

**MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 22 JUNE 2015**

**HOUR CALLED:** 7.30pm

**PRESENT:** The meeting commenced at 7.31pm with the Mayor (Ald D C Chipman) in the Chair and with Aldermen:

N M Campbell  
H Chong  
P Cusick  
D Doust  
D Hulme  
R H James  
J Peers  
D Thurley  
S von Bertouch  
J Walker; present.

**1. APOLOGIES** P K McFarlane

**ORDER OF BUSINESS** Items 1 – 13

**IN ATTENDANCE** General Manager  
(Mr A Paul)  
Group Manager Asset Management  
(Mr J Stevens)  
Corporate Secretary  
(Mr A van der Hek)  
Corporate Treasurer  
(Mr F Barta)  
Manager City Planning  
(Mr R Lovell)  
Manager Health and Community Development  
(Mr J Toohey)

The Meeting closed at 9.40pm.

**COUNCIL MEETING**  
**MONDAY 22 JUNE 2015**

**TABLE OF CONTENTS**

| <b>ITEM</b> | <b>SUBJECT</b>   | <b>PAGE</b> |
|-------------|--|-------------|
| 1.          | ATTENDANCE AND APOLOGIES .....   | 4           |
| 2.          | CONFIRMATION OF MINUTES .....  | 4           |
| 3.          | MAYOR’S COMMUNICATION.....   | 4           |
| 4.          | COUNCIL WORKSHOPS.....   | 4           |
| 5.          | DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE .....                 | 5           |
| 6.          | TABLING OF PETITIONS .....   | 6           |
| 7.          | PUBLIC QUESTION TIME .....   | 7           |
|             | 7.1 PUBLIC QUESTIONS ON NOTICE .....   | 7           |
|             | 7.2 ANSWERS TO QUESTIONS ON NOTICE.....  | 7           |
|             | 7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE.....                         | 7           |
|             | 7.4 QUESTIONS WITHOUT NOTICE .....   | 7           |
| 8.          | DEPUTATIONS BY MEMBERS OF THE PUBLIC.....                                      | 8           |
| 9.          | MOTIONS ON NOTICE .....  | 9           |
| 9.1         | NOTICE OF MOTION – ALD JAMES<br>MULTI PURPOSE PATHWAY SOUTH ARM HIGHWAY .....  | 9           |
| 10.         | REPORTS FROM OUTSIDE BODIES .....  | 10          |
| 10.1        | REPORTS FROM SINGLE AND JOINT AUTHORITIES.....                                 | 10          |
| 10.2        | REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES .. | 10          |
| 11.         | REPORTS OF OFFICERS .....  | 11          |
| 11.1        | WEEKLY BRIEFING REPORTS .....  | 11          |

|        |   |    |
|--------|---|----|
| 11.2   | DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS .....                                      | 12 |
| 11.2.1 | PETITION – YEAR ROUND DOG BEACH ACCESS AT LAUDERDALE .....  | 12 |
| 11.2.2 | PETITION - SUBDIVISION APPLICATION SD-2015/10 - 14 BAYSIDE DRIVE, LAUDERDALE<br>- 5 LOT SUBDIVISION ..... | 13 |

### **11.3 PLANNING AUTHORITY MATTERS**

|        |  |    |
|--------|--|----|
| 11.3.1 | DEVELOPMENT APPLICATION D-2015/159 - 26A ESPLANADE, LINDISFARNE – PUBLIC<br>AMENITIES BLOCK AND STAGE.....   | 15 |
| 11.3.2 | DEVELOPMENT APPLICATION D-2015/150 - 50 AND 53 MINNO STREET, HOWRAH -<br>DWELLING .....  | 17 |
| 11.3.3 | DEVELOPMENT APPLICATION D-2015/142 - 20 KANGAROO BAY DRIVE AND 20 BASTICK<br>STREET, ROSNY PARK - RECREATIONAL SPORTING FACILITY INCLUDING PUBLIC TOILETS,<br>CHANGEROOMS, STORES, CLUBROOMS AND CAR PARKING FACILITIES..... | 19 |
| 11.3.4 | DEVELOPMENT APPLICATION D-2015/178 - 28A HYMETTUS STREET, HOWRAH – ADDITION<br>TO DWELLING REQUIRING DISCRETION UNDER PD4.....   | 21 |
| 11.3.5 | DEVELOPMENT APPLICATION D-2015/187 - 34 OAKBANK ROAD, OTAGO – GARAGE<br>(UNDEFINED USE).....   | 23 |
| 11.3.6 | SUBDIVISION APPLICATION SD-2015/18 - 326 PROSSERS ROAD, RICHMOND - 11 LOT<br>SUBDIVISION.....  | 25 |
| 11.3.7 | DEVELOPMENT APPLICATION D-2015/161 - 13 BRIDGE STREET, RICHMOND – TOURIST<br>OPERATION (RICHMOND MAZE) .....   | 27 |

### **11.4 CUSTOMER SERVICE - NIL ITEMS**

### **11.5 ASSET MANAGEMENT**

|        |   |    |
|--------|---|----|
| 11.5.1 | RICHMOND BRIDGE VEGETATION MANAGEMENT PLAN..... | 33 |
|--------|---|----|

### **11.6 FINANCIAL MANAGEMENT - NIL ITEMS**

### **11.7 GOVERNANCE**

|        |   |    |
|--------|---|----|
| 11.7.1 | AMENDMENT TO CONSTITUTIONS FOR MANAGEMENT COMMITTEES.....                   | 35 |
| 11.7.2 | CULTURAL HISTORY ADVISORY COMMITTEE CONSTITUTION .....                      | 36 |
| 11.7.3 | FINANCIAL ASSISTANCE GRANTS – SUPPORT FOR RECOMMENCEMENT OF INDEXATION..... | 37 |
| 11.7.4 | RATES AND CHARGES POLICY.....   | 38 |

|        |  |    |
|--------|--|----|
| 11.7.5 | RATES AND CHARGES 2015-2016 .....  | 39 |
| 12.    | ALDERMEN’S QUESTION TIME.....  | 51 |
| 12.1   | QUESTIONS ON NOTICE.....   | 51 |
| 12.2   | ANSWERS TO QUESTIONS ON NOTICE.....  | 51 |
| 12.3   | ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE.....                                       | 51 |
| 12.4   | QUESTIONS WITHOUT NOTICE .....   | 51 |
| 13.    | CLOSED MEETING.....  | 52 |
| 13.1   | APPLICATIONS FOR LEAVE OF ABSENCE  |    |
| 13.2   | TENDER T1034-15 – BELLERIVE BLUFF – STORMWATER AND FORESHORE SEA WALL WORKS              |    |
| 13.3   | TENDER – CAMBRIDGE ROAD - ASPHALT RESURFACING WORKS                                      |    |
| 13.4   | TENDER T1042-15 – ROAD AND DRAINAGE WORKS – VICTORIA STREET AND GUNNING STREET, RICHMOND |    |
| 13.5   | CONTRACTUAL MATTER   |    |

**1. ATTENDANCE AND APOLOGIES**

Refer to cover page.

**2. CONFIRMATION OF MINUTES**

(File No 10/03/01)

**RECOMMENDATION:**

That the Minutes of the Council Meeting held on 1 June 2015, as circulated, be taken as read and confirmed.

**Decision:** **MOVED** Ald Peers **SECONDED** Ald Chong

“That the Minutes of the Council Meeting held on 1 June 2015, as circulated, be taken as read and confirmed”.

**CARRIED UNANIMOUSLY**

**3. MAYOR’S COMMUNICATION**

Nil.

**4. COUNCIL WORKSHOPS**

In addition to the Aldermen’s Meeting Briefing (workshop) conducted on Friday immediately preceding the Council Meeting the following workshops were conducted by Council since its last ordinary Council Meeting:

| <b>PURPOSE</b>                             | <b>DATE</b> |
|--|-------------|
| Bellerive Bluff                            |             |
| Business East Funding                      |             |
| Review of Dog Management Policy            |             |
| Hobart International Airport Presentation  |             |
| Rates Policy                               | 9 June      |
| Review of Dog Management Policy            |             |
| Richmond Bridge Vegetation Management Plan |             |
| Cambridge Streetscape Master Plan          | 15 June     |

**RECOMMENDATION:**

That Council notes the workshops conducted.

**Decision:** **MOVED** Ald Thurley **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**5. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE**  
(File No)

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2005 and Council's adopted Code of Conduct, the Mayor requests Aldermen to indicate whether they have, or are likely to have a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in any item on the Agenda.

**INTEREST DECLARED****Alderman Doust****Item No. 11.3.7**

**6. TABLING OF PETITIONS**  
(File No 10/03/12)

Nil.

