
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, 20 August 2012 commencing at 6.00pm.

Councillors attendance

Cr Jan Bonde (Mayor)	Cr Cheryl Fuller (Deputy Mayor)
Cr John Bloomfield	Cr Lionel Bonde
Cr Shane Broad	Cr Garry Carpenter
Cr Amanda Diprose	Cr Gerry Howard
Cr Rowen Tongs	Cr Tony van Rooyen
Cr Philip Viney	

Councillors apologies

Cr Kathleen Downie

Employees attendance

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

Media attendance

The Advocate newspaper.

Public attendance

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

Prayer

The meeting opened in prayer.

CONFIRMATION OF MINUTES OF THE COUNCIL

208/2012 Confirmation of minutes

The Executive Services Officer reported as follows:

“The minutes of the previous ordinary meeting of the Council held on 16 July 2012 have already been circulated. The minutes are required to be confirmed for their accuracy.

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

- Cr Howard moved and Cr Viney seconded, “That the minutes of the previous ordinary meeting of the Council held on 16 July 2012 be confirmed.”

Carried unanimously

COUNCIL WORKSHOPS

209/2012 Council workshops

The Executive Services Officer reported as follows:

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

- 23.07.2012 – New Planning Scheme template
- 30.07.2012 – Overnight stays by motorhomes and campervans/Cat management policy
- 06.08.2012 – Wharf viewing platform and interpretation
- 13.08.2012 – Cradle Coast Authority review.

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

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

Carried unanimously

MAYOR'S COMMUNICATIONS

210/2012 Mayor's communications

The Mayor reported as follows:

"I note the recent passing of Bob Boyd who left a wonderful legacy in the parks and memorial gardens he helped to develop. Bob undertook a lot of the work not only while he was employed by the Council but also outside of work hours and since his retirement. A floral arrangement was presented to the family, using native flowers picked by staff from the parks that Bob cared so much for."

211/2012 Mayor's diary

The Mayor reported as follows:

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

- . Tasports – official opening of upgraded Devonport Airport (Devonport)
- . Cradle Coast Authority – Board of Directors interviews (Burnie)
- . Harris Scarfe – meeting with management and staff re Ulverstone store fire
- . Probus Club of Central Coast – mid-year luncheon
- . Business visitation program – Ulverstone Discovery Early Learning Centre
- . Central Coast Local Food Experience Strategy Reference Group – meeting
- . Northern Tasmania Football League – Ulverstone v Penguin match – Mayor's Cup presentation
- . Tasmania Police – Western Police District Annual Performance Review (Burnie)
- . Ulverstone Wharf Restaurant & Café – media announcement
- . Radio 7AD – community report
- . Parliamentary Secretary for Climate Change, the Hon Mark Dreyfus QC MP – briefing on the opportunities and obligations of pricing carbon for local councils (Latrobe)
- . Ulverstone Bowling Club – meeting
- . Penguin High School – opening of new art gallery
- . Central Coast Chamber of Commerce and Industry – business networking breakfast
- . Local Government Association of Tasmania – Mayors Workshop (Riverside)
- . Lions Club of Forth Valley – annual awards and board presentation night
- . Cradle Coast Authority – North West Regional Economic Development Plan briefing (Burnie)

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- . Cradle Coast Authority – Board of Directors local government representative interviews (Burnie)
 - . Ulverstone Primary School – judging Grade 5 and 6 students’ science investigations for the PICSE UTAS Science Investigation Awards
 - . Young Anglers Development Inc. – Young Anglers fishing day at Fromberg’s Dam
 - . NW Tasmania Tall Timbers Thunder Basketball Club Inc. – season celebration (Smithton)
 - . RDA Tasmania and Cradle Coast Authority – North West Regional Economic Development Plan community conversations (Devonport)
 - . Eliza Purton Home for the Aged – Coroneagh Park Auxiliary annual general meeting
 - . Private Forests Tasmania – North–West farm forestry dinner 2012 (Burnie)
 - . Cradle Coast Authority – Board lunch–meeting (Burnie)
 - . The Advocate – cocktail party and briefing on the future vision of the role the newspaper will play in the community (Burnie)
 - . Premier’s Local Government Council – meeting (Launceston)
 - . Ulverstone Football Club – meeting
 - . Ulverstone Meals on Wheels Association – annual general meeting
 - . Jeremy Rockliff MP – meeting
 - . Ulverstone Primary School Association – meeting re State Government’s Schools Viability Report
 - . Local Government Association of Tasmania – Water and Sewerage Implementation Steering Committee meeting (Hobart)
 - . Central Coast Chamber of Commerce and Industry – annual general meeting and dinner.”

The Deputy Mayor reported as follows:

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

- . Samaritan’s Purse – Operation Christmas Child launch and fundraising dinner
- . Eliza Purton Auxiliary – annual soup and sandwich luncheon
- . Ulverstone RSL Sub–branch – annual dinner
- . Ulverstone Primary School – National Year of Reading class activities
- . North West Fisheries Penguin Branch – annual dinner.”

Cr Bloomfield reported as follows:

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

- . Ulverstone Primary School – National Year of Reading class activities.”

Cr Carpenter reported as follows:

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

- . Ulverstone Anglers Club – Anglers’ & Pastoralists’ Social Dinner.”

Cr Howard reported as follows:

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

- . Penguin Meals on Wheels Association – 40th birthday celebration and volunteers luncheon.”

■ Cr Bloomfield moved and Cr Tongs seconded, “That the Mayor’s, Deputy Mayor’s, Cr Bloomfield’s, Cr Carpenter’s and Cr Howard’s reports be received.”

Carried unanimously

212/2012 Pecuniary interest declarations

The Mayor reported as follows:

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

The Executive Services Officer reported as follows:

“The *Local Government Act 1993* provides that a councillor must not participate at any meeting of a council in any discussion, nor vote on any matter, in respect of which the councillor has an interest or is aware or ought to be aware that a close associate has an interest.

Councillors are invited at this time to declare any interest they have on matters to be discussed at this meeting. If a declaration is impractical at this time, it is to be noted that a councillor must declare any interest in a matter before any discussion on that matter commences.

All interests declared will be recorded in the minutes at the commencement of the matter to which they relate.”

No interests were declared at this time.

213/2012 Public question time

The Mayor reported as follows:

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

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

COUNCILLOR REPORTS

214/2012 Councillor reports

The Executive Services Officer reported as follows:

“Councillors who have been appointed by the Council to community and other organisations are invited at this time to report on actions or provide information arising out of meetings of those organisations.

Any matters for decision by the Council which might arise out of these reports should be placed on a subsequent agenda and made the subject of a considered resolution.”

Cr Carpenter reported on a recent meeting of the Caves to Canyon Tourism Association.

Cr Fuller reported on a recent meeting of the Central Coast Chamber of Commerce & Industry Inc.

APPLICATIONS FOR LEAVE OF ABSENCE

215/2012 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

216/2012 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

217/2012 Petitions

The Executive Services Officer reported as follows:

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

COUNCILLORS' QUESTIONS

218/2012 Councillors' questions without notice

The Executive Services Officer reported as follows:

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

‘29 (1) A councillor at a meeting may ask a question without notice of the chairperson or, through the chairperson, of –

(a) another councillor; or

(b) the general manager.

(2) In putting a question without notice, a councillor must not –

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- (a) offer an argument or opinion; or
 - (b) draw any inferences or make any imputations –
except so far as may be necessary to explain the question.
- (3) The chairperson must not permit any debate of a question without notice or its answer.
 - (4) The chairperson, councillor or general manager who is asked a question without notice may decline to answer the question.
 - (5) The chairperson may refuse to accept a question if it does not relate to the activities of the council.
 - (6) Questions without notice, and any answers to those questions, are not required to be recorded in the minutes.
 - (7) The chairperson may require a councillor to put a question without notice in writing.'

If a question gives rise to a proposed matter for discussion and that matter is not listed on the agenda, Councillors are reminded of the following requirements of the Regulations:

- '8 (5) Subject to subregulation (6), a matter may only be discussed at a meeting if it is specifically listed on the agenda of that meeting.
- (6) A council by absolute majority... may decide at an ordinary meeting to deal with a matter that is not on the agenda if the general manager has reported –
 - (a) the reason it was not possible to include the matter on the agenda; and
 - (b) that the matter is urgent; and
 - (c) that (qualified) advice has been provided under section 65 of the Act.'

Councillors who have questions without notice are requested at this time to give an indication of what their questions are about so that the questions can be allocated to their appropriate Departmental Business section of the agenda.”

The allocation of topics ensued.

219/2012 Councillors' questions on notice

The Executive Services Officer reported as follows:

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

‘30 (1) A councillor, at least 7 days before an ordinary meeting of a council or council committee, may give written notice to the general manager of a question in respect of which the councillor seeks an answer at that meeting.

(2) An answer to a question on notice must be in writing.’

It is to be noted that any question on notice and the written answer to the question will be recorded in the minutes of the meeting as provided by the Regulations.

Any questions on notice are to be allocated to their appropriate Departmental Business section of the agenda.

No questions on notice have been received.”

DEPARTMENTAL BUSINESS

DEVELOPMENT & REGULATORY SERVICES

220/2012 Development & Regulatory Services determinations

The Acting Director Development & Regulatory Services reported as follows:

“A Schedule of Development & Regulatory Services Determinations made during the month of July 2012 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 Diprose moved and Cr Broad seconded, “That the Schedule of Development & Regulatory Services Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

221/2012 Council acting as a planning authority

The Mayor reported as follows:

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

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

‘If any such actions arise out of Minute No. 222/2012, they are to be dealt with by the Council acting as a planning authority under the *Land Use Planning and Approvals Act 1993*.’”

The Executive Services Officer reported as follows:

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

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

Carried unanimously

222/2012 Combined Scheme amendment and development proposal at Ulverstone Wharf, Crescent Street, Ulverstone – Application No. DA212024

The Acting Director Development & Regulatory Services reported as follows:

“The following report has been prepared by consultants, Lester Franks:

<i>DEVELOPMENT APPLICATION NO.:</i>	DA212024
<i>APPLICANT:</i>	Central Coast Council
<i>LOCATION:</i>	CT160041/1 and CT160043/3, Crescent Street, Ulverstone
<i>ZONING:</i>	Business - Ulverstone Wharf Schedule
<i>PLANNING INSTRUMENT:</i>	Central Coast Planning Scheme 2005
<i>ADVERTISED:</i>	N/A
<i>REPRESENTATIONS EXPIRY DATE:</i>	N/A
<i>REPRESENTATIONS RECEIVED:</i>	N/A
<i>42-DAY EXPIRY DATE:</i>	N/A
<i>DECISION DUE:</i>	20 August 2012

PURPOSE

The applicant is seeking to amend the Ulverstone Wharf Schedule of the Central Coast Planning Scheme 2005 (the Scheme) to:

- . Add a clause to S14.1 Purpose of Schedule, which establishes as a further objective the accommodation of community purposes and activities; and,
- . To make Community Services use a discretionary use under the Table of use within the Schedule.

The intent of the amendment is to accommodate a change of use proposal, to accommodate community purposes on land which is contained in the Ulverstone Wharf Schedule area.

The proposal, in conjunction with the proposed amendment, has been submitted for approval under Section 43A of the *Land Use Planning & Approvals Act 1993* for the

concurrent consideration of a planning scheme amendment and a development application.

BACKGROUND

Since November 2010 Council has been the owner of the Ulverstone wharf area, an approximately 1.5ha site on the eastern shore of the Leven River between the Leven River road bridge (Hobbs Parade) and Dial Street. The land was previously owned by the Crown and managed by Marine & Safety Tasmania.

Council commenced the first stage (1.1A) of redevelopment of the site in December 2010, upon gaining ownership of the site. This redevelopment was undertaken pursuant to the recommendations contained in the Leven River Precinct Study undertaken in 2004. The redevelopment comprised of:

- . The demolition of the existing wharf building; and
- . Construction of the “northern half” of a new building for the purpose of sport & recreation, food services, general retail & hire, and vehicle parking.

A second development application was lodged and approved by Council in April 2011 for the next stage (1.1B) of the wharf redevelopment (See Annexure 3 of the application, DA210312). This included the construction of a 2-storey structure at the “southern end” of the new building to accommodate retail activities and lettable office space for administrative and professional uses.

On 15 December 2011, a minor amendment was granted to the approval for Stage 1.1B (See Annexure 4 of the application, DA210312-1). This amendment provided consent to delete the previously approved 2nd floor mezzanine level from the approved plans, and reduce the floor area of the building and awning.

CURRENT PROPOSAL

The current proposal seeks specifically for the approval to amend the Ulverstone Wharf Schedule contained in the Scheme, by inserting an additional purpose statement into S14.1 relating to community purposes and making Community Services a Discretionary use in the Table of Use S14.4. This alteration of the Scheme would facilitate the use of the building on the site for community purposes, in particular the use of the site as a function centre. The change of use is limited to the 240m² area of the approved Ulverstone Wharf centre building.

The intent of making Community Services a Discretionary use as opposed to a Permitted use will ensure Council retains authority over what uses and activities are authorised on the site. This is fundamental to this proposal. Especially when considering that the definition of Community Services as found in Section 3.1 of the

Scheme includes uses which are clearly inappropriate for the Ulverstone Wharf area. These include ambulance stations, cemetery, crematorium, and fire station.

DISCUSSION

In determining compliance with the relevant provisions of the Planning Scheme, regard is given to:

- . The objectives for planning as set out in Part A – Strategy of the Planning Scheme;
- . The purpose of the Ulverstone Wharf Schedule;
- . Application of Schedule;
- . Definitions of terms in this Schedule;
- . Ulverstone Wharf Area – Table of Use;
- . Business Zone; and
- . Ulverstone Wharf Schedule.

The proposal's performance against the Scheme provisions is outlined as follows:

PART A – STRATEGY

As discussed previously, the application serves a two-fold purpose of obtaining approval for both a Planning Scheme amendment and a development application, pursuant to Section 43A of the Act. The Planning Scheme amendment seeks to:

- . Insert an additional purpose statement into S14.1, relating to the use of the site, and building in particular, for community purposes; and
- . Insert Community Services as a Discretionary use in the Table of Uses for the Schedule.

The development application component of the application seeks for the:

- . Approval of a change of use to a Community Service (function centre).

It is considered that the amendment component of this proposal is consistent with Part A of the Scheme, in that;

- . it does not compromise the Planning Scheme Purpose (1.4), and;
- . it furthers the objectives of the Resource Management and Planning System of Tasmania and the Planning Process as set out in Parts 1 and 2 of Schedule 1 of the Act; and
- . achieves the objectives for planning in Part A by regulating the use and development of land in the planning scheme area.

ULVERSTONE WHARF SCHEDULE

S14.1 Purpose of Schedule -

S14.1.1 The purpose of this schedule is to ensure that use or development furthers the following objectives:

- a) to facilitate commercial activity which complements the Reibey Street shopping strip;
- b) to orientate commercial activity towards tourism related and hospitality services;
- c) to prohibit residential development at the wharf ground level of any buildings;
- d) to encourage development which reflects the Wharf's maritime and agricultural heritage;
- e) to contribute to the visual character of Ulverstone;
- f) to retain community foreshore access and continuity of the open space corridor along the Leven River;
- g) to ensure development, and any related infrastructure does not adversely impact on the health of the Leven River;
- h) to ensure development does not involve reclamation of the Leven River;
- i) to maintain the functional and visual relationship between the Ulverstone Wharf Area, the river environs and the town;
- j) to retain controlled vehicular access to the wharf edge and water based commercial and recreation activities;
- k) to ensure civic spaces are created and provide a safe, vibrant and a friendly place for people to visit both night and day.

The inclusion of the proposed objective to be identified as Clause (l) in the Purpose of Schedule does not conflict with the existing objectives (a) through (k) in any way. Furthermore, the language of the proposed objective does not lend itself to being interpreted so as to allow any uses or activities which would be in conflict with the overall intent of the Ulverstone Wharf Schedule. The proposed objective (l) reads as follows:

“to accommodate a range of community uses and activities,”

S14.2 Application of Schedule -

“S14.2.1 The schedule applies to land identified on the plans as hatched as the Ulverstone Wharf Area.”

The site associated with this application is contained entirely within the Ulverstone Wharf Area, and is identified as title reference 160041/1 and 160043/3, and is accessed via Crescent Street, Ulverstone.

S14.3 Definitions of terms in this Schedule -

Only one term, "Ground Floor Level," is associated with this Schedule and for the purposes of this particular application does not apply.

S14.4 Ulverstone Wharf Area – Table of Use -

S14.4.1 Despite the table 12.2.1 for the Business Zone, the following table shows permitted, discretionary and prohibited uses on land identified in the Ulverstone Wharf Area.

