	14,020,573.03	100.00	14,374,169.66	100.00
Collected	1,724,245.85	12.30	1,943,839.28	13.52
Add Pensioners - Government	807,148.09	5.76	825,510.89	5.74
Pensioners - Council	30,205.00	0.22	31,640.00	0.22
	2,561,598.94	18.27	2,800,990.17	19.48
Remitted	228.39	0.00	-	0.00
Discount Allowed	113,434.76	0.81	127,828.51	0.89
Paid in advance	203,679.79	-1.45	193,018.81	-1.34
Outstanding	11,548,990.73	82.37	11,638,369.79	80.97
	14,020,573.03	100.00	14,374,169.66	100.00

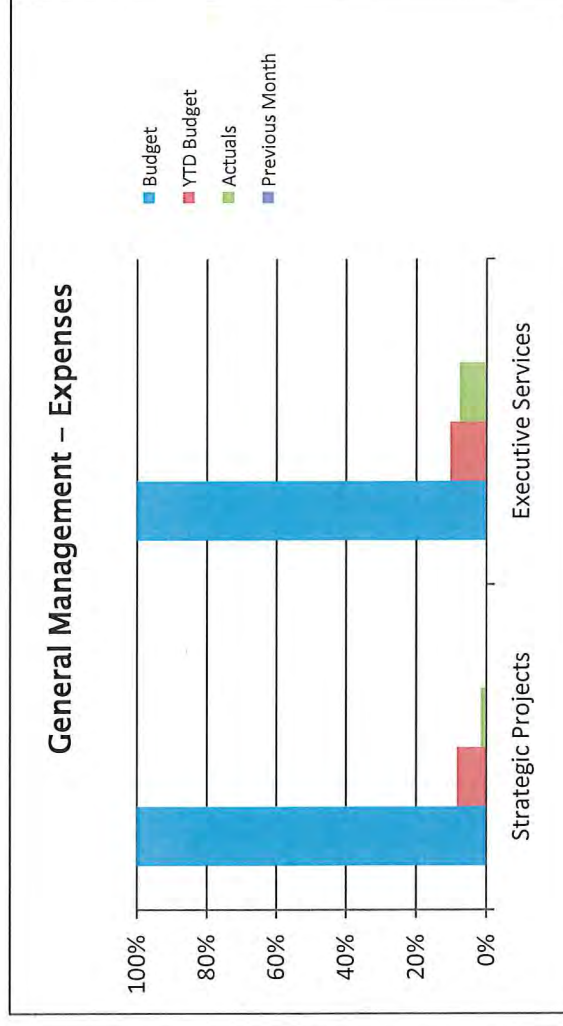
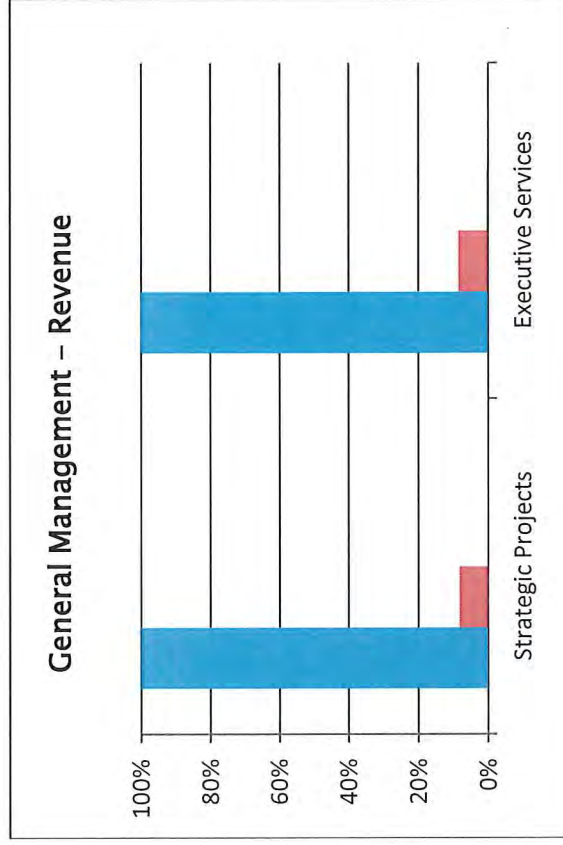


Andrea O'Rourke
ASSISTANT ACCOUNTANT

3-Aug-2016

Finance Report – June 2016

GENERAL MANAGEMENT	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Strategic Projects	(4,373,000)	(364,490)	(1,146)	-	(363,344)	(4,371,854)	0%
Executive Services	(16,000)	(1,370)	(70)	-	(1,300)	(15,930)	0%
\$ (4,389,000) \$ (365,860) \$ (1,216) \$ - \$ (364,644) \$ (4,387,784)							
Expenses							
Strategic Projects	134,000	11,240	2,070	-	9,171	131,931	2%
Executive Services	1,490,000	152,970	111,987	-	40,983	1,378,013	8%
\$ 1,624,000 \$ 164,210 \$ 114,057 \$ - \$ 50,153 \$ 1,509,943							

