COUNCIL MEETING

MONDAY 5 OCTOBER 2015

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BUSINESS TO BE CONDUCTED AT THIS MEETING IS TO BE CONDUCTED IN THE ORDER IN WHICH IT IS SET OUT IN THIS AGENDA UNLESS THE COUNCIL BY ABSOLUTE MAJORITY DETERMINES OTHERWISE

COUNCIL MEETINGS, NOT INCLUDING CLOSED MEETING, ARE AUDIO-VISUALLY RECORDED AND PUBLISHED TO COUNCIL'S WEBSITE

1. APOLOGIES

Ald Chipman (Leave of Absence) Ald von Bertouch (Leave of Absence)

2. CONFIRMATION OF MINUTES

(File No 10/03/01)

RECOMMENDATION:

That the Minutes of the Council Meeting held on 14 September 2015, as circulated, be taken as read and confirmed.

3. MAYOR'S COMMUNICATION

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

NBN Update

Community Garden - Warrane

Mobile Food Vans

Pavement – Rosny Bus Mall 21 September

Hobart Airport Master Plan

Additional Flags

Presentation Sporting Clubs

State Fire Commission Nominations 28 September

RECOMMENDATION:

That Council notes the workshops conducted.

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.

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 will table the following petitions which comply with the Act requirements:

7. PUBLIC QUESTION TIME

Public question time at ordinary Council meetings will not exceed 15 minutes. An individual may ask questions at the meeting. Questions may be submitted to Council in writing on the Friday 10 days before the meeting or may be raised from the Public Gallery during this segment of the meeting.

The Chairman may request an Alderman or Council officer to answer a question. No debate is permitted on any questions or answers. Questions and answers are to be kept as brief as possible.

7.1 PUBLIC QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, a member of the public may give written notice to the General Manager of a question to be asked at the meeting). A maximum of two questions may be submitted in writing before the meeting.

Questions on notice and their answers will be included in the minutes.

Nil.

7.2 ANSWERS TO QUESTIONS ON NOTICE

The Mayor may address Questions on Notice submitted by members of the public.

Nil.

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

7.4 QUESTIONS WITHOUT NOTICE

The Chairperson may invite members of the public present to ask questions without notice.

Questions are to relate to the activities of the Council. Questions without notice will be dependent on available time at the meeting.

When dealing with Questions without Notice that require research and a more detailed response the Chairman may require that the question be put on notice and in writing. Wherever possible, answers will be provided at the next ordinary Council Meeting.

8. DEPUTATIONS BY MEMBERS OF THE PUBLIC (File No 10/03/04)

(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)

9. MOTIONS ON NOTICE

9.1 NOTICE OF MOTION – ALD JAMES FOOTWAY AT 36C KENTON ROAD, GEILSTON BAY

(File No k009-36A)

In accordance with Notice given Ald James intends to move the following Motion

"That the General Manger be requested to prepare a report to Council regarding the possible closure and disposal of the footway at 36c Kenton Road, Geilston Bay".

EXPLANATORY NOTES

- The footway is located off Kenton Road and services (by frontage) 7 properties in Kenton Road, Greenacre Road and Lindhill Avenue. For the Greenacres Road properties the footway provides a more direct linkage to Kenton Road.
- An approach has been received from 2 residents who own property adjacent to the footway who have sought consideration to closing the footway and possible disposal of the land to adjoining property owners.
- The footway has not been formally developed and appears to be no longer required for its original purpose.
- The motion seeks for Council to be advised on the processes required for the
 possible closure and disposal of the footway and opportunity for Council to
 consider if and on what basis it may wish to initiate the required processes.

R James **ALDERMAN**

GENERAL MANAGER'S COMMENTS

A matter for Council determination.

9.2 NOTICE OF MOTION – ALD HULME OPENING STATEMENT FOR COUNCIL MEETING

(File No 10-03-05)

In accordance with Notice given Ald Hulme intends to move the following Motion

"That following prayers at each Council meeting, the chair of the meeting 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".

EXPLANATORY NOTES

Acknowledgement of and Welcome to Country are important ways of helping to recognise Aboriginal culture and history and the on-going relationship that traditional owners have with their land.

A Welcome to Country is performed by an Aboriginal elder whereas an Acknowledgement of Country can be performed by any person. Typically, when an Acknowledgement of Country is given it is done so by the person chairing the meeting or opening the proceedings.

According to the Tasmanian Department of Premier and Cabinet's Protocol Office:

"An Acknowledgement of Country is respect and recognition of Tasmanian Aboriginal peoples' survival and continual connection with the land spanning more than 60,000 years. An Acknowledgement of Country pays respect to the Aboriginal community, both past and present.

An Acknowledgment of Country can be given at an official opening, meeting, concert, school assembly, or other event. Any person can give an Acknowledgement of Country".

An Acknowledgement of Country is now given at the opening of both houses of Tasmanian and Federal Parliament, and many people are now following the practice of giving an Acknowledgement of Country to open formal proceedings at events and functions.

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Acknowledgement of Country holds great significance for Aboriginal people, as it recognises Aboriginal people as the First Australians and custodians of their land and promotes an awareness of the past and on-going connection to place of Aboriginal Australians.

It is also important for promoting an awareness among non-Aboriginal Australians of the place of Aboriginal culture in history and the significance of Aboriginal people's connection with their land.

D Hulme **ALDERMAN**

GENERAL MANAGER'S COMMENTS

A matter for Council determination.

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

June Quarterly Report pending.

Representative Reporting

COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY

Representatives: Ald Jock Campbell

(Ald Peter Cusick, Deputy Representative)

Quarterly Reports

March and June Quarterly Reports pending.

Representative Reporting

SOUTHERN WASTE STRATEGY AUTHORITY

Representative: Ald Richard James

(Ald Sharyn von Bertouch, Proxy)

Quarterly Reports

June Quarterly Report pending.

Representative Reporting

TASWATER CORPORATION

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

AUDIT COMMITTEE

(File No 07/02/12)

Chairperson's Report 38 – September 2015

The Audit Committee met on 23 September 2015 and I attach a copy of the draft Minutes of the Meeting for tabling at Council's Meeting (Attachment 1).

The Committee was fully briefed on the Financial Statements for 2014-2015 which will form part of Council's Annual Report. The Statements, together with the Auditor General's Audit Report and Management Report were distributed to Committee Members prior to the Committee meeting.

The Deputy Auditor General Mr Ric De Santi and Principal Financial Auditor Andrew Eiszelle were in attendance for this briefing. Mr De Santi advised that there were no matters arising in respect to the annual audit. The Committee also took the opportunity to meet with the Auditor General's staff without Council Management being present and no matters of concern were raised.

Further, Mr De Santi extended his thanks to the Council's staff for their co-operation and assistance throughout the process. The Committee also thanked management for the proficient completion of the annual accounts and audit.

The Committee received an update on the progress of earlier Audit Projects and noted the following:

Project 35 - Effectiveness of Council's IT Solutions - The Council will shortly commence a 2 stage tendering process for suitable new IT platforms for the Council operations and that Consultant Mr Carr has been engaged to assist in this process. The Audit Committee has requested regular updates on this strategic project.

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WHS Accreditation Project - The Committee has been advised that Council's Work Health and Safety practices had attained accreditation and that work will continue in the further enhancement of the Council's WHS systems. The Committee noted that as there is considerable overlap between the Australian and international standards regarding WHS, that transition to

international standard accreditation would not be very difficult to achieve.

The Committee received advice regarding the progress on approaching suitable service provider proposals for the audit projects in the Annual Audit Plan for 2015/16. Scope documentation was

received and endorsed for the following projects:

• Project 46 – Council Business Continuity Plan (Consultant firm RXP Services); and

• Project 48 – Appropriate Use of Delegations (Governance Consultant, Carolyn Pillans).

Consultant firms have been invited to provide a detailed scope and project proposal for Project

47 - Corporate Induction Programme and Staff Exit Controls which will be considered at the

Committee next meeting.

The Committee reviewed and endorsed a new Code for Contracts and Tenders and the update of

Procurement Procedures which have been prepared in response to recent changes to the

Regulations that now provide an increase in the threshold for calling of public tenders from the

previous \$100,000 to \$250,000.

The Committee is next due to meet in November 2015. At that meeting it is anticipated that a

provider for Project 47 - Corporate Induction Programme and Staff Exit Controls will have been

appointed.

It is anticipated that work on the programme could commence before the end of the calendar

year.

RECOMMENDATION:

That the Chairperson's Report be received.

Attachments: 1. Minutes of Audit Committee Meeting (11)

John Mazengarb

CHAIRPERSON

ATTACHMENT 1

MEETING OF THE CLARENCE COUNCIL AUDIT COMMITTEE HELD IN THE LIBRARY AT THE COUNCIL OFFICES, BLIGH STREET, ROSNY PARK, ON WEDNESDAY, 23 SEPTEMBER 2015

HOUR CALLED: 2.00pm

COMMITTEE MEMBERS: Mr J Mazengarb (Chairperson)

Mr R Bevan Mr R Hogan Ald H Chong Ald P Cusick

Ald K McFarlane (Proxy)

IN ATTENDANCE: General Manager

(Mr A Paul)

Corporate Secretary (Mr A van der Hek) Corporate Treasurer

(Mr F Barta)

Manager Human Resources (Ms Tanya Doubleday)

Deputy Auditor General

(Mr R De Santi)

Principal Financial Auditor - Tasmanian Audit Office

(Mr A Eiszele)

MINUTES

1. APOLOGIES

Alderman Kay McFarlane

2. CONFIRMATION OF MINUTES

The Minutes of the Meeting of the Audit Committee dated 23 June 2015 were circulated to Committee Members.

RECOMMENDATION:

That the Minutes of the Meeting of the Audit Committee dated 23 June 2015, as circulated, be confirmed.

Decision: MOVED Mr Hogan SECONDED Ald Chong

"That the Minutes of the Meeting of the Audit Committee dated 23 June 2015, as circulated, be confirmed".

CARRIED

Decision: It was further **RESOLVED**

"That arising from the deliberation of the 23 June 2015 meeting, the Committee's commitment to the development of a forward rolling three year programme of Audit Projects be included as a standing item in the Committee's Work Plan."

3. DECLARATION OF CONFLICTS OF INTEREST/PECUNARY INTERESTS

Mr Mazengarb advised the meeting in relation to Agenda Items 8.1 and 8.3, that he knows (through RBF and the Governance Institute) both the service providers that have been invited to submit scoping document for projects in this year's Audit Programme.

Other Committee members agreed that no direct conflict of interest existed in this disclosure.

No further Pecuniary/Conflicts of Interest were declared.

4. AUDITOR GENERAL'S AUDIT REPORT FOR 2014-2015 FINANCIAL YEAR

The Financial Statements for 2014-2015 will form part of Council's Annual Report. The Statements, together with the Auditor General's Audit Report and Management Report were distributed to Committee Members with this Agenda.

The audited Financial Statements are to be tabled at Council's next Meeting of 29 September 2014; however consideration of the Audit Report remains a matter for the Committee. Where necessary, it may wish to provide advice and recommendations to Council.

The Deputy Auditor General Mr Ric De Santi and Principal Financial Auditor Andrew Eiszele were in attendance for this item.

The Corporate Treasurer circulated a summary of the Financial Statements to the Meeting (**refer Attachment 1**) and provided an overview of the key matters.

Mr De Santi advised that this year's Auditor General's report to Parliament will not provide a separate report for each Council; with the report being more broadly industry based reporting with comparative analysis.

Mr De Santi further advised that there were no further matters that State Audit wished to raise in respect to the annual audit and thanks the Council's staff for their cooperation and assistance throughout the process.

At this point (2.15pm) the Chair requested that the staff leave the meeting to provide opportunity for direct dialogue with Mr De Santi and Mr Eiszele.

Audit Committee members discussed the conduct of the audit with Mr De Santi and Mr Eiszele.

The Staff returned to the meeting at this stage (2.20pm).

The Chairman noted that the Auditor General's staff had commented favourably on the cooperation and support received in the conduct of their audit work and thanked management on behalf of the Committee.

The Auditor General's Report assessments of Council risk ratings was further clarified by Mr De Santi with confirmation that there would be changes to this approach particularly in the area of governance due to the introduction of the new legislative measures regarding Audit Panels and their overview responsibilities. He added that the Auditor General will in future look more closely at the extent of internal audit programmes being conducted and confirmed that the approach taken in the make-up of independent audit panel members at some councils remained a concern.

Mr Ric De Santi and Mr Eiszele left the meeting at this stage 2.25pm).

The issue of outstanding and unresolved rate revenue from Hobart Airport was discussed and the notation regarding this in the Annual Financial Statements was noted.

Item 4 Cont./-

RECOMMENDATION:

That the content of the Auditor General's 2014-2015 Audit Report be noted and that the Committee consider any matters raised as part of the external audit.

Decision: It was **RESOLVED**

"That the content of the Auditor General's 2014-2015 Audit Report be noted and that the Committee notes that there are no matters raised as part of the external audit that warrant further consideration by the Committee."

Decision: It was further **RESOLVED**

"That the Committee's appreciation be extended to the Council staff in achieving an unqualified Audit Report."

5. UPDATE ON PROJECT 35 - EFFECTIVENESS OF COUNCIL'S IT SOLUTIONS

This matter was last dealt with by the Committee at its 19 February 2015 Meeting when it endorsed the draft IT Strategy prior to its submission to Council for formal adoption.

The Consultant Mr Carr has now been engaged and is underway in the preparation of scoping documentation associated with the sourcing of suitable new IT platforms for the Council operations.

The General Manager and Corporate Treasurer provided a further verbal update in respect to this matter to the meeting.

The Corporate Treasurer confirmed that a forward programme for implementation of the Project has been prepared with the view to implementation commencing early in next financial year with a "go-live" target of I July 2017. EOI/Tender documentation is currently being prepared and intended to be advertised in the coming weeks. The process will involve a 2 stage exercise; with the first stage tender being based on broad capabilities of product and service offerings and a second stage based on detailed evaluation of product and price.

The General Manager confirmed that it had been hoped that the project could be undertaken as a joint tender process with other councils; unfortunately the timing of other Councils has not been able to be matched to that for Clarence. The consideration of any product or solution will however, also focus on scalability of the solution options so as to allow for the potential that other parties may be included at a later stage.

The Committee noted that this was a significant strategic project for Council and that several previous internal audits had identified ICT related improvements many of which would be achieved from this project. Accordingly the Committee requested that progress reports be provided at each Audit Committee meeting throughout the life of the project.

RECOMMENDATION:

That the update advice be noted.

Decision: It was **RESOLVED**

"A. That the advice be noted; and

B. That a timeline and milestone status report be provided on each Committee agenda throughout the project's implementation."

6. UPDATE ON WHS ACCREDITATION PROJECT

When the biennial Work Health and Safety (WH&S) Management System Audit was undertaken in May 2014, the audit concluded that the organisation has developed and implemented a WH&S management system that fundamentally addresses the requirements of AS/NZS 4801:2001 Standard. The audit further recommended that the organisation consider full certification to this Standard.

The Council has committed to pursue the recommended outcome with the Stage 2 of the Certification Audit process being conducted in March 2015. The Stage 2 findings were that:

- (a) Observations raised during the previous BSI Stage 1 assessment have been addressed; and
- (b) Two nonconformities were identified relating to a contractor work site at Kangaroo Bay with subsequent corrective action taken.

From the objective evidence detailed in the Auditor's final report, the areas assessed during the course of the visit were found to be effective. The Auditor accordingly determined that the scope of activities detailed in the report met certification requirements. The Certification recognises the significant time and resources that have been dedicated to meeting Council's obligations under the Act.

Work will continue in the further enhancement of Council's Work Health and Safety practices.

The Manager Human Resources was in attendance to provide the Committee with a progress report and an overview of this important initiative and the process involved in achieving certification.

Mr Bevan sought clarification between local and international standards for WHS accreditation.

Ms Doubleday advised that the commitment for continued improvement in WHS practices will continue. There is considerable overlap between the Australian and international standards regarding WHS and she considered that transition to international standard accreditation would not be very difficult to achieve.

RECOMMENDATION:

That the update advice and briefing be noted.

Decision: It was **RESOLVED**

"That the advice be noted".

7. ANNUAL AUDIT PLAN FOR 2014/15

The following Project completes the 2014/15 Annual Audit Plan programme formally adopted by Council.

Project 41: Parks and Recreation Facilities Safety and Risk Assessments

Council has established a number of standard operating procedures (SOP's) in relation to the management and maintenance of its Parks and Recreational facilities. These SOP's include both proactive and reactive safety and risk mitigation checks actions which are to be effected each time a site is visited as part of the general maintenance routines. A review would test the appropriateness of these SOP's and ensure that Council is adequately managing its responsibilities.

The scope for this project was endorsed at the last Committee meeting and is being conducted in house. The project is expected to be completed soon and the findings report submitted to the next Audit Committee meeting on 26 November 2015.

Recommendation

A. That the advice be noted.

Decision: It was **RESOLVED**

"That the advice be noted".

8. ANNUAL AUDIT PLAN FOR 2015- 2016

The following Projects make up the 2015-2016 Annual Audit Plan programme formally adopted by Council.

Progress on approaching suitable service providers to submit proposals to the audit projects is detailed as follows.

8.1. Project 46: Council Business Continuity Plan

Consultant firm RXP Services was invited to provide a detailed scope and project proposal for Project 46. The scope documentation was provided direct to the meeting (refer Attachment 2).

8.2. Project 47: Corporate Induction Programme and Staff Exit Controls

Consultant firms have been invited to provide a detailed scope and project proposal for Project 48, however, these have not yet been submitted at the time of preparing this agenda.

8.3. Project 48: Appropriate Use of Delegations - (Priority: High)

Governance Consultant Carolyn Pillans was invited to provide a detailed scope and project proposal for Project 48 and the proposal was provided.

The project advices received to date are now presented for the Committee's consideration and endorsement.

The approved budget for the Audit Committee for 2015-2016 is \$55,000 which includes Committee member fees of \$16,000 plus super.

The total cost of all projects plus Committee costs for 2015-2016 is not yet known, however, is anticipated to fall within budget. These details will be included as an update advice at the next Meeting of the Committee.

The Committee discussed the potential for Project 46 to expand in scope, subject to further negotiation on scope. Management acknowledged that it had been some time since a review in this area had been undertaken and noted that the consultant had highlighted the need to jointly agree scope with management.

RECOMMENDATION:

- A. That the Committee note the pending status awaiting for briefs in respect of Project 46 and 47; and
- B. That the Committee endorses the project scopes prepared for Project 46 (subject to receipt) and Project 48 of the 2015-2016 Annual Audit Plan.

Decision: It was **RESOLVED**

- "A. That the Committee notes the pending status awaiting for the brief in respect of Project 47; and
- B. That the Committee endorses the project scopes prepared for Project 46 and Project 48 of the 2015-2016 Annual Audit Plan".

9. REVIEW OF PROCUREMENT PROCEDURES AND CODE FOR CONTRACTS AND TENDERS

Both the Procurement Policy and the Code have been in operation for a period of 10 years during which time they have operated with reasonable success meeting most of the procurement needs for the organisation in an operational sense.

Both the Code and Policy have been reviewed previously in 2008 and in 2013 and were carried out as a simultaneous exercise given their interdependency. Specifically in respect to the Code for Contracts and Tendering this is also the subject of a statutory mandate for periodical 4 yearly reviews.

Recent changes to the Regulations have provided an increase in the threshold for calling of public tenders from the previous \$100,000 to \$250,000. There are significant benefits in streamlining administrative processes around a new set of procurement thresholds. Although the periodic review is not yet required a review of the policies relating to procurement is considered warranted at this stage.

In undertaking this current review consideration has been given to a complete rethink on how these important documents were structured and interfaced. In this context it was concluded that the intentions of the legislation were that the "Code" should be a stand-alone framework covering the essential elements required under the Regulations and that the "Policy" would then take the form of an internal operations and authorised delegations document covering the whole of organisation procurement practices. The result has been a substantial recast and drafting of a new Code and the Procedures document which has, by and large, retained the structure (marked up tracked changes) of the earlier Policy document. The revised/new Code for Contracts and Tendering and the Procurement Procedures were provided.

Code for Tenders and Contracts

The focus of the review of this document has centred on the need to provide sufficient scope within the Code in order to make the processes more conducive to maximise participation in the public Tender process and to ensure all content of the code is consistent with the statutory requirements. In addition the newly drafted Code:-

- Avoids overlap with the Procurement Procedures; thereby allowing it to be a stand-alone document;
- There is an increased emphasis of the purpose and use of the Multiple Use Register; and
- Clarifies the status of late Tenders and the manner and in which non complying Tenders will be dealt with.

Procurement Policy

In relative terms this "top end" tendering threshold is a substantial increase from the previous level and as such considerable care has been taken in the revision of the intermediate thresholds established under the procurement procedures framework. The main changes in the revised Procurement Policy are summarised as follows:

Requirements for low end purchases have been maintained;

- A new threshold category \$15,000 \$50,000 is introduced;
- Adjusts of all the quotation thresholds to better match current market prices and to reflect the mixed approach to obtaining prices/quotations for low value procurement;
- There is stronger articulation of condition requirements for purchases within both the \$50,000 to \$100,000 and the \$100,000 to \$250,000 thresholds;
- Clarifies that for purchases from \$100,000 to \$250,000 the Multiple-Use Register is to be
 used unless the skills, services or product required is not contained in the Multiple-Use
 Register. When the Multiple-Use Register is not used, public advertisement inviting
 quotes is to be used in this category;
- Greater emphasis has been placed on the manner in which the Council Multiple Use Register is used in the context of procurements priced below the tendering threshold;
- Preferred supplier engagement is capped at \$150,000; and
- Refinement and updating of the delegations to match employee positions to the new procurement framework and thresholds.

After the Audit Committee considers and endorses both the Procurement Procedures and the Code for Tenders and Contracts, it will be presented to Council for formal adoption.

There was discussion regarding the impact on these policies due to the changes brought about by the recent legislative threshold change for tendering requirements from \$100,000 to \$250,000. Quarterly reporting within this range was discussed and the General Manger undertook to further consider this matter and a suitable process.

The Corporate Secretary explained to the committee the legislative basis which underpinned the requirement on Councils to establish a Code for Tendering; the exemptions which the regulations recognise which have been used within the Procurement procedures documentation. It was agreed that the possible need for a procurement policy reference could be satisfied in an amendment to the "objectives" stated in the Procurement Procedures.

RECOMMENDATION:

That the Committee endorse the revised documents entitled "Procurement Procedures" and "Code for Contracts and Tenders".

Alderman Cusick left the meeting at this stage 3.22pm

Decision: It was **RESOLVED**

"That the Committee endorse the revised documents entitled "Procurement Procedures" and "Code for Contracts and Tenders, noting the following changes:-

- Change to the heading of Part 1 of the Procurement Procedures document from "Procedures Objective" to Procurement Policy Statement"; and
- Minor and typographic changes identified by Committee members."

10. MANAGEMENT ACTION PLAN

An updated Management Action Plan was provided.

RECOMMENDATION:

That the advice be noted

Decision: It was **RESOLVED**

"That the advice be noted."

11. SIGNIFICANT INSURANCE/LEGAL CLAIMS

There have been no new major claim notifications since the last report to the Committee.

A copy of the schedule of outstanding matters was provided.

RECOMMENDATION:

That the advice be noted.

Decision: It was **RESOLVED**

"That the advice be noted."

12. ANY FURTHER BUSINESS

Staff Gifts Policy

Mr Bevan asked in light of the recently published Integrity Commission report, whether the Council had in place a Staff Gifts Policy.

The General Manager responded that although there is a policy in place for staff, there will be a review of this in light of the report. Mr Hogan advised that there is extensive material available arising from similar reviews undertaken in NSW by ICAC and that he could provide some suitable documentation to assist in this regard. The General Manager further advised that there is a detailed provision concerning gifts and benefits in the Code of Conduct for aldermen which had been reviewed last year.

Risk Register

The General Manager advised that he had requested advice on the status of the Council's current Risk Register and its effectiveness in meeting corporate needs.

Decision: It was **AGREED**

"That the periodic review of the Council's Risk Register be included in the development of the Committee's forward rolling programme of Audit Projects."

13. TIME, DATE, PLACE OF NEXT MEETING

It is practice for the schedule to be updated by the Committee each meeting on a rolling basis to maintain an advanced schedule of meetings. The updated Forward Workplan for the Audit Committee was provided.

Draft Meeting Schedule - 2015-2016

| Mtg | Business Items are listed as per Work Plan | Scheduled time of year | Proposed Mtg Date |
|-----|---|---|---|
| 2. | • | Aug/Sept May require 2 meeting times to deal with these matters and subject to Auditor General availability | Wednesday, 23 September 2015 (2.00pm) |
| 3. | • | Nov/Dec | Thursday, 26 November 2015 (4.00pm) |
| 4. | Note: Discussion with Auditor General on forthcoming annual audit at either March or May/June meeting | March | Tuesday, 22 March 2016 (4.00pm) |
| 1. | • | May/June | Tuesday, 21 June 2016 (4.00pm) |
| | Electronic sign off of Annual Financial Statements 2014/15 | August | 9 August 2016 (by email exchange) |
| 2. | • | Aug/Sept May require 2 meeting times to deal with these matters and subject to Auditor General availability | Tuesday, 27 September 2016 (4.00pm) |
| 3. | • | Nov/Dec | Tuesday, 29 November 2016 (4.00pm) |

Note 1: The Audit Committee has been constituted by the Council as a Special Committee under the provisions of Section 24 of the Local Government Act 1993. The Committee's charter provides for the purpose of the Committee and the manner in which it is to conduct its meetings.

Note 2: The above schedule has been based on the past practice of the Committee and recent consultation on suitability of meeting dates; however, ongoing meetings of the Committee (Audit Panel) are open to the Committee taking into consideration its obligations.

Note 3: The Work Plan was distributed with the agenda. The above meeting schedule will be modified to take into account the adopted Audit Committee/Panel Work Plan.

RECOMMENDATION:

That the Committee determine on or modify the proposed schedule of Audit Committee meetings.

Decision: It was **RESOLVED**

"That the schedule of meeting dates for 2016 be confirmed".

14. CLOSE

There being no further business, the Chair declared the Meeting closed at 3.51pm.

11. REPORTS OF OFFICERS

11.1 WEEKLY BRIEFING REPORTS

(File No 10/02/02)

The Weekly Briefing Reports of 14, 21 and 28 September 2015 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 14, 21 and 28 September 2015 be noted.

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

11.2.1 PETITION – WALKING TRACK ROKEBY TO LAUDERDALE FORESHORE ROUTE

(File No 04-04-03)

EXECUTIVE SUMMARY

PURPOSE

To consider the petition presented at Council's Meeting on 14 September 2015 from 238 signatories in support of the creation of a multi-use foreshore trail to provide a safe, attractive walking and cycling route between Rokeby and Lauderdale.

RELATION TO EXISTING POLICY/PLANS

Not applicable.

LEGISLATIVE REQUIREMENTS

Section 60 of the Local Government Act, 1993 requires Council to formally consider petitions within 42 days of receipt.

CONSULTATION

Meetings have been held with the 5 property owners as directed by Council. An online survey has been conducted resulting in 544 responses by the closing date of 27 March 2015.

The Minister for Police and Emergency Services has written to Council in response to the proposed foreshore track through the Police Academy denying permission for the tracks' construction on or bordering the property.

FINANCIAL IMPLICATIONS

Not applicable.

RECOMMENDATION:

- A. That Council notes the intent of the petition.
- B. That Council advises the petitioners that the matter raised in the petition relating to the Clarence Foreshore Trail from Rokeby to Lauderdale be further raised with the Minister for Police and Emergency Services to resolve the issue of security at the Police Academy.
- C. That Council advises the petitioners that Council will continue to liaise with the Department of State Growth relating to options for cycling and walking opportunities within the South Arm Highway road corridor.

PETITION - WALKING TRACK ROKEBY TO LAUDERDALE FORESHORE ROUTE /contd...

ASSOCIATED REPORT

1. BACKGROUND

At Council's Meeting of 14 September 2015, a petition from 238 signatories was received and stated the following: "Support the creation of a multi-use foreshore trail to provide a safe, attractive walking and cycling route between Rokeby and Lauderdale".

2. REPORT IN DETAIL

- **2.1.** The Clarence Tracks and Trails Strategy 2012 established the Clarence Foreshore Trail as 1 of the 6 significant trails for priority track development. The associated Tracks and Trails Action Plan 2015-2020 lists the creation of a walking track along the foreshore between Lauderdale and Rokeby as Priority 1 to address missing links in the Clarence Foreshore Trail.
- **2.2.** The original proposed route connects Lauderdale along the foreshore to the Tasmania Police who manage the Police Academy, progressing to South Arm Highway and connecting to Oakdowns and Rokeby. There are 5 properties which the proposed Clarence Foreshore Trail will pass through all of which have title to the high water mark.
- **2.3.** At its Meeting on 21 October 2013, Council resolved the following:
 - "A. That Council adopts the attached plan as the preferred walking track from Lauderdale to Rokeby.
 - B. That Council authorise the General Manager to negotiate with each of the owners to secure a licence or easement of right-of-way over their title for the walking track as a temporary position.

- C. That Council authorise the General Manager to request the Crown acquire the '100ft reservation' from each title to ensure a continuous foreshore reservation that allows for public access.
- D. That Council authorise the General Manager to obtain written approval from Tasmania Police to allow for a connection from the foreshore to South Arm Highway through the Police Academy.
- E. That Council authorise the General Manager to obtain written approval from Parks and Wildlife Service for the construction of a walking track along the foreshore.
- F. The Lauderdale to Rokeby walking track be listed for consideration in the 2014/2015 Capital Works Program".
- **2.4.** In accordance with "B" above Council officers received only 2 responses from residents to meet with the residents or their representatives and given the lack of response, it was decided to seek further direction from Council before proceeding with other actions arising from the 21 October 2013 meeting that may be pre-emptive. Following a further Council Workshop on 14 April 2014 at its Meeting on 26 May 2014, Council resolved:
 - "A. That Council adopts the attached plan as the preferred walking track from Lauderdale to Rokeby.
 - B. That Council authorises the General Manager or his nominated representatives to meet with each of the 5 property owners to discuss options in relation to the walking track and report the findings back to Council.
 - C. That Council authorises the General Manager to negotiate an agreement with Tasmania Police to allow for a walking track from the foreshore to South Arm Highway through the Police Academy.
 - D That the Council decision in respect to this matter be made available for release to the public to facilitate open dialogue".
- **2.5.** Council's 2014/2015 Annual Plan included funding for a walking track from Rokeby to Lauderdale.

- **2.6.** The result of meeting with the affected property owners was that they were not supportive of the walking track impacting on their properties and requested Council investigate other options along the South Arm Road reservation.
- **2.7.** At its Workshop held Monday, 24 November 2014, Council requested officers to conduct a survey to determine the likely number of people who would use a track between Rokeby and Lauderdale giving 3 options of track location from which to choose.
- **2.8.** An on-line survey was made accessible via Council's website along with notices placed at local shops and schools. There were 544 responses received by the closing date of 27 March 2015, with the results presented to Council's Workshop on Monday, 13 April 2015.
- **2.9.** At its Meeting held on Monday, 11 May 2015, Council resolved:
 - "A. That Council confirms its decision of 26 May 2014 that the foreshore option shown on the attached plans remains Council's preferred route for the Clarence Foreshore Trail from Lauderdale to Rokeby.
 - B. That Council authorises the General Manager or his nominated representatives to undertake further discussions with residents on how best to give effect to part (A) of the recommendation.
 - C. That the General Manager provides a further report to Council".
- **2.10.** Council, at its Meeting held on Monday, 22 June 2015 unanimously supported the Notice of Motion presented by Aldermen James for the following: "That Clarence City Council request the Department of State Growth for a shared multi-purpose pathway along the South Arm Highway from Oakdowns to Lauderdale".

The Department of State Growth has responded by stating that the Department will continue to work with Local Government and cycling groups on priority projects to deliver on the Government's commitment to improve safety along popular cycling routes on State Roads for all road users.

- **2.11.** Council has received a response from the Minister for Police and Emergency Services, dated 25 August 2015, which does not allow for the walking track to be constructed across or border the Police Academy.
- **2.12.** Council's Tracks and Trails Committee at its Special Meeting held on Thursday, 10 September 2015 discussed the response from the Minister for Police and Emergency Services and resolved unanimously that Council continue to hold discussions with the Minister to find a way to resolve the issue of security at the Academy. Without the approval of the Minister it limits future options for the implementation of the Clarence Foreshore Trail from Rokeby to Lauderdale.

3. CONSULTATION

3.1. Community Consultation

Meetings have been held with the 5 property owners as directed by Council. An on-line survey has been conducted resulting in 544 responses by the closing date of 27 March 2015.

3.2. State/Local Government Protocol

The Minister of Police and Emergency Services has written to Council in response to the proposed foreshore track through the Police Academy denying permission for the tracks' construction on or bordering the property.

3.3. Other

Council's Tracks and Trails Committee at its Special Meeting held on Thursday, 10 September 2015 to discuss the Rokeby to Lauderdale Track resolved the following:

"MOTION: The Tracks and Trails committee wish Council to continue discussions with the Minister. The committee recommends that the Mayor and Chair of the Tracks and Trails Committee communicate with the Minister of Infrastructure requesting that the track be reconsidered in light of the previous commitments Council has made to the development of the trail for the Clarence and broader community.

The communication should cover elements such as:

- Establishment of a Tracks and Trails Committee;
- Development and adoption of Tracks and Trails Strategies;
- Development and adoption of Tracks and Trails Action Plans;
- Zoning in respective planning schemes;
- Community survey;
- Budgeting;

Council acknowledges that the Academy has security requirements and is receptive to addressing these concerns through:

- Fencing;
- Management plans;

CARRIED UNANIMOUSLY".

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Council's Strategic Plan 2010-2015

Public Spaces and Amenity:

Develop plans to improve the amenity of public spaces, including:

• future needs for public open space and recreation facilities.

Clarence Tracks and Trails Strategy 2012

Clarence City Council Tracks and Trails Action Plan 2015-2020:

• Priority 1 trails project Clarence Foreshore Trail Rokeby to Lauderdale.

5. EXTERNAL IMPACTS

Not applicable.

6. RISK AND LEGAL IMPLICATIONS

Section 60 of the Local Government Act, 1993 requires Council to formally consider petitions within 42 days of receipt.

7. FINANCIAL IMPLICATIONS

Nil.

8. ANY OTHER UNIQUE ISSUES

Not applicable.

9. CONCLUSION

- **9.1** The matter represented in the petition supports the results of the on-line survey which showed that the majority of respondents prefer the foreshore route as the preferred walking track from Rokeby to Lauderdale.
- 9.2 The Clarence Foreshore Trail from Rokeby to Lauderdale is rated as Priority 1 in the Clarence City Council Tracks and Trails Action Plan 2015-2020. The Clarence Tracks and Trails Committee have moved a motion requesting Council continue discussions with the Minister to resolve the issues of security at the Academy.
- **9.3** Council to continue to liaise with Department of State Growth in relation to future road corridor cycling/walking options between Rokeby and Lauderdale.

Attachments: Nil.

Ross Graham

ACTING GROUP MANAGER ASSET MANAGEMENT

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-2015/235 - 150 SPITFARM ROAD, OPOSSUM BAY - GOLF COURSE (WITH MODIFICATIONS TO APPROVAL D-2012/319)

(File No D-2015/235)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to consider the application made for a recreation development (golf course and including walking/bicycling tracks) at 150 Spitfarm Road, Opossum Bay.

RELATION TO PLANNING PROVISIONS

The land is zoned Recreation and Special Use and is subject to the Coastal Management, Coastal Erosion Hazard and Vegetation Management Overlays under the Clarence Planning Scheme 2007 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 7 October 2015.

CONSULTATION

The proposal was advertised on 2 occasions as part of this assessment. Firstly advertised on 8 July 2015, 37 representations were received and a further 3 submissions received following the conclusion of that advertising period. The objections to the development received during the first advertising period are summarised as follows:

- visual impact and scale;
- loss of amenity and inconsistency with character of area;
- conflict with Clarence Planning Scheme 2007;
- café/pro-shop not "integral and subservient" to the recreation use;
- lack of information in advertised documentation;
- environmental impact;
- inconsistency with undertakings given to Community Reference Group and South Arm community and overstatement of support;
- unfair limitation of public access;
- public liability;
- risk of commercial failure; and
- exploitation of public land for private gain.

The development was subsequently modified to alter the size and orientation of the maintenance building/s, and the proposal readvertised on 26 August 2015. A further 11 objections were received during the second advertising period, in response to the modified design. These are summarised as follows:

- 2 public recreation areas excessive;
- Mitchells Beach recreation area inappropriate;
- revegetation dunes likely to be ineffective;
- environmental impact;
- visual impact of maintenance facility, fencing and access road/s;
- visual impact of café/pro-shop;
- lack of stated community consultation;
- restriction of public access;
- insufficient water supply and water quality;
- detrimental impact of future clubhouse;
- noise pollution; and
- visual and environmental impact of quarry reactivation.

RECOMMENDATION:

- A. That the Development Application for Golf Course (with modifications to approval D-2012/319) at 150 Spitfarm Road, Opossum Bay (Cl Ref D-2015/235) be approved subject to the following conditions and advice.
 - 1. GEN AP1 ENDORSED PLANS.
 - 2. GEN V7 CLEANING OF MACHINERY. Replace "subdivision" with "development".
 - 3. GEN AM7 OUTDOOR LIGHTING.
 - 4. GEN M2 NO WORKS.
 - 5. GEN AM4 CONSTRUCTION HOURS.
 - 6. GEN C1 ON-SITE CAR PARKING. [60] and delete last sentence.
 - 7. GEN S2 SIGN LOCATION.
 - 8. GEN S7 SIGN MAINTENANCE.
 - 9. ENG A6 GRAVELLED CAR PARKING.
 - 10. ENG M1 DESIGNS DA.
 - 11. ENG M5 EROSION CONTROL.
 - 12. ENG M6 CONSTRUCTION FENCING.
 - 13. ENG M7 WEED MANAGEMENT PLAN.

- 14. EHO 4 NO BURNING.
- 15. No work is to be undertaken in the immediate vicinity of the Gellibrand Vault to ensure it is protected from damage.
- 16. LAND 1 LANDSCAPE PLAN. Replace "Manager Integrated Assessment" with "Manager City Planning", replace "commencement of works" with "the granting of a Building Permit", replace "show" with "must include", and insert as the first dot point "suitably advanced trees for screening to the south-east (front) of the maintenance building and compound".
- 17. LAND 3 LANDSCAPE BOND (COMMERCIAL).
- 18. Landscaping and track construction in the vicinity of the Gellibrand Vault must be retained and supplemented to act as a buffer between the Vault and the development.
- 19. Interpretive signage is to be provided within proximity of the Gellibrand Vault to explain its significance. Such signage and management of the development in terms of the Vault is to be to the satisfaction of Heritage Tasmania.
- 20. An environmental management programme is to be submitted and endorsed by Council's Group Manager Asset Management, in consultation with the landowner (Crown), prior to commencement of site works. All works and obligations within the programme are to be implemented and adhered to. The programme must include, but is not limited to:
 - details of the environmental benefits of the development, including the methods for protection and management of native species;
 - details of the environmental impacts of the development;
 - details of the proposed weed management techniques to be implemented;
 - details of the finish and on-going maintenance of the shared public walkways, including location, design and maintenance of interpretive signage;
 - details of the proposed rehabilitation measures associated with the use;
 - details of the proposed erosion and sedimentation controls to be implemented as part of the development;
 - details of the proposed measures to ensure the protection and management of the cultural values of the site;
 - details of proposed future community liaison in terms of the ongoing management of the site;
 - details of impact on ground water quality and quantity, to ensure that no adverse impact results from the proposed use and development; and

- details of proposed safety management plan.
- 21. The shared bicycle and walking tracks as detailed in the endorsed plans are to be a minimum of Class 2 Nature Trail Standard and are to be completed prior to the commencement of use.
- 22. Public access by foot and bicycle to the subject property is to be retained at all times.
- 23. Unless otherwise required by these conditions, the activity (or activities) undertaken on the site must comply with the Acceptable Standards provisions of the Quarry Code of Practice.
- 24. Material is only to be quarried for development in accordance with the endorsed plans and no additional material may be quarried for use beyond the boundaries of the site.
- 25. Dust emissions from the site must be controlled to the extent necessary to prevent environmental nuisance beyond the boundary of the site, to the satisfaction of Council's Senior Environmental Health Officer.
- 26. Prior to commencement of extractive activities on any portion of the site all surface soils must be removed and stockpiled for later use in rehabilitation of the site. Topsoil must be kept separate from other overburden and protected from erosion or other disturbance.
- 27. Rehabilitation upon permanent cessation of the activity must be undertaken in accordance with relevant provisions of the Quarry Code of Practice and in accordance with the following:
 - rehabilitation earthworks must be substantially completed within 12 months of cessation of the activity; and
 - rehabilitated areas must be monitored and maintained for a period of at least 3 years after rehabilitation works have been substantially completed, in accordance with the relevant provisions of the Quarry Code of Practice
- 28. Activities associated with the extraction of rock, gravel, sand, clay or minerals, and loading of product, and screening/crushing must not be undertaken outside the hours of 0700 hours to 1900 hours on weekdays and 0800 hours to 1600 hours on Saturdays.
- 29. ADVICE 3 SPECIAL PLUMBING ADVICE.
- 30. ADVICE 6 FOOD REGISTRATION ADVICE.
- 31. ADVICE 16 THREATENED SPECIES ADVICE.

- 32. ADVICE This permit does not grant approval for the "proposed possible future clubhouse precinct" and associated access road. A separate and further development approval will be required for any additional structures of that nature.
- 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.

ASSOCIATED REPORT

1. BACKGROUND

An application was approved by Council on 10 December 2012 under D-2012/319 for the development of an 18 hole "links" style golf course and associated buildings and infrastructure. Council's decision was appealed and a further permit granted on 28 February 2015 by consent through the Resource Management and Planning Appeal Tribunal and subject to modification of conditions.

A series of changes to the approved development have subsequently been proposed and a new application lodged.

The applicant has submitted that further community and stakeholder consultation has been undertaken regarding the changes proposed since the original approval was issued with a number of community and interest groups, and included the Parks and Wildlife Service and Council.

Council has been advised that the proponent has also, as part of the detailed site design for the proposal, continued to liaise with the established community reference group and hosted a public forum regarding the changes.

An extension of time to the original permit has been granted by Council by request of the applicant and enabled by Section 53 of the Land Use Planning and Approvals Act, 1993 (LUPAA) and now expires on 28 February 2017.

2. STATUTORY IMPLICATIONS

- **2.1.** The land is zoned Recreation and Special Use and is subject to the Coastal Management, Coastal Erosion Hazard and Vegetation Management Overlays under the Scheme.
- **2.2.** The proposal is a Discretionary development as it seeks a variation to car parking, proposes a discretionary sign and relates to the development of a parcel of land affected by the Coastal Management Overlay, within which all development must be considered as discretionary.
- **2.3.** The relevant parts of the Planning Scheme are:
 - Section 2 Planning Policy Framework;
 - Section 3 General Provisions:
 - Section 6.11 Recreation Zone;
 - Section 6.12 Special Use Zone;
 - Section 7.1 Vegetation Management Overlay;
 - Section 7.3 Coastal Management Overlay;
 - Section 7.4 Coastal Erosion Hazard Overlay;
 - Section 8.1 Off-Street Car Parking and Loading; and
 - Section 8.2 Advertising Signs.
- **2.4.** Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of LUPAA.

3. PROPOSAL IN DETAIL

3.1. The Site

The site is located at 150 Spitfarm Road, Opossum Bay and is comprised in CT 127601/1 which has a total area of 116.3ha. The land is owned by the Crown, the consent of which was provided as part of the application.

The development site comprises the majority of the tip of the peninsula but excludes a privately owned and Heritage-listed cemetery known as the Gellibrand Vault, which has an area of $3035m^2$ and is located at the north-western end of the peninsula.

The subject land is accessed from Spitfarm Road at its southern boundary and adjoins residential development to the south.

The land is a public reserve used for passive recreation and involves a series of unconstructed access tracks around the site. The site incorporates a series of beaches and is undulating as a whole. It is vegetated primarily by native grasses and shrubs, with some areas affected by weed infestation.

3.2. The Proposal

The proposal originally approved under D-2012/319 incorporated the following elements:

- an 18 hole "links" golf course;
- associated car parking and access;
- maintenance building and yard, and shop/kiosk;
- putting course;
- new shared pedestrian/bicycle public pathways;
- maintenance and upgrade of existing public pathways;
- formalised public recreation areas;
- revegetation and erosion control works; and
- combination of recycled, rain, salt and ground water supply for irrigation.

This application seeks approval for the following changes to the approved development.

1. a new practice fairway to the north-west of the proposed car park;

- 2. minor changes to the layout of Fairways 1 and 2;
- 3. the reactivation of the gravel pit located on the northern part of the site, to provide material for the construction of pathways on the site;
- 4. relocation of the café/pro shop building to the north of the proposed carpark and increase in size to a total footprint of 169m²;
- 5. relocation of the maintenance compound to the south of the proposed carpark, an increase in size of the building to have a footprint of 700m², orientation of the building to be generally north/south, and increased compound area to include site propagation and revegetation nursery;
- 6. relocation and realignment of the approved carpark a further 90m to the north of the approved location;
- 7. the installation of 2 water storage tanks to store water resources on-site for irrigation;
- 8. realignment of the walkways for access to Mitchell's Beach and Shelly Beach, with regard to their orientation to the fairways; and
- 9. the installation of a freestanding interpretation sign and the end of the formed part of Spitfarm Road.

The proposed configuration of the amended golf course development and associated buildings and infrastructure would be as described by the proposal plans attached.

The proposed cafe/pro-shop building would be located to the north of the proposed car park and would have a height above natural ground level in the order of 4.2m, would have a footprint in the order of 169m^2 incorporating deck areas, and it would be clad using a combination of natural finish plywood panels, Zincalume, timber framed windows and polycarbonate roofing to be grey in colour. The proposed location would have benefits in terms of orientation towards views and would be below the ridgeline of the site.

The proposed maintenance building would be located to the south of the

proposed carpark location, would have a footprint of 700m², would be 5.5m at its highest point above natural ground level and would be clad using Colorbond combined with recycled timber placed vertically. Roller door access is proposed to the building and cement sheet panelling at a lower level, both to be grey in colour. Landscaping to screen the building is also proposed.

The proposed interpretation sign would have an area of 0.72m², would be located at the end of Spitfarm Road near to the start of the trails to the site, would be 1.33m above natural ground level and would provide information about the proposed development.

The reactivation of the gravel pit on the northern part of the site is also proposed as part of the development. It would have an estimated total output of 10,000 tonnes and lifespan of 2 years for the duration of construction. The basis of the use of the pit is that it would reduce heavy vehicle traffic on Spitfarm Road during construction and potential conflict with residential land use in the vicinity of the site. Similarly, the risk of weed infestation is lower by limiting vehicle movements and the full environmental rehabilitation of the site would follow.

The installation of 2 large water storage tanks for the site is also proposed, which would be sited to the rear (north) of the maintenance building. These tanks would, in conjunction with 5 smaller (30,000l) tanks, provide the estimated necessary supply of 4ML.

This application proposes the same approach as previously, in that the site would be developed and managed in a manner that enables shared use by the public and golfers, in terms of a series of shared pathways that would traverse the site.

The proposed golf course is modelled on the "links" style, which involves the creation of a course in a coastal area and with challenges brought by uneven fairways, deep bunkers and by virtue its coastal location is often windy.

Access to the site would be from a proposed access road from the end of Spitfarm Road, which would lead to the proposed gravel carpark. Separate access roads to both the café/pro shop and maintenance buildings would be developed as illustrated.

It is anticipated by the proposal that in the order of 428 vehicle movements per day would occur as a result of the proposed golf course and associated recreational development, but that the traffic generation would vary throughout the day.

4. PLANNING ASSESSMENT

4.1. Planning Policy Framework [Section 2]

The relevant elements of the Planning Policy Framework are contained in Section 2.2.3(b)(i) – Environment. In particular, the Key Issues include:

- "• The importance of the City's natural heritage is a key component of its attractiveness as a place to live.
- The importance of the City's natural heritage in supporting recreational activities for residents and visitors of Clarence and the metropolitan region may place greater pressure on those values.
- The need for management of coastal areas subject to risk from natural processes, including erosion, flooding, storms, landslip, littoral drift, dune mobility and sea level rise".

The Key Objectives include:

- "• To enhance the environment of Clarence, ensuring it remains attractive to residents and tourists.
- To protect natural environments from the impacts of development encroachment, including the spread of pest animals and plants.
- To protect and enhance bio-diversity on public land, including road reserves and vegetated private land, where those values are recognised as important.
- To ensure that environmentally acceptable techniques for disposing wastes and sewerage are facilitated.
- *To protect biodiversity and important conservation values.*

• To ensure that the use and development of coastal areas does not increase risk from natural processes".

Further relevant elements of the Planning Policy Framework are contained in Section 2.2.3(d)(iv) – Recreation and Community Facilities. In particular, the Key Issues include:

- "• The need to provide adequate and appropriate recreational and community facilities to serve the existing and future populations.
- The need to integrate recreational and community facilities into residential neighbourhoods.
- The need to ensure that in coastal areas recreational and community facilities are located on a safe and environmentally sound manner and in a way that responds to the identified and anticipated effects of climate change".

The relevant Key Objectives include:

- "• Provide for regional facilities where they may also be utilised in association with tourism.
- Ensure that in coastal areas:
 - Tourism use and development are suitably located in accordance with the objectives, principles and outcomes of the Tasmanian State Coastal Policy 1996.
 - Tourism development is subject to environmental impact assessment, including a water safety assessment to determine safety requirements.
 - Tourism development is considered as part of strategic planning for those areas.
 - Tourism development is located where there is environmental capacity and where it does not significantly conflict with the natural and aesthetic qualities of the area.
 - Public access to and along the coast, from both land and water, is maintained and enhanced where it does not conflict with the protection of natural and cultural coastal values, health and safety and security requirements. Access will be directed to identified access points and uncontrolled access with potential to cause significant damage to the fragile coastal environment will be prevented.

- Agreements to grant public access to the coast, and Aborigines access to Aboriginal relics in the coastal area are to be considered as part of the development approval process.
- Community facilities such as life saving facilities and essential emergency services, parking facilities, toilet blocks, picnic sites, rubbish disposal containers, boat ramps and jetties are provided at appropriate locations to enhance the recreational amenity of the area.
- Safety assessments are undertaken for developments likely to attract people to the coast.
- Developer contributions are encouraged in to address the costs of providing public access and safety services for the community.
- Recreational use of the coastal zone is encouraged where activities can be conducted in a safe and environmentally responsible manner.
- Recreation uses do not adversely affect sensitive coastal ecosystems and landforms or are located in designated areas where such effects can be remedied or mitigated.
- Development takes into account the identified and anticipated impacts of climate change".

Reference to these principles is also contained in the discussion below.

4.2. General Decision Requirements [Section 3.3.1]

The relevant General Decision Requirements of this part are:

- "(a) General requirements:
 - (v) The Specific Decision Requirements of the Zone, Overlay or Specific Provision.
 - (vii) Any representation made in accordance with Section 43F(5) or Section 57(5) of the Act.
- (b) Amenity requirements:
 - (i) The character of the locality, the existing and future amenities of the neighbourhood.
 - (iii) Landscaping, illumination and treatment of the site generally.
- (c) Infrastructure requirements:
 - (i) The availability of existing public utility services.
 - (ii) Access to water or irrigation rights.
 - (iii) The suitability of waste management facilities.

- (v) The capacity of the existing streets and roads in the locality and the effect of the development on such capacity.
- (vi) The provision of access, loading, parking and manoeuvring of vehicles.

(d) Design suitability requirements:

- (ii) The position and scale of buildings in relation to boundaries or to other buildings, their density, character, height and harmony in design of facades.
- (iv) The existing character of the site and the buildings and vegetation it contains.

(e) Environmental requirements:

- (i) If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the lot boundaries of each lot.
- (iii) The compatibility of the development on the surrounding land uses.
- (vi) The impact on important wildlife corridors and flora, fauna, landscape features of the area and introduction of pests, plants or animals.
- (x) The impact of the development or any associated works with respect to the natural landscape, infrastructure, vistas and water features and any mitigation strategies necessary to minimise these impacts.
- (xiii) Whether native vegetation must be or can be protected, planted or regenerated through the application".

The relevant requirements of both the Recreation Zone and the Special Use Zone will be addressed in detail below, however, it is noted that the impact of the proposed development upon the amenity of the area has been considered as part of this assessment in terms of possible impacts and design suitability. Reference to these principles is contained in the discussion below.

4.3. Zone

The majority of subject property is located within the Recreation Zone, the Purpose of which is:

- "(a) To implement the Planning Policy Framework.
- (b) To recognise public and private land which may be used for open space or recreation.

- (c) To provide for uses which support recreational activities or which may be interim uses that do not prejudice future recreational activities.
- (d) To provide for appropriate exploitation of the sand mining resource and Seven Mile Beach".

The proposed development gives consideration to the Purpose of the zone in that it seeks to provide for the use of the land for recreation, both as part of the proposed golf course and in terms of the walking/cycling paths proposed.

The proposed golf course is defined by the Scheme as "active recreation" which is a permitted use within the zone as described by Clause 6.11.2. The proposed shared pathway arrangement is defined by the Scheme as "passive recreation" and is also a permitted use in the zone.

The proposed café/pro shop and maintenance compound would be ancillary to the proposed use of the site for active recreation and as such would be considered as ancillary use described by Clause 3.5.1. Similarly, the Scheme allows for multiple use at Clause 3.5.2, meaning that both active and passive recreation be considered as separate uses.

Clause 5.1.2 provides that the following development is exempt from development approval:

- "(a) The removal, destruction or lopping of vegetation which are species introduced to Tasmania.
- (c) Boundary fences and/or retaining walls not exceeding a combined maximum height of 2.1m above natural ground level.
- (d) The construction, maintenance and repair of infrastructure including roads, tracks, footpaths".

The construction of the shared pathways is therefore exempt from development approval and does not require further specific discussion as part of this assessment. Similarly, the removal of introduced vegetation is also exempt from approval but would occur as part of this proposal.

The relevant Use and Development Standards are described by Clause 6.11.3 of the Scheme and where applicable provide that the development be considered in terms of the Specific Decision Requirements for height and setback.

The relevant Specific Decision Requirements of the zone are considered as follows.

"(a) A variety of styles, material and colours is encouraged for development within the zone. Architectural expression is preferred to ensure the zone reflects currency with modern design and construction techniques".

The buildings proposed would be clad using a combination of materials including natural plywood panelling, vertical timber panelling, Colorbond and Zincalume to be grey in colour. The buildings proposed would be substantially screened by landscaping proposed in conjunction with a series of dunes of 2-3m in height which would soften the impact of the building and minimise visual impacts.

"(b) Development should be compatible with the recreation uses".

The proposed development is for recreational use and would improve access to the area by upgrading and providing additional shared pathways for public recreation, thus satisfying this decision requirement.

- "(c) Buildings should be located in unobtrusive locations and, in particular:
 - (i) be located well below the ridge line so as not to be prominent against the skyline when viewed from a public place;
 - (ii) grouped together on the site;
 - (iii) located where existing native vegetation can be retained to screen the development".

The buildings would be sited in a manner that minimises visual impact, by orienting the buildings appropriately and selecting new locations on the site that will utilise both existing dune arrangements and landscaping and by not exceeding 5.5m in height.

Pockets of vegetation and additional landscaping as proposed by the applicant to screen the buildings would assist in screening of the structures and would ensure compliance with this decision requirement.

"(d) The external impact of floodlighting should be minimised".

Floodlighting of the proposed carpark is the only external lighting proposed as part of the development and it would be low level baffled bollard style lighting. A relevant condition should be included in terms of floodlighting to ensure minimal impact and satisfy this requirement.

"(e) Areas of significant vegetation, habitat, threatened species or threatened communities should be maintained where possible".

In support of the proposal, assessments of both fauna and flora were provided. In terms of fauna, the most significant issue relates to shorebird foraging and roosting habitat on the eastern end of Arm End. The tidal flats at Shelly Beach and The Spit are also potentially sites well suited to nesting of the white-bellied sea-eagle. To ensure the protection of these areas they have been avoided and appropriate separation provided.

The proposal does not necessitate the clearance of native flora but rather its protection and supplementary plantings on-site. Some rare species have been identified and their protection would occur. Permits to take, if required, would need to be obtained from the State. An advice note in terms of the developer's obligations under the Threatened Species Protection Act, 1995 should be included on any permit granted.

Further correspondence received from DPIPWE indicated that there is a geoconservation site in the vicinity of Mary Ann Bay, and tramping around the cliff area at the southern end of the beach could cause further degradation. The proposed development would have a positive effect on this in that formal walking tracks would be created to limit tramping impacts. "(g) Development should maintain existing significant views from the surrounding area".

The proposed development would involve the siting of the 2 buildings at points of the site where screened by vegetation (both existing and proposed) and in conjunction with existing dune formations would be screened substantially by landscaping proposed, thus satisfying this requirement.

The materials proposed being a combination of natural materials and dark greys would further minimise visual impacts when viewed from nearby residential areas and from public viewpoints.

"(h) Sufficient car parking is to be provided on site to meet differing levels of service and recreational needs. Safe and convenient access is to be provided to all parking areas".

A carpark is proposed at the southern part of the site that would provide 60 parking spaces. This is sufficient for the proposed use and in accordance with the Scheme requirements, the detail of which will be discussed further below.

"(i) Signage is to be well designed and sensitively located".

The single, non-illuminated freestanding interpretation signage proposed would be sensitively sited at the end of Spitfarm Road to alert the community to the activities on-site. This sign would be removed upon conclusion of the construction phase and commencement of operation.

"(j) Development should be of a design, height, scale and siting compatible with the recreation use of the land and its surroundings".

It is considered that the proposal satisfies this decision requirement in that the development and amended building locations proposed by this application would be coloured and sited to give reference to landscape features and topography, and would involve retention of existing native vegetation and further planting. The originally approved golf course development would retain and significantly improve existing walking trails and would be compatible with the existing use of the site for recreation.

The new building locations proposed have been assessed in respect of visual impact and it is considered would be unlikely to have a significant visual impact given their proposed siting and construction materials, and thus would be consistent with this decision requirement.

An area of land supporting a broadcasting station and navigation lights is located at the western side of the site and is within the Special Use 1 Zone, the Purpose of which is:

- "(a) To implement the Planning Policy Framework.
- (b) To recognise or provide for the use and development of land for specific purposes".

Both active recreation and passive recreation are described by Clause 6.12.2 as permitted uses within the zone, where the construction of new buildings is not proposed. The proposal would not alter or further develop land within the Special Use portion of the site other than for revegetation and development of shared pathways, meaning that the existing communications tower and small building would not be compromised by the proposal.

4.4. Overlays

A series of small pockets of the subject property are affected by the Vegetation Management Overlay, within which it is submitted that clearing of native vegetation would not occur. Weed management is proposed to occur within these areas, being an activity exempt from approval under the overlay by Clause 7.1.2(xv).

To ensure that no clearing of native vegetation within these areas occurs as part of the proposal an appropriate condition should be included to that effect.

The subject property is also affected by the Coastal Management Overlay, which covers the entirety of the site. The proposal does not propose any works within the frontal dune system other than those exempt activities addressed above.

Clause 7.3.2(b) provides that all use and development be considered as discretionary in terms of this overlay and that development must be consistent with the Specific Decision Requirements, which are addressed as follows.

- "(a) The development should have regard to any coastal hazard, cultural or historic resource or feature of conservation value, including flora or fauna habitats.
- (b) The coastal environment should be protected, especially including water quality, shoreline change, erosion or areas of visual sensitivity".

The proposed development has been designed to ensure the proposed buildings would be sufficiently setback from the 3 beaches adjoining the site, and the associated development has given reference to the coastal hazards associated with the nature of the site.

Similarly, it is considered that the proposed development has given appropriate consideration to the only identified heritage item on the site being the Gellibrand Vault, in that access would be provided to that site as part of the shared pathway and that the development would not compromise the surrounding area in terms of the activities proposed.

The impact of the proposal upon flora and fauna has been addressed in detail above and it is considered that the impact is reasonable and in accordance with the relevant provisions of the Recreation Zone and this decision requirement.

"(c) Public access to the coast is to be facilitated through applications where possible".

This proposal incorporates the upgrading of existing access tracks around the site and proposes the creation of new shared pathways, in accordance with this requirement.

"(d) The coastal area should be stabilised and made safe where necessary".

