

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 1 MAY 2017

HOUR CALLED: 7.30pm

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

N M Campbell
H Chong
P Cusick
D Doust
D Hulme
R H James
J Peers
D Thurley
S von Bertouch
J Walker; present.

1. APOLOGIES P K McFarlane

ORDER OF BUSINESS Items 1 – 11.6; 11.7.4; 11.7.1 – 11.7.3; 12 – 13.3

IN ATTENDANCE

General Manager
(Mr A Paul)

Corporate Treasurer
(Mr F Barta)

Acting Group Manager Asset Management
(Mr R Graham)

Corporate Secretary
(Mr A van der Hek)

Manager City Planning
(Mr R Lovell)

Manager Health and Community Development
(Mr J Toohey)

Co-ordinator Council Support
(Ms J Ellis)

The Meeting closed at 9.46pm.

Prior to the commencement of the meeting, the Mayor made the following declaration:

“I acknowledge the Tasmanian Aboriginal Community as the traditional custodians of the land on which we meet today, and pay respect to elders, past and present”.

The Mayor also advised the Meeting and members of the public that Council Meetings, not including Closed Meeting, are audio-visually recorded and published to Council’s website.

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1. ATTENDANCE AND APOLOGIES

Refer to cover page.

2. CONFIRMATION OF MINUTES

(File No 10/03/01)

RECOMMENDATION:

That the Minutes of the Council Meeting held on 10 April 2017, as circulated, be taken as read and confirmed.

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

“That the Minutes of the Council Meeting held on 10 April 2017, as circulated, be taken as read and confirmed”.

CARRIED UNANIMOUSLY

3. MAYOR’S COMMUNICATION

Nil

4. COUNCIL WORKSHOPS

In addition to the Aldermen’s Meeting Briefing (workshop) conducted on Friday immediately preceding the Council Meeting the following workshops were conducted by Council since its last ordinary Council Meeting:

PURPOSE	DATE
Legal Matters	
10 Year Financial Plan	
Building Compliance Issues	
Lauderdale Feasibility Study	
Local Government Act Review	19 April
Budget	26 April

RECOMMENDATION:

That Council notes the workshops conducted.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

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

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

INTEREST DECLARED: NIL

6. TABLING OF PETITIONS

(File No 10/03/12)

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

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

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

- Received from 63 signatories objecting the planning application to develop 3 storey high residential units at 4 – 6 Chatsworth Street, Rose Bay.

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.

Council Policy provides that the Chairperson may refuse to allow a question on notice to be listed or refuse to respond to a question put at a meeting without notice that relates to any item listed on the agenda for the Council meeting (note: this ground for refusal is in order to avoid any procedural fairness concerns arising in respect to any matter to be determined on the Council Meeting Agenda).

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)

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

“A. That the hearing of the depositions on the Lauderdale Urban Expansion Feasibility Study listed on the agenda be deferred until later in the meeting and be heard at the commencement of Item 11.7.4 and that Item 11.7.4 be considered as the first item in the Governance Section of the Agenda.

B. That sufficient of the Council’s standing orders under Council’s Meeting Procedures Policy be suspended to provide for a question time of maximum 15 minutes at the conclusion of each deputation presentation on the Lauderdale Urban Expansion Feasibility Study on the understanding that questions presented by Aldermen are directed to the depositions as a whole”.

CARRIED UNANIMOUSLY

(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)

PART A – Public Participation Segment

In accordance with the Council Meeting Procedures Policy the public participation segment is provided on the following basis:

- The segment is for a maximum of 15 minutes;
- Up to 5 persons can make a statement to the Council; and
- Each statement is not to exceed 3 minutes.

LAUDERDALE URBAN EXPANSION FEASIBILITY STUDY

(REFER ITEM 11.7.4)

Mr Rodney Dewhurst addressed the meeting regarding the above matter.

/ contd on Page 10...

DEPUTATIONS BY MEMBERS OF THE PUBLIC /contd...

PART B – Other Deputations

In accordance with the Council Meeting Procedures Policy deputations are:

- not to exceed three persons; and
- not to address the meeting for a period longer than fifteen minutes.

The Mayor in response to requests received has invited the following deputations:

1. **Deputation:** Mr Michael Figg;
Mr T Dourias; and
Mr J Dourias.

