
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, 18 February 2019 commencing at 6.00pm.

Councillors attendance

Cr Jan Bonde (Mayor)
Cr John Beswick
Cr Cheryl Fuller
Cr Annette Overton
Cr Philip Viney

Cr Garry Carpenter (Deputy Mayor)
Cr Amanda Diprose
Cr Casey Hiscutt
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)
Executive Services Officer (Mrs Lou Brooke)

Media attendance

The media was not represented.

Public attendance

One member of the public attended during the course of the meeting.

Prayer

The meeting opened in prayer.

CONFIRMATION OF MINUTES OF THE COUNCIL

36/2019 Confirmation of minutes

The Executive Services Officer reported as follows:

“The minutes of the previous ordinary meeting of the Council held on 29 January 2019 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 Hiscutt seconded, That the minutes of the previous ordinary meeting of the Council held on 29 January 2019 be confirmed.”

Carried unanimously

COUNCIL WORKSHOPS

37/2019 Council workshops

The Executive Services Officer reported as follows:

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

- . 04.02.2019 – Strategic Risk Register; Coastal Management Strategy; Code of Conduct of Councillors
- . 11.02.2019 – Footpaths five-year plan; Electronic request system

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

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

Carried unanimously

MAYOR'S COMMUNICATIONS

38/2019 Mayor's communications

The Mayor reported as follows:

"I have no communications at this time."

39/2019 Mayor's diary

The Mayor reported as follows:

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

- . Office of the Coordinator-General – networking event (Devonport)
- . Ulverstone Cultural Precinct – launch
- . Ten Days on the Island – launch (Burnie)
- . TasWater Owners' Representatives – Quarterly briefing (Burnie)
- . Penguin foreshore remediation and restoration project – community meeting
- . GP Led Anticipatory Care Project – briefing
- . Penguin District School – Community Reference Group meeting
- . Statewide Waste Management – feasibility study (Burnie)."

■ Cr Viney moved and Cr Overton seconded, "That the Mayor's report be received."

Carried unanimously

40/2019 Declarations of interest

The Mayor reported as follows:

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

The Executive Services Officer reported as follows:

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

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

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

No interests were declared at this time.

COUNCILLOR REPORTS

41/2019 Councillor reports

The Executive Services Officer reported as follows:

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

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

No reports were made.

APPLICATIONS FOR LEAVE OF ABSENCE

42/2019 Leave of absence

The Executive Services Officer reported as follows:

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

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

There are no applications for consideration at this meeting.”

DEPUTATIONS

43/2019 Deputations

The Executive Services Officer reported as follows:

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

PETITIONS

44/2019 Petitions

The Executive Services Officer reported as follows:

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

COUNCILLORS' QUESTIONS

45/2019 Councillors' questions without notice

The Executive Services Officer reported as follows:

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

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

(a) of the chairperson; or

(b) through the chairperson, of –

(i) another councillor; or

(ii) the general manager.

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

(a) offer an argument or opinion; or

(b) draw any inferences or make any imputations –

except so far as may be necessary to explain the question.

(3) The chairperson of a meeting must not permit any debate of a question without notice or its answer.

(4) The chairperson, councillor or general manager who is asked a question without notice at a meeting may decline to answer the question.

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- (5) The chairperson of a meeting may refuse to accept a question without notice if it does not relate to the activities of the council.
 - (6) Questions without notice, and any answers to those questions, are not required to be recorded in the minutes of the meeting.
 - (7) The chairperson may require a councillor to put a question without notice in writing.'

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

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

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

The allocation of topics ensued.

46/2019 Councillors' questions on notice

The Executive Services Officer reported as follows:

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

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

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

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

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

No questions on notice have been received."

PUBLIC QUESTION TIME

47/2019 Public question time

The Mayor reported as follows:

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

Public question time will be conducted as provided by the *Local Government (Meeting Procedures) Regulations 2015* and the supporting procedures adopted by the Council on 19 May 2014 (Minute No. 133/2014)."

48/2019 Public questions taken on notice

The Executive Services Officer reported as follows:

"At the 29 January 2019 Ordinary Council Meeting, Mr Darryl Barker asked the following questions without notice, which was responded to by the Mayor who advised that matter would be investigated, and a response provided.

Question 1:

"With a large increase in people swimming at Johnson Beach does the Council feel in this day that the men's toilet which is 4m² by 3m² also has to be the male change room? If a tourist or local man is changing into his swimmers and two young boys go into the toilet to urinate, what does this do for the boy's outlook on life?"

