
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, 19 March 2018 commencing at 6.00pm.

Councillors attendance

Cr Jan Bonde (Mayor)
Cr John Bloomfield
Cr Amanda Diprose
Cr Rowen Tongs
Cr Philip Viney

Cr Kathleen Downie (Deputy Mayor)
Cr Garry Carpenter
Cr Gerry Howard
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 Bill Hutcheson)
Land Use Planning Group Leader (Ms Mary-Ann Edwards)
Executive Services Officer (Mrs Lou Brooke)

Media attendance

The media was not represented.

Public attendance

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

Prayer

The meeting opened in prayer.

CONFIRMATION OF MINUTES OF THE COUNCIL

56/2018 Confirmation of minutes

The Executive Services Officer reports as follows:

“The minutes of the previous ordinary meeting of the Council held on 19 February 2018 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 19 February 2018 be confirmed.”

Carried unanimously

COUNCIL WORKSHOPS

57/2018 Council workshops

The Executive Services Officer reports as follows:

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

- . 26.02.2018 – Strategic Actions for 2018/19 and Animal Control By-Law
- . 05.03.2018 – Dial Park tour; Rural Waste Management and FOGO
- . 13.03.2018 – Volunteer Strategy and Youth Strategy

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

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

Carried unanimously

MAYOR'S COMMUNICATIONS

58/2018 Mayor's communications

The Mayor to report:

"I have no communications at this time."

59/2018 Mayor's diary

The Mayor reports as follows:

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

- . Tasmanian Water and Sewerage Corporations – Board Selection Committee meeting (Hobart)
- . Corey Speers Consulting – media training
- . Bicycle Network, University of Tasmania, Heart Foundation and Sustainable Living Tasmania – Active Transport Candidate Forum
- . Cradle Coast Authority – Representatives Group meeting (Burnie)
- . Radio community reports
- . Penguin RSL Sub-Branch – annual dinner
- . State Grants Commission – Central Coast visit
- . Switch Tasmania (Cradle Coast Innovation) – Board meeting
- . Community Safety Partnership Committee – meeting
- . Local Government Association of Tasmania – Local Government Regional Breakfast Series (Burnie)
- . Local Government Association of Tasmania – General Meeting (Burnie)
- . Dementia-Friendly Central Coast – Memory Café project meeting
- . Local Government Association of Tasmania – General Management Committee meeting (Launceston)
- . Tasmanian Water and Sewerage Corporations – Board Selection Committee meeting (Rosny Park)
- . Business visitation program – Boscobel of Tasmania (Heritage B&B)
- . Mersey-Leven Municipal Combined Area Emergency Management – meeting (Latrobe)
- . Switch Tasmania (Cradle Coast Innovation) – Thinks 'n' Drinks event with business operators
- . Local Government Office – Stakeholder Reference Group: Camping and RV facilities meeting (Campbell Town)."

The Deputy Mayor reports as follows:

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

- . Ulverstone Repertory Theatre Society – annual general meeting
- . Lions Club of Penguin – International Women’s Day morning tea.”

Cr Tony van Rooyen reports as follows:

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

- . Forth Valley Tennis Club – official opening of resurfaced tennis courts.”

The Executive Services Officer reports as follows:

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

Carried unanimously

60/2018 Declarations of interest

The Mayor reports as follows:

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

The Executive Services Officer reports as follows:

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

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

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

No interests were declared at this time.

61/2018 Public question time

The Mayor reports 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

62/2018 Councillor reports

The Executive Services Officer reports as follows:

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

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

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

APPLICATIONS FOR LEAVE OF ABSENCE

63/2018 Leave of absence

The Executive Services Officer reports 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

64/2018 Deputations

The Executive Services Officer reports as follows:

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

PETITIONS

65/2018 Petitions

The Executive Services Officer reports as follows:

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

COUNCILLORS' QUESTIONS

66/2018 Councillors' questions without notice

The Executive Services Officer reports 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."

67/2018 Councillors' questions on notice

The Executive Services Officer reports 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

68/2018 Minutes and notes of committees of the Council and other organisations

The General Manager reports 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:

- . Local Government Association Tasmania – meeting held 1 November 2017
- . Central Coast Youth Engaged Steering Committee – meeting held 22 February 2018

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

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

Carried unanimously

69/2018 Change in date of ordinary meeting of the Council – June 2018

The General Manager reports as follows:

PURPOSE

The purpose of this report is to propose an adjustment to the Council’s meeting schedule for June 2018.

BACKGROUND

The *Local Government (Meeting Procedures) Regulations 2005* provide that an ordinary meeting of a council is to be held at least once in each month. The Council’s adopted meeting schedule provides in 2018 for an ordinary meeting to fall on 18 June.

DISCUSSION

The Council’s policy on the holding of ordinary meetings (Minute No. 380/2005 – 21.11.2005) provides for them to be held on the third Monday of the month unless otherwise resolved by the Council. Such a resolution is warranted in this case.

As the Mayor and General Manager will be attending the National General Assembly 2018 in Canberra, it is proposed that the meeting scheduled for 18 June be postponed to 25 June.

This would make a five-week break from the 21 May meeting and will shorten the break to the next scheduled meeting on 16 July back to four weeks.

CONSULTATION

This is an administrative matter and consultation is not required.

RESOURCE, FINANCIAL AND RISK IMPACTS

This will have no impact on resources as all Council meetings are required to be advertised.

CORPORATE COMPLIANCE

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

- Council Sustainability and Governance
- Improve corporate governance.

CONCLUSION

It is recommended that the ordinary meeting of the Council scheduled for 18 June 2018 be postponed until 25 June 2018.”

The Executive Services Officer reports as follows:

- Cr Howard moved and Cr Viney seconded, “That the ordinary meeting of the Council scheduled for 18 June 2018 be postponed until 25 June 2018.”

Carried unanimously

70/2018 Delegation by the Council of its functions and powers – Review of Delegations issued to the General Manager (173/2017– 19.06.2017)

The General Manager reports as follows:

“The Executive Services Officer has prepared the following report:

'PURPOSE

This report is provided to allow the Council to review and update delegations provided by the Council to the General Manager.

BACKGROUND

At its Ordinary Council meeting in 19 June 2017, the General Manager's delegations were adopted. From that meeting it was identified that, at minimum, delegations should be reviewed at least every two years. Operational requirements have dictated that a review be undertaken prior to the indicated timeframe, to ensure efficient and effective management of the Council's operations.

DISCUSSION

In the report to the Council at the 19 June 2017 meeting, the General Manager outlined the reasons that support the good value of delegation by the Council. These reasons remain relevant and are reproduced as follows:

- . Delegations do not take away the powers of the Council – they permit the General Manager and staff manage the business of the Council, enabling the Council to focus on strategic and policy development and higher-level decision making;
- . As a result of a substantial investment in education, learning and training, the Council has a well-qualified, professional and experienced staff;
- . Delegations assist in the development of an efficient and effective operation which is much leaner in resources than would be the case should the Council not have granted delegations;
- . Delegating is consistent with the employment arrangements so far as the General Manager's appointment is concerned;
- . Matters subject to delegation are generally based on technical issues rather than on political and/or governance issues;
- . Delegations enable a greater opportunity for consistent decision making;
- . Delegations ensure a more efficient management of business with the community; they make it easier in dealing with issues which are subject

to legislative time frames and they assist in the reduction of 'local' red tape; and

- . The heart of effective governance is a good relationship between the Council and the General Manager and staff where trust, reliability and fairness is essential.

In accordance with Section 22 of the *Local Government Act 1993* (the Act) the Council may delegate its functions and powers to the General Manager, in order to ensure that operational requirements and strategic developments are met. In addition to this Section 64 of the Act, permits the General Manager to sub-delegate powers and functions to appropriately qualified and experienced staff, where specific duties and functions are assigned to their role.

Updates have been applied to the General Manager's Schedule of Delegations from the Council, which was adopted on 19 June 2017 (Minute Ref: 173/2017) and the required inclusions are listed below.

Through further discussions within Local Government, it has been acknowledged that best practice indicates that all delegations should be delegated directly to the General Manager, who then holds the Authority (unless specified within a particular Act) to sub-delegate under Section 64 of *The Local Government Act*. It is important to note that no new delegations have been recognised as part of this process.

Archives Act 1983

- . Delegate all of its powers and functions under the Act including any regulations made under this Act to the General Manager with the exception of Section 10(1)(c)

Burial and Cremation Act 2002 and Burial and Cremation (Cemetery) Regulations 2005

- . Delegate all of its powers and functions under the Act to the General Manager with the exceptions of Sections.29, 30, and 31. Associated Conditions and Limitations are included within the Schedule.

Dog Control Act 2000

- . S.38 (2) (3) – Costs

Heavy Vehicle National Law Act 2013

- . S.16 – Road Manager
- . S.158 – Authority to act pending third party consultation
- . S.170 – Renewal of limited consent for trial purposes
- . S.172 – Authority to consent to the grant of a mass of dimensions authority
- . S.173 – Authority to amend or cancel a mass or dimension of heavy vehicle use in the view of public safety risk
- . S.176 – Amendment or cancellation on application by permit holder

Historic Cultural Heritage Act 1995

- . Delegate its powers under Sections 30, 33, 34, 38 and 40(2)

Land Use Planning and Approvals Act 1993

- . S.12 – Authority to determine the status of an existing use or development.
- . Schedule 6 – Transitional Provisions
 - Amendment of Schemes and Interim Schemes (Note 3 – Schedule 6)
 - S.34 (1) – Initiate amendment of planning scheme
 - S.34 (3) – Withdrawal of amendment of planning scheme
 - S.34 (4) – Notice of Withdrawal of amendment of planning scheme
 - S.38 (1) – Public exhibition of draft amendment
 - S.39 (2) – Representations to be provided to Commission in respect of draft amendments
 - S.43J – Correction of mistake in permits referred to in S.43H
 - S.43K – Minor amendment of permits referred to in S.43H
- . S.40U – Combined permit and amendment process – Additional information
- . S.57(5) – Allow additional time for person to submit representation
- . S.57(7) – Applications for discretionary permits – Authority to serve notice of the decision on a permit application
- . S.58(3) – Application for other permits – Authority to serve notice of the decision on a permit application
- . S.58A – Authority to require an agreement – a permit granted by a planning authority may include that an agreement is required in respect of a use or development

- . S.59 – Authority to issue notices – Failure to determine an application for a permit is deemed to constitute a decision to grant a permit and conditions to be determined by Appeal Tribunal
- . S.60ZD – Issue of planning compliance certificates
- . S.60ZE (3) – Grant an extension of planning compliance certificate
- . S.60ZF – Cancellation of planning compliance certificates
- . S.60P (1)(b) – Authority to provide advice requested by Tasmanian Planning Commission.
- . S.60Y – Authority to consult on a consequential amendment of the LPS if required by a decision on a Project of Regional Significance
- . S.65I (2) – Authorised persons
- . S.71 – PART 5 AGREEMENTS
 - Require an Agreement
- . S.85 – Authority to collect or recover fees
- . Revoke: S.23; 24(1); 25(1)(a); 28B; 28E(2); 30H; 30I; 30J

Litter Act 2007

- . Delegate all of its powers and functions under the Act including any regulations made under this Act to the General Manager with no restrictions

Local Government (Building and Miscellaneous Provisions) Act 1993

- . S.103 – Amendment to sealed plans
- . S.104(1) – Hearing in respect of amendment of plans

Local Government Act 1993

- . S.113 – Declaration of land as urban farm land
- . S.337 – Council land information certificate

Monetary Penalties Enforcement Act 2005

- . S.17 (2) – Authority to approve or refuse an application
- . S.21 – Referral for matter to be heard in court
- . S.40 (5)(c) – Authority to commence proceedings

Public Interest Disclosures Act 2002

- . All of Council's powers and functions contained in the Public Interest Disclosures Act 2002, including any regulation made under this Act to the General Manager with no restrictions.

Resource Management and Planning Appeals Tribunal Act 1993

- . Delegate its powers under S.13(6), S.15, S.16A, S.17 and S.20(3)

Strata Titles Act 1998

- . S.6 (1A) –Lodgement of plan for registration
Plan must be endorsed with a certificate of approval issued by the council for the area in which the site is situated.
- . S.12 (2) (b) – Disposal of interest in common property
council's approval is required by law, a certificate issued under the authority of the council certifying that the transaction has been approved by the council
- . S.14 (2) (ab) – Authority to issue certificate for easements, covenants and profits a prendre
- . S.19 (2) (b) (ii) – Authority to issue certificate of approval for amendment
- . S.23 (2) (d) – Authority to issue certificate of two or more strata plans in which the scheme is situated
- . S.27 (2) (d) – Authority to approve and certify the cancelation of strata plan
- . S.30 To issue certificate of approval for strata plan; amendment to plan; consolidation of plans; cancellation of plans
- . S.31 (AA) – Authority to refuse application for staged development scheme
- . S.38 – Lodgement of staged development scheme
- . S.43 (2) (b) – Authority to approve a variation
- . S.59 – To issue certificate of approval of granted variation

Survey Coordination Act 1944

- . Delegate its powers under S.5 and S.20E(2)

An updated Schedule of Delegations by the Council to the General Manager is attached.