Permitted	
Defined Use	Qualification
Sports and Recreation	Only for passive recreation
Discretionary	Qualification
Business and Professional services	Prohibited at the ground floor level.
Food services	
General retail and hire	
Hotel industry	
Residential	Prohibited at the ground floor level.
Tourist accommodation	
Tourist operation	
Utilities	
Vehicle parking	
Prohibited	
All other uses	

As noted in the application, it is proposed to add the Community Services use into the Discretionary use section of the use table (S14.4 of the Scheme) as follows:

Discretionary	Qualification
Community Services	

As discussed previously, the inclusion of Community Services as a use within the Ulverstone Wharf Schedule does not conflict with the existing uses identified in the schedules Table of Use. Furthermore, the retention of the discretionary approval rights by Council will ensure that activities carried out

in the Ulverstone Wharf area are appropriate and do not create conflict or amenity issues.

BUSINESS ZONE

The following table demonstrates how the proposal is either compliant or non-compliant with the relevant Standards for Use in the Business Zone.

	PROPOSED	REQUIRED
Purpose of Business Zone	<p>Compliant.</p> <p>12.1.1 - The site is zoned in a manner that concentrates such activities in particular area/s.</p> <p>12.1.2 - The site and building design is based on providing good quality spaces and urban design.</p> <p>12.1.3 - The site is part of the zoned business area at Reibey Street in Ulverstone.</p> <p>12.1.4 - No residential component is included in this proposal.</p>	<p>12.1.1 To provide for retailing, offices and community services in a concentrated area.</p> <p>12.1.2 To provide for the safety, comfort and enjoyment of workers, residents and visitors through the provision of good quality spaces and effective urban design.</p> <p>12.1.3 To focus business activity within the established business areas centred at:</p> <p>(a) Reibey Street, Ulverstone; and</p> <p>(b) Main Road, Penguin.</p> <p>12.1.4 To provide opportunities for residential activity to locate within business centres where this can be accommodated without fragmenting the commercial centre or creating conflicts between residential and commercial uses.</p>

Table of Use	Not applicable. Over-ridden by use table in the Ulverstone Wharf Schedule.	
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12.3 Standards for Use in the Business Zone

Land near a Residential Zone A1	Non-compliant. There are approximately 18 residential zoned properties within 100m of the site and there is no proposed restriction on hours of operation for the function centre.	On a lot within 100m of a Residential zone a use must not operate before 7am or after 9pm daily.
P1	Compliant. The location of the function centre space is approximately 150m away from closest dwellings in the Residential zone. At this distance it is unlikely that activities in the centre would unreasonably affect those residents. It also not expected that many events held in the space would go beyond 9:00pm. The greatest impact of the development on the nearest residential properties is likely to result from traffic exiting the site in the evenings. Vehicles would exit the site from the northern end of Wharf Road on to Crescent Street/Main Street, through a controlled intersection.	The hours of operation may be extended provided that there is no unreasonable reduction in residential amenity for properties in a Residential zone within 100m of the lot from: (a) noise; (b) traffic movements; (c) light spillage; or (d) odour or other emissions.

	<p>The majority of vehicles are likely to be light, predominantly cars, and most can be expected to either turn right on to Crescent Street and travel towards the Hobbs Parade bridge, or left and travel towards Eastland Drive.</p> <p>The maximum expected traffic volume generated by a function is likely to be about 90 cars (the car park contains 93 spaces).</p> <p>The traffic spread is probably half between those travelling east along Main Street and west along Crescent Street.</p> <p>The noise of cars exiting the site is unlikely to be excessive being limited to vehicle movement, and not engine starting, door opening and closing and/or raised voices.</p> <p>This combined with the reasonably “busy” traffic volumes on Main Street/ Crescent Street would likely mean that residents in the vicinity of the site would be unable to determine any significant change in traffic impact resulting from the development, and certainly not that resulting from the change of use to Community service within it.</p> <p>The Community service use of the site is not likely to result in any adverse effects from light spillage or odour or other emissions.</p>	
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12.4.3 Building Design and Siting

A1 Building height	Not applicable. Covered by the Ulverstone Wharf Schedule.	10m max.
A2 Building façade	Taken to be the western elevation (i.e. wharf facing) Compliant. 47% wall area (of wharf frontage) Compliant. 58% glazed area. Compliant. 6m recess of the eastern entry.	Building façade must provide: (a) Wall area of 25% min. (b) Glazed area of 40% min. (c) Entry recessed 1.5m.
A3 Awning	Non-compliant. The western, northern and eastern faces of the building are furnished with large areas of shade sail – varying in width from 0m to 9m, i.e. not 3m wide along the whole frontage.	Building on frontage to provide an awning 3m deep, over the footpath, along whole frontage.
P3	Compliant. The area of awning over pedestrian areas fronting the civic area around the building is substantial and likely to provide ample protection of the public from strong sun and rain.	Buildings must provide adequate protection for the comfort of the public.

12.4.4 Building access/services

A1 (a) Road	Compliant. Service is available.	(a) Access constructed to Municipal Drawing SD-1003.
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(b) Water	Compliant. Service is available.	(b) Connected to water supply – 200kPa at 10 l per second.
(c) Sewer	Compliant. Service is available.	(c) Connected to reticulated sewerage.
(d) Stormwater	Compliant. Service is available.	(d) Connected to reticulated storm-water.
(e) Telecommunications	Compliant. Service is available.	(e) Connected to telecommunications system.
(f) Electricity	Compliant: Service is available.	(f) Connected to electricity supply.

12.4.5 Crime Prevention

A1 Visibility	<p>Not applicable. But doorways would be visible from Wharf Road, car park and civic space.</p> <p>Not applicable. But external areas would be visible from internal lighting.</p> <p>Not applicable. But doorways would be see-through glass.</p>	<p>External area of a building adjacent to front door must:</p> <p>(a) Visible from road within 50m.</p> <p>(b) Provided with artificial lighting.</p> <p>(c) Visible from within building with closed door.</p>
A2 Footpath lighting	Not applicable.	Arcade or footpath must:

	Condition 3 of Stage 1.1B permit (4 May 2011) required a lighting schedule to be submitted prior to building commencement.	<p>(a) Provide lighting to AS 1158 and AS 4282.</p> <p>(b) Not spill to windows of adjacent habitable rooms.</p> <p>(c) Be visible from a public space.</p>
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12.4.6 Delivery Areas

A1	<p>Compliant.</p> <p>Loading and unloading area located on eastern side of building.</p> <p>Condition 4 of Stage 1.1A permit (1 February 2011) requires redesign of shared pathway to allow service vehicles to enter and exit in a forward direction.</p>	Provision of an onsite goods loading/ unloading area.
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12.4.7 Refuse Storage

A1	<p>Compliant.</p> <p>A screened refuse storage area is located on the eastern side of the building.</p>	Provision of an onsite refuse storage area not visible from a public space.
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SCHEDULES

The following table demonstrates how the proposal is either compliant or non-compliant with the Part D Schedules of the Scheme.

	PROPOSED	REQUIRED
S1 Application Requirements	<p>Compliant:</p> <p>Sufficient information provided for assessment.</p>	Adequate information in the application to enable an assessment of the application, including:

		<ul style="list-style-type: none"> . Land Title . Site plan . Floor plan . Elevations . Access and car parking
<p>S2 Road & Rail</p> <p>S2.5.1 Access sight distance</p> <p>(A2) Cat IV, V or VI – over 60 kph speed limit</p>	<p>Compliant.</p> <p>The Crescent/Dial Streets inter-section provides line of sight distances of 150m and 135m to the north and south respectively.</p> <p>Line of sight distances of the Dial Street/Wharf Road junction are 70m and 12m to the north and south respectively. These are less than the standard.</p> <p>But the TIA submitted with the Stage 1.1A application, concludes that the sight distances are adequate given the slow speeds of traffic that travel south on Dial Street and in the proximity of the Crescent Street/ Dial Street junction.</p>	<p>In accordance with Table S1.6.2:</p> <p>105m, based on 60kph speed. Where a road cannot meet this standard, a TIA must demonstrate that the design, layout and location of any access provides sufficient line of sight distances.</p>
<p>S2.5.3 Access to a Cat IV, V or VI Road</p> <p>A3 (Less than 60 kph – number & spacing of accesses)</p>	<p>Non-compliant.</p> <p>Access to the site is a one way entrance from Crescent Street at the southern end of the site and a 1 x 2 way access to Dial Street at the northern end.</p>	<p>(a) 1 x 2 way access or 2 x 1 way accesses.</p> <p>(b) Access at least 9m from category I, II or III road.</p>

	<p>The closest Category I, II or III road is the Bass Highway which is over 1km away.</p>	
<p>P3 (Less than 60 kph – number & spacing of accesses)</p>	<p>Compliant.</p> <p>The TIA submitted with applications for Stages 1.1A and 1.1B indicates that the Wharf Road/Crescent Street access (near Reibey Street) would be closed. The Council has since decided to keep it open for large vehicle access.</p> <p>The TIA made no comment on the safety or efficiency of the Wharf Road/Crescent Street intersection, but did endorse the Dial Street/Wharf Road and Dial Street/Crescent Street intersections as being acceptable on safety and efficiency grounds, subject to various layout and construction recommendations.</p> <p>Continued use of the Wharf Road/Crescent Street intersection is now only on the basis of its use for left turn access from Crescent Street, and use by large vehicles (e.g. coaches and delivery vehicles). Previously the southern section of Wharf Road to Crescent Street allowed two way traffic, and was commonly regarded as dangerous.</p>	<p>In 60kph speed limit zones where development generates more than 40 vehicle movements per day, it is to be demonstrated that road safety and efficiency is not unreasonably reduced by accesses and junctions.</p>

	<p>The changed traffic arrangement is a safer traffic arrangement and one which better accommodates larger vehicles in the wharf area. Vehicles will be able to egress via Dial Street without the need to turn on-site.</p>	
<p>S7 Coastal & Riparian S7.4.2 Building Siting & Design A1</p>	<p>Compliant.</p> <p>No habitable rooms would be contained within the building so the standard does not apply.</p> <p>Never-the-less a Coastal Vulnerability report for the site indicates that the development would not be subject to inundation for a 100 year ARI event.</p> <p>The report suggests that as a preventative measure the wharf freeboard level be increased from 100mm to 300mm above the worst case inundation level and that a minimum floor level of 3m above AHD should apply to new buildings on the site.</p>	<p>Buildings with habitable rooms must be at least 90m inland from a 2.64 AHD contour.</p>
<p>S7.4.3 Coastal & Riparian Infrastructure P1</p>	<p>Compliant</p> <p>The proposed development (change of use) involves no provision of infrastructure. Consequently, the provisions of this part of the Scheme do</p>	<p>An application for a new foreshore access, boat ramp, vehicle parking, jetty, pontoon or similar infra-structure at, of adjacent to coastal or riparian land must:</p>

	not apply and an environmental impact statement is not required.	(a) Only be for public, community group or commercial purposes; and (b) Be accompanied by an environmental impact report that demonstrates that the siting and design will minimise adverse environmental and aesthetic effects.
S11 Car Parking S11.3.1 Car parking provision (A1) and (A2)	Not applicable. Covered by the Ulverstone Wharf Schedule (S14.0)	In accordance with Table S10.3.2:
S11.3.3 Car park design & construction A1	Not applicable. There is no additional car parking or manoeuvring areas proposed.	Design to comply with AS 2890.1-1993 Off Street Parking Part 1- Car Parking Facilities.
A2	Not applicable. There is no additional car parking or manoeuvring areas proposed.	Car parking spaces, accesses and manoeuvring areas to be paved with concrete, masonry blocks or bituminous seal and be graded, drained, kerbed and marked out.
A3	Not applicable. There is no additional car parking or manoeuvring areas proposed.	On-site turning to be provided where more than 2 parking spaces are required or commercial vehicles enter the site.
A4	Not applicable. There is no additional car parking or manoeuvring areas proposed.	Public car parks to be designed in accordance with a landscape plan.

S12 Signs	<p>Not applicable.</p> <p>No signs proposed at this stage.</p>	
<p>S14 Ulverstone Wharf Schedule</p> <p>S14.5.1 Access A1</p>	<p>Compliant.</p> <p>Development uses existing satisfactory access to Dial Street</p> <p>Non-compliant.</p> <p>Development constitutes an intensification of use.</p>	<p>Use relies on:</p> <ul style="list-style-type: none"> • existing satisfactory access, and • no intensification of use
P1	<p>Compliant.</p> <p>The TIA prepared as part of Stages 1.1A and 1.1B found that, subject to various construction suggestions, the development would have only minimal or negligible impacts.</p>	<p>A TIA to demonstrate that road safety and efficiency of the “Kings Road” is not unreasonably reduced.</p>
<p>S14.5.2 Signs</p> <p>P1</p>	<p>Not applicable.</p> <p>No signs proposed at this stage.</p>	<p>Signs should ensure that visual amenity is not adversely affected.</p>
<p>S14.5.2 Building Height</p> <p>A1</p>	<p>Compliant.</p> <p>Maximum building height is 9.87m.</p>	<p>Maximum building height of 10m.</p>

S14.5.3 Car Parking	<p data-bbox="384 539 432 568">P1</p> <p data-bbox="577 539 711 568">Compliant.</p> <p data-bbox="577 611 959 826">The Car Parking Schedule provides the best guide for required car parking associated with the proposed change of use to Community service (function centre).</p> <p data-bbox="577 869 967 1120">Stages 1.1A and 1.1B and Pedro's restaurant were assessed in the TIA as requiring 77 spaces. However, uses and floor area allocations in the building have varied since initial assessments.</p> <p data-bbox="577 1162 959 1263">A fresh assessment on current use/space allocations has been made, as follows:</p> <table border="1" data-bbox="584 1296 968 1892"> <tr> <td data-bbox="584 1296 968 1364">Stage 1.1A</td> </tr> <tr> <td data-bbox="584 1364 968 1471">i) Food Services – 334m² = 25 spaces</td> </tr> <tr> <td data-bbox="584 1471 968 1619">ii) General Retail & Hire – 180m² (meeting space and foyer) = 15 spaces</td> </tr> <tr> <td data-bbox="584 1619 968 1686">Stage 1.1B</td> </tr> <tr> <td data-bbox="584 1686 968 1794">i) Community Service – 240m² = 28 spaces</td> </tr> <tr> <td data-bbox="584 1794 968 1892">TOTAL PARKING REQUIREMENT = 68 spaces</td> </tr> </table>	Stage 1.1A	i) Food Services – 334m ² = 25 spaces	ii) General Retail & Hire – 180m ² (meeting space and foyer) = 15 spaces	Stage 1.1B	i) Community Service – 240m ² = 28 spaces	TOTAL PARKING REQUIREMENT = 68 spaces	<p data-bbox="986 539 1394 568">To be determined by the Council.</p>
Stage 1.1A								
i) Food Services – 334m ² = 25 spaces								
ii) General Retail & Hire – 180m ² (meeting space and foyer) = 15 spaces								
Stage 1.1B								
i) Community Service – 240m ² = 28 spaces								
TOTAL PARKING REQUIREMENT = 68 spaces								

	<p>The number of spaces actually provided in the redevelopment is 93 (possibly 95).</p> <p>Consequently there is an “excess” of 25 spaces.</p>	
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PROTECTION OF AGRICULTURAL LAND

No issues. The proposal is situated within the urban boundaries of Ulverstone and is not subject to the PAL Policy.

DEPARTMENTAL ADVICE

Advice from the various Departments of Council is provided as follows:

Department	Advice
Corporate Administration	No issues.
Community Development	No issues.
Building & Plumbing	No issues.
Environmental Health	No issues.
Environmental Engineer	No issues.

CONSULTATION

The proposal has not yet been advertised for public consultation.

IMPACT ON RESOURCES

The proposal has no likely impact on Council resources outside those usually required for assessment, reporting, and possibly costs associated with an appeal against the Council’s determination.

CORPORATE COMPLIANCE

The recommendation is consistent with the Central Coast Strategic Plan 2009-2014 in relation to the following strategies and key actions:

Strategic Direction 1 – The Shape of the Place

- Improve the value and use of open space
- Adopt an integrated approach to land use planning

Strategic Direction 2 – A Connected Central Coast

- Provide for a diverse range of movement patterns

Strategic Direction 3 – Community Capacity and Creativity

- Facilitate entrepreneurship in the business community

Strategic Direction 4 – The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure

CONCLUSION

It is recommended that the proposal to amend the Ulverstone Wharf Schedule of the Central Coast Planning Scheme 2005, as discussed in this report, be initiated by Council without any modification or alterations.

Furthermore, the proposed change of use to Community Services in the 240m² area part of the development identified as Stage 1.1B satisfies the requirements of the Central Coast Planning Scheme 2005 as amended in the manner indicated in this application, all relevant State policies and the Act. The proposed change of use is recommended for approval, subject to conditions.