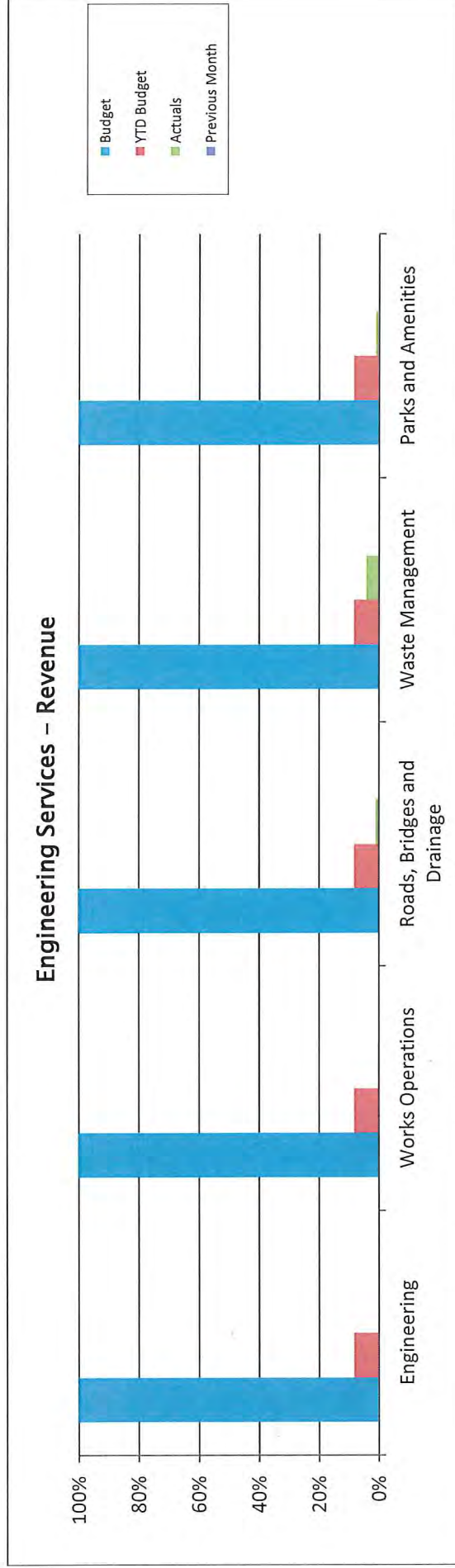


Variance

Strategic Projects	Revenue less than YTD budget – Budget timing – sale of property and capital contributions.
Strategic Projects	Expenditure less than YTD budget – timing in general.
Executive Services	Revenue less than YTD budget – timing in general.
Executive Services	Expenditure less than YTD budget – timing in general.

Finance Report – June 2016

ENGINEERING SERVICES Revenue	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Engineering	(1,486,000)	(123,760)	(4,658)	-	(119,102)	(1,481,342)	0%
Works Operations	(1,179,000)	(98,250)	(4,090)	-	(94,160)	(1,174,910)	0%
Roads, Bridges and Drainage	(2,562,200)	(213,480)	(29,491)	-	(183,989)	(2,532,709)	1%
Waste Management	(593,500)	(49,440)	(25,095)	-	(24,345)	(568,405)	4%
Parks and Amenities	(489,700)	(40,790)	(5,468)	-	(35,322)	(484,232)	1%
\$ (6,310,400) \$	(525,720) \$	(68,801) \$	-	\$ (456,919) \$	(6,241,599)		

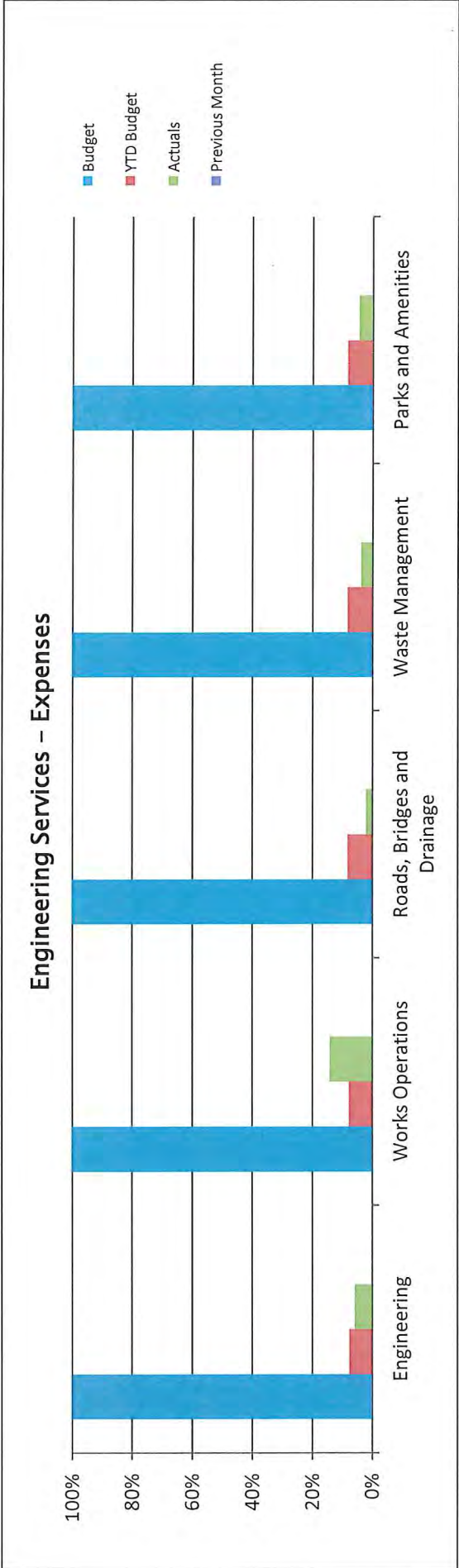


Variance

- Engineering Revenue under YTD budget – Timing – allocations still to be processed.
- Works Operations Revenue under YTD budget – Timing – allocations still to be processed.
- Roads, Bridges and Drainage Revenue under YTD budget – Timing – capital grants other than Roads to Recovery not yet received.
- Waste Management Revenue under YTD budget – Resource Recovery Centre – entry fees and scrap metal sales behind budget.
- Parks and Amenities Revenue under YTD budget – Timing of revenue in general.

