
Minutes of an ordinary meeting of the Central Coast Council held in the Council Chamber at the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 21 March 2016 commencing at 6.00pm.

Councillors attendance

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

Cr Kathleen Downie (Deputy Mayor)
Cr Shane Broad
Cr Gerry Howard
Cr Philip Viney

Councillors apologies

Cr Tony van Rooyen

Employees attendance

General Manager (Ms Sandra Ayton)
Director Community Services (Mr Cor Vander Vlist)
Director Infrastructure Services (Mr John Kersnovski)
Director Organisational Services (Mr Vernon Lawrence)
Executive Services Officer (Miss Lisa Mackrill)

Media attendance

The Advocate newspaper.

Public attendance

Nineteen members of the public attended during the course of the meeting, including members of the Leven District Venturers and Scouts who were in attendance to observe the Council meeting as part of their badge work.

Prayer

The meeting opened in prayer.

CONFIRMATION OF MINUTES OF THE COUNCIL

58/2016 Confirmation of minutes

The Executive Services Officer reported as follows:

“The minutes of the previous ordinary meeting of the Council held on 15 February 2016 have already been circulated. The minutes are required to be confirmed for their accuracy.

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

■ Cr Viney moved and Cr Downie seconded, “That the minutes of the previous ordinary meeting of the Council held on 15 February 2016 be confirmed.”

Carried unanimously

COUNCIL WORKSHOPS

59/2016 Council workshops

The Executive Services Officer reported as follows:

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

- . 22.02.2016 – Update from Cradle Coast Authority
- . 29.02.2016 – Asset Management Strategy and plans
- . 07.03.2016 – Presentation from Mersey Community Care Association / Introduction to emergency management for local councils
- . 15.03.2016 – Strategic actions for 2016–2017 / Community Survey outcomes.

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

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

Carried unanimously

MAYOR'S COMMUNICATIONS

60/2016 Mayor's communications

The Mayor reported as follows:

"I have no communications at this time."

61/2016 Mayor's diary

The Mayor reported as follows:

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

- . Montgomery Electorate Familiarisation Tour – MLCs dinner and presentation on Central Coast
- . Burnie City Council, University of Tasmania & others – signing of memorandum of understanding re UTAS expansion at West Park (Burnie)
- . Ulverstone Football Club – Hawthorn Football Club Auskick clinic
- . Leven Yacht Club – Mayor's Magnificence presentation
- . 1st 2nd Ulverstone Scout Group – Founder's Day event
- . Coast FM/Radio 7AD – community reports
- . Preston Community Centre – official opening of new accessible toilet
- . Cradle Coast Authority – Cradle Coast Mayors' dinner-meeting re Regional Governance (Burnie)
- . Cradle Coast Authority – Representatives meeting (Burnie)
- . Leighland Christian School – 40-year celebration dinner
- . Rotary Clubs of Ulverstone and Ulverstone West, and Rotaract Club of Central Coast – Festival in the Park
- . Island Care, Ulverstone – Celebrating Change Expo
- . Business visitation program – Leven Valley Vineyard
- . Ulverstone Library – briefing on changes to opening hours and operations
- . IWS Australia (Independent Workwear Sellers) – 2016 Conference Ulverstone official welcome
- . NW Tall Timbers Thunder – SEABL season launch
- . Leven Regional Arts – International Women's Day morning tea
- . Mersey-Leven Municipal Emergency Management Committee – meeting (Devonport)
- . Cradle Coast Authority – Cradle Mountain Master Plan unveiling (Devonport)
- . Community morning tea – Heybridge-Howth
- . Surf Life Saving Tasmania – official opening of 2016 Tasmanian Open State Championship at Ulverstone

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- . Community Safety Partnership Committee – meeting
 - . Cradle Coast Authority – Shared Services Steering Group meeting (Burnie)
 - . Ulverstone Repertory Theatre Society – annual general meeting
 - . State Grants Commission – 2016 Hearing (Burnie)."

Cr Broad reported as follows:

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

- . Preston Community Centre – Official opening of new accessible toilet."

■ Cr Howard moved and Cr Viney seconded, "That the Mayor's and Cr Broad's reports be received."

Carried unanimously

62/2016 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."

The Mayor further reported as follows:

"I will be declaring an interest when the Council considers the item 'Infrastructure Services determinations' (Minute No. 77/2016)."

63/2016 Public question time

The Mayor reported as follows:

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

Public question time will be conducted as provided by the *Local Government (Meeting Procedures) Regulations 2015* and the supporting procedures adopted by the Council on 20 June 2005 (Minute No. 166/2005).”

COUNCILLOR REPORTS

64/2016 Councillor reports

The Executive Services Officer reported as follows:

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

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

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

Cr Downie reported on a recent meeting of the East Ulverstone Swimming Pool Management Committee.

APPLICATIONS FOR LEAVE OF ABSENCE

65/2016 Leave of absence

The Executive Services Officer reported as follows:

“The *Local Government Act 1993* provides that the office of a councillor becomes vacant if the councillor is absent without leave from three consecutive ordinary meetings of the council.

The Act also provides that applications by councillors for leave of absence may be discussed in a meeting or part of a meeting that is closed to the public.

There are no applications for consideration at this meeting.”

DEPUTATIONS

66/2016 Deputations

The Executive Services Officer reported as follows:

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

PETITIONS

67/2016 Petitions

The Executive Services Officer reported as follows:

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

COUNCILLORS' QUESTIONS

68/2016 Councillors' questions without notice

The Executive Services Officer reported as follows:

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

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

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

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

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

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

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

The allocation of topics ensued.

69/2016 Councillors’ questions on notice

The Executive Services Officer reported as follows:

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

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

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

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

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

No questions on notice have been received.”

DEPARTMENTAL BUSINESS

GENERAL MANAGEMENT

70/2016 Minutes and notes of committees of the Council and other organisations

The General Manager reported as follows:

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

- . Central Coast Community Shed Management Committee – meeting held on 1 February 2016
- . Ulverstone Wharf Precinct Advisory Committee – meeting held on 3 February 2016
- . Forth Community Representatives Committee – meeting held on 18 February 2016
- . Central Coast Youth Engaged Steering Committee – meeting held on 18 February 2016
- . Development Support Special Committee – meeting held on 29 February 2016
- . Central Coast Community Shed Management Committee – meeting held on 7 March 2016
- . East Ulverstone Swimming Pool Management Committee – meeting held on 10 March 2016.

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

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

Carried unanimously

71/2016 Schedule of Appointments to Statutory Bodies, Groups and Organisations, Council and Special Committees, Community Advisory Groups and Working Groups – Emergency Management (171/2014 – 16.06.2014 and 73/2015 – 16.03.2015)

The General Manager reported as follows:

"PURPOSE

This report considers emergency management of the Council and the region and seeks the endorsement of the Council in respect to the provision of this service.

BACKGROUND

The current statutory appointment of the Municipal Emergency Management Coordinator will expire on 20 July 2016.

DISCUSSION

Current appointments are as follows:

- 1 John Kersnovski, Director Infrastructure Services – the Municipal Emergency Management Coordinator (Municipal Coordinator); and
- 2 Paul Breden, Engineering Services Group Leader – the Deputy Municipal Emergency Management Coordinator (Deputy Municipal Coordinator) [statutory appointment expires 11 August 2017].

In respect to the Municipal Coordinator role this rests with the Director Infrastructure Services as he has the legislative requirements through the General Manager and is also responsible for the Council workforce.

Under s.23(8) of the *Emergency Management Act 2006*:

‘A council may only nominate a person for the position of Municipal Emergency Management Coordinator or Deputy Municipal Emergency Management Coordinator if the person, once appointed to the position, would have the authority and ability to make decisions relating to the coordination of emergency management in the municipal area during an emergency without first seeking the approval of the council.’

CONSULTATION

Consultation has been undertaken with the respective nominee.

RESOURCE, FINANCIAL AND RISK IMPACTS

Funds are allocated in the Estimates.

CORPORATE COMPLIANCE

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

A Connected Central Coast

- Connect the people with services

The Environment and Sustainable Infrastructure

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

Council Sustainability and Governance

- Effective communication and engagement
- Strengthen local–regional connections.

CONCLUSION

It is recommended that the Council nominate John Kersnovski, Director Infrastructure Services for appointment by the Minister, as the Central Coast Council’s Municipal Emergency Management Coordinator (Municipal Coordinator) for a period of two years.”

- Cr Downie moved and Cr Broad seconded, “That the Council nominate John Kersnovski, Director Infrastructure Services for appointment by the Minister, as the Central Coast Council’s Municipal Emergency Management Coordinator (Municipal Coordinator) for a period of two years.”

Carried unanimously

72/2016 Amendments to the Dulverton Waste Management Rules (18/2013 – 29.01.2013)

The General Manager reported as follows:

“PURPOSE

This report provides the basis for considering proposed amendments to the Dulverton Regional Waste Management Authority Rules.

BACKGROUND

The Dulverton Regional Waste Management Authority (DRWMA), trading as DWM, operates under ss29–38 of the *Local Government Act 1993* as a Joint Authority of

the Central Coast, Devonport, Kentish and Latrobe Councils for the management and disposal of waste.

The Chief Executive Officer of DWM has written as follows:

‘At the Dulverton Waste Management (DWM) Owner Representatives meeting held on 19th February 2016, it was resolved that the Owner Representatives commence an amendment of the DRWMA Rules in accordance with the ‘1st September 2016 Rules (clean)’ as attached. A marked up copy is also attached for your convenience.

To finalise the adoption of the amended Rules, each Participating Council must pass a motion to formally support the amended Rules. If you could arrange to do this at your **March 2016** Council meeting, and advise DWM once completed.

...’

Copies of the ‘marked up’ Rules as mentioned above are provided as an attachment to this report.

DISCUSSION

The DWM 20 Year Financial Plan recommended that a new Rule be added to the DRWMA Rules requiring the development and adherence to an Aftercare Funding Plan. This was a catalyst for a comprehensive review of the Rules.

A Rules Review Committee was formed with the membership being the Chief Representative, the Deputy Chief Representative and Mayor Don Thwaites. The Committee considered a list of around 100 items and subsequently made recommendations to a lawyer to make amendments. The Committee then further reviewed the changes prior to them being endorsed at the Owners Representatives meeting.

Amending the Rules can only be undertaken in accordance with the *Local Government Act 1993* and is a protracted affair, with the amendment process not likely to be completed prior to 1 September 2016.

Whilst the amendments to the Rules appear to be substantial, a number of the changes are merely formatting or minor changes to wording, e.g. substitution of ‘Representatives’ instead of ‘reps’. A number of additional interpretations have been added to support additional or amended clauses in the Rules and other items have been further defined.

CONSULTATION

Consultation has been undertaken with the DWM Chief Executive Officer and DWM Representatives. If endorsed by each of the owner councils, DWM will advertise the Rules amendments seeking submissions from the public. Following receipt of any submissions from the public, the DWM Representatives will determine if the Rules can be finalised and a legal practitioner will certify that the Rules are in accordance with the law. The DWM Chief Executive Officer, following certification by a General Manager of one of the owner councils, will then advise that the Rules have been finalised and request each of the Owner Councils to pass a resolution to formally approve the amended Rules.

RESOURCE, FINANCIAL AND RISK IMPACTS

The proposed Rule amendments will have no impacts on Council resources. Legal drafting and advertising costs are met from existing DWM budgets. All member Councils must agree to the proposed amendments to the Rules for them to be finalised; as with a process such as this, there is always the risk that one or more councils may not agree with all of the proposed changes which would then require further consideration.

CORPORATE COMPLIANCE

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

- Council Sustainability and Governance
- Improve corporate governance
 - Strengthen local–regional connections.

CONCLUSION

It is recommended that the proposed amendments to the Dulverton Regional Waste Management Authority Rules be authorised by the Council.”

The Executive Services Officer reported as follows:

“A marked up copy of the amended Rules of the Dulverton Regional Waste Management Authority has been circulated to all Councillors.”

■ Cr Carpenter moved and Cr Tongs seconded, “That the Council authorise the proposed amendments to the Dulverton Regional Waste Management Authority Rules as endorsed by the Representatives on 19 February 2016 (a copy being appended to and forming part of the minutes).”

Carried unanimously

COMMUNITY SERVICES

73/2016 Statutory determinations

The Director Community Services reported as follows:

“A Schedule of Statutory Determinations made during the month of February 2016 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reported as follows:

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

■ Cr Broad moved and Cr Tongs seconded, “That the Schedule of Statutory Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

74/2016 Council acting as a planning authority

The Mayor reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2015* provide that if a council intends to act at a meeting as a planning authority under the *Land Use Planning and Approvals Act 1993*, the chairperson is to advise the meeting accordingly.

The Director Community Services has submitted the following report:

‘If any such actions arise out of Minute No. 75/2016, they are to be dealt with by the Council acting as a planning authority under the *Land Use Planning and Approvals Act 1993*.’”

The Executive Services Officer reported as follows:

“Councillors are reminded that the *Local Government (Meeting Procedures) Regulations 2015* provide that the general manager is to ensure that the reasons for a decision by a council acting as a planning authority are recorded in the minutes.”

■ Cr Viney moved and Cr Tongs seconded, “That the Mayor’s report be received.”

Carried unanimously

75/2016 Combined application for a Planning Scheme Amendment and Development Application at 105, 125 and 145 Ironcliffe Road, Penguin involving the rezoning of land from General Residential to Recreation, the subdivision and consolidation of land and refurbishment of an existing oval, development of an oval, community pavilion, and associated car parking and landscaping – Application No. DA215101

The Director Community Services reported as follows:

“The Planning Consultant, Korlan Pty Ltd (Geoff Davis) has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA215101
<i>PROPOSED AMENDMENT:</i>	Rezoning from General Residential to Recreation
<i>PROPOSED DEVELOPMENT:</i>	Sports complex and consolidation of lots (subdivision)
<i>APPLICANT:</i>	Planning Development Services on behalf of the Central Coast Council
<i>LOCATION:</i>	105, 125 and 145 Ironcliffe Road, Penguin
<i>CURRENT ZONING:</i>	Recreation Zone and General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>LEGISLATION</i>	<i>Land Use Planning and Approvals Act 1993</i> (the Act)
<i>LOT DESCRIPTION</i>	CT1582181/2, CT156418/1, CT11610/2, CT41504/1, CT1582181/2, CT11610/1, CT227352/1, CT22618/1, CT11611/1
<i>PURPOSE</i>	

The purpose of this report is to consider a s.43A application for:

- (a) a rezoning of land from General Residential to Recreation (2.3 ha);
- (b) the consolidation of lots (subdivision);
- (c) the development of a sports complex consisting of an oval, community pavilion (clubrooms), car parking, landscaping and refurbishment of the existing Penguin District School oval.

Accompanying the report are the following documents:

- . Annexure 1 – location photo;
- . Annexure 2 – application documentation;
- . Annexure 3 – TasWater Submission to Planning Authority Notice – TWDA 2016/00268-CC;
- . Annexure 4 – Statement of Compliance from Road Authority and Stormwater Authority;
- . Annexure 5 – draft Amendment.

BACKGROUND

Development description –

1 Rezoning –

The applicant has requested part of CT11610/2, part of CT1582181/2 and part of CT11610/1 to be rezoned from General Residential to Recreation.

2 Subdivision –

The subject site consists of several titles that require consolidation in order for the proposed development to proceed.

3 Sports complex –

The proposed development includes refurbishing an existing school oval, development of a new oval, development of a community pavilion, fencing, associated car parks and landscaping (refer to Annexure 2).

Site description and surrounding area –

The site which includes a sports complex is situated 560m south of the Bass Highway and approximately 1.5km south of the centre of the Penguin township. The site is in close proximity to the Penguin District School (High School campus 150m and Primary School campus 350m). Other existing sport and recreational uses include an athletics track, chopping arena, field oval, bike track and lawn bowls. The Penguin Golf Course is located to the south-east.

The land slopes from approximately 90m above sea level (ASL) down to 70m ASL on the northern boundary. A tributary of the Penguin Creek runs through the centre of the subject land. The development area is vegetated with predominantly Eucalypt woodland with some weed infestation.

Houses and a pedestrian walkway to the nearby schools border the site to the north.

The site is part of urban Penguin and is serviced with reticulated water, sewerage, stormwater, communications and power.

Adjoining land is zoned General Residential and Recreation.

History –

In 2009 the Council had a Master Plan prepared for the site (Dial Sports Complex) to provide short and long-term strategic directions for the future development of the complex, as well as a concept plan, probable capital costs and a management model. The Master Plan was developed as a dynamic plan that was further refined in 2013. The proposed rezoning and development application gives effect to the Master Plan 2013.

DISCUSSION

The following assessment of the application is in two parts. The first part assesses the rezoning in accordance with the provisions of the Act, followed by assessment of the proposed development against the provisions of the Scheme. Note that in accordance with s.43A of the Act, the development is assessed as if the zoning request has been approved.

The rezoning of the area currently zoned General Residential to Recreation is required as the proposed development and use is not unconditionally permitted in the General Residential zone. The Sport and Recreation use in the General Residential zone is only permitted if it meets the condition that it comprises, "...a single playing field or a single surface for the local community". As the proposed use is not listed as discretionary this condition makes the proposed use and development prohibited.

The proposed use and development however, is unconditionally permitted in the Recreation zone hence the request for the rezoning.

The Act sets out the following provisions that must be furthered or met.

- Schedule 1, Part 1 – Objectives of the Resource Management and Planning System of Tasmania;
- Schedule 1, Part 2 – Objectives of the Planning Process Established by the Act;
- s.32 (1)(e) and (f) of the Act;
- s.300 consistency with the Cradle Coast Regional Land Use Strategy;

- . State Policies;
- . National Environmental Protection Measures.

Schedule 1, Part 1 – Objectives of the Resource Management and Planning System of Tasmania –

“(a) to promote the sustainable development of natural and physical resources and the maintenance of the ecological processes and genetic diversity;

A flora survey of the site found no threatened communities on the site. The Natural Values Atlas (NVA) has no records of sightings of threatened flora species within 500m of the proposed development. The current vegetation includes weed infestations such as gorse, blackberries, thistles and Spanish heath.

With regard to fauna the NVA records the Grey Goshawk, Azure Kingfisher and Eastern Barred Bandicoot within 500m. No sightings are recorded for the subject land and suitability of habitat on the site, apart from the Eastern Barred Bandicoot, is unlikely.

As indicated above there are no threatened fauna and flora species or communities on the subject site and thus development on the subject site would not adversely impact on ecological processes and genetic diversity.

“(b) to provide for the fair, orderly and sustainable use and development of air land and water;”

Master planning for the site as a regional sporting complex commenced over 20 years ago. Development of the subject land would be the last major development required to be undertaken to complete the plan. It would also allow the relocation of the current sporting activities conducted on the Penguin oval which is located near the Penguin town centre and is too small and intrusive in an urban environment. For example, car parking overflows onto nearby streets and cricket balls intrude into nearby houses.

The redevelopment of the Penguin oval provides an opportunity to develop a more orderly community asset or appropriate sustainable use in an urban environment.

“(c) to encourage public involvement in resource management and planning;”

The proposed project has already been extensively canvassed with local sporting groups and the community.

If certified, the public would be able to participate in the statutory public participation process.

“(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c);”

The estimated cost for the project is in the vicinity of \$10m. which, with the multiplier benefits, would likely provide a substantial economic input into the local community.

“(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.”

The community would be encouraged to participate in the approval process through the public advertising and comment process. Local government would be involved in the certification and development application process through the State government process of the Tasmanian Planning Commission.

Schedule 1, Part 2 – Objectives of the Planning Process Established by the Act –

“(a) to require sound strategic planning and co-ordinated action by State and local government;”

The proposed rezoning gives effect to a Master Plan prepared for the site and is in accordance with regional and the Council's strategies.

“(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land;”

The proposed rezoning through the s.43A process gives effect to the clause.

“(c) to ensure that the effects on the environment are considered and provide for the explicit consideration of social and economic effects when decisions are made about the use and development of land;”

No environmental values would be adversely impacted by the proposed rezoning or subsequent development of the subject land.

“(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels;”

The rezoning complies with State Policies, the Cradle Coast Regional Land Use Strategy 2010–2030 and the Central Coast Strategic Plan 2014–2024.

“(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals;”

The s.43A process encourages coordination between the zoning and development approval process.

“(f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania;”

The partial rezoning of the subject land will allow the development of a well-designed integrated recreation facility that can be enjoyed by the community.

“(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;”

The subject site has no particular values or buildings that need protection. Aboriginal Heritage Tasmania has indicated there are no Aboriginal heritage sites recorded within or close to the property.

“(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;”

The site is already serviced with urban standard infrastructure and any upgrades or extensions would be borne by the development.

“(i) to provide a planning framework which fully considers land capability.”

The proposed amendment gives effect to the Objective.

Section 32(1)(e) of the Act – Avoid land use conflicts with use and development permissible –

The proposed rezoning gives effect to the Dial Regional Sports Complex Master Plan 2013 and will enhance the current recreation facilities.

Section 32(1)(f) of the Act – Impact on the region as an entity in environmental, economic and social terms –

The proposed rezoning will have no adverse impact on the region. It will be a positive generator of economic activity and will enhance an existing regional recreational facility.

State Policies

Tasmanian State Coastal Policy 1996 –

The Policy applies to land within 1km of the coast. As the subject site is over 1km from the coast, the Policy does not apply.

State Policy on Water Quality Management 1997 –

All stormwater management would be controlled by the Council through the approval process. It is noted a tributary of the Penguin Creek runs through part of the site but it would not be impacted by the proposed rezoning.

State Policy on the Protection of Agricultural Land 2009 –

The site is in an urban setting and has no agricultural potential.

National Environment Protection Measures –

In accordance with s.12A of the State Policies and Projects Act 1993, a National Environment Protection Measure (NEPM) is taken to be a State Policy. Therefore, the following need to be considered:

- . *Ambient Air Quality June 2002;*
- . *Air Toxics 2004;*
- . *Diesel Vehicle Emission 2001;*
- . *Assessment of Site Contamination 1999;*
- . *Used Packaging Materials 1999;*
- . *Movement of Controlled Waste Between States and Territories 1998;*
- . *National Pollutant Inventory June 2000.*

Given the previous and current use of the site (open space and trees), no formal assessment for contamination was required. The NEPMs will have no effect on the proposed rezoning.

Central Coast Strategic Plan 2014–2024

The proposed rezoning is supported by the Council's Strategic Plan. The Strategic Plan is based on a series of values including valuing the built assets such as parks reserves, playgrounds and sporting, health and community related facilities. A key strategy is to improve the value and use of open space which includes the staged implementation of the Dial Regional Sports Complex Master Plan.

Cradle Coast Regional Land Use Strategy 2010–2030 –

The Act requires that an amendment to a planning scheme is consistent with the regional land use strategy (*Cradle Coast Regional Land Use Strategy 2010–2030*).

The Strategy states that it, "...does not prescribe detailed requirements for individual land use decisions. It intends implementation will be achieved through the existing prescribed regulatory arrangements for land use planning including planning schemes."

It should be noted that in this circumstance the land to be rezoned is approximately 2.3ha which is a small area compared to the subject site for the proposed development of 7.5ha and the 48ha for the Dial Regional Sports Complex.

The Strategy has classified the towns and small settlements into various activity categories.