The location of the proposed buildings and modified carpark location would be sited at the southern part of the site, away from the coastal area. Work to the existing tracks would be undertaken as part of the proposal and is exempt from approval by Clause 5.1.2 of the Scheme.

"(e) The use or development should be coastal dependent and appropriate to a coastal location".

The proposed development would utilise the existing topography of the site for the most part as typical of this coastal location. The siting of buildings has been carefully selected in order to ensure minimal visual impact, thus satisfying this decision requirement.

The final overlay affecting the site is the Coastal Erosion Hazard Overlay, which is relevant to parts of the site immediately adjacent the coast. Works within the areas affected by this overlay are not proposed as part of the development.

Works associated with track maintenance and the construction of new shared pathways is exempt from approval as provided for by Clause 5.1.2(d) and is therefore not relevant to this overlay.

4.5. Specific Provision – Off-Street Car Parking and Loading

This part of the Scheme incorporates a series of requirements relevant to access and parking. Clause 8.1.3(a)(i) provides that, for the recreational use of the site for the purposes of golf, a total of 4 car spaces to each hole be provided. A total of 72 spaces is therefore required and 60 are proposed by the development.

Clause 8.1.3(a)(iv) enables a variation to the requirement for on-site car parking as a discretionary development in accordance with Clause 3.1.8.

A traffic impact assessment was submitted in support of the development that provided justification in terms of number of spaces required for the proposed use. The modified carpark location retains the same layout as that originally supported by Council and approved and the conclusion remains relevant, in that with the provision of 60 spaces there would be sufficient space for both users of the golf course and members of the public to park on-site. This conclusion is based on the following:

- 6 groups of 4 players can finish 9 holes every hour;
- 6 groups of 4 players can start 9 holes each hour;
- each group of 4 players only play either the front or back 9 holes, meaning that up to 12 groups of 4 players may finish during a peak hour long period; and
- an average of 3 players arrives per vehicle.

Of the proposed 60 space carpark and based on this analysis a total of 28 spaces would be occupied by golfers, leaving a remainder of 32 spaces for recreational users.

This justification is accepted in that there is presently no formal car parking available on-site and the 2 types of recreational use could occur concurrently with the provision of such a carpark. It is therefore considered reasonable for Council to waive the requirement for the deficient 12 spaces as part of this proposal.

The proposed carpark would provide for the requisite size of parking space, being 2.75m by 5.5m as described by Clause 8.1.3(b). Similarly, the access road proposed to the carpark would satisfy the width dimensions required, in that it would be 5.5m in width and enable 2 way traffic to and from the carpark. The appropriate standard of construction would be ensured by means of a condition requiring engineering designs for the access road and carpark.

4.6. Specific Provision – Advertising Signs

This part of the Scheme incorporates a series of requirements relevant to access and parking. Signage within the Recreation Zone is defined as Class 3 signage, which is defined by Clause 8.2.7 as a High Amenity Area. The proposed interpretation sign is defined by the Scheme as a Promotion Sign, which is Discretionary in the subject area.

The proposed sign is considered to be consistent with the relevant Specific Decision Requirements of this section of the Scheme, in that:

- it is an application for a single sign meaning that visual clutter of signage would not occur;
- the sign would not compromise any significant items in terms of scenic, historic or cultural interest in that it would be 1.33m above natural ground level at its highest point;
- it relates to the site on which it would be sited; and
- the sign would not detract from the efficiency of Spitfarm Road, which is the nearest public access point to the proposed sign location.

4.7. External Referrals

The proposal was referred to Heritage Tasmania and the Department of Primary Industries, Water and Environment (DPIPWE) for comment as part of this assessment.

Advice was received from Heritage Tasmania that it does not have a formal interest in the application, noting that the affected land does not form part of the development.

DPIPWE provided comment on the presence of coast houndstongue which is described as rare flora by the Threatened Species Protection Act, 1995. An advice should be included on any permit with respect to compliance with this act to ensure the proponent is aware of their obligations.

Similarly, advice was received from DPIPWE regarding the presence of listed weeds under the Weed Management Act, 1999. An appropriate condition should be included to address this as a requirement for the preparation of a weed management plan for the site.

The application was also referred to the Environment Protection Authority in respect of the proposed reactivation of the gravel pit on-site and associated extraction.

Advice was received that the formal referral to the EPA Board under Section 24(1) of the Environmental Management and Pollution Control Act, 1994 was not required, on the basis that the material would be used solely on-site for the development of infrastructure and not be transported off the land to which this application relates.

A series of recommended permit conditions in respect of the proposed quarrying operation were provided and on the basis that Council includes a further permit condition that the extracted material is not transported off-site, the assessment of the EPA Board is not required. Appropriate conditions have therefore been included on this basis.

5. REPRESENTATION ISSUES

The proposal was advertised on 2 occasions as part of this assessment. Firstly advertised on 8 July 2015, 37 representations were received and a further 3 submissions received following the conclusion of that advertising period. The objections to the development received during the first advertising period are summarised as follows:

- visual impact and scale;
- loss of amenity and inconsistency with character of area;
- conflict with Clarence Planning Scheme 2007;
- café/pro-shop not "integral and subservient" to the recreation use;
- lack of information in advertised documentation;
- environmental impact;

- inconsistency with undertakings given to Community Reference Group and South Arm community, and overstatement of support;
- unfair limitation of public access;
- public liability;
- risk of commercial failure; and
- exploitation of public land for private gain.

The development was subsequently modified and the proposal readvertised on 26 August 2015. A further 11 objections were received during the second advertising period in response to the modified design. These are summarised as follows:

- 2 public recreation areas excessive;
- Mitchells Beach recreation area inappropriate;
- revegetation dunes likely to be ineffective;
- environmental impact;
- visual impact of maintenance facility, fencing and access road/s;
- visual impact of café/pro-shop;
- lack of stated community consultation;
- restriction of public access;
- insufficient water supply and water quality;
- detrimental impact of future clubhouse;
- noise pollution; and
- visual and environmental impact of quarry reactivation.

Of the issues raised in opposition to the proposal, several are not relevant to the determination of the development application pursuant to the Planning Scheme. Issues such as "public liability", "risk of commercial failure" and "exploitation of public land for private gain" are not matters that are controlled by the Planning Scheme and are therefore not relevant to the planning assessment. Those and other remaining matters are outside the scope of this assessment and are matters perhaps best addressed by the Crown.

The amended (and readvertised) plans changed the size and original orientation of the maintenance building and compound in response to the representations raised. The number of representations reduced from 37 to 11 objections as part of the readvertising of the proposal, indicating that some concerns were alleviated by the modifications to the proposal.

In response to the concerns raised, it is firstly noted that the development proposal is affected only by 3 areas of discretion. The first of these relates to the number of car parking spaces provided, in that the Scheme requires the provision of 72 spaces and it is proposed to provide 60 spaces.

Secondly, the subject property is affected by the Coastal Management Overlay which requires that the application be considered as a discretionary development in terms of the impact on the coastal area. Thirdly, the proposed interpretation sign is discretionary under the Scheme as a "promotion sign". The other matters relevant to the application as discussed above are permitted and exempt under the Scheme.

Those matters that are relevant to this assessment under the Scheme are addressed as follows.

5.1. Visual Impact and Scale

Concern was raised by the representors in terms of the visual impact of the proposed development, in terms of the appearance and impact of the proposed maintenance building and compound, the café/pro shop building and the carpark.

• Comment

The buildings would be sited and oriented in a manner that minimises visual impact, by selecting new locations on the site that will utilise both existing dune arrangements and landscaping – conditions have been included requiring detailed landscaping and use of established and advanced trees as part of the landscaping, particularly of the maintenance building given the orientation of the structure.

5.2. Loss of Amenity and Inconsistency with Character of Area

Concern was raised by the representations that the proposal would result in a significant loss of amenity for users of the area in its current form and for the community as a whole, not only in terms of appearance and accessibility but also noise, dust and general pollution.

Comment

The proposal has been assessed in terms of the relevant provisions of the Scheme, in respect of amenity associated with the existing use of the site for recreation and the on-going use of the site for such purpose. The proposal satisfies the relevant requirements of the Scheme as a permitted development with the inclusion of appropriate conditions.

It is noted that appropriate conditions have been included in respect of the management of the gravel pit and extraction of material, and the recommended conditions of the EPA have been included above.

5.3. Conflict with Clarence Planning Scheme 2007

The representors expressed concern that the proposal would be inconsistent with the Scheme in general and with elements of the Planning Policy Framework specifically and the detailed provisions of the Recreation Zone.

Comment

The relevant elements of the Planning Policy Framework and other relevant provisions of the Scheme have been addressed in detail by the above assessment. It is considered that the proposal is consistent with the relevant elements and provisions of the Scheme, in particular made clear by the status of the proposed development as a permitted use within the zone.

In any event, the status of the Planning Policy Framework is to provide reasoning for the subsequent planning controls and to provide a strategic basis for further changes to the controls. They cannot be used for assessment with respect to a specific development application, as recent decisions of the Tribunal demonstrate.

This issue is therefore not considered to be of determining weight.

5.4. Café/Pro Shop not "Integral and Subservient" to Recreation Use

The representations raised concerns that the proposed café in particular will, if approved by Council, be used independently of the golf course and therefore prohibited in the zone.

• Comment

It is considered that the proposed café/pro shop building would be ancillary to the proposed use of the site for active recreation. It is specifically proposed only as a result of the golf course and to provide for those attracted to it: therefore as discussed above, is ancillary use described by Clause 3.5.1 and therefore enabled by Clause 3.5.2 of the Scheme, which enables multiple uses to be considered in this case. This issue is therefore not of determining weight.

5.5. Lack of Information in Advertised Documentation

A concern was expressed that the proposal was advertised in a misleading manner.

Comment

The proposed development was advertised as required by Section 57 of the Land Use Planning and Approvals Act, 1993 (the Act) as "golf course with modifications to approval D-2012/319" and additional documentation available was identified by the advertisement and made available by CD upon request.

Such a description is considered accurate and reasonable as provided for by the legislation.

5.6. Environmental Impact

Concerns were raised that the proposal would have an adverse impact upon the environment in terms of flora and fauna and that groundwater quality would be compromised.

Comment

This proposal also satisfactorily demonstrates that the proposal would not have an adverse impact upon significant flora and fauna present onsite. The approved development would, in fact, have a positive impact in that weed management would occur and planting of additional native vegetation would occur as part of the development.

Significantly, the proposal would enable the use of the site for a combination of both passive and active recreation in a manner that improves the environmental quality of the site and would furthermore incorporate remediation works associated with the coastal areas. It is therefore considered that this concern is not of determining weight to this proposal.

That said, this is a significant element of the proposal. It is known that the Crown requires an environmental management plan be prepared in support of the proposed development, which would be required to address potential danger to threatened species.

It is considered that this should also be a planning requirement to ensure what has been intended in terms of remediation and on-going maintenance is actually delivered. Such a condition should be included as part of any planning permit granted by Council.

5.7. Inconsistency with undertakings given to Community Reference Group and South Arm community and Overstatement of Support

The representations received were concerned that insufficient consultation had been undertaken by the proponents about the proposed changes and signage.

Comment

It is submitted that the proponent has, over an extended period, undertaken a series of community consultation sessions and other forms of consultation in respect of this proposal. These were outside the planning process.

Council is required under Section 57 of the Act to give notice of a discretionary application in the newspaper by erecting a notice on the subject land and by notifying all adjoining owners in writing. These tasks were undertaken by Council as required by the legislation.

5.8. Unfair Limitation on Public Access

The representations received were concerned that the proposal would unfairly compromise public access to the site, which is reserved for public recreation and use.

Comment

The proposal is for the development of an extensive series of walking tracks to provide for unfettered public access, in conjunction with the use of the site as a golf course.

The terms of this arrangement are linked to the lease entered into between the proponents and the Parks and Wildlife Service and are not a relevant planning consideration under the Scheme.

Issues such as this are not matters relevant to the discretions at hand. They are matters more appropriately addressed by the Crown as part of the lease arrangement.

6. STATE POLICIES AND ACT OBJECTIVES

- **6.1.** The proposal is consistent with the outcomes of the State Policies, including those of the State Coastal Policy.
- **6.2.** The proposal is consistent with the objectives of Schedule 1 of LUPAA.

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy.

8. CONCLUSION

The proposal is for a series of modifications to the approved development of an 18-hole golf course and associated infrastructure on the site. To simplify the permits for the site, however, this approval is to relate to the whole of the development and supersede the original approval. Should a permit be granted, the new permit and associated conditions will be comprehensive and effectively over-ride the previous permit granted under D-2012/319.

The proposal is for a permitted development that is discretionary only in terms of the Coastal Management Overlay, in that it seeks a variation of 12 parking spaces and signage.

This proposal is consistent with the relevant requirements of the Scheme for the reasons described above in detail and has significant on-going benefits for both the site and community in terms of the improved management of the land and on-going opportunity for recreational use. In satisfying the relevant requirements of the Scheme it is therefore supported subject to the inclusion of a number of conditions.

Attachments: 1. Location Plan (1)

2. Proposal Plan (9)

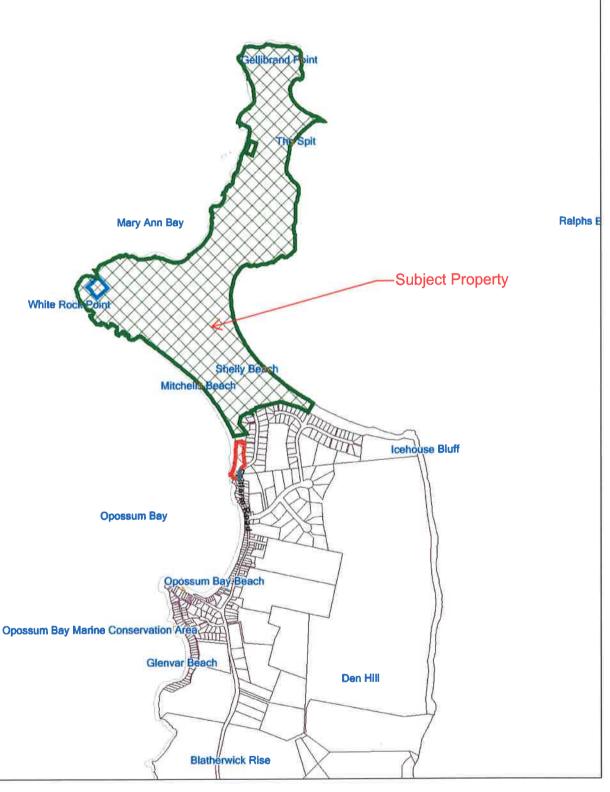
3. Aerial Photo (1)

Ross Lovell

MANAGER CITY PLANNING

Attachment 1

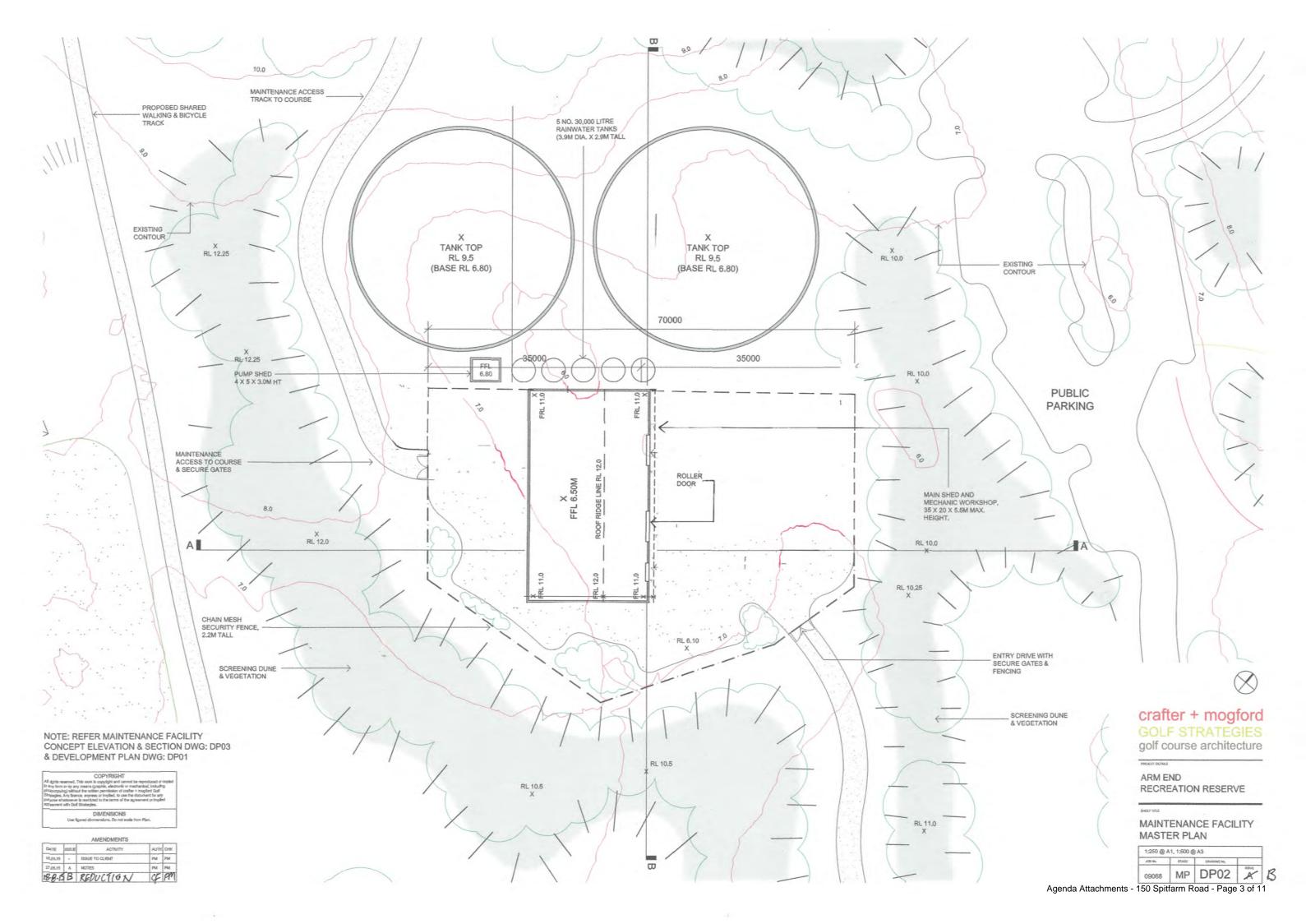
Location Plan - 150 Spitfarm Road

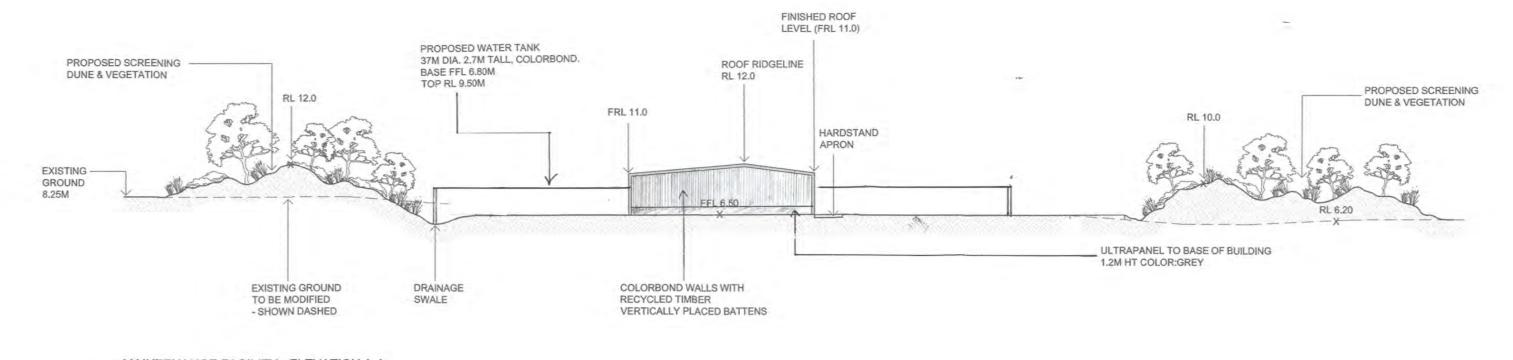


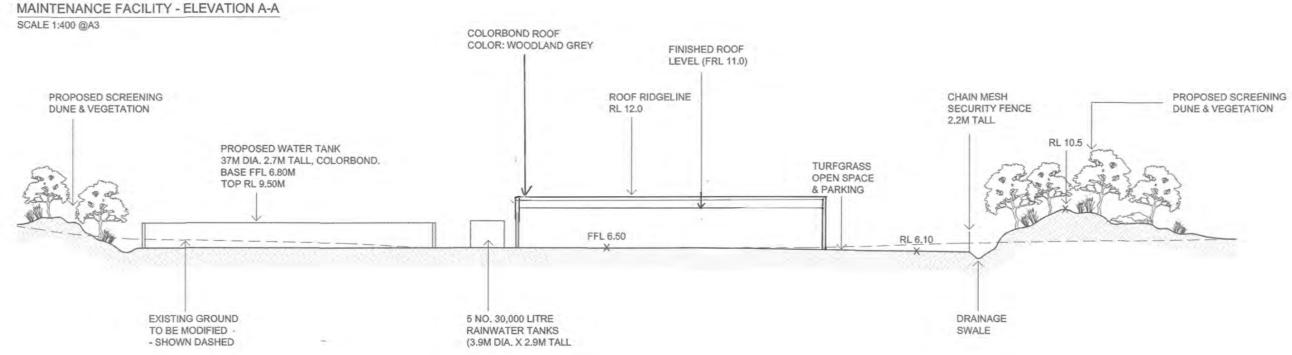


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MAINTENANCE FACILITY - SECTION B-B SCALE 1:400 @A3

| | | AMENDMENTS | | |
|----------|-------|----------------|------|------|
| DATE | ISSUE | ACTIVITY | AUTH | CHK |
| 15,05,15 | - | ISSUE TO QUENT | PM | PM |
| 27.05.15 | A | NOTES | PM | Plit |
| 18-8-1 | B | REDUCTION | CF | pr |

NOTE: REFER MAINTENANCE FACILITY MASTER PLAN DWG: DP02 & DEVELOPMENT PLAN DWG: DP01

crafter + mogford **GOLF STRATEGIES** golf course architecture

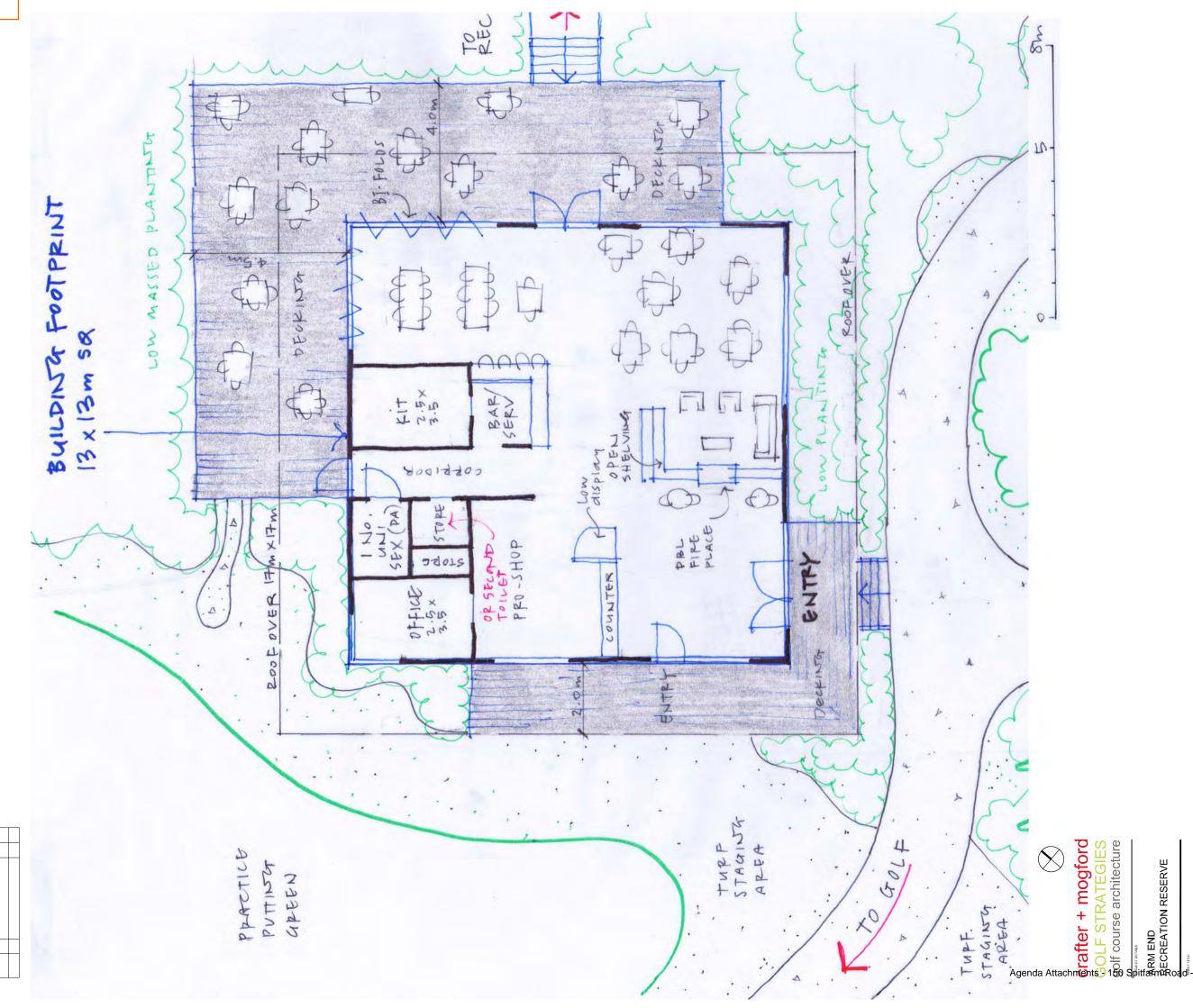
ARM END RECREATION RESERVE

MAINTENANCE FACILITY CONCEPT ELEVATION & SECTION



Agenda Attachments - 150 Spitfarm Road - Page 4 of 11

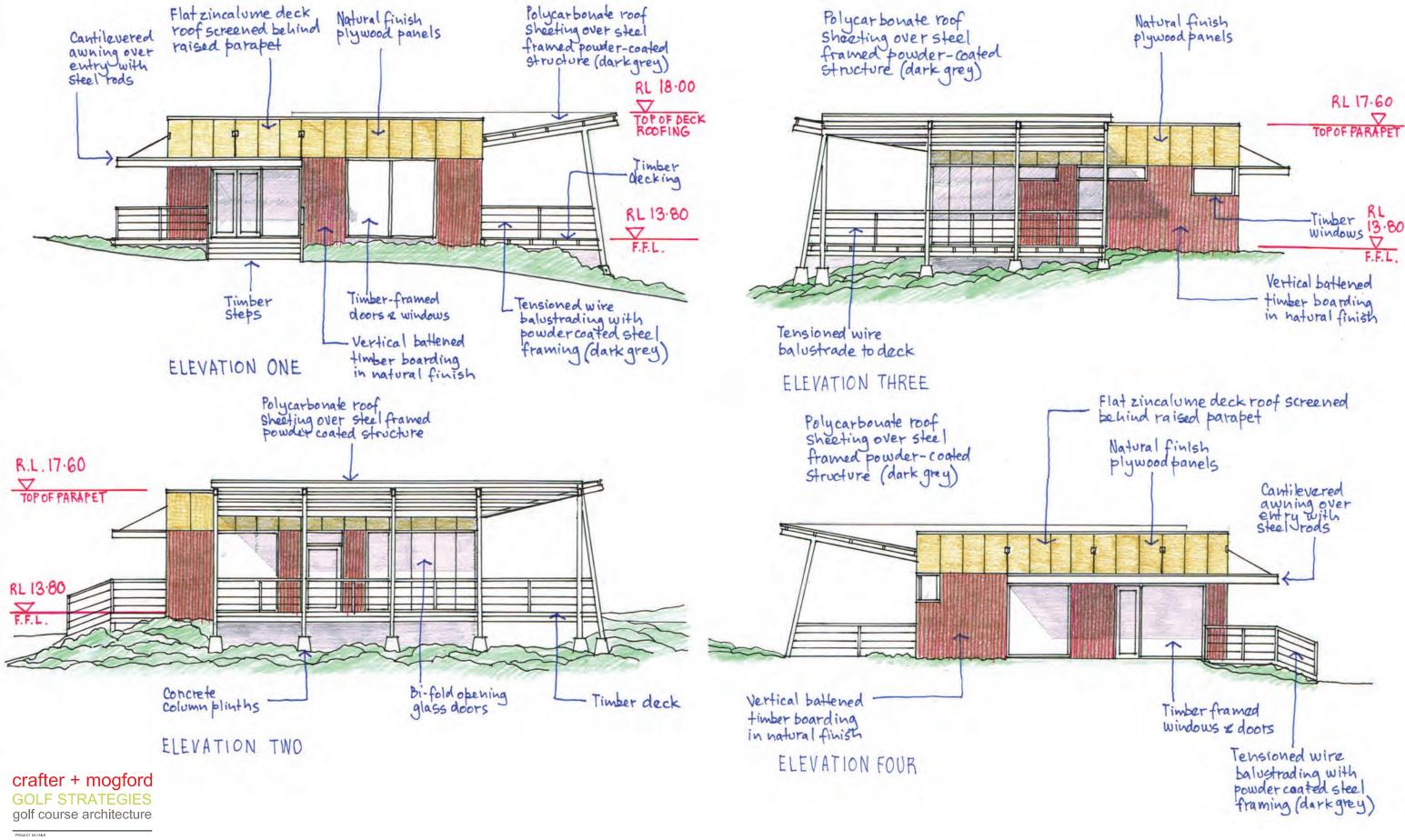
AMENDMENTS



NOTE: REFER PRO-SHOP / CAFE BUILDING ELEVATIONS DWG: DP05 & DEVELOPMENT PLAN DWG: DP01

MP DP04

最O-SHOP / CAFE BUILDING 網LAN



ARM END RECREATION RESERVE

SHEET TITLE

PRO-SHOP / CAFE BUILDING ELEVATIONS

NOTE: REFER PRO-SHOP / CAFE BUILDING PLAN DWG: DP04 & DEVELOPMENT PLAN DWG: DP01 All rights reserved. This work is copyfield and cannot be reproduced or copied in any form or by any means (graphic, electronic or mechanical, including photocopying) without the written permission of crafter 4 mogford Golf Strategies. Any licence, express or implied, to use the document for any purpose whatsower is setricted to the terms of the agreement or implied agreement with Golf Strategies.

AMENIDMENTS

DIMENSIONS
Use figured dimmensions. Do not scale from

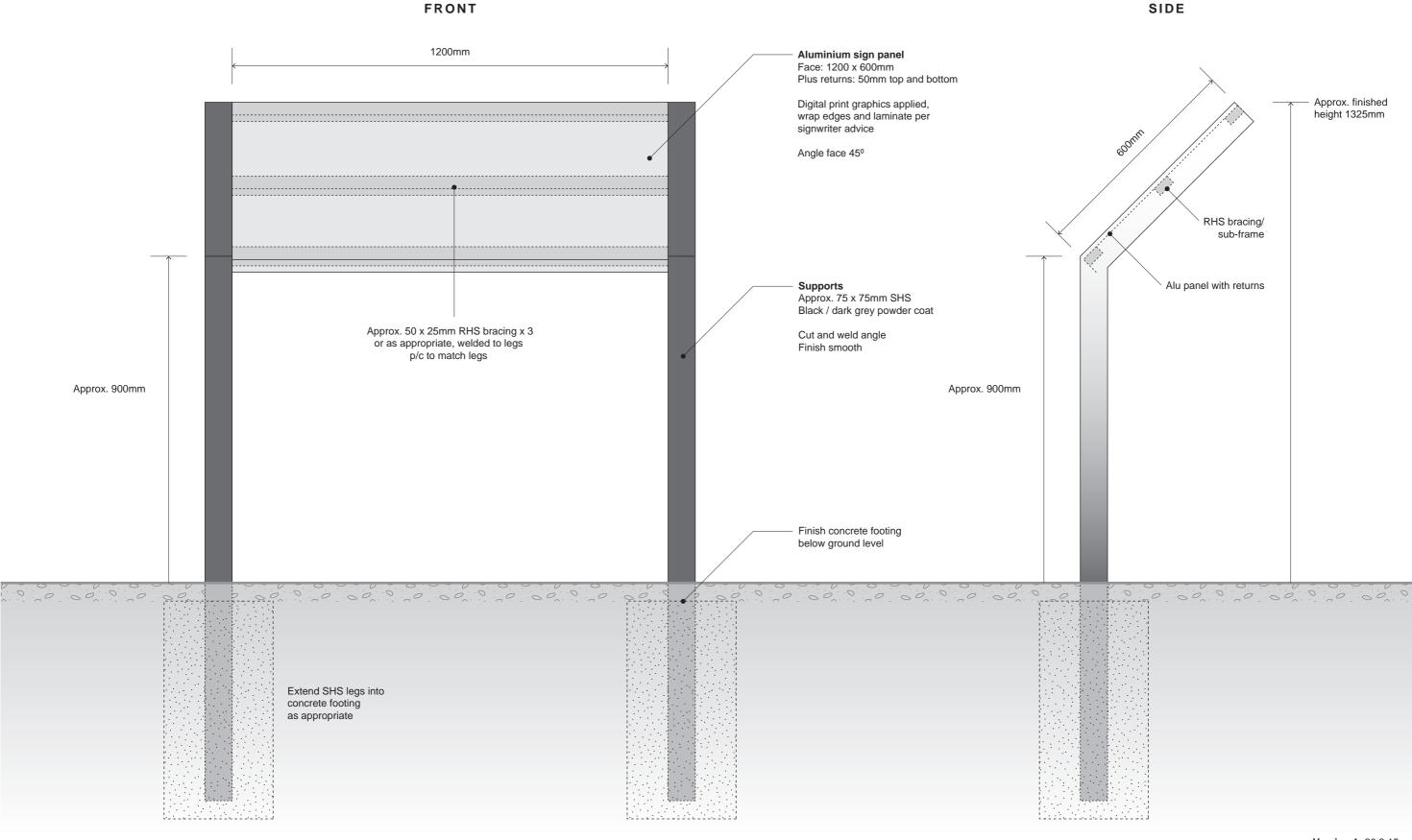


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Page: 1 of 1 Generated at: 9:24 on 6-July-2015 User: Public 30 22 131 38 136 127 13 134 132 130 126

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Arm End Recreation Reserve: Entry Information Sign – indicative structure and panel specifications

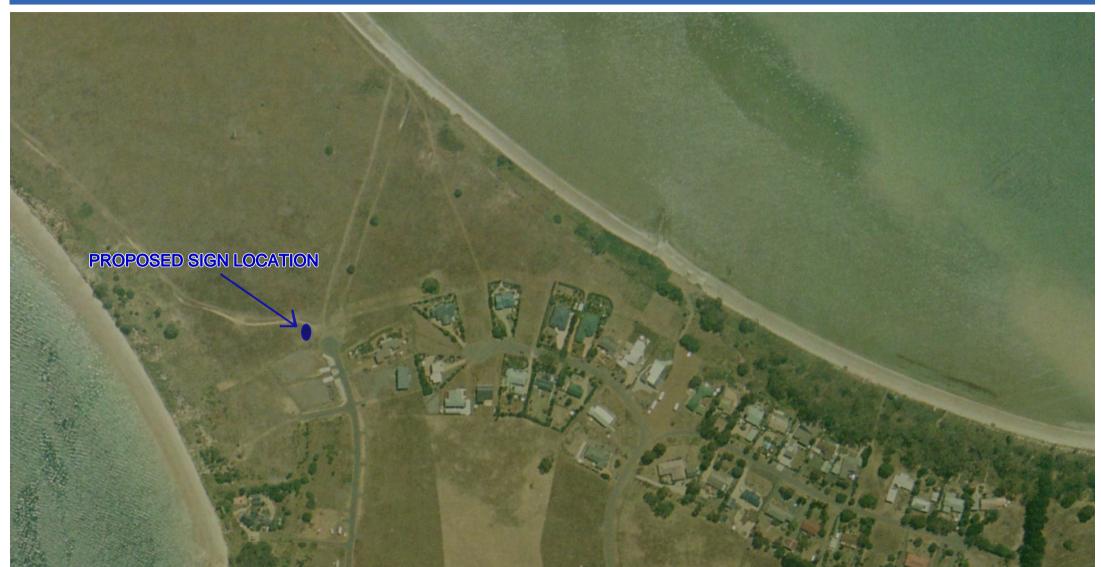


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Received 19/06/2015 DEVELOPMENT PLAN

WELCOME TO THE ARM END PUBLIC RECREATION RESERVE

The Arm End multi-use public recreation reserve will become a major environmental, community and economic asset for Tasmania.

Arm End will include:

- extensive walking and cycling tracks
- cycling, bird watching, open play spaces, fishing & nature interpretation
- · a world-class, 18-hole golf course

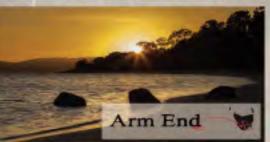
The first task for the 116-hectare Arm End site requires a significant environmental rehabilitation program, including:

- · management of introduced weeds
- · erosion control,
- · native plant revegetation

The Arm End team is working with Park and Wildlife Services, the Clarence City Council and the local community to progress this project.







Attachment 3

150 Spitfarm Road, OPOSSUM BAY



Aerial image of subject site

11.3.2 DEVELOPMENT APPLICATION D-2015/313 - 15 MALUNNA ROAD, LINDISFARNE - 2 MULTIPLE DWELLINGS (1 EXISTING AND 1 NEW)

(File No D-2015/313)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to consider the application made for 2 Multiple Dwellings (1 existing and 1 new) at 15 Malunna Road, Lindisfarne.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended to 7 October 2015 with the written agreement of the applicant.

CONSULTATION

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

- overshadowing;
- height; and
- privacy.

RECOMMENDATION:

- A. That the Development Application for 2 Multiple Dwellings (1 existing and 1 new) at 15 Malunna Road, Lindisfarne (Cl Ref D-2015/313) be approved subject to the following conditions and advice.
 - 1. GEN AP1 ENDORSED PLANS.
 - 2. ENG A1 NEW CROSSOVER [3.6M] [TSD-R09].
 - 3. ENG A7 REDUNDANT CROSSOVER.
 - 4. ENG S1 INFRASTRUCTURE REPAIR.
 - 5. The development must meet all required Conditions of Approval specified by TasWater notice dated 13 August 2015 (TWDA 2015/01230-CCC).

- 6. ADVICE: STREET NUMBERING.
- 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.

ASSOCIATED REPORT

1. BACKGROUND

No relevant background.

2. STATUTORY IMPLICATIONS

- **2.1.** The land is zoned General Residential under the Scheme.
- **2.2.** The proposal is Discretionary as it requires variations to some of the development standards for the General Residential Zone.
- **2.3.** The relevant parts of the Planning Scheme are:
 - Section 8.10 Determining Applications;
 - Section 10 General Residential; and
 - Section E6.0 Parking and Access Code.
- 2.4. Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the Land Use Planning and Approvals Act, 1993 (LUPAA).

3. PROPOSAL IN DETAIL

3.1. The Site

The site is a sloping lot located on the corner of Malunna Road and Moirunna Road. The site contains a dwelling located on the southern part of the site which is accessed from Moirunna Road. A second access leading to a car port is located further north on the site fronting Moirunna Road. The surrounding area is residential in nature.

3.2. The Proposal

The proposal is for a dwelling constructed over 3 levels with a maximum length of 18.79m. The proposed dwelling is located behind the existing dwelling and is to be located 3.5m from the boundary to Moirunna Road, 1.9m to the northern boundary and 4.6m from the western boundary. The dwelling consists of an entrance, garage and laundry on the ground floor, living areas on the 1st floor and 3 bedrooms and bathrooms on the upper floor. The dwelling will be clad in a combination of timber board and cement sheeting cladding with a Colorbond roof. A 2.1m screen is located on the east and west sides of the deck. The windows located on the eastern elevation are proposed to use obscured glazing.

The existing carport will be demolished as part of the application.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

- "8.10.1 In determining an application for any permit the planning authority must, in addition to the matters required by s51(2) of the Act, take into consideration:
 - (a) all applicable standards and requirements in this planning scheme; and
 - (b) any representations received pursuant to and in conformity with ss57(5) of the Act;

but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised".

Reference to these principles is contained in the discussion below.

4.2. Compliance with Zone and Codes

The proposal meets the Scheme's relevant Acceptable Solutions of the General Residential Zone with the exception of the following.

| Clause | Standard | Acceptable Solution (Extract) | Proposed |
|--------------|---------------------------------------|---|-----------------------------|
| 10.4.2 A3 | Setbacks and Building Envelopes | Rear setback of 4m (to northern boundary) | 1.9m (to northern boundary) |

The proposed variation can be supported pursuant to the Performance Criteria (P3) of the Clause 10.4.2 for the following reason.

• The variation to the rear boundary setback relates to the northern boundary of the site which presents as a side boundary when viewed from Moirunna Road. The application complies with all other development standards for height and setbacks. The applicant has submitted overshadowing diagrams which show that a small area of one of the windows of the habitable rooms of the dwelling to the east will be overshadowed at 12pm on 21 June 21. However, the remaining windows will not be affected by the development. Therefore, the variation to the rear boundary standard is not considered to result in a significant loss of amenity to the adjoining property.

| Clause | Standard | Acceptable Solution (extract) | Proposed variation |
|--------------|--|---|---|
| 10.4.3 A2 | Site coverage and private open space | Private open space must not be located south of dwelling and must be directly accessible from a habitable room. | Deck is located to the south of the proposed dwelling. The private open space to the north is not directly accessible from habitable room. Private open space for the existing dwelling located between the frontage to Moirunna Road and dwelling. |

The proposed variation can be supported pursuant to the Performance Criteria (P2) of Clause 10.4.3 for the following reason.

• It is considered that both the existing and proposed dwelling overall provides adequate areas of private open space for the enjoyment and relaxation of occupants which will receive adequate levels of sunlight.

| Clause | Standard | Acceptable Solution (extract) | Proposed variation |
|--------|---------------|-------------------------------|-----------------------------------|
| 10.4.4 | Sunlight and | Dwellings must have 1 | Existing dwelling has windows of |
| A1 | overshadowing | habitable room other than a | habitable room located on eastern |
| | | bedroom that has window | elevation that do not comply. |
| | | facing between 30 degrees | |
| | | west of north and 30 degrees | |
| | | east of north. | |

The proposed variation can be supported pursuant to the Performance Criteria (P1) of Clause 10.4.4 for the following reason.

• The Performance Criteria requires dwellings to be designed to allow sunlight to enter at least one habitable room. The existing dwelling has large windows to habitable rooms located on the eastern elevation which provides for a reasonable level of sunlight to enter the living areas of the dwelling.

5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and 1 representation was received. The following issues were raised by the representor.

5.1. Overshadowing

Concern was raised that the proposal will result in overshadowing to the habitable room windows on the dwelling to the east and to the bedroom windows to the rear of the dwelling.

Comment

As discussed above, the applicant has provided overshadowing diagrams that show that the habitable windows on the adjoining dwelling will be largely unaffected by the development. Clause 8.10.1 of the Scheme provides that the Planning authority must only take into consideration matters relating to the exercise of discretion. The Scheme specifically requires overshadowing to be in relation to habitable rooms other than bedrooms and therefore the impact on the bedroom windows located at the rear of the dwelling cannot be considered.

5.2. Height

The representor has requested clarification as to whether the height of the dwelling meets the Scheme requirements.

• Comment

The proposal complies with all standards relating to height which allows a maximum height of 8.5m above natural ground level.

5.3. Privacy

Concern was raised that the proposal will result in a loss of privacy to the bedrooms located at the rear of the adjoining dwelling to the east.

Comment

The proposed dwelling meets the Acceptable Solution in relation to privacy under 10.4.6 of the Scheme, as the dwelling is located 4.6m from the eastern boundary of the site. In addition, the proposal includes a 2.1m privacy screen on the eastern side of the deck and all glazing on the eastern elevation is to have obscure glazing, which will further prevent a loss of privacy to the adjoining property.

6. EXTERNAL REFERRALS

The proposal was referred to TasWater, which has provided a number of conditions to be included on the planning permit if granted.

7. STATE POLICIES AND ACT OBJECTIVES

- **7.1.** The proposal is consistent with the outcomes of the State Policies, including those of the State Coastal Policy.
- **7.2.** The proposal is consistent with the objectives of Schedule 1 of LUPAA.

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy.

9. CONCLUSION

The proposal is for 2 Multiple Dwellings (1 existing and 1 new) at 15 Malunna Road. The extent of the variation to the development standards is not considered to have an unreasonable impact on the amenity of the adjoining property owner and the proposal is recommended for approval.

Attachments: 1. Location Plan (1)

2. Proposal Plan (9)

3. Site Photo (1)

Ross Lovell

MANAGER CITY PLANNING





Disclaimer: This map is a representation of the information currently held by Clarence City Council. While every effort has been made to ensure the accuracy of the product, Clarence City Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated. Copying or reproduction, without written consent is prohibited. **Date:** Friday, 25 September 2015 **Scale:** 1:1,192 @A4

Attachment 2 5800 W'BOARD HOUSE 28729'00" 58.43 64.87 63.74 45.190 65.87 58.22 PROPOSED SEWER _↓ 57.47 64.70 65.81 BINS CONC PATH 62/.70 EXISTING SEWER 61.67 **DECK** EXISTING PROPOSED, **BRICK** RESIDENCE HOUSE 61.72 61.67 CT 60993-40 35 KERB [′]61..39 61.77 61.90 61.3 59.96 58.37 ISTAIRS ′⊕ 5# . 34 . OONCRETE 65.43 61.72 PAVING 61.72 SEWER S'WATER CONC MALUNNA ROAD √ 62.08 59.79 208729'00' S'WATER CONNECTION 58.17 60.62⁷ NEW PLANTING TO MATCH 61.70 62.86 ★ 45.190 57 '√s/POWER PO√E 58.92 🕏 MOIRUNNA SEWER ROAD 56.11 58.66 61.39 CONC SPOON STORM STORM DRAIN WATER PIT WATER PIT

CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK OR PREPARING SHOP DRAWINGS

STAIRS TO COMPLY WITH THE REQUIREMENTS OF THE BUILDING CODE OF AUSTRALIA
190 MAX RISE, 250 MIN TREAD, HANDRAIL 870mm
ABOVE LINE OF NON-SLIP NOSINGS.

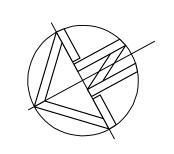
GLAZING TO COMPLY WITH AS1288 GLAZING SHALL COMPLY WITH THE HUMAN IMPACT SAFETY REQUIREMENTS OF BCA CLAUSE 3.6.4

PROVIDE DPC TO BRICKWORK TWO COURSES ABOVE FINISHED GROUND LINE AND TO BLOCK WORK ONE COURSE ABOVE FGL

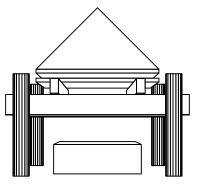
SMOKE ALARMS MUST BE INSTALLED IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, BE HARD WIRED AND HAVE BATTERY BACK UP.

SITE PLAN 1:200

AREA SCHEDULE 692.95sqm SITE EXISTING RESIDENCE 336.23sqm COVERAGE 110.54/336.23 32.87% PROPOSED RESIDENCE 356.72sqm COVERAGE 96.00/356.72 26.91% TOTAL COVERAGE 29.80% 413.91/692.95 PERVIOUS AREA 59.73%



JUNE 2015



PARKER DESIGN NOMINEES P/L

6A Elboden St SOUTH HOBART 7004 (mob) 0419 583 048 (Ph/Fx) 03 6223 2084

ACCREDITED PRACTITIONER NUMBER CC 2338 S

REYNOLDS RESIDENCE

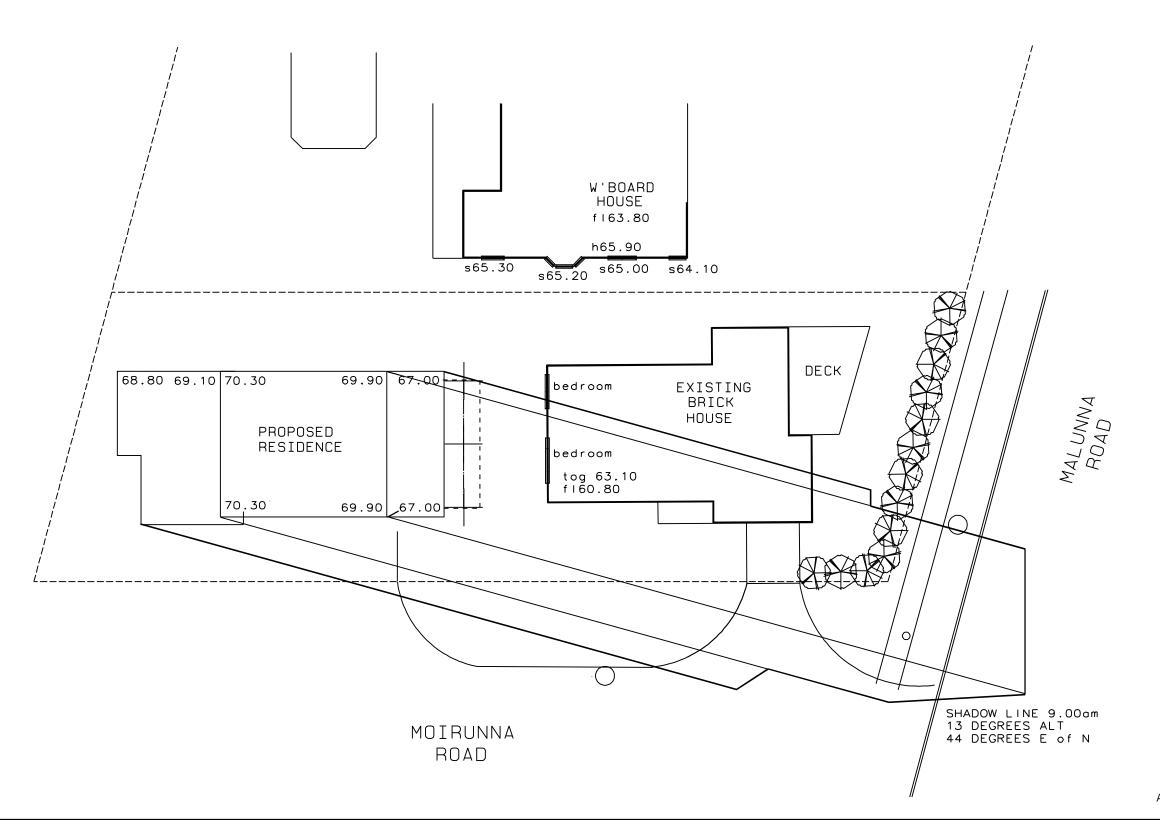
15 MALUNNA ROAD LINDISFARNE CT 60993 - 40

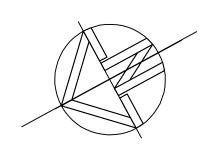
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PD2178/1

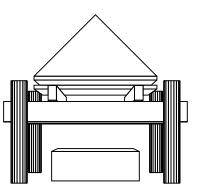
SHADOW DIAGRAM 1:200

JUNE 21st 9.00am





JUNE 2015



PARKER DESIGN NOMINEES P/L

6A Elboden St SOUTH HOBART 7004 (mob) 0419 583 048 (Ph/Fx) 03 6223 2084

ACCREDITED PRACTITIONER NUMBER CC 2338 S

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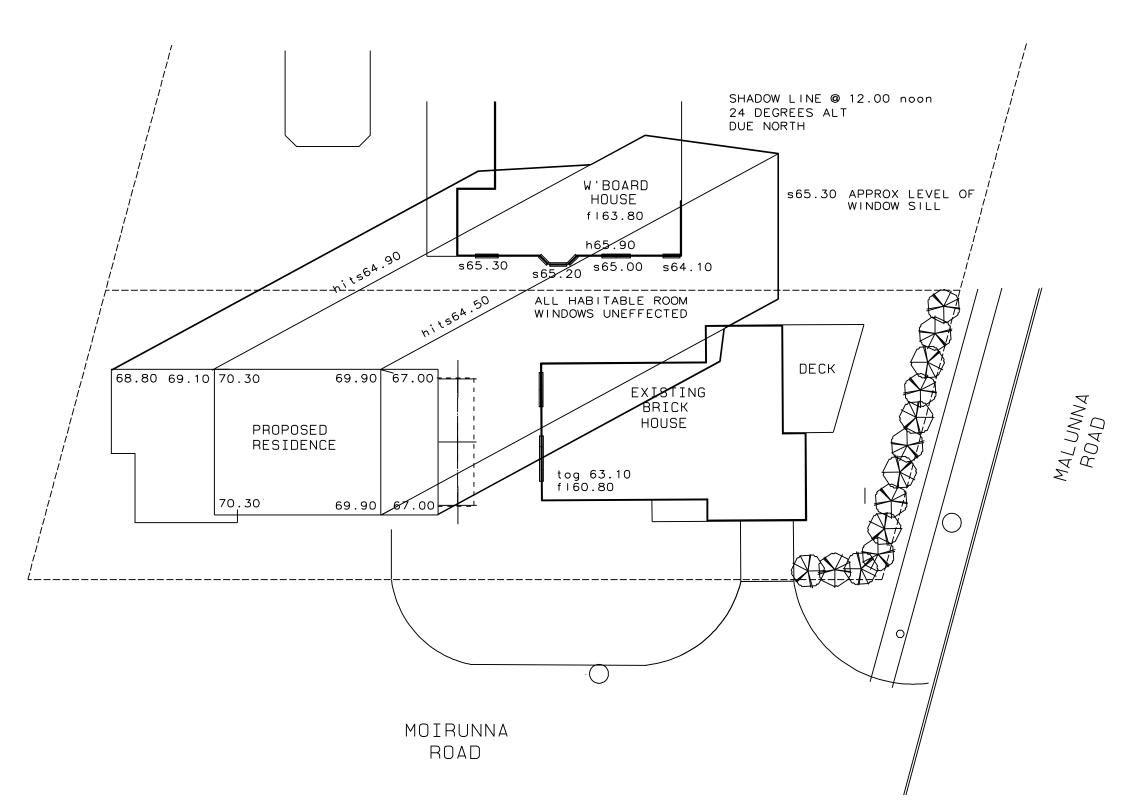
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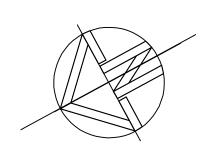
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PD2178/1.1
Agenda Attachments - 15 Malunna Road - Page 3 of 11

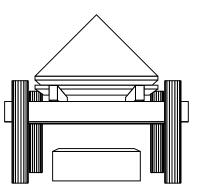
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JUNE 21st 12.00 noon





JUNE 2015



PARKER DESIGN NOMINEES P/L

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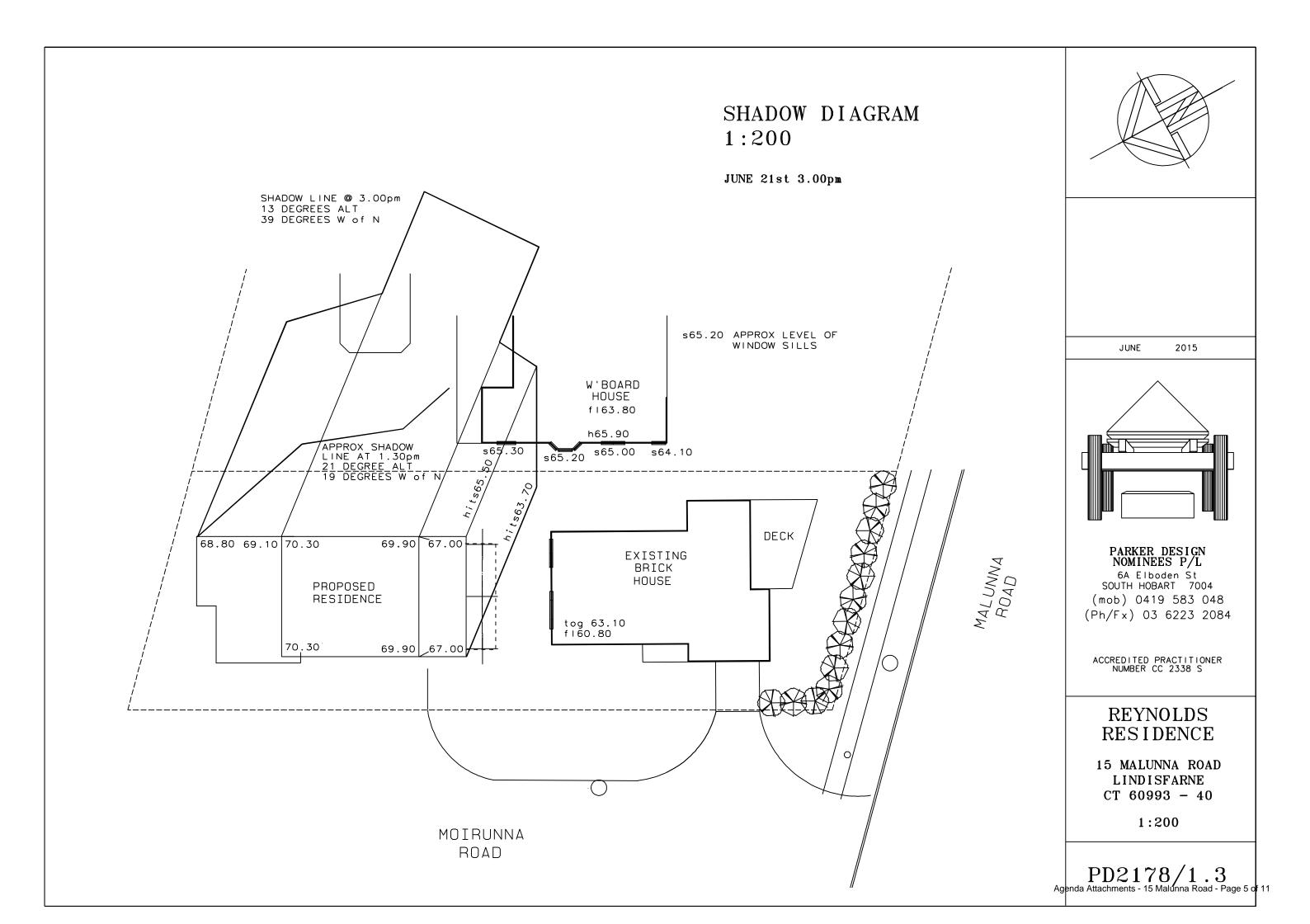
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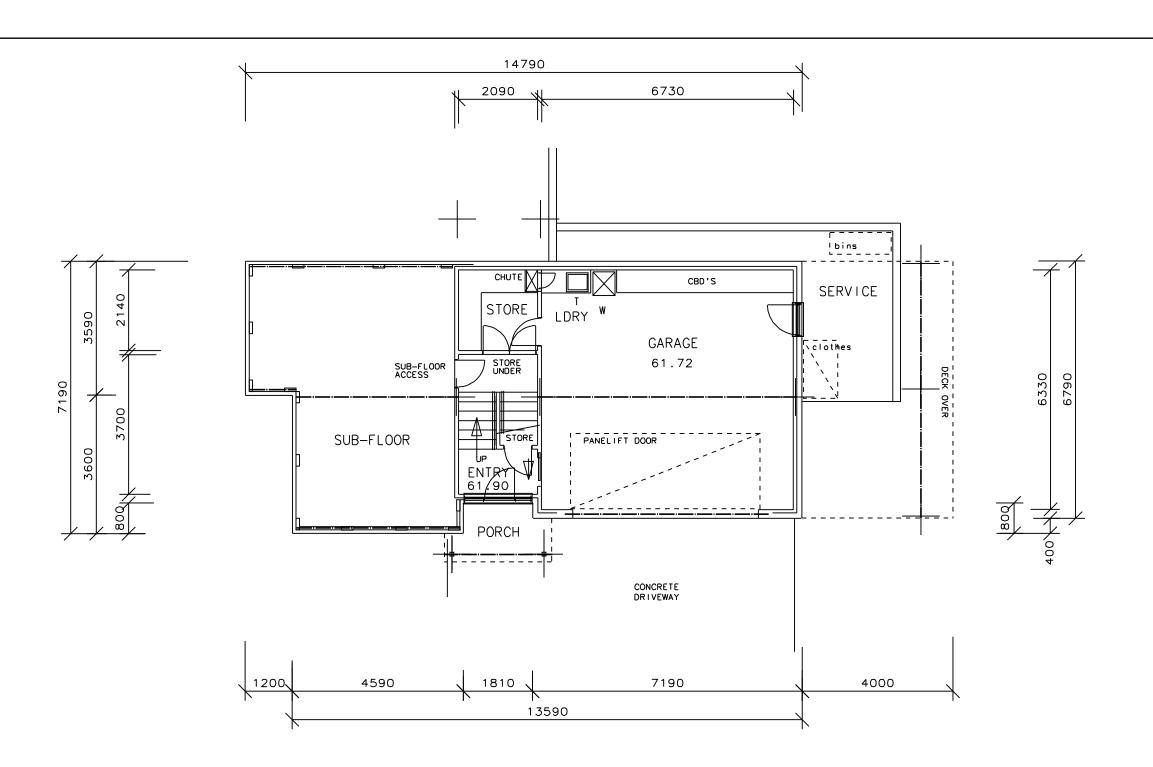
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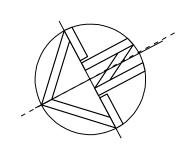
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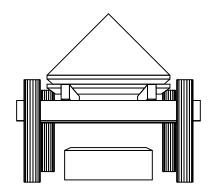
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Agenda Attachments - 15 Malunna Road - Page 4 of 11







JUNE 2015



PARKER DESIGN NOMINEES P/L

6A Elboden St SOUTH HOBART 7004 (mob) 0419 583 048 (Ph/Fx) 03 6223 2084

ACCREDITED PRACTITIONER NUMBER CC 2338 S

REYNOLDS RESIDENCE

15 MALUNNA ROAD LINDISFARNE CT 60993 - 40

1:100

PD2178/2 Agenda Attachments - 15 Malunna Road - Page 6 of 11

CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK OR PREPARING SHOP DRAWINGS

STAIRS TO COMPLY WITH THE REQUIREMENTS OF THE BUILDING CODE OF AUSTRALIA
190 MAX RISE, 250 MIN TREAD, HANDRAIL 870mm
ABOVE LINE OF NON-SLIP NOSINGS.