Finance Report – June 2016

ENGINEERING SERVICES Expenses		Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Engineering		1,486,000	115,135	85,311	-	29,824	1,400,689	6%
Works Operations		1,209,000	95,810	171,611	-	(75,801)	1,037,389	14%
Roads, Bridges and Drainage		6,997,000	583,053	153,303	-	429,750	6,843,697	2%
Waste Management		3,587,500	299,110	138,440	-	160,670	3,449,060	4%
Parks and Amenities		2,583,700	214,850	113,518	-	101,332	2,470,182	4%
		\$ 15,863,200	\$ 1,307,958	\$ 662,183	\$ -	\$ 645,775	\$ 15,201,017	

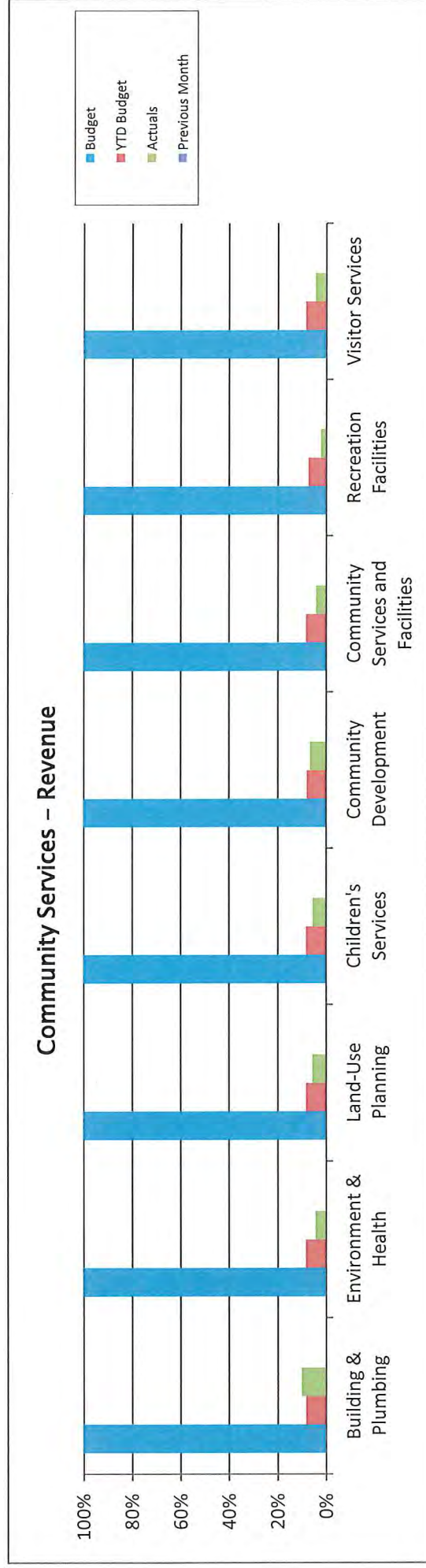


Variance

- Engineering Expenditure under YTD budget – Timing of costs in general.
- Works Operations Expenditure over YTD budget – Flood recovery expenses not budgeted for.
- Roads, Bridges and Drainage Expenditure under YTD budget – Timing of costs in general.
- Waste Management Expenditure under YTD budget – Garbage and recycling collection costs for July not yet received.
- Parks and amenities Expenditure under YTD budget – Timing of costs in general.

Finance Report – June 2016

COMMUNITY SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Building and Plumbing	(220,000)	(18,370)	(22,341)	-	3,971	(197,659)	10%
Environment and Health	(62,000)	(5,240)	(2,658)	-	(2,582)	(59,342)	4%
Land-Use Planning	(156,000)	(13,110)	(8,861)	-	(4,249)	(147,139)	6%
Children's Services	(1,399,000)	(116,400)	(77,433)	-	(38,967)	(1,321,567)	6%
Community Development	(56,700)	(4,590)	(3,824)	-	(766)	(52,876)	7%
Community Services and Facilities	(1,081,500)	(90,100)	(45,033)	-	(45,067)	(1,036,467)	4%
Recreation Facilities	(537,000)	(39,210)	(11,683)	-	(27,527)	(525,317)	2%
Visitor Services	(89,000)	(7,430)	(3,856)	-	(3,574)	(85,144)	4%
	\$ (3,601,200)	\$ (294,450)	\$ (175,688)	\$ -	\$ (118,762)	\$ (3,425,512)	

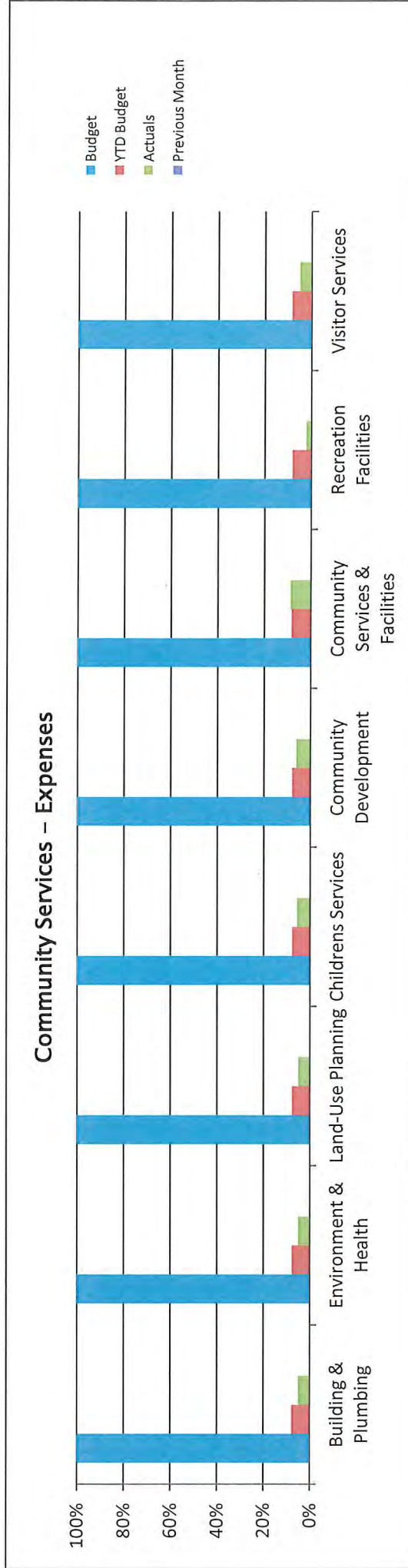


Variance

- Building and Plumbing Revenue greater than YTD budget – Revenue ahead of budget in general.
- Children's Services Revenue less than YTD budget – Timing of contribution income.
- Community Services and Facilities Revenue less than YTD budget – Timing in general.
- Recreation Facilities Revenue less than YTD budget – Timing in general.

