

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 10 SEPTEMBER 2018

HOUR CALLED: 7.33pm

PRESENT: The meeting commenced at 7.30pm 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

Acting General Manager
(Mr I Nelson)

Chief Financial Officer
(Ms Miriam Coleman)

Group Manager Engineering Services
(Mr R Graham)

Manager Health and Community Development
(Mr J Toohey)

Manager City Planning
(Mr R Lovell)

Co-ordinator Council Support
(Ms J Ellis)

Lawyer
(Ms C Shea)

The Meeting closed at 10.36pm.

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 10 SEPTEMBER 2018

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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 20 August 2018 as circulated, be taken as read and confirmed.

Decision: **MOVED** Ald Chong **SECONDED** Ald Hulme

“That the Minutes of the Council Meeting held on 20 August 2018, 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
Access and Inclusion Assessment Toolkit	
Local Government Act Review	
Investment Policy	
Transport Strategy	27 August
Tranmere/Droughty Point Masterplan	
Greater Hobart Plan	
Property Matter – Richmond	
TasWater MOU	3 September

RECOMMENDATION:

That Council notes the workshops conducted.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

5. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE
(File No)

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2015 and Council’s adopted Code of Conduct, the Mayor requests Aldermen to indicate whether they have, or are likely to have a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in any item on the Agenda.

INTEREST DECLARED

Alderman Chong Item No. 11.3.7

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.

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**Aldermen – Declaration of Interests**

Mr Michael Figg of Lauderdale stated I was present at the previous Council Meeting and I noted that none of the Aldermen Declared an Interest that would be correct?

Answer

The Mayor confirmed that was his recollection from the Minutes.

Mr Figg further asked, in regard to the representation by a member of the public representing a Catholic organisation who was trying to have its fees reduced and because we had no Conflict of Interest, apparently, I would ask the question why Mr Cusick, an Alderman here, who has been an adviser and also a member of the Catholic Church did not Declare an Interest.

The Mayor advised that Ald Cusick would take the matter on notice.

/ contd on Page 9...

QUESTIONS WITHOUT NOTICE /contd...

Mr Figg would also like to know why the Mayor did not bring this to the attention of the other Aldermen, or bring a Point of Order, as you were aware of that as well?

The Mayor advised that under the Local Government Act it is up to the individual Alderman to Declare an Interest and that is where the responsibility lies.

Bellerive Oval

Mr Michael Geard of Bellerive asked in regard to the unanimous decision of Alderman to decline the extension and consolidation of use and operation restrictions at Bellerive Oval over-riding previous permits is being appealed and will Council be providing lawyers to uphold their decision?

Answer

The Acting General Manager advised that the answer to the question is yes, we will be defending the appeal.

Sound Issues – Council Meetings

Ms Sachie Yasuda of Lindisfarne asked whether there was any update as to the sound engineering measurements taken at a previous Council Meeting, as people in the gallery were still having trouble hearing what is being said.

Answer

The Acting General Manager advised that Council has recently purchased new audio visual equipment that is due to be installed within the next week. With that upgrade the advice is to move some of the speakers from the front of the Chambers to allow focus of sound to the rear of the Chambers, which will hopefully fix the problem.

Blundstone Arena

Mr Michael Geard of Bellerive asked in regard to a previous Council Meeting there was no Conflict of Interest noted in regard to the Blundstone Arena decision in declining their application, does that mean no Alderman support the Tasmania Cricket Association?

Answer

The Mayor advised that he was not a member of the Tasmania Cricket Association and he is not aware of any Alderman that are.

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-2018/411 – 18 HEEMSKIRK STREET, WARRANE –
COMMUNITY GARDEN**
(REFER ITEM 11.3.2)

Leanne Doherty addressed the Meeting regarding the above Development Application.

CAMBRIDGE PRIMARY SCHOOL – MASTERPLAN
(REFER ITEM 11.7.3)

Prudence Allan addressed the Meeting regarding the above matter.