Response:

"I note your advice that this may be occurring and would ask that you contact the Police if you have concerns relating to any specific incidents.

The male toilets at Johnsons Beach consists of a urinal and a toilet cubical with a door to be closed when using the toilet. There is no outer door on the entrance to the male or female sections of the facility.

Changing for swimming can be undertaken in the toilet cubical and to date no other complaints have been received about people getting changed in the main room of the facility.

Dedicated change rooms have not been provided in any beachfront toilets within the Central Coast Council area apart from one that was provided in the westernmost Turners Beach facility some years ago as part of a special project.”

The report was noted.

DEPARTMENTAL BUSINESS

GENERAL MANAGEMENT

49/2019 Minutes and notes of committees of the Council and other organisations

The General Manager reported as follows:

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

- . Cradle Coast Authority Representatives – meeting held 22 November 2018
- . Central Coast Council Audit Panel – meeting held 3 December 2018
- . Devonport City Council and Central Coast Council Shared Audit Panel – meeting held 3 December 2018

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

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

Carried unanimously

50/2019 Code of Conduct of Councillors Policy (167/2016 – 20.06.2016)

The General Manager reported as follows:

PURPOSE

The purpose of this report is to consider the review of the Code of Conduct of Councillors (the Policy), in line with amendments to the *Local Government Act 1993* (the Act) and the *Local Government (Model Code of Conduct) Order 2016* (the Code). A copy of the reviewed Policy is appended to this report.

BACKGROUND

In 2016, the Act set a Model Code of Conduct to be adopted by councils, including a framework for the handling of complaints. The Council adopted the Code of Conduct of Councillors at the June 2016 Council meeting. In June 2018, a joint review of the local government Code of Conduct framework was undertaken by the State and Local government sectors. The review resulted in legislative amendments to the Model

Code, which were approved by the Minister for Local Government on 7 December 2018 and came into effect upon Gazettal on 26 December 2018.

The Policy sets out the standards of behaviour expected of Councillors at the Central Coast Council. As leaders in the community, Councillors are required to acknowledge and uphold the high standards of behaviour in maintaining good governance. The Policy applies to Councillors whenever they are:

- . Conducting council business, whether at or outside of a meeting;
- . Conducting the business of his or her office (which may be Mayor, Deputy Mayor or Councillor); or
- . Acting as a representative of the Council.

In adopting the Policy, Councillors are agreeing to conduct themselves in accordance with the standards, which are clearly outlined within the Policy.

DISCUSSION

Following the 2018 review, changes to the Act and the Code and subsequently the Policy, will assist and improve the overall efficiency and effectiveness of the complaints handling process as well as drafting and administrative matters, a summary of the changes was provided in an Information Sheet from the Department of Premier and Cabinet's Local Government Division in January 2019 and is reproduced (in part) below:

'Following a review of the model code of conduct framework, there have been changes made to both the Local Government Act 1993 (the Act) and the Local Government (Model Code of Conduct) Order 2016 (the Code). Together, these changes will improve the overall efficiency and effectiveness of the complaints handling process.

Amendments to the Act apply as of 10 December 2018 include

- . a complainant must provide details of reasonable efforts made to resolve the issue that is the subject of the complaint, when lodging a complaint;
- . a complainant (along with Councillors or employees of the council) are to provide a statutory declaration verifying the accuracy of the information they provide in respect of a complaint;
- . the Chairperson of a Code of Conduct Panel may dismiss complaints on the basis of 'triviality', as well as on the basis that the complainant has not made a reasonable effort to resolve the issue prior to lodgement of the complaint;

-
- . councils must include in their annual report the number of code of conduct complaints that were received in total, as well as the number that were upheld either wholly or in part;
 - . a new offence provision to explicitly prevent any person from misusing information acquired in relation to a code of conduct investigation; and a small number of minor amendments focused on improving the overall procedural fairness, confidentiality and transparency of the complaints handling process.

Amendments to the model code were approved by the Minister for Local Government on 7 December 2018 and come into effect upon Gazettal, scheduled for 26 December 2018. However, these changes will not apply until the amended model code is adopted by the relevant council. Amendments include:

- . changes to make it clear that the Model Code does not apply to pecuniary interests or to the disclosure of confidential information, as these are dealt with as offence provisions under the Act; and
- . the introduction of a 'reasonable person' test in relation to non-pecuniary conflicts of interest. This replaces the 'materiality' test, and is intended to provide consistency within the Code and with common law principles. Further guidance will be issued about what is the "reasonable person"...

