



LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

**COUNCIL MEETING
MONDAY 25 AUGUST 2014**

LAUNCESTON CITY COUNCIL

COUNCIL MINUTES

Monday 25 August 2014

Notice is hereby given that the Ordinary Meeting of the Launceston City Council will be held at the Council Chambers -

Date: 25 August 2014

Time: 1.00 pm

Section 65 Certificate of Qualified Advice

Background

Section 65 of the *Local Government Act 1993* requires the General Manager to certify that any advice, information or recommendation given to Council is provided by a person with appropriate qualifications or experience.

Declaration

I certify that persons with appropriate qualifications and experience have provided the advice, information and recommendations given to Council in the minutes items for this meeting.



Rod Sweetnam
Acting General Manager

LAUNCESTON CITY COUNCIL

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Present: **Alderman** **A M van Zetten (Mayor)**
 A L Waddle
 A C Peck
 R L McKendrick
 R J Sands
 R L Armitage
 I S Norton
 R I Soward
 D H McKenzie
 J G Cox
 D C Gibson

In Attendance: **Mr R Sweetnam (Acting General Manager)**
 Ms S Gallery (Corporate Governance Officer)
 Mrs L Hilkmann (Committee Clerk/Admin Officer)

Apologies: **Alderman** **J D Ball**

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1 OPENING OF MEETING - IN ATTENDANCE AND APOLOGIES

The Mayor opened the meeting at 1.00pm and noted an apology from Alderman J D Ball.

2 DECLARATION OF PECUNIARY INTERESTS

Alderman D H McKenzie declared a pecuniary interest in Agenda Items 7.1 & 13.2.

3 CONFIRMATION OF MINUTES

RECOMMENDATION:

1. That the Minutes of the meeting of the Launceston City Council held on 11 August 2014 be confirmed as a true and correct record.

DECISION: 25/08/2014

RESOLUTION: (1):

Moved Alderman D C Gibson, seconded Alderman J G Cox.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 11:0

4 DEPUTATION

Nil

5 ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME

Monday 11 August 2014, Alderman Soward asked:

Could Aldermen please receive and update regarding the re-instatement of work carried out around the city by the NBN Network? Where are we at this stage?

Response provided by Shane Eberhardt - Acting Director Infrastructure Services

NBN Rollout

There are three steps involved to install the NBN:

1. **Service pit upgrades** - works confined to the area around communication pits.
2. **Fibre roll-out** - can involve trenching along footpaths and roads.
3. **Individual connections** - can involve minor trenching cross footpaths; this work remains 'ongoing' once the service is available.

The table below shows the status of the NBN in each of the service areas within the City of Launceston.

Service area	Suburbs	1. Service pit upgrades	2. Fibre roll-out	3. Individual connections
<u>7LAU-01</u>	Launceston	Completed	Completed	Available
<u>7LAU-02</u>	Launceston, Newstead, East Launceston	Completed	Completed	Available
<u>7LAU-03</u>	Newstead, South Launceston, East Launceston	Completed	Completed	Available
<u>7LAU-04</u>	West Launceston, South Launceston	Completed	Completed	Available
<u>7LAU-05</u>	Trevallyn, Riverside	Completed	In progress	
<u>7LAU-06</u>	Mowbray, Invermay	Completed	In progress	
<u>7LAU-07</u>	Waverley, Ravenswood	Completed	In progress	
<u>7LAU-09</u>	Mowbray, Newnham, Mayfield	Completed	In progress	
<u>7LAU-10</u>	Rocherlea, Newnham	In progress		
<u>7SHL-01</u>	Prospect, South Launceston, Summerhill, Kings Meadows	TBA		
<u>7SHL-02</u>	Newstead, Norwood, Punchbowl, Kings Meadows	In progress		
<u>7SHL-04</u>	Prospect Vale, Summerhill, West Launceston, Prospect	TBA		
<u>7SHL-05</u>	St Leonards	TBA		
<u>7SHL-06</u>	Relbia, Western Junction, Youngtown, Kings Meadows	TBA		

Council officers are continuing to work with NBN on the quality of the reinstatement works.

