

<b>MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 30 JULY 2018</b>
---

**HOURL CALLED:** 7.30pm

**PRESENT:** The meeting commenced at 7.32pm with the Mayor (Ald D C Chipman) in the Chair and with Aldermen:

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** N M Campbell (Leave of Absence)

**ORDER OF BUSINESS** Items 1 – 11.7.3; 11.7.4 – 12; 11.7.3 recommitted; 13

**IN ATTENDANCE**

General Manager  
(Mr A Paul)

Corporate Treasurer  
(Mr F Barta)

Group Manager Engineering Services  
(Mr R Graham)

Corporate Secretary  
(Mr I Nelson)

Manager Health and Community Development  
(Mr J Toohey)

Manager City Planning  
(Mr R Lovell)

Co-ordinator Council Support  
(Ms J Ellis)

The Meeting closed at 9.18pm.

Prior to the commencement of the meeting, the Mayor will make 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 to advise 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 30 JULY 2018**

**TABLE OF CONTENTS**

<b>ITEM</b>	<b>SUBJECT</b>	<b>PAGE</b>
1.	ATTENDANCE AND APOLOGIES .....	4
2.	CONFIRMATION OF MINUTES .....	4
3.	MAYOR’S COMMUNICATION.....	4
4.	COUNCIL WORKSHOPS.....	4
5.	DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE .....	5
6.	TABLING OF PETITIONS .....	6
7.	PUBLIC QUESTION TIME .....	7
7.1	PUBLIC QUESTIONS ON NOTICE .....	7
7.2	ANSWERS TO QUESTIONS ON NOTICE.....	8
7.3	ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE .....	10
7.4	QUESTIONS WITHOUT NOTICE.....	10
8.	DEPUTATIONS BY MEMBERS OF THE PUBLIC.....	11
9.	MOTIONS ON NOTICE .....	12
9.1	NOTICE OF MOTION - ALD VON BERTOUCHE GENERAL MANAGER’S SIGNATURE AND WRITTEN PERMISSION TO THE MAKING OF HUNTER DEVELOPMENTS LAND USE PLANNING AND APPROVALS ACT 1993 (LUPAA) APPLICATION .....	12
10.	REPORTS FROM OUTSIDE BODIES .....	13
10.1	REPORTS FROM SINGLE AND JOINT AUTHORITIES.....	13
	• SOUTHERN TASMANIAN COUNCILS AUTHORITY	
	• COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY	
	• TASMANIAN WATER CORPORATION	
10.2	REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES ..	14
11.	REPORTS OF OFFICERS .....	31
11.1	WEEKLY BRIEFING REPORTS .....	31
11.2	DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS .....	32

**11.3 PLANNING AUTHORITY MATTERS**

11.3.1	DEVELOPMENT APPLICATION D-2018/58 - 2 ALLIANCE DRIVE, CAMBRIDGE - CHANGE OF USE TO DOMESTIC ANIMAL BREEDING, BOARDING OR TRAINING .....	34
11.3.2	DEVELOPMENT APPLICATION D-2018/299 - 12 DILLON STREET, BELLERIVE – DWELLING ADDITION .....	37
11.3.3	DEVELOPMENT APPLICATION D-2018/318 - 17 BLIGH STREET, ROSNY PARK (WITH ACCESS OVER 4 BAYFIELD STREET) - MIXED USE DEVELOPMENT INCLUDING MULTIPLE DWELLINGS AND BUILDING ALTERATIONS AND ADDITIONS .....	39

**11.4 CUSTOMER SERVICE - NIL ITEMS****11.5 ASSET MANAGEMENT - NIL ITEMS****11.6 FINANCIAL MANAGEMENT - NIL ITEMS****11.7 GOVERNANCE**

11.7.1	PETITION – ALLEGED BARKING DOG .....	44
11.7.2	AMENDMENTS TO THE CONSTITUTION FOR THE BICYCLE ADVISORY COMMITTEE .....	45
11.7.3	ROSNY HILL DEVELOPMENT PUBLIC MEETING – SUMMARY REPORT .....	46
11.7.4	APPOINTMENT OF AN ACTING DEPUTY MAYOR .....	48
12.	ALDERMEN’S QUESTION TIME .....	49
12.1	QUESTIONS ON NOTICE .....	49
12.2	ANSWERS TO QUESTIONS ON NOTICE .....	49
12.3	ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE .....	49
12.4	QUESTIONS WITHOUT NOTICE.....	49
13.	CLOSED MEETING.....	50
13.1	APPLICATIONS FOR LEAVE OF ABSENCE	
13.2	TENDER T1227-18 – ACTON CREEK DRAINAGE UPGRADE	

## 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 9 July 2018, as circulated, be taken as read and confirmed.

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

“That the Minutes of the Council Meeting held on 9 July 2018, as circulated, be taken as read and confirmed”.

**CARRIED UNANIMOUSLY**

## 3. MAYOR'S COMMUNICATION

On behalf of Council, the Mayor acknowledged the retirement of Mr Frank Barta, Council's Corporate Treasurer and gave an overview of his time with Council. The Mayor thanked Mr Barta for his contribution to Council, the organisation and our community.

## 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
Presentation – Welcoming Cities	
LGAT – Motions for General Meeting	
Public Meeting – Rosny Hill – Process	
Amendment to Local Government (General) Regulations	16 July
Asset Management Plans	
Bayview High School Memorandum of Understanding	
Cambridge Primary School Master Plan	
Southern Tasmanian Councils Authority Briefing	23 July

**RECOMMENDATION:**

That Council notes the workshops conducted.

