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**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, 26 September 2022 commencing at 6.00pm**

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**Councillors attendance**

Cr Jan Bonde (Mayor)	Cr John Beswick
Cr Garry Carpenter (Deputy Mayor)	Cr Amanda Diprose
Cr Cheryl Fuller	Cr Casey Hiscutt
Cr Annette Overton	Cr Philip Viney
Cr Tony van Rooyen	

**Councillors apologies**

**Employees attendance**

General Manager (Ms Sandra Ayton)  
Director Community Services (Mr Daryl Connelly)  
Director Infrastructure Services (Mr Paul Breden)  
Acting Executive Services Officer (Mrs Danelle King)

**Employees apologies**

Director Corporate Services (Mr Ian Stoneman)

**Media attendance**

The media was not represented.

**Public attendance**

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

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### **Acknowledgement of Country**

The Central Coast Council acknowledges the palawa-pakana people as the Traditional Custodians of lutrawita (Tasmania), including the land, community, sea and waters where we live and work.

Our community respectfully acknowledges the Punnilerpanner tribe of the Northern Country of Tasmania, their continuing relationship to this land and their ongoing living culture.

We recognise that we have much to learn from the First Nations Peoples who represent one of the world's oldest continuing cultures, and we pay our respects to Elders past and present and to all First Nations Peoples living in and around the Central Coast Community.

### **CONFIRMATION OF MINUTES OF THE COUNCIL**

#### **259/2022 Confirmation of minutes**

The Executive Services Officer reported as follows:

“The minutes of the ordinary meeting of the Council held on 15 August 2022 and the special meeting of the Council held on 29 August 2022 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 ordinary meeting of the Council held on 15 August 2022 and the special meeting of the Council held on 29 August 2022 be confirmed.”

Carried unanimously

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## COUNCIL WORKSHOPS

### 260/2022 Council workshops

The Executive Services Officer reported as follows:

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

- . 22 August 2022 – TasWater update; Showground Master Plan.
- . 5 September 2022 – Fairway Park; monthly update.
- . 12 September 2022 – Maskells Road/miniature railway; Freedom Camping By-law.

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

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

Carried unanimously

## MAYOR’S COMMUNICATIONS

### 261/2022 Mayor’s communications

The Mayor reported as follows:

‘On behalf of the people of Central Coast, I extend my deepest sympathies to all members of the Royal family, following the death of Her Majesty Queen Elizabeth II, who has passed away at the age of 96.

Today we reflect on the remarkable life of Her Majesty Queen Elizabeth II.

The young Princess Elizabeth became Queen at the age of 25 after the death of her father, King George VI, in 1952. Her Coronation took place in Westminster Abbey on 2 June 1953.

Queen Elizabeth II went on to become the longest-reigning British monarch, Australian sovereign and leader of the Commonwealth of Nations, which she navigated for seven decades – with dignity, courage and commitment.

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As the first reigning monarch to visit our nation, Queen Elizabeth set foot for the first time on Australian soil in 1954 and her tour through the Central Coast is fondly remembered by many. The Queens Garden was named to commemorate her visit at that time.

While we mourn her passing, it is the occasion for the people of Central Coast to offer thanks for a lifetime of public duty to the Crown, the Commonwealth, and to millions of people across the globe.”

## **262/2022 Mayor’s diary**

The Mayor reported as follows:

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

- . Switch Board Meeting – Ulverstone
- . CCC Community Safety Partnership Meeting
- . Board of Local Government Review meeting – Burnie
- . Central Coast Chamber Commerce and Industry Business Awards Judging
- . Central Coast Chamber Commerce and Industry Business Awards
- . Forth Valley Lions Club Defibrillator Announcement
- . Caves to Canyon Annual General Meeting
- . Ulverstone Municipal Band Dinner
- . Ulverstone Miniature Railway – Ulverstone
- . Ulverstone District Guides Annual General Meeting
- . Ulverstone Repertory Theatre Society Quartet
- . Vietnam Veterans Day service
- . Cradle Coast Mayors Meeting
- . Cradle Coast Authority Representatives Meeting
- . Local Government Association Tasmania General Meeting – Devonport
- . Gleneagle Retreat Riana Site Visit
- . Meeting with The Hon. Guy Barnett regarding housing and homelessness
- . Laying of wreath for Her Majesty Queen Elizabeth II at RSL Memorial Service.

The Deputy Mayor attended the opening of the Turners Beach Bowls Club 2022/2023 Season.”