CONSULTATION

This is a governance matter for which consultation is not required.

RESOURCE, FINANCIAL AND RISK IMPACTS

Delegation is a tool that assists in risk management practices and other than staff time has no impact on Council resources.

CORPORATE COMPLIANCE

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

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 that the delegations contained within the attached schedule be approved and furthermore, the Council authorises the General Manager to sub-delegate powers and functions to appropriately qualified staff, in accordance with Section 64 of the *Local Government Act 1993*.

The Executive Services Officer reports as follows:

“A copy of the reviewed Schedule of Delegations by the Council to the General Manager having been circulated to all Councillors.”

- Cr van Rooyen moved and Cr Carpenter seconded, “That all delegations made in accordance with section 22 of the *Local Government Act 1993* and listed in the Schedule of Delegations by the Council to the General Manager (a copy of the Schedule being appended to and forming part of the minutes) be approved, and furthermore, the Council authorises the General Manager to sub-delegate powers and functions to appropriately qualified staff, in accordance with section 64 of the *Local Government Act 1993*.”

Carried unanimously

71/2018 Customer Service Charter (45/2016 – 15.02.2016)

The General Manager reports as follows:

“The Executive Services Officer has prepared the following report:

‘PURPOSE

The purpose of this report is to submit for review the Council’s Customer Service Charter.

BACKGROUND

The Council, at its meeting on 12 December 2005 (Minute No. 422/2005) adopted a Customer Service Charter (the Charter). The Charter is reviewed in accordance with legislative requirements and since its adoption and was last reviewed following a Customer Service Process Review and re-confirmed on 15 February 2016 (Minute No. 45/2016). As part of our obligations under Section 339F(4) of the *Local Government Act 1993*, the Council is to review the Charter at least once every two years.

The Charter was adopted and is reviewed by the Council in terms of Section 339F of the *Local Government Act 1993* which provides as follows:

- “(1) A council must adopt a customer service charter on or before 1 January 2006.
- (2) The customer service charter is to –
 - (a) specify the principles relating to services provided by the council; and
 - (b) specify a procedure for dealing with complaints relating to services provided by the council; and
 - (c) include any prescribed matter.
- (3) The general manager is to make the customer service charter available –
 - (a) for public inspection at the public office during ordinary office hours; and
 - (b) on the council’s internet site free of charge; and
 - (c) for purchase at a reasonable charge.
- (4) A council is to review its customer service charter at least once every 2 years.
- (5) The general manager is to provide the council with a report at least once a year of the number and nature of complaints received.”

Regulation 31 of the *Local Government (General) Regulations 2015* provides as follows:

“For the purposes of section 339F of the Act, a customer service charter adopted under that section is to include the following matters:

- (a) the manner in which a complaint referred to in section 339E of the Act may be made;
- (b) the manner in which a response to a complaint is to be made;
- (c) opportunities for a review of a response by the general manager;
- (d) the periods within which complaints are to be dealt with;
- (e) other actions that may be taken if a complainant is dissatisfied by the response;
- (f) reporting of the complaints received.”

DISCUSSION

The Senior Leadership Team reviews the Customer Service Charter at a minimum two yearly, since being adopted in 2005. The Charter continues to meet the criteria set down in the Act and Regulations.

It is appropriate to note that while the legislation focuses almost solely on complaints handling, the Charter treats customer service as much more than just dealing with complaints. The Customer Service Charter was prepared with a wider view of customer service in mind.

In 2016, the Council undertook a Customer Service Process Review as part of its ongoing commitment to continuous improvement, this included a comprehensive review of the Charter.

In 2018, the review focused on simplifying the information contained within the Charter, updated to reflect any process changes and reviewed against Council’s statutory obligations, contained within the *Local Government (General) Regulations 2015*. The Council’s aim is to provide a service document that the community can understand.

A copy of the updated Customer Service Charter is appended to this report.

CONSULTATION

Significant consultation was undertaken in respect of the earlier Customer Service Policy which provided the basis for the Customer Service Charter adopted in 2005. During the reviews in 2012 and 2015, the Council undertook a Customer Service Process Review as part of its continuous improvement program. The 2018 review was an inclusive consultation process with Council's Senior and Operational Leadership teams reviewing the Charter during a customer service training course. This has enabled a more customer focused view for the Council and community members.

RESOURCE, FINANCIAL AND RISK IMPACTS

There is minimal impact on resources.

CORPORATE COMPLIANCE

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

- Council Sustainability and Governance
- Improve corporate governance
 - Improve service provision.

CONCLUSION

It is recommended that the Council adopt the updated Customer Service Charter March 2018.'

The report is supported.”

The Executive Services Officer reports as follows:

“A copy of the updated Customer Service Charter – March 2018 has been circulated to all Councillors.”

- Cr Viney moved and Cr Tongs seconded, “That the revised Customer Service Charter – March 2018 (a copy being appended to and forming part of the minutes) be adopted.”

Carried unanimously

72/2018 Leven Canyon/Leven Valley Master Plan 2018

The General Manager reports as follows:

“The Strategy & Policy Officer has prepared the following report:

“PURPOSE

The purpose of this report is to consider the adoption by the Council of a Leven Canyon/Leven Valley Master Plan (the Master Plan) dated March 2018.

BACKGROUND

The Council has developed the Leven Canyon guided by the Leven Canyon Master Plan 2006, which was a staged development. Funding was secured through the Cradle Coast Authority’s Sustainable Regions grant. Around \$17,000 was spent updating tracks/toilet and \$50,000 on branding and an interpretation plan. An amount of \$5,000 from Tourism Tasmania (a grant from 2004) was expended on developing visitor interpretations. Funding from the State Government’s Tourism Promotion Plan in 2006 (matched by Council contribution) enabled stages two and three of the Master Plan to be developed. This included: track and facility upgrades, implementation of interpretations and development of a second lookout. Around \$500,000 of work was completed at the Leven Canyon by 2011.

DISCUSSION

The Council needs a proactive planning framework to guide strategic decision making, sustainable development and use of the Leven Valley/Leven Canyon destination. Strategies and initiatives were mapped by a Working Group as part of the Leven Canyon Review (the Review). The Review considered the values, pressures/challenges and opportunities for the destination. This balanced and place-based approach integrates perspectives of residents and key stakeholders. The Review’s collective and whole-of-place approach enabled opportunities to be explored and helped to ensure the Master Plan identified appropriate strategic directions and potential initiatives to guide future development.

Local values were the foundation for exploring opportunities and building on (or creating new) initiatives and developments in the Review. These values are: natural values; social (including cultural and recreational) values; economic values; heritage values; visual values; and educational values.

Reviewing the 2006 Leven Canyon Master Plan and developing the Master Plan seeks to provide social, economic and environmental benefits for the Central Coast. Social benefits include building a source of community pride in the Leven Valley/Leven Canyon and increased recreational opportunities for locals and visitors alike. Enhanced visitor experiences and awareness of Leven Valley

as a tourism destination can provide economic benefits to the local community, flowing on to the broader Central Coast area in the form of increased tourism related cash receipts and employment opportunities. Environmental benefits can be achieved through effective Leven Valley/Leven Canyon management.

Leven Valley currently plays a vital role in the “Caves to Canyon” tourism precinct/cluster and significant role in contributing to Central Coast’s visitor economy. The Leven Canyon is important for tourism operators in the Gunns Plains, Nietta and Preston localities. Consequently, initiatives of Master Plan will be included in the inter-related Central Coast Destination Action Plan. The destination is integral in attracting tourists to Central Coast that has flow-on effects for other businesses in the broader area and region.

CONSULTATION

The collective impact co-design/co-production methodology and process of the Review and Master Plan has been designed to assist the Council to work as equals with local people to plan, deliver, and improve opportunities, support and services that enable people to have a good life and enjoy all the destination has to offer.

Key stakeholders came together for an “Enhancing What Works / Are We There Yet?” workshop on Monday 4 December 2017. Workshop participants identified strategies and initiatives and discussed strengths, weaknesses and opportunities for Leven Valley and Leven Canyon. Stakeholders agreed on five strategies that form the collective vision for the Master Plan, framed as future outcomes. These strategies are: unique visitor experiences; cohesive and functional trails; identifiable places; accessible and connected Preston Falls; and beautiful and sustainable areas.

The outcomes of the workshop engagement activity were presented to Councillors on Monday 18 December 2017. The draft Leven Canyon Master Plan 2018 was circulated to stakeholders for feedback and comment on Friday 9 February 2018. The Master Plan was presented to the Senior Leadership Team on Tuesday 6 March 2018 and Operational Leadership Team on Tuesday 13 March 2018.

RESOURCE, FINANCIAL AND RISK IMPACTS

Council’s human resources will be needed to implement the Master Plan. Funding opportunities will need to be investigated and other costs included in Council’s budget estimates. Individual risk assessments for initiatives will be considered as needed, forming part of the implementation process.

CORPORATE COMPLIANCE

The Review and Master Plan contributes to key outcomes in Central Coast Strategic Plan 2014–2024, including: socio-economic well-being, economic prosperity and resilience, healthy community and healthy lifestyle, healthy environment, and sustainable and effective Council. 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
- Encourage a creative approach to new development.

A Connected Central Coast

- Provide for a diverse range of movement patterns.

CONCLUSION

It is recommended that the Leven Canyon Master Plan dated March 2018 be adopted.”

The Strategy & Policy Officer’s report is supported.”

The Executive Services Officer reports as follows:

“A copy of the Leven Canyon/Leven Valley Master Plan dated March 2018 has been circulated to all Councillors.”

■ Cr Carpenter moved and Cr van Rooyen seconded, “That Leven Canyon/Leven Valley Master Plan dated March 2018 (a copy being appended to and forming part of the minutes) be adopted.”

Carried unanimously

73/2018 Amendments to the Cradle Coast Authority Rules

The General Manager reports as follows:

“PURPOSE

This report provides the basis for considering the proposed amendments to the Cradle Coast Authority Rules.

BACKGROUND

The Cradle Coast Authority (CCA) was established as an ‘authority’ under the *Tasmanian Local Government Act 1993* (LGA). The LGA requires that Council(s) develop “rules” for the conduct of the business of an authority. The CCA Rules have been reviewed in 2005 and 2011.

Representatives reviewed the governance and operation of the CCA with the view of making the organisation more accountable, effective and efficient. A range of recommendations were made and endorsed by the Representatives some of which have been actioned through new conventions and processes. A number of recommendations required amendment to the CCA’s Rules to give formal effect.

The principle areas for amendment related to:

- 1 Composition of the Representatives’ Group
- 2 Appointment of the Chief Representative
- 3 Shareholder Voting provisions
- 4 Composition of the Board
- 5 Notification of Withdrawal
- 6 Board of Directors Performance Evaluation

Representatives appointed a Working Group comprising the Chief and Deputy Representatives Mayors Jan Bonde and Peter Freshney and General Managers Sandra Ayton and Andrew Wardlaw, with support from the then CCA Chair and CEO.

In addition to the principle areas identified by Representatives, Councils were invited to make submissions to the Working Group with any other proposed amendments. Circular Head, Kentish and Latrobe Councils responded with matters that could be addressed by other means. Councils were also invited to make comment in response to draft changes. A General Manager provided comment on the draft changes. The Working Group oversaw the amendments made to the Rules by a legal practitioner.

DISCUSSION

The Rules have been amended according to the discussions and decisions of the Representatives, Councils and General Managers. In addition, the Rules have been reviewed and amended to improve administrative efficiency, clarity and removal of redundant provisions.

Key changes include:

- Appointment of two Mayors and a General Manager to the CCA Board to increase accountability and transparency of decision making;

- Change in the composition of the Representatives group to include General Managers (in addition to Mayors) to encourage increased participation and regional solidarity;
- Inclusion of the NRM and Tourism Board Committee Chairs to the CCA Board to improve the region's relationship with these activities.

In addition, procedural changes such as circulating Representatives' agenda 3 weeks prior to meetings and a reduction in Council contributions by approximately 20% have also been implemented in response to issues raised by participating Councils.

Changes to the provision in relation to a Council's withdrawal from the CCA were revised and amended a number of times. Under the current 2012 Rules, a Council has to advise its intention to withdraw from the CCA at least 24 months prior to the commencement of the financial year in which it wished to withdraw.