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

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**5. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE**

(File No)

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

**INTEREST DECLARED:** **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:

- Received from 12 signatories requesting Council to take action to resolve the excessive barking of a dog at 164 Carella Street as per the Dog Control Act 2000”.

**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.

Ms Denise Hoggan of Rosny gave notice of the following question:

**PLANNING SCHEME**

Given that the Clarence Interim planning Scheme 2015 is drawn from Planning Directive Number 1 (PD1), effective 18 June 2014 please identify the specific text in PD1 that mandates that Council must adopt the entire definition and examples of visitor Accommodation in PD1, rather than transferring the existing examples from Council's 2007 Planning Scheme.

Ms Sachie Yasuda of Lindisfarne gave notice of the following questions:

**ALDERMEN ADVERTISING IN RATES NOTICES**

With our rates notices we receive a brochure with comments from individual Aldermen on the back, are Aldermen paying for this obvious political advertising at ratepayer's expense?

**COUNCIL COMMUNICATIONS**

When will Council join the 21<sup>st</sup> century and have proper online forms submission, it's ridiculous to have to print out a form, fill it in by hand, scan it and post/email it in?

Mr WJ Hodgman of Rosny gave notice of the following question:

**TOURIST DEVELOPMENT ROSNY HILL**

To confirm the validity of a Development Application for a tourist development on Rosny Hill, has the application fee been paid?

/ contd on Page 8



**PUBLIC QUESTIONS ON NOTICE /contd...**

Mr John Counsell of Rosny gave notice of the following question:

**TOURIST DEVELOPMENT ROSNY HILL**

If, or when a Development Application for the proposed large tourism complex within the Rosny Hill nature recreation area is advertised for public comment, will the boundary of the proposed sub lease be shown on the plans released for public viewing?

Mr Peter Edwards of Rosny gave notice of the following question:

**TOURIST DEVELOPMENT ROSNY HILL**

Clarence Council has driven its own agenda for Rosny Hill reserve for several years without adequate community consultation. The proposed tourism development has illustrated a “failure to communicate” by Council. Criticism is constantly mounting over this failure. Any continuation will not only cost Council significant money, time and resources, funded by ratepayers, but build the resentment felt by the community and electors towards this non-consultative Council. Therefore, why won’t Council and the State Government move to stop the development?

**7.2 ANSWERS TO QUESTIONS ON NOTICE**

The General Manager provided the following answers to questions at Item 7.1.

**PLANNING SCHEME – MS DENISE HOGGAN**

PD1 is a template that can be populated but not modified at the local level unless specifically provided for. The specific text that mandates Council’s adoption of the definition and examples of visitor accommodation is found at sections 3.0 (Contents of planning schemes) and 6.0 (Additional Provisions).

***“3.0 Contents of planning schemes***

***3.1 A planning scheme must not contain a provision unless –***

- (a) the provision is a provision set out in this planning directive and, in accordance with this planning directive, the provision must be included in the planning scheme; or***
- (b) the provision is a provision set out in this planning directive and, in accordance with this planning directive, may be, but is not required to be, included in the planning scheme; or***
- (c) the provision is of a kind, and is placed in a position in the planning scheme, that is in accordance with the instructions indicated in grey text in the Planning Scheme Template.***

/ contd on Page 9...

**ANSWERS TO QUESTIONS ON NOTICE /contd...****6.0 Additional provisions**

6.1 *Additional planning terms and definitions may be added to subclause 4.1.3 of the planning scheme. Additional terms and definitions should only be added where it is necessary to provide clear meaning to the provisions of the planning scheme. Before adding a new term or definition consideration should be given as to whether the ordinary meaning of the words is adequate. **No additional term or definition may be added if it will create an inconsistency with the terms and definitions contained in the Planning Scheme Template.** Any additional planning terms and definitions to be added must receive prior endorsement by the Commission in accordance with the process established for that purpose”.*

**ALDERMEN ADVERTISING IN RATES NOTICES – MS SACHIE YASUDA**

The brochure provides an opportunity for Aldermen to communicate with ratepayers. The brochure does not contain political advertising, and is governed by a Council policy relating to the content of articles. The Policy provides that Aldermen’s articles are not published in the Newsletter immediately prior to the conduct of an election.

**COUNCIL COMMUNICATIONS – MS SACHIE YASUDA**

Council is currently redeveloping its website. Council is also working to develop an ‘e-services’ portal. It is anticipated that online lodgement of some forms will be available via the website and e-services portal in 2019.

**TOURIST DEVELOPMENT ROSNY HILL – MR WJ HODGMAN**

The application fee was paid on 1 May 2018. However, the application is not a valid application until consent is obtained from the relevant Government Minister and Council’s General Manager.

**TOURIST DEVELOPMENT ROSNY HILL – MR JOHN COUNSELL**

The area to be occupied by the proposal would be accurately designated. This would not necessarily identify the precise area to be subleased. Any sub-lease would be the subject of a separate process and would however likely reflect closely the area of the development.

**TOURIST DEVELOPMENT ROSNY HILL – MR PETER EDWARDS**

If the State Government, through the relevant Minister, chooses to give permission for the making of the application in question and permission of the General Manager is then also given, Council must determine that application in accordance with the Clarence Interim Planning Scheme 2015.

**7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil.

**7.4 QUESTIONS WITHOUT NOTICE****ROSNY HILL PUBLIC MEETING**

Mr Michael Figg of Lauderdale asked for an explanation why Ald Walker, Ald Hulme, Ald Doust and Ald Campbell were not present at the public meeting and why there was only a representative of Council, as the petition was for all of Council to attend that meeting and to answer questions and why Council did not respond as the Act states.

