

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 12 JANUARY 2015
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HOURL 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
P Cusick
D Doust
D Hulme
R H James
P K McFarlane
D Thurley
S von Bertouch
J Walker; present.

1. APOLOGIES

H Chong
J Peers

ORDER OF BUSINESS

Items 1 – 13

IN ATTENDANCE

Acting General Manager
(Mr F Barta)

Group Manager Asset Management
(Mr J Stevens)

Acting Corporate Secretary
(Mr S Wicks)

Manager City Planning
(Mr R Lovell)

Co-ordinator Council Support
(Ms J Ellis)

Acting Manager Health and Community Development
(Mr R Brennan)

Principal Engineer
(Mr R Graham)

The Meeting closed at 9.31pm.

COUNCIL MEETING
MONDAY 12 JANUARY 2015

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1. ATTENDANCE AND APOLOGIES

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2. CONFIRMATION OF MINUTES

(File No 10/03/01)

RECOMMENDATION:

That the Minutes of the Council Meeting held on 1 December 2014 and the Special Council Meeting of 15 December 2014, as circulated, be taken as read and confirmed.

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

“That the Minutes of the Council Meeting held on 1 December 2014 and the Special Council Meeting of 15 December 2014, 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

Rosny Hill Development
Bellerive Beach Master Plan
Voluntary Council Amalgamations
Telephony System

15 December

RECOMMENDATION:

That Council notes the workshops conducted.

Decision: **MOVED** Ald Hulme **SECONDED** Ald McFarlane

“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 2005 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 Acting General Manager tabled the following petitions which comply with the Act requirements:

- from 59 signatories concerned about the use of fireworks in the Sandford district.
- from 366 signatories requesting Council construct a footpath from Barilla Holiday Park to Cambridge Primary School.

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.

Questions without notice and their answers will not be recorded.

8. DEPUTATIONS BY MEMBERS OF THE PUBLIC

(File No 10/03/04)

(In accordance with Regulation 38 of the Local Government (Meeting Procedures) Regulations 2005 and in accordance with Council Policy, deputation requests are invited to address the Meeting and make statements or deliver reports to Council)

BELLERIVE BEACH PARK – ADOPTION OF REVISED MASTER PLAN
(REFER ITEM 11.5.2)

M/s Narelle Watson addressed the meeting regarding the above matter.

9. MOTIONS ON NOTICE**9.1 MOTION ON NOTICE – ALD MCFARLANE
MANAGEMENT OF DOMESTIC AND FERAL CATS IN CLARENCE**
(File No 10-03-05)

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

“That Council seek a report on the scope and requirements for Council to manage both domestic and feral cats in Clarence within the context of the Cat Management Act 2009 and/or the possible introduction of a suitable Council By-law”.

With the Leave of the Meeting Ald McFarlane amended her Motion and it was:

Decision: **MOVED** Ald McFarlane **SECONDED** Ald James

“That Council seek a report on the scope and requirements for Council to manage both domestic and feral cats in Clarence within the context of the Cat Management Act 2009 and/or the possible introduction of a suitable Council By-law.

The report is to include recommendations on processes for:

- micro-chipping;
- de-sexing;
- registration;
- vaccinations;
- feral cat management;
- cost neutral approaches;

and is also to consider:

- other Councils’ research and implementation in both Tasmania and other States;
- State Government Cat Management Strategy outcomes;
- licensing of domestic cats if more than 2 are kept on 1 property; and
- Federal Government’s proposed eradication programme”.

CARRIED UNANIMOUSLY

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

September Quarterly Report pending.

Representative Reporting

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

Representatives: Ald Jock Campbell
(Ald Peter Cusick, Deputy Representative)

Quarterly Reports

September Quarterly Report pending

Representative Reporting

- **SOUTHERN WASTE STRATEGY AUTHORITY**

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

Quarterly Reports

The Southern Waste Strategy Authority has distributed its Quarterly Report for the period 1 July to 30 September 2014.

RECOMMENDATION:

That the Quarterly Report of the Southern Waste Strategy Authority for the Quarter ending 30 September 2014 be received.

/ Refer to Page 11 for Decision on this Item...

REPORTS FROM SINGLE AND JOINT AUTHORITIES /contd...

Decision: **MOVED** Ald James **SECONDED** Ald McFarlane

“That the Quarterly Report of the Southern Waste Strategy Authority for the Quarter ending 30 September 2014 be received”.

CARRIED UNANIMOUSLY

Representative Reporting

- **TASWATER CORPORATION**

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

(File No 04-03-02)

Chairperson's Report – Alderman S von Bertouch

Report to Council for the 3 month period 1 October 2014 to 31 December 2014.

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. Clarence Foreshore Trail – 2 Cambridge Road Car Park**

The upgrading and resealing of the Cambridge Road car park, which includes the provision for separating the car park and the Clarence Foreshore Trail has been completed.

2.2. Clarence Foreshore Trail – Kangaroo Bluff

The sealing of Victoria Esplanade and the provision of an exposed aggregate concrete path and associated safety fence around the Kangaroo Bluff Construction has been completed.

2.3. Cambridge Road – Cambridge Village to Kennedy Drive Roundabout

Project is on hold until the completion of the Cambridge Village Master Plan.

2.4. Works Summary for 2014

Mr John Todd, a member of the Clarence Bicycle Steering Committee, has prepared a report of the new works undertaken by Council during 2014 and sets out in more detail a description of the projects listed above. Attachment 1 is a copy of the report and includes photographs to indicate the quality of infrastructure Council is constructing for its community, which resulted in Council receiving the Premier's Physical Activity Council's Medibank Active Tasmania Awards 2014 for the Clarence Foreshore Trail and the benefits the on-going works of the path provide in terms of recreation and community health and well-being.