CONSULTATION

A Council Workshop was held on 4 February 2019 to outline the changes impacting the Policy review. Information provided by the Department Premier and Cabinet's Local Government division was referred to as part of the review process.

RESOURCE, FINANCIAL AND RISK IMPACTS

The implementation of this Policy will have no impact on the resources of the Council. However, under the legislation, each council is responsible for payment of the costs of the Panel and Executive Officer in relation to a Code of Conduct complaint. Such remuneration allowances are determined by the Minister.

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.

GENERAL MANAGEMENT

CONCLUSION

It is recommended that the Code of Conduct of Councillors Policy dated January 2019 be adopted."

The Executive Services Officer reported as follows:

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

■ Cr Hiscutt moved and Cr Diprose seconded, "That the Code of Conduct of Councillors Policy dated January 2019 be adopted."

Voting for the motion

(8)

Cr Bonde

Cr Beswick

Cr Carpenter

Cr Diprose

Cr Fuller

Cr Hiscutt

Cr Overton

Cr Viney

Voting against the motion

(1)

Cr van Rooyen

Motion

Carried

COMMUNITY SERVICES

51/2019 Statutory determinations

The Director Community Services reported as follows:

“A Schedule of Statutory Determinations made during the month of January 2019 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reported as follows:

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

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

Carried unanimously

52/2019 Leven Theatre Winch System – reallocation of Capital funds

The Director Community Services reported as follows:

“The Community Development Group Leader has provided the following report:

‘PURPOSE

In accordance with the *Local Government Act 1993* Section 82 – Estimates, this report seeks the Council’s approval for amendments to the Capital Estimates 2018–2019 to replace the Leven Theatre fly system.

BACKGROUND

On 28 August 2017, an incident occurred at the Leven Theatre where a high tensile steel cable that supported the stage curtain rail failed and fell approximately four metres to the stage floor. It was determined the alloy crimp used to secure the eyelet end of the cable had failed while the Council’s Theatre Technician was operating the electric fly system.

In response to the incident the eight winches of the fly system were immobilised as it could not be satisfactorily determined if they were safe to operate. To enable use of fly system for lighting installation only, a four–

metre-high scaffold platform has been erected on the stage. No scene changes are possible due to the immobilisation of the winches.

To address the safety concerns and see the fly system operating, Council officers and the Theatre Technician consulted with a market leading theatre engineering company. The recommended solution is that three new electric lines and five new counterweight manual lines be installed. The proposal will ensure the fly system is consistent with contemporary theatre operations and maximise the safety of theatre technicians and performers.

DISCUSSION

The Leven Theatre makes a significant cultural contribution to living in the Central Coast by providing a venue for local schools, businesses and community groups to stage performances and host conferences.

The restricted use of the fly system has been an inconvenience for users and cost \$2,200 in hire fees for the scaffolding. Whilst the inconvenience has not contributed to reduced bookings if it continues into the medium/longer term it may reduce utilisation and potentially damage the theatre's brand within the performing arts community.

Replacement of the fly system will ensure the Leven Theatre continues to be a high-quality venue for local and travelling productions. The proposed replacement will increase the safety (with dead-man operating switches and multiple mechanical safe guards) and ensure the theatre meets the expectations of users and the community.

To fund the fly system replacement will cost \$121,241. This is \$61,241 more than what is allocated in the 2018–2019 budget estimates.

The *Local Government Act 1993* (the Act) Section 82 – Estimates states:

“...(2) Estimates are to contain details of the following:

- (a) the estimated revenue of the council;
- (b) the estimated expenditure of the council;
- (c) the estimated borrowings by the council;
- (d) the estimated capital works of the council;
- (e) any other detail required by the Minister.

- (3) Estimates for a financial year must –
 - (a) be adopted by the council, with or without alteration, by absolute majority; and
 - (b) be adopted before 31 August in that financial year; and
 - (c) not be adopted more than one month before the start of that financial year.
- (4) A council may alter by absolute majority any estimate referred to in subsection (2) during the financial year.
- (5) A council may make adjustments to individual items within any estimate referred to in subsection (2) by a simple majority so long as the total amount of the estimate is not altered.
- (6) A council, by absolute majority, may authorise the general manager to make minor adjustments up to specified amounts to individual items within any estimate referred to in subsection (2) so long as the total amount of the estimate is not altered.
- (7) The general manager is to report any adjustment and an explanation of the adjustment at the first ordinary meeting of the council following the adjustment.”

