

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 6 NOVEMBER 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)
Group Manager Engineering Services
(Mr R Graham)
Acting Corporate Secretary
(Mr S Wicks)
Acting Manager City Planning
(Mr B Gibbs)
Manager Health and Community Development
(Mr J Toohey)
Acting Corporate Treasurer
(Ms J Murrell)
Co-ordinator Council Support
(Ms J Ellis)

The Meeting closed at 8.52pm.

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 NOVEMBER

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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 October 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 16 October 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
Kangaroo Bay Precinct Kangaroo Bay Breakwater Hardwaste Collection Service	23 October
Seven Mile Beach Recreation Area Local Planning Schedules Risdon Vale Recreation Area	30 October

RECOMMENDATION:

That Council notes the workshops conducted.

Decision: **MOVED** Ald Peers **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 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: NIL

6. TABLING OF PETITIONS

(File No 10/03/12)

(Petitions received by Aldermen may be tabled at the next ordinary Meeting of the Council or forwarded to the General Manager within seven (7) days after receiving the petition.

Petitions are not to be tabled if they do not comply with Section 57(2) of the Local Government Act, or are defamatory, or the proposed actions are unlawful.

The General Manager tabled the following petition which complies with the Act requirements:

- Received from 8 signatories requesting that Council seal the back oval car park at Anzac Park.

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

**Kangaroo Bay Hospitality Training School and Hotel – D-2017/144 -40 and 40a
Kangaroo Bay Drive, Rosny Park and 64C, 76 and 78 Cambridge Road, Bellerive**

Mr Michael Geard of Bellerive asked a question regarding the new Development Application relating to raising the floor level to comply with the inundation overlay.

Does this mean that Council has erred in taking advice from the Council planners to approve the Development Application in January 2017 and whether it meant it was an invalid approval?

The Mayor took Mr Geard's questions on notice, answers to the questions will be provided on the next Council Meeting Agenda.

/ contd on Page 9...

QUESTIONS WITHOUT NOTICE /contd...

**Kangaroo Bay Hospitality Training School and Hotel – D-2017/144 -40 and 40a
Kangaroo Bay Drive, Rosny Park and 64C, 76 and 78 Cambridge Road, Bellerive**

Ms Sachie Yasuda of Lindisfarne asked the following questions:

1. Would Council have benefited from holding a community information session given that it knew a new Development Application was to be lodged by Chambroad?
2. Were the notices regarding the application sent to the same distribution list as the previous application?
3. Given the community concern regarding the original Development Application, did Council not consider it appropriate to advertise longer?

The Mayor took Ms Yasuda's questions on notice, answers to the questions will be provided on the next Council Meeting Agenda.

8. DEPUTATIONS BY MEMBERS OF THE PUBLIC

(File No 10/03/04)

(In accordance with Regulation 38 of the Local Government (Meeting Procedures) Regulations 2015 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-2017/367 – 177 SAXON DRIVE, ACTON PARK (CT 172965/2) – DWELLING
(REFER ITEM 11.3.5)

Mr Dean Medwin addressed the Meeting regarding the above Development Application.

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

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

Quarterly Reports

September Quarterly Report pending.

Representative Reporting

- **TASWATER CORPORATION**
The Mayor advised that the AGM for TasWater Corporation will be held on 9 November 2017.

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES**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 July 2017 to 30 September 2017.

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**

Project has been completed.

2.2. Cambridge Road, Mornington – Painted Bike Lines

Project has been completed.

2.3. Mornington Roundabout Pedestrian/Cycling Underpass

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

3. RECURRENT INITIATIVES

Nil.

4. DESIGN AND INVESTIGATION WORK IN PROGRESS

Clarence Street Safety Assessment Report

Council decided to adopt Option 1 as its preferred option at its Meeting held on 3 July 2017.

Clarence Foreshore Trail – Simmons Park to Anzac Park

Design is well advanced.

Tasman Highway – Extension from Tasman Bridge to Montagu Bay Road

Shared funding is being sought from Department of State Growth (DSG), via a funding application submitted under the Vulnerable Road Users Program. Project deferred until funding arrangements have been agreed in the 2017/2018 State Budget.

Tasman Highway – Tasman Bridge to Mornington

Cycling South has been successful in being awarded funding of \$25,000 for the feasibility and concept design for a multi-user pathway along the Tasman Highway road reservation.