3. RECURRENT INITIATIVES

Further locations for bike parking facilities are being investigated.

4. DESIGN AND INVESTIGATION WORK IN PROGRESS**Clarence Street Safety Assessment Report**

The Clarence Street Collaborative Reference Group has met on the following dates 29 September and 3 December 2014. At this stage a draft report from the Clarence Street Collaborative Reference Group is due to be presented to a Council Workshop session early in 2015.

5. GOVERNANCE MATTERS.**Committee Meeting**

The Committee held 2 General Meetings during the quarter on 6 October and 8 December 2014.

6. EXTERNAL LIAISON

CyclingSouth Annual General Meeting was held on 9 December 2014.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

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

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

CARRIED UNANIMOUSLY

Clarence City Council Bicycle Steering Committee

New Works Completed in 2014

December 2014

The Clarence City Council provides on-going support for cycling within the Municipality. The Council has an active program of funding to improve existing facilities and create new multi-use paths and cycleways. The Bicycle Steering Committee, chaired by Alderman Sharyn von Bertouch, provides advice to the Council on priorities for works each financial year. The Committee includes Council representatives, community representatives and cycling organisation representatives.

This is the second annual summary of completed bicycle infrastructure in Clarence (see 2013 summary). It covers works completed in the 2014 calendar year. About 1.22km of new or upgraded pathways was completed.

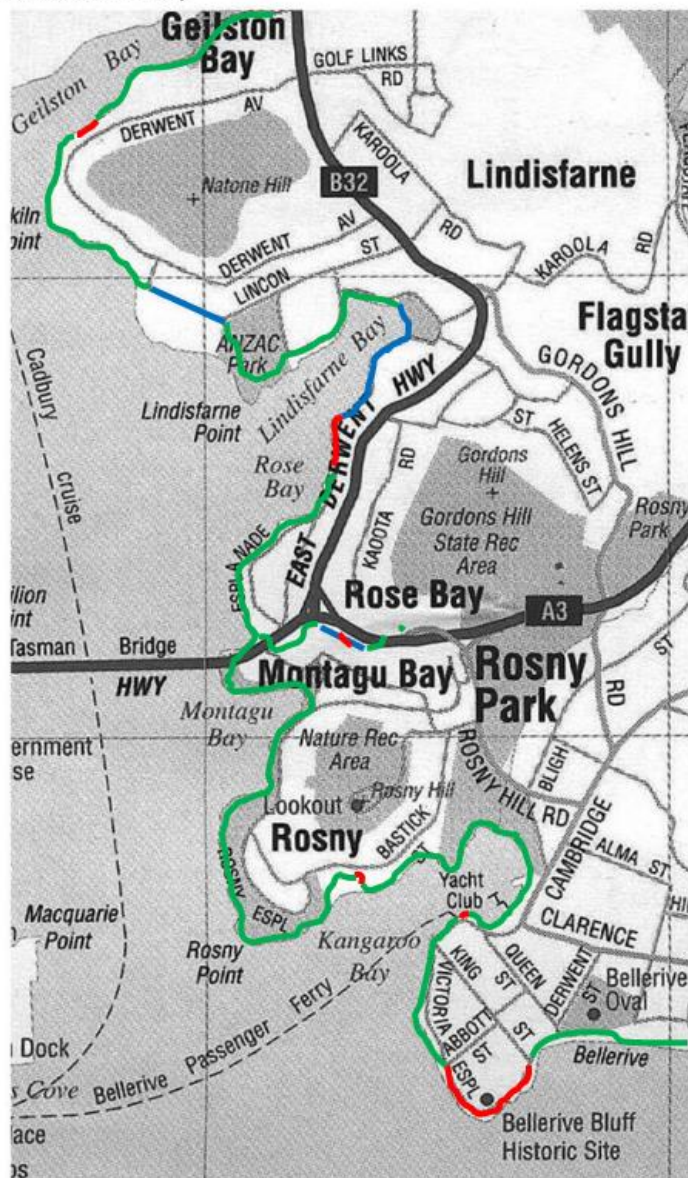
The map on the next page shows new sections of the network of shared pathways completed in 2013 and 2014. The works completed in 2014 include:

- Shore St Point to Ronnie St in Lindisfarne – this section of 300m is the final stretch of shared, off-road path between the popular Simmonds Park and the Tasman Bridge. The Shore St Point was previously a difficult section for cyclists because of the narrow road, poor road shoulder on the river side of the road and the sharp bend, the new path is a big improvement.
- Victoria Esplanade around Bellerive Bluff – this project widened and sealed about 600m of gravel path including new fencing creating an attractive section of shared pathway
- A section of the Tasman Bridge to Rose Bay pedestrian overpass – the 150m stretch of new shared path links two sections completed in 2013; combined they provide a direct link between the south eastern end of the Tasman Bridge and the pedestrian overpass near Rose Bay High School
- Realignment of steep section of path near Rosny Sewage Treatment Plant – about 90m of realigned path has been completed to avoid a short steep section of the old foreshore trail
- Geilston Bay gravel foreshore path – a short section (30m) of the path along the southern shore of Geilston Bay has been improved
- Waterfront Hotel car park, Bellerive – redevelopment of the hotel car park has provided a shared footpath of about 50m linking the Bellerive Boardwalk to the foreshore trail along Kangaroo bay

The new or upgraded sections of the foreshore trail and its linkages completed in 2014 have significantly improved the amenity of the trail between Geilston Bay and Howrah. The Foreshore Trail received the Tasmanian Premier's Award for Physical Activity in 2014, a well earned acknowledgement of the wonderful community amenity that the trail provides.