In accordance with the Act, Estimates were prepared for and adopted at the Council meeting held on 25 June 2018 (Minute No. 167/2018).

The General Manager has delegation for changes up to \$20,000 in accordance with Section 82(6). As the adjustment is above this threshold it requires Council consideration pursuant with Section 82(4).

CONSULTATION

To determine how to replace the Leven Theatre fly system Council staff consulted with the Council’s Theatre Technician, Tasmanian Consulting Services and a market leading theatre engineering company.

Tasmanian Consulting Service provided a structural assessment report to the Council on 6 December 2018 that determined the existing fly tower structure could adequately accommodate the proposed new fly system.

A report was discussed by the Senior Leadership Team on 23 January 2019.

Key users of the Leven Theatre have been informed on the progress of the fly system replacement over the past 6 months as the restricted use impacts their ability to stage performances.

RESOURCE, FINANCIAL AND RISK IMPACTS

The Council has allocated \$60,000 in the 2018–2019 budget estimates for the fly system replacement. This figure was based on the best available information at the time.

Further investigations have since determined \$118,241 (ex GST) is required to replace the fly system. A further \$3,000 is estimated to be required to modify the power supply to the new electric lines, making a total of \$121,241.

It is proposed that the capital projects scheduled for 2018–2019 financial year for the Civic Centre, being the carpet replacement, painting program and entrance redesign, be deferred until the 2019–2020 financial year and the \$30,000 funds reallocated to the fly system replacement.

The remaining \$31,241 is proposed to be sourced from the Ulverstone Recreation Ground underground irrigation project. This project will not be completed in the 2018–2019 financial year as the time available to undertake the procurement process and close the ground for eight-weeks for installation would have caused significant disruption to ground users. It will instead be carried forward into the 2019–2020 financial year to be undertaken immediately after the 2019 football season.

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
- Improve community wellbeing

Community Capacity and Creativity

- Cultivate a culture of creativity in the community

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure

Council Sustainability and Governance

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

CONCLUSION

It is recommended that the following proposed budget reallocations for capital funding for 2018–2019 be accepted and approved by the Council.

| PROJECT | CURRENT BUDGET \$ | PROPOSED BUDGET \$ | DIFFERENCE \$ |
|---|-------------------------|--------------------------|------------------|
| Carpet Replacement | 10,000 | – | –10,000 |
| Painting Program | 10,000 | – | –10,000 |
| Entrance Redesign | 10,000 | – | –10,000 |
| Ulverstone Recreation Ground Underground Irrigation | 80,000 | 48,759 | –31,241 |
| Leven Theatre Fly System Replacement | 60,000 | 121,241 | +61,241 |
| <i>Total</i> | <i>180,000</i> | <i>180,000</i> | <i>–</i> |

The Director Community Services report is supported.”

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

Project adjustments –

| PROJECT | CURRENT BUDGET \$ | PROPOSED BUDGET \$ | DIFFERENCE \$ |
|---|-------------------------|--------------------------|------------------|
| Carpet Replacement | 10,000 | – | –10,000 |
| Painting Program | 10,000 | – | –10,000 |
| Entrance Redesign | 10,000 | – | –10,000 |
| Ulverstone Recreation Ground Underground Irrigation | 80,000 | 48,759 | –31,241 |

COMMUNITY SERVICES

| | | | |
|---|----------------|----------------|----------|
| Leven Theatre Fly System Replacement | 60,000 | 121,241 | +61,241 |
| <i>Total</i> | <i>180,000</i> | <i>180,000</i> | <i>-</i> |

for the 2018–2019 financial year be accepted and approved.”

Carried unanimously

53/2019 Use of the Council’s roads for Targa Tasmania – 2 May 2019

The Director Community Services reported as follows:

“The Events Officer has prepared the following report:

‘PURPOSE

The purpose of this report is to consider closure and use of the Council’s roads on 2 May 2019 for Targa Tasmania 2019.

BACKGROUND

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

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

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

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

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

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

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

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

The event is scheduled to cover a statewide route from Monday 29th April to Saturday 4th May 2019, with all activities relating to the Central Coast municipality concentrated on Thursday 2nd May.