The Executive Services Officer reported as follows:

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

Carried unanimously

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## 263/2022      **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 declarations were declared at this time

## **COUNCILLOR REPORTS**

### 264/2022      **Councillor reports**

The Executive Services Officer reported as follows:

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

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

Cr Hiscutt reported on his attendance at Slipstream Circus’ showcase display, remarking on its success. Cr Hiscutt also reported on the Penguin History Group’s upcoming exhibition, *Leo*.

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## APPLICATIONS FOR LEAVE OF ABSENCE

### 265/2022 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

### 266/2022 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

### 267/2022 Petitions

The Executive Services Officer reported as follows:

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

## COUNCILLORS' QUESTIONS

### 268/2022 Councillors' questions without notice

The Executive Services Officer reported as follows:

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“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.

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- (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.

#### **269/2022 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.”



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## **PUBLIC QUESTION TIME**

### **270/2022 Public question time**

The Mayor reported as follows:

“At 6.0pm 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).”

### **271/2022 Public questions taken on notice**

The Executive Services Officer reported as follows:

“No public questions were taken on notice from the 15 August 2022 meeting.”

**DEPARTMENTAL BUSINESS**

GENERAL MANAGEMENT

**272/2022 Schedule of Appointments to Statutory Bodies, Groups and Organisations, Council and Special Committees, Community Advisory Groups and Working Groups – Emergency Management (16/2022 – 24.01.2022)**

The General Manager reported as follows:

*“PURPOSE*

This report seeks endorsement by the Council for the nomination to the Minister for Police, Fire and Emergency Management for the appointment of the Council’s Municipal Emergency Management Deputy Coordinator position.

*BACKGROUND*

The current Deputy Municipal Emergency Management Coordinator has recently tendered his resignation from Central Coast Council effective 29 September 2022. A replacement to the position is required.

*DISCUSSION*

The current statutory appointment is as follows:

Mr Phillip Barker, Manager Works Services – the Deputy Municipal Emergency Management Coordinator.

The *Emergency Management Act 2006* – Section 23(8) states:

*‘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.’*

The role of Municipal Coordinator is undertaken by the Director Infrastructure Services as the role holds legislative requirements through delegation by the General Manager. The Director is also responsible for Council’s Infrastructure Services workforce who undertake emergency management duties. This role is still current.

It is recommended that the Manager Construction & Maintenance, Glenn Berry is nominated for the role of Deputy Municipal Emergency Management Coordinator. Glenn is responsible for day-to-day management of most of the workforce undertaking emergency management duties, is involved in emergency management response, and has held emergency management positions at a Victorian Council in the past.

*CONSULTATION*

Consultation has been undertaken with the nominee.

*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:

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 Glenn Berry, Manager Construction & Maintenance for appointment by the Minister, as the Deputy Municipal Emergency Management Coordinator (Deputy Municipal Coordinator) for a period of two years.”

The Executive Services Officer reported as follows:

■ Cr Fuller moved and Cr Hiscutt seconded, “That the Council nominate Glenn Berry, Manager Construction & Maintenance for appointment by the Minister, as the Deputy Municipal Emergency Management Coordinator (Deputy Municipal Coordinator) for a period of two years.”

Carried unanimously

**273/2022 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:

- . Forth Community Representatives Group – meeting held 4 August 2022
- . Central Coast Council Audit Panel – meeting held 11 August 2022
- . Turners Beach Community Representatives Group – meeting held 25 August 2022

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

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

Carried unanimously

**274/2022 Common seal**

The General Manager reported as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 16 August 2022 to 26 September 2022 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 Hiscutt moved and Cr Viney seconded, “That the common seal (a copy of the Schedule of Documents for Affixing of the Common Seal being appended to and forming part of the minutes) be affixed subject to compliance with all conditions of approval in respect of each document, and that the advice of final plans of subdivision sealed in accordance with approved delegation and responsibilities be received.”

Carried unanimously

**275/2022 Contracts and agreements**

The General Manager reported as follows:

“A Schedule of Contracts and Agreements (other than those approved under the common seal) entered into for the period 16 August 2022 to 26 September 2022 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 Beswick 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

**276/2022 Correspondence addressed to the Mayor and Councillors**

The General Manager reported as follows:

“A Schedule of Correspondence addressed to the Mayor and Councillors for the period 16 August 2022 to 26 September 2022 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 Hiscutt moved and Cr Fuller 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

COMMUNITY SERVICES

**277/2022 Development application determinations**

The Director Community Services reported as follows:

“A Schedule of Development Application Determinations made during the month of August 2022 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 Beswick moved and Cr Hiscutt seconded, “That the Schedule of Development Application Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

INFRASTRUCTURE SERVICES

**278/2022 Infrastructure Services determinations**

The Director Infrastructure Services reported as follows:

“There are no matters from the Infrastructure Services Department for decision at this meeting.”