9. MOTIONS ON NOTICE

9.1 NOTICE OF MOTION - ALD HULME LGAT – EDUCATIONAL MATERIAL – TASMANIA’S PLANNING SYSTEM AND PLANNING SCHEME (File No 10-03-05)
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In accordance with Notice given it was:

Decision:	MOVED Ald Hulme SECONDED Ald Peers		
	<p>“1. Council request the Local Government Association of Tasmania work with the Tasmanian Government to develop educational material to assist residents and ratepayers in understanding Tasmania’s planning system and the Tasmanian Planning Scheme.</p> <p>2. The General Manager prepare a report for Council on options for making educational material on Tasmania’s planning system available and accessible to Clarence residents and ratepayers”.</p>		
	CARRIED		
	<table> <tr> <td style="vertical-align: top;"> FOR Ald Campbell Ald Chipman Ald Chong Ald Cusick Ald Doust Ald Hulme Ald McFarlane Ald Peers Ald Thurley Ald von Bertouch Ald Walker </td> <td style="vertical-align: top; padding-left: 20px;"> AGAINST Ald James </td> </tr> </table>	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
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		

**9.2 NOTICE OF MOTION - ALD MCFARLANE
LGAT – SEEKING SUPPORT TO AMEND LUPAA**
(File No 10-03-05)

In accordance with Notice given Ald McFarlane intended to move the following motion:

“That Council seek support from the Local Government Association of Tasmania to amend LUPAA to:

- extend the Community Consultation timeframes for larger development applications with projects over \$10 million from the maximum 28 days to 60 days”.

Decision:

PROCEDURAL MOTION

MOVED Ald McFarlane **SECONDED** Ald von Bertouch

“That Council seek support from the Local Government Association of Tasmania to amend LUPAA to:

- extend the Community Consultation timeframes for larger development applications with projects over \$10 million from the maximum 28 days to 60 days and undertake any consequential amendments that arise from that change”.

CARRIED

FOR

Ald Chipman
Ald Chong
Ald Cusick
Ald Doust
Ald Hulme
Ald McFarlane
Ald Peers
Ald Thurley
Ald von Bertouch

AGAINST

Ald Campbell
Ald James
Ald Walker

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

Not required.

Representative Reporting

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

Quarterly Reports

The Copping Refuse Disposal Site Joint Authority has distributed the Quarterly Summary of its Meetings for the period ending 31 August 2018.

The Copping Refuse Disposal Site Joint Authority has also distributed its Quarterly Report for the period 1 April to 30 June 2018.

In accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 the Report will be tabled in Closed Meeting.

Representative Reporting

- **TASWATER CORPORATION**

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

Community Health and Wellbeing Advisory Committee

- Ald Chong tabled the Minutes of a Meeting held on 23 May 2018.

Richmond Advisory Committee

- Ald Chong tabled the Minutes of a Meeting held on 15 August 2018

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

(File No 10/02/02)

The Weekly Briefing Reports of 20 and 27 August and 3 September 2018 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 20 and 27 August and 3 September 2018 be noted.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

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-2018/332 - 191 CARELLA STREET,
HOWRAH - DWELLING**
(File No D-2018/332)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Single Dwelling at 191 Carella Street, Howrah.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Access Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

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

Council is required to exercise a discretion within the statutory 42 day period which expires with the written consent of the applicant on 12 September 2018.

CONSULTATION

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

- adverse impact on solar access;
- inconsistency with character of area;
- loss of amenity; and
- proposed conditions.

RECOMMENDATION:

A. That the Development Application for a dwelling at 191 Carella Street, Howrah (Cl Ref D-2018/332) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. ADVICE – All works including all footings for the boundary wall are to be entirely contained within the property boundary. No works are to occur outside of the property boundary without the consent of Council’s Manager Corporate Support.

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

Decision: **MOVED** Ald Campbell **SECONDED** Ald Hulme

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

**11.3.2 DEVELOPMENT APPLICATION D-2018/411 - 18 HEEMSKIRK STREET,
WARRANE - COMMUNITY GARDEN**
(File No D-2018/411)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Community Garden at 18 Heemskirk Street, Warrane.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Access Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 12 September 2018.

CONSULTATION

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

- impact on residential amenity;
- inappropriateness of use; and
- vandalism.

RECOMMENDATION:

- A. That the Development Application for a Community Garden at 18 Heemskirk Street, Warrane (CI Ref D-2018/411) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AM7 – OUTDOOR LIGHTING.

3. The development must meet all required Conditions of Approval specified by TasWater notice dated 19 July 2018 (TWDA 2018/01169-CCC).

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

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

**11.3.3 DEVELOPMENT APPLICATION D-2018/353 - 10 ELDON STREET,
LINDISFARNE - 4 MULTIPLE DWELLINGS (1 EXISTING + 3 NEW)**
(File No D-2018/353)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 4 Multiple Dwellings (1 existing + 3 new) at 10 Eldon Street, Lindisfarne.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and is subject to the Parking and Access Code and Stormwater Management 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 12 September 2018 as agreed with the applicant.

CONSULTATION

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

- loss of privacy;
- overshadowing;
- loss of views;
- density;
- impact on property values; and
- visual impact.