**7. PUBLIC QUESTION TIME**

Public question time at ordinary Council meetings will not exceed 15 minutes. An individual may ask questions at the meeting. Questions may be submitted to Council in writing on the Friday 10 days before the meeting or may be raised from the Public Gallery during this segment of the meeting.

The Chairman may request an Alderman or Council officer to answer a question. No debate is permitted on any questions or answers. Questions and answers are to be kept as brief as possible.

**7.1 PUBLIC QUESTIONS ON NOTICE**

(Seven days before an ordinary Meeting, a member of the public may give written notice to the General Manager of a question to be asked at the meeting). A maximum of two questions may be submitted in writing before the meeting.

Questions on notice and their answers will be included in the minutes.

Nil

**7.2 ANSWERS TO QUESTIONS ON NOTICE**

The Mayor may address Questions on Notice submitted by members of the public.

Nil

**7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil

**7.4 QUESTIONS WITHOUT NOTICE**

The Mayor took the following Question on Notice:

**FORESHORE TRAIL BETWEEN OAKDOWNS AND LAUDERDALE**

Mrs Gertrud Baierl sought clarification from Ald von Bertouch as to the basis of her statements made at Council's Meeting of 11 May 2015 that negotiations to secure a foreshore trail between Oakdowns and Lauderdale have been going on for a period 20 years and latter, at Council's Meeting of 1 June 2015, when Ald von Bertouch stated that these negotiations had been on-going for 10 years.

Ald von Bertouch advised the Meeting that she believed that she had not made those statements but would take the question on notice.



**8. DEPUTATIONS BY MEMBERS OF THE PUBLIC**

(File No 10/03/04)

(In accordance with Regulation 38 of the Local Government (Meeting Procedures) Regulations 2005 and in accordance with Council Policy, deputation requests are invited to address the Meeting and make statements or deliver reports to Council)

**DEVELOPMENT APPLICATION D-2015/161 – 13 BRIDGE STREET, RICHMOND – TOURIST OPERATION (RICHMOND MAZE)**

(REFER ITEM 11.3.7)

Mr Andrew Quick addressed the Meeting regarding the above Development Application.

**DEVELOPMENT APPLICATION D-2015/179 – 28A HYMETTUS STREET, HOWRAH – ADDITION TO DWELLING REQUIRING DISCRETION UNDER Pd4**

(REFER ITEM 11.3.4)

Mr Neil Spark addressed the Meeting regarding the above Development Application.

Mrs Kimberley Stocks addressed the Meeting regarding the above Development Application.

**9. MOTIONS ON NOTICE**

**9.1 NOTICE OF MOTION – ALD JAMES  
MULTI PURPOSE PATHWAY SOUTH ARM HIGHWAY  
(File No 10-03-05)**

In accordance with Notice given Ald James intended to move the following Motion:

“That Clarence City Council negotiate with the Department of State Growth for a shared multi-purpose pathway on the high side of the South Arm Highway from Oakdowns to Lauderdale”.

With the Leave of the Meeting Ald James amended his Motion and it was:

**Decision:**        **MOVED** Ald James   **SECONDED** Ald von Bertouch

“That Clarence City Council request the Department of State Growth for a shared multi-purpose pathway along the South Arm Highway from Oakdowns to Lauderdale”.

**CARRIED UNANIMOUSLY**

## 10. REPORTS FROM OUTSIDE BODIES

This agenda item is listed to facilitate the receipt of both informal and formal reporting from various outside bodies upon which Council has a representative involvement.

### 10.1 REPORTS FROM SINGLE AND JOINT AUTHORITIES

Provision is made for reports from Single and Joint Authorities if required

Council is a participant in the following Single and Joint Authorities. These Authorities are required to provide quarterly reports to participating Councils, and these will be listed under this segment as and when received.

- **SOUTHERN TASMANIAN COUNCILS AUTHORITY**  
Representative: Ald Doug Chipman, Mayor or nominee

#### **Quarterly Reports**

Not required.

#### **Representative Reporting**

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**  
Representatives: Ald Jock Campbell  
(Ald Peter Cusick, Deputy Representative)

#### **Quarterly Reports**

March Quarterly Report pending

#### **Representative Reporting**

- **SOUTHERN WASTE STRATEGY AUTHORITY**  
Representative: Ald Richard James  
(Ald Sharyn von Bertouch, Proxy)

#### **Quarterly Reports**

March Quarterly Report pending

#### **Representative Reporting**

Ald James tabled the Minutes of a Meeting held on 7 May 2015 and the Profit and Loss Statement July 2014 to June 2015.

- **TASWATER CORPORATION**

### 10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

#### **Richmond Advisory Committee**

- Ald Chong tabled the Minutes of a Meeting held on 19 May 2015.

**11. REPORTS OF OFFICERS****11.1 WEEKLY BRIEFING REPORTS**

(File No. 10/02/02)

The Weekly Briefing Reports of 1, 8 and 15 June 2015 have been circulated to Aldermen.

**RECOMMENDATION:**

That the information contained in the Weekly Briefing Reports of 1, 8 and 15 June 2015 be noted.

**Decision:** **MOVED** Ald Chong **SECONDED** Ald von Bertouch

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS****11.2.1 PETITION – YEAR ROUND DOG BEACH ACCESS AT LAUDERDALE**

(File No 05-02-10)

**EXECUTIVE SUMMARY****PURPOSE**

To consider the petition presented at Council's Meeting on 1 June 2015 from 196 signatories requesting a year round dog beach access – Lauderdale (Roches Beach).

**RELATION TO EXISTING POLICY/PLANS**

The Dog Management Policy.

**LEGISLATIVE REQUIREMENTS**

Section 60 of the Local Government Act, 1993 requires Council to formally consider petitions within 42 days of receipt.

**CONSULTATION**

Nil.

**FINANCIAL IMPLICATIONS**

Not applicable.

**RECOMMENDATION:**

- A. That Council notes the intent of the petition.
- B. That Council advises the petitioners that Council: *“Will consider the petition as part of the upcoming review of the Dog Management Policy”*.

**Decision:** **MOVED** Ald Peers **SECONDED** Ald von Bertouch

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.2.2 PETITION - SUBDIVISION APPLICATION SD-2015/10 - 14 BAYSIDE DRIVE, LAUDERDALE - 5 LOT SUBDIVISION**  
(File No SD-2015/10)

**EXECUTIVE SUMMARY**

**PURPOSE**

The purpose of this report is to consider a petition received by Council on 15 May 2015, opposing an application for a 5 lot subdivision at 14 Bayside Drive, Lauderdale.

**RELATION TO EXISTING POLICY/PLANS**

Not applicable.

**LEGISLATIVE REQUIREMENTS**

Section 60 of the Local Government Act, 1993 (the Act) requires Council to formally consider petitions within 42 days of receipt.

**CONSULTATION**

Not applicable.

**FINANCIAL IMPLICATIONS**

Not applicable.

**RECOMMENDATION:**

That Council notes the intent of the petition and that it considered the petition as a representation in relation to Subdivision Application SD-2015/10, which was determined at its Meeting of 1 June 2015.

**Decision:** **MOVED** Ald James **SECONDED** Ald Walker

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

### **11.3 PLANNING AUTHORITY MATTERS**

In accordance with Regulation 25 (1) of the Local Government (Meeting Procedures) Regulations 2005, the Mayor advises that the Council intends to act as a Planning Authority under the Land Use Planning and Approvals Act 1993, to deal with the following items:

**11.3.1 DEVELOPMENT APPLICATION D-2015/159 - 26A ESPLANADE,  
LINDISFARNE - PUBLIC AMENITIES BLOCK AND STAGE**  
(File No D-2015/159)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a public amenities block and stage at 26a Esplanade, Lindisfarne.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Recreation and is partially covered by the Coastal Erosion Hazard Overlay under the Clarence Planning Scheme 2007 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2005.

Council is required to exercise a discretion within the statutory 42 day period which expires on 24 June 2015.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and 1 representation was received during the advertising period raising the issue of car parking.

An additional letter was received 10 days after close of the advertising period commenting on the location of the proposed amenity block.

**RECOMMENDATION:**

- A. That the Development Application for a public amenities block and stage at 26a Esplanade, Lindisfarne (CI Ref D-2015/159) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
  2. GEN AM4 – CONSTRUCTION HOURS.
  3. The development must meet all required Conditions of Approval specified by TasWater notice dated 20 May 2015 (TWDA 2015/00624-CCC).
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

/ Refer to Page 16 for Decision on this Item...