Finance Report – June 2016

COMMUNITY SERVICES Expenses	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Building and Plumbing	474,000	37,220	23,593	-	13,627	450,407	5%
Environment and Health	330,000	25,740	16,260	-	9,480	313,740	5%
Land-Use Planning	577,500	45,040	28,806	-	16,234	548,694	5%
Children's Services	1,388,000	108,510	79,024	-	29,486	1,308,976	6%
Community Development	791,400	62,110	48,078	-	14,032	743,322	6%
Community Services and Facilities	1,553,700	128,700	136,312	-	(7,612)	1,417,388	9%
Recreation Facilities	1,957,300	158,430	40,216	-	118,214	1,917,084	2%
Visitor Services	289,000	24,010	14,094	-	9,916	274,906	5%
	\$ 7,360,900	\$ 589,760	\$ 386,383	\$ -	\$ 203,377	\$ 6,974,517	



Variance

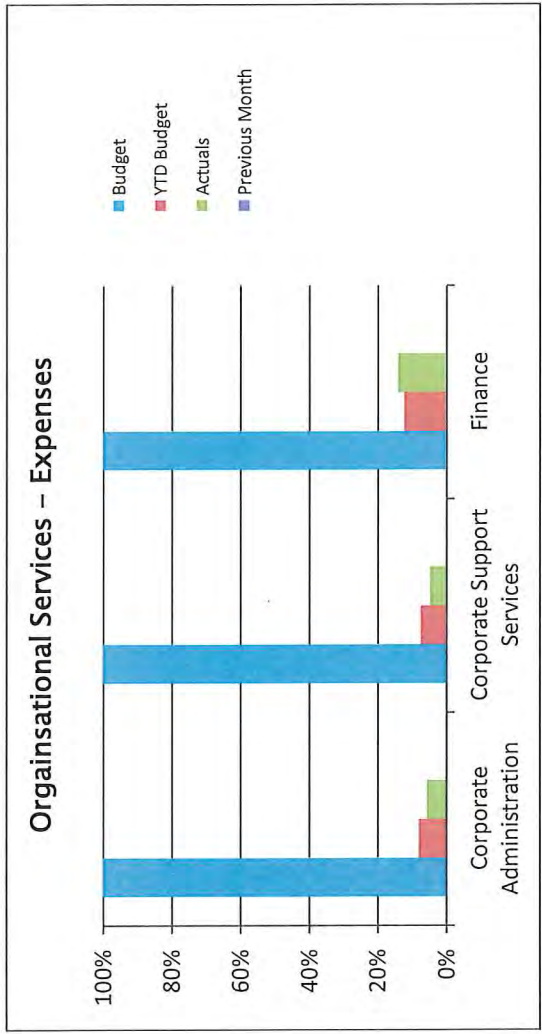
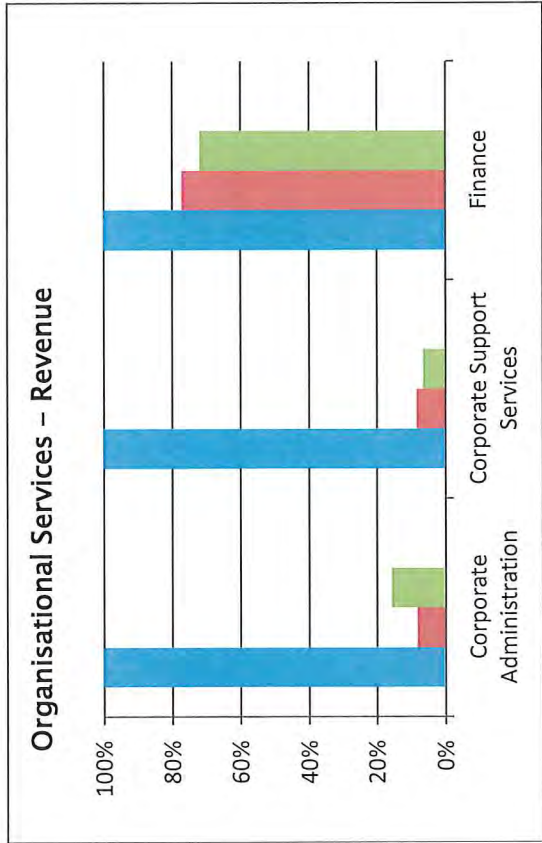
Building and Plumbing Actuals less than YTD budget – Timing of expenses in general.

Land-Use Planning Actuals less than YTD budget – Timing of expenses in general.

Children's Services Actuals less than YTD budget – staff costs running less than budget.

Finance Report – June 2016

ORGANISATIONAL SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Corporate Administration	(41,200)	(3,360)	(6,412)	-	3,052	(34,788)	16%
Corporate Support Services	(3,333,000)	(277,750)	(213,735)	-	(64,015)	(3,119,265)	6%
Finance	(21,083,000)	(16,316,090)	(15,153,802)	-	(1,162,288)	(5,929,198)	72%
\$ (24,457,200) \$ (16,597,200) \$ (15,373,948) \$					\$ (1,223,252) \$	(9,083,252)	
Expenses							
Corporate Administration	661,600	53,370	37,754	-	15,616	623,846	6%
Corporate Support Services	4,120,000	309,150	197,421	-	111,729	3,922,579	5%
Finance	1,927,500	235,000	269,095	-	(34,095)	1,658,405	14%
\$ 6,709,100 \$ 597,520 \$ 504,270 \$					\$ 93,250 \$	6,204,830	



Variance

- Corporate Administration Expenses less than YTD Budget – Timing in general.
- Corporate Support Services Revenue less than YTD Budget – Timing relating to reallocations.
- Corporate Support Services Expenses less than YTD Budget – Timing in general.
- Finance Revenue less than YTD Budget – Timing of revenue other than rates.
- Finance Expenses greater than YTD Budget – Prepayment of insurances.