RECOMMENDATION:

A. That the Development Application for 4 Multiple Dwellings (1 existing + 3 new) at 10 Eldon Street, Lindisfarne (CI Ref D-2018/353) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. GEN AP3 – AMENDED PLAN [the deletion of the east facing lower level “Bed 2” windows allocated to Unit 3 and 4].
3. A landscape plan must be submitted to and approved by Council’s Manager City Planning prior to the issue of a building permit or a Certificate of Likely Compliance (CLC) for building works. The plan must be to scale and show:
 - a north point;
 - proposed driveways, paths, buildings, car parking, retaining walls and fencing;
 - any proposed rearrangement of ground levels;
 - the landscaping of the car parking and circulation areas to an amount of no less than 5% of the area of the carparks;
 - details of proposed plantings including botanical names, and the height and spread of canopy at maturity; and
 - estimated cost of the landscaping works.

The landscaping works must be completed prior to the commencement of the use.

All landscaping works must be completed and verified as being completed by Council prior to the commencement of the use.

All landscape works must be maintained:

- in perpetuity by the existing and future owners/occupiers of the property;
- in a healthy state; and
- in accordance with the approved landscape plan.

If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity, as the vegetation which died or which was removed.

4. LAND 3 – LANDSCAPE BOND (COMMERCIAL).
5. ENG A2 – CROSSOVER CHANGE [5.5M].
6. ENG A5 – SEALED CAR PARKING.
7. ENG S1 – INFRASTRUCTURE REPAIR.
8. ENG M1 – DESIGNS DA [ACCESS, CARPARK AND DRIVEWAYS, SERVICE UPGRADES OR RELOCATIONS].

9. All stormwater runoff from impervious surfaces within the site must be treated and discharged from site using Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions (or the MUSIC model) must be submitted to Council’s Group Manager Engineering Services for approval prior to the issue of a building or plumbing permit. This report is to include the maintenance management regime/replacement requirements for the treatment facility.
 10. The development must meet all required Conditions of Approval specified by TasWater notice dated 27 July 2018 (TWDA 2018/01024-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 Hulme</p> <p> “That the Recommendation be adopted”.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>

**11.3.4 DEVELOPMENT APPLICATION D-2018/386 - 26 MAXWELLS ROAD,
CAMBRIDGE - TRUCK TURNING FACILITY**
(File No D-2018/386)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Truck Turning Facility at 26 Maxwells Road, Cambridge.

RELATION TO PLANNING PROVISIONS

The land is zoned General Industrial and is subject to the Bushfire Prone Areas Code, Parking and Access Code, Stormwater Management Code and the Waterway and Coastal Protection 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 12 September 2018 as agreed with the applicant.

CONSULTATION

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

- concern over disposal of 21 Maxwells Road;
- impact of reduced setback upon 17 Maxwells Road; and
- visual impact from Richmond Road.

RECOMMENDATION:

A. That the Development Application for Truck Turning Facility at 26 Maxwells Road, Cambridge (CI Ref D-2018/386) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. The development must meet all required Conditions of Approval specified by TasWater notice dated 10 July 2018 (TWDA 2018/01118-CCC).

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

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

11.3.5 DEVELOPMENT APPLICATION D-2018/466 - 14D BAYSIDE DRIVE, LAUDERDALE (WITH ACCESS OVER 14C BAYSIDE DRIVE) - DWELLING
(File No D-2018/466)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Dwelling at 14D Bayside Drive, Lauderdale (with access over 14C Bayside Drive).

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and is subject to the Bushfire Prone Areas Code, Stormwater Management Code and 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 24 September 2018.

CONSULTATION

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

- building setbacks; and
- loss of privacy.

RECOMMENDATION:

A. That the Development Application for Dwelling at 14D Bayside Drive, Lauderdale (with access over 14C Bayside Drive) (CI Ref D-2018/466) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

ADVICE

As the property is located within a bushfire prone area a BAL and bushfire assessment will be required to form part of the certified documentation submitted as part of a future Building Permit Application.

- 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 Thurley

“That the Recommendation be adopted”.

CARRIED**FOR**

Ald Campbell
Ald Chipman
Ald Chong
Ald Doust
Ald Hulme
Ald Peers
Ald Thurley
Ald von Bertouch

AGAINST

Ald Cusick
Ald James
Ald McFarlane
Ald Walker

11.3.6 DEVELOPMENT APPLICATION D-2018/317 - 430 CLIFTON BEACH ROAD, CLIFTON BEACH - DWELLING
(File No D-2018/317)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Dwelling at 430 Clifton Beach Road, Clifton Beach.