**ANSWER**

A number of Aldermen were unavailable on the night; however, the meeting was conducted in accordance with the Act.

**KANGAROO BAY DEVELOPMENT**

Mr Michael Geard of Bellerive asked in regard to building permits for the Kangaroo Bay Development, whether a building permit should have been issued when there were obvious errors in the reports.

**ANSWER**

The documentation was deemed to meet the requirements of the legislation.

**STREET LIGHT HOOKEY PLACE, ROKEBY**

Mr Peter McDermott of Rokeby asked why the street light at the corner of Hookey Street and Hookey Place was reinstalled.

**ANSWER**

Council are aware of the history of this matter and resolved to reinstall the light for road safety reasons. Council has discussed shielding of the light with TasNetworks and have made a special application to install a different type of light that is less intrusive.

**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-2018/58 – 2 ALLIANCE DRIVE, CAMBRIDGE – CHANGE OF USE TO DOMESTIC ANIMAL BREEDING, BOARDING OR TRAINING**  
(REFER ITEM 11.3.1)

Mr Bill Butler addressed the Meeting regarding the above Development Application.

Ms Kimberly Elford addressed the Meeting regarding the above Development Application.

Mr Stephen Magnus addressed the Meeting regarding the above Development Application.

**DEVELOPMENT APPLICATION D-2018/318 – 17 BLIGH STREET, ROSNY PARK (WITH ACCESS OVER 4 BAYFIELD STREET) – MIXED USE DEVELOPMENT INCLUDING MULTIPLE DWELLINGS AND BUILDING ALTERATIONS AND ADDITIONS**  
(REFER ITEM 11.3.3)

Mr Scott Bailey addressed the Meeting regarding the above Development Application.

**MANAGEMENT OF THE ROSNY HILL NATURE RECREATION AREA**

Ms Denise Hoggan addressed the Meeting regarding the above matter.

**9. MOTIONS ON NOTICE****9.1 NOTICE OF MOTION - ALD VON BERTOUCHE  
GENERAL MANAGER'S SIGNATURE AND WRITTEN PERMISSION TO THE  
MAKING OF HUNTER DEVELOPMENTS LAND USE PLANNING AND  
APPROVALS ACT 1993 (LUPAA) APPLICATION**

(File No 10-03-05)

In accordance with Notice given Ald von Bertouch intended to move the following Motion:

“That the General Manager writes to the Minister for Parks, the Honourable Will Hodgman, seeking an urgent decision from the Crown as to whether the Hunter Developments proposal meets in principle the various statutory provisions detailed in Clause 4.3.5 of the *Rosny Hill Nature Recreation Area Management Strategy August 2011*, and the ‘permitted purpose’ as defined in the *Crown Lease - Rosny Hill Nature Recreation Area*.

That the General Manager takes this action to assist himself in making an informed and reasonable decision as to whether or not he signs the application and provides written permission to the making of the Hunter Developments application, in accordance with Section 52 (1B) of the *Land Use Planning and Approvals Act 1993*. The General Manager’s decision must be based on Council’s obligations as managing authority, the covenants that apply to Council as the lessee of the land, and consideration of the purpose to which the land was reserved”.

With the Leave of the Meeting Ald von Bertouch **Withdrew** her Motion

**10. REPORTS FROM OUTSIDE BODIES**

This agenda item is listed to facilitate the receipt of both informal and formal reporting from various outside bodies upon which Council has a representative involvement.

**10.1 REPORTS FROM SINGLE AND JOINT AUTHORITIES**

Provision is made for reports from Single and Joint Authorities if required

Council is a participant in the following Single and Joint Authorities. These Authorities are required to provide quarterly reports to participating Councils, and these will be listed under this segment as and when received.

- **SOUTHERN TASMANIAN COUNCILS AUTHORITY**

Representative: Ald Doug Chipman, Mayor or nominee

**Quarterly Reports**

The Mayor tabled the quarterly report for the period ending 30 June 2018, which will be included on the Agenda for the next Council Meeting.

**Representative Reporting**

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

Representatives: Ald Jock Campbell  
(Ald James Walker, Deputy Representative)

**Quarterly Reports**

June Quarterly Report pending.

**Representative Reporting**

- **TASWATER CORPORATION**

The Mayor tabled the quarterly report for the period ending 30 June 2018, which will be included on the Agenda for the next Council Meeting.

**OTHER COMMITTEES**

**RICHMOND ADVISORY COMMITTEE**

- Ald Chong tabled the Minutes of a Meeting held on 12 June 2018.

**BOARD OF MANAGEMENT OF BUSINESS EAST**

- Ald Hulme tabled the Minutes of a Meeting held on 13 June 2018.

**BELLERIVE COMMUNITY ARTS CENTRE INC**

- Ald Thurley tabled the Minutes of a Meeting held on 11 July 2018.

## 10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

### AUDIT PANEL

(File No 07/02/12)

#### Chairperson's Report 50 – June 2018

The Audit Panel convened on 19 June 2018. A copy of the draft Minutes of the Meeting is attached.

The Audit Panel commenced its proceedings with an in-camera discussion which concluded at 4.18pm. This discussion did not include Council officers or other parties. The meeting then resumed in accordance with the agenda.

The Corporate Treasurer provided an overview of the new IT system and *Go Live 2* which is scheduled for 19 February 2019.

