

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 23 FEBRUARY 2015

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
D Doust
D Hulme
R H James
J Peers
D Thurley
S von Bertouch
J Walker; present.

1. APOLOGIES
P Cusick (Leave of Absence)
P K McFarlane

ORDER OF BUSINESS Items 1 – 13

IN ATTENDANCE
General Manager
(Mr A Paul)
Group Manager Asset Management
(Mr J Stevens)
Corporate Treasurer
(Mr F Barta)
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 8.31pm.

COUNCIL MEETING
MONDAY 23 FEBRUARY 2015

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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 2 February 2015, as circulated, be taken as read and confirmed.

Decision: **MOVED** Ald Chong **SECONDED** Ald Doust

“That the Minutes of the Council Meeting held on 2 February 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:

PURPOSE	DATE
Traffic Management for Bellerive Oval Events Tasmanian Canine Defence League Parking Enforcement Bellerive Long Jump Cage – Clarence High School	10 February
Presentation by Clarence City Band Public Open Space Proposal Bellerive Kangaroo Bay Land Packaging Local Government Reform Strategic Plan	16 February

RECOMMENDATION:

That Council notes the workshops conducted.

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

“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 Hulme

Item No. 11.3.1

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

The General Manager provides the following answers to Questions taken on Notice from members of the public at previous Council Meetings.

PUBLIC QUESTION TIME

At Council's Meeting of 2 February 2015 Mr Michael Figg of Lauderdale asked a question which sought an explanation on why the Council does not allow ratepayers time to ask questions on the running of the Council or to question staff of the Council regarding their actions.

/ contd on Page 8

ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE /contd...**ANSWER DETAILS**

Rules associated with the conduct of the “Public Question Time” segment of the Council meeting agenda are governed by the Local Government (Meeting Procedures) Regulations 2005 and the Council adopted Council Meetings Procedures Policy. The relevant details of these sources are attached.

Specifically, in response to the question taken on notice, the Council does provide an opportunity for the public and ratepayers to ask the Council questions regarding the running (or as stated in the Rules “the activities”) of the Council and in doing so the question must be put in a manner which complies with the requirements of the Rules and Council policy.

The “Public Question Time” segment of the Council meeting agenda can be accessed by the formal submission of questions in writing in advance of the meeting agenda close or informally at the discretion of the Mayor, at the Council meeting. Only those questions formally submitted in writing or taken on notice and the subsequent answers to those questions will be recorded in the Council’s meeting agenda and minutes.

In the interest of ensuring accuracy and completion of the answers provided, the Council’s policy encourages the public to take advantage of the formalised question time process.

Statements from the Public are provided for in a separate segment of the Council’s meeting agenda. The Council’s Meeting Procedures Policy expressly precludes the making of statements by a member of the public during the “Public Question Time” segment of the Council meeting agenda. As intended in the Rules the Council’s policy further provides the Mayor with the scope and discretion to conduct the proceedings associated with the conduct of informal “Public Question Time”.

It is intended that the “Public Question Time” segment of the Council meeting agenda is for questions to be directed to the Council as a whole – where because of the nature of information sought and knowledge of relevant background details staff are best placed to provide answers; the Mayor may ask that a response be provided from a staff member.

ATTACHMENT 1

Extract from Local Government (Meeting Procedures) Regulation 2005

31. Public question time

- (1) A member of the public may give written notice to the general manager at least 7 days before an ordinary meeting of a council of a question to be asked at that meeting.
- (2) The chairperson may:
 - (a) address questions on notice submitted by members of the public; and
 - (b) invite any member of the public present at an ordinary meeting to ask questions relating to the activities of the council.
- (3) The chairperson at an ordinary meeting of a council must ensure that, if required, at least 15 minutes of that meeting is made available for questions by members of the public.
- (4) A question by any member of the public under this regulation and an answer to that question are not to be debated.
- (5) The chairperson may:
 - (a) refuse to accept a question; or
 - (b) require a question to be put on notice and in writing to be answered at a later meeting.
- (6) If the chairperson refuses to accept a question, the chairperson is to give reasons for doing so.
- (7) A council is to determine any other procedures to be followed in respect of question time.
- (8) The period referred to in subregulation (1) includes Saturdays, Sundays and public holidays but does not include –
 - (a) the day on which notice is given under that subregulation; and
 - (b) the day of the meeting.