RELATION TO PLANNING PROVISIONS

The land is zoned Village and subject to the 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 12 September 2018 as agreed with the applicant.

CONSULTATION

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

- the capacity of the proposed waste water system;
- loss of privacy;
- overshadowing;
- reinstating the driveway.

RECOMMENDATION:

A. That the Development Application for Dwelling at 430 Clifton Beach Road, Clifton Beach - (Cl Ref D-2018/317) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. GEN AP3 – AMENDED PLAN [showing the inclusion of a screen with a maximum transparency of 25% extending the full length of the south-eastern elevation of the rear balcony to a height of 1.7m above the finished floor level of the balcony].

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.

Advice 3 - An application for a Plumbing Permit to install an on-site waste water disposal system must be submitted and approved as part of the Building Application.

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

11.3.7 DEVELOPMENT APPLICATION D-2018/399 - TENANCIES 2A AND 3, 7 BLIGH STREET, ROSNY PARK – FOOD SERVICES, SPORTS AND RECREATION AND COMMUNITY AND ENTERTAINMENT (CAFE, GYM AND PLAY CENTRE)

(File No D-2018/399)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for a Cafe, Gym and Play Centre at 2A and 3, 7 Bligh Street, Rosny Park.

RELATION TO PLANNING PROVISIONS

The land is zoned Central Business and subject to the Parking and Access Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

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

Council is required to exercise a discretion within the statutory 42 day period which was extended with the consent of the applicant until 10 September 2018.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising the issue of car parking.

RECOMMENDATION:

- A. That the Development Application for Food Services, Sports and Recreation and Community and Entertainment (Cafe, Gym and Play Centre) at Tenancies 2A and 3, 7 Bligh Street, Rosny Park (Cl Ref D-2018/399) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. The development must meet all required Conditions of Approval specified by TasWater notice dated 17 July 2018 (TWDA 2018/01158-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.

Ald Chong declared an Interest in this Item and left the Meeting prior to discussion (8.53pm).

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

Ald Chong returned to the Meeting at this stage (8.55pm).

11.3.8 DEVELOPMENT APPLICATION D-2018/224 - 10, 11 AND 12 GARRETT COURT, OAKDOWNS - 5 MULTIPLE DWELLINGS
(File No D-2018/224)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 5 Multiple Dwellings at 10, 11 and 12 Garrett Court, Oakdowns.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Access Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

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

Council is required to exercise a discretion within the statutory 42 day period which was extended with the consent of the applicant until 12 September 2018.

CONSULTATION

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

- loss of amenity;
- devaluation of property;
- traffic and parking;
- rubbish bins; and
- proximity of parking spaces to adjoining dwelling.

RECOMMENDATION:

- A. That the Development Application for 5 Multiple Dwellings at 10, 11 and 12 Garrett Court, Oakdowns (CI Ref D-2018/224) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN M5 – ADHESION [the issue of a Building Permit].

3. GEN AP3 – AMENDED PLAN [garbage bin enclosure relocated to the west side of the driveway and the 2 car parking spaces relocated on-site].
 4. LAND 1A – LANDSCAPE PLAN include additional dot point “the landscaping of the car parking and circulation areas to an amount of no less than 5% of the area of the carparks”.
 5. LAND 3 - LANDSCAPE BOND (COMMERCIAL).
 6. The development must meet all required Conditions of Approval specified by TasWater notice dated 1 May 2018 (TWDA 2018/00630-CCC).
 7. ENG A2 [5.5m].
 8. ENG A5 – SEALED CAR PARKING.
 9. ENG S1 – INFRASTRUCTURE REPAIR.
 10. ENF M1 – DESIGN.
 11. All stormwater runoff from impervious surfaces within the site must be treated and discharged from site using Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions (or the MUSIC model) must be submitted to Council’s Group Manager Engineering Services for approval prior to the issue of a building or plumbing permit. This report is to include the maintenance management regime/replacement requirements for the treatment facility.
- 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:	<p>MOVED Ald Walker SECONDED Ald Campbell</p> <p>“That the Recommendation be adopted”.</p> <p>AMENDMENT</p> <p>MOVED Ald McFarlane SECONDED Ald Thurley</p> <p>“A. That the Development Application for 5 Multiple Dwellings at 10, 11 and 12 Garrett Court, Oakdowns (Cl Ref D-2018/224) be approved subject to the following conditions and advice.</p>
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/ Decision contd on Page 35...

DEVELOPMENT APPLICATION D-2018/224 - 10, 11 AND 12 GARRETT COURT, OAKDOWNS - 5 MULTIPLE DWELLINGS /Decision contd...