Subject: Lauderdale Urban Expansion Feasibility Study

2. **Deputation:** Ms Joan Carr;
Ms Kylie Cooper; and
Mr Thomas Moore.

Subject: Lauderdale Urban Expansion Feasibility Study

Refer to Item 11.7.4

9. MOTIONS ON NOTICE

Nil.

10. REPORTS FROM OUTSIDE BODIES

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

10.1 REPORTS FROM SINGLE AND JOINT AUTHORITIES

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

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

- **SOUTHERN TASMANIAN COUNCILS AUTHORITY**
Representative: Ald Doug Chipman, Mayor or nominee

Quarterly Reports

March Quarterly Report pending.

Representative Reporting

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

Quarterly Reports

March Quarterly Report pending.

Representative Reporting

- **SOUTHERN WASTE STRATEGY AUTHORITY**
Representative: Ald Richard James
(Ald Sharyn von Bertouch, Proxy)

Quarterly Reports

September, December and March Quarterly Reports pending.

Representative Reporting

Ald James advised the Meeting that the Authority is still waiting distribution of surplus funds.

- **TASWATER CORPORATION**

The Mayor advised that there would be a briefing from the Chairman of TasWater and a Special Council Meeting to consider Council's position on Monday, 8 May.

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES**BICYCLE STEERING COMMITTEE – QUARTERLY REPORT**

(File No)

Chairperson's Report – Alderman S von Bertouch

Report to Council for the 3 month period 1 January 2017 to 31 March 2017.

1. PRINCIPAL OBJECTIVES AND GOALS

The Committee's prime objectives are to:

- advise Council on the identification, development and maintenance of cycling routes and infrastructure along roads and other easements throughout the City;
- facilitate and provide guidance for the implementation of Council's adopted Bicycle Strategy;
- be actively involved in providing design advice relating to cycling infrastructure projects undertaken by Council;
- be actively involved in providing advice to CyclingSouth on matters relating to regional cycling infrastructure; and
- promote information sharing of cycling related matters affecting the City.

In working towards these goals the Committee arranged and implemented a range of activities, which are set out below.

2. CAPITAL WORKS PROJECTS**2.1. Cambridge Road – Cambridge Village to Roundabout - Painted Bike Lanes**

A Parking survey recorded 15% parking density along this section of Cambridge Road. The line marking design was completed and a contractor engaged following a quotation process. Line marking is to commence in April/May 2017 and due for completion in the same quarter.

2.2. Cambridge Road, Mornington – Painted Bike Lines

Kerb and gutter works have commenced. Following the completion of this work the line marking for the bike lanes can be undertaken.

2.3. Mornington Roundabout Pedestrian/Cycling Underpass

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

2.4. Rosny Hill Road – Overpass to City View Motel

Construction is complete.

3. RECURRENT INITIATIVES

Nil.

4. DESIGN AND INVESTIGATION WORK IN PROGRESS

Clarence Street Safety Assessment Report

Planning for community consultation is almost complete. Consultation is scheduled after Easter 2017, closing on Friday, 19 May 2017.

Clarence Foreshore Trail – Simmons Park to Anzac Park

Design is underway.

Tasman Highway – Extension from Tasman Bridge to Montagu Bay Road

Shared funding is being sought from Department of State Growth. Project deferred until funding arrangements have been agreed.

Howrah and Tranmere Roads – Investigation of Bike Infrastructure

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

Clarence Foreshore Track – Marana Avenue to Montagu Bay Park

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

5. GOVERNANCE MATTERS.

Committee Meeting

The Committee held 2 meetings during the quarter held on 16 January 2017 and 6 February 2017.

6. EXTERNAL LIAISON

CyclingSouth Meeting was held on 22 February 2017.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

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

“That the Recommendation be adopted”

CARRIED UNANIMOUSLY

TRACKS AND TRAILS ADVISORY COMMITTEE

(File No 07-06-09)

Chairperson's Report – Alderman R James

Report to Council for the 3 month period for 1 January 2017 to 31 March 2017.

