

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 11 APRIL 2016

HOURLY CALLED: 7.30pm

PRESENT: The meeting commenced at 7.30pm with the Mayor (Ald D C Chipman) in the Chair and with Aldermen:

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

1. APOLOGIES Nil.

ORDER OF BUSINESS Items 1 – 13

IN ATTENDANCE

General Manager
(Mr A Paul)

Corporate Secretary
(Mr A van der Hek)

Corporate Treasurer
(Mr F Barta)

Manager City Planning
(Mr R Lovell)

Manager Health and Community Development
(Mr J Toohey)

Development Engineer
(Mr M Melton)

Co-ordinator Council Support
(Ms J Ellis)

The Meeting closed at 8.40pm.

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

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

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

COUNCIL MEETING
MONDAY 11 APRIL 2016

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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 15 March 2016 and the Special Council (Planning Authority) Meeting held on 21 March 2016, as circulated, be taken as read and confirmed.

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

“That the Minutes of the Council Meeting held on 15 March 2016 and the Special Council (Planning Authority) Meeting held on 21 March 2016, as circulated, be taken as read and confirmed”.

CARRIED UNANIMOUSLY

3. MAYOR’S COMMUNICATION

The Mayor formally acknowledged the passing of former Councillor Alan A’Church who was a valued member of Council between 1973 and 1988.

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
Budget Bellerive Beach Park All Abilities Playground	21 March
Budget	4 April

RECOMMENDATION:

That Council notes the workshops conducted.

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

“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 complied with the Act requirements:

- Received from 231 signatories requesting a Planning Scheme Amendment to change the zoning of Rosny Hill Recreation Area (currently zoned Recreation) to environmental management zone.

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

The General Manager provides the following answer to Questions taken on Notice from a member of the public at previous Council Meetings.

TRAFFIC MATTERS LINDISFARNE

M/s Burgess of Lindisfarne asked when will the Council look at the problem of traffic at the intersection of Julie Street and Boatta Road and parking in Boatta Road and Malunna Road.

ANSWER DETAILS

The Intersection is currently controlled by give way signs and markings with road priority to the Boatta Road traffic. Crash reports were checked for the intersection of Boatta and Malunna Roads and it was found that 2 crashes were reported. Out of these 2 crashes, 1 was property damage and another one required First Aid treatment. Both of those crashes were caused from failing to give way.

Contd on Page 9

ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE /contd...

Stop signs are installed at intersections where the sight lines are compromised; an inspection of the intersection revealed that the required sight lines conform to the relevant standards for a give way control and hence do not require additional control or change such as Stop signs.

The parking behaviour on both streets was found to be compliant and has not compromised the intersection safety. A large number of vehicles associated with a property in Malunna Road are parked on the street; however, this does not create a significant safety risk to the intersection. Parked vehicles provide an informal measure of traffic calming on a residential street and interrupted traffic flow is a typical character of residential street traffic.

Intersection markings are faded and need repainting; Council will include this intersection as part of the next round of the line marking works soon to be submitted to the Department of State Growth.

The stormwater issue has been passed to Council's Stormwater Engineer to be investigated and a report will be forwarded to Council.

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)

(In accordance with Regulation 38 of the Local Government (Meeting Procedures) Regulations 2015 and in accordance with Council Policy, deputation requests are invited to address the Meeting and make statements or deliver reports to Council)

DEVELOPMENT APPLICATION D-2016/53 – 88 MOUNT RUMNEY ROAD, MOUNT RUMNEY – ALTERATIONS AND ADDITIONS TO EXISTING DWELLING, NEW OUTBUILDING AND ANCILLARY DWELLING

(REFER ITEM 11.3.1)

Mr Mark Klop addressed the Meeting regarding the above Development Application.

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

The Southern Tasmanian Councils Authority has distributed its Quarterly Report for the period 1 October to 31 December 2015.

RECOMMENDATION:

That the Quarterly Report of the Southern Tasmanian Councils Authority for the Quarter ending 31 December 2015 be received.

