

**MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT  
THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY  
14 AUGUST 2017**

**HOUR CALLED:** 7.30pm

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

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

**1. APOLOGIES** N M Campbell (Leave of Absence)  
P K McFarlane

**ORDER OF BUSINESS** Items 1 – 13

**IN ATTENDANCE** Acting General Manager  
(Mr J Toohey)  
Corporate Treasurer  
(Mr F Barta)  
Group Manager Engineering Services  
(Mr R Graham)  
Corporate Secretary  
(Mr A van der Hek)  
City Planner  
(Mr R Lovell)

The Meeting closed at 8.44pm.

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 14 AUGUST**

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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 24 July 2017, as circulated, be taken as read and confirmed.

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

“That the Minutes of the Council Meeting held on 24 July 2017, as circulated, be taken as read and confirmed”.

**CARRIED UNANIMOUSLY**

**3. MAYOR’S COMMUNICATION**

Nil

**4. COUNCIL WORKSHOPS**

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

<b>PURPOSE</b>	<b>DATE</b>
Voluntary Amalgamation Feasibility Studies Consultation Strategy South Arm Skate Park Office Accommodation Public Places By-law	31 July
Voluntary Amalgamation Feasibility Studies Consultation Strategy Lauderdale Beach Access Biennial Parking Survey LGAT Bulk LED Street Lighting Replacement Proposal	7 August

**RECOMMENDATION:**

That Council notes the workshops conducted.

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

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

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

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

**INTEREST DECLARED:           NIL**

**6. TABLING OF PETITIONS**  
(File No 10/03/12)

Nil



**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****Bellerive Kangaroo Bay Area**

Mr Michael Geard of Bellerive sought clarification as to whether the Boulevard land at Kangaroo Bay was currently on the market.

**Answer**

The Mayor confirmed that it wasn't currently on the open market and that based on recollections Hunter Developments had been awarded preferred status following the EOI process.

Note: the above answer has subsequently been further clarified, for details refer to Council's next Council Meeting Agenda.

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## **QUESTIONS WITHOUT NOTICE /contd...**

### **Kangaroo Bay**

Ms Sachie Yasuda of Lindisfarne asked a question relating to possible release to the public of the sale price for the land development site at Kangaroo Bay and whether Council would consider this matter.

### **Answer**

The Mayor advised that this matter was listed to be dealt with by the Council in the “Closed Meeting” section of this Council agenda.

The Mayor further advised that he would write to Ms Yasuda following Council’s consideration of the matter.

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

Nil

**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**

Not required.

#### **Representative Reporting**

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

#### **Quarterly Reports**

June Quarterly Report pending.

#### **Representative Reporting**

- **TASWATER CORPORATION**  
TasWater Corporation has distributed its Quarterly Report to Owners' Representatives for the period ending 30 June 2017.

#### **RECOMMENDATION:**

That the TasWater Corporation Quarterly Report to Owners' Representatives for the period ending 30 June 2017 be received.

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

“That the TasWater Corporation Quarterly Report to Owners' Representatives for the period ending 30 June 2017 be received”.

**CARRIED UNANIMOUSLY**

**10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES****NATURAL RESOURCE MANAGEMENT – QUARTERLY REPORT**

(File No 12-15-01)

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

Report to Council for the 3 month period 1 April 2017 to 30 June 2017.

**1. PRINCIPAL OBJECTIVES AND GOALS**

The Committee’s prime objectives are to:

- advise Council on the strategic planning and management of bushland and coastal reserves and parks throughout the City;
- provide advice on Council’s Reserve Activity Plans and Catchment Management Plans in the context of the “Clarence Bushland and Coastal Strategy”;
- administer, in conjunction with Council, the Land and Coast Care Grants Program;
- facilitate and provide guidance for the implementation of Council’s adopted Clarence Bushland and Coastal Strategy; and
- promote information sharing of natural resource related matters affecting the City.

In working towards these goals the Committee, in conjunction with Council’s Natural Assets Officer, implemented a range of activities, which are set out below.

**2. CAPITAL WORKS PROJECTS****Lindhill Bushland Reserve Entrance**

Entrance access works to Lindhill Bushland Reserve are now complete, including signage installation and landscaping.

**Blessington Street Path Extension**

A new section of gravel path has been constructed along the Blessington Street Coastal Reserve with landscaping of disturbed areas scheduled in the coming weeks.

**Clarence Plains Rivulet Track Extension**

A new section of gravel path has been constructed from the school crossing near Bayview Secondary College linking with the bitumen track that follows the Clarence Plains Rivulet toward Clarendon Vale House.

**3. RECURRENT INITIATIVES****Green Army Program**

The Green Army Team (GAT) has done extensive landscaping about the Clarence Plains Rivulet, post removal of vegetation by the Department of Education and removal of weeds by the GAT.

The GAT have repaired the vandalised dry-stone bridge at 45 Goodwins Road and have also rock paved the surrounds of the recently installed Bruce Andrews memorial seat.

The GAT team have been involved with landscaping the new path along Kangaroo Bay Rivulet, next to the Council chambers and the crew also did some planting at Rosny Hill, including planting 200 rare flax lily, *Dianella amoena*.

The crew have planted advanced native trees and shrubs at locations along the Clarence Plains Rivulet and have also performed extensive weed control and rubbish removal.

The GAT also helped with the recent Stokell Creek Clean Up Program, removing over 200 tyres from the creek. Three large skip bins were filled with rubbish collected at the site also. Some 150 to 200 car bodies were removed from the area and will be recycled for metal content.

Work is underway to landscape the entrance to Clarendon Vale Oval and bird/animal nesting boxes will soon be installed at strategic locations in the bushland area of 45a Goodwins Road.

The crew have done extensive landscaping along the Clarence Plains Rivulet, including some mudstone rock paving about the recently installed Bruce Andrew Memorial Seat.

**Work for the Dole Program**

The Work for the Dole Crew (WfD) have rock paved the surrounds of the Veronica Thorp Memorial Seat at the Second Bellerive Bluff with mudstone and limestone gravel grout. Rock retaining walls, mulch and native plantings have made the site look very aesthetically pleasing, with positive feedback being offered by local users.

The WfD have undertaken pruning of branches impacting on the multiple-user track about Rosny/Montagu Bay and have performed extensive brush cutting of long grass in the reserve.

**Development of Reserve Activity Plans 2016-17**

Three Reserve Activity Plans (RAPs) have been developed this last quarter, namely Richmond Recreation Reserve, Bedlam Walls Bushland Reserve and Canopus-Centauri Bushland Reserves.

**Implement Natural Area Reserve Activity Plans**

Extensive planting of native coastal species has occurred in defined mulched areas along the Tranmere Foreshore Reserve.

Landscaping has occurred along the new concrete path on Rosny Esplanade and within the defined garden beds above the Rosny Treatment Plant.

An aluminium table and bench seat has been installed at Potter's Hill, South Arm. Another aluminium bench seat has been installed along the new section of track along Blessington Street in front of 129 Blessington Street.

**Wetland/Storm Water Retention Basins**

Maintenance work, including brush cutting, rubbish removal, cumbungi control, mulching and herbicide spraying have been carried out at Cambridge Park Wetland, Lauderdale Wetland and Otago Bay Freshwater Lagoon.

Bioretention Basins have undergone maintenance work at Rosny, Grass Tree Hill Rivulet and Thoona Bushland Reserve.



Drop structures, to minimise erosion, have been upgraded at Kangaroo Bay Rivulet.

Several seats, designed for the elderly, have been installed about Lauderdale Wetland for local residents of the nearby retirement village.