Cycling Infrastructure Completed in 2014

(2014 works are shown in red)



The map shows the foreshore trail from Geilston Bay to Bellerive (shown in green). The red sections were completed or upgraded in 2014 (these are discussed in the following pages). The blue sections were completed in 2013 (discussed in last year's summary of new bike infrastructure).

Shore Street Point to Ronnie Street

The missing link in the shared cycle/walking path between the Tasman Bridge and Simmons Park was completed in 2014. This stretch of about 300m required stabilization of the low cliff along the foreshore which had delayed its completion.



Two photos (left and below) show this section of pathway during construction.



Two photos (right and below) showing part of the completed stretch of shared path



Victoria Esplanade: Kangaroo Bluff

A project completed in 2014 involved the sealing of the one-way gravel road (Victoria Esplanade) around Kangaroo Bluff in Bellerive. It included sealing of the shared path on the estuary side of the road (width 1.9m), new fencing and landscaping. This path, with roll-over curb provides an excellent, scenic path for walkers and cyclists. The roll-over curb allows cyclists to move onto the road surface (with care) when passing groups of walkers.



Short section adjacent to Tasman Highway

The shared footpath between the Tasman Bridge (south-east corner) and the pedestrian overpass at Rose Bay High School is now complete. The final 150m section (width 2.5m) which required stabilization of a steep bank was completed in 2014. This will eventually form part of a shared path through to Eastlands Shopping Centre providing an important link in the bicycle network in Clarence.



Realignment of shared path near Rosny sewage treatment plant

The foreshore trail between Rosny Point and Kangaroo Bay follows the foreshore except where it has to pass inland of Rosny Sewage Treatment Plant. This meant two short, steep sections of path either side of the plant. The trail on the eastern side of the plant has been realigned over a distance of about 90m (width 2m) to avoid the steepest section of the trail. The photo below shows part of the new section with bitumen path, fencing and line markings.

**Upgrade to sections of Geilston Bay foreshore gravel path**

Walkers and cyclists travelling between Geilston Bay and Limekiln Point use an 800m stretch of gravel path created above high tide level along the southern shore of Geilston Bay. One section of this track used to drop down onto the natural rock shelf for a distance of about 30m. This was quite difficult to cross for inexperienced cyclists and was covered in water in certain weather conditions. A new rock wall and packed gravel path provide much improved conditions for walkers and cyclists.

Before improvements



After improvements



The car park adjacent to the Waterfront Hotel and the Bellerive Ferry terminal provided poor connection between the Bellerive Boardwalk and the foreshore trail to Kangaroo Bluff. An overhaul of the car park includes improved pedestrian and cycle access through this section. The new shared path will run approximately 50m along the waterfront edge of the car park.

New signs along the Clarence Foreshore Trail provide useful information for new walkers and cyclists and remind users that this is a shared facility



TRACKS AND TRAILS ADVISORY COMMITTEE

(File No 07-06-09)

Chairperson's Report – Alderman R James

Report to Council for the 3 month period 1 Oct 2014 to 31 December 2014.

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**Signage**

New trail head signage has been installed in the Clarence Mountain Bike Park. Tangara Trail signage has been installed on the Dirty Bridge Creek Track in Sandford.

3. RECURRENT INITIATIVES – MAINTENANCE AND UPGRADES

3.1 Tracks and Trails Action Plan 2015

A draft Action Plan has been developed and is currently being reviewed by the Tracks and Trails Advisory Committee.

3.2 Draft Meehan Range Strategic Plan

A draft strategic plan is being developed in consultation with Parks and Wildlife Service for the future development of mountain bike tracks at the Clarence Mountain Bike Park and the Meehan Range Recreation Area. A draft document is scheduled to be presented at a Council Workshop session early in 2015.

3.3 Clarence Foreshore Trail

The gravel track at Geilston Bay has been widened with additional rock walling to protect the track from erosion caused by frequent wave action.

3.4 Clarence Coastal Trail – Rokeby to Lauderdale

At Council's Workshop on 24 November 2014 there was a presentation on options for the development of this section of the Clarence Coastal Trail. Council indicated it wished to consider the matter after the following steps have been taken:

- Council officers to arrange for a survey to gain some information on existing and likely number of users of any potential Lauderdale to Rokeby track on the various proposed routes; and
- the General Manager schedule a further Council Workshop session to report back to Council on:
 - survey results for the 3 route options of coastal, north of South Arm Highway and south of South Arm Highway; and
 - costs of the various route options.

Council officers have prepared a community survey which is due for circulation in early 2015. Details of the scale, scope and timing of the survey and associated report back to Council will be provided in a future Weekly Briefing Report.

3.5 Tangara Trail

- Mortimer Bay Coastal Track – An exposed tree-rooted and poorly drained section of track has been resurfaced and made safer.
- Emu Track – Remediation work has been done on a 300m low lying and poorly drained section of the trail.
- Highway Track – The poorly drained and muddy sections of this track constructed on the pipeline alongside the Tasman Highway has been resurfaced and upgraded.
- Tangara Trail map - a new map has been designed.

4. DESIGN AND INVESTIGATION WORK IN PROGRESS

4.1 Kangaroo Bay Rivulet Track

At its Workshop held on Monday, 24 November 2014 Council considered the Risk Assessment report on the proposed track options between Rosny Hill Road and Gordons Hill Road and indicated that the preferred option for the section of the track between the Rosny Barn and the Council building is through the Rosny Barn Precinct adjacent to the Eastlands boundary. A report back to Council on the Risk Assessment report and the proposed route is scheduled for the first Council Meeting in 2015.