ATTACHMENT 2

Extract from Clarence Council Meeting Procedures Policy

Public Question Time

In accordance with the Local Government (Meeting Procedures) Regulations 2005, a period of fifteen minutes for “public question time” will be set aside at ordinary Council Meetings for members of the community to ask questions relating to Council activities.

Public question time provides an opportunity for people to ask questions about Council’s activities, not make statements. Anyone wishing to address Council and make a statement may do so under the Deputation section of the Council Meeting Agenda.

The procedures for the conduct of public question time at meetings of the Clarence City Council are set out below.

1. Asking a Question

Anyone may ask a question. A person may ask a maximum of three questions per meeting.

Questions may be submitted in two ways:

- a. Two questions can be submitted in writing and be “put on notice” before the Council Meeting.
- b. One question may be raised from the public gallery “without notice” during public question time.

2. Putting a Question on Notice

2.1 Members of the public are encouraged to submit a question in writing and be put on notice to address the Council in the public question time. Council recommends this option, as it will enable Council to provide a more “well-researched” and complete response.

2.2 A maximum of two questions may be submitted in writing before the meeting.

2.3 To submit a question in writing, members of the public will need to fill out a question registration form. These are available at Council offices and on the Council website.

2.4 Forms will need to be lodged at the Council Offices no later than 5 p.m. on the Friday 10 days before the scheduled meeting.

2.5 Question registration forms can be lodged by:
Mail: PO Box 96, Rosny Park 7018
In person: 38 Bligh Street, Rosny Park
Fax: (03) 6245 8700
Email: jellis@ccc.tas.gov.au

2.6 The registered questions to be answered at the Council Meeting will be listed on the agenda for the scheduled meeting.

- 2.7 Each person whose registration form has been accepted or declined will be advised by no later than the Friday of the week before the scheduled meeting.
- 2.8 When contacted, a person who has submitted a question registration form will need to confirm their presence at the meeting for their question to be read.
- 2.9 The name of the person asking a question on notice and the question will be included in the meeting agenda and minutes. If members of the public do not want these details recorded, they may choose to ask a question without notice from the public gallery at the meeting, as these questions are not formally recorded.

3. Questions Without Notice

- 3.1 Priority will be given to questions on notice over questions without notice asked from the public gallery.
- 3.2 Questions without notice will be dependent on available time at the meeting (maximum 15 minutes).
- 3.3 Questions without notice are permitted at the discretion of the Chairperson.
- 3.4 Provided time is available, each person in the public gallery will be given an opportunity to ask one question without notice.
- 3.5 Subject to available time and in the event that no other persons seek to ask questions without notice at the meeting the Chairperson may allow further questions from persons in the public gallery. (Note: this is in recognition of the discretion of the Chairperson provided for under Regulation 31 (2) (b) in respect to questions without notice.)
- 3.6 If members of the public wish to ask a question but would prefer that their name or question were not recorded in the minutes, they may choose to ask a question without notice from the public gallery, as names and details of questions without notice will not be recorded.

4. Questions May be Refused in Certain Circumstances

- 4.1 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:
 - a. 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);
 - b. is unlawful in any way;
 - c. contains defamatory remarks, offensive or improper language;
 - d. questions the competency of Council staff or Aldermen;
 - e. relates to the personal affairs or actions of Council staff or Aldermen;
 - f. relates to confidential matters, legal advice or actual or possible legal proceedings;

- g. relates to any matter which would normally be discussed in the closed section of the Council Meeting pursuant to Regulation 15 of the Local Government (Meeting Procedures) Regulations 2005;
- h. is, in the reasonable opinion of the Chairperson, proffered to advance a particular point of view rather than to make a genuine enquiry;
- i. is vague in nature or irrelevant to Council;
- j. is not related to Council activities; or
- k. is a question that has been substantively asked at the previous Council Meeting.

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.

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.

Questions without notice and their answers will not be recorded.

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

Nil.

9. MOTIONS ON NOTICE

Nil.

