

**MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 6 FEBRUARY 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 Hulme  
R H James  
P K McFarlane  
J Peers  
D Thurley  
S von Bertouch  
J Walker; present.

**1. APOLOGIES** D Doust

**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 8.10pm.

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 6 FEBRUARY**

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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 16 January 2017 and the Special Council (Planning Authority) Meeting held on 23 January 2017, as circulated, be taken as read and confirmed.

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

“That the Minutes of the Council Meeting held on 16 January 2017 and the Special Council (Planning Authority) Meeting held on 23 January 2017, as circulated, be taken as read and confirmed”.

**CARRIED UNANIMOUSLY**

## 3. MAYOR'S COMMUNICATION

The Mayor:

- advised that he met with Minister Rene Hidding on 18 January 2017 to discuss “Project 2018” – the State review of metro services to outlying areas;
- tabled a plaque presented to Council in appreciation of its on-going support of Australian citizenships;
- tabled a Certificate of Appreciation from the Boy Scouts thanking Council for the camping equipment they were able to purchase as part of Council’s Community Grants Program; and
- also noted with regret the passing of the former Mayor of Central Highlands, Deirdre Flint.

#### 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>
Lauderdale Urban Expansion Study Abandoned Vehicles – Stokell Creek	23 January
Car Parking – Kangaroo Bay and Bellerive Village Legal Matters Hard Waste Collection Invitation from Binzhou Commonwealth Grant Programme	30 January

#### **RECOMMENDATION:**

That Council notes the workshops conducted.

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

“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. 11.3.1**

**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**

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**

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**

September Quarterly Report pending.

**Representative Reporting**

The Mayor advised the Meeting of various appointments associated with the Authority.

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

**Quarterly Reports**

December Quarterly Report pending.

**Representative Reporting**

The Deputy Mayor advised that an invitation had been sent to Aldermen for a tour of the facility.

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

**Quarterly Reports**

September Quarterly Report pending.

**Representative Reporting**

**REPORTS FROM SINGLE AND JOINT AUTHORITIES**

- **TASWATER CORPORATION**

The TasWater Corporation has distributed its Quarterly Report to 31 December 2016.

**RECOMMENDATION:**

That the TasWater Corporation Quarterly Report to Owners' Representatives to 31 December 2016 be received.

**Decision:**

**MOVED** Ald Cusick **SECONDED** Ald Chong

“That the TasWater Corporation Quarterly Report to Owners' Representatives to 31 December 2016 be received”.

**CARRIED UNANIMOUSLY**

**10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES****TRACKS AND TRAILS ADVISORY COMMITTEE**

(File No 07-06-09)

**Chairperson's Report – Alderman R James**

Report to Council for the 3 month period for 1 October 2016 to 31 December 2016.

**1. PRINCIPAL OBJECTIVES AND GOALS**

The Committee's prime objectives are to:

- provide advice and make recommendations, including policy, to assist Council in the development of tracks and trails in the City;
- assist in the development and periodic review of Council's Tracks and Trails Strategy;
- develop and maintain a Tracks and Trails Register which captures all existing and possible future trail and track networks (including multi-user pathways) in Clarence;
- develop and review (on a rolling basis) the Tracks and Trails Action Plan for endorsement by Council that articulates the development initiatives prioritised and proposed to be conducted over a 5 year programme which recognises the access and needs of all users eg: walkers, horse riders, mountain bikers, etc;
- monitor progress and work to address the actions of the plan according to their level of priority;
- as part of internal referral process to provide input and advice on the provision and requirements for trail networks and the provision of trail linkages as part of new subdivisions.

In working towards these goals, the Committee undertook a range of activities, which are set out below.

**2. CAPITAL WORKS PROJECT****Blessington Coastal Reserve Track**

Work commenced on 28 November 2016 to construct the gravel walking track through the Reserve. Work is anticipated to be completed by early 2017.

**Pilchers Hill Reserve**

The Downhill Track was constructed in October 2016.

**Kangaroo Bay Rivulet Track**

Work to complete the remaining section of track from the rear of the Council Offices through to Rosny Barn commenced in December 2016, with completion of the track from Gordons Hill Road and Rosny Barn by late January 2017.

**3. RECURRENT INITIATIVES – MAINTENANCE AND UPGRADES**

**Clarence Mountain Bike Park**

New signage has been installed on the Corkscrew, Dinosaur and Downhill Tracks.

**Tangara Trail – Five Ways, Acton**

Unauthorised dirt jumps were removed with a Land Care group formed to rehabilitate the area.

**Track Audit**

Contractors have been engaged to undertake inspections and provide an audit report of the trail network. Whilst the contractors are inspecting the tracks they will undertake minor maintenance activities such as vegetation pruning and minor track repairs.

**Rosny Hill**

New sign posts have been installed at the track intersections within the Reserve.