**DEVELOPMENT APPLICATION D-2015/159 - 26A ESPLANADE, LINDISFARNE -  
PUBLIC AMENITIES BLOCK AND STAGE /contd...**

**Decision:**                    **MOVED** Ald Walker **SECONDED** Ald Cusick

   “That the Recommendation be adopted”.

   Ald Chong left the Meeting at this stage (8.04pm).

   The **MOTION** was **put** and **CARRIED UNANIMOUSLY**

**11.3.2 DEVELOPMENT APPLICATION D-2015/150 - 50 AND 53 MINNO STREET,  
HOWRAH - DWELLING**  
(File No D-2015/150)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a dwelling at 50 Minno Street, Howrah.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Landscape and Skyline Conservation and Residential and is subject to the Vegetation Management and the Development Plan (DPO 16) Overlay under the Clarence Planning Scheme 2007 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2005.

Council is required to exercise a discretion within the statutory 42 day period which was extended with the consent of the applicant until 24 June 2015.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising the issue of use of the access from Minno Street not suitable for construction vehicles.

**RECOMMENDATION:**

- A. That the Development Application for a Single Dwelling at 50 and 53 Minno Street, Howrah (C1 Ref D-2015/150) be approved subject to the following conditions and advice.
  - 1. GEN AP1 – ENDORSED PLANS.
  - 2. The site must be developed in accordance with the Bushfire Management Plan (JMG, 23 April 2015), or in accordance with any further assessment by an accredited person.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

/ Refer to Page 18 for Decision on this Item...

**DEVELOPMENT APPLICATION D-2015/150 - 50 AND 53 MINNO STREET,  
HOWRAH – DWELLING /contd...**

**Decision:**                    **MOVED** Ald Peers **SECONDED** Ald Campbell

   “That the Recommendation be adopted”.

   Ald Chong returned to the Meeting at this stage (8.05pm).

   The **MOTION** was **put** and **CARRIED UNANIMOUSLY**

**11.3.3 DEVELOPMENT APPLICATION D-2015/142 - 20 KANGAROO BAY DRIVE AND 20 BASTICK STREET, ROSNY PARK - RECREATIONAL SPORTING FACILITY INCLUDING PUBLIC TOILETS, CHANGEROOMS, STORES, CLUBROOMS AND CAR PARKING FACILITIES**

(File No D-2015/142)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Community Building (recreational sporting facility) at 20 Kangaroo Bay Drive and 20 Bastick Street, Rosny Park.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Recreation as well as Special Use 7 (Educational or Cultural Centre) and subject to the Inundation (2050 and 2100) and Coastal Erosion Hazard Overlays under the Clarence Planning Scheme 2007 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2005.

Council is required to exercise a discretion within the statutory 42 day period which expires on 24 June 2015.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising the following issues:

- access and parking;
- size of complex; and
- cost of the proposal.

**RECOMMENDATION:**

A. That the Development Application for recreational sporting facility including public toilets, changerooms, stores, clubrooms and car parking facilities at 20 Kangaroo Bay Drive and 20 Bastick Street, Rosny Park (C1 Ref D-2015/142) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. Prior to the commencement of the hereby approved use, the Titles for 20 Bastick Street (Lot 1 on SP130620) and 20 Kangaroo Bay Drive (currently unalienated Crown Land PID2066142) must be amended to ensure that the building is wholly sited on the latter with vehicular rights of access secured over the former to the approved car parking and service areas. The titles must be amended to the satisfaction of Council's Manager City Planning. In the alternative, appropriate assurances should be obtained that the necessary title amendment will be achieved and that, pending the same, there is no objection to the building being constructed.
  3. All social functions at the facility are to cease no later than 10pm Sunday-Thursday and 12am Friday and Saturday. The use is not to cause a noise nuisance to the owners or occupiers of land in the surrounding area.
  4. GEN C1 – ON-SITE CAR PARKING [26] [delete last 2 sentences].
  5. ENG A5 – SEALED CAR PARKING.
  6. ENG S1 – INFRASTRUCTURE REPAIR.
  7. ENG M1 – DESIGNS DA.
  8. ENG M5 – EROSION CONTROL.
  9. ENG M6 – CONSTRUCTION FENCING.
  10. The development must meet all required Conditions of Approval specified by TasWater notice dated 12 May 2015 (TWDA 2015/00576-CCC).
  11. ADVICE 5 – FOOD SPECIFICATIONS ADVICE.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

**Decision:****MOVED** Ald Thurley **SECONDED** Ald Cusick

"That the Recommendation be adopted".

**CARRIED UNANIMOUSLY**

**11.3.4 DEVELOPMENT APPLICATION D-2015/178 - 28A HYMETTUS STREET, HOWRAH - ADDITION TO DWELLING REQUIRING DISCRETION UNDER PD4**

(File No D-2015/178)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for additions to an existing dwelling at 28A Hymettus Street, Howrah.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Residential under the Clarence Planning Scheme 2007 (the Scheme). In accordance with the Scheme and Planning Directive 4, the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2005.

Council is required to exercise a discretion within the statutory 42 day period which expires on 24 June 2015.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and 2 representations, 1 with multiple signatures, were received raising the following issues:

- overshadowing and loss of solar access;
- visual impact and inconsistency with streetscape; and
- loss of views and land value.

**RECOMMENDATION:**

A. That the Development Application for addition to dwelling requiring discretion under PD4 at 28A Hymettus Street, Howrah (CI Ref D-2015/178) be approved subject to the following condition and advice.

1. GEN AP1 – ENDORSED PLANS.

B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

/ Refer to Page 22 for Decision on this Item...

**DEVELOPMENT APPLICATION D-2015/178 - 28A HYMETTUS STREET,  
HOWRAH - ADDITION TO DWELLING REQUIRING DISCRETION UNDER PD4  
/contd...****Decision:****MOVED** Ald James **SECONDED** Ald Walker

“A. That the Development Application for addition to dwelling requiring discretion under PD4 at 28A Hymettus Street, Howrah (CI Ref D-2015/178) be refused for the following reasons.

1. The proposal represents an overdevelopment of the site and as a result will adversely affect the amenity of the area, in that it is contrary to PD4 – Performance Criteria P1 (a) (ii) and (iii) and P1 (c).
2. The proposal will set an undesirable precedent for 2 storey dwellings in the street.

B. That the reasons for Council’s decision in respect of this matter be recorded as follows.

- It is considered that the development will be contrary to Performance Criteria P1, as it will overlook and result in loss of privacy to other properties and cause unfair visual impacts on adjoining properties.
- As the area is generally a single storey one, approval of this development would encourage others to follow”.

**CARRIED****FOR**

Ald Chong  
Ald Cusick  
Ald Doust  
Ald Hulme  
Ald James  
Ald Peers  
Ald Thurley  
Ald Walker

**AGAINST**

Ald Chipman  
Ald von Bertouch  
Ald Campbell (abstained)

**11.3.5 DEVELOPMENT APPLICATION D-2015/187 - 34 OAKBANK ROAD,  
OTAGO - GARAGE (UNDEFINED USE)**  
(File No D-2015/187)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a garage (Undefined Use) at 34 Oakbank Road, Otago.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Rural Residential under the Clarence Planning Scheme 2007 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development due to the classification of the use under the Scheme and a requested boundary setback variation.

**LEGISLATIVE REQUIREMENTS**

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2005.

Council is required to exercise a discretion within the statutory 42 day period which expires on 24 June 2015.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising the issue of stormwater drainage.

**RECOMMENDATION:**

- A. That the Development Application for a garage (Undefined Use) at 34 Oakbank Road, Otago (Cl Ref D-2015/187) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
  2. This permit replaces the permit issued for a garage approved on 10 November 2015 (D-2014/296).
  3. GEN M7 – DOMESTIC USE.
  4. ADVICE 10 – PLUMBING CODE ADVICE.
  5. ADVICE - Details and method of any retainment of the excavated cut must be submitted as part of the Building Permit application, alternatively the excavation must comply with Part 3.1.1.1 of the National Construction Code.



- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

**Decision:** **MOVED** Ald Campbell **SECONDED** Ald Chong  
“That the Recommendation be adopted”.  
**CARRIED UNANIMOUSLY**

**11.3.6 SUBDIVISION APPLICATION SD-2015/18 - 326 PROSSERS ROAD,  
RICHMOND - 11 LOT SUBDIVISION**  
(File No SD-2015/18)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an 11 lot subdivision at 326 Prossers Road, Richmond.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Rural and subject to the Vegetation Management Overlay under the Clarence Planning Scheme 2007 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2005.

Council is required to exercise a discretion within the statutory 42 day period which expires on 24 June 2015.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and 6 representations were received raising the following issues:

- size of lots and risk of residential use;
- lack of water supply;
- impact upon visual amenity;
- impact upon water quality;
- capacity of Prossers Road;
- pedestrian/cycle access;
- noise pollution; and
- risk of residential land use.