6 PUBLIC QUESTION TIME

Nil

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to this Agenda item.

7 PLANNING AUTHORITY**7.1 151 St John Street, Launceston - Vehicle Parking - car park; change of use and signage****FILE NO:** DA0275/2014**AUTHOR:** Stalley Briton (Urban Designer)**DIRECTOR:** Michael Stretton (Director Development Services)

DECISION STATEMENT:

To consider and determine a development application pursuant to the *Land Use Planning and Approvals Act 1993*.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

In accordance with Section 51 and Section 57 of the Land Use Planning and Approvals Act 1993 and the Launceston Interim Planning Scheme 2012, it is recommended that the Council refuse DA0275/2014 for *Vehicle parking - car park; change of use and signage* for the following reasons:

1. The proposal is contrary to the Objective of Clause 15.4.1 Development Standards - Siting, Design and Built Form: *To ensure that the site and layout, and building design and form is visually compatible with surrounding development*; and Performance Criteria 15.4.1 P4 of the same clause, as no measures have been taken to minimise visibility of the car park from Elizabeth Street and St John Street. The steel fence on both frontages allows for a high degree of visibility to the car parking area, which is located within the front setbacks of the frontages;
 2. The proposal is not consistent with Objective a) iii of the Car Parking and Sustainable Transport Code and does not comply with Performance Criteria E6.7.2 P1 of the same clause: *To ensure that parking does not adversely impact on the amenity of a locality and achieves high standards of urban design*, as the nature of the new use of the site as a car park will not contribute to high standards of urban design, and will be a detriment to the streetscape; and
-

7.1 151 St John Street, Launceston - Vehicle Parking - car park; change of use and signage...(Cont'd)

3. The proposal is contrary to the intent of the Launceston CBD Car Parking Exemption Area and Performance Criteria E6.6.4 P1 as the car parking area will not be located within a building structure and will be highly visible from both frontages on Elizabeth and St John Streets.

The Mayor announced that Council was acting as a Planning Authority.

The Acting General Manager announced that the applicant has withdrawn this item.

The Mayor announced that Council was no longer acting as a Planning Authority.

8 ANNOUNCEMENTS BY THE MAYOR

8.1 Mayor's Announcements

FILE NO: SF2375

Tuesday 12 August

- Attended Tasmanian Tourism Industry Trade Show

Wednesday 13 August

- Attended Church & Christian Leaders' Breakfast
- Officiated at Civic Reception to mark the centenary of Red Cross

Thursday 14 August

- Attended ABC Stakeholder Function
- Officiated at Civic Reception for Order of Australia Association

Saturday 16 August

- Attended Heritage Tornadoes basketball match

Sunday 17 August

- Officiated at Apex Australia Teenage Fashion Awards

Monday 18 August

- Officiated at Vietnam Veterans Day
- Officially opened "Don Wing Stand" at Launceston Tennis Centre

Tuesday 19 August

- Officially welcomed delegates to Launceston at Australia Day State Conference

Wednesday 20 August

- Met Consul-General of Japan, Ms Keiko Haneda and Consul, Mr Yuji Furukawa

Thursday 21 August

- Attended Northern Hospice & Palliative Care Foundation "Information Sharing Evening"
- Attended Newstead College opening night performance of "Godspell"

Friday 22 August

- Attended UTAS Launch of the Research Training Centre for Naval Design and Manufacturing
 - Attended TasDance performance of "Threefold"
-

8.1 Mayor's Announcements...(Cont'd)

Saturday 23 August

- Attended UTAS Conferral of Awards
- Attended Ronald McDonald House "Ride for Sick Kids" Fundraising event

In addition to the above, the Mayor further acknowledged the 6.1 magnitude earthquake that struck our Sister City Napa Valley, California USA. Our thoughts and prayers are with Napa's citizens.