4.2 Clarence Coastal Trail – Cremorne to Forest Hill Road

A Reserve Activity Plan is being developed that includes a coastal track through Calverts Hill Nature Reserve.

5. GOVERNANCE MATTERS

Committee Meeting

The Committee held 2 General Meetings during the quarter on 9 October 2014 and 11 December 2014.

6. EXTERNAL LIAISON

Nil.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

Decision:

MOVED Ald James **SECONDED** Ald McFarlane

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

CARRIED UNANIMOUSLY

AUDIT COMMITTEE

(File No 07/02/12)

Chairperson's Report 34 - December 2014

I present my first report as Chairman and thank Council for expressing their confidence in recently appointing me as Chairman of the Audit Committee. Council's Audit Committee has been in place for many years now and its operation is very much in line with the recent statutory changes in relation to appointing Audit Panels.

The Committee is working, with strong support from Council officers, to ensure fine tuning of its governance and operation to meet the new statutory requirements of Audit Panels. I am confident we are well placed for meeting these new requirements.

The Audit Committee met on 10 December 2014 and a copy of the draft Minutes of the Meeting was tabled.

In the commencement of the meeting proceedings I have sought the introduction of a standing agenda item to deal with members' conflict and pecuniary interest declaration being standard Council and industry practice.

The Committee gave consideration to a presentation and report from Mr Peter Carr of Peter Carr and Associates (PCA) entitled "Technology Transformation Business Case - Clarence City Council". This report builds on the original report presented by Mr Carr in February 2014 on ICT Strategic Review at Clarence City Council. This report takes the original recommendations, provides further detailed assessments of the key issues, considers business applications available in the market, considers alternative delivery options, recommends a short list of likely suitable providers and provides high level cost comparisons of the various options.

The overall theme of the report notes that it is now some 14 years since any major investment in the underlying business systems of Council and the opportunity now exists for Council to leverage from contemporary technology, the opportunity to move to a "software as a service" delivery model with the likelihood of significant cost savings in the medium term.

The Committee's consideration of Mr Carr's report was preliminary with further information to be provided to the Committee for further consideration. The Committee has scheduled an additional meeting in February 2015, to specifically deal with this important project and I anticipate the Committee will be in a position to provide Council with its advice and recommendations in time for Council's budget discussions and deliberations.

To complete the implementation of projects on the 2014-2015 Annual Audit Plan, the Committee were briefed on proposed arrangements for Project 41 - Parks and Recreation Facilities Safety and Risk Assessments, which will be conducted using Corporate Support officers in the second quarter of 2015.

In conclusion, I would like to take this opportunity to acknowledge the contribution of Mr Ron Ward as past Chairman and Committee member over a number of years. Mr Ward's stewardship of this Committee has seen its continued development and effectiveness.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

Decision: **MOVED** Ald McFarlane **SECONDED** Ald Cusick

"That the Chairperson's Report be received by Council".

CARRIED UNANIMOUSLY

/ contd on Page 28

**REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER
REPRESENTATIVE BODIES /contd...**

South East Region Development Association

- The Mayor tabled the Minutes of the AGM and the Minutes of a General Meeting held on 16 December 2014.

Clarence Bicycle Steering Committee

- Ald von Bertouch tabled the Minutes of a Meeting held on 6 October 2014.

Clarence Senior Citizens Centre Management Committee

- Ald von Bertouch tabled the Minutes of a Meeting held on 11 November 2014.

Bellerive Community Arts Centre Management Committee

- Ald Thurley tabled the Minutes of a Meeting held on 12 November 2014.

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

(File No. 10/02/02)

The Weekly Briefing Reports of 5, 8, 15 December 2014 and 5 January 2015 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 5, 8, 15 December 2014 and 5 January 2015 be noted.

Decision: **MOVED** Ald Campbell **SECONDED** Ald McFarlane

“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 2005, 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-2014/134 - 36 LINCOLN STREET, LINDISFARNE - ALTERATIONS AND ADDITIONS TO LOCAL SHOP
(File No L019-36)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for additions and alterations to a Local Shop at 36 Lincoln Street, Lindisfarne.

RELATION TO PLANNING PROVISIONS

The land is zoned Commercial 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 was extended with the consent of the applicant to 14 January 2015.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 6 representations were received raising the following issues:

- loss of car parking spaces on-site and increased traffic congestion in the area;
- safety concerns due to the location of the delivery dock to the bus stop;
- the proximity to the bus stop is an infringement of traffic regulations;
- increase in traffic congestion caused by building works;
- possible risk of asbestos with the demolition of the existing wall;
- estimated customer numbers are arbitrary may lead to traffic and parking issues; and
- development not in keeping with the streetscape.