### **Drainage Swales**

Kangaroo Bay Rivulet, Clarence Plains Rivulet, Roches Beach Roadside Swale, Orana Swale, Thoona Swale, Barilla Creek, Grass Tree Hill and Risdon Vale Rivulets, Flagstaff Gully Creek and Geilston Creek have had extensive maintenance work administered.

### **Priority Weed Management**

Significant weed control work has been administered in various CCC natural areas including Avoca Bushland Reserve, Thoona Bushland Reserve, North Warrane Bushland Reserve, Pilchers Hill, Bedlam Walls, Roches Beach Coastal Reserve, Rosny/Montagu Coastal Reserve and Rosny Hill.

### **Landcare Grants Program**

Most groups are near completion for their funded projects for 2016-17.

Limekiln Point Landcare Group and Glebe Hill Bushland Reserve Landcare Group have finished their projects and submitted grant acquittal documents.

### **Maintenance Clarendon Vale Rivulet**

The Clarendon Vale Rivulet is in excellent condition at the moment with the Green Army and contractors both working in the area of late. Green waste generated along the rivulet from weed control and fallen branches were chipped and used for revegetation works. Significant landscaping has been administered by the Green Army Crew.

### **Schools Landcare Support Program**

Richmond Primary School was involved with some planting at Richmond Recreational Reserve in June. Several advanced trees and numerous native tube stock were planted in a mulched area at the north-eastern corner of the reserve. The now landscaped area was previously a dumping site that regularly attracted litter and green waste. Feedback from the school and the local community has been positive.

**Community Clean Up Program**

All funds associated with the program have been expended for the financial year with clean-up efforts being concentrated at Seven Mile Beach, Tranmere/Clarence Plains, Clifton Beach and Lauderdale.

**Clean up Australia Day**

Clean up Australia Day 2017 was a huge success.

Some data on the 2017 campaign in Clarence is presented below:

- tonnes of waste collected – 6.48;
- passenger tyres collected – 77 (recycled);
- light truck tyres collected – 36 (recycled);
- total number of estimated participants – 2,500;
- total number of registered sites – 33;
- total number of unregistered sites – 5;
- total number of registered participants – 45;
- total number of community groups participating – 18;
- total number of school groups participating – 9;
- total number of youth groups participating – 5;
- total number of business groups participating – 1.

**Prison Program Project**

The Prison Crew have spent much of their time brush cutting the natural areas about Risdon Vale. Extensive pruning work has been done along track edges and many storm damaged trees.

The Prison Crew installed some dry stone retaining wall sections near the Council Chambers on the recently installed red gravel path and has more stone work scheduled over the coming weeks to increase the length of the wall, which will allow more landscaping to be done.

**4. DESIGN AND INVESTIGATION WORK IN PROGRESS****Feral Cat Management**

Council has shown some interest in future management of feral cats. Ald Kay McFarlane has requested that some research be done about what organisations might be involved with feral cat management to compile information that the NRM and Grants Committee can digest for any future recommendations to Council.

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

A committee meeting has been scheduled for 26 July 2017.

Ald Kay McFarlane, Ian Preece, Justin Burgess and Phil Watson met on the 13 of July to look at Budget Items programmed for 2016-17, discuss the Landcare Grants Program for 2016-17 and talk about feral cat management.

**Committee Constitution**

Council officers have been reviewing the constitution which will be presented to the committee for comment at the next meeting.

**6. EXTERNAL LIAISON**

The NRM & Grants Committee have been invited to provide comment on the draft Clarence Plains Reserves Reserve Activity Plan. Comments have been directed to Phil Watson.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

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

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

**CARRIED UNANIMOUSLY**

**OTHER COMMITTEES****EVENTS SPECIAL COMMITTEE**

- Ald Chong tabled the Minutes of a Meeting held on 1 August 2017.

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

(File No 10/02/02)

The Weekly Briefing Reports of 24 and 31 July and 7 August 2017 have been circulated to Aldermen.

**RECOMMENDATION:**

That the information contained in the Weekly Briefing Reports of 24 and 31 July and 7 August 2017 be noted.

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

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

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

Nil

**11.3 PLANNING AUTHORITY MATTERS**

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

**11.3.1 DEVELOPMENT APPLICATION D-2017/147 – 169 SUGARLOAF ROAD, RISDON VALE WITH ACCESS OVER 173 SUGARLOAF ROAD – CONTRACTOR’S YARD (ARBORIST AND TREE FELLING BUSINESS INCLUDING STOCKPILING OF TIMBER AND MULCH)**

(File No D-2017/166)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider an application for a contractor’s yard (Arborist and tree felling business including stockpiling of timber and mulch) at 169 Sugarloaf Road, Risdon Vale with access over 173 Sugarloaf Road.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Rural Resource and subject to the Bushfire Prone Areas Code, Road and Rail Assets Code, Parking and Access Code, Stormwater Management Code and Natural Assets Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme, the proposal is a Discretionary use and development.

The proposal is exempt from the requirements of the Bushfire Prone Areas Code and the Natural Assets Code.

**LEGISLATIVE REQUIREMENTS**

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 23 August 2017.

**CONSULTATION**

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

- fire safety; and
- impacts on future development on adjoining land.

**RECOMMENDATION:**

- A. That the Development Application for a contractor's yard (Arborist and tree felling business including stockpiling of timber and mulch) at 169 Sugarloaf Road, Risdon Vale with access over 173 Sugarloaf Road (CI Ref D-2017/147) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLAN.
  2. All external surfaces must be finished in non-reflective, muted colours to the satisfaction of Council's Manager City Planning. Details of the colour scheme must be submitted and approved prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works.
  3. The 2 shipping containers shown on the Site Plan Drawing No JK 01-P2 Rev 2 dated 27/06/2017 must be removed prior to either the issue of a building permit or a certificate of likely compliance (CLC) for building works associated with the development.
  4. The stockpiling of timber and mulch must be contained wholly within the stockpiling areas as shown on the Site Plan Drawing No JK 01-P2 Rev 2 dated 27/06/2017. The 2 stockpiling areas must not exceed the height shown on the Site Plan for the respective stockpiled area.
  5. Timber and mulch products must not be made available for sale and collection direct from the site.
  6. No signage is approved as part of this application unless otherwise exempt by the Planning Scheme.
  7. No burning of mulch or timber is permitted on the site. The removal of stockpiled timber and mulch products must be disposed of at a waste management facility licensed to take such material to the satisfaction of Council's Senior Environmental Health Officer.

**Advice:**

1. It is advised that a bushfire hazard management plan will be required to be prepared by a suitably qualified bushfire assessor prior to the commencement of the use of the contractors yard storage shed/ stockpiled areas to address fire control between the stockpiles of combustible material.
2. It is advised that pursuant to the Environmental Management and Pollution Control Act, 2004 a chainsaw cannot be operated unless an Environmental Protection Notice has been issued by Council's Senior Environmental Health Officer. Therefore before commencing the use, it is recommended that the operator contact the relevant officer for assessment.



- 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.