9 ALDERMEN'S/DELEGATES' REPORTS

9.1 Ald Peck - Earthquake in Napa Valley, California

Alderman A C Peck reported:

- Acknowledged the 6.1 magnitude earthquake that struck Launceston's Sister City, Napa Valley on 24 August.
- Noted an email received from Marty Smith, the Joseph Chromy Wine Scholarship recipient. Marty arrived in Napa on 16 August and has completed his first week of the scholarship.

9.2 Ald Peck - Launceston Airport

Alderman A C Peck reported:

- Noted an email received from Launceston Airport acknowledging 5% in passenger growth and boosting overall passenger numbers to 1.28 million this financial year outperforming the National domestic airport trend. Work is well advanced on the new entry road and improvement to car parking facilities. This work is on schedule to be completed before the start of the peak season.
- Jetstar and the Tasmanian Government through Tourism Tasmania have joined forces in a \$600,000 12 month marketing campaign to entice more visitors to the state using print, digital and social media opportunities.

9.3 Ald Peck - Cityprom

Alderman A C Peck reported:

- Cityprom are in the final stages of organisation or the George Street Festival commencing on 18 October.
 - Mid-September will see a piano in the Brisbane Street Mall. Anyone who can play piano is encouraged to come down to the Mall and have a go.
-

9.4 Ald Norton - Launceston College Association

Alderman I S Norton reported:

- **19 August attended the Launceston College as the new Chair.**

9.5 Ald Gibson - Australia Day Conference & UTAS 125th Anniversary

Alderman D C Gibson reported:

- **19 & 20 August attended the state Australia Day Conference held in Launceston discussing how we can do more our Australia day events including ways to encourage community nominations, a date change and the possibility of live streaming the citizenship ceremony so that relatives around the world can be involved.**
- **26 August attend the first meeting of the UTAS 125th Anniversary Committee. Aldermen are encouraged to send through ideas for this milestone celebration. Meetings will be held every 3 to 4 weeks.**

9.6 Ald McKendrick - Tasmanian Health Organisations Northern Regional Consumer Reference Group

Alderman R L McKendrick reported:

- **Membership for this Regional Group has now been finalized with the appointment of 12 members. Ald McKendrick has been appointed membership. This group will be representing the regions hospitals and consumers. The first official meeting will be held in September 2014.**
-

10 QUESTIONS BY ALDERMEN**10.1 Ald Soward - Community Service Work Orders**

Alderman R I Soward asked

Some time ago I asked for Council to look as working with the Department of Justice/Community Corrections on accessing people with work orders to perform community service tasks under the supervision of Council. Please advise where this is at and when this might commence if not already underway. I note a range of tasks that could be performed for council under the types of tasks people on work orders do - for instance collecting rubbish on verges/river edges and so on.

- **Response from Harry Galea (Director Infrastructure Services)**

For many years ISD have provided venues to allow the Police to undertake Community Corrective Orders at Launceston City Council.

At the time when Aldermen Soward raised the above comments at Council, further contact was made to ensure that the Police were still aware that opportunities existed at Council.

Parks and Recreation used to use Community Correction on a regular basis for work in the parks mainly along the North Esk Trail, West Tamar Trail and Heritage Forest. One exercise involved removing graffiti from a business wall in Invermay. There appears to have been a change of staff and the program has since ceased or significantly restricted.

This program requires direct supervision by the Police and I expect dwindling police resources may be a contributing factor why this now sits low in their priority.

Currently Council has lodged expressions of interest and a number of Parks projects for consideration as part of the Green Army program.

- **Acting General Manager Rod Sweetnam stated that a response to how the process works will be circulated to Aldermen via the weekly bulletin.**
-

11 COMMITTEE REPORTS
Nil

12 PETITIONS
Nil

13 NOTICES OF MOTION - FOR CONSIDERATION**13.1 Notice of Motion - Alderman McKendrick - Amendment to the Launceston Interim Planning Scheme 2012****FILE NO:** SF5547**AUTHOR:** Alderman McKendrick**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider a Notice of Motion from Alderman McKendrick.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That the Launceston Interim Planning Scheme 2012 (or its successor) be amended to allow multiple dwellings to be considered in the Low Density Residential Zone subject to suitable density controls being agreed by the Council.