**4. DESIGN AND INVESTIGATION WORK IN PROGRESS**

**Clarence Kayak Trail**

A meeting was held with key stakeholders in November 2016, outcomes will be included in the draft document. The Clarence Kayak Trail will inform kayakers where suitable launching ramps and key points of interest are located along the Clarence foreshore.

**5. GOVERNANCE MATTERS.**

**Committee Meetings**

The Committee held 2 General Meetings during the quarter on 13 October 2016 and 8 December 2016.

**6. EXTERNAL LIAISON**

Parks and Wildlife Service is preparing Ministerial's, for approval by both Houses of Parliament, to change the status of the coastal reserve between Mays Point and Cremorne to allow for a walking track to be constructed within the Reserve.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

**Decision:** **MOVED** Ald James **SECONDED** Ald McFarlane

“That the Chairperson's Report be received by Council”.

**CARRIED UNANIMOUSLY**

**BICYCLE STEERING COMMITTEE – QUARTERLY REPORT**

(File No 04-03-02)

**Chairperson's Report – Alderman S von Bertouch**

Report to Council for the 3 month period 1 October 2016 to 31 December 2016.

**1. PRINCIPAL OBJECTIVES AND GOALS**

The Committee's prime objectives are to:

- advise Council on the identification, development and maintenance of cycling routes and infrastructure along roads and other easements throughout the City;
- facilitate and provide guidance for the implementation of Council's adopted Bicycle Strategy;
- be actively involved in providing design advice relating to cycling infrastructure projects undertaken by Council;
- be actively involved in providing advice to CyclingSouth on matters relating to regional cycling infrastructure; and
- promote information sharing of cycling related matters affecting the City.

In working towards these goals the Committee arranged and implemented a range of activities, which are set out below.

**2. CAPITAL WORKS PROJECTS****2.1. Cambridge Road – Cambridge Village to Roundabout Painted Bike Lanes**

Parking survey has been completed recording a 15% parking density along this section of Cambridge Road. With strong support from the consultation for the Cambridge Master Plan this work can proceed.

**2.2. Cambridge Road, Mornington – Painted Bike Lines**

Currently being designed. Kerb and gutter to be installed along road to capture stormwater from roadway before flowing onto subdivision land. Parking survey revealed 10% parking density along Cambridge Road.



**2.3. Clarence Foreshore Trail – Camelot Park to Pindos Park**

Construction of the concrete path is complete. Council's Insurer MAV has provided recommendations for the development of design and maintenance guidelines for the entire Clarence Foreshore Trail.

**2.4 Mornington Roundabout Pedestrian/Cycling Underpass**

Pitt and Sherry have submitted a report for this project. Further investigation and assessment is required before proceeding.

**2.5 Clarence Foreshore Trail – Simmons Park**

Work has been completed on the upgrading of the foreshore trail at the northern end of Simmons Park.

**2.6 Rosny Hill Road – City View Motel to Rosny Barn**

Construction is underway.

**2.7 Clarence Foreshore Track – Marana Avenue to Montagu Bay Park**

Construction is scheduled for early 2017.

**3. RECURRENT INITIATIVES**

Nil.

**4. DESIGN AND INVESTIGATION WORK IN PROGRESS**

**Clarence Street Safety Assessment Report**

Design has not yet commenced to implement Council's decision of 7 December 2015. Design deferred until the outcomes of the public consultation to be conducted in February 2017.

**Clarence Foreshore Trail – Simmons Park to Anzac Park**

A consultant's brief is being prepared seeking investigation and design options for widening the foreshore path.

**Tasman Highway – Extension from Tasman Bridge to Montagu Bay Road**

Shared funding is being sought from the Department of State Growth. Project deferred until funding arrangements have been agreed.

**Howrah and Tranmere Roads – Investigation of Bike Infrastructure**

The consultant's report is complete. Staff is currently working through the list of the recommended outcomes.

**5. GOVERNANCE MATTERS.****Committee Meeting**

The Committee held 1 meeting during the quarter on 3 October 2016.

**6. EXTERNAL LIAISON**

CyclingSouth Annual General Meeting was held on 23 November 2016.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

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

“That the Chairperson's Report be received by Council”.

**CARRIED UNANIMOUSLY**

**OTHER COMMITTEES****Richmond Advisory Committee**

- Ald Chong tabled the Meetings of a Meeting held on 15 November 2016.

**Howrah Recreation Centre Management Committee**

- Ald Chong tabled the Minutes of a Meeting held on 17 November 2016.

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

(File No 10/02/02)

The Weekly Briefing Reports of 16, 23 and 30 January 2017 have been circulated to Aldermen.

**RECOMMENDATION:**

That the information contained in the Weekly Briefing Reports of 16, 23 and 30 January 2017 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 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 DEVELOPMENT APPLICATION D-2016/385 - 2 MOIRUNNA ROAD, LINDISFARNE - CHANGE OF USE - RESIDENTIAL AGED CARE TO MULTIPLE DWELLINGS (12)**

(File No D-2016/385)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Change of Use from a Residential Aged Care Home (12 units) to Multiple Dwellings at 2 Moirunna Road, Lindisfarne.