1. GEN AP1 – ENDORSED PLANS.
2. GEN M5 – ADHESION [the issue of a Building Permit].
3. GEN AP3 – AMENDED PLAN [garbage bin enclosure relocated to the west side of the driveway, with extra space for 2 additional green waste bins and the 2 car parking spaces relocated to the other side of the site].
4. LAND 1A – LANDSCAPE PLAN include additional dot point “the landscaping of the car parking and circulation areas to an amount of no less than 5% of the area of the carparks”.
5. LAND 3 - LANDSCAPE BOND (COMMERCIAL).
6. The development must meet all required Conditions of Approval specified by TasWater notice dated 1 May 2018 (TWDA 2018/00630-CCC).
7. ENG A2 [5.5m].
8. ENG A5 – SEALED CAR PARKING.
9. ENG S1 – INFRASTRUCTURE REPAIR.
10. ENF M1 – DESIGN.
11. All stormwater runoff from impervious surfaces within the site must be treated and discharged from site using Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions (or the MUSIC model) must be submitted to Council’s Group Manager Engineering Services for approval prior to the issue of a building or plumbing permit. This report is to include the maintenance management regime/replacement requirements for the treatment facility.

/ Decision contd on Page 36...

**DEVELOPMENT APPLICATION D-2018/224 - 10, 11 AND 12 GARRETT COURT,
OAKDOWNS - 5 MULTIPLE DWELLINGS /Decision contd...**

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”.

The **AMENDMENT** was **put** and **LOST**

FOR

Ald McFarlane
Ald Thurley

AGAINST

Ald Campbell
Ald Chipman
Ald Chong
Ald Cusick
Ald Doust
Ald Hulme
Ald James
Ald Peers
Ald von Bertouch
Ald Walker

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

FOR

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

AGAINST

Ald McFarlane

**11.3.9 DEVELOPMENT APPLICATION D-2018/384 - 6 ANCHORAGE COURT,
TRANMERE - DWELLING**
(File No D-2018/384)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Dwelling at 6 Anchorage Court, Tranmere.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Access Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

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

Council is required to exercise a discretion within the statutory 42 day period which was extended with the consent of the applicant until 12 September 2018.

CONSULTATION

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

- loss of views;
- overshadowing; and
- loss of value.

RECOMMENDATION:

A. That the Development Application for Dwelling at 6 Anchorage Court, Tranmere (CI Ref D-2018/384) 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.

/ Refer to Page 38 for Decision on this Item...

11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT**11.5.1 NORMA STREET, HOWRAH – TRAFFIC ISSUES**

(File No N014)

EXECUTIVE SUMMARY**PURPOSE**

To consider the report from Council Officers in response to the Petition received for street works to improve traffic conditions in Norma Street, Howrah.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2016-2026 is relevant.

LEGISLATIVE REQUIREMENTS

The Local Government (Highways) Act, 1982 is applicable with Section 31 being relevant if traffic-calming works are to be undertaken.

CONSULTATION

Limited consultation has been undertaken with affected residents and Metro Tasmania as part of the investigation.

FINANCIAL IMPLICATIONS

No funds have been specifically allocated in the current Annual Plan for any road works in Norma Street. Any physical works, if recommended, can be assessed by Council for inclusion in future Annual Plans.

RECOMMENDATION:

- A. That Council authorises the General Manager to write to the residents of 37 to 47 Norma Street, Howrah to obtain feedback on a proposal to include parking restrictions on the inside curve from 37 to 47 Norma Street, Howrah.
- B. That Council be informed through a Briefing Report on the outcome of the community consultation and the decision of Council's Group Manager Engineering Services whether to apply parking restrictions under his delegation.
- C. Council authorise the General Manager to write to the Petitioners of Council's decision and again after the community consultation process.

/ Refer to Page 41 for Decision on this Item...

NORMA STREET, HOWRAH – TRAFFIC ISSUES /contd...

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

Ald McFarlane left the Meeting at this stage (9.02pm).

“That the Recommendation be adopted”.

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

11.5.2 CITY OF HOBART DRAFT TRANSPORT STRATEGY

(File No)

EXECUTIVE SUMMARY**PURPOSE**

To seek Council's comments as part of the Community Consultation phase of the City of Hobart Draft Transport Strategy 2018-30 (COHDTS).

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2016–2026 is applicable.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

Nil.

RECOMMENDATION:

That Council notes The City of Hobart Draft Transport Strategy 2018-30 and endorses the General Manager's response.

