

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 22 MAY 2017

HOUR CALLED: 7.30pm

PRESENT: The meeting commenced at 7.32pm 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
P K McFarlane
J Peers
D Thurley
S von Bertouch
J Walker; present.

1. APOLOGIES Nil.

ORDER OF BUSINESS Items 1 – 13

IN ATTENDANCE

General Manager
(Mr A Paul)

Corporate Treasurer
(Mr F Barta)

Acting Group Manager Asset Management
(Mr R Graham)

Corporate Secretary
(Mr A van der Hek)

Manager City Planning
(Mr R Lovell)

Manager Health and Community Development
(Mr J Toohey)

Co-ordinator Council Support
(Ms J Ellis)

The Meeting closed at 8.58pm.

Prior to the commencement of the meeting, the Mayor made the following declaration:

“I acknowledge the Tasmanian Aboriginal Community as the traditional custodians of the land on which we meet today, and pay respect to elders, past and present”.

The Mayor also advised the Meeting and members of the public that Council Meetings, not including Closed Meeting, are audio-visually recorded and published to Council’s website.

COUNCIL MEETING**MONDAY 22 MAY****TABLE OF CONTENTS**

ITEM	SUBJECT	PAGE
1.	ATTENDANCE AND APOLOGIES	5
2.	CONFIRMATION OF MINUTES	5
3.	MAYOR’S COMMUNICATION.....	5
4.	COUNCIL WORKSHOPS.....	5
5.	DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE	6
6.	TABLING OF PETITIONS	7
7.	PUBLIC QUESTION TIME	8
	7.1 PUBLIC QUESTIONS ON NOTICE	8
	7.2 ANSWERS TO QUESTIONS ON NOTICE.....	8
	7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE.....	8
	7.4 QUESTIONS WITHOUT NOTICE	8
8.	DEPUTATIONS BY MEMBERS OF THE PUBLIC.....	9
9.	MOTIONS ON NOTICE	10
9.1	NOTICE OF MOTION- ALD JAMES THE MOORINGS COLLECTION	10
10.	REPORTS FROM OUTSIDE BODIES	11
10.1	REPORTS FROM SINGLE AND JOINT AUTHORITIES.....	11
	• SOUTHERN TASMANIAN COUNCILS AUTHORITY	
	• COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY	
	• SOUTHERN WASTE STRATEGY AUTHORITY	
	• TASMANIAN WATER CORPORATION	
10.2	REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES ..	12

11.	REPORTS OF OFFICERS	13
11.1	WEEKLY BRIEFING REPORTS	13
11.2	DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS	14
11.2.1	PETITION - DEVELOPMENT APPLICATION D-2016/420 AND SD-2016/45 – 4 AND 6 CHATSWORTH STREET, ROSE BAY – 4 MULTIPLE DWELLINGS	14

11.3 PLANNING AUTHORITY MATTERS

11.3.1	SUBDIVISION APPLICATION SD-2016/37 - 3 MALCOLMS HUT ROAD AND 992 RICHMOND ROAD, RICHMOND - BOUNDARY ADJUSTMENT.....	16
11.3.2	DEVELOPMENT APPLICATION D-2017/1 - 9 DOSSITER STREET, BELLERIVE – DWELLING ADDITION AND ALTERATIONS	18
11.3.3	DEVELOPMENT APPLICATION D-2017/101 - LEVEL 3, 31 CAMBRIDGE ROAD, BELLERIVE - INTENSIFICATION OF USE TO INCLUDE 3 GENERAL PRACTITIONERS.....	20

11.4 CUSTOMER SERVICE - NIL ITEMS

11.5 ASSET MANAGEMENT

11.5.1	KANGAROO BLUFF HISTORIC SITE	23
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11.6 FINANCIAL MANAGEMENT - NIL ITEMS