Howrah and Tranmere Roads – Investigation of Bike Infrastructure

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

Clarence Foreshore Track – Marana Avenue to Montagu Bay Park

The first section from Marana Avenue has been upgraded to 2.5m wide concrete path. Design for a realigned path around Montagu Bay Primary School is underway. Negotiations with Montagu Bay Primary School relating to land tenure for the foreshore track is progressing.

5. GOVERNANCE MATTERS.

Committee Meeting

The Committee held 1 meeting during the quarter on 14 August 2017.

6. EXTERNAL LIAISON

CyclingSouth Meeting was held on 29 August 2017.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

Decision:

MOVED Ald von Bertouch **SECONDED** Ald Chong

“That the Recommendation be adopted”.

Ald McFarlane left the Meeting table.

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

NATURAL RESOURCE MANAGEMENT – QUARTERLY REPORT

(File No 12-15-01)

Chairperson’s Report – Alderman Kay McFarlane

Report to Council for the 3 month period 1 July 2017 to 30 Sep 2017.

1. PRINCIPAL OBJECTIVES AND GOALS

The Committee’s prime objectives are to:

- advise Council on the strategic planning and management of bushland and coastal reserves and parks throughout the City;
- provide advice on Council’s Reserve Activity Plans and Catchment Management Plans in the context of the “Clarence Bushland and Coastal Strategy”;
- administer, in conjunction with Council, the Land and Coast Care Grants Program;
- facilitate and provide guidance for the implementation of Council’s adopted “Clarence Bushland and Coastal Strategy”; and
- promote information sharing of natural resource related matters affecting the City.

In working towards these goals the Committee, in conjunction with Council’s Natural Assets Officers, implemented a range of activities which are set out below.

2. CAPITAL WORKS PROJECTS

Nil.

3. RECURRENT INITIATIVES**Green Army Program**

The Green Army Program is now finished with the Clarence Plains Area. The 2 consecutive programs yielded great results for participants, the local community and the natural areas in which they worked. The crew landscaped the entrance to Clarendon Vale Oval before the program finished several months ago. The Federal Government has scrapped the Green Army Program for now.

Work for the Dole Program

The Work for the Dole Program has also finished with a new program to start in the next few weeks. In the last quarter, the crew performed extensive pruning and landscaping work about the Rosny Foreshore Reserve.

Development of Reserve Activity Plans (RAP) 2017-18

The Canopus-Centauri Bushland Reserves Activity Plan has recently been endorsed by Council, as has the Richmond Recreation Reserve Activity Plan and the Bedlam Walls Bushland Reserve Activity Plan.

The Tranmere Coastal Reserve RAP is being revisited at present, with additional land being transferred to Council since the original plan was completed in 2011. Information for the updated plan is being collected as with a RAP being developed for Acton Trails and Reserves.

Implement Natural Area Reserve Activity Plans

Extensive planting of native coastal species has occurred at Rosny Foreshore Reserve in defined mulched areas along the multi-user paths near the Rosny Treatment Plant and She Oak Point.

Two exposed aggregate concrete slabs have been installed at the end of Lewis Avenue at the Council Coastal Reserve to allow 2 picnic tables and seat sets to be installed in the near future. Entrance landscaping, including the installation of several dry stone retaining walls, has been administered at the entrance ways to Seven Mile Beach at Lewis Avenue, Sunway's Avenue and Day Use Area 1.

An exposed aggregate concrete slab has been installed at Second Bellerive Bluff to install a seat, which will replace the old seat made and installed by a coastcare group approximately 2 decades ago.

Entrance landscaping has been achieved at the Radiata Drive Entrance to Wiena (Avoca) Bushland Reserve.

A dry stone retaining wall and minor landscaping work has been finished at the end of Seabird Lane at the entrance to Rosny Foreshore Reserve.

Wetland/Storm Water Retention Basins

Cambridge Park Wetland has recently been mowed and brush cut. Wetland plugs and forest tubes have been planted around the fringes of the wetland and cumbungi and rubbish has been collected and removed.

Drainage Swales

Kangaroo Bay Rivulet and Geilston Bay Rivulet have both had maintenance work performed including: brush cutting, weeding (inc cumbungi) and litter/debris removal. Advanced blackwoods have been planted on the banks of Kangaroo Bay Rivulet below the Edgeworth Soccer Ground.