## CORPORATE SERVICES

**279/2022 Central Coast Council Animal Control (Amendment) By-law No. 2 of 2022 (222/2022 – 18.07.2022)**

The Director Corporate Services reported as follows:

“The Manager Regulatory Services has prepared the following report.

*PURPOSE*

The purpose of this report is to adopt the Central Coast Council Animal Control (Amendment) By-law No. 2 of 2022 following statutory notification and community consultation (a copy of the By-law is appended to this report).

*BACKGROUND*

The Council has previously resolved to adopt the amended Animal Control By-law No. 1 of 2022 (Minute No. 222/2022). However, when it was submitted to the Director of Local Government, he advised that the format was not in the style preferred by him. The Director’s position is that it is necessary to make a By-law which amends the existing By-law rather than replaces it.

The Animal Control (Amendment) By-law No. 2 of 2022 does not replace the original Animal Control By-law No. 1 of 2018, but amends it. This results in a consolidated By-law. The final output is a By-law that is the same as previously considered by the Council.

A Regulatory Impact Statement is not required as the amendments do not significantly alter the purpose of the By-law or significantly alter the impact on the public.

*DISCUSSION*

The Council resolved by an absolute majority at the meeting of 16 May 2022 to place the draft amended By-law on public exhibition, advising of the Council’s intention to make the By-law.

Section 157 of the *Local Government Act 1993* requires that a notice is published in a local newspaper, the By-law is available on the Council’s website and displayed in the public office. Copies must also be made available. Additional non-statutory consultation as detailed below was undertaken.



As a result of the consultation three submissions were received. Following the consultation period, the submissions were considered at a Councillors' Workshop prior to this report being prepared. The following is a summary of the submissions:

SUBMISSION	COMMENT	RESPONSE
Submission 1	Prefers that the term "night box" replaces "rooster box".	No practical impact on operation of the By-law. The change is supported
Submission 2	Requests that dwelling and roadway setbacks for beehives reduce from 25m to 15m.	No practical impact and more restrictive than the Code of Practice. The change is supported.
Submission 3	Objects to the keeping of roosters in urban areas. Concerns expressed about how dog barking complaints are dealt with.	There is sufficient protection for residents within the By-law. Changes are not required. Dogs are not dealt with in this By-law.

The next steps in the process are to have the By-law certified by Council's legal practitioner, sent to the Director of Local Government and published in the Government Gazette. The By-law comes into effect on the day it is published in the Gazette.

#### *CONSULTATION*

Consultation additional to the statutory requirements comprised:

- Facebook posts
- eNewsletter article
- direct contact with identified stakeholders.

The identified stakeholders were:

- Ulverstone Poultry Club
- Tasmanian Rare Breeds Poultry Club
- Tasmanian Beekeepers Association
- North Western Poultry Society
- North West Bird Club Tasmania
- Agricultural Society of Tasmania.

*RESOURCE, FINANCIAL AND RISK IMPACTS*

Updating the By-law will not affect resources or introduce additional risks.

*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.

The Environment and Sustainable Infrastructure

- Contribute to a safe and healthy environment.

Council Sustainability and Governance

- Improve corporate governance.
- Improve service provision.

*CONCLUSION*

It is recommended that the Council repeals the Central Coast Council Animal Control By-law No. 1 of 2022, made by the Council at its meeting held on 18 July 2022 (222/2022); and amend the Central Coast Council Animal Control By-Law No. 1 of 2018 by making the Central Coast Council Animal Control (Amendment) By-law No. 2 of 2022.’

The report is supported.”

The Executive Services Officer reported as follows:

“A copy of the Central Coast Council Animal Control (Amendment) By-law No. 2 of 2022 has been circulated to all Councillors.”

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

- 1 repeal the Central Coast Council Animal Control By-law No. 1 of 2022, made by the Council at its meeting held on 18 July 2022 (222/2022); and

- 2 amend the Central Coast Council Animal Control By-Law No. 1 of 2018 by making the Central Coast Council Animal Control (Amendment) By-law No. 2 of 2022.”

Carried unanimously

### **280/2022 Statutory determinations**

The Director Corporate Services reported as follows:

“A Schedule of Statutory Determinations made during the month of August 2022 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 Beswick moved and Cr Carpenter seconded, “That the Schedule of Statutory Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

### **281/2022 Public question time**

The Mayor introduced public question time at 6.20pm.

In person – Ms Kate Wyllie – Turners Beach

*Question 1 –*

In regard to the Turners Beach recreation ground – accessing the Scout Hall toilets – is there a time frame on this? Again, the recreation ground in Turners Beach, will there be a bin located near the children’s playground? There is currently a lot of broken glass and cigarette butts that needs to be addressed.