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

LEG FOUR – THURSDAY 2nd MAY

MUNICIPALITY OF KENTISH AND CENTRAL COAST

| | |
|----------------|--------------------------------|
| ‘CASTRA’ | Road Closure: 8:11 – 12:41 |
| ROAD CLOSED: | BETWEEN FOLLOWING ROADS: |
| Back Road | Wilmot Road and Spellmans Road |
| Spellmans Road | Back Road and Castra Road |

MUNICIPALITY OF CENTRAL COAST

| | |
|----------------|----------------------------|
| ‘GUNNS PLAINS’ | Road Closure: 8:31 – 13:01 |
|----------------|----------------------------|

| ROAD CLOSED | BETWEEN FOLLOWING ROADS |
|---------------------|--------------------------------------|
| Central Castra Road | Castra Road and Preston-Castra Road |
| Preston-Castra Road | Central Castra Road and Preston Road |
| Preston Road | Preston-Castra Road and Raymond Road |
| Raymond Road | Preston Road and Gunns Plains Road |

MUNICIPALITY OF CENTRAL COAST AND CITY OF BURNIE

| 'RIANA' | Road Closure: 8:52 – 13:22 |
|-------------------|---|
| ROAD CLOSED: | BETWEEN FOLLOWING ROADS: |
| Lowana Road | Marshall's Bridge Road and South Riana Road |
| South Riana Road | Lowana Road and Upper Natone Road |
| Upper Natone Road | South Riana Road and Camena Road |
| Camena Road | Upper Natone Road and Stotts Road |
| Stotts Road | Camena Road and Wyllies Road |

In accordance with the Council's policy regarding road closures for rally stages I can confirm Targa Australia has provided written notification of the proposed road closures and the route of Targa Tasmania 2019 to companies and contractors including road transport, harvesting and tourism operators. As in the past this notification will be followed up by further documentation.

Targa Australia has also provided written notification to residents on the sections of roads affected by the road closures specific to the targa stage on which those roads fall. Please find copies of these attached. Further to this Targa Australia will be issuing further letters to residents.

Specifically, the following Central Coast resident's addresses were issued with written advice regarding road closures on the 23/1/2019.

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

Castra Targa Stage

| | |
|--------------|-----|
| Spellmans Rd | 445 |
| | 410 |
| | 385 |
| | 310 |
| | 259 |
| | 179 |
| | 155 |
| | 99 |
| | 80 |

65
60
6

Eastleys Rd 385
259
289
75

Gunns Plains Targa Stage

Central Castra Rd 9
19
80
109
199
345
379

Preston Castra Rd 300
299
184
163
140

Preston Rd 1633
1634
1636
1638
1641
1647
1648
1668
1667
1709
1747
1749
1777

Goulds Road 3
65

COMMUNITY SERVICES

| | |
|--------------|-----|
| Raymond Road | 130 |
| | 150 |
| | 161 |
| | 170 |
| | 220 |
| | 299 |
| | 319 |
| | 321 |
| | 468 |
| | 510 |

Riana Targa Stage

| | |
|-------------|-----|
| Lowana Road | 230 |
| | 224 |
| | 209 |
| | 180 |
| | 160 |
| | 84 |

| | |
|------------------|------|
| South Riana Road | 1730 |
| | 1655 |
| | 1603 |
| | 1601 |
| | 1512 |
| | 1462 |
| | 1456 |
| | 1335 |
| | 1336 |
| | 1275 |
| | 1259 |
| | 1212 |
| | 1179 |
| | 1137 |
| | 1089 |
| | 1077 |
| | 1033 |
| | 1002 |
| | 997 |
| | 996 |
| | 918 |
| | 862 |
| | 787 |

759
744
743
729
617
608
542
425
414
387

South Riana road, Masters road, Loyetea road, Fielding's Road, Jansens road and Barkers road done via Australia Post (South Riana Shop)

| | |
|---------------|-----|
| Stotts Road | 754 |
| | 669 |
| | 576 |
| | 494 |
| | 450 |
| | 398 |
| | 329 |
| Bennetts Road | 95 |
| | 90 |
| Hornes Road | 51 |
| | 63 |
| | 214 |

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

DISCUSSION

The Council has not received any representations.

Discussions have previously been held with Targa officials, surrounding a suitable 'Targa event', to be staged within the municipal area, although this has not gained any momentum and there is no event planned to run alongside Targa in 2019, Council staff are continuing to explore options relating to the holding of such an event either in conjunction with local schools or other interested parties.

The requested road closures in Central Coast area are as follows:

Thursday, 2 May –

from 8.11am to 12.41pm

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

from 8.31am to 13.01pm

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

from 8.52am to 13.22pm

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

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

CONSULTATION

The Clerk of Course has advised that notifications requested by the Council have been implemented.