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

“That the Quarterly Report of the Southern Tasmanian Councils Authority for the Quarter ending 31 December 2015 be received”.

CARRIED UNANIMOUSLY

Representative Reporting

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

Quarterly Reports

March Quarterly Report pending.

Representative Reporting

Ald Campbell provided an update on the progress of the tendering for civil works for the C Cell project.

REPORTS FROM SINGLE AND JOINT AUTHORITIES /contd...

- **SOUTHERN WASTE STRATEGY AUTHORITY**

Representative: Ald Richard James
(Ald Sharyn von Bertouch, Proxy)

Quarterly Reports

September Quarterly Report pending.

The Southern Waste Strategy Authority has distributed its Quarterly Report for the period 1 October to 31 December 2015.

RECOMMENDATION:

That the Quarterly Report of the Southern Waste Strategy Authority for the Quarter ending 31 December 2015 be received.

Decision:	MOVED Ald James SECONDED Ald Cusick																								
	“That the Quarterly Report of the Southern Waste Strategy Authority for the Quarter ending 31 December 2015 be received”.																								
	CARRIED																								
	<table> <tr> <td>FOR</td> <td>AGAINST</td> </tr> <tr> <td>Ald Campbell</td> <td>Ald Walker (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 James</td> <td></td> </tr> <tr> <td>Ald McFarlane</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> </table>	FOR	AGAINST	Ald Campbell	Ald Walker (abstained)	Ald Chipman		Ald Chong		Ald Cusick		Ald Doust		Ald Hulme		Ald James		Ald McFarlane		Ald Peers		Ald Thurley		Ald von Bertouch	
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Representative Reporting

- **TASWATER CORPORATION**

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES**AUDIT PANEL**

(File No 07/02/12)

Chairperson's Report 40 – April 2016

The Audit Panel met on 22 March 2016 and I attach a copy of the draft Minutes of the Meeting for tabling at Council's Meeting (Attachment 1).

A further update on the progress regarding the tender and evaluation process for new IT solutions for Council was provided to the meeting. The Panel noted that the preferred suppliers had submitted their final tenders for IT solutions and that these were currently being evaluated. It was further noted that the Evaluation Committee would be making a presentation to the Panel on the evaluation outcomes.

The Deputy Auditor General and Engagement Leader from Audit Office, Tasmania attended the meeting and provided an overview of the Annual Financial Audit strategy for 2015/16.

The Panel received a number of final reports on audit projects at its March 2016 meeting and these are outlined as follows.

Project 41 - Parks and Recreation Facilities Safety and Risk Assessments (Updated Report)

The Panel considered the findings and endorsed the management actions proposed. The Panel noted from the findings of the report that the general management of Council's recreational facilities would significantly benefit from the enhanced IT solutions currently being considered and that the new "high-end" recreational facilities that Council has and will be developing in the near future are anticipated to require a higher level of maintenance and monitoring resourcing.

Project 47 - Corporate Induction Programme and Staff Exit Controls

The Panel noted that this audit identified that although induction programmes were being carried out the frequency of induction sessions was not sufficient to ensure refresher induction for existing staff. There was also a need for a review on how this programme was being delivered in light of the limited in house resource capacity.

The Panel encouraged the investigation and development of options for the induction programme and the potential for this to be delivered in part by more current and effective “on-line” means.

Project 48 – Appropriate Use of Delegations

The audit found that in general terms the delegations were administered and performed in an effective and responsible manner. The Panel noted that there were a range of administrative and process improvements identified in this audit report many of which were operational in nature.

The Panel will overview the key findings of all the audit reports through the standing Management Action Plan process.

The Panel also received advice concerning 2 external “special” audit activities being conducted with Tasmanian Councils through the Public Accounts Committee and the Tasmanian Audit Office. There have been no issues identified in these special audits to-date that warrant the Panel’s follow up.