GLAZING TO COMPLY WITH AS1288 GLAZING SHALL COMPLY WITH THE HUMAN IMPACT SAFETY REQUIREMENTS OF BCA CLAUSE 3.6.4

PROVIDE DPC TO BRICKWORK TWO COURSES ABOVE FINISHED GROUND LINE AND TO BLOCK WORK ONE COURSE ABOVE FGL

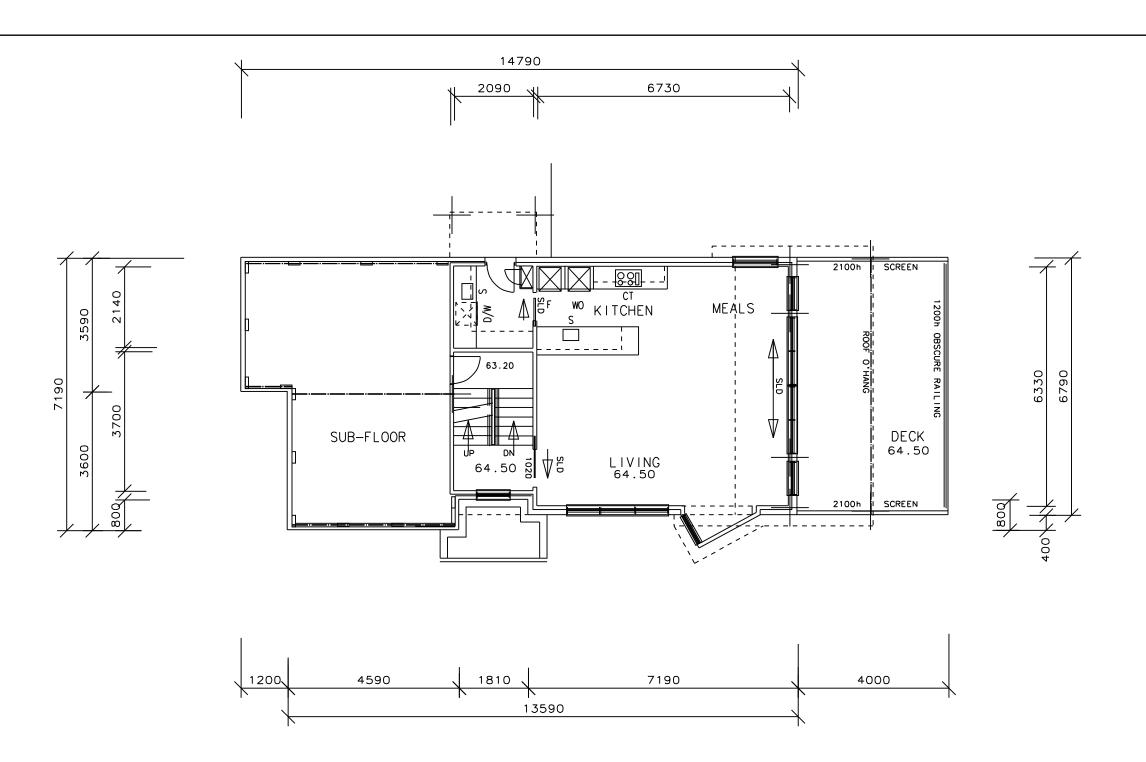
SMOKE ALARMS MUST BE INSTALLED IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, BE HARD WIRED AND HAVE BATTERY BACK UP.

LEVEL 1 1:100 ALL EXHAUST FANS TO BE DUCTED EXTERNALLY AND FITTED WITH BACKDRAFT DEVICES WC FANS TO BE SWITCHED WITH LIGHT FITTING & HAVE 5 MINUTE DELAY OFF SWITCH

CERAMIC TILE OR APPROVED TO SHOWER RECESS MIN 1800mm h SEALED TO WALLS AND BASE CERAMIC TILE OR APPROVED SPLASHBACK TO VB'S, SINKS & TROUGHS MIN 150mm H SEALED TO WALL AND FIXTURE

WET AREAS TO BE LINED WITH VILLABOARD OR APPROVED TO WALLS & CEILING COMPRESSED SHEET UNDERLAY OR APPROVED TO FLOOR AREAS

"WETSEAL" OR APPROVED WATERPROOFING SYSTEM TO FLOOR, WALLS TO 1800h & FLOOR/WALL JUNCTIONS TO MANUFACTURERS SPEC'S, BCA CLAUSE 3.8.1.2, TABLE 3.8.1.1 AND TO COMPLY WITH AS3740



JUNE 2015



6A Elboden St SOUTH HOBART 7004 (mob) 0419 583 048 (Ph/Fx) 03 6223 2084

ACCREDITED PRACTITIONER NUMBER CC 2338 S

REYNOLDS RESIDENCE

15 MALUNNA ROAD LINDISFARNE CT 60993 - 40

1:100

PD2178/3
Agenda Attachments - 15 Malunna Road - Page 7 of 11

CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK OR PREPARING SHOP DRAWINGS

STAIRS TO COMPLY WITH THE REQUIREMENTS OF THE BUILDING CODE OF AUSTRALIA
190 MAX RISE, 250 MIN TREAD, HANDRAIL 870mm
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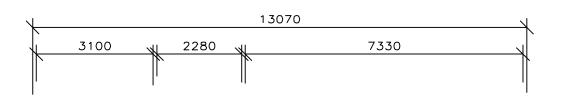
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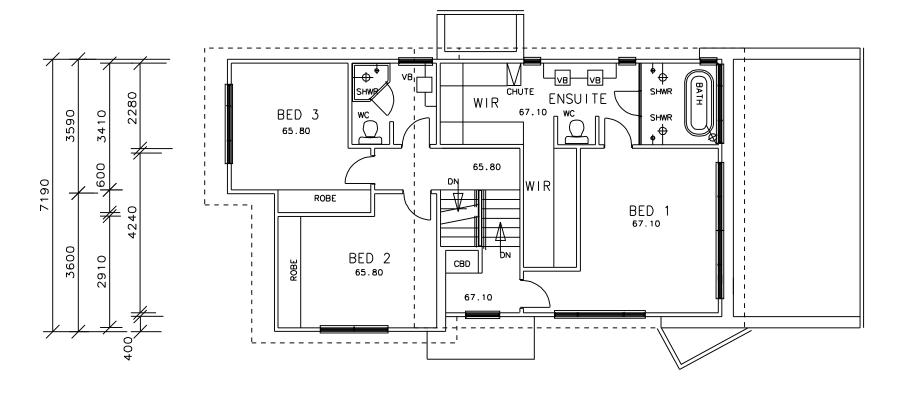
LEVEL 2 1:100 ALL EXHAUST FANS TO BE DUCTED EXTERNALLY AND FITTED WITH BACKDRAFT DEVICES WC FANS TO BE SWITCHED WITH LIGHT FITTING & HAVE 5 MINUTE DELAY OFF SWITCH

CERAMIC TILE OR APPROVED TO SHOWER RECESS MIN 1800mm h SEALED TO WALLS AND BASE CERAMIC TILE OR APPROVED SPLASHBACK TO VB'S, SINKS & TROUGHS MIN 150mm H SEALED TO WALL AND FIXTURE

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"WETSEAL" OR APPROVED WATERPROOFING SYSTEM TO FLOOR, WALLS TO 1800h & FLOOR/WALL JUNCTIONS TO MANUFACTURERS SPEC'S, BCA CLAUSE 3.8.1.2, TABLE 3.8.1.1 AND TO COMPLY WITH AS3740





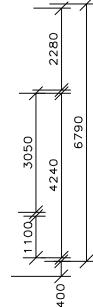
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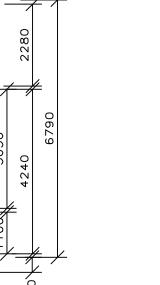
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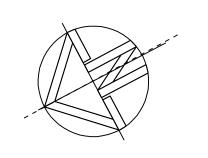
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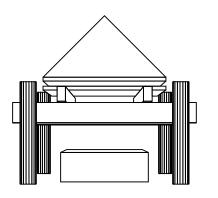
1200







JUNE 2015



PARKER DESIGN NOMINEES P/L

6A Elboden St SOUTH HOBART 7004 (mob) 0419 583 048 (Ph/Fx) 03 6223 2084

ACCREDITED PRACTITIONER NUMBER CC 2338 S

REYNOLDS **RESIDENCE**

15 MALUNNA ROAD LINDISFARNE CT 60993 - 40

1:100

PD2178/4
Agenda Attachments - 15 Malunna Road - Page 8 of 11

CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK OR PREPARING SHOP DRAWINGS

STAIRS TO COMPLY WITH THE REQUIREMENTS OF THE BUILDING CODE OF AUSTRALIA 190 MAX RISE, 250 MIN TREAD, HANDRAIL 870mm ABOVE LINE OF NON-SLIP NOSINGS.

GLAZING TO COMPLY WITH AS1288 GLAZING SHALL COMPLY WITH THE HUMAN IMPACT SAFETY REQUIREMENTS OF BCA CLAUSE 3.6.4

PROVIDE DPC TO BRICKWORK TWO COURSES ABOVE FINISHED GROUND LINE AND TO BLOCK WORK ONE COURSE ABOVE FGL

SMOKE ALARMS MUST BE INSTALLED IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, BE HARD WIRED AND HAVE BATTERY BACK UP.

LEVEL 3 1:100

11870

1400

3660

5150

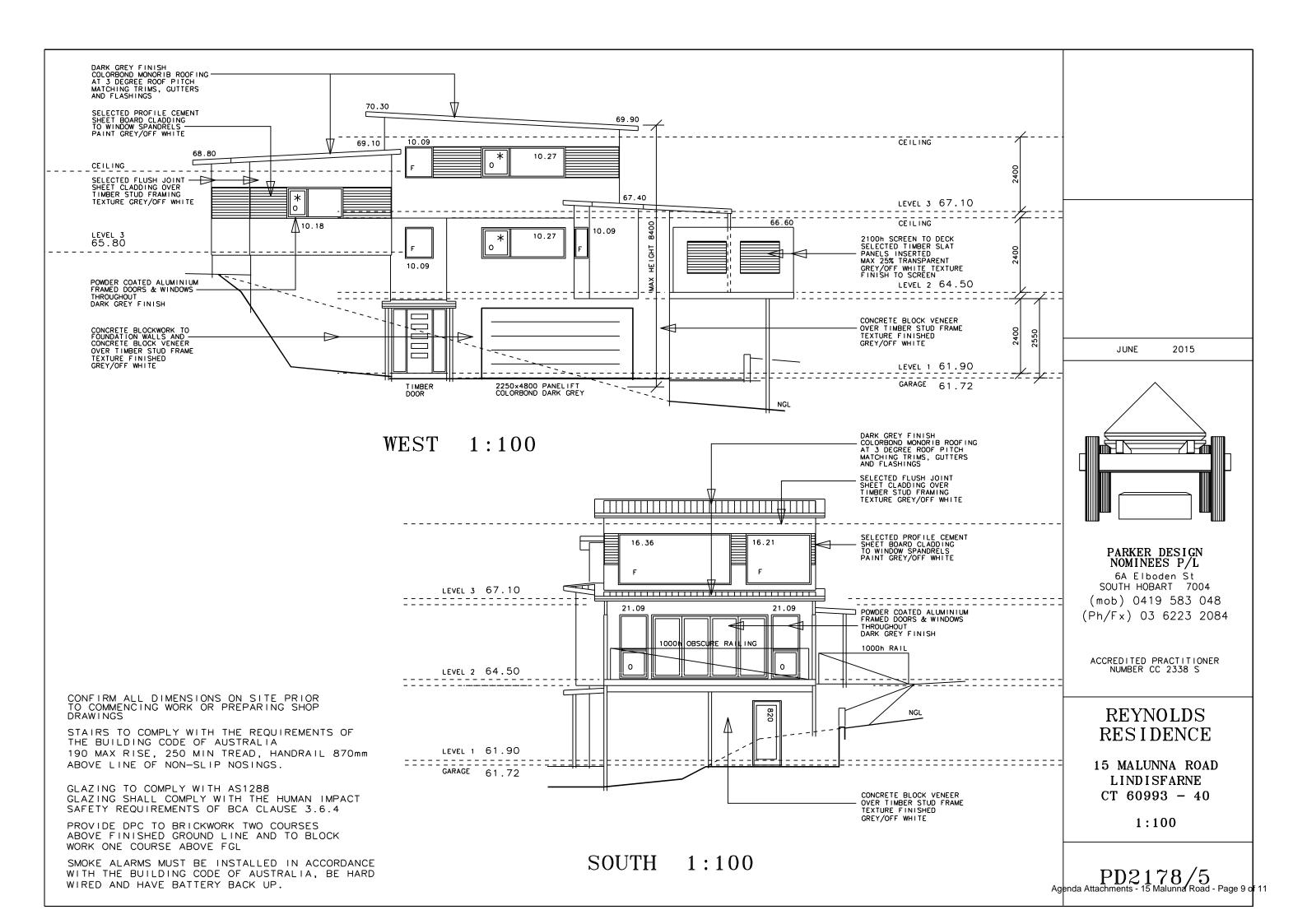
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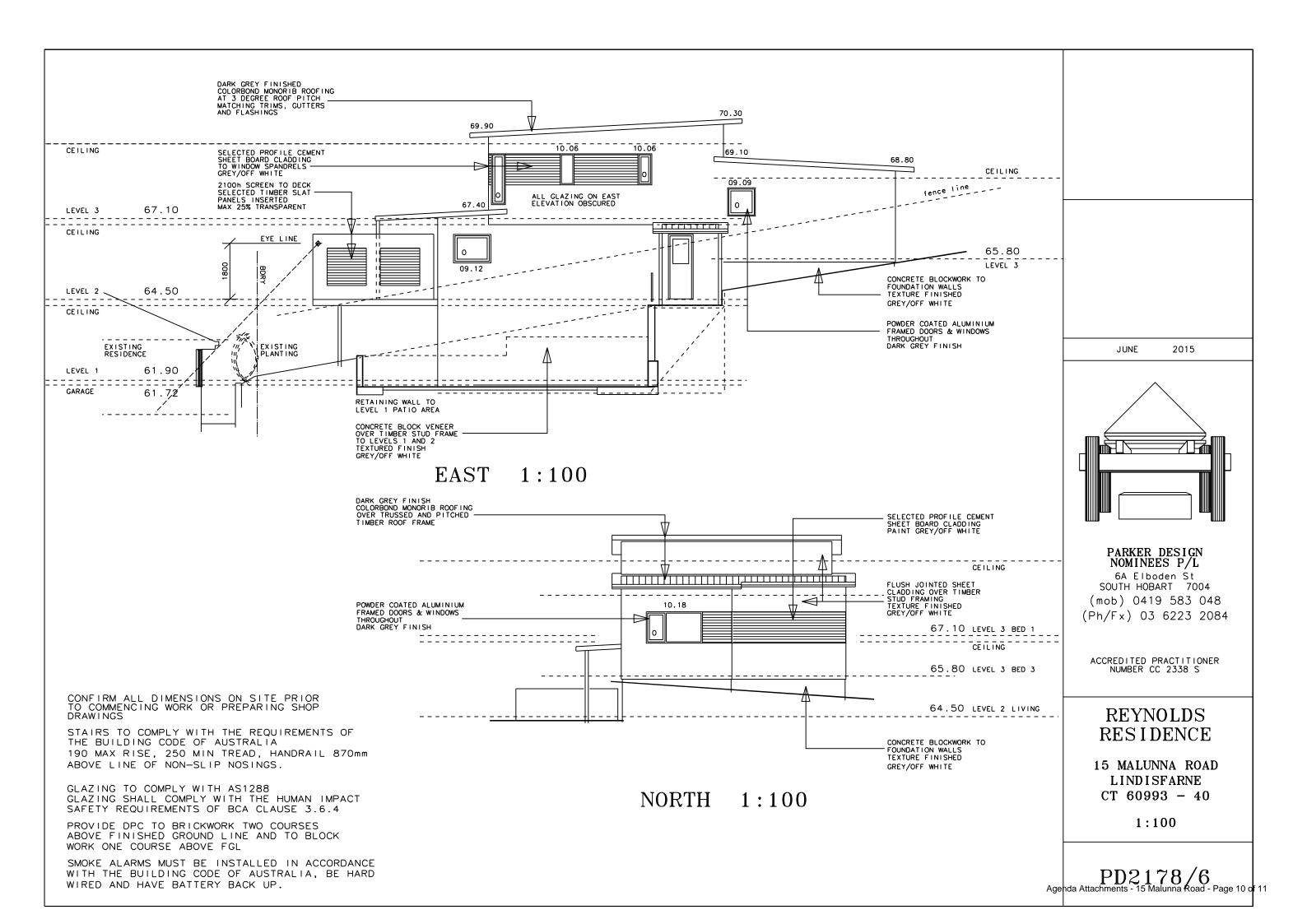
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Attachment 3

15 Malunna Road, LINDISFARNE



Site viewed from Malunna Road looking towards the site of proposed dwelling.

11.3.3 DEVELOPMENT APPLICATION D-2015/230 - 21 HOWRAH ROAD, HOWRAH - ADDITION TO DWELLING

(File No D-2015/230)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to consider the application made for an addition to an existing Single Dwelling at 21 Howrah Road, Howrah.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and is subject to the Coastal Erosion Hazard, and Subject to Inundation Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development as the proposal does not meet the acceptable solution for access to sunlight under the zone.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended to expire on 7 October 2015.

CONSULTATION

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

- new carport;
- integration of party wall; and
- partial demolition of existing party wall.

RECOMMENDATION:

- A. That the Development Application for addition to Dwelling at 277 Clarence Street, Howrah (Cl Ref D-2015/264) be approved subject to the following conditions and advice.
 - 1. GEN AP1 ENDORSED PLANS.
 - 2. GEN AP3 AMENDED PLANS [a reduction in the maximum height of the carport to 2.55m. To achieve this, the boundary wall of the carport must be reduced in height to a maximum of 1.5m above natural ground level. This will result in a gap of 700mm between the wall of the carport and the ceiling. The roof must be supported on this side by columns which are recessed a minimum of 500mm from either end of the wall.]

- 3. The material and finish of the western addition to the southern boundary wall is to match the remainder of the party wall on the southern side of the building (facing the adjacent property).
- 4. The tiered bricks of the party wall on the southern side of the building are to be retained, not removed as is shown on the elevations.
- 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.

ASSOCIATED REPORT

1. BACKGROUND

No relevant background.

2. STATUTORY IMPLICATIONS

- **2.1.** The land is zoned General Residential and is subject to the Coastal Erosion Hazard and Subject to Inundation codes under the Scheme.
- **2.2.** The proposal is a discretionary development because it does not meet the Acceptable Solutions prescribed in the General Residential Zone, or in the Waterways and Coastal Protection, Inundation Prone Areas, or Coastal Erosion Hazard codes.
- **2.3.** The relevant parts of the Planning Scheme are:
 - Section 8.10 Determining Applications;
 - Section 10 General Residential Zone;
 - Section E6.0 Parking and Access Code;
 - Section E7.0 Stormwater Management Code;
 - Section E11 Waterway and Coastal Protection;
 - Section E15 Inundation Prone Areas: and
 - Section E16 Coastal Erosion Hazard.

2.4. Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the Land Use Planning and Approvals Act, 1993 (LUPAA).

3. PROPOSAL IN DETAIL

3.1. The Site

The site is a regularly shaped 930m² lot on the western side of Howrah Road. The western lot boundary abuts Howrah Beach. There is an existing 3 storey dwelling centrally located on the site, abutting both side boundaries.

3.2. The Proposal

Application is made for additions and alterations to the existing dwelling at 21 Howrah Road.

The lower ground floor is currently a 4 car garage, half of which is drive through to the waterfront property boundary, with a spa room and toilet room adjacent. There is also a boat ramp to the Derwent River from the western side of the dwelling, connected to the drive-through portion of the garage.

It is proposed to convert this to a 3 car garage, with one space retained as drive through to the waterfront, 2 bedrooms and a separate bathroom and toilet. This will result in a slight (~8m²) increase in the floor area. The boat ramp is reduced in width to 3.5m, with the remainder of the ramp levelled out at the floor level of the dwelling to provide a deck off the newly created bedroom at the south-western corner of the dwelling.

The ground floor will be re-configured, retaining the same function as the existing. The only change will be that a sun-room on the northern side will be converted into an external barbecue area which is open to the western side of the dwelling.

The upper floor will retain the existing configuration, but will see a 1m wide increase in the floor area of the master bedroom toward the eastern side of the property, with a 1m wide deck matching this modified façade to the north-south-eastern side of the dwelling.

The existing carport abutting the dwelling is to be demolished, with the boundary wall retained effectively as a fence.

A new carport is proposed to be constructed on the southern boundary approximately 7.8m in front of the south-eastern corner of the dwelling. This carport is approximately 6m by 6m and 2.4m high.

A new, solid front fence is also proposed to a height of 1.5m. This is to be broken in the centre by a 5m wide timber screen which provides approximately 100mm openings between 35mm boards. The material of the gate also extends approximately 3m toward the southern boundary.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

- "8.10.1 In determining an application for any permit the planning authority must, in addition to the matters required by ss51(2) of the Act, take into consideration:
 - (a) all applicable standards and requirements in this planning scheme; and
 - (b) any representations received pursuant to and in conformity with ss57(5) of the Act;

but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

- 8.10.2 In determining an application for a permit for a discretionary use the planning authority must, in addition to the matters referred to in subclause 8.10.1, have regard to:
 - (a) the purpose of the applicable zone;
 - (c) the purpose of any applicable code.

8.10.3 In determining an application for any permit the planning authority must not take into consideration matters referred to in clauses 2.0 and 3.0 of the planning scheme".

Reference to these principles is contained in the discussion below.

4.2. Compliance with Zone and Codes

The proposal meets the Scheme's relevant Acceptable Solutions (zone and codes) with the exception of the following.

| Clause | Standard | Acceptable Solution (extract) | Proposed variation |
|--------|---------------|---|---------------------------|
| 10.4.2 | Setbacks and | A dwelling, excluding outbuildings | Boundary wall exceeds 9m. |
| A3 | Building | with a building height of not more than | Existing is approximately |
| | Envelope for | 2.4m and protrusions (such as eaves, | 17m, and an additional 6m |
| | all Dwellings | steps, porches, and awnings) that | wall is proposed. |
| | | extend not more than 0.6m | |
| | | horizontally beyond the building | |
| | | envelope, must: | |
| | | (b) only have a setback within 1.5m of | |
| | | a side boundary if the dwelling: | |
| | | (ii) does not exceed a total length of | |
| | | 9m. | |

The proposed variation can be supported pursuant to Performance Criteria 10.4.2 P3 because the proposed carport would only overshadow the driveway for the adjacent dwelling, and as such, cannot be considered to unreasonably diminish the amenity of the adjacent dwelling beyond what is already experienced.

| Clause | Standard | Acceptable Solution (extract) | Proposed Variation |
|--------------|--|--|--|
| 10.4.7 A1 | Frontage Fences for all Dwellings. | A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights). | 1.5m high solid fence for approximately half the front fence, with the central, gate area, portion of the fence a hardwood screen. |

The proposed variation can be supported pursuant to Performance Criteria 10.4.7 P1 because there is an existing rendered front boundary fence along the property boundary and curving into the driveway which is to be replaced, enabling a garden bed at the southern end of the boundary outside of the front fence which will soften the appearance when viewed from the street and improve the appearance of the site beyond what exists currently. There are also other examples of fencing consistent with this design along Howrah Road. As such, the fence satisfies this performance criterion.

| Clause | Standard | Acceptable Solution (extract) | Proposed Variation |
|---------|---------------|--------------------------------------|----------------------------|
| E11.7.1 | Buildings and | Buildings and works within a | Pre-existing lot as Scheme |
| A1 | Works | Waterway and Coastal Protection Area | date. |
| | | must be within a building area on a | |
| | | plan of subdivision approved under | |
| | | this planning scheme. | |

The proposed variation can be supported pursuant to Performance Criteria E11.7.1 P1 because the additions to the dwelling are largely on the opposite side of the dwelling to the waterway.

Further, Council Engineers have assessed the proposal and are satisfied that the proposal is consistent with the performance criterion for this code.

| Clause | Standard | Acceptable Solution (extract) | Proposed Variation |
|---------|--------------|--|--------------------------|
| E15.7.2 | Coastal | An extension to an existing habitable | FFL of 2.63, not the 3.1 |
| A2 | Inundation | building must comply with one of the | required by the Scheme. |
| | Medium | following: | |
| | Hazard Areas | (a) new habitable rooms must comply | |
| | | with both of the following: | |
| | | (i) floor level no lower than the | |
| | | Minimum Level for the Coastal | |
| | | Inundation Low Hazard Area in | |
| | | Table E15.1, | |
| | | (ii) floor area of the extension no more | |
| | | than 40 m2 from the date of | |
| | | commencement of this planning | |
| | | scheme; | |

The proposed variation can be supported pursuant to Performance Criteria E15.7.2 P2 because the addition of 2 bedrooms which are below the finished floor level required by the code have been assessed by Council Engineers, who are satisfied that the performance criterion are met by the proposal, given the works relate almost entirely to existing floor space.

| Clause | Standard | Acceptable Solution (extract) | Proposed Variation |
|---------------|------------------------|-------------------------------|--|
| E16.7.1 A1 | Buildings and Works | No acceptable solution. | Additions and alterations proposed to existing dwelling. |

The proposed variation can be supported pursuant to Performance Criteria E16.7.1 P1 following assessment by Council engineers, who are satisfied that there is not a significant increase of the impact of the proposed additions over the impacts of the existing dwelling. As such the proposal meets the performance criteria of the Code.

4.3. External Referrals

No external referrals were required or undertaken as part of this application.

5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and 1 representation was received. The following issues were raised by the representor,

5.1. New Carport

The representor is concerned that the proposed carport wall will present as a 3m high by 6m long concrete slab against their property boundary because their ground level has been lowered by 300mm from the natural ground level. They have indicated a belief that this is inconsistent with the remainder of Howrah and should not be supported. The representor is also concerned that the proposed carport will significantly overshadow their dwelling and outdoor areas.

• Comment

The proposed carport meets the building envelope requirements for the General Residential Zone, with the exception that the overall length of the boundary walls will exceed 9m. However, as the bulk of the boundary wall is existing and this component is so low, there will be minimal increase in overshadowing of the adjacent dwelling.

Notwithstanding this, the applicant has proposed to reduce the overall height of the carport by 200mm. They have also proposed to introduce a 700mm gap between the party (carport) wall and the roof of the carport. The net result of these modifications is a reduction in the height of the concrete wall from 2.4m to 1.5m, reducing the bulk and visual impact of the party wall.

Lastly, the proposed modifications to the carport design have been discussed with the representor who is satisfied that their concerns will now be satisfied.

Accordingly, it is considered appropriate to condition amended plans consistent with the offer of the applicant to appears the representor concerns.

5.2. Integration of New Party Wall

The existing boundary wall is painted brick, and the material of the proposed new party wall is not specified. The representor has expressed concern that there is no detail of how the existing and the proposed will be integrated into one another for a 'harmonious' boundary treatment.

Comment

There is no detail provided for the proposed material and finish of the "infill" and slight addition to the western end of the southern party wall. Discussions with the applicant have confirmed that they are happy for a condition requiring both the materials and finish for this section of wall to match the existing, as there is no significant cost incurred through this requirement.

The representor has indicated that a continuation of the existing brickwork, with a matching finish will be satisfactory. As such, it is recommended that the permit be conditioned to specify this material and finish for this portion of the works.

5.3. Partial Demolition of Existing Party Wall

The representor has expressed concern that the plans show partial demolition of the existing party wall between 21 and 23 Howrah Road. Their concern is that the party wall is integral to the roof of 23 Howrah Road and as such is unable to be removed without compromising the integrity of the dwelling.

Comment

The applicant has acknowledged this oversight and has requested that the permit be conditioned requiring no modification to the party wall in this section. As such, a condition should be included in the permit requiring the retention of this section of the party wall.

6. STATE POLICIES AND ACT OBJECTIVES

- **6.1.** The proposal is consistent with the outcomes of the State Policies, including those of the State Coastal Policy.
- **6.2.** The proposal is consistent with the objectives of Schedule 1 of LUPAA.

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy.

8. CONCLUSION

The proposal seeks approval for additions and alterations to the existing dwelling at 21 Howrah Road, Howrah. The application meets the relevant acceptable solutions and performance criteria of the Scheme.

The proposal is recommended for conditional approval as detailed above.

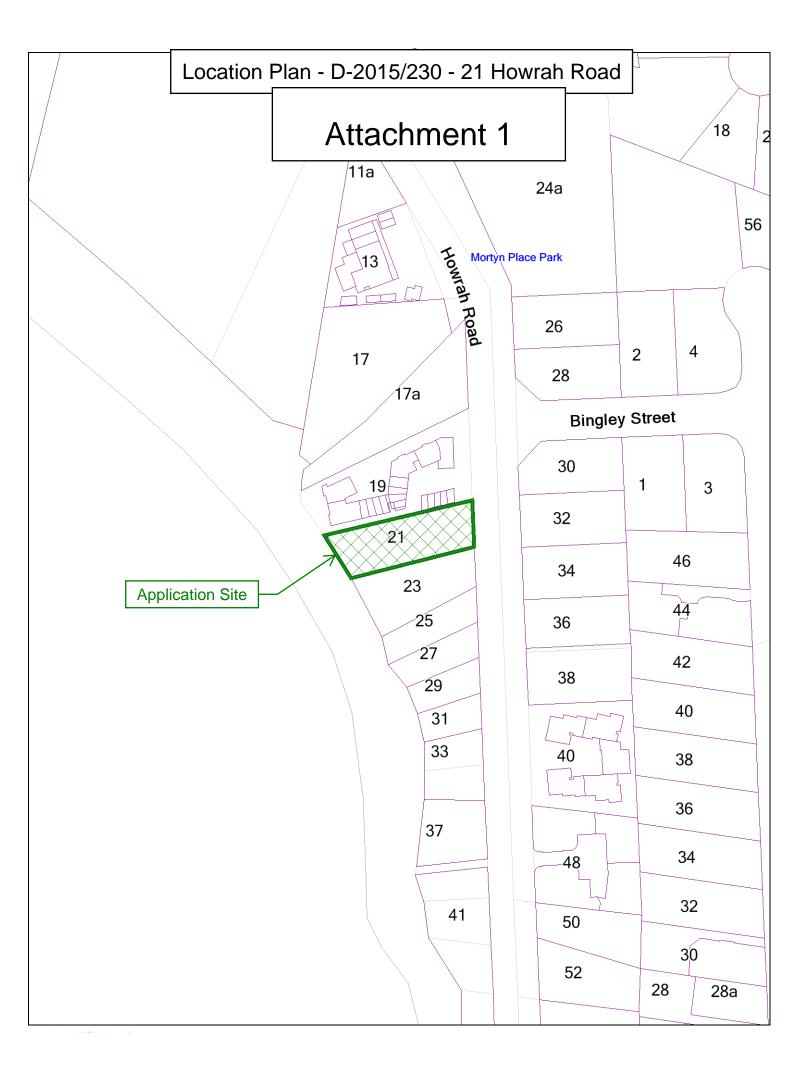
Attachments: 1. Location Plan (1)

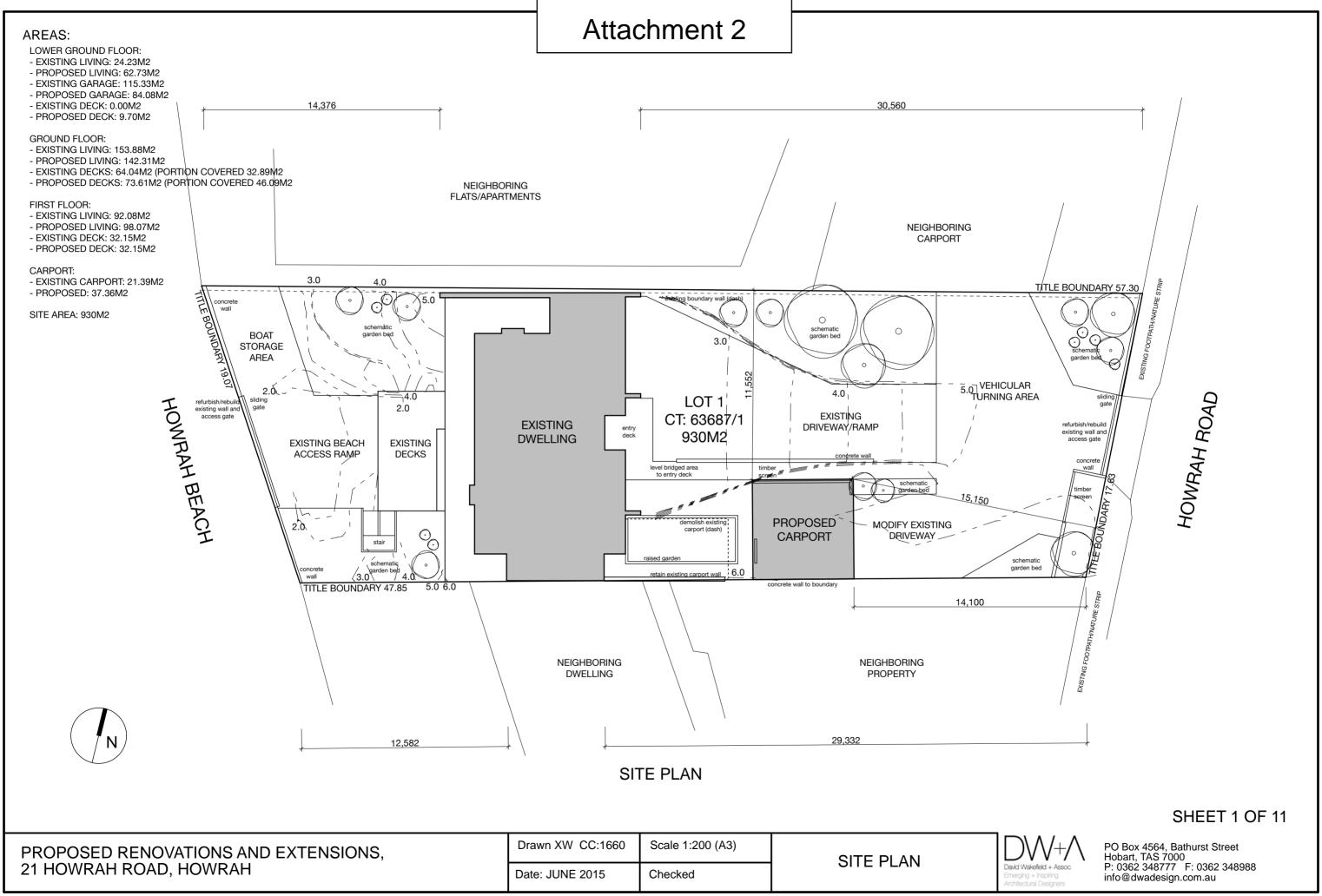
2. Proposal Plan (11)

5. Site Photo (1)

Ross Lovell

MANAGER CITY PLANNING





AREAS:

LOWER GROUND FLOOR:

- EXISTING LIVING: 24.23M2
- PROPOSED LIVING: 62.73M2
- EXISTING GARAGE: 115.33M2
- PROPOSED GARAGE: 84.08M2
- EXISTING DECK: 0.00M2 PROPOSED DECK: 9.70M2

GROUND FLOOR:

- EXISTING LIVING: 153.88M2
- PROPOSED LIVING: 142.31M2
- EXISTING DECKS: 64.04M2 (PORTION COVERED 32.89M2
- PROPOSED DECKS: 73.61M2 (PORTION COVERED 46.09M2

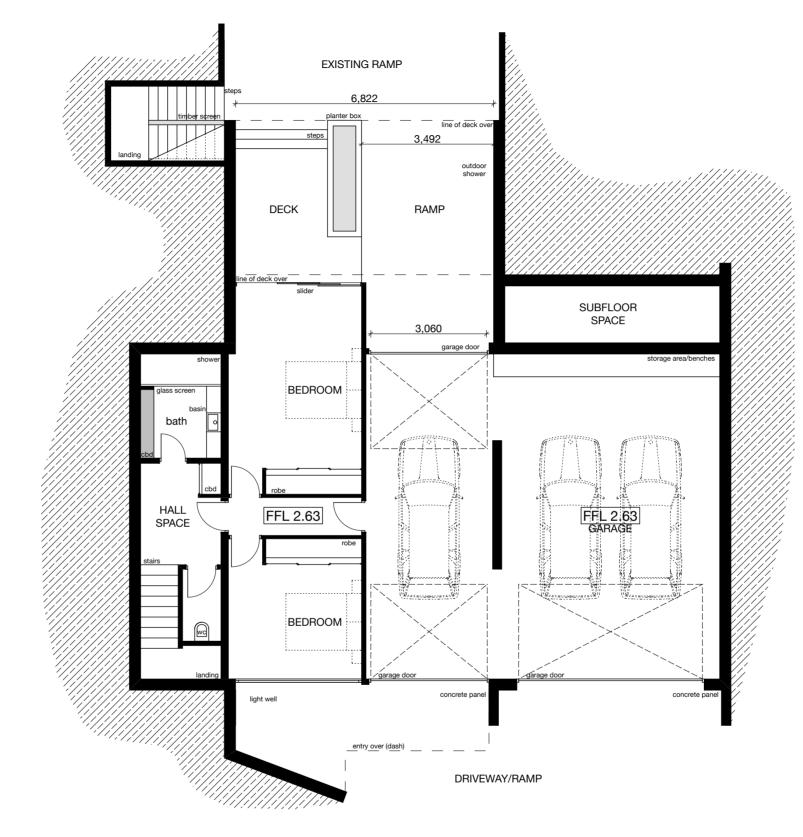
FIRST FLOOR:

- EXISTING LIVING: 92.08M2
- PROPOSED LIVING: 98.07M2
- EXISTING DECK: 32.15M2
- PROPOSED DECK: 32.15M2

CARPORT:

- EXISTING CARPORT: 21.39M2
- PROPOSED: 37.36M2

SITE AREA: 930M2





LOWER GROUND FLOOR PLAN

SHEET 2 OF 8

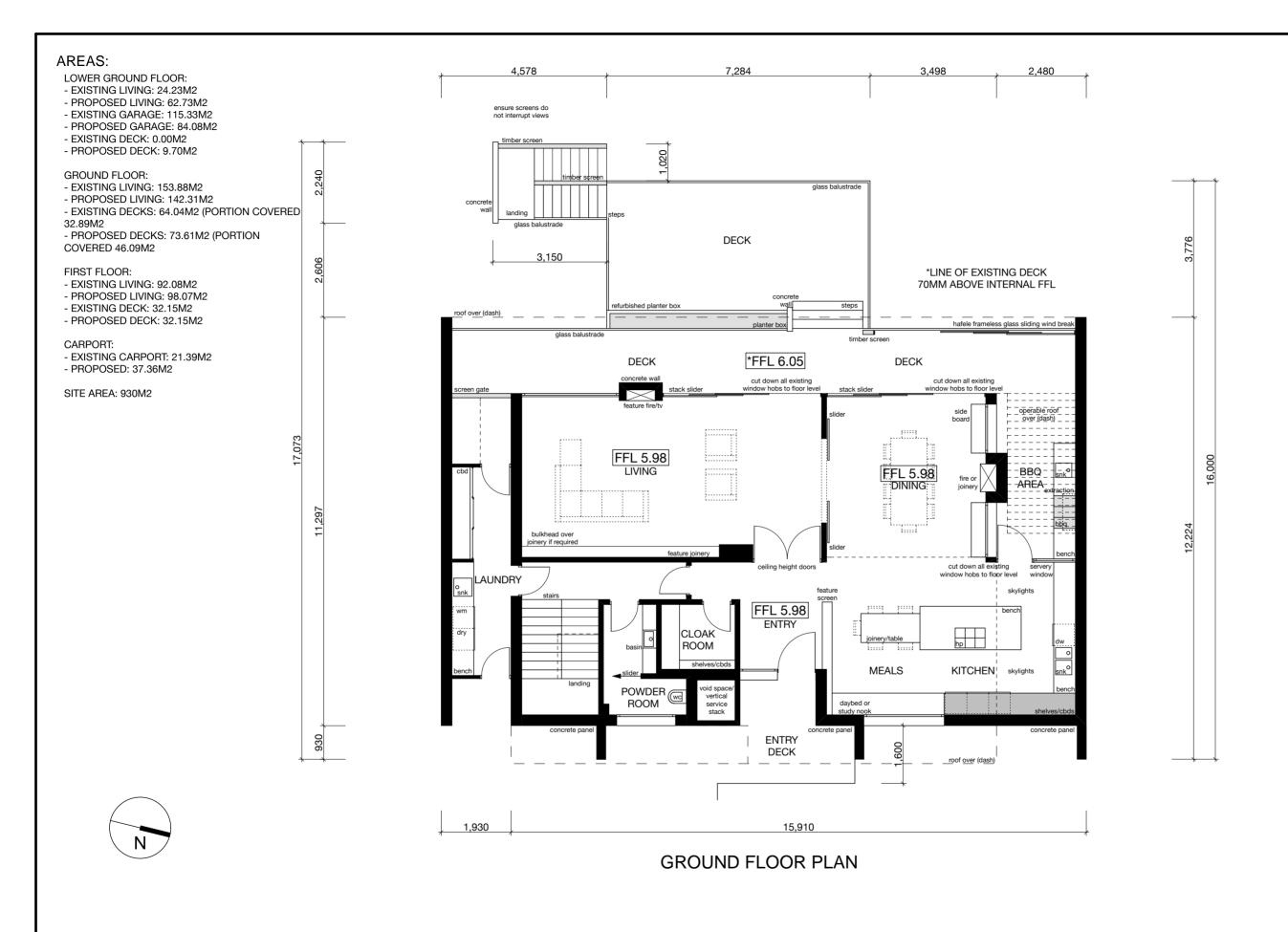
PROPOSED RENOVATIONS AND EXTENSIONS, 21 HOWRAH ROAD, HOWRAH

Drawn XW CC:1660 Scale 1:100 (A3) Date: MAY 2015 Checked

FLOOR PLANS



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SHEET 3 OF 11

PROPOSED RENOVATIONS AND EXTENSIONS, 21 HOWRAH ROAD, HOWRAH

 Drawn XW CC:1660
 Scale 1:100 (A3)

 Date: MAY 2015
 Checked

FLOOR PLANS



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AREAS: LOWER GROUND FLOOR: 3,860 2,480 - EXISTING LIVING: 24.23M2 - PROPOSED LIVING: 62.73M2 - EXISTING GARAGE: 115.33M2 - PROPOSED GARAGE: 84.08M2 - EXISTING DECK: 0.00M2 - PROPOSED DECK: 9.70M2 GROUND FLOOR: - EXISTING LIVING: 153.88M2 - PROPOSED LIVING: 142.31M2 - EXISTING DECKS: 64.04M2 (PORTION COVERED 32.89M2 - PROPOSED DECKS: 73.61M2 (PORTION COVERED 46.09M2 FIRST FLOOR: - EXISTING LIVING: 92.08M2 *LINE OF EXISTING DECK - PROPOSED LIVING: 98.07M2 70MM ABOVE INTERNAL FFL - EXISTING DECK: 32.15M2 - PROPOSED DECK: 32.15M2 2,050 CARPORT: - EXISTING CARPORT: 21.39M2 - PROPOSED: 37.36M2 SITE AREA: 930M2 1,740 DECK void space cut down all existing cut down all existing window hobs to floor level vindow hobs to floor leve *FFL 8.90 DECK *FFL 8.93 STUDY/ BEDROOM FFL 8.83 BEDROOM cut down all existing window hobs to floor level skylights HALL FFL 8.83 BEDROOM skylights BATH **ENSUITE** ROBE

FIRST FLOOR PLAN

PROPOSED RENOVATIONS AND EXTENSIONS, 21 HOWRAH ROAD, HOWRAH

Drawn XW CC:1660 Scale 1:100 (A3)

Date: MAY 2015 Checked

FLOOR PLANS

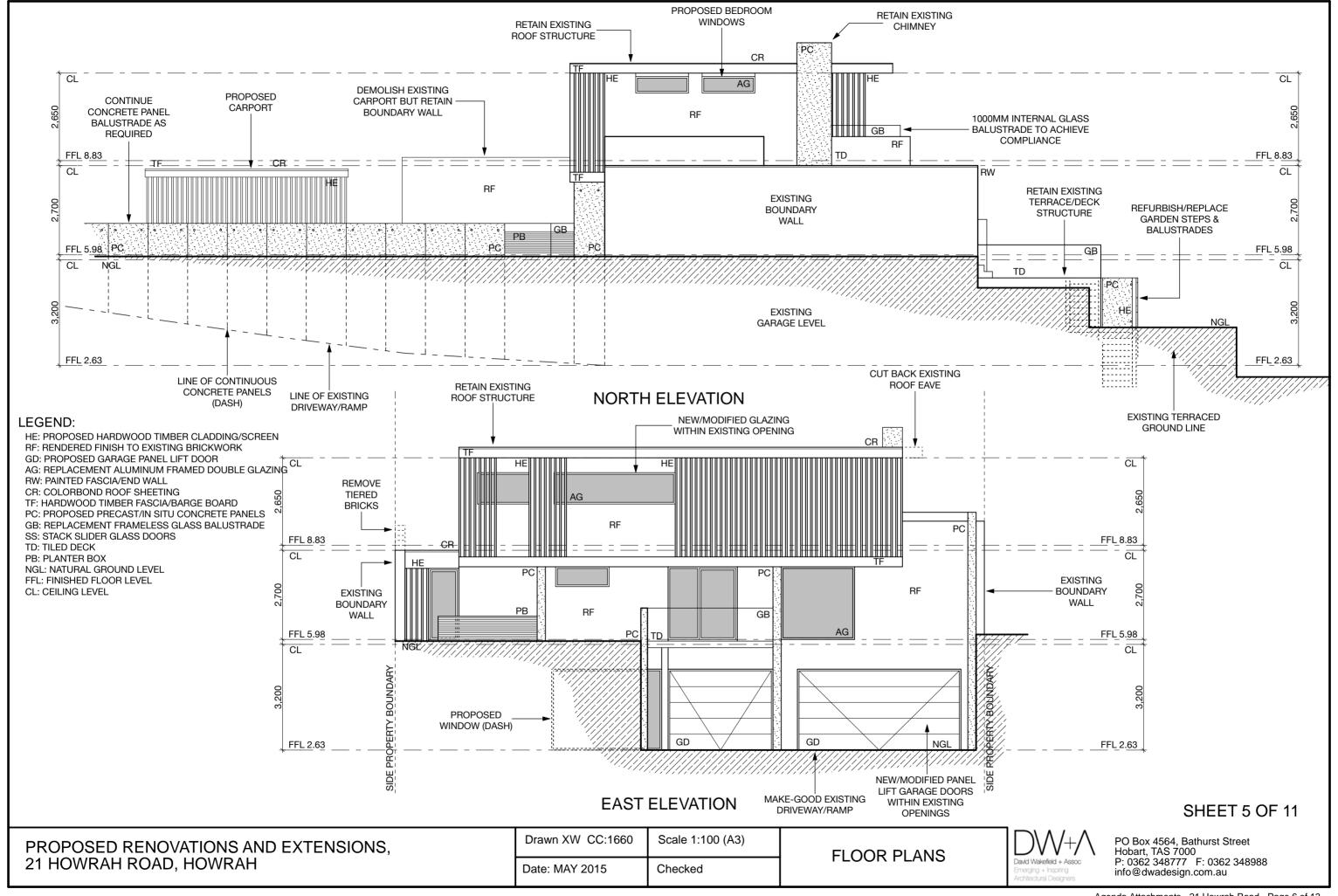


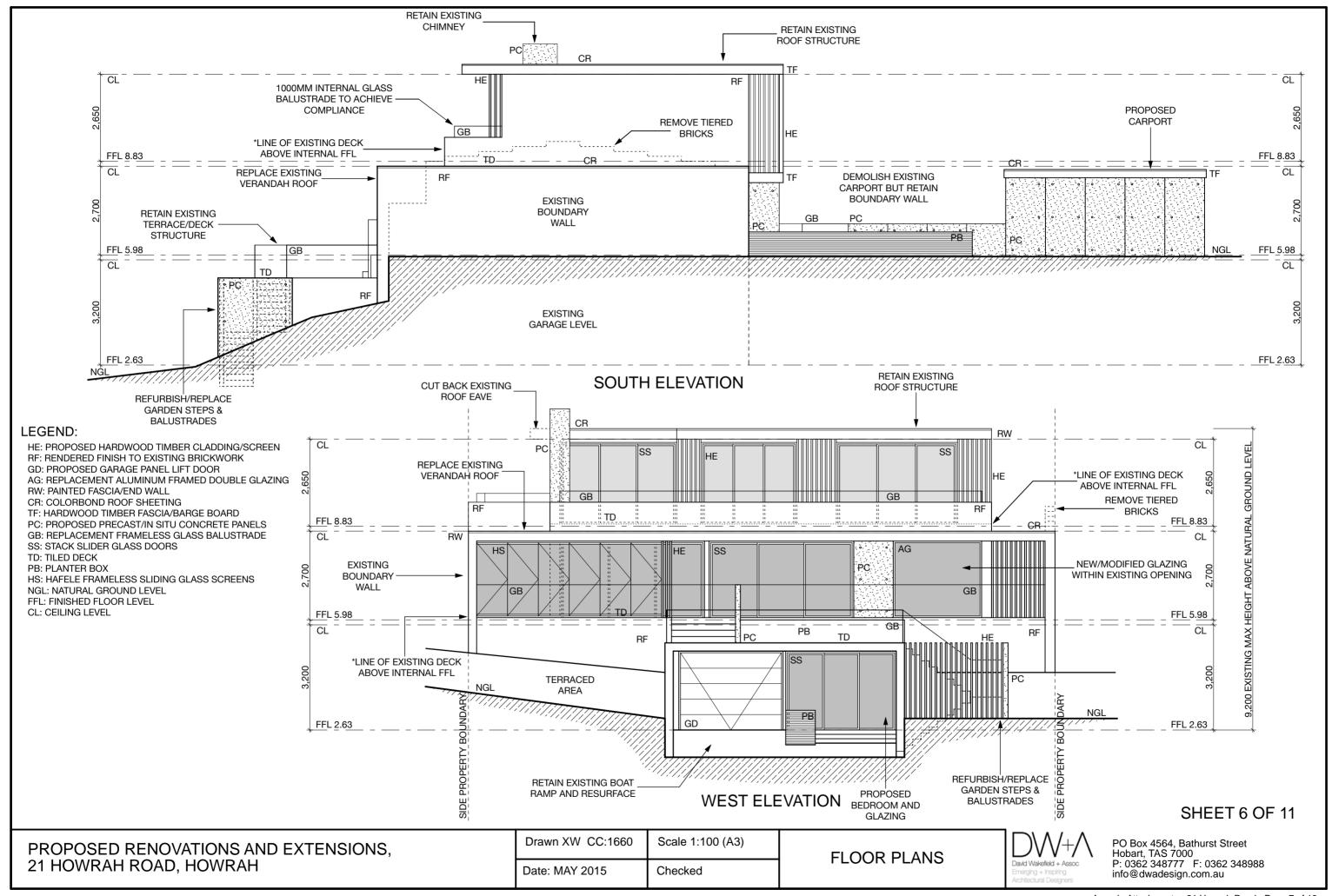
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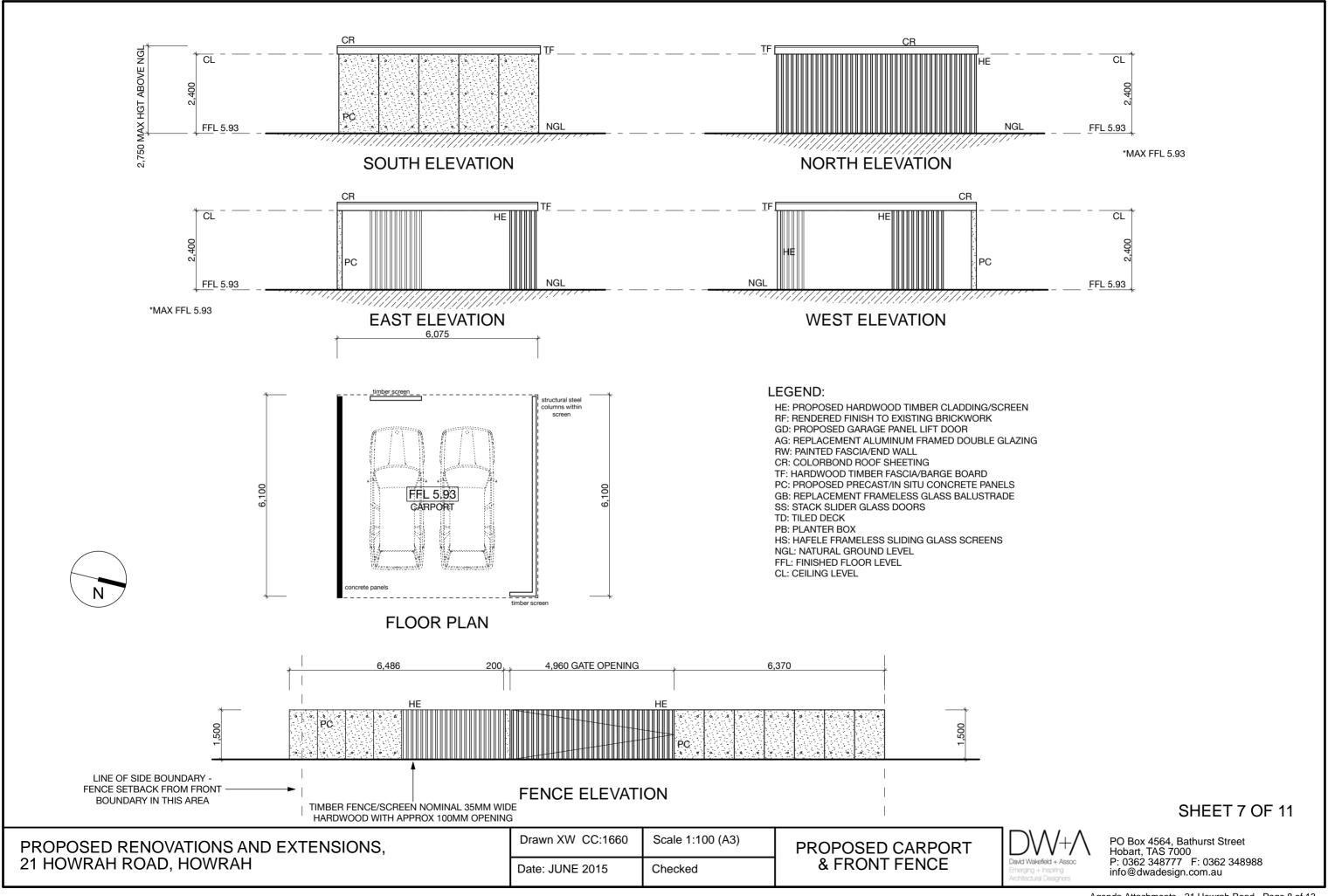
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SHEET 4 OF 11









EXTERNAL PERSPECTIVE FROM WEST



EXTERNAL PERSPECTIVE FROM EAST & HOWRAH RD



EXTERNAL PERSPECTIVE FROM NORTH-WEST



EXTERNAL PERSPECTIVE FROM EAST ON ENTRY

NOTE: EXTERNAL PERSPECTIVES ARE INDICATIVE OF EVENTUAL PROJECT OUTCOME AND ARE FOR ILLUSTRATION PURPOSES ONLY - REFER TO FUTURE STRUCTURAL DOCUMENTATION FOR SPECIFIC MEASUREMENTS AND DETAILS

PROPOSED RENOVATIONS AND EXTENSIONS, 21 HOWRAH ROAD, HOWRAH

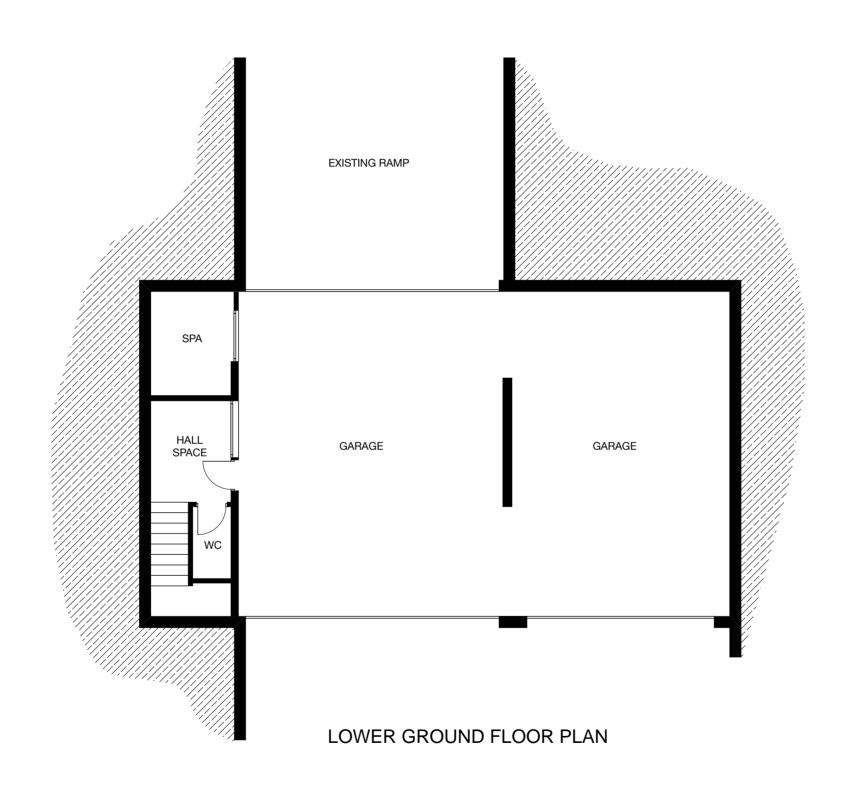
Drawn XW CC:1660 Scale 1:100 (A3)

Date: JUNE 2015 Checked PROPOSED EXTERNAL PERSPECTIVE IMAGES



SHEET 8 OF 11

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SHEET 9 OF 11

PROPOSED RENOVATIONS AND EXTENSIONS, 21 HOWRAH ROAD, HOWRAH

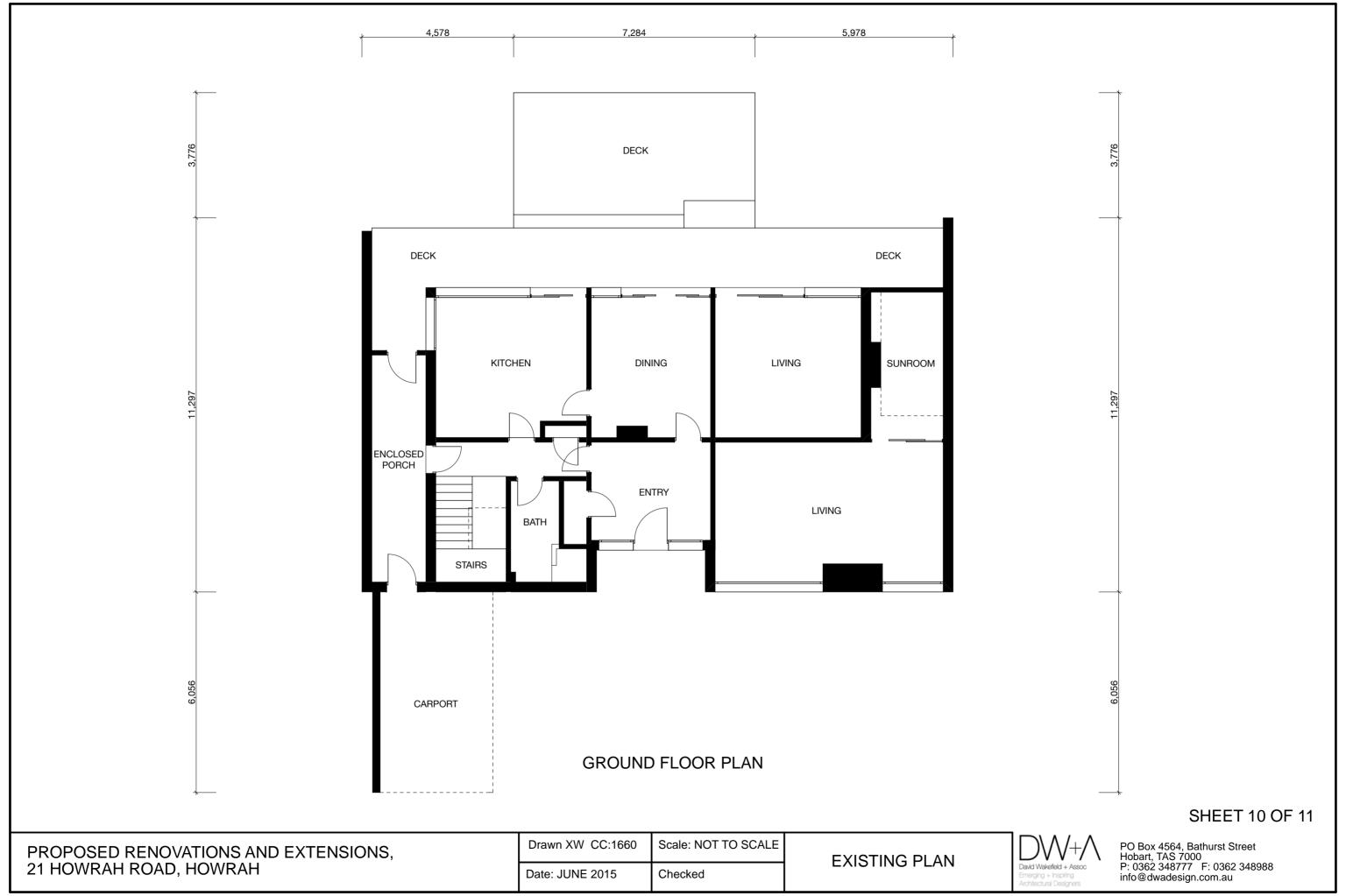
Drawn XW CC:1660 Scale: NOT TO SCALE

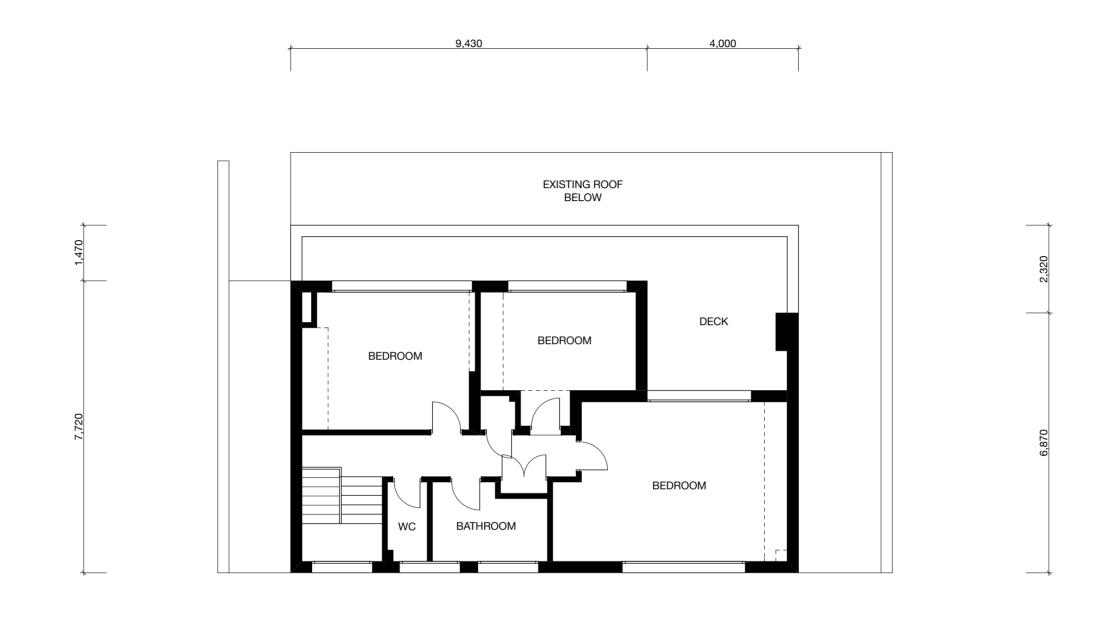
Date: JUNE 2015 Checked

EXISTING PLAN



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FIRST FLOOR PLAN

SHEET 11 OF 11

PROPOSED RENOVATIONS AND EXTENSIONS, 21 HOWRAH ROAD, HOWRAH

 Drawn XW CC:1660
 Scale 1:200 (A3)

 Date: JUNE 2015
 Checked

EXISTING PLAN



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Attachment 3

21 Howrah Road, HOWRAH



Site viewed from Howrah Road

(source – Google Street View)

11.3.4 DEVELOPMENT APPLICATION D-2015/341 - 32 CAMRISE DRIVE, CAMBRIDGE - DWELLING

(File No D-2015/341)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to consider the application made for a dwelling at 32 Camrise Drive, Cambridge.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development as the proposal requires a variation to the development standards of the General Residential zone.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 5 October 2015.