Devonport City Council advised that it sought to have this provision amended as per the inaugural CCA Rules which provided that a Council had to advise its intention to withdraw from the CCA at least 3 months prior to the commencement of the financial year in which it wished to withdraw. In consideration of this request, it was noted that other Councils did not seek a change and that the 3 months' notice did not align with budget planning and approvals.

The Working Group proposed that the rule be amended to require a 9-month notification prior to a financial year commencing which provided for the CCA and Councils to make budget provisions if there was to be a change in membership. Following feedback, the Rule was amended by the Working Group such that a Council could give notice no less than 12 months following the completion of a dispute resolution process between the parties.

Taking on board additional feedback, the Rule was subsequently changed and agreed by Representatives that a Council could withdraw from membership of the CCA provided that the withdrawal notice specifies a date of not less than 18 months. The withdrawal notice would also need to specify the reasons why that Council is proposing to withdraw from the CCA.

The amended Rules were endorsed at the Representatives meeting on 24 November 2017 for public exhibition (a copy of the final draft of the amended Rules and a summary of amendments is attached).

Pursuant to sections 32A and 38 (6) of the *LGA*, the amended Rules were required to be:

- Exhibited for public comment for 21 days by a Council
- Certified by a legal practitioner and Council General Manager
- Provided to participating Councils for approval.

A simple majority of the participating Councils is required to give effect to the changes.

CONSULTATION

Consultation was undertaken with the CCA Working Group and Councils who wished to provide a submission. The amended Rules were endorsed by Representatives, publicly exhibited and certified by a legal practitioner and General Manager in accordance with requirements under the *Local Government Act 1993 (Tas)*.

RESOURCE, FINANCIAL AND RISK IMPACTS

The proposed CCA Rule amendments will have no impacts on Council resources. Legal drafting and advertising costs are met from existing CCA budgets. All member Councils must agree to the proposed amendments for the Rules 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
- Effective communication and engagement
- Strengthen local–regional connections.

CONCLUSION

It is recommended that the Council approves the amended Cradle Coast Authority Rules.”

The Executive Services Officer reports as follows:

“A copy of the final draft of the amended Rules and a summary of amendments have been circulated to all Councillors.”

- Cr Carpenter moved and Cr Viney seconded, “That the Council approves the amended Cradle Coast Authority Rules.”

Carried unanimously

74/2018 Central Coast Volunteering Strategy 2018–2023

The General Manager reports as follows:

“The Community Wellbeing Officer has prepared the following report:

PURPOSE

The purpose of this report is to consider the adoption by the Council of the Central Coast Volunteer Strategy 2018 – 2023 (the Strategy) (a copy of the Strategy and Actions is attached).

BACKGROUND

The Strategy developed in 2018, is designed to guide the Council’s role in growing the volunteer sector and supporting and acknowledging volunteers, and organisations which rely on them, throughout the Central Coast Community.

The Strategy has been developed with reference to the latest Tasmanian research on volunteering as well as local community feedback. 2018 – 2023 Actions have been developed to ensure that they align with Council’s Social Planning framework, adopted in 2016, and respond to community need and areas of interest.

The Council is committed to encouraging, supporting and recognising the importance of volunteering in our local community. Besides having economic value, volunteering can also assist in positive mental and physical health outcomes through connectivity, activity and engagement.

DISCUSSION

The Actions of the Strategy are the means, by which the Council through the latest research and community and volunteer feedback, will grow and acknowledge its volunteer community over the next 5 years. The alignment of Actions under the Social Planning Framework has allowed the Council to ensure that Actions are targeted, are in alignment with Actions under other policies and have determined outcomes, measures and timelines

as well as targeting those areas in which the Council is most able to have a positive effect and meet community expectation and need.

Alignment under the Social Planning Framework also encourages use of common succinct language, allows balances to be checked across areas of influence and provides clear understanding on the Councils role.

CONSULTATION

Consultation for the Strategy 2018–2023 was done through by surveying the local Community.

RESOURCE, FINANCIAL AND RISK IMPACTS

The Strategy 2018–2023 should have no further resource, financial or risk implications beyond those already considered in Council Annual Budget Allocations.

Strategy Actions are supported by funding applications, budgeted Council commitments and staff resource.

CORPORATE COMPLIANCE

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

A Connected Central Coast

- . Engage with the community to achieve meaningful positive local ageing outcomes
- . Engage with youth to achieve meaningful local youth outcomes
- . Engage with the community to achieve meaningful local arts and cultural outcomes.

Community Capacity and Creativity

- . Engage with the community to achieve positive local ageing outcomes
- . Engage with the community to achieve local youth outcomes
- . Engage with the community to achieve meaningful local arts and culture outcomes.

CONCLUSION

It is recommended that the Central Coast Volunteer Strategy and Actions 2018–2023 be adopted.”

The Executive Services Officer reports as follows:

“A copy of the Central Coast Volunteer Strategy and Actions 2018–2023 have been circulated to all Councillors.”

- Cr Viney moved and Cr Howard seconded, “That the Central Coast Volunteer Strategy and Actions 2018–2023 be adopted (a copy being appended to and forming part of the minutes).”

Carried unanimously

75/2018 Schedule of Appointments to Statutory Bodies, Groups and Organisations, Council and Special Committees, Community Advisory Groups and Working Groups – Emergency Management (71/2016– 21.03.2016 and 71/2017 – 20.03.2015)

The General Manager reports 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 2018.

DISCUSSION

Current appointments are as follows:

- 1 John Kersnovski, Director Infrastructure Services – the Municipal Emergency Management Coordinator (Municipal Coordinator); and
- 2 Paul Breaden, Engineering Services Group Leader – the Deputy Municipal Emergency Management Coordinator (Deputy Municipal Coordinator) [statutory appointment expires 11 August 2019].

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 Diprose 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

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76/2018 Statutory determinations

The Director Community Services reports as follows:

“A Schedule of Statutory Determinations made during the month of February 2018 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reports as follows:

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

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

Carried unanimously

77/2018 Council acting as a planning authority

The Mayor reports 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. 78/2018, 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 reports 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 Carpenter moved and Cr Downie seconded, “That the Mayor’s report be received.”

Carried unanimously

78/2018 Domestic animal breeding, boarding or training (dog boarding kennel) involving discretionary use and development in Rural Resource zone and variation to access standards at 829 Pine Road, Penguin – Application No. DA217092

The Director Community Services reports as follows:

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

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA217092
<i>PROPOSAL:</i>	Domestic animal breeding, boarding or training (dog boarding kennel) involving discretionary use and development in Rural Resource zone and variation to access standards
<i>APPLICANT:</i>	PLA Designs
<i>LOCATION:</i>	829 Pine Road, Penguin
<i>ZONE:</i>	Rural Resource
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	14 February 2018
<i>REPRESENTATIONS EXPIRY DATE:</i>	28 February 2018 – at the representor’s request for an extension of time, an additional two days was granted for the lodgement of a representation
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	22 March 2018
<i>DECISION DUE:</i>	19 March 2018

PURPOSE

The purpose of this report is to consider an application to convert an existing, redundant 630m² horse stables building to accommodate a dog boarding kennel facility that would comprise 16 dog boarding pens, a food preparation area, outdoor exercise area, utility and office/reception area at 829 Pine Road, Penguin.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation, including a request for additional time;
- . Annexure 4 – photographs; and

- Annexure 5 – Statement of Compliance by the Council acting as the Road Authority.

BACKGROUND

Development description –

Application is made for a commercial dog boarding kennel on rural land at 829 Pine Road, Penguin.

The application details the conversion and extension of an existing, redundant 630m² horse stable building to accommodate 16 dog boarding pens, a food preparation area, utilities and office/reception area. Total floor area of the dog boarding facility would be 658m².

The proposed operation also includes a 600m² (20m x 30m) enclosed dog exercise yard and the construction of four all-weather car parking spaces, including one space for persons with a disability.

The application is supported by an Onsite Wastewater Disposal Assessment and Design report by GeoTon Pty Ltd, Ref No. GL 17392Ab. The facility would require the installation of a 3,000L septic tank and two 19.5m long absorption trenches, each 19.5m x 1.0m x 0.6m.

The site has a 337.12m long frontage to Pine Road, however the land is accessed via an established gravel road that is a parcel of Crown land that provides access to the Council's road network at Pine Road, Penguin.

Site description and surrounding area –

The subject land has an area of 10.37ha and accommodates a dwelling, constructed in 1950, and three outbuildings, including a horse stable building.

The land is located within the Dial Blythe Irrigation District and comprises Class 2 prime agricultural land and a portion of Class 4 land. The property is cleared of native vegetation and is part of an agricultural area along Pine Road that constitutes a highly modified rural landscape.

An internal parcel of private land, and the Dial Range, are located to the east of the property. The access gravel road (Crown land) is also the primary access for 831 Pine Road; the adjoining land to the east.

There are four other dwellings within 230m–300m of the proposed dog boarding kennel.

Reticulated water, wastewater disposal and stormwater disposal are not available to the site.

History -

No history relevant to this application.

DISCUSSION

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

26.0 Rural Resource Zone

CLAUSE	COMMENT
26.1.2 Local Area Objectives	
<p>(a) The priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource;</p> <p>(b) Air, land and water resources are of importance for current and potential primary industry and other permitted use;</p> <p>(c) Air, land and water resources are protected against –</p> <p style="padding-left: 20px;">(i) permanent loss to a use or development that has no need or reason to locate on land containing such a resource; and</p> <p style="padding-left: 20px;">(ii) use or development that has potential to exclude or unduly conflict, constraint, or interfere with the practice of primary industry or any other use dependent on access to a naturally occurring resource;</p> <p>(d) Primary industry is diverse, dynamic, and innovative; and may occur on a range of lot sizes and at different levels of intensity;</p>	<p>“Animal breeding, boarding or training” Use Class is a Discretionary use of the land in the Rural Resource zone.</p> <p>(a) Proposal does not satisfy the Objective. The proposed use is not a primary industry use of the site, would not be dependent upon access to a naturally occurring resource and would not augment ongoing farm operations.</p> <p>(b) Proposal does not satisfy the Objective. The proposed development is not a Permitted use and is not reliant on air, land or water resources for primary industry production.</p> <p>(c)(i) Proposal satisfies the Objective. The proposal is for the use and development of land that would result in the re-use of a redundant building on the land and would not result in the permanent loss of a land resource, over and above that already lost to the development of buildings.</p>

<p>(e) All agricultural land is a valuable resource to be protected for sustainable agricultural production;</p> <p>(f) Rural land may be used and developed for economic, community, and utility activity that cannot reasonably be accommodated on land within a settlement or nature conservation area;</p> <p>(g) Rural land may be used and developed for tourism and recreation use dependent upon a rural location or undertaken in association with primary industry;</p> <p>(h) Residential use and development on rural land is appropriate only if –</p> <p style="padding-left: 40px;">(i) required by a primary industry or a resource based activity; or</p> <p style="padding-left: 40px;">(ii) without permanent loss of land significant for primary industry use and without constraint or interference to existing and potential use of land for primary industry purposes.</p>	<p>(c)(ii) Proposal satisfies the Objective. The proposal is for the use and development of land that would not unduly conflict, constrain or interfere with the practice of primary industry uses that would be dependent on the natural resources of air, land or water. The proposal would result in the re-use of a redundant building on the land and would not result in the permanent loss of a land resource, over and above that already lost to the development of buildings.</p> <p>(d) Proposal does not satisfy the Objective. Use Class is not associated with primary industry.</p> <p>(e) Proposal satisfies the Objective. The proposed use would be located with the curtilage of existing development and would not result in the additional loss of agricultural land, over and above that already lost through dwelling and shed development.</p> <p>(f) Proposal satisfies the Objective. The use would support a business that would be unlikely to operate or be reasonably accommodated on land within in a residential or commercial settlement area, due to possible noise and amenity impacts on adjoining property.</p>
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	<p>(g) Proposal does not satisfy the Objective. Proposed use is not for tourism or recreation use associated with primary industry.</p> <p>(h)(i) Not applicable. Proposed use is not Residential use and development.</p> <p>(h)(ii) Not applicable. Proposed use is not Residential use and development.</p>
<p>26.1.3 Desired Future Character Statements</p>	
<p>Use or development on rural land –</p> <p>(a) may create a dynamic, extensively cultivated, highly modified, and relatively sparsely settled working landscape featuring –</p> <ul style="list-style-type: none"> (i) expansive areas for agriculture and forestry; (ii) mining and extraction sites; (iii) utility and transport sites and extended corridors; and (iv) service and support buildings and work areas of substantial size, utilitarian character, and visual 	<p>(a)(i) Proposal is not consistent with Desired Future Character Statements. The proposed use and development is not associated with a working landscape featuring agriculture or forestry.</p> <p>(a)(ii) Proposal is not consistent with Desired Future Character Statements. The proposed use is not associated with mining and extraction.</p> <p>(a)(iii) Proposal is not consistent with Desired Future Character Statements. The proposed use is not associated with utility and transportation sites or corridors.</p>