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

The Southern Tasmanian Councils Authority has distributed its Quarterly Reports for the period 1 July to 30 September 2014 and 1 October to 31 December 2014.

RECOMMENDATION:

That the Quarterly Reports of the Southern Tasmanian Councils Authority for the Quarters ending 30 September 2014 and 31 December 2014 be received.

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

“That the Quarterly Reports of the Southern Tasmanian Councils Authority for the Quarters ending 30 September 2014 and 31 December 2014 be received”.

CARRIED UNANIMOUSLY

Representative Reporting

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

Quarterly Reports

September and December Quarterly Reports pending

Representative Reporting

/ Contd on Page 17...

REPORTS FROM SINGLE AND JOINT AUTHORITIES /contd...

- **SOUTHERN WASTE STRATEGY AUTHORITY**

Representative: Ald Richard James
(Ald Sharyn von Bertouch, Proxy)

Quarterly Reports

Representative Reporting

Ald James tabled the Minutes of a Meeting held on Thursday, 27 November 2014 and an Information Paper regarding the Regional Waste Group.

- **TAS WATER CORPORATION**

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

Tracks and Trails Committee

- Ald James tabled Minutes of Meetings held on 11 December 2014 and 12 February 2015.

Lindisfarne Community Activities Centre Management Committee

- Ald Peers tabled the Minutes of a Meeting held on 19 February 2015.

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

(File No 10/02/02)

The Weekly Briefing Reports of 2, 9 and 16 February 2015 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 2, 9 and 16 February 2015 be noted.

Decision: **MOVED** Ald Thurley **SECONDED** Ald Hulme

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

Nil.

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-2014/430 - 25 WENTWORTH STREET, BELLERIVE (CLARENCE HIGH SCHOOL) – CONSTRUCTION OF A CAGE STRUCTURE OVER THE LONG JUMP PIT (ACTIVE RECREATION)

(File No D-2014/430)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for the construction of a cage structure over a previously approved long jump pit (Active Recreation) associated with the development of the athletics facilities at the Clarence High School.

RELATION TO PLANNING PROVISIONS

The land is zoned Special Use (SU7 – Educational or Cultural Centre) under the Clarence Planning Scheme 2007 (the Scheme). In accordance with the Scheme, the proposal is a Discretionary development as the use is classified as Active Recreation and it involves the construction of a new building.

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 until 25 February 2015 with the written consent of the applicant.

CONSULTATION

The proposal was advertised in accordance with the statutory requirements and 4 representations were received (2 of which were from the same representor). Additionally, 1 late submission was received. The following issues were raised by the representors:

- background leading up to this application;
- solid cladding;
- bulk, scale and impact on views;
- location of long jump facility, noise generation and impact on privacy;
- windblown sand;
- drainage;
- functionality of long jump facility; and
- potential conditions of approval (hours of use and landscaping).

RECOMMENDATION:

A. That the Development Application for the construction of a cage structure over the long jump pit at 25 Wentworth Street, Bellerive (Cl Ref D-2014/430) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. GEN AP – AMENDED PLANS [remove the gable roof on the long jump cage and replace with a flat roof structure in the horizontal plane at the top of the walls of the cage and decrease the height of the walls by 0.5m to 3.5m].
3. The structure cannot be clad in alternative materials without further approval.
4. A landscape plan must be submitted to and approved by Council’s Manager City Planning prior to the completion of the structure. The landscaping must assist in the amelioration of building bulk and reduce potential overlooking from the long jump area into the surrounding properties. The plan must be to scale and show:
 - the location of the long jump facilities, the fencing associated with the adjoining tennis/netball courts, the eastern property boundary and the rear of each of the immediately adjoining residential properties; and
 - location and details of proposed plantings including botanical names and the height and spread of canopy at maturity.

The landscaping works must be completed within 3 months of the approval of the plan and appropriately maintained thereafter.

- 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 Hulme declared an Interest in this Item and left the Meeting prior to discussion (7.40pm).