Mr M Stretton (Director Development Services) was in attendance to answer questions of Council in respect of Agenda Items 13.1 – 13.2 inclusive.

Alderman McKendrick spoke to the Notice of Motion.

DECISION: 25/08/2014**RESOLUTION:** (1):

Moved Alderman R L McKendrick, seconded Alderman D H McKenzie.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 11:0

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13.2 Notice of Motion - Alderman McKendrick - Cradle Coast Interim Planning Scheme

FILE NO: SF5547

AUTHOR: Alderman McKendrick

GENERAL MANAGER: Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider a Notice of Motion from Aldermen McKendrick.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That the Launceston City Council seeks to include the Cradle Coast Interim Planning Scheme's Performance Criteria that allows consideration of third party signs in the State-wide Planning Scheme

Ald D H McKenzie declared a Pecuniary Interest in this item and withdrew from the meeting at 1.22pm.

Alderman McKendrick spoke to the Notice of Motion.

DECISION: 25/08/2014

RESOLUTION: (1):

Moved Alderman R L McKendrick, seconded Alderman A C Peck.

That the Recommendation be amended to read and accepted as follows:

That the Launceston City Council seeks to include the Cradle Coast Interim Planning Scheme's Performance Criteria that allows consideration of third party signs in the Launceston Planning Scheme.

CARRIED 9:1

COUNCIL MINUTES

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13.2 Notice of Motion - Alderman McKendrick - Cradle Coast Interim Planning Scheme...(Cont'd)

FOR VOTE - Ald A M van Zetten, Ald A L Waddle, Ald R L McKendrick, Ald R L Armitage, Ald A C Peck, Ald R I Soward, Ald I S Norton, Ald J G Cox, Ald R J Sands

AGAINST VOTE - Ald D C Gibson

ABSENT. DID NOT VOTE - Ald J D Ball, Ald D H McKenzie

Ald D H McKenzie re-attended the meeting at 1.38pm.

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13.3 Notice of Motion - Mayor van Zetten - Sponsorship for 2014 International Children's Games

FILE NO: SF5547 / SF6091

AUTHOR: Mayor van Zetten

ACTING GENERAL MANAGER: Rod Sweetnam

DECISION STATEMENT:

To consider a Notice of Motion from Mayor van Zetten

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That Council provide a cash grant of \$1,500 (Inc. GST) to contribute towards the cost of uniforms for the team, on the condition that the team and its uniform is branded as the City of Launceston team.

Mr R Sweetnam (Acting General Manager) was in attendance to answer questions of Council in respect of this Agenda Item.

The Mayor handed the chair to Alderman Waddle at 1.38pm.

The Mayor spoke to the Notice of Motion.

DECISION: 25/08/2014

RESOLUTION: (1):

Moved Alderman A M van Zetten, seconded Alderman A C Peck.

That the Recommendation be amended to read and accepted as follows:

That Council provide a cash grant of \$1,200 (Inc. GST) to contribute towards the cost of uniforms for the team, on the condition that the team and its uniform is branded as the City of Launceston team.

LOST 5:6

COUNCIL MINUTES

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13.3 Notice of Motion - Mayor van Zetten - Sponsorship for 2014 International Children's Games...(Cont'd)

FOR VOTE - Ald A M van Zetten, Ald A L Waddle, Ald R L McKendrick, Ald R L Armitage, Ald A C Peck

AGAINST VOTE - Ald D H McKenzie, Ald R I Soward, Ald I S Norton, Ald J G Cox, Ald R J Sands, Ald D C Gibson

ABSENT. DID NOT VOTE - Ald J D Ball

The Mayor resumed the chair at 1.56pm.