1. PRINCIPAL OBJECTIVES AND GOALS

The Committee's prime objectives are to:

- provide advice and make recommendations, including policy, to assist Council in the development of tracks and trails in the City;
- assist in the development and periodic review of Council's Tracks and Trails Strategy;
- develop and maintain a Tracks and Trails Register which captures all existing and possible future trail and track networks (including multi-user pathways) in Clarence;
- develop and review (on a rolling basis) the Tracks and Trails Action Plan for endorsement by Council that articulates the development initiatives prioritised and proposed to be conducted over a 5 year programme which recognises the access and needs of all users eg: walkers, horse riders, mountain bikers, etc;
- monitor progress and work to address the actions of the plan according to their level of priority;
- as part of internal referral process to provide input and advice on the provision and requirements for trail networks and the provision of trail linkages as part of new subdivisions.

In working towards these goals, the Committee undertook a range of activities, which are set out below.

2. CAPITAL WORKS PROJECT**Kangaroo Bay Rivulet Track**

A new walking track alongside the Kangaroo Bay Rivulet between Rosny Farm and Gordons Hill Road is complete and open for use.

Blessington Track

The coastal walking track was extended to Fort Beach and now provides a continuous walk from South Arm war memorial carpark to Pot Beach.

Mortimer Bay Coastal Track Extension

The track was extended to connect to a fire trail near Palana Court.

Betsy Mack Track

A new track has been constructed in Glebe Hill Reserve between the main Glebe Hill Track and the Betsy Mack entrance.

Merindah Track

A missing section of the Merindah Track in Glebe Hill Reserve has been constructed to link up with the main Glebe Hill Track.

3. RECURRENT INITIATIVES – MAINTENANCE AND UPGRADES

Tangara Trail at Five Ways, Acton

Unauthorised dirt jumps have been removed and a new Landcare group has been formed to rehabilitate the area.

Clarence Coastal Trail between Seven Mile Beach and Roches Beach

Work has been carried out to improve the surface of this popular track.

4. DESIGN AND INVESTIGATION WORK IN PROGRESS

Clarence Plains Rivulet Track

The track alignment has been finalised and approval has been given to construct the southern section of track across Education Department property.

Meehan Range – Kerosene Hill Track

Site visits have been held with Hansens Quarry to finalise the alignment of the Kerosene Hill Track.

Rokeby to Lauderdale Track

A consultant has investigated the feasibility of a footway along the northern side of South Arm Road. Another consultant has provided a report on developing a track along the Crown Land Foreshore of Ralphs Bay. This was reported to Council's Meeting of 10 April 2017.

5. GOVERNANCE MATTERS.**Committee Meetings**

One committee meeting was held on 9 February 2017.

6. EXTERNAL LIAISON

Nil.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

Decision: **MOVED** Ald James **SECONDED** Ald Peers

“That the Recommendation be adopted”

CARRIED UNANIMOUSLY

OTHER COMMITTEES**Richmond Advisory Committee**

- Ald Chong tabled the Minutes of a Meeting held on 21 March 2017.

Howrah Community Centre Committee

- Ald Chong tabled the Minutes of a Meeting held on 16 March 2017.

Clarence Christmas Brunch 2016

- Ald Chong tabled the Final Evaluation Report.

Bellerive Community Art Centre Inc

- Ald Thurley tabled the Minutes of a Meeting held on 12 April 2017.

Tracks and Trails Advisory Committee

- Ald James tabled the Minutes of a Meeting held on 20 April 2017.

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

(File No 10/02/02)

The Weekly Briefing Reports of 10 and 24 April 2017 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 10 and 24 April 2017 be noted.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

Nil.

11.3 PLANNING AUTHORITY MATTERS

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

11.3.1 DEVELOPMENT APPLICATION D-2017/63/SD-2017/3 – 31 BEACH STREET, 57 AND 61 CLARENCE STREET, BELLERIVE – BOUNDARY ADJUSTMENT RETAINING THE 2 EXISTING SINGLE DWELLINGS AND CREATION OF A LARGER LOT FOR 9 MULTIPLE DWELLINGS

(File Nos D-2017/63; SD-2017/3)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider an application for a boundary adjustment retaining the 2 existing Single Dwellings and creation of a larger lot for 9 Multiple Dwellings at 31 Beach Street, 57 and 61 Clarence Street, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and is subject to the Road and Rail Assets, Parking and Access and Stormwater Management Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 3 May 2017 as agreed with the applicant.

CONSULTATION

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

- loss of privacy;
- dwelling density;
- overshadowing;
- impact on property values; and
- lack of detail on external materials.