RECOMMENDATION:

A. That the Development Application for Alterations and Additions to Local Shop at 36 Lincoln Street, Lindisfarne (CI Ref D-2014/134) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN – AP3 – AMENDED PLAN [the following details]
 - the window on the Wellington Road elevation increased to double the length;
 - the signage on the elevation fronting the common property removed and replaced by 1 sign located on the wall nearest Franklin Street; and

- the wall of the elevation fronting the common property painted blue.
 - 3. The window on the Wellington Road elevation must not be covered with advertising signage.
 - 4. GEN C2 – CASH-IN-LIEU [\$24 000] [3].
 - 5. GEN S7 - SIGN MAINTENANCE.
 - 6. ENG M1 – DESIGNS DA.
 - 7. ENG A7 – REDUNDANT CROSSOVER.
 - 8. The development must meet all required Conditions of Approval specified by TasWater notice dated 4 July 2014 (TWDA 2014/00311-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 McFarlane SECONDED Ald von Bertouch	
	“That the Recommendation be adopted”.	
	CARRIED	
	FOR	AGAINST
	Ald Campbell	Ald James
	Ald Chipman	
	Ald Cusick	
	Ald Doust	
	Ald Hulme	
	Ald McFarlane	
	Ald Thurley	
	Ald von Bertouch	
	Ald Walker	

11.3.2 DEVELOPMENT APPLICATION D-2014/324 - 601 OCEANA DRIVE, HOWRAH - SWIMMING POOL DECK REQUIRING DISCRETION UNDER PD4

(File No D-2014/324)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for a Swimming Pool Deck at 601 Oceana Drive, Tranmere.

RELATION TO PLANNING PROVISIONS

The land is zoned Residential 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 expires on 12 January 2015.

CONSULTATION

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

- impact on views due to visual bulk of retaining wall and fence; and
- increased overshadowing to adjoining property.

RECOMMENDATION:

A. That the Development Application for a Swimming Pool Deck requiring Discretion under PD4 at 601 Oceana Drive, Howrah (CI Ref D-2014/324) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN AP3 – AMENDED PLAN [a 1.8m high solid or translucent privacy fence constructed on the southern side of the swimming pool].
3. The development must meet all required Conditions of Approval specified by TasWater notice dated 27 November 2014 (TWDA 2014/00994-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.

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

**DEVELOPMENT APPLICATION D-2014/324 - 601 OCEANA DRIVE, HOWRAH -
SWIMMING POOL DECK REQUIRING DISCRETION UNDER PD4 /contd...**

Decision:	MOVED Ald Campbell SECONDED Ald McFarlane “That the Recommendation be adopted”. CARRIED UNANIMOUSLY
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11.3.3 SUBDIVISION APPLICATION SD-2014/35 - 2036 EAST DERWENT HIGHWAY, OTAGO - 2 LOT SUBDIVISION
(File No SD-2014/35)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 2 lot subdivision at 2036 East Derwent Highway, Otago.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Residential and subject to the Vegetation Management Overlay 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 14 January 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:

- inconsistency with character of area;
- precedent for subdivision;
- adverse impact on fauna;
- increased traffic;
- future road widening; and
- lack of water pressure.

RECOMMENDATION:

A. That the application for a 2 lot subdivision at 2036 East Derwent Highway, Otago (CI Ref SD-2014/35) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN POS1 – POS CONTRIBUTION [Lots 2 and 3].

3. The lots must be provided with a 5.5m wide sealed access from the road carriageway to the property boundary in accordance with Standard Drawing MSD 2-02 (copy available from Council). A 5.5m wide sealed driveway must then continue for a minimum length of 7.5m then may reduce to 3.6m over the remaining length of the driveway, which may be constructed using a compacted all-weather gravel surface and appropriately drained so as to prevent run-off onto neighbouring properties.

This access must be inspected by Council prior to sealing or pouring new concrete. Following construction, the crossover must be maintained or repaired by the owner, at the owner's expense, in accordance with any directions given by Council to the owner.

4. ENG M1 – DESIGNS DA, delete “car park and driveways construction; service upgrades or relocations”.
5. GEN F2 – COVENANTS [Must not be developed except in accordance with the approved Bushfire Hazard Assessment Report by Welling Consulting dated 21 November 2014, or as certified by an accredited person as defined by the Land Use Planning and Approvals Act, 1993].
6. The development must meet all required Conditions of Approval specified by TasWater notice dated 2 December 2014 (TWDA 2014/01095-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 Walker SECONDED Ald Cusick
	“That the Recommendation be adopted”.
	CARRIED UNANIMOUSLY

11.3.4 SUBDIVISION APPLICATION SD-2014/28 - 166 BEGONIA STREET AND 162A FLAGSTAFF GULLY ROAD, LINDISFARNE - BOUNDARY ADJUSTMENT

(File No SD-2014/28)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for a Boundary Adjustment at 166 Begonia Street and 162A Flagstaff Gully Road, Lindisfarne.

RELATION TO PLANNING PROVISIONS

The land is zoned Residential and Recreation and partly subject to the Vegetation Management Overlay 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 14 January 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 issue of safety of the proposed access to the subdivision.

RECOMMENDATION:

- A. That the application for a Boundary Adjustment at 166 Begonia Street and 162A Flagstaff Gully Road, Lindisfarne (CI Ref SD-2014/28) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AP3 – AMENDED PLAN [the removal of the notation “Lot 1 is to proceed concurrent with Stage 1 of the adjoining subdivision”].
 3. GEN F5 – PART 5 AGREEMENT [Reciprocal rights between landowners to enter land for the purposes of bushfire management].
 4. EHO 4 – NO BURNING.
 5. ENG A1 – NEW CROSSOVER [TSD R-09].

6. Lots 4 and Balance must be provided with a right-of-way 6.0m in width to Flagstaff Gully Link Road.
 7. Lot 1 must be provided with a right-of-way 6.0m in width to Flagstaff Gully Road.
 8. Lot 1 and Balance must be provided with a suitable drainage easement from the lot boundary to Council's network.
 9. ENG A3 – COMBINED ACCESSES.
 10. ENG M2 – DESIGNS SD.
 11. ENG M8 – EASEMENTS.
 12. ENG S1 – INFRASTRUCTURE.
 13. ENG S2 – SERVICES.
 14. ENG S4 – STORMWATER CONNECTION.
- 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 James	
	“That the Recommendation be adopted”.	
	CARRIED	
	FOR	AGAINST
	Ald Campbell	Ald Walker
	Ald Chipman	
	Ald Cusick	
	Ald Doust	
	Ald Hulme	
	Ald James	
	Ald McFarlane	
	Ald Thurley	
	Ald von Bertouch	

11.3.5 SUBDIVISION APPLICATION SD-2014/31 - 15 MAYS POINT ROAD, LAUDERDALE - 2 LOT SUBDIVISION AND BOUNDARY ADJUSTMENT
(File No SD-2014/31)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 2 lot Subdivision and Boundary Adjustment at 15 Mays Point Road, Lauderdale.