11.7 GOVERNANCE

11.7.1	QUARTERLY REPORT TO 31 MARCH 2017.....	27
11.7.2	CLARENCE CITY COUNCIL - RELATED PARTIES DISCLOSURE POLICY	28
11.7.3	PROPOSED LEASE OF RADIO TOWER AND BUILDING – WAVERLEY FLORA PARK – SURFSIDE RADIO NETWORK.....	29
12.	ALDERMEN’S QUESTION TIME.....	30
12.1	QUESTIONS ON NOTICE.....	30
12.2	ANSWERS TO QUESTIONS ON NOTICE.....	30
12.3	ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE.....	30
12.4	QUESTIONS WITHOUT NOTICE	30

13. CLOSED MEETING.....31

13.1 APPLICATIONS FOR LEAVE OF ABSENCE

13.2 PROPERTY MATTER - RICHMOND

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 May 2017, the Special Council (Planning Authority) Meeting held on 8 May 2017 and the Special Council Meeting held on 8 May 2017, as circulated, be taken as read and confirmed.

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

“That the Minutes of the Council Meeting held on 1 May 2017, the Special Council (Planning Authority) Meeting held on 8 May 2017 and the Special Council Meeting held on 8 May 2017, 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:

PURPOSE	DATE
Presentation - TasWater	8 May
Bayfield Street Streetscape Project	
Bayview Secondary College MOU	
Assessment Criteria for Tenders	15 May

RECOMMENDATION:

That Council notes the workshops conducted.

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

“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 2015 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 Walker

Item No. 11.3.3

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 Chairperson may invite members of the public present to ask questions without notice.

Questions are to relate to the activities of the Council. Questions without notice will be dependent on available time at the meeting.

Council Policy provides that the Chairperson may refuse to allow a question on notice to be listed or refuse to respond to a question put at a meeting without notice that relates to any item listed on the agenda for the Council meeting (note: this ground for refusal is in order to avoid any procedural fairness concerns arising in respect to any matter to be determined on the Council Meeting Agenda).

When dealing with Questions without Notice that require research and a more detailed response the Chairman may require that the question be put on notice and in writing. Wherever possible, answers will be provided at the next ordinary Council Meeting.

8. DEPUTATIONS BY MEMBERS OF THE PUBLIC
(File No 10/03/04)

Nil.

9. MOTIONS ON NOTICE

9.1 NOTICE OF MOTION- ALD JAMES THE MOORINGS COLLECTION
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(File Nos 10-03-05)

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

- “A. Council notes the existence of Mr John Sargent’s private collection of Derwent River and Eastern Shore memorabilia, known as ‘The Moorings Collection’, and acknowledges the possible heritage value of that collection to the City of Clarence.
- B. Council also notes the request from Mr Sargent for suggestions to enable the collection to remain within the community for the benefit of future generations.
- C. Council requests the General Manager liaise with Mr Sargent to assess the intrinsic value of the collection and report back on future display options by November 2017”.

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

Decision:	MOVED Ald James SECONDED Ald Peers
	<ul style="list-style-type: none"> “A. Council notes the existence of Mr John Sargent’s private collection of Derwent River and Eastern Shore memorabilia known as ‘The Moorings Collection’, and acknowledges the possible heritage value of the collection to the City of Clarence. B. Council also noted the request from Mr Sargent for suggestions to enable the collection to remain within the community for the benefit of future generations. C. Council requests the General Manager liaise with Mr Sargent to assess the intrinsic value of the collection and report back on future options for the collection by November 2017. D. That Council considers the inclusion of \$5,000 to fund the independent expert assessment of the collection in the forthcoming budget”.
	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

March Quarterly Report pending.

Representative Reporting

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**
Representatives: Ald Jock Campbell
(Ald James Walker, 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

September, December and March Quarterly Reports pending.

Representative Reporting

Ald James tabled the Written Resolution on Balance Distribution and the Winding Up of the Authority.

The Meeting also noted that this Item will no longer be listed on the Agenda.

- **TASWATER CORPORATION**

The Mayor tabled the Minutes of a Special General Meeting of LGAT which voted on the industry position on TasWater.

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

Lindisfarne Community Activities Centre Management Committee

- Ald Peers tabled the Minutes of a Meeting held on 18 May 2017.