As part of the Panel’s commitment to the development of a forward Strategic Internal Audit Plan 2016/17 – 2018/19, it will schedule a special workshop meeting in the near future to consider the methods for setting prioritisation scheduling of audits and determining the frequency of audit reviews to be carried out within a structured audit programme.

RECOMMENDATION:

That the Chairperson’s Report be received by Council.

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

“That the Chairperson’s Report be received by Council”.

CARRIED UNANIMOUSLY

Lindisfarne Community Activities Centre Management Committee

- Ald Peers tabled the Minutes of a Meeting held on 17 March 2016.

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

(File No 10/02/02)

The Weekly Briefing Reports of 14, 21 and 28 March and 4 April 2016 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 14, 21 and 28 March and 4 April 2016 be noted.

Decision: **MOVED** Ald Campbell **SECONDED** Ald Chong

“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-2016/53 - 88 MOUNT RUMNEY ROAD, MOUNT RUMNEY – ALTERATIONS AND ADDITIONS TO EXISTING DWELLING, NEW OUTBUILDING AND ANCILLARY DWELLING

(File No D-2016/53)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for alterations and additions to an existing dwelling, a new outbuilding and new ancillary dwelling at 88 Mount Rumney Road, Mount Rumney.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Living and subject to the Bushfire-Prone Areas 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.

Council is required to exercise a discretion within the statutory 42 day period which has been extended to 13 April 2016 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:

- boundary setback;
- boundary fencing;
- additional dwelling; and
- impact on property values.

RECOMMENDATION:

A. That the Development Application for alterations to existing Dwelling, new Outbuilding and Ancillary Dwelling at 88 Mount Rumney Road, Mount Rumney (Cl Ref D-2016/53) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN AP3 – AMENDED PLAN [outbuilding and Ancillary Dwelling with a minimum setback of 7.5m from the eastern side boundary (site plan and bushfire hazard management plan)].

3. The use and development may only occur and be maintained in accordance with the submitted bushfire hazard management plan. Any variation must be supported by the written agreement of an accredited bushfire hazard assessor or the Tasmania Fire Service and be to the satisfaction of Council’s Manager City Planning.
 4. The Ancillary Dwelling must share all access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters with the main dwelling. The Ancillary Dwelling must be contained on the same title as the main dwelling and must not be located on its own lot created under the Strata Title Act 1998.
- 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 Cusick																						
	“That the Recommendation be adopted”.																						
	CARRIED																						
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Ald Walker																							

**11.3.2 DEVELOPMENT APPLICATION D-2016/92 - 43 EMMALINE COURT,
ROKEBY - DWELLING**
(File No D-2016/92)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Dwelling at 43 Emmaline Court, Rokeby.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 14 April 2016.

CONSULTATION

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

- existing structures on-site; and
- upkeep of the site.

RECOMMENDATION:

- A. That the Development Application for a Dwelling at 43 Emmaline Court, Rokeby (CI Ref D-2016/92) 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.

Decision: **MOVED** Ald McFarlane **SECONDED** Ald Peers

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

**11.3.3 DEVELOPMENT APPLICATION D-2015/503 - 43 HIGH STREET,
BELLERIVE - DECK**
(File No D-2015/503)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for modifications to an existing Deck at 43 High Street, Bellerive.

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 expires on 11 April 2016.

CONSULTATION

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

- privacy;
- scheme compliance;
- accuracy of the plans; and
- noise.

RECOMMENDATION:

- A. That the Development Application for a Deck at 43 High Street, Bellerive (Cl Ref D-2015/503) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AP3 – AMENDED PLANS. [the replacement the proposed glass balustrade on the eastern side of the deck with a 1.8m high screen, which has a mesh panel from 0.7m to 1.3m above the finished floor level of the deck, with the remainder of the screen solid].
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

/ Refer to Page 23 for Decision on this Item...

