

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 19 MARCH 2018

HOUR CALLED: 7.30pm

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

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

1. APOLOGIES D Doust (Leave of Absence)

ORDER OF BUSINESS Items 1 – 13

IN ATTENDANCE

General Manager
(Mr A Paul)

Corporate Treasurer
(Mr F Barta)

Group Manager Engineering Services
(Mr R Graham)

Corporate Secretary
(Mr A van der Hek)

Manager Health and Community Development
(Mr J Toohey)

Manager City Planning
(Mr R Lovell)

Co-ordinator Council Support
(Ms J Ellis)

The Meeting closed at 9.40pm.

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

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

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

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RECONSTRUCTION
- 13.6 JOINT AUTHORITY MATTER

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 26 February 2018, as circulated, be taken as read and confirmed.

Decision:

MOVED Ald Chong **SECONDED** Ald Thurley

“That the Minutes of the Council Meeting held on 26 February 2018, as circulated, be taken as read and confirmed”.

CARRIED

FOR

Ald Campbell
Ald Chipman
Ald Chong
Ald Cusick
Ald Hulme
Ald James
Ald McFarlane
Ald Peers
Ald Thurley
Ald Walker

AGAINST

Ald von Bertouch (abstained)

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
Presentation – One Community Together Rosny Park Traffic Study	5 March
Positive Ageing Plan ANZAC Park Kangaroo Bluff Historic Site Land and Coastcare Resource Management Committee Constitution Review Local Government Board Review – Sorell and Tasman Councils	13 March

RECOMMENDATION:

That Council notes the workshops conducted.

Decision: **MOVED** Ald Peers **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

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

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

INTEREST DECLARED

Alderman Chong Item No. 11.5.1

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.

Nil.

7.2 ANSWERS TO QUESTIONS ON NOTICE

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

Nil.

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

7.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

8. DEPUTATIONS BY MEMBERS OF THE PUBLIC

(File No 10/03/04)

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

DEVELOPMENT APPLICATION D-2018/39 – 59 KARoola ROAD, LINDISFARNE – DWELLING
(REFER ITEM 11.3.4)

M/s Angela King addressed the Meeting regarding the above Development Application.

9. MOTIONS ON NOTICE

Nil.

10. REPORTS FROM OUTSIDE BODIES

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

10.1 REPORTS FROM SINGLE AND JOINT AUTHORITIES

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

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

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

Quarterly Reports

December Quarterly Report pending.

Representative Reporting

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

Quarterly Reports

The Copping Refuse Disposal Site Joint Authority has distributed the Quarterly Summary of its Meetings for the period ending 1 March 2018.

The Copping Refuse Disposal Site Joint Authority has also distributed its Quarterly Report for the period 1 October to 31 December 2017.

In accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 the Report will be tabled in Closed Meeting.

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

“That the Copping Refuse Disposal Site Joint Authority Quarterly Summary of its Meeting for the period ending 1 March 2018 be received”.

CARRIED UNANIMOUSLY

Representative Reporting

- **TASWATER CORPORATION**

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES**COMMUNITY HEALTH AND WELLBEING ADVISORY COMMITTEE**

- Ald Chong tabled the Minutes of a Meeting held on 22 November 2017.

RICHMOND ADVISORY COMMITTEE

- Ald Chong tabled the Minutes of a Meeting held on 23 January 2018.

Ald Chong also provided a report on the matters dealt with at the recent General Management Meetings of LGAT and Premier's Local Government Council.

BOARD OF MANAGEMENT OF BUSINESS EAST

- Ald Hulme tabled the Minutes of a Meeting held on 13 February 2018.

BELLERIVE COMMUNITY ARTS CENTRE COMMITTEE

- Ald Thurley tabled the following:
 - Minutes of a Meeting held on 14 March 2018;
 - Minutes of AGM held on 14 March 2018;
 - Bank Statement ending 28 February 2018;
 - Statement of Receipts and Payments for year 2017; and
 - President's Report March 2017 to March 2018.

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

(File No 10/02/02)

The Weekly Briefing Reports of 26 February and 5 and 13 March 2018 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 26 February and 5 and 13 March 2018 be noted.

Decision: **MOVED** Ald Peers **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-2018/6 - 738 OCEANA DRIVE, TRANMERE (WITH ACCESS OVER 736 AND 740 TRANMERE ROAD) - 4 MULTIPLE DWELLINGS

(File No D-2018/6)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for 4 Multiple Dwellings at 738 Oceana Drive, Tranmere (with access over 736 and 740 Tranmere Road).

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and is subject to the Bushfire Prone Areas Code, Road and Rail Assets Code, 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 the 21 March 2018 as agreed with the applicant.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising the issue of traffic impacts.