<p>prominence that are sited and managed with priority for operational efficiency</p> <p>(b) may be interspersed with -</p> <ul style="list-style-type: none"> (i) small-scale residential settlement nodes; (ii) places of ecological, scientific, cultural, or aesthetic value; and (iii) pockets of remnant native vegetation <p>(c) will seek to minimise disturbance to -</p> <ul style="list-style-type: none"> (i) physical terrain; (ii) natural biodiversity and ecological systems; (iii) scenic attributes; and (iv) rural residential and visitor amenity; <p>(d) may involve sites of varying size -</p> <ul style="list-style-type: none"> (i) in accordance with the type, scale and intensity of primary industry; and 	<p>(a)(iv) Proposal is not consistent with Desired Future Character Statements. The proposed use would not result in service and/or support buildings for agriculture, forestry, mining, extraction, utility or transport corridors.</p> <p>(b)(i) Proposal is not consistent with Desired Future Character Statements. Use and development is not within or interspersed by small scale residential settlement nodes.</p> <p>(b)(ii) Proposal is not consistent with Desired Future Character Statements. The subject land is not identified as a place of ecological, scientific, cultural or aesthetic value. It is noted that the Dial Range is located immediately to the east of the property.</p> <p>(b)(iii) Proposal is not consistent with Desired Future Character Statements. The site is cleared of native vegetation.</p> <p>(c)(i) Proposal is consistent with Desired Future Character Statements. The proposal would not disturb the underlying physical terrain of the site.</p> <p>(c)(ii) Proposal is consistent with Desired Future Character Statements. The proposal would not disturb biodiversity or ecological systems on the site.</p>
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<p>(ii) to reduce loss and constraint on use of land important for sustainable commercial production based on naturally occurring resources;</p> <p>(e) is significantly influenced in temporal nature, character, scale, frequency, and intensity by external factors, including changes in technology, production techniques, and in economic, management, and marketing systems.</p>	<p>(c)(iii) Proposal is consistent with Desired Future Character Statements. The proposed use would not disturb existing scenic attributes of the site.</p> <p>(c)(iv) Proposal is not consistent with Desired Future Character Statements. The site is within 230m–300m proximity of five dwellings that have been established on allotments in the Rural Resource zone.</p> <p>(d)(i) Proposal is not consistent with Desired Future Character Statements. The proposed use would not be associated with primary industry.</p> <p>(d)(ii) Proposal is not consistent with Desired Future Character Statements. Proposal is not sustainable commercial production based on a naturally occurring resource.</p> <p>(e) Proposal is not consistent with Desired Future Character Statements. The proposed use is not significantly influenced by changes in technology, production techniques or economic management and marketing systems.</p>
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26.3.1 Requirement for discretionary non-residential use to locate on rural resource land	
<p>26.3.1-(P1) Other than for residential use, discretionary permit use must:</p> <ul style="list-style-type: none"> (a) be consistent with local area objectives; (b) be consistent with any applicable desired future character statement; and (c) be required to locate on rural resource land for operational efficiency: <ul style="list-style-type: none"> (i) to access a specific naturally occurring resource on the site or on adjacent land in the zone; (ii) to access infrastructure only available on the site or on adjacent land in the zone; (iii) to access a product of primary industry from a use on the site or on adjacent land in the zone; (iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone; 	<ul style="list-style-type: none"> (a) Compliant. The use and development satisfies four of the Rural Resource zone’s Objectives, whilst not satisfying four of the Objectives; with two of the Objectives deemed to be “not applicable”. The use is considered to be required, and is best facilitated, in the Rural Resource zone, due to possible amenity impact issues on adjoining land, and in this case, would be with the curtilage of existing on-site development and would not further reduce the lands capacity for primary industry. (b) Non-compliant. The proposed use and development does not satisfy eleven of the zones’ fourteen Desired Future Character Statements. (c)(i) Compliant. For operational efficiency, the use of land for a dog boarding kennel is required to access an area of land sufficient that it is not in close proximity to a Residential use of land. (c)(ii) Compliant. The proposed use would access existing built infrastructure on site.

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<p>(v) if required</p> <p>a to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose;</p> <p>b for security;</p> <p>c for public health or safety if all measures to minimise impact could create an unacceptable level of risk to human health, life or property if located on land in a zone intended for that purpose;</p> <p>(vi) to provide opportunity for diversification, innovation, and value-adding to secure existing or potential primary industry use of the site or of adjacent land;</p> <p>(vii) to provide an essential utility or community service infrastructure for the municipal or regional community or that is of significance for Tasmania; or</p> <p>(viii) if a cost-benefit analysis in economic, environmental, and social terms indicates significant benefits to the region; and</p>	<p>(c)(iii) Non-compliant. The proposed use would not access a product of primary industry from a use on the site or on adjacent land in the zone.</p> <p>(c)(iv) Non-compliant. The proposed use would not service or support a primary industry or other permitted use on the site or on adjacent land in the zone.</p> <p>(c)(v)a Non-compliant. The proposed use does not require access to a mandatory site area not otherwise available in the zone.</p> <p>(c)(v)b Compliant. The proposed use is located on the land for operational efficiency and security.</p> <p>(c)(v)c Non-compliant. The proposed use of the land is not required for public health or safety.</p> <p>(c)(vi) Compliant. The proposed use and development will provide for diversification of income generation on rural land.</p> <p>(c)(vii) Non-compliant. Not a utility or infrastructure that is of significance for Tasmania.</p>
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<p>(d) minimise likelihood for:</p> <ul style="list-style-type: none"> (i) permanent loss of land for existing and potential primary industry use; (ii) constraint or interference to existing and potential primary industry use on the site and on adjacent land; and (iii) loss of land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development. 	<p>(c)(viii) Non-compliant. No cost benefit analysis has been undertaken</p> <p>Refer to “Issues” section of this report.</p> <p>(d)(i) Compliant. The proposed use and development, within the curtilage of existing infrastructure on site, would not result in the permanent loss of land for existing and potential primary industry use.</p> <p>(d)(ii) Compliant. The proposed use and development, within the curtilage of existing infrastructure on site, would not constrain or interfere with existing or potential primary industry use on site or on adjacent land.</p> <p>(d)(iii) Compliant. The proposed use and development, within the curtilage of existing infrastructure on site, would not result in the further loss of land within the proclaimed Dial Blythe Irrigation District.</p>
<p>26.3.2 Required Residential Use</p>	
<p>26.3.2-(A1) Residential use required as part of a use must:</p> <ul style="list-style-type: none"> (a) be an alteration or addition to an existing lawful and structurally 	<p>Not applicable.</p> <p>No new required residential use proposed.</p>

<p>sound residential building;</p> <p>(b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;</p> <p>(c) not intensify an existing lawful residential use;</p> <p>(d) not replace an existing residential use;</p> <p>(e) not create a new residential use through conversion of an existing building;</p> <p>(f) be an outbuilding with a floor area of not more than 100m² appurtenant to an existing lawful and structurally sound residential building; or</p> <p>(g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and</p> <p>(h) there is no change in the title description of the site on which the residential use is located.</p>	
<p>26.3.3 Residential use</p>	
<p>26.3.3-(A1) Residential use that is not required as part of another use must:</p>	<p>Not applicable.</p>

<ul style="list-style-type: none"> (a) be an alteration or addition to an existing lawful and structurally sound residential building; (b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling; (c) not intensify an existing lawful residential use; (d) not replace an existing residential use; (e) not create a new residential use through conversion of an existing building; (f) be an outbuilding with a floor area of not more than 100m² appurtenant to an existing lawful and structurally sound residential building; or (g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and (h) there is no change in the title description of the site on which the residential use is located. 	<p>No new non-required residential use proposed.</p>
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26.4 Development Standards	
26.4.1 Suitability of a site or lot on a plan of subdivision for use or development	
<p>26.4.1-(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) unless for agricultural use, have an area of not less than 1.0 hectare not including any access strip; and</p> <p>(b) if intended for a building, contain a building area</p> <p>(i) of not more than 2,000m² or 20% of the area of the site, whichever is the greater unless a crop protection structure for an agricultural use;</p> <p>(ii) clear of any applicable setback from a frontage, side or rear boundary;</p> <p>(iii) clear of any applicable setback from a zone boundary;</p> <p>(iv) clear of any registered easement;</p> <p>(v) clear of any registered right of way benefiting other land;</p> <p>(vi) clear of any restriction imposed by a utility;</p>	<p>(a) Compliant. Land has an area of 10.37ha.</p> <p>(b)(i) Compliant. Total building area for proposed buildings would be 658m².</p> <p>(b)(ii) Compliant. Development would be clear of applicable front, rear and side boundaries.</p> <p>(b)(iii) Not applicable. No zone boundary setbacks apply.</p> <p>(b)(iv) Not applicable. No registered easements.</p> <p>(b)(v) Not applicable. No right-of-way.</p> <p>(b)(vi) Not applicable. No restriction imposed by a utility.</p> <p>(b)(vii) Compliant. Development clear of Crown land gravel access road.</p> <p>(b)(viii) Compliant. Land has frontage to Pine Road and has established access off Pine Road, over Crown land.</p>

<ul style="list-style-type: none"> (vii) not including an access strip; (viii) accessible from a frontage or access strip. 	
<p>26.4.1–(A2) A site or each lot on a subdivision plan must have a separate access from a road:</p> <ul style="list-style-type: none"> (a) across a frontage over which no other land has a right of access; and (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; or (c) by a right of way connecting to a road <ul style="list-style-type: none"> (i) over land not required as the means of access to any other land; and (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 (d) with a width of frontage and any access strip or right of way of not less than 6.0m; and (e) the relevant road authority in accordance with the <i>Local</i> 	<ul style="list-style-type: none"> (a) Non-compliant. The land has existing established access off Pine Road, over Crown land. Other land also relies on access to Pine Road over the parcel of Crown land. (b) Not applicable. Not an internal lot. (c) Not applicable. No right-of-way has been established over the strip of Crown land. Refer to “Issues” section of this report. (d) Compliant. The land has a 212.3m frontage to Pine Road and access to Pine Road via a strip of Crown land. (e) Compliant. The Council, as the Road Authority, has issued a Statement of Compliance that requires upgrade of the crossover interface between Pine Road and the parcel of Crown land that is used to access the land. Refer to Annexure 5.

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<p><i>Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> 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>26.4.1–(A3) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, 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 Water and Sewerage Industry Act 2008; or</p> <p>(b) from a rechargeable drinking water system R31 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:</p> <p>a a single dwelling; or</p> <p>b a use with an equivalent population of not more than 10 people per day.</p>	<p>(c) Not applicable. Site not able to connect to a reticulated water supply.</p> <p>(b)(i) Compliant. Existing on-site rechargeable drinking water system exceeding 10,000 litres.</p> <p>(b)(ii)a. Not applicable. No single dwelling development.</p> <p>(b)(ii)b. Compliant. Site would accommodate no more than 10 people per day.</p>