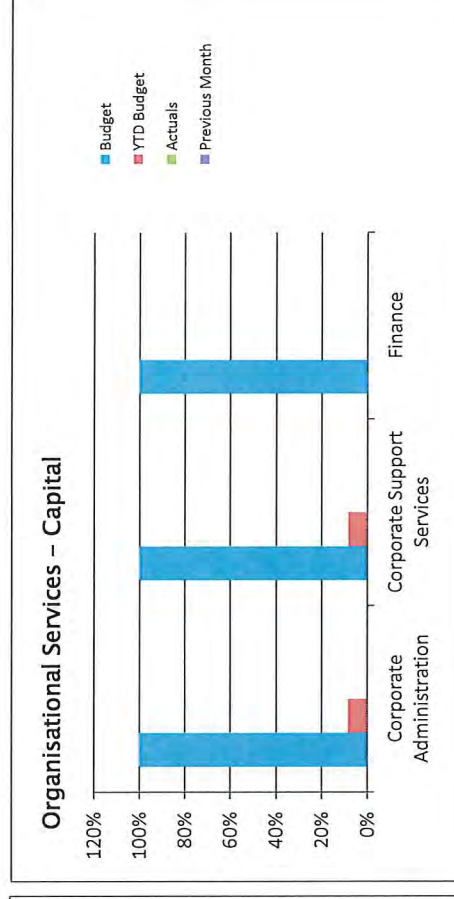
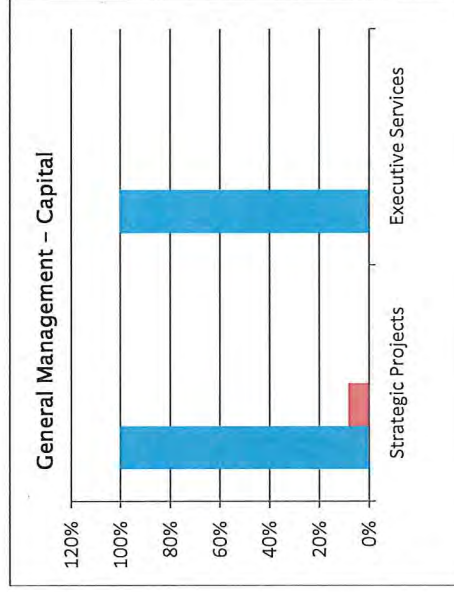
Finance Report – June 2016

GENERAL MANAGEMENT

	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Strategic Projects	5,978,000	498,020	1,415	-	496,605	5,976,585	0%
Executive Services	30,000	-	-	-	-	30,000	0%
	\$ 6,008,000	\$ 498,020	\$ 1,415	\$ -	\$ 496,605	\$ 6,006,585	

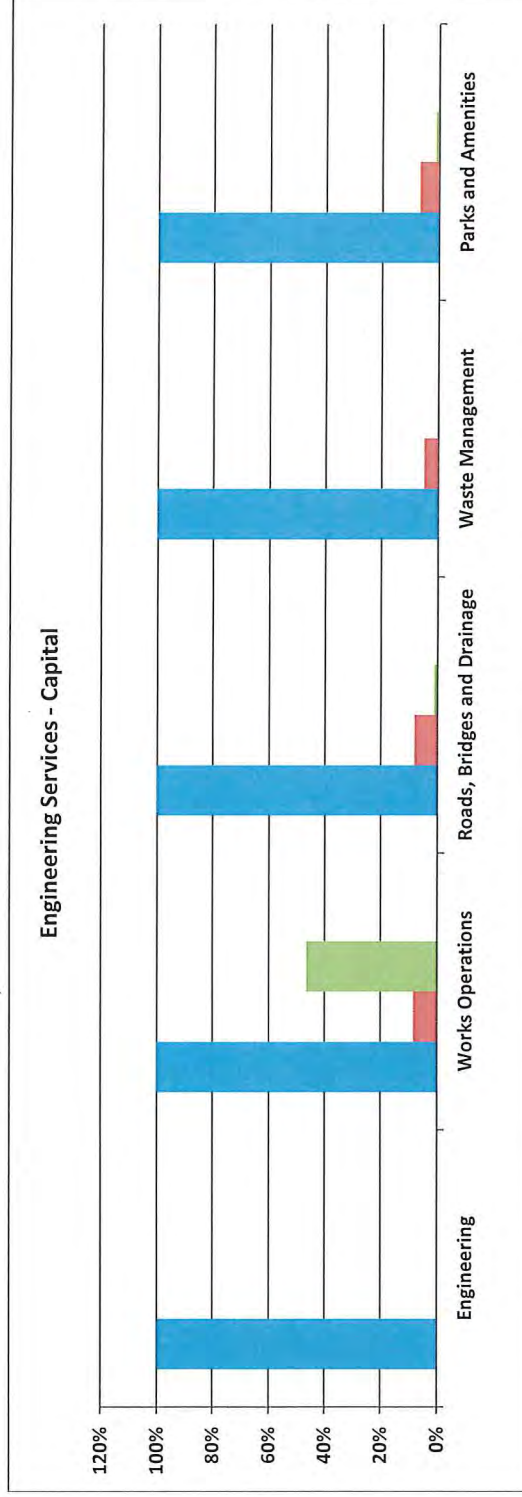
ORGANISATIONAL SERVICES

Corporate Administration	71,000	5,990	-	-	5,990	71,000	0%
Corporate Support Services	120,000	10,000	-	-	10,000	120,000	0%
Finance	-	-	-	-	-	-	0%
	\$ 191,000	\$ 15,990	\$ -	\$ -	\$ 15,990	\$ 191,000	