The matters for which an exercise of discretion is required due to assessments under the Performance Criteria, are as follows:

1. Use
2. Hours of operation

On each of these matters it has been demonstrated in the above assessment that the relevant Performance Criteria have been satisfied.

On this basis the change of use application should be approved. There are no particular planning, engineering or health conditions considered necessary.'

The Executive Services Officer reported as follows:

“A copy of the application provided to Lester Franks referred to in the report has been circulated to all Councillors.”

■ Cr van Rooyen moved and Cr Viney seconded, “That:

- 1 a draft amendment (identified as Amendment 1/2012, a copy being appended to and forming part of the minutes) be initiated to the Central Coast Planning Scheme 2005;
- 2 the Council certify that the amendment meets the requirements of section 32 of the *Land Use Planning and Approvals Act 1993*; and
- 3 the change of use to Community services for 240m² of floor area in the building identified as Stage 1.1B be approved.”

Carried unanimously

The Executive Services Officer further reported as follows:

“Approval for the draft amendment having been granted, authorisation for affixing the common seal to the amendment is given at Minute No. 230/2012.”

GENERAL MANAGEMENT

223/2012 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:

- Penguin Miniature Railway Committee – meeting held on 24 July 2012
- Central Coast Youth Engaged Steering Committee – meeting held on 26 July 2012
- Development Support Special Committee – meeting held on 30 July 2012
- Central Coast Community Shed Committee – meeting held on 6 August 2012.

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

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

Carried unanimously

224/2012 Appointment of an Owners’ Representative to the Single Water and Sewerage Corporation

The General Manager reported as follows:

PURPOSE

The purpose of this report is for the Council to elect an Owners’ Representative for the Single Water and Sewerage Corporation.

BACKGROUND

Following on from the Special meeting of the Local Government Association of Tasmania on 5 June 2012, an Implementation Steering Committee was established to further the governance tasks along with timeframes for completion. A copy of the draft timetable is attached for Councillors information.

DISCUSSION

As part of the process the Council is to appoint an Owners' Representative to the Single Water and Sewerage Corporation by the end of August 2012. This will enable the Representatives to meet in September to allow the appointment of a Chief Representative and Deputy Chief Representative of the Owners' Representative body in September and for the Representatives to then start work on a Charter/standing rules/procedures/meeting schedule for operation in anticipation of legislation passing; drafting of the Shareholders' Letter of Expectation for approval of councils and to commence work on the selection process for the appointment of a Board Chairman and Directors.

A draft role statement for Owners' Representatives for the Single Water and Sewerage Corporation has been developed including the key roles and structure and procedures of the Corporation's Owners' Representatives Body as a guide for councils in the selection of a representative. The final version is dependent on final legislation, Constitution, other governance documents and approval by council owners and is attached.

CONSULTATION

Consultation is not required on this matter.

IMPACT ON RESOURCES

There are no resource implications to consider in this matter.

CORPORATE COMPLIANCE

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

Council Sustainability and Governance

- . Improve service provision
- . Strengthen local–regional connections.

CONCLUSION

It is recommended that the Council appoint a representative to the Single Water and Sewerage Corporation Owners' Representatives Body."

The Executive Services Officer reported as follows:

“A copy of the draft role statement Owners’ Representatives Single Water and Sewerage Corporation and the Single Corporation Project Plan – establishment and governance tasks have been circulated to all Councillors.”

- Cr van Rooyen moved and Cr Fuller seconded, “That Mayor Jan Bonde be appointed as the Council’s representative to the Single Water and Sewerage Corporation’s Owners’ Representatives Body.”

Carried unanimously

225/2012 Review into the number of councillors elected to Tasmanian councils (364/2011 – 21.11.2011)

The General Manager reported as follows:

“PURPOSE

The purpose of this report is to provide advice received from the Minister for Local Government, Bryan Green MP on the Local Government Board's recommendation to reduce the number of councillors elected to the Central Coast, Devonport City, Glamorgan–Spring Bay, Glenorchy City, Kingborough and Tasman Councils, and no change to the number of councillors elected to the Break O’Day Council.

BACKGROUND

In October 2011 the following letter was received from the Chairperson of the Local Government Board (‘the Board’).

‘I am writing to advise you that the Minister for Local Government, Bryan Green MP, has written to me requesting that the Local Government Board conduct a review into the number of councillors elected to Tasmanian councils. The review will focus in particular on the Kingborough Council and the Glenorchy City Council, as those councils have requested that such a review be conducted.

However, it is in the intention of the Board to also consider the implications for the number of councillors to be elected in other municipalities. As such, all councils will be given the opportunity to comment and make submissions as part of the review. The terms of reference for the review are attached for your information.

I would also like to provide your Council with the opportunity to advise whether it would like to be specifically considered as part of the review. Please advise me as soon as possible if your Council wishes to be included.

This letter provides the Council with 30 days' notice of the date on which the review is to start, in accordance with section 214(3) of the *Local Government Act 1993*. The Local Government Board will be meeting to commence this review on Wednesday 23 November 2011.

I look forward to working with you and hearing the views of your Council as this review proceeds.'

At the Ordinary Council meeting on 21 November 2011, the Council passed the following motion (Minute No. 364/2011):

'That the Council write to the Local Government Board advising it wishes to take up the opportunity to be specifically considered as part of the review into the number of councillors elected to Tasmanian councils.'

The Council also made a submission to the Local Government Board (a copy is appended to this report) on the review on 31 January 2012.

Representatives from the Local Government Board also attended a workshop with Councillors in April 2012 to discuss the proposed framework document.

DISCUSSION

As part of the Review, the Local Government Board developed a framework that takes a consistent approach statewide and which can be applied in the future if the Board is tasked with reviewing the number of councillors in any other municipal area.

The Board has recommended a reduction in the number of councillors elected to the Central Coast, Devonport City, Glamorgan-Spring Bay, Glenorchy City, Kingborough and Tasman Councils, and no change to the number of councillors elected to the Break O'Day Council. The Board has also developed a Framework for the Assessment of Councillor Numbers and recommended to the Minister that the Framework be used in any future review of councillor numbers.

As part of the process, the Council is invited to make a submission to the Minister for Local Government on any matter covered by the report. The Minister would be grateful to be provided with any such submission by 31 August 2012, in order to enable him to make a decision on the Board's recommendations as soon as practical. A copy of the Review of Councillor Numbers Report has previously been provided to Councillors and is also attached to this report.

CONSULTATION

Public consultation had not been undertaken previously but the report has now been released to the public for comment by the Minister.

IMPACT ON RESOURCES

There has been no impact on resources at this stage apart from making a submission to the Board as part of the process.

CORPORATE COMPLIANCE

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

Council Sustainability and Governance

- Improve corporate governance
- Improve the Council's financial capacity to sustainably meet community expectations
- Effective communication and engagement
- Strengthen local–regional connections.

CONCLUSION

It is recommended that the report be received.”

The Executive Services Officer reported as follows:

“A copy of the Council's submission to the Local Government Board and the Review of Councillor Numbers Report have been circulated to all Councillors.”

- Cr Fuller moved and Cr (L) Bonde seconded, “That the report be received.”

Continued after Minute No. 225/2012...

226/2012 Public question time

The time being 6.41 pm, the Mayor introduced public question time.

Questions and replies concluded at 6.51 pm.

Minute No. 225/2012 continued...

Cr Carpenter moved and Cr Broad seconded an amendment, "That the report be received and the Council send a new submission to the Minister substantially based on the previous submission, while giving Councillors the opportunity to provide further input to the submission based on the report received."

Voting for the amendment
(10)

- Cr (J) Bonde
- Cr Bloomfield
- Cr Broad
- Cr Carpenter
- Cr Diprose
- Cr Fuller
- Cr Howard
- Cr Tongs
- Cr van Rooyen
- Cr Viney

Voting against the amendment
(1)

- Cr (L) Bonde

Amendment

Carried

Voting for the amended motion
(10)

- Cr (J) Bonde
- Cr Bloomfield
- Cr Broad
- Cr Carpenter
- Cr Diprose
- Cr Fuller
- Cr Howard
- Cr Tongs
- Cr van Rooyen
- Cr Viney

Voting against the amended motion
(1)

- Cr (L) Bonde

Motion

Carried

CORPORATE & COMMUNITY SERVICES

227/2012 Corporate & Community Services determinations made under delegation

The Director Corporate & Community Services reported as follows:

“A Schedule of Corporate & Community Services Determinations made during the month of July 2012 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 Fuller moved and Cr Tongs seconded, “That the Schedule of Corporate & Community Services Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

228/2012 Contracts and agreements

The Director Corporate & Community Services reported as follows:

“A Schedule of Contracts and Agreements (other than those approved under the common seal) entered into during the month of July 2012 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 Howard moved and Cr Viney seconded, “That the Schedule of Contracts and Agreements (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

229/2012 Correspondence addressed to the Mayor and Councillors

The Director Corporate & Community Services reported as follows:

"PURPOSE

This report is to inform the meeting of any correspondence received during the month of July 2012 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 from the Penguin Football Club concerning the lease and works required to be undertaken at the Penguin Recreation Ground.
- . Letter received concerning smoke from residential wood fires.
- . Letter concerning the strategic management of the Penguin General Cemetery.

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

Carried unanimously

230/2012 Common seal

The Director Corporate & Community Services reported as follows:

"A Schedule of Documents for Affixing of the Common Seal for the period 17 July to 20 August 2012 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. Draft Amendment 1/2012 approved at Minute No. 222/2012 is to be added to the Schedule."

- Cr Viney 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

231/2012 Financial statements

The Director Corporate & Community Services reported as follows:

“The following principal financial statements of the Council for the period ended 31 July 2012 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 (L) Bonde moved and Cr Tongs seconded, “That the financial statements (copies being appended to and forming part of the minutes) be received.”

Carried unanimously

232/2012 Rate remissions

The Director Corporate & Community Services reported as follows:

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

<i>PROPERTY NO.</i>	302330.0260
<i>PROPERTY ADDRESS</i>	Braddons Lookout Road, Leith
<i>REMISSION</i>	\$206.27
<i>REASON</i>	Property deemed to be valueless. General Rate was previously charged using AAV and not minimum amount.

<i>PROPERTY NO.</i>	202055.0020
<i>PROPERTY ADDRESS</i>	1 Explorer Drive, Turners Beach
<i>REMISSION</i>	\$176.00
<i>REASON</i>	Property charged for waste management charge prior to issue of Occupancy Certificate.

The Executive Services Officer reported as follows:

“The *Local Government Act 1993* provides that a council, by absolute majority, may grant a remission of all or part of any rates.”

■ Cr Diprose moved and Cr van Rooyen seconded, “That the following remissions be approved:

- . Property No. 302330.0260 – \$206.27
- . Property No. 202055.0020 – \$176.00.”

Carried unanimously and by absolute majority

233/2012 Digital television switchover – Gunns Plains

The Director Corporate & Community Services reported as follows:

“The Corporate Services Group Leader has prepared the following report:

PURPOSE

The purpose of this report is to consider options relating to the switchover to digital television in the Gunns Plains area.

BACKGROUND

On 9 July 2012 the Council received advice that the switchover date for digital television in Tasmania will be 9 April 2013. This decision affects two retransmission facilities at Braddons Lookout Road and Gunns Plains currently installed and managed by the Council.

The facility at Braddons Lookout Road will be taken over and converted to digital by the commercial stations. The Council will no longer be responsible for the maintenance and support of this transmitter. The Council will still be responsible for the maintenance of the building and surrounds.

The Council has been advised that the Gunns Plains transmitter will not be taken over by the commercial stations and the Department of Broadband, Communications and the Digital Economy (DBCDE) has given the Council two options in regard to the changeover from analog to digital. The Council can either upgrade the facility to digital at its own expense or allow the residents to participate in the Satellite Subsidy Scheme.

DISCUSSION

The commercial broadcasters are not in a position to upgrade all facilities and the Council has been advised that these broadcasters will not be upgrading the facility operated at Gunns Plains to digital due to the lack of viewers in the area.

The Council can choose to either:

- 1 upgrade the Gunns Plains facility at its own cost; or
- 2 allow local householders to opt-in to the satellite television scheme under the subsidised scheme provided.

The Council has received a range of figures covering the cost of installing and maintaining the digital equipment from DBCDE of between \$150,000 to \$200,000 and a somewhat lower set of costings provided by the Local Government Association of Tasmania (LGAT), based on advice from councils currently pursuing their own upgrade to a digital service. Based on figures provided by the LGAT, the basic capital cost to upgrade the Gunns Plains transmitter to broadcast a digital signal is in the order of \$80,000–\$150,000. It is also estimated that over a 10 year period, maintenance costs for this equipment could be greater than \$20,000. In addition to the Council's cost in upgrading the transmitter, individual households will still need to meet the cost of changing their receiving antenna, a cost in the order of \$200 – \$400 per new antenna.

The Australian Government is providing two practical financial assistance alternatives to help eligible households switch to digital television.

Satellite Subsidy Scheme (SSS) –

If the Council decides not to upgrade the self-help facility, the SSS will be offered to all households served by this facility from 1 October 2012. The SSS offers subsidised installation of Viewer Access Satellite Television (VAST) equipment for eligible households. In other regions, the household contribution amount has been \$200 to \$220. Details of the assistance provided under the SSS, including information about how to apply, will be made available to potentially eligible households by the DBCDE when it opens.

The VAST service will provide households with access to the full suite of 16 free-to-air digital channels plus a dedicated local news channel via means of a satellite dish.

Household Assistance Scheme (HAS) –

The HAS is available to all full rate recipients of certain pensions, regardless of whether we upgrade our self-help facility. Eligible people who opt into the HAS will be converted to receive digital television free of charge, including VAST equipment if required. The Department of Human Services will write to potentially eligible people in July 2012 inviting them to check their eligibility for the HAS.

If the Council chooses to upgrade the Gunns Plains facility at its own expense then the residents will not be eligible for the SSS and, due to the terrain, some residents in the valley will still not have access to free-to-air television.

Based on advice received at the time that the Council was approached to install the Gunns Plains transmitter, it is estimated that some 70 residences are within the tower's signal range. Of those residents some 33 are pensioners and would be eligible under the HAS for free access. Based on information provided to date, while there is a cost to some individual ratepayers for the conversion to individual satellite reception, the cost is comparable to having to install a new antenna for digital reception.

The original correspondence gave the Council until 31 July 2012 to provide a response as to which option it would choose to provide digital television to Gunns Plains. The Council has received an extension to this timeframe until 31 August 2012.

The tower is located on land leased by the Council for a nominal rental from Tasmanian Plantations Pty Ltd and the Council sub-leases access to the tower to the State Fire Commission (SFC) for fire service purposes. The tower cost \$206,000 to erect in 2003; \$125,000 of that cost was covered by a Federal Government grant with the remaining \$81,000 of the installation cost met from Council funds. The tower currently costs around \$1,500 per annum in running and maintenance costs and should the Council choose not to convert the tower, the Council could explore the option of transferring the tower and the lease held by the Council directly to the SFC.

CONSULTATION

The Gunns Plains Fire Chief was consulted in regard to the number of residences in the valley. Whatever decision is made by the Council, all affected residents in the Gunns Plains area will be written to explaining what the situation is and what they need to do.

IMPACT ON RESOURCES

Should the Council choose not to upgrade the tower there would be an annual saving of \$1,500 in maintenance costs. Should the Council choose to upgrade the tower there would be a capital cost in the order of \$100,000 to \$150,000 and maintenance costs in the order of \$2,000 per annum.

CORPORATE COMPLIANCE

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

A Connected Central Coast

- Connect the people with services
- Improve community wellbeing

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure

Council Sustainability and Governance

- Improve service provision
- Effective communication and engagement.

CONCLUSION

It is recommended that, in the interest of improved service provision and reduced costs, the Council opt in to the Satellite Subsidy Scheme for access to the Viewer Access Satellite Television service for Gunns Plains for the purpose of switching from analog to digital television coverage, and further, that the Council write to all residents within the area advising them as to the impact of the change and how they can apply for the subsidy to install the relevant satellite television equipment needed to receive the digital signal.'

The report is supported.”

- Cr (L) Bonde moved and Cr Tongs seconded, “That the the Council opt in to the Satellite Subsidy Scheme for access to the Viewer Access Satellite Television service for Gunns Plains for the purpose of switching from analog to digital television coverage, and further, that the Council write to all residents within the area advising them as to the impact of the change and how they can apply for the subsidy to install the relevant satellite television equipment needed to receive the digital signal.”

Carried unanimously

234/2012 Rates and Charges Policy

The Director Corporate & Community Services reported as follows:

PURPOSE

The purpose of this report is to consider a draft Rates and Charges Policy that outlines the Central Coast Council's approach towards rating its community and to meet the requirements of section 86B of the *Local Government Act 1993* which requires the Council to have a Rates and Charges Policy by 31 August 2012.