Decision: **MOVED** Ald Hulme **SECONDED** Ald Chong

“That the Recommendation be adopted”.

Ald McFarlane returned to the Meeting at this stage (9.05pm).

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

11.5.3 BAYVIEW SECONDARY COLLEGE - MEMORANDUM OF UNDERSTANDING TO LEASE AND MANAGE SCHOOL SPORTS FACILITIES/GROUNDS

(File No M026-170)

EXECUTIVE SUMMARY**PURPOSE**

To consider a request from Bayview Secondary College to enter a Memorandum of Understanding with the Department of Education and Bayview Secondary College and interested sporting organisations and clubs to lease and manage the school sports facilities/grounds.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2016-2026 is relevant.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

No community consultation has occurred. Discussions have taken place between Council officers, Aldermen and Department of Education officers and local sporting clubs interested in using the facility.

FINANCIAL IMPLICATIONS

Funds of \$60,000 has been allocated in the 2018/2019 Annual Plan for the initial master planning of the Bayview Secondary College sports facilities/grounds to align with community benefit and school usage. Should Council proceed with the lease and associated future development there will be capital and recurrent costs to be considered as part of future Annual Plans.

RECOMMENDATION:

- A. That Council authorises the signing of the Memorandum of Understanding between the Department of Education, the interested sporting organisations/clubs and the Clarence City Council relating to the use and development of the ovals and facilities at Bayview Secondary College on behalf of the Clarence City Council.
- B. That once signed, Council authorises the General Manager to implement the Memorandum of Understanding between the Department of Education, the interested sporting organisations/clubs and the Clarence City Council relating to the use and development of the ovals and facilities at Bayview Secondary College subject to the standard budget approval processes of future Council Annual Plans.

/ Refer to Page 44 for Decision on this Item...

BAYVIEW SECONDARY COLLEGE - MEMORANDUM OF UNDERSTANDING TO LEASE AND MANAGE SCHOOL SPORTS FACILITIES/GROUNDS /contd...

Ald Cusick left the Meeting at this stage (9.13pm).

<p>Decision: MOVED Ald Thurley SECONDED Ald Chong</p> <p> “That the Recommendation be adopted”.</p> <p> Ald Cusick returned to the Meeting at this stage (9.15pm).</p> <p> The MOTION was put and CARRIED UNANIMOUSLY</p>

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 QUARTERLY REPORT TO 30 JUNE 2018**

(File No 10/02/05)

EXECUTIVE SUMMARY**PURPOSE**

To consider the General Manager's Quarterly Report covering the period 1 April to 30 June 2018.

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 June 2018 be received.

Decision: **MOVED** Ald Chong **SECONDED** Ald McFarlane

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.7.2 LOCAL GOVERNMENT ACT REVIEW – DRAFT TERMS OF REFERENCE

(File Nos)

EXECUTIVE SUMMARY**PURPOSE**

To consider Council's response to the draft Terms of Reference for the proposed review by the Tasmanian Government of local government legislation.

RELATION TO EXISTING POLICY/PLANS

The proposed review will cover topic areas related to a number of existing Council policies.

LEGISLATIVE REQUIREMENTS

There are no statutory requirements associated with the draft Terms of Reference, however, Council is in the practice of providing responses to legislative reviews wherever possible and relevant to do so.

CONSULTATION

The draft Terms of Reference have been circulated to all Tasmanian Councils in accordance with standing State/Local Government consultation protocols.

FINANCIAL IMPLICATIONS

Not applicable.

RECOMMENDATION:

That Council:

- A. Notes its support of the draft Terms of Reference for the proposed review of local government legislation.
- B. Requests the Tasmanian Government to broaden the proposed Terms of Reference to include:
 - review and consideration of relevant linkages between Local Government Act requirements and other applicable legislation (for example, better articulation of consultation and community engagement practices between the Local Government Act 1993 and the Land Use Planning and Approvals Act 1993); and
 - review and consideration of areas within the current Local Government Act that are unclear, ambiguous or that would benefit from redrafting (for example, requirements related to petitions).
- C. Requests the Acting General Manager write to the Minister for Local Government advising of Council's support for the review and requesting that the Terms of Reference be broadened as set out at (B) above.

/ Refer to Page 48 for Decision on this Item...

11.7.3 CAMBRIDGE PRIMARY SCHOOL - MASTERPLAN

(File No C004-1000)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to enable Council to consider the Cambridge Primary School proposed Masterplan and the possible further encroachment of the school into the Cambridge Recreation Reserve.

RELATION TO EXISTING POLICY/PLANS

Council had previously resolved not to support an earlier proposal received from the Department.