RECOMMENDATION:

A. That the development application for 4 Multiple Dwellings at 738 Oceana Drive, Tranmere (with access over 736 and 740 Tranmere Road) (Cl Ref D-2018/6) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. A landscape plan must be submitted to and approved by Council's Manager City Planning prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works. The plan must be to scale and show:

- a north point;
- proposed driveways, paths, buildings, car parking, retaining walls and fencing;
- any proposed rearrangement of ground levels;
- the landscaping of the car parking and circulation areas to an amount of no less than 5% of the area of the car parks;
- details of proposed plantings including botanical names, and the height and spread of canopy at maturity; and
- estimated cost of the landscaping works.

The landscaping works must be completed prior to the commencement of the use.

All landscaping works must be completed and verified as being completed by Council prior to the commencement of the use.

All landscape works must be maintained:

- in perpetuity by the existing and future owners/occupiers of the property;
- in a healthy state; and
- in accordance with the approved landscape plan

If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity as the vegetation which died or which was removed.

3. ENG A5 – SEALED CAR PARKING.
4. ENG S6 – GROSS POLLUTANT TRAP.
5. ENG M1 – DESIGNS DA.
6. ENG M3 – GARBAGE FACILITIES.
7. ENG M5 – EROSION CONTROL.
8. Suitable provision must be made for a pedestrian footpath along the right-of-way from the development to Oceana Drive to the satisfaction of Council's Group Manager Engineering Services. Design detail for the footpath must be included within the engineering design drawings required by Condition 4. The footpath must be constructed prior to the commencement of the use.

9. The development must meet all required Conditions of Approval specified by TasWater notice dated 19 January 2018 (TWDA 2018/00038-CCC).

B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

Decision: **MOVED** Ald Peers **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.3.2 DEVELOPMENT APPLICATION D-2018/46 - 89 CAHILL PLACE, ACTON PARK - DWELLING
(File No D-2018/46)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a dwelling at 89 Cahill Place, Acton Park.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Living and subject to the Bushfire Prone Areas, Landslide, Natural Assets, Parking and Access and Specific Area Plan 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 23 March 2018.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising the issue of risk to adjoining dwellings from trees.

RECOMMENDATION:

- A. That the Development Application for dwelling at 89 Cahill Place, Acton Park (CI Ref D-2018/46) 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.

/ Refer to Page 20 for Decision on this Item...

DEVELOPMENT APPLICATION D-2018/46 - 89 CAHILL PLACE, ACTON PARK – DWELLING /contd...

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

 “That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

**11.3.3 DEVELOPMENT APPLICATION D-2018/14 - 11 ORMOND STREET,
BELLERIVE - ADDITION TO DWELLING**
(File No D-2018/14)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an addition to a dwelling at 11 Ormond Street, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the 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 has been extended with the applicant's consent until 21 March 2018.

CONSULTATION

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

- shading;
- privacy; and
- decreasing value of property.

RECOMMENDATION:

- A. That the Development Application for addition to dwelling at 11 Ormond Street, Bellerive (CI Ref D-2018/14) 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.

/ Refer to Page 22 for Decision on this Item...

**DEVELOPMENT APPLICATION D-2018/14 - 11 ORMOND STREET, BELLERIVE -
ADDITION TO DWELLING /contd...**

Decision:	MOVED Ald Cusick SECONDED Ald Hulme “That the Recommendation be adopted”. CARRIED UNANIMOUSLY
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**11.3.4 DEVELOPMENT APPLICATION D-2018/39 - 59 KARoola ROAD,
LINDISFARNE - DWELLING**
(File No D-2018/39)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Dwelling at 59 Karoola Road, Lindisfarne.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Stormwater Management 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 on 23 March 2018.

CONSULTATION

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

- impact on heritage values;
- building envelope and setback.

RECOMMENDATION:

A. That the Development Application for dwelling at 59 Karoola Road, Lindisfarne (C1 Ref D-2018/39) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

ADVICE

All works to be entirely contained within the property boundary. Particular note to be taken of the wall on the western boundary where all footings and other works must be contained within the boundary of 59 Karoola Road.

- 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 James SECONDED Ald Cusick		
	<p>“A. That the Development Application for dwelling at 59 Karoola Road, Lindisfarne (CI Ref D-2018/39) be refused for the following reasons.</p> <ol style="list-style-type: none"> 1. The proposal does not satisfy the Performance Criteria 10.4.2 P3 (iv) in that visual impacts caused by the apparent scale, bulk or proportions of the proposed dwelling will be inappropriate when viewed from 71 Malunna Road, resulting in an unreasonable loss of amenity. 2. The proposal is an overdevelopment which will adversely impact on the heritage values of the adjoining property. <p>B. That the reasons for Council’s decision in respect of this matter be recorded as follows.</p> <ul style="list-style-type: none"> • The development will unreasonable impact on the amenity and heritage values of the adjoining property”. 		
	CARRIED		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>FOR</p> <p>Ald Campbell Ald Chipman Ald Cusick Ald James Ald McFarlane Ald Thurley Ald Walker</p> </td> <td style="width: 50%; vertical-align: top;"> <p>AGAINST</p> <p>Ald Chong Ald Hulme Ald Peers Ald von Bertouch</p> </td> </tr> </table>	<p>FOR</p> <p>Ald Campbell Ald Chipman Ald Cusick Ald James Ald McFarlane Ald Thurley Ald Walker</p>	<p>AGAINST</p> <p>Ald Chong Ald Hulme Ald Peers Ald von Bertouch</p>
<p>FOR</p> <p>Ald Campbell Ald Chipman Ald Cusick Ald James Ald McFarlane Ald Thurley Ald Walker</p>	<p>AGAINST</p> <p>Ald Chong Ald Hulme Ald Peers Ald von Bertouch</p>		