CONSULTATION

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

- dwelling design;
- loss of property values; and
- loss of amenity.

RECOMMENDATION:

- A. That the Development Application for a dwelling at 32 Camrise Drive, Cambridge (Cl Ref D-2015/341) be approved subject to the following conditions and advice.
 - 1. GEN AP1 ENDORSED PLANS.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

DEVELOPMENT APPLICATION D-2015/341 - 32 CAMRISE DRIVE, CAMBRIDGE – DWELLING /contd...

ASSOCIATED REPORT

1. BACKGROUND

No relevant background.

2. STATUTORY IMPLICATIONS

- **2.1.** The land is zoned General Residential under the Scheme.
- **2.2.** The proposal is a Discretionary development because it does not meet the Acceptable Solutions prescribed in the General Residential Zone.
- **2.3.** The relevant parts of the Planning Scheme are:
 - Section 8.10 Determining Applications;
 - Section 10 General Residential Zone;
 - Section E6.0 Parking and Access Code; and
 - Section E7.0 Stormwater Management Code.
- **2.4.** Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the Land Use Planning and Approvals Act, 1993 (LUPAA).

3. PROPOSAL IN DETAIL

3.1. The Site

The site is a 694m² vacant residential lot located to the north of the Tasman Highway. Access to the site is from Camrise Drive. The property to the east has a Building Permit for a dwelling, however, construction has not yet commenced. The property to the west is vacant with a current Building Application for a dwelling currently being assessed.

3.2. The Proposal

The proposal is for a single storey, 3 bedroom dwelling with a maximum height of 5.131m. The dwelling is proposed to be located 4.5m from the front boundary, 1m to the east boundary and 3.94m to the west boundary. The dwelling contains a deck located to the north of the dwelling which has a privacy screen along its eastern side.

4. PLANNING ASSESSMENT

4.1. Determining Applications {Section 8.10}

- "8.10.1 In determining an application for any permit the planning authority must, in addition to the matters required by ss51(2) of the Act, take into consideration:
 - (a) all applicable standards and requirements in this planning scheme; and
 - (b) any representations received pursuant to and in conformity with ss57(5) of the Act;

but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

- 8.10.2 In determining an application for a permit for a discretionary use the planning authority must, in addition to the matters referred to in subclause 8.10.1, have regard to:
 - (a) the purpose of the applicable zone;
 - (c) the purpose of any applicable code.
- 8.10.3 In determining an application for any permit the planning authority must not take into consideration matters referred to in clauses 2.0 and 3.0 of the planning scheme".

Reference to these principles is contained in the discussion below.

4.2. Compliance with Zone and Codes

The proposal meets the Scheme's relevant Acceptable Solutions for the General Residential Zone with the exception of the following.

| Clause | Standard | Acceptable Solution (extract) | Proposed Variation |
|-----------|--|--|--|
| 10.4.2 A3 | Setbacks and building envelope for all dwellings. | Must be contained within the prescribed building envelope. | North-east corner of the dwelling protrudes above building envelope. |

The proposed variation can be supported pursuant to the Performance Criteria of Clause 10.4.3 for the following reasons.

- The variation will not cause an unreasonable loss of amenity due to overshadowing to the approved dwelling on the adjoining property at 34 Camrise Drive, as the dwelling is located adjacent to a driveway and has a separation of 5.9m from the living areas of the adjacent approved dwelling.
- The private open space of the adjoining lot at 34 Camrise Drive is located to the rear of this dwelling, which will not be overshadowed by the proposed dwelling.
- The proposal will not have an unreasonable visual impact when viewed from adjoining lots as the proposed dwelling is single storey and has a maximum height of 5.131m, which is well under the maximum height of 8.5m allowed in the zone.

| Clause | Standard | Acceptable Solution (extract) | Proposed Variation |
|--------|---------------------------|--|--|
| 10.4.6 | Privacy for all dwellings | (b)(ii) is to have a sill height of at least 1.7m above the floor level or has fixed height or has fixed obscure glazing extending to a height of at least 1.7m above the floor level. | Sill height of bedroom window on east elevation 1.57m above natural ground level. |

The proposed variation can be supported pursuant to the Performance Criteria of Clause 10.4.3 for the following reasons.

• The proposal is considered to minimise views to the habitable room of the dwelling at 34 Camrise Drive due to the variation in sill height being minimal, and the proposed height of the window at 1.57m above the floor level and the separation between the 2 dwellings of 5.98m.

4.3. External Referrals

No external referrals.

5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and 1 representation was received. The following issues were raised by the representor.

5.1. Design of Dwelling

The representor has raised concerns that the design of the proposed dwelling being a "kit home" does not fit in with the high quality of existing and proposed homes within the area.

Comment

Clause 8.10.1 of the Scheme provides that the Planning authority must only take into consideration matters relating to the exercise of discretion. As discussed, the proposal satisfies the Performance Criteria of the zone and this issue is not a relevant consideration.

5.2. Loss of Property Values

The representor has raised concerns that the proposed development will result in a devaluation of property values in the area.

Comment

This issue is not a relevant planning consideration.

5.3. Loss of Amenity

The representor has raised concerns that the proposed development will result in a loss of amenity from noise due to the location of the deck at the front of the dwelling.

Comment

The proposed dwelling meets the relevant Acceptable Standards in regards to the front boundary setback and the location of the deck, which also provides a privacy screen along its eastern side. Therefore this issue is not a relevant consideration.

6. STATE POLICIES AND ACT OBJECTIVES

- **6.1.** The proposal is consistent with the outcomes of the State Policies, including those of the State Coastal Policy.
- **6.2.** The proposal is consistent with the objectives of Schedule 1 of LUPAA.

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy.

8. CONCLUSION

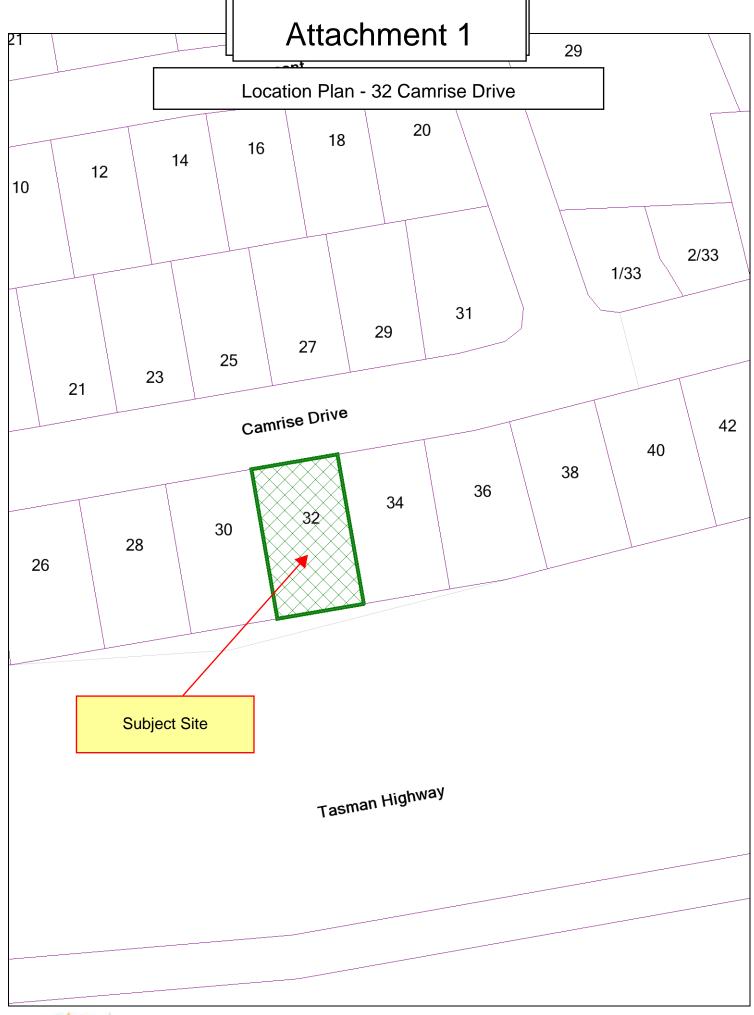
The proposal for a dwelling at 32 Camrise Drive is recommended for approval.

Attachments: 1. Location Plan (1)

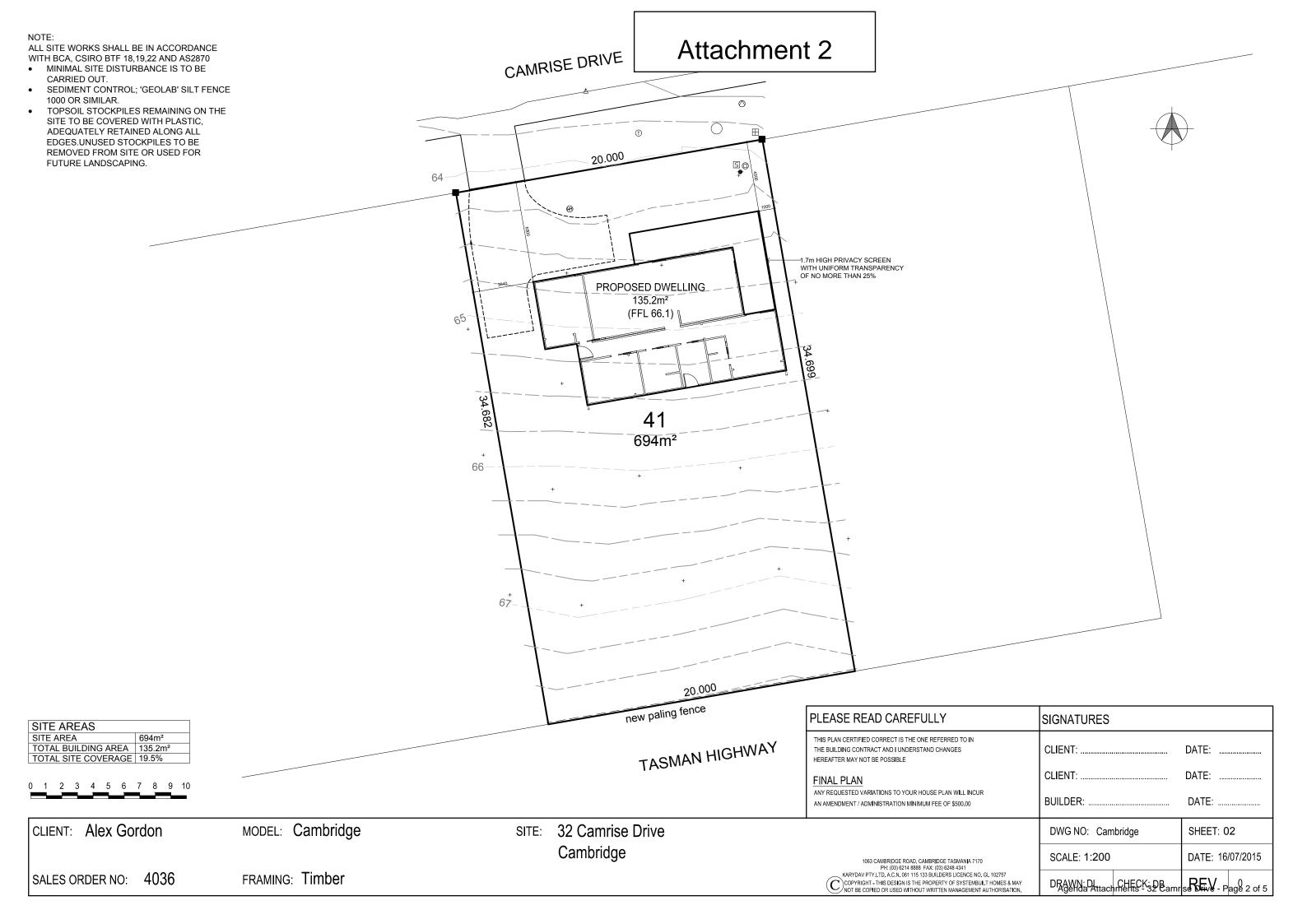
- 2. Proposal Plan (3)
- 3. Site Photo (1)

Ross Lovell

MANAGER CITY PLANNING







NOTES:

CONSTRUCTION AND MATERIALS IN ACCORDANCE WITH AS 1684.2 AND AS 3959 FOR BUSHFIRE ATTACK LEVEL - N/A GLAZING TO BE IN ACCORDANCE WITH AS1288 AND AS2047 WIND SPEED 41m/s N3

SMOKE ALARMS HARDWIRED TO AS3876 AND INTERCONNECTED

WHERE MECHANICAL VENTILATION IS REQUIRED THE EXHAUST IS TO BE DIRECTED OUTSIDE THE BUILDING BY WAY OF 100mm dia COLORBOND STEEL, PVC OR OTHER APPROVED DUCTING MATERIAL. ALTERNATIVELY, THE EXHAUST MAY BE RELEASED INTO THE ROOF SPACE IN ACCORDANCE WITH NCC CLAUSE 3.8.5.0 part B





1810

160 880 [610]

8

90510J8p 1020 8

WINDOW SCHEDULE

| ITEM: | SIZE (hxw): | DESCRIPTION: | QTY |
|-------|-------------|-------------------|-----|
| W1 | 900X1810 | ALUMINIUM SLIDING | 1 |
| W2 | 1500x1500 | ALUMINIUM FIXED | 1 |
| W3 | 600X2410 | ALUMINIUM SLIDING | 1 |
| W4 | 900X2110 | ALUMINIUM SLIDING | 1 |
| W5 | 600X1210 | ALUMINIUM SLIDING | 1 |
| W6 | 600X1810 | ALUMINIUM FIXED | 1 |
| W7 | 600X910 | ALUMINIUM SLIDING | 1 |
| W8 | 600X1510 | ALUMINIUM SLIDING | 1 |

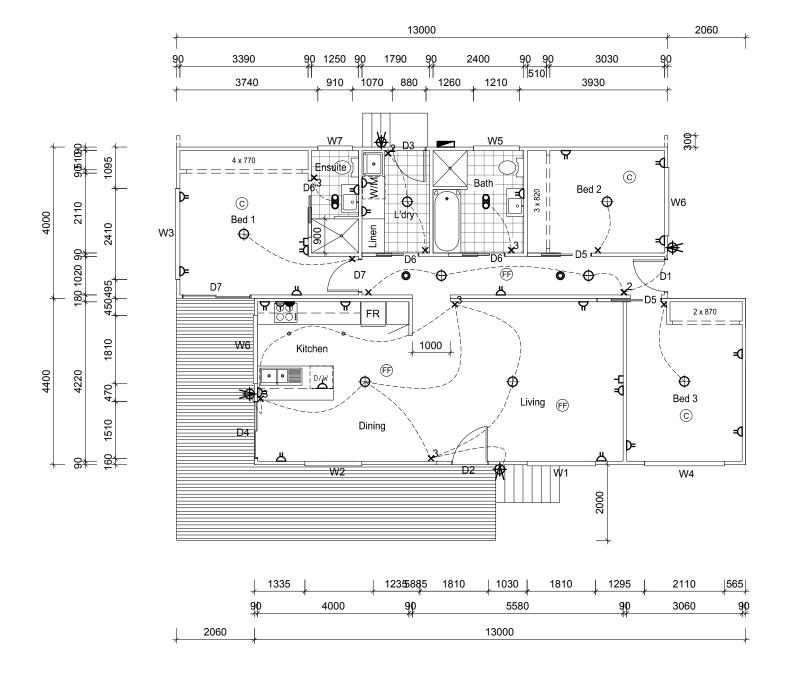
DOOR SCHEDULE

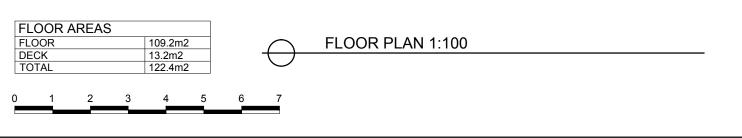
| ITEM: | SIZE (hxw): | DESCRIPTION: | QTY |
|-------|-------------|-----------------------------------|-----|
| D1 | 2100X820 | EXTERNAL HINGED ENTRANCE | 1 |
| D2 | 2100X920 | EXTERNAL HINGED ENTRANCE WITH S/L | 1 |
| D3 | 2100X820 | EXTERNAL HINGED HALF GLASS | 1 |
| D4 | 2100X1510 | ALUMINIUM GLASS SLIDING | 1 |
| D5 | 2100X820 | CAVITY SLIDING UNIT | 2 |
| D6 | 2100X720 | CAVITY SLIDING UNIT | 3 |
| D7 | 2100X1810 | ALUMINIUM GLASS SLIDING | 1 |
| D8 | 2100X820 | INTERNAL HINGED REDICOTE | 1 |

ELECTRICAL LEGEND

| ITEM | : DESCRIPTION: | QTY |
|----------------|--|-----|
| Ь | SINGLE GPO (DISHWASHER/WASHING MACHINE/FRIDGE) | 3 |
| Щ | DOUBLE GPO | 22 |
| | 32 AMP ISOLATOR SWITCH | 1 |
| × | LIGHTSWITCH | 5 |
| ײ | 2 WAY LIGHTSWITCH | 3 |
| × ³ | 3 WAY LIGHTSWITCH | 4 |
| × ⁴ | 4 WAY LIGHTSWITCH | 0 |
| Н | TV POINT | 2 |
| ∇ | PHONE POINT | 1 |
| \oplus | BATTEN LIGHT HOLDER | 8 |
| ۰ | 240V DOWNLIGHT | 2 |
| OIIO | IXL FAN/LIGHT/HEATER | 2 |
| \bigcirc | EXTERNAL WALL MOUNTED WEATHERPROOF LIGHT | 4 |
| • | EXHAUST FAN | 0 |
| | METER BOX - 1200 AFL - MESA 224 | 1 |
| 0 | SMOKE DETECTOR | 2 |

| © SMOKE DETECTO | R | 2 |
|--|-------------------------------|------------------------|
| PLEASE READ CAREFULLY | SIGNATURES | |
| THIS PLAN CERTIFIED CORRECT IS THE ONE REFERRED TO IN THE BUILDING CONTRACT AND I UNDERSTAND CHANGES HEREAFTER MAY NOT BE POSSIBLE | CLIENT: | DATE: |
| FINAL PLAN | CLIENT: | DATE: |
| ANY REQUESTED VARIATIONS TO YOUR HOUSE PLAN WILL INCUR AN AMENDMENT / ADMINISTRATION MINIMUM FEE OF \$500.00 | BUILDER: | DATE: |
| | DWG NO: Cambridge | SHEET: 03 |
| 1063 CAMBRIDGE ROAD, CAMBRIDGE TASMANIA 7170 PH: (03) 6214 8888 FAX: (03) 6248 4341 | SCALE: 1:100 | DATE: 16/07/2015 |
| KARYDAV PTYLITD. A.C.N. 061 115 133 BUILDERS LICENCE NO. GL 102757 COPYRIGHT - THIS DESIGN IS THE PROPERTY OF SYSTEMBUILT HOMES & MAY NOT BE COPIED OR USED WITHOUT WRITTEN MANAGEMENT AUTHORISATION. | DRAWN: DL CHECK: DB amr | se Drive - Page 3 of 5 |





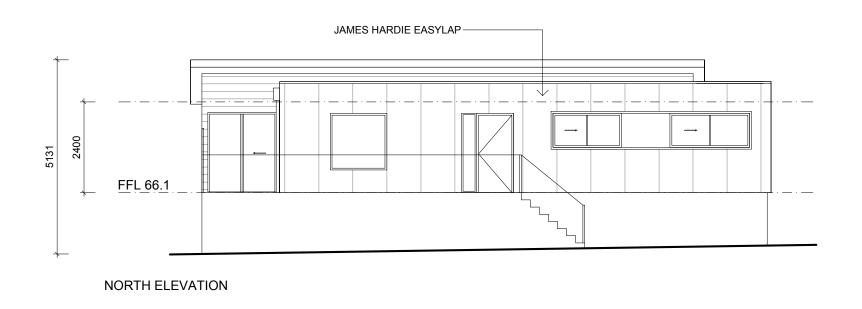
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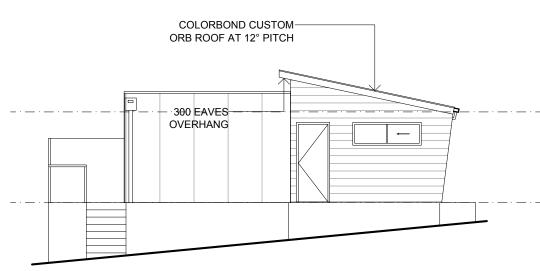
SITE: 32 Camrise Drive Cambridge

SALES ORDER NO: 4036 FRAMING: Timber

NOTES: CONSTRUCTION AND MATERIALS IN ACCORDANCE WITH AS 1684.2 AND AS 3959 FOR BUSHFIRE ATTACK LEVEL - BAL N/A GLAZING TO BE IN ACCORDANCE WITH AS1288 AND AS2047

WIND SPEED 41m/s N3





EAST ELEVATION

PLEASE READ CAREFULLY

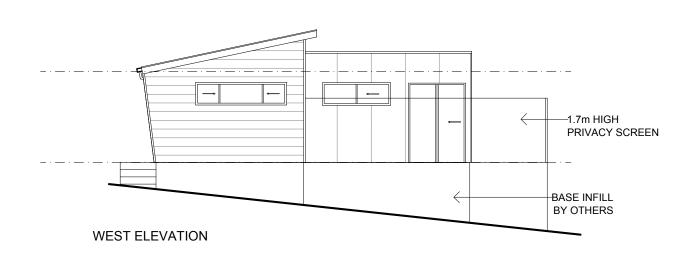
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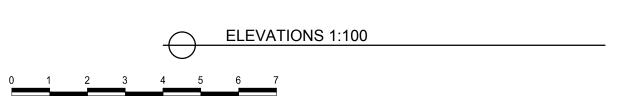
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FFL 66.1

POWDER COATED ALUMINUM
WINDOWS AND DOORS

SOUTH ELEVATION





CLIENT: Alex Gordon MODEL: Cambridge SITE: 32 Camrise Drive Cambridge

SALES ORDER NO: 4036 FRAMING: Timber

| FINAL PLAN ANY REQUESTED VARIATIONS TO YOUR HOUSE PLAN WILL INCUR AN AMENDMENT / ADMINISTRATION MINIMUM FEE OF \$500.00 | CLIENT: DATE: DATE | |
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| | DWG NO: Cambridge SHEET: 04 | |
| 1063 CAMBRIDGE ROAD, CAMBRIDGE TASMANIA 7170 PH: (03) 6214 8888 FAX: (03) 6248 4341 | SCALE: 1:100 DATE: 16/07/2015 | |
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SIGNATURES

DATE:

CLIENT:

Attachment 3

32 Camrise Drive, CAMBRIDGE



Site viewed from Camrise Drive.

11.3.5 SUBDIVISION APPLICATION SD-2015/33 - 211 SCHOOL ROAD, SANDFORD - 16 LOT SUBDIVISION

(File No SD-2015/33)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to consider the application made for a 16 lot subdivision at 211 School Road, Sandford.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Residential and subject to the Vegetation Management, Subject to Inundation and Development Plan Overlays under the Clarence Planning Scheme 2007 (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 2005.

Council is required to exercise a discretion within the statutory 42 day period which has been extended to expire on 7 October 2015.

CONSULTATION

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

- School Road:
- DPO 19; and
- staging.

RECOMMENDATION:

- A. That the application for a 16 lot subdivision at 211 School Road, Sandford (Cl Ref SD-2015/33) be approved subject to the following conditions and advice.
 - 1. GEN AP1 ENDORSED PLANS.
 - 2. GEN AP3 AMENDED PLANS
 - [- the horse trail between Lots 4 and 5 being 10m wide for the whole length of the lot; and
 - amended staging showing Lots 13 17, and the road lot providing access to these lots as Stage 1 of the sealing of the development.]
 - 3. The "Horse Trail 10m wide" at the eastern side of the site is to be provided to Council in its entirety as part of the first stage of sealing of lots for this subdivision.
 - 4. GEN POS 4 POS CONTRIBUTION (post 11/11/13) [2%] [1-16].

- 5. No plans for the issue of title to any lots are to be sealed until the construction of the road on the Road lot through to CT-30596/4 and CT-159889/2 is completed to the satisfaction of Council's Group Manager Asset Management.
- 6. GEN F3 ENDORSEMENTS.
- 7. ENG A1 NEW CROSSOVER [3.6M] [TSD-R03 and 4].
- 8. ENG A10 TRAILS IN LOW DENSITY OR RURAL SUBDIVISIONS.
- 9. ENG M2 DESIGNS SD.
- 10. ENG M4 POS ACCESS.
- 11. ENG M5 EROSION CONTROL.
- 12. ENG M7 WEED MANAGEMENT PLAN.
- 13. ENG M8 EASEMENTS.
- 14. ENG R1 ROAD NAMES.
- 15. ENG R3 RURAL ROADS [Street construction, including the upgraded of School Road, must be line marked and bitumen sealed with table drains and be carried out to the requirements of Council's Local Highways Standard Requirements By-Law].
- 16. ENG R4 ROAD WIDENING [9m min] add "for the length of the property boundary to School Road" after "...road carriageway".
- 17. ENG R5 ROAD EXTENSION.
- 18. ENG R6 VEHICLE BARRIERS.
- 19. ENG S1 INFRASTRUCTURE REPAIR.
- 20. ENG S2 SERVICES.
- 21. ENG S10 UNDERGROUND SERVICES.
- 22. Minor adjustment may be required to the boundary of Lot 15 to facilitate an appropriate road radius for the interconnecting road with 110 Prospect Road and 69 Germain Court. This radius is to be identified as part of the detailed engineering designs.

- 23. PROP 3 TRANSFER.
- 24. EHO 4 NO BURNING.
- 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.

ASSOCIATED REPORT

1. BACKGROUND

No relevant background.

2. STATUTORY IMPLICATIONS

- **2.1.** The land is zoned Rural Residential and subject to the Vegetation Management, Subject to Inundation and Development Plan Overlays under the Scheme.
- **2.2.** The proposal is for subdivision resulting in 16 new lots, which is Discretionary development in accordance with the Scheme.
- **2.3.** The relevant parts of the Planning Scheme are:
 - Section 2 Planning Policy Framework;
 - Section 3 General Provisions;
 - Section 6 Rural Residential Zone; and
 - Section 7 Overlays.
- **2.4.** Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the Land Use Planning and Approvals Act, 1993 (LUPAA).

3. PROPOSAL IN DETAIL

3.1. The Site

The site is an "L" shaped 48.2ha lot on the western side of School Road, Sandford. There are 2 large dams on the site and the only structure on the site is an agricultural storage shed.

There is a small area of bushland at the western end of the site connecting to a larger vegetated area on the adjacent land to the south-west. Otherwise, the land is generally open farmland which is used for grazing of cattle.

3.2. The Proposal

The proposal will result in 17 Rural Residential lots, 2 road lots, a trail connection to the existing trail to the northern boundary of the site and a widening of the School Road reservation to enable a trail connection along the western side of the road reservation. The lots will range in size from 2.10ha to 5.41ha.

The first of the proposed new trail lots will provide a valuable improvement in the safety of Tangara Trail users. This is because it provides for a trail adjacent to School Road connecting existing trails at either end of the road; removing the need for users to pass through the road reservation should they wish to move between these 2 trails. The second trail will provide further connectivity between the proposed new road and the existing trail to the east of the application site, again removing the need for users to traverse extensive sections of road when utilising the trails in the area.

The proposal originally included staging which would have seen the eastern lots developed first, prior to the road connection to the adjacent land at Germain Court. However, following advertising of the application and the RMPAT mediation into the permit on the adjacent land, the applicant has offered an alternative staging which would result in the road connection to the adjacent land at Germain Court, and the associated 5 lots as the first stage of sealing of this permit.

4. PLANNING ASSESSMENT

4.1. Planning Policy Framework [Section 2]

The relevant elements of the Planning Policy Framework are contained in Section 2.2.3 (a) Settlement (iii) – Rural Residential Land Use.

"Objectives

• To provide rural residential land as part of ensuring attractive housing choices within the City.

Strategies

- Designs respond to the local context and will positively contribute to the character and identity of the neighbourhood.
- Development incorporates high standards of community safety, accessibility, amenity, energy efficiency and. retention of any native values".

Reference to these principles is also contained in the discussion below.

4.2. General Decision Requirements [Section 3.3.1]

The relevant General Decision Requirements of this part are:

"(a) General requirements:

- (v) The Specific Decision Requirements of the Zone, Overlay or Specific Provision.
- (vii) Any representation made in accordance with Section 43F(5) or Section 57(5) of the Act.

(f) Subdivision requirements:

- (i) The suitability of the land for subdivision.
- (ii) The existing use and potential for future development of the land and its surrounds.
- (iii) The subdivision pattern having regard to the physical characteristics of the land including existing vegetation, natural drainage paths and significant stormwater catchment areas.
- (iv) The density of the proposed development.
- (v) The size and shape of each lot in the subdivision.
- (vi) The design and siting of existing and future buildings.
- (vii) The availability and provision of utility services".

Reference to these principles is also contained in the discussion below.

4.3. Rural Residential Zone

The purpose of the Rural Residential Zone is to provide for residential use in a rural environment, ensuring that development minimises impacts on adjacent farmland, marine farms or land with important environmental values.

The relevant Use and Development Standards for the Rural Residential Zone are summarised in the table below.

| | Required | Provided | Comments |
|----------------|--------------------|---------------|----------|
| Lot Size | 2ha | 2.01 – 5.41ha | complies |
| Lot Dimensions | 6m min frontage | 6.0m – 329.0m | complies |

The existing agricultural shed complies with all other Use and Development Standards for the Rural Residential Zone.

The relevant Decision Requirements of the Rural Residential Zone are as follows.

"(e) Lot sizes should be sufficient to suit differing levels of rural residential, service and recreational needs".

A variety of lot sizes are proposed for both rural residential and public open space purposes. This ensures that existing trail networks are enhanced and that there are a variety of lot sizes to meet varying rural residential user needs.

4.4. Overlays

Vegetation Management

The purpose of the Vegetation Management Overlay is to protect areas of significant and high value vegetation and bushland habitat, ensuring that development is sited to minimise the loss of native vegetation.

An environmental consultants report demonstrates that all lots are capable of containing a dwelling and all associated bushfire hazard management clearing without disturbing the portions of the site that are covered by the Vegetation Management Overlay.

Subject to Inundation

The purpose of the Subject to Inundation Overlay is to identify areas which may be subject to periodic inundation and to preclude development of these areas that will affect flood flow or be affected by flood water, in order to promote sustainable catchment management.

A very small portion of the site, in the north-western corner, is affected by this overlay. However, it has been demonstrated that both lots which are partially affected by this overlay are capable of being developed outside of the overlay area. As such, the requirements of the overlay are considered to have been satisfied by the proposal.

Development Plan (DPO 19 - Sandford)

The purpose of the Sandford Development Plan is to provide for the consolidation of existing Rural Residential communities, whilst ensuring that the road and trail networks provide a high level of connectivity, safety and amenity for the community.

"PC 4.1 – Roads must be Generally in accordance with the Road Layout Plan in Figure 2, but may be realigned, or additional roads included provided that the objective of this clause is met, including the construction of a road connecting Germain Court to School Road".

The proposed road to connect Germain Court to School Road has been located as required under the DPO, satisfying the acceptable solution.

- "PC 6.1 Subdivision of the area may be staged, provided that all of the following are satisfied:
- (c) The only subdivision that can occur to the west of the School Road alignment, prior to the construction of the road and trail connections to Germain Court, generally in accordance with Figure 2 is no more than 12 lots, within the hatched portion of Figure 2.
- (d) Any subdivision to the west of the School Road alignment which includes the land contained in CT 30596/4 must provide for the construction of the road and trail connections to Germain Court, generally in accordance with Figure 2 before the sealing of any non-road lots".

As the land at CT-30596/4 and CT-159889/2 has yet to have the road lot developed, in accordance with Performance Criteria PC 6 (c), no lots can be created in the southern portion of this title until such time as the works on the adjacent lot have occurred. However, the DPO does provide for up to 12 lots within the northern portion of the site (shown hatched in Figure 2 of the DPO).

Notwithstanding this, an appeal of the conditions for the permit granted for the adjacent land at CT-30596/4 and CT-159889/2 has identified a reasonable interpretation of the provisions of the DPO. Whilst this appeal has yet to be determined, legal advice indicates that the intention of the Section will be met if the road lot is provided as part of the first stage of sealing. The advice considers that this will not unduly disadvantage either landowner by forcing their reliance upon the financial position of the adjacent landowner. Accordingly a condition is proposed to this effect.

4.5. Public Open Space

The primary purpose of Council's Public Open Space Policy (2013) is to ensure the delivery of adequate and appropriate Public Open Space (POS) to serve the needs of the existing and future population in Clarence. The policy is used to assist Council to exercise its discretion and provide a framework to deliver a consistent approach to the consideration of POS, or alternatively the payment of cash-in-lieu of it.

Clarence has developed a comprehensive suite of strategies that either deliver or rely on POS related outcomes including but not limited to:

- Clarence Tracks and Trails Strategy 2012;
- Positive Aging Plan 2012-2016;
- Clarence Coast and Bushland Strategy (August 2011);
- Community Health and Wellbeing Plan 2013-2018; and
- Draft Sport and Active Recreation Strategy.

Together these strategies assist Council to deliver a range of active and passive recreational opportunities at both local and regional level.

The proposal plan includes the provision of a trail connection from near the western end of the northern road to the existing trail which spans the northern boundary of the application site.

The proposal also includes a 10m wide strip adjacent to the School Road reservation, to be provided as a trail corridor along the road, improving the safety of trail users by providing increased separation from road users. These trail connections will constitute 2% of the value of the created lots.

In accordance with Councils POS Policy it is considered appropriate to also require a cash contribution for 2% of the value of the created lots (lots 1-16), bringing the POS contribution to a total of 4%. This should be conditioned as part of the permit.

The requiring a cash contribution for 2% of the value of the land will reflect the likely increase demand that future development will place on Council's POS local and regional network and associated facilities through the creation of the 16 additional lots.

4.6. External Referrals

No external referrals were required or undertaken as part of this application.

5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and 3 representations were received. The following issues were raised by the representors.

5.1. School Road

Representors are concerned that they believe School Road should be required to be upgraded as part of this application. They feel that the increased traffic volumes anticipated will trigger the need for the upgrade for a number of reasons. These include a need to widen the road and provide road markings to decrease the risk of conflict between residential and commercial (quarry) vehicles, and the need to reduce the dust emissions from the use of the road by these users, and the impacts they have on surrounding residences.

Comment

Due to the increased use of the road, it is proposed to require that the developer provide land for road widening, in addition to the 10m wide strip of land for the trail network.

It is also proposed that the subdivider will be required through condition to undertake works to upgrade School Road.

5.2. DPO 19

One representor has indicated that they do not believe that the DPO should be read to mean that the road lot between the adjacent land at 69 Germain Court and 110 Prospect Road must be provided prior to the sealing of lots 12-17 on this application, as was the interpretation for a recent approval of subdivision of that land, SD-2015/30.

Comment

The matter of interpretation is currently before the RMPAT. Council has received legal advice as detailed above. As such, it is considered appropriate to condition this permit that it need not rely upon the adjacent land owner in order to gain title for the lots within their subdivision.

5.3. Staging

One representor has requested that the staging of the proposed sealing of the lots be conditioned so that the road lot to connect to 69 Germain Court and 110 Prospect Road be provided as Stage 1, rather than at a later stage as has been proposed.

• Comment

This proposition has been put to the applicant, who has agreed to the amended staging, and has provided an updated proposal plan to reflect this agreement. As such, a condition should be required detailing the approved staging should a permit be granted.

6. STATE POLICIES AND ACT OBJECTIVES

- **6.1.** The proposal is consistent with the outcomes of the State Policies, including those of the State Coastal Policy.
- **6.2.** The proposal is consistent with the objectives of Schedule 1 of LUPAA.

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy.

Developer contributions are required to comply with Council's Public open Space Policy.

8. CONCLUSION

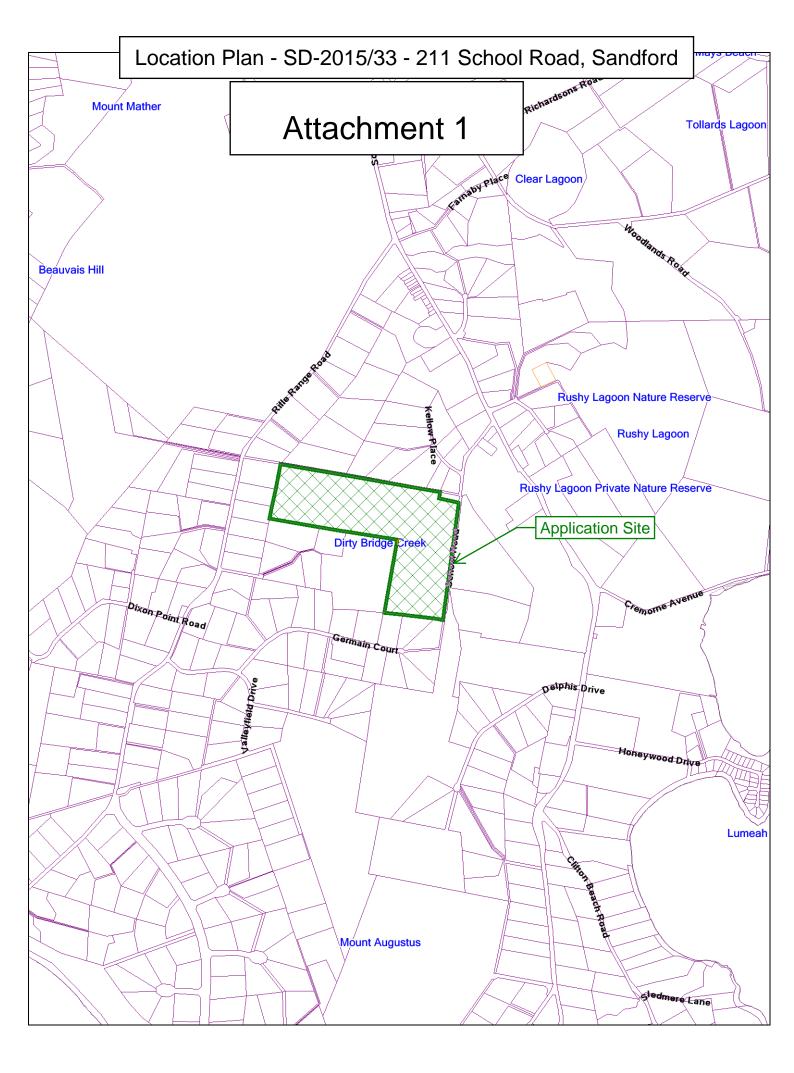
The proposal is for a 16 lot subdivision resulting in 17 rural residential lots, 2 road lots and 2 trail lots. The proposal meets relevant Scheme requirements and is therefore recommended for conditional approval.

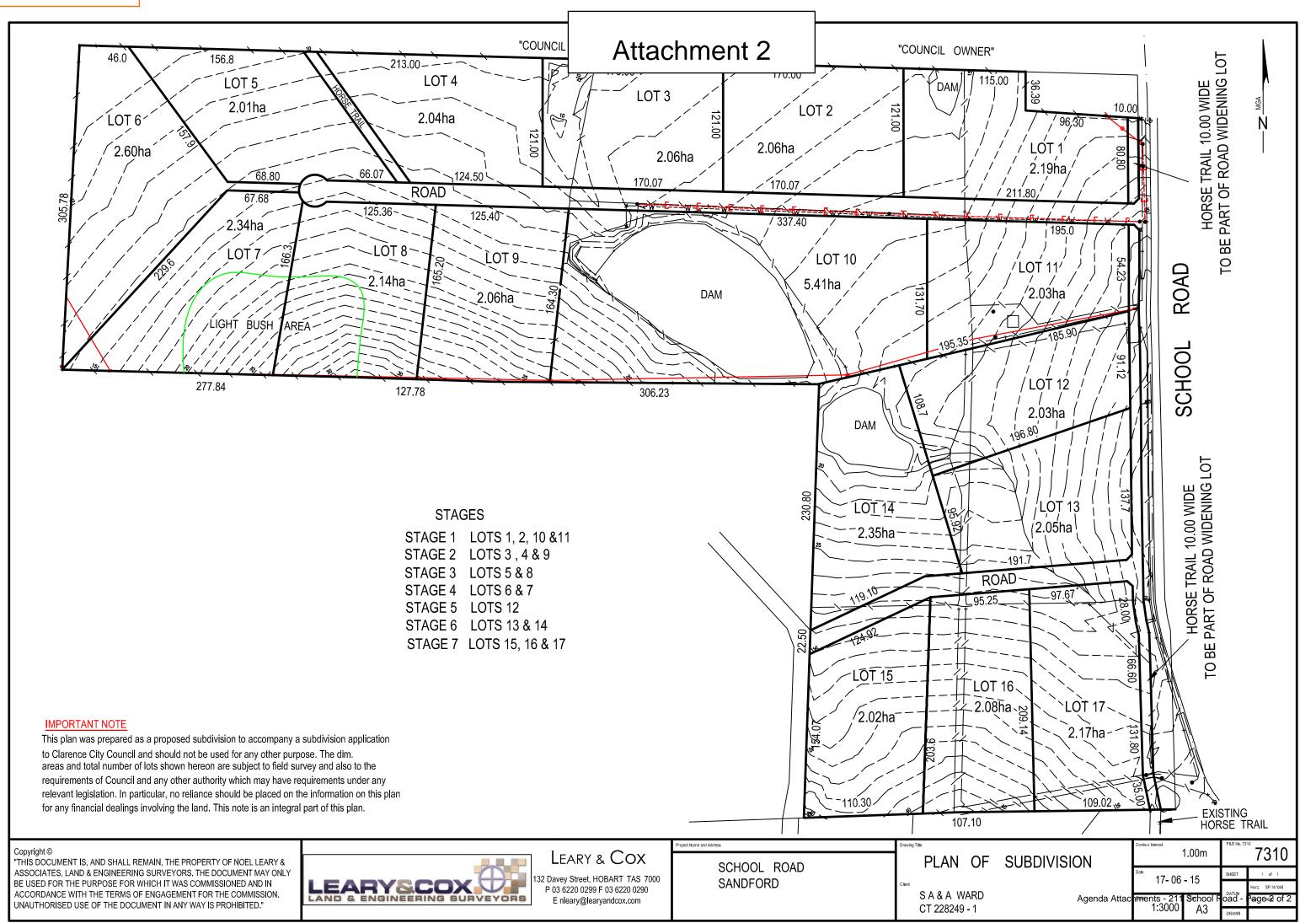
Attachments: 1. Location Plan (1)

2. Proposal Plan (1)

Ross Lovell

MANAGER CITY PLANNING





11.3.6 AMENDMENT APPLICATION A-2015/1 - 38 GORDONS HILL ROAD, LINDISFARNE - REZONING

(File No A-2015/1)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to consider an application for a planning scheme amendment at 38 Gordons Hill Road, Lindisfarne. Specifically, it is proposed to rezone the site from Open Space to Particular Purpose Zone 3 – Gordons Hill Precinct. While no development is proposed as part of this application the proposed amendment would provide for the future development of a retirement village.

A location plan showing the subject site is included in the attachments.

RELATION TO PLANNING PROVISIONS

The land is zoned Open Space and subject to the Bushfire and Waterway and Coastal Protection Overlay Codes under the Clarence Interim Planning Scheme 2015 (the Scheme).

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2005.

CONSULTATION

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

RECOMMENDATION:

- A. That Council resolves, under Section 30O (1) of the Land Use Planning and Approvals Act, 1993 that the draft amendment A-2015/1 at 38 Gordons Hill Road, Lindisfarne is limited to a local provision, practical and consistent with the Southern Tasmanian Regional Land Use Strategy 2010-2035.
- B. That Council resolves, under Section 34(1) (a) of the Land Use Planning and Approvals Act, 1993 to initiate draft amendment A-2015/1 at 38 Gordons Hill Road, Lindisfarne.
- C. That Council resolves, under Section 35(1) of Land Use Planning and Approvals Act, 1993 that draft amendment A-2015/1 meets the requirements specified under Section 32.
- D. That Council resolves, under Section 35(2) of Land Use Planning and Approvals Act 1993, to prepare and certify draft amendment A-2015/1 and sign the instrument as required.

as the reasons for Council's decision in respect of this matter.

That the details and conclusions included in the Associated Report be recorded

ASSOCIATED REPORT

E.

1. BACKGROUND

- **1.1.** The subject site and the Fairway Rise retirement village and nursing home (38 and 55 Gordons Hill Road respectively) were previously part of the 18 hole Rosny Public Golf Course, which some 15-20 years ago was redesigned as a 9 hole course confined to the southern side of the Tasman Highway.
- 1.2. The land opposite the subject site at 55 and 75 Gordons Hill Road was rezoned in 2008, initially under the Eastern Shore Planning Scheme 1963 to the Gordons Hill Road Development zone. This was subsequently reiterated under the Clarence Planning Scheme 2007 through Amendment A-2008/10. These amendments created a unique zone applicable only to the land at 55 and 75 Gordons Hill Road.
- **1.3.** The subject site at 38 Gordons Hill Road represents the balance of the redundant 9 holes of the golf course. The land has long been identified by the State (Housing Tasmania) as an area that may be suitable for community or housing redevelopment.
 - Over recent years the land has been poorly maintained and used informally by mountain bike riders and pedestrians.
- **1.4.** Development application D-2011/328 was approved in 2012 for an Aged Care Retirement Village comprising a Residential Aged Care Facility (60 beds), 76 independent Living Units, 16 Independent Living Apartments and a Community Building opposite the subject site at land at 55 and 75 Gordons Hill Road.

That proposal was accompanied by a Traffic Impact Assessment outlining that the expected total traffic generated was anticipated to be to the order of 450 trips per day with 60 total peak hour trips and that this number will not impact on the traffic movement along Gordons Hill Road.

Initially a 'T' junction was proposed to provide access to the site. However, independent of the application before Council, Housing Tasmania indicated that it had intended to develop its land at 38 Gordons Hill Road (the land the subject of this report) and for this reason discussions between the applicant, DIER, Housing Tasmania and Council, resulted in an amended proposal including a roundabout to provide access to the land at both 38 and 55 and Gordons Hill Road (adjacent to each other on the opposite sides of the road). The cost of construction was an issue that required negotiation with Housing Tasmania outside of the application before Council.

Importantly, the permit required the construction of the roundabout as part of that development. Following failed negotiations with Housing Tasmania over the funding of the roundabout, the Aged Care Retirement Village permit was altered through a Section 56 minor amendment providing for an alternative "T" intersection and a Part 5 Agreement providing for a contribution towards a future roundabout.

1.5. The Part 5 Agreement was executed on 1 December 2014 and provides that, when called upon to do so, the owners of 38 Gordon Hill Road will be required to pay Council one half of the cost of constructing a roundabout. The roundabout specified in the agreement is to be located on Gordons Hill Road adjacent to Toogood Drive immediately opposite 55 Gordons Hill Road (the site the subject of this application).

2. STATUTORY IMPLICATIONS

2.1. The applicant has expressed a desire to construct a new retirement village on the site and submitted a "Springhaven" development concept accompanying the application to indicate the type of development envisaged.

The proponent submits that they believe the Springhaven concept will provide affordable housing for elderly Tasmanians and will complement their successful Fairway Rise project on the other side of Gordons Hill Road.

- **2.2.** The subject land is zoned Open Space under the Scheme whereby all forms of residential development (including retirement villages) are prohibited uses. Consequently some form of Planning Scheme Amendment would be needed before an application for a retirement village could be entertained.
- **2.3.** Potentially several forms of Planning Scheme Amendments including rezoning, modification to the table of uses or the introduction of a Specific Area Plan could allow for the consideration of a retirement village. In this instance the applicants preferred response is to rezone the land as described below.

3. PROPOSAL IN DETAIL

In addition to the planning report the applicant submitted the following documents to accompany the proposal:

- Bushfire Attack Level (BAL) Assessment Ireneinc Planning (30 June 2015)
- Environmental Values Report (Welling Consulting 14 July 2015)
- Springhaven Development Concept (Southern Cross Care July 2015)

3.1. The Site

The subject site is a 5.15ha vacant lot that was previously part of the 18 hole Rosny Public Golf Course which some 15-20 years ago was redesigned as a 9 hole course on the southern side of the Tasman Highway. The site is bounded by the Tasman Highway to the south and Gordons Hill Road to the east opposite the existing Fairway Rise retirement village and nursing home which was also located on land that previously formed part of the golf course.

The land has varying topography with an ephemeral watercourse bisecting the site in a south easterly direction toward Gordons Hill Road. Grades vary across the site from around 1:20 to 1:5 with flatter parts of the site located in the lower lying areas in the southeast corner.

The presentation of the site reflects its past use as a golf course and is largely cleared of native vegetation with only small remnant patches of degraded native vegetation and scattered remnant blue gum trees.

The land is located within an area serviced by reticulated water, sewerage and stormwater systems.

A plan showing the location of the site is included in the attachments as are several photographs of the site supplied by the applicant.

3.2. The Proposal

The proposed amendment is limited to the rezoning of a of the land at 38 Gordons Hill Road, Lindisfarne from Open Space to Particular Purpose Zone 3 – Gordons Hill Precinct as shown in the attachments. No development is proposed as part of this application however, if ultimately approved it would to provide for the consideration of a retirement village (a subcategory of the Residential use class) through the submission of a discretionary development application.

A copy of the Springhaven Development Concept documentation is included in the attachments to provide an idea of the type of development envisaged by the applicant.

4. PLANNING ASSESSMENT

4.1. Bushfire

The subject property is identified as being bushfire prone under the Scheme's Bushfire Code. While no development is being proposed as part of this application, the applicant prepared a bushfire assessment to demonstrate the site's suitability for future development.

The assessment identifies a building area within the site and concluded that "The assessed BAL level capable of being achieved for the building area described on the analysis plan is 12.5 subject to the maintenance of the land between the building area and the site boundaries as hazard management areas".

Future development of habitable buildings will require further assessment and the development of a bushfire hazard management plan at the time of application. However, it is considered that the report demonstrates the site is capable of being developed consistently with the proposed zone purpose without the need for bushfire management beyond the boundaries of the site.

4.2. Natural Assets

The property is not identified as being subject to the Scheme's Natural Asset Code. Accordingly a future development application on the site would not be required to provide an ecological assessment as part of the application. Notwithstanding, the applicant submitted an Environmental Values Report to accompany and support their rezoning proposal.

The report identified that during the survey 28 native plant species and 31 common exotic species were recorded within the site. No threatened flora or flora species listed under Schedule 3, 4 or 5 of the Threatened Species Protection Act 1995 or under the Environmental Protection and Biodiversity Conservation Act 1999 were recorded (Pages 7 and 8).

The report described the site as being generally degraded providing limited habitat for significant fauna species. The report noted that while woodland bird species are likely to utilise the site the absence of an understorey provided limited value for small species such as wrens, thornbills and small honeyeaters (Page 8).

The open grassland nature of the site adjacent to intact bushland on Gordons Hill provides foraging habitat for the eastern barred bandicoot and the mature blue gums trees and isolated black gums (Approximately 18 – 20 mature trees) provide foraging habitat for the endangered swift parrot (Page 9). There were no records of swift parrot on the site.

The development of a future retirement village facilitated though the approval of this amendment would result in the likely removal of most vegetation from the site including the mature blue gums. This being the case report concluded that:

"The impacts of the development on significant fauna values will be restricted to the loss of some forging habitat for the eastern barred bandicoot and the removal of potential foraging habitat for the swift parrot. The loss of the vegetation will not represent a major impact on the eastern barred bandicoot with the adjoining Gordons Hill NRA providing good habitat and the status of this species secure in Tasmania.

The loss of the mature blue gums will reduce the foraging habitat available to the swift parrot in the local area. The trees in this area and those on the adjacent golf course and surrounding Rosny College provide a foraging resource when they are flowering during the breeding season and there are numerous swift parrot records from trees within 2km of the site (however no records from the site). Whilst the reserve at the rear of the site contains some blue gums there are few large healthy trees on the hill (due largely to drought and fire frequency).

Some blue gums that occur around the margins of the site (as well as on adjacent road reserves) can be retained however an estimated 15 trees that occur within the centre of the site are likely to be removed as part of the site development. The retention of the trees across the centre of the site is not recommended as once the site is developed the presence of a foraging resource amongst the structures will increase the collision risk (collision with windows and fences etc.) to the swift parrot and may lead to increased mortality.

The removal of the blue gums from the site is unlikely to constitute a significant impact under the Environmental Protection and Biodiversity Act significant impact criteria (Appendix 2). In addition a recent application for the removal of 50 blue gum trees as part of road maintenance works nearby to Kingston was referred to the Commonwealth and deemed not to be a significant impact. Based on this recent precedent the impact of the proposed on the swift parrot is unlikely to be deemed as significant".

4.3. Access from Gordons Hill Road

No development is proposed as part of this proposal; however the indicative Springhaven Development Concept (attached) indicates the construction of a roundabout consistent with that envisaged by Council as part of its consideration of the Fairway Rise retirement village opposite. It is anticipated that this would form part of any future proposal and could, if necessary, be reinforced through conditions of approval.

4.4. Section 30O - Amendment of Interim Planning Schemes

Section 30O(1) of LUPAA provides that an amendment to an Interim Planning Scheme may only be made to a "local provision of a planning scheme, or to insert a local provision into, or remove a local provision from, such a scheme, if the amendment is, as far as is, in the opinion of the relevant decision-maker within the meaning of section 20(2A), practicable, consistent with the regional land use strategy".

In this instance the proposed amendment relates to local application of zones. The site is identified within the Southern Tasmanian Regional Land Use Strategy 2010-2035's (STRLUS) Urban Growth Boundary and partially within one of the densification areas.

The amendment proposed will provide for residential infill through the capacity to consider an application for a retirement village providing housing for an aging population at a density envisaged by the STRULS.