The proposal was considered by Council's Tracks and Trail Committee, which raised the potential for a scenic track corridor as part of this proposal. This matter is discussed in detail below.

**RECOMMENDATION:**

- A. That the application for a 11 lot subdivision at 326 Prossers Road, Richmond (CI Ref SD-2015/18) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
  2. GEN AP2 – STAGING.

- Stage 1 – Lot 1;
  - Stage 2 – Lots 2, 3 and 4;
  - Stage 3 – Lots 5, 6, 7 and 8;
  - Stage 4 – Lots 9, 10, 11 and 12.
3. GEN F2 – COVENANTS. [The future development of the land is to:
    - be in accordance with the recommendations of the Bushfire Hazard Management Plan J153011PH- B01 prepared by JMG, dated 1 May 2015; or
    - be in accordance with the recommendations of an alternative Bushfire Hazard Management Plan, prepared by an accredited person, as required by the Tasmania Fire Service].
  4. GEN POS4 – POS CONTRIBUTION [4%] [Lot No 1 to 11 inclusive].
  5. EHO 4 – NO BURNING.
  6. GEN M1 – TREE REMOVAL.
  7. GEN M2 – NO WORKS.
  8. ENG A1 – NEW CROSSOVER. Delete “and sealed”, insert [TSD R03 and R04] and delete “This access must be inspected by Council’s Development Works Officer prior to sealing or pouring new concrete”.
  9. A7 – REDUNDANT CROSSOVER.
  10. ENG M2 – DESIGNS SD. Delete first dot point “road design (including line marking)”.
  11. ENG R4 – ROAD WIDENING. Insert [9.0m].
  12. ADVICE 16 – THREATENED SPECIES ADVICE.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

**Decision:****MOVED** Ald Chong **SECONDED** Ald Campbell

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.3.7 DEVELOPMENT APPLICATION D-2015/161 - 13 BRIDGE STREET,  
RICHMOND - TOURIST OPERATION (RICHMOND MAZE)**  
(File No D-2015/161)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Tourist Operation at 13 Bridge Street, Richmond.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Commercial as well as Rural under the Clarence Planning Scheme 2007 (the Scheme). The land is subject to the Richmond Village Overlay. In accordance with the Scheme the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2005.

Council is required to exercise a discretion within the statutory 42 day period which has been extended with the written agreement of the applicant to expire on 24 June 2015.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and 7 representations were received. A further representation was received out of time. The representations raised the following issues:

- not a Tourist Operation;
- impact on residential amenity;
  - operating hours;
  - noise;
  - lighting;
  - traffic/car parking/service lane;
  - overlooking/privacy;
  - motorhomes/overnight camping;
  - security;
  - pollution/fumes;
- impact on watercourse/wildlife corridor;
- inappropriate design/finishes/streetscape impact;
- impact of demolition/construction;
- inundation;
- loss of value; and
- support for the proposal.

**RECOMMENDATION:**

A. That the Development Application for Tourist Operation (Richmond Maze) at 13 Bridge Street, Richmond (CI Ref D-2015/161) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. A “Noise Management Plan” (the Plan) is to be lodged prior to the issue of a building permit. The Plan is to be developed and certified by a recognised Acoustic Engineer or other appropriately qualified person and is to consider all buildings, external mechanical equipment and activities proposed for the site and the means to minimise or mitigate the impact that these activities may have on the amenity of the area and neighbouring properties.

The recommended measures must be to the satisfaction of Council’s Senior Environmental Health Officer and must be fully implemented when any of the uses hereby approved are commenced and continue to remain in operation.

Attenuation measures must achieve night time noise levels that comply with AS1055.2-1997, “Acoustics – Description and measurement of environmental noise” and measurements of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual issued by the Director of Environmental Management and must include adjustment of noise levels for tonality and impulsiveness and must be an average over a 15 minute time interval (LAeq15min). Consideration must also be given to vibrations that may be emitted from the site.

A performance report must be submitted to Council within 6 weeks from commencement of any uses to certify compliance with acceptable noise levels indicated in the Plan.

3. A plan for the management of construction must be submitted and approved by Council’s Manager City Planning prior to the issue of a Building or Plumbing Permit. The plan must outline the proposed demolition and construction practices in relation to:
  - proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site and works undertaken on-site);
  - hours of construction;
  - control of dust and emissions during working hours;
  - construction parking;
  - proposed screening of the site and vehicular access points during work; and
  - procedures for washing down vehicles, to prevent soil and debris being carried onto the street.

4. Operating hours for the entire facility must only be within the following times:  
Monday to Thursday: 7am to 10pm  
Friday: 7am to midnight  
Saturday: 9am to midnight  
Sunday and Public Holidays: 10am to 10pm.
5. All deliveries and collections for the premises, inclusive of refuse collection, must take place between 6am-12am.
6. GEN C1 – ON-SITE CAR PARKING [85] Delete last 2 sentences.
7. GEN S1 – SIGN CONSENT.
8. GEN AM1 – NUISANCE.
9. GEN AM6 – OUTDOOR LIGHTING After “system” insert “or amplified music”.
10. GEN AM7 – OUTDOOR LIGHTING Add after first sentence “Boundary treatments adjacent to car parking areas and residential properties must mitigate the impact of car headlights. Details must be submitted to the satisfaction of Council’s Manager City Planning prior to the issue of a building permit for the development”.
11. ENG A5 – SEALED CAR PARKING.
12. ENG A7 – REDUNDANT CROSSOVER.
13. ENG S1 – INFRASTRUCTURE REPAIR.
14. ENG M1 – DESIGNS DA.
15. ENG M5 – EROSION CONTROL.
16. ENG M8 – EASEMENTS.
17. GEN M14 – STORAGE AREAS.
18. LAND 1A – LANDSCAPE PLAN.
19. LAND 3 – LANDSCAPE BOND (COMMERCIAL).

20. The development must meet all required Conditions of Approval specified by TasWater notice dated 28 May 2015 (TWDA 2015/00629-CCC).
  21. ADVICE 5 – FOOD SPECIFICATION ADVICE.
  22. ADVICE 6 – FOOD REGISTRATION ADVICE.
  23. ADVICE 7 – PUBLIC HEALTH ADVICE.
  24. ADVICE - The premises must be designed and controlled so that any emitted noise or odour is at a level that does not create a “nuisance” as defined in the Environmental Management and Pollution Control Act, 1994 to any affected receiver.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

Ald Doust declared an Interest in this Item and left the Meeting prior to discussion (8.17pm).

|                  |  |
|------------------|--|
| <b>Decision:</b> | <b>MOVED</b> Ald Chong <b>SECONDED</b> Ald Hulme   |
|                  | “A. That the Recommendation be adopted subject to Condition 4 being modified to the following:   |
|                  | Operating hours for the main building containing components described as Function Room, Restaurant, Whisky and Wine Bar and Commercial Kitchen shall be as follows:  |
|                  | <ul style="list-style-type: none"><li>• Monday to Thursday: 7.00am to 10.00pm</li><li>• Friday: 7.00am to midnight</li><li>• Saturday: 9.00am to midnight</li><li>• Sunday and Public Holidays: 10.00am to 10.00pm</li></ul> |
|                  | Operating for all other components of the tourist operations, outside the main building shall be 7.00am until 6.00pm daily.  |

/ Decision contd on Page 31...

**DEVELOPMENT APPLICATION D-2015/161 - 13 BRIDGE STREET, RICHMOND - TOURIST OPERATION (RICHMOND MAZE) /Decision contd...**

B. That the reasons recorded for Council's decision in respect of this matter further include that the proposed hours have potential to unreasonably impact on the amenity of nearby properties and so it is appropriate to set hours that will remove such impacts".

**CARRIED**

**FOR**

Ald Chipman  
Ald Chong  
Ald Hulme  
Ald Peers  
Ald Thurley  
Ald Walker

**AGAINST**

Ald Campbell  
Ald Cusick  
Ald James  
Ald von Bertouch

Ald Doust returned to the Meeting at this stage (8.43pm).

Council now concludes its deliberations as a Planning Authority under the Land Use Planning and Approvals Act, 1993.



**11.4 CUSTOMER SERVICE**

Nil Items.

**11.5 ASSET MANAGEMENT****11.5.1 RICHMOND BRIDGE VEGETATION MANAGEMENT PLAN**

(File No)

**EXECUTIVE SUMMARY****PURPOSE**

To seek Council endorsement to release the draft Richmond Bridge Vegetation Management Plan for public consultation in order to obtain feedback on the Richmond Bridge Vegetation Management Plan from the broader community.