The internal audit programme was discussed and included updates on recent audits:

- **Project 51** - Workforce Planning. A service provider has been identified and the work has already commenced on the development of an Organisational Development plan.
- **Project 52** - Identity Security and Information Protection Management Systems and **Project 54** - Council's actions in response to Climate Change were identified as being potentially resource-intensive and it was considered that a review should be undertaken of all items appearing on the Management Action Plan to determine whether or not Council has the capacity to remediate the identified issues. The outcome of this review will be available at the next Audit Panel meeting.
- **Project 53** - Risks associated with Council's Community Engagement. A draft report has been provided to Council and a meeting has been arranged to discuss the scope and outcomes prior to presenting the findings to the Audit Panel.
- **Project 49** - Management of Strategic Risks. Since the endorsement of the Risk Management Framework Policy by Council in April 2018, a Risk Management Implementation Plan has been completed and approved by the Audit Panel. It is recommended to Council for formal adoption so that implementation can commence as soon as practicable.

An internal review of the Asset Management Plans has been completed and includes: an overarching Asset Management Strategy; and separate Asset Management Plans for Roads and Transport; Storm water; Building; and Public Open Spaces. Management has been requested to provide executive summaries for consideration at the next Audit Panel meeting, to complete the Asset Management Plans package.

The Annual Audit Plan for 2018/2019 was discussed. A comprehensive list of topics is to be developed and provided to the next Audit Panel for consideration in conjunction with the findings of the review of Council capacity in connection with outstanding action items in the Management Action Plan.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

**Decision:** **MOVED** Ald Chong **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**



**BICYCLE STEERING COMMITTEE – QUARTERLY REPORT**

(File No 04-03-02)

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

Report to Council for the 3 month period 1 April 2018 to 30 June 2018.

**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 Cycling South 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****Silwood Avenue track upgrade, Howrah**

The Aboriginal Heritage Assessment has been completed and a Permit to Conceal has been issued by Aboriginal Heritage Tasmania. The design can now progress.

**Clarence Foreshore Trail – Marana Ave (Tasman Bridge) to Montagu Bay Park, Montagu Bay**

Construction of the first stage, from the area under the Tasman Bridge, through the ex-SES site and around the Primary School Oval is approaching completion. Design and completion of the next stage is dependent on progress by the Department of Education of the Primary School Masterplan. Officers will continue to liaise with the Department.

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

Preliminary design is complete for Stage 1, Simmons Park to Hume Street/Ford Parade. Detail design and stakeholder consultation is progressing. Funding committed for Stage 1 is \$230,000. Council has further committed \$150,000 as part of this year's capital works program for the next stage. The estimated cost for the full project, to Anzac Park, is approximately \$700,000.

**3. RECURRENT INITIATIVES**

Nil.

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

Council decided to adopt "Option 1" as its preferred option at its Meeting held 3 July 2017. Plans are being designed for the entire length. While the section between Howrah Road to Wentworth Street was adopted by Council as being Stage 1, Officers are considering the benefits of revising this from Wentworth Street to Beach Street to meet the coming need for road reseal along this section. The Committee has provided comment on the design of the proposed improvements to the Clarence Street/Howrah Road intersection.

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

Council has been successful in receiving funding of \$70,000 under the Vulnerable Road User Program for this project. With Council's contribution of \$50,000 the total funding available is \$120,000. Negotiations are ongoing with the Department of State Growth (DSG) on the maintenance responsibility for the area between the southern property boundary and the edge of the Tasman Highway. At issue, is DSG's insistence on the application of the Roads and Jetties Act, in relation to Council being responsible for maintaining the State Government road reserve, if a path is constructed.

**Tasman Highway – Tasman Bridge to Mornington**

Cycling South was 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. Sugden and Gee have prepared a draft report, which also considers a safe walking and cycling crossing at the Mornington Roundabout. The report is being reviewed by Council officers.

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

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

**Richmond Road Sealed Shoulders Project**

The Committee is concerned at the proposed use of 14/7mm twin coat seal for surfacing of the road shoulder. Representatives from Cycling South and Bicycle Tasmania met with the Minister for Infrastructure to raise concerns about the proposed surface quality and texture. The Minister has asked the Department of State Growth to investigate and provide a response.

**Kangaroo Bay Development**

When the marine slipway is open, it becomes a challenge for cyclists to make their way along Cambridge Road, through the village, and back onto the foreshore path. The Committee has also considered issues relating to the Bellerive Yacht Club development. At its Meeting of 28 May 2018, Council selected "Option 3", which is to retain a ramp from Clarence Street to the Bellerive Yacht Club carpark.

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

The Committee held 2 meetings during the quarter; on 9 April and 4 June 2018.

It is noted at previous meetings support was provided for the proposed changes to the Committee's Constitution.

**6. EXTERNAL LIAISON**

Liaison with the Department of State Growth (DSG) on the sealing of road shoulders on Richmond Road.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

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

“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 April 2018 to 30 June 2018.

**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****Clarence Mountain Bike Park – Skills Park Stage 2**

The Skills Park has been completed as part of the Stage 2 construction projects funded under the Cycle Tourism Grant. Concept designs for a new carpark, signage and shelter with seating have been drafted.

**Brinktop Hill Track at Richmond**

A long unsurfaced section of the Brinktop track has been gravelled.

**Clarence Foreshore Trail in Tranmere – Gully to Starboard Road**

A new track is being constructed from the Gully at 939 Oceana Drive to Starboard Road.

**Risdon Vale Bike Park** – Following consultation with the Risdon Vale Bike Collective, work has started on substantial upgrading of the Risdon Vale Bike Park based on agreed design.

**3. RECURRENT INITIATIVES – MAINTENANCE AND UPGRADES****Tangara Trail Post and Rail Fencing at Entry Points**

This ongoing program has resulted in additional post and rail fencing being constructed at entry points on the Tangara Trail in the Acton Region.