LEGISLATIVE REQUIREMENTS

Growth of the school into the Cambridge Memorial Oval (the reserve) would necessitate Council undertaking a statutory process in relation to the lease of public land in accordance with Section 178 of the Local Government Act (LGA).

CONSULTATION

Section 178 of the LGA requires that where Council proposes to lease public land it must give public notice and invite submissions from the public.

FINANCIAL IMPLICATIONS

The proposal to lease part of the reserve to the Department of Education would necessitate relocation of the existing reserve clubrooms and toilets and require the relocation and re-establishment of public, school and reserve car parking. All such costs should be met by the State Government (Department of Education) as a condition of Council agreeing to the lease of such land.

RECOMMENDATION:

- A. That Council support the proposed Cambridge Primary School Masterplan attached as Attachment 1 to the Associated Report, subject to the following:
- that the Department of Education agree that no further encroachment onto the reserve will be sought for further expansion of the school footprint;
 - that the State Government fund the relocation of the existing clubrooms and toilet facilities and the redevelopment of new like facilities on the eastern end of the oval. Such cost and relocation to be further negotiated between Council and the State. Noting that the existing facilities are to continue in use until replacement facilities are built;
 - that the State Government meet the cost of providing for agreed additional car parking for both school and public use; and
 - that the Department of Education agree to work with Council to facilitate the provision of a public walking trail along the Barilla Creek rivulet at the rear of the school.

- B. That Council resolves to lease public land to the Department of Education. The extent of the public land to be leased is as depicted in Attachment 1.
- C. That in accordance with Section 178 of the LGA Council gives public notice of such intention and notifies the public that objections to the proposed lease may be made to the General Manager within 21 days of publication of Council’s intent.
- D. That subject to there being no objection received the General Manager be authorised to undertake the necessary actions to negotiate and finalise lease arrangements in accordance with this report and the requirements of the Act.

Decision: **MOVED** Ald Walker **SECONDED** Ald James

“That the Recommendation be adopted”.

AMENDMENT
MOVED Ald McFarlane **SECONDED** Ald Peers

“A. That Council support the proposed Cambridge Primary School Masterplan attached as Attachment 1 to the Associated Report, subject to the following:

- that the Department of Education agree that no further encroachment onto the reserve will be sought for further expansion of the school footprint;
- that the State Government fund the relocation of the existing clubrooms and toilet facilities and the redevelopment of new like facilities on the eastern end of the oval. Such cost and relocation to be further negotiated between Council and the State. Noting that the existing facilities are to continue in use until replacement facilities are built;
- that the State Government and Council explore options for additional parking at the site, and that the State Government meet the cost of providing for agreed additional car parking for both school and public use; and
- that the Department of Education agree to work with Council to facilitate the provision of a public walking trail along the Barilla Creek rivulet at the rear of the school.

/ Decision contd on Page 51...

CAMBRIDGE PRIMARY SCHOOL – MASTERPLAN /Decision contd...

- B. That Council resolves to lease public land to the Department of Education. The extent of the public land to be leased is as depicted in Attachment 1 of the Associated Report.
- C. That Council conducts community consultation in respect to Recommendations (A) and (B) by:
- providing notice of a public meeting to be held at a time and location to be determined by the General Manager; and
 - following the public meeting, and in accordance with Section 178 of the LGA, that Council gives, via a public notice, notification to the public that objections to the proposed lease may be made to the General Manager within 21 days of publication of Council’s intent.
- D. That:
- subject to there being no objections received, the General Manager be authorised to undertake the necessary actions to negotiate and finalise lease arrangements in accordance with this report and the requirements of the LGA; or
 - should objections be received, this matter is to be referred back to Council in accordance with the requirements of Section 178 of the LGA”.

The **AMENDMENT** was put and **CARRIED**

FOR

Ald Campbell
Ald Chipman
Ald Chong
Ald Cusick
Ald Doust
Ald Hulme
Ald McFarlane
Ald Peers
Ald Thurley
Ald von Bertouch

AGAINST

Ald James
Ald Walker

/ Decision contd on Page 52...

CAMBRIDGE PRIMARY SCHOOL – MASTERPLAN /Decision contd...

The **AMENDMENT** became the **MOTION** and was **put** and **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

11.7.4 REVIEW OF INVESTMENT STRATEGY AND POLICY

(File No 15-02-01)

EXECUTIVE SUMMARY**PURPOSE**

To consider the recommendations of a review into Council’s Investment Strategy and Policy.

RELATION TO EXISTING POLICY/PLANS

Consistent with financial management objectives of the Strategic Plan.