BACKGROUND

Part 9 of the *Local Government Act 1993* ('the Act') provides councils with the legislative power to raise rates and charges.

Section 86B of the Act sets out that a council's rates and charges policy must contain:

- (a) A statement of the policy that the council intends to apply in exercising its powers, or performing its functions, under Part 9; and
- (b) A statement of policy in respect of prescribed matters, if any.

There are currently no prescribed matters.

A council's rates and charges policy in relation to the making or varying of a rate must take into account the principles referred to in section 86A(1) of the Act; that is:

- (a) Rates constitute taxation for the purpose of local government, rather than a fee for service; and
- (b) The value of rateable land is an indicator of the capacity of the ratepayer in respect of that land to pay rates.

In other words the policy should reflect that a council has considered the principles of taxation, including the burden that raising of rates places on ratepayers and how it should be distributed. The value of a ratepayer's land (land value, capital value or assessed annual value) should be considered as an indicator of the capacity of a ratepayer to pay rates.

DISCUSSION

This Policy reflects the motion on rates and charges that was unanimously passed by the Council on 25 June 2012 (Minute No. 176/2012) which reads as follows:

'That, in accordance with the provisions of the *Local Government Act 1993*, the following Rates and Charges be and are made for the year ending 30 June 2013:

1 General Rate

- (a) A General Rate of 9.20 cents-in-the-dollar based on the assessed-annual-value and is payable on all rateable land within the Central Coast municipal area, but shall only be payable in so far as the sum payable under such rate exceeds a minimum amount of \$220 otherwise payable in respect of that rate.
- (b) In accordance with Section 107(1), by reason of the use or predominant use of any land, or the non-use of any land, the Council declares by absolute majority that the General Rate shall be varied as follows:
 - (i) for all land used for residential purposes the General Rate is varied by decreasing it to 8.38 cents-in-the-dollar on the assessed-annual-value, but shall only be payable in so far as the sum payable under such rate exceeds a minimum amount of \$220 otherwise payable in respect of that rate;
 - (ii) for all land used for primary production purposes the General Rate is varied by decreasing it to 7.17 cents-in-the-dollar on the assessed-annual-value, but shall only be payable in so far as the sum payable under such rate exceeds a minimum amount of \$220 otherwise payable in respect of that rate;
 - (iii) for all land which is vacant land the General Rate is varied by decreasing it to 7.15 cents-in-the-dollar on the assessed-annual-value, but shall only be payable in so far as the sum payable under such rate exceeds a minimum amount of \$220 otherwise payable in respect of that rate.

2 Service Rates and Charges

- (a) A Fire Protection Service Rate of 0.395 cents-in-the-dollar based on the assessed-annual-value and is payable in respect of all rateable land within the Penguin Urban Fire District and

the Ulverstone Urban Fire District, but shall only be payable in so far as the sum payable under such rate exceeds a minimum amount of \$36.00 otherwise payable in respect of that rate.

- (b) A Fire Protection Service Rate of 0.395 cents-in-the-dollar based on the assessed-annual-value and is payable in respect of all rateable land within the Forth/Leith Country Fire Brigade District, the Heybridge Country Fire Brigade District and the Turners Beach Country Fire Brigade District, but shall only be payable in so far as the sum payable under such rate exceeds a minimum amount of \$36.00 otherwise payable in respect of that rate.
- (c) A Fire Protection Service Rate of 0.31 cents-in-the-dollar based on the assessed-annual-value and is payable in respect of all rateable land outside the Forth/Leith Country Fire Brigade District, the Heybridge Country Fire Brigade District, the Penguin Urban Fire District, the Ulverstone Urban Fire District and the Turners Beach Country Fire Brigade District, but shall only be payable in so far as the sum payable under such rate exceeds a minimum amount of \$36.00 otherwise payable in respect of that rate.
- (d) A Waste Management Service Charge of \$176.00 for each tenement is payable in respect of all rateable land to which a garbage collection service is supplied or made available.

3 Payment

- (a) All Rates and Charges shall be payable in one payment on or before the 30th day of October, 2012.

4 Discount for early payment

- (a) A discount of 5% is offered to all ratepayers for payment of Rates and Charges in total on or before the 30th day of September 2012 provided that no such discount shall be offered if there are at any time any arrears of Rates and Charges owing.

5 Supplementary Valuation Rate

- (a) If a supplementary valuation is made of any land prior to 30 June 2013 the Council may adjust the amount payable in

respect of any rate for that land for the 2012–2013 financial year.

- (b) If an adjusted rate is made of any land, a rate notice must be issued by the General Manager, with the amount shown as credited or payable on that notice due to be paid within 30 days of the date on which that notice issued.

6 Definition

For the purposes of this resolution:

- (a) ‘tenement’ includes, for each rateable land that has waste management services, each separate residential use on that rateable land including each lot or block of land, each house, moveable dwelling unit, flat, home unit or self-contained holiday apartment or holiday unit located on the rateable land.’

In making this resolution and subsequently the Policy, the Council has taken into account the principles that:

- . Rates constitute taxation for local government purposes rather than a fee for service.
- . The value of rateable land being an indicator of the capacity of the ratepayer in respect of that land to pay rates.
- . The Central Coast Strategic Plan 2009–2014.
- . Long Term Financial and Asset Management Plans.
- . The 2012–2013 Annual Plan and Budget.
- . Current economic climate and external influences such as legislative reform, grant funding programs, inflation factors and interest rates.
- . Specific issues faced by the Central Coast community, including:
 - the need to maintain and update its large road network and other essential infrastructure;
 - maintenance and improvement of community assets to enable the area to be promoted as an attractive place to live, work, invest and visit.

- . The impact of rates and charges on the community, including:
 - residential, commercial, industrial and primary producers;
 - minimising rate levels by adopting a ‘user pay’ principle for charges where possible;
 - provision of concessions to those within the community unable to meet the full cost of services.

The Rates and Charges Policy provides clear information to ratepayers about the Council’s rating structure. The Policy defines principles such as Rating Equity, and clarifies the Rating Method used by the Council in setting rates. The Policy identifies Exemptions and the rationale that underpins the setting of Differential General Rates and Service Rates and Charges, as well as identifying the Minimum Amount Payable. The Policy identifies Concessions and the manner in which Rate Rebates might be applied for, in addition to the manner in which Rates may be paid and the penalties that may apply to the Non-Payment of Rates.

The Policy must be reviewed by the end of each successive four year period after 31 August 2012 or when a council makes a significant change in how it applies rates and charges, whichever is the earlier. A copy of the Policy is appended to this report.

CONSULTATION

A workshop has been held with the Councillors with regard to the setting of rates and charges implementation.

IMPACT ON RESOURCES

Apart from some minor administration costs, the adoption of this Policy will have no additional impact on the resources of the Council as it reflects the setting of rates and charges as adopted by the Council at its budget meeting each year.

CORPORATE COMPLIANCE

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

Council Sustainability and Governance

- . Improve corporate governance
- . Improve the Council’s financial capacity to sustainably meet community expectations.

CONCLUSION

It is recommended that the Council adopt the Rates and Charges Policy.”

The Executive Services Officer reported as follows:

“A copy of the Rates and Charges Policy has been circulated to all Councillors.”

■ Cr van Rooyen moved and Cr Bloomfield seconded, “That the Council adopt the Rates and Charges Policy (a copy being appended to and forming part of the minutes).”

Carried unanimously

235/2012 Installation of surveillance cameras (235/2010 – 19.07.2010)

The Director Corporate & Community Services reported as follows:

“The Corporate Services Group Leader has prepared the following report:

‘PURPOSE

The purpose of this report is to review the implementation of surveillance cameras as a cost-efficient deterrent to vandalism within the Central Coast area.

BACKGROUND

At the Ordinary Council meeting held on Monday, 19 July 2010 (Minute No. 235/2010) the Council made the following decision:

“That the Council monitor the cost of vandalism involving individual locations across the Central Coast area and provide a report identifying these costs in 2011 to enable a further review into the implementation of surveillance cameras as a cost-efficient deterrent to vandalism, and further that the Council continue to upgrade their public facilities so as to lessen the effects of vandalism.”

There are two different types of surveillance cameras available, either video or still photographs. In high traffic areas such as the central business district (CBD), it is considered that video is the best option, while in low traffic areas, still photos triggered by motion are considered a more viable option.

The installation of the Council’s wireless network covering the majority of the Ulverstone CBD would allow for the installation of video cameras with the purchase cost of cameras being between \$1,000 and \$1,500, plus installation costs. In the case of such an installation the video feed from these cameras could be fed wirelessly back to the Police station for monitoring. Such cameras could be used to monitor public areas like public car parks and Anzac and Apex Parks at night.

Installing small self-contained battery operated cameras in remote locations similar to those used by Bush Watch, with appropriate signage, is an option for areas outside of the CBD. Such cameras would need to be checked once a week for operation or after vandalism has been reported. While the chance of obtaining a photograph of sufficient quality to identify perpetrators beyond all reasonable doubt is limited, the presence of the camera itself may prove to be enough of a deterrent. The purchase cost of one of these cameras is approximately \$500. The cost of monitoring the cameras on a regular basis and viewing the footage when vandalism does occur needs to be added to this cost.

DISCUSSION

Vandalism in Central Coast is not confined to any one area or type of asset. There is however, more vandalism associated with public toilets than any other asset. During the 2011–2012 financial year the following costs were incurred as the result of vandalism in various areas:

	\$
Garbage bins	680
Park furnishings	2,931
Public toilets	25,576
Street signs	7,112
<hr/>	
TOTAL	36,299
<hr/>	

The major areas of costs for public toilets were Buttons Creek, Hiscutt Park, Johnsons Beach, South Riana, Turners Beach and Woolworths, with the larger costs being generated through damages at the Turners Beach toilets (\$5,000) together with Hiscutt Park and Johnsons Beach in Penguin (\$3,500).

While the installation of cameras on some sites might prove successful in reducing costs, such installations would need to consider the level of damages over a period of time to ensure appropriate placement. The installation of a camera at Turners Beach might prove efficient due to the

level of costs, but where overall damages are low the cost of the camera would exceed the cost of the vandalism.

The redesign and upgrade of toilet blocks has greatly reduced the amount of vandalism to these facilities. As renewals are identified and budgets permit, toilet blocks will continue to be assessed and upgraded in accordance with Crime Prevention Through Environmental Design (CPTED) principles as appropriate to minimise the effect and cost of vandalism.

The repair or replacement of street signs as the result of vandalism is not attributable to any particular area and is possibly the result of genuine vehicular accidents, as much as it is the result of deliberate vandalism.

Major acts of vandalism like setting fire to significant pieces of park furniture happen very rarely and the major cost of these repairs is covered by the Council's insurance. The Council's current insurance excess level is set at \$1,000 per claim and to date our insurers have proven both supportive and effective in processing claims quickly to the required quote for the cost of repairs and allowed the Council the flexibility to upgrade sites to minimise future vandalism costs.

The Council's aim is to continue to minimise vandalism in all areas. The nature and spread of the costs incurred throughout the Central Coast area would support the purchase of a limited number of cameras for use in problem areas rather than the general installation of cameras throughout. This would also enable the placement of cameras for periods immediately after major plantings in areas such as Apex Park to deter the type of vandalism that tends to occur immediately after such plantings.

CONSULTATION

Council staff who deal with vandalism and a surveillance system supplier have been consulted in the preparation of this report.

IMPACT ON RESOURCES

Details relating to costings have been included in the report. The costings will vary anywhere between \$500 for the purchase of a single camera, to in excess of \$6,000 for a remote video surveillance system including two to three cameras and monitoring equipment. Such costs would multiply according to the number of separate locations to be covered and have not been included in the 2012–2013 Estimates.

There will also be operational costs involved in installing and managing any surveillance system that might be installed. For the cost of stand-alone surveillance cameras these costs will vary according to the remoteness of the location and frequency of access. The cost of operating any wireless system run within the Council's WiFi network would only be that of monitoring, which the Ulverstone Branch of Tasmania Police would be happy to undertake.

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

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

CONCLUSION

It is recommended that the Council continue to upgrade its public facilities so as to lessen the effects of vandalism; continue with the policy of offering a reward for information relating to the conviction of vandals, and continue to monitor vandalism costs with a view to include the purchase of a limited number of cameras in the 2013–2014 budget Estimates.'

The report is supported."

■ Cr Howard moved and Cr Diprose seconded, "That the the Council continue to:

- 1 upgrade public facilities so as to lessen the effects of vandalism;
- 2 offer a reward for information leading to the conviction of vandals; and
- 3 monitor vandalism costs;

with a view to include the purchase of a limited number of surveillance cameras in the 2013–2014 budget Estimates."

Cr Diprose left the meeting at this stage (7.31 pm).

Carried unanimously

ENGINEERING SERVICES

236/2012 Anzac Park car park – After-hours management (401/2002 – 25.11.2002)

The Director Engineering Services reported as follows:

“PURPOSE

The purpose of this report is to consider the after-hours management of the Anzac Park car park.

BACKGROUND

The after-hours management of the Anzac Park car park has been a subject of concern for neighbouring residents and the Holy Trinity Anglican Church for many years. The subject of anti-social behaviour in the car park was presented to the Council meeting held on 25 November 2002 (Minute No. 401/2002). The supported motion was to call a meeting of nearby residents and the Ulverstone Police with a view to developing an action plan. A meeting was arranged for 17 December 2002.

The principal points to come out of this meeting were:

- ‘1 That the erection of fences and gates was not the answer to the problems of young people and cars. Over the years, the Council has received a number of requests from the community for gates to be installed to restrict access to certain areas. Public parks are provided for the people at large. Locking offenders out of one area simply moves the problem to another area.
- 2 That the Council would investigate the reintroduction of a ‘public areas by-law’ covering Council facilities and parks; however, it should be noted that a by-law will not necessarily resolve the issues of young people and motor vehicles.
- 3 That the best advice given was by Sergeant Farrelly who recommended that residents should telephone the police and report any unlawful activity, substantial disturbance or speeding of motorists. This can be done by phoning the Ulverstone Police Station on 6429 8606. It is extremely helpful that any report is accompanied by as much evidence as possible, particularly relating to motor vehicle registration and/or type and colour of vehicle. It is not absolutely necessary for the person making the report to give their name;

however, the giving of a name does assist the police if there is a later need to obtain additional or confirming information.

Generally speaking, we all have a part to play (i.e. the community, police and Council) in addressing the issue of anti-social behaviour. While the police may not always be immediately available because of the many calls upon their time, reporting offenders is one of the best avenues available to us.'

Requests for the car park to be closed were received by the Council in September 2009 and again in March 2012 following its temporary closure while the Leven River bridge was constructed. The main reasons given for the requests are the anti-social behaviour of those congregating in the car park; the noise levels – including horn blowing; hooning originating in the car park; vandalism of adjacent areas and littering. Tasmania Police has been called on a number of occasions. A copy of the correspondence and the Council's response are attached as Annexure 1.

DISCUSSION

The Engineering Group Leader provides the following comments:

'Anzac Park is one of Ulverstone's most popular parks, particularly since the reinvigoration of the playground area in recent months. The car park area is a public area and should be available for use by the public. Any decision to restrict access to parking areas should not be taken lightly and alternatives should be considered.

The outcomes from earlier investigations into this issue concluded that, "the erection of fences and gates was not the answer to problems of young people and cars." It then went on to say that informing Police is the best course of action to address "unlawful activity, substantial disturbance or speeding vehicles." The Police supported this course of action.

In recent years due to the behaviour of certain individuals and groups, the Council has seen a range of closures and restrictions to many areas of Ulverstone. These include the closure of Beach Road and Tobruk Park at night, restrictions to the Yacht Club lawn and parking area, and the Henslowes Park area/Nietta Railway Track. The closure of each area has not solved the issue of anti-social behaviour; the relevant groups simply find another location for their activities. This sentiment was supported in the 2002 investigation. It is believed that closing of the Anzac Park car park will not result in reducing anti-social behaviour but just move it elsewhere.

The toilets adjacent to the car park are currently closed at night by the Council's security contractor. They are reopened in the morning by Council

employees. If night-time gating of the car park is the decision then it is most likely the opening and closing could be added to their respective duties.

The closing of this car park during night hours is not expected to have a negative impact on members of the community who use the park and playground facilities.

The options suggested for consideration for the after-hours management of Anzac Park are:

1 No changes and encourage residents to contact Police -

This is the previously agreed response to requests for night-time closure of the car park. This option has had limited success to date as a Police presence has not deterred the undesirable behaviour. It is also possible some residents do not feel comfortable contacting the Police for fear of retribution. For this option to work it would require full support of Tasmania Police to address issues as they are reported.