**Track Maintenance**

Following the torrential downpour in May, which caused significant track erosion; reinstatement work was carried out at Pilchers Hill circuit track, Blessington coastal track, Thoona Reserve track and Natone Hill Track. Additionally, sight lines for horse and bike riders have been improved along the Mortimer Bay coastal track.

**4. DESIGN AND INVESTIGATION WORK IN PROGRESS****Ralphs Bay Coastal Track**

Quotes have been received and a Permit to Conceal Aboriginal middens is currently being reconsidered following provision of further information requested by the Aboriginal Heritage Council.

**Blessington Track to Fort Direction Road**

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

**5. GOVERNANCE MATTERS.**

**Committee Meetings**

Committee meetings were held on 26 April 2018 and 21 June 2018.

**6. EXTERNAL LIAISON**

Nil.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

**Decision:** **MOVED** Ald James **SECONDED** Ald Chong

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**NATURAL RESOURCE MANAGEMENT – QUARTERLY REPORT**

(File No)

**Chairperson's Report – Alderman Kay McFarlane**

Report to Council for the 3 month period 1 April 2018 to 30 June 2018.

**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 Officer, implemented a range of activities, which are set out below.

**2. CAPITAL WORKS PROJECTS**

Nil.

**3. RECURRENT INITIATIVES****Work for the Dole Programme**

The Work for the Dole Programme has concluded. The 6 month programme with Community Enterprises Australia was extremely productive. Over the 6 months the crew performed brush cutting, weed control, fuel reduction exercises, pruning of fruit trees, erosion control, rock work, track work, rubbish removal, vegetation control (thinning and pruning), planting and general landscaping.



**Development of Reserve Activity Plans (RAP) 2017-18**

**Acton Trails and Reserves Activity Plan** was endorsed at Council's Meeting on 18 June 18.

A well-attended "Walk and Talk" was convened in March for the review and extension of the **Mortimer Bay Coastal Reserve Activity Plan**. Subsequently based on the management issues identified, the Mortimer Bay Coastal Reserve Report Card and the draft Mortimer Bay Coastal RAP have been developed and released for consultation in June 2018.

Another popular "Walk and Talk" was convened in April for the review and extension of the **Seven Mile Beach Coastal Reserve Activity Plan**. The draft plan is currently being undertaken.

Letters have been sent to the Cremorne Community regarding a "walk and talk" as the first consultation stage towards the development of the **Cremorne Coastal Reserve RAP**.

**Implement Natural Area Reserve Activity Plans**

**Tranmere Coastal Reserve** has had landscaping administered around the recently installed rock pitched water access points near Punch's Reef by contractors (see image below). Some minor resurfacing of the track in this area was administered and the track cleared of vegetation along several "pinch points" to allow service vehicle access.



Flat steel 150mm garden edging has been installed at the entrance to Tranmere Coastal Reserve between 47 and 49 Tranmere Road to define landscape plantings from grass areas (see image below).



Conservation Volunteers Australia and a TAFE Migrant group collaborated to plant out a large mulched area of the newly named “Casuarina Park” at the Tranmere Coastal Reserve.

### **Seven Mile Beach Coastal Reserve**

A dry stone retaining wall has been installed at the carpark entrance to Seven Mile Beach Coastal Reserve opposite 68 Surf Road (see image below). Planting and mulching of the carpark entrance was done post wall construction. Other beach entrances were treated for weeds, planted with more native understorey species and

mulch applied where necessary.



**Geilston Bay Coastal Reserve** had extensive landscaping carried out about the reserve area in front of Granville Avenue. Some garden beds were extended, weeds were treated and more plants and woodchips applied.

#### **Kangaroo Bay Track Landscaping**

Contractors were engaged to mulch and plant new sections of landscaping areas above newly installed dry stone rock retaining walls along the new Kangaroo Bay Rivulet Track.

#### **She Oak Point**

Vegetation was cleared and pruned on the bank below Seabird Lane. A large fuel heap was established and burnt by the fire crew. Concrete and rubbish was removed from the nearby swale that runs from Seabird Lane to She Oak Point.

#### **Post Storm Clean Up Works**

The Clarence Municipality experienced several severe storms during the quarter. As a result there were numerous sites that needed rubbish collected, fallen trees removed and tracks reinstated. The work was done mostly by contractors, but some volunteer assistance was provided.

Howrah Beach, Bellerive Beach, She Oak Point, Otago Bay and Ralph's Bay areas were cleaned of debris that was washed up on the shoreline post storm events.

### **Wetland/Storm Water Retention Basins**

**Lauderdale Created Wetlands** and **Roscommon entrances** received extensive maintenance. Long grass was brush cut, weeds treated and plants pruned/removed where required.

Conservation Volunteers Australia performed saltmarsh monitoring and weed control at **Racecourse Flats** and the **saltmarsh** area at **Doran's Road**.

### **Drainage Swales**

#### **Thoona Swale Network**

Branches and rubbish were removed from the swale network after heavy rain events. More work is required to slow down flow rates and additional drop structures and basins are planned for the Thoona swale area.

#### **Kangaroo Bay Rivulet**

After heavy rain events, "log jams", plant and rubbish debris had maintenance works undertaken to remove blockages to the rivulet area next to the Council chambers.

#### **Clarence Plains Rivulet**

A large excavator was used to remove silt and debris from the Clarence Plains Rivulet area in front of Bayview Secondary College (see image below). The rivulet now flows more freely and native tubes and plugs were planted on stream bank areas disturbed by the excavator to stabilise these areas and reduce future erosion.





### **Priority Weed Management**

**Mortimer Bay Coastal Reserve** was visited by Conservation Volunteer Australia where they spent several days' hand pulling, cutting and painting Spanish heath, radiata pine, blackberry and briar rose.