No representations regarding the event have been received by the Council following Targa's mail-out to affected residents.

RESOURCE, FINANCIAL AND RISK IMPACTS

The Engineering Group Leader advises as follows:

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

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

CORPORATE COMPLIANCE

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

The Shape of the Place

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

A Connected Central Coast

- Improve community well-being

Community Capacity and Creativity

- Cultivate a culture of creativity in the community

The Environment and Sustainable Infrastructure

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

CONCLUSION

It is recommended that no objection be offered to the requested road closures for Targa Tasmania 2019 and also subject to Targa Australia:

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

The Events Officers report is supported.”

The Executive Services Officer reported as follows:

“Copies of the promoter’s supporting information has been circulated to all Councillors.”

■ Cr Viney moved and Cr Beswick seconded, “That no objection be offered to the requested road closures for Targa Tasmania 2019, and also subject to Targa Tasmania:

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

Carried unanimously

INFRASTRUCTURE SERVICES

54/2019 Tenders for backhoe replacement – F908

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 Komatsu four-wheel drive backhoe F908.

BACKGROUND

Tenders were called using the Local Government Association of Tasmania (LGAT) 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 17 October 2018 and closed on 7 November 2018.

Tenders were received as follows:

| TENDERER | MAKE | NET PRICE \$ (INC. GST) |
|----------------------|-------------------|-------------------------------|
| JF Machinery | JCB 3CX | 111,540 |
| JF Machinery | JCB 3CX T4i Elite | 129,217 |
| DLM Machinery | New Holland B110B | 141,231 |
| William Adams | CAT 432F LRC | 155,100 |
| Hitachi Construction | John Deere 315L | 180,628 |
| <i>ESTIMATE</i> | | <i>126,500</i> |

DISCUSSION

The Council fleet operates four 900 series backhoes, the unit being replaced is seven years old.

A total of five backhoes 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. Two of the units offered were not inspected. The John Deere was not available to inspect locally, financial offer scored low, and had features that may cause operational issues. The JCB 3CX is the base model JCB which lacks the performance and features of the 3CX T4i Elite and therefore it was also not assessed.

The three remaining units were therefore the only units evaluated.

The Council uses a weighted tender assessment method based on:

- . 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, Safety Systems Officer, Roadworks Maintenance Team Leader and the current unit operator.

After the inspections of the three units and subsequent tender scoring, the submission from JF Machinery JCB 3CX T4i Elite achieved the highest rating based on this method (a copy of the confidential tender assessment report is provided at Agenda Item 11.3).

It was agreed that the JCB 3CX T4i Elite unit offered the options and specifications required and was considered to be the most suitable for the intended construction and maintenance duties. While the CAT 432F and the New Holland B110B had comparable features, the CAT scored low on the financial and warranty scoring, and the New Holland scored low on operational assessment for its small cabin and ergonomics as well as its lack of refinements compared to the other machines. It is believed that the numerous refinements and standard specifications on the JCB 3CX T4i Elite render it as the most suitable and best value unit for the Council.

CONSULTATION

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

RESOURCE, FINANCIAL AND RISK IMPACTS

The budget estimate for the unit is \$176,000 including an estimated \$49,500 trade-in. (\$126,500 net changeover).

The JCB 3CX T4i Elite net changeover of \$129,217 (including GST) is only just over budget (and less than the other two assessed units), 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:

- 1 accept the tender from JF Machinery for the supply of a JCB 3CX T4i Elite model in the amount of \$186,417 (including GST);
- 2 accept the trade-in offer from JF Machinery Isuzu for fleet item F908, being a Komatsu WB97R–5EO, in the amount of \$57,200 (including GST); and
- 3 accept the offer of extended warranty cover to 3 years/3,000 hours at an additional cost of \$1,936 (including GST).'

The Engineering Group Leader's report is supported."

The Executive Services Officer reported as follows:

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

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

- 1 accept the tender from JF Machinery for the supply of a JCB 3CX T4i Elite model in the amount of \$186,417 (including GST);
- 2 accept the trade-in offer from JF Machinery Isuzu for fleet item F908, being a Komatsu WB97R-5EO, in the amount of \$57,200 (including GST); and
- 3 accept the offer of extended warranty cover to 3 years/3,000 hours at an additional cost of \$1,936 (including GST).”