**RELATION TO EXISTING POLICY/PLANS**

Council's Strategic Plan 2010-2015 and Community Participation Policy are relevant. The former Department of Infrastructure, Energy and Resources document Richmond Bridge Conservation Management Plan – January 2010 is the key document for management of issues in the vicinity of the Richmond Bridge.

**LEGISLATIVE REQUIREMENTS**

The Richmond Bridge Vegetation Management Plan will need to consider the requirements of the Heritage Tasmania Practice Notes – Historic Plantings and Landscapes (Heritage Tasmania 2015).

**CONSULTATION**

Heritage Tasmania, Department of State Growth, Department of Primary Industries, Parks, Water, and Environment, Crown Land Services, Richmond Advisory Committee and local residents have provided extensive input and feedback on the document in preparation for seeking approval to carry out broader community consultation.

**FINANCIAL IMPLICATIONS**

Funds are available for the public consultation process. Funding is not available for implementation of the Richmond Bridge Vegetation Management Plan other than standard maintenance and will need to be considered in future Annual Plans.

**RECOMMENDATION:**

- A. That Council authorises the General Manager to undertake community consultation for the draft Richmond Bridge Vegetation Management Plan as outlined in the Associated Report.
- B. That the results of the community consultation be reported back to Council.

**Decision:** **MOVED** Ald Thurley **SECONDED** Ald Chong

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.6 FINANCIAL MANAGEMENT**

Nil Items.

**11.7 GOVERNANCE****11.7.1 AMENDMENT TO CONSTITUTIONS FOR MANAGEMENT COMMITTEES**

(File No 21-01-04)

**EXECUTIVE SUMMARY****PURPOSE**

To consider amending all Constitutions for Special Committees of Council which manage facilities to extend the time specified for the conduct of Annual General Meetings to 15 December each year.

**RELATION TO EXISTING POLICY/PLANS**

Council's Strategic Plan 2010-3015 Mission is to: *“represent the people of Clarence by providing leadership, programs, services and facilities to advance the quality of life in Clarence”*.

**LEGISLATIVE REQUIREMENTS**

Council has established a number of Management Committees as Committees of Council under the provisions of Section 24 of the Local Government Act, 1993.

**CONSULTATION**

Consultation has occurred between Council officers and representatives of Management Committees.

**FINANCIAL IMPLICATIONS**

Nil.

**RECOMMENDATION:**

That Council approves the Amendment to all Constitutions for Special Committees of Council which manage facilities allowing the Committees until 15 December each year to hold their Annual General Meeting.

**Decision:** **MOVED** Ald Campbell **SECONDED** Ald von Bertouch

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.7.2 CULTURAL HISTORY ADVISORY COMMITTEE CONSTITUTION**

(File No 07-06-06)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is for Council to adopt a revised constitution for the operations of the Cultural History Advisory Committee (CHAC).

**RELATION TO EXISTING POLICY/PLANS**

- Strategic Plan 2010 – 2015;
- Cultural Arts Plan 2012 – 2016;
- Collections Management Policy 2010; and
- Cultural Heritage Interpretation Plan 2012.

**LEGISLATIVE REQUIREMENTS**

Nil.

**CONSULTATION**

CHAC members have discussed and recommended the proposed changes to the Constitution.

**FINANCIAL IMPLICATIONS**

Nil.

**RECOMMENDATION:**

That Council adopts the revised constitution for the Cultural History Advisory Committee (CHAC).

**Decision:**

**MOVED** Ald Walker **SECONDED** Ald Thurley

“That Council adopts the revised constitution subject to the words ‘Council’s Social Media Networks’ being included after the word newspapers in paragraph ‘a’ under the Community Representatives heading”.

**CARRIED UNANIMOUSLY**

**11.7.3 FINANCIAL ASSISTANCE GRANTS – SUPPORT FOR  
RECOMMENCEMENT OF INDEXATION**

(File No 15-15-02)

**EXECUTIVE SUMMARY****PURPOSE**

To consider providing support for the recommencement of indexation of Australian Government financial assistance grants.

**RELATION TO EXISTING POLICY/PLANS**

No issues to be addressed.

**LEGISLATIVE REQUIREMENTS**

No issues to be addressed.

**CONSULTATION**

No issues to be addressed.

**FINANCIAL IMPLICATIONS**

The cumulative effect of the current freeze on indexation of financial assistance grants is significant to Council, in excess of \$2.1 million over 10 years.

**RECOMMENDATION:**

That Council:

- A. Acknowledges the importance of financial assistance grants in the support of its capital expenditure program delivering essential infrastructure to the community.
- B. Notes the estimated cumulative impact of the withdrawal of indexation of financial assistance grants until 2017/2018 as being in excess of \$2.1 million over a 10 year period.
- C. Supports the Australian Local Government Association and Local Government Managers Australia in working towards a recommencement of indexation prior to 2017/2018.

**Decision:** **MOVED** Ald Chong **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.7.4 RATES AND CHARGES POLICY**

(File No 23-01-00)

**EXECUTIVE SUMMARY****PURPOSE**

To review Council's Rates and Charges Policy consistent with the Local Government Act, 1993.

**RELATION TO EXISTING POLICY/PLANS**

Consistent with existing rating policy, however, clarifying Section 87 exemptions and commercial rebates.

**LEGISLATIVE REQUIREMENTS**

Council is required to review its Rates and Charges Policy prior to, or at the same time as, introducing new or changed elements to its rating decisions.

**CONSULTATION**

No issues to be addressed.

**FINANCIAL IMPLICATIONS**

No direct financial implications.

**RECOMMENDATION:**

That the draft (amended) Rates and Charges Policy at Attachment 1 of the Associated Report be adopted.

**Decision:** **MOVED** Ald Campbell **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

**CARRIED**

**FOR**

Ald Campbell  
Ald Chipman  
Ald Chong  
Ald Cusick  
Ald Doust  
Ald Hulme  
Ald Peers  
Ald Thurley  
Ald von Bertouch  
Ald Walker

**AGAINST**

Ald James

**11.7.5 RATES AND CHARGES 2015-2016**

(File No 23-02-00)

**EXECUTIVE SUMMARY****PURPOSE**

To consider the Rates and Charges to apply in 2015/2016, variations to those rates and charges to apply in 2015/2016 and to consider fixing maximum percentage increases and the remission of Rates and Charges for 2015/2016.

**RELATION TO EXISTING POLICY/PLANS**

The striking of rates and charges is consistent with the adopted 2015/2016 Estimates and the amended draft Rates and Charges Policy accompanying this agenda.

**LEGISLATIVE REQUIREMENTS**

*The Local Government Act, 1993* requires a specific decision of Council to adopt rates and charges for a financial year. The Act also allows for Council to vary these rates, cap rates on individual properties and to provide remissions under certain circumstances.

**CONSULTATION**

No issues to be addressed.

**FINANCIAL IMPLICATIONS**

The level of rates and charges proposed reflects the revenue requirements of Council's adopted 2015/2016 Estimates and allows for a variety of remissions. This report also considers the variation of Rates and the provision of Remissions.

**RECOMMENDATION:**

- A. That the Clarence City Council makes the following General Rate, Service Rates and Service Charges under the *Local Government Act, 1993* and the *Fire Service Act, 1979* for the financial year 1 July 2015 to 30 June 2016 in respect to land in the municipal area which is separately valued under the *Valuation of Land Act, 2001*:

**Definitions and Interpretation**

- 1 Unless the context otherwise requires, in the following resolutions, words and expressions defined in the *Local Government Act, 1993* have the same meanings as they have in that Act.

Unless the context otherwise requires, in the following resolutions, the following words and expressions have the meanings set out below.