**Dorans Road** was treated for African boxthorn along the roadsides from South Arm Highway to the boat ramp at Doran's Road.

### **CCC Land and Coastcare Grants' Programme**

All projects that were funded by the NRM & Grants Committee should be nearing completion. Grant acquittal documents will need to be completed before groups can receive any future funding from the CCC Land & Coastcare Grants' Programme.

### **Maintenance Clarendon Vale Rivulet**

The Clarence Plains Rivulet is in very good condition at the moment due to the work done there by the Work for Dole Team.

The heritage orchard next to Clarendon Vale House located on the rivulet bank was professionally pruned by contractors.

The crew performed extensive fuel reduction about the bushland area of 45/45a Goodwins Road in conjunction with Council's Fire Crew.

### **Schools Landcare Support Program**

Maintenance of the Richmond Primary School Landcare site was undertaken by contractors. The site was extended, mulched and treated for exotic grass and weeds to get the area ready for future working bees with the school.

### **Community Clean Up Programme**

Groups registered for the CCC Clean-up Programme finalised clean up events and submitted overdue invoices to Chris Johns. This programme is now finished for 2017/2018.

### **Prison Programme Project**

#### **Risdon Vale**

Approximately one month or so was spent conducting maintenance about the Risdon Vale Area. Brush cutting, mulching, weed control, rubbish removal and vegetation pruning was completed in this time.

### **Storm Damage Works**

The prison Crew were called upon to help with storm damage after several heavy rain events during the quarter. Various waterways and natural areas received assistance with chainsaw work and vegetation removal.

### **Rosny Golf Course**

The Prison Crew spent several weeks controlling weeds, removing fallen trees and cleaning up after storm damage at Rosny Golf Course. The crew also fell and removed several trees that had fallen into Kangaroo Bay Rivulet.

**Kangaroo Bay Rivulet Track**

The Prison Crew spent several weeks continuing to extend the dry stone wall network along the Kangaroo Bay Rivulet Track from Gordons Hill Road toward the Rosny Barn.

**Prison Programme Five Days A Week**

The Prison Programme has the option to be extended to 5 days-a-week to allow the crew to work Monday to Friday each week. Council is investigating ways to fund this into the future. Current funding allows the programme to operate only on a Thursday and Friday each week.

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

Nil.

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

A committee meeting was held on 31 May 2018. The next committee meeting is scheduled for Wednesday, the 18 July. Agenda items will include: 2018/2019 CCC Annual Budget, Quarterly Report, Climate Change Projects and the 2018/2019 Landcare Grants Programme.

**6. EXTERNAL LIAISON**

Nil.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

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

“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 9, 16 and 23 July 2018 have been circulated to Aldermen.

**RECOMMENDATION:**

That the information contained in the Weekly Briefing Reports of 9, 16 and 23 July 2018 be noted.

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

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**



**11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS**

Nil.

### **11.3 PLANNING AUTHORITY MATTERS**

In accordance with Regulation 25 (1) of the Local Government (Meeting Procedures) Regulations 2015, the Mayor advises that the Council intends to act as a Planning Authority under the Land Use Planning and Approvals Act 1993, to deal with the following items:

**11.3.1 DEVELOPMENT APPLICATION D-2018/58 - 2 ALLIANCE DRIVE, CAMBRIDGE - CHANGE OF USE TO DOMESTIC ANIMAL BREEDING, BOARDING OR TRAINING**

(File No D-2018/58)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a change of use to domestic animal breeding, boarding or training (dog day-care/boarding facility) at 2 Alliance Drive, Cambridge.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Rural Living and subject to the Road and Railway Assets Code, Waterway and Coastal Protection 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 with the written consent of the applicant on 31 July 2018.

**CONSULTATION**

The proposal was originally advertised on 7 March 2018 in accordance with statutory requirements and 5 representations were received. The application was re-advertised on 16 June 2018 to address changes to the application, and a further 3 representations received from authors of the original representations supporting their concerns first raised. The issues raised by the representations received during both advertising periods raised the following:

- noise;
- odour;
- increased traffic;
- damage to road reserve;
- business operating not in accordance with application;
- decreased land value;
- uncertainty of operating hours;

- inadequacy of landscaping;
- enforcement of conditions;
- rezoning of area;
- inconsistency with Dog Control Act and Animal Welfare Regulations 2016; and
- impact upon amenity of Tasman Highway corridor.

**RECOMMENDATION:**

- A. That the Development Application for a change of use to domestic animal breeding, boarding or training (dog day-care/boarding facility) at 2 Alliance Drive, Cambridge (CI Ref D-2018/58) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
  2. GEN AP3 – AMENDED PLAN [a reduction in height of the south-western side boundary fence from 2.4m to 2.1m].
  3. This permit provides only for the following maximum number of dogs to be kept on the property at any one time, and within the hours specified as follows:
    - 8am to 6pm - 30 dogs; and
    - 6pm to 8am - 15 dogs.
  4. This permit provides that no more than 15 dogs are to be within the exercise yard at any one time. The exercise yard may be used only between the hours of 8am to 6pm.
  5. All client dog delivery and collection movements are to be undertaken within the following hours:
    - Monday to Friday – 8am to 6pm; and
    - Saturdays – 9am to 12pm.
  6. A management plan is to be submitted to and approved by Council's Senior Environmental Health Officer demonstrating appropriate methods of disposal of animal waste, prior to the commencement of the use. The approved plan will then be endorsed to become part of the permit, and must be complied with at all times and for the duration of the use.
  7. The dog daycare/boarding complex should at all times be managed and controlled in such a manner as not to cause a nuisance to neighbouring residents either by means of odour, dust or noise, to the satisfaction of Council's Senior Environmental Health Officer.
  8. GEN AM7 – OUTDOOR LIGHTING.
  9. GEN S1- SIGN CONSENT.