Carried unanimously

ORGANISATIONAL SERVICES

55/2019 Central Coast Council Strategic Risk Register

The Director Organisational Services reported as follows:

“PURPOSE

The purpose of this report is to consider a review of the Strategic Risk Register for the Central Coast Council. A copy of the Register is appended to this report.

BACKGROUND

The Strategic Risk Register is reviewed on an annual basis. This entails a review of all controls that Council has in place to deal with a potential risk and to determine if there are any actions Council can carry out to further reduce the risk.

All risks are assessed in terms of the likelihood of the risk occurring and the severity of the implications of the risk. Based on these two factors each risk is given a rating. The aim is to put in place controls which can reduce the likelihood of the risk occurring and therefore reduce its risk rating.

DISCUSSION

The Council's Strategic Risk Register has been implemented to ensure that:

- . Strategic risks are identified;
- . Strategic risks are assessed;
- . The effectiveness of existing controls is evaluated;
- . Residual risk is assessed;
- . Risk treatment options are considered;
- . Actions are determined and prioritised; and
- . Action plans are implemented.

The Strategic Risk Register supports the development and review of the Council's Strategic Plan.

The Council also carried out other work throughout the year which further aims to reduce the Council's Risk footprint.

The identified Strategic Risk Categories are:

- . **Strategic Risk 1: Personnel**
Failure to attract and retain a skilled and competent workforce.
- . **Strategic Risk 2: Community**
Failure to develop and maintain a positive relationship with the community.
- . **Strategic Risk 3: Work Health and Safety**
Failure to maintain a safe and healthy workplace and safe systems of work.
- . **Strategic Risk 4: Change**
Failure to plan and prepare for change.
- . **Strategic Risk 5: Infrastructure**
Failure to plan for, develop and maintain a sustainable infrastructure.
- . **Strategic Risk 6: Compliance and Liability**
Failure to comply with legislative and other requirements.
- . **Strategic Risk 7: Finance**
Failure to plan for and manage the Council's finances.
- . **Strategic Risk 8: Environment**
Failure to prepare and plan for environmental risk.
- . **Strategic Risk 9: Municipal Emergency**
Failure to be prepared for a Municipal Emergency and Recovery.
- . **Strategic Risk 10: Data, records and systems**
Failure to maintain and protect data and record systems.

A reporting framework has also been developed to allow reporting of progress against actions to be reported to Council's Risk Management Committee and to the Audit Panel.

CONSULTATION

Internal consultation with members of the Operational Leadership Group occurred as part of this review.

RESOURCE, FINANCIAL AND RISK IMPACTS

The implementation of this policy will have no impact on the resources of the Council.

CORPORATE COMPLIANCE

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

Council Sustainability and Governance

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

CONCLUSION

It is recommended that the Council endorse the Strategic Risk Register dated January 2019."

The Executive Services Officer reported as follows:

"A copy of the Strategic Risk Register has been circulated to all Councillors."

■ Cr Hiscutt moved and Cr Overton seconded, "That the Council endorses the Strategic Risk Register dated January 2019."

Carried unanimously

56/2019 Contracts and agreements

The Director Organisational Services reported as follows:

"A Schedule of Contracts and Agreements (other than those approved under the common seal) entered into during the month of January 2019 has been submitted by the General Manager to the Council for information. The information is reported in accordance with approved delegations and responsibilities."

The Executive Services Officer reported as follows:

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

■ Cr Beswick moved and Cr Fuller seconded, "That the Schedule of Contracts and Agreements (a copy being appended to and forming part of the minutes) be received."

Carried unanimously

57/2019 Correspondence addressed to the Mayor and Councillors

The Director Organisational Services reported as follows:

“A Schedule of Correspondence addressed to the Mayor and Councillors for the period 30 January to 18 February 2019 and which was addressed to the ‘Mayor and Councillors’ is appended. Reporting of this correspondence is required in accordance with Council policy.

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 reported as follows:

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

■ Cr Fuller moved and Cr Hiscutt seconded, “That the Schedule of Correspondence addressed to the Mayor and Councillors (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

58/2019 Common seal

The Director Organisational Services reported as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 30 January to 18 February 2019 is submitted for the authority of the Council to be given. Use of the common seal must first be authorised by a resolution of the Council.

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

The Executive Services Officer reported as follows:

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

■ Cr Viney moved and Cr Beswick 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

59/2019 Public question time

With the time being 6.22pm and the Council about to proceed into the closed section of the meeting, the Mayor advised that should any members of the public arrive for public question time prior to the closure of the meeting, the meeting would be re-opened to the public.