2 Installation of a boom gate and appropriate signage -

The closure would include installation of a boom gate at the car park entrance from Kings Parade to prevent vehicle access and appropriate signage detailing opening and closing hours.

Subject to appropriate discussions the boom gate could be closed between the hours of 9.00pm and 7.00am during daylight savings and between 7.00pm and 7.00am during the rest of the year. The closing of the gate could be undertaken by the Council's security contractor and opening by Council employees.

It is recommended that the Council do not change the current arrangement and pursue avenues to limit the anti-social behaviour during 2012-2013. This would mainly consist of locals reporting the inappropriate behaviour with support information where possible to the Police. During February/March 2013 the issue would be further discussed with Police to determine whether there has been improvement or success in removing the anti-social activities. If it has not been successful then the Council consider the installation of a boom gate in the Estimates process for 2013-2014.'

The Engineering Group Leader’s report is supported.

CONSULTATION

In accordance with the 2002 Council minute, a meeting was organised with locals and the Police and an action plan determined. Further consultation will be required with Tasmania Police if the recommendation is supported.

IMPACT ON RESOURCES

ITEM	CAPITAL \$	OPERATIONAL \$
Option 1: No change and encourage locals and residents to contact Police	0	0
Option 2: Installation of boom gate and appropriate signage	15,000	3,000

The annual operational cost in Option 2 is an indicative cost from the Council’s security contractor for the closing only of the gate of an evening and will be an ongoing cost. This was not provided for in 2012–2013 Operational Estimates.

Capital funding to undertake the work was not considered in the 2012–2013 Capital Estimates.

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

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

CONCLUSION

It is recommended that the Council make no changes to the current car park arrangement and pursue avenues to limit the anti-social behaviour during 2012–2013. If this is not successful then the option for closure to be considered in the 2013–2014 budget Estimates process.”

The Executive Services Officer reported as follows:

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

■ Cr Viney moved, “That the Council make no changes to the current car park arrangement at Anzac Park and pursue avenues to limit the anti-social behaviour during 2012–2013. If this is not successful then the option for closure is to be considered in the 2013–2014 budget Estimates process.”

Cr Diprose returned to the meeting at this stage (7.33pm).

The motion lapsed through lack of a seconder.

■ Cr Fuller moved and Cr Howard seconded, “That the Council make no changes to the current car park arrangement at Anzac Park and pursue avenues to limit the anti-social behaviour during 2012–2013 including, as a one-off trial, the installation of remote surveillance cameras aimed at capturing anti-social behaviour within the car park, together with appropriate signage. If this is not successful then the option for closure is to be considered in the 2013–2014 budget Estimates process.”

Carried unanimously

CLOSURE OF MEETING TO THE PUBLIC

237/2012 Adjournment of meeting

The Mayor advised as follows:

“This meeting is adjourned for five minutes.”

The meeting adjourned at 8.04pm and resumed at 8.12pm.

238/2012 Meeting closed to the public

The Executive Services Officer reported as follows:

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

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

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

- Cradle Mountain Water Quarterly Report to the Owners’ Representatives; and
- Sale of land off Recreation Drive, Penguin (303A/2011 – 19.09.2011).

These are matters relating to:

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

■ Cr Fuller 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 provided to the Council on the condition it is kept confidential; and
- a proposal for the disposal of land;

and the Council being of the opinion that it is lawful and proper to close the meeting to the public:

-
- . Cradle Mountain Water Quarterly Report to the Owners' Representatives; and
 - . Sale of land off Recreation Drive, Penguin (303A/2011 – 19.09.2011)."

Carried unanimously and by absolute majority

The Executive Services Officer further reported as follows:

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

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

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

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

GENERAL MANAGEMENT

239/2012 Cradle Mountain Water Quarterly Report to the Owners' Representatives

The General Manager reported as follows:

“The following report is to present the Cradle Mountain Water Quarterly Report to Owners' Representatives for the period 1 July 2011 to 30 June 2012. This report is provided to all owner councils on an ‘In Confidence’ basis.

...

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

- (a) is to record in the minutes of the open meeting, in a manner that protects confidentiality, only the fact that the matter was discussed; and
- (b) is not to record in the minutes of the open meeting the details of the outcome unless the council or council committee determines otherwise.’

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

CORPORATE & COMMUNITY SERVICES

240/2012 Sale of land off Recreation Drive, Penguin (303A/2011 – 19.09.2011)

The Director Corporate & Community Services reported as follows:

“This report is to consider a request from...:

...

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

- (b) is to record in the minutes of the open meeting, in a manner that protects confidentiality, only the fact that the matter was discussed; and
- (b) is not to record in the minutes of the open meeting the details of the outcome unless the council or council committee determines otherwise.’

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

Closure

There being no further business, the Mayor declared the meeting closed at 8.45pm.

CONFIRMED THIS 17TH DAY OF SEPTEMBER, 2012.

Chairperson

(Imm:dil)

Appendices

- Minute No. 220/2012 – Schedule of Development & Regulatory Services Determinations
- Minute No. 222/2012 – Amendment 1/2012 Ulverstone Wharf, Crescent Street, Ulverstone (Application No. DA212024)
- Minute No. 227/2012 – Schedule of Corporate & Community Services Determinations
- Minute No. 228/2012 – Schedule of Contracts & Agreements
- Minute No. 230/2012 – Schedule of Documents for Affixing of the Common Seal
- Minute No. 231/2012 – Financial statements
- Minute No. 234/2012 – Rates and Charges Policy
- Minute No. 240A/2012 – Location plan – off Recreation Drive, Penguin

QUALIFIED PERSON'S ADVICE

The *Local Government Act 1993* provides (in part) as follows:

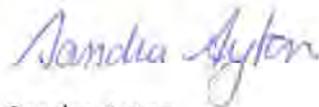
. A general manager must ensure that any advice, information or recommendation given to the council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

. 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

Appendices

Central Coast Council
List of Development Applications Determined
 Period From: 1 July 2012 To 31 July 2012

CENTRAL COAST COUNCIL
 I certify that this is the schedule referred to in
 Minute No. 220/2012 of a meeting of the
 Council held on 20/08/2012

 Executive Services Officer

Application Number	Property Address	Development Application Type	Description of Proposed Use	Application Date	Decision Date	Day Determined
DA211279	41 Amherst Street, Ulverstone	Discretionary Development Application	Residential - Multiple dwellings - variation to rear setback	30-Apr-2012	31-Jul-2012	38
DA211303	10 Explorer Drive, Turners Beach	Discretionary Development Application	Residential carport - variation to rear setback	04-Jun-2012	03-Jul-2012	29
DA211310	2 Blythe Street, Heybridge	Discretionary Development Application	Residential shed - variation to rear setback	15-Jun-2012	12-Jul-2012	27
DA211311	4 Sandpit Lane, Heybridge	Discretionary Development Application	Residential garage extension	15-Jun-2012	12-Jul-2012	27
DA211312	14 Southern Cross Drive, Ulverstone	Discretionary Development Application	Residential - new dwelling and outbuilding - variation to rear setback and building envelope	15-Jun-2012	12-Jul-2012	27
DA211025-1	264 Preservation Drive, Sulphur Creek	Discretionary Development Application	Five lot subdivision	15-Jun-2012	05-Jul-2012	20
DA211293	Wilmot Road, Forth (next to Paloona Road) to Harveys Road, North Motton	Discretionary Development Application	Kindred, North Motton Irrigation Scheme - an irrigation scheme drawing water from the Forth River (just upstream of the Paloona Road), to be made available to a proposed Kindred, North Motton Irrigation District - District includes Kindred, Sprent, Forth, Spalford, Abbotsham, Gawler, North Motton & Preston - works include three pump stations, a holding dam and a pipeline	20-Jun-2012	24-Jul-2012	34
DA211316	47 Josephine Street, Ulverstone	Discretionary Development Application	Residential dwelling additions - variation to side setback	22-Jun-2012	26-Jul-2012	34
DA211317	564 Preston Road, North Motton	Permitted Development Application	Residential single dwelling and garage	22-Jun-2012	02-Jul-2012	10
DA211034-1	U 1/16 Main Street, Ulverstone	Discretionary Development Application	Residential - new dwelling	25-Jun-2012	05-Jul-2012	10

Central Coast Council
List of Development Applications Determined

Period From: 1 July 2012 To 31 July 2012

Application Number	Property Address	Development Application Type	Description of Proposed Use	Application Date	Decision Date	Day Determined
DA211319	26 Water Street, Ulverstone	Discretionary Development Application	Residential - new dwelling - variation to site coverage and side setback	25-Jun-2012	20-Jul-2012	25
DA211320	10 Horsham Street, Ulverstone	Discretionary Development Application	Residential shed - variation to gross floor area, side and rear setbacks	26-Jun-2012	20-Jul-2012	24
DA211322	16 Southern Cross Drive, Ulverstone	Discretionary Development Application	Residential - new dwelling - variation to side setback	29-Jun-2012	26-Jul-2012	27
DEV2009.117-1	41 Clayton Road, Ulverstone	Discretionary Development Application	Community services - extension (porch)	29-Jun-2012	10-Jul-2012	11
DA210222-1	728 Forth Road, Forth	Discretionary Development Application	Residential dwelling extension	03-Jul-2012	11-Jul-2012	8
DA212007	749 Kindred Road, Kindred	Permitted Development Application	Residential dwelling additions	16-Jul-2012	17-Jul-2012	1
DA212012	289 Masters Road, Riana	Permitted Development Application	'As constructed' deck/sunroom	23-Jul-2012	26-Jul-2012	3

Building Approvals - 25

<i>Type</i>	<i>No.</i>	<i>Total Value (\$)</i>
Dwellings	4	1,526,000
Flats/Units	3	595,393
Additions	8	347,315
Alterations	1	5,000
Outbuildings	8	159,211
Other	2	150,000
The estimated cost of building works totalled		<u>\$2,782,919</u>

Amended Building Permits - 7

Minor Works Applications - 2

Plumbing Permits - 23

Special Plumbing Permits (on-site wastewater management systems) - 3

Public Health Risk Activity Licence & Registration - 1

Food Business registrations - 17

Place of Assembly licences - 1

Temporary Food Business registrations - 5



Paul Bidgood

ACTING DIRECTOR DEVELOPMENT & REGULATORY SERVICES

Central Coast Planning Scheme 2005 Amendment 1/2012

Proposed additional clause in S14.1 Purpose of Schedule and additional use in Table of Use in S14.4.1 Ulverstone Wharf Schedule

The following additional clause is to be inserted after S14.1.1(k) Purpose of Schedule:

“(l) to accommodate a range of community uses and activities.”

The following additional use is to be inserted into the Discretionary use section of the Table of Use at S14.4.1 after row 6 (Business and professional services) as follows:

Community services	
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INSTRUMENT OF CERTIFICATION

The Central Coast Council resolved at its meeting of 20 August 2012 that draft amendment 1/2012 of Central Coast Planning Scheme 2005 meets the requirements specified in section 32 of the Land Use Planning and Approvals Act 1993.

THE COMMON SEAL of the Central Coast Council, Tasmania has been hereunto affixed pursuant to a resolution of the Council passed on the 20th day of August, 2012 in the presence of:

GENERAL MANAGER

Sandra Sykes



CENTRAL COAST COUNCIL	
Resolved that this is <u>CONFIRMED</u>	
<u>1/2012</u>	referred to in
Minute No. <u>222/2012</u>	of a meeting of the
Council held on <u>20.10.8.2012</u>	
<i>[Signature]</i>	
Executive Services Officer	



**SCHEDULE OF CORPORATE & COMMUNITY SERVICES DETERMINATIONS
MADE UNDER DELEGATION**

Period: 1 to 31 July 2012

Kennel Licence issued

Address

Owner

21 Fidlers Road, Riana
29 John Street, Ulverstone
2A Whitelaw Street, Ulverstone

Michelle Joy Trevaskis
G. Lakin
Wayne Smith

Cor Vander Vlist
DIRECTOR CORPORATE & COMMUNITY SERVICES

CENTRAL COAST COUNCIL
I certify that this is the schedule referred to in
Minute No. 227/2012 of a meeting of the
Council held on 20/08/2012

Executive Services Officer

SCHEDULE OF CONTRACTS AND AGREEMENTS

(Other than those approved under the Common Seal)

Period: 1 to 31 July 2012

Contracts

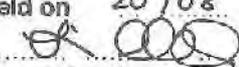
- Contract No. 18/2011-12
Hardings Hotmix Pty Ltd
Installation of calming devices and construction of car parks.
Nett Price \$36,690.00 (excl GST)
- Contract No. 1/2012-13
BridgePro Engineering Pty Ltd
Design and construction of Clayton Rivulet bridge, Clerkes Plains Road,
Kindred.
Nett Price \$262,320.00 (incl GST)

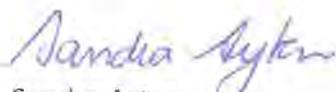
Agreements

- Lease
Penguin Football Clubrooms
Penguin Football Club
- Lease and Management Agreement
Wharf Precinct Restaurant
- Alarm monitoring Agreement
Ulverstone Recreation Centre and
Ulverstone Civic Centre
Tasmania Fire Service
- Grazing Licence
83 Henslowes Road
- Agreement
Penguin Outside School Hours Care and
Penguin Vacation Care
Penguin Primary School
- Lease
Penguin Meals on Wheels
Crown Land Services
- Lease
109 Reibey Street
North West Woodcraft Guild

CENTRAL COAST COUNCIL

I certify that this is the schedule referred to
Minute No. 228/2012 of a meeting of the
Council held on 20/08/2012


Executive Services Officer


Sandra Ayton
GENERAL MANAGER

CENTRAL COAST COUNCIL

I certify that this is the schedule referred to in
Minute No. 230/2012 of a meeting of the
Council held on 20.08.2012


Executive Services Officer

SCHEDULE OF DOCUMENTS FOR AFFIXING OF
THE COMMON SEAL

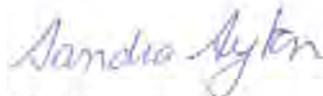
Period: 17 July to 20 August 2012

Documents for affixing of the common seal

- Adhesion Order
673 and CT16082/2 Forth Road, Forth
Application No. DA212005
- DA212024
Amendment 1/2012
Central Coast Planning Scheme 2005
(Minute No. 222/2012)

Final plans of subdivision sealed under delegation

- Strata Plan
126B South Road, Penguin
Application No. DA211154



Sandra Ayton
GENERAL MANAGER

**A SUMMARY OF RATES & FIRE SERVICE LEVIES
FOR THE PERIOD ENDED 31 JULY 2012**

	2011/2012		2012/2013	
	\$	%	\$	%
Rates paid in Advance	- 531,368.77	-4.23	- 610,195.10	-4.71
Rates Receivable	314,288.45	2.50	368,259.57	2.84
Rates Demanded	12,766,311.25	101.73	13,199,810.81	101.87
Supplementary Rates	-	0.00	-	0.45
	12,549,230.93	100.00	12,957,875.28	100.45
Collected	662,154.44	5.28	920,016.04	7.10
Add Pensioners – Government	704,251.06	5.61	738,777.26	5.70
Pensioners – Council	27,457.50	0.22	28,560.00	0.22
	1,393,863.00	11.11	1,687,353.30	13.02
Remitted	-	0.00	-	0.00
Discount Allowed	48,771.57	0.39	64,779.23	0.50
Paid in advance	- 143,249.93	-1.14	- 158,303.59	-1.22
Outstanding	11,249,846.29	89.64	11,364,046.34	87.70
	12,549,230.93	100.00	12,957,875.28	100.00



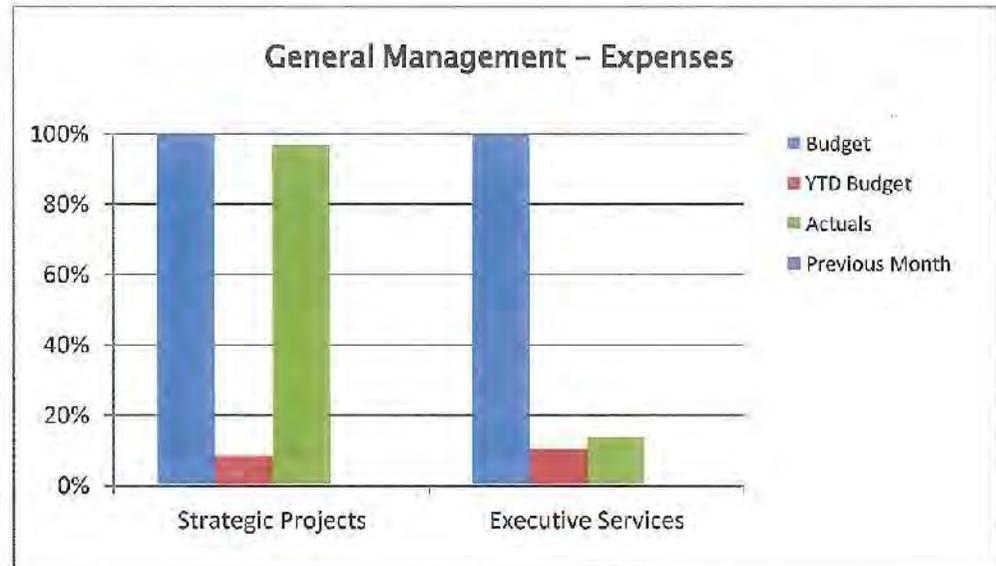
Andrea O'Rourke
ASSISTANT ACCOUNTANT

7-Aug-2012

CENTRAL COAST COUNCIL	
I certify that this is THE FINANCIAL	
STATEMENTS referred to in	
Minute No. 231/2012	of a meeting of the
Council held on 20/08/2012	
 Executive Services Officer	