Penguin is classified as a Local Service Centre that is defined as:

"Local centres are of varying population size and cater primarily to the immediate needs of the local community in housing, education, health, culture and entertainment, community support, personal service, and convenience retail options at a level which does not service a regional or sub-regional population."

However, the Strategy states the classification of centres *does not impose a hierarchy of economic, social or cultural importance*, but rather is to ensure a continuum of size and function, and an absence of unnecessary dysfunction

for activities which are regionally important and which rely on a regional population.

The Strategy then sets out some guidance for regional activities. The guidelines which support the proposed rezoning include:

There is convenient and equitable access by consumer population –

The site is situated near the four-lane Bass Highway providing good regional road access and complemented by good local road access and on site car parking.

It complements the incumbent strength and collective drawing power of existing development of a like kind –

The current sports complex supports existing regional activities such as athletics, wood chopping and mountain bike riding. Other activities include golf and lawn bowls. The proposed development would improve and complement the existing facilities and activities. The long-term plan for the Dial Regional Sports Complex as a regional centre for selected sports was first considered in the 1970s. The future development of the site further evolved with the Dial Regional Sports Complex Master Plans 2009 and 2013. Both Master Plans envisaged that the Dial Regional Sports Complex would include some regional facilities for specific sports. This proposal is in accordance with the long-term vision for the site which has been developed in stages over the last 20–25 years and the current Master Plan.

There is sufficient local population to support the development –

The proposed development will be supported by the local population and various short-term events such as a concert, cricket match and a national training venue. With regard to receiving support from the local population, it will for example, permit the relocation of the Penguin Cricket and Football Clubs from their existing inadequate inner urban location and permit the redevelopment of the Clubs' oval and facilities to a more appropriate use and community asset.

It will not have adverse effect on the sustainability of services provided from another location –

The construction of the community pavilion to service existing uses and relocation of the Penguin Cricket and Football Clubs, plus the construction of a new oval, refurbishment of the existing school oval and associated car parking and landscaping would be unlikely to adversely impact on the

sustainability of recreation uses in other locations. A major benefit would be to improve and enhance the existing facilities and activities at the complex. The proposal is not of such magnitude that it would adversely impact on other urban centres. It enhances an existing sports complex that provides regional facilities.

The Strategy specifically deals with sport and recreation in general terms and notes the changing nature and pattern of recreation requiring multipurpose and linear spaces. It also notes that sub-regional facilities in both Devonport and Burnie is preferable to a single regional facility in a central location. It is assumed this means that the construction of a large sports complex serving the entire North West Coast region with a wide range of sports is not warranted. This is not the case with this proposal as most of the Dial Regional Sports Complex is already constructed and what is proposed is an extension and improvement to the existing activities and facilities. Also the Strategy does not recognise that high costs for some facilities such as athletics, which require expensive specialised synthetic tracks, have to be centralised to be economically feasible.

The proposed rezoning is supported by the Strategy as it states on p.92, "The role of land use planning is to assist allocation of land in accessible locations and of appropriate characteristics to allow community use." As stated previously, the subject site is accessible regionally by car and has been developed for community use.

Gas Pipelines Act 2000 –

The gas pipeline is not located near the subject site and the requirements of the Act are not relevant in this case.

Non-statutory Plans

Dial Regional Sports Complex Master Plan 2013 –

Although the Dial Regional Sports Complex Master Plan 2013 is a non-statutory document it gives guidance to the future use of the subject land. The Master Plan was first developed in 2009 and revised in 2013.

The proposed rezoning will give effect to the Master Plan.

Conclusion –

The proposed rezoning furthers the Objectives of the Act, complies with State Policies and conforms with the Cradle Coast Regional Land Use Strategy

and the Council's Strategic Plan. The rezoning would facilitate the proposed development, facilitate efficient management and development of the land, and provide consistency in zone boundaries. The advantages are material and sufficient to justify the rezoning of the subject land from General Residential to Recreation. Also the Zone Purpose for the Recreation zone is consistent with the intended use and development of the land.

Development Assessment –

The following table is an assessment of the proposed development against the relevant Scheme provisions; these include the Recreation zone standards and Codes:

Recreation

CLAUSE	COMMENT
18.3 Use Standards	
18.3.1 Discretionary Permit Use	
<p>18.3.1–(P1) Discretionary permit use must:</p> <p>(a) be consistent with local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement; and</p> <p>(c) minimise likelihood for adverse impact on amenity for residential use on adjacent land in the zone.</p>	<p>Not applicable as Sport and Recreation is a Permitted use in the zone.</p>
18.4.1 Suitability of a site or lot for use or development	
<p>18.4.1–(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) have an area of not less than 1,000m² excluding any access strip; and</p> <p>(b) if intended for a building, have a building area:</p>	<p>Compliant.</p> <p>(a) Site area is 10.32ha.</p> <p>(b)(i) Complies as there is sufficient area within the site to accommodate a building area of 300m².</p>

<ul style="list-style-type: none"> (i) not less than 300m²; (ii) clear of any applicable setback from a frontage, side, or rear boundary; (iii) clear of any applicable setback from a zone boundary; (iv) clear of any registered easement; (v) clear of any registered right of way benefitting other land; (vi) clear of any restriction imposed by a utility; (vii) not including an access strip; (viii) clear of any area required for on-site disposal of sewage or stormwater; and (ix) accessible from a frontage or access strip. 	<ul style="list-style-type: none"> (b)(ii) Complies as development is centrally located within the recreational area and complies with front, side and rear boundary setbacks. Refer to 18.4.2 below. (b)(iii) Complies. The adjoining zoning to the north and east of the site is General Residential which has a setback requirement of 4m.. Oval A is located 30m from the General Residential zone, the internal access is 11m and the nearest proposed car park is setback 35m. (b)(iv) Complies as no registered easements are identified on the Titles. (b)(v) Complies as no rights of way benefitting other land. (b)(vi) Complies as no buildings or other development will impact on a utility. (b)(vii) Complies as no access roads, including internal roads, will be impacted. (b)(viii) Complies as area is sewered and buildings will not impact on any areas required for disposal of stormwater.
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	(b)(ix) Complies as site is accessible from Sports Complex Avenue and Recreation Drive.
<p>18.4.1–(A2) A site or each lot on a subdivision plan must have a separate access from a road:</p> <p>(a) across a frontage over which no other land has a right of access with a width of not less than 10.0m; and</p> <p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land with a width of not less than 6.0m; or</p> <p>(c) by a right of way connecting to a road:</p> <p>(i) over land not required as the means of access to any other land;</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(iii) with a width of not less than 6.0m; and</p> <p>(d) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act</i></p>	<p>(a) The site has a separate access across the frontage of Sports Complex Avenue of which no other land has right of access, with a width of not less than 10m.</p> <p>(b) Not applicable as not an internal lot.</p> <p>(c) Not applicable as not a right of way.</p> <p>(d) Complies as the site has established access to Sports Complex Avenue and Recreation Drive. The development application is supported by a Traffic Impact Assessment by GHD (October 2015). The report examined existing road conditions and transport network performance, pedestrian connectivity, future traffic generation and distribution, car parking requirements and likely impacts on local and surrounding traffic networks.</p>

<p>1935 must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	
<p>18.4.1–(A3) A site or each lot on a plan of subdivision must be capable of connecting to a water supply:</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system ^{R19} with a storage capacity of not less than 10,000 litres if:</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for a use with an equivalent population of not more than 10 people per day.</p>	<p>(a) Compliant.</p> <p>The site is connected to the reticulated water system. The Council's Planning Permit would require compliance with TasWater's approval, included as an attachment to the Planning Permit.</p> <p>(b) Not applicable. Satisfied by (a).</p>
<p>18.4.1–(A4) A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste:</p> <p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if:</p>	<p>Compliant.</p> <p>(a) The site is connected to the reticulated sewerage system. The Council's Planning Permit will require compliance with TasWater's approval, included as an attachment to the Planning Permit.</p>

<ul style="list-style-type: none"> (i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and (ii) the development: <ul style="list-style-type: none"> a. provides for an equivalent population of not more than 10 people per day; or b. creates a total sewage and waste water flow of not more than 1,000 litres per day; and (iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip. 	<p>(b) Not applicable. Satisfied by (a).</p>
<p>18.4.1–(A5) A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater:</p> <ul style="list-style-type: none"> (a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or (b) if stormwater cannot be drained to a stormwater system: <ul style="list-style-type: none"> (i) for discharge to a natural drainage line, water body, or watercourse; or 	<p>Compliant.</p> <ul style="list-style-type: none"> (a) The site is connected to the reticulated stormwater system. The Council's Planning Permit would require compliance with its approval as a Stormwater Authority issued as a Statement of Compliance. (b) Not applicable. Satisfied by (a).

<p>(ii) for disposal within the site if:</p> <ul style="list-style-type: none"> a. the site has an area of not less than 5,000m²; b. the disposal area is not within any defined building area; c. the disposal area is not within any area required for the disposal of sewage; d. the disposal area is not within any access strip; and e. not more than 50% of the site is impervious surface. 	
<p>18.4.2 Location and configuration of development</p>	
<p>18.4.2–(A1) A building must be setback from a frontage:</p> <ul style="list-style-type: none"> (a) not less than 4.5m from a primary frontage; and (b) not less than 3.0m from any secondary frontage; or (c) not less than or not more than the setbacks for any existing building on each of the immediate adjoining sites; 	<p>Compliant.</p> <ul style="list-style-type: none"> (a) The community pavilion will be setback approximately 230m from the primary frontage – Sports Complex Avenue. (b) The community pavilion will be setback

<p>(d) not less than for any building retained on the site;</p> <p>(e) in accordance with any building area shown on a sealed plan; or</p> <p>(f) not less than 50.0m if the site abuts the Bass Highway.</p>	<p>approximately 180m from the secondary frontage – Recreation Drive.</p> <p>(c) Satisfied by 18.4.2 A1 (a) and (b).</p> <p>(d) The community pavilion will not be setback less than existing buildings on site.</p> <p>(e) Not applicable as no building area shown on the sealed plan/s.</p> <p>(f) Development setback is approximately 560m south of the Bass Highway.</p>
18.4.2–(A2) Building height must not be more than 15.0m.	Complies as proposed community building will have a height of 8.8m.
18.4.2–(A3) An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste must be located behind the primary frontage elevation of a building.	Complies as loading and unloading area and car parking will be behind the primary frontage elevation.
18.4.3 Setback from zone boundaries	
18.4.3–(A1) Development of land with a boundary to a zone must:	Complies.
(a) be setback from the boundary of land in an adjoining zone by	(a) The area adjoins the General Residential zone to

<p>not less than the distance for that zone shown in the Table to this Clause;</p> <p>(b) not include within the setback area required from a boundary to land in a zone shown in the Table to this Clause:</p> <ul style="list-style-type: none"> (i) a building or work; (ii) vehicular or pedestrian access from a road if the boundary is not a frontage; (iii) vehicle loading or parking area; (iv) an area for the display, handling, operation, manufacturing, processing, servicing, repair, or storage of any animal, equipment, goods, plant, materials, vehicle, or waste; (v) an area for the gathering of people, including for entertainment, community event, performance, sport or for a spectator facility; (vi) a sign orientated to view from land in another zone; or (vii) external lighting for operational or security purposes; and 	<p>the north and east of the site. The setback standard from a General Residential zone boundary is 4m. Development is generally located in the centre of the recreational area and complies with the required boundary setbacks – in excess of 20m.</p> <ul style="list-style-type: none"> (b) Complies. (c) Complies. (d) Complies.
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<p>(c) a building with an elevation to a zone boundary to which this clause applies must be contained within a building envelope determined by:</p> <ul style="list-style-type: none"> (i) the setback distance from the zone boundary as shown in the Table to this Clause; and (ii) projecting upward and away from the zone boundary at an angle of 45 degrees above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary; and <p>(d) the elevation of a building to a zone boundary must not contain an external opening other than an emergency exit, including a door, window to a habitable room, loading bay, or vehicle entry.</p>	
<p>18.4.4 Subdivision</p>	
<p>18.4.4–(P1) Each new lot on a plan of subdivision must be:</p> <ul style="list-style-type: none"> (a) a lot required for public use by the State government, a Council, a statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority; or (b) for a purpose permissible in the zone. 	<p>Complies with (b) as the purpose is permissible in the zone.</p>

CODES	
E1 Bushfire-Prone Areas Code	Not applicable.
E2 Airport Impact Management Code	Not applicable.
E3 Clearing and Conversion of Vegetation Code	Applicable. See further assessment below.
E4 Change in Ground Level Code	Applicable. See further assessment below.
E5 Local Heritage Code	Not applicable.
E6 Hazard Management Code	Not applicable.
E7 Sign Code	Not applicable.
E8 Telecommunication Code	Not applicable.
E9 Traffic Generating Use and Parking Code	Applicable. See further assessment below.
E10 Water and Waterways Code	Applicable. See further assessment below.

SPECIFIC AREA PLANS	
F1.0 Forth Specific Area Plan	Not applicable.
F2.0 Ulverstone Wharf Specific Area Plan	Not applicable.
F3.0 Penguin Specific Area Plan	Not applicable.
F4.0 Turners Beach Specific Area Plan	Not applicable.

CODES	
CLAUSE	COMMENT
E3 Clearing and Conversion of Vegetation Code	
E3.2 Application of Code	Applicable. Development includes the clearance of 5ha of native forest and 2ha of regenerating forest within 30m of a waterway and in association with development that comprises a plan of subdivision and the construction of a building and associated facilities (including water, sewer, roads, car parks, footpaths etc.).
E3.4 Exemption	Not exempt.

E3.6 Development Standards	
E3.6.1 Protection of threatened native vegetation community or native vegetation providing habitat for a threatened species	
<p>E3.6.1–(A1) Vegetation must not be:</p> <ul style="list-style-type: none"> (a) a threatened native vegetation community; (b) a threatened species habitat; or (c) within 30m of a water body, watercourse, wetland, or coastal shoreline. 	<p>Relies on the performance criteria.</p> <ul style="list-style-type: none"> (a) The application for development is supported by a <i>Natural Values Report</i> by AK Consultants, dated 11 October 2015. The report states that no threatened native vegetation communities are recorded on site. (b) The application for development is supported by a <i>Natural Values Report</i> by AK Consultants, dated 11 October 2015. The report concludes that no threatened species habitat is recorded on site. (c) Non-compliant with Acceptable Solution so relies on the Performance Criteria. The flora report submitted states the vegetation to be cleared within 30m of the poorly defined stream bed does not contain any threatened species or communities and includes 2ha of planted <i>Eucalyptus globulus</i>. Considered to satisfactorily meet the Performance Criteria.

E3.6.2 Clearing of vegetation on land of scenic or landscape value	
<p>E3.6.2-(P1)</p> <p>(a) The harvesting of timber or the clearing and conversion of vegetation must:</p> <ul style="list-style-type: none"> (i) be necessary to deliver an overriding social, economic, or environmental benefit to the community; or (ii) be justified by exceptional circumstances; and (iii) there is no suitable alternative site; or <p>(b) be consistent with the objectives and outcomes for any scenic or landscape management plan incorporated as a document forming part of this planning scheme; and</p> <p>(c) the extent of clearing and conversion must:</p> <ul style="list-style-type: none"> (i) retain a sufficient intensity and distribution of vegetation to screen cleared and converted areas; (ii) not impact on the visual qualities of a shoreline, skyline, ridge, or other prominent landform feature; (iii) not be exposed to view from a road, public place, or settlement area; and 	<p>Not applicable. Site not identified as land of scenic or landscape value.</p>

(iv) include measures to minimise likely adverse impact for scenic or landscape value.	
E3.6.3 Clearing of vegetation on land susceptible to landslide	
<p>E3.6.2–(A1) The site must be within an area:</p> <p>(a) exposed to a low level of likely risk from landslide; and</p> <p>(b) a landslide hazard risk assessment ^{L1} must indicate clearing of native vegetation:</p> <p>(i) can achieve and maintain a tolerable level of risk; or</p> <p>(ii) there is an insufficient increase in the level of risk to warrant any specific hazard reduction or protection measures; or</p> <p>(iii) any condition or requirement for specific hazard reduction or protection measures.</p>	<p>(a) Compliant. Site contains some land of low risk from landslide.</p> <p>(b) Compliant.</p>
E4 Change in Ground Level Code	
E4.2 Application of Code	Applicable.
E4.4 Exemption	Not exempt. Cut and fill to exceed 1m.

E4.6 Development Standards		
E4.6.1 Change in existing ground level or natural ground level		
E4.6.1–(A1) Cut or fill must:		
(a) not be on land within the Environmental Living zone or the Environmental Management zone;	(a)	Compliant. Not in Environmental Living zone or the Environmental Management zone.
(b) be required to:	(b)(i)	Compliant. Changes in ground level will provide a construction site for buildings and structures.
(i) provide a construction site for buildings and structures;	(b)(ii)	Compliant. Change in ground level will facilitate vehicular access.
(ii) facilitate vehicular access;	(b)(iii)	No natural or environmental hazard has been identified.
(iii) mitigate exposure to a natural or environmental hazard;	(b)(iv)	Compliant. Changes in ground level will facilitate provision of services.
(iv) facilitate provision of a utility;	(b)(v)	Compliant. Changes in ground level will assist the consolidation and development of sport and recreation on site.
(v) assist the consolidation or intensification of development; or	(b)(vi)	Unable to determine the extent at this stage – however changes in ground level will require stormwater management across the site.
(vi) assist stormwater management;		
(c) not result in a modification of surface stormwater water flow to increase:		

<p>(i) surface water drainage onto adjacent land;</p> <p>(ii) pooling of water on the site or on adjacent land; or</p> <p>(iii) the nature or capacity of discharge from land upstream in a natural or artificial drainage channel;</p> <p>(d) not destabilise any existing building or increase the requirements for construction of any potential building on adjacent land;</p> <p>(e) manage disposal of intersected ground water;</p> <p>(f) safeguard the quality of receiving waters through measures to minimise erosion and release of sediments and other contaminants during each of the site preparation, construction and rehabilitation phase in accordance with Soil and Water Management on Building and Construction Sites 2009;</p> <p>(g) not require a retaining or support structure that would result in an area of influence within the boundary of adjacent land; and</p> <p>(h) not encroach upon or expose, disturb, or reduce cover over an underground utility to less than 1.0m unless the relevant regulatory entity has advised:</p>	<p>(c) At this stage unable to determine but the Council can condition the Permit to ensure there is no issue.</p> <p>(d) Condition to be applied to the Permit.</p> <p>(e) Unable to determine, however development is likely to comply with standard.</p> <p>(f) Condition to be applied to Permit. Certificate of Compliance from Stormwater Authority to be provided.</p> <p>(g) Compliant. No retaining structures proposed that would impact on adjoining land.</p> <p>(h) Unable to determine at this stage but any issues covered by Permit condition.</p>
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<p>(i) it is satisfied the cut or fill will not result in harm to the utility; and</p> <p>(ii) any condition or requirement it determines are appropriate to protect the utility.</p>	
E9 Traffic Generating Use and Parking Code	
E9.2 Application of this Code	Applicable. Applies to all use and development.
E9.4 Use or development exempt from this Code	Not exempt. No Local Area Parking Scheme applies.
E9.5 Use Standards	
E9.5.1 Provision for parking	
<p>E9.5.1–(A1) Provision for parking must be:</p> <p>(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;</p> <p>(b) motor bike parking at a rate of one space for every 20 vehicle parking spaces;</p> <p>(c) parking spaces for people with disabilities at the rate of</p>	<p>Non-compliant with Acceptable Solution so relies on Performance Criteria.</p> <p>(a) The application is supported by a <i>Traffic Impact Assessment</i> by GHD, dated October 2015. The report examines the car parking requirements for the complex and concludes that Code E9 standards for “Sport and Recreation” use on site would require a total of 190 spaces on site. The development makes provision for a total of 356 car</p>

<p>one space for every 20 parking spaces or part thereof; and</p> <p>(d) bicycle parking at the rate of one space for every 20 vehicle parking spaces or part thereof.</p>	<p>parking spaces. The proposal exceeds the Scheme requirements.</p> <p>(b) No spaces identified on the site plan. Requirements for eight motorcycle parking spaces to be condition of Permit.</p> <p>(c) No spaces identified on the site plan. Requirements for eight accessible parking spaces to be condition of Permit.</p> <p>(d) No spaces identified on the site plan. Requirements for eight bicycle parking spaces to be condition of Permit.</p>
<p>E9.5.2 Provision for loading and unloading of vehicles</p>	
<p>E9.5.2–(A1) There must be provision within a site for:</p> <p>(a) on-site loading area in accordance with the requirement in the Table to this Code; and</p> <p>(b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.</p>	<p>Compliant.</p> <p>(a) Provision is to be made for loading and unloading in close proximity to the Community pavilion. Condition to be applied to the Permit.</p> <p>(b) Not applicable. Proposed use is not commercial, educational, business or retail use class.</p>

E9.6 Development Standards	
E9.6.1 Road access	
<p>E9.6.1–(A1) There must be an access to the site from a carriageway of a road ^{R36}:</p> <p>(a) permitted in accordance with the <i>Local Government (Highways) Act 1982</i>;</p> <p>(b) permitted in accordance with the <i>Roads and Jetties Act 1935</i>; or</p> <p>(c) permitted by a license granted for access to a limited access road under the <i>Roads and Jetties Act 1935</i>.</p>	<p>Compliant</p> <p>(a) Existing access to Sports Complex Avenue.</p> <p>(b) Not applicable. Compliant with E9.6.1–(A1)(a).</p> <p>(c) Not applicable. Compliant with E9.6.1–(A1)(a).</p>
E9.6.2 Design of vehicle parking and loading areas	
E9.6.2 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and	Compliant. Development would be required to collect, drain and dispose of stormwater in accordance with the Certificate of Compliance from the Stormwater Authority.
E9.6.2 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –	<p>Compliant.</p> <p>(a)–(d) Condition to be applied to the Permit. Car, motorbike and bicycle parking spaces to be to relevant Australian Standards.</p>

<p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</p> <p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p> <p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space;</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	<p>(e) Car parks will be separately accessed via an internal road network.</p> <p>(f) Design will allow for forward movement and passing of vehicular traffic.</p> <p>(g) Compliant. Although shown on plan as gravel car park, the applicant has advised that all car parks on site are to be constructed with an all-weather surface. Condition should be included in Permit.</p>
<p>E9.6.2-(A2) Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB.</p>	<p>Not applicable. Development is not within the Rural Living, Environmental Living, Open Space, Rural Resource or Environmental Management zones.</p>

E10 Water and Waterways Code	
E10.2 Application of Code	Applicable. Development is within 30m of a waterway. No Acceptable Solutions apply.
E10.4 Exemption	Not exempt.
E10.6 Development Standards	
E10.6.1 Development in proximity to a water body, watercourse or wetland	
<p>E10.6.1–(P1) Development must:</p> <p>(a) minimise risk to the function and values of a water body, watercourse, or wetland ^{R37}, including for:</p> <ul style="list-style-type: none"> (i) hydraulic performance; (ii) economic value; (iii) water based activity; (iv) disturbance and change in natural ground level; (v) control of sediment and contaminants; (vi) public access and use; 	<p>(a) Unable to determine at this stage but a condition to be included in the Permit – Statement of Compliance from the Stormwater Authority.</p> <p>(b) Unable to determine at this stage. Should be conditioned.</p>

<ul style="list-style-type: none"> (vii) aesthetic or scenic quality; (viii) water quality management arrangements for stormwater and sewage disposal; (ix) modification of a natural drainage channel; (x) biodiversity and ecological function; (xi) level of likely risk from exposure to natural hazards of flooding and inundation; and (xii) community risk and public safety; and <p>(b) be consistent with any advice or decision of a relevant entity administering or enforcing compliance with an applicable protection and conservation regulation for:</p> <ul style="list-style-type: none"> (i) impact of the development on the objectives and outcomes for protection of the water body, watercourse, or wetland; and (ii) any condition or requirement for protection of the water body, watercourse, or wetland. 	
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E10.6.2 Development in a shoreline area	
<p>E10.6.2–(P1) Development must:</p> <ul style="list-style-type: none"> (a) be required to locate in, over, on, or under the shoreline, sea or tidal waters for operational efficiency; (b) avoid unreasonably or unnecessarily impact on existing or potential access by the public to shoreline land or waters; (c) minimise impact on scenic quality of the sea–shore area; (d) minimise impact on amenity or aesthetic appearance of the sea–shore area as a result of: <ul style="list-style-type: none"> (i) nature and operational characteristics of the development; (ii) location; (iii) bulk, size, and overall built form of any building or work; (iv) overshadowing; or (v) obstruction of views from a public place; (e) minimise immediate or cumulative adverse effect for: 	<p>Not applicable.</p> <p>Development is not proposed with a shoreline area.</p>

<ul style="list-style-type: none"> (i) tidal, wave, current, or sediment movement processes; (ii) coastal landforms, seabed, and other geomorphic features, including sand dunes and mobile landforms; (iii) vulnerability to erosion and recession; (iv) natural cycles of deposition and erosion; (v) conservation of biodiversity and marine habitat, including during critical lifecycle stages of individual and migratory species; (vi) drainage from a watercourse, wetland, ground water, flood, stormwater, or tidal water; (vii) coastal water quality; (viii) likely interference or constraint on use of public areas; (ix) any scientific, architectural, aesthetic, historic or special cultural value; (x) exposure to or increased risk from a natural hazard, including sea level rise, storm surge, or inundation as a result of climate change; 	
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COMMUNITY SERVICES

<ul style="list-style-type: none">(xi) coastal protection and rehabilitation works required to address erosion, instability, regression, or inundation;(xii) collection, treatment, and disposal of waste, including bilge waters and excavated or dredged sediment;(xiii) economic activity dependent for operational efficiency on a sea-shore location;(xiv) public safety and emergency services;(xv) marine navigation and communication systems;(xvi) safety of recreational boating; and(xvii) be consistent with the current edition of Tasmanian Coastal Works Manual DPIWE 2011.	
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Issues –

- 1 The proposed development site currently consists of several titles that require consolidation before the proposed development can proceed.
- 2 Part of the proposed development site is zoned General Residential in which the use “Sport and Recreation” is not permitted. The site needs to be zoned Recreation in which “Sport and Recreation” is permitted.