Drop structures, to minimise erosion, have been upgraded at Kangaroo Bay Rivulet and the bioretention pond has been drained and silt/mud pumped out to allow maintenance of the irrigation system for Rosny Golf Course and manage silt levels.

Priority Weed Management

Significant weed control work has been administered in various Council natural areas including: Mortimer Bay Coastal Reserve, Racecourse Flats, Rosny Hill, Glebe Hill, Nowra Bushland Reserve, Rosny Golf Course, North Warrane Bushland, Blessington Street Coastal Reserve and the multi-user track between South Arm and Opossum Bay.

CCC Land and Coastcare Grants' Program

Land and Coastcare Grant Applications have been received from the following groups:

- Antarctic Climate and Ecosystem Co-operative Research Centre;
- Acton Park Landcare Group;
- Bellerive Bluff Land and Coastcare Group Inc;
- Glebe Hill Bushland Reserve Landcare;
- Lauderdale Primary School and CVA;

- Limekiln Point Landcare Group Inc;
- Mt Rumney Landcare;
- Pipe Clay Coastcare;
- Rosny-Montagu Bay Land and Coastcare Inc;
- Tranmere-Clarence Plains Land and Coastcare Inc.

The NRM and Grants Committee will be assessing and awarding funding to successful groups during October 2017.

Maintenance Clarendon Vale Rivulet

The Clarendon Vale Rivulet has undergone weed control, brush cutting and litter control since the Green Army Program finished there several months ago. Limestone gravel grout has been grouted about the Green Army rock paving next to Bruce Andrew's Memorial Seat and the plants maintained and watered.

The section of rivulet between Goodwins Road and Clarendon Vale House has undergone vegetation control, with silver wattle and other "leggy-like" species being thinned out to allow more effective maintenance and increase aesthetics.

Schools Landcare Support Program

The Richmond Primary School Landcare Site has recently undergone some maintenance work. Weeds have been removed, more plants installed, plants watered and more mulch applied.

Community Clean Up Program

Expressions of interest are being sought for groups to be involved in this years' program. Chris Johns will be co-ordinating the program for 2017-18.

Clean up Australia Day

Planning is underway for Clean Up Australia Day 2018.

Prison Program Project

The Prison Crew have continued with dry stone retaining wall work along the new gravel path from Gordons Hill Road to the Rosny Barn. Council has received positive feedback about the rock walls, with many local community members impressed with the work done so far. More rock work is to follow in the coming month or so.

The Prison Crew have continued with maintenance-type work in the natural areas about Risdon Vale and have also performed extensive vegetation management works about Grass Tree Hill Rivulet.

4. DESIGN AND INVESTIGATION WORK IN PROGRESS

Nil.

5. GOVERNANCE MATTERS.**Committee Meeting**

A committee meeting will be scheduled as need arises.

6. EXTERNAL LIAISON

The NRM and Grants Committee have assessed all Landcare Grant Applications and funds will be distributed to successful applicants during October 2017.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

Decision: **MOVED** Ald McFarlane **SECONDED** Ald Hulme

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

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 July 2017 to 30 September 2017.

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**Tangara Trail – Black Peppermint Track**

As part of the Single Hill subdivision a corridor of public open space was handed over to Council which now forms a section of the Tangara Trail. A track has been constructed in the corridor and post and rail fences have been installed at the entrances.

Thoona Track

A stone arch bridge has been installed and a new track constructed that connects to Thoona Street in Geilston Bay.

Belbins Link Track in Clarence Mountain Bike Park

The track has been duplicated to create single-direction out-and-back tracks to eliminate potential collisions between mountain bikes.

Coal River Track

A new track has been constructed alongside the Coal River in the Richmond Recreation Reserve.

Brinktop Reserve Circuit Track

The carpark area off the Old Brinktop Road in Richmond has been formalised, illegally dumped rubbish has been removed and the area rehabilitated. A natural surface circuit track has been constructed around the reserve and a lookout seat will be installed, as there are great views over the Richmond Township and Coal River Valley. The track will eventually connect to the Richmond Park Track which will become publically accessible when the 10 Morgan Street, Richmond subdivision is complete.

3. RECURRENT INITIATIVES – MAINTENANCE AND UPGRADES**Tangara Trail – Highway Track at Mt Rumney**

The track that runs parallel to the Tasman Highway on the re-use line has been upgraded and surfaced in sections.