<b>Decision:</b>	<b>MOVED</b> Ald Cusick <b>SECONDED</b> Ald Chong
	<p>“A. That the Development Application for a contractor’s yard (Arborist and tree felling business including stockpiling of timber and mulch) at 169 Sugarloaf Road, Risdon Vale with access over 173 Sugarloaf Road (Cl Ref D-2017/147) be approved subject to the following conditions and advice.</p> <ol style="list-style-type: none"><li>1. GEN AP1 – ENDORSED PLAN.</li><li>2. All external surfaces must be finished in non-reflective, muted colours to the satisfaction of Council’s Manager City Planning. Details of the colour scheme must be submitted and approved prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works.</li><li>3. The 2 shipping containers shown on the Site Plan Drawing No JK 01-P3 Rev 2 dated 27/06/2017 must be removed prior to either the issue of a building permit or a certificate of likely compliance (CLC) for building works associated with the development.</li><li>4. The stockpiling of timber and mulch must be contained wholly within the stockpiling areas as shown on the Site Plan Drawing No JK 01-P3 Rev 2 dated 27/06/2017. The 2 stockpiling areas must not exceed the height shown on the Site Plan for the respective stockpiled area.</li><li>5. Timber and mulch products must not be made available for sale and collection direct from the site.</li><li>6. No signage is approved as part of this application unless otherwise exempt by the Planning Scheme.</li><li>7. No burning of mulch or timber is permitted on the site. The removal of stockpiled timber and mulch products must be disposed of at a waste management facility licensed to take such material to the satisfaction of Council’s Senior Environmental Health Officer.</li></ol>

/ Decision contd on Page 25...

**DEVELOPMENT APPLICATION D-2017/147 – 169 SUGARLOAF ROAD, RISDON VALE WITH ACCESS OVER 173 SUGARLOAF ROAD – CONTRACTOR’S YARD (ARBORIST AND TREE FELLING BUSINESS INCLUDING STOCKPILING OF TIMBER AND MULCH) /Decision contd...**Advice:

1. It is advised that a bushfire hazard management plan will be required to be prepared by a suitably qualified bushfire assessor prior to the commencement of the use of the contractors yard storage shed/stockpiled areas to address fire control between the stockpiles of combustible material.
  2. It is advised that pursuant to the Environmental Management and Pollution Control Act, 2004 a chainsaw cannot be operated unless an Environmental Protection Notice has been issued by Council’s Senior Environmental Health Officer. Therefore before commencing the use, it is recommended that the operator contact the relevant officer for assessment.
- 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”.

**CARRIED UNANIMOUSLY**

**11.3.2 DEVELOPMENT APPLICATION D-2017/153 - 1/121 MORNINGTON ROAD,  
MORNINGTON - WAREHOUSE**  
(File No D-2017/153)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for demolition of an existing warehouse and construction of a new warehouse at 1/121 Mornington Road, Mornington.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Light Industrial and subject to the Parking and Access Code and Stormwater Management Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 16 August 2017 as agreed with the applicant.

**CONSULTATION**

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

- impact of development upon internal circulation and manoeuvring for commercial vehicles on the site;
- lack of body corporate approval; and
- absence of plans on Council's website.

**RECOMMENDATION:**

A. That the Development Application for warehouse at 1/121 Mornington Road, Mornington (CI Ref D-2017/153) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. Any removal of soil from the site must be treated as controlled waste. Prior to removal of soil a permit must be obtained from the Department of Tourism, Arts and the Environment.
3. GEN S1 – SIGN CONSENT.
4. GEN AM3 – EXTERNAL COLOURS.
5. GEN AP3 – AMENDED PLANS [glazed window/s with a minimum dimension of 2m<sup>2</sup> must be installed on the eastern (front façade) elevation of the building].
6. LAND 1A – LANDSCAPE PLAN.
7. LAND 3 – LANDSCAPE BOND (COMMERCIAL).
8. ENG A5 – SEALED CAR PARK.
9. ENG S1 – INFRASTRUCTURE REPAIR.
10. ENG M1 – DESIGNS DA [CAR PARK AND DRIVEWAYS].
11. The development must meet all required Conditions of Approval specified by TasWater notice dated 7 June 2017 (TWDA 2017/00574-CCC).

**ADVICE:**

It is advised that an application to amend Stratum Plan 157752 will be required in order to rectify the relocation of the building layout appearing on Lot 1 of this stratum plan.

- 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.

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

**11.3.3 DEVELOPMENT APPLICATION D-2017/201 - 187 BLESSINGTON STREET, SOUTH ARM - ADDITION TO DWELLING**  
(File No D-2017/201)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an addition to an existing dwelling at 187 Blessington Street, South Arm.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Village and subject to the Road and Rail Assets, Parking and Access, Stormwater Management, Waterway and Coastal Protection, Coastal Erosion Hazard, and the On-Site Wastewater Management Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development as the proposal does not meet the Acceptable Solutions within the Stormwater Management, Waterway and Coastal Protection, and Coastal Erosion Hazard Codes.

**LEGISLATIVE REQUIREMENTS**

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

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended to 16 August 2017 with the written agreement of the applicant.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and 1 representation, made on behalf of 2 separate property owners, was received raising the following issues:

- views;
- privacy;
- coastal erosion and inundation; and
- accuracy of proposal plans.

**RECOMMENDATION:**

- A. That the Development Application for addition to dwelling at 187 Blessington Street, South Arm (CI Ref D-2017/201) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
  2. Construction works must be undertaken in accordance with “Wetlands and Waterways Works Manual” (DPIWE, 2003) and “Tasmanian Coastal Works Manual” (DPIPWE, Page and Thorp, 2010).
- 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 von Bertouch **SECONDED** Ald Chong  
“That the Recommendation be adopted”.  
**CARRIED UNANIMOUSLY**

**11.3.4 SUBDIVISION (BOUNDARY ADJUSTMENT) APPLICATION SD-2017/12 -  
3669 SOUTH ARM ROAD, 21A AND 21 SPITFARM ROAD, OPOSSUM  
BAY - BOUNDARY ADJUSTMENTS**

(File No SD-2017/12)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for boundary adjustments at 3669 South Arm Road, and 21a and 21 Spitfarm Road, Opossum Bay.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Rural Resource and subject to the Bushfire Prone Areas, Landslide, Waterway and Coastal Protection, Natural Assets and Parking and Access Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires with the written consent of the applicant on 16 August 2017.

**CONSULTATION**

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

- inaccurate description of proposal;
- failure to meet minimum lot size requirements; and
- access.

**RECOMMENDATION:**

A. That the application for boundary adjustments at 3669 South Arm Road, 21a and 21 Spitfarm Road, Opossum Bay (Cl Ref SD-2017/12) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. ENG A1 – NEW CROSSOVER [3.6m MINIMUM].
  3. ENG R4 – ROAD WIDENING [9.0m MINIMUM].
  4. ENG M8 – EASEMENTS.
  5. The use or development must only be undertaken and maintained in accordance with the endorsed Bushfire Risk Assessment and Bushfire Hazard Management Plan prepared by Nick Creese and dated 17 May 2017, unless an alternative Bushfire Hazard Management Plan is approved by Council.
  6. The use or development must only be undertaken and maintained in accordance with the recommendations of the endorsed Natural Values Assessment prepared by D Summers.
- 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.

<p><b>Decision:</b>                      <b>MOVED</b> Ald James <b>SECONDED</b> Ald Hulme</p> <p>  “That the Recommendation be adopted”.</p> <p style="text-align: right;"><b>CARRIED UNANIMOUSLY</b></p>
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**11.3.5 DEVELOPMENT APPLICATION D-2017/134 - 129 JEUNE DRIVE, ACTON PARK - OUTBUILDING**  
(File No D-2017/134)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an Outbuilding at 129 Jeune Drive, Acton Park.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Rural Living and subject to the Parking and Access, Stormwater Management, and the On-Site Wastewater Management Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

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

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

Council is required to exercise a discretion within the statutory 42 day period which was extended with the applicant's written consent and now expires on 16 August 2017.

**CONSULTATION**

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

- setback;
- size;
- height;
- visual impacts;
- loss of views; and
- existing outbuilding classification.