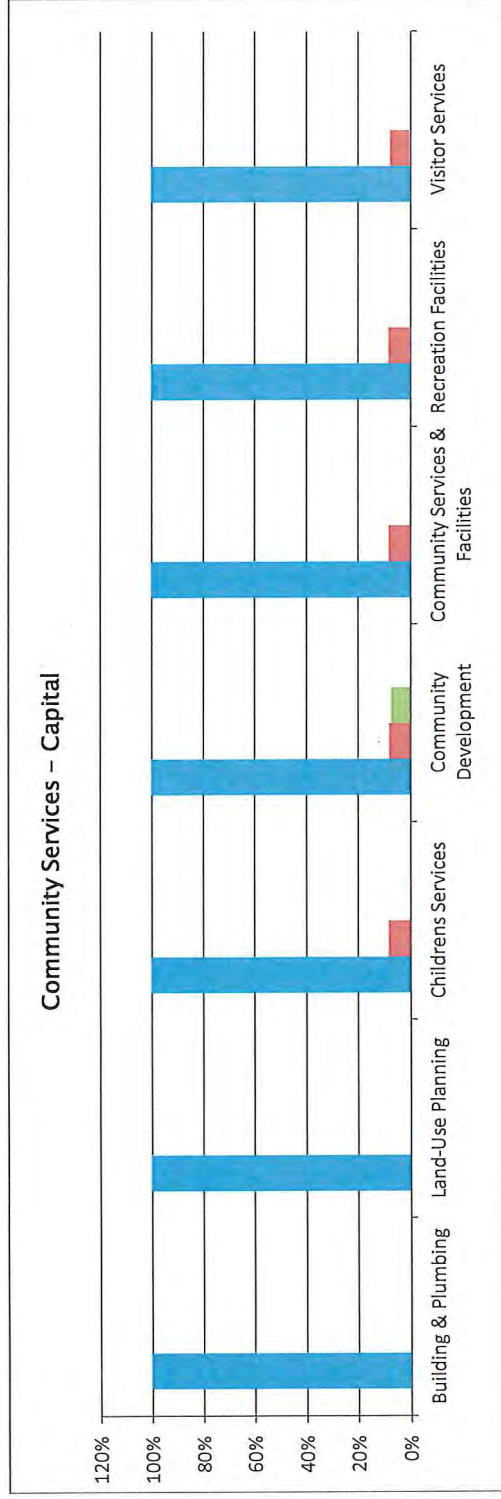
Finance Report – June 2016

ENGINEERING SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Engineering	62,000	-	-	-	-	62,000	0%
Works Operations	207,000	17,250	96,367	-	(79,117)	110,633	47%
Roads, Bridges and Drainage	6,101,000	495,010	80,012	-	414,998	6,020,988	1%
Waste Management	535,000	25,760	2,700	-	23,060	532,300	1%
Parks and Amenities	829,000	54,500	8,115	-	46,385	820,885	1%
	\$ 7,734,000	\$ 592,520	\$ 187,194	\$ -	\$ 405,326	\$ 7,546,806	



Finance Report – June 2016

COMMUNITY SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Building & Plumbing	30,000	-	-	-	-	30,000	0%
Land-Use Planning	58,000	-	-	-	-	58,000	0%
Childrens Services	33,000	2,750	-	-	2,750	33,000	0%
Community Development	99,000	8,140	7,273	-	867	91,727	7%
Community Services & Facilities	386,000	31,800	1,557	-	30,243	384,443	0%
Recreation Facilities	423,000	34,920	1,345	-	33,575	421,655	0%
Visitor Services	5,000	380	-	-	380	5,000	0%
	\$ 1,034,000	\$ 77,990	\$ 10,175	\$ -	\$ 67,815	\$ 1,023,825	



Strategic Projects
 Engineering
 Works Operations
 Roads, Bridges and Drainage
 Waste Management
 Parks and Amenities
 Community Services & Facilities
 Recreation Facilities

Expenses less than budget – Timing of projects relating to the receipt of grant income.
 Expenses less than budget – Timing relating to replacement of vehicles.
 Expenses greater than budget – Impact of flood rectification works.
 Expenses less than budget – Timing of projects and impact of floods on works program.
 Expenses less than budget – Timing of projects in general.
 Expenses less than budget – Timing of projects in general.
 Expenses less than budget – Timing of projects in general.
 Expenses less than budget – Timing of projects in general.

BANK RECONCILIATION
FOR THE PERIOD 1 JULY TO 31 JULY 2016

Balance Brought Forward (30/6/2016)	6,581,469.16
Add, Revenue for month	3,192,426.73
	9,773,895.89

Less, Payments for month	3,368,460.56

Balance as at 31 July 2016	6,405,435.33

Balance as at Bank Account as at 31 July 2016	536,040.71
Less, Unpresented Payments	- 203,369.73

	332,670.98

Cash on Hand	- 28,091.28

Operating Account	304,579.70
Interest Bearing Term Deposits	6,100,855.63

	6,405,435.33



Andrea O'Rourke
ASSISTANT ACCOUNTANT

04-August-2016

Works Program 2016-2017

(Schedule indicates site construction only)