Tracks and Trails Advisory Committee

- Ald James tabled the Minutes of a Meeting held on 20 April 2017, which have been reissued with an erratum.

Committee of Management of Business East Inc

- Ald Hulme tabled the Minutes of a Meeting held on 14 March 2017

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

(File No 10/02/02)

The Weekly Briefing Reports of 1, 8 and 15 May 2017 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 1, 8 and 15 May 2017 be noted.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

11.2.1 PETITION - DEVELOPMENT APPLICATION D-2016/420 AND SD-2016/45 – 4 AND 6 CHATSWORTH STREET, ROSE BAY – 4 MULTIPLE DWELLINGS (File No D-2016/420)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to consider a petition received by Council on 27 April 2017, opposing an application for 4 Multiple Dwellings at 4 and 6 Chatsworth Street, Rose Bay.

RELATION TO PLANNING PROVISIONS

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 advises that amended plans for the proposal have been submitted to Council and the application will therefore be re-advertised for further public comment.

Decision: **MOVED** Ald Peers **SECONDED** Ald Hulme

“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 2015, 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 SUBDIVISION APPLICATION SD-2016/37 - 3 MALCOLMS HUT ROAD AND 992 RICHMOND ROAD, RICHMOND - BOUNDARY ADJUSTMENT
(File No SD-2016/37)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a boundary adjustment at 3 Malcolms Hut Road and 992 Richmond Road, Richmond.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Resource and subject to the Bushfire Prone Areas, Landslide, Road and Railway Assets, Waterway and Coastal Protection and Natural Assets Codes under the Clarence Interim Planning Scheme 2015 (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 2015.

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which expires with the written consent of the applicant on 24 May 2017.

CONSULTATION

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

- right of access;
- outstanding site works;
- noise;
- traffic safety;
- failure to meet minimum lot sizes; and
- future subdivision potential.

RECOMMENDATION:

- A. That the application for a boundary adjustment at 3 Malcolms Hut Road and 992 Richmond Road, Richmond (Cl Ref SD-2016/37) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. ENG M8 – EASEMENTS.
3. ADVICE – Any structures located within 3m of the new boundary should be referred to a Building Surveyor to ensure appropriate fire separation.

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 McFarlane **SECONDED** Ald Campbell

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

**11.3.2 DEVELOPMENT APPLICATION D-2017/1 - 9 DOSSITER STREET,
BELLERIVE - DWELLING ADDITION AND ALTERATIONS**
(File No D-2017/1)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a dwelling addition and alterations at 9 Dossiter Street, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Access Code under the Clarence Interim Planning Scheme 2015 (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 2015.

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise discretion within the statutory 42 day period which has been extended with the consent of the applicant and now expires on 24 May 2017.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising the impact on solar access as an issue.

RECOMMENDATION:

- A. That the Development Application for dwelling addition and alterations at 9 Dossiter Street, Bellerive (CI Ref D-2017/1) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. The development must meet all required Conditions of Approval specified by TasWater notice dated 9 January 2017 (TWDA 2017/00019-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.

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

11.3.3 DEVELOPMENT APPLICATION D-2017/101 - LEVEL 3, 31 CAMBRIDGE ROAD, BELLERIVE - INTENSIFICATION OF USE TO INCLUDE 3 GENERAL PRACTITIONERS

(File No D-2017/101)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for an intensification of use to allow 3 General Practitioners to operate from the site at Level 3, 31 Cambridge Road, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Business and subject to the Parking and Access under the Clarence Interim Planning Scheme 2015 (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 2015.

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which expires on 24 May 2017.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and no representations were received.

RECOMMENDATION:

- A. That the Development Application for Intensification of use to include 3 General Practitioners at Level 3, 31 Cambridge Road, Bellerive (Cl Ref D-2017/101) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. No more than 3 General Practitioners may receive patients on-site at any one time.
 3. GEN C2 – CASH-IN-LIEU [\$60 000] [6].

4. The permit conditions in D-2015/98 continue to apply to the site, except that 3 General Practitioners can operate in addition to the practitioners listed in Condition 3 of D-2015/98.
- 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 Walker declared an Interest in this Item and left the Meeting prior to discussion (7.55pm).