Finance Report - July 2012.xls

GENERAL MANAGEMENT	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Strategic Projects	(1,866,000)	(155,500)	-	-	(155,500)	(1,866,000)	0%
Executive Services	(18,000)	(1,500)	-	-	(1,500)	(18,000)	0%
	\$ (1,884,000)	\$ (157,000)	\$ -	\$ -	\$ (157,000)	\$ (1,884,000)	
Expenses							
Strategic Projects	65,000	5,430	62,776	-	(57,346)	2,224	97%
Executive Services	1,425,000	143,977	193,910	-	(49,933)	1,231,090	14%
	\$ 1,490,000	\$ 149,407	\$ 256,686	\$ -	\$ (107,279)	\$ 1,233,314	



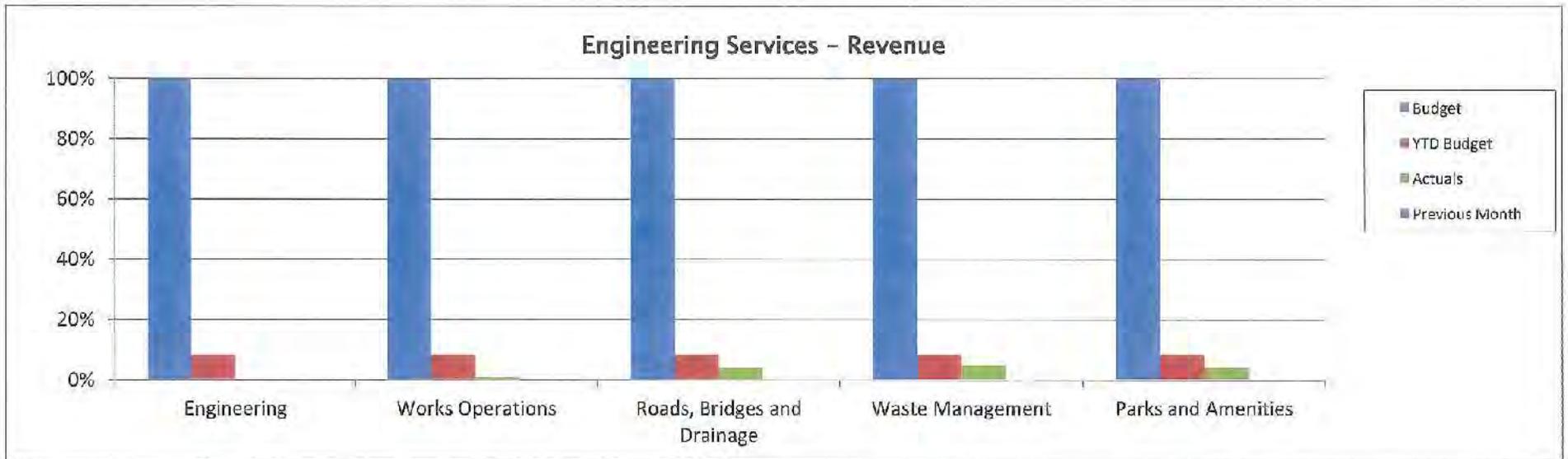
Variance

Strategic Projects
 Executive Services
 Strategic Projects
 Executive Services

Revenue under YTD budget - Budget timing
 Revenue under YTD budget - Budget timing and plant allocations
 Expenditure over YTD budget - Integrated Project Management & Community Profile
 Expenditure over YTD budget - timing

Finance Report – July 2012.xls

ENGINEERING SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Engineering	(1,176,000)	(98,000)	(1,194)	-	(96,806)	(1,174,806)	0%
Works Operations	(1,146,000)	(95,507)	(7,472)	-	(88,036)	(1,138,529)	1%
Roads, Bridges and Drainage	(1,432,000)	(119,340)	(54,484)	-	(64,857)	(1,377,517)	4%
Waste Management	(645,000)	(53,760)	(30,243)	-	(23,517)	(614,757)	5%
Parks and Amenities	(383,000)	(31,910)	(15,752)	-	(16,158)	(367,248)	4%
	\$ (4,782,000)	\$ (398,517)	\$ (109,144)	\$ -	\$ (289,373)	\$ (4,672,856)	

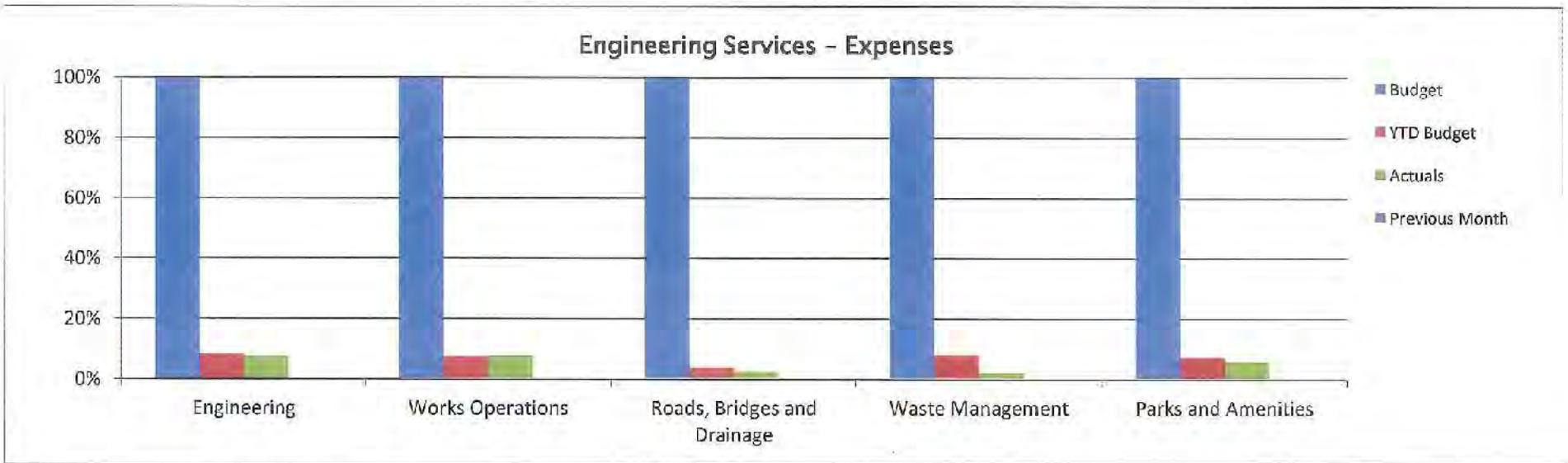


Variance

Engineering	Revenue under YTD budget – Engineering allocations and Plant allocations
Works Operations	Revenue under YTD budget – Private works and allocations
Waste Management	Revenue under YTD budget – Resource Recovery Centre entry fees and scrap metal recovery
Roads, Bridges and Drainage	Revenue under YTD budget – Capital contributions not received
Parks and Amenities	Revenue under YTD budget – Budget timing

Finance Report – July 2012.xls

ENGINEERING SERVICES Expenses	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Engineering	1,176,000	95,510	86,893	-	8,617	1,089,107	7%
Works Operations	1,118,000	81,833	85,311	-	(3,478)	1,032,689	8%
Roads, Bridges and Drainage	6,090,000	229,330	138,820	-	90,510	5,951,180	2%
Waste Management	3,219,000	255,750	65,214	-	190,536	3,153,786	2%
Parks and Amenities	2,161,000	154,650	120,967	-	33,683	2,040,033	6%
	\$ 13,764,000	\$ 817,073	\$ 497,204	\$ -	\$ 319,869	\$ 13,266,796	

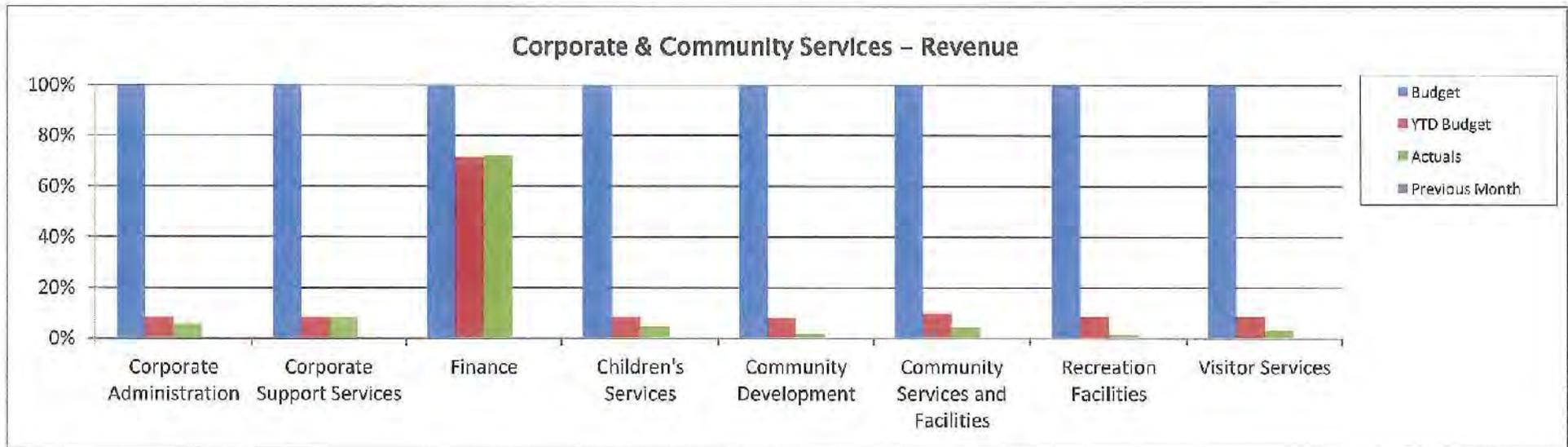


Variance

Engineering	Expenditure under YTD budget – timing related to staff costs
Works Operations	Expenditure over YTD budget – timing relating to staff costs
Roads, Bridges and Drainage	Expenditure under YTD budget – timing
Waste Management	Expenditure under YTD budget – timing relating to garbage collection costs
Parks and amenities	Expenditure under YTD budget – timing

Finance Report – July 2012.xls

CORPORATE & COMMUNITY SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Corporate Administration	(39,000)	(3,250)	(2,311)	-	(939)	(36,689)	6%
Corporate Support Services	(3,075,000)	(255,920)	(257,045)	-	1,125	(2,817,955)	8%
Finance	(18,331,000)	(13,053,410)	(13,205,807)	-	152,397	(5,125,193)	72%
Children's Services	(1,480,000)	(123,330)	(65,004)	-	(58,326)	(1,414,996)	4%
Community Development	(83,000)	(6,500)	(1,385)	-	(5,115)	(81,615)	2%
Community Services and Facilitie	(922,000)	(90,610)	(39,161)	-	(51,449)	(882,839)	4%
Recreation Facilities	(432,000)	(36,020)	(5,575)	-	(30,445)	(426,425)	1%
Visitor Services	(87,000)	(7,250)	(2,557)	-	(4,693)	(84,443)	3%
	\$ (24,449,000)	\$ (13,576,290)	\$ (13,578,846)	\$ -	\$ 2,556	\$ (10,870,154)	

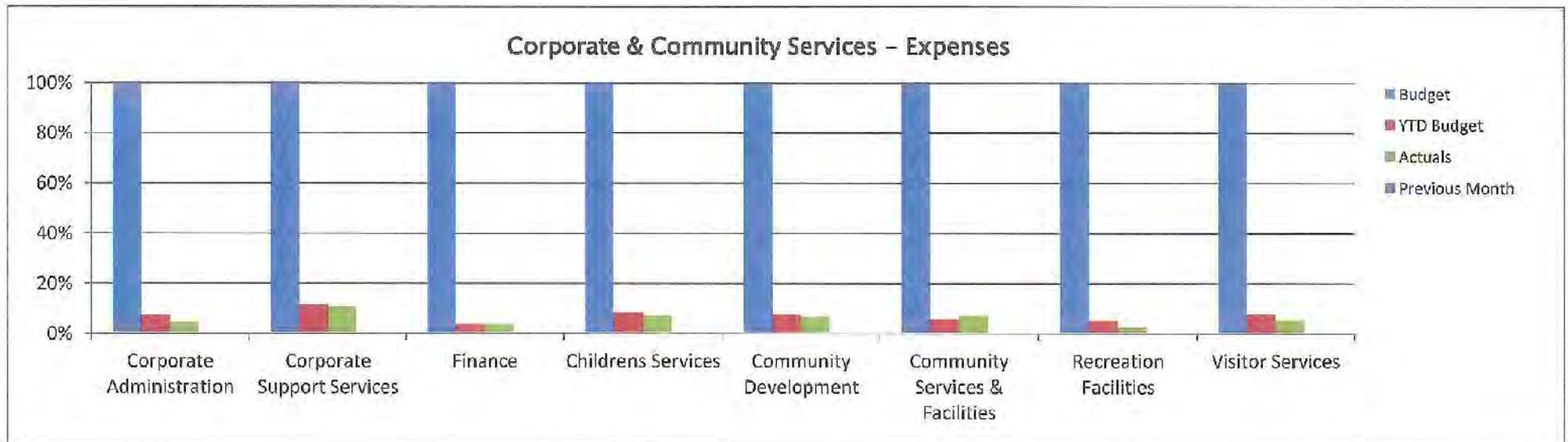


Variance

Children's Services Revenue less than YTD budget – Timing of DEEWR payment
 Community Services and Facilitie Revenue less than YTD budget – Timing of income related to Housing
 Finance Revenue greater than YTD budget – Rates levied
 Recreation facilities Revenue less than YTD budget – Timing of income in general

Finance Report - July 2012.xls

CORPORATE & COMMUNITY SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Expenses							
Corporate Administration	641,000	47,218	29,634	-	17,584	611,366	5%
Corporate Support Services	3,847,000	435,932	406,260	-	29,672	3,440,740	11%
Finance	1,562,000	57,375	55,438	-	1,937	1,506,562	4%
Children's Services	1,472,000	121,510	105,040	-	16,470	1,366,960	7%
Community Development	705,000	52,693	46,179	-	6,514	658,821	7%
Community Services and Facilities	1,267,000	69,023	86,376	-	(17,353)	1,180,624	7%
Recreation Facilities	1,832,000	92,820	39,900	-	52,920	1,792,100	2%
Visitor Services	288,000	22,410	14,911	-	7,499	273,089	5%
	\$ 11,614,000	\$ 898,981	\$ 783,737	\$ -	\$ 115,243	\$ 10,830,263	