**RECOMMENDATION:**

- A. That the Development Application for Outbuilding at 129 Jeune Drive, Acton Park (CI Ref D-2017/134) 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 Cusick **SECONDED** Ald Peers  
“That the Recommendation be adopted”.  
**CARRIED UNANIMOUSLY**

**11.3.6 DEVELOPMENT APPLICATION D-2017/228 - 102 DROUGHTY POINT ROAD, ROKEBY - WAREHOUSE**  
(File No D-2017/228)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a warehouse at 102 Droughty Point Road, Rokeby.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Light Industrial and subject to the Road and Rail Assets, Parking and Access, Stormwater Management, Waterway and Coastal Protection, Coastal Erosion Hazard, and Signs codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is Discretionary as the proposal does not meet the Acceptable Solutions within the zone, and the Parking and Access, Coastal Erosion Hazard and Signs Codes.

**LEGISLATIVE REQUIREMENTS**

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 21 August 2017.

**CONSULTATION**

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

- traffic impact; and
- impact on native hens.

**RECOMMENDATION:**

A. That the Development Application for Warehouse at 102 Droughty Point Road, Rokeby (CI Ref D-2017/228) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. GEN AP3 – AMENDED PLANS (glazed windows in the south and east elevations (including windows in the ground floor offices), which are located and designed in such a way that allows for passive surveillance of Droughty Point Road and enhances the streetscape].
  3. GEN S7 – SIGN MAINTENANCE.
  4. GEN AM3 – EXTERNAL COLOURS.
  5. ENG A5 – SEALED CAR PARKING.
  6. ENG S1 – INFRASTRUCTURE REPAIR.
  7. ENG M1 – DESIGNS DA.
  8. ENG M5 – EROSION CONTROL.
  9. All stormwater run-off from impervious surfaces within the site must be treated and discharged from site using Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions (or the MUSIC model) must be submitted to Council’s Group Manager Engineering Services for approval prior to the issue of a building or plumbing permit. This report is to include the maintenance management regime/replacement requirements for the treatment facility.
  10. GEN AM1 – NUISANCE.
  11. LAND 1A – LANDSCAPE PLAN.
  12. LAND 3 – LANDSCAPE BOND (COMMERCIAL).
  13. The development must meet all required Conditions of Approval specified by TasWater notice dated 14 July 2017 (TWDA 2017/00913-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.

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

**11.3.7 DEVELOPMENT APPLICATION D-2017/211 - 3A BAYSIDE DRIVE, LAUDERDALE (WITH ACCESS OVER 3 BAYSIDE DRIVE) - 2 MULTIPLE DWELLINGS**

(File No D-2017/211)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 2 Multiple Dwellings at 3A Bayside Drive, Lauderdale (with access over 3 Bayside Drive).

**RELATION TO PLANNING PROVISIONS**

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

**LEGISLATIVE REQUIREMENTS**

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

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

Council is required to exercise a discretion within the statutory 42 day period which was extended with the consent of the applicant until 16 August 2017.

**CONSULTATION**

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

- loss of privacy; and
- impact on trees.

**RECOMMENDATION:**

A. That the Development Application for 2 Multiple Dwellings at 3A Bayside Drive, Lauderdale (with access over 3 Bayside Drive) (CI Ref D-2017/211) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. AMENDED PLANS [the following details] insert dot points at the end the condition.

- a 1.7m high permanently fixed screen with a uniform transparency of no more than 25% on the eastern and western sides of the deck of Unit 2;
  - the sill height of the living room window on the eastern elevation of Unit 2 reduced to 1.7m above floor level.
3. Mature plants, 1.7m in height, must be planted to provide a screen to the bedroom window (Bed 2) of Unit 1 in accordance with Clause 10.4.6 A3, prior to the occupation of the dwelling.
  4. ENG A5 – SEALED CAR PARKING.
  5. ENG S2 – INFRASTRUCTURE REPAIR.
  6. ENG M1 – DESIGNS DA.
  7. The development must meet all required Conditions of Approval specified by TasWater notice dated 29 June 2017 (TWDA 2017/00827-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.

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

**11.3.8 DEVELOPMENT APPLICATION D-2017/230 - 75 BASTICK STREET,  
ROSNY - DWELLING**  
(File No D-2017/230)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a dwelling at 75 Bastick Street, Rosny.

**RELATION TO PLANNING PROVISIONS**

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

**LEGISLATIVE REQUIREMENTS**

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

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

Council is required to exercise a discretion within the statutory 42 day period which now expires with the consent of the applicant on 16 August 2017.

**CONSULTATION**

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

- impact on privacy;
- visual impact;
- loss of value;
- inconsistency with character of area;
- pool safety;
- parking and on-site turning;
- stormwater;
- existing vegetation;
- fencing of driveway;
- noise; and
- inconsistency with Planning Scheme requirements.

**RECOMMENDATION:**

- A. That the Development Application for a dwelling at 75 Bastick Street, Rosny (CI Ref D-2017/230) 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.

<b>Decision:</b>	<b>MOVED</b> Ald Hulme <b>SECONDED</b> Ald Cusick																				
	“That the Recommendation be adopted”.																				
	<b>CARRIED</b>																				
	<table> <tr> <td><b>FOR</b></td> <td><b>AGAINST</b></td> </tr> <tr> <td>Ald Chipman</td> <td>Ald James</td> </tr> <tr> <td>Ald Chong</td> <td></td> </tr> <tr> <td>Ald Cusick</td> <td></td> </tr> <tr> <td>Ald Doust</td> <td></td> </tr> <tr> <td>Ald Hulme</td> <td></td> </tr> <tr> <td>Ald Peers</td> <td></td> </tr> <tr> <td>Ald Thurley</td> <td></td> </tr> <tr> <td>Ald von Bertouch</td> <td></td> </tr> <tr> <td>Ald Walker</td> <td></td> </tr> </table>	<b>FOR</b>	<b>AGAINST</b>	Ald Chipman	Ald James	Ald Chong		Ald Cusick		Ald Doust		Ald Hulme		Ald Peers		Ald Thurley		Ald von Bertouch		Ald Walker	
<b>FOR</b>	<b>AGAINST</b>																				
Ald Chipman	Ald James																				
Ald Chong																					
Ald Cusick																					
Ald Doust																					
Ald Hulme																					
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 EXPRESSION OF INTEREST TO HOST THE 2019 COASTAL COUNCILS' CONFERENCE**

(File No)

**EXECUTIVE SUMMARY****PURPOSE**

To seek Council's consideration for hosting the 2019 Australian Coastal Councils' Conference.

**RELATION TO EXISTING POLICY/PLANS**

Council's Strategic Plan 2016-2026 is relevant.

**LEGISLATIVE REQUIREMENTS**

Nil.

**CONSULTATION**

No consultation has been undertaken by Council on this proposal.

**FINANCIAL IMPLICATIONS**

There are no financial implications for Council's 2017/2018 Annual Plan. If Council succeeds in being selected to host the 2019 Australian Coastal Councils Conference, costs of \$13,000 will need to be considered in the 2018/2019 Annual Plan.

**RECOMMENDATION:**

- A. That Council authorises the Acting General Manager to submit an Expression of Interest to host the 2019 Australian Coastal Councils Conference which may include:
1. in-kind contribution in support of field tours, local digital media communications, advice to conference convenors in regard to local suppliers and resourcing; and
  2. direct Council support in provision of field trips; and
  3. welcome reception; and
  4. conference coach transfers.
- B. That Council considers allocating funds of \$13,000 in the 2018/2019 Annual Budget enabling the hosting of the 2019 Australian Coastal Councils' Conference.