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

“That the Recommendation be adopted”.

Ald McFarlane left the Meeting at this stage (7.58pm).

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

Ald Walker and Ald McFarlane returned to the Meeting at this stage (8.07pm).

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 KANGAROO BLUFF HISTORIC SITE**

(File No G23-20)

EXECUTIVE SUMMARY**PURPOSE**

To consider the formal taking over of the management of the Kangaroo Bluff Historic Site.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2016 – 2026 provides a range of strategic commitments towards the development, enhancement and provision of cultural activities and facilities, including the establishment of a cultural creative precinct in the Rosny Park/Bellerive area and support for cultural history in general terms.

Council has not formally adopted a Policy position specifically regarding the Kangaroo Bluff Historic Site property. The facility is recognised as a “*Site of Cultural Tourism*” in Council's Cultural History Plan (Note: this Plan is currently undergoing a review).

LEGISLATIVE REQUIREMENTS

The proposal is to transfer the managing authority of the Kangaroo Bluff Historic Site to Council under Section 29(2) of the National Parks and Reserves Management Act, 2002. This, in turn, would legally obligate Council to manage the site in accordance with the requirements stipulated under the Statutory Management Plan for the site (Registered Plan Number LM 146) on an on-going basis.

CONSULTATION

There has been correspondence and meeting held with the State Government regarding this proposal for a number of years.

FINANCIAL IMPLICATIONS

There are potential significant financial implications for Council given the possible extent of works identified in any future site management plan. The timelines and extent of such works could be managed over an extended timeframe should it agree to take on the management responsibilities. The extent of these costs to Council cannot be readily determined unless and until a full review of the asset condition and the various Management Plans associated with the facility have been assessed and brought up to date and, based on this, a costing for general recurrent maintenance and a programmed rehabilitation/maintenance regime is prepared.

Subject to a specific budget allocation, external “heritage expertise” will need to be engaged for this purpose. This is anticipated to cost in the order of \$50,000.

RECOMMENDATION:

- A. That Council agrees to provide specific and formal consent to the transfer of the management authority of the Kangaroo Bluff Historic Site from Tasmanian Parks and Wildlife Service under the National Parks and Reserves Management Act, 2002.
- B. That Council seek early consideration for the current Management Plan to be altered by the removal of limitations concerning future development (including consideration of commercial opportunities on the site) to enhance the facility's use, as a community cultural asset.
- C. That Council consider the inclusion of funding for the review of the Management Plans for the facility in its budget for the 2017/18 financial year.

Decision:

MOVED Ald James **SECONDED** Ald Campbell

- “A. That Council undertake a review of the Management Plan for the facility to determine the possible future use for the site and the expected cost of maintaining the site.
- B. That subject to ‘A’ being undertaken, Council then reconsider the question of providing specific and formal consent to the transfer of the management authority for the site to Council.
- C. That Council consider the inclusion of funding for the review of the Management Plans for the facility in its budget for the 2017/18 financial year”.

Ald Walker **Foreshadowed** a Motion in the event that the above Motion was Lost.

The **MOTION** was **put** and **LOST**

FOR	AGAINST
Ald Campbell	Ald Chipman
Ald Chong	Ald Cusick
Ald James	Ald Doust
Ald McFarlane	Ald Hulme
Ald von Bertouch	Ald Peers
	Ald Thurley
	Ald Walker

/ Decision contd on Page 25...

KANGAROO BLUFF HISTORIC SITE /Decision contd...

PROCEDURAL MOTION

MOVED Ald Walker **SECONDED** Ald Peers

“That consideration of this Item be deferred for 2 Council Meetings”.

CARRIED

FOR

Ald Campbell
Ald Chipman
Ald Cusick
Ald Doust
Ald Hulme
Ald McFarlane
Ald Peers
Ald von Bertouch
Ald Walker

AGAINST

Ald Chong
Ald James
Ald Thurley

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 QUARTERLY REPORT TO 31 MARCH 2017**

(File No 10/02/05)

EXECUTIVE SUMMARY**PURPOSE**

To consider the General Manager's Quarterly Report covering the period 1 January 2017 to 31 March 2017.