Watton Track – Glebe Hill Reserve

The track has been upgraded and surfaced to provide a more comfortable walking surface.

4. DESIGN AND INVESTIGATION WORK IN PROGRESS

Caves Hill Track to Flagstaff Hill Link Track

A Natural Values Assessment has been carried out and the proposed track realigned to avoid sensitive vegetation areas. A consultant has been appointed and work will commence in October on track construction.

Clarence Kayak Trail

A consultant has prepared a document identifying suitable kayak routes around the Clarence coastline and it will be launched later in the year.

Rokeby to Lauderdale Track

An Aboriginal Heritage Survey is underway as part of the Reserve Activity Assessment Process.

Clarence Coastal Trail – Pindos Park to Gully on Tranmere Foreshore

An Aboriginal Heritage Assessment has been carried out and quotes are being sought from track consultants. A letter will be sent to residents notifying them of the project.

Blessington Track to Fort Direction Road

A track alignment has been identified at Fort Direction. The Defence Force has undertaken an assessment process to approve a 10 year licence agreement with Council for a track to link the foreshore to Fort Direction Road and Potters Hill Reserve.

Meehan Range Strategic MTB Plan

The Tasmanian Parks and Wildlife Service suggests their Meehan Range Management Statement will be complete and approved for public consultation by December 2017. The Draft Meehan Range Strategic MTB Plan will be completed after the Management Statement is approved in order to go to public consultation.

5. GOVERNANCE MATTERS

Committee Meetings

One committee meeting was held on 17 August 2017.

6. EXTERNAL LIAISON

Nil.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

Decision: **MOVED** Ald James **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

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

(File No 10/02/02)

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

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 16, 23 and 30 October 2017 be noted.

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

“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-2017/317 – 39 HILL STREET,
BELLERIVE – 2 MULTIPLE DWELLINGS**
(File No D-2017/317)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 2 Multiple Dwellings at 39 Hill Street, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and is subject to the Stormwater Management Code and 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 a discretion within the statutory 42 day period which expires on 8 November 2017 as agreed with the applicant.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 3 representations were received raising the following issues:

- loss of privacy;
- lack of outdoor space; and
- stormwater issues.

RECOMMENDATION:

- A. That the Development Application for 2 Multiple Dwellings at 39 Hill Street, Bellerive (CI Ref D-2017/317) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. ENG A5 – SEALED CAR PARKING.

3. ENG S1 – INFRASTRUCTURE REPAIR.
 4. ENG M1 – DESIGNS DA [ACCESS, CARPARK AND DRIVEWAYS, SERVICE UPGRADES OR RELOCATIONS].
 5. ENG M5 – EROSION CONTROL.
 6. Prior to any work commencing on-site, the developer must confirm that the location and depth of the stormwater lot connection is of adequate size and depth to support the development and carry out all necessary stormwater pipe modification, as required to service the lot. This confirmation or pipe modification must be shown on the engineering drawings required to be submitted for approval under Condition 4 prior to the commencement of works.
 7. The development must meet all required Conditions of Approval specified by TasWater notice dated 21 September 2017 (TWDA 2017/01205-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.

<p>Decision: MOVED Ald Campbell SECONDED Ald Walker</p> <p> “That the Recommendation be adopted”.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>

**11.3.2 DEVELOPMENT APPLICATION D-2017/398 - 19 DILLON STREET,
BELLERIVE - DWELLING ADDITIONS**
(File No D-2017/398)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Dwelling Addition at 19 Dillon Street, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential 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 was extended with the consent of the applicant until 10 November 2017.

CONSULTATION

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

- plans incorrect;
- pergola;
- site coverage and impervious area calculation not shown;
- electricity supply location is not shown; and
- height/visual impact.

RECOMMENDATION:

A. That the Development Application for Dwelling Additions at 19 Dillon Street, Bellerive (CI Ref D-2017/398) be approved subject to the following conditions 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.

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

**11.3.3 AMENDMENT APPLICATION A-2017/2 - 996 AND 998 OCEANA DRIVE,
TRANMERE - REZONING TO LOCAL BUSINESS**

(File No A-2017/2)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider a Section 33 application for a planning scheme amendment for rezoning from General Residential to Local Business at 996 and 998 Oceana Drive, Tranmere.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Bushfire Prone Areas, Waterway and Coastal Protection and Natural Assets Codes under the Clarence Interim Planning Scheme 2015 (the Scheme).