4.5. Section 32 - Requirements for Preparation of Amendments

Section 32(1) of LUPPA specifies that amendments to planning schemes must:

- "(e) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and
- (ea) must not conflict with the requirements of section 300; and
- (f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms".

In this context the proposal represents an extension of the existing urban environment, in an area identified under the STRLUS for this purpose. The proposed zoning is unlikely to introduce any land use conflict with the adjoining land zoned General Residential to the north accessed from Selby Place and would be zoned the same as the Fairway Rise development on the opposite side of Gordons Hill Road.

The proposed zoning provides for a limited range of discretionary uses including a retirement village.

Section 32(2) of LUPPA specifies those elements of Section 20 – "What can a planning scheme provide for", which also apply to amendments to planning schemes. In this instance it is considered that the proposed amendment is consistent with the relevant requirements.

5. STATE POLICIES AND ACT OBJECTIVES

LUPAA was amended in on 1 January 2015 and no longer requires an amendment to seek to further the objectives set out in Schedule 1 or be prepared in accordance with State Policies as was previously the case.

Notwithstanding is considered that the amendment would meet the relevant requirements in any event. The land has limited natural values is currently underutilised, located within a serviced area and within walking distance of Rosny Park.

The proposed amendment would provide for the development of housing for an aging population consistent with the STRULS and future development facilitated through the amendment would provide social and economic benefits close to Rosny Park without impacting significantly on the environment.

The applicability of State Policies can be summarised as follows:

| State Policy | Comment |
|--------------------------------------|---------------------------------------|
| State Coastal Policy | The land is not within the coastal |
| | zone. |
| Protection of Agricultural Land 2009 | The land is not agricultural land. |
| The State Policy on Water | The land is capable of being serviced |
| Quality Management 1997 | with reticulated water, sewer and |
| | stormwater. Any potential impact on |
| | water quality could be managed |
| | through permit conditions associated |
| | with any development resulting from |
| | an approval of the rezoning. |

6. REPRESENTATION ISSUES

Applications for planning scheme amendments are not formally open for public comment until after Council has resolved to initiate and certify the Amendment. Should this be the case, the draft amendment will be publicly exhibited in accordance with the statutory requirements.

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010 – 2015 or any other relevant Council Policy.

8. CONCLUSION

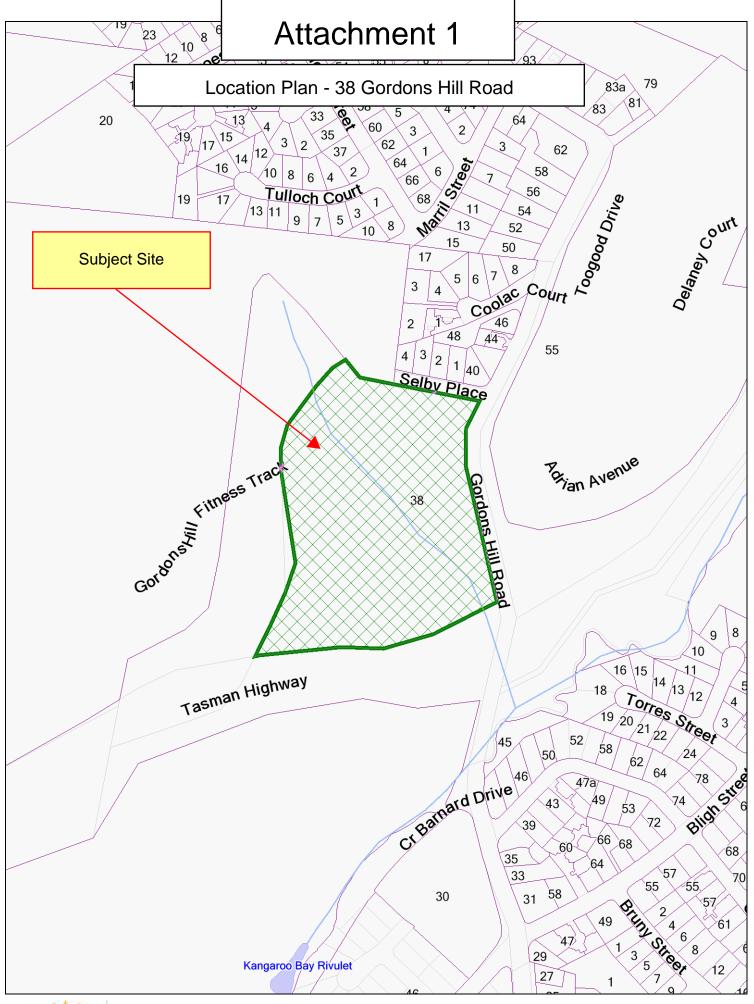
The proposed amendment is limited to the rezoning of a parcel of land at 38 Gordons Hill Road, Lindisfarne from Open Space to Particular Purpose Zone 3 – Gordons Hill Precinct. It is considered that the proposed rezoning is consistent with the STRLUS and meets the relevant provisions of LUPAA and for this reason is supported. No development is currently proposed, however, rezoning the land as proposed would provide for the future submission of a discretionary application for a retirement village.

Attachments: 1. Location Plan (1)

- 2. Proposed Amendment (1)
- 3. Site Photo's extract from Section 2.8 (pages 14-17) of the Applicants planning submission (4)
- 4. Springhaven Development Concept (21)

Ross Lovell

MANAGER CITY PLANNING



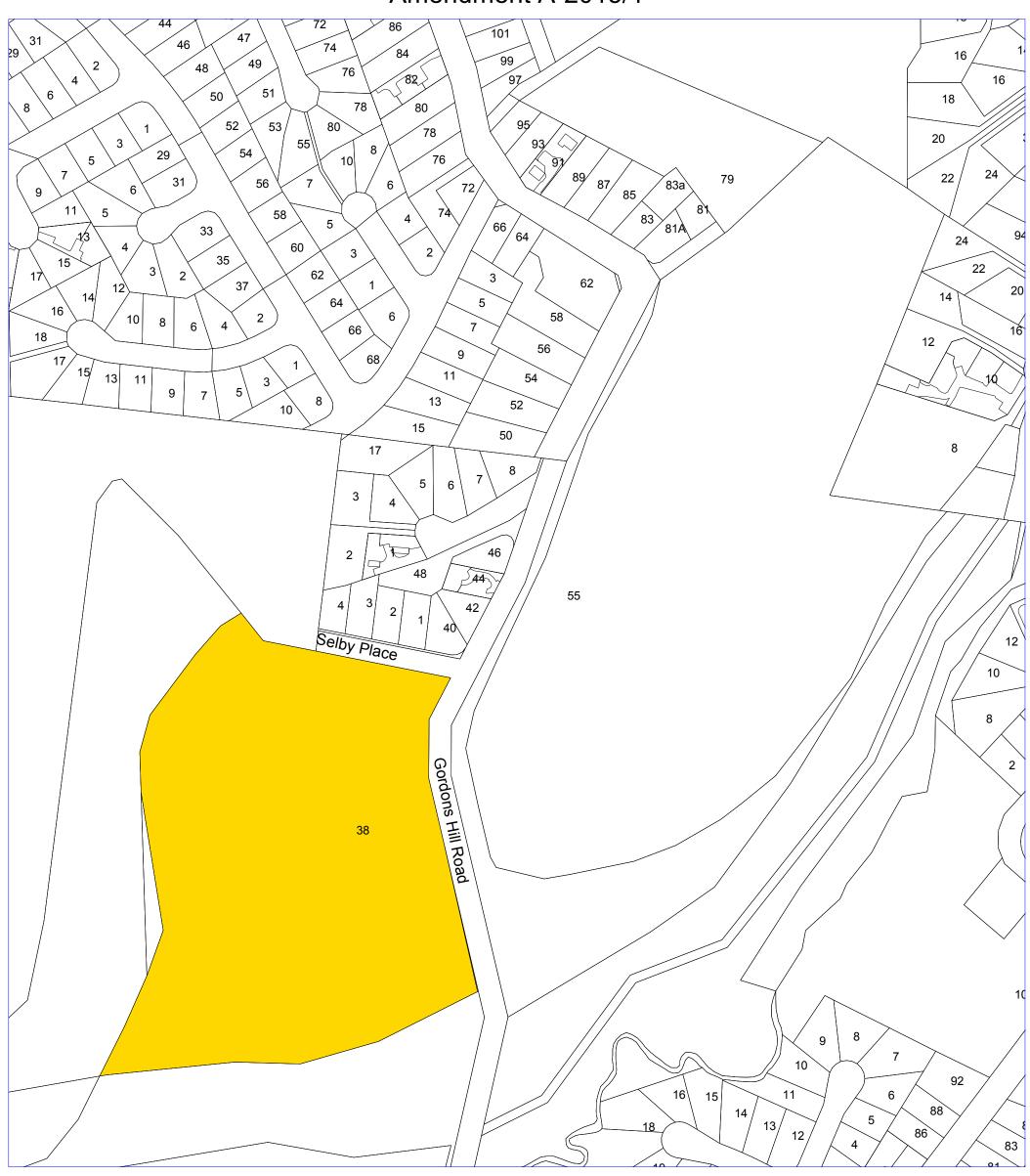


CLAREN

Attachment 2

CHEME 2015

Amendment A-2015/1





Scale 1: 2,500

Printed @ A3

(c) Clarence City Council

AMENDMENTS TO PLANNING SCHEME PLAN Amendment A-2015/1

To rezone 38 Gordons Hill Road from Open Space to Particular Purpose 3 - Gordons Hill Precinct.

Particular Purpose 3 - Gordons Hill Precinct

THE COMMON SEAL OF THE CLARENCE CITY COUNCIL HAS BEEN HERE UNTO AFFIXED THIS XX DAY OF XX 2015 PURSUANT TO A RESOLUTION OF THE COUNCIL PASSED THE XX DAY OF XX 2015 IN THE PRESENCE OF:

CORPORATE SECRETARY

Attachment 3

2.7.3 STORMWATER

The slope of the land will allow for the management and disposal of stormwater from the subject land towards the southeast corner of the site. The ephemeral watercourse through the land falls at approximately 1:11 and would therefore be suitable for integration with water sensitive urban design solutions encouraged by Council.

Future development of the site will be required to consider design of stormwater as part of future applications.

2.8 SITE PHOTOS

The following images further describe the subject land:

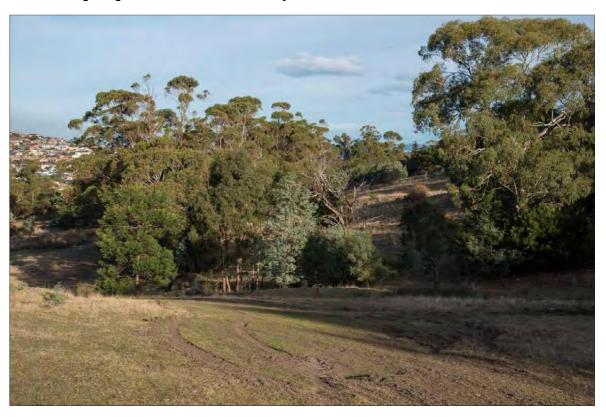


Figure 7: View south over subject land

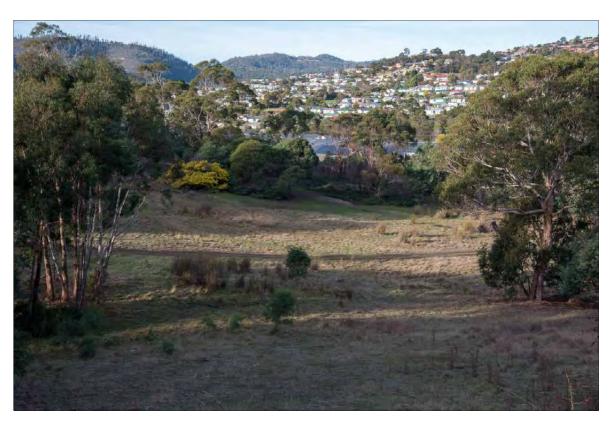


Figure 8: View east over subject land and Fairway Rise



Figure 9: View east over subject land and Fairway Rise



Figure 10: Gordons Hill Road, view north



Figure 11: View of Tasman Highway from subject land



Figure 12: Selby Place



Figure 13: Fairway Rise entrance

Attachment 4

Springhaven

Development proposal
38 Gordons Hill Road Rosny Park

Rezoning of land Development Concept

July 2015





This is a proposal to provide housing for elderly Tasmanians on land at 38 Gordon's Hill Road, Rosny Park.

The site is part of a former golf course and is opposite the existing and recently completed Southern Cross Care Fairway Rise Lifestyle Village.

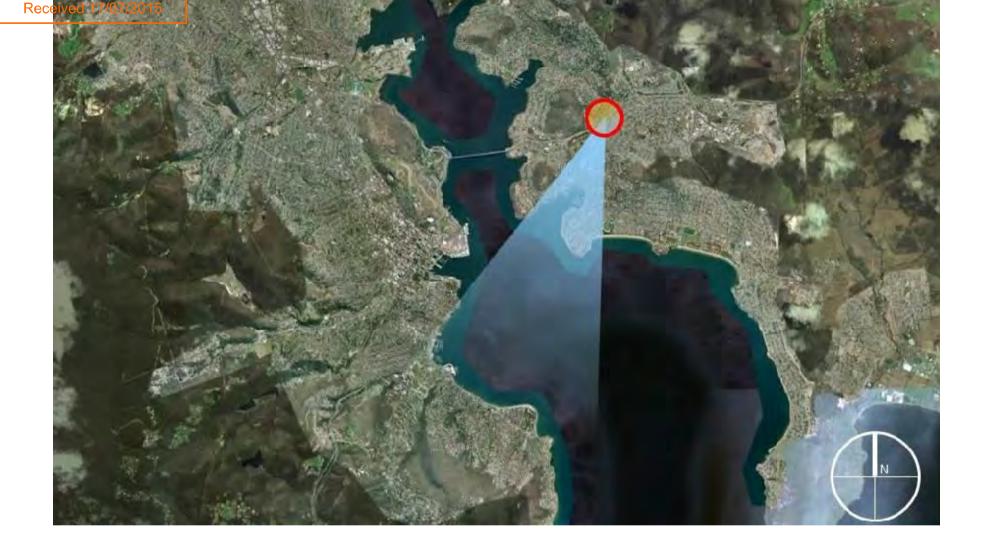
The name selected for this development is Springhaven.









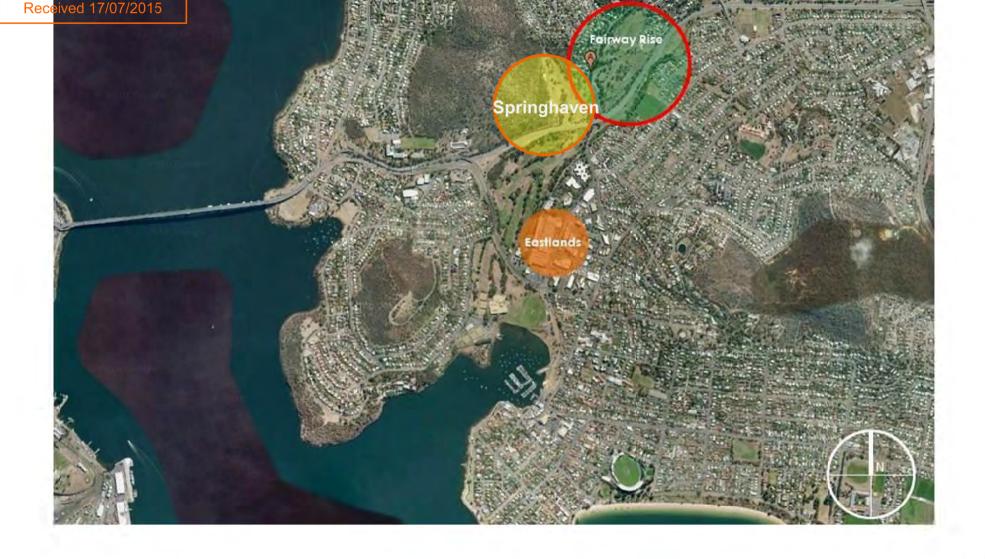


The development site is in the City of Clarence on the Eastern Shore of Hobart, across the road from the recently completed Southern Cross Care Fairway Rise Development









Part of a former golf course, the site is close to all existing facilities, including Eastlands Shopping Centre, Police, Library, multi-screen cinema complex, Metro bus mall, public golf course, churches, cafes and restaurants. Springhaven is a 10 minute drive to Hobart's CBD and a 15 minute drive to the airport









The site is situated in a gentle valley, across the Gordon's Hill Road from the Southern Cross Care Fairway Rise Development and is bounded by native bushland, the Tasman Highway and suburban Lindisfarne









The site is situated in a gentle valley, across the Gordon's Hill Road from the Southern Cross Care Fairway Rise Development and is bounded by native bushland, the Tasman Highway and suburban Lindisfarne









Gordons Hilll Road - existing Fairway Rise Development entry — the proposed entry would be from this point



Looking North West from lower end of the site with natural watercourse in the dale



Looking South - Tasman Highway with Bellerive Oval and the River Derwent Estuary in background



Looking East to Bellerive / Howrah Hills





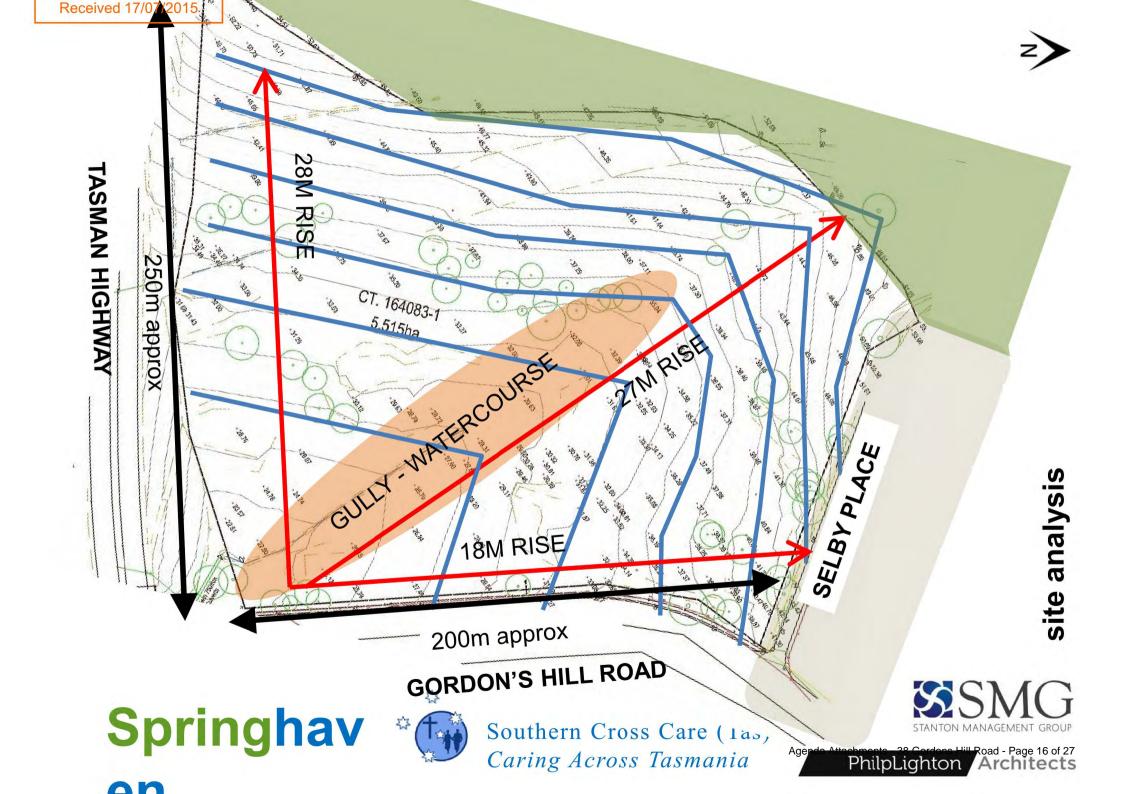














Springhaven will comprise contemporary dwellings in a variety of styles and layouts similar to the Fairway Rise development.

An Activities Centre for Springhaven Residents will also be provided.

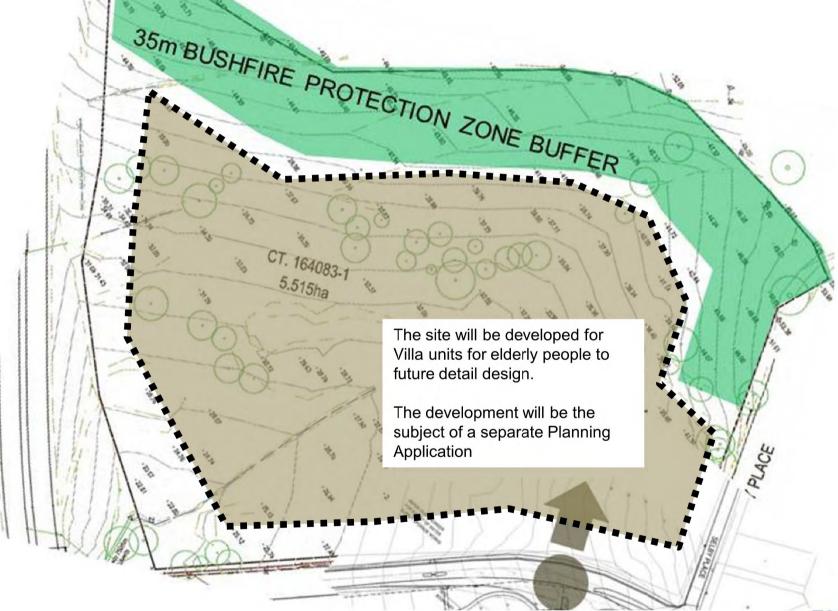
Roads, footpath and other infrastructure will be provided to service the development.

The Development will be the subject of a separate Planning Application.















Received 17/07/2015











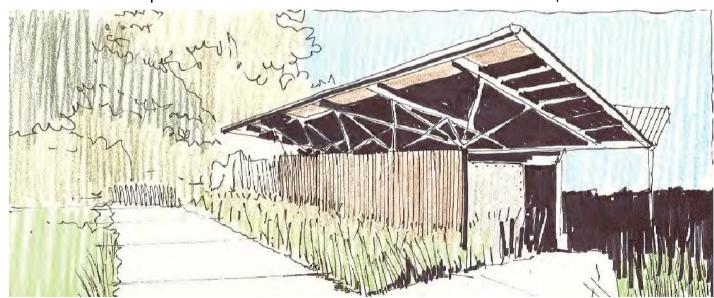






Watercourse linear park and Clubhouse

Boardwalk + interpretation



Barbeque area with pavilion + public facilities







Received 17/07/2015

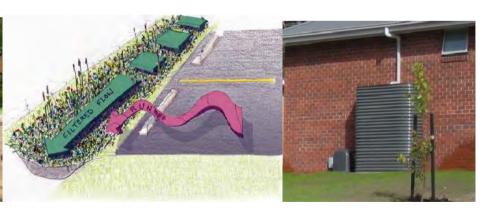
- Roads + footpaths shared + defined accessible
- Sewage management
- Stormwater management bioswale drainage retention + detention harvesting + re-use
- Electricity reticulation underground site sub-station
- Lighting road + footpath lighting car-park lighting security lighting unit external lighting
- Fauna protection link Gordons Hill to Kangaroo Bay Rivulet

- Riparian corridor natural watercourse enhance + protect - watercourse linear community park
- Recreation and activities community park public barbeque pavilions public toilet facilities water play petangue piste / boules / bocce community garden - vegetables / orchard walking trails interpretation and history
- Setbacks to the rear boundaires for the Bushfire Protection zone
- Set backs off the Gordons Hill Road and Tasman Hwy road reserves

links to existing neighbourhood bush trails

Flora + exotic weed management strategies in place











- 6 8 star rating with insulated roof, ceiling + walls
- double glazing throughout
- 2.7m ceilings
- · secure access from the garage to the villa
- reverse cycle heat pump
- rainwater tanks
- solar orientation
- brick veneer
- passive solar design
- · capturing views + outlook
- · provision of subsidised services + utilities

- low maintenance
- · energy efficient
- · cost effective modest housing
- · community living in a parkland setting
- · similar building fabric, materials + design to the existing
- · quality internal finishes + fittings
- · fully landscaped + maintained
- two double bedrooms
- walk in robe to Bedroom 1, built ins to Bedroom 2
- · architect designed craftsman built
- · quality, affordable, modest housing



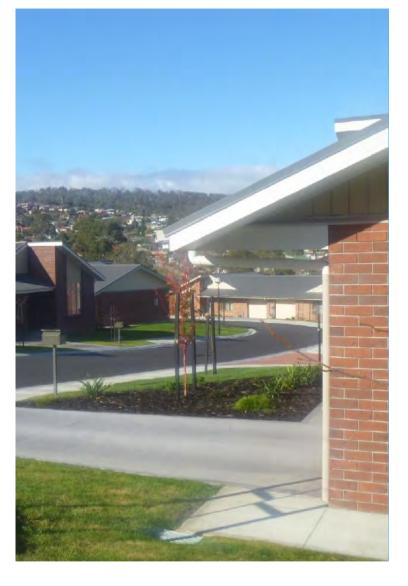


















We believe this proposal achieves the vision for affordable housing for elderly Tasmanians.

It expands and compliments the adjacent successful Fairway Rise project.

It is a continuation of a proven, effective, development strategy.





11.3.7 SUBDIVISION APPLICATION SD-2015/30 - 110 PROSPECT ROAD AND 69 GERMAIN COURT, SANDFORD - 5 LOT SUBDIVISION

(File No SD-2015/30)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to consider a proposed consent memorandum for the modification to the approval of a 5 lot subdivision at 110 Prospect Road and 69 Germain Court, Sandford following an appeal against Council's decision to grant a conditional planning permit at its Meeting of 24 August 2015 and subsequent mediation through the Resource Management and Planning Appeal Tribunal (RMPAT).

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Residential and subject to the Vegetation Management and Development Plan Overlays under the Clarence Planning Scheme 2007 (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 2005.

CONSULTATION

Following mediation conducted by the RMPAT on 15 September 2015, and subsequent informal mediation between parties, an amended condition was recommended by the Barrister acting for Council in this matter. The amended condition is attached and is the subject of the report.

RECOMMENDATION:

- A. Council supports a consent agreement to modify the approved permit for the application for a 5 lot subdivision at 110 Prospect Road and 69 Germain Court, Sandford (Cl Ref SD-2015/30) subject to all parties consenting to the following modified Condition 3.
 - "3. No plans for the issue of title to any lots are to be sealed until the construction of the road on Lots 100 and 101 is completed to the satisfaction of Council's Group Manger Asset Management".
- 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.

GERMAIN COURT, SANDFORD - 5 LOT SUBDIVISION /contd...

SUBDIVISION APPLICATION SD-2015/30 - 110 PROSPECT ROAD AND 69

ASSOCIATED REPORT

1. BACKGROUND

Application SD-2015/30 sought approval for a 5 lot subdivision (plus 2 balance lots) at 110 Prospect Road and 69 Germain Court, Sandford.

The application received 1 representation and was considered and ultimately approved by Council at its Meeting of 24 August 2015, subject to a number of conditions.

One of these conditions, Condition 3, was imposed as a result of the view that the application was in breach of Performance Criteria 6.1 (c) and (d) of the Sandford Development Plan (DPO), and as such required the condition to change the application status from being prohibited to being able to be considered as detailed in the previous Council report (Attachment 2).

The applicant has appealed Council's decision on the grounds that they believe the DPO does not require the whole of the road connection to be provided through all 3 titles, and in fact only requires the road lot to be provided as part of the first stage of subdivision for the individual lots as applications are made to subdivide them.

2. STATUTORY IMPLICATIONS

The applicant has exercised his statutory right to appeal against Council's decision under Section 61 of the Land Use Planning and Approvals Act, 1993.

3. PROPOSAL IN DETAIL

3.1. The Site

The site is described in Attachment 2.

3.2. The Proposal

A preliminary hearing and mediation session was held on 15 September 2015 by the RMPAT. The interpretation of the DPO and Councils resultant Condition 3 was discussed at great length during this mediation.

Following the mediation, Council' lawyer advised that its position in a full hearing would not be as assured as he had first considered. This is because changes made by the TPC to the DPO had resulted in loss of clarity in the provisions concerning the method of connecting the link road, even though the need for the road connection between School Road and Germain Court remains the intention of the DPO.

Accordingly, Council's lawyer has recommended that Condition 3 be modified. The modification would still ensure the connecting road between School Road and Germain Court is provided at an early stage of the development, and this approach would avoid the risk of a RMPAT decision leaving no opportunity to secure this significant road connection. It is also relevant that the developer of the adjoining subdivision was present at the mediation and agreed to provide the connection in the first stage of his subdivision (SD 2015/33 – also in this Agenda).

It is therefore proposed to replace the current Condition 3 with the following.

"No plans for the issue of title to any lots are to be sealed until the construction of the road on lots 100 and 101 is completed to the satisfaction of Council's Group Manger Asset Management".

A consent memorandum had been provided to the appellant (Attachment 3) and has been signed and returned to Council, agreeing with the proposed terms. Accordingly, it is recommended that Council agrees to sign the consent memorandum and subsequently modify the permit as detailed.

4. STATE POLICIES AND ACT OBJECTIVES

4.1. The proposal is consistent with the outcomes of the State Policies, including those of the State Coastal Policy.

4.2. The proposal is consistent with the objectives of Schedule 1 of LUPAA.

5. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy.

6. CONCLUSION

It is recommended that Council resolve to agree to the consent memorandum for the approval of the revised Condition 3 of the permit.

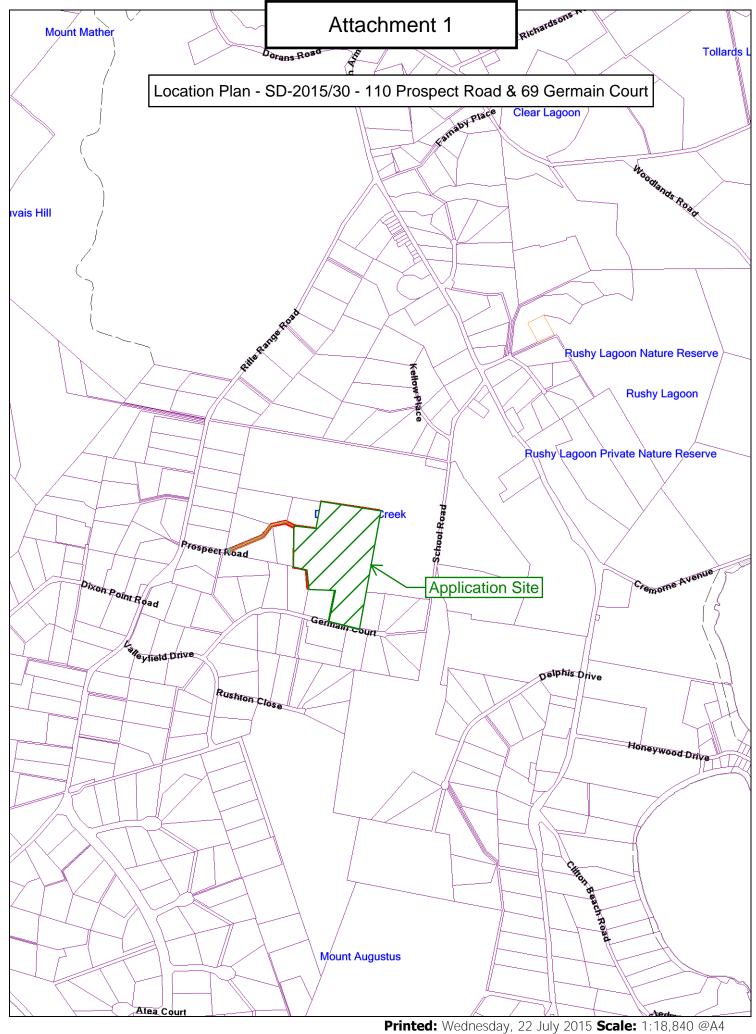
Attachments: 1. Location Plan (1)

- 2. Previous Agenda Report and Minutes (12)
- 3. Consent Memorandum (1)

Ross Lovell

MANAGER CITY PLANNING

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



Attachment 2

11.3.5 SUBDIVISION APPLICATION SD-2015/30 - 110 PROSPECT ROAD AND 69 GERMAIN COURT, SANDFORD - 5 LOT SUBDIVISION

(File No SD-2015/30)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to consider the application made for a 5 lot subdivision at 110 Prospect Road and 69 Germain Court, Sandford.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Residential and subject to the Vegetation Management and Development Plan Overlays under the Clarence Planning Scheme 2007 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 11 August 2015.

CONSULTATION

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

- building envelopes;
- lot configuration; and
- traffic safety.

RECOMMENDATION:

- A. That the application for a 5 lot subdivision at 110 Prospect Road and 69 Germain Court, Sandford (Cl Ref SD-2015/30) be approved subject to the following conditions and advice.
 - 1 GEN AP1 ENDORSED PLANS
 - 2. GEN POS4 POS CONTRIBUTION [4%] [1, 3, 4, 6 and 7].
 - 3. No lots are to be created until such time as the Road lot through CT-30596/4 has been constructed and connected to the proposed Road lot in this subdivision.
 - 4. GEN F3 ENDORSEMENTS.
 - 5. PROP 3 TRANSFER.
 - 6. ENG A1 NEW CROSSOVER [MSD-02].

- 7. ENG A3 COMBINED ACCESS [MSD-02].
- 8. ENG M2 DESIGNS SD.
- 9. ENG M8 EASEMENTS.
- 10. ENG R1 ROAD NAMES.
- 11. ENG R3 RURAL ROAD.
- 12. ENG R5 ROAD EXTENSION.
- 13. ENG S1 INFRASTRUCTURE REPAIR.
- 14. EHO 4 NO BURNING.
- 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 Peers SECONDED Ald von Bertouch

"That the Recommendation be adopted".

CARRIED UNANIMOUSLY

11.3.5 SUBDIVISION APPLICATION SD-2015/30 - 110 PROSPECT ROAD AND 69 GERMAIN COURT, SANDFORD - 5 LOT SUBDIVISION

(File No SD-2015/30)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to consider the application made for a 5 lot subdivision at 110 Prospect Road and 69 Germain Court, Sandford.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Residential and subject to the Vegetation Management and Development Plan Overlays under the Clarence Planning Scheme 2007 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 11 August 2015.

CONSULTATION

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

- building envelopes;
- lot configuration; and
- traffic safety.

RECOMMENDATION:

- A. That the application for a 5 lot subdivision at 110 Prospect Road and 69 Germain Court, Sandford (Cl Ref SD-2015/30) be approved subject to the following conditions and advice.
 - 1 GEN AP1 ENDORSED PLANS
 - 2. GEN POS4 POS CONTRIBUTION [4%] [1, 3, 4, 6 and 7].
 - 3. No lots are to be created until such time as the Road lot through CT-30596/4 has been constructed and connected to the proposed Road lot in this subdivision.
 - 4. GEN F3 ENDORSEMENTS.
 - 5. PROP 3 TRANSFER.
 - 6. ENG A1 NEW CROSSOVER [MSD-02].

- 7. ENG A3 COMBINED ACCESS [MSD-02].
- 8. ENG M2 DESIGNS SD.
- 9. ENG M8 EASEMENTS.
- 10. ENG R1 ROAD NAMES.
- 11. ENG R3 RURAL ROAD.
- 12. ENG R5 ROAD EXTENSION.
- 13. ENG S1 INFRASTRUCTURE REPAIR.
- 14. EHO 4 NO BURNING.
- 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.

ASSOCIATED REPORT

1. BACKGROUND

This land was originally the subject of a Section 43a Application which was supported by Council, but ultimately refused by the Tasmania Planning Commission (TPC). This refusal was largely based on an inconsistency with the Southern Tasmanian Regional Land Use Strategy (STRLUS). The STRLUS was subsequently amended.

A second re-zoning application, without the subdivision attached was then resubmitted and again supported through Council. This amendment was approved by the TPC and saw the land re-zoned from Rural to Rural Residential and the Sandford Development Plan (DPO 19) was introduced to the Scheme.

The current application is similar to that originally supported by Council and responds to the specific requirements of DPO 19.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned Rural Residential and subject to the Vegetation Management and Development Plan Overlays under the Scheme.

- **2.2.** The proposal is for a 5 lot subdivision, which is Discretionary development under the Scheme.
- **2.3.** The relevant parts of the Planning Scheme are:
 - Section 2 Planning Policy Framework;
 - Section 3 General Provisions;
 - Section 6 Rural Residential Zone; and
 - Section 7 Vegetation Management and Development Plan Overlays.
- **2.4.** Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the Land Use Planning and Approvals Act, 1993 (LUPAA).

3. PROPOSAL IN DETAIL

3.1. The Site

The site is comprised of 2 existing titles. One is a regularly shaped 2.364ha lot with frontage to the northern side of Germain Court. The other is an irregularly shaped 14.09ha internal lot with access to the north-eastern end of Prospect Road.

There is an existing dwelling located in the south-western portion of the internal, larger lot.

The site has previously been used as grazing land. There are pockets of remnant vegetation, however, this is degraded and of little conservation value in accordance with the Vegetation assessment submitted with the original proposal.

3.2. The Proposal

The proposal is for the subdivision of the 2 existing lots, resulting in 7 residential lots and 2 road lots. The lot areas range in size from 2.0ha to 2.55ha. There will be 2 internal lots as a result of this proposal, 1 utilising the existing internal lot access and the other containing the existing Single Dwelling. The road will run up the eastern boundary of 69 Germain Court into 110 Prospect Road, turning into the body of the lot approximately 177m up the eastern boundary. It will terminate in a cul-de-sac just east of the centre of the current lot, with all created lots accessing off it.

4. PLANNING ASSESSMENT

4.1. Planning Policy Framework [Section 2]

The relevant elements of the Planning Policy Framework are contained in Section 2.2.3 (a) Settlement (iii) – Rural Residential Land Use.

"Objectives

• To provide rural residential land as part of ensuring attractive housing choices within the City.

Strategies

- Designs respond to the local context and will positively contribute to the character and identity of the neighbourhood.
- Development incorporates high standards of community safety, accessibility, amenity, energy efficiency and retention of any native values".

Reference to these principles is also contained in the discussion below.

4.2. General Decision Requirements [Section 3.3.1]

The relevant General Decision Requirements of this part are:

- "(a) General requirements:
 - (v) The Specific Decision Requirements of the Zone, Overlay or Specific Provision.
 - (vii) Any representation made in accordance with Section 43F(5) or Section 57(5) of the Act.

- (f) Subdivision requirements:
 - (i) The suitability of the land for subdivision.
 - (ii) The existing use and potential for future development of the land and its surrounds.
 - (iii) The subdivision pattern having regard to the physical characteristics of the land including existing vegetation, natural drainage paths and significant stormwater catchment areas.
 - (iv) The density of the proposed development.
 - (v) The size and shape of each lot in the subdivision.
 - (vi) The design and siting of existing and future buildings.
 - (vii) The availability and provision of utility services".

Reference to these principles is also contained in the discussion below.

4.3. Rural Residential Zone

The purpose of the Rural Residential Zone is to provide for residential use in a rural environment, ensuring that development minimises impacts on adjacent farmland, marine farms or land with important environmental values.

The relevant Use and Development Standards for the Rural Residential Zone are summarised in the table below.

| | Required | Provided | Comments |
|----------------|---------------------|-------------|----------|
| Lot Size | 2ha | 2.0 – 2.5ha | complies |
| Lot Dimensions | 6m minimum frontage | 6.0m – 173m | complies |

The existing dwelling complies with all other Use and Development Standards for the Rural Residential Zone.

The relevant Decision Requirements of the Rural Residential Zone are as follows.

"(e) Lot sizes should be sufficient to suit differing levels of rural residential, service and recreational needs".

This is met by this proposal in that the existing dwelling is not negatively impacted by the proposal, whilst the proposed new lots will provide ample space for new dwellings.

4.4. Overlays

Vegetation Management

The purpose of the Vegetation Management Overlay is to protect areas of significant and high value vegetation and bushland habitat, ensuring that development is sited to minimise the loss of native vegetation.

It has been demonstrated that all lots are capable of containing a dwelling and all associated bushfire hazard management clearing without disturbing the portions of the site that are covered by the Vegetation Management Overlay.

The only vegetation disturbance is for the creation of the road lot. A flora and fauna assessment for the site has demonstrated that the vegetation in this area is of low conservation significance and as such its removal will be reasonable.

Development Plan (DPO 19 - Sandford)

The purpose of the Sandford Development Plan is to provide for the consolidation of existing Rural Residential communities, whilst ensuring that the road and trail networks provide a high level of connectivity, safety and amenity for the community.

"PC 4.1: Roads must be Generally in accordance with the Road Layout Plan in Figure 2, but may be realigned, or additional roads included provided that the objective of this clause is met, including the construction of a road connecting Germain Court to School Road".

The proposed road to connect Germain Court to School Road has been relocated from the western to the eastern side of 69 Germain Court. The amended location from that shown in the DPO does not alter the ability of the road to provide the connection between the 2 lots. As such, the proposal is considered to satisfy this Performance Criteria.

- PC 6.1: Subdivision of the area may be staged, provided that all of the following are satisfied:
 - (c) The only subdivision that can occur to the west of the School Road alignment, prior to the construction of the road and trail connections to Germain Court, generally in accordance with Figure 2 is no more than 12 lots, within the hatched portion of Figure 2.

(d) Any subdivision to the west of the School Road alignment which includes the land contained in CT 30596/4 must provide for the construction of the road and trail connections to Germain Court, generally in accordance with Figure 2 before the sealing of any non-road lots".

As the land at CT-30596/4 has yet to have the road lot developed, in accordance with Performance Criteria PC 6 (c), no lots can be created in this title until such time as the works on the adjacent lot have occurred. Accordingly, a condition must be included in this permit requiring that no lots be created until the connecting road is constructed through the adjacent title. Whilst it has no bearing on this proposal, it is noted that the adjacent land is currently the subject of a Subdivision application which will include the construction and creation of the required road connection. It appears then that this level of co-ordinated timing between neighbours will avoid undue delay in the sealing of the lots in this application.

4.5. Public Open Space

The primary purpose of Council's Public Open Space Policy (2013) is to ensure the delivery of adequate and appropriate Public Open Space (POS) to serve the needs of the existing and future population in Clarence. The policy is used to assist Council to exercise its discretion and provide a framework to deliver a consistent approach to the consideration of POS, or alternatively the payment of cash-in-lieu of it.

Clarence has developed a comprehensive suite of strategies that either deliver or rely on POS related outcomes including but not limited to:

- Clarence Tracks and Trails Strategy 2012;
- Positive Ageing Plan 2012-2016;
- Clarence Coast and Bushland Strategy (August 2011);

- Community Health and Wellbeing Plan 2013-2018; and
- Draft Sport and Active Recreation Strategy.

Together these strategies assist Council to deliver a range of active and passive recreational opportunities at both local and regional level.

The subdivision plan proposes to provide no public open space to Council. In accordance with Council's POS Policy it is considered appropriate to require a cash contribution for 4% of the value of the created lots (Lots 3 - 6). This should be conditioned as part of the permit.

The requiring a cash contribution for 4% of the value of the land will reflect the likely increase demand that future development will place on Council's POS local and regional network and associated facilities through the creation of the 3 additional lots.

It is important to note that the provision of cash-in-lieu of public open space, in addition or to supplement the provision of land for Tangara Trail connections, was a matter of submissions in the final stages of the earlier Section 43 Combined Subdivision and Permit. However, as those applications were refused, the matter was unresolved. The recommendation referred to here therefore takes no account of the earlier application. Instead the recommendation to make a positive contribution is made on the basis of the current policy, which was adopted prior to the submission of the current application before Council.

4.6. External Referrals

No external referrals were required or undertaken as part of this application.

5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and 1 representation was received. The following issues were raised by the representor.

5.1. Building Envelopes

The representor has expressed a desire to have building envelopes imposed upon the lots. They have indicated their belief that this will ensure buildings are not clustered together near property boundaries. They have further indicated that the proximity of potential houses to both new and existing will "be no different from living in suburbia".

• Comment

There is no requirement under the Rural Residential Zone for building envelopes to be imposed upon new lots. Further, under the provisions of the Rural Living Zone in the Clarence Interim Planning Scheme 2015, there is no capacity to vary setbacks to less than 10m, with the acceptable solution requiring a minimum 20m setback to all side and rear boundaries. It is considered that this provides sufficient separation between buildings to ensure that the lots do not result in overly crowded development. As such, it is not considered necessary or appropriate to impose building envelopes on the created lots.

5.2. Lot Configuration

The representor has indicated their belief that the proposed lot configuration will enable houses to be built in sites that will detract from the views from surrounding existing dwellings.

Comment

The application currently under assessment is for the subdivision of the land only and cannot pre-emptively anticipate the future development of the created lots.

In any event, the lots are of sufficient size that any future development of dwellings will have limited impacts on the views and amenity enjoyed by existing dwellings. As such, this should not impact upon the assessment of this proposal.

5.3. Traffic Safety

The representor has expressed their opinion that there is a rise in Germain Court that currently obstructs the views of drivers. They further suggest that an increase in road users will increase the danger to all road users.

Comment

Extensive assessment of the safety aspects of the proposed road connection were undertaken at the time that the re-zoning of the land occurred. At this time it was determined that the road is acceptable for the likely increase in traffic resulting from the proposed subdivision. As such this should not alter the assessment of the proposal.

6. STATE POLICIES AND ACT OBJECTIVES

- **6.1.** The proposal is consistent with the outcomes of the State Policies, including those of the State Coastal Policy.
- **6.2.** The proposal is consistent with the objectives of Schedule 1 of LUPAA.

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy.

Developer contributions are required to comply with Council's Public Open Space Policy.

8. CONCLUSION

The proposal is for the creation of 5 new residential lots, resulting in 7 residential lots and 2 road lots. The proposal is consistent with all applicable Scheme requirements and is therefore recommended for conditional approval.

Attachments: 1. Location Plan (1)

- 2. Proposal Plan (1)
- 3. Site Photo (1)

Ross Lovell

MANAGER CITY PLANNING

Attachment 3

CONSENT AGREEMENT

IN THE RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL

| Tribunal reference number: | Appeal | No | 81/15 | S |
|----------------------------|--------|----|-------|---|
|----------------------------|--------|----|-------|---|

Appellant:

BJ&LJ Duggan

Respondent:

Clarence City Council

Address of site:

110 Prospect Road & 69 Germain Court, Sandford

Description of proposal:

5 Lot Subdivision (plus 2 balance lots)

The Parties to the appeal agree that the appeal be resolved by orders in the following terms:

- A. That Planning Permit SD-2015/30 issued by Clarence City Council on 24 August 2015 is amended by replacing condition 3 of the permit with the following:
 - "3. No plans for the issue of title to any lots are to be sealed until the construction of the road on lots 100 and 101 is completed to the satisfaction of Council's Group Manger Asset Management."
- B. That the Planning Authority be directed to grant a permit with the above amendment; and
- C. That each party pay its own costs.

For and on behalf of Clarence City Council

Date

Date

11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT

11.5.1 RICHMOND BRIDGE VEGETATION MANAGEMENT PLAN

(File No)

EXECUTIVE SUMMARY

PURPOSE

To consider adoption of the Richmond Bridge Vegetation Management Plan following public consultation.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2010-2015 and Community Participation Policy are relevant.

LEGISLATIVE REQUIREMENTS

The Richmond Bridge Vegetation Management Plan will need to consider the requirements of the Heritage Tasmania Practice Notes – Historic Plantings and Landscapes (Heritage Tasmania 2015). Richmond Bridge is included on the National Heritage List and Tasmanian Heritage Register and any works will require approval by Heritage Tasmania.

CONSULTATION

Public consultation has been in accordance with Council's Community Participation Policy.

FINANCIAL IMPLICATIONS

The adoption of the Richmond Bridge Vegetation Management Plan has no financial impact. Implementation of the Richmond Bridge Vegetation Management Plan will be subject to Council's consideration in future Annual Plans.

RECOMMENDATION:

- A. That Council incorporate the following changes into the Richmond Bridge Vegetation management Plan:
 - Council to develop a succession planting policy/program to guide private landowners in key locations to manage significant trees that form the "borrowed landscape" of Richmond Bridge precinct;
 - update title boundaries from The List to be incorporated in the final Richmond Bridge Vegetation Management Plan;
 - inclusion of Tea Tree in the recommended planting palette;
 - Elm species to be disease resistant variety for inclusion in the recommended planting palette;
 - Zone A make removal of African Boxthorn a high priority;
 - Zone F change willow tree location from public land to private land; and
 - Zone CB to be removed from final Richmond Bridge Vegetation Management Plan.

- B. That Council adopt the Richmond Bridge Vegetation Management Plan subject to the changes as described in "A" above.
- C. The final Richmond Bridge Vegetation Management Plan to be placed on Council's website for general reference.

ASSOCIATED REPORT

1. BACKGROUND

- 1.1. The former Department of Infrastructure, Energy and Resources commissioned a review of the Conservation Plan for the Richmond Bridge in 2010. Some recommendations resulting from the review related to the assessment, maintenance and renewal of the vegetation in the vicinity of the Richmond Bridge. This Vegetation Management Plan responds to these recommendations.
- **1.2.** In December 2014, Council sought quotations from consultants to prepare a Richmond Bridge Vegetation Management Plan. Council accepted the submission from GHD, in association with Don Thompson (Landscape Architect), to complete the draft Richmond Bridge Vegetation Management Plan for Council's consideration.
- **1.3.** The Richmond Bridge Vegetation Management Plan is to address 4 key requirements, they being:
 - Site Analysis taking into consideration the site's history and cultural heritage values;
 - Analysis of Existing Vegetation obtain an arborist assessment on the health and expected life span of the existing vegetation;
 - Weed Management Strategy to identify existing weed species and detail management strategies; and
 - Future Planting Strategy long term conservation of the historic and aesthetic setting of the Richmond Bridge.

- **1.4.** The consultants met with the following State Government Agencies and local groups to define the project and obtain feedback to form the draft Richmond Bridge Vegetation Management Plan.
 - Heritage Tasmania;
 - Department of State Growth (formerly Department of Infrastructure, Energy and Resources);
 - Department of Primary Industries, Parks, Water and Environment;
 - Crown Land Services;
 - Richmond Advisory Committee; and
 - Local residents within the view shed of the Richmond Bridge.
- **1.5.** A "Walk and Talk" session was held 11 February 2015, at which 14 people attended to discuss the project with the consultants. In addition, a web based survey was available on Council's website to allow those interested in this project but unable to attend the "Walk and Talk" to provide feedback to the consultants. There were 6 submissions received from the survey.

The draft Richmond Bridge Vegetation Management Plan was formed from input provided by State Government agencies, the Richmond Advisory Committee and local residents.

- **1.6.** A Workshop presentation was given to Council on Monday, 15 June 2015 to brief Aldermen on the draft Richmond Bridge Vegetation Management Plan.
- **1.7.** Council, at its Meeting held 22 June 2015 authorised the General Manager to undertake community consultation on the draft Richmond Bridge Vegetation Management Plan and for the results to be reported back to Council.

The community consultation was undertaken through the following options:

- advertisement in "The Mercury" newspaper;
- completing the feedback form available at the Council Offices and placing in the feedback box; or
- completing the feedback form on Council's website;
- emailing the feedback form to Council's general email address; and

- mailing the feedback form to the Council Offices.
- **1.8.** There were 6 responses received at the conclusion of the community consultation on 31 July 2015.

2. REPORT IN DETAIL

- **2.1.** The Richmond Bridge Vegetation Management Plan is structured into 6 key areas of management, they being:
 - Management Zones;
 - Weed Management Strategy;
 - Vegetation Planting Guide and Schedule;
 - Aquatic Vegetation and River Management;
 - Management of "Borrowed" landscape; and
 - Vegetation Management Action Plan.
- **2.2.** Five written responses were received along with a response from the Richmond Advisory Committee. The general concepts of the vegetation management plan appear to be supported with some minor issues and typographical errors to be corrected in the final plan. Many of the issues are repeated in the responses due to the authors of the responses being the same but representing different organisations.

| Response No | Issue/Nature of Comment | Recommended Response |
|----------------|--|--|
| 1 | Support for succession planting of trees in "borrowed landscape". Large Pine trees on the respondents land will require replacement at some point. Is keen to co-operate with succession planting and interested in discussing cost-sharing arrangement. | Council to develop a policy/program to encourage landholders in key locations to manage significant trees and engage with succession planting. |
| 2. | General support for VMP. | Noted. |
| 2 | Title boundary discrepancies/issues regarding river frontage. | Cadastre has been updated on The List and the new boundaries will be drafted for the final VMP. |
| 2 | Planting Plan shows a willow in Zone F, which is indicated as being on public land, is in fact on Private land. | Remove from Plan for final VMP. |

| Response No | Issue/Nature of Comment | Recommended Response |
|----------------|---|--|
| 2 | Correction to compass direction references for Zones A and F. | Noted. To be amended on final VMP. |
| 2 | Blackwoods did not feature in the Riparian zone in the 1950's and 60's. | The aim of this plan is not to restore a pre-settlement landscape. Their dark green foliage and their form provide a good 'fit' with the evolved cultural landscape of Richmond today. Blackwood is widely cited in the literature as being indigenous to this region and especially on riparian environments. They are considered a useful species within the overall planting palette as they are evergreen and provide a dark backdrop to other seasonally interesting foliage. No change to final VMP. |
| 2 | Tea tree is a feature of the riparian zone but not mentioned in the Draft VMP. | Accepted. Will be included in the recommended planting palette. |
| 2 | Questions why willows should not be allowed along the river banks. Highlights the aesthetic qualities of Willows and their bank holding capacities. Weed definition is subjective, depending on location. | The weight of evidence from DPIPWE and Natural Resource Management bodies in Tasmania and on the mainland is that crack willows are not beneficial to riparian habitats. Indigenous species are better able to protect banks, maintain a functioning aquatic ecosystem and provide habitat for wildlife. Significant resources have been expended removing willows in the past. To not continue on-going control would be a waste of scarce resources. Recent siting of platypus in the Coal River near the Bridge suggests that Willow removal is starting to work. Gradual removal of white poplars will also benefit indigenous fauna in the riparian zone. Weed definition is often subjective, but in the case of crack willows the scientific evidence is compelling that "environmental weed" status is justified. No change to the final VMP. |

| Response No | Issue/Nature of Comment | Recommended Response |
|----------------|---|---|
| 2 | The "traffic island" (Bridge Street Gunning Street) to the west of the bridge contains large white poplars that are significant backdrops to views from the east of the bridge and should be included in the plan. | This area was not within the study area. These trees are noted as being important in the "borrowed landscape". Council should address the succession of these trees through a detailed streetscape plan. |
| 2 | Senescent Tree Lucerne on the nature Strip of St John's Circle adjacent to the church is an eyesore. | Not in the scope of this study. Council to note and manage through existing streetscape vegetation management processes. |
| 2 | Dead tree in the river upstream of the Bridge, near eastern bank | Council refer issue to Crown Land Services. |
| 3 | Title boundaries – apparent discrepancy between "title boundary" and boundary of river, as marked. | Plans were prepared from a number of sources. Bank delineation is vague on many of these sources. The plans are indicative only. Action: Note on plan that boundaries are indicative and any recommended works will only be undertaken on public land. |
| 3 | Would like to see a high priority given to the removal of African Box Thorn along the river bank in Zone A. | Add note to relevant Management Zone actions. |
| 3 | White poplars on private land to the north of Zone A are not included in the "borrowed landscape" plans. | Trees on private land that contribute to the "borrowed landscape" are shown in Sheet 5 of the Plans. Trees on public land are shown on the Site Analysis Plan (Sheet 1). No change to VMP. |
| 4 | Title boundaries for 12 and 18 Gunning Street are incorrect. | See note above. Plans to be updated to reflect new Cadastre plan, now published on The List. |
| 4 | Planting palette does not include notes on listed species capacity to withstand flooding. | Noted. The planting palette is intended as a guide to species selection. Council will have to use its discretion in selecting species for specific locations, based on planting design and horticultural advice. Where species have specific erosion protection qualities this will be noted in the final VMP. |

| Response | Issue/Nature of Comment | Recommended Response |
|----------|--|--|
| No | | N. I. W. I. W. I. |
| 4 | Planting palette does not include notes | Noted. The planting palette is |
| | flammability of recommended species | intended as a guide to species selection. Council will have to use its |
| | and should be noted in the final report. | discretion in selecting species for |
| | | specific locations, based on planting |
| | | design and horticultural advice. |
| | | General notes on flammability can be |
| | | added, however, the location, density |
| | | and management of vegetation overall |
| | | is a significant factor in determining |
| | | fire hazard, so it would be more |
| | | beneficial to develop a fire risk |
| | | mitigation strategy overall. |
| 4 | New Zealand Flax (<i>Phormium spp.</i>) | New Zealand Flax is not |
| | has been growing in sections of the | recommended for planting on public |
| | river since the 30's and has good | land in this location because |
| | erosion control qualities. | indigenous species are considered to |
| 4 | DI (' DI ' I' ('II ' | be a priority. No change to VMP. |
| 4 | Planting Plan indicates a willow in | Noted above. Will remove reference. |
| | Management Zone F, which is on private land not public land. | |
| 4 | Suggestion that tea tree be added to | Noted above. Will be added to |
| - | planting palette. | planting palette recommendations. |
| 4 | Suggestion that <i>Callitris rhomboidea</i> | This species could be added, but in the |
| | be added to the planting palette. | public land areas it is not considered a |
| | 1 21 | necessary addition because of its |
| | | colour, form and scale. It was |
| | | considered for some of the steeper |
| | | banks but its flammability and form |
| | | were considered inappropriate in those |
| | | locations. No change to final VMP. |
| 4 | Suggestion that Callitris oblonga be | See note above. Could be added but |
| | added to the planting palette. | not considered a necessary addition. |
| 1 | Succession planting of pine and | No change to final VMP. Noted. |
| 4 | cypress trees to 12 Gunning Street is | Noted. |
| | already happening using seedlings | |
| | from existing trees. On-going control | |
| | of Box Thorn also occurring. | |
| 4 | Some willows are being retained on | Noted. It is still recommended that all |
| | River Banks on private land for | public land (within the study area) be |
| | erosion control and are not considered | maintained free of crack willows. |
| | a weed. | |

| Response No | Issue/Nature of Comment | Recommended Response |
|----------------|---|--|
| 4 | Hawthorn is not considered a weed to Richmond. Council has planted it on roadsides. It is a desirable species in this area and should not be considered a weed in this area. | Hawthorn was traditionally planted as a hedgerow. In that context it may be appropriate to plant it in this area. Hawthorn is a weed of riparian zones and if left uncontrolled would have potential impacts on views to the water within the river, the bridge and the overall structure of vegetation within this precinct. Recommendation: maintain hawthorn listing in weed management section. |
| 4 | Concern about planting of native grasses on slopes to the west of the upper banks. Suggestion that contour paths be constructed to allow maintenance. Suggestion of rock beaching to base of banks. | Themeda triandra is a C4 (summer active) grass that has a relatively low fuel load compared to rank exotic grasses that dry off in summer. Austrodanthonia spp. grass has a low biomass and is also relatively lower fire risk than rank exotic grasses. Seasonal, controlled burning of the planted native grasslands (at low firerisk times) will reduce fuel load. The addition of a mown strip of grass between fence lines and the top of the bank will minimise risk to fences in the event of fire. Rock benching was considered but costs would be constraining and the visual impact would be more dominant than the grassland option. Recommendation: keep current recommended planting of native grasslands. Note the addition of a mown, level, accessible strip of land between the top of bank and fence lines adjacent to enable preventative management/fire risk mitigation. No change to the VMP. |
| 4 | Council has previously given permission for vehicular access to Zone F for vegetation management to 12 Gunning Street. | Council note. There is no reason this shouldn't continue if public access can also be discouraged. Operational requirement. |

| Response | Issue/Nature of Comment | Recommended Response |
|----------|---|---|
| No | | |
| 4 | Flood risk to new plantings has not been considered. | Flood impact should not deter vegetation management tasks and new plantings from occurring. Some consideration to using planting techniques and stakes/guarding systems that will not be adversely impacted by flood should be considered at the time the works are undertaken. For example, do not use plastic sleeve tree guards in flood prone areas. It is not considered necessary to specifically address this issue in the vegetation management plan as this is an operational decision at the time of implementation of |
| | | works. |
| 4 | Wording of draft report does not take account of the work adjacent landholders in the "borrowed landscape" are already doing. The report should use a form of words that reflect this work. | The intention of the "borrowed landscape" section is to consider the broader cultural landscape as a backdrop to the Richmond Bridge precinct and to highlight potential changes to that landscape. Council can then explore strategies and mechanisms to address any adverse changes in a proactive manner. Whilst there is undoubtedly "good work" being undertaken it is not within the scope of this report to make value judgements about the management practices of private landholders. |
| 5 | Concern about misleading wording in the "borrowed landscape" section comments about Blue Gum removal at St Johns Church. One blue gum was removed on advice and replaced with an oak tree. | Noted. Wording will be updated to note the singular tree. It is recommended that the blue gums be replaced with the same species. The height and visual porosity of blue gums is considered important in maintaining year-round views to the structure of the Church. Oak trees are a recommended species in other parts of the precinct but not recommended as replacements for the blue gums. The recently planted oak should be retained but further plantings of this species in this location are not recommended. No change to VMP. |

| Response No | Issue/Nature of Comment | Recommended Response |
|----------------|---|---|
| 5 | Detailed planting plan is outside the capacity of the Richmond Catholic Parish | Noted. Detailed assessment and planting plans of key "borrowed landscape" elements on private land throughout the precinct may be a future investigation Council could consider in the future to assist all adjacent landholders. |
| 5 | Cemetery Bluff noted as "unused land"; questions use of such a form of words; fenced off because prone to erosion, steep and hazardous. Questioning definition of "indigenous" vegetation. Reference to Melaleuca ericifolia cited but not referenced in planting palette. Highlighting peculiarities of the bluff from a geological perspective, making it very prone to erosion and the impact of this on the graveyard above (some tombs have already been lost downslope). The site contains archaeological material. The site should continue to have restricted access. | The "cemetery bluff" area was originally included in the Draft Vegetation Management Plan specifically in recognition of its unique geological characteristics, its erosion susceptibility and the dominance of weed species. Despite being outside the scope of the terms of reference, we included this section of land with a view to highlight these special conditions to Council. It is not an area of high scenic quality nor does it form a backdrop to views from the Richmond Bridge. Given the large number of issues raised by the respondent and the complexity of developing an appropriate management plan for this area, it is recommended that the Management Zone CB and all references to this site within the body of the report be removed from the Final Vegetation Management Plan. The Richmond Catholic Parish are welcome to utilise any of the existing documentation/recommendations of the Draft VMP with a view to approaching NRM South, Landcare Tasmania and/or Council to develop a detailed, specific management plan for the site. |
| 5 | Reference to senescent Tree Lucerne on nature strip of St Johns Circle near church. | As per recommendation above. |
| 5 | References to St Luke's Cemetery should be similarly noted as St John's Cemetery | Noted. |
| 6 | Any removal of the gum tree at St Luke's Church to be planned for the long term | Noted. |
| 6 | That the species of Elm tree selected is of a disease resistant variety. | Accepted. Will be included in the recommended planting palette. |

2.3. Due to the significant heritage and cultural values associated with the Richmond Bridge any implementation of the Action Plan will need to consider the requirements of the Heritage Tasmania Practice Notes – Historic Plantings and Landscapes (Heritage Tasmania 2015). Heritage Tasmania can issue a Certificate of Exemption for routine activities such as mowing, weed management and tree trimming. Activities such as stump grinding, tree removal and planting will require approval/permit from Heritage Tasmania. Any disturbance of the ground may require the attendance of an archaeologist on-site when performing these activities. This is likely to have a financial impact to these work activities.