RELATION TO PLANNING PROVISIONS

The land is zoned Residential 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 expires on 13 January 2015.

CONSULTATION

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

- density;
- future building works; and
- property values.

RECOMMENDATION:

A. That the application for 2 lot Subdivision and Boundary Adjustment at 15 Mays Point Road, Lauderdale (Cl Ref SD-2014/31) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN AP3 – AMENDED PLAN [a shared access to Lots 2 and 3 and a passing bay within the lot boundaries provided for Lot 3].
3. ENG A1 – NEW CROSSOVER [3.6m] [TSD –R03 and TSD-R04].
4. Stormwater from each lot must be retained on-site to the satisfaction of Council's Group Manager Asset Management.
5. GEN POS1 – POS CONTRIBUTION [1 and 3].
6. EHO 4 – NO BURNING.

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

11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT**11.5.1 KANGAROO BAY RIVULET**

(File No 04-04-03)

EXECUTIVE SUMMARY**PURPOSE**

To consider the Risk Management Assessment report on the proposed Kangaroo Bay Rivulet track and form a view on the route options for the section of the track between Kangaroo Bay and Gordons Hill Road.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2010-2015, Clarence Bicycle Strategy and Action Plan 2012 and the Department of State Growth's Principal Urban Cycling Network (PUCN) 2012 are relevant.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

No formal consultation process has been undertaken.

FINANCIAL IMPLICATIONS

Council has allocated \$90,000 as part of its 2014-2015 Capital Works program to commence construction of the Kangaroo Bay Rivulet Track section between Kangaroo Bay and Gordons Hill Road.

RECOMMENDATION:

That Council notes the report attached to the Associated Report on the issues associated with development of the Kangaroo Bay Rivulet Track and adopts 1 of the following recommendations:

- A. Priority 1 - Construct the western route from the Council Building to Gordons Hill Road in early 2015 at an estimated cost of \$65,900.
- B. Priority 2 - Construct the connection from the Council Building to Rosny Hill Road adjacent to Eastlands through the Rosny Barn Precinct at an estimated cost of \$53,500.
- C. Priority 3 - Undertake both A and B above to construct a track from Rosny Hill Road to Gordons Hill Road this financial year; with the consequent \$29,500 additional funding being made by way of a reallocation of capital funds from other approved tracks and trails projects. Such reallocation is to be recommended by Council's Group Manager Asset Management and approved by the General Manager.

- D. Priority 4 – Upgrade DDA compliance within the existing urban infrastructure between Gordons Hill Road and Rosny Hill Road and develop a track connection from Gordons Hill Road to Edgeworth Street at an estimated cost of \$63,000.

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

“That Recommendation ‘C’ be adopted”.

CARRIED UNANIMOUSLY

11.5.2 BELLERIVE BEACH PARK - ADOPTION OF REVISED MASTER PLAN

(File No D006-3)

EXECUTIVE SUMMARY**PURPOSE**

To consider the adoption of the revised Bellerive Beach Park Master Plan following risk assessment and consideration of the Bellerive Beach Park Master Plan by Council's Clarence Access and Facilities Committee.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2010-2015 is relevant.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

The original concept layout was based on consultation with the community. The revised Bellerive Beach Park Master Plan contains the same scale and scope as the original with an altered layout to address risk and hazard issues to the community. The proposal is to undertake a community information program on the revised Bellerive Beach Park Master Plan.

FINANCIAL IMPLICATIONS

The adoption of the revised Bellerive Beach Park Master Plan has no direct financial impact. The associated community information program utilising the same scale and scope of strategies as undertaken for the 2012 consultation program for the original Bellerive Beach Park Master Plan is estimated to cost approximately \$20,000 in terms of staff time, consumables and postage costs. The implementation of the revised Bellerive Beach Park Master Plan is planned to be staged over 3 financial years, subject to Council approval of future Annual Plans.

RECOMMENDATION:

- A. That Council adopts the revised Bellerive Beach Park Master Plan, as set out in Attachments 5 and 6 of the Associated Report, that provides for the same scale and scope as the original Bellerive Beach Park Master Plan and has the following elements:
- exercise equipment grouped in a single location;
 - open kick about lawn;
 - beachfront promenade;
 - picnic plaza;
 - eastern end playground;
 - all-abilities play space; and
 - the western end car park maintaining the existing number of parking spaces but relocated to Derwent Street to improve safety outcomes for children and other park users.

- B. Following its review of the Bellerive Beach Park Master Plan, Council agrees to remove the sea-walk promenade extension past the existing toilet block with it not being proposed under the revised Bellerive Beach Park Master Plan.
- C. Council authorises the General Manager:
- to prepare and implement a community information program to explain the revised layout and rationale for the revised Bellerive Beach Park Master Plan for dissemination to the local and broader community utilising the same scale and scope of strategies as undertaken for the 2012 consultation program for the original Bellerive Beach Park Master Plan;
 - to invite comment on the revised elements of the Bellerive Beach Park Master Plan in terms of potential enhancements; and
 - to report back to a future Council Meeting on the results of the community information program on the revised Bellerive Beach Park Master Plan.
- D. That implementation of the Bellerive Beach Park Master Plan be staged over 3 financial years subject to Council approval as part of future Annual Plans.
- E. That Stage 1 be listed for consideration as part of Council's 2015-2016 Capital Works Program.
- F. That Council actively seek external funding to assist with the development of the Bellerive Beach Park Master Plan.