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.

CONSULTATION

Applications for a planning scheme amendment are not formally open for public comment until after Council has agreed to certify the Amendment and it has been publicly advertised.

RECOMMENDATION:

- A. That Council resolves, under Section 34(1)(a) of the Land Use Planning and Approvals Act 1993 to initiate draft Amendment A-2017/2 at 996 and 998 Oceana Drive, Tranmere.
- B. That Council resolves, under Section 35(1) of the Land Use Planning and Approvals Act 1993 that draft Amendment A-2017/2 at 996 and 998 Oceana Drive, Tranmere meets the requirements specified under Section 32.
- C. That Council resolves, under Section 35(2) of the Land Use Planning and Approvals Act 1993, to prepare and certify draft Amendment A-2017/2 at 996 and 998 Oceana Drive, Tranmere and sign the instrument as required.

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

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

**11.3.4 DEVELOPMENT APPLICATION D-2017/341 - 40 JACOMBE STREET,
RICHMOND - OUTBUILDING**
(File No D-2017/341)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an outbuilding at 40 Jacombe Street, Richmond.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Resource and subject to the Riverine Inundation Hazard Area, Parking and Access and Stormwater Management 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 on 4 November 2017 and was extended with the consent of the applicant until 10 November 2017.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 2 representations (1 from Heritage Tasmania) were received raising the following issues:

- proximity of the outbuilding to heritage listed adjacent properties, namely St Luke's Burial Ground and Mill House in terms of visual impact resulting from proposed external finishes;
- proposed setbacks to the eastern side and rear boundary do not meet the standards in the Scheme; and
- the outbuilding scale, colours and materials are not consistent with the character of the Richmond Heritage Precinct.

RECOMMENDATION:

- A. That the Development Application for Outbuilding at 40 Jacombe Street, Richmond (CI Ref D-2017/341) be approved subject to the following conditions 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.

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

11.3.5 DEVELOPMENT APPLICATION D-2017/367 - 177 SAXON DRIVE, ACTON PARK (CT 172965/2) - DWELLING
(File No D-2017/367)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a dwelling at 177 Saxon Drive, Acton Park (CT 172965/2).

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Living and subject to the Parking and Access, Stormwater Management, Road and Railway Assets, On-site Wastewater Management 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 on 25 October 2017, which has been extended with the consent of the applicant until 8 November 2017.

CONSULTATION

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

- stormwater management and water run-off and issues with water entering adjacent property;
- proposed front boundary setback;
- location of wastewater treatment system; and
- water flow from easement on western boundary of site.

RECOMMENDATION:

A. That the Development Application for a dwelling at 177 Saxon Drive, Acton Park (CT 172965/2) (CI Ref D-2017/367) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT**11.5.1 SEVEN MILE BEACH SPORT AND ACTIVE RECREATION PRECINCT –
REVISED MASTER PLAN**

(File No)

EXECUTIVE SUMMARY**PURPOSE**

To consider the adoption of the revised Seven Mile Beach Sport and Active Recreation Precinct Master Plan following community consultation.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2016 – 2026 and Community Participation are relevant

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Local residents of Seven Mile Beach were written to and provided with the revised Seven Mile Beach Sport and Active Recreation Precinct Master Plan, for their comment. In addition to the mail out, information was available on Council's website, displayed in Council's foyer and a public display of the revised plan was held on Saturday, 30 September at Ramada Resort, Seven Mile Beach.

FINANCIAL IMPLICATIONS

The implementation of the final Seven Mile Beach Sport and Active Recreation Precinct Master Plan is planned to be staged over a number of financial years, subject to Council approval of future Annual Plans.

RECOMMENDATION:

- A. Following community consultation, amend the revised Seven Mile Beach Sport and Active Recreation Precinct Master Plan to include a stormwater catchment pond and associated fenced off-lead dog area surrounding the pond.
- B. That Council adopts the revised Seven Mile Beach Sport and Active Recreation Precinct Master Plan – Option 1, as per Attachment 1 to the Associated Report, as the final Seven Mile Beach Sport and Active Recreation Precinct Master Plan including the recommended amendment in "A" above.
- C. That Council authorise the General Manager to write to the residents of Seven Mile Beach and key stakeholders of Council's decision.
- D. That Council authorises the General Manager to make application for Development Approval based on the final Seven Mile Beach Sport and Active Recreation Precinct Master Plan.