“**Act**” means the *Local Government Act, 1993*;

“**conservation protection arrangements**” means formal arrangements the owner of land in the municipal area has entered into for the preservation of flora or fauna or other recognised conservation values or purposes under the *Nature Conservation Act, 2002* or by formal arrangement with Council regarding that land;



“**CPR**” means a plan registered at the register at the Central Plan Office, Hobart for the lodgement and registration of plans, and included in the Central Plan Register;

“**domestic refuse**” means any domestic refuse and other rubbish collected by Council’s normal refuse collection service from land in the municipal area and expressly excludes biohazardous waste, controlled waste, noxious refuse and trade waste;

“**land used for commercial purposes**” means land used or predominantly used for commercial purposes and includes all land coded ‘C’ in the valuation list;

“**land used for industrial purposes**” means all land used or predominantly used for industrial purposes and includes all land coded “I” in the valuation list;

“**land used for primary production**” means all land used or predominantly used for primary production and includes all land coded “L” in the valuation list;

“**land used for public purposes**” means all land used or predominantly used for public purposes and includes all land coded “P” in the valuation list;

“**land used for quarrying or mining**” means all land used or predominately used for quarrying or mining and includes all land coded “Q” in the valuation list;

“**land used for residential purposes**” means all land used or predominantly used for residential purposes and includes all land coded “R” in the valuation list;

“**land used for sporting or recreation facilities**” means all land used or predominantly used for sporting or recreation facilities and includes all land coded “S” in the valuation list;

“**locality areas**” means areas defined by those locality boundaries as published in the Locality and Postcode Areas Dataset as contained in the Tasmanian Spatial Data Directory on the Tasmanian Government LIST website;

“**municipal area**” means the municipal area of Clarence;

“**non-used land**” means all land coded “V” in the valuation list;

“**refuse**” means any domestic refuse, biohazardous waste, controlled waste, noxious refuse, trade waste and other rubbish, debris, litter, recyclable materials or any other similar materials, articles or things;

“**valuation list**” means, in respect of the financial year, the valuation list, supplementary valuation list or particulars of adjustment factors last provided to the Council by the Valuer-General under Section 45 of the *Valuation of Land Act 2001*; and

“**waste management services**” means refuse, recycling and/or green organics collection services provided by Council to land in the municipal area.

## 2. General Rate

2.1 Pursuant to Sections 90 and 91 of the Act Council makes the following General rate on all rateable land (excluding land which is exempt pursuant to the provisions of Section 87) within the municipal area of Clarence for the period commencing 1 July 2015 and ending 30 June 2016 which consists of two components as follows:

(a) A rate of 0.5812 cents in the dollar on the Capital value of the land; and

(b) A fixed charge of \$274.00

2.2 That pursuant to Section 107 of the Act, by reason of the use or non-use of land, Council declares, by absolute majority, that component (a) of the General rate is varied for the financial year as follows:

(a) For land used for primary production, the rate is varied by decreasing it by 0.35387 cents in the dollar to 0.22733 cents in the dollar;

(b) For land used for residential purposes, the rate is varied by decreasing it by 0.35387 cents in the dollar to 0.22733 cents in the dollar;

(c) For land used for sporting or recreation facilities, the rate is varied by decreasing it by 0.35387 cents in the dollar to 0.22733 cents in the dollar; and

(d) For land which is non-used land, the rate is varied by decreasing it by 0.35387 cents in the dollar to 0.22733 cents in the dollar.

### **3. Services Rates and Charges**

Pursuant to Sections 93, 93A, 94 and 95 of the Act Council makes the following service rates and service charges on all rateable land within the municipal area of Clarence (including land which is otherwise exempt from rates pursuant to Section 87 but excluding land owned by the Crown to which Council does not supply any of the following services) for the period commencing 1 July 2015 and ending 30 June 2016 as follows:

3.1 A service rate for stormwater removal on all lands which drain into Council's drain, or where the nearest boundary of the land is within 30 metres of Council's drain, of 0.0396 cents in the dollar on the capital value of the land. Pursuant to Section 93(3) Council sets a minimum amount payable in respect of this rate in the sum of \$88.50;

3.2 A service charge for waste management in respect of all land for the making available by Council of waste management services of \$184.00 per service provided;

- 3.3 That pursuant to Section 107 of the Act, Council, by absolute majority, varies the Stormwater Removal Service Rate (but not the minimum amount, if applicable) for the financial year in relation to the following land within the municipal area according to the locality of the land and/or the use of the land as follows:
- (a) the Rate is varied by decreasing it by 0.0396 cents to 0.00 cents in the dollar of the Capital Value of the land in relation to all land not highlighted in red on the accompanying map at Schedule 1 (“the map”) and/or located within the following sewerage districts as defined as at 30 June 2009: Clarence Limited Sewerage District, the Richmond Limited Sewerage District (together with all those lands outside that district which are within the locality areas described as Richmond, Dulcot and Grasree Hill but excluding properties 353 and 391 Grasree Hill Road) and the Cambridge Industrial Limited Sewerage District. For clarity, to the extent there is any conflict between the map and the aforementioned Sewerage Districts, the depiction of land on the map takes precedence;
  - (b) in respect of land used for primary production and highlighted in red on the map and/or located within the following sewerage districts as defined as at 30 June 2009: the Clarence Limited Sewerage District, the Richmond Limited Sewerage District (together with all those lands outside that district which are within the locality areas described as Richmond, Dulcot and Grasree Hill but excluding properties 353 and 391 Grasree Hill Road) and the Cambridge Industrial Limited Sewerage District; the Stormwater Removal Service Rate is varied by decreasing it by 0.0236 cents to 0.016 cents in the dollar of the Capital Value of the land;
  - (c) in respect of land used for residential purposes and highlighted in red on the map and/or located within following sewerage districts as defined as at 30 June 2009: the Clarence Limited Sewerage District, the Richmond Limited Sewerage District (together with all those lands outside that district which are within the locality areas described as Richmond, Dulcot and Grasree Hill but excluding properties 353 and 391 Grasree Hill Road) and the Cambridge Industrial Limited Sewerage District; the Stormwater Removal Service Rate is varied by decreasing it by 0.0236 cents to 0.016 cents in the dollar of the Capital Value of the land;

- (d) in respect of land used for sporting or recreation facilities and highlighted in red on the map and/or located within following sewerage districts as defined as at 30 June 2009: the Clarence Limited Sewerage District, the Richmond Limited Sewerage District (together with all those lands outside that district which are within the locality areas described as Richmond, Dulcot and Grasstree Hill but excluding properties 353 and 391 Grasstree Hill Road) and the Cambridge Industrial Limited Sewerage District; the Stormwater Removal Service Rate is varied by decreasing it by 0.0236 cents to 0.016 cents in the dollar of the Capital Value of the land;
  - (e) in respect of non-used land highlighted in red on the map and/or located within following sewerage districts as defined as at 30 June 2009: the Clarence Limited Sewerage District, the Richmond Limited Sewerage District (together with all those lands outside that district which are within the locality areas described as Richmond, Dulcot and Grasstree Hill but excluding properties 353 and 391 Grasstree Hill Road) and the Cambridge Industrial Limited Sewerage District; the Stormwater Removal Service Rate is varied by decreasing it by 0.0236 cents to 0.016 cents in the dollar of the Capital Value of the land.
- 3.4 That pursuant to Section 94 of the Act, Council, by absolute majority, varies the Waste Management Service Charge for the financial year within the municipal area according to the use of land and/or according to the level of service provided to the land as follows:
- (a) in respect of land used for primary production, land used for residential purposes, non-used land or land used for sporting or recreational facilities, where a 120 litre mobile bin has been provided by Council for the domestic refuse component of the waste management services, the Waste Management Service Charge is varied to \$221.30;
  - (b) in respect of land used for primary production, land used for residential purposes, non-used land or land used for sporting or recreational facilities, where a 240 litre mobile bin has been provided by Council for the domestic refuse component of the waste management services, the Waste Management Service Charge is varied to \$368.00;
  - (c) in respect of land used for primary production, land used for residential purposes, non-used land or land used for sporting or recreational facilities, where no 240 litre mobile greenwaste bin has been provided by Council, the Waste Management Service Charge is varied by decreasing the charge otherwise applicable by \$43.50, this variation being in addition to any other variation which may apply to the land;

- (d) in respect of land used for primary production, land used for residential purposes, non-used land or land used for sporting or recreational facilities, where an additional 240 litre mobile greenwaste bin has been provided by Council, the Waste Management Service Charge is varied by increasing the charge otherwise applicable by \$43.50 in respect of each greenwaste bin provided, this variation being in addition to any other variation which may apply to the land; and
- (e) in respect of land used for primary production, land used for residential purposes, non-used land or land used for sporting or recreational facilities, where a 240 litre mobile bin has been provided by Council for the domestic recycling component of the waste management services, the Waste Management Service Charge is varied by increasing the charge otherwise applicable by \$28.20, this variation being in addition to any other variation which may apply to the land;
- (f) in respect of land used for commercial purposes, land used for industrial purposes, land used for public purposes or land used for quarrying or mining, where a 240 litre mobile bin has been provided by Council for the domestic refuse component of the waste management services (or such other uses requiring a bin of this size approved by the General Manager), the Waste Management Service Charge is varied to \$368.00.