CLOSURE OF MEETING TO THE PUBLIC

60/2019 Meeting closed to the public

The Executive Services Officer reported as follows:

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

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

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

| Matter | <i>Local Government (Meeting Procedures) Regulations 2015</i> reference |
|---|--|
| Confirmation of Closed Session Minutes | 15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential |
| Qualified Persons Advice 54/2019 – Tenders for backhoe replacement – F908 | 15(2)(d) Contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal |
| Central Coast and Devonport Shared Audit Panel – Appointment of Independent Members | 15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential |
| TasWater Quarterly Report to the Owners’ Representatives | 15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.” |

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

| Matter | <i>Local Government (Meeting Procedures) Regulations 2015</i> reference |
|---|---|
| Confirmation of Closed Session Minutes | 15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential |
| Qualified Persons Advice 54/2019 – Tenders for backhoe replacement – F908 | 15(2)(d) Contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal |
| Central Coast and Devonport Shared Audit Panel – Appointment of Independent Members | 15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential |
| TasWater Quarterly Report to the Owners’ Representatives | 15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential. |

Carried unanimously and by absolute majority

The Executive Services Officer further reported as follows:

- “1 The *Local Government (Meeting Procedures) Regulations 2015* provide in respect of any matter discussed at a closed meeting that the general manager is to record in the minutes of the open meeting, in a manner that protects confidentiality, the fact that the matter was discussed and a brief description of the matter so discussed, and is not to record in the minutes of the open meeting the details of the outcome unless the council determines otherwise.
- 2 While in a closed meeting, the council is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.

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

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

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

The meeting moved into Closed session at 6.22pm.

61/2019 Confirmation of Closed session minutes

The Executive Services Officer reported as follows:

“The Closed session minutes of the previous ordinary meeting of the Council held on 29 January 2019 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

62/2019 **Qualified Person's Advice**

The General Manager reported as follows:

“The qualified advice referred to at Minute No. 53 was included as Confidential attachments to the relevant reports. Under Section 65 (2)(b) of the *Local Government Act 1993*, the General Manager is to provide the Council with copies of qualified advice received from an appropriately qualified or experienced professional.

...

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.”

63/2019 Central Coast and Devonport City Shared Audit Panel – Appointment of Independent Members (28A/2015 – 27.01.2015)

The General Manager reported as follows:

“PURPOSE

This purpose of this report is to appoint Independent Members, including the Chairperson, to the Central Coast and Devonport City Council Shared Audit Panel, and to review the remuneration paid to the Independent Members.

...

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.”

64/2019 TasWater Quarterly Report to the Owners' Representatives

The General Manager reported as follows:

"PURPOSE

This report is to present the TasWater Quarterly Report to Owners' Representatives for the period ended 31 December 2018. The report is provided to all owner councils on an 'In Confidence' basis.

...

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

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

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

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

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

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

Closure

There being no further business, the Mayor declared the meeting closed at 6.40pm.

CONFIRMED THIS 18TH DAY OF MARCH, 2019.

Chairperson

(lb:dil)

Appendices

- Minute No. 50/2019 – Code of Conduct of Councillors
- Minute No. 51/2019 – Schedule of Statutory Determinations
- Minute No. 55/2019 – Central Coast Council Strategic Risk Register
- Minute No. 56/2019 – Schedule of Contracts & Agreements
- Minute No. 57/2019 – Schedule of Correspondence addressed to the Mayor and Councillors
- Minute No. 58/2019 – Schedule of Documents for Affixing of the Common Seal
- Minute No. 62A/2019 – Qualified Persons Advice

QUALIFIED PERSON'S ADVICE

The *Local Government Act 1993* (the Act), Section 65 provides as follows:

- “(1) A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
- (2) A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless –
 - (a) the general manager certifies, in writing –
 - (i) that such advice was obtained; and
 - (ii) that the general manager took the advice into account in providing general advice to the council or council committee; and
 - (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.”

In accordance with Section 65 of the Act, I certify:

- (i) that the reports within the Council minutes contain advice, information and recommendations given by persons who have the qualifications and experience necessary to give such advice, information or recommendation;
- (ii) where any advice is directly given by a person who did not have the required qualifications or experience that person has obtained and taken into account another person's general advice who is appropriately qualified or experienced; and
- (iii) that copies of advice received from an appropriately qualified or experienced professional have been provided to the Council.



Sandra Ayton
GENERAL MANAGER