/ Refer to Page 40 for Decision on this Item...

**SEVEN MILE BEACH SPORT AND ACTIVE RECREATION PRECINCT –
REVISED MASTER PLAN /contd...**

Decision:	MOVED Ald James SECONDED Ald Cusick	
	<p>“A. Following community consultation, amend the revised Seven Mile Beach Sport and Active Recreation Precinct Master Plan to include a stormwater catchment pond and associated fenced off-lead dog area surrounding the pond.</p> <p>B. That Councils adopts the revised Seven Mile Beach Sport and Active Recreation Precinct Master Plan, with the exception that the location of the sports fields be reversed and that the main sports pavilion be located in the north-west corner of the eastern field, and that this be adopted as the final Seven Mile Beach Sport and Active Recreation Precinct Master Plan including the recommended amendment in ‘A’ above.</p> <p>C. That Council authorises the General Manager to write to the residents of Seven Mile Beach and key stakeholders advising of Council’s decision.</p> <p>D. That Council authorises the General Manager to make application for Development Approval based on the final Seven Mile Beach Sport and Active Recreation Precinct Master Plan”.</p>	
	CARRIED	
	FOR	AGAINST
	Ald Chipman	Ald Campbell
	Ald Chong	Ald Hulme
	Ald Cusick	Ald von Bertouch
	Ald Doust	Ald Walker (abstained)
	Ald James	
	Ald McFarlane	
	Ald Peers	
	Ald Thurley	

11.6 FINANCIAL MANAGEMENT

The General Manager tabled the Audit Report and Financial Statements for the year ended 30 June 2017.

11.7 GOVERNANCE**11.7.1 QUARTERLY REPORT TO 30 SEPTEMBER 2017**

(File No 10/02/05)

EXECUTIVE SUMMARY**PURPOSE**

To consider the General Manager's Quarterly Report covering the period 1 July to 30 September 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 30 September 2017 be received.

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

"That the Recommendation be adopted".

CARRIED UNANIMOUSLY

11.7.2 CREATION OF EASEMENT – CLIFTON BEACH PARK

(File No C029-465)

EXECUTIVE SUMMARY**PURPOSE**

To consider a request from TasNetworks to create an easement over Council's land at 465 Clifton Beach Road for cabling.

RELATION TO EXISTING POLICY/PLANS

Nil.

LEGISLATIVE REQUIREMENTS

TasNetworks has a statutory obligation to maintain a register of its easements and agreements and has in more recent times sought to formalise these arrangements for the creation of easements over public land. The Electricity Supply Act 1995 provides TasNetworks with a head of power to establish electricity infrastructure in or over public land subject to the agreement with the relevant land management authority. Any disputes on such agreement may be the subject of appeal to the Energy Regulator.

As the proposed creation of an easement represents a transaction of an interest in Council land, this decision is required to be dealt with under the Local Government Act 1993 and requires the support of an Absolute Majority decision of Council.

CONSULTATION

Council officers have discussed the design with Aurora representatives regarding the location of the easement.

FINANCIAL IMPLICATIONS

Costs associated with the establishment of the easement should be borne by the beneficiary and will not impact on Council's Annual Plan.

RECOMMENDATION:

- A. That Council endorses the proposed creation of an easement in favour of TasNetworks on Council land at 465 Clifton Beach Road, Clifton Beach for new cabling.
- B. Settlement costs, including Council's legal costs associated with the formal creation of the easement are to be borne by TasNetworks and that they be required to pay the processing fee as provided for under Council's list of Fees and Charges 2017/2018.

- C. That Council's agreement to the establishment of an easement is on the condition that TasNetworks undertakes all remedial works in respect to the installation of the cabling.

Decision: **MOVED** Ald von Bertouch **SECONDED** Ald Cusick
"That the Recommendation be adopted".
CARRIED UNANIMOUSLY

11.7.3 PARTNERSHIP GRANTS

(File No 09-17-06A)

EXECUTIVE SUMMARY**PURPOSE**

To consider the Partnership Grants Assessment Panel's recommendations for the allocation of financial assistance in respect of the 2017/2018 Partnership Grants.

RELATION TO EXISTING POLICY/PLANS

Community Grants Policy and social plans including Youth Plan; Cultural Arts Plan; Positive Ageing Plan; Health and Wellbeing Plan; Cultural History Plan; Community Participation Policy; Clarence Events Plan; Access Plan and Community Safety Plan.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

There is an annual budget for the Community Grants Program including the Partnership Grants.