Referral advice –

Referral advice from the various Departments of the Council and other service providers is as follows:

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No conditions recommended.
Infrastructure Services	Conditions recommended.
TasWater	Conditions recommended.
Department of State Growth	No referral required.
Environment Protection Authority	No referral required.
TasRail	No referral required.
Heritage Tasmania	No referral required.
Crown Land Services	Consent for the lodgement of the application and rezoning request has been given by the Crown.
Other	None.

CONSULTATION

If the Council resolves to initiate the amendment and approve the development, the application would be advertised in accordance with the Act.

RESOURCE, FINANCIAL AND RISK IMPACTS

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

CORPORATE COMPLIANCE

A key strategy of the Central Coast Strategic Plan 2014–2024 is to improve the value and use of open space, which includes the staged implementation of the Dial Regional Sports Complex Master Plan.

Conclusion –

The rezoning is consistent with the requirements of the Act in that it:

- . complies with the Objectives of the Act;
- . is consistent with the Council's Strategic Plan and the Cradle Coast Regional Land Use Strategy 2010–2030;
- . complies with the State Policies; and
- . would not create significant land use conflicts.

On this basis, it is considered that the proposed rezoning has sufficient merit for the amendment process to be initiated.

The proposed use and amalgamation of lots (subdivision) and development application for an oval, community pavilion and associated car parking and landscaping complies with the Scheme provisions and, subject to a rezoning being approved by the Tasmanian Planning Commission, is recommended for conditional approval.

Recommendation –

It is recommended that:

- A A draft amendment (identified as Amendment No. 1/2016, refer to Annexure 5) be initiated to the *Central Coast Interim Planning Scheme 2013* to rezone land located at Ironcliffe Road, Penguin from General Residential to Recreation; and
- B The Council certify that the draft Amendment meets the requirements of the *Land Use Planning and Approvals Act 1993*; and

- C The application for the consolidation of lots, community pavilion, car parking, refurbishment of the Penguin District School oval, landscaping, playing oval and associated roads at 105, 125 and 145 Ironcliffe Road, Penguin be approved subject to the following conditions and notes:

Conditions

- 1 The development must be substantially in accordance with the application for this Permit, unless modified by a condition of this Permit.
- 2 The development must be in accordance with the conditions of the Submission to Planning Authority Notice from TasWater, Reference No. TWDA 2016/00268-CC (copy attached).
- 3 The layout of the vehicle parking areas, loading area, circulation aisle and manoeuvring areas must be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking.
- 4 Eight motorcycle parking spaces must be provided and identified with appropriate signage.
- 5 Eight car parking spaces for people with disabilities must be provided and identified with appropriate signage, in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities.
- 6 Eight bicycle parking spaces must be provided and identified with appropriate signage, in accordance with AS/NZS 2890.3 – Parking Facilities – Bicycle Parking Facilities.
- 7 All vehicle parking areas, loading areas, circulation aisles and manoeuvring areas must be formed and constructed with compacted sub-base and an all-weather surface.
- 8 The development must be in accordance with the conditions of the “Statement of Compliance for Vehicular Access and Drainage Access” of March 2016 (copy attached), issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority.

Please note:

- 1 A Planning Permit remains valid for two years. If the use or development has not substantially commenced within this period an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 “Substantial commencement” is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Building and Plumbing Permits are required for the proposed development. A copy of this Planning Permit should be given to your building surveyor.’

The report is supported.”

The Executive Services Officer reported as follows:

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

■ Cr Howard moved and Cr Viney seconded, “That:

- A A draft amendment (identified as Amendment No. 1/2016, (a copy being appended to and forming part of the minutes) be initiated to the *Central Coast Interim Planning Scheme 2013* to rezone land located at Ironcliffe Road, Penguin (identified on Sheet 6 of the Zone maps of the Scheme) from General Residential to Recreation; and
- B The Council certify that the draft Amendment meets the requirements of the *Land Use Planning and Approvals Act 1993*; and
- C The application for the consolidation of lots, community pavilion, car parking, refurbishment of the Penguin District School oval, landscaping, playing oval and associated roads at 105, 125 and 145 Ironcliffe Road, Penguin be approved subject to the following conditions and notes:

Conditions

- 1 The development must be substantially in accordance with the application for this Permit, unless modified by a condition of this Permit.

- 2 The development must be in accordance with the conditions of the Submission to Planning Authority Notice from TasWater, Reference No. TWDA 2016/00268-CC (copy attached) (a copy being appended to and forming part of the minutes).
- 3 The layout of the vehicle parking areas, loading area, circulation aisle and manoeuvring areas must be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking.
- 4 Eight motorcycle parking spaces must be provided and identified with appropriate signage.
- 5 Eight car parking spaces for people with disabilities must be provided and identified with appropriate signage, in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities.
- 6 Eight bicycle parking spaces must be provided and identified with appropriate signage, in accordance with AS/NZS 2890.3 – Parking Facilities – Bicycle Parking Facilities.
- 7 All vehicle parking areas, loading areas, circulation aisles and manoeuvring areas must be formed and constructed with compacted sub-base and an all-weather surface.
- 8 The development must be in accordance with the conditions of the ‘Statement of Compliance for Vehicular Access and Drainage Access’ of March 2016 (copy attached), issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority (a copy being appended to and forming part of the minutes).

Please note:

- 1 A Planning Permit remains valid for two years. If the use or development has not substantially commenced within this period an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 ‘Substantial commencement’ is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Building and Plumbing Permits are required for the proposed development. A copy of this Planning Permit should be given to your building surveyor.”

Carried unanimously

The Executive Services Officer further reported as follows:

“Approval of the draft Amendment having been granted, authorisation for affixing of the common seal to the Amendment is given at Minute No. 80/2016.”

76/2016 Use of the Council’s roads for Targa Tasmania – 13 April 2016

The Director Corporate & Community Services reported as follows:

“The Cultural Facilities & Events Officer has prepared the following report:

‘PURPOSE

The purpose of this report is to consider closure and use of the Council’s roads on 13 April 2016 for Targa Tasmania 2016.

BACKGROUND

At its meeting on 25 October 2004 the Council resolved (Minute No. 402/2004) as follows:

“That the promoters of motor-vehicle rallies and trials be advised that the Council will not consider applications for road closures for rally stages in the Central Coast municipal area unless the application is received not later than 15 weeks prior to the event and is accompanied by evidence of:

- 1 written notification having been sent to harvesting contractors and companies (including transporters of timber products), milk transport contractors and companies, and tourism authorities and operators;
- 2 written notification having been sent to all residents on that part of the road for which road closures are being requested; and
- 3 public notification of any new event having been twice advertised in a daily newspaper circulating in the municipal area;

advising that an application for road closures is being submitted, and that residents and road users should contact the promoter and the Council not later than 13 weeks prior to the event if they have concerns over the closures;

and further that, following any approval having been given by the Council for road closures, the promoter is to undertake public notification of the event by a minimum of two advertisements in a daily newspaper circulating in the municipal area in the weeks immediately preceding the event.”

The Council, at its meeting on 19 February 2007 (Minute No. 75/2007), included in the motion to approve the road closures for Targa, a condition that, “...future requests for road closures will be denied unless an annual, suitable ‘Targa event’, acceptable to the Council, is staged within the municipal area.”

The Council has received the following correspondence from the Clerk of Course, Targa Australia, which reads as follows:

“I wish to make application to council seeking in principal support of proposed road closures in connection with the international tarmac rally Targa Tasmania.

The event is scheduled to cover a statewide route from Monday 11th April to Saturday 16th April 2016, with all activities relating to the Central Coast municipality concentrated on Wednesday 13th April.

In accordance with the conditions of the Tasmania Police motor sport permits policy; I request approval in principal for the use and closure of the following roads for a maximum period of five and a half hours:

LEG THREE – WEDNESDAY 13 APRIL

MUNICIPALITY OF KENTISH AND CENTRAL COAST

‘CASTRA’	Road Closure: 10:52 – 16:22
ROAD CLOSED:	BETWEEN FOLLOWING ROADS:
Back Road	Wilmot Road and Spellmans Road
Spellmans Road	Back Road and Castra Road

MUNICIPALITY OF CENTRAL COAST

‘GUNNS PLAINS’	Road Closure: 11:12 – 16:42
ROAD CLOSED	BETWEEN FOLLOWING ROADS
Central Castra Road	Castra Road and Preston-Castra Road
Preston-Castra Road	Central Castra Road and Preston Road
Preston Road	Preston-Castra Road and Raymond Road
Raymond Road	Preston Road and Gunns Plains Road

MUNICIPALITY OF CENTRAL COAST AND CITY OF BURNIE

'RIANA'	Road Closure: 11:30 – 17:00
ROAD CLOSED:	BETWEEN FOLLOWING ROADS:
Lowana Road	Marshalls Bridge Road and South Riana Road
South Riana Road	Lowana Road and Upper Natone Road
Upper Natone Road	South Riana Road and Camena Road
Camena Road	Upper Natone Road and Stotts Road
Stotts Road	Camena Road and Wyllies Road

I confirm that as has been past practice, all residents effected by road closures will be contacted twice prior to the event, advising full details of the road closure and of the safety and emergency response plans.

This information will be distributed under contract by Australia Post to ensure the greatest level of coverage.

Additionally Targa will also contact a wide variety of organisations and individuals including schools, harvesting contractors, transport companies, milk companies, tourism authorities and tourism operators advising details of the route and road closures as well as place advertisements in the three major newspapers and provide information to localised newspapers.

Targa Tasmania will remain in contact with council to ensure minimum disruption to community and council plans further to confirming specific road closure times closer to the event.

Thank you in anticipation, should you require further information please do not hesitate to contact me."

Copies of maps provided with the correspondence are attached at Annexure 1.

DISCUSSION

Resealing works have recently been completed for two sections of the Targa course. The first is on Preston Road south of the intersection with Preston-Castra Road and the second is on South Riana Road between Pine Road and the Blythe River.

Council officers from the Infrastructure Services Department have met with Targa officials to discuss these sections and to determine if they may be more prone to damage by Targa vehicles due to the freshness of the seal. It was decided that the sections would most likely be acceptable to traffic but

that further inspection would be required closer to the event to confirm this. If it is decided that these sections cannot be included in a racing stage, there are other options available to Targa to change driver behaviour at those locations.

Roadworks are also occurring in Raymond Road to repair a failing embankment. The works are approximately 70% complete but are currently limited to the shoulder of the road. In order to ensure this does not affect Targa in this section it was agreed that the Council would complete the embankment stabilisation, but delay the sealing of the remaining width of the road until after the event. Whilst it is not preferred to leave a project prior to completion, it is at a convenient point to be able to do this with little effect on the project and it will ensure that no damage is done to our works during the Targa event.

The Council has received one representation.

A copy of the representation received is attached at Annexure 2. The representation mainly raised concerns regarding vehicles causing damage to road infrastructure and private property, and ensuring that property owners were notified, temporary repairs being carried out as soon as possible and permanent repairs being carried out to the satisfaction of owners, with the cost of all repairs to be met by Targa. Council staff have contacted the representor and discussed his concerns with him. As a result of that discussion the representor has advised that he would be happy with the Council to include, as part of the motion, the requirement that Targa agrees to uphold its commitment to works being undertaken in the event that Targa vehicles cause damage to roads and road infrastructure and by Targa vehicles crashing off the road onto private property.

The representation also advised of a section of slumped roadway near 220 Raymond Road which is believed to be a safety risk to competitors. Council staff have assessed this area and will be conducting repairs prior to the event.

Discussions were held with Targa officials as to a suitable 'Targa event', acceptable to the Council, to be staged within the municipal area. As this is an historic event, being the 25th running of the event, there has been pressure on Targa to revisit some of the historic stopovers that have featured in the past which has limited the holding of other 'Targa events'. Targa officials have advised however, that they will be holding a follow-up function for all volunteers across the area within Central Coast following the running of this year's event. Officials have been reminded that they need to consider

a major 'Targa event' within Central Coast as part of the running of the 2017 event.

The requested road closures in Central Coast area as follows:

Wednesday, 13 April –

from 10.52am to 4.22pm

- . Spellmans Road – from municipal boundary to Castra Road; and

from 11.12am to 4.42pm

- . Central Castra Road – from Castra Road to Preston–Castra Road;
- . Preston–Castra Road – from Central Castra Road to Preston Road;
- . Preston Road – from Preston–Castra Road to Raymond Road;
- . Raymond Road – from Preston Road to Gunns Plains Road; and

from 11.30am to 5.00pm

- . Lowana Road – from Marshalls Bridge Road to South Riana Road;
- . South Riana Road – from Lowana Road to Blythe River;
- . Camena Road – from Blythe River to Stotts Road;
- . Stotts Road – from Camena Road to Wyllies Road.

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

CONSULTATION

The Clerk of Course has advised that the notifications requested by the Council are in the process of being implemented.

One representation regarding the event was received by the Council following Targa's mail-out to affected residents.

RESOURCE, FINANCIAL AND RISK IMPACTS

The Engineering Group Leader advises as follows:

“The Council's roads are currently to a standard applicable to normal rural traffic only and are maintained accordingly.

Any damage to any of the roads used for the rally should be reinstated by the Council (or the Council's contractor) at the organiser's expense."

CORPORATE COMPLIANCE

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

The Shape of the Place

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

A Connected Central Coast

- Improve community well-being

Community Capacity and Creativity

- Cultivate a culture of creativity in the community

The Environment and Sustainable Infrastructure

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

CONCLUSION

It is recommended that no objection be offered to the requested road closures for Targa Tasmania 2016 and also subject to Targa Australia:

- 1 maintaining its standard organisational arrangements;
- 2 following this approval having been given by the Council, undertaking public notification of the event by a minimum of two advertisements in a daily newspaper circulating in the municipal area in the weeks immediately preceding the event;
- 3 meeting the cost of the Council reinstating any damage to any of the roads used for the Rally;
- 4 subject to Council approval, arranging for the repair of any road or road infrastructure damage within two weeks of the event;
- 5 arranging same-day repairs of any fences damaged during the Rally; and further,

- 6 that Targa Australia be advised that the Council's roads are currently to a standard applicable to normal rural traffic only and are maintained accordingly.'

The report is supported."

The Executive Services Officer reported as follows:

"Copies of the promoter's supporting information, together with a copy of the representation received have been circulated to all Councillors."

■ Cr Viney moved and Cr Tongs seconded, "That no objection be offered to the requested road closures for Targa Tasmania 2016, and also subject to Targa Tasmania:

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

Carried unanimously

INFRASTRUCTURE SERVICES

77/2016 Infrastructure Services determinations

Cr Bonde, having declared an interest, retired from the meeting and left the Chamber for that part of the meeting relating to the consideration, discussion and voting on the matter of 'Infrastructure Services determinations' at 6.30pm.

The Deputy Mayor assumed the Chair in the Mayor's absence.

The Director Infrastructure Services reported as follows:

"A Schedule of Infrastructure Services Determinations made during the month of February 2016 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities."

The Executive Services Officer reported as follows:

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

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

Carried unanimously

Cr Bonde returned to the meeting at this stage (6.30pm) and resumed the Chair.

ORGANISATIONAL SERVICES

78/2016 Contracts and agreements

The Director Organisational Services reported as follows:

“A Schedule of Contracts and Agreements (other than those approved under the common seal) entered into during the month of February 2016 has been submitted by the General Manager to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reported as follows:

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

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

Carried unanimously

79/2016 Correspondence addressed to the Mayor and Councillors

The Director Organisational Services reported as follows:

“PURPOSE

This report is to inform the meeting of any correspondence received during the month of February 2016 and which was addressed to the ‘Mayor and Councillors’. Reporting of this correspondence is required in accordance with Council policy.

CORRESPONDENCE RECEIVED

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

- . Email regarding letter of demand for flood damage to equipment at Ironcliffe Road.
- . Letter of thanks for the support of the Small Halls Project.
- . Letter regarding follow-up on non-compliance of driveway crossovers.
- . Email enquiring about relocating a water wheel to the turning circle at the Riana Recreation Ground.
- . Letter regarding stormwater washing road fill onto properties in Hull Street.
- . Letter requesting motions for the 2016 National General Assembly of Local Government.

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

Carried unanimously

80/2016 Common seal

The Director Organisational Services reported as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 16 February 2016 to 21 March 2016 is submitted for the authority of the Council to be given. Use of the common seal must first be authorised by a resolution of the Council.

The Schedule also includes for information advice of final plans of subdivision sealed in accordance with approved delegation and responsibilities.”

The Executive Services Officer reported as follows:

“A copy of the Schedule has been circulated to all Councillors. Draft Amendment 1/2016 approved at Minute No. 75/2016 is to be added to the Schedule.”

- Cr Downie moved and Cr Viney 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

81/2016 Financial statements

The Director Organisational Services reported as follows:

“The following principal financial statements of the Council for the period ended 29 February 2016 are submitted for consideration:

- . Summary of Rates and Fire Service Levies
- . Operating and Capital Statement

-
- . Cashflow Statement
 - . Capital Works Resource Schedule.”

The Executive Services Officer reported as follows:

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

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

Carried unanimously

82/2016 Budget reallocations for the year ending 30 June 2016 (177/2015 – 29.06.2015 and 235/2015 – 17.08.2015)

The Director Organisational Services reported as follows:

“The Engineering Group Leader has provided the following report:

‘PURPOSE

In accordance with the *Local Government Act 1993* Section 82 – Estimates, this report considers the reallocation of funding to the Hobbs Parade reconstruction project included in the 2015–2016 works program.

BACKGROUND

The *Local Government Act 1993* Section 82 – Estimates reads:

- “(1) The general manager must prepare estimates of the council's revenue and expenditure for each financial year.
- (2) Estimates are to contain details of the following:
 - (a) the estimated revenue of the council;
 - (b) the estimated expenditure of the council;
 - (c) the estimated borrowings by the council;
 - (d) the estimated capital works of the council;
 - (e) any other detail required by the Minister.
- (3) Estimates for a financial year must –
 - (a) be adopted by the council, with or without alteration, by absolute majority; and

-
- (b) be adopted before 31 August in that financial year; and
 - (c) not be adopted more than one month before the start of that financial year.
- (4) A council may alter by absolute majority any estimate referred to in subsection (2) during the financial year.
 - (5) A council may make adjustments to individual items within any estimate referred to in subsection (2) by a simple majority so long as the total amount of the estimate is not altered.
 - (6) A council, by absolute majority, may authorise the general manager to make minor adjustments up to specified amounts to individual items within any estimate referred to in subsection (2) so long as the total amount of the estimate is not altered.
 - (7) The general manager is to report any adjustment and an explanation of the adjustment at the first ordinary meeting of the council following the adjustment."

In accordance with subsection 5 above, this report makes recommendations for adjustments to individual items contained within the capital works section of the budget.

DISCUSSION

On 17 August 2015 (Minute No. 235/2015) adjustments were made to the capital estimates due to receipt of additional Roads to Recovery funding. The Hobbs Parade project was unchanged with a budget of \$300,000.

Councillors have been briefed on several design options for this project due to its significance as a major entrance way into the Ulverstone business district and Leven River Precinct. The preferred design option indicated at the Councillor Workshop conducted on 1 February 2016 had a preliminary estimated construction cost in the order of \$600,000.

The proposed adjustments to allow funding for this project are as follows:

LOCATION	CURRENT BUDGET \$	PROPOSED BUDGET \$	DIFFERENCE \$
Hobbs Parade	300,000	588,000	288,000
Victoria Street	184,000	–	–184,000
Crescent Street/Reibey Street/Kings Parade intersection	104,000	–	–104,000
<i>TOTAL</i>	<i>588,000</i>	<i>588,000</i>	<i>–</i>

This amount is deemed sufficient as detailed design since the time of the Workshop has indicated there is less drainage work than originally estimated.

Hobbs Parade is a project funded primarily from Roads to Recovery. Due to the larger than normal Roads to Recovery allocations this year it is important to ensure that these additional funds are expended. It is therefore proposed to reallocate the \$184,000 from the Victoria Street project, which includes a Roads to Recovery component of \$100,000, to the Hobbs Parade project. The funding this year was to undertake the first section of the project with further funding to be provided in 2016–2017. Consideration can now be given at the next Estimates meeting to funding the full project in the 2016–2017 financial year.