DIRECTORATE MINUTES ITEMS

14 DEVELOPMENT SERVICES

Nil

15 FACILITY MANAGEMENT

Nil

16 QUEEN VICTORIA MUSEUM AND ART GALLERY

Nil

17 INFRASTRUCTURE SERVICES**17.1 Proposed Black Spot Schemes 2015/16 and Council Traffic Safety Program Schemes 2014/15**

FILE NO: SF5106 SF5909 SF2145 SF1573 SF1811 SF2151 SF1244 SF1374 SF1445
SF1490 SF2015 SF1820 SF1496 SF1119 SF2075

AUTHOR: Nigel Coates (Engineering Officer, Traffic)

DIRECTOR: Harry Galea (Director Infrastructure Services)

DECISION STATEMENT:

To consider which projects are submitted for application for funding in the 2015/16 'Black Spot' program and are included in Council's Traffic Safety Program.

PREVIOUS COUNCIL CONSIDERATION:

SPPC Meeting 18 August 2014 - Item 4.1
Submissions and Programs discussed at meeting

RECOMMENDATION:

1. That Council approves the following submissions to the 2015/16 Federal Black Spot Program:
 - Campbell Street/Douglas Street - roundabout
 - Goderich Street/ Forster Street - changes to lanes on Forster Street approaches.
 - Wellington Street/Howick Street - changes to lanes on Howick Street approaches
 - Westbury Road/Normanstone Road - traffic signals
 - Westbury Road/Stanley Street/Oakden Road - changes to roundabout layout
 - Gorge Road/Bald Hill Road - changes to Bald Hill Road approach

 2. That Council approves the following schemes funded from the Traffic Safety Program:
 - Normanstone Road - pedestrian refuge
 - Trevallyn Road - road banding and footpath widening
-

Mr H Galea (Director Infrastructure Services) was in attendance to answer questions of Council in respect of this Agenda Item.

17.1 Proposed Black Spot Schemes 2015/16 and Council Traffic Safety Program Schemes 2014/15...(Cont'd)

DECISION: 25/08/2014

RESOLUTION: (1):

Moved Alderman J G Cox, seconded Alderman R I Soward.

RESOLUTION: (2):

Moved Alderman R J Sands, seconded Alderman R L Armitage.

That the original motion be amended in regard to Recommendation 1 & 2 so that Council deal with each program by exception.

Lost 5:6

FOR VOTE - Ald A L Waddle, Ald R L McKendrick, Ald R L Armitage, Ald A C Peck, Ald R J Sands

AGAINST VOTE - Ald A M van Zetten, Ald D H McKenzie, Ald R I Soward, Ald I S Norton, Ald J G Cox, Ald D C Gibson

ABSENT. DID NOT VOTE - Ald J D Ball

The motion to amend the motion was defeated. The original motion was then considered.

RESOLUTION: (1):

FOR VOTE - Ald A M van Zetten, Ald D H McKenzie, Ald A L Waddle, Ald R L Armitage, Ald R I Soward, Ald I S Norton, Ald J G Cox, Ald R J Sands, Ald A C Peck, Ald D C Gibson

AGAINST VOTE - Ald R L McKendrick

ABSENT. DID NOT VOTE - Ald J D Ball

CARRIED 10:1

18 CORPORATE SERVICES**18.1 Record Keeping for Aldermen Policy (17-Plx-006)****FILE NO:** SF0217**AUTHOR:** Rhonda Cabalzar - Manager Information Management**DIRECTOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider the approval of the Record Keeping for Aldermen Policy.

PREVIOUS COUNCIL CONSIDERATION:

N/A

RECOMMENDATION:

That Council adopt the draft Record Keeping for Aldermen Policy (17-Plx-006) as follows.

PURPOSE:

To provide guidelines to ensure complete and accurate records of the activities and decisions of Aldermen, undertaken whilst acting in their official role, are managed appropriately to meet the Council's statutory legislative record keeping obligations.

SCOPE:

This policy applies to all Aldermen when acting in an official capacity on behalf of the Council.

This policy does not apply when Aldermen are not officially representing the Council during their interaction with the community on personal or general interest matters.