RECOMMENDATION:

- A. That the Development Application for a boundary adjustment retaining the 2 existing Single Dwellings and creation of a larger lot for 9 Multiple Dwellings at 31 Beach Street, 57 and 61 Clarence Street, Bellerive (CI Ref D-2017/63 and SD-2017/3) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AP3 – AMENDED PLANS [(a) screening along the northern elevation of the upper level deck associated with House 6 to a height of 1.7m above the finished surface level and with a uniform transparency of no more than 25%; (b) screening along the western elevation of the upper level deck associated with House 4 and returning for a distance of 1m along the southern elevation of the deck to a height of 1.7m above the finished surface level and with a uniform transparency of no more than 25%; (c) the west facing dining room window of House 9 must have a sill height of at least 1.7m above the floor level or have fixed obscure glazing extending to a height of at least 1.7m above the floor level of this window; and (d) the relocation of the bin storage areas outside of the garages to an area for the exclusive use of each dwelling with a minimum area of 1.5m² and excluding the area in front of the dwelling.
 3. Prior to the issue of a Building Permit for the proposed Multiple Dwelling development, the Final Plan of Survey for the boundary adjustment for SD-2017/3 must be sealed by Council so that the unit development is contained on the one title.
 4. ENG A2 – CROSSOVER CHANGE [TSD-R09][5.5m WIDE].
 5. ENG A5 – SEALED CAR PARKING.
 6. ENG A7 – REDUNDANT CROSSOVER.
 7. ENG S1 – INFRASTRUCTURE REPAIR.
 8. ENG S2 – SERVICES.
 9. ENG S4 – STORMWATER CONNECTION.
 10. ENG M1 – DESIGNS DA.
 11. ENG M3 – GARBAGE FACILITIES.
 12. ENG M8 –EASEMENTS.

13. All stormwater run-off from impervious surfaces within the site must be treated and discharged from site using Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions (or the MUSIC model) must be submitted to Council’s Group Manager Asset Management for approval prior to the issue of a building or plumbing permit. This report is to include the maintenance management regime/replacement requirements for the treatment facility.
 14. The development must meet all required Conditions of Approval specified by TasWater notice dated 21 March 2017 (TWDA 2017/00283-CCC).
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

**11.3.2 SUBDIVISION APPLICATION SD-2016/50 - 63 CORNWALL STREET,
ROSE BAY - 1 LOT SUBDIVISION**
(File No SD-2016/50)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 1 lot subdivision at 63 Cornwall Street, Rose Bay.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Road and Railway Assets, Parking and Access, and Stormwater Management codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended to 3 May 2017 with the written agreement of the applicant.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 2 representations were received raising the issue of Development Standards for Subdivision.

RECOMMENDATION:

- A. That the application for a 1 lot subdivision at 63 Cornwall Street, Rose Bay (CI Ref SD-2016/50) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN POS4 – POS CONTRIBUTION [5%] [Lot 1].
 3. ENG A1 – NEW CROSSOVER [TSD-R09] Replace “3.0m wide” with “3.6m wide”.

11.3.3 DEVELOPMENT APPLICATION D-2017/64 - 46 LEWIS AVENUE, SEVEN MILE BEACH - OUTBUILDING
(File No D-2017/64)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an outbuilding at 46 Lewis Avenue, Seven Mile Beach.

RELATION TO PLANNING PROVISIONS

The land is zoned Village and subject to the Parking and Access, Stormwater Management, Inundation Prone Areas, and the On-Site Wastewater Management Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development as the proposal does not meet the acceptable solutions within the Stormwater Management and Inundation Prone Areas codes.

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 8 May 2017.

CONSULTATION

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

- stormwater;
- building use;
- privacy;
- building height;
- building materials;
- landscaping;
- accuracy of plans; and
- impact on property values.

RECOMMENDATION:

- A. That the Development Application for an outbuilding at 46 Lewis Avenue, Seven Mile Beach (CI Ref D-2017/64) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN M7 – DOMESTIC USE.
 3. GEN M9 – NONHABITABLE PURPOSES.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

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

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

11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT**11.5.1 COUNCIL RESPONSE TO NATIONAL CLIMATE CHANGE OBJECTIVES**

(File No)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider how Council can best respond to national climate change objectives following the 21st Conference of Parties (COP21, Paris).

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2016-2026 is relevant.

LEGISLATIVE REQUIREMENTS

There are no specific legislative requirements.