#### **4. Fire Service Rate**

Pursuant to Section 93A of the Act, Council makes the following service rates in respect of the Fire Service contributions it must collect under the Fire Service Act 1979 for the rateable parcels of land within the municipal area as follows:

- 4.1 An Urban Fire Service Rate of 0.0598 cents in the dollar on the Capital Value of all lands within the Hobart Urban Fire District (ES) shown on CPR 3332. Pursuant to Section 93(3) Council sets a minimum amount payable in respect of this rate of \$38.00.
- 4.2 A District Fire Service Rate of 0.0158 cents in the dollar on the Capital Value of all lands within the Cambridge, Seven Mile Beach, Lauderdale, Richmond and South Arm Fire Districts shown on CPRs 3307, 3361, 3339, 3356 and 3366 respectively. Pursuant to Section 93(3) Council sets a minimum amount payable in respect of this rate of \$38.00.

- 4.3 A Rural Fire Service Rate of 0.0145 cents in the dollar on the Capital Value of all lands which are not within the Hobart Urban Fire District (E.S.) shown on CPR 3332 or the Cambridge, Seven Mile Beach, Lauderdale, Richmond, or South Arm Fire Districts shown on CPRs 3307, 3361, 3339, 3356 and 3366 respectively. Pursuant to Section 93(3) Council sets a minimum amount payable in respect of this rate of \$38.00.

## **5. Maximum Percentage Increase**

- 5.1 Pursuant to Section 88A of the Act, the Council, by absolute majority, sets a maximum percentage increase for all rates payable on any rateable land within the municipal area of 50% above the amount payable in respect of that rateable land in the 2014/2015 financial year.
- 5.2 Pursuant to Section 88A(1)(b) Council declares, by absolute majority, that the maximum percentage increase varies within the municipal area according to the following factors:
- (a) for all rateable land used or predominantly used by ratepayers who are eligible pensioners within the meaning of the Local Government (Rates & Charges Remissions) Act 1991 and where the rateable land is occupied as a principal dwelling by such ratepayers, the maximum percentage increase is varied to 10%;
  - (b) for all rateable land used or predominantly used for residential purposes and where the variation at sub-paragraph (a) does not apply, the maximum percentage increase is varied to 20%;
  - (c) for all rateable land which is used or predominantly used for primary production purposes and where sub-paragraph (a) does not apply, the maximum percentage increase is varied to 20%;
  - (d) for all rateable land which is used or predominantly used for commercial purposes, industrial purposes, public purposes, mining and quarrying purposes, or sporting or recreation facilities and where sub-paragraph (a) does not apply, the maximum percentage increase is varied to 30%;
  - (e) in each case the maximum percentage increase does not apply in respect of any increase in the value of rateable land the subject of a supplementary valuation pursuant to Section 92 of the Act after 1 July 2014 and where that increase is attributable to the undertaking of capital improvements or the subdivision of land.

**6. Remissions**

6.1 Pursuant to Section 129 of the Act Council, by absolute majority, grants a remission of all or part of any rates paid or payable by the following classes of ratepayers:

- (a) for the class of ratepayers liable to pay the General Rate who lease land from the Crown and upon which there is constructed a boat shed or jetty used for private purposes, Council grants a Remission of \$170.00;
- (b) in respect of the class of ratepayers where the rateable land is 20 hectares or greater in area and is wholly or partially zoned pursuant to the Clarence Planning Scheme 2007 as Intensive Agricultural, Rural Residential, Landscape and Skyline Conservation or Rural, Council grants the following Remissions in respect of component (a) of the General Rate, (as per clause 2.1):

| <b>Area of land</b>                          | <b>Proportional Remission of the general rate</b> |
|--|---|
| Not less than 20ha and not greater than 50ha | 20% of the general rate                           |
| Not less than 50ha and not greater than 80ha | 30% of the general rate                           |
| Greater than 80ha                            | 40% of the general rate                           |

6.2 In respect of each class of ratepayers and in respect of rateable land which is used or predominantly used:

- (a) for commercial purposes;
- (b) for industrial purposes;
- (c) for mining and quarrying purposes;
- (d) for primary production purposes; or
- (e) for public purposes

and where such rateable land is liable to pay the Waste Management Service Charge, such charge is remitted to nil where;

- (i) the Waste Management Service Charge is not used in relation to the rateable land; and
- (ii) the ratepayer demonstrates to the satisfaction of the General Manager that there is in place an alternative Waste Disposal Service for the rateable land.

6.3 In respect of the class of ratepayers liable to pay the Waste Management Service Charge for rateable land;

(a) located in the South Arm Peninsula area south of the Lauderdale Canal where Council supplies a Waste Management Service; and

(b) where the rateable land is not the primary residence of the ratepayer

then the Waste Management Service charge is remitted in full if the ratepayer demonstrates to the satisfaction of the General Manager that:

(i) alternative suitable domestic refuse disposal arrangements are in place for that land; and

(ii) no Waste Management Service is required to be provided to the land.

6.4 In respect of the Waste Management Service Charge payable by the class of ratepayers who own and use or predominantly use rateable land for residential purposes, the Waste Management Service Charge is remitted in full where it is demonstrated to the satisfaction of the General Manager:

(a) that due to exceptional circumstances relating to the ratepayer the service is not practical or able to be used in relation to the land; and

(b) alternative suitable domestic refuse disposal arrangements are in place for that land.

6.5 That based on an application submitted to Council pursuant to Section 129(1) of the Act, Council grants the following Remissions of Rates and Charges to ratepayers in relation to land in the municipal area:

(a) A remission of 0.4% in respect of all rates and charges payable by Housing Tasmania where the total amount due for the year is paid on or before the due date of the first rates instalment.

(b) Where land is subject to conservation protection arrangements a remission of the General Rate of \$5 per hectare applies to the land that is subject to the conservation protection arrangements, with a minimum remission of \$50 applying and a maximum remission of \$500 applying.

(c) Where private land is used exclusively as a cemetery and where the owner of the land does not receive financial consideration for the operation of the cemetery the General Rate is remitted.



- 6.6 For all rateable land used or predominantly used by ratepayers who are eligible pensioners within the meaning of the Local Government (Rates & Charges Remissions) Act 1991 and where the rateable land is occupied as a principal dwelling by such ratepayers, a remission of 1.9% applies to all rates excluding any fire service rate.
- 6.7 The amount of the minimum stormwater service rate (if applicable) is remitted in respect of all properties to which paragraph 3.3(a) above applies.
- 6.8 Where Council has, in the past, provided a general rate exemption under S87 of the Local Government Act 1993 to properties owned by charitable organisations but used for residential purposes, and where Council has now determined that such properties do not qualify for the exemption under S87, for properties not described in 6.9 below the general rate payable for the 2015/2016 financial year (only) is remitted.
- 6.9 Where properties described in 6.8 above are leased for residential purposes but are specifically provided for economically disadvantaged members of the community, Council will remit the general rate, subject to the following tests applying (but with no remission applying to properties owned by or subject to a lease or management agreement with the State Government):
- a. rentals are at a demonstrable discount to market rates, typically at a rate similar to that applied by Housing Tasmania in respect of its own residential properties; and
  - b. there has been no up-front payment made by the occupier to secure the right to occupy the property; and
  - c. no body corporate fees or similar are payable by the occupier; and
  - d. the occupier does not have lifetime tenancy or a lease period which effectively provides for lifetime tenancy.

## **7. Separate Land**

For the purposes of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the Valuation List prepared under the Valuation of Land Act 2001.

## **8. Adjusted Values**

For the purposes of each of these resolutions any reference to the capital value of land includes a reference to that value as adjusted pursuant to sections 89 and 89A of the Act, except where these resolutions otherwise provide.

**9. Instalments**

Pursuant to Section 124 of the Act Council decides:

- 9.1 Where rates are not paid by instalments, the date of payment is the 31<sup>st</sup> day after the issue of the rates notice;
- 9.2 All rates may be paid by all rate payers by four instalments, which must be of approximately equal amounts;
- 9.3 The dates by which instalments are to be paid shall be as follows:
  - (i) the first instalment on or before the 31<sup>st</sup> day after the issue of the rates notice;
  - (ii) the second instalment on or before the 61<sup>st</sup> day after the due date of the first instalment;
  - (iii) the third instalment on or before the 29<sup>th</sup> day of January 2016; and
  - (iv) the fourth instalment on or before the 31<sup>st</sup> day of March 2016.
- 9.4 If a rate payer fails to pay any instalment within 21 days of the due date, Council may determine that the entire balance of the rates payable becomes due.

**10. Late Payments**

That in accordance with Section 128 of the Act Council decides as follows.

- 10.1 If any rate or instalment is not paid by the due date daily interest applies to the unpaid amount for the period during which it is unpaid from and including the day after it fell due.
- 10.2 Interest shall not apply to any rate or instalment that is not paid by the due date where a ratepayer makes regular payments through Council's direct debits system, Centrepay, or other formal system of regular payments, is not in arrears and does not default on such payments.
- 10.3 The amount of the interest is the maximum prescribed percentage under Section 128 of the Act, being 8.46% per annum.