Decision:	MOVED Ald James SECONDED Ald Thurley	
	“That the Recommendation be adopted”.	
		CARRIED
	FOR	AGAINST
	Ald Campbell	Ald von Bertouch
	Ald Chipman	Ald Walker
	Ald Chong	
	Ald Doust	
	Ald James	
	Ald Peers	
	Ald Thurley	

Ald Hulme returned to the Meeting at this stage (7.44pm).

**11.3.2 DEVELOPMENT APPLICATION D-2014/429 – 67 LINDHILL AVENUE,
GEILSTON BAY – ADDITIONS TO DWELLING REQUIRING DISCRETION
UNDER PD4**

(File No D-2014/429)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for additions and alterations to a dwelling at 67 Lindhill Avenue, Geilston Bay.

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 26 February 2015.

CONSULTATION

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

- loss of view;
- privacy; and
- location of dangerous tree.

RECOMMENDATION:

- A. That the Development Application for additions to dwelling requiring discretion under PD4 at 67 Lindhill Avenue, Geilston Bay (Cl Ref D-2014/429) 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 24 for Decision on this Item...

DEVELOPMENT APPLICATION D-2014/429 – 67 LINDHILL AVENUE, GEILSTON BAY – ADDITIONS TO DWELLING REQUIRING DISCRETION UNDER PD4 /contd...

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 Walker</td></tr><tr><td>Ald Chipman</td><td></td></tr><tr><td>Ald Chong</td><td></td></tr><tr><td>Ald Doust</td><td></td></tr><tr><td>Ald Hulme</td><td></td></tr><tr><td>Ald James</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></table>	FOR	AGAINST	Ald Campbell	Ald Walker	Ald Chipman		Ald Chong		Ald Doust		Ald Hulme		Ald James		Ald Peers		Ald Thurley		Ald von Bertouch	
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Ald Peers																					
Ald Thurley																					
Ald von Bertouch																					

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 SIMMONS PARK MOTION ON NOTICE – ADDITIONAL PLAYGROUND EQUIPMENT**

(File No E011-26A)

EXECUTIVE SUMMARY**PURPOSE**

To consider the report back on a Motion on Notice adopted by Council at its Meeting on 1 December 2014, relating to the provision of additional play equipment at the Simmons Park playground.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2010-2015 is relevant.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

No community consultation has occurred in relation to this report back to Council.

FINANCIAL IMPLICATIONS

The implementation of either the expansion of the existing Simmons Park Playground will require additional capital funds and be subject to Council approval of a future Annual Plan.

RECOMMENDATION:

- A. That Council resolves to expand the Simmons Park Playground to include the following equipment:
- 4 bay swing set;
 - 1 x basket swing;
 - toddler combination unit including slide;
 - 2 x baby swing (separate from other swing sets);
 - soft fall materials;
 - new fencing, footpath connections, landscaping, seating; and
 - shade sail over toddler unit.
- B. That Council authorises the General Manager to undertake a social media information program through Council's Facebook and Twitter platforms to inform the community of the proposed additional equipment.
- C. That funding of the Simmons Park Playground expansion be considered as part of Council's deliberations for the 2015-2016 Capital Works Program.

/ Refer to Page 27 for Decision on this Item...

SIMMONS PARK MOTION ON NOTICE – ADDITIONAL PLAYGROUND EQUIPMENT /contd...