RELATION TO EXISTING POLICY/PLANS

The Report uses as its base the Annual Plan adopted by Council and is consistent with Council's previously adopted Strategic Plan 2016-2026.

LEGISLATIVE REQUIREMENTS

There is no specific legislative requirement associated with regular internal reporting.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

The Quarterly Report provides details of Council's financial performance for the period.

RECOMMENDATION

That the Quarterly Report to 31 March 2017 be received.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.7.2 CLARENCE CITY COUNCIL - RELATED PARTIES DISCLOSURE POLICY

(File No 10-17- 01)

EXECUTIVE SUMMARY**PURPOSE**

To consider the introduction of a new Clarence City Council - Related Parties Disclosure Policy to support new accounting standards disclosure and reporting requirements.

RELATION TO EXISTING POLICY/PLANS

The proposed Policy does not directly relate to any existing Council Policies, however, is consistent with Council's commitment to open and transparent government.

LEGISLATIVE REQUIREMENTS

The Local Government Act, 1993 already places obligations on Councils, Aldermen and staff to declare conflicts of interest and to disclose transactions for the purpose of annual reporting. The new accounting standards AASB Standard 124 are being applied to Councils as a compliance measure by the Auditor General from the current Financial Year.

CONSULTATION

Consultation has occurred in the communication of the new requirements. This has included involvement in the working party in the development of disclosure and reporting guidelines and the provision of regional briefings for Aldermen and staff on the new requirements, as well as a direct briefing being provided by the Deputy Auditor General to a Council Workshop.

FINANCIAL IMPLICATIONS

No financial implications are anticipated in the introduction of this new measure.

RECOMMENDATION:

- A. That Council formally notes the new disclosure and reporting requirements being introduced under the AASB Standard 124 for Related Party Disclosures.
- B. That Council formally adopts the Clarence City Council - Related Parties Disclosure Policy.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.7.3 PROPOSED LEASE OF RADIO TOWER AND BUILDING – WAVERLEY FLORA PARK – SURFSIDE RADIO NETWORK
(File No A030-29a)**EXECUTIVE SUMMARY****PURPOSE**

To consider entering into a lease agreement with Surfside Radio Network, trading as Surf FM, to utilise a disused radio tower and building within the Waverley Flora Park.

RELATION TO EXISTING POLICY/PLANS

Council's Leased Facilities and Term of Lease Policy is applicable.

LEGISLATIVE REQUIREMENTS

Section 177 of the Local Government Act, 1993 is applicable.

CONSULTATION

Consultation has occurred between Council officers and representatives from Surf FM.

No public consultation has occurred in regard to the proposal.

FINANCIAL IMPLICATIONS

There are no direct implications on Council's Annual Plan.

RECOMMENDATION:

- A. That in accordance with Section 177 of the Local Government Act, 1993 Council gives notice of intention to lease the disused building and tower within the Waverley Flora Park to Surf FM for broadcasting.
- B. That once the notice of intention process to lease is finalised and provided that no objections are received and all necessary approvals are in place, Council enters into a lease agreement with Surf FM for an initial term of 1 year, with an option for a further 5 years in accordance with the delegation issued to the General Manager under Section 179 of the Local Government Act, 1993.
- C. That the annual rental for the term of the lease be in accordance with Council's Leased Facilities and Term of Lease Policy.

Decision: **MOVED** Ald Campbell **SECONDED** Ald Thurley

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

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 2015 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matters have been listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.

13.1 APPLICATIONS FOR LEAVE OF ABSENCE

13.2 PROPERTY MATTER - RICHMOND

In accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 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:

- proposals to acquire land or an interest in land or for the disposal of land;
- applications by Aldermen for a 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.

Decision:

PROCEDURAL MOTION

MOVED Ald Peers **SECONDED** Ald Cusick

“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”.

CARRIED UNANIMOUSLY

The Meeting closed at 8.58pm.