/ Refer to Page 50 for Decision on this Item...

**RATES AND CHARGES 2015-2016 /contd...**

|                  |   |            |                |              |           |             |  |           |  |            |  |           |  |           |  |           |  |             |  |                  |  |            |  |
|------------------|---|------------|----------------|--------------|-----------|-------------|--|-----------|--|------------|--|-----------|--|-----------|--|-----------|--|-------------|--|------------------|--|------------|--|
| <b>Decision:</b> | <b>MOVED</b> Ald Hulme <b>SECONDED</b> Ald Thurley  |            |                |              |           |             |  |           |  |            |  |           |  |           |  |           |  |             |  |                  |  |            |  |
|                  | “That the Recommendation be adopted”.   |            |                |              |           |             |  |           |  |            |  |           |  |           |  |           |  |             |  |                  |  |            |  |
|                  | <b>CARRIED</b>  |            |                |              |           |             |  |           |  |            |  |           |  |           |  |           |  |             |  |                  |  |            |  |
|                  | <table><tr><td><b>FOR</b></td><td><b>AGAINST</b></td></tr><tr><td>Ald Campbell</td><td>Ald James</td></tr><tr><td>Ald Chipman</td><td></td></tr><tr><td>Ald Chong</td><td></td></tr><tr><td>Ald Cusick</td><td></td></tr><tr><td>Ald Doust</td><td></td></tr><tr><td>Ald Hulme</td><td></td></tr><tr><td>Ald Peers</td><td></td></tr><tr><td>Ald Thurley</td><td></td></tr><tr><td>Ald von Bertouch</td><td></td></tr><tr><td>Ald Walker</td><td></td></tr></table> | <b>FOR</b> | <b>AGAINST</b> | Ald Campbell | Ald James | Ald Chipman |  | Ald Chong |  | Ald Cusick |  | Ald Doust |  | Ald Hulme |  | Ald Peers |  | Ald Thurley |  | Ald von Bertouch |  | Ald Walker |  |
| <b>FOR</b>       | <b>AGAINST</b>  |            |                |              |           |             |  |           |  |            |  |           |  |           |  |           |  |             |  |                  |  |            |  |
| Ald Campbell     | Ald James   |            |                |              |           |             |  |           |  |            |  |           |  |           |  |           |  |             |  |                  |  |            |  |
| Ald Chipman      |   |            |                |              |           |             |  |           |  |            |  |           |  |           |  |           |  |             |  |                  |  |            |  |
| Ald Chong        |   |            |                |              |           |             |  |           |  |            |  |           |  |           |  |           |  |             |  |                  |  |            |  |
| Ald Cusick       |   |            |                |              |           |             |  |           |  |            |  |           |  |           |  |           |  |             |  |                  |  |            |  |
| Ald Doust        |   |            |                |              |           |             |  |           |  |            |  |           |  |           |  |           |  |             |  |                  |  |            |  |
| Ald Hulme        |   |            |                |              |           |             |  |           |  |            |  |           |  |           |  |           |  |             |  |                  |  |            |  |
| Ald Peers        |   |            |                |              |           |             |  |           |  |            |  |           |  |           |  |           |  |             |  |                  |  |            |  |
| Ald Thurley      |   |            |                |              |           |             |  |           |  |            |  |           |  |           |  |           |  |             |  |                  |  |            |  |
| Ald von Bertouch |   |            |                |              |           |             |  |           |  |            |  |           |  |           |  |           |  |             |  |                  |  |            |  |
| Ald Walker       |   |            |                |              |           |             |  |           |  |            |  |           |  |           |  |           |  |             |  |                  |  |            |  |

**12. ALDERMEN'S QUESTION TIME**

An Alderman may ask a question with or without notice at Council Meetings. No debate is permitted on any questions or answers.

**12.1 QUESTIONS ON NOTICE**

(Seven days before an ordinary Meeting, an Alderman may give written notice to the General Manager of a question in respect of which the Alderman seeks an answer at the meeting).

Nil

**12.2 ANSWERS TO QUESTIONS ON NOTICE**

Nil

**12.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil

**12.4 QUESTIONS WITHOUT NOTICE**

An Alderman may ask a Question without Notice of the Chairman or another Alderman or the General Manager. Note: the Chairman may refuse to accept a Question without Notice if it does not relate to the activities of the Council. A person who is asked a Question without Notice may decline to answer the question.

Questions without notice and their answers will not be recorded in the minutes.

The Chairman may refuse to accept a question if it does not relate to Council's activities.

The Chairman may require a question without notice to be put in writing. The Chairman, an Alderman or the General Manager may decline to answer a question without notice.

### 13. CLOSED MEETING

Regulation 15 of the Local Government (Meetings Procedures) Regulations 2005 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matters were listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2005.

- 13.1 APPLICATIONS FOR LEAVE OF ABSENCE
- 13.2 TENDER T1034-15 – BELLERIVE BLUFF – STORMWATER AND FORESHORE SEA WALL WORKS
- 13.3 TENDER – CAMBRIDGE ROAD – ASPHALT RESURFACING WORKS
- 13.4 TENDER T1042-15 – ROAD AND DRAINAGE WORKS – VICTORIA STREET AND GUNNING STREET, RICHMOND
- 13.5 CONTRACTUAL MATTER

In accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2005 the reports in the Closed Meeting section of the Council Agenda were dealt with on the grounds that the detail covered in the reports relates to:

- personnel matters;
- contracts for the supply and purchase of goods and services;
- applications by Aldermen for Leave of Absence.

**The content of reports and details of the Council decisions in respect to items listed in “Closed Meeting” are to be kept “confidential” and are not to be communicated, reproduced or published unless authorised by the Council.**

|                  |   |
|------------------|---|
| <b>Decision:</b> | <p><b>PROCEDURAL MOTION</b><br/> <b>MOVED</b> Ald Peers <b>SECONDED</b> Ald Chong</p> <p>“That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”.</p> <p style="text-align: right;"><b>CARRIED UNANIMOUSLY</b></p> |
|------------------|---|

**CLOSED MEETING /contd...**

The following Closed Meeting Motions have been authorised by Council for publication in the public Minutes.

**13.2 TENDER T1034-15 – BELLERIVE BLUFF – STORMWATER AND FORESHORE SEA WALL WORKS**

(File No T1034-15)

**Decision:**

**MOVED** Ald von Bertouch **SECONDED** Ald Peers

- “A. That the Tender from Statewide Earthworks Pty Ltd for the sum of \$107,500, excluding GST, be accepted for constructing foreshore sea wall and stormwater works at Bellerive Bluff.
- B. That in accordance with Regulation 34(3) of the Local Government (Meeting Procedures) Regulations 2005, Council authorises for release of the Council’s decision (only) in respect to this item to the general public and for communication to relevant parties.
- C. That the Council decision only be recorded in the public Minutes”.

**CARRIED UNANIMOUSLY**

**13.3 TENDER – CAMBRIDGE ROAD - ASPHALT RESURFACING WORKS**

(File No T1041-15)

**Decision:****MOVED** Ald Thurley **SECONDED** Ald Chong

- “A. That the Tender from Downer EDI Works Pty Ltd for the sum of \$645,539.55, excluding GST, for Option A – Work undertaken during the day, be accepted.
- B. That, in accordance with Regulation 34(3) of the Local Government (Meetings Procedures) Regulations 2005, Council authorises for release the Council’s decision (only) in respect to this item to the general public and for communication to relevant parties.
- C. That the Council decision only be recorded in the public Minutes”.

**CARRIED UNANIMOUSLY**

**13.4 TENDER T1042-15 – ROAD AND DRAINAGE WORKS – VICTORIA STREET AND GUNNING STREET, RICHMOND**

(File No T1042-15)

|                  |   |
|------------------|---|
| <b>Decision:</b> | <b>MOVED</b> Ald Campbell <b>SECONDED</b> Ald Doust   |
|                  | “A. That the Tender from Andrew Walter Construction Pty Ltd for the sum of \$574,363.60, excluding GST, be accepted for constructing the road and drainage works in Victoria and Gunning Street, Richmond.  |
|                  | B. That in accordance with Regulation 34(3) of the Local Government (Meeting Procedures) Regulations 2005, Council authorises for the release of the Council’s decision (only) in respect to this item to the general public and for communication to relevant parties. |
|                  | C. That the Council decision only be recorded in the public Minutes”.   |
|                  | <b>CARRIED UNANIMOUSLY</b>  |

The Meeting closed at 9.40pm.