Decision:	MOVED Ald Walker SECONDED Ald Hulme												
	<p>“A. That Council resolves to expand the Simmons Park Playground to include the following equipment:</p> <ul style="list-style-type: none"> • 4 bay swing set; • 1 x basket swing; • toddler combination unit including slide; • 2 x baby swing (separate from other swing sets); • soft fall materials; • new fencing, footpath connections, landscaping, seating; and • shade sail over toddler unit. <p>B. That Council authorises the General Manager to undertake consultation.</p> <p>C. That funding of the Simmons Park Playground expansion be considered as part of Council’s deliberations for the 2015-2016 Capital Works Program”.</p>												
	The MOTION was put and LOST												
	<table> <tr> <td>FOR</td> <td>AGAINST</td> </tr> <tr> <td>Ald Doust</td> <td>Ald Campbell</td> </tr> <tr> <td>Ald Hulme</td> <td>Ald Chipman</td> </tr> <tr> <td>Ald Peers</td> <td>Ald Chong</td> </tr> <tr> <td>Ald von Bertouch</td> <td>Ald James</td> </tr> <tr> <td>Ald Walker</td> <td>Ald Thurley</td> </tr> </table>	FOR	AGAINST	Ald Doust	Ald Campbell	Ald Hulme	Ald Chipman	Ald Peers	Ald Chong	Ald von Bertouch	Ald James	Ald Walker	Ald Thurley
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Ald Doust	Ald Campbell												
Ald Hulme	Ald Chipman												
Ald Peers	Ald Chong												
Ald von Bertouch	Ald James												
Ald Walker	Ald Thurley												
	FORESHADOWED MOTION												
	MOVED Ald James SECONDED Ald Campbell												
	<p>“A. That Council resolves to expand the Simmons Park Playground to include the following equipment:</p> <ul style="list-style-type: none"> • 4 bay swing set; • 1 x basket swing; • toddler combination unit including slide; • 2 x baby swing (separate from other swing sets); • soft fall materials; • new fencing, footpath connections, landscaping, seating; and • shade sail over toddler unit. 												

/ Decision contd on Page 28...

SIMMONS PARK MOTION ON NOTICE – ADDITIONAL PLAYGROUND EQUIPMENT /Decision contd...

B. That funding of the Simmons Park Playground expansion be considered as part of Council’s deliberations for the 2015-2016 Capital Works Program”.

Ald Walker left the Meeting at this stage (8.03pm).

The **Motion** was **put** and **CARRIED**

FOR

Ald Campbell
Ald Chipman
Ald Chong
Ald Doust
Ald Hulme
Ald James
Ald Peers
Ald Thurley

AGAINST

Ald von Bertouch

Ald Walker returned to the Meeting at this stage (8.04pm).

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 UPDATE OF THE 2014-2015 CLARENCE CITY COUNCIL LIST OF FEES**

(File No 10-02-04)

EXECUTIVE SUMMARY**PURPOSE**

To consider updating the 2014-2015 Clarence City Council List of Fees through the adoption of an additional Planning Application Fee (for Dispensations) and redrafting the fee for applications withdrawn prior to determination to address an anomaly.

RELATION TO EXISTING POLICY/PLANS

The 2014-2015 Clarence City Council List of Fees is a comprehensive fee schedule prescribing Council fees and charges from planning and building to dog licence fees and local hall hire. The current List of Fees was adopted by Council at its Special Meeting held on 2 June 2014 and became effective from 1 July 2014.

LEGISLATIVE REQUIREMENTS

The Local Government Act, 1993 specifies at Section 205(1)(e) - Fees and Charges, that a Council may impose fees and charges in respect of any application to Council.

Pursuant to Section 206 - List of Fees and Charges:

“A general manager of a council is to:

- (a) keep a list of all fees and charges fixed under this Division; and*
- (b) make the list available for public inspection during ordinary hours of business at the public office”.*

CONSULTATION

No public consultation has occurred in the preparation of the proposed update to the 2014-2015 Clarence City Council List of Fees. There has been discussion and professional input on an internal basis from Council officers.

FINANCIAL IMPLICATIONS

No significant implications.

RECOMMENDATION:

- A. That the 2014-2015 Clarence City Council List of Fees be endorsed and updated as outlined in this report.
- 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 31 for Decision on this Item...

**UPDATE OF THE 2014-2015 CLARENCE CITY COUNCIL LIST OF FEES
/contd...**

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

“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 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 T1027-15 – ROAD REHABILITATION 2014-2015 STAGE 1

13.3 TENDER T1021-14 – LOWER RIVER STREET BELLERIVE
STORMWATER OUTFALL - INSTALLATION

13.4 PROPERTY MATTER - BELLERIVE

13.5 PROPERTY MATTER - ROSNY

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:

- contracts for the supply and purchase of goods and services;
- proposals for the acquisition of land or an interest in the land or for the disposal of land;
- 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.

Decision:	<p>PROCEDURAL MOTION MOVED Ald Peers SECONDED Ald Doust</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;">CARRIED UNANIMOUSLY</p>
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The Meeting closed at 8.31pm.