**RELATION TO PLANNING PROVISIONS**

The land is zoned General Residential and subject to the Bushfire Prone Areas, Landslide and Parking and Access 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.

Council is required to exercise a discretion within the statutory 42 day period which expires on 8 February 2017.

**CONSULTATION**

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

**RECOMMENDATION:**

- A. That the Part 5 Agreement affecting the subject land be ended upon formal request of Council by the proponent in accordance with Section 74(3) of the Land Use Planning and Approvals Act, 1993 prior to the commencement of use. All costs associated with ending of the Agreement are to be borne by the proponent.
- B. That, subject to Recommendation “A”, the development application for a Change of Use from a Residential Aged Care Home (12 units) to Multiple Dwellings at 2 Moirunna Road, Lindisfarne (Cl Ref D-2016/385) be approved subject to the following conditions and advice.
  - 1. GEN AP1 – ENDORSED PLANS.
  - 2. Each of the parking spaces is to be labelled using a permanent sign to identify the unit to which each space is allocated, including visitor parking, prior to the commencement of use.

- 3. The development must meet all required Conditions of Approval specified by TasWater notice dated 21 September 2016 (TWDA 2016/01337-CCC).
- C. 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 (7.41pm).

<p><b>Decision:</b>                      <b>MOVED</b> Ald Cusick <b>SECONDED</b> Ald Hulme</p> <p>  “That the Recommendation be adopted”.</p> <p style="text-align: right;"><b>CARRIED UNANIMOUSLY</b></p>
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Ald Walker returned to the Meeting at this stage (7.45pm).

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 BAY PUBLIC CAR PARKING STRATEGY**

(File No)

**EXECUTIVE SUMMARY****PURPOSE**

To consider options and adopt a strategy for the supply of public car parking in the Kangaroo Bay/Bellerive Area.

**RELATION TO EXISTING POLICY/PLANS**

Council's Strategic Plan 2016-2026 and Council's Parking Policy and Strategy and associated Action Plan 2011-2015.

**LEGISLATIVE REQUIREMENTS**

Council has powers under the Local Government (Highways) Act 1982 to control and regulate parking. Additionally the Council's Public Places and Permits Bylaw provide the basis for the regulation, management and control of these areas through appropriate notification, signage and infringement in default.

**CONSULTATION**

Consultation will be undertaken with key stakeholders, as well as adjacent property owners will have opportunities through any Development Approval process.

**FINANCIAL IMPLICATIONS**

Short term measures of providing clear signage will be minimal cost to allow the existing gravel area of Lot 3 Kangaroo Bay Drive to be used for immediate parking. The funds for the other preferred strategy options to be implemented will be subject to approval in future year's Annual Plan.

**RECOMMENDATION:**

That Council agree to:

- A Install clear signage and undertake necessary minimal works for the gravel area of Lot 3 of Kangaroo Drive, Bellerive to be used for temporary car parking.
- B The development of Lot 4 Kangaroo Bay Drive as a car park and that the necessary design and approvals be sought with the funding referred to the 2017/18 budget for consideration.
- C Develop concept plans for a multi-level car park at the Bellerive Yacht Club site, ensuring connectivity for all users, in consultation with the Bellerive Yacht Club and key stakeholders, and report back to a future Council workshop.

D Develop concept plans and investigate funding opportunities for multi-level car parks, inclusive of potential commercial development at Winkleigh Place and Percy Street car parks, and report back to a future Council Workshop.

**Decision:** **MOVED** Ald McFarlane **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

**CARRIED**

<b>FOR</b>	<b>AGAINST</b>
Ald Campbell	Ald James (abstained)
Ald Chipman	
Ald Chong	
Ald Cusick	
Ald Hulme	
Ald McFarlane	
Ald Peers	
Ald Thurley	
Ald von Bertouch	
Ald Walker	

**11.6 FINANCIAL MANAGEMENT**

Nil Items.

**11.7 GOVERNANCE**

Nil Items.

**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 were 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 TENDER T1135-16 - ROAD REHABILITATION 2016/17 STAGE 1

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:

- contracts and tenders for the supply of goods and services;
- 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**

**CLOSED MEETING /contd...**

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

**13.2 TENDER T1135-16 - ROAD REHABILITATION 2016/17 STAGE 1**

(File No T1135-16)

<b>Decision:</b>	<b>MOVED</b> Ald Campbell <b>SECONDED</b> Ald Hulme
	“A. That the Tender from Statewide Earthworks Pty Ltd for \$614,040.00, excluding GST, be accepted for the Road Rehabilitation 2016/17 Stage 1 works for various roads within the Clarence Municipality.
	B. That, in accordance with Regulation 34(3) of the Local Government (Meetings Procedures) Regulations 2015, 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 Council release to the public their decision only in regard to this matter.
	<b>CARRIED UNANIMOUSLY</b>

The Meeting closed at 8.10pm.