POLICY:

The following sets of information (irrespective of the format) will be managed within the Council's corporate systems -

- Agenda and minutes, which reflect the activities and decisions of standing Council committees, specific purpose internal committees, and external committees (when an Alderman has been appointed a committee member, by a resolution of the Council);
-

18.1 Record Keeping for Aldermen Policy (17-Plx-006)...(Cont'd)

- Media releases and formal speeches, for occasions and events when the Council is officially represented;
- Service requests raised by Aldermen on behalf of a community member, or raised for themselves;
- All correspondence addressed to Aldermen, received or sent via Council's postal and email addresses, or Customer Service Centre (excluding invitations, newsletters, periodicals), when the content contains matters pertaining to an Alderman officially representing the Council;
- All social media comment when the content contains matters pertaining to an Alderman officially representing the Council;
- Any file note created to record a verbal conversation, which contained matters pertaining to an Alderman officially representing the Council.

There is no requirement to manage within the Council's corporate system, any correspondence or communication, received or sent, whereby it is clearly evident the content -

- does not contain an agreement or commitment to undertake an action on behalf of the Council;
- is comment on matters of general interest rather than specific issues being considered by the Council;
- is relevant to a political stance or electoral matters;
- is personal in nature and not related to the Council;
- is a copy of a broader release communication.

Administrative support is provided to assist Aldermen with the following -

a) increase understanding of, and enable informed judgement, as to what constitutes a record, and when it needs to be managed within the systems, by the inclusion of record keeping as a subject, in the Aldermen's induction;

b) manage information in the corporate systems accordingly, to ensure the Council's obligations to meet relevant industry best practice, and the Tasmanian Archives Act 1983 records disposal requirement, are upheld.

18.1 Record Keeping for Aldermen Policy (17-PIx-006)...(Cont'd)

PRINCIPLES:

Council's Organisational Values apply to all activities.

RELATED POLICIES & PROCEDURES:

Media Policy (05-PI-002)

Mayor and Aldermen's Expenses and Resources Policy (14-PIx-016)

Information Resource Policy (17-PI-001)

RELATED LEGISLATION:

Archives Act 1983

Local Government Act 1993

REVIEW:

This policy will be reviewed to coincide with Council elections or more frequently, if dictated by operational demands and with Council's approval.

Mr R Sweetnam (Acting General Manager) was in attendance to answer questions of Council in respect of this Agenda Item.

Ald Soward withdrew from the meeting at 2.33pm.

Ald Soward re-attended the meeting at 2.34pm.

DECISION: 25/08/2014

RESOLUTION: (1):

Moved Alderman D H McKenzie, seconded Alderman R J Sands.

That the Recommendation be adopted.

CARRIED UNANIMOUSLY 11:0

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19 GENERAL MANAGER
Nil

20 URGENT BUSINESS
Nil

21 INFORMATION / MATTERS REQUIRING FURTHER ACTION
Nil

22 CLOSED COUNCIL

- 22.1 Rate Remission
- 22.2 Rate Recovery Sales - Debts 1 - 21
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- 22.18 Rate Debt 16
- 22.19 Rate Debt 17
- 22.20 Rate Debt 18
- 22.21 Rate Debt 19
- 22.22 Rate Debt 20
- 22.23 Rate Debt 21

RECOMMENDATION:

That Minute Item(s) 22.1-22.23 be considered within closed Council pursuant to the authority contained within regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2005*, which permits the meeting to be closed to the public for business relating to the following:

15(2)(j) as it concerns the personal affairs of a person/company

DECISION: 25/08/2014

RESOLUTION: (1):

Moved Alderman R I Soward, seconded Alderman A C Peck.

That Council move into Closed Session to discuss those items nominated as Closed Session items, in accordance with the reasons outlined in Items 22.1 to 22.23 inclusive.

CARRIED UNANIMOUSLY AND BY ABSOLUTE MAJORITY 11:0

RESOLUTION: (2):

Moved Alderman A C Peck, seconded Alderman R I Soward.

That Council move out of Closed Session and endorse those decisions taken while in Closed Session.

CARRIED UNANIMOUSLY AND BY ABSOLUTE MAJORITY 11:0

Council moved out of Closed Session at 2.44pm.

23 MEETING CLOSURE

The Mayor closed the meeting at 2.45pm.