*Response –*

The Director of Infrastructure Services responded that design work is being undertaken in regard to the opening of public toilets at the Turners Beach Hall; however, a timeline on that process cannot be given tonight. In regard to rubbish bins, the Council is reviewing all bins as part of the current roll-out process.

The Director will take the remarks on notice and review the area in question with relevant staff, with consideration to current services and future requirements; and is happy to take more detailed information in order to fully answer the question.

In person – Mr Phillip Layman – Penguin

*Question 1*

Mr Layman stated that his question relates to the recent survey for the reclassification of beaches in Penguin, in regard to dogs. Currently all the beaches in Penguin allow dogs, in one form or another, which means that any beachgoers are impacted by dogs, as there is no alternative. In fairness to all citizens, will consideration be given to one beach – such as Johnsons beach – being a dog free beach, as part of the reclassification assessment?

*Response –*

The General Manager responded, that is why the survey was undertaken – so Council could gather this type of information to enable informed decisions. The survey is open to all residents, not just dog-owners; and the idea behind the survey was to assess different areas for different purposes.

*Question 2*

The current ‘rules for use’ sign on Johnsons Beach has had the ‘dogs on leash’ graphic blanked out. The sign has been taped over and dog owners now assume such activity is permitted.

*Response –*

The General Manager responded that the Council would not have taped over a sign in that manner, and that Council staff will investigate this tomorrow.

In person – Mr Andrew van Rooyen – Ulverstone

*Question 1*

Could Council please consider alternate survey details for residents, as the online survey can be completed several times by persons which can sway the results?

*Response –*

The General Manager responded that the question will be taken on notice.

*Question 2*

If dog ownership and dogs on beaches is such a contentious issue should this reflect in the number of complaints and fines provided.

*Response -*

The General Manager responded that the question will be taken on notice.

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## CLOSURE OF MEETING TO THE PUBLIC

### 282/2022 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:.”

<b>Matter</b>	<b><i>Local Government (Meeting Procedures) Regulations 2015</i> reference</b>
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
Minutes and notes of other organisations and committees of the Council  Cradle Coast Authority Representatives meeting - 13 September 2022	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:

Carried unanimously and by absolute majority

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
Minutes and notes of other organisations and committees of the Council Cradle Coast Authority Representatives meeting – 13 September 2022	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.”

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

The meeting moved into closed session at 6:28pm.

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## CLOSED SESSION SUMMARY

The Executive Services Officer reported as follows:

“In accordance with Regulation 34(1)(b) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council is to provide an overview of matters considered during Closed Session for the public.”

<b>Matter</b>	<b>Description of matter discussed</b>
283/2022 – Confirmation of Closed Session Minutes	The Closed session minutes of the previous ordinary meeting of the Council held on 15 August 2022 had been circulated. The minutes are required to be confirmed for their accuracy.
284/2022 Minutes and notes of other organisations and committees of the Council  Cradle Coast Authority Representatives meeting – 13 September 2022	The minutes and notes have been provided to the Council on the condition they are kept confidential.



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## **CLOSURE**

There being no further business, the Mayor declared the meeting closed at 6:32pm.

CONFIRMED THIS 17<sup>th</sup> DAY OF OCTOBER 2022.

## **Chairperson**

(ib:dgk)

## **Appendices**

- Minute No. 274/2022 – Schedule of Documents for Affixing of the Common Seal
- Minute No. 275/2022 – Schedule of Contracts and Agreements
- Minute No. 276/2022 – Schedule of Correspondence Addressed to Mayor and Councillors
- Minute No. 277/2022 – Schedule of Development Application Determinations
- Minute No. 279/2022 – Central Coast Council Animal Control (Amended) By-law 2 of 2022
- Minute No. 280/2022 – Schedule of Statutory Determinations

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*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

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**283/2022 Confirmation of Closed session minutes**

The Executive Services Officer reported as follows:

“The Closed session minutes of the ordinary meeting of the Council held on 15 August 2022 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 Hiscutt moved and Cr Viney seconded, “That the Closed session minutes of the ordinary meeting of the Council held on 15 August 2022 be confirmed.”

Carried unanimously

CLOSED MEETING - CONFIDENTIAL

GENERAL MANAGEMENT

**284/2022 Minutes and notes of other organisations and committees of the Council**

The General Manager reported as follows:

“The following 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 13 September 2022.

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

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

- Cr Fuller moved and Cr Carpenter 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

CLOSED MEETING - CONFIDENTIAL