**DEVELOPMENT APPLICATION D-2015/503 - 43 HIGH STREET, BELLERIVE –
DECK /contd...**

Decision:

MOVED Ald Campbell **SECONDED** Ald Hulme

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.3.4 DEVELOPMENT APPLICATION D-2015/336 - 126 ROCHEs BEACH ROAD, ROCHEs BEACH – “COMMUNITY MEETING AND ENTERTAINMENT” (CHURCH)

(File No D-2015/336)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for a retrospective partial Change of Use to “Community Meeting and Entertainment” (Church) at 126 Roches Beach Road, Roches Beach.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Living and subject to the Waterway and Coastal Protection Areas and Inundation Prone Areas 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.

Council is required to exercise a discretion within the statutory 42 day period which expires on 13 April 2016.

CONSULTATION

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

- hours of operation;
- impact on amenity of the area from noise;
- waste management;
- increase in traffic; and
- future development.

RECOMMENDATION:

A. That the Development Application for Community Meeting and Entertainment (Church) at 126 Roches Beach Road, Roches Beach (Cl Ref D-2015/336) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. Amplification of music or voices must not occur.
3. Hours of operation must not exceed 6.00am to 10.00pm daily, except for a maximum of 6 religious festivals per year, which may operate for a maximum of 72 hours. Prior to any such even being held, Council must be provided with an annual calendar of festivals.

4. All waste must be contained within vermin proof waste receptacles at all times and must be collected at least once a week.
 5. GEN S7 – SIGN MAINTENANCE.
 6. Noise emissions measured at the boundary of the site must not exceed the following:
 - (a) 55 dB(A) (LAeq) between the hours of 8.00am to 6.00pm;
 - (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00pm to 8.00am;
 - (c) 65dB(A) (LAm_{ax}) at any time.
 7. GEN C1 – ON-SITE CAR PARKING [20] Delete second and last sentence.
 8. ENG A6 – GRAVELLED CAR PARKING.
 9. ENG M1 – DESIGNS DA.
 10. Re-profiling of the ground around the shed to ensure that the building has a minimum of 100mm freeboard on all sides must be undertaken and be in accordance with the Flood Study (Poortenaar Consulting, August 2015 and 2 November 2015) prior to the commencement of the use.
 11. The development must meet all required Conditions of Approval specified by TasWater notice dated 20 August 2015 (TWDA 2015/01314-CCC).
 12. ADVICE 2 – CHANGE OF USE ADVICE.
 13. ADVICE 3 – SPECIAL PLUMBING PERMIT.
 14. ADVICE 5 – FOOD SPECIFICATIONS ADVICE.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

Decision:	MOVED Ald McFarlane SECONDED Ald Walker “That the Recommendation be adopted”. CARRIED UNANIMOUSLY
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**11.3.5 DEVELOPMENT APPLICATION D-2016/5 - 314 TRANMERE ROAD,
TRANMERE - 3 MULTIPLE DWELLINGS**
(File No D-2016/5)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 3 Multiple Dwellings at 314 Tranmere Road, Tranmere.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Waterways and Coastal Protection, the Parking and Access, and the 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.

Council is required to exercise a discretion within the statutory 42 day period which has been extended by agreement to expire on 13 April 2016.

CONSULTATION

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

- privacy;
- overshadowing;
- views;
- property values;
- previous advice;
- wind impacts;
- Traffic Impact Assessment; and
- parking.

RECOMMENDATION:

- A. That the Development Application for 3 Multiple Dwellings at 314 Tranmere Road, Tranmere (CI Ref D-2016/5) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AP3 – AMENDED PLANS
 - [• modification of the balustrade on the south-eastern side of the deck of Unit 2 to ensure that it has a maximum 25% transparency.