The Crescent Street/Reibey Street/Kings Parade intersection project is an “iconic project” due to its significance, e.g. “Queen’s Garden” and its location in the centre of Ulverstone. Formal engagement with the Central Coast community has not been possible as yet this financial year due to other projects, e.g. Nine Mile Road etc. All Council Works Teams are currently fully programed until the end of the financial year and so any work at the site would require a tender process to select a contractor. In view of this, the project is unlikely to be able to be undertaken in this financial year, i.e. the community engagement process, finalisation of design plans and tendering of the project would probably not be completed until the third quarter of 2016–2017. It would also not be in the public interest or the businesses of Ulverstone’s interest to have two construction projects affecting the main western route into the CBD at the same time. It is therefore proposed that the balance of the required funding is obtained by deferring the Crescent Street/Reibey Street/Kings Parade intersection project.

CONSULTATION

Consultation has been undertaken with Councillors at two workshops on 11 May 2015 and again on 1 February 2016 to discuss the allocation of additional funding. Further consultation with residents and the public in regard to the project will be undertaken as part of the project management and construction processes.

RESOURCE, FINANCIAL AND RISK IMPACTS

The impact of the changes on budgets is shown in the “Discussion” section of this report. In summary, the Crescent Street/Reibey Street/Kings Parade intersection and the Victoria Street project are recommended for deferral to fund the additional cost of Hobbs Parade.

CORPORATE COMPLIANCE

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

The Shape of the Place

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

A Connected Central Coast

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

The Environment and Sustainable Infrastructure

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

Council Sustainability and Governance

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

CONCLUSION

It is recommended the following proposed budget reallocations for capital funding for 2015–2016 be accepted and approved by the Council:

LOCATION	CURRENT BUDGET \$	PROPOSED BUDGET \$	DIFFERENCE \$
Hobbs Parade	300,000	588,000	288,000
Victoria Street	184,000	–	–184,000
Crescent Street/Reibey Street/Kings Parade intersection	104,000	–	–104,000
<i>TOTAL</i>	<i>588,000</i>	<i>588,000</i>	<i>–</i>

The report is supported.”

- Cr Broad moved and Cr Viney seconded, “That the capital budget reallocations of:

LOCATION	CURRENT BUDGET \$	PROPOSED BUDGET \$	DIFFERENCE \$
Hobbs Parade	300,000	588,000	288,000
Victoria Street	184,000	–	–184,000
Crescent Street/Reibey Street/ Kings Parade intersection	104,000	–	–104,000
<i>TOTAL</i>	<i>588,000</i>	<i>588,000</i>	<i>–</i>

for the 2015–2016 financial year be accepted and approved.”

Carried unanimously

83/2016 Public question time

The time being 6.38pm, the Mayor introduced public question time.

The Mayor advised that two written questions were received prior to the meeting. First addressing the written questions received, the Mayor read out the following questions and the responses.

Mr Lionel Bonde:

Question 1 –

“Can I have a breakdown listing all individual charges to the Ulverstone Show Society that makes up the \$3,500 and similar listings of all individual charges to the Rodeo ground and Anzac Park for the Festival?”

Response –

“The fees charged to the Ulverstone Show are broken down as follows:

. Ulverstone Showground hire	\$1,600 (as per Fees and Charges register and is also discounted by at least 50% on the individual ground hire fees)
. Stadium 1 hire	\$1,400 (as per Fees and Charges register)
. Set-up of carpet (setting up the carpet floor covering and packing away	\$500
<i>Total</i>	<i>\$3,500</i>

These charges have been discussed with the Ulverstone Show Society to which they have agreed as reasonable.

Batten Park –

Batten Park is leased to the Ulverstone Rodeo Committee who meet all of the costs for running the rodeo and any other events at the ground.

Festival in the Park –

The Council makes Anzac Park available for the Rotary Clubs as in-kind support for the event, on the basis that profits made from the event will be returned to the community. Over the past five years the event has contributed at least \$26,339 towards the cost of additional seating and play equipment within Anzac Park alone. The Festival in the Park Committee is responsible for all the operating costs (including power) and set-up and clean-up costs for the event. Anzac Park is not hired out to specific groups so there is not an opportunity cost to the Council in lost revenue.”

Question 2 –

“What action will you take to ensure any future major developments do not blowout or exceed the estimates as has happened so many times in the past and has been such a huge financial loss?”

Response –

“As with all major projects, the Council staff undertake a debrief at the end of the project to discuss any issues with the project and how we may be able to make improvements for the next project.

When projects go over budget, the Councillors are provided with advice as to what happened and why the project may have gone over, and what we could do differently.

It should be noted that the Estimates are subject to final design and also can be subject to unknowns that are not evident until work has commenced.

I have full confidence in the process that is currently undertaken.”

There being no further written questions, the Mayor invited questions from the floor.

Miss Leah Howard asked:

Question 1 –

“Does the Council intend to open a silage wrapper drop off point at the Preston tip?”

Question 2 –

“Is the Council aware of the rubbish on the sides of the road between Gawler and Preston?”

Response –

“In respect of the silage wrapper drop off point, the Council will have a look at this matter, we are aware that there is a company that provides drop off points at farms or within communities.

The Council is aware of litter on roadsides and it is a constant education program to ask people not to litter. In the past, groups have ‘adopted’ roads to aid with clean ups of particular areas, and staff do go out and collect large amounts of rubbish when they are able. This is difficult from a budget point of view and getting staff

out there because of the volume of rubbish. It is up to the whole community to ensure we don't litter roadsides."

Miss Allie Bloom asked:

Question 1 –

"Why does the Council rezone country areas and not let people know?"

Response –

After seeking further information from Miss Bloom to clarify the question, the Mayor responded that she was unable to answer the question at this time and a response will be forward in writing.

Mr Darryl Barker asked:

Question 1 –

"Have the ratepayers who submitted ideas on improving Johnsons Beach area been consulted as was promised by Council staff and will Council consider opening up closed areas for overflow car parks and if so, where do they get the key? There is mini Olympics on this evening and has enough car parking been made available for the Christmas Parade when that is run?"

Response –

"I am unable to answer the question at this time and a response will be provided in writing."

Question 2 –

"Does the Council control the foreshore area at Johnsons Beach? If not, who does? There is a 20 metre dead tree half buried on the beach and is a danger to the public. There are also still hundreds of polystyrene pieces around the boat ramp and the beach which came from the Hiscutt Park weir."

Response –

"I am unable to answer this question at this time and a response in writing to both your questions will be provided."

Questions and replies concluded at 6.49pm.

Prior to moving into Closed session, the Mayor gave a brief outline of the role of Councillors and the Council within the community for the benefit of the Venturers and Scouts present.

CLOSURE OF MEETING TO THE PUBLIC

84/2016 Meeting closed to the public

The Executive Services Officer reported as follows:

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

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

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

- . Confirmation of Closed session minutes; and
- . Minutes and notes of other organisations and committees of the Council.

These are matters relating to:

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

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

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

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

- . Confirmation of Closed session minutes; and
- . Minutes and notes of other organisations and committees of the Council.”

Carried unanimously and by absolute majority

The Executive Services Officer further reported as follows:

“1 The *Local Government (Meeting Procedures) Regulations 2015* provide in respect of any matter discussed at a closed meeting that the general

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

- 2 While in a closed meeting, the council is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.
- 3 The *Local Government Act 1993* provides that a councillor must not disclose information seen or heard at a meeting or part of a meeting that is closed to the public that is not authorised by the council to be disclosed.

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

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

The meeting moved into Closed session at 6.57pm.

85/2016 Confirmation of Closed session minutes

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

“The Closed session minutes of the previous ordinary meeting of the Council held on 15 February 2016 have already been circulated. The minutes are required to be confirmed for their accuracy.

...

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

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

(i) the fact that the matter was discussed at the closed meeting; and

(ii) a brief description of the matter so discussed –

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

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

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

GENERAL MANAGEMENT

86/2016 Minutes and notes of other organisations and committees of the Council

The General Manager reported (reproduced in part) as follows:

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

...

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

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

(i) the fact that the matter was discussed at the closed meeting; and

(ii) a brief description of the matter so discussed –

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

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

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

Closure

There being no further business, the Mayor declared the meeting closed at 7.07pm.

CONFIRMED THIS 18TH DAY OF APRIL, 2016.

Chairperson

(Imm:lb)

Appendices

- Minute No. 72/2016 – Dulverton Regional Waste Management Authority Rules (proposed amendments)
- Minute No. 73/2016 – Schedule of Statutory Determinations
- Minute No. 75/2016 – Combined application for a Planning Scheme Amendment and Development Application at Ironcliffe Road, Penguin – Application No. DA215101
 - TasWater Submission to Planning Authority Notice – Reference No. TWDA 2016/00268-CC
 - Statement of Compliance from Road Authority and Stormwater Authority
 - Amendment 1/2016
- Minute No. 77/2016 – Schedule of Infrastructure Services Determinations
- Minute No. 78/2016 – Schedule of Contracts & Agreements
- Minute No. 80/2016 – Schedule of Documents for Affixing of the Common Seal
- Minute No. 81/2016 – Financial statements

QUALIFIED PERSON'S ADVICE

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

- . A general manager must ensure that any advice, information or recommendation given to the council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
- . A council is not to decide on any matter which requires the advice of a qualified person without considering such advice unless the general manager certifies in writing that such advice was obtained and taken into account in providing general advice to the council.

I therefore certify that with respect to all advice, information or recommendation provided to the Council within these minutes:

- (i) the advice, information or recommendation was given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
- (ii) where any advice was directly given by a person who did not have the required qualifications or experience that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.



Sandra Ayton
GENERAL MANAGER

Associated Reports And Documents

CENTRAL COAST COUNCIL

I certify that this is the Dulverton Regional
Waste Management Authority Rules
(proposed amendments).....referred to in
Minute No. 72/2016 of a meeting of the
Council held on 21/03/2016



Executive Services Officer

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DULVERTON REGIONAL WASTE
MANAGEMENT AUTHORITY

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

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RULES

As adopted on 1 September 2016

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DULVERTON REGIONAL WASTE MANAGEMENT
AUTHORITY RULES

PART 1 - PRELIMINARY

1. Title

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

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2. Name

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

3. Interpretation

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

- ~~‘Act’~~ means the *Local Government Act 1993 (Tas)* ~~3~~;
- ~~‘aftercare fund’~~ means a fund for long term aftercare management of a landfill site;
- ~~‘aftercare funding plan’~~ means a financial plan accounting for all known assets and liabilities relating to the landfill at the current date and at the estimated landfill closure date articulating the proposed financial path and addressing any gap between assets and liabilities;
- ~~‘aftercare management’~~ is the management of ~~the a landfill site~~ Site ~~that has been used for landfill~~ to avoid environmental harm after ~~the that s~~ Site has been closed as an active landfill and until such time as ~~the that s~~ Site is deemed to pose no further potential environmental harm;
- ~~‘AGM’~~ means an annual general meeting of the ~~reps~~ Representatives ~~meeting~~ held in accordance with ~~rule~~ Rule 12;
- ~~‘Authority’~~ means the Dulverton Regional Waste Management Authority;
- ~~‘Board’~~ means the *Board of directors* appointed by the *representatives*;
- ~~‘chair’~~ means the chair of the *Board*;

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- **‘chief representative’** means the chair of the *representatives* and where the context permits, refers to the person chairing the relevant ~~reps~~ *Representatives’ meeting*;
- **‘CEO’** means the chief executive officer of the *Authority*;
- **‘closure date’** is the date when the *landfill* is closed such that waste is no longer deposited at the ~~site~~ *Site*;
- **‘Corporations Law’** means the Corporations Law of Tasmania ~~and the~~ *Commonwealth*;
- **‘Council’** means a council established under section 18 of the *Local Government Act, 1993*;
- **‘councillor’** means an elected member of a *participating council*;
- **‘deputy chief representative’** means the deputy chair of the *representatives*;
- **‘director’** means a member of the *Board* and includes the *chair*;
- **‘DWM Policies and Procedures’** means the *Dulverton Waste Management policies and procedures that are adopted from time to time*;
- **‘environmental harm’** has the same meaning it does in section 5 of the ~~*Environmental Management and Pollution Control Act 1994 (EMPCA)*~~;
- **‘EMPCA’** means the *Environmental Management and Pollution Control Act 1994 (Tas)* as amended from time to time;
- **‘financial ratio’** means the ~~proportion which the population of the municipal area of each participating council bears to the total population of the Mersey Leven Region where such populations are as shown in the latest available “Estimated Residential Population” published by the Australian Bureau of Statistics~~ following equity ratio:

<u>Owner Council</u>	<u>Equity Share</u>
<u>Devonport City Council</u>	<u>43.45%</u>
<u>Central Coast Council</u>	<u>36.82%</u>
<u>Latrobe Council</u>	<u>11.25%</u>
<u>Kentish Council</u>	<u>8.48%</u>

- **‘general manager’** means a general manager of the *participating councils*;

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~~‘landfill site’ is all land owned by the Authority for the purpose of management and disposal of waste;~~

▪ ‘Mersey-Leven Region’ means the municipal areas of the *participating councils*;

~~‘participating council’ means a council which is a member of the Authority;~~

▪ ~~‘rehabilitation’ is the capping and vegetation of landfill waste cells as they are filled;~~

▪ ~~‘rehabilitation fund’ means a fund for rehabilitation;~~

▪ ‘representative’ means a person appointed by a *participating council* to represent it on the *Authority* and includes a substitute appointed under ~~rule~~ Rule 9(4);

▪ ‘representatives’ means the *representatives* acting together at a ~~reps~~ Representatives’ meeting;

▪ ‘~~reps~~ Representatives’ meeting’ means a meeting of *representatives*;

▪ ‘Rules’ means these rules as amended from time to time;

▪ ‘Treasurer’ means the Treasurer for the State of Tasmania;

▪ ‘special resolution’ means a resolution of the *representatives* complying with Rule 22;

▪ ‘Site’ is all land owned by the *Authority* for the purpose of landfilling, composting, leasing to other entities or any other like use;

▪ ‘Statute’ means an Act, Regulation or By-law whether made by the State of Tasmania or the Commonwealth of Australia or by any *participating council*;

~~‘waste’ includes:~~

(1) ~~garbage, rubbish and refuse of any description; and~~

(2) ~~bi-products of any industrial process; and~~

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~~(3) any material normally disposed of at, treated in or otherwise dealt with at municipal or commercial waste land fill or similar sites in Australia;~~

- ~~▪ but does not include human sewage any product or material allowed by the current landfill and compost Environmental Protection Notice as amended from time to time.;~~

- (2) These ~~rules~~ Rules are to be interpreted in accordance with the Acts Interpretation Act unless the contrary intention appears.

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PART 2 - FUNCTIONS AND POWERS

4.

4. Function

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

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industrial or regional nature (whether or not the region so considered is limited to the *Mersey-Leven Region*).

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

5. Powers of the Authority

- (1) In performing its functions, the *Authority* may do anything:
 - (a) which the *Act* authorises a joint authority to do; and
 - (b) which the *Act* authorises a council to do with respect to the functions of a council, (including the making of by-laws in accordance with Part 11 of the *Act*) excepting those things which the *Act* stipulates are not provided for in the rules of a joint authority; and
 - (c) which a *participating council* is empowered to do under any *Statute* with respect to the functions in ~~rule~~Rule 4 which a *participating council* could otherwise perform; and
 - (d) which the *Authority* is otherwise empowered to do either specifically or generally under any *Statute*.

~~(2)~~ Without the prior approval of a majority of the *participating councils* the *Authority* must not:

~~(a) (2)~~ acquire any land which it did not own as at the 1st January 2005; ~~or,~~

~~(b)~~ use any land for the purposes of a licensed ~~waste disposal land fill~~ that is not owned by it as at the 1st January 2005.

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6. ~~6.~~ **Core Activities**

(1) The provisions of ~~rules~~ **Rules** 4 and 5 are enabling provisions. Nothing in those ~~rules~~ **Rules** requires the *Authority* to undertake or perform any of those functions or powers.

~~(2)~~ The core activities of the *Authority* are the management of waste ~~which is:~~

~~(a) generated within the Mersey-Leven Region; and~~

~~(b)(2) solid inert material, putrescible waste, fill material and low level contaminated soil (as all those terms are defined or explained in “Landfill Sustainability Guide 2004” published by the Environmental Division of the Department of Primary Industries Water & Environment in September 2004);.~~

~~(3)~~ Until determined to the contrary under ~~rule~~ **Rule** 6(4) the *Board* may only perform the functions and exercise the powers of the *Authority* with respect to:

~~(a)(3) the core activities of the *Authority*; and.~~

~~(b) waste that the Board of the Authority has agreed to accept and continue to accept prior to the commencement date defined in Schedule 5 that is not waste that comes within the core activities.~~

(4) The *Board* may perform such functions and exercise such powers of the *Authority* that are not core activities if:

(a) the *representatives* authorise that specifically or generally by special resolution; or

(b) the strategic plan or annual plan clearly includes it.

(5) Any act, transaction, agreement or resolution of the *Board* or any other thing which is within the *Authority's* functions or powers under ~~rules~~ **Rules** 4 and 5 is not rendered invalid because it is outside the functions or powers of the *Board* specified by or in accordance with ~~rule~~ **Rule** 6(2) to 6(4).

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PART 3 – MEMBERSHIP AND FINANCIAL CONTRIBUTIONS

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7. Members and Contributions

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

8. Withdrawal

- (1) Subject to any requirements of the *Act*, a *participating council* may only withdraw from membership of the *Authority* if it gives notice to the *CEO* of its intention to withdraw at least 3 months prior to the commencement of the financial year at the end of which it wishes to withdraw.
- (2) If a *participating council* has given notice under subrule (1), it may cancel that notice by further notice to the *CEO* at any time before its withdrawal becomes effective.
- (3) A withdrawal from membership becomes effective on the expiration of a notice given under subrule (1).
- (4) A council which has withdrawn from the *Authority*:
 - (a) remains liable to pay all amounts due by it to the *Authority*; and
 - (b) remains bound by ~~rules~~Rules 54(5) and (6) and 55(5).
 - (c) is not entitled to any payment with respect to any interest it may have in the *Authority's* assets.

- (5) All property and assets owned or controlled by the *Authority* including those located within the municipal area of a council which has withdrawn from the *Authority* remain the property of or under control of the *Authority* unless they are purchased from or otherwise transferred by the *Authority* to that council.

9. Representatives

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

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- (b) appoint 2 persons as *representatives*, one of whom may be the administrator.

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PART 4 - MEETINGS AND POWERS OF REPRESENTATIVES

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10. Convening of ~~Reps~~Representatives' Meetings

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

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11. Notice of ~~Reps~~Representatives' Meeting

- (1) The *CEO* is to give to the:
- (a) *representatives*; and
 - (b) *general managers*; and
 - (c) *directors*;
- at least:
- (d) 14 days' notice in writing of the *AGM* or of a ~~reps~~Representatives' meeting which includes a matter which requires a *special resolution*; and
 - (e) at least 4 days' notice in writing of any other ~~reps~~Representatives' meeting.
- (2) The notice is to specify the place, the day, and the hour of the meeting and the general nature of the business to be transacted at the meeting.

- (3) Even if no notice is given under subrule (1)(b) and (c) the *representatives* may by resolution passed or signed by all of them waive the requirement for notice of a ~~reps~~*Representatives*’ meeting other than an *AGM*.

12. AGM

- (1) An *AGM* must be held in every year before the end of November.
- (2) The *AGM* is to:
- (a) receive and consider the accounts and reports of the *Board*; and
 - (b) Bi-annually elect the *chief representative* and deputy *chief representative* which representatives shall hold such position as determined in accordance with Rules 18(4) and 18(5).
- (3) The *AGM* may transact any other business specified in the notice of the meeting.
- (4) *Councillors* and the employees of a *participating council* and *directors* and employees of the *Authority* may attend any *AGM* but are not entitled to vote.
- (5) The *chief representative* is to provide a “question time” during which persons entitled to be present may ask questions of the *representatives*, the *Board* or the *CEO*.

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13. Representatives’ Powers and Duties

The *representatives* have powers and duties:

- (a) with respect to the matters which require a *special resolution*; and
- (b) to review the performance of the *Board* and the individual *directors* at least once in each 3-2 years and not less than 3 months prior to commencing any director recruitment process; and
- (c) in accordance with Part 6 of these Rules with respect to:

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- (i) the appointment of *directors*; and
- (ii) the setting of terms of office of *directors*; and
- (iii) the setting of remuneration of *directors*; and
- (iv) the suspension and dismissal of *directors*; and
- (d) to approve the *Authority*'s strategic plan, annual plan and budget under Schedule 2; and
- (e) to appoint the auditor in accordance with Rule 43 and with respect to all matters reasonably incidental to that appointment; and
- (f) to set their requirements for reporting to them by the *Board*; and
- (g) The *representatives* may consider the admission of other Councils as members of the *Authority* and hold discussions with such other Councils concerning such membership and make a recommendation to the ~~p~~Participating ~~C~~Councils as to another Council or Councils becoming a member of the *Authority*.

14.

14. Policies and Guidelines

- (1) The *representatives* may by special resolution establish any policy for any process or other matter with respect to their exercise of any of their powers and duties listed in ~~rule~~Rule 13.
- (2) In establishing any policy the *representatives* must obtain the advice of the *CEO* and, where the *CEO* certifies that it is required, the advice of an appropriately qualified person who is not an employee of the *Authority*.
- (3) The *representatives* may revoke or amend any policy in the same manner and required by subrules (1) and (2).
- (4) The *representatives* may establish, revoke or amend any guidelines for any process or other matter to be considered by them.
- (5) In establishing any guideline the *representatives* may obtain the advice of the *CEO* or any other appropriately qualified person.

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- (6) The *representatives* are to comply with any policy or guideline but their failure to do so will not invalidate any decision.

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PART 5 - PROCEEDINGS OF ~~REPS~~REPRESENTATIVES' MEETINGS

15.

~~15.~~ Attendance at ~~Reps~~Representatives' Meetings

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

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16.

~~16.~~ Quorum of Representatives

- (1) The quorum at a ~~reps~~Representatives' meeting is:
 - (a) ~~a half of the number~~majority of the *representatives* who may be appointed under ~~rule~~Rule 9(1); and

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- (b) ~~a~~ majority of *participating councils* represented by at least one *representative* on their behalf.

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- (2) A ~~reps~~*Representatives*' meeting may only transact business if a quorum is present while that business is being considered.

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17.

~~17.~~ Quorum Not Present

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

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18.

~~18.~~ Chair of ~~Reps~~*Representatives*' Meeting

- (1) The *chief representative* is entitled to chair every ~~reps~~*Representatives*' meeting.

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(2) The deputy *chief representative* may chair any ~~reps~~*Representatives*’ meeting or part of it if:

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(a) the *chief representative* is not present at the specified time for holding the meeting; or

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(b) the *chief representative* is present but is unwilling to chair the meeting or part of the meeting.

(3) If both the *chief representative* and deputy *chief representative* are absent or unwilling to chair a ~~reps~~*Representatives*’ meeting or part of a meeting, the *representatives* are to choose a *representative* to chair the ~~reps~~*Representatives*’ meeting or that part of it.

(4) The *chief representative* and deputy *chief representative* hold office until the end of the ~~next~~*second* annual AGM after their appointment unless the *representatives* by *special resolution* terminate either or both appointments.

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(5) Despite Rule 18(4), the *representatives* may by *special resolution* dismiss a *chief representative* or deputy *chief representative* from office if the *representatives* consider it in the best interests of the Authority or the *participating councils* to do so.