<p>26.4.1–(A4) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, 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>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development:</p> <p style="padding-left: 20px;">a is for a single dwelling; or</p> <p style="padding-left: 20px;">b provides for an equivalent population of not more than 10 people per day; or</p> <p>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS 1547:2000 On-site domestic-wastewater management clear of any defined building area or access strip.</p>	<p>(a) Not applicable. Site not able to connect to a reticulated sewer system.</p> <p>(b)(i) Not applicable. Satisfied by (b)(ii).</p> <p>(b)(ii) Not applicable. Satisfied by (b)(iii).</p> <p>(b)(iii) Compliant. The application is accompanied by an “Onsite Wastewater Disposal Assessment and Design” report by GeoTon Pty Ltd Reference No. GL17392Ab dated 17 October 2017.</p>
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<p>26.4.1–(A5) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater:</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if stormwater cannot be drained to a stormwater system:</p> <p>(i) for discharge to a natural drainage line, water body or watercourse; or</p> <p>(ii) for disposal within the site if:</p> <p>a the site has an area of not less than 5,000m²;</p> <p>b the disposal area is not within any defined building area;</p> <p>c the disposal area is not within any area required for the disposal of sewage;</p> <p>d the disposal area is not within any access strip; and</p>	<p>(a) Not applicable. Satisfied by (b)(ii).</p> <p>(b)(i) Not applicable. Satisfied by (b)(ii).</p> <p>(b)(ii)a Compliant. Site has an area of 10.37ha and on-site stormwater disposal is not within any defined building area, access strip or wastewater disposal area.</p> <p>(b)(ii)b Compliant. Site has an area of 10.37ha and on-site stormwater disposal is not within any defined building area, access strip or wastewater disposal area.</p> <p>(b)(ii)c Compliant. Site has an area of 10.37ha and on-site stormwater disposal is not within any defined building area, access strip or wastewater disposal area.</p> <p>(b)(ii)d Compliant. Site has an area of 10.37ha and on-site stormwater disposal is not within any defined building area, access strip or wastewater disposal area.</p> <p>(b)(ii)e Compliant. Site has an area of 10.37ha and on-site stormwater disposal is not within any defined building area, access strip or wastewater disposal area.</p>
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<p>e not more than 50% of the site is impervious surface.</p>	
<p>26.4.2 Location and configuration of development</p>	
<p>26.4.2-(A1) A building or a utility structure, other than a crop protection structure for an agriculture use, must be set back:</p> <p>(a) not less than 20.0m from the frontage; or</p> <p>(b) not less than 50.0m if the development is for sensitive use on land that adjoins the Bass Highway;</p> <p>(c) not less than 10.0m from each side boundary; and</p> <p>(d) not less than 10.0m from the rear boundary; or;</p> <p>(e) in accordance with any applicable building area shown on a sealed plan.</p>	<p>(a) Compliant. Development would be setback 230m from Pine Road frontage.</p> <p>(b) Not applicable. Satisfied by (a).</p> <p>(c) Compliant. Development would be 47m to nearest side boundary.</p> <p>(d) Compliant. Development would be 110m to rear boundary.</p> <p>(e) Compliant. No building area on a sealed plan.</p>
<p>26.4.2-(A2) Building height must be not more than 8.5m.</p>	<p>Compliant.</p> <p>Maximum building height would be 4m.</p>

<p>26.4.2-A3.1</p> <p>A building or utility structure, other than a crop protection structure for an agricultural use or wind power turbines or wind power pumps, must –</p> <p>(a) not project above an elevation 15m below the closest ridgeline;</p> <p>(b) be not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland;</p> <p>(c) be below the canopy level of any adjacent forest or woodland vegetation; and</p> <p>(d) clad and roofed with materials with a light reflectance value of less than 40%.</p> <p>A3.2</p> <p>(a) Wind power turbines and wind power pumps must not exceed 20m in height.</p>	<p>A3.1</p> <p>(a) Compliant. Proposed development would be approximately 15m below nearest ridgeline and would not project above the ridgeline.</p> <p>(b) Compliant. Proposed development would be setback 80m from waterbody (dam).</p> <p>(c) Compliant. Proposed development would be below canopy level of vegetation located 290m to the east of the site.</p> <p>(d) Not applicable. Building is existing. Cladding will remain as existing.</p> <p>A3.2</p> <p>(a) Not applicable. Not wind turbine or wind power pumps.</p>
<p>26.4.3 Location of development for sensitive uses</p>	
<p>26.4.3-(A1) New development for sensitive uses must:</p> <p>(a) be located not less than:</p>	<p>Not applicable.</p> <p>Not a sensitive use.</p>

<ul style="list-style-type: none"> (i) 200m from any agricultural land; (ii) 200m from aquaculture, or controlled environment agriculture; (iii) 500m from extractive industry or intensive animal husbandry; (iv) 100m from land under a reserve management plan; (v) 100m from land designated for production forestry; (vi) 50.0m from a boundary of the land to the Bass Highway, or to a railway line; and (vii) clear of any restriction imposed by a utility; and <p>(b) not be on land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i>, or land that may benefit from the application of broad-scale irrigation development.</p>	
<p>26.4.4 Subdivision</p>	
<p>26.4.4-(A1) Each new lot on a plan of subdivision must be –</p>	<p>Not applicable. No subdivision proposed.</p>

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<p>(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 Councilor by a statutory authority.</p>	
<p>26.4.5 Buildings for Controlled Environment Agriculture</p>	
<p>26.4.5-(A1) A building for controlled environment agriculture use must be a crop protection structure and the agricultural use inside the building must satisfy one of the following:</p> <p>(a) rely on the soil as a growth medium into which plants are directly sown;</p> <p>(b) not alter, disturb or damage the existing soil profile if conducted in a manner which does not rely on the soil as a growth medium.</p>	<p>Not applicable. No controlled environment agriculture proposed.</p>
<p style="text-align: center;">CODES</p>	
<p>E1 Bushfire-Prone Areas Code</p>	<p>Not applicable. Code does not involve a subdivision or a vulnerable or hazardous use.</p>
<p>E2 Airport Impact Management Code</p>	<p>Not applicable. No code in this Scheme.</p>

E3 Clearing and Conversion of Vegetation Code	Not applicable. No clearing or conversion of native vegetation proposed.
E4 Change in Ground Level Code	Not applicable. No change in ground level proposed.
E5 Local Heritage Code	Not applicable. No places of local significance listed in code.
E6 Hazard Management Code	Not applicable. Not within an area of known or mapped hazard.
E7 Sign Code	Not applicable. No signs proposed.
E8 Telecommunication Code	Not applicable. No telecommunications proposed.
E9 Traffic Generating Use and Parking Code	
E9.2 Application of this Code	Code applies to all development.
E9.4 Use or development exempt from this Code	Not exempt. No Local Area Parking Scheme applies to the site.
E9.5 Use Standards	
E9.5.1 Provision for parking	
E9.5.1-(A1) Provision for parking must be:	Compliant.
(a) the minimum number of on-site vehicle parking spaces must be	

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<p>in accordance with the applicable standard for the use class as shown in the Table to this Code;</p>	<p>E9 Traffic Generating Use and Parking Code requires that for Domestic animal breeding, boarding or training the site make provision of one car parking space for every five animals boarded.</p> <p>Sixteen boarding pens are proposed. This equates to a need for 3.2 car parking spaces. The proposal satisfies this requirement, allocating four car parking spaces.</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 by a Condition of a Permit.</p> <p>(a) Table requires provision of an on-site parking space for a small rigid truck. Such a space is not shown on the plan but there is sufficient land to accommodate this requirement.</p> <p>(b) Not applicable. Four car parking spaces are required and allocated.</p>
<p>E9.6 Development Standards</p>	
<p>E9.6.2 Design of vehicle parking and loading areas</p>	
<p>E9.6.2 A1.1 All development must provide for the collection, drainage and disposal of stormwater</p>	<p>Compliant by condition to a Permit.</p>

	<p>That the collection, drainage and disposal of stormwater be required as a condition of a Permit.</p>
<p>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> <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>(a) Compliant by condition to a Permit.</p> <p>(b)–(d) Compliant. The site has sufficient area to accommodate this requirement.</p> <p>(e) Each parking space is separately accessed from the driveway.</p> <p>(f) Vehicle manoeuvring area provides for the forward movement and passing of all vehicles within the site.</p> <p>(g) Plans indicate that vehicle parking and manoeuvring areas would be formed and constructed with compacted sub-base and an all-weather surface.</p>

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(g) Be formed and constructed with compacted sub-base and an all-weather surface.	
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.	Compliant by condition to a Permit.
E10 Water and Waterways Code	Not applicable. Site not within 30m of a watercourse or waterbody.

*Issues –**1 Local Area Objectives and Desired Future Character Statements –*

The purpose of the Rural Resource zone is to provide for the sustainable use and development of air, land and water resources for agriculture, aquaculture, forestry, mining and other primary industries, including quarrying.

The Rural Resource zone's Local Area Objectives and Desired Future Character Statements together seek to promote use and development that is primarily for primary industry purpose.

The Local Area Objectives and Desired Future Character Statements seek to protect all agricultural land for sustainable agricultural production and collectively demonstrate that the primary intent of use and development in the Rural Resource zone is to minimise the loss of land for primary industry. Most particularly, to minimise the loss of prime agricultural land, protect land that is located within a proclaimed irrigation district and to provide for uses that do not constrain, fetter or conflict with current or future primary industry activity.

The proposed use of the land for a dog boarding kennel is considered to adequately satisfy the Scheme's Local Area Objectives and Desired Future Character Statements for the Rural Resource zone,

The use is considered to be required on the site for operational and security reasons and a dog boarding kennel use of land is best facilitated in the Rural Resource zone. The use would be with the curtilage of existing on-site development that comprises a dwelling and outbuildings; and would not further reduce the lands capacity for primary industry. Further, the proposal would appropriately locate a use that may result in amenity impact issues if the use was located in another zone; such as General Residential zone, General Business zone or General Industrial zone.

It may be considered that the subject proposal is a use that will not result in the loss of prime agricultural land or of land that may be subject to irrigation, as the development would be located within the curtilage of existing on-site infrastructure. Given that the owner of the land is engaged in other primary industry activity, the fettering, constraint or conflict of adjoining agricultural activity would not be an anticipated outcome of operation of the dog boarding kennel facility.

The proposed use of the land is able to adequately satisfy the Local Area Objectives and some of the Desired Future Character Statements.

2 *Development within the Dial Blythe Proclaimed Irrigation District –*

The Central Coast municipal area accommodates two irrigation districts, proclaimed under Part 9 of the *Water Management Act 1999*. The Kindred North Motton Irrigation District, proclaimed in August 2012, and the Dial Blythe Irrigation District, proclaimed in February 2014.

The proposed development would be on land that is located within the Dial Blythe Irrigation District.

The Dial Blythe Irrigation District comprises 12,568ha and is expected to have the capacity to supply 2,855ML of water over the summer irrigation period, giving water security to affected lands. The Scheme is intended to service pasture and cropping land around the settlements of South Riana, Riana, Penguin, West Pine, Cuprona and Howth. Currently, the production of potatoes, other vegetables, poppies, pyrethrum, berries, beef and dairy produce are the primary activities in these areas.

It is considered the proposed development would not exclude the property from future broad scale irrigation and associated resource production.

3 *Discretionary non-residential use on Rural Resource land –*

When assessing the discretionary use of Rural Resource land, the Planning Authority is to minimise the unnecessary loss of air, land and water resources and prevent unreasonable conflict or interference to existing primary industry use.

Performance Criteria 26.3.1–(P1) states that, other than for residential development, discretionary uses must meet at least one of the Scheme’s requirements. The subject proposal is able to meet several of the Performance Criteria.

The proposed use and development, within the curtilage of existing infrastructure on site, would not result in the permanent loss of land for existing and potential primary industry use and would not fetter, constrain or interfere with existing or potential primary industry use on site, or on adjacent land.

4 *Access to Pine Road relies on Crown land that other land also relies upon for access –*

The subject property relies on access to Pine Road via a strip of Crown land that is also relied upon and used by another, internal property, to the east of 829 Pine Road.

The gravel road has long been established and it would appear that, whilst it is Crown land, a Lease or License with the Crown, setting out rights of access and the ongoing responsibilities for maintenance of the gravel road, has not been properly established by the separate parties that own and use the land.

The gravel road is not part of the Council’s road network. The Council, in its capacity as the Road Authority, is satisfied that lands in this area have a long established use of the gravel road to access Pine Road. The Road Authority will require the upgrade of the crossover interface between Pine Road and the gravel road (Crown land). Any other matters relating to the ongoing maintenance of the gravel road are not for consideration by the Panning Authority.

Referral advice –

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No comment.
Infrastructure Services	Refer to Statement of Compliance issued by the Council acting in its capacity as the Road Authority, dated 12 February 2018.
TasWater	Not applicable.
Department of State Growth	Not applicable.
Environment Protection Authority	Not applicable.
TasRail	Not applicable.

Heritage Tasmania	Not applicable.
Crown Land Services	No comment.
Other	Not applicable.

CONSULTATION

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

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

Representations -

One representation was received following a request that an extension of time be granted for lodgement of a representation. An additional two days were granted, allowing time for both the submission of a written representation and time for the Planning Authority to consider the development application within the statutory timeframes. A copy of the representation and request for extension of time are provided at Annexure 3.

The representation is summarised and responded to as follows:

MATTER RAISED	RESPONSE
<p>1 The representor adjoins the subject land on the eastern boundary. The representor does not object to the proposed dog boarding kennel business; providing noise, effluent disposal and animal safety are adequately managed.</p>	<p>The development is to include the installation of noise reduction batts to the walls and ceiling of the dog boarding facility and on-site effluent disposal is addressed in an "Onsite Wastewater Disposal Assessment and Design" report by GeoTon Pty Ltd Reference No. GL17392Ab.</p> <p>Any future issues that may arise, such as noise relating to the on-site management of the proposed business, would be addressed under the <i>Environmental Management and Pollution Control Act 1994</i>, should such nuisance arise.</p>

<p>2 The representor is concerned that the proposed dog boarding kennel use and subsequent increase in traffic over the shared access gravel road will result in ongoing maintenance issues of the gravel road.</p>	<p>The representor also relies on access to their property via a gravel road off Pine Road. The gravel road is Crown land and is not maintained by the Council.</p> <p>The Council, in its capacity as the Road Authority, has issued a Statement of Compliance that requires upgrade of the crossover interface between Pine Road and the gravel road that is Crown land.</p> <p>Any other issues, such as the use and maintenance of the gravel road, is matter between the Crown and those parties that rely on the land for access.</p>
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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

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

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.
- Encourage a creative approach to new development.