3. CONSULTATION

3.1. Community Consultation

The Richmond Bridge Vegetation Management Plan was formed from input provided by State Government agencies, the Richmond Advisory Committee and local community.

The community consultation was undertaken through the following options:

- advertisement in "The Mercury" newspaper;
- completing the feedback form available at the Council Offices and placing in the feedback box;
- completing the feedback form on Council's website;
- emailing the feedback form to Council's general email address; and
- mailing the feedback form to the Council Offices.

The community consultation concluded on 31 July 2015.

3.2. State/Local Government Protocol

Due to the significant heritage and cultural values associated with the Richmond Bridge any implementation of the Action Plan will need to consider the requirements of the Heritage Tasmania Practice Notes – Historic Plantings and Landscapes (Heritage Tasmania 2015). Consultation will need to occur with Heritage Tasmania in relation to implementation of the Action Plan.

3.3. Other

Nil.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Council's adopted Strategic Plan 2010-2015, includes the following relevant objectives:

Public Spaces and Amenity

- Develop plans to improve the amenity of public spaces;
- Future needs for public open space and recreation facilities.

Natural Area Management

• Review built/cultural heritage studies/inventories eg Richmond Bridge, aboriginal heritage

5. EXTERNAL IMPACTS

Consideration by Heritage Tasmania relating to the implementation of the Action Plan is likely to have a financial impact on any work activities undertaken. Consultation with Heritage Tasmania is a key factor in determining the extent and conduct of works undertaken in the Richmond Bridge precinct.

6. RISK AND LEGAL IMPLICATIONS

Nil.

7. FINANCIAL IMPLICATIONS

There is no funding available for the implementation of the Richmond Bridge Vegetation Management Plan. Funding therefore needs to be considered as a part of future Annual Plan development.

8. ANY OTHER UNIQUE ISSUES

Not applicable.

9. CONCLUSION

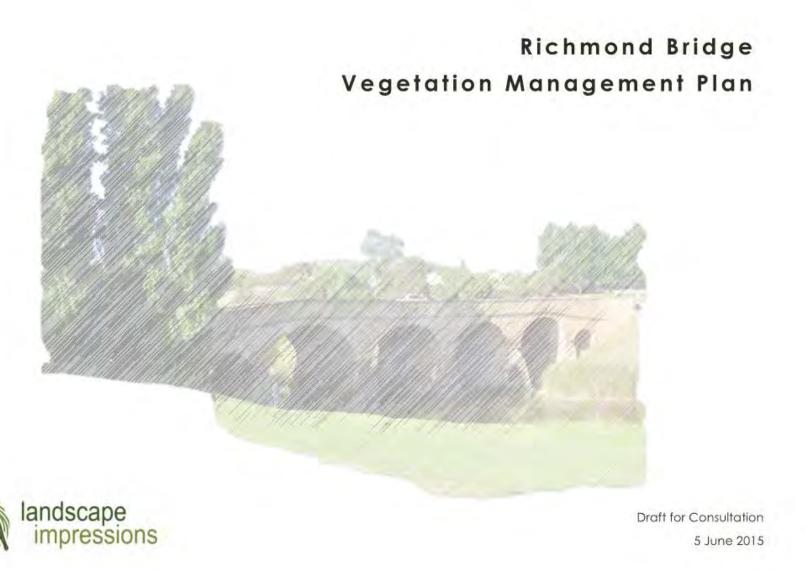
- **9.1.** The Richmond Bridge Vegetation Management Plan has been developed in consultation with various State Government agencies, the Richmond Advisory Committee and the local community.
- **9.2.** The recommendations outlined in the Richmond Bridge Vegetation Management Plan intend to facilitate the protection and enhancement of the historical and cultural values associated with the Richmond Bridge precinct.
- **9.3.** It is therefore recommended that the Richmond Bridge Vegetation Management Plan be adopted subject to the inclusion of various changes as described in Part "A" of the recommendation.

Attachments: 1. Draft Richmond Bridge Vegetation Management Plan (41)

Ross Graham

ACTING GROUP MANAGER ASSET MANAGEMENT

ATTACHMENT 1



Contents

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| Landscape Context for Vegetation Management Plan | 4 |
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| Planting Schedule (Recommended Planting Palette) | 24-26 |
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Appendices

- 1. Cemetery Bluff Vegetation Management Guide
- 2. Action Plan
- 3, Plans (A3 SET)
 - Site Analysis Plan
 - Management Zones
 - Planting Plan (North)
 - · Planting Plan (South)
 - Borrowed Landscape Notes
- 4. Vegetation Condition as at February 2015 (Aboricultural Survey Report)

Acknowledgements

We would like to acknowledge the input of Selena Dixon, Lillian Reardon and Darren McConnon (State Growth): Russell Dobie (Heritage Tasmania): Gary Evans (Crown Land Services, DPIPWE); Sally Taylor, Ian Preece, Matthew Graham (Clarence City Council); Heather Chong (CCC and Richmond Advisory Committee) and the residents of Richmond who participated in the Community Walk and Talk on February 11 for their contribution to this Draft Vegetation Management Plan. Further consultation will occur as we progress this plan to its final version.



Introduction

Background:

The Clarence City Council advertised an Invitation for Quotations (Q1019-14) in December 2014 for the provision of consultancy services for the preparation of a Vegetation Management Plan for the Richmond Bridge and its setting.

GHD in association with Landscape Impressions submitted a Tender and was awarded the contract in January 2015.

Fieldwork and consultation commenced in mid-January 2015. A draft VMP was submitted to Council and State Government agencies in early April 2015. This Draft is now presented for broader community consultation.

Purpose:

In January 2010, a Conservation Plan for the Richmond Bridge (1997) was reviewed by GHD under a commission by the former Department of Infrastructure Energy and Resources.

A number of policy recommendations of the 2010. Richmond Bridge Conservation Management Plan (CMP) related to the assessment, maintenance and renewal of vegetation in the vicinity of the Richmond Bridge. This Vegetation Management Plan responds to those policy recommendations.

Clarence City Council's brief for the Vegetation Management Plan set out requirements for the

key elements of the plan, including:

Site Analysis - including consideration of the site's history, the cultural heritage value and significance of existing plantings and other relevant existing site conditions such as weeds, public use, aesthetics, access, infrastructure, etc.

Analysis of existing Vegetation Conditions - including the engagement of an arborist to assess the current health and estimated lifespan of the historic and naturalised plantings.

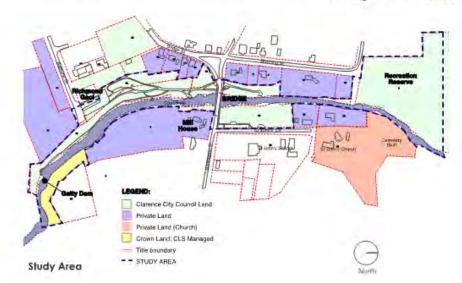
Weed management strategy - including the consideration of the existing site planting conditions, any weed issues and ongoing management activities.

Future planting Strategy/plan - addressing the long term conservation of the historic and aesthetic setting of the Bridge.

Methodology:

Consultations with the Clarence City Council. Heritage Tasmania, the Department of State Growth and the Department of Primary Industries, Parks, Water and Environment Crown Land Services were undertaken to gather information pertinent to vegetation management from the perspectives of each authority.







Introduction...

Don Thomson, Registered Landscape Architect and Principal of Landscape Impressions, undertook site inspections and fieldwork during January and February 2015 to undertake the Sile Analysis and weed assessment components of the project.

Arborist and Environmental Consultant Philip Jackson undertook an assessment of trees throughout the study area and provided a report to inform decisions about the longer-term strategy for vegetation management across the study area.

A 'Community Walk and Talk' was held on February 11 as a preliminary information-sharing opportunity and data collection tool.

Fourteen local residents attended the 'Walk and Talk' and provided input into a range of vegetation management issues. This event enabled a range of issues to be discussed in detail and proved to be a very useful information gathering technique.

A web-based survey was also conducted to seek community feedback on the proposed 'management zone' delineation and the priorities and issues identified for the broad management zones presented. Six people responded to the survey over the 2 weeks it was open. There was general agreement by respondents with the delineation of the Management Zones and their prioritisation. However, some respondents thought that all the zones were of high priority. It is true that all zones are important, but the prioritisation suggested in this Draft report refers mainly to the allocation of funds and other resources.

Discussions were held (in person or by phone) with adjacent landholders after distributing an earlier draft of this plan, in late April 2015. One of the key discussion points in these meetings was the management and succession of trees on private land that form important components of the 'borrowed landscape'.

The adjacent landholders were generally supportive of the proposed vegetation management actions and are willing to continue discussions about ongoing succession planning.

This Draft Vegetation Management Plan forms another opportunity for community input into the management of the landscapes around the Richmond Bridge, Feedback on this draft plan will be used to fine-tune the final Vegetation Management Plan before it is presented to Clarence City Council.





Site Analysis for Vegetation Management Plan

Historical Context:

The Richmond Bridge was completed in September 1824 and open to traffic in January 1825 (THC, 2015). It is widely recognised as Australia's oldest bridge that continues to serve its original purpose (DIER, 2010).

In 2005, the Richmond Bridge was included on the National Heritage List, in recognition of its outstanding value to the nation (DIER, 2010), It was listed on the Tasmanian Heritage Register in September 1999 (THC, 2015).

The setting of the Richmond Bridge is cited in the documentation around its historical value as being a critical component of the historical value of the Bridge. The protection and enhancement of critical views to and from the Bridge is critical to the continued appreciation of this significant historical asset by visitors and locals alike.

Cultural Context:

The Richmond Bridge is in itself an outcome of the rapid development of the region after land grants were distributed in 1808. The importance of the Coal River valley as 'the granary of the Australian Colonies' and for sheep and cattle grazing meant that a reliable crossing point over the Coal River was required (THC, 2015). The Bridge pre-dates the construction of the Richmond town; its construction was a catalyst for the town's development.

The community values the Bridge structure because it reflects the early development of Richmond and because of its association with the penal system.

Images of the Bridge and its setting have been featured in state, national and international tourism promotions since the 1920s, It is one of the most widely photographed historic sites in Tasmania (THC 2015).

The Richmond Bridge and its surrounds is an important place because of its aesthetic values. It is widely appreciated by locals and visitors alike and features as the subject of many artistic pursuits, especially by painters and photographers.

Landscape Context:

The contemporary landscape of the Richmond Bridge precinct is an outcome of a range of processes through time, both 'deliberative' and 'accidental'. Whilst there are some remnants of historic plantings (e.g. the Pine trees on the western banks; the Lombardy Poplars either side of the eastern approach to the Bridge), most of the oldest plantings have declined and been replaced by naturalised specimens of the same species. The landscape of the Richmond Bridge has never been a 'designed' landscape and much of its character comes from this 'naturalised' vegetation (DIER, 2010; THC, 2015).

Exotic and native vegetation has become naturalised and the management activities of Council and adjacent landholders has had a large influence on the landscape character of the place now.

It is therefore not considered appropriate to design the landscape of the Richmond Bridge to fine detail. It is appropriate to let the landscape continue to evolve with similar character to the current landscape.

Making strategic interventions over time will shape the structure and character of the future landscape. The Vegetation Management Principles of this Plan (next page) have been developed to guide a coordinated, strategic approach to the longterm evolution of this landscape.

Whilst it is recommended that the vegetation of this landscape be allowed to continue to evolve, there are some elements of the built landscape that require attention, such as path levels and drainage, signage and the location of specific facilities such as rubbish bins, seating, etc. It is recommended therefore that a landscape masterplan and review of 'built elements' in the landscape be undertaken by Council within the next two to 5 years.

See Site Analysis Plan for viewshed analysis and further notes on vegetation character.



Vegetation Management Plan Structure and Principles

STRUCTURE OF THE VEGETATION MANAGEMENT PLAN

This Plan is designed to guide the actions of Clarence City Council and its works teams. adjacent landholders to the study area and the local community.

It is presented in six main parts:

- 1. A description of key 'Management Zones' and the 'objectives' for those zones, which inform decisions about their management.
- 2. Weed Management Strategy, which outlines a strategic approach to weed management across the site and presents quidelines for the management of key weed species.
- 3. Planting guide and schedule, which highlights key strategic plantings, recommends species for planting across the site in the future and guides the placement of planted vegetation.
- 4. A guide to aquatic vegetation/river management.
- 5. A guide to the long-term management of the 'borrowed' landscape (i.e. the broader landscape of Richmond and surrounds as a visual backdrop to the Richmond Bridge precinct.
- 6. A Vegetation Management Action Plan, which prescribes priority actions for the short-term (1 to 3 years).

VEGETATION MANAGEMENT PRINCIPLES:

This Vegetation Management Plan for the Richmond Bridge precinct has been informed by the following principles:

- . Preserve historical and cultural values in the landscape, including views to and from the bridge.
- · Provide a safe and pleasant environment from which to enjoy the character and ambience of the Richmond Bridge.
- · Respect and celebrate the values that combine to make this an attractive and characterful 'place'.
- . Ensure a relatively smooth succession of vegetation over time so that drastic or sudden landscape changes are minimised.
- . Ensure 'weeds' are not allowed to spread to neighbouring properties.
- . Minimise the financial burden of management and maintenance of the landscape to current and future
- . The character of the place is to be preserved over time by maintaining, as far as possible, vegetation type and structure similar to the current (2015)
- · Historically important species, which are often now declared weed species, should be replaced with modern cultivars of the same variety to preserve landscape character whilst minimising management costs and damage to historical or cultural assets.

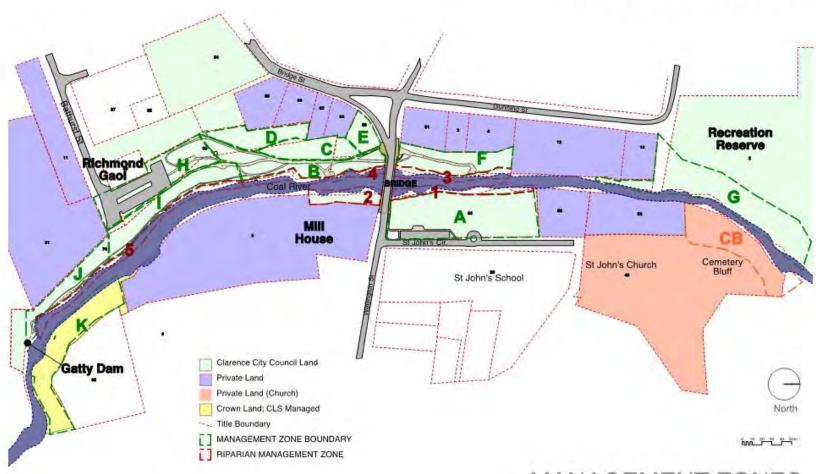


RATIONALE FOR THE DEFINITION OF MANAGEMENT ZONES

The division of the publicly accessible lands alongside the Coal River upstream and downstream of the Richmond Bridge into 'Management Zones' is based on the rationale that different areas of the precinct have unique landscape characteristics that warrant different approach to landscape management.



Management Zones Map



MANAGEMENT ZONES



Zone A Priority: High





North West of Bridge

OBJECTIVES

Maintain as 'open parkland' landscape to enable views to Bridge from North Easterly aspects.

CULTURAL VALUES

- · Lombardy poplars provide scale and frame many of the key views to the bridge.
- · Open lawn has functional and aesthetic value.
- · Wide expanses of lawns are enjoyed by visitors and locals alike.

HERITAGE VALUES

- Lombardy poplars beside bridge are noted on Heritage Register.
- . CMP 2010 Priority Works/Actions (7.7.11) reference the suckering of poplars and the potential impact on the bridge structure.

KEY VEGETATION MANAGEMENT ISSUES

- · Succession of Lombardy Poplars beside the Bridge. Arborist reports that the trees are in good health and have a life-expectancy of another 15-40 years.
- However, suckering of Lombardy poplars adjacent to bridge structure is of concern to Department of State Growth. Therefore, a 5 to 10-year succession process is
- · Succession planning for copse of White poplars to north of this Zone.

- Commence planning and consultation for the replacement of Lombardy Poplars within the next 10 years. The recommended action is to fell all of the mature poplars and replace with the same species (Populus nigra 'Italica') but propagated from minimal-suckering root stock (e.g. Flemings Nursery). Felling all of the trees will enable removal of 'old' root stock to prevent future suckering, and enable the installation of a root barrier between the trees and the bridge buttress.
- Gradually replace white poplars along northern boundary with P. canadensis or U. procera. Zelkova serrata is also recommended (see planting palette).
- Removal of selected trees as per the Action Plan (Appendix 2).

Zone B Priority: High

South West of Bridge





OBJECTIVES

Maintain vista to bridge from south-westerly vantages. Maintain an open 'parkland' landscape.

CULTURAL VALUES

- · Has a long history as public open space, although subsequent land grants reduced that for a period (1830s to early 1900s).
- · Is one of the key areas for photographic opportunities to the bridge.

HERITAGE VALUES

- · Medium archaeological potential due to historical record of Buscombe's Mill - the site of which is marked by a mature pine tree (THR#1101)
- · Mature pine tree is one of the older planted specimens in the precinct.

KEY VEGETATION MANAGEMENT ISSUES

- Succession of trees, particularly the single Pinus radiata. However, arboricultural assessment is that this tree is likely to have a long life ahead of it, if looked after.
- Mowing/grounds maintenance impeded by stumps, uneven ground.



MAIN VEGETATION MANAGEMENT PRESCRIPTIONS

- · Remove dead wood >50mm dia. from pine tree (Arborists Report ref. 53) in accordance with sound arboricultural practice.
- · Remove stumps throughout this zone by grinding. Works are to be undertaken with reference to Heritage Tasmania's guidelines as there is 'medium' archaeological value to this site.
- · Pruning of dead wood from pine tree.
- · See also specific Actions listed in Action Plan (Appendix 2).

Note: THR = Tasmanian Heritage Register



Zone C Priority: High





Orchard, South West of Bridge

OBJECTIVES

Maintain as an 'orchard'

CULTURAL VALUES

- · Locals and visitors enjoy the ability to pick fruit from the orchard.
- · Autumn colour.
- · Flowering and fruiting provides seasonal colour and interest.

HERITAGE VALUES

· 'Almond orchard' cited in CMP and THR as being of cultural significance (marked a path leading from bridge to Buscombe's Mill).

KEY VEGETATION MANAGEMENT ISSUES

- . The older original almond trees have almost all died or been removed. New (last 10 years) plantings of mixed species (including apple, pear, apricot) have been undertaken by Council and the community.
- . Stumps of old trees are impeding maintenance/mowing.
- . Silver wattle at the 'back' of the orchard has a limited life-span and should be removed.

- · Form prune (in accordance with sound arboricultural and horticultural practices) all existing trees.
- · Remove stumps.
- · Remove silver wattle and grind stump.
- · Complete orchard by filling gaps in 'grid' structure.
- · Replace old almond trees along the path with almonds to replicate historical references to almond orchard.
- . See also specific Actions listed in the Action Plan (Appendix 2).

Zone D Priority: High





landscape impressions

Steep Bank to East of Village Green

OBJECTIVES

Maintain a visually appealing backdrop to views from the bridge and from the North-East, whilst enabling views from the top of the bank to the SW of the site.

CULTURAL VALUES

· Important photo point/vantage point is located above this bank, to the NE edge of the 'village green'

HERITAGE VALUES

· Forms a backdrop to the bridge so is important as part of the heritage precinct of the bridge.

KEY VEGETATION MANAGEMENT ISSUES

- . Bank is too steep to mow and brush-cut.
- · Annual grasses and weeds dominate the site, including some suckers of Elm and some boxthorn and hawthorn saplings.
- · Will become over-run with woody weeds over time due to difficulties mowing/slashing due to steep slope.

- · Remove annual grasses, weeds.
- . Remove briar roses, pine seedlings, elm suckers and 2-3 dead or dying wattles at base of slope.
- · Install hessian mulch/weed mat.
- · Plant native grasses wallaby grass (Austrodanthonia spp.) and kangaroo grass (Themeda triandra) - across the whole slope.
- · Plant Brusaria spinosa (native box) in informal 'copses' along the eastern border of this zone to the toe of the bank as shown on the planting plan.
- . See also specific Actions listed in the Action Plan (Appendix 2).

Zone E

Priority: Low

Top of Bank between Bridge Street and Stone Steps



CULTURAL VALUES

OBJECTIVES

- · 'Transitional landscape' from the Bridge Street streetscape to the 'orchard' area to the South.
- · Has a parkland character.

HERITAGE VALUES

· Peppercorn trees are a key species within this cultural landscape.

KEY VEGETATION MANAGEMENT ISSUES

· Existing wattles (Acacia saligna) and Photinia along footpath are out of character and should be removed to enable views to bridge/river.

Maintain as 'parkland' transition from Bridge Street streetscape to 'orchard'.



- · It is recommended to replace wattles and photinia along Bridge Street with ornamental pear (e.g. Pyrus calleryana x betulaefolia 'Edgedell').
- Form prune blackwood and peppercorn trees in the middle of this zone to lift the canopy and enable views from Bridge St footpath to the river. Ensure adherence to best practice arboricultural techniques.

Zone F Priority: High







Steep Bank to North East of Bridge

OBJECTIVES

Maintain a visually appealing backdrop with low maintenance requirements.

CULTURAL VALUES

- · Important background to photographs taken from the Eastern banks of the Coal River (i.e. Zone A and beyond).
- · Neighbouring landholders are undertaking much of the vegetation management on the steep slopes of this zone.

HERITAGE VALUES

- · This area was purchased from the adjoining landholders in the 1973.
- · Medium archaeological potential due to due to historical record of fords in this area (THR#1101)

KEY VEGETATION MANAGEMENT ISSUES

- · The bank along the western section of this Zone is too steep to mow and brush-cut.
- · Annual grasses and weeds dominate the site, including marshmallow, fennel, hawthorn, boxthorn and other weeds.
- · Vegetation management difficulties have resulted in the perceived need to burn off large parts of the bank, which is not well received by some residents.
- · Will become over-run with woody weeds over time due to difficulties mowing/slashing due to steep slope.
- · Toe of bank along track needs stabilisation.

- Remove annual grasses, weeds. Install hessian mulch/weed mat to all slopes steeper than 1:3 (18°). Plant native grasses - wallaby grass (Austrodanthonia spp.) and kangaroo grass (Themeda triandra). Plant Bursaria spinosa (native box) in informal 'copses' as shown on the planting plan.
- Remove boxthorn, marshmallow, hawthorn, gorse, yucca, blackberry and other weeds as per 'Weed Management Guidelines'.
- See also specific actions listed in the Action Plan (Appendix 2).
- · See also Riparian Zone 3 for actions relating to riverbank management.

Zone G Priority: Low





Recreation Reserve

OBJECTIVES

Maintain as a low maintenance, predominantly 'bushland with open grass' landscape as a transition between the Recreation Reserve and the Coal River.

CULTURAL VALUES

- · Used for passive recreation by the local community (e.g. dog walking
- · Not seen from the bridge and views to the bridge from this zone are blocked by current vegetation structure.

HERITAGE VALUES

- · Not visually significant area from bridge landscape perspective.
- · Archaeological values not ascertained.

KEY VEGETATION MANAGEMENT ISSUES

- · Ongoing mowing/slashing of grassed areas.
- · Ongoing weed management (particularly fennel, thistles and blackberry).
- · Broad plantings of largely indigenous trees and shrubs are healthy, well established and appropriate in form.
- · Management of riparian vegetation to ensure bank stability and maintain/improve water quality.

- . Ongoing weed management throughout this management zone, but particularly the riparian zone.
- · Annual monitoring and control of gorse, crack willow, fennel, thistles, blackberry, hawthorn and other weeds along the riparian zone. Apply the methods described in the DPIPWE publication 'Guidelines for Safe and Effective Herbicide Use Near Waterways' (see Weed Control Strategy herein),
- · Additional weed control required upstream of Recreation Reserve on Crown Land to minimise re-introduction of weeds to the Richmond Bridge precinct.

Zone H Picnic Area Priority: Low





OBJECTIVES

Provide a pleasant micro-climate for picnics/BBQs that is not visually intrusive from key vantage points from the bridge or key bridge views.

CULTURAL VALUES

· Widely used by locals and visitors, but this could be enhanced by improving the quality of the landscape setting.

HERITAGE VALUES

- · Not visually significant area from bridge landscape perspective.
- · Archaeological values not ascertained.

KEY VEGETATION MANAGEMENT ISSUES

- · Maintain trees in good condition to ensure public safety and high aesthetic appeal.
- · Some grading and top-dressing of lawn areas to improve trafficability for mowing.
- · 'Garden bed' area beside the concrete steps to the north west of this zone needs redesigning to ensure a better 'fit' with the locality.

- · Feb 2015 arboricultural assessment identified no general issues with the trees in this
- · Stump removal and re-grading/topdressing of lawn areas.
- . This area would benefit from a re-design of 'hard' landscape elements to rationalise paths and other facilities. This would facilitate better vegetation management, particularly of lawns.
- · Remove ivy from central garden bed to carpark area and replace (in the long term, after ivy control has been complete) with Correa alba or similar.



Zone | Priority: High





Woodland of Elms and White Poplars

OBJECTIVES

Maintain 'English woodland' character and seasonal colour backdrop to views from the Bridge.

CULTURAL VALUES

- Enjoyed by visitors and locals (especially children) as a 'wild' place to explore.
- Provides an important backdrop to views from the north of the Bridge.

HERITAGE VALUES

- Elms and White Poplars are 'naturalised' from historical plantings. The original plantings are no longer in existence.
- Forms an important part of the landscape character of the whole precinct.

KEY VEGETATION MANAGEMENT ISSUES

- Arborist recommends removal of specific white poplar specimens which are structurally defective (Tree Ref's: 25, 27, 28, 29, 30, 36, 37, 38).
- The elms are currently in good condition and should be allowed to continue to form 'natural' copses through suckering.
- Over the long-term, the gradual removal of the white poplars and the extension of elms (with some planting of oaks) is recommended. This will preserve the character of this zone whilst minimising maintenance.

- Removal of specified trees identified in Arboricultural Assessment (Feb. 2015).
- Every 5 years, remove 3-4 white poplars, working from each of the northern and southern ends of the white poplar copse, and replace with oak and elm trees, as per the Planting Schedule.
- Locals enjoy the informality of the pathways through this area. It is recommended that they are kept informal.
- . Specific stump grinding and other actions as per the Action Plan (Appendix 2).



Zone J Priority: High





Bathurst St to Gatty Dam

OBJECTIVES

Design a 'transitional' landscape between the exotic-dominated landscape of zone J and the more 'natural' riparian zone downstream of Gatty Dam.

CULTURAL VALUES

- Largely open as the result of clearing of willows over the past decade.
- Not seen from the Bridge or from key viewpoints of the bridge.
- Plantation of Callistemon shrubs along the upper bank was planted by Richmond Primary School students.

HERITAGE VALUES

- Gatty Dam was constructed in 1935.
 Construction of the dam ensured standing water in the Coal River through the town.
- Not seen from the Richmond Bridge or from key viewpoints of the bridge.

KEY VEGETATION MANAGEMENT ISSUES

- The recently planted (last 5 years) Turkish oaks are not representative of species
 found elsewhere in the study area and therefore have no historic reference.
 However, oaks were commonly planted through the district historically, and their
 form and colour is complimentary to this setting. They should be retained and this
 species adopted for other plantings in the precinct as a succession strategy. Relying
 too heavily on Elms could place the landscape at risk in the future should Dutch Elm
 Disease or Elm Leaf Beatle take hold in the future.
- Transform the upper track along the western boundary into an 'avenue' by planting a row of blackwood between the track and boundary fence.

- · Remove dead and dying silver wattles at southern end of this zone.
- Re-vegetate southern areas with blackwood and drooping she-oak (see Planting Schedule).
- Plant an avenue of blackwoods to western boundary. Prune Callistemon plantation into an informal hedge, less than 1 m high.



Zone K Priority: Mod



South Eastern Banks near Gatty Dam

OBJECTIVES

Provide a low-maintenance 'parkland' landscape and a backdrop to views from the western banks of the Coal River.

CULTURAL VALUES

- · Mainly used as a pedestrian thoroughfare and for access to neighbouring private land.
- · Landscape contribution is mainly as a backdrop to views over the Coal River from westerly vantages.

HERITAGE VALUES

- · Gatty Dam was constructed in 1935. Construction of the dam ensured standing water in the Coal River through the town.
- · Not seen from the Richmond Bridge or from key viewpoints of the bridge.

KEY VEGETATION MANAGEMENT ISSUES

- Relatively young blackwoods are becoming well established along the banks.
- . Is an 'open canvass' in terms of landscape development opportunities, however such redevelopment would require consideration of access requirements and resourcing for both establishment and management.
- · Additional planting along the banks and riparian zone would enhance the landscape character of the views from western vantages by screening residences in the background.

- · Ongoing weed monitoring and management.
- · Planting of more indigenous trees and shrubs along bank and riparian zone.
- · Planting of indigenous reeds and rushes on lower bank.

Zone R1 Priority: High





Riparian strip, NE Bank

OBJECTIVES

Ensure views to the Bridge from the North-East are maintained and enhanced. Protect bank from erosion.

CULTURAL VALUES

· Forms an important foreground to views of the Bridge from northeastern vantages.

HERITAGE VALUES

- · Important part of views to and from the bridge.
- · Some historically planted trees and shrubs have become naturalised but are not considered significant from a heritage perspective.

KEY VEGETATION MANAGEMENT ISSUES

- · Environmental weeds including fennel, blackberry, gorse are interspersed with indigenous riparian vegetation and could continue to spread and eventually dominate if not controlled.
- · Some hawthorn trees have volunteered, which may form a barrier to views if allowed to grow too big or become too dense.
- · Phragmites australis (Common Reed) dominates the lower bank and rivers edge. This provides protection from erosion and creates a low-maintenance, attractive edge to the river bank and lawns.

- · Southern-most bank: re-establish indigenous reeds and rushes (see Species list) to protect bank and maintain 'edge' consistency in the landscape.
- . Ongoing weed control: manual removal of hawthorn, boxthorn, gorse and fennel,
- · Monitor for introduction of other weed species (willow, cumbungi, etc.) and control as necessary.



Zone R2 Priority: High

Mill Bank





OBJECTIVES

Maintain a high quality landscape that transitions between the gardens of the Mill and the Coal River.

CULTURAL VALUES

- · Forms an important foreground to views of the Bridge from southeastern vantages.
- · Is an important component of views from the bridge.

HERITAGE VALUES

- · Old boiler tank is 'hidden' under the shallow bank in the centre of this
- · Weeping willow is one of the only remaining willows in the area; a relic of older plantings.

KEY VEGETATION MANAGEMENT ISSUES

- Ivy is growing on bridge buttress and must be removed.
- · Ongoing control of suckers/seedlings of White Poplar, Lombardy Poplar, peppercorn and various prunus species is required.
- · Parts of the banks are eroding due to high volumes of pedestrian access to this area with only an informal, unformed path network.

- · Remove ivy from Bridge structure. Liaise with adjacent landholder to negotiate an eradication program to minimise future maintenance.
- · Remove white poplar suckers/young trees.
- · A formed path to define pedestrian access points would assist minimise current bank erosion due to uncontrolled access.

Zone R3 Priority: High





North West Bank

OBJECTIVES

Maintain key views from north-western vantages and provide a pleasant background to views from the eastern bank.

CULTURAL VALUES

- Forms an important foreground to views of the Bridge from northern and eastern vantages.
- Is an important component of views from the bridge.

HERITAGE VALUES

 Old fords across the river that predate the bridge.

KEY VEGETATION MANAGEMENT ISSUES

- Crack willow suckers/re-growth from previously controlled trees is occurring through this site.
- Large expanses of Phragmites could spread as sedimentation up-stream of the bridge continues.
- Isolated specimens of weed such as boxthorn, gorse, marshmallow, blackberry, fennel
- Good regeneration of blackwood (Acacia melanoxylon) on banks. This may need to
 be thinned and/or some trees removed if their density increases to the extent that
 views are blocked.

- Some trimming of Phragmites is required to 'open up' views to the bridge from the bank near the old Cypress tree (a key vantage point for views to the bridge).
- · Weed control required including boxthorn, gorse, marshmallow, blackberry, fennel.
- · Thinning of Blackwood seedlings.



Zone R4 Priority: High





South West Bank – Duck Feeding Area

OBJECTIVES

Maintain key views from south-westerly vantages and protect the river banks from erosion.

CULTURAL VALUES

- · Forms an important foreground to views of the Bridge from southern and eastern vantages.
- · Is an important component of views from the bridge.

HERITAGE VALUES

KEY VEGETATION MANAGEMENT ISSUES

- . Banks are heavily impacted by pedestrian traffic and duck population and are exposed and prone to erosion.
- · Suckering Prunus spp. and other woody weeds in the northern half of this zone will impact on views through and under the bridge arches.

- . Design and construct 'hardstand' (rock beaching) areas for ducks and waterfowl and plant out banks between these ramps with indigenous reeds and rushes.
- · Control weeds and suckering Prunus spp. through manual removal.

Zone R5 Priority: Mod





South-Western Riparian Zone

OBJECTIVES

Maintain river and river-bank function and minimise flood impacts of fallen white poplar branches whilst maintaining essentially 'exotic' landscape.

CULTURAL VALUES

· Branches/trunks of white poplars that fall/lean into the river course are of concern to locals because of their impact on recreational users of the river (paddle boats and canoeists) and concerns over flood management.

HERITAGE VALUES

- · White poplars are naturalised from historical plantings.
- . The landscape of the riparian zone is characterised by the deciduous trees along the banks.

KEY VEGETATION MANAGEMENT ISSUES

- . Low overhanging branches of white poplar impede use of the river by paddle boats and canoes.
- Low overhanging branches may cause a build up of debris and exacerbate flooding and flood impacts both upstream and downstream.
- · Ducks are impacting on grass cover on some areas of the banks, contributing to
- · Some isolated crack willow suckers are establishing themselves.

- · Gradual removal of all white poplars from the riparian zone.
- · Allow the gradual replacement of white poplars with Elm suckers.
- · Adjacent to Zone J, plant new Elm and Oak trees (to continue the 'English woodland' theme of Zone J).
- · Adjacent to Zones B and K, establish indigenous reeds and rushes on banks to minimise erosion.
- · Control suckers of white poplars.
- · Ongoing weed control throughout this Zone, prioritising the control of crack willow, gorse, hawthorn, prunus sp., fennel, blackberry.



RECOMMENDED PLANTING PALETTE

Planting Schedule

| Photo | Botanical Name | Common Name | Size at maturity (h x w) in m. | Notes |
|-------|--|-------------------------|-----------------------------------|---|
| -u | Acacia melanoxylon | Blackwood | 20 x 10 Evergreen | Indigenous to the locality. Several planted and regenerated specimens occur across the precinct. Susceptable to damage by brushcutters, mowers etc. and this can negatively impact their health and form. The dark foliage complements the predominantly exotic trees within this precinct. |
| | Allocasuarina verficillata | Drooping She- Oak | 12 x 10 Evergreen | Indigenous to the site. Useful for screening, suppresses grass/weed growth under the canopy and attracts native birds and insects. |
| | Eucalyptus viminalis spp. Viminalis | Manna Gum, white gum | 20 x 12 Evergreen | An indigenous tree well suited to the site. Several speciments have been planted (within the last 10-15 years) along the river banks (Zone A in particular) and are thriving. Useful as an evergreen backdrop to screen out the fences etc. of adjacent properties, but should not be planted within 20m of a building or property boundary. |
| | Quercus cerris | Turkish Oak | 30 x 20 Deciduous | No remnants of historical plantings exist on site. However, Council has planted Turkish Oak in Zone K and it is deemed an appropriate large tree for this area. Oaks of many varieties were commonly planted by settlers in the region. The form, colour and texture of these trees is compliments the character of the precinct. Diversifying the range of large deciduous trees means the landscape is less succeptable to possible drastic change if Elm-leaf Beetle or Dutch Elm Disease impacts the Elm trees in the region in the future. |



RECOMMENDED PLANTING PALETTE...

| Photo | Botanical Name | Common Name | Size at maturity (h x w) in m. | Notes |
|-------|---------------------------------|-----------------|-----------------------------------|--|
| | Schinus molle | Peppercorn Tree | 15 x 12 Evergreen | Remnants of historical plantings occur on site. A prolific seeder, this species is volunteering across the site and throughout the town (according to locals). Its continued use as a shade and specimen tree is warranted as it is a hardy specimen tree well suited to the locality and the place. |
| | Ulmus procera | English Elm | 18 x 12 Deciduous | Remnants of historical plantings occur on site. These old varieties are more prone to suckering than modern nursery-raised stock, which are often grafted onto low-suckering root stock. Formative pruning often required as the tree grows, so a biennial pruning program for new plantings is recommended. |
| | Populus nigra 'italica' | Lombardy Poplar | 30 x 10 Deciduous | The Lombardy poplars flanking the Eastern approach to the bridge are important historical and cultural plantings that provide a strong vertical element to photographers and artists impressions of the Bridge. Further plantings of this tree at other key points in the landscape, where a strong vertical accent is needed, is appropriate. Within the next 5-10 years the existing Lombardy Poplars adjacent to the bridge will need to be replaced. Any future plantings should be grown from low-suckering root stock. |
| | Zelkova serrata 'Green Vase' | Zelkova | 14 x 10 Deciduous | From the Ulmnaceae family (Elms), the Zelkova is an excellent substitute for other traditionally planted deciduous parkland trees because of its high resistance to pests and diseases and its non-suckering roots, It does not tolerate waterlogging, Should be considered as a substitute for Elm and white poplars on this site, particularly along pathways, roads and property boundaries where good upright form is required. Does not sucker. |



RECOMMENDED PLANTING PALETTE – Shrubs and Grasses

| Photo | Botanical Name | Common Name | Size at maturity (h x w) in m. | Notes |
|-------|----------------------|--------------------------------|-----------------------------------|---|
| | Austrodanthonia spp. | Wallaby grass | Grass | Indigenous grasses recommended for revegetating the steep banks of the precinct because they requires no mowing. |
| | Bursaria spinosa | Prickly Box, Sweet Bursaria | 2 x 1 Evergreen | This ubiquitous Tasmanian evergreen small tree/shrub would make a useful contribution to the dryer banks and steeper slopes of the precinct, where it will assist in the suppression of exotic grasses and weeds, provide habitat for birds and insects (particularly butterflies) and screens fences and other 'hard' elements in the landscape, |
| | Correa alba | White Correa | 1.5 x 1.5 Evergreen | A useful native shrub where structured planting is required to border pathways and/or screen or contain views. Existing plantings of C. alba are performing well on site and the form and colour of this native compliments the 'English' landscape character of the site. |
| | Themeda triandra | Kangaroo grass | Grass | An indigenous grass that is recommended for revegetating the steep banks of the precinct because it requires no mowing. |



Waterway Management

AQUATIC VEGETATION

Whilst an exhaustive survey of aquatic plants has not been undertaken as part of this Vegetation Management Plan, it appears that the majority of aquatic plants within the Coal River are native.

The Phragmites australis (common reed) that dominates much of the northern section of the Coal River is valuable in protecting banks from erosion and filtering high nutrient-load runoff from adjacent lawns. It may be spreading through the bed of the river, but this is a result of shallowing of the riverbed due to sedimentation. Whilst 'drowning' by cutting the reeds off below water level may stop its spread and control the reed in the short term, continuing sedimentation will exacerbate this 'problem' in the long term. Phragmites does not pose a problem to flooding, unlike the introduced bull-rush (Cumbungi), because it lies down under floodwater (and protects banks in doing so).

Rushes (Juncus spp., Eleocharis gracilis, etc.) play a similar role in protecting the riverbanks from erosion and withstand much of the impacts of the high duck population in Bridge precinct.

Ribbon weed (*Triglochin procera*) is a dominant aquatic plant within the Coal River that is also likely to be 'spreading' into the main channel of the river due to sedimentation.

A long-term strategy for continued use of the river by boats and canoes would be to reverse the sedimentation process. However, this would most likely require the removal or modification of Gatty Dam and/or mechanical modification of the river bed (i.e. dredging). A major flood may also have the effect of scouring out the riverbed, deepening it in places. These scenarios should be the subject of a separate and detailed hydrological and fluvial geomorphological investigations.





Weed Strategy

INTRODUCTION

As well as the usual array of garden escapees and agricultural weeds common across the region, many of the 'weeds' within the study area are naturalised specimens of historical plantings on or adjacent to the study area.

Some 'weeds' of this site are therefore important elements of the character of this landscape.

It is therefore appropriate that a balance between preserving cultural landscape values whilst minimising environmental and economic impacts of weeds.

Due to the long history of European settlement on this site, the Richmond Bridge and environs is largely a 'European' landscape, Maintaining this character is appropriate given the historical significance of the site.

The 'landscape principles' set out on Page 6 of this report include reference to the management of weed species in the overall landscape context. The overriding principles relating to 'weed' management are that:

- 'Declared weeds' be controlled and eradicated from the site within 5 years.
- Weeds are not to be allowed to spread to adjacent properties.
- Where feasible, exotic species that are profuse suckering varieties be replaced with modern cultivars and/or specimens grafted on to lowsuckering root stock.

STRATEGY

The recommended strategic approach to weed management recommended for the site is based on the 'Bradley Method' of weed control. The basic principles of that method are:

- Work from good to bad areas.
- Disturb the soil as little as possible.
- Allow the rate of regeneration to dictate the rate of clearing.

In the case of the Richmond Bridge precinct, this can be applied by:

- Bimonthly monitoring each Management Zone for isolated specimens of priority weed species (see next page).
- On-the-spot (i.e. at inspection time) manual removal of small specimens of priority weeds.
- Using GPS tagging of larger priority weed specimens and scheduling a follow-up removal works request to be actioned within one month.
- In the Riparian Management Zones, start weed control works up-stream.
 Ensure all weed debris is removed from the site to a Council nominated location and treated in accordance with Council's weed management policy.

- 5. The selected method of eradicating each weed specimen/clump will be site and species specific[^]. The objective (in line with the Bradley Method) is to minimise disturbance of surrounding vegetation at all times and to 'work in from the edges' of larger infestations.
- Sow/plant desirable species where larger areas of 'bare ground' have been exposed. This will be site-specific (refer to the Planting Plan).

#Bradley, J. 2002, Bringing Back the Bush; The Bradley Method of Bush Regeneration. New Holland.

ARefer to the DPIPWE publication Guidelines for Safe and Effective Herbicide Use Near Waterways as a guide to herbicide use within the area defined by this Vegetation Management Plan. available at: http://dpipwe.las.gov.au/Documents/herbicide_guidelinesFINAL2012.pdf

Definition of Weed

A weed is any plant growing out of place, causing adverse economic, environmental and/or social impacts.

Weeds 'Declared' under the Weed Management Act (1999) pose a significant threat to Tasmania's environmental and/or agricultural values. Land owners/managers have a legal responsibility to control declared weeds on their land.



Priority Weed Species

| Photo | Botanical Name | Common Name | Notes* |
|-------|--------------------------|---------------------|---|
| | Lycium ferocissimum | African Boxthorn | Declared weed. Prickly and incompatible with public open space. |
| | Ulex europaeus | Gorse | Declared weed. Very invasive and not compatible with the objectives of public open space. 'High threat' weed (TASVEG). |
| | Crataegus momgyna | Hawthorn | Not a declared weed in Tasmania, and has cultural/historic value. However, can be invasive. |
| 5) | Malva spp. | Mallow | Not a declared weed and currently limited to the NW corner of Zone F. However, limely control will prevent long-term infestation. |
| | Asparagus officinalis | Asparagus | Garden escapee. Need to be vigilant for the more invasive declared weed variety A. scandens |

| Photo | Botanical Name | Common Name | Notes* |
|-------|---|--------------|---|
| | Foeniculum vulgare | Fennel | Declared weed. |
| le. | Salix alba X fragila | Crack Willow | The 'Crack' willow is of particular concern, Existing weeping willows have historical/cultural value and are less prone to spread than other species. |
| | Rubus fruiticosa Image © DPIPWE Tasmania | Blackberry | Declared weed. 'High threat' weed (TASVEG). |

Other Priority 'weed' species

Pine (Pinus radiata) seedlings are volunteering in areas (e.g. Zone F). Requires ongoing manitoring and manual removal of seedlings. Yucca (Yucca spp.) some of which are planted specimens; can be invasive. Agapanthus (Agapanthus africanus) is useful and traditionally planted in and around the site. However, it can spread in some circumstances so monitoring is required to contain it. Briar Rose (Rosa spp.) isolated occurrences along the riparian zones of each Management Zone. Particularly prevalent in Zone H.

NOTE: This is not intended to be a comprehensive list of weeds occurring on site. This list represents some of the more prevalent weed species that are having an impact on the visual character of the site and the management of vegetation generally in the study area.



INTRODUCTION

Many of the best views of the Richmond Bridge are framed by vegetation from the 'borrowed landscape' (the broader landscape around the study area).

The mature Blue Gums in front of St Johns Church; the pine and cypress trees on private land to the north of the study area; the silver poplars in the traffic island on Bridge Street to the west of the bridge; and the white poplars along the banks of the Coal River south-east of the bridge are key examples.

The succession of this vegetation is important to maintaining the cultural landscape of the Richmond Bridge and its surrounds.

SUCCESSION PLANTING

It is recommended that Council take a proactive approach to ensuring the smooth transition of the broader landscape so that drastic changes to the skyline, near and middle-distant views are not disrupted when the existing vegetation declines and has to be removed.

In some instances, there is room around the existing vegetation to enable new plantings to occur now and for that vegetation to become established in time for the eventual decline of the existing trees.

In other cases, removal of the existing trees will be required before new plantings can be undertaken.

Regardless of the approach to succession planting, it is important that the community is well informed of the plans for succession of large trees. If the community is assured that the works are part of a long-term replacement program and that the disruption to the landscape will be temporary, they will be more accepting of the need to remove old trees.

The priority areas of the 'borrowed' landscape where succession plantings are particularly required are:

St Johns Church, Blue Gums.

The mature blue gums form an important backdrop and skyline to views of the Bridge, particularly from the south-west. Removal of some of these trees occurred relatively recently. It is important that these are replaced soon, and that additional plantings of the same species be undertaken in the vicinity of the existing trees, but making allowance for the safe removal of the existing trees. Detailed site design is recommended to ensure new trees are located appropriately so as not to impact on the structure of the church or other infrastructure.

The 'borrowed' landscape

Cypress and Pines, 12 Gunning St & 56 & 52 St John Circle.

The old pine and cypress (Pinus radiata & Cupressus macrocarpa) on private land north of the main Richmond Bridge precinct form an important backdrop to the cultural landscape of the Bridge environs. These trees have not been assessed by an arborist as part of this Vegetation Management Plan, however, due to their age there is a need to commence succession planning for their eventual demise. There are two main options a) negotiate with the current landholders to discuss options for replacing these trees over time; or b) plant pine and/or cypress trees at the northern end of Zone F. A tactor in deciding which option is most appropriate is the fact that it is likely that access for removal of the existing trees on 12 Gunning St might have to occur through Crown land (Zone F).

White Poplars, Bridge Street.

The two large white poplars to the westernside of the 'traffic island' to Bridge Street/Gunning Street form an important focal point and backdrop to the Bridge as it is approached from the east. Although currently healthy and with a likely long life ahead of them, succession planning for these specimens is important. There is room to the East of these trees to establish new plantings. White poplars should be re-planted.



Poplars on private land, 'The Mill'.

The Lombardy poplars to the south of the eastern buttresses of the Bridge are key landmarks and historically and culturally significant plantings. Negotiations with this landholder are required to start planning for the succession of these trees. The white poplars along the banks of the Coal River south-east of the Bridge are also important determinants of landscape character. Their gradual replacement with elms is recommended (as per the opposite (Zones I, J and 5), Many of the mature trees throughout The Mill property are important in the overall context of the Bridge landscape.

Mature eucalypt, she-oak and peppercorn trees to rear of 62 and 64 Bridge Street.

The mature eucalypt, she-oak and peppercorn trees in the rear yards of these two addresses perform important roles in the landscape by screening buildings.

Negotiations with the landowner(s) is required to highlight the role these trees play in the landscape and come to an arrangement for their long-term replacement.

Eucalypts West of St Luke's Cemetery

The mature blue gums to the west of the cemetery form a backdrop to the views from the high vantage point on the edge of the bank of the Coal River to the east of the Village Green. There is space on that site to plant eucalypts of the same species (E. globulus) to eventually replace these mature

The 'borrowed' landscape...

trees. Detailed site planning and negotiations with the landowner are required to ensure future plantings are compatible with surrounding land uses and infrastructure.

Poplars, 51 Bridge Street (Cnr Gunning St).

The Lombardy poplars at 51 Bridge St. form a focal point to views as the Bridge is approached from the east. Negotiations with this landholder should be undertaken to determine their intentions and the likelihood of succession planting being possible in this location. If it is not, an alternative site in the vicinity should be selected for new Lombardy poplars (low-suckering stock) to be planted.





Many of the recommendations of this Vegetation Management Plan relate to routine land management and arboricultural practices.

Effective weed management requires strategic, timely and regular works to be carried out by trained staff. Regular weed management should be included in all programmed maintenance for the whole site.

Tree removal and replacement in historic precincts may be controlled under various State, National and Local legislation. The specific National, State and Local Government legislative frameworks within which the proposed actions are to be guided are discussed below.

National

The National Heritage listing includes the Bridge, and the north west and south west riverbanks that are in public ownership (but not its setting). Commonwealth approval will be required where an action has, will have or is likely to have a significant impact on the National Heritage values of the place. An action is likely to have a significant impact under the impact guidelines (p.20) if there is a real chance or possibility that it will cause:

one or more of the National Heritage values to be lost

- one or more of the National Heritage values to be degraded or damaged, or
- one or more of the National Heritage values to be notably altered, modified, obscured or diminished.

The recommended vegetation management works are not considered to result in a significant impact on the identified heritage values of the Richmond Bridge.

State

Implementation of Actions suggested within this Vegetation Management Plan are to be guided by the Heritage Tasmania Practice Notes – Historic plantings and landscapes (Heritage Tasmania, 2015).

Heritage Tasmania will generally issue a certificate of exemption for general maintenance of landscapes including actions such as:

- General mowing; seeding, top-dressing, aeration/coring of lawns; removal of dead plants; disease control; mulching; spraying etc.
- · Removal of dead or dying minor shrubs; herbs, perennials etc. or plants of no significance.
- General weed control, noting that some heritage species are environmental weeds, in which case a works application will be required.

Implementation

free surgery, hedging, pruning and trimming are also generally eligible for a certificate of exemption if the works are carried out by qualified arborist(s) or horticulturalists with an appreciation of the heritage value of the vegetation under treatment.

Therefore, the majority of the works recommended in this Vegetation Management Plan will require a permit from Heritage Tasmania.

Approval will be required for:

- · Stump grinding, in areas within moderate and high archaeological interest (as noted in the Management Zones descriptions) if the grinding is deeper than 30cm.
- Tree removal.
- Replacement of trees where the new trees are not of the same species as those removed,
- New plantings (i.e. tree or shrub plantings in areas where no planting has been present historically, but may impact on views to or from historically significant features or landscapes).



Implementation...

Once the consultation on this Draft Vegetation Management Plan has been completed, discussions with Heritage Tasmania will be finalised and a staged process of approvals for the agreed works determined.

An overarching permit for works prescribed in this Vegetation Management Plan may be able to be negotiated. The extent of soil disturbance (e.g. stump grinding and root control barrier installation) will be one of the key issues that Heritage Tasmania will consider in issuing permits for vegetation management.

Local

The Richmond Bridge and Surrounds are identified as a heritage listed place under Table E13.1 of the Historic Heritage Code, Clarence Interim Planning Scheme 2015. The planting, clearing or modification of vegetation for landscaping or management of vegetation purposes within the Richmond recreational area is exempt from the Code.

Succession Planting on Private Land

It is recommended that Clarence City Council investigate the potential for developing partnerships with adjacent landowners to further the vegetation management principles through succession plantings on private land.





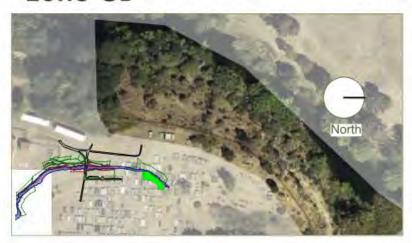
Appendices

- 1. Cemetery Bluff Management Zone
- 2. Action Plan
- 3. Plans (A3 SET)
 - Site Analysis Plan
 - Management Zones
 - · Planting Plan (North)
 - · Planting Plan (South)
 - Borrowed Landscape Notes
- 4. Vegetation Condition as at February 2015 (Aboricultural Survey Report)



Zone CB Priority: Mod

Cemetery Bluff (Private Land, owned by Catholic Church)





Zone CB (Foreground)



OBJECTIVES8

Maintain vegetation cover to minimise erosion. Minimise the spread of environmental weeds through adjacent properties/downstream.

CULTURAL VALUES

- · Largely 'unused' land.
- · Forms a visual backdrop to Recreation Reserve and fore-ground to views from the cemetery.
- · Not seen from the Richmond Bridge.

HERITAGE VALUES

- · Not visually significant area from bridge landscape perspective.
- · Archaeological values not ascertained. However, cemetery is being impacted by erosion of the bluff so heritage issues are evident.

KEY VEGETATION MANAGEMENT ISSUES

- Existing vegetation is dominated by naturalised 'historical' species, which are now considered environmental weeds (briar rose, yucca, hawthorn, boxthorn, etc.).
- · This vegetation is performing the roles of preventing erosion and providing some habitat values for native fauna.
- . The cost and resources required to remove the weeds and replace them with indigenous vegetation may not be acceptable to the community.
- · A long-term (10-15 year) program of gradual weed eradication and replacement with indigenous species is recommended.

- · Monitor weed spread.
- Target the more invasive weed species (particularly gorse) for priority control.
- · Control willows on banks of the Coal River, through an annual program of removal (see Weed Strategy).
- · Gradually work 'in' from the extremities of the site towards the centre, replacing exotic species with indigenous species (particularly Melaleuca ericifolia, Bursaria spinosa, Allocasuarina verticillata - see Species List).

Appendices



Richmond Bridge Vegelation Management Flan - Appendix 2

ACTION PLAN

The Arboricultural Assessment of February 2015 recommends the following specific remedial actions:

| PRIORITY | MANAGEMENT ZONE | ACTION | RESPONSIBILITY |
|----------|--------------------|--|----------------|
| High | Zone A | REMOVAL of trees 95 & 96. | CCC |
| Mod | Zone A | REMOVAL of trees 104 & 105. | ccc |
| High | Zone B | Remove A. melanoxylon (Tree 75) and replace with a new better-formed specimen. | ccc |
| High | Zone B | Pruning of pine (tree 53) to remove large diameter dead wood, | ccc |
| Mod | Zone B | Pruning of peppercom (tree 61) to remove large diameter dead wood. | ccc |
| Mod | Zone C | Pruning of almond (tree 68) to remove large diameter dead wood. | ccc |
| Mod | Zone E | Pruning of peppercom (tree 69) to remove dead wood. | ccc |
| High | Zone F | Pruning of pine (tree 79) to remove large diameter dead wood. | ccc |
| High | Zone I | REMOVAL of trees 25, 27, 28, 29, 30, 36, 37 and 38 | ccc |
| High | Zone I | Minor works to trees 22 & 23; 31-35 inclusive; 39. | ccc |
| Mod | Zone J | REMOVAL of trees 4, 5 & 6 (dead and dying Acacia dealbata). | ccc |

NOTES FOR TABLES:

PRIORITY:

HIGH: Within 6 months. MOD: 6 to 18 months. LOW: 18 months to 3 years.

Refer to Arboricultural report for GPS Coordinates of above-mentioned trees.

RESPONSIBILITY:

CCC: Clarence City Council
State Growth: Department of State Growth

DPIPWE CLS: Department of Primary Industries, Parks, Water and Environment, Crown

Land Services.