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19. Voting at ~~Reps~~*Representatives*’ Meetings

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(1) Each *representative* is entitled to one vote at a ~~reps~~*Representatives*’ meeting.

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(2) The *chief representative* has a deliberative vote only.

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(3) Unless otherwise specified in these ~~rules~~*Rules*, a question arising at a ~~reps~~*Representatives*’ meeting is determined by a majority of the *representatives* present whether or not they vote.

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- (4) If a vote is tied, the resolution is lost.
- (5) A vote is to be taken in the manner the *chief representative* directs.

20.

20. Declaration of Vote at ~~Reps~~Representatives' Meetings

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

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21. Resolution in Writing

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

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22.

22. Special Resolution of Representatives

- (1) A *special resolution* is passed if:
 - (a) notice of the matter has been given in accordance with ~~rule~~*Rule* 11 ~~at least 14 days before the reps' meeting; or~~ and

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(a) _____

- (b) it is passed by a majority of the *representatives* (whether or not they are all present and vote) which majority of *representatives* between them represent a majority of the *participating councils* and at least one representative from each Council represented at the *Representatives' meeting* (whether or not all the *participating councils* are represented at that ~~reps~~*Representatives'* meeting by a *representative* who is present).

(2) A *special resolution* is required for the:

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- (a) appointment of the *chair* and other *directors* (~~rule~~*Rule* 24(2)); or
- (b) termination, suspension or other changes to the terms of appointment of a *director* prior to the end of their term of appointment (~~rules~~*Rules* 26 & 27); or
- (c) approval of the *Authority's* strategic plan, annual plan or budget when there is a dispute with the *Board* (Schedule 2 Clause 2.4); or
- (d) appointment of a person to wind up the *Authority* (~~rule~~*Rule* 54); or
- (e) termination of office of *chief representative* or deputy *chief representative* (~~rule~~*Rule* 18(4)); or
- (f) deletion or variation of the requirements of the annual report (~~rule~~*Rule* 44(3)); or
- (g) any other ~~rule~~*Rule* which requires a *special resolution*.

23.

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23. Validity of Proceedings of ~~Reps~~*Representatives'* Meetings

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

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

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PART 6 - THE BOARD

~~24.~~

~~24.~~ Appointment of Directors

(1) The *Board* consists of at least 3 and no more than 7 *directors*, one of whom is the *chair*.

~~(3)~~ ~~(2)~~ The *representatives* are by *special resolution* to appoint the *chair* and other *directors* of the *Board*.

(3) When appointing the *chair* and other *directors*, the *representatives* are to:

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

(4) A *director* whose term has just expired is eligible for appointment for another term.

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25. Eligibility for Appointment as Director

- (1) A person must not be both a *representative* and a *director*. ~~If A~~ *representative is* appointed as a *director* ~~that representative~~ must resign their appointment as a *representative* before accepting appointment as a *director*.
- (2) The *representatives* are not to appoint to the *Board* a person who:
 - (a) is a *councillor* or employee of a ~~participating Council~~ *council*; or
 - (b) under the *Corporations Law* of any State is not entitled to manage a corporation or has been disqualified by Court order from managing a corporation; or
 - (c) is suspending payment generally to creditors or compounding with or assigning his or her estate for the benefit of the creditors; or
 - (d) is of unsound mind or is a patient under a law relating to mental health or whose estate is administered under laws relating to mental health; or
 - (e) has been dismissed from office under ~~rule~~ *Rule* 27.

~~(e)~~ **26.**

26. Suspension of Directors

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

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~~(2)~~ 27.

27. Dismissal of Directors

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

27A. Process for Discipline of Director

(1) The representatives may not make a resolution under Rule 26(1) or 27(1) unless they have first complied with Rules 27A(2) and 27A(3).

(2) Where the representatives consider that there is prima facie evidence of conduct by a director that requires the action considered in Rule 26(1) or Rule 27(1), the representatives shall, as soon as practicable, cause a notice to be given to the director:

- (a) setting out the substance of that evidence and breach constituted by it;
- (b) stating that the director may address the representatives with reference to the notice and its contents at a meeting;
- (c) stating the date, place and time of that meeting being not earlier than two (2) days and not later than seven (7) days after the giving of the notice; and
- (d) informing the director that the director may do either of the following:

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- (i) attend and speak at that meeting;
 - (ii) submit to the representatives at or prior to the date of the meeting written representations relating to the resolution.
- (5) Where the *representatives* make a resolution under Rule 26(1) or Rule 27(1) the *representatives* shall, within seven (7) days thereof, by written notice, inform that *director* of that resolution and of the *director's* right of appeal under Rule 27A(7).
- (6) A resolution by the *representatives* under Rule 26(1) or Rule 27(1) does not take effect:
 - (i) until the expiration of the period in which the *director* is entitled to appeal against the resolution where the *director* does not exercise the right of appeal within that period; or
 - (ii) where within that period the *director* exercises the right of appeal, unless and until the *representatives* confirms the resolution in accordance with Rule 27A(11).
- (7) A director may appeal to the representatives against a resolution under Rule 26(1) or Rule 27(1) within seven (7) days after the notice of the resolution is given to the director by lodging with the chief representative a notice to that effect.
- (8) The available grounds of appeal are:
 - (i) where a decision is wrong having regard to the application of the relevant rule, regulation, policy or laws or where new evidence becomes available; or
 - (ii) where natural justice has been denied.
- (9) On receipt of the notice under rule 27A(7) the chief representative shall convene a representatives' meeting to be held within 21 days after the date on which the chief representative received the notice or as soon as possible after that date.
- (10) At the representatives meeting held in accordance with rule 27A(9):
 - (i) no business other than the question of the appeal shall be transacted;
 - (ii) the representatives and the director shall have the opportunity to make representations in relation to the appeal orally or in writing, or both; and

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(iii) after receiving the representations made under Rule 27A(10)(ii), the representatives shall vote on the question that the resolution made under Rule 26(1) or Rule 27(1) be confirmed.

(11) The resolution made under Rule 26(1) or Rule 27(1) is revoked unless confirmed by Rule 27A(10)(iii).

(12) Where there is any inconsistency or conflict between this Rule 27A and the Act, the Act prevails to the extent of the inconsistency or conflict.

28.

28. Vacation of Office of Director

The office of a *director* becomes vacant:

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

29.

29. Remuneration of Directors

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

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~~30.~~

~~30.~~ Travel and Other Expenses of Directors

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

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~~31.~~

~~31.~~ Functions and Powers of the Board

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

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~~32.~~

~~32.~~ The Duties of the Board and Directors

(1) The *Board* is to direct the affairs of the *Authority* in a manner consistent with:

- (a) the *Authority's* strategic plan, annual plan and budget; and
- (b) the requirements of the corporatisation model for government business enterprises referred to in the Competition Principles Agreement made between the Commonwealth, the States and the Territories as amended from time to time.

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~~(2) — Clause 2.6 of Schedule 2 applies as if it refers to subrule (1).~~

~~(32)~~ Except as otherwise provided in these ~~rules~~Rules or the *Act*, in the exercise of their functions and powers:

- (a) each *director* has the same duties and is to exercise the same degree of care, diligence and good faith as a director of a corporation subject to the *Corporations Law*; and
- (b) the *director* must not do anything which the *Corporations Law* provides that a director of a corporation subject to that law must not do.

- (43) *Directors* may rely on information and advice in the same manner as a director of a corporation subject to the *Corporations Law*.

~~33.~~

~~33.~~ Notifying Representatives of Adverse Developments

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

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

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34. Board Proceedings

Schedule 3 applies to meetings of the *Board*.

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35. Board Committees

- (1) The *Board* may establish committees as it considers appropriate and delegate to those committees the functions and powers the *Board* considers appropriate.
- (2) A committee may be comprised entirely of persons who are not *directors*.

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- (3) If the *Board* does not direct the manner in which a committee conducts its business, the committee may determine that method.

- ~~(3)~~(4) The *Board* may discontinue any established committee as it considers appropriate.

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PART 7 - CEO AND EMPLOYEES

36. CEO

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

37. Delegations of Power by the CEO

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

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PART 8 – FINANCE, ACCOUNTS AND AUDIT

38. Financing of Authority's Activities

- (1) The expenses incurred by the *Authority* are to be met or defrayed out of the *Authority's* funds raised as follows:
 - (a) fees charged by the *Authority* for any service or facility provided by the *Authority*, including those fees charged to the *participating councils*; and
 - (b) revenue of any other nature received by the *Authority*; and
 - (c) loans made by the *participating councils* to the *Authority* with the prior written consent of all the *participating councils* which loans must be contributed by the *participating councils* in proportion to the *financial ratios*; and
 - (d) the financial contributions as the *participating councils* from time to time unanimously agree to contribute in proportion to the *financial ratios*;
 - ~~(d)~~(e) loans taken by the *Authority* from any financial institution with the authorisation of the *representatives*; and
 - ~~(e)~~(f) any other method of raising funds that is permitted to councils under section 73(b) to (i) of the *Act*.
- (2) ~~Unless the Authority shall not~~ ~~notifies the participating councils to the contrary,~~ ~~require each any participating council to, must within 30 days of receiving the same, pay return~~ to the *Authority* ~~by way of capital contribution, an amount equal to:~~
 - (a) any dividend paid by the *Authority* to the *participating council*; and
 - (b) the net amount of any income tax equivalent or guarantee fee paid to the *participating council* by the *Treasurer* or comptroller in accordance with section 39C of the *Act*.
- (3) The Board is to make full provision for ~~the aftercare management, ongoing rehabilitation of each waste cell as filled and the future long term aftercare management of the landfill site once it ceases to be an active landfill. To do so:~~
 - ~~(a) The Board is to fund periodic rehabilitation of the land fill site;~~

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- (~~ba~~) Each year the *Board* must determine an amount that it reasonably believes is necessary ~~for the long term aftercare management of the site in accordance with the aftercare funding plan;~~
- (~~eb~~) The amount determined in ~~Clause Rule 38-3(3)(ba) is to be paid into is to be paid into a reserve fund called the “Aftercare fFund” and thereafter used only for the long term aftercare management of the landfill site;~~
- (~~ec~~) The *Board* is to determine the closure date at least ~~two-ten (210)~~ years prior to the ~~Handfill Site~~ ceasing to be an active landfill and upon doing so, develop a closure plan to the satisfaction of the ~~Representatives representatives~~ for the discharge of funds from the ~~a “Aftercare fFund”;~~
- (~~ed~~) The *Authority* may borrow against ~~the the a “Aftercare fFund”~~ at the then Tascorp borrowing rate for landfill capital projects provided that:
- (i) The *Authority* is solvent;
 - (ii) ~~The total funds being loaned from the accumulated aftercare fund are approved by the representatives; and Total borrowings are to be less than 50% of the accumulated “Aftercare Fund”;~~
 - (iii) All borrowings, including all accumulated interest, are repaid not later than two (2) years before the planned *closure date*.
- (~~e~~) The *Authority* may lend to any *participating council* funds from the ~~aftercare fund provided that:~~
- A. ~~The participating council is solvent;~~
 - B. ~~The total funds being loaned from the accumulated aftercare fund are approved by the representatives; and~~
 - C. ~~All loaned funds, including interest, are to be repaid not later than two (2) years before the planned closure date.~~
- (4) ~~If the Board determines that the Authority’s budget will not otherwise be sufficient to ensure proper and sufficient reserves as required by subclause (3), it is to give written notice to all participating councils requiring them to pay to the Authority the amount so required in proportion to their financial ratio.~~
- (5) ~~The participating councils must promptly pay to the Authority any amount required under subclause (4).~~
- (6) ~~The Authority is to place all amounts it receives under sub-clauses (2) and (5) for the aftercare fund in-to a reserve the aftercare fund for the environmental~~

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~~management, remediation and maintenance of waste cells after their active life has finished~~ in accordance with the *aftercare management plan*.

(7) The *Board* is to make full provision for *rehabilitation*. To do so:

(a) Each year the *Board* must determine an amount that it reasonably believes is necessary for *rehabilitation*;

(b) The amount determined in Rule 38(7)(a) is to be paid into the *rehabilitation fund*.

~~(6)~~

39. Investments

The *Authority* may only invest money ~~;~~

~~(a)~~ in a manner in which a trustee is authorised by law to invest trust funds ~~;~~ ~~or~~

~~(b)~~ in any other investment which the *Treasurer* approves.

40. Borrowing

(1) The *Board*, for the purpose of raising a loan or obtaining any form of financial accommodation, may decide to provide any of the following forms of security:

(a) ~~;~~ debentures;

(b) ~~;~~ bills of sale, mortgages or other charges;

(c) ~~;~~ inscribed stock;

(d) ~~;~~ guarantees;

(e) ~~;~~ any other document evidencing indebtedness other than bearer instruments.

(2) The *Authority* may not raise a loan in any financial year exceeding any amount the *Treasurer* determines for that financial year.

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- (3) In this ~~rule~~Rule, 'loan' includes any financing arrangement as determined by the *Treasurer*.

41. Accounting Records

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

- (a) allows true and fair accounts of the *Authority* to be prepared from time to time; and
- (b) allows the accounts of the *Authority* to be conveniently and properly audited or reviewed; and
- (c) complies with ~~Australian Accounting Standards as defined in section 84(4) of the Act~~ generally accepted Australian accounting practices.

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42. Financial Statements

Within ~~90 days after the end of the financial year~~ the time prescribed by the Tasmanian Audit Office, the *Board* is to prepare the financial statements of the *Authority* relating to that financial year including:

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

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43. Audit

- (1) The accounts and financial reports of the *Authority* are subject to the Financial Management and Audit Act 1990.

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

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44. Annual Report

- (1) Before the end of ~~October~~ November in each year the *Board* is to prepare an annual report for the last financial year.

(2) The annual report is to include the following information and documents:

- (a) the current statement of the contents of the strategic plan referred to in Schedule 2 clause 2.1(4) and the achieved outcomes; and
- (b) the financial statements of the *Authority* for the financial year to which the annual report relates; and
- (c) a copy of the opinion of the auditor in respect of the financial statements; and
- (d) reports of the *chief representative* and the *chair*; and
- ~~(g)(e)~~ performance targets achieved; and
- ~~(h)(f)~~ any other matter required by the *Act*; and
- ~~(g)(h)~~ any other matter as directed by the *representatives*.

(3) The *representatives* may by *special resolution* delete all or any part of the requirements of subrule (2)(a) and (e), unless that is contrary to the *Act*.

(4) The Annual Report must be submitted to the participating councils in accordance with Section 36A of the Local Government Act. The Participating Councils may determine that the Annual Report be considered in a closed section of a council meeting in accordance with Regulation 15(2) of the Local Government (Meeting Procedures) Regulations 2015 (Tas) as amended from time to time.

45. Quarterly Report

(1) The *Authority* must submit to the *participating councils* a report as soon as practicable after the end of March, June, September and December in each year.

(2) The quarterly report of the *Authority* is to include:

- (a) a statement of its general performance; and
- (b) a statement of its financial performance.

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PART 9 - DIVIDENDS AND OTHER PAYMENTS

45. Comptroller

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

46. Dividends

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

47. Distribution of Other Payments

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

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PART 10 - MISCELLANEOUS

48 Participating Councils' Domestic Waste Collection

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

49. Indemnity for Representatives, Directors and Employees

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

50. Minutes and Confidentiality

- (1) The *Board* and the *representatives* are to ensure that minutes of their respective meetings and of any committees are duly recorded in any manner they respectively think fit.
- (2) The minutes are to include the names of the:
 - (a) *representatives* present at ~~rep~~*Representatives'* meetings; and
 - (b) *directors* present at each *Board* meeting; and

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- (c) ~~persons~~ persons present at any committee meeting.
- (3) The minutes are to include a record of the resolutions and proceedings of:
- (a) ~~reps~~ Representatives' meetings; and
- (b) ~~meetings of the Board~~; and
- (c) ~~meetings of any committee~~.
- (4) The minutes of any meeting, if purported to be signed (in writing or by email or otherwise allows by law) by the *chair* of the meeting or by the *chair* of the next succeeding meeting of the *representatives*, the *Board* or the committee (as the case may be), are evidence of the matters stated in the minutes.
- (5) The *CEO* is to ensure that within 14 days of each meeting copies of the minutes of the meeting (even if they are not yet confirmed) are forwarded as follows:
- (a) of *Board* meetings to each:
- (i) *director*; and
- ~~(ii)~~ *representative*.

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

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51. Notices

- (1) A notice required to be given to a *participating council* is to be given to both its *general manager* and its *representatives*.

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

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52. Common Seal and Execution of Documents

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

53. Amendment of Rules

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

54. Insolvency

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

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55. Winding Up

- (1) The *Authority* may only be wound up under section 37 of the *Act*.
- (2) On the winding up of the *Authority* its net assets are to be distributed between the *participating councils* in proportion to their *financial ratio*.
- (3) The *participating councils* may unanimously approve a different formula for distribution for the purposes of subrule (32).
- (4) If on its winding up the *Authority* is insolvent then the *participating councils* are responsible for the net liabilities of the *Authority* in proportion to their *financial ratios*.
- (5) If subrule (4) applies and any former *participating council* withdrew within 2 years before the decision was made to wind up or at any time after the decision to wind up, then the *participating councils* including that former *participating council* are responsible for the net liabilities of the *Authority* in proportion to the *financial ratios* that applied immediately before the withdrawal of that former *participating council*.

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56. Dispute Resolution

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

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57. Transitional Provision

~~Schedule 5 applies to the matters set out in it including transitional issues created by the repeal of the prior rules of the *Authority* and their replacement by these rules.~~

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SCHEDULE 1

PARTICIPATING COUNCILS

Central Coast Council
Devonport City Council
Kentish Council
Latrobe Council

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SCHEDULE 2

STRATEGIC & ANNUAL PLANS & BUDGETS

2.1 The Strategic Plan

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

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and their impact on future policies, procedures and practices concerning the *waste* management industry;

~~e)~~d) key financial parameters and performance indicators; and

~~f)~~e) financial and service performance targets; and

~~g)~~f) the *participating councils* dividend expectations; and

(7) Either the *representatives* or the *Board* may propose to the other an amendment or replacement of the strategic plan for adoption in accordance with clause 2.3 of this Schedule.

(8) At least once in each year the *representatives* and the *Board* are to review the strategic plan.

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2.2 The Annual Plan and Budget

(1) In each financial year the *Board* is to prepare and submit to the *representatives* a draft annual plan for the *Authority* for the next financial year and the following four years.

(2) The annual plan is to:

(a) be consistent with the strategic plan; and

(b) cover such matters as s72(2) of the *Act* requires for the operational plans of councils as are relevant to the Authority's functions; and

(c) include such other matters as the Board or the representatives determine;

g) cover key financial parameters and performance indicators; and

h) cover financial and service performance targets

~~(e)~~i) cover the *participating councils* dividend expectations.;

~~(1)~~ The *Board* and the *representatives* are to use their best endeavours to approve the annual plan for a financial year in sufficient time to enable the *CEO* to prepare

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the annual budget with respect to that annual plan by the time required by clause 2.3(6).

(3)

In each financial year the

2.3 Budget

~~(2)~~ ~~T~~ the *CEO* is to prepare a budget for the *Authority's* revenue and expenditure for each financial year.

(4)

~~(3)~~(5) The *annual* budget is to include:

- (a) matters similar to those required of councils by section 82(2) of the *Act*; and
- (b) any other matters required by the *Board* or the *representatives*.

(6) The budget is to be consistent with the annual plan for that financial year.

(7) The *Authority* is not bound by any of the other provisions of section 82 of the *Act*.

(8) Once the *Board* has approved the annual budget for a financial year it must submit that budget to the *representatives* for adoption.

(9) Unless the *representatives* determine by *special resolution* to the contrary, the timetable for adoption of the annual budget is:

- (a) approval by the *Board* of the draft budget prepared by the *CEO* by the end of April preceding the financial year of the budget; and
- (b) adoption by the *representatives* of the budget approved by the *Board* by the end of May-June preceding the financial year of the budget.

2.43 Adoption of Strategic Plan, Annual Plan and Budget

(1) The *Authority's* strategic plan or any amendment to it or replacement of it is adopted:

- (a) when the *representatives* resolve to adopt a draft submitted to them by the *Board*; or
- (b) when the *Board* resolves to adopt a draft submitted to it by the *representatives*; or

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~~(e)~~ in accordance with subclauses (8) or (10).

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(c)

- (2) The *Authority*'s annual plan and budget for a particular period is adopted:
- (a) when the *representatives* resolve to adopt the draft of the relevant document submitted to them by the *Board*; or

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~~(b)~~ in accordance with subclauses (8) or (10).

(b)

- (3) If the *representatives* and the *Board* have not been able to agree on the ~~documents~~ Annual Plan and Budget within 60 days of:

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- (a) either of the *representatives* or the *Board* submitting the draft strategic plan to the other of them for approval; or
- (b) the *Board* submitting a draft annual plan or budget to the *representatives* for approval;

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then the *chief representative* is to call a joint meeting of the *representatives* and the *Board* to resolve the issue.

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

- (5) The *chief representative* is to:

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- (a) call the joint meeting in the same manner as a *representatives' meeting*; and
- (b) chair the joint meeting as if it were a *representatives' meeting*; and
- (c) during that meeting give the *directors* the same rights to speak and vote as the *representatives* have.

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- (6) If it appears to the *chief representative* that the *representatives* and the *Board* have reached agreement during the joint meeting, the *chief representative* may adjourn the joint meeting to enable separate meetings of the *representatives* and the *Board*.

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

2.54 Exclusion of Processes of the Act

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

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2.65 Legal Effect of Strategic Plan, Annual Plan and Budget

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

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

2.7 2.6 Availability of Copies

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

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SCHEDULE 3

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PROCEEDINGS OF THE BOARD

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3.1 Convening of Board Meetings

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- (1) The *Board* may hold such meetings as are desirable to carry out its functions.
- (2) The *CEO* is to convene a *Board* meeting at the request of the *chairman* or any two *directors*, ~~and may do so on his or her own authority.~~

3.2 Notice of Board Meetings

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

3.3 Chairing of Board Meetings

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

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3.4 Quorum at Board Meetings

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

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3.5 Voting at Board Meetings

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

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3.6 Conduct of Meetings

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

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3.7 Resolutions Without Meetings

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

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3.8 Validity of Proceedings

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

- (a) not invalid by reason only that at the time when the act or proceeding was done, taken or commenced, there was a vacancy in the membership of the *Board*;

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- (b) is valid, even if:
 - (i) the appointment of a *director* was defective; or
 - (ii) any person appointed as a *director* was disqualified from acting as, or incapable of being, a *director*.

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3.9 Confidentiality

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

SCHEDULE 4

DISPUTE RESOLUTION

4.1 Outline of Resolution Process

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

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

4.2 Other Parties May Join

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

4.3 Notice of Dispute

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

4.4 Notice of Mediation

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

4.5 Mediation Rules

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

- (a) the selection and compensation of an appropriate mediator; or

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- (b) another dispute resolution technique and procedures; or
- (c) an actual resolution of the dispute;

then the parties to the dispute must mediate it in accordance with the mediation rules of the Law Society of Tasmania. The mediator is to be a person nominated by the President of the Local Government Association of Tasmania who may also determine the mediator's remuneration.