/ Refer to Page 42 for Decision on this Item...

**EXPRESSION OF INTEREST TO HOST THE 2019 COASTAL COUNCILS' CONFERENCE /contd...**

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

**11.5.2 COUNCIL CHAMBERS OFFICE ACCOMMODATIONS**

(File No 01-01-01)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to enable Council the opportunity to consider a proposal in relation to Council Chambers office accommodation following a review of work health and safety compliance and a general assessment.

**RELATION TO EXISTING POLICY/PLANS**

Nil.

**LEGISLATIVE REQUIREMENTS**

Other than a general requirement for all workplaces to comply with the Building Code and compliance with appropriate work, health and safety standards there are no additional legislative requirements in regard to this matter.

**CONSULTATION**

There has been no external consultation in respect of this matter.

**FINANCIAL IMPLICATIONS**

There has been no allocation in the current 2017/2018 Council Budget for proposed works.

**RECOMMENDATION:**

That Council authorises a provision of up to \$150,000 to:

- a. reconfigure existing office layout;
- b. construct additional office space for new staff; and
- c. modify the customer service area.

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

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.5.3 RESPONSE TO LGAT – LED STREET LIGHT BULK REPLACEMENT**

(File No)

**EXECUTIVE SUMMARY****PURPOSE**

To consider details and funding options for approval to proceed with the LED Street Light bulk replacement program.

**RELATION TO EXISTING POLICY/PLANS**

Council's Strategic Plan 2016-2026 in "an environmentally responsible city" is relevant.

**LEGISLATIVE REQUIREMENTS**

Nil.

**CONSULTATION**

No consultation has been undertaken by Council on this proposal.

**FINANCIAL IMPLICATIONS**

To take advantage of the savings offered through LED lighting it is recommended Council amend the 2017/2018 Estimates to the value of the works and also make an application to the Department of Treasury and Finance for an interest subsidy under the Accelerated Local Government Capital programme in relation to the LED street light replacement project.

**RECOMMENDATION:**

- A. That Council amends the 2017/2018 Estimates by:
1. The addition of \$2,340,000 to asset purchases in the Roads Programme to change all street lights to LED fixtures;
  2. Including borrowings of \$2,340,000 in the Roads Programme to meet the costs changing all street lights to LED fixtures.
- B. That Council makes application to the Department of Treasury and Finance for an interest subsidy under the Accelerated Local Government Capital programme initiative in relation to the LED Street lighting replacement project.

**Decision:** **MOVED** Ald Cusick **SECONDED** Ald Hulme

"That the Recommendation be adopted".

**CARRIED UNANIMOUSLY**

**11.6 FINANCIAL MANAGEMENT**

Nil Items.

**11.7 GOVERNANCE****11.7.1 QUARTERLY REPORT TO 30 JUNE 2017**

(File No 10/02/05)

**EXECUTIVE SUMMARY****PURPOSE**

To consider the General Manager's Quarterly Report covering the period 1 April to 30 June 2017.

**RELATION TO EXISTING POLICY/PLANS**

The Report uses as its base the Annual Plan adopted by Council and is consistent with Council's previously adopted Strategic Plan 2016-2026.

**LEGISLATIVE REQUIREMENTS**

There is no specific legislative requirement associated with regular internal reporting.

**CONSULTATION**

Not applicable.

**FINANCIAL IMPLICATIONS**

The Quarterly Report provides details of Council's financial performance for the period.

**RECOMMENDATION**

That the Quarterly Report to 30 June 2017 be received.

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

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.7.2 STATE FIRE COMMISSION – LOCAL GOVERNMENT REPRESENTATION**

(File No 12-01-01)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to enable Council to consider nominating an elected member for consideration as the Local Government representative on the State Fire Commission.

**RELATION TO EXISTING POLICY/PLANS**

Council's Strategic Plan 2016-2026 in part provides that Council will:

- Respond to the changing needs of the community through a commitment to excellence in leadership, advocacy, innovative governance and service delivery.

**LEGISLATIVE REQUIREMENTS**

LGAT is required to submit a list of 3 names for nomination to the Minister under the Fire Service Act, 1979.

**CONSULTATION**

Nil.

**FINANCIAL IMPLICATIONS**

If a Council nominee is successful in being appointed to the State Fire Commission there is a sitting fee of \$6,000 per annum and reimbursement of costs is provided.

**RECOMMENDATION:**

That Council decides on whether to nominate an Alderman for consideration as the Local Government representative to the State Fire Commission.

No nominations were considered.

Ald James Left the Meeting at this stage and did not return (8.14pm).



**11.7.3 CREATION OF NEW PUBLIC PLACES BY-LAW (NO 1 OF 2017)**

(File No 06-03-00)

**EXECUTIVE SUMMARY****PURPOSE**

To commence the process for the creation of a new Public Places By-law upon the expiry of the existing By-law in December 2017.

The existing By-law has been the subject of a substantial internal review by Council officers. Whilst the proposed By-law is based on the same objectives as the existing By-law, it has been redrafted to be simpler and encompass some additional areas of regulation which over the past decade have become necessary, for example, regulating the use of drones and the expedient disposal of abandoned car bodies.

**RELATION TO EXISTING POLICY/PLANS**

The proposed amendments are consistent with existing Council Policies and Plans.

**LEGISLATIVE REQUIREMENTS**

The procedures for creating the By-law are set out in the Local Government Act, 1993 (“the Act”).

**CONSULTATION**

The requirements for consultation are set out in the Act.

**FINANCIAL IMPLICATIONS**

There are none identified.

**RECOMMENDATION:**

- A. That Council commences the process for the creation of a new Public Places By-law generally in the form of the proposed By-law attached to the Associated Report to be created to replace the existing Public Places and Permits By-law No 1 of 2007, which is due to expire on 12 December 2017.
- B. That Council resolves to adopt the content of the existing By-law as policy during the period from 12 December 2017 to the commencement of the new By-law in the event that the proposed By-law is not in place before the expiration of the existing By-law in December 2017.
- C. That a policy guideline is prepared for the permitting and effective management of mobile food vans on public places.

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

**CREATION OF NEW PUBLIC PLACES BY-LAW (NO 1 OF 2017) /contd...**

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

**11.7.4 CREATION OF VARIOUS EASEMENTS – TAS NETWORKS INFRASTRUCTURE**

(File No 21-01-01)

**EXECUTIVE SUMMARY****PURPOSE**

To consider a request from TasNetworks to create a number of easements over Council land at various locations for new replacement substations and associated cabling.

**RELATION TO EXISTING POLICY/PLANS**

Nil.

**LEGISLATIVE REQUIREMENTS**

TasNetworks has a statutory obligation to maintain a register of its easements and agreements and has in more recent times sought to formalise these arrangements for the creation of easements over public land wherever this occurs in non-roadway land. The Electricity Supply Act 1995 provides TasNetworks with a head of power to establish electricity infrastructure in or over public land subject to the agreement with the relevant land management authority. Any disputes on such agreement may be the subject of appeal to the Energy Regulator.

As the proposed creation of easements represents a transaction of an interest in Council land, this decision is required to be dealt with under the Local Government Act 1993 and requires the support of an Absolute Majority decision of Council.

**CONSULTATION**

Council officers have discussed the design with Aurora representatives regarding the location of the easement.

**FINANCIAL IMPLICATIONS**

Costs associated with the establishment of the easement should be borne by the beneficiary and will not impact on Council's Annual Plan.