CONCLUSION

The representation does not contain sufficient merit to justify the addition of any restrictive condition to a Permit, or refusal of the proposed use and developed of the land. The primary issue raised in the representation, the ongoing maintenance of the shared access road that is a parcel of Crown land, is not a matter that is for consideration by the Planning Authority.

The proposal is considered to satisfy the Scheme's relevant Performance Criteria in that the use is to be within the curtilage of existing development on site, the potential for land use conflict between primary industry activity and the proposed use is unlikely and the proposal would not result in a risk of fettering or impose a likely constraint on resource production over viable agricultural land within the proclaimed Dial Blythe Irrigation District.

Recommendation –

It is recommended that the application for Domestic animal breeding, boarding or training (dog boarding kennel) involving discretionary use and development in Rural Resource zone and variation to access standards at 829 Pine Road, Penguin be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the application for this Permit, unless modified by a condition of this Permit.
- 2 The on-site disposal of wastewater must be in accordance with the "Onsite Wastewater Disposal Assessment and Design" report by GeoTon Pty Ltd. Reference GL 17392Ab dated 17 October 2017 and clear of any defined building area, stormwater disposal site or access driveway.
- 3 Stormwater, including from vehicle parking and manoeuvring areas, must be collected, drained and disposed of to an approved stormwater system.
- 4 Stormwater disposal must be clear of any defined building area, wastewater disposal area and access driveway.
- 5 Vehicle parking and manoeuvring areas must be designed and constructed in accordance with the "Unsealed Roads Manual – Guideline for Good Practice ARRB".
- 6 The layout of vehicle parking areas, loading area, circulation aisles and manoeuvring areas must be in accordance with AS/NZS2891.1 (2004) and AS/NZS2890.2 (2002).
- 7 The development must be in accordance with the conditions of the Statement of Compliance for Vehicular Access and Drainage Access dated 12 February 2018, issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority (copy attached).

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 of time 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 bank guarantee to undertake such works.
- 3 Prior to the commencement of work, the applicant is to ensure that the category of work of the proposed building and/or plumbing work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work.
- 4 The developer is to seek a Kennel Licence for the proposed facility under the *Dog Control Act 2000.*

The report is supported.”

The Executive Services Officer reports as follows:

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

■ Cr van Rooyen moved and Cr Howard seconded, “That the application for Domestic animal breeding, boarding or training (dog boarding kennel) involving discretionary use and development in Rural Resource zone and variation to access standards at 829 Pine Road, Penguin be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the application for this Permit, unless modified by a condition of this Permit.
- 2 The on-site disposal of wastewater must be in accordance with the “Onsite Wastewater Disposal Assessment and Design” report by GeoTon Pty Ltd. Reference GL 17392Ab dated 17 October 2017 and clear of any defined building area, stormwater disposal site or access driveway.
- 3 Stormwater, including from vehicle parking and manoeuvring areas, must be collected, drained and disposed of to an approved stormwater system.

- 4 Stormwater disposal must be clear of any defined building area, wastewater disposal area and access driveway.
- 5 Vehicle parking and manoeuvring areas must be designed and constructed in accordance with the “Unsealed Roads Manual – Guideline for Good Practice ARRB”.
- 6 The layout of vehicle parking areas, loading area, circulation aisles and manoeuvring areas must be in accordance with AS/NZS2891.1 (2004) and AS/NZS2890.2 (2002).
- 7 The development must be in accordance with the conditions of the Statement of Compliance for Vehicular Access and Drainage Access dated 12 February 2018, issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority (copy attached) (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 of time 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 bank guarantee to undertake such works.
- 3 Prior to the commencement of work, the applicant is to ensure that the category of work of the proposed building and/or plumbing work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work.
- 4 The developer is to seek a Kennel Licence for the proposed facility under the *Dog Control Act 2000*.”

Carried unanimously

INFRASTRUCTURE SERVICES

79/2018 Infrastructure Services determinations

The Director Infrastructure Services reports as follows:

“A Schedule of Infrastructure Services Determinations made during the month of February 2018 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reports as follows:

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

■ Cr Diprose moved and Cr Downie seconded, “That the Schedule of Infrastructure Services Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

80/2018 Tenders for truck replacement – Fleet item F400

The Director Infrastructure Services reported as follows:

“The Engineering Group Leader has prepared the following report:

PURPOSE

The purpose of this report is to provide information and recommendations for the replacement of the current 16-tonne truck (F400).

BACKGROUND

Tenders were called using the Local Government Association of Tasmania approved MAV procurement system. MAV is the LGAT's procurement service, established in 2001 to aggregate the buying power of local government authorities, shorten procurement timeframes and streamline interactions between business and local government without the time consuming and administrative burden of following the *Local Government Act 1993* requirements for seeking tenders or quotes.

The tender documents were lodged on 25 January 2018 and closed on 15 February 2018.

Tenders received were as follows:

INFRASTRUCTURE SERVICES

TENDERER	MAKE	GROSS PRICE \$ (Exc. GST)	TRADE-IN PRICE \$ (Exc. GST)	NETT PRICE \$ (Exc. GST)
FRM	Hino 500 FG1628	136,166	47,273	88,893
CJD Equipment	Fuso Fighter FM65FH2RFAK	137,640	47,273	90,367
FRM	Hino 500 GH1828	144,091	47,273	96,818
Webster Trucks – UD	UD PK16 280 H9L	135,290	36,364	98,926
FRM	Hino 500 GH1835	148,380	47,273	101,107
Webster Trucks – Isuzu	Isuzu FVR 165-300-MWB	143,008	40,909	102,099
<i>Estimate</i>		<i>130,000</i>	<i>30,000</i>	<i>100,000</i>

DISCUSSION

A total of six trucks from four suppliers were offered for consideration. Along with the base pricing, there were several options offered by the different suppliers that may enhance the operation of the unit.

The Council's truck fleet consists of eight trucks with their designated fleet numbers being in the "400" series. The current unit is ten years old and is being used as a trade-in on the new unit under consideration. After examination of the specifications provided with the offers it was concluded that four trucks offered the most advantages to the Council and so these were shortlisted for evaluation.

The standard weighted tender assessment was used and considered the following:

- . documentation and compliance;
- . operational assessment;
- . safety assessment;
- . service costs and warranty;
- . financial offer; and
- . previous experience.

The tender assessment panel consisted of the Technical Officer – Fleet & Infrastructure, Roadworks Maintenance Team Leader and the current unit operator.

On completion of the tender evaluation, the submission from Webster Trucks UD for a UD PK16 280 H9L was noted as achieving the highest rating.

It was agreed that the UD PK16 280 H9L unit offered the options and specifications required for the tasks and was believed to be the most suitable of those units for the intended Construction and Maintenance duties. While several other units had comparable features the numerous refinements and standard specifications on the UD deemed the unit most suitable and best value for Council.

This unit is a multi-use vehicle with a number of drivers likely to use the unit in any one month. In view of this, and noting the gearbox repair history from the existing unit, it is considered that the new vehicle should have an automatic transmission to minimise the gearbox/transmission damage that has occurred in the past.

Consequently, the option offered of an automatic transmission at an additional cost of \$3,560 (excluding GST) is considered necessary and appropriate. An extended warranty cover to five years/350,000kms at an additional cost of \$2,295.45 (excluding GST) above the base pricing provided would further enhance the operational performance, safety and versatility of the unit.

CONSULTATION

This item has followed a tendering process and consultation has been undertaken with the tenderers, relevant staff and operators in respect to the tendered vehicle options and safety aspects.

RESOURCE, FINANCIAL AND RISK IMPACTS

The nett cost for the UD PK16 280 H9L unit is slightly more than the budget estimate when the two options are added. However, the two options offer advantages to the Council. The preferred option can be accommodated within the plant replacement budget.

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

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

Council Sustainability and Governance

- . Improve corporate governance.

CONCLUSION

It is recommended that the Council accept:

- 1 the tender from Webster Trucks UD for the replacement of fleet item F400, being a UD PK16 280 H9L model in the amount of \$135,290 (excluding GST [\$148,819 including GST]);
- 2 the trade-in offer from Webster Trucks UD for fleet item F400, being a Hino 500 Series, in the amount of \$36,363.64 (excluding GST [\$40,000 including GST]);

- 3 the offer from Webster Trucks UD for an optional Automatic Transmission at an additional cost of \$3,560 (excluding GST [\$3,916 including GST]); and
- 4 the offer of extended warranty cover to 5 years/350,000kms for the UD PK16 280 H9L at an additional cost of \$2,295.45 (excluding GST [\$2,525 including GST]).’

The Engineering Group Leader’s report is supported.”

The Executive Services Officer reports as follows:

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

■ Cr Carpenter moved and Cr Tongs seconded, “That the Council accept:

- 1 the tender from Webster Trucks UD for the replacement of fleet item F400, being a UD PK16 280 H9L model in the amount of \$148,819 (including GST);
- 2 the trade-in offer from Webster Trucks UD for fleet item F400, being a Hino 500 Series, in the amount of \$40,000 (including GST);
- 3 the offer from Webster Trucks UD for an optional Automatic Transmission at an additional cost of \$3,916 (including GST); and
- 4 the offer of extended warranty cover to 5 years/350,000kms UD PK16 280 H9L at an additional cost of \$2,525 (including GST).”

Carried unanimously

81/2018 Tenders for truck replacement – Fleet item F406

The Director Infrastructure Services reported as follows:

“The Engineering Group Leader has prepared the following report:

‘PURPOSE

The purpose of this report is to provide information and recommendations for the replacement of the current 16–tonne truck (F406).

BACKGROUND

Tenders were called using the Local Government Association of Tasmania approved MAV procurement system. MAV is the LGAT’s procurement service,

established in 2001 to aggregate the buying power of local government authorities, shorten procurement timeframes and streamline interactions between business and local government without the time consuming and administrative burden of following the *Local Government Act 1993* requirements for seeking tenders or quotes.

The tender documents were lodged on 25 January 2018 and closed on 15 February 2018.

Tenders received were as follows:

TENDERER	MAKE	GROSS PRICE \$ (Exc. GST)	TRADE-IN PRICE \$ (Exc. GST)	NETT PRICE \$ (Exc. GST)
FRM	Hino 500 FG1628	136,166	46,364	89,802
CJD Equipment	Fuso Fighter FM65FH2RFAK	136,790	45,972	90,818
FRM	Hino 500 GH1828	144,091	46,364	97,727
Webster Trucks – UD	UD PK16 280 H9L	134,440	36,364	98,076
FRM	Hino 500 GH1835	148,380	46,364	102,016
Webster Trucks – Isuzu	Isuzu FVR 165–300–MWB	142,158	37,273	104,885
<i>Estimate</i>		<i>130,000</i>	<i>30,000</i>	<i>100,000</i>

DISCUSSION

A total of six trucks from four suppliers were offered for consideration. Along with the base pricing, there were several options offered by the different suppliers that may enhance the operation of the unit.

The Council truck fleet consists of eight trucks with their designated number being in the "400" series. The current unit is ten years old and is being used as a trade-in on the new unit under consideration. After examination of the specifications provided with the offers it was concluded that four of the trucks offered the most advantages to the Council and so these were shortlisted for evaluation.

The standard weighted tender assessment was used and considered the following:

- . documentation and compliance;
- . operational assessment;
- . safety assessment;
- . service costs and warranty;
- . financial offer; and
- . previous experience.

The tender assessment panel consisted of the Technical Officer – Fleet & Infrastructure, Civil Construction Team Leader and the current unit operator.

On completion of the tender evaluation, it was noted that the submission from Webster Trucks Isuzu for an Isuzu FVR 165-300-MWB achieved the highest rating.

It was agreed that the Isuzu FVR 165-300-MWB unit offered the options and specifications required and was believed to be the most suitable of those units for the intended Construction and Maintenance duties. While several other units had comparable features the numerous refinements and standard specifications on the Isuzu deemed the unit most suitable and best value for the Council.

CONSULTATION

This item has followed a tendering process and consultation has been undertaken with the tenderers, relevant staff and operators in respect to the tendered vehicle options and safety aspects.