- modification to the privacy screen on the eastern side of the deck of Unit 1, increasing the height to between 2.1m and 2.2m above the finished floor level of the deck.]
3. Prior to the commencement of the use of the dwellings, the owner is to amend the sealed plan for the site to remove the redundant right-of-way that is currently adjacent to the northern site boundary. Prior to the commencement of works, the developer is to provide all documentation necessary for the Land Titles Office to execute the amendment to the sealed plan.
 4. Prior to the commencement of the use, an amendment to the sealed plan to remove the rights-of-way along the northern boundary must be registered on the title.
 5. ENG A2 – CROSSOVER CHANGE [5.5m] [TSD-R09 (urban)].
 6. ENG A5 – SEALED CAR PARKING.
 7. ENG A8 – SIGHT DISTANCE WORK [benching works are required on the Tranmere Road reservation and development land to achieve a minimum 45m SSD in accordance with the Traffic Impact Statement submitted with the application]. Add new paragraph “These works are to be completed prior to the commencement of the use of the site”.
 8. ENG S1 – INFRASTRUCTURE REPAIR.
 9. ENG M1 – DESIGNS DA.
 10. The development must meet all required Conditions of Approval specified by TasWater notice dated 2/02/2016 (TWDA 2016/00028-CCC).
 11. ADVICE – The amendment to the sealed plan required by Condition 3 can be processed at any time following the completion of the site distance works required by Condition 7. It is recommended that you notify Council’s City Planning department as soon as the works are completed so that the amendment application can resume processing to help avoid any delays when it comes time for the occupancy and commencement of the use of the development.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

/ Refer to Page 28 for Decision on this Item...

**DEVELOPMENT APPLICATION D-2016/5 - 314 TRANMERE ROAD, TRANMERE
- 3 MULTIPLE DWELLINGS /contd...**

Decision:	MOVED Ald McFarlane 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</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 McFarlane</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	Ald Chipman		Ald Chong		Ald Cusick		Ald Doust		Ald Hulme		Ald McFarlane		Ald Peers		Ald Thurley		Ald von Bertouch		Ald Walker	
FOR	AGAINST																								
Ald Campbell	Ald James																								
Ald Chipman																									
Ald Chong																									
Ald Cusick																									
Ald Doust																									
Ald Hulme																									
Ald McFarlane																									
Ald Peers																									
Ald Thurley																									
Ald von Bertouch																									
Ald Walker																									

**11.3.6 SUBDIVISION APPLICATION SD-2016/1 - 843 CAMBRIDGE ROAD,
CAMBRIDGE - 1 LOT SUBDIVISION**
(File No SD-2016/1)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 1 lot Subdivision at 843 Cambridge Road, Cambridge.

RELATION TO PLANNING PROVISIONS

The land is zoned Low Density Residential and subject to the Bushfire Prone Areas Code, the Attenuation Code and the Waterway and Coastal Protection Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended with the consent of the applicant and expires on 13 April 2016.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising the issue of safety of existing and proposed accesses.

RECOMMENDATION:

- A. That the application for a 1 lot Subdivision at 843 Cambridge Road, Cambridge (CI Ref SD-2016/1) 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-R03]. Delete “3.0” and replace with “3.6m.” Insert after “property boundary” “and continue for the length of the access strip to the body of the balance lot at that width”.
 4. ENG S1 – INFRASTRUCTURE REPAIR.
 5. ENG S2 – SERVICES.
 6. ENG S4 – STORMWATER CONNECTION.

7. ENG M2 – DESIGNS SD: Delete “road design and road stormwater drainage”.
 8. ENG M8 – EASEMENTS.
 9. The development must meet all required Conditions of Approval specified by TasWater notice dated 27 January 2016 (TWDA 2016/00079-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 Peers SECONDED Ald Campbell	
	“That the Recommendation be adopted”.	
	CARRIED	
	FOR	AGAINST
	Ald Campbell	Ald James (abstained)
	Ald Chipman	
	Ald Chong	
	Ald Cusick	
	Ald Doust	
	Ald Hulme	
	Ald McFarlane	
	Ald Peers	
	Ald Thurley	
	Ald von Bertouch	
	Ald Walker	

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 CAMBRIDGE MASTER PLAN**

(File No 20-09-34)

EXECUTIVE SUMMARY**PURPOSE**

To seek Council endorsement to release the draft Cambridge Master Plan for public consultation in order to obtain feedback on the Cambridge Master Plan from the broader community.