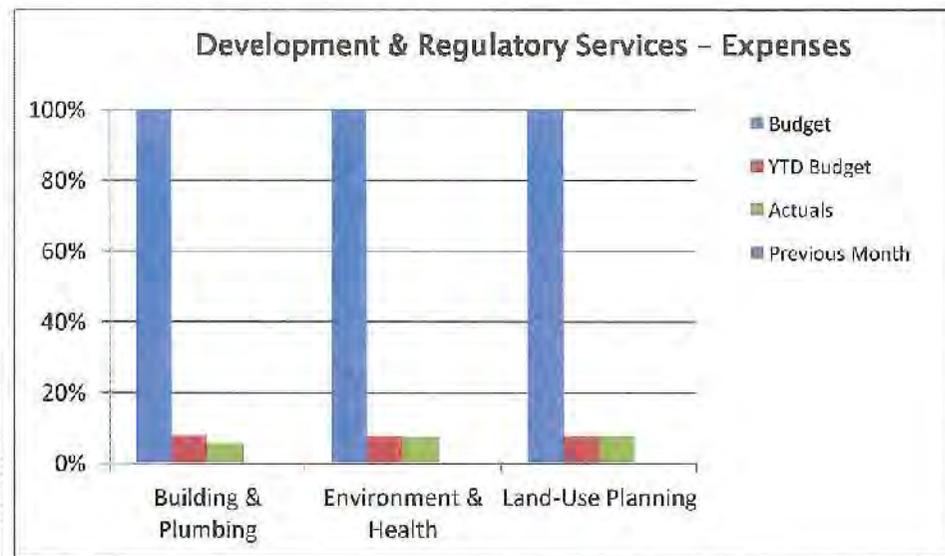
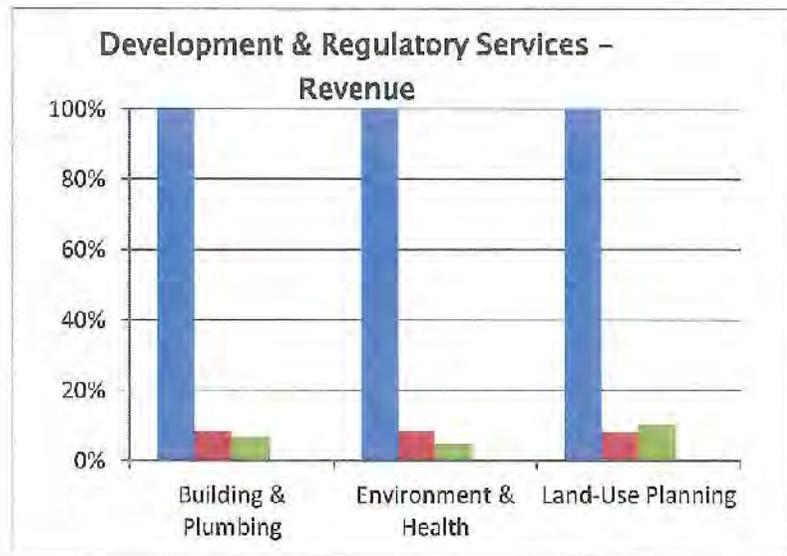


Variance

Corporate Administration	Actuals less than YTD budget -Timing
Corporate Support Services	Actuals less than YTD budget -Timing
Community Services and Facilities	Actuals less than YTD budget - Timing
Recreation Facilities	Actuals less than YTD budget -Timing
Visitor Services	Actuals less than YTD budget -Timing

Finance Report – July 2012.xls

DEVELOPMENT & REGULATORY SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Building and Plumbing	(339,000)	(28,260)	(21,917)	-	(6,343)	(317,083)	6%
Environment and Health	(99,000)	(8,240)	(4,438)	-	(3,802)	(94,562)	4%
Land-Use Planning	(171,000)	(13,840)	(17,538)	-	3,698	(153,462)	10%
	\$ (609,000)	\$ (50,340)	\$ (43,892)	\$ -	\$ (6,448)	\$ (565,108)	
Expenses							
Building and Plumbing	630,000	49,163	35,019	-	14,144	594,981	6%
Environment and Health	398,000	30,205	28,718	-	1,486	369,282	7%
Land-Use Planning	534,000	41,250	39,561	-	1,689	494,439	7%
	\$ 1,562,000	\$ 120,618	\$ 103,299	\$ -	\$ 17,318	\$ 1,458,701	



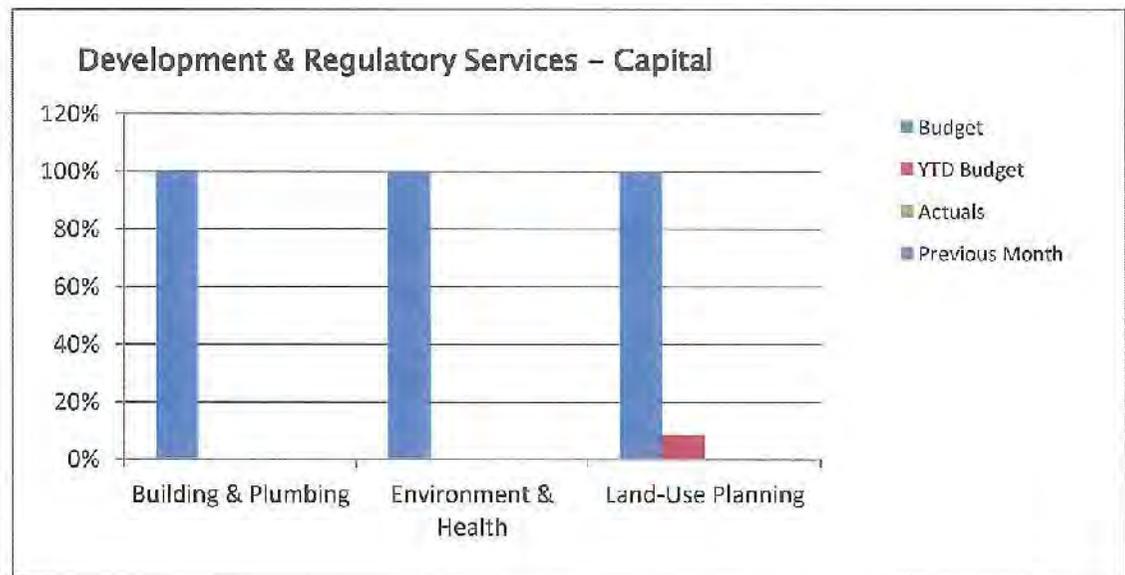
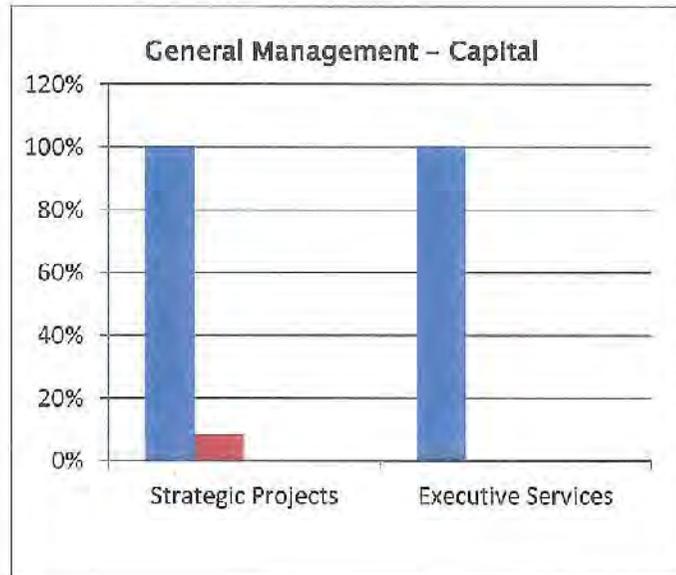
Variance

Building and Plumbing
Building and Plumbing

Income less than YTD Budget – timing related to Building Industry Training Levy
Expenses less than YTD Budget – timing related to Building Industry Training Levy

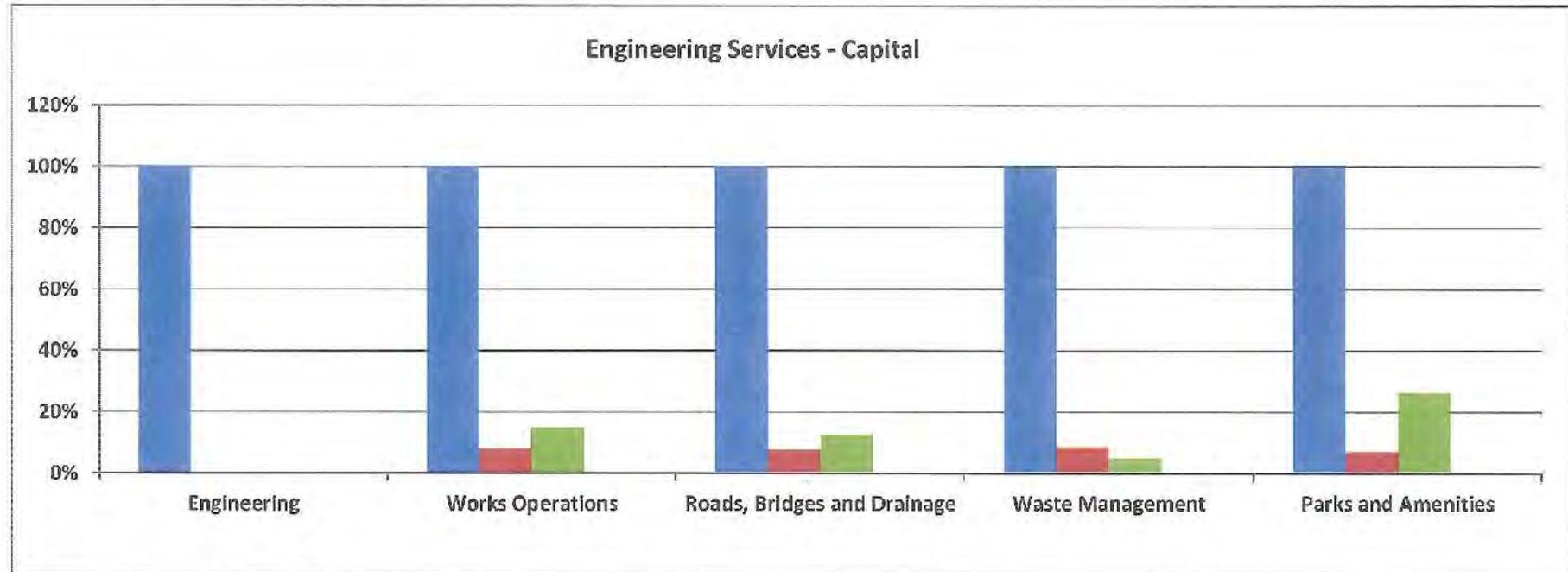
Finance Report – July 2012.xls

	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
GENERAL MANAGEMENT							
Strategic Projects	3,172,000	264,320	11,806	-	252,514	3,160,194	0%
Executive Services	-	-	-	-	-	-	0%
	\$ 3,172,000	\$ 264,320	\$ 11,806	\$ -	\$ 252,514	\$ 3,160,194	
DEVELOPMENT & REGULATORY SERVICES							
Building & Plumbing	-	-	-	-	-	-	0%
Environment & Health	-	-	-	-	-	-	0%
Land-Use Planning	24,000	2,000	-	-	2,000	24,000	0%
	\$ 24,000	\$ 2,000	\$ -	\$ -	\$ 2,000	\$ 24,000	



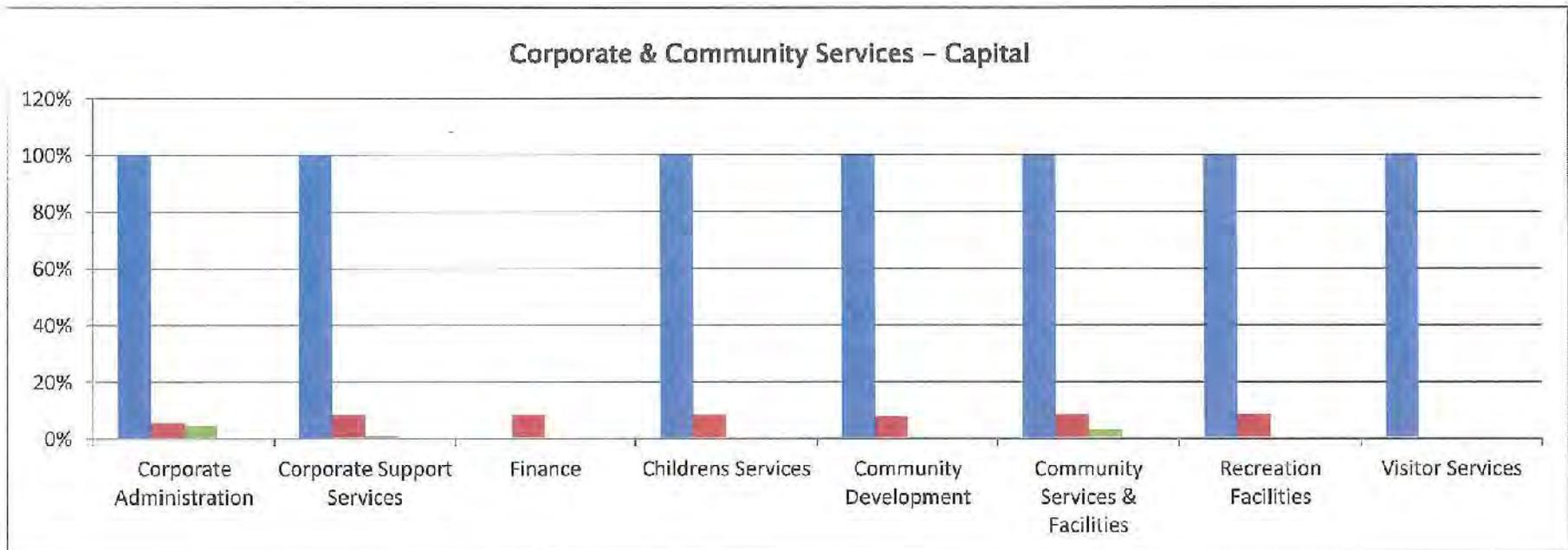
Finance Report – July 2012.xls

	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
ENGINEERING SERVICES							
Engineering	63,000	-	-	-	-	63,000	0%
Works Operations	395,000	30,420	58,200	-	(27,780)	336,800	15%
Roads, Bridges and Drainage	3,882,000	289,507	479,178	-	(189,671)	3,402,822	12%
Waste Management	60,000	5,000	2,697	-	2,303	57,303	4%
Parks and Amenities	676,000	45,920	176,305	-	(130,385)	499,695	26%
	\$ 5,076,000	\$ 370,847	\$ 716,379	\$ -	\$ (345,532)	\$ 4,359,621	



Finance Report – July 2012.xls

	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
CORPORATE & COMMUNITY SERVICES							
Corporate Administration	93,000	5,000	3,940	-	1,060	89,060	4%
Corporate Support Services	129,000	10,750	700	-	10,050	128,300	1%
Finance	-	-	-	-	-	-	0%
Childrens Services	-	-	-	-	-	-	0%
Community Development	65,000	5,410	-	-	5,410	65,000	0%
Community Services & Faciliti	281,000	21,090	335	-	20,755	280,665	0%
Recreation Facilities	131,000	10,910	3,570	-	7,340	127,430	3%
Visitor Services	60,000	5,000	-	-	5,000	60,000	0%
	\$ 759,000	\$ 58,160	\$ 8,545	\$ -	\$ 49,615	\$ 750,455	



BANK RECONCILIATION
FOR THE PERIOD 1 JULY TO 31 JULY 2012

Balance Brought Forward (30/6/2012)	6,169,351.96
Add, Revenue for month	1,348,129.86
	<hr style="border-top: 1px dashed black;"/>
	7,517,481.82
	<hr style="border-top: 1px dashed black;"/>
Less, Payments for month	2,583,825.16
	<hr style="border-top: 1px dashed black;"/>
Balance as at 31 July 2012	4,933,656.66
	<hr style="border-top: 1px dashed black;"/>
Balance as at Bank Account as at 31 July 2012	207,560.52
Less, Unpresented Payments	- 2,820.73
	<hr style="border-top: 1px dashed black;"/>
	204,739.79
	<hr style="border-top: 1px dashed black;"/>
Add, Cash on Hand	- 47,115.51
	<hr style="border-top: 1px dashed black;"/>
Operating Account	157,624.28
Interest Bearing Term Deposits	4,776,032.38
	<hr style="border-top: 1px dashed black;"/>
	4,933,656.66
	<hr style="border-top: 1px dashed black;"/>



Andrea O'Rourke
ASSISTANT ACCOUNTANT

CENTRAL COAST COUNCIL

Resolved that this is THE RATES AND
CHARGES Policy referred to in
Minute No. 234/2012 of a meeting of the
Council held on 20 108/2012



Executive Services Officer

Central Coast Council

Rates and Charges Policy

DRAFT

August 2012



CENTRAL COAST COUNCIL

PO Box 220 / DX 70506
19 King Edward Street
Ulverstone Tasmania 7315
Tel 03 6429 8900
Fax 03 6425 1224
admin@centralcoast.tas.gov.au
www.centralcoast.tas.gov.au

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INTRODUCTION

The Central Coast Council acknowledges that rates constitute a system of taxation for Local Government purposes, as required by the *Local Government Act 1993*. Rates are determined by reference to the Assessed Annual Value and the Rate in the Dollar.

The aim of the Council's Rates and Charges Policy is to provide clear information to ratepayers about the Council's rating structure.

Copies of the Rates and Charges Policy can be accessed via the Council's website at <http://www.centralcoast.tas.gov.au> and are available for inspection at, or copies may be obtained from, the Council's Administration Centres, 19 King Edward Street, Ulverstone and 78 Main Road, Penguin.

The next review of this Rates and Charges Policy will be by August 2016 or when the Council makes a significant change in how it applies rates and charges, whichever is earlier.