Task Name	Status	Budget	Notes	July	August	September	October	November	December	January	February	March	April	May	June
Works Schedule 2016-2017		\$18,426,000													
CAPITAL WORKS PROGRAM 2016-17		\$14,801,000													
Strategic Projects		\$5,423,000													
Dial Regional Sports Complex - Detailed Design		\$0													
Dial Regional Sports Complex - Construction		\$3,840,000													
Wong Lane Bus Interchange		\$320,000													
Fort/Laith Shared Pathway		\$903,000													
Rebby Street Beautification		\$50,000	Replace tree pits												
Uverstone Sports & Leisure Centre		\$110,000	Solar Power/Panels												
Arzac Park		\$200,000	Shared Pathway												
Property Management		\$665,000													
Dial Road Development		\$500,000													
East Uverstone Industrial Estate		\$105,000													
Works Depot		\$95,000													
Penguin Depot		\$30,000	Decommission												
Works Assistant Office		\$30,000	Window												
Office Relocation		\$30,000													
Painting Program		\$5,000													
Office Roof Renewal		\$10,000													
Surveillance Cameras		\$15,000													
Emergency Services		\$15,000													
SES Building and Equipment		\$5,000													
Generator		\$10,000													
Roads - Urban Sealed		\$3,183,000													
Street Resealing		\$50,000	Preparation Works												
Street Resealing		\$200,000	Sealing Works												
Traffic Management/Safety Improvements		\$10,000													
Victoria Street Laneway		\$3,000													
Hobbs Parade		\$575,000	Queen Street to Tasma Parade												
Victoria Street		\$200,000													
Leven Street		\$23,000	Risky Street to Clarke Street												
Hampson Street		\$260,000													
Main Road		\$30,000	Near No. 134												
Turners Beach Road		\$30,000	Roundabout Modifications												
Ironcliff Road Retaining Wall		\$77,000	Frontages of No.56 & No.59												
Safe Cycling Routes		\$5,000													
Railway Crossings		\$20,000													
Korb Ramp Improvements		\$30,000													
Queen Street		\$5,000	Median Treatment, Intersection, Ped. Crossings												
McDonald Street		\$15,000	Retention sum only												
Crescent Street/Rebby Street/Kings Parade		\$100,000													
Kings Parade/Queen's Gardens		\$635,000	Possible defer \$200k floods ?												
Jermyn Street/Leven Street Intersection		\$217,000	Roundabout Construction												
Main Road Pedestrian Crossing		\$115,000	Centre Refuge & Crossings												
Roads - Rural Sealed		\$1,550,000													
Road Resealing		\$100,000	Preparation Works												
Road Resealing		\$600,000	Sealing Works												
Pine Road Geotextile Reseal		\$0	Continuation of Geotext seal program												
Raymond Road Landslip		\$10,000													
Raymond Road Landslip		\$50,000													
Raymond Road Bank Stabilisation		\$35,000	Carriover Embankment Stabilisation												
Gunns Plains Road		\$100,000	Embankment Stabilisation												
Harveys Road		\$80,000	Embankment Stabilisation												
Preston Road		\$70,000	Embankment Stabilisation, defer floods ?												
Hull Street		\$50,000	Road drainage												
Nine Mile Road		\$430,000	Base Highway to Zig Zag Road												
Intersection Improvements		\$20,000													
Traffic Management		\$5,000													
Footpaths		\$465,000													
Victoria Street		\$200,000													
Midway Point		\$25,000	Formation of link												
West Uverstone Shared Pathway		\$10,000	Install Signage												
River Avenue		\$200,000													
Rebby Street		\$33,000	Replace damaged pavers												
Bridges		\$510,000													
Penguin Creek - Browns Lane		\$10,000	Road Reservation transfer												
Gawler River - Cuss Road		\$50,000	Completion of Bridge work and Seal to Isandula												
Gawler River - Isandula Road		\$450,000	Possible defer to floods?												
Car Parks		\$725,000													
Barnons Carpark		\$140,000	Regrade, Resurface & Linemark...												
Disabled Parking Spaces		\$20,000													

Works Program 2016-2017

(Schedule indicates site construction only)

Task Name	Budget	Notes	July	August	September	October	November	December	January	February	March	April	May	June
Task Name			27 4 11 18 25	1 8 15 22 29	5 12 19 26	3 10 17 24	31 7 14 21 28	5 12 19 26	2 9 16 23	30 6 13 20 27	4 11 18 25	1 8 15 22 29	5 12 19 26	2 9 16 23
Car Park Signage	\$29,000	CBD Unmarking												
Parking Plan	\$80,000	Strategic Items												
Coles/Furners Carpark	\$450,000	Upgrade works												
Drainage	\$300,000													
Manhole/Side Entry Pits	\$30,000	Improvements to capacity												
Deviation Road	\$10,000	Replace outfall with more durable pipe												
Heather Court Outfall	\$10,000	Upgrade through No.72												
River Avenue	\$30,000	Relocate DN600 through No.47												
Alexandra Road	\$20,000	Catchment Survey & Outfall Improvements												
Bertha Street	\$20,000	Upgrade pipeline downstream of No.7												
Commonwealth Court	\$30,000	Backflow Prevention												
Heleen Street	\$10,000	Drainage Improvements at No.135												
Ironcliffe Road/Sports Complex Avenue	\$10,000	Address ponding issue												
Jackson Avenue	\$10,000	Upgrade near No.9												
Main Road	\$30,000	Upgrade drainage at No.322												
Preservation Drive	\$30,000	Stage 2 of upgrade below No.121A												
South Road	\$30,000													
Forth Road	\$0													
Miscellaneous Drainage	\$20,000													
Mountain View Place	\$10,000	Capacity issue downstream of MH PH1/2												
Household Garbage	\$310,000													
Penguin Refuse Disposal Site	\$90,000													
Resource Recovery Centre - Landscaping	\$10,000													
Resource Recovery Centre - Leachate Improvements	\$80,000													
Resource Recovery Centre - Rehabilitation	\$20,000													
Resource Recovery Centre - Site Development	\$40,000													
Resource Recovery Centre - Stormwater Lagoon	\$15,000													
Resource Recovery Centre - Signage Upgrade	\$10,000													
Country Waste Facilities - Site & Rehabilitation	\$5,000													
Castra Transfer Station - Site & Rehabilitation	\$20,000													
Preston Transfer Station - Safety Improvements	\$20,000													
Preston Transfer Station - Retaining Wall	\$20,000													
Preston Transfer Station - Site & Rehabilitation	\$5,000													
South Riana Transfer Station - Site & Rehabilitation	\$5,000													
Overstone Transfer Station - Site & Rehabilitation	\$10,000													
Parks	\$447,000													
Playground Renewals	\$75,000													
Parks Asset Renewals	\$80,000													
Beach Access Upgrades	\$10,000													
Flagpole Replacements	\$5,000													
Park Signage Upgrade	\$10,000													
Industrial Estate	\$15,000	Landscaping												
Forth Recreation Ground	\$10,000	Tree Planting												
Johnsons Beach Master Plan	\$15,000	Stage 2												
Forth Recreation Ground - BBQ Refurbishment	\$10,000													
Picnic Hut Renewal	\$20,000	Beach Road												
Beach Road Viewing Area	\$10,000	Landscaping												
Physical Activity Equipment	\$30,000	Penguin...												
Robins Road/Fairway Park - BBQ	\$80,000													
Penguin Creek Cleanup	\$10,000													
Haywoods Reserve Playground	\$60,000													
Public Amenities	\$154,000													
Toilet Refurbishments	\$30,000													
Bus Shelter Renewals	\$10,000													
Coles Toilet Renewal	\$50,000													
Drinking Water Stations	\$6,000													
Public Toilet	\$5,000	Minor works												
Public Toilets	\$3,000	External Lighting												
Cemeteries	\$75,000													
Memorial Park - Watering System	\$10,000													
Memorial Park - New Plinths	\$15,000													
Memorial Park - Path Networks	\$10,000													
Memorial Park - Memorial Garden	\$20,000													
Master Plan	\$0													
Administration Centre	\$71,000													
Painting Program	\$5,000													
Carpet Replacement Program	\$10,000													
Lighting Upgrade	\$10,000													
Heat Pump Renewals	\$10,000													
Electrical Upgrade	\$30,000	Switchboard Stage 2												
Sit to stand desk	\$5,000													
Community Development	\$30,000													