RESOURCE, FINANCIAL AND RISK IMPACTS

The nett cost for the Isuzu FVR 165–300–MWB unit is slightly more than the budget estimate and the trade in offered is also more than what was expected. The preferred option can be accommodated within the plant replacement budget.

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

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

Council Sustainability and Governance

- . Improve corporate governance.

CONCLUSION

It is recommended that the Council accept:

- 1 the tender from Webster Trucks Isuzu for the replacement of fleet item F406, being an Isuzu FVR 165–300–MWB model in the amount of \$142,158 (excluding GST [\$156,374 including GST]);
- 2 the trade-in offer from Webster Trucks Isuzu for fleet item F406, being a Fuso FM65, in the amount of \$37,272.73 (excluding GST [\$40,000 including GST]); and
- 3 the free extended warranty cover to 5 years/300,000kms.’

The Engineering Group Leader’s report is supported.”

The Executive Services Officer reports as follows:

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

■ Cr Downie moved and Cr Tongs seconded, “That the Council accept:

- 1 the tender from Webster Trucks Isuzu for the replacement of fleet item F406, being an Isuzu FVR 165–300–MWB model in the amount of \$156,374 (including GST);

INFRASTRUCTURE SERVICES

- 2 the trade-in offer from Webster Trucks Isuzu for fleet item F406, being a Fuso FM65, in the amount of \$40,000 (including GST); and
- 3 the free extended warranty cover to 5 years/300,000kms.”

Carried unanimously

ORGANISATIONAL SERVICES

82/2018 Contracts and agreements

The Director Organisational Services reports as follows:

“A Schedule of Contracts and Agreements (other than those approved under the common seal) entered into during the month of February 2018 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 reports as follows:

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

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

Carried unanimously

83/2018 Correspondence addressed to the Mayor and Councillors

The Director Organisational Services reports as follows:

“PURPOSE

This report is to inform the meeting of any correspondence received during the month of February 2018 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 safety concerns in King Edward Street and Clarkes Lane, Ulverstone
- . Letter recommending that Council consider seeking Expressions of Interest to build accommodation near the Dial Regional Sports Complex
- . Letter regarding safety concerns with road edge deterioration on Westella Drive and Forth Road, Turners Beach

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.”

The Executive Services Officer reports as follows:

- Cr van Rooyen moved and Cr Viney seconded, "That the Director's report be received."

Carried unanimously

84/2018 Common seal

The Director Organisational Services reports as follows:

"A Schedule of Documents for Affixing of the Common Seal for the period 20 February 2018 to 19 March 2018 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 reports as follows:

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

- Cr Diprose moved and Cr Tongs 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

85/2018 Public question time

The Mayor introduced public question time at 6.32pm as the business in the open part of the meeting had been dealt with and the Council was about to proceed into the closed section of the meeting.

Ms Deborah Leary – Turners Beach

Question 1 –

"Is the Council aware of this problem (dogs of leash)?"

Response:

The Mayor referred the matter to the Director Community Services who advised, yes, the Council has been aware of issues relating to dogs off lead, including the matters raised by yourself.

Question 2 -

“If Council is aware, what is it doing about it?”

Response:

The Mayor referred the matter to the Director Community Services who advised, the Council patrols a number of areas at different times and issues warnings and infringements where warranted. Reminders regarding responsible dog ownership are included in the Mayor’s Message, the Advocate newspaper, social media pages and also, form a part of the dog registration renewals. Another reminder is due to be issued. When Council is made aware of concerns regarding an ongoing problem, increased patrols are requested.

Question 3 -

“I have a number of questions, some of which are included in my letter. I own a dog that reacts to other dogs approaching her, particularly when not on a leash. Dogs not on a lead or under effective control is becoming an increasing problem. I am aware of other Council’s having similar issues along the coast. Is there anyway, Councils can work together on the matter?”

Response:

The Mayor responded by acknowledging Ms. Leary’s issue, advising the Council will endeavour to do more, however, some of the issues will never be solved. The Council does what it can, and also relies on the community for support and to comply where possible. The Council will continue to communicate in relation to responsible dog ownership.

The Director Community Services advised that he would respond to Ms. Leary’s correspondence in due course.

Questions and replies concluded at 6.39pm.

CLOSURE OF MEETING TO THE PUBLIC

86/2018 Meeting closed to the public

The Executive Services Officer reports 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;
- . Minutes and notes of other organisations and committees of the Council
 - . Dulverton Waste Management Board;
 - . Dulverton Waste Management- Audit and Risk Committee; and
 - . Dulverton Waste Management – Owner Representatives;
- . Cradle Coast Authority Board – Investment Proposal – Cultivate Productions; and
- . Request for the Council to apply for ownership of Winduss Road, Gunns Plains

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;
- . information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting or proposes to conduct business;
- . proposal for the acquisition of land; and
- . matters relating to actual or possible litigation taken, to be or to be taken, by or involving the Council or an employee of the Council and.”

■ 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;
- . information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting or proposes to conduct business;

- . proposal for the acquisition of land; and
- . matters relating to actual or possible litigation taken, to be or to be taken, by or involving the Council or an employee of the Council.”

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;
- . Minutes and notes of other organisations and committees of the Council
 - . Dulverton Waste Management Board;
 - . Dulverton Waste Management- Audit and Risk Committee; and
 - . Dulverton Waste Management – Owner Representatives;
- . Cradle Coast Authority Board – Investment Proposal – Cultivate Productions; and
- . Request for the Council to apply for ownership of Winduss Road, Gunns Plains.”

Carried unanimously and by absolute majority

The Executive Services Officer further reports 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 6.42pm.

87/2018 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 19 February 2018 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

88/2018 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.”

89/2018 Cradle Coast Authority Board – Investment proposal – Cultivate Productions

The General Manager reports as follows:

“PURPOSE

The purpose of this report is to seek the Council’s commitment of underwritten financial support to the Cradle Coast Authority (CCA) Board’s proposal.

...

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.”

INFRASTRUCTURE SERVICES

90/2018 Request for the Council to apply for ownership of Winduss Road, Gunns Plains

■ Cr Bloomfield (having given notice) to move, “That the Central Coast Council apply to the Department of Primary Industries Parks Water and Environment (DPIPWE) or any other appropriate Government department to be granted ownership of the 260 metres or thereabouts of the constructed road that is between the bridge on Winduss Road and the entrance to the Winduss farm property.”

...

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.”

87A/2018 Confirmation of Closed session minutes

The Executive Services Officer reports as follows:

“The Closed session minutes of the previous ordinary meeting of the Council held on 19 February 2018 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 Howard moved and Cr Tongs seconded, “That the Closed session minutes of the previous ordinary meeting of the Council held on 19 February 2018 be confirmed.”

Carried unanimously

GENERAL MANAGEMENT

88A/2018 Minutes and notes of other organisations and committees of the Council

The General Manager reports as follows:

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

- . Dulverton Waste Management Authority Board – meeting held on 28 February 2018
- . Dulverton Waste Management Authority – Audit and Risk- meeting held 28 February 2018
- . Dulverton Waste Management – Owner Representatives – meeting held 1 March 2018.

The minutes and notes have been provided to the Council on the condition they are kept confidential.

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

■ Cr Viney moved and Cr Howard seconded, “That the General Manager’s report be received, and further, having taken into account privacy and confidentiality issues including the provision of reports and documents to the Council with an obligation of confidence, the Council agrees that the reports and documents be kept confidential.”

Carried unanimously

89A/2018 Cradle Coast Authority Board – Investment proposal – Cultivate Productions

The General Manager reports as follows:

“PURPOSE

The purpose of this report is to seek the Council’s commitment of underwritten financial support to the Cradle Coast Authority (CCA) Board’s proposal of investing in Cultivate Productions (proposed) food related television series (a copy of the Commercial in Confidence correspondence is attached).

BACKGROUND

The Cultivate Production Group is a locally owned and operated business who are passionate about building capacity and capability within the Tasmania media

production industry. Ben Milbourne established Cultivate from rising to fame as a contestant on Master Chef and subsequent career as an award-winning television food presenter. The CCA has been approached by Cultivate with a proposal to underwrite a production that would utilise the Cradle Coast region as a feature. At a strategic planning meeting on 5 March 2018, the CCA agreed to proceed with support, subject to due diligence which included a legal review.

DISCUSSION

Cultivate Productions propose 26 episodes of a new television series filmed primarily on the North-West Coast of Tasmania. The view is that it would promote the region as a destination with a focus on the region's food, beverage and visitor offerings.

CCA have advised that they would provide the \$280k(+GST) funding required to produce the series, subject to sponsorship agreements currently being negotiated, which will reduce the investment required. The agreement requires an initial payment of 50%, with the remaining to be paid once the production is aired. Cultivate Productions have advised that (based on previous distribution forecasts), it would be expected, that 75% (approx.) of the total investment would be recovered within 18-24 months.

Whilst the CCA would own 100% of the licensing rights, Cradle Coast Councils would be entitled to use the content captured during filming for their own promotional purpose. Statistics and forecasting predicts that the episodes have a potential reach of at least 250,000 viewers.

The CCA have indicated that it can accommodate the funding with cashflow, however, indicate that Councils could be called upon to provide financial assistance to the CCA if the investment isn't recovered in full.

The exposure for each Council would be based on the initial upfront investment in accordance with the CCA contribution model, inserted below:

Table 1: Recovery of Investment based on CCA's Contributions Model

Council	%	Zero ROI	25% ROI	50% ROI	75% ROI
Burnie	18	\$50,344	\$37,758	\$25,172	\$12,586
Central Coast	19	\$54,320	\$40,740	\$27,160	\$13,580
Circular Head	7	\$20,916	\$15,687	\$10,458	\$5,229
Devonport	23	\$63,588	\$47,691	\$31,794	\$15,897
Kentish	5	\$15,232	\$11,424	\$7,616	\$3,808
King Island	2	\$4,340	\$3,255	\$2,170	\$1,085
Latrobe	8	\$22,708	\$17,031	\$11,354	\$5,677
Waratah-Wynyard	13	\$35,336	\$26,502	\$17,668	\$8,834
West Coast	5	\$13,216	\$9,912	\$6,608	\$3,304
TOTAL	100	\$280,000	\$210,000	\$140,000	\$70,000

CONSULTATION

Consultation was undertaken by Ben Milbourne at the Cradle Coast Authority Representatives meeting.

RESOURCE, FINANCIAL AND RISK IMPACTS

The money would be sourced from the Council's Investment Fund Reserve, which is provided for one-off opportunities that may benefit Central Coast and aligns with its Strategic Plan, if required.

CORPORATE COMPLIANCE

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

Community Capacity and Creativity

- . Community capacity-building
- . Facilitate entrepreneurship in the business community
- . Cultivate a culture of creativity in the community.

Council Sustainability and Governance

- . Strengthen local–regional connections.

CONCLUSION

It is recommended that that the Council agree to the Cradle Coast Authority's Recovery of Investment Contribution Model and underwrite the 19% contribution of Cultivate Productions investment proposal if it is not recovered in full by the Cradle Coast Authority."

The Executive Services Officer reports as follows:

"A copy of the Commercial in Confidence correspondence from Cradle Coast Authority have been circulated to all Councillors."

■ Cr Downie moved and Cr Diprose seconded, "That the Council agree to the Cradle Coast Authority's Recovery of Investment Contribution Model and underwrite the 19% contribution of Cultivate Productions investment proposal if it is not recovered in full by the Cradle Coast Authority (a copy of the Commercial in Confidence correspondence being appended to and forming part of the minutes), subject to the Central Coast area being promoted through the program to the satisfaction of the Council, and further, having taken into account privacy and confidentiality issues including the provision of reports and documents to the Council with an obligation of confidence, the Council agrees that the reports and documents be kept confidential."

Carried unanimously

Cr Diprose left the meeting at this stage (6.57pm)

INFRASTRUCTURE SERVICES

90A/2018 Request for the Council to apply for ownership of Winduss Road, Gunns Plains

Cr Diprose returned to the meeting at this stage (6.59pm)

■ Cr Bloomfield (having given notice) moved and Cr Howard seconded, “That the Central Coast Council apply to the Department of Primary Industries Parks Water and Environment (DPIPWE) or any other appropriate Government department to be granted ownership of the 260 metres or thereabouts of the constructed road that is between the bridge on Winduss Road and the entrance to the Winduss farm property.”

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

“In support of this motion I have some information about the history of this 260 metres of road.

The Central Coast Council has recently advised ratepayers with property on this piece of road that legal access to their property must be arranged by themselves by obtaining a permit from the DPIPWE to have access to their properties.

These properties all have legal titles, and rates on them have been paid for almost 100 years.

As the other properties on Winduss Road north of the bridge have access and are serviced by a council road it raises the question of why the properties on this road section are being denied access from a council road while others on Winduss Road are serviced by council.