LEGISLATIVE REQUIREMENTS

No issues to be addressed.

CONSULTATION

No issues to be addressed.

FINANCIAL IMPLICATIONS

The recommendation does not carry direct financial implications, however provides a framework for potential enhanced investment returns.

RECOMMENDATION:

- A. That Council adopt the draft Investment Strategy and Investment Policy as per Attachment 1 to the Associated Report.
- B. That the General Manager seeks expressions of interest for an appropriate portfolio manager as described within the draft Investment Strategy and Investment Policy and reports back to Council with a recommended portfolio manager.

Ald McFarlane left the Meeting at this stage (10.06pm).

Decision:

MOVED Ald Chong **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

Ald McFarlane returned to the Meeting at this stage (10.10pm).

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

11.7.5 TASWATER – MEMORANDUM OF UNDERSTANDING

(File No 10-06-13)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to enable Council to consider the proposed motions to be considered at the TasWater Special General Meeting on 27 September 2018.

RELATION TO EXISTING POLICY/PLANS

The financial impacts of the proposed changes have been incorporated into Council's long term financial plans.

LEGISLATIVE REQUIREMENTS

Amendments as proposed under the Memorandum of Understanding will require amending legislation to give effect to the proposed changes. Consequent amendments would also be required to the constitution of TasWater and the shareholders letter of expectation.

CONSULTATION

Councils have the opportunity to consider the amendments prior to them being voted on at the TasWater Special General Meeting.

FINANCIAL IMPLICATIONS

There are a number of potential financial implications arising from the MOU and the consequent legislative and governance arrangements, as follows:

- water pricing will be frozen in the financial year 19/20;
- annual price increases will not exceed 3.5% from the financial year 20/21 through to the financial year 24/25;
- accelerated capital expenditure of \$1.8B over the ten year period to 30 June 2026;
- total distributions of dividends to owner Councils will be capped at \$20M per annum through the financial year 26/27 then indexed annually.

For Clarence this represents a distribution of approximately \$2.2M annually.

RECOMMENDATION:

That Council support the draft resolutions proposed for the Special General Meeting of TasWater on 27 September 2018.

Decision: **MOVED** Ald James **SECONDED** Ald Hulme

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

12. ALDERMEN'S QUESTION TIME

An Alderman may ask a question with or without notice at Council Meetings. No debate is permitted on any questions or answers.

12.1 QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, an Alderman may give written notice to the General Manager of a question in respect of which the Alderman seeks an answer at the meeting).

Nil.

12.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

12.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

12.4 QUESTIONS WITHOUT NOTICE

The Mayor took the following Question on Notice.

Bellerive Oval Transport Plan

Ald James asked the following:

At a community meeting on 17 June, the resident's representative on the Bellerive Oval Transport Plan Committee (BOTP) stated that the BOTP used to be run by the Clarence City Council and there were a series of rules or procedures and every time things were changed and if it was added to it was available to the public. Now the BOTP is moved from the Council to Cricket Tasmania, minutes are not available and current updates of all the registrations are now not available. How does the Council explain and clarify who is responsible for the BOTP and the availability of information about the rules or procedures on event days?

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 JOINT AUTHORITY MATTER

13.3 TENDER T1184/17 – CAMBRIDGE MEMORIAL OVAL STORMWATER HARVESTING RE-USE SCHEME STAGE 2 WORKS

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;
- information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;
- 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 McFarlane

“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.

13.3 TENDER T1184/17 – CAMBRIDGE MEMORIAL OVAL STORMWATER HARVESTING RE-USE SCHEME STAGE 2 WORKS
(File No)

Decision:	MOVED Ald Campbell SECONDED Ald Cusick
	<p>“A. That the tender received from Hazell Bros Group Pty Ltd for the amount of \$299,428.75, excluding GST, be accepted for the Cambridge Oval Stormwater Harvesting and Reuse Scheme – Stage 2 works.</p> <p>B. That in accordance with Regulation 34(3) of the Local Government (Meeting Procedures) Regulations 2015, Council authorises for release of the Council’s decision (only) in respect to this item to the general public and for communication to relevant parties.</p> <p>C. That Council publish its decision only in regard to this matter in the open Minutes of this Meeting”.</p>
	CARRIED
FOR	AGAINST
Ald Campbell	Ald Walker (abstained)
Ald Chipman	
Ald Chong	
Ald Cusick	
Ald Doust	
Ald Hulme	
Ald McFarlane	
Ald Peers	
Ald Thurley	
Ald von Bertouch	

The Meeting closed at 10.36pm.