Date: Thu 29/07/16 + Task Progress

Works Program 2016-2017

(Schedule indicates site construction only)

Task Name	Status	Budget	Notes	July	August	September	October	November	December	January	February	March	April	May	June
Uverstone Entry Signage		\$30,000													
Cultural Activities		\$69,000													
Uverstone History Museum - Clock Display		\$5,000													
Community Shed - drainage works		\$8,000													
Uverstone Band		\$33,000	Instrument purchase												
Art Gallery		\$3,000	Art purchase												
Housing		\$140,000													
Aged Persons Home Units - Internal Rehabilitation		\$50,000													
Aged Persons Home Units - HWG Renewal		\$15,000													
Aged Persons Home Units - External Rehabilitation		\$50,000													
Aged Persons Home Units - Electrical Replacements		\$15,000													
Aged Persons Home Units - Fencing/Surrounds		\$10,000													
Cultural Amenities		\$169,000													
Civic Centre - Carpet Renewal		\$12,000													
Civic Centre - Sealing Renewal		\$35,000													
Civic Centre - Curtain Replacement		\$25,000													
Civic Centre - Theatre Lighting		\$25,000													
Civic Centre - Tables and Chairs		\$5,000													
Wharf Building - Tables and Chairs		\$10,000													
Wharf Building - Audio/Visual Assessment		\$10,000													
Sustainability Assessment		\$2,000													
Wharf Building - Deck Ballustrading		\$20,000													
Wharf Precinct - Directional signage		\$12,000													
Wharf Precinct - Farmers Market signage		\$5,000													
Wharf Precinct - Bike Rack/Dog Post		\$2,000													
Wharf Precinct - Gnomon Room Store Shelving		\$2,000													
Civic Centre - Portable Screen		\$2,000													
Civic Centre - Cleaners Room Shelving		\$2,000													
Public Halls and Buildings		\$35,000													
Outdoor entertainment Centre - Ceiling painting		\$5,000													
Turners Beach Hall - Stage 2		\$20,000													
Sustainability Assessment		\$5,000													
Public Halls - Surrounds/Fencing		\$5,000													
Caravan Parks		\$42,000													
Amenities		\$22,000	Painting program												
Uverstone Caravan Park		\$20,000	Electrical Upgrade												
Swimming Pool and Waterslide		\$25,000													
Waterslide - Surrounds/Fencing		\$5,000													
Waterslide - Slide Repairs		\$20,000													
Active Recreation		\$395,000													
Recreation Ground - Goal Post Renewal		\$20,000													
Showgrounds - Softball Diamond		\$20,000	Dependant on contribution												
Haywards Reserve - Surface refurbishment		\$20,000													
River Park Resurfacing		\$10,000													
Showgrounds - Old Secretaries Office Refurbishment		\$35,000													
Showgrounds - Community Precinct - Healing		\$9,000													
Showgrounds - Ground Lighting		\$60,000													
Showgrounds - Cattle Pavilion refurbishment		\$50,000													
West Uverstone Recreation Ground - Lighting Upgrade		\$30,000													
Showgrounds - Cattle ramp/water		\$10,000													
Haywards Reserve - Visitor changerooms		\$80,000													
Recreation Centres		\$75,000													
Uverstone Stadium 2 - Gutting and external refurbishment		\$20,000													
Penguin Recreation Centre - Squash Court Lighting Upgrade		\$10,000													
Uverstone Sports & Leisure Centre - Security/Wifi Review		\$5,000													
Sustainability Assessment		\$5,000													
Penguin Stadium - Switchboard upgrade		\$30,000													
Uverstone Sports & Leisure Centre - Upstairs plans documentation		\$5,000													
Visitor Information Services		\$5,000													
Uverstone Visitor Information - Glazing film (tea room)		\$5,000													
Child Care		\$33,000													
Uverstone Childcare Internal/External Painting		\$5,000													
Uverstone Childcare - Large sandpit		\$3,000	Fire exit gate												
Childcare Car Park		\$25,000													
LEGEND		\$0													
Not Started		\$0													
Commenced (Construction or Preliminaries)		\$0													
Complete		\$0													
Deferred		\$0													

Date: Thu 28/07/16

+ Task Progress