A visit to the area shows the original farm homestead which has been serviced by this section of the road for almost 100 years.

The history that brings this motion to your attention is that there is evidence that this 260 metres of road was originally the main road into Gunns Plains which was obviously built with public money. It was the main road until the main road was relocated to where it is today. As it was the main road it has always been thought of by the owners and ratepayers that it was still a road owned by council.

This short section of road provides access to four properties and for these ratepayers to be told recently by the Central Coast Council that they had to apply for a permit to travel to their property was indeed a very unexpected shock.

The Winduss family has gathered written evidence from past Penguin and Central Coast councillors and past employees providing evidence that they are familiar with the work and the maintenance, including grading and constructing culverts etc. that was done prior to the amalgamation of Penguin and Ulverstone Councils in 1993. So the question is why wasn't this section of road with four properties on it included in the transfer along with the rest of Winduss Road. It may well have been a clerical error as there could be no logical reason for cutting this 260 metres off as it was all part of the same road.

These pieces of written evidence of work done on this section of road were provided to the council General Manager some months ago and I hope they will be made available for Councillors perusal at their request.

There are also maps associated with the property titles for this section of road that clearly show this section as Main Road.

The Google map also shows this section as Winduss Road and I am told that the Winduss farm has a postal address of 140 Winduss Road.

Denying these ratepayers the right to travel to their property unless they apply for and pay for a permit from the Crown seems extremely unfair and why would this council and its councillors want to act in this manner and deny them what we would all expect in their circumstances, a right to have the same secure access as is provided to all other properties on Winduss Road.

Also there may be a detrimental financial effect and other consequences for these ratepayers if access to these properties is by permit only. The value and saleability of the properties may be lessened as a licence can be revoked or not renewed at the time of expiry.

While I was considering this issue I asked myself how I would feel if I was one of these ratepayers and I concluded that I would be looking to my council and my councillors to provide me with security of access to my property and I would hope and expect to be treated like all other ratepayers in the municipality.

Central Coast Council has 667 kilometres of road. An additional 260 metres is not going to make very much difference to a council roads program.

As councillors I believe we must respect our ratepayers and do what is needed to give them the help and assistance they need in circumstances like this."

The Director Infrastructure Services reports as follows:

"BACKGROUND

This report considers a motion of notice from Cr Bloomfield proposing that the Central Coast Council apply to the relevant Government department, i.e. Crown Land Services (CLS), to take over responsibility for the section of Crown Reserve over which access to two properties at the northern end of Winduss Road is obtained.

DISCUSSION

A brief history:

In September 2016 the Council's General Manager Sandra Ayton, Cr John Bloomfield and myself met with Mr Kevin Winduss about a number of issues he had relating to an application by Wings Wildlife Park for approval to establish backpacker units at the Park as well as issues with the section of Winduss Road from the entrance to the Park to his property. The matters relating to the section of Winduss Road included the relocation of fencing on either side of the road to the correct property boundaries, maintenance to the road surface and drainage structures and action on the dam located on the Park's property which was alleged to be causing damage to the road.

Subsequent to this meeting a number of phone conversations took place between the General Manager and myself with Mr Winduss to convey information that had been researched for him.

As a result of searches of both the Council's and Tasmanian Government property systems, it was believed that the Council section of Winduss Road finished five to ten metres past the bridge near Wings Wildlife Park entrance. Legal advice was sought to clarify this which confirmed that the section of road from the entrance to Wings Wildlife Park to the gate where it enters the Winduss property was unlikely to be a Council road but rather a Crown reserve over which landowners beyond this point would need to have the approval of the Crown to use the reserve as an access. The Council's legal advisor suggested that there did not appear to be sufficient evidence at that time to confirm that the section of Crown reserve was a road under the control of the Council and that this could only come from Crown Land Services (CLS).

It was also noted that:

- . The landowner at the end of the road on the Crown reserve had a Crown licence to access his property across the full length of the Crown reserve, i.e. from Wings Wildlife Park entrance.
- . Mr Winduss was not the owner of any property abutting the Crown reserve, but his son was the owner of the properties to the north of Wings Wildlife Park.

This information was conveyed to Mr Winduss and he raised additional questions which resulted in further investigations on the subject.

Mr Winduss subsequently provided a letter from Mr Paul Lewis Winduss advising that Mr Winduss could handle "...my legal administration and general affairs. (Excluding: property ownership titles – in sale of lease pertaining to my property at Winduss Road, Gunns Plains)."

Contact was made with CLS and they investigated the matter in their Ulverstone and Hobart offices.

In addition to this a review of the former Penguin Council's records held by the Central Coast Council including meeting minutes failed to reveal any approval for maintenance on the section of road beyond Wings Wildlife Park.

Advice received from CLS as a result of the Council's request for information included:

- . The road is a Crown reserve.
- . One access licence to use the Crown reserve is in place to the landowner at the end of the crown reserve.
- . Maintenance of the reserve road is not the Council's responsibility, but rather the users of the reserve who have, or should have, an access licence.
- . CLS will be following up with landowners accessing their properties via the Crown reserve, namely Wings Wildlife Park, Mr Paul Winduss and M J Walsh and N G Day regarding access licences.
- . The complaint about the location of the fencing and dam being on the reserve was being followed.
- . Anyone can walk along the Crown reserve in question.
- . This issue is common across the State and the Central Coast municipal area is not regarded as having the most issues of historical access across reserves.

A copy of the plan provided by CLS is attached as Annexure one.

Mr Winduss then supplied correspondence from former Councillors and employees of the Penguin Council to support his claim that the road was maintained by and under the control of the Penguin Council. Copies of these letters are attached as Annexure two.

Unfortunately, the letters did not provide clear and unambiguous evidence that the road was under the control of the Penguin Council although they did appear to suggest that Council staff did maintain the road in previous years whether by standard practise or as a private works project. Mr Winduss and Cr Bloomfield were advised of this and further questions were asked.

It should be noted that the Council regularly advised Mr Winduss that he should speak to CLS himself on the matter and it was not known if that occurred or not. However, CLS did advise in one of their contacts with the Council on the matter that Mr Winduss had attempted to contact a Crown officer at his home which was considered inappropriate.

A meeting was convened in March 2017 between Mr Winduss, Cr Bloomfield, the Council's General Manager and Director Infrastructure Services and a CLS officer to attempt to finalise the matters raised by Mr Winduss. During this meeting, it was confirmed that:

- "A check of records has shown No Application has been made by the Penguin Council to take over responsibility and maintenance for this section of Winduss Road that is subject to this current issue"
- "CLS manage the section of road. The Central Coast Council does not".
- The Central Coast Council can find no records of maintenance having been undertaken to the section of Crown Reserve either as Council maintenance or as a private works project for a landowner.

A copy of the Council's letter that was forwarded to Mr Winduss confirming the discussions during the meeting is attached as Annexure three.

Since this time there has been additional contacts by Cr Bloomfield with Mayor Cr Bonde on this matter and the same information has been conveyed on what has been found during the investigations by the Council and CLS.

A letter was received on 23 January 2018 from the Deputy Premier Jeremy Rockliff MP addressed to Cr Bloomfield and the Council on the matter which confirmed that the section of Winduss Road beyond Wings Wildlife Park and finishing at the Dial Range Regional Reserve is considered Crown reserve. A copy of this letter is attached as Annexure four.

It should be noted that the letter indicates that the Parks and Wildlife Service "...would be pleased to issue Mr Winduss with an access licence to the properties of concern".

Notes and Comments

Considerable investigations have been undertaken by the Council, its legal advisor and CLS on this matter over a two-year period. What can be stated from this is summarised as:

- . The Council is not denying access to a property but simply stating the requirements for the property to access a Council road across a Crown reserve. It is the Crown who requires an access licence to use the Crown reserve.
- . There is no confirmation that the former Penguin Council had control of the section of Winduss Road prior to 1993.
- . CLS has indicated that it has no record of the Penguin Council making application to obtain control of the section of road.
- . Penguin Council may have been maintaining the road although no minutes or budget records show this. A number of instances have been found where the Penguin Council was maintaining a road that it did not have control over. The section of road (Crown reserve) may have been maintained as a private works job although this cannot be confirmed either.
- . The Central Coast Council has not had control of the section of Crown reserve since amalgamation of the Penguin and Ulverstone Councils in 1993. Staff have not been able to confirm that any Council funded maintenance to the road has been carried out since 1993.
- . Wings Wildlife Park has confirmed that it met the cost of maintenance of the road by a local contractor in recent years as it was using a section of the road to access its animal pens adjacent to the road.

The Council also needs to consider the following information before determining the resolution provided by Cr Bloomfield:

- . The section of road is likely to have been constructed in the late 1890s/early 1900s to provide access to a timber mill that had been established on what is today, Crown land, just up from the Leven River crossing. I am led to believe that the large timber bridge across the Leven River was severely damaged (i.e. damaged beyond repair) in one of the floods in the early 1900s.

- . The initial cost of the bridge and road may well have been met by the Crown or the private mill company, but this could not be confirmed without a major State archive search.
- . There are numerous situations across the Central Coast municipal area where residents access their properties across Crown reserves (roads) similar to this Winduss Road situation. In one instance the road is up to 1.5kms in length and the resident is happy to continue to maintain the 'track' as they don't wish to have the track become a road that everyone can use.
- . The Council deals with a number of these issues every year and in most instances, the resident chooses not to proceed with the issues that they raise. Issues dealt with in the past year have been in Leith (x two), Forth (x one) and Riana (x one) and further information will be coming to the Council in the future over an issue that is continually causing issues and affecting tourism within the Central Coast area.
- . CLS have advised that this issue occurs across the State and the Central Coast municipal area is not the worst area for this.
- . Residents have the right to travel to their properties across the Crown reserve. (confirmed by CLS in one of its meetings with Council staff.) Many do so and have the access licence required. The requirement for an access licence only came into being in the last few years as a result of a change in the legislation and apparently there was a publicity campaign at that time to advise people of this.
- . CLS does not actively pursue residents who use Crown reserves for access and do not have an access licence. They do however follow up on the matter when it is brought to their notice in some way.
- . Unfortunately, there are instances even in Ulverstone where a resident has to access their property via a road on a privately held parcel of land.
- . If the Council were to consider taking control of roads on Crown reserves such as in this case within the municipal area, it would mean an increase in the amount of gravel and sealed roads within the Central Coast which would require a major increase in funding to maintain the roads. In some instances, as the road leading up to the Crown reserve is sealed, the affected residents have indicated that they would expect the road which is their access should be constructed and sealed if the Council were to take over control of the section of Crown reserve.

- Contrary to what is indicated in the supporting information provided by Cr Bloomfield, as the issue is so prevalent across the Central Coast municipal area and State it is highly unlikely that the value of the Winduss property would be devalued by having to have a Crown access licence to access the property. However, the vagaries of real estate sales and the continuing flow of new residents from the mainland where this is not a usual situation may well determine otherwise

In view of the history of this issue, the fact that the Council has gone out of its way to assist Mr Winduss and the implications for the Council and its budget, as well as, the State, it is strongly suggested that the motion not be acceded to.

CONSULTATION

Considerable consultation has taken place with Mr Winduss, Mr Glynn Williams the Council's legal advisor, CLS and DPAC and Cr Bloomfield

RESOURCE, FINANCIAL AND RISK IMPACTS

Considerable time and cost has been expended on this matter over the two-year period by the Council. As well CLS and the Department of Premier and Cabinet have also expended time and cost investigating the issues.

CORPORATE COMPLIANCE

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

A Connected Central Coast

- Connect the people with services

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure

Council Sustainability and Governance

- Improve service provision

CONCLUSION

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

The motion on notice from Cr Bloomfield and by consent of Cr Howard (seconded) was withdrawn.

Closure

There being no further business, the Mayor declared the meeting closed at 7.33pm.

CONFIRMED THIS 16TH DAY OF APRIL, 2018.

Chairperson

(Imm:lb)

Appendices

- Minute No. 70/2018 – Instrument of delegations by Council of its functions and powers to the General Manager – March 2018
- Minute No. 71/2018 – Customer Service Charter (45/2016–15.02.2016)
- Minute No. 72/2018 – Leven Canyon/Leven Valley Masterplan 2018
- Minute No. 74/2018 – Central Coast Volunteering Strategy 2018–2023
- Minute No. 76/2018 – Schedule of Statutory Determinations
- Minute No. 78/2018 – Statement of Compliance by the Council acting as the Road Authority – Vehicular and Drainage Access – 829 Pine Road Penguin – DA217092
- Minute No. 79/2018 – Schedule of Infrastructure Services Determinations
- Minute No. 82/2018 – Schedule of Contracts & Agreements
- Minute No. 84/2018 – Schedule of Documents for Affixing of the Common Seal

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