RECOMMENDATION:

That Council approves financial grants amounting to \$33,250.00 to:

- Clarendon Vale Neighbourhood Centre Inc – “Mini TSO 18 – Culture in the Vale” - \$3,000;
- Young Leaders of Tasmania – “All Abilities Program” - \$12,000;
- Rural Alive and Well Inc – “Community Capacity and Education in Mental Health to Assist with Suicide Prevention” - \$12,000; and
- Clifton Beach Surf Life Saving Club – “Provision of Trailer for Establishment of Beach Patrols” - \$6,250.

Decision: **MOVED** Ald Peers **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.7.4 KANGAROO BAY WHARF SITE SALE AND DEVELOPMENT CONTRACT VARIATION
(File No K021-20)**EXECUTIVE SUMMARY****PURPOSE**

to advise about and seek Council's approval for necessary changes to the current contract for the sale of the Kangaroo Bay Wharf Site to Chambroad Overseas Investment Australia Pty Ltd.

RELATION TO EXISTING POLICY/PLANS

Not applicable.

LEGISLATIVE REQUIREMENTS

Not applicable.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

None.

RECOMMENDATION:

- A. That Council approves the amendment of the current contract dated 25 May 2017 made with Chambroad Overseas Investment Australia Pty Ltd for the sale of the Wharf Site at Kangaroo Bay to allow the purchaser the alternative of developing the subject site in accordance with any permit which may be granted for its latest Development Application D2017/444, or any minor amendment of the same.
- B. That Council authorises the General Manager to negotiate the terms of and sign on behalf of Council the required contract amendment.

/ Refer to Page 47 for Decision on this Item...

KANGAROO BAY WHARF SITE SALE AND DEVELOPMENT CONTRACT VARIATION /contd...

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

**11.7.5 AUSTRALIAN COASTAL COUNCIL COMMITTEE OF MANAGEMENT
VACANCY**
(File No)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to enable Council to consider nominating an elected member as one of the Tasmanian representatives on the Committee of Management of the Australian Coastal Council.

The Australian Coastal Council (formerly the National Seachange Taskforce) is an established national body to represent the interests of coastal Councils and communities experiencing the effects of rapid growth in development, particularly along coastlines.

Clarence has been a member Council for a number of years.

The Coastal Council has proven to be an organisation that has the capacity to provide a voice for member Councils on coastal issues and to be a strong advocate to the Australian Government on behalf of its members.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2016-2026 in part provides that Council will:
"...acknowledge and respond to the impact of climate change by continuing to work with all levels of government to meet national climate change objectives..."

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

If a Council nominee is successful in being elected to the Australian Coastal Council then there would be some costs associated with representative attendance at the meetings. These costs could be met from existing budget allocations.

RECOMMENDATION:

That Council nominates an Alderman as a Tasmanian representative to the Australian Coastal Council Committee of Management.

/ Refer to Page 49 for Decision on this Item...

**AUSTRALIAN COASTAL COUNCIL COMMITTEE OF MANAGEMENT VACANCY
/contd...**

Decision:	MOVED Ald Chong SECONDED Ald Campbell
	“That Ald von Bertouch be nominated as a Tasmanian representative to the Australian Coastal Council Committee of Management”.
	CARRIED
	FOR
	Ald Campbell
	Ald Chipman
	Ald Chong
	Ald Cusick
	Ald Doust
	Ald Hulme
	Ald James
	Ald McFarlane
	Ald Peers
	Ald Thurley
	Ald Walker
	AGAINST
	Ald von Bertouch (abstained)

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 T1192-17 – ANNUAL HARDWASTE COLLECTION SERVICE

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 Campbell **SECONDED** Ald Doust

“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 T1192-17 - ANNUAL HARDWASTE COLLECTION SERVICE

(File No T1192-17)

Decision:

MOVED Ald Hulme **SECONDED** Ald Chong

- “A. The General Manager be authorised to approve contract variations beyond the 19 days Annual Hardwaste Collection to provide the best outcome for the November 2017 service.
- B. Variations in the contract are to be reported in the Quarterly Report.
- C. That Council publish its decision only in regard to this matter in the open Minutes of this Meeting”.

CARRIED UNANIMOUSLY

The Meeting closed at 8.52pm.