Prioritised Vegetation Management Actions:

Note: These recommendations are in addition to the recommendations of the Arborists Report (Appendix 4)

| Photo | Priority | Zone | Description of Issue | Notes | Respon- sibility |
|-------|----------|------|--|--|---------------------|
| | High | A | Remove all Lombardy Poplar suckers within 2m of the bridge structure. | Arborist recommends not using herbicides on suckers. Manual removal is recommended. Avoid damage to bridge structure itself. Scheduled program of manual removal every 6 months is recommended. | State Growth |
| | Low | A | Remove stumps of old white poplars along northern boundary of Zone A. | Complete removal will facilitate ongoing management of grass and enable replacement trees to be established. | ccc |
| | Mod | A | • Remove Pinoak | Is performing poorly (perhaps waterlogged?). Is not a species found elswhere in the Richmond Bridge precinct. Replace with Turkish oak or elm. | ccc |
| | Mod | В | Remove exotic shrubs and small trees from the garden bed below the concrete steps and mass plant with Correa alba. | The existing Correa alba within this bed are performing well and have an appropriate form and colour for this site. The taller shrubs are blocking views to the bridge and river and enclose the pathway too heavily. | ccc |



Richmond Bridge Vegetation Management Plan - Appendix 2

| Photo | Priority | Zone | Description of Issue | Notes | Respon sibility |
|-------|----------|------|---|--|--------------------|
| | Mod | С | Remove stumps throughout the orchard area. | Stumps are impeding mowing and other maintenance operations. Area has medium archaelogical value so an observer is to be present to ensure any artefacts disturbed during works are identified and the site protected if significant quantities/qualities of artefacts are discovered. | ccc |
| | High | D | Remove elm suckers at toe of bank in Zone D. | Use 'cut and paint' method or manual remove,ensuring as much of the parent roof material is also removed. | ccc |
| | Low | D | Revegetate the steep banks of Zone D with indigenous grasses. | Control existing grass and weed cover using a knock-down, broadspectrum herbicide. Leave residue in situ. Lay hession weed mat dawnslope to cover the entire slope. Establish wallaby grass (Austrodanthonia spp.) and kangaroo grass (Themeda triandra). Options for establishment include: hydroseeding or planting seedlings. The latter would be more expensive and take longer to establish a thick enough cover to suppress weed incursions. Hydroseeding is therefore the preferred option. | ccc |
| | Mod | D | Remove Acacia dealbata between concrete steps and the picked fence on top of the embankmen t of Zone D. | Will start to decline in health and should be removed to enable the re-planting of this bank. | ccc |



Richmond Bridge Vegetation Management Plan - Appendix 2

| Photo | Priority | Zone | Description of Issue | Notes | Respon sibility |
|-------|----------|------|---|---|--------------------|
| | Mod | D | Remove wattles. Retain eucalypt. | Specimens are 'leggy' and their removal will enable the revegetation of the adjacent bank with indigenous grasses. Replace with Bursaria spinosa as per the planting plan. | ccc |
| | High | F | Remove yucca, pine seedlings and boxthorn throughout this zone. | Manual removal of these plants will be required. Yucca re-growth will need to be monitored and herbicide treatment may be necessary. Eradication of Yucca is recommended before attempting revegetation of banks with indigenous grasses. | ccc |
| | Low | F | Revegetate the steep banks of Zone D with indigenous grasses. | See prescription for Zone D, | ccc |
| 100 | Mod | F | Stump of old cypress tree. | Grind to fully remove. Medium archaelogical value site; follow Heritage Tasmania guidelines. | ccc |
| | Mod | L | Grind stump of old elm tree and remove suckering re- growth. | Re-plant Ulmus sp. | ccc |
| | Mod | t | Grind stump og old peppercorn tree. | Low archaeological value site but an observer should be present when grinding to ensure works can cease if any historical/cultural artefacts are uncovered. | ccc |



Richmond Bridge Vegetation Management Plan – Appendix 2

| Photo | Priority | Zone | Description of Issue | Notes | Respon- sibility |
|-------|----------|------|--|---|---------------------|
| | High | R2 | Remove ivy from Bridge face. | Remove ivy from stone work. Work with landowner to eradicate Ivy from this site to prevent future maintenance burden and ensure integrity of the bridge in the future. | State Growth |
| | High | R4 | Remove willow suckers/ saplings. | Follow 'Guidelines for Safe and Effective Herbicide Use Near Waterways'. | ccc |
| | Mod | R4 | Remove Prunus sp. sucker from bank, | Follow 'Guidelines for Safe and Effective Herbicide Use Near Waterways'. | ccc |
| | High | R5 | Elm suckers. | Remove Elm suckers through this area to enable view lines to remain open from this zone and the adjacent areas. Follow 'Guidelines for Safe and Effective Herbicide Use Near Waterways'. | ccc |
| | High | R5 | Remove boughs of white poplars 'falling' across th Coal River. | These branches and stems are causing problems with access to the waterway and could potentially contribute to flooding issues up- and down- stream. | DPIPWE CLS |



11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE

11.7.1 MEMORANDUM OF UNDERSTANDING – METRO TASMANIA PTY LTD

(File No 25-06-00)

EXECUTIVE SUMMARY

PURPOSE

To seek Council's authorisation to the signing of a new Memorandum of Understanding between Clarence City Council and Metro Tasmania Pty Ltd.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2010-2015 is relevant.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

Nil.

RECOMMENDATION:

That the General Manager be authorised to sign the Memorandum of Understanding with Metro Tasmania Pty Ltd.

ASSOCIATED REPORT

1. BACKGROUND

- 1.1. Council, at its Meeting of 25 February 2013 resolved: "That the General Manager be authorised to sign the Memorandum of Understanding with Metro Tasmania Pty Ltd". Accordingly, since that time a Memorandum of Understanding (MOU) has been in place between Clarence City Council and Metro Tasmania Pty Ltd.
- **1.2.** In accordance with the existing MOU, regular discussions have been held with Officers from Metro Tasmania in regard to a range of operational and planning issues.

2. REPORT IN DETAIL

- **2.1.** Metro have indicated their desire to enter into a new agreement to reflect new issues and priorities.
- **2.2.** The aim of the agreement is: "to outline procedures to enable the provision of safe, efficient, effective and sustainable passenger transport in the City of Clarence".
- **2.3.** The principal objectives of the agreement are:
 - The Clarence City Council and Metro Tasmania Pty Ltd agree to:
 - Consult one another on issues which might have significant implications for the other organisation. Consultation will be undertaken early at an officer level.
 - Work together to develop close and effective working relationships based on mutual respect and trust.
 - Exchange relevant information gathered as a result of community engagement programs.
 - Establish a framework for co-operation between the Clarence City Council and Metro Tasmania Pty Ltd.
 - Each organisation will allocate resources to ensure the effective operation of this MOU.
 - Clarence City Council and Metro Tasmania Pty Ltd agree to communicate regularly. This will be underpinned by regular 6 monthly meetings at senior management level and informal contact at officer level.
 - Directories identifying relevant key officers in each organisation, their roles, responsibilities and contact details will be shared between the organisations.

- **2.4.** Numerous other matters are detailed in the MOU with only 1 change from the previous MOU:
 - "Clarence City Council will remove graffiti from Clarence Council owned infrastructure located adjacent to Metro owned infrastructure (eg toilets and bus shelters) within 5 days of it being reported to Clarence Council, or within 1 day of it being reported to Clarence Council if the graffiti is offensive".

A copy of the revised MOU is Attachment 1.

2.5. The MOU will be reviewed every 2 years and will be updated to take account of any new issues and priorities.

3. CONSULTATION

3.1. Community Consultation

Not applicable.

3.2. State/Local Government Protocol

Not applicable.

3.3. Other

Not applicable.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

- **4.1.** Council's adopted Strategic Plan 2010-2015, under the Goal Area Prosperity has the following Economic Development Strategy to: "Provide and plan for essential infrastructure to support economic development".
- **4.2.** Council's adopted Strategic Plan 2010-2015, under the Goal Area Environment has the following Strategies:
 - "• Plan and advocate for necessary infrastructure to support development water, gas, energy, transport, telecommunications, community facilities.

- Promote appropriate alternative, energy efficient transport options.
- Develop a whole of City Transport Plan which incorporates Council's agreed transport priorities".
- **4.3.** Council's Strategic Plan 2010/2015 under the Goal Area Social Inclusion has the following Strategies:
 - "• Facilitate the provision of needed public facilities.
 - Work constructively with community groups and other organisations on areas of mutual interest.
 - Provide essential infrastructure to support, sustain and enhance community safety and social well-being".
- **4.4.** Council's Strategic Plan 2010/2015 under the Goal Area Community Leadership has the following Strategies:
 - "• Provide advocacy on behalf of the community and actively engage government and other organisations in the pursuit of community priorities.
 - Develop stronger sub regional, regional and country wide alliances to best represent Clarence".

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

The MOU is a statement of intent and does not create any enforceable rights.

7. FINANCIAL IMPLICATIONS

Nil.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

The proposed Memorandum of Understanding is in accord with the current MOU between Council and Metro Tasmania Pty Ltd and as such is appropriate for Council to authorise its signing.

Attachments: 1. Memorandum of Understanding (3)

Ross Graham

ACTING GROUP MANAGER ASSET MANAGEMENT

Memorandum of Understanding between the Clarence City Council and Metro Tasmania Pty Ltd

Introduction

- 1. This Memorandum of Understanding (MoU):
 - Establishes a framework for cooperation between the Clarence City Council (Clarence
 Council) and Metro Tasmania Pty Ltd (Metro). It sets out the role of each party and how
 they will work together. Its aim is to outline procedures to enable the provision of safe,
 efficient, effective and sustainable passenger transport in the City of Clarence.
 - Will be reviewed every two years and will be updated to take account of any new issues and priorities.
 - Is a statement of intent and does not create any enforceable rights.

Meetings and Informal Contact

- 2. Each organisation will allocate resources to ensure the effective operation of this MoU.
- Clarence Council and Metro agree to communicate regularly. This will be underpinned by regular six monthly meetings at senior management level and informal contact at officer level. Directories identifying relevant key officers in each organisation, their roles, responsibilities and contact details will be shared between the organisations.
- 4. Clarence Council and Metro agree to:
 - Consult one another on issues which might have significant implications for the other organisation. Consultation will be undertaken early at an officer level.
 - Work together to develop close and effective working relationships based on mutual respect and trust.
 - Exchange relevant information gathered as a result of community engagement programs.

Roles and Responsibilities of Clarence Council and Metro

- 5. Clarence Council will:
 - Engage with Metro on development proposals and applications that may impact upon the access to and demand for passenger transport services and infrastructure, or the operation of existing services and location of infrastructure.
 - Engage with Metro in relation to roadworks, proposed traffic operation changes, kerbside parking changes, traffic management schemes and other transport initiatives that could have an impact upon the operation of Metro services, including the ride quality of passengers.

- Work with Metro to understand the issues of concern regarding the access to and operation of passenger transport services in the City of Clarence and to help identify practical solutions.
- Actively promote, where appropriate, the use of passenger transport to the benefit of the Clarence community.
- Work with Metro to develop an effective strategy for progressively improving access to
 passenger transport infrastructure and services to meet the Disability Standards for
 Accessible Public Transport 2002.
- · Work with Metro to consider issues relating to the location of bus stop infrastructure.
- Remove graffiti from Clarence Council-owned infrastructure located adjacent to Metroowned infrastructure (e.g. toilets and bus shelters) within five days of it being reported to Clarence Council, or within one day of it being reported to Clarence Council if the graffiti is offensive in nature.
- Engage with Metro regarding the potential for improved information being provided to the Clarence community regarding Metro services.
- Consider traffic management measures and priority that will facilitate an improvement in the movement of bus services through the City of Clarence.

6. Metro will:

- Work with Clarence Council to understand the issues of concern to the Clarence community regarding the operation of passenger transport services or infrastructure in the City of Clarence.
- Work with Clarence Council to help identify practical solutions to the issues of concern, and in particular those issues relating to any higher maintenance costs on local roads that serve as bus routes.
- Engage with Clarence Council on any reviews of passenger transport infrastructure or services in the City of Clarence.
- Work with Clarence Council and Tasmania Police to improve the overall safety, functionality and effectiveness of the Rosny Park Bus Interchange.
- Respond to requests from Clarence Council for information on the passenger transport impacts of development proposals, sub-divisional designs and other planning related matters, where appropriate.
- Work with Clarence Council to develop an effective strategy for progressively improving access to passenger transport infrastructure and services to meet the *Disability* Standards for Accessible Public Transport 2002.
- Engage with Clarence Council on the location, erection and maintenance of bus stop infrastructure and the location of bus routes.
- Remove graffiti from Metro-owned infrastructure (e.g. toilets and bus shelters) located in the City of Clarence within five days of it being reported to Metro, or within one day of it being reported to Metro if the graffiti is offensive in nature.
- Work with Clarence Council on the provision of services to, and promotion of, major Clarence Council events.

| Signed on behalf of the Clarence City Council | |
|---|---|
| | Andrew Paul |
| | General Manager |
| Dated: | |
| Signed on behalf of Metro Tasmania Pty Ltd | May Winding |
| Dated: 24/8/15. | Stuart Wiggins Chief Executive Officer |

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11.7.2 MEMORANDUM OF UNDERSTANDING VOLUNTARY AMALGAMATIONS (File No 10-13-01)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to enable Council consideration of a Memorandum of Understanding (MOU) with the State Government in relation to voluntary amalgamations and shared services.

RELATION TO EXISTING POLICY/PLANS

Council previously resolved at its Meeting of August 24, 2015:

- "A That Council approves the draft feasibility Study Scope as appended to the draft report.
- B That Council authorise the General Manager to make minor and incidental amendments to the scope if required for the purposes of ensuring informality between the participating Councils, communicating such changes to Aldermen in a contemporaneous manner.
- C That the General Manager be actioned to seek quotations and proposals from consultant parties short listed by the Director of Local Government for the purposes of undertaking the feasibility studies, noting that Council reaffirms its earlier decision to rename the right to appoint a consultant of their own choosing to undertake any feasibility studies.
- D That Council hold a workshop to determine criteria for Clarence to evaluate feasibility study proposals received.
- E That Council reserves the report to seek an independent evaluation of assumptions and findings from any feasibility, study undertaken".

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

There has been no consultation at this stage.

FINANCIAL IMPLICATIONS

Under the MOU the State Government will provide \$ for \$ funding towards the undertaking of the feasibility study.

Council has allocated \$50,000.00 in the 2015/16 budget for the undertaking of feasibility studies.

RECOMMENDATION:

- A. That Council authorise the General Manager to negotiate funding arrangements with the State Government for the undertaking of the feasibility studies.
- B. That Council authorise the General Manager to make minor and incidental amendments to the MOU if required for the purposes of ensuring conformity between the participating Councils, communicating such changes to Alderman in a contemporaneous manner.
- C. That Council authorise the General Manage to sign the MOU on behalf of the Council.

ASSOCIATED REPORT

1. BACKGROUND

- **1.1.** Council has previously resolved to participate in 2 feasibility studies in relation to possible voluntary amalgamations to form a Greater South–Eastern Council or a Greater Metropolitan Hobart Council.
- **1.2.** Such studies would also include a concurrent study into the feasibility of shared services.
- **1.3.** Council has also resolved to seek quotations and proposals from the consultant parties short listed by the Director of Local Government for the purposes of undertaking the feasibility studies.
- **1.4.** Council has also resolved to reserve the right to appoint a consultant of their own choosing and to seek an independent validation of findings and assumptions from any feasibility studies undertaken.

2. REPORT IN DETAIL

2.1. In order to facilitate the undertaking of the proposed feasibility studies the State Government has proposed a MOU between the State and the participating Councils be entered into.

2.2. The purpose of the MOU is to formalise arrangements for the development of the proposed feasibility study proposals.

2.3. Essentially the MOU provides:

- for the State Government and Council to provide \$ for \$ funding:
 - for the parties to; jointly agree a consultant to undertake the feasibility study/studies;
 - for the parties to undertake the procurement process for consultant engagements;
 - for the parties to assist the consultants selected with the provision of any necessary information or data in a timely manner;
 - for the Councils to provide a copy of the completed study/studies
 to the Minister and advise the Minster in due course of the
 Councils consideration of the feasibility study/ies.
- **2.4.** The MOU notes that in the instance that none of the consultant's submissions received are deemed acceptable, Councils shall notify the Minister and provide a preferred option to advance the feasibility study/ies.
- **2.5.** A copy of the proposed MOU is included as Attachment 1.
- **2.6.** Given that the draft to the MOU is required to be signed by a number of Councils it is likely that there may be some minor and incidental amendments to the MOU.
- **2.7.** In this respect it would be appropriate for Council to authorise the General Manager to negotiate and agree to such amendments

3. CONSULTATION

3.1. Community Consultation

There has been no consultation in respect of this matter.

3.2. State/Local Government Protocol

Nil.

3.3. Other

Nil.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Council has previously resolved at its Meeting of August 24, 2015.

- That Council approves the draft feasibility Study Scope as appended to the draft report.
- That Council authorise the General Manager to make minor and incidental
 amendments to the scope if required for the purposes of ensuring conformity
 between the participating Councils, communicating such changes to Aldermen
 in a contemporaneous manner.
- That the General Manager be authorised to seek quotations and proposals from consultant parties short listed by the Director of Local Government for the purposes of undertaking the feasibility studies, noting that Council reaffirms its earlier decision to reserve the right to appoint a consultant of their own choosing to undertake any feasibility studies.
- That Council hold a workshop to determine criteria for Clarence to evaluate feasibility study proposals received.
- That Council reserves the right to seek an independent evaluation of assumptions and findings from any feasibility study undertaken.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

The MOU notes that: "the parties agree that this MOU is not intended to be legally binding but the terms of this MOU are subject to the Statutory Obligations of all parties".

7. FINANCIAL IMPLICATIONS

- **7.1.** Under the MOU the State Government has agreed to provide \$ for \$ funding with the participating Councils.
- **7.2.** Council has provided \$50,000.00 in the 2015/16 budget for the purpose of undertaking the feasibility studies.
- **7.3.** It is proposed that the General Manager be authorised to negotiate the final funding arrangements with the participating Councils and the State Government.

8. ANY OTHER UNIQUE ISSUES

None apparent

9. CONCLUSION

That the General Manger be authorise to negotiate and sign the final MOU.

Attachments: 1. Memorandum of Understanding Voluntary Amalgamations (10)

Andrew Paul

GENERAL MANAGER

MEMORANDUM OF UNDERSTANDING

between

STATE GOVERNMENT OF TASMANIA

represented by the Department of Premier and Cabinet

and

COUNCILS

in relation to the consideration of a voluntary amalgamation and strategic



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BACKGROUND

The Minister for Planning and Local Government, the Hon Peter Gutwein (the Minister), is committed to Tasmania being the most competitive and attractive jurisdiction in the country to live, work, visit and invest.

Critical to achieving this vision is councils improving their strategic capacity, financial sustainability, and service delivery. This can be achieved through voluntary amalgamations and strategic resource sharing.

The State Government recognises the need for a careful and considered approach to developing options and would like to work with local government to consider how this may best be achieved. The evidence in other states suggests that some of the successful factors include developing a comprehensive business case and building support within amalgamating councils and communities for change.

The Government is not advocating a wholesale reduction of councils in order to achieve a pre-determined number. The Minister has established principles that must be met before an amalgamation proposal will be considered. Amalgamations must:

- be in the interest of rate payers;
- improve the level of services for communities;
- preserve and maintain local representation; and
- ensure that the financial status of the entities is strengthened.

To assist with this process, the State Government is prepared to support councils in the development of feasibility studies into voluntary amalgamation proposals and strategic resource sharing initiatives.

2. PARTIES

This MOU is between:

THE STATE OF TASMANIA as represented by the Department of Premier and Cabinet

and

The Clarence Council,

The Sorell Council

and

The Tasman Council.

3. PURPOSE

The purpose of this MOU is to formalise the arrangements for the development of a feasibility study regarding a voluntary amalgamation and strategic shared services proposal between the Councils.

4. PROCESS AND COMMUNICATION

4.1 Process

As soon as practicable after the signing of this MOU, the State Government and the Councils will:

- Seek feasibility study proposals from the consultants listed in Schedule 2;
- Review and provide detailed evaluation of submissions received;
- Determine which, if any, submission received is acceptable to the Councils and finalise consultant selection;
- Assist the selected consultant in undertaking the feasibility study;
- Consider the outcomes of the feasibility study and advise the Minister of the councils' consideration of the feasibility study.

In the instance that none of the submissions are deemed acceptable, Councils shall notify the Minister and propose a preferred option to advance the feasibility study.

4.2 Communication

The parties agree that discussions on the development of the feasibility study are confidential and it is agreed that any public release of information during the development and finalisation of the feasibility study will require authorisation from all parties.

The parties agree that there will be a joint media release between the Minister and the Mayors of the Councils when this MOU is signed.

The parties agree that there will be a joint media release between the Minister and the Mayors of the Councils when the feasibility study is completed and released.

5. ROLES AND RESPONSIBILITIES

5.1 State Government roles and responsibilities

Under this MOU the State Government is responsible for the following activities:

- provide up to \$??????? towards the feasibility study;
- jointly agree with the councils a consultant to undertake the feasibility study;
- undertake the procurement process for consultant engagement;
 and
- assist the consultants responsible for undertaking the feasibility study with the provision of any necessary information or data in a timely manner.

5.2 Council roles and responsibilities

Under this MOU the councils are responsible for the following activities, to:

- match dollar for dollar with the State Government funding for the feasibility study;
- jointly agree with the State Government a consultant to undertake the feasibility study.
- assist the consultants responsible for undertaking the feasibility study with the provision of any necessary information or data in a timely manner; and
- provide a copy of the feasibility study to the Minister and advise the Minister in due course of the councils' consideration of the feasibility study.

6. ADMINISTRATION

6.1 Commencement

This MOU commences on the date it is signed by the parties.

6.2 Term

This MOU will remain in place until advice is provided to the Minister on the outcome of the councils' consideration of the feasibility study unless it is terminated under clause 6.7.

6.3 Variation

The parties will agree any variation to the MOU in writing.

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6.4 Responsible officers and notices

The officers responsible for the management of this MOU and any notice, request or other communication are:

| Local Gove | rnment Division | _ | |
|--------------------|--|---|--|
| Primary contact | Phillip Hoysted Director Local Government Division | | |
| ?????? Cou | ncil | | |
| Primary contact | General Manager ????? Council | | |
| ????? Coun | cil | | |
| Primary contact | General Manager ????? Council | | |

Each party will advise the other, if there are changes to the contacts in the table above.

6.5 Limitation of liability

The parties will not assume liability for each other's losses, consequential or otherwise, in the provision of services or resources related to this MOU.

6.6 Dispute resolution and arbitration

The parties agree to adopt a flexible approach and make reasonable efforts to resolve issues as they arise without recourse to unnecessary escalation. If any issue or dispute arises, all parties will endeavour in good faith to resolve the dispute expeditiously and amicably.

Should a dispute arise that cannot be resolved through negotiation between the parties, the dispute shall be subject to conciliation and arbitration by a mutually agreed person who is a servant of the Government of Tasmania. The LGD and the councils will assist the process to ensure conciliation and arbitration provides resolution within 40 calendar days.

6.7 Early termination

Any party may terminate this MOU at any time with 60 days' notification in writing to the other parties.

Early termination would either be by mutual agreement or on the understanding that, where appropriate, dispute resolution and arbitration (See Clause 6.6) between the parties would occur prior to

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the giving of notice under this clause with a view to resolving any issues and so avoiding termination.

6.8 General

The parties agree that this MOU is not intended to be legally binding but the terms of this MOU are subject to the statutory obligations of all parties.



| 7. SIGNING PAGE Signed for and on behalf of The Crown in Right of Tasmania by the Minister for Planning and Local Government, the Hon Peter Gutwein, being a duly authorised person in the presence of: Signature //2015 Date |
|--|
| Signature of witness |
| Name of witness (block letters) |
| Address of witness |
| Occupation |
| Occupation |
| Signed for and on behalf of the ???? Council, by the Mayor, ?????, being a duly authorised person in the presence of: //2015 Date |
| Signature of witness Name of witness (block letters) |
| Address of witness |
| Occupation |
| Signed for and on behalf of the ???? Council, by the Mayor, ????, being a duly authorised person in the presence of: Signature Signat |
| Signature of witness |
| |
| Name of witness (block letters) |

| Address of witness | | | |
|--------------------|----------------|--|--|
| | | | |
| Occupation | /, | | |

8. SCHEDULE 1 - TERMS OF REFERENCE FOR FEASIBILITY STUDIES

A feasibility study into a strategic resource sharing initiative between two or more councils will include:

1.



9. SCHEDULE 2 - FEASIBILITY STUDY PANEL OF CONSULTANTS

| Primary contact Position Company Contact details | Mr Paul Green Partner KPMG 03 6230 4000 pjgreen@kpmg.com.au |
|---|--|
| Primary contact Position Company Contact details | Mr Simon Tarte Engagement Partner – Hobart Deloitte Touche Tohmatsu 03 6237 7030 starte@deloitte.com.au |
| Primary contact Position Company Contact details | Ellen Witte Associate SGS SGS Economic and Planning 0421 372 940 ellen.witte@sgsep.com.au |
| Primary contact Position Company Contact details | Larni De Courtenay Partner, Operational Transaction Services Ernst & Young 02 9248 5178 Iarni.de.courtenay@au.ey.com |

11.7.3 COMMUNITY SUPPORT GRANTS

(File No 09-17-05A)

EXECUTIVE SUMMARY

PURPOSE

To consider the Community Grants Assessment Panel's recommendations for the allocation of financial assistance in respect of the September 2015 round of Community Support Grants.

RELATION TO EXISTING POLICY/PLANS

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

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

There is an annual budget for the Community Grants Program including the bi-annual Community Support Grants.

RECOMMENDATION:

That Council approves financial grants amounting to \$18,940.00 to community groups and organisations, as detailed in the schedule.

ASSOCIATED REPORT

1. BACKGROUND

- **1.1.** A funding round for bi-annual Community Support Grants closed on 15 September 2015 and 15 applications were received (refer to Attachment 1).
- **1.2.** The Community Grants Assessment Panel reviewed all applications and has recommended 14 projects be funded to varying amounts.

2. REPORT IN DETAIL

- **2.1.** The Community Support Grants program was advertised in "The Mercury", the Council Rates News, the Eastern Shore Sun and on Council's website. An email was sent to all non-profit groups listed in the Community Directory.
- **2.2.** Applications for this round of the Community Support Grants closed on 15 September 2015 and a total of 15 applications were received for funding totalling \$21,468.37.
- **2.3.** Of the 15 applications received, 14 applications have been recommended for approval and 1 application was not supported. Eleven applications were recommended for the full funding requested and a further 3 have been recommended for partial funding. The details are as follows.
 - In respect to the Clarendon Vale Neighbourhood Centre's auspicing application for \$1,500.00 for the Liberty Swing project, the Grants panel agreed that the liberty swing project will provide a valuable community asset. Unfortunately the swing is to be established on the site of the Clarendon Vale Child and Family Centre which is State Government property and therefore ineligible under the Guidelines. The panel agreed that there should be some support offered toward the liberty swing and is recommending that funds be provided to cover the delivery cost of the swing (\$1,272). The grant will be subject to the organisation securing further funds from their application to the Tasmanian Community Fund.
 - In respect to the Richmond Cambridge Cricket Club's application for \$1,200.00 for a portable batting net and a bowling machine safety cage. The panel agreed that there are adequate training facilities provided by Council at the ground as there are already 2 training nets and the portable batting net was not considered essential. The bowling machine safety cage will provide protection and safety for the players and is considered a necessary piece of equipment to use with the bowling machine that they already have.

The panel is partially supporting this application for \$600.00 for the purchase of the bowling machine safety cage only.

- In respect to the Clarence United Football Club's application for \$1,500.00 for a Coaches Training Program, the Grants panel agreed to partially support the application for the cost of the Football Federation Tasmania accreditation course and associated equipment to run the clinics to the value of \$1,000.00. The panel did not support the additional \$500.00 requested for the cost of reimbursement/gifts for the volunteers to conduct the clinics, as the provision of gifts is ineligible under the Guidelines.
- The application for the Howrah Mens' Shed was not supported as it is ineligible under the guidelines as:
 - the project has already commenced prior to funding being approved (the mezzanine floor construction has already commenced); and
 - they received a grant in the last round and this project is not yet completed and hence not acquitted.

3. CONSULTATION

3.1. Community Consultation

Nil.

3.2. State/Local Government Protocol

Nil.

3.3. Other

Nil.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

4.1. The Community Support Grants aim to support groups for amounts of up to \$1,500.00 for one-off activities or projects that benefit the Clarence community.

- **4.2.** The Grants program is a strategic investment tool, assisting the community to meet and respond to Council's priorities and vision as outlined in the Strategic Plan 2010-2015. It enables Council to contribute to the community by:
 - supporting local communities to build on existing capacity and progress their health and well-being;
 - supporting local communities to sustainably manage and enhance the natural and built environments of the City;
 - supporting local communities to work together for a vibrant,
 prosperous and sustainable city; and
 - encouraging engagement and participation in the community.
- **4.3.** It operates in the context of other related Council policies, Plans and activities for example: Youth Plan, Cultural Arts Plan, Positive Ageing Plan, Cultural History Plan, Health and Wellbeing Plan, Community Participation Policy and Clarence Events Plan.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

Nil.

7. FINANCIAL IMPLICATIONS

A budget of \$35,000.00 has been approved for the 2015/16 financial year. The Community Support Grant is a bi-annual grant and the total amount recommended by the panel for this round is \$18,940.00, which will leave a balance of \$16,040.00 available for the March 2016 round.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

The Community Grants Panel has assessed 15 applications and 14 are recommended to Council for approval for the amounts indicated as per the attached schedule.

Attachments: 1. Community Support Grants September 2015 Schedule (11)

Andrew Paul
GENERAL MANAGER

Community Support Grants – September 2015

APPLICATIONS SUPPORTED FOR CONSIDERATION

Applicant: Scouts Australia – Clarence District Venturer Group

Project: Purchase of Hiking Equipment

Amount Requested: \$1,500.00

Project Description: The Clarence District Venturer Group attracts youth aged 14 to 18 years old from the wider Clarence municipality. Some members do not have access to hiking/camping equipment and the objective of this project is to have a supply of equipment which these members can borrow. This means they will then have the opportunity to participate in hiking and camping activities which previously they weren't able to participate in. This should then enable more youth from within the Clarence municipality to join and participate in activities undertaken by the Venturer group. Equipment includes backpacks, jackets, trangias, personal locator beacon and compasses.

Comments: Meets the criteria. Aligns with Council's Youth Plan and Health & Wellbeing Plan. This application is supported by the Grants Assessment Panel. Quotes for equipment have been provided.

Recommendation: The application is supported for the amount of \$1,500.00.

Applicant: Clarence Junior Football Club

Project: Defibrillator purchase Amount Requested: \$1,500.00

Project Description: The Clarence Junior Football Club supported by the Clarence Little Athletics Club would like to install a defibrillator at the Clarence High School Sporting Facility. The need for a defibrillator at a sporting ground has been brought to our attention by the "Defibs in Clubs" program initiated by St Johns Ambulance. The Clarence High oval is now used extensively by these 2 clubs and other community organisations throughout the year. The defibrillator retails for over \$3,000 but utilising the "Defibs in Clubs" Program and a discount from St Johns Ambulance they can be made available to football clubs for \$1,700 inc. GST. St Johns will also provide familiarisation training for the Heart Start (which is a non-certificate training course) which will be available to anyone who wants to attend. The Defibrillator will also be registered on the Ambulance Tasmania community listing and will be accessible to be used if required within the local vicinity, further assisting the greater Clarence community.

Comments: Meets the criteria. Aligns with Council's Health and Wellbeing Plan. This application supported by the Grants Assessment Panel. A quote for the defibrillator has been provided.

Recommendation: This application is supported for the amount of \$1,500.00.

Applicant: Scouts Australia - Clarence Sea Scouts

Project: Sea Scouts Rowing to Oarsomeness

Amount Requested: \$1,175.00

Project Description: Clarence Sea Scouts are looking to replace the oars for both of the 18 foot patrol boats that are used for both rowing and sailing. Patrol boat is a class of boat used in scouting for both sail and rowing activities including competition. Clarence Sea Scouts have a timber and a fibreglass boat. The timber boat has recently completed a painstaking renovation completed by parents, leaders and group committee members. The existing oars are 15 years old and have started to fail under load. There are currently not enough serviceable oars to fully man each boat. For safety reasons each boat requires 8 oars fitted with rowlocks and rubber oar stops.

There are 2 types of oars used by Clarence Sae Scouts: the lighter weight (8 Foot) pine oars which are suitable for the younger members and the stronger (9 foot) hardwood oars that the larger teenagers use. The hope is to obtain oars of similar size and construction so that the few existing usable oars can be retained as spares, therefore obtaining maximum benefit of our assets and ensuring maximum participation by opening up rowing to a wider age group of youth.

Comments: Meets the criteria. Aligns with Council's Youth Plan and Health and Wellbeing Plan. This application fully supported by the Grants Assessment Panel. A quote for the oars and accessories has been provided

Recommendation: This application is supported for the amount of \$1,175.00.

Applicant: Rokeby High School Association Inc.

Project: Clarence Plains Creative Connections

Amount Requested: \$1,500.00

Project Description: The Clarence Plains Creative Connections project aims to provide exciting and unique arts workshop opportunities to young people in the area. Over the years, Rokeby High Schools' combined school productions have been hugely successful in engaging hundreds of students in dance, drama, storytelling, and performing. This project will build upon these experiences and offer more artistic opportunities including music, fashion, and multimedia to broaden their artistic horizons and make real life connections with artistic expression. This project will give students an opportunity to come together and develop community connections and skills by participating in creative music and fashion workshops and learn new ways of self-expression and collaboration. There will be a large focus on physical and mental health awareness and how creative art forms are a positive outlet for young people and the main goal is to empower young people to have confidence to pursue their creativity.

Comments: Meets the criteria. Aligns with Council's Youth Plan, Events Plan and Health & Wellbeing Plan. This application fully supported by the Grants Assessment Panel.

Recommendation: This application is supported for the amount of \$1,500.00.

Applicant: Clarendon Vale Neighbourhood Centre (Auspicing for the Clarence Plains

Child and Family Centre)

Project: Project Liberty Swing Amount Requested: \$1,500.00

Project Description: Project Liberty Swing is a community development/capacity building project whose core aim is to purchase and construct a liberty swing on the site of the Clarence Plains Child and Family Centre (CPCFC) grounds. The swing will be utilised to enhance the support for families and children with disabilities and encouraging greater physical participation in the life of their community, participation in integrated health and wellbeing programs and also enhancing opportunities for inclusive, therapeutic play.

Significant community consultation has resulted in several community inspired initiatives that have raised the profile of the project and have also prompted several fund raising ventures. The fund raising initiatives include the Clarence Plains Midwinter Festival and the High Tea Pyjama Party organised and run by community volunteers and local services.

Organisations such as the Clarence Plains Child and Family Centre's Leadership Group, Clarence City Council's Youth Services, Mission Australia, Clarence Plains Neighbourhood Centre, the Clarendon Vale Primary School, Tasmania Police, Tasmania Fire Brigade (Rokeby Branch), the Clarence Soccer Club and the PCYC have all played their part in assisting to raise one third of the projected project costs. Commercial businesses including Audrey Hair, the Rokeby Drug Store, Big W, Harris Scarfe and the Savoy Baths (Hobart) have also supported the liberty swing project through the donation of prizes which were auctioned during the High Tea event.

Professionals will install the swing and boundary fencing according to current Department of Education / Australian Playground Standard specifications (Australian and New Zealand Standard AS/NZS 4481.1: Playground and playground equipment).

The funding requested is to purchase rubber soft fall, a safety sign, pine bark soft fall and plants beautify the area around the swing. The Clarendon Vale Neighbourhood Centre through the Community Shed will provide volunteers who will assist with the construction of garden edging, mulching and soft landscape plantings.

Comments: The Grant Assessment Panel agreed that this project will provide a valuable community asset. Unfortunately the swing is to established at the Clarence Plains Child and Family Centre which is State Government property and the under the guidelines any improvement to private or government owned property is ineligible. However, the grants assessment panel agreed that there should be some support offered for the swing and is recommending that funds be provided to cover the delivery costs of the swing (\$1,272). This application is partially supported by the Grants Assessment Panel for the delivery costs only. This will be subject to the organisation being successful in securing further funds from their application to the Tasmanian Community Fund. Aligns with Council's Health & Wellbeing Plan and Access Plan.

Recommendation: This application is supported for the amount of \$1,272.00.

Applicant: Lauderdale Football Club

Project: Purchase of Defibrillator

Amount Requested: \$1,500.00

Project Description: The Lauderdale Football Club propose to purchase a Defibrillator which will be placed in the club rooms and made accessible for all games, functions or events at the ground. The defibrillator will be registered with the Tasmanian Ambulance Service and will provide a much needed service in the broader community. Given the nature of the competitive sport, the likelihood of needing access to a lifesaving device like a defibrillator is heightened at this venue.

Comments: Meets the criteria. Aligns with Council's Health and Wellbeing Plan. This application supported by the Grants Assessment Panel.

Recommendation: This application is supported for the amount of \$1,500.00.

Applicant: Hobart Model Aero Club Inc.

Project: Fire Mitigation

Amount Requested: \$1,500.00

Project Description: The Hobart Model Aero Club Inc. wish to have on-site firefighting equipment. The airfield in Colebrook Road, Richmond (Kelly Field) is 42 acres of grass which when dry is always at risk to or from adjacent properties. The intention is to run training courses for the members in equipment operation. The equipment (tank, fire pump and hoses) will be mounted on a small trailer towable behind a large mower. Having this equipment will enable prompt fire control in hot and windy weather until local fire brigades arrive. It can also be used to assist with fires on neighbouring properties. All work will be undertaken at Kelly Field (see map attached).

Comments: Meets the criteria. This application supported by the Grants Assessment Panel. A project for health and safety of the group and surrounding area.

Recommendation: This application is supported for the amount of \$1,500.00.

Applicant: Richmond Online Incorporated

Project: Richmond Village Visitor Information Service Hub

Amount Requested: \$1,491.00

Project Description: The project seeks to establish a small visitor information hub adjacent to the Richmond Online Access Centre. Richmond Village is recognised as one of the most significant tourist attractions in Tasmania yet there is no dedicated tourist information facility with the township and static tourist information displays are limited to roadside display board on the southern approach to the township.

Due to the heritage value of the building it is proposed that the hub be modelled on a 3 sided convention booth temporary structure and also allow the hub to be relocated elsewhere in the immediate area to cater to events such as the Richmond Farmers and Makers market, the Richmond Village Fair and on days when large influxes of cruise ship visitors are expected. Richmond Online Inc. volunteers will maintain and staff the hub in peak periods and ensure that the hub is stocked and available to visitors when the Access Centre is open.

The hub will also include a laptop and screen to allow visitors to access the internet to assist in responding to visitor enquiries and to display slideshows of regional attractions, maps and relevant information.

Comments: Aligns with Council's Cultural History Plan. A project for assisting tourists with relevant information. This application is supported by the Grants Assessment Panel.

Recommendation: This application is supported for the amount of \$1,491.00.

Applicant: Uniting Age Well Lillian Martin

Project: Ice-cream and Sundaes

Amount Requested: \$1.500.00

Project Description: The Nursing Home committee would like to design and build a trolley for the purpose of serving ice-cream and sundaes to our residents within the Lillian Martin Nursing Home in particular the Dementia unit as well as the homes other residents, family members and clients who participate in the community programs (see representative pictures attached).

The project will involve support and involvement from the nursing home staff, volunteers, maintenance and hotel services and the Mens Shed to help maintain and paint the trolley.

The project will take place within the Lillian Martin Nursing home in Mornington. The main function will be to provide ice-creams and sundaes to the residents in particular the dementia residents and community clients and this will also encompasses their 'Dine Well' experience.

Comments: Although quirky, this project would bring some enjoyment for the residents of the centre. This project aligns with Council's Positive Ageing Plan and Access Plan. This application is supported by the Grants Assessment Panel.

Recommendation: This application is supported for the amount of \$1,500.00.

Applicant: Edmund Rice Services Limited (Auspicing for MacKillop Catholic College)

Project: Wicking Bed Workshop

Amount Requested: \$1,500.00

Project Description: MacKillop Catholic College through Edmund Rice Services are proposing to run a free vegetable garden bed making workshop on Saturday 28th November from 10am – 3pm. This will be facilitated by a professional permaculture designer form Food in My Back Yard (FIMBY). Children of disadvantaged backgrounds and their parents will be invited to join. The focus will be on residents of Warrane, Rokeby and Clarendon Vale however the workshop will be open to all members of the Clarence community.

The workshop will focus on constructing a wicking garden bed, which are ideal because they require less frequent watering and can be built to a much more ergonomic height.

Comments: This application is support by the Grants Assessment Panel. This project provides a free educational workshop for fresh food production in back yards for local residents.

Recommendation: This application is supported for the amount of \$1,500.00.

Applicant: Richmond Cambridge Cricket Club

Project: Training Equipment Upgrades

Amount Requested: \$1,200.00

Project Description: The Richmond Cambridge Cricket Club would like to update and improve training equipment for 2015/16 season. The funding is requested to purchase is a bowling machine safety cage. A bowling machine was purchased 5 years ago but unfortunately a cage was not purchased and that meant that the person feeding the machine had no protection. A player was seriously injured 2 years ago and since that time the machine has not been used. With this safety cage added, this machine can be used to benefit both junior and senior players. The second item is a cricket pitch portable batting net. The club has 2 training nets but their location, surface and run up are completely different to the actual pitch. The cricket pitch portable batting net can be purchased through the Greg Chappell Cricket Centre and can be set up and taken down each training session.

Both of these items are one off purchases and shouldn't need to be replaced. Both significantly improve the training facilities, skills, levels and options. It also adds an additional layer of professionalism to the club.

Comments: The Grant Assessment Panel agreed that there are adequate training facilities provided by Council at the ground and the portable batting net was not considered essential training equipment. The bowling machine safety cage provided protection and safety for the players and is a necessary piece of equipment that otherwise cannot be used. The Grant Assessment Panel is partially supporting this application for \$600 for the purchase of the bowling machine safety cage only.

Recommendation: This application is supported for the amount of \$600

Applicant: Rokeby Child Care Centre (Rokeby Neighbourhood Centre)

Project: Tricycles with Helmets

Amount Requested: \$1,402.00

Project Description: Rokeby Child Care Centre is run by the Rokeby Neighbourhood Centre Management Committee and provides flexible day and half day care for children of families 3 days a week in the Rokeby and surrounding area to provide respite for parents, an educational and caring environment for children and an opportunity for families to find time for casual or part time employment or study.

The funding will provide four tricycles and helmets for children at the Rokeby Child Care Centre. The provision of helmets will encourage the use of helmets for safe riding for the children now, and into the future.

Due to limited funding at the centre the trikes (that have been patched up in the past by staff for many times), are now broken beyond repair.

The bikes will be kept in our secure shed at the child care centre. The children can then ride regularly at the centre, encouraging gross motor skills, outdoor activity, social skills and general health and wellbeing.

Comments: This project provides support in an area of socio-economic disadvantage and provides a healthy activity for young children. Aligns with Council's Health & Wellbeing Plan. This application is supported by the Grants Assessment Panel.

Recommendation: This application is supported for the amount of \$1,402.00.

Applicant: Clarence United Football Club Inc.

Project: Coaches Training Program

Amount Requested: \$1,500.00

Project Description: In preparation for the 2016 season the club wish to expand the junior program. A lot of children stop playing sport in the transition from primary to high school. Clarence represents a range of suburbs on the Eastern Shore and hope to be able to cater to any child wishing to be part of the club in 2016. As part of the program the club wish to ensure that coaching staff are fully accredited to the standard that will help to develop footballers within the club. This accreditation will be organised in collaboration with Football Federation Tasmania (FFT) to ensure that all coaches are sufficiently qualified.

Comments: The budget included \$500 for reimbursement/gifts to conduct clinics. The Grant Assessment Group agreed that grant funds should be available to conduct the coaching clinics but not for the purchase of gifts, therefore this application is partially supported to the value of \$1,000.00 by the Grants Assessment Group.

Recommendation: This application supported for the amount of \$1000.00.

Applicant: Cambridge Primary School Parents and Friends Association

Project: Growing a Passion for Native Gardens

Amount Requested: \$1,500.00

Project Description: Children will research and select the appropriate plants for each area within the school gardens. Children will be guided to consider the purpose of each plant (bush tucker, beauty, bird and wildlife attractors or cut flowers) and its environmental tolerance to shade, soil type and water. Each plant will be labelled with a weather tolerant sign with its common and scientific name to create an arboretum. Children will also be shown how to propagate native plants from seed and cuttings endemic to the Cambridge area. Some of these propagates will be planted in the garden or sold at one of the school fundraiser events. With this we hope to encourage native revegetation and bush corridor projects in the area.

Parents have already shown a keen interest and it is hoped to encourage grandparents and others with knowledge of gardening to participate in this project. The children will plan and conduct a celebratory gardening opening day to showcase the shared learning and passion.

Comments: This application is supported by the Grants Assessment Group.

Recommendation: This application is supported for the amount of \$1,500.00.

14 Applications supported

Total \$18,940.00

Community Support Grants – September 2015

APPLICATIONS NOT SUPPORTED FOR CONSIDERATION

Applicant: Howrah Men's Shed Inc.

Project: Mezzanine Floor

Amount Requested: \$1,200.00

Project Description: The Shed located next to the Howrah Recreation Centre, 11 Howrah Road, Howrah has been constructed with provision for a mezzanine floor. The floor joists and access stairway have been constructed. The application is to source funding to purchase yellow tongue flooring to place on the joists to create a storage space and for steel to construct a safety rail fence.

Part of the original plan to create storage space for timber and other materials which will assist in keeping the shed floor uncluttered and safer for participants.

The members of the Howrah Men's Shed will lay the floor and construct the steel safety rail.

Comments: Unfortunately this application does not meet the eligibility criteria. Under the guidelines the application is ineligible if the project has already commenced prior to funding being approved and the mezzanine floor construction has already commenced. The Howrah Men's Shed was approved for a grant in the last round of which the project is not yet completed. Under the guidelines Howrah Men's Shed is unable to apply for a grant until a previous grant project is completed and acquitted.

Recommendation: For the reasons above, this application is not supported by the Grants Assessment Group.

1 Application not supported

Total \$1,200.00

| Community Support Grants – March 2015 | |
|---|-------------|
| Application Summary | |
| 2015-2016 budget allocation for Community Support Grants (September 2015 & March 2016 rounds) | \$35,000 |
| | |
| Funding allocated in the September 2015 round | \$17,500 |
| Funding available for the March 2016 round | \$17,500 |
| Total | \$35,000 |
| 15 Applications received requesting a total of \$21,468.37 in grant funding | \$21,468.37 |
| 14 Applications are supported at a total of \$18,940.00 | \$18,940.00 |
| The total grant funding recommendation for the September 2015 round | \$18,940.00 |
| Leaving unspent funds of \$16,060.00 for the March 2016 round | \$16,060.00 |

Google Maps Colebrook Rd



Imagery ©2015 DigitalGlobe, Map data ©2015 Google

Colebrook Rd Richmond TAS 7025

bobart Money CLUB

KELLEY FIELD

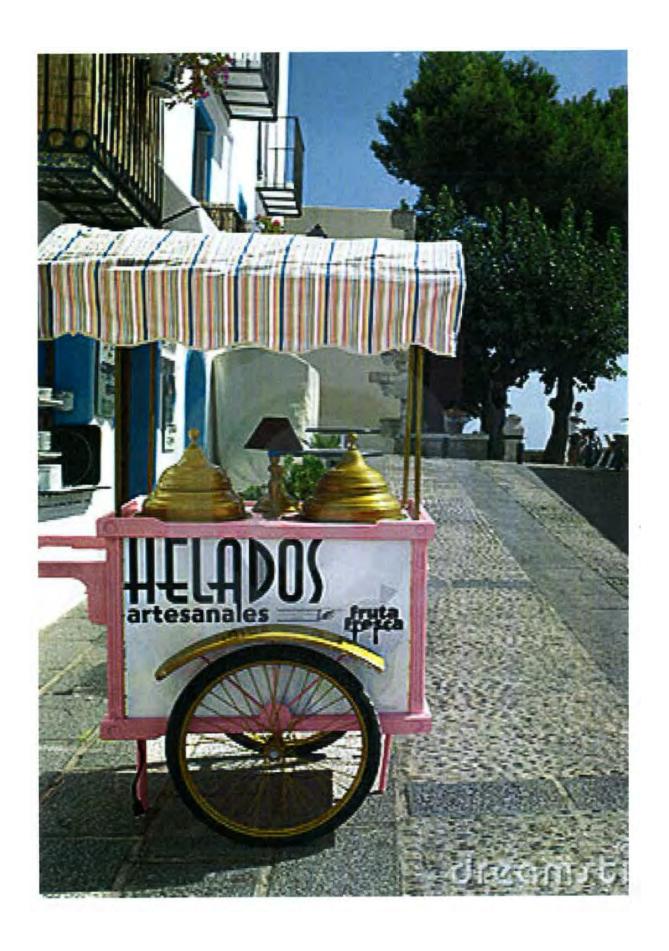
Measure distance

Total area: 155,772.71 m² (1,676,723.52 ft²)

Total distance: 1.64 km (1.02 mi)

1 of 1

11/09/2015 09:25





11.7.4 REVIEW OF CODE FOR TENDERS AND CONTRACT AND PROCUREMENT PROCEDURE

(File No 15-22-10)

EXECUTIVE SUMMARY

PURPOSE

To consider the formal adoption of a revised Procurement Procedure and Code for Tenders and Contracts.

RELATION TO EXISTING POLICY/PLANS

The "Procurement Procedures" and the "Code for Tenders and Contracts" are related policies and are further supported by the operational policies and procedures associated with tendering and the use and operation of Council's Multi-Use Register and other existing operational financial policies.

LEGISLATIVE REQUIREMENTS

The Procurement Procedures and Code for Tenders and Contracts meet the requirements set out in the Local Government Act, 1993 and the Local Government (General) Regulations 2015.

CONSULTATION

Council officers involved in contract and tendering and the procurement processes have been consulted about the content of the revised Procurement Policy and Code. Council's Audit Committee has also considered and endorsed the revised documents.

FINANCIAL IMPLICATIONS

Both the Procurement Procedures and the Code for Tenders and Contracts are designed to ensure open and effective procurement of goods and services for Council, provide for value for money and the enhancement of the capabilities of local business and industry in gaining supply arrangements with Council.

RECOMMENDATION:

- A. That Council adopts the revised "Procurement Procedures" and "Code for Tenders and Contracts".
- B. That the General Manager be authorised to issue all delegations under the "Procurement Procedures" and to establish supporting procedures to ensure the appropriate implementation of the adopted "Procurement Procedures" and the "Code for Tenders and Contracts".
- C. That in order to maintain the currency and operational effectiveness of the Procurement Procedures, Council delegates authority to the General Manager to make appropriate modifications to the Procurement Procedures as necessary.

REVIEW OF CODE FOR TENDERS AND CONTRACT AND PROCUREMENT PROCEDURES /contd...

ASSOCIATED REPORT

1. BACKGROUND

- **1.1.** Council, at its Meeting of 28 November 2005 implemented a "Code for Tenders and Contracts" as required under the Local Government Act, 1993 and the Local Government (General) Regulations introduced in 2005.
- **1.2.** A new "Procurement Policy" was also developed and adopted by Council at its Meeting of 28 November 2005. The Policy introduced operational guidelines for the management of general procurement based on a range of expenditure thresholds.
- **1.3.** The Code for Tenders and Contracts and Procurement Policy has been the subject of periodic review and has previously been revised by Council in 2008 and 2013.
- **1.4.** The Code for Tenders and Contracts is required by legislation to be reviewed every 4 years. Given the inter-relationship between the Code and the Policy, the 2 documents have previously been reviewed simultaneously.
- **1.5.** Recent legislative amendments have changed the threshold amount where tenders must be invited by Council from the previous level of \$100,000 to \$250,000.

2. REPORT IN DETAIL

2.1. Council's Procurement Policy (Procedure) was designed to complement the Code for Tenders and Contracts, which Council was obliged to introduce with the introduction of new regulatory requirements [Local Government (General) Regulations 2005].

These regulations include a number of requirements in relation to Contracts, Tenders, Expressions of Interest and Procurement, which required Councils to adopt a formal Code for Tenders and Contracts on how it dealt with open Tenders, Multiple-use Tenders and Multiple Stage Tenders.

- **2.2.** The new *Local Government (General) Regulations 2015* also include a number of provisions relating to procurement of goods and services valued at less than \$250,000 (excluding GST), including a specific requirements to state when 3 written quotes are required.
- **2.3.** Financial delegations are dealt with within the Procurement Procedures.
- **2.4.** The 2015 review has reviewed both the Procurement Policy (proposed name change to Procurement Procedure) and the Code. Marked up tracked changes versions of the revised Code for Contracts and Tendering and the Procurement Procedure are provided. (Refer Attachments 1 and 2).

Procurement Procedure

2.5. As was the case at the time of the previous 2 reviews, the level of supplier response particularly to quotation requests has generally been less than ideal to enable a good level of market contestability and market choice. This difficulty has been experienced particularly in the lower range of procurement values. Suppliers often decide whether or not to respond based on whether the response is worth their while against the effort required to submit quotations. The reluctance of suppliers to respond to a quotation request can also present difficulties for Council officers to proceed with the project. Supporting processes are in place to address supplier difficulties when experienced.

Changes to the Procurement Procedures have been dealt with in "tracked changes" format (refer Attachment 1). The main changes in the revised Procurement Procedures are summarised as follows:

- changes the Title from Procurement Policy to Procurement Procedures, however, provides a "Policy Statement" of the underlying objective of the Procurement Procedures document;
- in relative terms this "top end" tendering threshold is a substantial increase from the previous level and as such considerable care has been taken in the revision of the intermediate thresholds established under the procurement procedures framework;
- requirements for low end purchases have been maintained;
- a new threshold category \$15,000 \$50,000 is introduced;
- adjusts all the quotation thresholds to better match current market prices and to reflect the mixed approach to obtaining prices/quotations for low value procurement;
- there is stronger articulation of condition requirements for purchases within both the \$50,000 to \$100,000 and the \$100,000 to \$250,000 thresholds:
- clarifies that for purchases from \$100,000 to \$250,000 the Multiple-Use Register is to be used unless the skills, services or product required is not sufficiently contained/covered by registrants in the Multiple-Use Register. When the Multiple-Use Register is not used, public advertisement inviting quotes is to be used in this category;
- greater emphasis has been placed on the manner in which Council's Multiple-Use Register is used in the context of procurements priced below the tendering threshold;
- preferred supplier engagement is capped at \$150,000; and
- refinement and updating of the delegations to match employee positions to the new procurement framework and thresholds.

Code for Tenders and Contracts

- **2.6.** Internal legal advice has concluded that the intention of the legislation is that the Code be a stand-alone document and as such a complete redrafting of the Code has taken place. The newly drafted Code (refer Attachment 2) provides the following:
 - avoids overlap and unnecessary referencing the Procurement Procedures; thereby allowing it to be a stand-alone document;
 - gives sufficient scope within the Code in order to make the processes more conducive to maximise participation in the public Tender process;
 - ensures all content of the code is consistent with the statutory requirements under the new regulations;
 - there is an increased emphasis of the purpose and use of the Multiple-Use Register; and
 - clarifies the status of late Tenders and the manner in which non complying Tenders will be dealt with.

3. CONSULTATION

3.1. Community Consultation

Not applicable.

3.2. State/Local Government Protocol

Not applicable.

3.3. Other

- The Procurement Procedures and the Code have been subject to an informal internal consultation process with Council officers involved in tendering, contract and procurement processes.
- The newly revised Code for Tenders and Contracts and Procurement Procedures have also been considered and endorsed by Council's Audit Committee.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

The Procurement Procedures and Code for Tenders and Contracts promote a number of objectives outlined in Council's adopted Strategic Plan 2010-2015. These include:

- Continuously monitor and improve policies on probity, decision making, ethics and code of conduct; and
- Ensure compliance with necessary legal responsibilities".

5. EXTERNAL IMPACTS

The Procurement Procedures and Code for Tenders and Contracts and supporting administrative processes designed to ensure that the decision-making for procurement are equitable and transparent for businesses and organisations that seek to provide goods or services to Council.

6. RISK AND LEGAL IMPLICATIONS

By making processes accountable through the Procurement Procedures and Code for Tenders and Contracts it minimises financial risk for Council. This is achieved by ensuring that parties selected to provide goods or services to Council offer the best services for the best price and for the lowest associated risk and further, is designed to ensure that selection of contractors and suppliers are appropriately documented and are selected on a fair and equitable basis following appropriate due process.

7. FINANCIAL IMPLICATIONS

The Procurement Procedures has been drafted to ensure that Council receives the best value for money for goods and services whilst maintaining the effectiveness and efficiencies of the organisation.

8. ANY OTHER UNIQUE ISSUES

None identified.

9. CONCLUSION

When adopted, the revised Procurement Procedures and the Code will be consistent with the current statutory threshold and will continue to assist in making Council's decision-making processes in a transparent and equitable manner, ensure compliance with legislative and "best practice" requirements. The changes proposed also provide a framework which is easier for respondents to engage in Council's processes.

Attachments: 1. Procurement Procedures (17)

2. Code for Tenders and Contracts (12)

Andrew Paul

GENERAL MANAGER

CLARENCE CITY COUNCIL

PROCUREMENT POLICYPROCEDURE

No procurement of good or service is to occur unless funds are approved in the budget. Responsible officers under these Procurement Procedures are to ensure that there are sufficient budgeted funds available to cover the cost of any procurement made on behalf of the Council.

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Any procurement required under extraordinary circumstances must be subject to the approval of the General Manager.

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A391844 <u>Draft</u> Adopted by Council on 17 June 2013????? 2015 Review

Procurement PolicyProcedures

1 Policy Procedures Statement Objective

These procedures are intended to: Clarence City Council's Procurement Policy aims to:

- promote fair and open competition and seek value for money for Council and its local community;
- promote honesty and equity in the treatment of all suppliers of goods and services:
- ensure efficient and effective processes to facilitate the accountable procurement of goods and services for Council;
- establish and maintain procedures to ensure that fair and equal consideration is given to quotations received;
- protect commercial-in-confidence information; and
- satisfy recognised accountability standards.

This <u>Policy Procedure</u> is to be read in conjunction with and forms part of Council's Code for Tenders and Contracts (A392760??????, adopted by Council on 17 June 2013??????).

Officers with procurement responsibilities should familiarise themselves with both documents. The Code is intended for publication to suppliers generally and the public whereas this procedures document is intended as an internal working directive.

2 Definitions

"Accountant" means the person appointed to the substantive position titled Accountant.

"<u>Delegated Authorising</u> Officer" refers to Council officer who is authorised under this <u>Policy</u> Procedure to expend monies on behalf of Council.

"Business Unit Officer" means the person appointed to the substantive position titled Business Unit Officer.

"Co-ordinator" means a person who is appointed to a substantive staff position which incorporate the designation of Co-ordinator within the position title

"Manager" means a person who is not a Corporate Executive Committee member and is appointed to a substantive staff position which incorporate the designation of Manager within the position title.

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- "Corporate Executive Member" means a member of Council's Corporate Executive Committee.
- **"Financial Delegations Thresholds"** detail the extent to which Council officers are permitted to authorise the procurement of goods and services for Council based on responsibility and accountability of officers.
- **"Invitation for Quotation"** refers to a publicly advertised invitation by Council for the submission of quotations for works-goods and services.
- **'Project Responsible Officer''** means an officer of Council regardless of paypoint that who has been assigned responsibility for the project management of a key project initiative which requires the procurement of goods and services based on an approved budget allocation of the Council;
- **"Purchasing Officer"** means an officer authorised to complete and place Purchase Orders with suppliers for the supply of goods and services to Council.
- **"Purchase Order"** means the document issued by Council to a supplier which demonstrates Council's contractual commitment to the procurement of goods and services from the supplier stated on the order.
- **"Purchase Order Requisition"** refers to the primary authorising document for an item of Council expenditure completed prior to the preparation of a Purchase Order.
- "Purchases" includes the procurement of both goods and services by Council.
- **"Requisitioning Officer"** means an officer who has obtained quotes or prices for good and services and has prepared a Purchase Order Requisition for authorisation.
- "Works/Technical Officer" means the person appointed to the substantive position titled Works Officer or Technical Officer.

3 Quotation Procedures

Quotation procedures relate to all procurement for goods and services that have not been the subject of an advertised invitation for quotation and/or for tenders.

With the exception of:-

- the Exemption categories and Preferred Supplier Arrangements outlined in Sections 5 and 6 below; and
- the utilisation of the Council "Multiple-Use Register";
- and subject to the appropriate authorisations,

quotations, <u>subject to the appropriate authorisations</u>, are to be sought for all procurements as outlined in Section 4, *Procurement Thresholds and Related Quotation Procedures*.

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Formatted: Bulleted + Level: 1 + Aligned at: 0.63 cm + Indent at: 1.27 cm All quotations received are to be treated as *commercial-in-confidence* and the details of quotations are not to be disclosed to any third party.

In accepting a late quotation Council must ensure that there has not been an advantage provided to that party over other quoting parties.

Council may use its internet site <u>and other electronic and social media mechanisms</u> as a means of advertising invitations for quotations.

The resources process of securing goods and services for of Council (in its whilst it endeavours to achieve its commitments and outcomes in the procurement of goods and services) should not be delayed in circumstances where it can be demonstrated that quotations have been sought and insufficient quotations have been able to be obtained due to:

- a problem of limited supplies/suppliers,
- unavailability of contractor or supplier, or
- non-response to quotation request.

In such cases, details of the circumstances are to be documented on the Purchase Order requisition and the procurement is to proceed on the quotations provided within the reasonable timeframes allowed.