Decision:	MOVED Ald James SECONDED Ald McFarlane
	<p>“A. That Council notes the information contained within the revised Bellerive Beach Park Master Plan as set out in Attachments 5 and 6 of the Associated Report.</p> <p>B. That following community consultation on its review of the Bellerive Beach Park Master Plan, Council agrees to remove the sea-walk promenade extension past the existing toilet block with it not being proposed under the revised Bellerive Beach Park Master Plan.</p> <p>C. That Council authorises the General Manager to:</p> <ul style="list-style-type: none"> • prepare and implement a community consultation program to explain the revised layout and rationale for the revised Bellerive Beach Park Master Plan as per Attachments 5 and 6 for dissemination to the local and broader community utilising the same scale and scope of strategies as undertaken for the 2012 consultation program for the original Bellerive Beach Park Master Plan.

BELLERIVE BEACH PARK - ADOPTION OF REVISED MASTER PLAN /Decision contd...

- invite comment on the revised elements of the Bellerive Beach Park Master Plan in terms of potential enhancements; and
- report back to a future Council Meeting on the results of the community consultation program on the revised Bellerive Beach Park Master Plan.

D. That implementation of the Bellerive Beach Park Master Plan be staged over 3 financial years subject to Council approval as part of future Annual Plans.

E. That following the results of the community consultation program, Stage 1 be listed for consideration as part of Council's 2015-2016 Capital Works Program.

F. That Council actively seek external funding to assist with the development of the Bellerive Beach Park Master Plan".

The **MOTION** was **put** and **LOST**

FOR

Ald James
Ald McFarlane

AGAINST

Ald Campbell
Ald Chipman
Ald Cusick
Ald Doust
Ald Hulme
Ald Thurley
Ald von Bertouch
Ald Walker

/ Decision contd on Page 47...

**BELLERIVE BEACH PARK - ADOPTION OF REVISED MASTER PLAN /Decision
contd...**

FORESHADOWED MOTION

MOVED Ald Walker **SECONDED** Ald Campbell

“That the Recommendation be adopted”.

CARRIED

FOR

Ald Campbell
Ald Chipman
Ald Cusick
Ald Doust
Ald Hulme
Ald Thurley
Ald von Bertouch
Ald Walker

AGAINST

Ald James
Ald McFarlane

11.6 FINANCIAL MANAGEMENT**11.6.1 REQUEST FOR LOAN GUARANTEE – HOWRAH BOWLS CLUB INC**

(File No H023-11B)

EXECUTIVE SUMMARY**PURPOSE**

To consider a request for Council to guarantee borrowings of \$300,000 in respect of construction of indoor bowls facilities proposed by the Howrah Bowls Club.

RELATION TO EXISTING POLICY/PLANS

Consistent with past policy of Council to assist Clubs constructing assets on Council land where capacity to service the debt is demonstrated.

LEGISLATIVE REQUIREMENTS

No issues to be addressed.

CONSULTATION

No issues to be addressed.

FINANCIAL IMPLICATIONS

No direct issues to be addressed, however, providing a loan guarantee would create a contingent liability in that Council could be called on to pay up to the guarantee amount in the event of the Club defaulting on its borrowings.

RECOMMENDATION:

- A. That Council provide a guarantee on borrowings of up to \$300,000 to be taken out by the Howrah Bowls Club Inc to assist in the construction of an indoor bowls facility at 11 Howrah Road, Howrah, subject to:
 - i. the Howrah Bowls Club Inc providing full details of loan offers, construction contracts and any further supporting information requested by the General Manager;
 - ii. Council's existing guarantee to the Howrah Bowls Club Inc in the amount of \$150,000 being cancelled;
 - iii. evidence provided to the satisfaction of the General Manager that the proposed project will be completed within the available level of funding.
- B. That Council authorises the General Manager to submit a fresh application under the Sport and Recreation Tasmania Major Grants Program for funding of \$80,000 towards the Howrah Bowls Club Indoor Bowls Facility.

/ Refer to Page 49 for Decision on this Item...

REQUEST FOR LOAN GUARANTEE – HOWRAH BOWLS CLUB INC /contd...

Decision:	MOVED Ald Campbell SECONDED Ald Cusick	
	“That the Recommendation be adopted”.	
	CARRIED	
	FOR	AGAINST
	Ald Campbell	Ald James (abstained)
	Ald Chipman	Ald McFarlane (abstained)
	Ald Cusick	
	Ald Doust	
	Ald Hulme	
	Ald Thurley	
	Ald von Bertouch	
	Ald Walker	

Ald James left the Meeting at this stage and did not return (9.22pm).

Ald McFarlane left the Meeting at this stage (9.22pm).

11.7 GOVERNANCE**11.7.1 REVIEW OF AUDIT COMMITTEE/AUDIT PANEL CHARTER AND INDEPENDENT MEMBER REMUNERATION**

(File No 07-02-12)

EXECUTIVE SUMMARY**PURPOSE**

To consider a redraft of the existing Audit Committee Charter covering its governance structure, practices and procedures to incorporate the new statutory requirements for Councils to establish Audit Panels and to review the remuneration paid to the independent members of the Audit Committee/Audit Panel.