CONSULTATION

There has been consultation with Ironbark Sustainability representatives. No public consultation has been undertaken.

FINANCIAL IMPLICATIONS

Council to consider allocating funding of \$19,000 in the 2017/2018 Annual Budget to develop the baseline emissions data for the development of a Greenhouse Emissions Reduction Plan 2018 – 2023.

RECOMMENDATION:

- A. That Council considers allocating funds of \$19,000 in the 2017/2018 Annual Budget enabling commencement of work on establishing a Greenhouse Emissions Reductions Plan which encompasses Emissions Reductions Targets relative to established Emissions Baselines. A key component of a Greenhouse Emissions Reduction Plan would be the establishment of a positive messaging community climate change communications strategy.
- B. That Council authorises the General Manager or his delegate to report on the relative benefits and costs of Council participating in the Compact of Mayors or the International Council for Local Environmental Initiatives.

Decision:

MOVED Ald von Bertouch **SECONDED** Ald Hulme

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE

As per Procedural Motion on Page 9, Item 11.7.4 was dealt with at this stage. Refer to Page 39 for decision.

11.7.1 TARGETED REVIEW OF LOCAL GOVERNMENT ACT, 1993

(File No)

EXECUTIVE SUMMARY**PURPOSE**

To consider Council's response to the "targeted" review of the Local Government Act, 1993 prepared by the Division of Local Government.

RELATION TO EXISTING POLICY/PLANS

A portion of the response to this paper relates to existing Council policies.

LEGISLATIVE REQUIREMENTS

There are no statutory requirements associated with the purpose of the discussion paper, however, Council is in the practice of providing responses to such legislative reviews.

CONSULTATION

An earlier discussion paper was circulated to all Councils in 2016, in accordance with the standing State/Local Government consultation protocols. This now represents the next stage of this review.

FINANCIAL IMPLICATIONS

Some financial/resource implications will occur should the reforms identified in the paper take place, however, it is difficult to quantify at this stage.

RECOMMENDATION:

- A. That Council notes the issues contained in the summary of the Targeted Review of the Local Government Act, 1993 and the draft Bill "Local Government (Targeted Review) Amendment Bill 2017".
- B. That Council endorses the comments and recommendations included in the Draft response to the draft Bill for submission to the Local Government Division, Department of Premier and Cabinet and the Local Government Association of Tasmania (LGAT).
- C. That Council restate its concern at the recent emerging trend to unnecessarily increase the level of detailed prescription and influence on local government governance in the Local Government Act, 1993 which is evidenced in the manner in which Ministerial Orders are proposed to be introduced in the draft Bill.

/ Refer to Page 34 for Decision on this Item...

TARGETED REVIEW OF LOCAL GOVERNMENT ACT, 1993 /contd...

Decision:	<p>MOVED Ald Walker SECONDED Ald Chong</p> <p>“A. That Council notes the issues contained in the summary of the Targeted Review of the Local Government Act, 1993 and the draft Bill “Local Government (Targeted Review) Amendment Bill 2017”.</p> <p>B. That Council endorses the comments and recommendations included in the Draft response to the draft Bill for submission to the Local Government Division, Department of Premier and Cabinet and the Local Government Association of Tasmania (LGAT).</p> <p>C. That Council restate its concern at the recent emerging trend to unnecessarily increase the level of detailed prescription and influence on local government governance in the Local Government Act, 1993 which is evidenced in the manner in which Ministerial Orders are proposed to be introduced in the draft Bill.</p> <p>D. That on the basis of transparency and accountability Council request the Director of Local Government to establish a meaningful mechanism or tool for ratepayers to compare the efficiency and performance of their Council with other Councils on a range of metrics and that ideally this would be through a website similar to Victoria’s www.knowyourcouncil.vic.gov.au”.</p> <p style="text-align: right;">CARRIED</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;">FOR</td> <td style="width: 50%; vertical-align: top;">AGAINST</td> </tr> <tr> <td style="vertical-align: top;"> Ald Campbell Ald Chipman Ald Chong Ald Cusick Ald Doust Ald Hulme Ald Peers Ald Thurley Ald von Bertouch Ald Walker </td> <td style="vertical-align: top;"> Ald James (abstained) </td> </tr> </table>	FOR	AGAINST	Ald Campbell Ald Chipman Ald Chong Ald Cusick Ald Doust Ald Hulme Ald Peers Ald Thurley Ald von Bertouch Ald Walker	Ald James (abstained)
FOR	AGAINST				
Ald Campbell Ald Chipman Ald Chong Ald Cusick Ald Doust Ald Hulme Ald Peers Ald Thurley Ald von Bertouch Ald Walker	Ald James (abstained)				