RELATION TO EXISTING POLICY/PLANS

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

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Consultation was held with relevant State Government Agencies as part of the development of the draft Plan.

FINANCIAL IMPLICATIONS

There are funds available in the current Annual Plan for undertaking the cycleway component of the Plan along the eastern section of Cambridge Road from Richmond Road to the Kennedy Drive roundabout.

Funds could be allocated as part of the forthcoming 2016/2017 Annual Plan depending on the result of the community consultation and the adoption of a Final Cambridge Master Plan.

RECOMMENDATION:

- A. That Council authorise the General Manager to undertake community consultation for the draft Cambridge Master Plan as outlined in the Associated Report.
- B. That the results of the community consultation be reported back to Council.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.6 FINANCIAL MANAGEMENT**11.6.1 UPGRADE FACILITIES AT 19 ALMA STREET, BELLERIVE AND RELOCATION OF OUTSIDE SCHOOL HOURS CARE PROGRAM**

(File No 09-02-08)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is for Council to alter the 2015/2016 Estimates to allocate funds to upgrade facilities at Council's Family Day Care site (19 Alma Street, Bellerive) to enable the relocation of the Outside School Hours Program and staff from the Council offices.

RELATION TO EXISTING POLICY/PLANS

Council's Annual Plan 2015-2016.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

The Development Application was submitted and advertised with no representations received.

Initial and on-going discussions were held with the Outside School Hours Care Program and the Clarence Family Day Care scheme staff and home educators.

FINANCIAL IMPLICATIONS

The cost of the development will be met from accumulated reserves associated with the relevant self-funded programs.

RECOMMENDATION:

That Council alters the 2015/2016 Estimates by \$180,000 to upgrade the facilities at 19 Alma Street, Bellerive as described in the Associated Report, with funds to be sourced from the Commonwealth Funded Programs Reserve.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.7 GOVERNANCE

Nil Items.

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 T1087-16 – PROVISION OF FLEET OPERATING LEASES AND MANAGEMENT SERVICES

13.3 T1085-16 – SIMMONS PARK – FOOTPATH EXTENSION AND RAIN GARDEN CONSTRUCTION WORKS

13.4 LEGAL MATTER

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

- contracts and tenders for the supply of goods and services;
- applications by Aldermen for a Leave of Absence;
- 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 Peers **SECONDED** Ald Thurley

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

CARRIED UNANIMOUSLY

CLOSED MEETING /contd...

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

13.2 T1087-16 – PROVISION OF FLEET OPERATING LEASES AND MANAGEMENT SERVICES

(File No T1087-16)

Decision:

MOVED Ald Peers **SECONDED** Ald Doust

- “A. That Council awards the tender to LeasePlan Australia Ltd for the Provision of Fleet Operating Leases and Management Services for a period of 3 years commencing 2 May 2016, with an option of an extension for a further 3 years.
- B. That, in accordance with Regulation 34(3) of the Local Government (Meetings Procedures) Regulations 2015, Council authorises for release the Council’s decision (only) in respect to this item to the general public and for communication to relevant parties.
- C. That Council release to the public their decision only in regard to this matter”.

CARRIED UNANIMOUSLY

13.3 T1085/16 – SIMMONS PARK – FOOTPATH EXTENSION AND RAIN GARDEN CONSTRUCTION WORKS

(File No T1085-16)

Decision:**MOVED** Ald Peers **SECONDED** Ald McFarlane

- “A. That Council accepts the tender of State-Wide Earthworks Pty Ltd for the sum of \$254,066.26, excluding GST, for construction of the Simmons Park Footpath Extension and Rain Garden Works.
- B. That in accordance with Regulation 34(3) of the Local Government (Meeting Procedures) Regulations 2015, Council authorises for release the Council’s decision (only) in respect to this item to the general public and for communication to relevant parties.
- C. That Council release to the public their decision only in regard to this matter”.

CARRIED UNANIMOUSLY

The Meeting closed at 8.40pm.