Under section 90 of the *Local Government Act 1993* the Council may, not earlier than 1 June and not later than 31 August in any year, set rates for that year on all rateable land in its municipal area.

STRATEGIC FOCUS, ANNUAL BUSINESS PLAN AND BUDGET

The Central Coast Council adopts a rating structure for each financial year to meet the requirements of the *Local Government Act 1993* and to provide relative certainty and continuity for ratepayers. The rating structure sets

out how the Council will determine and collect rates from its community.

The Council's rating structure is an integral part of its Annual Business Plan and Budget. In formulating the rating structure the Council takes into account the impact on key parameters including the Council's Strategic Plan, Long-Term Financial Plan, Asset Management Plans and Budget documents.

The Council is required by the *Local Government Act 1993* to take into account the principles referred to in section 86A(l) of the Act; that is:

- (a) rates constitute taxation for the purpose of local government, rather than a fee for service; and
- (b) the value of rateable land is an indicator of the capacity of the ratepayer in respect of that land to pay rates.

In setting rates the Council considers the amount of revenue required to fund the delivery of services and activities set out in the Annual Plan and Budget and to meet the goals and objectives of the Council's strategic directions.

The Council publishes a comprehensive list of services and programs which are delivered to the Central Coast Community in the Council Guide.

Copies of the Council Guide are available from the Council's Administration Centre at 19 King Edward Street, Ulverstone, and the Service Centre at 78 Main Road, Penguin, and on the Council's website at <http://www.centralcoast.tas.gov.au>

RATING EQUITY

The Council has determined that issues concerning equity within the community and the impact of rates across the area are addressed by the application of a rating structure that has regard to the equity, benefit, ability-to-pay, efficiency and simplicity principles of taxation.

Based on a review of the impact on the ratepayers of the Central Coast Council, the Council has determined that it should ensure that all relevant land is assessed for rates, and that the provisions of the *Local Government Act 1993* should be applied fairly and equitably to all landowners and occupiers.

The Central Coast Council is committed to maintaining a transparent rating system; as a result the Council ensures that the Rates and Charges Policy is managed to provide the greatest level of equity for our customers by maintaining a non-punitive rating structure.

Some properties are exempt from paying council rates. In certain circumstances rates levied against some properties are rebated according to mandatory provisions of the *Local Government Act 1993*. Rates foregone through exemption or rebates must be contributed equitably across the remainder of the ratepayer base. The Council acts responsibly to only award exemptions and mandatory rebates where they are warranted so as to minimise this impact on the general community.

Equity and impact issues are best dealt with when considering all facets of the Council's rating structure, including valuation, rating and collection policies and practices.

RATING METHOD

The Council has adopted the Assessed Annual Value (AAV) valuation method for rating purposes. AAV is principally based on the annual rental potential of the property.

The Council reviews the valuation method as part of its yearly rating review to determine whether AAV continues to be the most appropriate method to distribute the rate tax burden amongst the Council's ratepayers. As the Council's property base changes, the valuation method must continue to reflect relative changes to the tax base, growth in existing values and the mix of new property developments.

The State Valuer General makes valuations of the land values, capital values and assessed annual values of all lands within each valuation district, including any Crown lands that are liable to be rated in accordance with Part 9 of the *Local Government Act 1993*. AAVs are determined each revaluation cycle, currently a six year cycle. The *Valuation of Land Act 2001* determines that rating and taxing authorities are to be provided with market-based Adjustment Factors for property valuations when rating authorities are not subject to a revaluation cycle. Adjustment Factors help minimise large fluctuations to valuations that can occur between revaluation cycles.

The adjustment factors are determined from defined classes of property (such as residential, commercial, industrial, primary production, vacant and non-vacant land) and on a locality basis within the municipal area.

The AAV method will continue to be adopted for the following reasons:

- for the majority of the Council's ratepayers, it is a suitable valuation measure taking into account their ability to pay according to the income earning capacity of the property;
- the availability of a significant amount of market annual rental information makes the AAV method efficient to administer; and
- the method is considered consistent with the equity, ability to pay, efficiency and simplicity principles of taxation.

It is noted that AAV has a minimum of 4% of Capital Value which generally applies to the majority of rural properties and highly valued residential properties for equity purposes.

SUPPLEMENTARY VALUATION RATE

If a supplementary valuation is made of any land prior to end of any financial year the Council may adjust the amount payable in respect of any rate for that land for that financial year.

If an adjusted rate is made of any land, a rate notice must be issued by the General Manager, with the amount shown as credited or payable on that notice due to be paid within 30 days of the date on which that notice issued.

EXEMPTIONS

The Central Coast Council's practice is to identify and value all land in the council area. Once identified each

separate parcel of land is assessed for rateability. Section 106A of the *Local Government Act 1993*, specifies the manner in which certain properties might be exempt from council rates:

- (1) A council, by absolute majority, may:
 - (a) exempt land or a class of land from a separate rate or separate charge; or
 - (b) vary the amount of a separate rate or separate charge payable in respect of land or a class of land, having regard to:
 - (i) the use or predominant use of the land or class of land; or
 - (ii) the non-use of the land; or
 - (iii) the locality of the land or class of land; or
 - (iv) any other prescribed factor.

The Central Coast Council has exempted a range of properties under section 87 (1) of the *Local Government Act 1993* as follows:

87. Exemption from rates

- (1) All land is rateable except that the following are exempt from general and separate rates, averaged area rates, and any rate collected under section 88 or 97:
 - (a) land owned and occupied exclusively by the Commonwealth;

- (b) land held or owned by the Crown that –
- (i) Is a national park, within the meaning of the *Nature Conservation Act 2002*; or
 - (ii) is a conservation area, within the meaning of the *Nature Conservation Act 2002*; or
 - (iii) is a nature recreation area, within the meaning of the *Nature Conservation Act 2002*; or
 - (iv) is a nature reserve, within the meaning of the *Nature Conservation Act 2002*; or
 - (v) is a regional reserve, within the meaning of the *Nature Conservation Act 2002*; or
 - (vi) is a State reserve, within the meaning of the *Nature Conservation Act 2002*; or
 - (vii) is a game reserve, within the meaning of the *Nature Conservation Act 2002*; or
 - (viii) is a forest reserve, within the meaning of the *Forestry Act 1920*; or
 - (ix) is a public reserve, within the meaning of the *Crown Lands Act 1976*; or
 - (x) is a public park used for recreational purposes and for which free public access is normally provided; or
 - (xi) is a road, within the meaning of the *Roads and Jetties Act 1935*; or
 - (xii) is a way, within the meaning of the *Local Government (Highways) Act 1982*; or
 - (xiii) is a marine facility, within the meaning of the *Marine and Safety Authority Act 1997*; or
 - (xiv) supports a running line and siding within the meaning of the *Rail Safety Act 2009*;
- (c) land owned by the Hydro-Electric Corporation or land owned by a subsidiary, within the meaning of the *Government Business Enterprises Act 1995*, of the Hydro-Electric Corporation on which assets or operations relating to electricity infrastructure, within the meaning of the *Hydro-Electric Corporation Act 1995*, other than wind-power developments, are located;
- (d) land or part of land owned and occupied exclusively for charitable purposes;
- (da) Aboriginal land, within the meaning of the *Aboriginal Lands Act 1995*, which is used principally for Aboriginal cultural purposes;
- (e) land or part of land owned and occupied exclusively by a council.

The Council is mindful that wherever properties are exempt from paying council rates, or where a rebate is applied, those rates foregone must be contributed by the rest of the community. The principles of equity dictate that the Council remains diligent in only granting exemptions where they are warranted. It is the Council's practice to adopt valuations

for exempt properties. Where exempt properties become rateable part of the way through the financial year, rates are then calculated and recovered.

GENERAL RATE

The *Local Government Act 1993* provides for raising of revenue for the broad purposes of the Council through a General Rate which applies to all properties, or through variations to the general rate which apply within the municipal area according to any or all of the following factors:

- the use or predominant use of the land;
- the non-use of the land;
- the locality of the land;
- any planning zone;
- any other prescribed factor.

VARIATIONS TO THE GENERAL RATE

The Central Coast Council has determined, when setting rates that variable general rates will be applied to all rateable properties based on their predominant land use.

In formulating the rating structure the Council has considered issues of consistency and comparability across council areas in the imposition of rates on various sectors of the business and wider community.

Local Government utilises a property valuation taxation methodology. Implied in the application of that methodology is that the property valuation should be the basis by which the community's rates contribution for the Council is apportioned.

The property value approximates income or wealth, and therefore ratepayers in high value properties should have a greater *ability-to-pay* than ratepayers in low value properties. Because the value of the rates payable is linked to the property value, the tax meets the *efficiency* principle. The use of variable general rates is simple, understandable and unavoidable and therefore meets the *simplicity* principle.

The *equity* and *ability to pay* principles, with the property valuation taxation methodology, imply that an equitable distribution of the rates burden is achieved through the use of a Variable General Rate.

The application of variations to the General Rate is generally intended to alter the amount payable by particular land uses, often to approximate anomalies in the change in valuation of certain land use classes.

Variations to the general rate have been in place since 2011/2012.

The Council has considered the equity, benefit, efficiency and simplicity principles of taxation in making its determination to introduce a Variable General Rate.

SERVICE RATES AND CHARGES

FIRE LEVY

The Council is required to collect a mandatory state government service rate for the State Fire Levy.

The fire levy rate applies to all rateable land and includes a minimum amount payable in respect of the fire levy.

The Council is required to remit revenue raised to the State Fire Commission, and does not determine how the revenue is to be spent. A commission of the revenue collected is provided by the State Fire Commission for collection of the levy.

WASTE MANAGEMENT

A Waste Management Service Charge is payable in respect of all rateable land to which a garbage collection service is supplied or made available.

MINIMUM AMOUNT PAYABLE

In making a general rate, a council may set a minimum amount payable in respect of that rate if that rate does not include a fixed charge. The setting of such a minimum amount provides a mechanism by which lower valued properties pay not less than a minimum amount, and it can only apply if there has been no fixed charge applied. The minimum amount must not apply to more than 50% of properties in 2012–13 or 35% of properties for each year thereafter.

The reasons for imposing a minimum amount is that the Council considers it appropriate that all rateable properties make a base level contribution to the cost of administering council activities, and the cost of creating and maintaining the physical infrastructure that supports each property.

STATE GOVERNMENT CONCESSION

PENSIONER REBATE

Eligible pensioners as at 1 July each year are entitled to a State Government rate rebate of 30 percent

up to a maximum amount. That maximum amount varies if they are also a Cradle Mountain Water customer.

This rebate applies only to pensioner's principle place of residence, provided they satisfy the requirements of the State Government and hold a

- Pensioner Concession Card (PCC);
- Veterans Affairs Gold Card (TPP);
- or
- Health Care Card (HCC), but excludes a Senior Health Card.

The Council deducts the rebate for previously eligible Pensioner Remissions from rates prior to issuing notices, but require new pensioners, pensioners who have recently relocated to this municipal area, or any pensioner who believes he/she should have been eligible for a Rate Remission, to complete an application form and lodge it with the Council.

The State Government verifies and approves the rebate applications each year, and if any rebate application is found to be ineligible the rebate amount will be revoked and payable by the ratepayer.

COUNCIL CONCESSION

PENSIONER REMISSION

The Central Coast Council also provides a rate remission to eligible pensioners living alone.

RATE REMISSIONS

DISCRETIONARY REMISSIONS

Discretionary remissions are reviewed on a case-by-case basis under section 129 of the *Local Government Act* as follows:

129. Remission of rates

- (1) A ratepayer may apply to the council for remission of all or part of any rates paid or payable by the ratepayer or any penalty imposed or interest charged under section 128.
- (2) An application is to be –
 - (a) made in writing; and
 - (b) lodged with the general manager.
- (3) A council, by absolute majority, may grant a remission of all or part of any rates, penalty or interest paid or payable by the ratepayer.
- (4) A council, by absolute majority, may grant a remission of any rates, penalty or interest paid or payable by a class of ratepayers.
- (5) The general manager is to keep a record of the details of any remission granted under this section.

All assessment criteria will be applied fairly and equitably to each application on a case-by-case basis.

Any person or body who is aggrieved by a determination of the delegated officer in respect of an application for a rebate may seek a review of that decision in accordance with the Council's Customer Service Charter.

The Central Coast Council has approved the following policy relating to rate rebates:

Policy No 17 – Rate remissions on unoccupied property;

“That upon any application for a rate remission because of unoccupied property or some such similar financial or economic reason, then the matter be placed before the Valuer-General for consideration of a reassessment of the assessed annual value in light of the ratepayer's submission.”

PAYMENT OF RATES

PAYMENT

All Rates and Charges shall be payable in one payment on or before the 30th day of October each year.

DISCOUNT FOR EARLY PAYMENT

A discount of 5% is offered to all ratepayers for payment of Rates and Charges in total on or before the 30th day of September, each year, provided that no such discount shall be offered if there are at any time any arrears of Rates and Charges owing.

The Council offers a range of payment options for the convenience of ratepayers. Methods of payment are usually outlined on the back of your rates notice and include payment:

- . in person at the Council's offices at 19 King Edward Street, Ulverstone (Monday – Friday) or 78 Main Road, Penguin (Wednesday – Friday);
- . by mail to Central Coast Council, PO Box 220 , Ulverstone, 7315. Cheques should be made payable to (Central Coast Council) and marked 'Not Negotiable';
- . by direct debit. Application forms are available at the Council's offices or by phoning (03) 6429 8900;

- by ringing 1300 886 451 any time with your credit card and property details;
- online at www.centralcoast.tas.gov.au Select Payments and follow the prompts.

Ratepayers may also apply to the Council to pay Rates and Charges by instalments, subject to approved terms and conditions. Arrangements are required to be made by 30 October each year.

NON-PAYMENT OF RATES

The failure by some ratepayers to pay either their rates or the relevant instalment payment of those rates on time does impact on the rest of the ratepayers of the Central Coast Council. Under section 128 of the *Local Government Act 1993* late payment fines and penalties may be applied to any outstanding rates not paid by the last day to pay. The Council does not currently apply any such penalty.

The Council may take legal action to recover any overdue amounts, fines and interest.

If an amount payable by way of rates in respect of land has been in arrears for three years or more, the Council may sell the land in accordance with Section 137 of the *Local Government Act 1993*.

OBJECTIONS

RATES NOTICE

A person may object to a rates notice on the grounds that:

- a) the land specified in the rates notice is exempt;
- b) the amount of rates is not correctly calculated;
- c) the basis on which that rates are calculated does not apply;
- d) he/she is not liable for payment for the rates specified in the notice; or
- e) he/she is not liable to pay those rates for the period specified in the rates notice.

Any objection must be in writing to the General Manager, and made within 28 days after receipt of the rates notice.

A person may appeal to the Magistrates Court for a review if the General Manager:

- a) fails to amend the rates notice within 30 days after lodging the objection;
- b) refuses to amend the rates notice.

It is important to note that the lodgement of any objection does not change the due date for payment of rates. Rates must be paid in accordance with the Rates Notice until otherwise notified by the Council.

VALUATION OR LAND USE

If a property owner believes that a particular property has been incorrectly valued or wrongly classified as to its land use, then an objection may be made to the Valuer-General within 60 days of being notified of the land valuation or land use classification.

COMMUNICATION

Council is committed to accountable and transparent decision making processes, and providing access to a fair and objective procedure for the internal review of decisions.

If a ratepayer has any queries or concerns about the Rates and Charges Policy or their Rate Notices they should, in the first instance, contact the Council's rates staff. All attempts will be made to resolve concerns quickly and efficiently without the need for a formal grievance application to be lodged. If, however, the ratepayer feels that their concerns are not being adequately dealt with, the Council's Customer Service Charter allows them to seek further clarification or redress.

The Council's Customer Service Charter has been developed and adopted in accordance with Section 339F of the Local Government Act. Copies of the Charter are available for public inspection on the Central Coast Council's website (www.centralcoast.tas.gov.au) and at the Administration Centre, 19 King Edward Street, Ulverstone, or at the Penguin Information Centre, 78 Main Street, Penguin, without charge.

THE STATE OMBUDSMAN

If the ratepayer feels that their application has not been dealt with satisfactorily by the Council, they can take their concerns to the State Ombudsman. The Ombudsman has comprehensive powers to investigate the actions of Local Government. Concerns can be taken to the Ombudsman at any time during the grievance application review process. If a grievance application is taken to the Ombudsman while the Council's review is also in progress, the Council's review may be suspended until the outcome of the Ombudsman's review has been considered.

Finally, it remains the right of ratepayers to make a complaint against the Council, in accordance with the section 339E of the *Local Government Act 1993*.

A rate cannot be challenged on the basis of non-compliance with the Council's Rates and Charges Policy and must be paid in accordance with the required payment provisions.

SANDRA AYTON
GENERAL MANAGER