**RECOMMENDATION:**

- A. That Council endorses the proposed creation of the required easements in favour of TasNetworks on Council land at the locations detailed in the schedule submitted by TasNetworks, subject to the following conditions:
- the creation of the easement is to have minimal impact on Council's utilisation and management of roads and public recreation purposes of the land affected;
  - TasNetworks undertakes all remedial works in respect to the installation of the substation and cabling;
  - the areas affected be fully reinstated and landscaped; and
  - vegetation removal and replacement and landscaping is to be conducted in a manner as agreed with Council's Manager Engineering Services.

- B. Settlement costs, including Council’s legal costs associated with the formal creation of the easement are to be borne by TasNetworks and that they be required to pay the processing fee as provided for under Council’s list of Fees and Charges 2017/2018.

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

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.7.5 VOLUNTARY AMALGAMATIONS – PROPOSED CONSULTATION**

(File No 10-13-01)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider following further Workshop discussions the draft consultation proposals in relation to voluntary amalgamation options for the South East Councils and voluntary amalgamation options for the Greater Hobart Councils.

**RELATION TO EXISTING POLICY/PLANS**

Council has previously resolved to consult with the community in relation to both the South East and Greater Hobart voluntary amalgamation options.

**LEGISLATIVE REQUIREMENTS**

There are no legislative requirements in regard to this matter.

**CONSULTATION**

There are a number of consultation options available to Council including direct mail out, an elector poll and active consultation. The report recommends direct or bulk mail-out as the preferred option. Consultation in regard to this matter will not be determinative in its own right but will be informative to Council in determining this matter.

**FINANCIAL IMPLICATIONS**

Council has allocated \$20,000 in the 2017/18 budget for intergovernmental relation ostensibly for purposes such as the consultation initiative contemplated and the additional estimated cost of consultation can provide for by the use of carryover funds from 2016/17. This should be sufficient to cover the recommended Option 2; however would require further appropriation should a more expensive option be favoured.

The State Government had initially offered to support consultation where practical. This offer was primarily made to small Councils without sufficient resources to undertake detailed consultation. It is not expected that Council would receive any funding support.

**RECOMMENDATION:**

- A. That Council approves the undertaking of community consultation in relation to voluntary amalgamation as detailed in the consultation documentation.
- B. That Council approves Option 2; direct mail out to the household and those registered on the General Manager's Electoral Roll as the preferred consultation methodology and that Council's next rates instalment issue be utilised for the bulk of the mail out of the survey material.

/ Refer to Page 53 for Decision on this Item...

**VOLUNTARY AMALGAMATIONS – PROPOSED CONSULTATION /contd...**

<b>Decision:</b>	<b>MOVED</b> Ald von Bertouch <b>SECONDED</b> Ald Chong
	<p>“A. That Council approves the undertaking of community consultation in relation to voluntary amalgamation as detailed in the consultation documentation (including the as circulated amendment to the covering letter from the Mayor).</p> <p>B. That Council approves Option 2; direct mail out to the household and those registered on the General Manager’s Electoral Roll as the preferred consultation methodology and that Council’s next rates instalment issue be utilised for the bulk of the mail out of the survey material.</p> <p>C. That participants in the survey be provided a 2 month timeframe for the submission of survey responses”.</p> <p style="text-align: right;"><b>CARRIED UNANIMOUSLY</b></p>

**11.7.6 STANDARD PERMIT CONDITIONS ASSOCIATED WITH URBAN DRAINAGE**  
(File No)**EXECUTIVE SUMMARY****PURPOSE**

To consider the introduction of a new series of standard conditions and drainage easement requirements for subdivision and development approvals.

**RELATION TO EXISTING POLICY/PLANS**

The Council has from time to time adopted a range of standardised permit conditions to assist in the consistent treatment and conditioning of development and in order to best achieve its ongoing strategic and infrastructure obligations.

As a matter of policy the Council has defined the area which it regards as being the extent of the city's urban drainage management responsibilities and obligations under the *Urban Drainage Act 2013*. This overall area will form the basis for Urban Drainage Management Plans to be developed for each catchment.

**LEGISLATIVE REQUIREMENTS**

The Council has statutory obligations for the management of the recognised areas of urban drainage in the city under the *Urban Drainage Act 2013*.

**CONSULTATION**

Consultation on the development of the proposed standard conditions has occurred at officer level.

**FINANCIAL IMPLICATIONS**

No direct financial implication are relevant, however, the measures proposed will have indirect impacts on the level of understanding as to rights of access and infrastructure protection and will minimise costs to Council in the performance of its responsibilities as an urban drainage authority.

**RECOMMENDATION:**

- A. That Council endorse the introduction of the following proposed new standard conditions associated with its functions as provider of public stormwater systems in the urban drainage areas of Clarence.

***ENG M8 – EASEMENTS (REPLACE EXISTING CONDITION)***

*The Final Plan and accompanying Schedule of Easements must describe all existing easements and any additional easements required in respect of all Council infrastructure required to service the lots in a form to the satisfaction of Council's relevant / delegated officer.*

**ENG M8A - SERVICE EASEMENTS (NEW CONDITION)**

*The Final Plan and accompanying Schedule of Easements must describe all existing easements and any additional easements required in respect of all utilities infrastructure required to service the lots in a form to the satisfaction of the relevant utility service provider.*

**ENG S2A – URBAN DRAINAGE SYSTEMS EASEMENTS (NEW CONDITION)**

*All existing watercourses and constructed drains are to be shown on the Final Plan of Survey and a suitable easement of (insert specified width) created over the watercourse and constructed infrastructure in favour of the Council. The width of the easements to be created must be consistent with recognised industry guidelines, the Stormwater System Management Plan for the relevant catchment area and to the satisfaction of Council's Group Manager Engineering Services.*

*The watercourse located [specify location and width] must be altered to satisfy the proposed development and ensure adequate protection of the development from stormwater emanating from the catchment of the waterway. The modified waterway must be designed and constructed to satisfy all current and future stormwater flows from the catchment with all minor flows (5% AEP) being contained within a piped system and overland flow paths being provided for major events (1%AEP). A hydraulic analysis of the catchment is to be provided and include provision of future development of the catchment together with all management requirements included within the Stormwater System Management Plan associated with the catchment, to the satisfaction of Council's Group Manager Engineering Services. Engineering design drawings must be submitted and approved prior to the commencement of works.*

**ENG S2B – URBAN DRAINAGE SYSTEMS CROSSINGS – (NEW CONDITION)**

*All proposed waterway crossing are to be designed and constructed in a manner to insure the waterway is not obstructed in any way. A hydraulic analysis of the catchment is to be provided to demonstrate the adequacy of the crossing to meet a 1%AEP. Engineering designs and drawings are to be prepared for approval of Council's Group Manager Engineering Services prior to the commencement of works.*

**ENG S2C – URBAN DRAINAGE SYSTEMS MODIFICATIONS (NEW CONDITION)**

*Any and all modifications to an existing waterway are to be designed and constructed in a manner to insure the waterway is not obstructed in any way. A hydraulic analysis of the catchment is to be provided to demonstrate the adequacy of the modification to meet a 1%AEP. Engineering designs and drawings are to be prepared for approval of Council's Group Manager Engineering Services prior to the commencement of works.*



**ENG S3A - WATER SENSITIVE URBAN DESIGN PRINCIPLES-  
PART 5 (NEW CONDITION)**

*For the purposes of protecting Council's stormwater system all stormwater runoff from impervious surfaces within the site must be treated and discharged from the site using Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010 and consistent with the Stormwater System Management Plan for the relevant catchment. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions or a model using industry accepted proprietary software, such as MUSIC must be submitted to Council's Group Manager Engineering Services for approval prior to the issue of a building or plumbing permit. A Maintenance Management Schedule/Regime must also be submitted and the facility must be maintained in accordance with this schedule.*