4.6 Arbitration

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

4.7 Other Processes

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

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SCHEDULE 5

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TRANSITIONAL PROVISIONS

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5.1 Definitions

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5.1.1 For the purposes of this Schedule:

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(1) “the commencement date” means the date set out in clause 5.8; and

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(2) “the existing Board” means the members of the *Authority* in accordance with the Rules of the *Authority* immediately prior to the commencement date.

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5.2 The Board and Committee

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5.2.1 On and from the commencement date and until the *representatives* appoint *directors* under rule 23, the existing Board is the *Board* and its members are the *directors* for the purposes of these rules.

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5.2.2 Rules 24(3) and 25 do not apply to the *Board* and *directors* who continue in office under clause 5.2.1 until the *representatives* appoint new *directors* in accordance with rule 24.

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5.2.3 The *representatives* are to appoint a new *Board* to replace the existing Board to commence office within 3 months of the commencement date.

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5.2.4 Clause 3.8 of Schedule 3 applies to the *Board* that continues in office under clauses 5.2.1 and 5.2.2.

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5.2.5 Until otherwise determined by the *Board* all committees or sub-committees (however called) in existence immediately prior to the commencement date continue with the same rights and powers until the first meeting of the new *Board* referred to in clause 5.2.3.

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5.2.6 The existing Board is an advisory committee to the new *Board* for 3 months from the date of appointment of the new *Board*.

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5.2.7 The advisory committee members:

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(1) are to be given notice of all *Board* meetings during that 3 months as if they were *directors*; and

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(2) are entitled to attend all *Board* meetings during that period, and to speak but not to vote.

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~~5.3 The Representatives~~

~~5.3.1 On and from the commencement date the representatives are:~~

Council	Representatives
Central Coast	• Clr Terence McKenna • Jeffrey Peter McNamara
Devonport	• Mayor Peter Hollister • David Sales
Kentish	• Mayor Ian Braid • Clr Mike Haberle
Latrobe	• Clr Mike McLaren • Stephen Onions

~~5.3.2 A member of the existing Board may be a representative while a director under clause 5.2.1.~~

~~5.3.3 Rule 8 applies to the termination of the appointment of, or resignation by, the representatives listed in clause 5.3.1.~~

~~5.3.4 If prior to the commencement date the persons listed in clause 5.3.1 make any decisions or actions in their capacity as representatives and the representatives confirm those decisions and actions after the commencement date, then those actions and decisions are as fully valid and effective as if made or done immediately after the commencement date.~~

~~5.4 Strategic and Operational Plans and Budgets~~

~~5.4.1 On and from the commencement date until they are amended or replaced in accordance with Schedule 2 the documents declared by the Authority's Board prior to~~

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~~that date to be the Strategic Plan, Annual Plan and Budget are the Strategic Plan, Annual Plan and Budget for the purposes of these rules.~~

~~5.5 — CEO~~

~~5.5.1 — Until otherwise determined by the Board:~~

~~(1) — the CEO on the commencement date is the person who holds the position of Manager of the Authority immediately prior to the commencement date; and~~

~~(2) — all delegations made by the Board to the Manager and in existence immediately prior to the commencement date continue as delegations to the CEO on and from the commencement date; and~~

~~(3) — until otherwise determined by the CEO all sub delegations made by the Manager and in existence immediately prior to the commencement date continue as sub delegations for the purpose of rule 36 on and from the commencement date.~~

~~5.6 — General Savings Provision~~

~~All decisions, actions, matters or things done prior to the commencement date that were validly done under the rules of the Authority in existence at that time are valid for all purposes under these rules.~~

~~5.7 — Repeal~~

~~5.7.1 — The rules of the Authority immediately prior to commencement date are repealed and replaced with these rules:~~

~~5.8 — Commencement Date~~

~~5.8.1 — These rules are to be effective on and from the date on which the third participating council to do so passes a resolution which has the effect of approving them.~~

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Draft

Certification of Rules

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

| Dated / / ~~2012~~2016

.....
| ~~Geoffrey Tremayne~~Cassandra Amie Blair
Qualified legal practitioner, ~~Hobart~~Launceston

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

| Dated / / ~~2012~~2016

.....
General Manager Council

Central Coast Council

List of Development Applications Determined

Period From: 01-Feb-2016 To 29-Feb-2016

Application Number	Property Address	Development Application Type	Description of Proposed Use	Application Date	Decision Date	Day Determined
DA215094	74 Esplanade Turners Beach 7315	Discretionary Development Application	Residential (dwelling) - variation to maximum building height (per Turners Beach Specific Area Plan) and private open space requirements	23-Dec-2015	02-Feb-2016	37
DA215115	19 Locket Street Ulverstone 7315	Discretionary Development Application	Residential (dwelling additions)	24-Dec-2015	04-Feb-2016	25
DA215129	26 King Edward Street Ulverstone 7315	Discretionary Development Application	Business and Professional Services (office), Food Services (café) and General Retail and Hire (shop)	05-Jan-2016	17-Feb-2016	23
DA215123	15 Trevor Street Ulverstone 7315	Discretionary Development Application	Subdivison (two lots)	06-Jan-2016	04-Feb-2016	28
DA214222	58-60 Esplanade Turners Beach 7315	Permitted Development Application	Resource Development - community garden	07-Jan-2016	11-Feb-2016	14
DA215091	Gunns Plains Road North Motton 7315	Discretionary Development Application	Residential (dwelling extension)	07-Jan-2016	11-Feb-2016	34
DA215131	66 Trevor Street Ulverstone 7315	Discretionary Development Application	Residential (multiple dwellings)	19-Jan-2016	09-Feb-2016	20
DA215130	180 Allport Street Leith 7315	Discretionary Development Application	Residential (as constructed pergola)	20-Jan-2016	15-Feb-2016	23
DA215114	576 Preston Road North Motton 7315	Discretionary Development Application	Residential (outbuilding - shed) - variation to rear and side boundary setbacks	22-Jan-2016	24-Feb-2016	32
DA215111	64 Medici Drive Gawler 7315	Permitted Development Application	Residential (dwelling and outbuilding - shed)	25-Jan-2016	15-Feb-2016	17
DA215132	21A Leven Street Ulverstone 7315	Discretionary Development Application	Residential (dwelling)	27-Jan-2016	19-Feb-2016	23
DA215137	38 Fieldings Way Ulverstone 7315	Permitted Development Application	Storage	29-Jan-2016	17-Feb-2016	16
DA215135	5 Cluan Crescent Ulverstone 7315	Discretionary Development Application	Residential (outbuilding - shed)	03-Feb-2016	26-Feb-2016	22

Application Number	Property Address	Development Application Type	Description of Proposed Use	Application Date	Decision Date	Day Determined
DA215120	54 Hays Road Spalford 7315	Permitted Development Application	Resource Development (Storage Shed)	08-Feb-2016	26-Feb-2016	17
DA215122	4 Patrick Street Ulverstone 7315	Permitted Development Application	Business and Professional Services (Medical Centre)	11-Feb-2016	23-Feb-2016	11

**SCHEDULE OF STATUTORY DETERMINATIONS
MADE UNDER DELEGATION**

Period: 1 February 2016 to 29 February 2016

CENTRAL COAST COUNCIL

I certify that this is the schedule referred to in
Minute No. 73/2016 of a meeting of the
Council held on 21/03/2016


Executive Services Officer

Building Approvals – 15

<i>Type</i>	<i>No.</i>	<i>Total Value (\$)</i>
Dwellings	2	760,000
Flats/Units	0	0
Additions/Alterations	5	64,400
Outbuildings	6	179,900
Other	2	453,396
The estimated cost of building works totalled		\$1,457,696

Amended Building Permits – 1

Minor Works Applications – 1

Plumbing Permits – 11

Special Plumbing Permits (on-site wastewater management systems) – 1

Food Business registrations (renewals) – 16

Temporary Food Business registrations – 7

Temporary 12 month Food Business Registrations – 4

Temporary Place of Assembly licences – 1

Kennel Licences issued – 1

<i>Address</i>	<i>Owner</i>
19 Wynwoods Road, Sprent	Stewart & Stephanie Scott

Abatement notices issued – 6

<i>Address</i>	<i>Property ID</i>
22 Alexandra Road, Ulverstone	100020.0760
26 Fairway Drive, Penguin	403195.0340
Dial Road, Penguin	403150.0900
10 Lukin Street, Turners Beach	202130.0200
15 Barker Street, Ulverstone	100100.0100
50 Allegra Drive, Heybridge	504005.0380



Cor Vander Vlist
DIRECTOR COMMUNITY SERVICES

Submission to Planning Authority Notice

Council Planning Permit No.	DA215101	Council notice date	3/03/2016
TasWater details			
TasWater Reference No.	TWDA 2016/00268-CC	Date of response	8/03/2016
TasWater Contact	David Boyle	Phone No.	6345 6323
Response issued to			
Council name	CENTRAL COAST COUNCIL		
Contact details	planning.cmw@centralcoast.tas.gov.au		
Development details			
Address	105 IRONCLIFFE RD , PENGUIN	Property ID (PID)	7154029
Description of development	Sports & recreation		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
ArtTas Architects	150105 A1000/SK9		24/09/2015
Conditions			
<p>Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(1) TasWater makes the following submission(s):</p> <ol style="list-style-type: none"> 1. TasWater does not object to the amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings. <p>Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections / sewerage system and connections to each dwelling unit / lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. (Developer must apply for any additional sewer and water connection points.) 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to commencing construction / use of the development, a boundary backflow prevention device and water meter must be installed, to the satisfaction of TasWater. <p>ASSET CREATION & INFRASTRUCTURE WORKS</p> <p>If site verification shows any TasWater Infrastructure that may need relocating eg DN375 water main & DN200mm pressure rising main, due to being compromised by the proposed development then the following:-</p> <ol style="list-style-type: none"> 4. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains. 5. Prior to applying for a Permit to Construct the developer must obtain from TasWater Engineering 			

Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and sewerage to TasWater's satisfaction.

6. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.
7. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
8. Prior to the issue of a Certificate for Certifiable Work (Building) and/or (Plumbing) all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, generally as shown on the Artas Plans, are to be at the expense of the developer to the satisfaction of TasWater, with live connections performed by Taswater.
9. After testing/disinfection, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
10. At practical completion of the water and sewerage works and prior to applying to TasWater for a Certificate of Compliance (Building) and/or (Plumbing), the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a) Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
 - b) A request for a joint on-site inspection with TasWater's authorised representative must be made;
 - c) Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
 - d) As constructed drawings must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
11. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for the defects liability period.
12. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
13. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

14. Prior to the Sealing of the Final Plan of Survey, the developer must obtain a Consent to Register a Legal Document from TasWater and the certificate must be submitted to the Council as evidence of compliance with these conditions when application for sealing is made.

15. Pipeline easements must be created over all existing/proposed TasWater pipelines on TasWater's standard pipeline easement conditions. Pipeline easement width, location of easements relative to pipes, and terms and conditions must be to TasWater's satisfaction. In particular:
 - a. The exact location of the DN375mm diameter water main must be accurately determined and minimum 6 metre wide pipeline easement must be shown on plan covering the existing TasWater infrastructure noting that the main is to be located one third (1/3) across the easement and if there is a cross fall, the main is to be on the low side. The applicant must provide an electronic version of the survey plan and water main location for data verification prior to the issue of a Consent to Register a Legal Document from TasWater.
 - b. The exact location of the DN150mm diameter sewer mains must be accurately determined and minimum 3 metre wide pipeline easement must be shown on plan covering the existing TasWater infrastructure noting that the main is to be located one third (1/3) across the easement and if there is a cross fall, the main is to be on the low side. The applicant must provide an electronic version of the survey plan and sewer main location for data verification prior to the issue of a Consent to Register a Legal Document from TasWater.

TRADE WASTE

16. Prior to the commencement of operation the developer/property owner must obtain Consent to discharge Trade Waste from TasWater.
17. The developer must install appropriately sized and suitable pre-treatment devices prior to gaining Consent to discharge.
18. The Developer/property owner must comply with all TasWater conditions prescribed in the Trade Waste Consent.

DEVELOPMENT ASSESSMENT FEES

19. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows:
 1. \$1,234.00 for development assessment,
 2. \$216.00 for Consent to register a Legal Document

The payment is required within 30 days of the issue of an invoice by TasWater.
20. In the event Council approves a staging plan, a Consent to Register a Legal Document fee for each stage, must be paid commensurate with the number of Equivalent Tenements in each stage, as approved by Council.

Advice

For information on TasWater development standards, please visit
<http://www.taswater.com.au/Development/Development-Standards>

For information regarding headworks, further assessment fees and other miscellaneous fees, please visit
<http://www.taswater.com.au/Development/Fees---Charges>

For application forms please visit <http://www.taswater.com.au/Development/Forms>

The developer is responsible for arranging to locate existing TasWater infrastructure and clearly showing it on any drawings. Existing TasWater infrastructure may be located by TasWater (call 136 992) on site at the developer's cost, alternatively a surveyor and/or a private contractor may be engaged at the

developers cost to locate the infrastructure.

Advice to Planning Authority (Council) and developer on fire coverage

TasWater cannot provide a supply of water for the purposes of firefighting to the lots on the plan.

TRADE WASTE

- A. Prior to any Building and/or Plumbing work being undertaken, the applicant will need to make an application to TasWater for a Certificate of Certifiable Work (Building and/or Plumbing). The Certificate of Certifiable Work (Building and/or Plumbing) must accompany all documentation submitted to Council. Documentation must include a floor and site plan with:
- Location of all pre-treatment devices i.e. grease arrestor, Dry Basket Arrestors (DBAs);
 - Schematic drawings and specification (including the size and type) of any proposed pre-treatment device and drainage design; and
 - Location of an accessible sampling point in accordance with the TasWater Trade Waste Flow Meter and Sampling Specifications for sampling discharge.
 - Details of the proposed use of the premises, including the types of food that will be prepared and served; and
 - The estimated number of patrons and/or meals on a daily basis.
- B. At the time of submitting the Certificate of Certifiable Work (Building and/or Plumbing) a Trade Waste Application together with the Food Supplement form is also required.
- C. If the nature of the business changes or the business is sold, TasWater is required to be informed in order to review the pre-treatment assessment.

The application forms are available at <http://www.taswater.com.au/Customers/Liquid-Trade-Waste/Commercial>.

Further information regarding Trade Waste can be found at www.taswater.com.au

Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

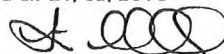
Authorised by



Jason Taylor
Development Assessment Manager

CENTRAL COAST COUNCIL

I certify that this is the TasWater Submission to Planning Authority Notice - Reference No. TWDA 2016/00268-CC re Ironcliffe Road, Penguin - Application No. DA215101 referred to in Minute No. 75/2016 of a meeting of the Council held on 21/03/2016

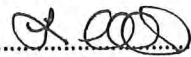


Executive Services Officer

TasWater Contact Details

Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

Annexure 4

CENTRAL COAST COUNCIL	
I certify that this is <u>the Statement of Compliance</u> <u>from Road Authority and Stormwater</u> <u>Authority, re. Ironcliffe Road, Penguin...</u>	
Application No. <u>DA215101</u>referred to in	
Minute No. <u>75/2016</u> of a meeting of the	
Council held on <u>21/03/2016</u>	
	
Executive Services Officer	

Our ref.: DA215101, paa:kaa

Doc ID: 227841

10 March 2016

Ms Clare Gregg
Planning Development Services
Level 1 1- Paterson Street
LAUNCESTON TAS 7250

Dear Clare

LOCAL GOVERNMENT (HIGHWAYS) ACT 1982 AND URBAN DRAINAGE ACT 2013
STATEMENT OF COMPLIANCE FOR VEHICULAR ACCESS AND DRAINAGE ACCESS
SUBDIVISION, CONSOLIDATION, REZONING & SPORTS COMPLEX DEVELOPMENT -
145 IRONCLIFFE ROAD, PENGUIN

I refer to your application DA215101 for a Subdivision, Consolidation, Rezoning and Sports Complex Development at 145 Ironcliffe Road, Penguin, and based on the information supplied with the application the following determination is made in respect to vehicular access and stormwater drainage.

Access can be provided to the road network at 145 Ironcliffe Road, Penguin, subject to the following:

- R1 A 6.0m wide access (asphalt or concrete) shall be provided to the development and shall be located off the cul-de-sac at the western end of Recreation Drive, Penguin;
- R2 The 6.0m wide access shall be constructed in accordance with Standard Drawing TSD-R09-v1 Urban Roads - Driveways (copy enclosed);
- R3 Any existing access, or part thereof, made redundant by the development shall be removed and the barrier kerb and channel and nature strip reinstated;
- R4 A 6.0m wide access shall be provided to the development and shall be located off Sports Complex Avenue, Penguin at the southern end of the development;
- R5 This access shall interface appropriately to the existing intersection with Sports Complex Avenue, Penguin;

- R6 A Roadworks Authority (RWA) or Private Works Authority (PWA) shall be signed by the developer/property owner for the Council to undertake work relating to existing kerb and channel, footpaths, nature strips, street trees or other Council infrastructure prior to any work associated with the development being undertaken;
- R7 Any damage or disturbance to roads, footpaths, kerb and channel, nature strips, street trees or other existing services resulting from activity associated with the development must be rectified;
- R8 Any work associated with roads, footpaths, kerb and channel or street trees will be undertaken by the Council, unless alternative arrangements are approved by the Council's Director Infrastructure Services or his representative;
- R9 All works or activity listed above shall be completed to the satisfaction of the Council's Director Infrastructure Services or his representative;
- R10 All works or activity listed above shall be at the developer's/property owner's cost;
- R11 A separate conditioned approval from the Council acting in its capacity as the Road Authority will be required for any works or activity in the road reservation, and is to be arranged prior to any work associated with the development being undertaken.

Access can be provided to the Council's stormwater network at 145 Ironcliffe Road, Penguin to drain stormwater from the proposed subdivision, subject to the following:

- S1 A downstream analysis shall be undertaken on any stormwater system in to which stormwater discharge from the development is proposed;
- S2 Any stormwater system in which the downstream analysis has indicated that there is a lack of capacity to adequately cope with the additional stormwater discharge from the development shall be upgraded, and/or alternative retention/detention system installed;
- S3 The Council stormwater reticulation system shall be extended, as necessary, to service the development;
- S4 Stormwater and associated infrastructure shall be provided in accordance with the Tasmanian Subdivision Guidelines and the Tasmanian Standard Drawings, unless otherwise required or approved by the Council's Director Infrastructure Services;

- S5 Any work associated with existing stormwater infrastructure will be undertaken by the Council, unless alternative arrangements are approved by the Council's Director Infrastructure Services or his representative;
- S6 Any damage or disturbance to existing stormwater infrastructure resulting from activity associated with the subdivision must be rectified;
- S7 All works or activity listed above shall be completed to the satisfaction of the Council's Director Infrastructure Services or his representative;
- S8 All works or activity listed above shall be at the developer's/property owner's cost;
- S9 A Private Works Authority (PWA) shall be signed by the developer/property owner for any Council work relating to the provision of the stormwater services prior to any work associated with the development being undertaken.

In general the following shall apply in respect to the provision of infrastructure associated with the subdivision development.

- I1 The provision, upgrading, re-routing, relocation or extension of Council infrastructure and services, required as a result of the subdivision, shall be done in accordance with the relevant standards and to the satisfaction of the Council's Director Infrastructure Services or his representative;
- I2 The provision, upgrading, re-routing, relocation or extension of Council infrastructure and services, required as a result of the subdivision, shall be at the property owner's/developer's cost;
- I3 Drainage, sewerage and/or pipeline easements shall be aligned along property boundaries, to the satisfaction of the Council's Director Infrastructure Services or his representative;
- I4 Any damage or disturbance to existing services resulting from activity associated with the subdivision must be rectified at the property owner's/developer's cost.

This 'Statement of Compliance' is not an approval to create any access, undertake roadworks or undertake stormwater drainage works, nor is it a planning permit for the subdivision, consolidation, rezoning & sports complex development. This 'Statement of Compliance' is valid for a period of 12 months from the date shown above.

A copy of this 'Statement of Compliance' has been provided to the Council's Land Use Planning Group for consideration with planning permit application DA215101.

Please contact me on tel. 6429 8977 should you have any further enquires.

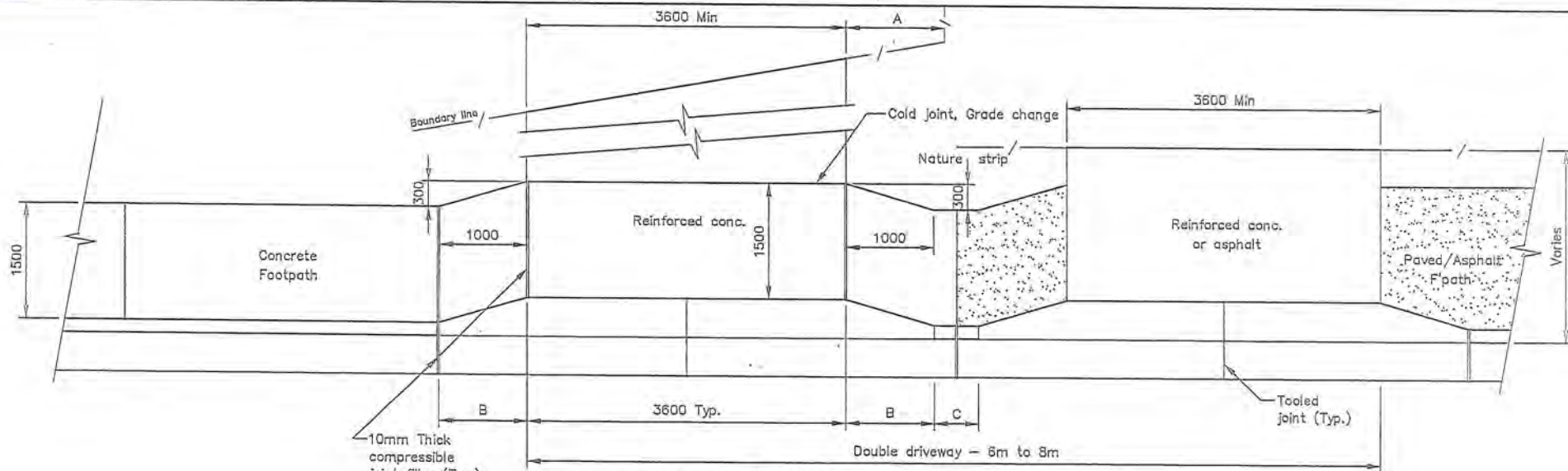
Yours sincerely

Philip Adams
ENVIRONMENTAL ENGINEER

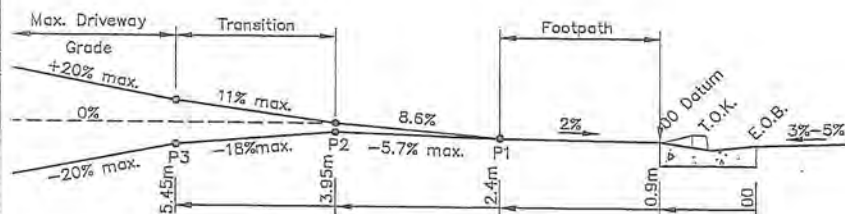
Encl.