4 Procurement Thresholds and related Quotations Procedures

There are <u>four five</u> procurement thresholds that require different levels of involvement in planning and executing for the procurement of goods and services to Council. These thresholds (**GST exclusive**) are as follows:

- Purchases less than \$15,000\$15,000
- Purchases from \$15,000 and up to \$50,000.
- Purchases between from \$15,000 \$50,000 and up to \$49,999\$100,000
- Purchases between from \$50,000 \$100,000 and up to \$99,999\$250,000.
- Purchases more than \$100,000\$250,000

The following outlines the details of the thresholds and summarises the procurement practice and procedures that will be utilised based on the total dollar value (GST exclusive) of the purchase. These requirements will be applied to the procurement of all goods and services except in certain identified circumstances. The circumstances in which the following requirements need not be followed are described under Section 5, Exemptions, and Section 6, Preferred Supplier Arrangements.

UNDER NO CIRCUMSTANCES ARE ORDERS OR CONTRACTS TO BE SPLIT TO BRING AMOUNTS BELOW THE RELEVANT THRESHOLDS SPECIFIED IN THIS PROCEDURE.

Purchases less than \$15,000 (GST Exclusive)

- Quotes are to be obtained for all Purchases over \$9991,000
- \$1000 \$2,999 2 oral quotes required to be sought
- $\$3,000 \$\frac{14,999}{15,000} 2$ written quotes required to be sought

Conditions for this category:

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Details of all quotes are to be written on the relevant Purchase Order Requisition by the Requisitioning Officer together with the written quotes (where appropriate) attached.

Acceptance of quotes is based on the lowest price quoted unless there are clear reasons for not doing so (eg, the lowest technically acceptable offer).

Any exceptions and reasons must be fully justified in writing on the Purchase Order Requisition by the Requisitioning Officer.

Acceptance of other than the lowest quote is to be authorised by the relevant Corporate Executive Member or Manager where the accepted quotation is 10% (or more) greater than the lowest quote received.

Purchases from \$15,000 and up to \$50,000 (GST Exclusive)

At least 3 written quotes are required to be sought. Such quotes can be obtained by direct contact with the supplier and/or through using Council's Multiple-Use Register.

Conditions for this category:

Acceptance of other than the lowest quote may be authorised by the relevant Corporate Executive Member or Manager in consideration of past performance of the suppliers.

Any exceptions and reasons for accepting other than the lowest quote must be documented (eg. fully justified in writing on the Purchase Order Requisition) for authorisation by the relevant Corporate Executive Member.

Purchases between from \$50,000 and up to \$100,000 \$15,000 and \$49,999 (GST **Exclusive**)

At least 3 written quotes are required to be sought. Such quotes can be obtained by direct contact with the supplier and/or through using Council's Multiple-Use Register.

Conditions for this category:

Where a large range of suppliers exists (eg for building work), a list of the invited parties is to be prepared and provided to the relevant Corporate Executive Member or a person in a role specified under delegation Category 3 to approve. Alternatively, where suitable the Council's Multiple-Use Register may be used to source services in this purchasing range.

Quotations received are to be considered based on

- Suitability:
- Relative quality;
- Relative prices; and
- Other relevant considerations (to be documented).

Acceptance of other than the lowest quote may also be authorised by the relevant Corporate Executive Member in consideration of past performance of the suppliers against the following factors:-

- -reliability;
- experience;
- OH &SWHS practices;

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- supplier's location; or
- other relevant considerations (to be documented).

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Any exceptions and reasons for accepting other than the lowest quote must be documented (eg. fully justified in writing on the Purchase Order Requisition) for authorisation by the relevant Corporate Executive Member.

Purchases between <u>from \$100,000 and up to \$250,000 \$50,000 and \$99,999</u> (GST Exclusive)

- Written quotes are to be sought either by the invitation of responses from all registrants in within the relevant category of the Council Multiple-use Register or by public advertisement (through available print and electronic and social media) eg in The Mercury) in circumstances where the skills, services or product sought is not sufficiently covered by registrants in the Multiple-Use Register or where the use of the Multiple -Use Register will not provide sufficient market contestability for the product or services sought; and
- Advertisements are to specifically invite quotations (ie invitation for quotations and not tenders);

Conditions for this category:

Acceptance of the quote and approval of expenditure may only be authorised by the relevant Corporate Executive Member taking into consideration:-

- Suitability;
- Relative quality;
- Relative prices;
- past performance of the suppliers against the following factors:
 - o reliability;
 - o experience;
 - o WHS practices;
 - o supplier's location; and
- Other relevant considerations (to be documented).

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All other existing Procurement Policy Procedures are to be observed.

As a result of the advertising process, acceptance of a quotation may be authorised by the relevant Corporate Executive Member and the reasons for acceptance are to be documented on file. If this acceptance of a quote is not authorised or where insufficient market testing is considered to have occurred, the request for quotes must be re-advertised.

Purchases above \$100,000\$250,000 and over (GST Exclusive)

In accordance with section 333A of the *Local Government Act* 1993 ("the Act"), Council must invite tenders for any contract it intends to enter into for the purchase of goods or services valued at or over \$\frac{100,000}{250,000}\$ (GST exclusive).

Tenders are to be invited by public advertisement (eg in *The Mercury*). The
invitation for tenders is to follow the procedures set out for tendering under
Council's adopted Code of Tenders and Contracts.

Conditions for this category: Approval of tenders is by Council resolution.

5 Exemptions

The Act –provides for some exemptions to the public tender process and these circumstances are set out in the Regulations. These The following provisions form the basis of exemption categories to be applied to this Pprocurement policyProcedure for procurements under \$250,000\$\$\frac{100,000}{100,000}\$.

A Corporate Executive Member, on the authorisation of the General Manager, may choose not to use a quotation process outlined in this <u>P</u>procurement <u>policyProcedure</u> where the goods and services sought relate to:

- an emergency if, in the opinion of the General Manager, there is insufficient time to obtain quotes for the goods or services required in that emergency;
- a contract for goods or services obtained through, or supplied or provided by an agency of a State or of the Commonwealth;
- a contract for goods or services supplied or provided by another council, a single authority, a joint authority or the Local Government Association of Tasmania:
- a contract for goods or services in respect of which a council is exempted under another Act from the requirement to obtain quotes;
- a contract for goods or services that is entered into at public auction;
- a contract arising when a council is directed to acquire goods or services due to a claim made under a contract of insurance;
- a contract of employment with a person as an employee of Council, or
- any other exemption provided for under the Act or other legislation.

Conditions for this category:

The exercise of these exceptions must be clearly stated and where appropriate justified in writing on the Purchase Order Requisition.

Goods and services that are required with genuine emergency include the following circumstances:

- in the case of a natural disaster,
- a risk to public safety,
- the security of Council premises,
- an environmental risk, or
- a risk to Council assets.

As provided by the provisions of the Act, the General Manager may determine the relevance of similar emergency circumstances under the emergency exemption category.

The use of the following "Exemption" categories must be authorised by the General Manager:

• Purchases at public auction, and

• Contracts of employment.

The General Manager is to approve all exemption category procurement of a value greater than \$\frac{\$250,000}{\$100,000}\$ (excluding GST), and is to report on such Purchases to Council as part of the Quarterly Report.

6 Preferred Supplier Arrangements

It is recognised that circumstances may exist where Council is best served by the provision of goods and services by preferred suppliers. These circumstances will usually be limited to specialised goods and service provision. Under the following circumstances the purchase of goods and service may be made without obtaining quotes:

- where it can be established that there is only one supplier of a
 particular product or service and there is no appropriate substitute
 available, or where alternative options are not suitable or do not
 provide value for money;
- where there is a contract between Council and the supplier (i.e. there is
 a formal agreement in place arising from a Council decision to use the
 supplier in preference to others eg annual supply contracts or a
 supplier on Council's Multiple Use Register etc);
- where the original product or service has been selected through an open tender process and the request for exemption relates to the proposed purchase of an upgrade or addition to the existing system, products or services and there are limited supply options;
- the product is being tested/trialled to assist in the evaluation of its performance prior to a large scale purchase for which open tenders will be called:
- to assist in the development of a new product/process in conjunction with a private sector business;
- where the Department of Treasury and Finance has established wholeof-Government contracts for the supply of goods or services to agencies and other authorised organisations; or
- where the provision of goods and services are of a specialised nature that requires a high level of familiarity of Council and its operations (eg specialists consultants, legal services, specific training needs, supplier of goods for emergency repairs etc).

Conditions for this category:

Use of preferred supplier arrangements can only be authorised by a Corporate Executive Member for up to \$49,99950,000 (GST exclusive).

The General Manager's approval is to be sought in respect of any proposed is to approve procurement under the preferred supplier arrangement for all Purchases valued between \$50,000 and \$99,999\\$150,000 (GST Exclusive) or may determine which aspects of the Perocurement policyProcedure are to be complied with in this purchase value range.

All procurement under the preferred supplier arrangement for all Purchases valued between from \$50,000 and \$99,999 up to \$150,000 (GST exclusive) authorised by the General Manager are to be based on a recommendation from a Corporate Executive Member and supported by justification of the proposed use of the supplier.

Other exceptional circumstances where preferred supplier arrangements may be used can only be authorised by the General Manager based on a recommendation from a Corporate Executive Member and where justification of the use of the proposed supplier is provided.

PREFERRED SUPPLIER ARRANGEMENTS ARE NOT TO BE USED FOR ANY PURCHASE OF GOODS OR SERVICES VALUED AT OVER \$100,000\$150,000 AND OVER (EXCLUDING GST). FOR WHICH EOI OR TENDERS ARE TO BE CALLED, AS REQUIRED UNDER THE ACT.

UNDER NO CIRCUMSTANCES ARE ORDERS OR CONTRACTS TO BE SPLIT TO BRING AMOUNTS BELOW THE THRESHOLDS SPECIFIED IN THIS POLICY.

7 Purchase Order Requisitions

The Purchase Order Requisition is the primary authorising document for an item of expenditure. Purchase Order Requisitions are required before a Purchase Order can be validly prepared and authorised by an authorised Purchasing Officer.

Responsibility for Obtaining Quotes

The responsibility for obtaining quotes lies with the Requisitioning Officer; however, Purchasing Officers are available to assist where supplier and market knowledge, access to telephones, etc are required. Officers working in the field should normally obtain quotes through a Purchasing Officer, particularly for higher value items. Relevant Business Unit Officers Managers and Co-ordinators are also available to assist where necessary.

Content of Purchase Order Requisitions

Purchase Order Requisitions must contain the following details:

- The primary record for the description of goods and services being sought;
- The details of oral quotes obtained (must be written by the officer obtaining the quotes);
- Where requisitions are the subject of an established contract with Council, reference details of the contract are to be shown on the requisition;

- The details of written quotes obtained or details of where quotations have been sought (must be written and attached to the Purchase Order Requisition as evidence by the officer obtaining the quotes); and
- The signature of the officer who has the relevant authority to commit Council budgeted funds and to proceed to the ordering of the goods and services.

Where appropriate, the Purchase Order Requisition should also contain:

- Reasons for not accepting the lowest quote set out in detail and signed by the Authorising Officer; and/or
- Reasons for the use of the *Exemption* categories and *Preferred Supplier Arrangements*, outlined in Sections 5 and 6 above, and signed by the Authorising Officer.

Authorisation

The Authorising Officer **authorising** a Purchase Order Requisition is to ensure that they:

- are acting as, or under the direction of, the officer assigned responsibility for the management of the relevant Programme account or project; and
- have the correct authority in accordance with the Financial Delegations
 Thresholds to authorise the purchase to the value of the goods and services to
 be obtained.

Condition for this category:

The signature of the Requisitioning Officer and the Authorising Officer on a Purchase Order Requisition may be the same party provided the authorising officer has the appropriate authority.

Purchase Order Requisitions for procurement of goods and services under a contract with Council are not subject to delegation thresholds stated in this policyProcedure, provided the signing officer is acting as, or under the direction of, the officer assigned responsibility for the management of that contract.

8 Purchase Orders

Requirement for Purchase Orders

A Purchase Order is required for all Purchases of goods and services except:

- Items under \$\frac{100.00}{500.00}\$ for procurements sourced from external suppliers;
- Procurements under \$500-1,000 directly from Council's store; or
- Where it is impractical to generate an order, eg for payment of State Government taxes, utilities, financial transactions legal opinions, etc.
- Purchases made on Corporate Credit Card.

Conditions for this category:

Procurement for goods or materials under \$500 may be made directly from the Council store on the presentation of a Council Purchase Order Requisition only signed by a staff member.

Purchasing Officers are not to issue a Purchase Order unless all details on the Purchase Order Requisition are complete and in accordance with this (and any related) policyProcedure.

Purchasing Officers are to ensure that signatories only authorise expenditure from Programmes over which they have authority.

Persons requisitioning a Purchase Order must provide the Purchasing Officer with a properly completed Purchase Order Requisition.

UNDER NO CIRCUMSTANCES ARE ORDERS TO BE SPLIT TO BRING AMOUNTS BELOW THE THRESHOLDS SPECIFIED IN THIS POLICYPROCEDURE.

Authority to issue Purchase Orders

Purchasing Officers

Officers holding or relieving in the following positions are authorised to issue Purchase Orders:

- Purchasing Officer (Council Offices)
- Purchasing Officer (Depot)
- Director Rosny Child Care Centre (Rosny CCC accounts only)
- Plant Controller (Plant Hire Only)
- Corporate Treasurer
- Corporate Secretary
- GeneralManager

Authorising Officers in the case of an emergency

The following officers are authorised to sign Purchase Orders in the event of an emergency and/or in the absence of the normal authorising officers.

DEPOT

- Operations Manager Physical Services Group
- Business Unit Officer Parks and Facilities
- Business Unit Officer Roads Works Manager

CHILD CARE CENTRE

Manager Health and Community Development

COUNCIL OFFICES

- General Manager
- Corporate Executive Member

9 Financial Delegations-Thresholds

Financial Delegations to Staff

The following table represents the substantive basis of delegation to Council staff for the authorisation of Purchase Order Requisitions and the related thresholds of expenditure of Council funds that may be authorised in accordance with Council's budget, as adopted from time to time.

The Financial Delegations Thresholds outlined in this <u>policyProcedure</u> (as revised from time to time) gives effect to the financial delegations that Council makes under this <u>policyProcedure</u>. Council delegates to persons holding those positions below, authority to expend Council funds <u>up</u> to the amount set out in the following table.

| Category | Classification | Goods/ Services (Excl GST) | Other Fo | rmatted Table |
|------------------|--|------------------------------------|---|------------------------|
| 1 | General Manager | \$99,999 <u>\$250</u> ,000 | Unlimited for Council decisions, financing transactions, government levies/taxes and similar payments detailed in the Annual Plan. | |
| 2 | Corporate Executive Members; Manager Engineering & Technical Support; Principal Engineer | \$99,999 <u>\$250</u> ,000 | \$1,000,000 in respect of Council decisions, government contributions and similar payments detailed in the Annual Plan. | |
| 3 | Manager Client Services; Manager Works and Asset PlanningOperations Manager Physical Services Group -Manager Environment and Sustainability Development Engineer | \$4 9,999 \$100 ,000 | Fo | rmatted: Not Highlight |
| 5 | Manager Information and Technology: Project Responsible Officers; Business Unit OfficersWorks Manager Buildings Maintenance Officer | \$14,999 <u>\$50,</u> 000 | -The General Manager on the recommendation of the relevant Corporate Executive member may assign specific responsibilities and written instructions to project responsible officers in this category to authorise payments up to \$5,00050,000. | |
| <u>6</u> | Co-ordinators and other officers in EBA Pay Points 30 - 43 not stated above | \$15,000 | | |
| 6 <u>7</u> | EBA Pay Points 19 -29 | \$5,000 | Through the purchase order requisition Fo process | rmatted Table |
| 7 <u>8</u> | Works Officers; Technical Officers | \$3,000 | Through the purchase order requisition process | |
| 8 <u>9</u> | EBA Pay Points 13 – 18 | \$500 \$1,000 | Through the purchase order requisition process | |
| 9 10 | EBA Pay Points 8 – 12 | Nil | Only under Corporate Executive Member's specific assignment of responsibilities and written instructions to officers in this category to authorise payments up to \$500. | |
| 10 11 | EBA Pay Points 1 – 7 | Nil | | |
| 11 12 | Corporate Treasurer | | Unlimited in respect of financing | |

| | | transactions. |
|-------------------------|----------------------------------|---|
| 12 13 | Rosny Child Care Centre Director | \$10,000 or greater amounts if specifically budgeted for individual projects. |
| 13 <u>14</u> | Accountant | \$1,000,000 in respect of financing transactions, together with government contributions and similar payments specifically detailed in the Annual Plan. |

Note: The EBA Pay Points referred to above are derived from EBA 9/2014 8/2011 and may be amended by any successor EBA agreement or Award.

Conditions for Financial Delegations

In the authorisation of expenditure under the delegations and associated thresholds, Authorising Officers are to ensure that such authorisations are within the amounts authorised and/or appropriated in Council's Annual Plan and Estimates.

Authorising Officers are to ensure that any variations to the initial quoted/contracted amount do not cumulatively exceed the threshold of the Authorising Officer's delegation. Where this occurs, the Authorising Officer is to seek further appropriate authorisation for the exceeded amount.

Authorising Officers are to ensure that any variations to the initial quoted/contracted amount do not cumulatively exceed the Procurement Thresholds outlined in this policyProcedure. Where this occurs, the Authorising Officer is to detail the events and circumstances of the variation and seek further appropriate authorisation from the relevant Corporate Executive Member for this variation.

For procurements where the tendering process has not occurred, under no circumstances are variations to the initial quoted/contracted amount to cumulatively exceed the statutory threshold for tenders (\$\frac{100,000.002}{50,000}\)).

If, following the acceptance of a quote, the quote is subsequently altered by the contractor to substantially exceed (ie. greater than 20%) the initial quoted amount, the Authorising Officer is to ensure that all such variations are documented and justified.

Where the authorisation or the appropriation is exceeded, the Authorising Officer is to provide a timely report to the General Manager detailing the events and circumstances of the variation.

Where officers are engaged by contract, authorisations in this <u>policyProcedure</u> apply based on the translation of that officer's salary to the relevant level under the award, but shall not exceed the authorisation amount for EBA Paypoints 24–29, unless otherwise stated in an instrument of delegation issued by the General Manager.

The Financial Delegation Thresholds apply to items purchased under Government or annual supply contracts, however will relate only to each individual Purchase Order Requisition and Purchase Order transaction.

The above Financial Delegation Thresholds do not apply for requisitions from Council's store.

Purchasing Officers are to ensure that signatories only use codes over which they have authority.

Effect of Financial Delegation Thresholds and Review

To maintain the effect of Council policyProcedure, the General Manager is delegated by Council to:-

- amend the position descriptions in this policyProcedure from time to time where the role descriptions, job titles and responsibilities are altered or reviewed;
- review the Financial Delegations Thresholds based on organisational change to best reflect the nature of the assigned responsibilities of staff;
- revise, modify and/or withdraw the financial delegations held by staff at any time by notice in writing.

Assignment and Instruction of Council's Annual Plan and Budget Responsibility

Responsibility for each Programme under Council's Annual Plan and Budget is held by the relevant Corporate Executive Member or specifically assigned Programme Manager. Each Corporate Executive Member or specifically assigned Programme Manager has delegated authority through the General Manager to effect this role.

A Corporate Executive Member may assign (with or without specific instructions) Budget "line item" responsibility for the authorisation of budget expenditure in Programmes and Projects under their responsibility. Such assignment of responsibility:

- Is subject to the limitations outlined in the Financial Delegations Thresholds.
- Is to be made by a person working under the management direction of the relevant Corporate Executive Member or assigned Programme Manager who has budget responsibility for Programme.

10 General Manager's Reporting Requirements

In the Quarterly Report to Council, the General Manager will report on incidents where Procurements have occurred without conforming to Council's Procurement PolicyProcedure. The Audit Committee is to also receive reports of non-conformance with the Procurement PolicyProcedure.

CLARENCE CITY COUNCIL

CODE FOR TENDERS & CONTRACTS

Approved by Council on #########

DRAFTING NOTE – THIS INDEX WILL NEED AMENDING ONCE THE FINAL FORM OF DOCUMENT IS SETTLED

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CODE FOR TENDERS & CONTRACTS

(A copy of this Code is available for public inspection at Council's offices during ordinary office hours. Copies of it are also available for purchase at a reasonable charge or it can be accessed on Council's website at (insert link).

1 Introduction

The purpose of this Code is to provide details as to the general principles and processes which Clarence City Council will apply and follow in the course of procuring goods and services. This Code and its contents are statutory requirements of the *Local Government Act 1993* ('the Act') and the *Local Government (General) Regulations 2015* ('the Regulations').

Under the Act and Regulations the procurement of goods and services in excess of a prescribed amount must be by:

- (i) an open tender process under which tenders are invited by public advertisement; or
- (ii) employing a multiple-use register (refer 4.2 of this Code); or
- (iii) a multiple-stage tender process. (refer section 4.3 of this Code).

The open tender process must also be used in establishing a standing contract by which one or more suppliers are contracted for a specified period to provide specified goods or services without need for any further tender process during that period.

As at the date of Council's approval of this version of the Code, the Prescibed Amount above which the above processes must be used is \$250,000.00.

(It should be noted that all references in this Code to dollar amounts are GST exclusive.)

There are however circumstances in which Council is exempt from undertaking the above processes. Those circumstances are described in Part 7.

Procurements involving contracts for goods and services of a value below the Prescribed Amount are not subject to the same level of control as for contracts the value of which exceed it. Part 5 of this Code details the processes Council will follow in cases of procurement below the Prescribed Amount.

2 Code Principles

This Code has been developed as a transparent set of guidelines that Council will follow in order to comply with the principles relating to procurement which are required in the Regulations. Those principles which Council will apply across the whole range of its procurement process are the promotion of:

- open and effective competition,
- value for money,
- enhancement of the capabilities of local business and industry, and
- ethical behaviour and fair dealing.

3 Code Procedures

In promoting the above principles Council will ensure that the following procedures are followed in the course of any procurement.

3.1 Uniformity of information available to suppliers

When inviting tenders or quotations for the provision of its requirements Council will ensure all potential suppliers are provided with the same information relating to Council's requirements. This will be achieved by ensuring that all persons who wish to be considered as suppliers of the requirements in question are provided with the same common form documentation setting out the terms and conditions of tendering or quoting, the precise nature of Council's requirements and the contractual terms upon which supply is to be made by the successful respondent. This information will always be in writing and will be accompanied by copies of all relevant related documents such as drawings and specifications.

3.2 Amending or extending invitations for tenders or quotations

If, after issuing an invitation for tenders or quotations Council wishes to amend its requirements or vary the terms and conditions of the relevant process in any way, it will provide written details of that amendment to all persons who have requested and been provided with a copy of the relevant information.

In advising an amendment to an invitation Council may also, depending on the nature of the amendment and how long after issue of the invitation the amendment is notified, extend the length of time for suppliers to lodge their response. This extension will also be notified in writing to all persons who have requested and been provided with a copy of the relevant information to ensure that all have an equal opportunity to meet requirements.

Generally the right for Council to amend invitations or extend the time for responses will be set out in the common form conditions which accompany each invitation.

3.3 Giving fair and equal consideration to all responses.

All written invitations for tenders or quotes will set out the terms and conditions upon which responses will be received and assessed by Council. Most importantly, the criteria against which responses to any invitation will be assessed will be set out in detail. All responses will be considered against those criteria on a fair and equal basis.

3.4 Dealing generally with suppliers.

In all dealings with either existing suppliers or with potential suppliers via any new procurement Council officers are expected to act honestly and equitably and to provide prompt and courteous responses to all reasonable requests for advice and information. As a general rule, Council's Customer Service Charter applies to such dealings however officers will be mindful that general response times provided for in the Charter may not be appropriate where potential suppliers need advice or information in time to meet a closing dead-line for responses.

3.5 Protecting commercial-in-confidence information

Council will treat all information provided in a response to an invitation as commercial-in-confidence irrespective of whether or not a respondent specifically claims confidentiality for any response or part of it. This means that all possible precautions will be taken to ensure that response details are kept confidential from other respondents and competitors. This will apply not only during the stages where responses are being received and assessed but at any time afterwards. After the closing date for responses the only information that Council will provide if requested is the number of respondents to any particular invitation and the identity of those respondents.

It should be noted that in recognition of the importance of preserving commercial confidentiality in its tender process, Council meetings where officers report on the outcome of an invitation for tenders and Council makes a decision to award the tender are conducted as closed meetings which themselves attract a further level of statutory protection against disclosure of tender details.

3.6 Opening of tenders

To assure transparency and fair dealings in the process relating to tenders, tender responses are required to be lodged in hard copy in the tender box in the public reception area of Council's offices before close of tenders. Promptly at the specified time for close of tenders all responses received are removed from the tender box by no less than two Council officers and details of the names of respondents and prices tendered will be formally recorded. Respondents may attend at the opening of tenders to ensure their response is received and recorded. They may ask how many other responses were received and from whom but no other information will be provided about any other tender response.

3.7 Late responses will not be accepted

Under the terms of the Act and the Regulations, late tenders cannot be accepted. There is no scope for Council to accept any tender response that is received after the closing date and time as first advertised or later extended. Council will apply this same rule to quotation responses which are received after the closing date and time as first notified or later extended.

3.8 How non-complying responses will be dealt with

Any formal invitation for tenders or quotations will include requirements as to things respondents must do or information they must provide in responding to the invitation. Required actions or information will generally be identified in the invitation document as being mandatory while other requirements may be discretionary. All requested information relating to the criteria against which responses will be assessed is mandatory information.

Council expects responses to any invitation for tenders or quotation to reflect the degree of care and attention which the respondent would exercise in delivering Council's requirements if its tender or quotation was to be successful.

If a response does not contain specified information required as part of any evaluation criterion applicable to the relevant assessment process, the response will be scored nil in respect of that particular criterion. No notice of the omission or opportunity to rectify it will be given to the respondent.

However where it is apparent on the face of a response document that a calculation error may have occurred in any mandatory information provided, the assessing officer may give the respondent notice by email of the apparent error and request clarification or amendment of it within a specified time limit. Failure on the part of a respondent to do so within the required time limit may result in the entire response being excluded from the assessment process with no further notice.

3.9 Debriefing unsuccessful respondents

Unsuccessful respondents to any invitation for quotations or tenders <u>of a value exceeding \$100,000</u> may request a debriefing on their response.

A request for a debriefing:

- must be made within 7 days of Council notifying the respondent that its response was not successful,
- must be in writing, and
- must be addressed to the General Manager.

As soon as reasonably practicable but no later than 14 business days after the receipt of a debriefing request Council officers will meet with a representative of the unsuccessful respondent at Council's offices.

Council will be represented at such meetings by at least two Council officers including the officer named in relevant invitation documents as contact officer in respect of the invitation or as superintendent in the case of works contracts.

Debriefing meetings will be strictly limited to discussing as to how the respondent's response was assessed against relevant criteria including instances where the response was felt to have not met or to have fallen short of requirements of any particular criteria. On no account will any other response including the successful response be discussed.

Council will not provide a written debrief to any respondent; either instead of or following a debriefing meeting.

3.10 Complaints procedures

Any complaints regarding processes related to the supply of goods or services to Council including any aspect of any procurement process must be made in writing and addressed to the General Manager. Such complaints will generally be handled in accordance with Council's Customer Service Charter which, amongst other things, prescribes time limits within which complaints must be responded to. Where requested and where necessary to avoid loss of opportunity in a then current tender or quotation assessment process, such complaints will treated with appropriate priority.

3.11 Review of Tender Process

To ensure effective operation of the Code, the review of each Tender process will be subject to control verifications during the pre-advertisement and pre-decision making periods, and before the Contract is signed. This review is in accordance with standard procedures as established by the General Manager to ensure that each Tender complies with the Regulations and the Code.

Based on criteria and procedures developed by the General Manager, a review may be undertaken at the completion of a Tender- related Contract to evaluate and document the work carried out, or services provided by a Contractor, and evaluate the performance of the Contractor under the Contract with Council. In general terms tender performance evaluation will be assessed as to whether and how the outcomes required were achieved and the conduct, quality and timeliness of the services provided.

3.12 Use of probity advisors

Council will engage the service of a probity advisor where the nature of a tender warrants particular sensitivity to due process. For example, where Council is seeking tenders for large and complex developments that may involve joint venture proposals, or where the contractual engagement is for extended periods, or other similar projects where the General Manager considers that a probity advisor should be engaged.

In certain circumstances, Council may also engage a probity advisor to independently investigate complaints of a particular nature against Council in its procurement processes and to provide recommendations to the General Manager in respect of such complaints.

4 Tendering processes for contracts above the Prescribed Amount

As mentioned in the Introduction in Part 1, under the Act and the Regulations purchases of goods and services the value of which is likely to be above the Prescribed Amount must be by:

- (i) an open <u>tender</u> process ;or
- (ii) inviting tenders from registrants on a multiple-use register or
- (iii) a multiple-stage <u>tender</u> process.

(It should be noted that these processes are in contrast to situations where Council invites quotations. Quotations are invited in various ways where the amount of the supply is likely to be below the Prescribed Amount. An explanation of Councils quotations processes appears in Part 5.)

What follows is a description of each of the prescribed processes for tendering and how they will be applied by Council.

4.1 Open tender

An open tender is where tenders are invited by public notice.

To comply with the minimum requirement of the Regulations Council will generally advertise an invitation for tenders by a single insertion in the public notices section of the Mercury newspaper appearing on a Wednesday or a Saturday. Depending on the value or specialized nature of a particular requirement Council may choose to advertise an open tender more than once and sometimes in a national newspaper such as The Australian. For the purposes of informing the general public, tender where appropriate will also be listed on Council's social media outlets.

4.2 Inviting tenders from registrants on Council's multiple use register ("MUR")

In cases where the value of Council's requirements exceeds the Prescribed Amount, the Regulations allow a council, to invite tenders from registrants on its MUR rather than by a public notice in a newspaper.

Where a particular requirement falls within a specific category of works or services within the MUR Council will send a copy of its invitation for tenders to all contractors which are registered within that particular category.

An explanation of how the MUR works and how suppliers may apply to be registered on it appears on Council's web-site at (WEB LINK).

4.3 Multiple-stage tenders

Multiple-stage tenders are generally reserved for very specialized procurement requirements and are not commonly used by Council. They comprise a two-stage process by which, in the first stage, expressions of interest are invited by public notice from potential suppliers. From those expressions of interest a short-list of preferred suppliers is decided on and then, as the second stage of the process, formal invitations to tender for Council's requirements are extended to those short-listed respondents.

A more detailed explanation of the multiple-stage tender process and how it works appears in regulation 26 of the Regulations. In using this process Council is obliged to and will comply with the process prescribed by that regulation.

5 Procurement processes for contracts below the Prescribed Amount

While the tender processes for the procurement of goods and services where the value of supply contracts are likely to be above the Prescribed Amount are regulated in the ways detailed in Part 4, Council is able to determine its own internal processes for procurements of a value below the Prescribed Amount provided such processes comply with the general principles and requirements of the Act and the Regulations.

What follows is an outline of the procurement processes which Council will (with the exception of formally approved preferred supplier arrangements) implement in cases where the value of a contract for goods or services is not likely to exceed the Prescribed Amount and where 3 written quotes are required and how the MUR may be used as an alternative. Those processes are divided into categories depending on the likely value of the relevant purchase.

Purchases between \$15,000 and \$100,000 (GST Exclusive)

• At least 3 written quotes are required to be sought. Such quotes can be obtained by direct contact with the supplier and/or through using Council's Multiple-Use Register.

Purchases between \$100,000 and \$250,000 (GST Exclusive)

- Written quotes are to be sought either by the invitation of responses from all registrants within the relevant category of the Council Multiple-use Register or by public advertisement (through available print and electronic and social media) in circumstances where the skills, services or product sought is not sufficiently covered by registrants in the Multiple-Use Register or where the use of the Multiple-Use Register will not provide sufficient market contestability for the product or services sought; and
- Advertisements are to specifically invite quotations (ie invitation for quotations and **not** tenders);

6 Use of the MUR for contracts valued at under the Prescribed Amount.

With the exception of purchases of goods and services for less than \$15,000 Council requires goods or services (including works) which fall within a current category of Council's MUR all registrants within the relevant category will be invited to provide a quotation to provide the required goods or services (including works).

7 Exemptions from tender or quotation processes

The Act states that in certain prescribed situations or prescribed contracts the requirements to call tenders by way of open tender, use of the MUR or by multistage tender do not apply. Those situations and contracts which are set out in regulation 27 of the Regulations are:

- (a) an emergency, if, in the opinion of the general manager, there is insufficient time to invite tenders for the goods or services required in that emergency;
- (b) a contract for goods or services supplied or provided by, or obtained through, an agency of a State or of the Commonwealth;
- (c) a contract for goods or services supplied or provided by another council, a single authority, a joint authority or the Local Government Association of Tasmania:
- a contract for goods or services obtained as a result of a tender process conducted by
 - (i) another council; or
 - (ii) a single authority or a joint authority; or
 - (iii) the Local Government Association of Tasmania; or
 - (iv) any other local government association in this State or in another State or a Territory; or
 - (v) any organisation, or entity, established by any other local government association in this State or in another State or a Territory;
- (e) a contract for goods or services in respect of which a council is exempted under another Act from the requirement to invite a tender;
- (f) a contract for goods or services that is entered into at public auction;
- (g) a contract for insurance entered into through a broker;
- (h) a contract arising when a council is directed to acquire goods or services due to a claim made under a contract of insurance;

- a contract for goods or services, if the council resolves by absolute majority and states the reasons for the decision, being that a satisfactory result would not be achieved by inviting tenders because of
 - (i) extenuating circumstances; or
 - (ii) the remoteness of the locality; or
 - (iii) the unavailability of competitive or reliable tenderers;
- (j) a contract of employment with a person as an employee of the council.

11.7.5 STATE FIRE COMMISSION – LOCAL GOVERNMENT REPRESENTATION (File No)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to enable Council to consider nominating an elected member as a Local Government representative on the State Fire Commission.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2010-2015 in part provides that Council will:

• provide advocacy on behalf of the community and actively engage governments and other organisations in the pursuit of community priorities.

LEGISLATIVE REQUIREMENTS

LGAT is required to submit a list of 3 names for nomination by the Minister under the Fire Service Act, 1979.

CONSULTATION

The matter was raised at a Council Workshop on 28 September 2015.

FINANCIAL IMPLICATIONS

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

RECOMMENDATION:

That Council nominates an Alderman as a Local Government representative to the State Fire Commission.

ASSOCIATED REPORT

1. BACKGROUND

- **1.1.** The terms of the current Local Government representatives will conclude on 16 December 2015. LGAT is required to submit a list of 3 names for nomination by the Minister to fill 2 positions on the Commission. The incumbents Mr Rodney Sweetnam of Launceston City Council and Cr Hannah Rubenach of Break O'Day Council have indicated their interest in continuing in the role.
- **1.2.** As such, LGAT is now calling for nominations from Councils to fill these vacancies.

2. REPORT IN DETAIL

- **2.1.** The State Fire Commission is invested with a range of functions which include the formulation of policy in respect of service administration and operation, co-ordination and direction of the development of fire services throughout the State and the development and promulgation of a State Fire Protection Plan.
- **2.2.** The State Fire Commission meets on a monthly basis for approximately 3 hours.

3. CONSULTATION

The matter was raised at a Council Workshop on 28 September 2015.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Council's Strategic Plan 2010-2015 in part provides that Council will:

• provide advocacy on behalf of the community and actively engage governments and other organisations in the pursuit of community priorities.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

LGAT is required to submit a list of 3 names for nomination by the Minister under the Fire Service Act, 1979.

7. FINANCIAL IMPLICATIONS

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

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

LGAT has called for nominations from Local Government to fill 2 positions on the State Fire Commission. Council may consider that it would be in its interest to nominate a representative to fill the vacancy.

Attachments: Nil.

Andrew Paul

GENERAL MANAGER

11.7.6 HOBART AIRPORT PRELIMINARY DRAFT MASTER PLAN

(File No 20-09-01)

EXECUTIVE SUMMARY

PURPOSE

To consider a submission to the review of the Hobart Airport Master Plan.

Hobart International Airport Pty Ltd (HIAPL) is undertaking a consultation programme on a preliminary draft Hobart Airport Master Plan 2015 and has invited public/stakeholder comments.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan recognises the role and importance of the Hobart Airport passenger and freight gateway to Tasmania and the southern region.

LEGISLATIVE REQUIREMENTS

The Commonwealth owned land which comprises the bulk of the airport site is exempt from State planning and building legislation. The Airports Act 1996 and Regulations apply in-lieu of the State laws.

The Preliminary Draft Master Plan now incorporates 2 parcels of HIAPL land adjoining the airport but located outside the Commonwealth airport boundary lease, which is subject to State and Local jurisdiction.

CONSULTATION

Under the Airports Act 1996, airports are required to have a final master plan that has been approved by the Federal Minister. In accordance with the Act, Hobart International Airport Pty Ltd is undertaking a consultation programme on a preliminary draft Hobart Airport Master Plan and has invited public/stakeholder comments until 8 October 2015.

FINANCIAL IMPLICATIONS

No direct expenditure implications for Council.

RECOMMENDATION:

That Hobart International Airport Pty Ltd be advised that Council:

- A. Supports the planned on-going development of the Hobart Airport as Tasmania's premier airport and as an economic hub, recognising the economic and social contribution of the airport to the City and region.
- B. Supports the runway extension to accommodate international air traffic and greater freight capacity and wishes to participate in the Major Development Plan process for the project with a view to understanding the impacts and implications for the local communities, particularly in regard to noise exposure;

- C. Acknowledges the resulting closure of Surf Road through the airport site to general traffic but retaining access to the easement for pedestrians and cyclists and potentially vehicles in the event of emergency (eg bushfire).
- D. Supports the construction of a link road between Holyman Avenue and Surf Road (Grueber Avenue) providing access to the proposed freight, logistics and Antarctic hub proposal at the southern end of the site. In doing so, Council seeks commitment from the Hobart International Airport Pty Ltd to continue to engage with the Council and nearby landowners in discussions on the road alignment, management and opportunities to maximise and improve access to adjacent and future developments (such as the Seven Mile Beach Sport and Recreation facility).
- E. Seeks the inclusion of a future road connection between Holyman Drive and the Cranston Parade Specific Area (Light Industrial Zone) within the proposed Airport Ground Transport Plan.
- F. Acknowledges that there is a need for discussions to better align the Airport Noise Exposure Forecasts (ANEF) with the Councils' Planning Scheme Airport Buffer Mapping and Land Use Controls, particularly in light of the runway extension proposal.
- G. Identifies stormwater management planning, including stormwater retention infrastructure, as an issue of importance given the extent of commercial and industrial development proposed over time.

ASSOCIATED REPORT

1. BACKGROUND

- **1.1.** Hobart Airport was privatised by the Commonwealth in June 1998, with Hobart International Airport Pty Ltd (HIAPL) entering into a 99 year land lease with the Commonwealth Government.
- **1.2.** HIAPL is required under the Airports Act 1996 to develop, review and revise its Airport Master Plan every 5 years to ensure this plan captures its short, medium and long term plans for the airport site.
- **1.3.** In accordance with requirements of the Airports Act, the proposed 2015 Hobart Airport Master Plan establishes long term planning objectives for Hobart Airport and provides a framework to guide appropriate aeronautical and non-aeronautical development.

- **1.4.** The master plan defines a physical layout for the airport for the next 20 years (2015 to 2035), allocating future airport land usage based on an assessment of present and forecast aviation activities, the environment, other demands and wider community expectations.
- **1.5.** The 2015 Hobart Airport Preliminary Draft Master Plan provided for comment is focused on the 5 year period from 2015 to 2020.
- **1.6.** The process requires the airport-lessee company to prepare a draft master plan after taking into account public comments. In this regard HIAPL has written to the Council seeking feedback on the draft plan.
- **1.7.** The draft master plan when submitted to the Minister must be accompanied by a written statement listing the names of the persons consulted; and summarising the views expressed by the persons consulted.
- **1.8.** The final master plan is relevant to the approval of developments at the airport, as the Clarence Planning Scheme (being derived from State legislation) has no jurisdiction over the Commonwealth owned land occupied by the airport. However, in this iteration of the plan there is an extension of the airport footprint into adjacent freehold land owned by HIAPL, not within the Commonwealth lease boundary. Therefore State and local legislation may well be applicable to those aspects of proposed future development.
- **1.9.** Council considered the future operations of the airport in its response to the last review of the Hobart Airport Master Plan in 2009. It is appropriate to review the comments made by the Council in its 2009 submission and the subsequent consideration by HIAPL in addressing those issues in the current review. In summary, it would appear that the majority of concerns expressed by the Council in 2009 have been accommodated, or considered in the 2015 Hobart Airport Preliminary Draft Master Plan.

There appears to be a greater recognition of, and consistency with, local planning schemes although the plan reinforces the statutory power of the Airport where new developments are not subject to statutory State and Local Government planning and environmental approval processes.

2. REPORT IN DETAIL

2015 Hobart Airport Preliminary Draft Master Plan

- **2.1.** The preliminary draft Hobart International Airport Master Plan 2015 prepared by Hobart International Airport Pty Ltd (HIAPL) is a comprehensive document covering a wide range of matters, including those required to be addressed under the Airports Act 1996.
- **2.2.** The preliminary draft master plan addresses the current and future operational needs and development planning opportunities at the airport site, both aeronautical and non-aeronautical.
- **2.3.** This report will focus mainly on the aspects relevant to Council's land use planning, infrastructure planning and service provision roles.

Overview and Economic Benefits of Connectivity

- **2.4.** The introduction, overview and economic benefit sections of the draft Plan rightly highlight the importance to Tasmania of the Hobart International Airport.
- **2.5.** Tasmania is an isolated island on the far side of the world from global markets and potential visitors. Airports are gateways to the world and are vital for business activity as no other form of transport can match aviation in its speed, efficiency and global reach. Airports are an essential part of the transport networks on which successful modern economies rely.
- **2.6.** The draft Plan aims to further develop Hobart Airport's capacity and standard to service international and domestic air passengers travelling for tourism, business and personal reasons and in doing so improve Tasmania's connectivity and economic success.

- **2.7.** The forecast passenger projections presented forecast an average annual growth rate of 5% during the next 20 years to 2035. The development of facilities required to accommodate this growth, with a focus on the developments required during the next 5 years, are set out in the document.
- **2.8.** The economic modelling within the draft Master Plan 2015 estimates an increase in the Airport's economic contribution to the Tasmanian economy from \$143 Million per annum today to \$227 Million by 2035, and an increase in jobs (direct and indirect) from 731 today to 1031 by 2035.
- **2.9.** These projections appear more realistic and achievable compared to the predictions within the current 2009 Airport Masterplan, which (under the low growth scenario) estimated by 2029 an increase of 300,000m² in commercial floor space, with an economic contribution of \$348 Million and employment at the airport of 2120 persons.
- **2.10.** The economic roles and potential benefits flowing from the Airport operations are compelling, in particular:
 - facilitation of national and international business opportunities and investment;
 - provision of air freight services to facilitate trade;
 - underpinning the tourism and visitor services sector;
 - strengthening Australia's role in Antarctic research and associated industries; and
 - provision of an additional business and local employment hub for Clarence and the south east region.

Major Projects next 5 Years

2.11. The draft Plan identifies 2 major projects that will "significantly redefine and improve the operations of the airport".

- The construction of a 500m runway extension to enable direct flights to South-East Asia for passenger and freight opportunities and to allow for improved operational flexibility and the further development of Antarctic aviation programs, representing a capital investment of \$40 million; and
- Changes to the layout and size of the passenger terminal which will
 offer an improved experience for airport visitors and is designed meet
 capacity demands through to 2023, requiring an investment of \$25
 million.
- **2.12.** These are very important initiatives, as connectivity is vitally important for the economy as Tasmanian businesses seek to develop new opportunities that will allow them to prosper. There has long been recognition of the link between connectivity and economic growth. The availability of air freight services further facilitates trade by enabling businesses to operate in a more flexible and time sensitive scale, benefiting from services such as "just-in-time" delivery. International air connectivity also plays a crucial role in recruiting foreign direct business investment.
- **2.13.** In addition to the aviation services role, the draft Plan also seeks continued development of the airport's non-aviation activities, which HIAPL claims underpin the long term economic viability of Hobart Airport and complement its key aviation role.
- **2.14.** Non-aviation development at Hobart Airport has occurred over many years, but particularly since privatisation of the airport in 1998, and the draft Plan notes that Hobart Airport currently has approximately 36 tenants that directly support aviation business and approximately 27 tenants that are not directly related to aviation.

2.15. Nationally and internationally there has been a trend for airport precincts to develop as hubs of commercial activity, much in the same way as sea ports have done so historically. Firms cluster and agglomerate around the activity generated by the airport and because they can gain core efficiencies through the ease of connectivity by both air and land transport. Recognition of this role for the airport precinct is reflected in the Plan's stated Vision.

Vision for Hobart Airport

- **2.16.** HIAPL's vision for Hobart Airport: "is to be Tasmania's premier airport providing a boutique airport experience for our visitors and an economic hub that delivers opportunity and growth for the Tasmanian community".
- **2.17.** The incremental development of the Airport precinct as an economic hub is inevitable and will continue to be a significant element of development within the City of Clarence, effectively establishing within the city an additional commercial activity centre.
- **2.18.** It is important to recognise this role and the associated impacts within Council's planning processes, despite the fact that the Commonwealth owned site is largely outside of the regulatory jurisdiction of local and State government.

Land Use and Precinct Development

- **2.19.** The land use strategy within the draft Plan proposes that a strong link with the local economy will best position Hobart Airport to benefit from economic growth. The market sectors of likely growth for the airport are identified as:
 - passengers;
 - fresh produce (high value high perishable goods);
 - antarctic and logistics;
 - freight handling;
 - light/advanced manufacturing/industry;

- local business servicing the community;
- tourism supporting businesses; and
- flight related businesses.
- **2.20.** As discussed above it is the intention of HIAPL to achieve business diversification through the development of non-aeronautical land and businesses within the airport. To this end the Plan proposes a revised Precinct or land zoning structure which seeks to manage land use and strike a balance between aviation related activities and the non-aviation development and uses.

The precincts (or zones) identified for Hobart Airport include:

- Runway Precinct (174ha);
- Terminal Precinct (50ha);
- Aviation Precincts (71.5ha);
- Industrial Enterprise Precincts (27.4ha);
- Local Business Precincts (32.5ha);
- Tourism Mixed Use Precinct (35.9ha); and
- Environment Precincts (132.3ha).
- **2.21.** The land use depicted in the 2015 Master Plan departs from the 2009 Master Plan in a number of ways, including providing for:
 - a future logistics, freight and Antarctic hub in the southern corner of the site;
 - more developable land adjacent to the Tasman Highway (now essentially the whole highway frontage); and
 - inclusion of the 2 adjoining freehold titles owned by HIAPL (as Light Industry Zones).
- **2.22.** The draft plan also notes, that "for the purposes of Section 71(2)(j) of the Airports Act and regulation 5.02(2) of the Airports Regulations", the precinct plan has, where possible, described proposals for land use related planning and zoning using terminology and levels of detail consistent with the Clarence Interim Planning Scheme 2015.

- **2.23.** There is greater consistency with the surrounding local planning scheme in the draft Plan compared to the 2009 edition, but there remain opportunities for greater consistency and integration, including the following issues.
 - Under the draft Plan the Terminal precinct is expanded across to the airport western boundary. It is at this western boundary off Holyman Avenue that it was anticipated that the Plan would make provision for a connection to the adjacent Cranston Parade Light Industrial Zone. The Clarence Interim Planning Scheme 2015 has a specific area plan to provide for the development of part of this light industrial land in conjunction with airport activity.
 - The Plan also notes HIAPL support for the Clarence Interim Planning Scheme Airport Buffer Code (Overlay) and that it is essential to be kept in place to prevent inappropriate development intrusions on airport noise activity (particularly residential development). However, the current Airport buffer does not equate to the Airport Noise Exposure Forecasts (ANEF) shown in the Plan. In due course this inconsistency needs to be addressed to update not only the mapping, but ensure the development/use controls are consistent with the implications of the ANEF.

Airfield Development - Proposed Runway Extension including Closure of Surf Road and Alternative Access Arrangements

- **2.24.** As noted above the draft Plan proposes that the Hobart Airport runway be extended by 500m (150m to the north-west and 350m to the south-east) within the initial 5 year period.
- **2.25.** The extension of the Hobart Airport runway will enable direct flights to South-East Asia and for larger aircraft to service East Antarctica, opening up economic possibilities for Hobart and Tasmania. The project will extend the potential aircraft range beyond Singapore to cities such as Bangkok, Hong Kong, Tokyo, Shanghai and Chennai. The air traffic forecast shows international passenger flights between Hobart and South-Asia commencing from 2019 after the completion of the runway extension.

- **2.26.** The runway extension project will require the relocation of the airside perimeter road and security fence on the south-east of the runway. As a result it is proposed that Surf Road (an easement crossing the airport) be closed to vehicular traffic, and that a pedestrian and cycleway by-pass will be built adjacent to Surf Road to maintain non-vehicular access.
- **2.27.** It is important that Council has input into the options available to retain access along the Surf Road easement both for recreational activities and also access for vehicles in the event of emergencies.
- **2.28.** It is further proposed that a new road (Grueber Avenue) will be constructed to link Holyman Avenue to Surf Road providing continued access to the Tasman Highway for the Seven Mile Beach community. The Plan proposes construction of this alternate link in conjunction with the runway extension.
- **2.29.** Under the Airports Act 1996, the planned runway extension project will require the preparation and approval of a Major Development Plan (MDP), which will provide greater detail on the proposed development and its associated impacts and be the subject of further consultation. This will be an important additional opportunity for Council to ensure that the community views and interests are considered.
- **2.30.** It should be noted that the final design and alignment for the proposed Grueber Avenue is still to be determined. Discussions have taken place with HIAPL in relation to the Grueber Avenue alignment. The intent is to not only ensure a suitable alternative access between the Tasman Highway and Seven Mile Beach but also secure improved access options for Council's Seven Mile Beach Sport and Active Recreation Facility, Llanherne Golf Course, and other potential development proposals.

Future Logistics, Freight and Antarctic Hub and Adjacent Land

- **2.31.** The Plan suggests that the current freight aprons will continue operating in their current form for the next 5 years. The new northern apron freight facility is planned for development in the short-term to accommodate the parking of the two Code C aircraft or a single Code E aircraft for both the Antarctic flights and international operations. The concept design of the apron has taken the existing freight facility into account and it is anticipated that both facilities can co-exist for the medium-term.
- **2.32.** The Plan notes that to meet longer-term future demand for airfreight it is proposed that modern freight facilities be established at the southern end of the airport where land area and topography permit the development of aprons and hangars for the storage and handling of freight and aircraft. This will also allow for the development of warehouses and cool stores and the expansion of both domestic and international airfreight facilities.
- **2.33.** This area is also identified for Antarctic aviation operations as this precinct provides the space to develop separate handling and operational facilities for wide bodied aircraft to have direct access to apron areas, taxiways and the runway. The apron has also been positioned to facilitate high tailed military aircraft.
- **2.34.** The buildings and aprons will be served by the proposed new road (Grueber Avenue) and taxiways linking to freight aprons from the runway and facilities. These future facilities are reflected in the 2035 airport layout.
- **2.35.** It is noted that part of the land through which the proposed Grueber Avenue is planned and on which the logistics freight and Antarctic hub are located, is identified as Precinct 2 Light Industry freehold land and is outside the Commonwealth lease area. This is likely to bring future planning and development of this part of the airport within the jurisdiction of the State and Local Government Planning system.

Landside Transport - Ground Transport Plan

- **2.36.** HIAPL's broad aims in relation to ground transport are as follows:
 - a) Road: The broader road transport system will facilitate a variety of transport functions with more reliable access to the terminal forecourt and facilitate access to new development precincts.
 - b) <u>Parking:</u> Parking supply will be increased to accommodate new parking products and anticipated parking demands.
 - c) <u>Bus:</u> Bus access will be increased to provide frequent, safe and affordable services with comparable travel times to private vehicles. It will provide a more equitable transport choice for all airport users.
 - d) <u>Taxi:</u> The capability of the taxi system to reliably carry high number of passengers will be improved through a larger holding area and improved queuing and control facilities.
 - e) <u>Active transport:</u> The walking and cycling network will be connected, continuous, safe and comfortable with high amenity.
 - f) <u>Freight:</u> The transport network will provide efficient access for high productivity freight vehicles.
- **2.37.** In order to achieve these aims the draft Plan notes that collaboration between Hobart Airport, Federal, State and Local Government as well as the private sector is required to plan and deliver transport infrastructure.
- **2.38.** Specifically, HIAPL has identified 4 objectives for the 2015 Hobart Airport Ground Transport Plan.
 - 1) Incorporate State and Local Government transport planning in the development of the Ground Transport Plan to ensure a holistic approach to this area.
 - 2) Provide an integrated plan to improve transport access to Hobart Airport. The Ground Transport Plan integrates with land use to provide airside, landside, business and industry precincts with an efficient, reliable and sustainable ground transport network.

- 3) Improve ground transport access for all modes of travel for passengers, staff and commercial users. Provision of a choice of travel modes is a key outcome to provide equitable travel for users of Hobart Airport.
- 4) Provision of a future transport network capacity that is capable of meeting projected transport demand over the next 20 year period.
- **2.39.** This integrated and holistic approach to land transport described in the draft Plan is essential and should enable Council's interests in the following matters to be addressed:
 - upgrading of the Tasman Highway Holyman Drive roundabout and associated connections to Council roads (Kennedy Drive and Cranston Parade);
 - airport internal road connections being established to the south (Grueber Avenue) and to the west off Holyman Avenue to the Cranston Parade light industrial zone; and
 - establishment of improved public transport bus services to both Cambridge Park and the Airport.

Environmental Management

- **2.40.** Structural changes have occurred within the airport master plan format with the inclusion of the previously "stand alone" airport environmental strategy within the masterplan document. This is a welcome recognition that environmental management actions should align with the broader airport development planning.
- **2.41.** The environmental management regime that operates within the airport site is comprehensive including various testing and monitoring programs.
- **2.42.** Stormwater management is an issue of particular importance given the extent of commercial and industrial development proposed over time and the potential off-site impact on surrounding estuarine waterways.

2.43. The need for stormwater management processes, including where appropriate stormwater retention infrastructure, to be included by HIAPL as conditions of approval by lessee/tenant developments is essential.

3. CONSULTATION

Community Consultation

- **3.1.** In accordance with the Airports Act 1996, Hobart International Airport Pty Ltd is undertaking a consultation programme and has invited public/stakeholder comments until 8 October 2015 on the preliminary draft Hobart Airport Master.
- **3.2.** The company is required to advise the Minister on the outcomes of the consultation process. While there is no process for further consultation in the event that the company does not modify the documents to satisfy any concerns raised, these are matters that can be taken into account by the Minister in determining whether to give approval.

3.3. State/Local Government Protocol

There are no State/local protocols specific to this matter. It is anticipated that State agencies will be making their own submissions to HIAPL.

3.4. Other

Nil.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

- **4.1.** Council's Strategic Plan recognises the role and importance of the Hobart Airport passenger and freight gateway to Tasmania and the southern region.
- **4.2.** The extent of the non-aeronautical development proposed by HIAPL at the airport over the next 20 years will be significant for the City of Clarence and the southern region.

5. EXTERNAL IMPACTS

- **5.1.** As Commonwealth owned land, the airport site is specifically exempted from State planning laws. The Airports Act 1996 and Regulations apply in lieu of the State laws.
- **5.2.** There may be implications for the land outside the Commonwealth lease to HIAPL that is subject to future development in falling within Councils jurisdiction.

6. RISK AND LEGAL IMPLICATIONS

None applicable

7. FINANCIAL IMPLICATIONS

- **7.1.** There are no direct expenditure implications for Council associated with the masterplan. In broader terms the development of the Airport and expansion of its role will create employment and growth opportunities for the City and beyond.
- **7.2.** The development of land within the airport precinct for non-aeronautical development generates potential rate-equivalent payments to Council.

8. ANY OTHER UNIQUE ISSUES

None identified.

9. CONCLUSION

9.1. The sustainable development and growth at the Hobart Airport is good for the economic base of Clarence and indeed the State. The review of the 2009 Hobart Airport Master Plan proposes a major change to the ongoing operation of the airport through the extension of the runway and the addition of additional freight, logistics and Antarctic hub facilities. The result will be an increase in both the size and capacity of aircraft able to use the airport, the greater access to international destinations for passenger and freight, expansion of the Antarctic gateway role in servicing the continent and creating an international connection for expeditions.

- **9.2.** It is imperative that the impact on local communities and the region are understood and that best use is made of the opportunities the proposed growth and development provides.
- **9.3.** Key elements of a response from Council to the 2015 Hobart Airport Preliminary Draft Master Plan are proposed within the recommendation.

Attachments: Maps (3)

Andrew Paul

GENERAL MANAGER



Map F9 Cranston Parade Specific Area Plan - LISTmap

Recommended Council response:

That Council seek the inclusion of a future road connection between Holyman Drive and the Cranston Parade Specific Area (Light Industrial Zone) within the proposed Airport Ground Transport Plan.

Appendix 1

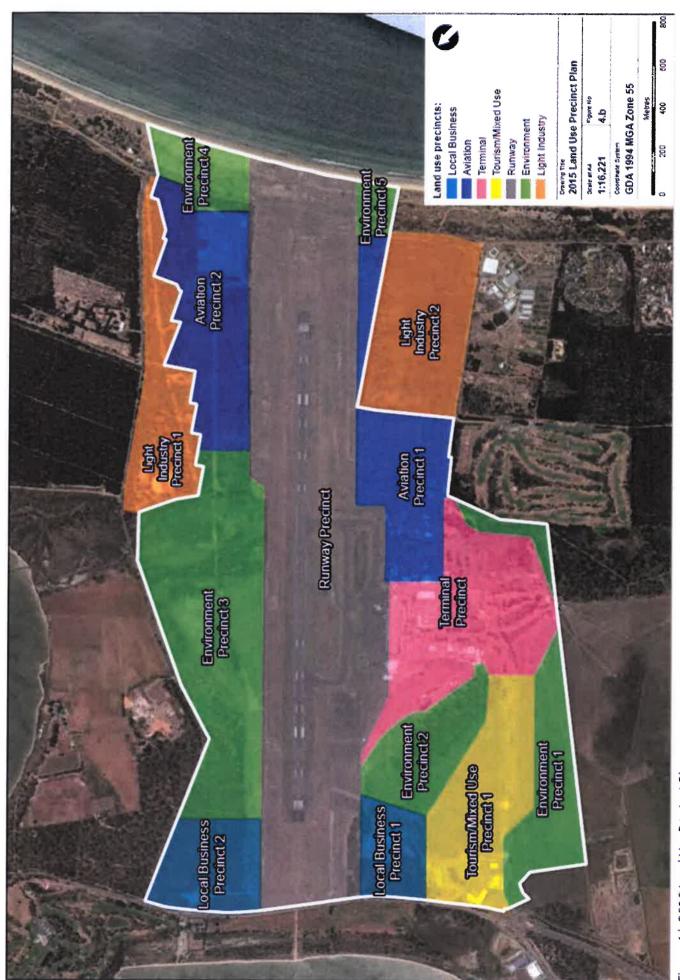


Figure 4.b 2015 Land Use Precinct Plan

Preliminary Grueber Avenue alignment.



12. ALDERMEN'S QUESTION TIME

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

12.1 QUESTIONS ON NOTICE

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

Nil.

12.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

12.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

12.4 QUESTIONS WITHOUT NOTICE

An Alderman may ask a Question without Notice of the Chairman or another Alderman or the General Manager. Note: the Chairman may refuse to accept a Question without Notice if it does not relate to the activities of the Council. A person who is asked a Question without Notice may decline to answer the question.

Questions without notice and their answers will not be recorded in the minutes.

The Chairman may refuse to accept a question if it does not relate to Council's activities.

The Chairman may require a question without notice to be put in writing. The Chairman, an Alderman or the General Manager may decline to answer a question without notice.

13. CLOSED MEETING

Regulation 15 of the Local Government (Meetings Procedures) Regulations 2015 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matters have been 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 T1045-15 ANNUAL HARDWASTE COLLECTION SERVICE
- 13.3 ANNUAL REVIEW GENERAL MANAGER

These reports have been listed in the Closed Meeting section of the Council agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulation 2015 as the detail covered in the report relates to:

- personnel matters;
- contracts and tenders for the supply of goods and services;
- applications by Aldermen for a Leave of Absence.

Note: The decision to move into Closed Meeting requires an absolute majority of Council.

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.

PROCEDURAL MOTION

"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".