*Prior to [the sealing of the Final Plan / the commencement of the use / prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works] the landowner must enter into and thereafter abide by an agreement with Council under Part 5 of the Land Use Planning and Approvals Act, 1993 in such form as Council may require and which provides for the following:*

*to incorporate the Maintenance Management Schedule / Regime obligations for the stormwater treatment facility and a requirement to report to Council on an annual basis stating that all maintenance requirements for the facility have been met.*

*The agreement will be prepared and registered by the Council. The land owner is responsible for all Council and Land Titles Office fees and charges. Upon written request from the landowner and payment of relevant fees, Council will then prepare the Part 5 Agreement.*

*Note: The landowner is to give 14 days notice to Council of the request to prepare a Part 5 Agreement. Alternatively, in cases where strata division is contemplated with this development, a suitable provision is to be made in the Body Corporate rules associated with this development to the satisfaction of Council for the proper management of the stormwater treatment facility by the Body Corporate. Evidence of either of these options being in place must be provided prior to [the sealing of the Final Plan / the commencement of the use / prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works].*

**ENG S3B - WATER SENSITIVE URBAN DESIGN PRINCIPLES – BODY CORPORATE (NEW CONDITION)**

*For the purposes of protecting Council's stormwater system all stormwater runoff from impervious surfaces within the site must be treated and discharged from the site using Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010 and consistent with the Stormwater System Management Plan for the relevant catchment. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions or a model using industry accepted proprietary software, such as MUSIC must be submitted to Council's Group Manager Engineering Services for approval prior to the issue of a building or plumbing permit. A Maintenance Management Schedule/Regime must also be submitted and the facility must be maintained in accordance with this schedule.*

*Suitable provision must be made in the Body Corporate rules associated with this development to the satisfaction of Council for the proper management of the stormwater treatment facility by the Body Corporate. Evidence of either of these options being in place must be provided prior to [the sealing of the Final Plan / the commencement of the use / prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works].*

**ENG 3A- STORMWATER PRINCIPLES FOR SUBDIVISION (NEW CONDITION)**

*All stormwater for the development must be designed and constructed to include Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010 and consistent with the Stormwater System Management Plan for the relevant catchment. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions (or the MUSIC model) must be submitted to Council for approval by the relevant / delegated officer for approval prior to the issue of the approved engineering drawings. This report is to include the maintenance management regime / replacement requirements for any treatment facilities.*

**ENG S4 – STORMWATER CONNECTION (REPLACE EXISTING CONDITION)**

*Each lot must be provided with minimum 150mm diameter stormwater drainage connected to Council's main prior to the commencement of the use / prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works. An extension to Council's stormwater main may be required at the owner's expense.*

**ENG S4A – STORMWATER CONNECTION FOR EXISTING LOTS (NEW CONDITION)**

*The lot is to be provided with a minimum of 150mm diameter stormwater drainage connection to Council's main prior to the commencement of the use / prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works. An extension to Council's stormwater main may be required at the owner's expense.*

**ENG S5 - STORMWATER PRINCIPLES (REPLACE EXISTING CONDITION)**

*Stormwater reticulation is to be designed in accordance with the requirements of Council's Local Highways Standard Requirements By-Law and the State Stormwater Strategy to the satisfaction of Council's Group Manager Engineering Services. The design is to identify and design overland flow paths and run-off handling systems for 1% AEP events. These systems shall ensure that no concentrated flow or overflow from street drainage and stormwater reticulation is directed across or through proposed lots (unless dedicated as an overland flow path with easements in favour of Council). Designs shall ensure that net discharge of stormwater does not exceed predevelopment levels (For what storm event? 1 in 20 Year ARI, 1 in 100 year ARI?) and water quality characteristics of receiving waters are maintained or improved. The design must incorporate Water Sensitive Urban Design principles and be submitted for approval by Council's Group Manager Engineering Services prior to the commencement of the use / prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works.*

- B. That Council introduce a new requirement through the development approval process that ensures that all Council managed and/or maintained urban drainage infrastructure and natural water courses located within the urban area of the Council's municipal area be shown on final plans and schedule of easements for subdivision and private property titles and that this requirement be further supported by the following details of easement entitlements.

*Council means the Clarence City Council and includes any successor corporation or authority.*

*Drainage Easement means the right for Council, in the exercise of its powers and obligations as a stormwater service provider under the Urban Drainage Act 2013 as amended or substituted from time to time, by its employees, contractors or other persons authorised by it to enter upon the Easement Land with or without vehicles, machinery and plant and equipment to inspect, test, install, maintain, repair or replace any stormwater infrastructure and as necessary to dig up the Easement Land subject to making good so far as reasonably practicable in accordance with its statutory obligation. The right hereby conferred extends to such reasonable access as may be necessary over any lot within which the Easement Land is situated for the purpose of accessing the Easement Land.*

*Easement Land means any land shown marked on the Plan as being affected by the relevant easement.*

- C. That the General Manager be authorised to further vary the easement content details as may be required and warranted for general application and for specifically applicable circumstances.

<b>Decision:</b>	<p><b>MOVED</b> Ald Chong <b>SECONDED</b> Ald von Bertouch</p> <p>“A. That Council endorse the introduction of the following proposed new standard conditions associated with its functions as provider of public stormwater systems in the urban drainage areas of Clarence.</p> <p><b>ENG M8 – EASEMENTS (REPLACE EXISTING CONDITION)</b>  <i>The Final Plan and accompanying Schedule of Easements must describe all existing easements and any additional easements required in respect of all Council infrastructure required to service the lots in a form to the satisfaction of Council’s relevant / delegated officer.</i></p> <p><b>ENG M8A - SERVICE EASEMENTS (NEW CONDITION)</b>  <i>The Final Plan and accompanying Schedule of Easements must describe all existing easements and any additional easements required in respect of all utilities infrastructure required to service the lots in a form to the satisfaction of the relevant utility service provider.</i></p> <p><b>ENG S2A – URBAN DRAINAGE SYSTEMS EASEMENTS (NEW CONDITION)</b>  <i>All existing watercourses and constructed drains are to be shown on the Final Plan of Survey and a suitable easement of (insert specified width) created over the watercourse and constructed infrastructure in favour of the Council. The width of the easements to be created must be consistent with recognised industry guidelines, the Stormwater System Management Plan for the relevant catchment area and to the satisfaction of Council’s Group Manager Engineering Services.</i></p>
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/ Decision contd on Page 60...

**STANDARD PERMIT CONDITIONS ASSOCIATED WITH URBAN DRAINAGE**  
/Decision contd...

*The watercourse located [specify location and width] must be altered to satisfy the proposed development and ensure adequate protection of the development from stormwater emanating from the catchment of the waterway. The modified waterway must be designed and constructed to satisfy all current and future stormwater flows from the catchment with all minor flows (5% AEP) being contained within a piped system and overland flow paths being provided for major events (1%AEP). A hydraulic analysis of the catchment is to be provided and include provision of future development of the catchment together with all management requirements included within the Stormwater System Management Plan associated with the catchment, to the satisfaction of Council's Group Manager Engineering Services. Engineering design drawings must be submitted and approved prior to the commencement of works.*

**ENG S2B – URBAN DRAINAGE SYSTEMS CROSSINGS – (NEW CONDITION)**

*All proposed waterway crossing are to be designed and constructed in a manner to insure the waterway is not obstructed in any way. A hydraulic analysis of the catchment is to be provided to demonstrate the adequacy of the crossing to meet a 1%AEP. Engineering designs and drawings are to be prepared for approval of Council's Group Manager Engineering Services prior to the commencement of works.*

**ENG S2C – URBAN DRAINAGE SYSTEMS MODIFICATIONS (NEW CONDITION)**

*Any and all modifications to an existing waterway are to be designed and constructed in a manner to insure the waterway is not obstructed in any way. A hydraulic analysis of the catchment is to be provided to demonstrate the adequacy of the modification to meet a 1%AEP. Engineering designs and drawings are to be prepared for approval of Council's Group Manager Engineering Services prior to the commencement of works.*

/ Decision contd on Page 61...