Administrative Assistant – Planning ✓
Public Safety Coordinator
Assets & Facilities Group Leader

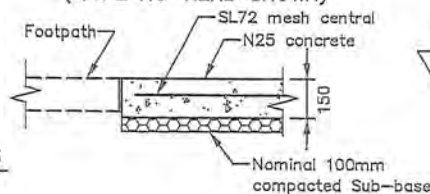
A COPY FOR YOUR INFORMATION



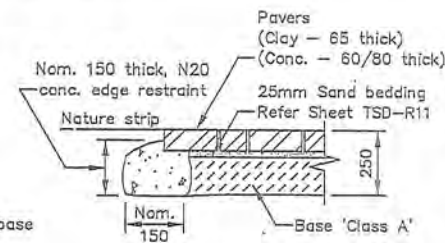
TYPICAL PLAN (DOMESTIC)
(TYPE KC' KERB SHOWN)



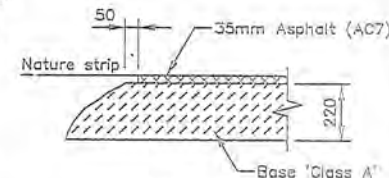
TYPICAL DRIVEWAY PROFILE
SUITS 'B85' / 'B99' VEHICLES
(TYPE KC' KERB / FOOTPATH AT KERB SHOWN)



CONCRETE



SEGMENTAL PAVERS



ASPHALT

PAVEMENT DETAILS

(For Sub-grade C.B.R. $\geq 4.0\%$)

DIMENSION TABLE - PLAN VIEW		
Dim.	Description	Notes
A	Boundary Offset	New Subdivisions - 1000mm min. Established areas - Match existing
B	Transition (Wing)	Types 'KC' and 'KCM': B = 1000mm
C	Min. kerb Length	Delete transitions and construct continuous crossing if 'C' IS < 500mm

CONSTRUCTION NOTES

- Concrete surfaces - Edge tooled, broom finish.
- The Principal may increase depth of base course(s) for subgrade strength (C.B.R. < 4.0%)
- Extend 10mm compressible joint filler through concrete footpaths only (Refer sheet TSD-R11, Footpaths).

DESIGN NOTES

- Design driveway profiles (tabulated) are in accordance with the requirements of 'AS/NZS 2890.1 : 2004' using 'Standard Design Vehicles':
 - B85 Vehicle - Domestic driveways (including 1 - 2 units)
 - B99 Vehicle - Light commercial, large unit development.
- An approved engineering design is required for varying site conditions and for driveways used by 'Non Standard' vehicles, detailing the structural, plan geometry and vertical profile requirements.

SCALES: AS SHOWN
(All scales are correct at A3)

XRef File: TSD-R09-v1.dwg

REFERENCES

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TAS Division
IPWEA
INSTITUTE OF PUBLIC WORKS
ENGINEERING AUSTRALIA



Local Government Association Tasmania

STANDARD DRAWING
URBAN ROADS
DRIVEWAYS

GPO Box 1551, Hobart Tasmania 7001 | 125 Macquarie Street, Hobart Tasmania 7000
Tel: 03 6232 5966 Fax: 03 6232 5966 Email: admin@lgat.tas.gov.au

ISSUE DATE:

DWG No.

30-11-2013

TSD-R09-v1

Central Coast Planning Scheme 2013

Amendment

1/2016

Proposed Zone:



Recreation

CENTRAL COAST COUNCIL

I certify that this is Amendment 1/2016 -
Ironcliffe Road, Penguin - Application No.
DA215101 referred to in Minute
No. 75/2016 of a meeting of the Council
held on 21/03/2016

Executive Services Officer

Sheet 6



INSTRUMENT OF CERTIFICATION

The Central Coast Council resolved at its meeting on 21 March 2016 that Amendment 1/2016 of the Central Coast Planning Scheme 2013 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 21st day of March, 2016 in the presence of:

GENERAL MANAGER



SCHEDULE OF INFRASTRUCTURE SERVICES DETERMINATIONS

Period: 1 February 2016 – 29 February 2016

Approval of Roadworks and Services

Developer: Island Care
Location: 50 Ironcliffe Road, Penguin
Activity: Stormwater main replacement/relocation
Engineer: Aldanmark Pty Ltd Consulting Engineers



John Kersnovski
DIRECTOR INFRASTRUCTURE SERVICES



CENTRAL COAST COUNCIL

CENTRAL COAST COUNCIL

I certify that this is the schedule referred to in
Minute No. 78/2016 of a meeting of the
Council held on 21 / 03 / 2016


Executive Services Officer

SCHEDULE OF CONTRACTS AND AGREEMENTS

(Other than those approved under the Common Seal)

Period: 1 to 29 February 2016

Contracts

- Contract No. 9/2015-16
Design, manufacture and deliver penstock
AWMA Pty Ltd
Cohuna, Victoria

Agreements

- Funding Agreement
University of Tasmania
North Coast Science Hub
- APH Agreement
Unit 14 Cooina Court
35-37 Main Street, Ulverstone



Sandra Ayton
GENERAL MANAGER



CENTRAL COAST COUNCIL

CENTRAL COAST COUNCIL

I certify that this is the schedule referred to in
Minute No. 80/2016 of a meeting of the
Council held on 21/03/2016


Executive Services Officer

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

Period: 16 February 2016 to 21 March 2016

Documents for affixing of the common seal

· DA215101
Amendment 1/2016
Central Coast Interim Planning Scheme 2013
(Minute No. 80/2016)

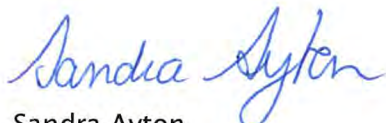
Final plans of subdivision sealed under delegation

· Strata Plan
28 Overall Street, Sulphur Creek
Application No. DA213225

· Final Survey Plan
Stubbs Road, Turners Beach
Application No. DA214221

· Final Survey Plan
1 Overall Street, Sulphur Creek
Application No. DA214022

· Final Survey Plan
110 Main Road, Penguin
Application No. PLA2007.97



Sandra Ayton
GENERAL MANAGER

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

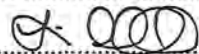
CENTRAL COAST COUNCIL

I certify that this is the Financial
Statements

referred to in

Minute No. 81/2016 of a meeting of the

Council held on 21 / 03 / 2016



Executive Services Officer

A SUMMARY OF RATES & FIRE SERVICE LEVIES FOR THE PERIOD ENDED 29 FEBRUARY 2016

	2014/2015		2015/2016	
	\$	%	\$	%
Rates paid in Advance	- 743,602.69	-5.34	- 837,326.01	-5.96
Rates Receivable	500,471.99	3.59	295,911.64	2.11
Rates Demanded	14,074,395.59	101.09	14,561,987.40	103.60
Supplementary Rates	91,897.60	0.66	34,729.59	0.25
	13,923,162.49	100.00	14,055,302.62	100.00
Collected	11,986,892.96	86.09	12,237,178.58	87.06
Add Pensioners - Government	859,356.23	6.17	872,112.54	6.20
Pensioners - Council	32,795.00	0.24	36,393.67	0.26
	12,879,044.19	92.50	13,145,684.79	93.53
Remitted	1,492.78	0.01	1,492.86	0.01
Discount Allowed	555,628.73	3.99	546,998.39	3.89
Paid in advance	- 547,113.81	-3.93	- 574,189.19	-4.09
Outstanding	1,034,110.60	7.43	935,315.77	6.66
	13,923,162.49	100.00	14,055,302.62	100.00

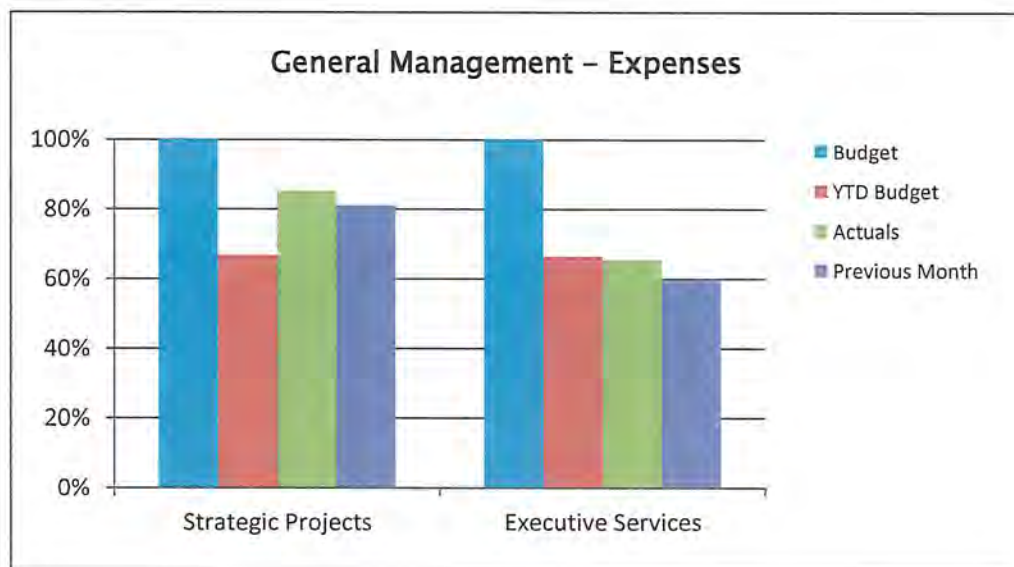
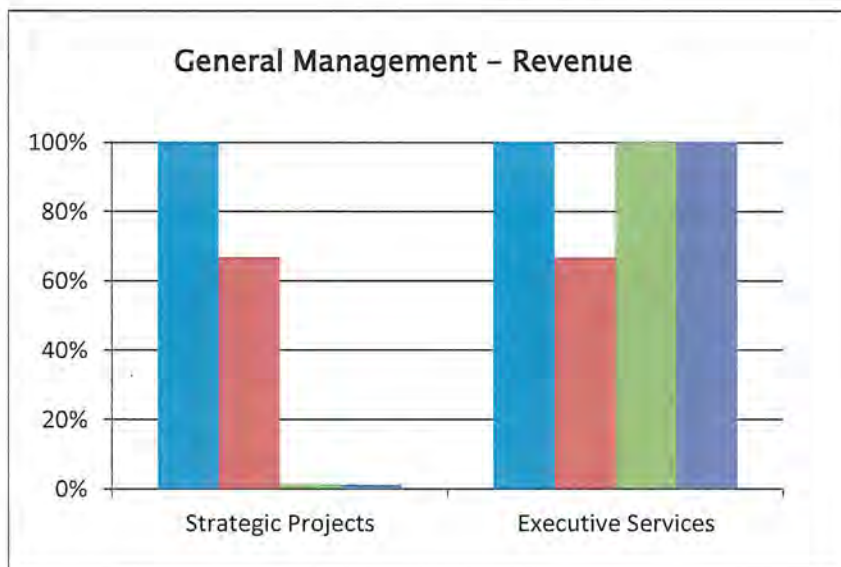


Andrea O'Rourke
ASSISTANT ACCOUNTANT

1-Mar-2016

Finance Report – February 2016

GENERAL MANAGEMENT	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Strategic Projects	(2,061,000)	(1,374,040)	(27,199)	(23,376)	(1,346,841)	(2,033,801)	1%
Executive Services	(36,000)	(24,012)	(48,643)	(37,067)	24,631	12,643	135%
	\$ (2,097,000)	\$ (1,398,052)	\$ (75,842)	\$ (60,443)	\$ (1,322,210)	\$ (2,021,158)	
Expenses							
Strategic Projects	189,000	125,984	161,072	153,221	(35,088)	27,928	85%
Executive Services	1,512,000	1,002,052	987,326	898,791	14,726	524,674	65%
	\$ 1,701,000	\$ 1,128,036	\$ 1,148,399	\$ 1,052,011	\$ (20,363)	\$ 552,601	



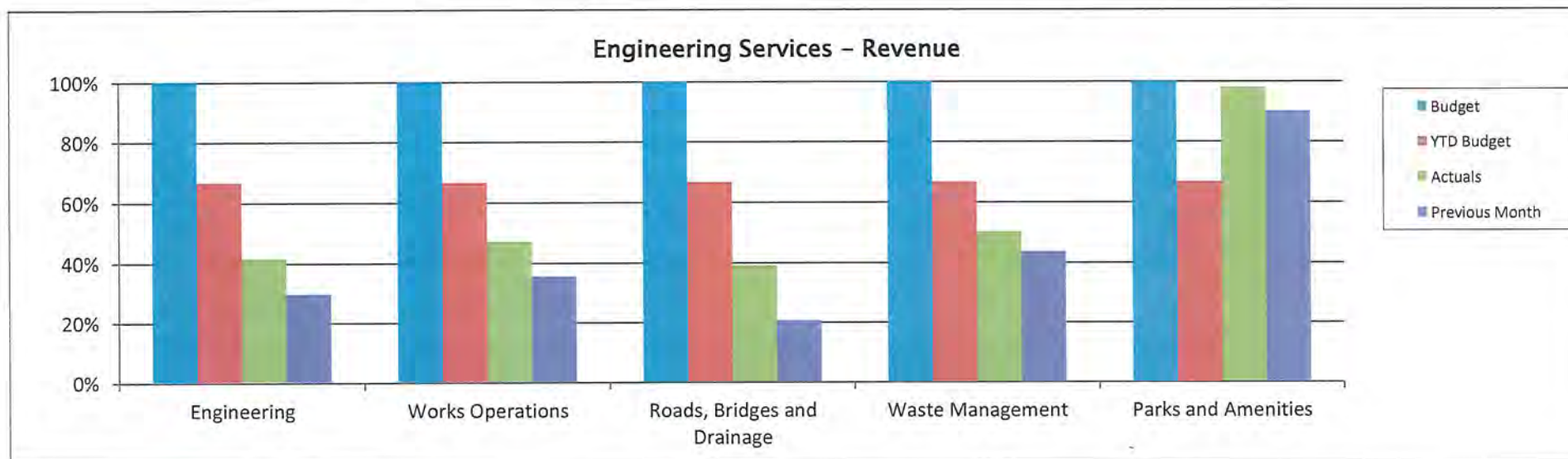
Variance

Strategic Projects
Strategic Projects
Executive Services
Executive Services

Revenue less than YTD budget – Budget timing – sale of property and capital contributions.
Expenditure more than YTD budget – Mersey Leven Food Hub expenses ahead of budget.
Revenue more than YTD budget – Reimbursement of staff costs from Cradle Coast Authority.
Expenditure less than YTD budget – Budget timing mainly staff costs.

Finance Report – February 2016

ENGINEERING SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Engineering	(1,406,000)	(937,320)	(582,769)	(416,607)	(354,551)	(823,231)	41%
Works Operations	(1,200,000)	(800,028)	(565,466)	(425,866)	(234,562)	(634,534)	47%
Roads, Bridges and Drainage	(3,260,000)	(2,173,360)	(1,274,348)	(671,210)	(899,012)	(1,985,652)	39%
Waste Management	(652,000)	(434,680)	(327,310)	(284,659)	(107,370)	(324,690)	50%
Parks and Amenities	(412,885)	(275,257)	(404,449)	(372,254)	129,192	(8,436)	98%
	\$ (6,930,885)	\$ (4,620,645)	\$ (3,154,342)	\$ (2,170,596)	\$ (1,466,303)	\$ (3,776,543)	

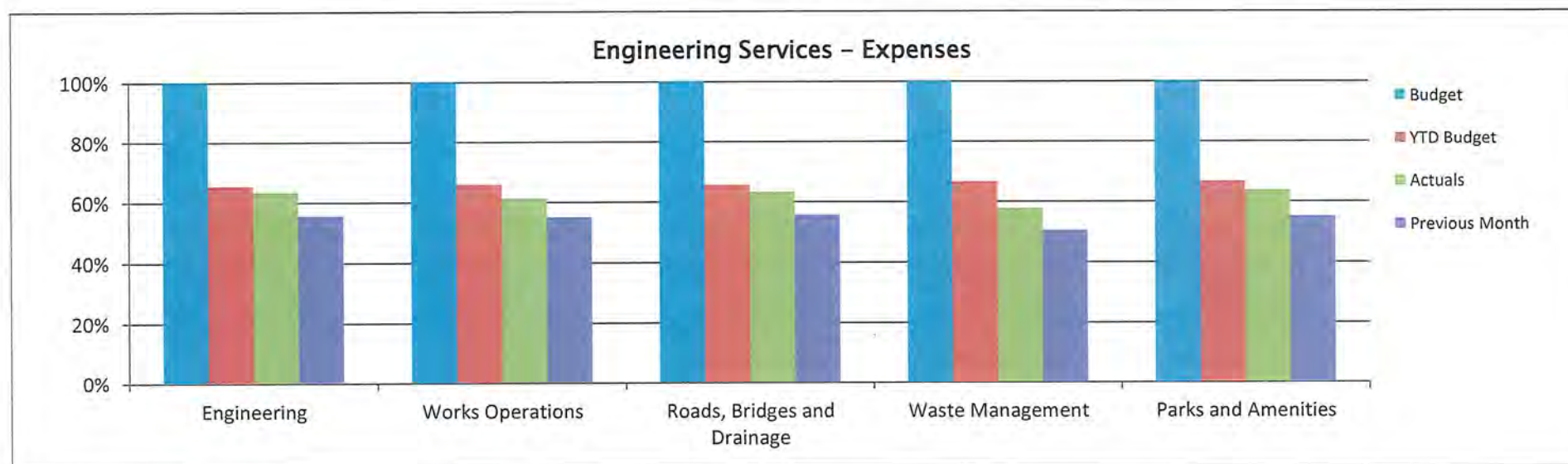


Variance

Engineering	Revenue under YTD budget – Timing – capital and works allocations and plant allocations behind budget.
Works Operations	Revenue under YTD budget – Timing – capital and works allocations and Private Works revenue behind budget.
Roads, Bridges and Drainage	Revenue under YTD budget – Timing – capital grants and contributions not yet received.
Waste Management	Revenue under YTD budget – Mainly Resource Recovery Centre – Entry fees and scrap metal sales behind budget.
Parks and Amenities	Revenue over YTD budget – Proceeds on sale of property ahead of budget.

Finance Report – February 2016

ENGINEERING SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Expenses							
Engineering	1,406,000	920,720	893,400	783,067	27,320	512,600	64%
Works Operations	1,238,000	816,226	759,870	684,371	56,356	478,130	61%
Roads, Bridges and Drainage	6,900,000	4,534,988	4,376,658	3,846,232	158,330	2,523,342	63%
Waste Management	3,565,000	2,373,150	2,061,406	1,804,241	311,744	1,503,594	58%
Parks and Amenities	2,528,885	1,685,857	1,614,454	1,395,726	71,403	914,431	64%
	\$ 15,637,885	\$ 10,330,941	\$ 9,705,788	\$ 8,513,636	\$ 625,153	\$ 5,932,097	



Variance

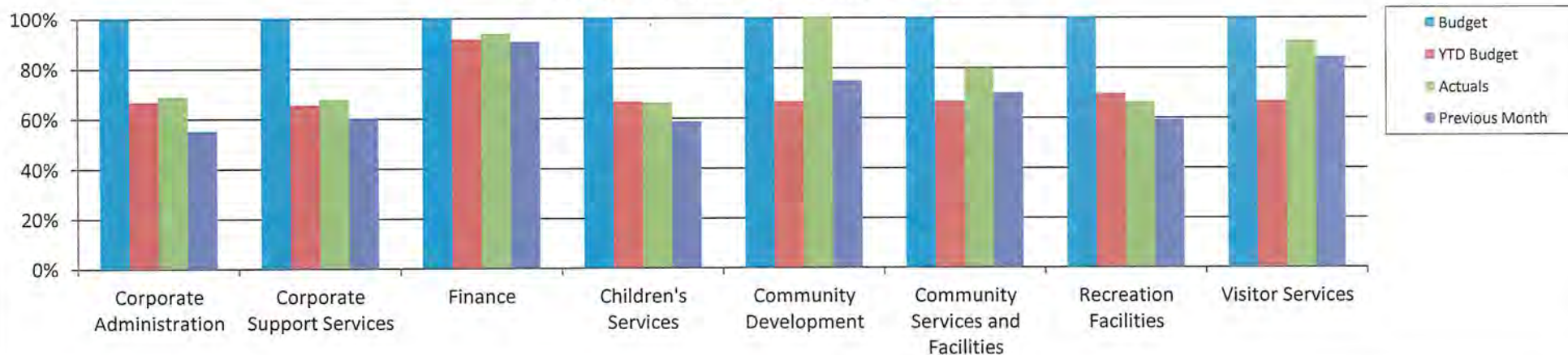
Engineering	Expenditure under YTD budget – Timing – mainly staff costs.
Works Operations	Expenditure under YTD budget – Timing – mainly staff costs..
Roads, Bridges and Drainage	Expenditure under YTD budget – Timing of costs in general.
Waste Management	Expenditure under YTD budget – Garbage and recycling collection costs for February not received.
Parks and amenities	Expenditure under YTD budget – Timing of expenses mainly in Parks.

Finance Report – February 2016

CORPORATE & COMMUNITY SERVICES

	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Corporate Administration	(35,200)	(23,440)	(24,214)	(19,383)	774	(10,986)	69%
Corporate Support Services	(3,281,300)	(2,145,856)	(2,220,252)	(1,971,812)	74,396	(1,061,048)	68%
Finance	(18,378,000)	(16,845,600)	(17,228,137)	(16,681,434)	382,537	(1,149,863)	94%
Children's Services	(1,323,300)	(882,140)	(876,009)	(777,698)	(6,131)	(447,291)	66%
Community Development	(43,420)	(28,884)	(57,244)	(32,550)	28,360	13,824	132%
Community Services and Facilities	(1,091,950)	(727,620)	(871,102)	(763,903)	143,482	(220,848)	80%
Recreation Facilities	(500,500)	(348,385)	(331,596)	(296,184)	(16,789)	(168,904)	66%
Visitor Services	(134,200)	(89,480)	(121,798)	(112,998)	32,318	(12,402)	91%
	\$ (24,787,870)	\$ (21,091,405)	\$ (21,730,352)	\$ (20,655,962)	\$ 638,947	\$ (3,057,518)	

Corporate & Community Services – Revenue



Variance

Corporate Support Services

Revenue greater than YTD budget – Timing differences – labour on-costs ahead of budget.

Finance

Revenue greater than YTD budget – Rates received reflected as gross receipt.

Community Services and Facilities

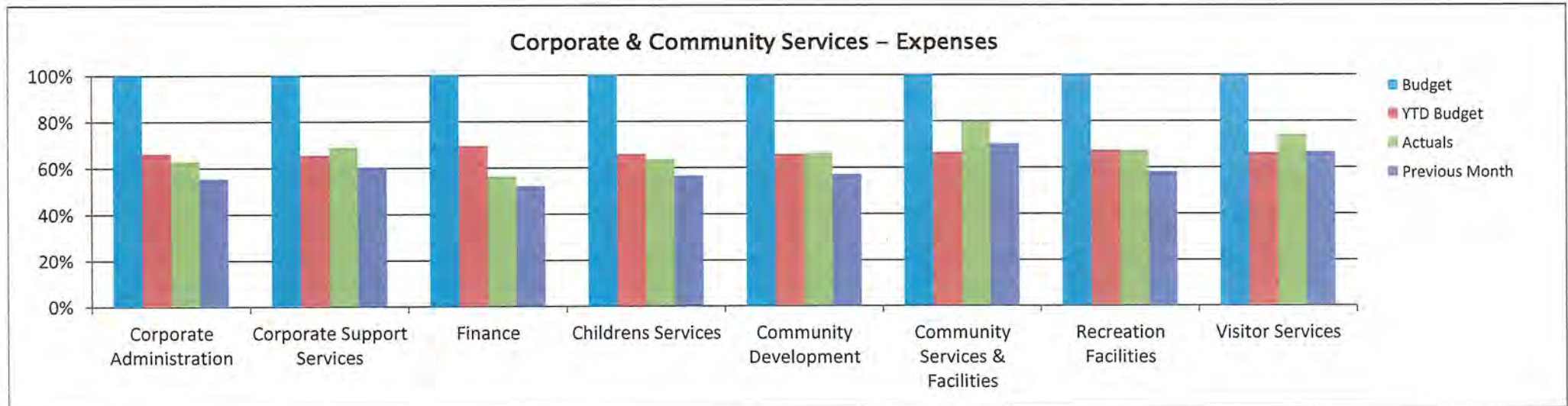
Revenue greater than YTD budget – APHU change over receipts (offset by change over expenses).