**11.7.2 CLARENCE SENIORS AND CITIZENS CENTRE – STRATEGIC PLAN 2016
- 2021**
(File No A016-17)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is for Council to receive the Clarence Seniors and Citizens Centre Strategic Plan 2016 – 2021 and to consider a request to change the name of the facility to Almas Activities Centre Clarence.

RELATION TO EXISTING POLICY/PLANS

- Strategic Plan 2016-2026 – Strategic Goal areas:

*“A people city –
Clarence is a city which values diversity and encourages equity
and inclusiveness, where people of all ages and abilities have the
opportunity to improve their health and quality of life.*

*A well planned liveable city –
Clarence will be a well-planned liveable city with services and
supporting infrastructure to meet current and future needs”.*

- Positive Ageing Plan 2012 - 2016; and
- Access Plan 2014 - 2018.

LEGISLATIVE REQUIREMENTS

The Clarence Seniors and Citizens Centre is managed by a special committee of Council in accordance with the provisions of the Local Government Act, 1993.

CONSULTATION

The Management Committee, with assistance from Council officers, developed the Clarence Seniors and Citizens Strategic Plan 2016 - 2021.

FINANCIAL IMPLICATIONS

There are funds allocated in the current Annual Plan for development of a Concept Plan for the Centre. Any future funding for the Centre will be based on Council budget deliberations.

RECOMMENDATION:

- A. That the Clarence Seniors and Citizens Centre Strategic Plan 2016 - 2021 be received and noted by Council.
- B. That Council endorse the name change for the facility to “Almas Activities Centre Clarence”.

/ Refer to Page 36 for Decision on this Item...

11.7.3 REVIEW OF 10 YEAR FINANCIAL MANAGEMENT PLAN

(File No 15-02-01)

EXECUTIVE SUMMARY**PURPOSE**

To review Council's current 10 Year Financial Management Plan.

RELATION TO EXISTING POLICY/PLANS

Consistent with current policies.

LEGISLATIVE REQUIREMENTS

Review required at least every 4 years under the Local Government Act, 1993.

CONSULTATION

No issues to be addressed.

FINANCIAL IMPLICATIONS

No direct financial implications, however, the Plan sets Council's strategic financial framework.

RECOMMENDATION:

- A. That Council notes the significant reduction in the proposed future TasWater distribution pool and its effect on the adopted 10 Year Financial Management Plan.
- B. That the revised draft 10 Year Financial Management Plan (at Attachment 1) be adopted.
- C. That as part deliberations for each annual budget the General Manager provides an options paper, including potential saving measures and revenue opportunities, to off-set the loss of TasWater dividends.

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

REVIEW OF 10 YEAR FINANCIAL MANAGEMENT PLAN /contd...

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

11.7.4 LAUDERDALE URBAN EXPANSION FEASIBILITY STUDY

(File No E1061-15)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider submissions arising from public exhibition of this project and then to determine whether to proceed to the next stage of the project.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2016-2026, objectives for Economic Development and the Environment; the Southern Tasmanian Regional Land Use Strategy (STRLUS); the Lauderdale Structure Plan; and the Clarence Interim Planning Scheme (CIPS) are relevant to any future expansion of the Lauderdale urban area.

LEGISLATIVE REQUIREMENTS

The report on this item details the basis for the recommendation. Any alternative decision by Council will require a full statement of reasons to maintain the integrity of the Tender process and to comply with the requirements of the Judicial Review Act.

CONSULTATION

Non statutory community consultation was undertaken. A number of submissions were made covering issues to do with general support or opposition for the expansion of Lauderdale; supporting urban expansion; urban growth and strategic planning; landfill impacts; stormwater/ drainage; roads; traffic; amenity and environmental risks; decision making and misinformation; financial burdens; community infrastructure and facilities impacts; and lifestyle impacts.

FINANCIAL IMPLICATIONS

Council allocated funds within the 2015/2016 Annual Plan which has been supplemented with funding from State Government.