**STANDARD PERMIT CONDITIONS ASSOCIATED WITH URBAN DRAINAGE**  
/Decision contd...***ENG S3A - WATER SENSITIVE URBAN DESIGN PRINCIPLES - PART 5 (NEW CONDITION)***

*For the purposes of protecting Council's stormwater system all stormwater runoff from impervious surfaces within the site must be treated and discharged from the site using Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010 and consistent with the Stormwater System Management Plan for the relevant catchment. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions or a model using industry accepted proprietary software, such as MUSIC must be submitted to Council's Group Manager Engineering Services for approval prior to the issue of a building or plumbing permit. A Maintenance Management Schedule/Regime must also be submitted and the facility must be maintained in accordance with this schedule.*

*Prior to [the sealing of the Final Plan / the commencement of the use / prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works] the landowner must enter into and thereafter abide by an agreement with Council under Part 5 of the Land Use Planning and Approvals Act, 1993 in such form as Council may require and which provides for the following:*

*to incorporate the Maintenance Management Schedule / Regime obligations for the stormwater treatment facility and a requirement to report to Council on an annual basis stating that all maintenance requirements for the facility have been met.*

*The agreement will be prepared and registered by the Council. The land owner is responsible for all Council and Land Titles Office fees and charges. Upon written request from the landowner and payment of relevant fees, Council will then prepare the Part 5 Agreement.*

/ Decision contd on Page 62...

**STANDARD PERMIT CONDITIONS ASSOCIATED WITH URBAN DRAINAGE**  
/Decision contd...

*Note: The landowner is to give 14 days notice to Council of the request to prepare a Part 5 Agreement. Alternatively, in cases where strata division is contemplated with this development, a suitable provision is to be made in the Body Corporate rules associated with this development to the satisfaction of Council for the proper management of the stormwater treatment facility by the Body Corporate. Evidence of either of these options being in place must be provided prior to [the sealing of the Final Plan / the commencement of the use / prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works].*

**ENG S3B - WATER SENSITIVE URBAN DESIGN PRINCIPLES – BODY CORPORATE (NEW CONDITION)**

*For the purposes of protecting Council's stormwater system all stormwater runoff from impervious surfaces within the site must be treated and discharged from the site using Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010 and consistent with the Stormwater System Management Plan for the relevant catchment. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions or a model using industry accepted proprietary software, such as MUSIC must be submitted to Council's Group Manager Engineering Services for approval prior to the issue of a building or plumbing permit. A Maintenance Management Schedule/Regime must also be submitted and the facility must be maintained in accordance with this schedule.*

*Suitable provision must be made in the Body Corporate rules associated with this development to the satisfaction of Council for the proper management of the stormwater treatment facility by the Body Corporate. Evidence of either of these options being in place must be provided prior to [the sealing of the Final Plan / the commencement of the use / prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works].*

/ Decision contd on Page 63...

**STANDARD PERMIT CONDITIONS ASSOCIATED WITH URBAN DRAINAGE**  
**/Decision contd...****ENG 3A- STORMWATER PRINCIPLES FOR SUBDIVISION (NEW CONDITION)**

*All stormwater for the development must be designed and constructed to include Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010 and consistent with the Stormwater System Management Plan for the relevant catchment. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions (or the MUSIC model) must be submitted to Council for approval by the relevant / delegated officer for approval prior to the issue of the approved engineering drawings. This report is to include the maintenance management regime / replacement requirements for any treatment facilities.*

**ENG S4 – STORMWATER CONNECTION (REPLACE EXISTING CONDITION)**

*Each lot must be provided with minimum 150mm diameter stormwater drainage connected to Council's main prior to the commencement of the use / prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works. An extension to Council's stormwater main may be required at the owner's expense.*

**ENG S4A – STORMWATER CONNECTION FOR EXISTING LOTS (NEW CONDITION)**

*The lot is to be provided with a minimum of 150mm diameter stormwater drainage connection to Council's main prior to the commencement of the use / prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works. An extension to Council's stormwater main may be required at the owner's expense.*

/ Decision contd on Page 64...



**STANDARD PERMIT CONDITIONS ASSOCIATED WITH URBAN DRAINAGE**  
/Decision contd...***ENG S5 - STORMWATER PRINCIPLES (REPLACE EXISTING CONDITION)***

*Stormwater reticulation is to be designed in accordance with the requirements of Council's Local Highways Standard Requirements By-Law and the State Stormwater Strategy to the satisfaction of Council's Group Manager Engineering Services. The design is to identify and design overland flow paths and run-off handling systems for 1% AEP events. These systems shall ensure that no concentrated flow or overflow from street drainage and stormwater reticulation is directed across or through proposed lots (unless dedicated as an overland flow path with easements in favour of Council). Designs shall ensure that net discharge of stormwater does not exceed predevelopment levels and water quality characteristics of receiving waters are maintained or improved. The design must incorporate Water Sensitive Urban Design principles and be submitted for approval by Council's Group Manager Engineering Services prior to the commencement of the use / prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works.*

- B. That Council introduce a new requirement through the development approval process that ensures that all Council managed and/or maintained urban drainage infrastructure and natural water courses located within the urban area of the Council's municipal area be shown on final plans and schedule of easements for subdivision and private property titles and that this requirement be further supported by the following details of easement entitlements.

/ Decision contd on Page 65...

**STANDARD PERMIT CONDITIONS ASSOCIATED WITH URBAN DRAINAGE**  
**/Decision contd...**

*Council means the Clarence City Council and includes any successor corporation or authority.*

*Drainage Easement means the right for Council, in the exercise of its powers and obligations as a stormwater service provider under the Urban Drainage Act 2013 as amended or substituted from time to time, by its employees, contractors or other persons authorised by it to enter upon the Easement Land with or without vehicles, machinery and plant and equipment to inspect, test, install, maintain, repair or replace any stormwater infrastructure and as necessary to dig up the Easement Land subject to making good so far as reasonably practicable in accordance with its statutory obligation. The right hereby conferred extends to such reasonable access as may be necessary over any lot within which the Easement Land is situated for the purpose of accessing the Easement Land.*

*Easement Land means any land shown marked on the Plan as being affected by the relevant easement.*

- C. That the General Manager be authorised to further vary the easement content details as may be required and warranted for general application and for specifically applicable circumstances”.

**CARRIED UNANIMOUSLY**

**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 PROPERTY MATTER - BELLERIVE

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

- proposals to acquire land or an interest in land or for the disposal of land;
- applications by Aldermen for a Leave of Absence.

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

<b>Decision:</b>	<p><b>PROCEDURAL MOTION</b>  <b>MOVED</b> Ald Chong <b>SECONDED</b> Ald Hulme</p> <p>“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”.</p> <p style="text-align: right;"><b>CARRIED UNANIMOUSLY</b></p>
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The Meeting closed at 8.44pm.