Visitor Services

Revenue greater than YTD budget – Income from ticket sales greater than budget (offset by expenses).

Finance Report – February 2016

CORPORATE & COMMUNITY SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Expenses							
Corporate Administration	693,200	457,672	435,360	382,251	22,312	257,840	63%
Corporate Support Services	4,095,300	2,680,280	2,819,905	2,476,948	(139,625)	1,275,395	69%
Finance	1,713,000	1,189,924	965,592	890,329	224,332	747,408	56%
Children's Services	1,319,300	868,752	839,652	746,371	29,100	479,648	64%
Community Development	714,420	469,692	472,235	408,868	(2,543)	242,185	66%
Community Services and Facilities	1,541,950	1,025,226	1,231,681	1,082,545	(206,455)	310,269	80%
Recreation Facilities	1,907,500	1,283,704	1,282,396	1,108,911	1,308	625,104	67%
Visitor Services	334,200	220,650	247,028	222,536	(26,378)	87,172	74%
	\$ 12,318,870	\$ 8,195,900	\$ 8,293,849	\$ 7,318,758	\$ (97,949)	\$ 4,025,021	



Variance

Corporate Support Services

Actuals greater than YTD budget – Expenses ahead of budget – Renewal of annual licence fees.

Finance

Actuals less than YTD budget – Timing of expenses – Mainly Fire Service Contribution and Land Tax.

Community Services and Facilities

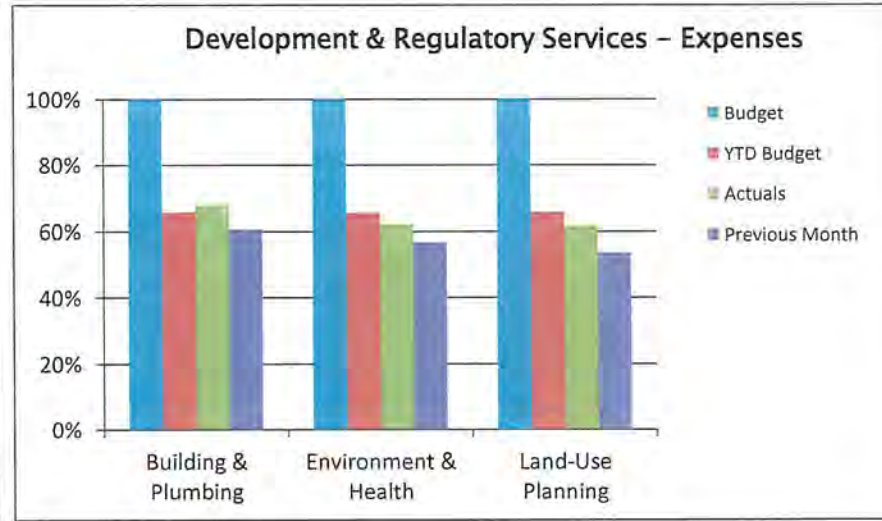
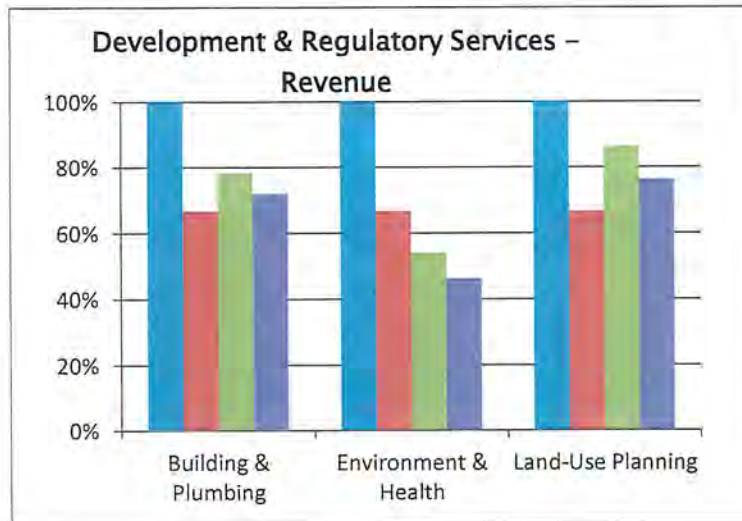
Actuals greater than YTD budget – Aged Persons Home Units change.

Visitor Services

Actuals greater than YTD budget – Payment for Aladdin & Vicar of Dibley productions ticket sales.

Finance Report – February 2016

DEVELOPMENT & REGULATORY SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Revenue							
Building and Plumbing	(294,000)	(196,040)	(229,638)	(211,129)	33,598	(64,362)	78%
Environment and Health	(70,000)	(46,680)	(37,789)	(32,429)	(8,891)	(32,211)	54%
Land-Use Planning	(157,250)	(104,846)	(135,600)	(119,887)	30,754	(21,650)	86%
	\$ (521,250)	\$ (347,566)	\$ (403,027)	\$ (363,446)	\$ 55,461	\$ (118,223)	
Expenses							
Building and Plumbing	578,000	380,070	392,322	350,714	(12,252)	185,678	68%
Environment and Health	355,000	232,760	220,216	200,939	12,544	134,784	62%
Land-Use Planning	561,250	368,474	345,182	299,869	23,292	216,068	62%
	\$ 1,494,250	\$ 981,304	\$ 957,721	\$ 851,521	\$ 23,583	\$ 536,529	



Variance

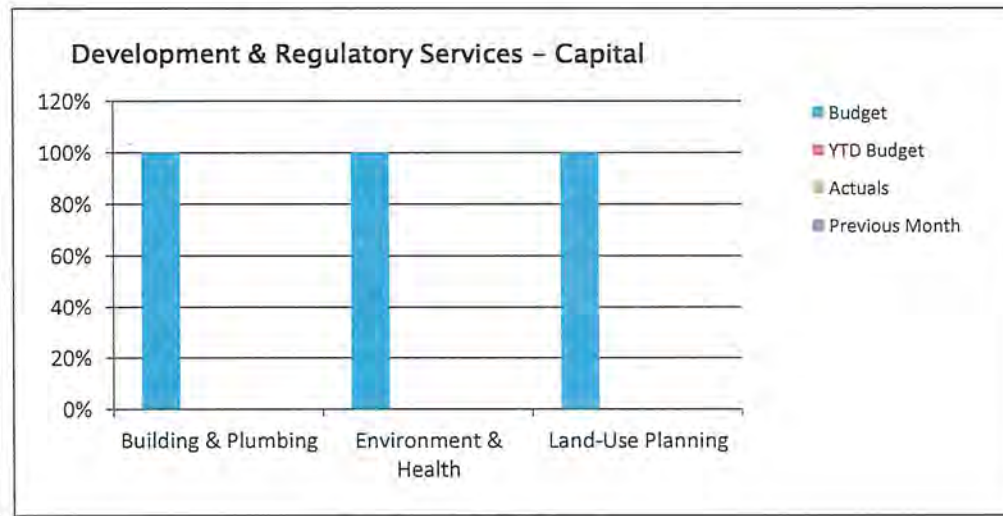
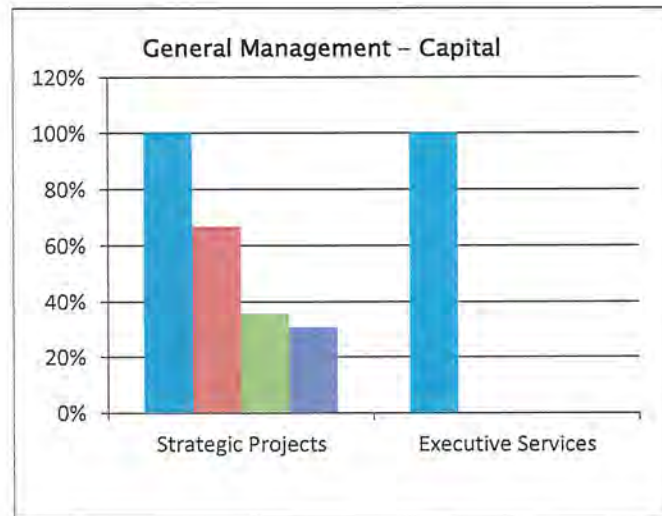
Building and Plumbing	Revenue greater than YTD Budget – Mainly inspection and connection fees; and building related fees.
Building and Plumbing	Expenses greater than YTD Budget – Building Industry Training Levy ahead of budget.
Environment and Health	Revenue less than YTD Budget – Mainly licence fees and contributions not received as yet.
Environment and Health	Expenses less than YTD Budget – Budget timing in general.
Land-Use Planning	Revenue greater than YTD Budget – Mainly valuation and subdivision fees.
Land-Use Planning	Expenses less than YTD Budget – Timing mainly related to staff costs and Rural Strategy.

Finance Report – February 2016

	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
GENERAL MANAGEMENT							
Strategic Projects	3,138,600	2,092,384	1,124,306	967,989	968,078	2,014,294	36%
Executive Services	-	-	-	-	-	-	0%
	\$ 3,138,600	\$ 2,092,384	\$ 1,124,306	\$ 967,989	\$ 968,078	\$ 2,014,294	

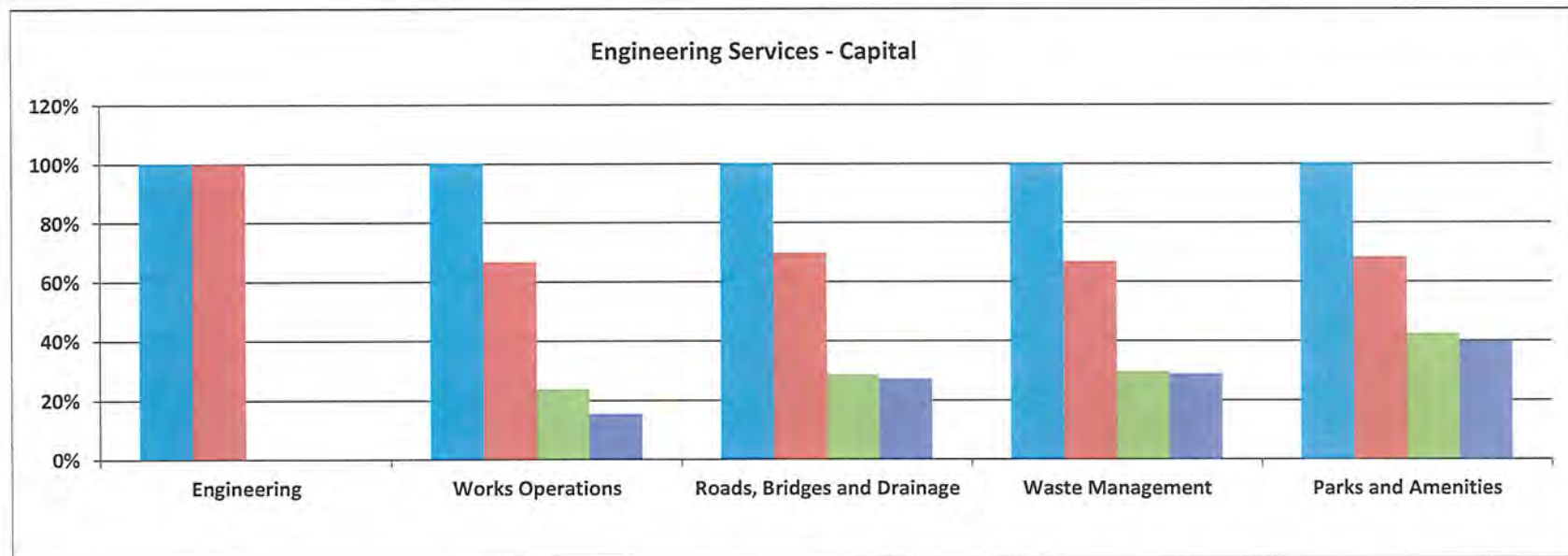
DEVELOPMENT & REGULATORY SERVICES

Building & Plumbing	-	-	-	-	-	-	0%
Environment & Health	30,000	30,000	-	-	30,000	30,000	0%
Land-Use Planning	-	-	-	-	-	-	0%
	\$ 30,000	\$ 30,000	\$ -	\$ -	\$ 30,000	\$ 30,000	



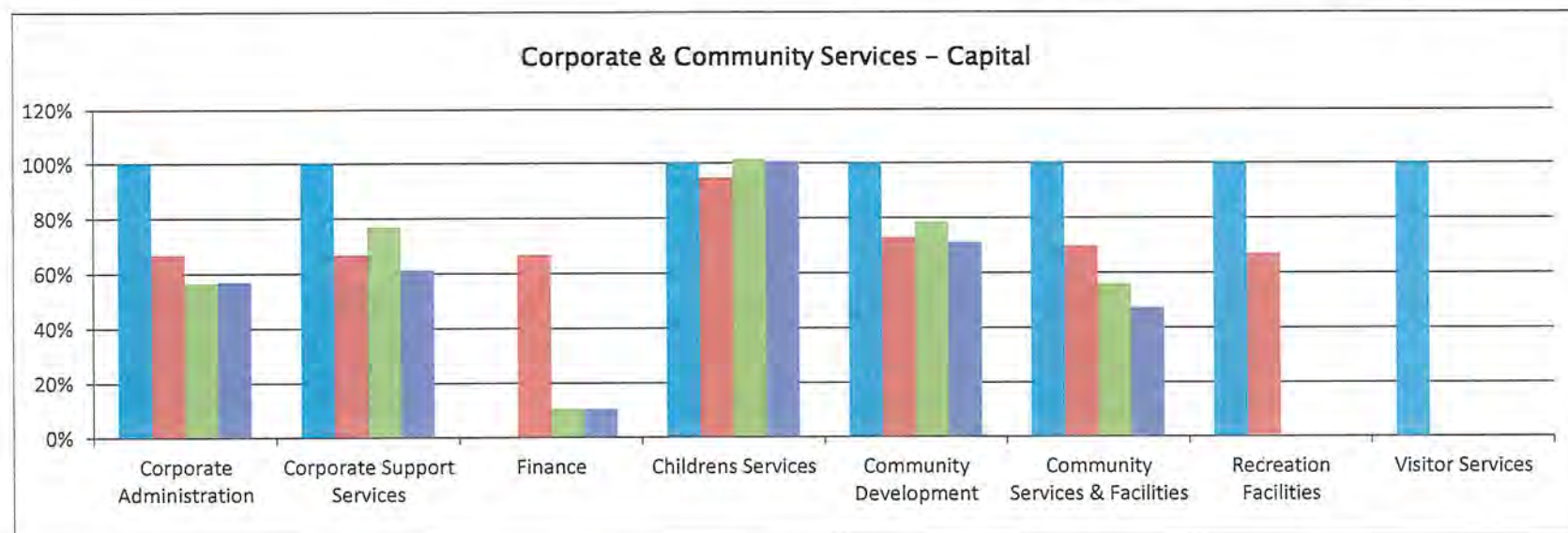
Finance Report – February 2016

	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
ENGINEERING SERVICES							
Engineering	90,000	90,000	–	–	90,000	90,000	0%
Works Operations	201,650	134,406	48,110	31,116	86,296	153,540	24%
Roads, Bridges and Drainage	7,161,000	4,997,232	2,048,522	1,948,465	2,948,710	5,112,478	29%
Waste Management	393,000	261,920	116,115	113,244	145,805	276,885	30%
Parks and Amenities	670,000	456,680	283,691	264,756	172,989	386,309	42%
	\$ 8,515,650	\$ 5,940,238	\$ 2,496,438	\$ 2,357,581	\$ 3,443,800	\$ 6,019,212	



Finance Report – February 2016

	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
CORPORATE & COMMUNITY SERVICES							
Corporate Administration	102,000	68,024	57,585	58,117	10,439	44,415	56%
Corporate Support Services	123,500	82,332	94,996	75,791	(12,664)	28,504	77%
Finance	–	–	–	–	–	–	0%
Childrens Services	35,000	23,320	3,592	–	19,728	31,408	0%
Community Development	258,000	244,344	261,633	259,658	(17,289)	(3,633)	101%
Community Services & Facilities	453,400	330,516	356,110	322,416	(25,594)	97,290	79%
Recreation Facilities	273,350	190,586	153,130	129,081	37,456	120,220	56%
Visitor Services	10,000	6,680	–	–	6,680	10,000	0%
	\$ 1,255,250	\$ 945,802	\$ 927,046	\$ 845,063	\$ 18,756	\$ 328,204	



Strategic Projects
Engineering
Works Operations
Roads, Bridges and Drainage
Waste Management
Parks and Amenities

Expenses less than budget – Timing of projects relating to the receipt of Grant income.
Expenses less than budget – Timing relating to replacement of vehicles.
Expenses less than budget – Timing of projects relating to depot works and washdown bay.
Expenses less than budget – Timing of projects – Bigger road projects not commenced.
Expenses less than budget – Timing of projects at Resource Recovery Centre & Penguin Refuse Disposal Site.
Expenses less than budget – Timing of projects – Mainly Cemeteries & Public Amenities (Coles Toilet renewal)

BANK RECONCILIATION

FOR THE PERIOD 1 FEBRUARY TO 29 FEBRUARY 2016

Balance Brought Forward (31/1/2016)	10,850,994.05
Add, Revenue for month	1,765,667.83
	12,616,661.88

Less, Payments for month	1,744,697.94

Balance as at 29 February 2016	10,871,963.94

Balance as at Bank Account as at 29 February 2016	1,059,717.68
Less, Unpresented Payments	- 17,830.97

	1,041,886.71
Cash on Hand	- 379,788.18

Operating Account	662,098.53
Interest Bearing Term Deposits	10,209,865.41

	10,871,963.94



Andrea O'Rourke
ASSISTANT ACCOUNTANT

03-March-2016

(Schedule indicates site construction only)

Date: Thu 3/03/16 + Task Progress

Works Program 2015-2016

(Schedule indicates site construction only)

Status	Task Name	Budget	Notes	Scheduling Comments	22/29	6/13	20/27	3/10	17/24	31/7	14/21	28/5	12/19	26/2	9/16	23/30	7/14	21/28	4/11	18/25	1/8	15/22	29/7	14/21	28/4	11/18	25/2	9/16	23/30	6/13	20/27
	West Ulverstone Recreation Ground	\$80,000	Reseal																												
	Disabled Parking Spaces	\$50,000																													
	Car Park Signage	\$50,000																													
	Strategy Items	\$91,000	Safety, On-street linemarking																												
	Ulverstone CBD	\$450,000	Furners/Coles																												
	Drainage	\$176,000																													
	Side Entry Pits	\$20,000																													
	Leven Street	\$20,000	Alexandra Road to James Street																												
	Risby Street	\$9,000	Side Entry Pits																												
	Deviation Road	\$10,000	No.63 Improvements																												
	South Road/Lyndara Drive	\$40,000	1A Lyndara Drive Augmentation																												
	Fairway Park	\$20,000	Outfall Extension																												
	Main Road	\$20,000	No.160 Improvements																												
	Bertha Street	\$10,000	Outfall Improvements																												
	Forth Road	\$15,000	No.1-3 Pipe Open Drain																												
	Seaside Crescent	\$12,000																													
	Miscellaneous Drainage	\$0																													
	Household Garbage	\$393,000																													
	Penguin Refuse Disposal Site	\$210,000	Site Rehabilitation																												
	Resource Recovery Centre - Site Development	\$50,000	Layout Improvements																												
	Resource Recovery Centre - Rehabilitation	\$30,000	Environmental Improvements																												
	Resource Recovery Centre - Leachate Improvements	\$50,000	Subsoil Drainage																												
	Castra Transfer Station - Site & Rehabilitation	\$3,000	Environmental Improvements																												
	Preston Transfer Station - Site & Rehabilitation	\$3,000	Environmental Improvements																												
	South Riana Transfer Station - Site & Rehabilitation	\$2,000	Environmental Improvements																												
	Preston Transfer Station - Safety Improvements	\$20,000	Fall Arrest Gate																												
	Preston Transfer Station - Retaining Wall	\$20,000	Replacement																												
	Ulverstone Transfer Station - Site & Rehabilitation	\$5,000	Environmental Improvements																												
	Parks	\$308,000																													
	Playground Renewals	\$100,000	West Beach, Fairway Park, Beach Road BB Ho	Awaiting equipment arrival																											
	Parks Asset Renewals	\$7,000	Taylors Flats - BBQ, Car Barriers - Johnsons B																												
	Fairway Park - Beach Road	\$10,000																													
	Beach Access Upgrades	\$10,000	Deck replacement with FRP - west Beach Road																												
	Flagpole Replacements	\$5,000																													
	Park Signage Upgrade	\$10,000																													
	Heybridge Playground	\$60,000																													
	Nicholsons Point Redevelopment - Stage 2	\$20,000	Second stage is planting and weather dependant																												
	Industrial Estate	\$15,000	Greenbelt - weather dependant																												
	Forth Recreation Ground	\$10,000	Tree Planting - weather dependant																												
	Sulphur Creek Hall Reserve	\$7,000	Tennis Court Removal																												
	Johnsons Beach Master Plan	\$12,000	Stage 1																												
	Ulverstone Rowing Club	\$5,000	Car Barriers																												
	Josephine Street Beach Access	\$30,000	Design completed - arranging quotes																												
	Public Amenities	\$234,000																													
	Toilet Refurbishments	\$30,000																													
	Bus Shelter Renewals	\$10,000	To be determined																												
	Coles Toilet Renewal	\$120,000	Dependant on the Furners Car Park redevelopment	Linked to Car Park works																											
	Nicholsons Point Boat Ramp	\$25,000																													
	Toilet Furniture Upgrade	\$5,000																													
	Public Toilets	\$5,000	Minor Works External																												
	Drinking Water Stations	\$6,000	on order - waiting for the item to arrive																												
	Public Toilet	\$3,000	Lighting Upgrade/Sulphur Creek Toilets																												
	Cemeteries	\$60,000																													
	Memorial Park - Watering System	\$10,000																													
	Memorial Park - New Plinths	\$15,000																													
	Memorial Park - Seating	\$5,000																													
	Ulverstone General Cemetery - Signage	\$2,000																													
	Memorial Park - Path System	\$15,000																													
	Master Plan	\$3,000																													
	Administration Centre	\$82,000																													
	Painting Program	\$5,000																													
	Carpet Replacement Program	\$10,000	Walkway/planning																												
	Office Furniture	\$2,000																													
	Council Chamber Chair Replacement	\$5,000																													
	Lighting Upgrade	\$10,000																													

(Schedule indicates site construction only)

Date: Thu 3/03/16 + Task  Progress 