10. ADVICE – This is a planning permit only. A Kennel Licence under the provisions of the Dog Control Act 2000 will be required before the use can commence.

11. ADVICE - Should it be established by Council's Senior Environmental Health Officer that the level of noise generated by the dogs is an unreasonable nuisance, which cannot be resolved by management practices, further sound attenuation work will be required to the satisfaction of Council's Senior Environmental Health Officer, in accordance with the Environmental Management and Pollution Control Act 1994.

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 McFarlane **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.3.2 DEVELOPMENT APPLICATION D-2018/299 - 12 DILLON STREET, BELLERIVE - DWELLING ADDITION**  
(File No D-2018/299)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a dwelling addition at 12 Dillon Street, Bellerive.

**RELATION TO PLANNING PROVISIONS**

The land is zoned General Residential and subject to the General Residential Zone 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 31 July 2018.

**CONSULTATION**

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

**RECOMMENDATION:**

- A. That the Development application for Dwelling addition at 12 Dillon Street, Bellerive (CI Ref D-2018/299) 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...

**DEVELOPMENT APPLICATION D-2018/299 - 12 DILLON STREET, BELLERIVE -  
DWELLING ADDITION /contd...**

<b>Decision:</b>	<b>MOVED</b> Ald Peers <b>SECONDED</b> Ald Chong
	“That the Recommendation be adopted”.
	<b>CARRIED UNANIMOUSLY</b>

**11.3.3 DEVELOPMENT APPLICATION D-2018/318 - 17 BLIGH STREET, ROSNY PARK (WITH ACCESS OVER 4 BAYFIELD STREET) - MIXED USE DEVELOPMENT INCLUDING MULTIPLE DWELLINGS AND BUILDING ALTERATIONS AND ADDITIONS**

(File No D-2018/318)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a mixed use development including multiple dwellings and building alterations and additions at 17 Bligh Street, Rosny Park (with access over 4 Bayfield Street).

**RELATION TO PLANNING PROVISIONS**

The land is zoned Central Business and is subject to the Road and Rail Assets Code, Parking and Access Code, Stormwater Management Code and Public Art 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 the 10 August 2018.

**CONSULTATION**

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

**RECOMMENDATION:**

- A. That the Development Application for mixed use development including multiple dwellings and building alterations and additions at 17 Bligh Street, Rosny Park (with access over 4 Bayfield Street) (Cl Ref D-2018/318) be refused for the following reason.



1. The proposal does not comply with Clause E6.6.1 P1 of the Clarence Interim Planning Scheme 2015 (the Scheme); in that the number of on-site car parking spaces will not be sufficient to meet the reasonable needs of users having regard to each of the requirements set out in Subparagraphs (a) – (l).

**ADVICE**

That in the event of an appeal, Council would be prepared to consent to a permit with relevant conditions, indicating the payment of cash-in-lieu of 3 deficient car parking spaces to the value of \$36,000 prior to the commencement of the use of Stage 2. The submission of a new development application addressing this issue would also likely result in a recommendation for approval.

- 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 James **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

Council now concludes its deliberations as a Planning Authority under the Land Use Planning and Approvals Act, 1993.

<b>11.4 CUSTOMER SERVICE</b>
------------------------------

Nil Items.

## **11.5 ASSET MANAGEMENT**

Nil Items.

**11.6 FINANCIAL MANAGEMENT**

Nil Items.

**11.7 GOVERNANCE****11.7.1 PETITION – ALLEGED BARKING DOG**

(File No C007-164)

**EXECUTIVE SUMMARY****PURPOSE**

Council has received a petition in relation to an alleged barking dog at 164 Carella Street, Howrah. The petition requests that Council takes action to resolve the matter in accordance with the *Dog Control Act 2000*.

**RELATION TO EXISTING POLICY/PLANS**

Council's Dog Management Policy (November 2015) is relevant.

**LEGISLATIVE REQUIREMENTS**

The *Dog Control Act 2000* (Tas) is relevant.

**CONSULTATION**

Significant discussion and investigation has occurred over a long period.

**FINANCIAL IMPLICATIONS**

Not applicable.

**RECOMMENDATION:**

That Council refers the petition to the General Manager to action in accordance with the *Dog Control Act 2000* and Council's Dog Management Policy, to the extent of any actions available that have not yet been taken.

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

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.7.2 AMENDMENTS TO THE CONSTITUTION FOR THE BICYCLE ADVISORY COMMITTEE**

(File No )

**EXECUTIVE SUMMARY****PURPOSE**

To consider a revised Constitution for the Committee pertaining to the Bicycle Advisory Committee.

**RELATION TO EXISTING POLICY/PLANS**

The Bicycle Advisory Committee is established to support the delivery of Council's "Bicycle Strategy".

**LEGISLATIVE REQUIREMENTS**

Council has established a number of Management Committees as Special Committees under the provisions of Section 24 of the Local Government Act, 1993 including a Committee to manage Council's Coast and Landcare interests.

**CONSULTATION**

Consultation has occurred between the appointed Representatives, Council officers and the Management Committee in respect to the newly drafted Constitution.

**FINANCIAL IMPLICATIONS**

There are no financial implications as a result of Council adopting the revised Constitution.

**RECOMMENDATION:**

That Council formally adopts the Constitution for the Bicycle Advisory Committee.

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

"That the Recommendation be adopted".