RELATION TO EXISTING POLICY/PLANS

The Audit Committee/Audit Panel is consistent with Council's Strategic Plan which includes: *"Continuously monitor and improve policies on probity, decision making, ethics and code of conduct"*.

LEGISLATIVE REQUIREMENTS

New statutory requirements have been introduced requiring all Tasmanian Council to establish Audit Panels. The Audit Panels have a range of responsibilities outlined in the Act and Regulations to overview Council's strategic finance and asset management plans and related aspects associated with Council's overall long term financial stability and sustainability.

CONSULTATION

No consultation with the community is required in respect of this matter.

FINANCIAL IMPLICATIONS

A variation in costs for additional remuneration for independent Audit Committee/Panel members is proposed, which is expected to be met from existing budget provisions.

RECOMMENDATION:

- A. That Council appoints the existing Audit Committee to be Council's new Audit Committee/Audit Panel (established as a Special Council Committee under Section 24 and for the purpose of Audit Panel under Section 85 of the Local Government Act, 1993).
- B. That Council adopts the revised Charter and Terms of Reference for the new Audit Committee/Audit Panel as detailed in Attachment 1 to the Associated Report.

- C. That in consideration of the increased responsibility of Council's Audit Committee/Audit Panel the annual remuneration for independent members be revised (effective 1 December 2014) with on-going annual CPI adjustments to be made:

Chairperson	\$8,000pa
Member	\$4,000pa

Decision: **MOVED** Ald Walker **SECONDED** Ald Thurley

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.7.2 FRAUD POLICY AND FRAUD MANAGEMENT PLAN

(File No 15-22-01)

EXECUTIVE SUMMARY**PURPOSE**

To consider a revised Fraud Policy and adoption of a Fraud Management Plan.

RELATION TO EXISTING POLICY/PLANS

Consistent with Council's Strategic Plan which includes: "*Continuously monitor and improve policies on probity, decision making, ethics and code of conduct*".

LEGISLATIVE REQUIREMENTS

No issues to be addressed.

CONSULTATION

This draft has been presented for discussion and comment to Council's Audit Committee at its Meeting of 10 December 2014.

FINANCIAL IMPLICATIONS

No issues to be addressed.

RECOMMENDATION:

That Council adopts the revised Fraud Policy and Fraud Management Plan as per Attachment 1 to the Associated Report.

Decision: **MOVED** Ald Walker **SECONDED** Ald Thurley

"That the Recommendation be adopted".

CARRIED UNANIMOUSLY

11.7.3 INFRASTRUCTURE PROTECTION BONDS – HIGH ACTIVITY BUILDERS

(File No 03-08-07)

EXECUTIVE SUMMARY**PURPOSE**

To consider a proposal to reduce costs and administrative effort by high activity builders by holding a single infrastructure protection bond to cover all projects undertaken in Clarence by an individual builder at any one time.

RELATION TO EXISTING POLICY/PLANS

Infrastructure protection bonds are currently required for building applications under Council's List of Fees.

LEGISLATIVE REQUIREMENTS

No issues to be addressed.

CONSULTATION

No issues to be addressed.

FINANCIAL IMPLICATIONS

The proposal carries a small increase in financial risk for Council, however, this risk is partially off-set through a higher bond amount being available across a range of projects.

RECOMMENDATION:

That the following items be included in Council's List of Fees:

1. Infrastructure Protection Bond (covering only all Single Dwelling building projects undertaken by a single builder) \$10,000; and
2. Infrastructure Protection Bond (covering all building projects undertaken by a single builder) \$15,000.

Decision: **MOVED** Ald Campbell **SECONDED** Ald Thurley

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

Ald McFarlane returned to the Meeting at this stage 9.24pm.

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

The Acting General Manager provides the following answers to Questions taken on Notice at previous Council Meetings.

MAINTENANCE OF ROAD VERGES ON STATE GOVERNMENT ROADS

At Council's Meeting of 1 December 2014 Ald Thurley sought whether there have been discussions with State Government representatives on the possibility for Council to undertake maintenance on behalf of the State Government of the road verges for State roads in the City of Clarence and the further, clarification as to what stage these discussions have advanced and the details of the scope and terms of the possible undertakings that have been considered.

ANSWER

Initial discussions with the Department of State Growth (DSG) arose from requests from residents and visitors to the City about the state of the Tasman Highway as the gateway to Hobart from the Airport. In particular, there was concern expressed about the untidy nature of the road reserve and the amount of litter on the road side.

DSG indicated that as a result of an agreement with Brighton Council, it was in a position to reassign specified activities within the overall maintenance contract that might be better applied to other areas of the network, such as landscape maintenance and litter control along the Tasman Highway. Council officers acknowledged that this would address the issue in the short term but also sought further information from DSG on what responsibilities could transfer from DSG to Council for state road verge maintenance and under what conditions. At this stage there is no response back from DSG but Council officers will pursue the matter so that an informed discussion can take place as part of the budget process for the 2015-2016 Annual Plan.

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 2005 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 2005.

13.1 APPLICATIONS FOR LEAVE OF ABSENCE

13.2 PROPERTY MATTER - ROSNY

In accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2005 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 for the acquisition of land or an interest in the land or for the disposal of land;
- applications by Aldermen for Leave of Absence.

The content of reports and details of the Council decisions in respect to items listed in “Closed Meeting” are to be kept “confidential” and are not to be communicated, reproduced or published unless authorised by the Council.

Decision:**PROCEDURAL MOTION**

MOVED Ald Cusick **SECONDED** Ald Hulme

“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 9.31pm.