RECOMMENDATION:

- A. That Council decides not to proceed with the Lauderdale Urban Expansion Feasibility Study and accordingly decides not undertake an amendment to the Lauderdale Structure Plan nor to seek an amendment to the Southern Tasmanian Regional Strategy Plan, for the following reasons:
1. The Study shows it would not be financially feasible to undertake the development.
 2. The development of the area would unreasonably impact on the amenity of the area.
 3. There are significant constraints to the development of the area, including the availability of suitable fill as well as long term regional traffic management implications.

4. There are high risk and complex engineering solutions required to enable development to occur and Council would be liable for significant and unredeemable costs, in the order of \$11,000,000, for infrastructure and management costs alone.
 5. There is no adequate strategic land use planning justification for modifying the Lauderdale Structure Plan or the Southern Tasmanian Regional Land Use Strategy.
- B. That Council advises the Minister for Planning of Council's decision and the reasons behind it.
- C. That Council thanks submitters for their contributions and advises them of the outcome.

Decision:	PROCEDURAL MOTION	
	MOVED Ald James SECONDED Ald Cusick	
	"To allow Change of Order of deputations".	
	The MOTION was put and LOST	
	FOR	AGAINST
	Ald Campbell	Ald Chong
	Ald Chipman	Ald Doust
	Ald Cusick	Ald Hulme
	Ald James	Ald Peers
		Ald Thurley
		Ald von Bertouch
		Ald Walker

Deputations

As per Page 9 the following deputations were made:

1. **Deputation:** Mr Michael Figg.
Subject: Lauderdale Urban Expansion Feasibility Study
2. **Deputation:** Ms Joan Carr;
Ms Kylie Cooper; and
Dr Thomas Moore.
Subject: Lauderdale Urban Expansion Feasibility Study

/ Decision contd on Page 41

LAUDERDALE URBAN EXPANSION FEASIBILITY STUDY /Decision contd...

Decision:	MOVED Ald von Bertouch SECONDED Ald Cusick																				
	“That the Recommendation be adopted”.																				
	CARRIED																				
	<table><tr><td>FOR</td><td>AGAINST</td></tr><tr><td>Ald Chipman</td><td>Ald Campbell</td></tr><tr><td>Ald Chong</td><td>Ald James</td></tr><tr><td>Ald Cusick</td><td></td></tr><tr><td>Ald Doust</td><td></td></tr><tr><td>Ald Hulme</td><td></td></tr><tr><td>Ald Peers</td><td></td></tr><tr><td>Ald Thurley</td><td></td></tr><tr><td>Ald von Bertouch</td><td></td></tr><tr><td>Ald Walker</td><td></td></tr></table>	FOR	AGAINST	Ald Chipman	Ald Campbell	Ald Chong	Ald James	Ald Cusick		Ald Doust		Ald Hulme		Ald Peers		Ald Thurley		Ald von Bertouch		Ald Walker	
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Ald Walker																					

12. ALDERMEN'S QUESTION TIME

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

12.1 QUESTIONS ON NOTICE

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

Nil.

12.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

12.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

12.4 QUESTIONS WITHOUT NOTICE

An Alderman may ask a Question without Notice of the Chairman or another Alderman or the General Manager. Note: the Chairman may refuse to accept a Question without Notice if it does not relate to the activities of the Council. A person who is asked a Question without Notice may decline to answer the question.

Questions without notice and their answers will not be recorded in the minutes.

The Chairman may refuse to accept a question if it does not relate to Council's activities.

The Chairman may require a question without notice to be put in writing. The Chairman, an Alderman or the General Manager may decline to answer a question without notice.

13. CLOSED MEETING

Regulation 15 of the Local Government (Meetings Procedures) Regulations 2015 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matters were listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.

- 13.1 APPLICATIONS FOR LEAVE OF ABSENCE
- 13.2 LEGAL MATTER
- 13.3 PROPERTY MATTER - BELLERIVE

In accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 the reports in the Closed Meeting section of the Council Agenda were dealt with on the grounds that the detail covered in the reports relates to:

- proposals to acquire land or an interest in land or for the disposal of land;
- applications by Aldermen for a Leave of Absence;
- matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the 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.

Decision:

PROCEDURAL MOTION

MOVED Ald Campbell **SECONDED** Ald Peers

“That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”.

CARRIED UNANIMOUSLY

The Meeting closed at 9.46pm.