**CARRIED UNANIMOUSLY**

**11.7.3 ROSNY HILL DEVELOPMENT PUBLIC MEETING – SUMMARY REPORT**

(File No A008-12A)

**EXECUTIVE SUMMARY****PURPOSE**

To provide a summary of submissions received in respect to the Rosny Hill public meeting held on 17 July 2018 and to record the decisions (motions) made at that meeting.

**RELATION TO EXISTING POLICY/PLANS**

The Rosny Hill Nature Recreation Area is subject to the Rosny Hill Nature Recreation Area Management Strategy (August 2011).

**LEGISLATIVE REQUIREMENTS**

The public meeting was held in accordance with the requirements of Division 1 of Part 6 of the *Local Government Act 1993* (Tas). This report is provided in compliance with s.60A(5) of that Act.

**CONSULTATION**

This report summarises the submissions and motions arising from the public meeting held on 17 July 2018.

**FINANCIAL IMPLICATIONS**

Not applicable.

**RECOMMENDATION:**

That Council:

- A. Notes the summary of submissions and motions arising from the Rosny Hill development public meeting held on 17 July 2018.
- B. Notes the preliminary comments provided in this report regarding each Motion.
- C. Requests a report be provided to the next meeting of Council detailing any further actions that could be taken in respect to each motion or in respect to the development application more generally.

The General Manager advised that a revised page (Page 194) had been circulated, as it has been brought to Council's attention that Motion 4 from the public meeting was not accurately recorded.

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

**ROSNY HILL DEVELOPMENT PUBLIC MEETING – SUMMARY REPORT**  
**/contd...****Decision:****MOVED** Ald James **SECONDED** Ald Cusick

- “A. Notes the summary of submissions and motions arising from the Rosny Hill development public meeting held on 17 July 2018.
- B. Notes the preliminary comments provided in this report regarding each Motion.
- C. Requests a report be provided to the next meeting of Council detailing any further actions including but not limited to:
- legal implications;
  - resource implications;
  - structural implications;
  - community implications;
- that could be taken in respect to each motion or in respect to the development application more generally.
- D. That Council write to the Premier and Minister for Parks asking for clarification in writing as to who provides landowner consent to a development application being lodged with Council”.

**PROCEDURAL MOTION****MOVED** Ald Hulme **SECONDED** Ald Peers

“That Item 11.7.3 be deferred while the revised Recommendation was prepared”.

**CARRIED UNANIMOUSLY**

The revised Recommendation was circulated and the Item recommitted.

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

**FOR**

Ald Chipman  
Ald Chong  
Ald Cusick  
Ald Doust  
Ald Hulme  
Ald James  
Ald Peers  
Ald Walker

**AGAINST**

Ald McFarlane  
Ald Thurley  
Ald von Bertouch



**11.7.4 APPOINTMENT OF AN ACTING DEPUTY MAYOR**

(File No 10-03-03)

**EXECUTIVE SUMMARY****PURPOSE**

The Deputy Mayor, Alderman Jock Campbell, had a leave of absence approved at the Council meeting of 9 July 2018. Additionally, the Mayor, Alderman Doug Chipman, advised that he will be unavailable for the period of one week during the period of Alderman Campbell's absence. This means that both the Mayor and Deputy Mayor will be absent at the same time for a short period. It is desirable to appoint an Alderman to act as Deputy Mayor for the period of Alderman Campbell's absence. The Mayor may then, in writing, appoint that Alderman to act as Mayor for the period of his absence.

**RELATION TO EXISTING POLICY/PLANS**

There are no existing policies or plans to consider.

**LEGISLATIVE REQUIREMENTS**

Sections 27 and 44 of the *Local Government Act 1993* (Tas) are relevant.

**CONSULTATION**

Discussion amongst Alderman is required. No external consultation is necessary.

**FINANCIAL IMPLICATIONS**

Not applicable.

**RECOMMENDATION:**

That Council nominates [insert Alderman name] to act as Deputy Mayor for the period of Alderman Campbell's absence.

**Decision:**

Ald Hulme **nominated** Ald Chong

Ald Doust **nominated** Ald Peers

Ald James **nominated** himself.

Ald Chong, Ald Peers and Ald James left the Meeting at this stage.

There being 3 nominations a ballot was conducted and Ald Chong was deemed elected to act as Deputy Mayor for the period of Alderman Campbell's absence.

Ald Chong, Ald Peers and Ald James returned to the Meeting at this stage.

**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.

Item 11.7.3 was **Recommitted** at this stage (Refer to Page 46 for Decision on this Item)

**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 T1227-18 – ACTON CREEK DRAINAGE UPGRADE

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.**

<b>Decision:</b>	<b>PROCEDURAL MOTION</b> <b>MOVED</b> Ald Peers <b>SECONDED</b> Ald Cusick  “That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”.  <b>CARRIED UNANIMOUSLY</b>
------------------	--

**CLOSED MEETING /contd...**

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

**13.2 TENDER T1227-18 – ACTON CREEK DRAINAGE UPGRADE**

(File No T1227-18)

<b>Decision:</b>	<b>MOVED</b> Ald Chong <b>SECONDED</b> Ald McFarlane
	“A. That the Tender from State-Wide Earthworks Pty Ltd for \$332,220.00, excluding GST, be accepted for the Acton Creek Drainage Upgrade project.
	B. That, in accordance with Regulation 34(3) of the Local Government (Meetings Procedures) Regulations 2015, Council authorises for release the Council’s decision (only) in respect to this item to the general public and for communication to relevant parties.
	C. That Council publish its decision only in regard to this matter in the open Minutes of this Meeting.
	<b>CARRIED UNANIMOUSLY</b>

The Meeting closed at 9.18pm.