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 TRANMERE COASTAL RESERVE ACTIVITY PLAN – 2018-2022**

(File No)

EXECUTIVE SUMMARY**PURPOSE**

To consider the adoption of the Tranmere Coastal Reserve Activity Plan 2018-2022 following community consultation.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2016-2026 and Community Participation Policy are relevant.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Consultation with the community was undertaken in accordance with Council's Community Participation Policy.

FINANCIAL IMPLICATIONS

The adoption of the Tranmere Coastal Reserve Activity Plan 2018-2022 has no direct financial impact. The implementation of the Tranmere Coastal Reserve Activity Plan 2018-2022 is planned to be staged over a number of financial years, subject to Council approval of future Annual Plans.

RECOMMENDATIONS:

- A. Amend the following recommendations in the Tranmere Coastal Reserve Activity Plan 2018-2022, namely S1, S2, TL4, RF1, RF2 and AM2 by amending either the text or priority.
1. (S1) provide small signs with named access points (E10 to E14) including distances, once southern trail is complete.
 2. (S2) provide high quality signage near main entrances incorporating information about local aboriginal history or natural history and a map showing points of interest eg beach access.
 3. (TL4) investigate the feasibility of formalising a circuit walking track between the Droughty Point sky line track and the south end of the Tranmere Coastal Reserve at Starboard Road. Amend TL4 Priority from LOW to MEDIUM.
 4. (RF1) CCC History officer to compile list of names for access tracks (S1). Names may derive from existing nearby linking local streets as well as appropriate Aboriginal – palawa kani names in consultation with Tasmanian Aboriginal Corporation (TAC).
 5. (RF2) consider allocating funds for public art within major Council infrastructure projects – parks, streetscapes, facilities and maintenance in future Annual Plans. Amend RF2 priority from MEDIUM to LOW.

6. (AM2) install appealing seating with interesting views and some shelters/picnic tables on the river side of the track. Invite sponsorship of seating.
- B. Add the following new recommendations to the Tranmere Coastal Reserve Activity Plan 2018-2022.
1. (RF7) when planning Reserve at 1047 Ocean Drive and 36A Vaughan Court, priority is to be given to protecting natural values but consider children’s park or an off lead fenced dog area at one of these locations.
 2. (RF8) undertake review of track and seating for safety issues. Consider fencing if track or seating is close to cliff.
 3. (AM4) when planning the development of 1047 Oceana Drive as a Reserve consider inclusion of a toilet block facility.
 4. (AM5) install bike racks at some entrances to the trail in case people want to ride to the trail and then walk or run.
 5. (C3) explore a range of social media opportunities associated with local schools and community organisations which can promote Landcare in relation to local coastal and bushland reserves.
 6. (C4) invite groups to adopt allotments for vegetation management.
- C. That Council adopts the Tranmere Coastal Reserve Activity Plan 2018-2022 including the modifications contained in Recommendations “A” and “B”.

Ald Chong declared an Interest in this Item and left the Meeting prior to discussion (8.13pm).

<p>Decision: MOVED Ald McFarlane SECONDED Ald Thurley</p> <p>“That the Recommendation be adopted”.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>
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Ald Chong returned to the Meeting at this stage (8.17pm).

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 VOLUNTARY AMALGAMATION OF SORELL AND TASMAN COUNCILS –
IMPACT ON CLARENCE CITY COUNCIL**

(File No 10-13-01)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to request the General Manager to prepare a report for Council to consider the implications for the Clarence community in relation to the potential voluntary amalgamation of Sorell and Tasman Councils.

RELATION TO EXISTING POLICY/PLANS

Council has previously resolved not to pursue a voluntary amalgamation option with the South East Councils; and that it will not entertain any proposal which would result in the split up of the Clarence municipal district.

LEGISLATIVE REQUIREMENTS

Under the Local Government Act 1993 the Minister for Local Government has commissioned the Local Government Board to undertake an inquiry into the possible merger of Sorell and Tasman Councils.

CONSULTATION

Community consultation was undertaken in respect to voluntary amalgamations in September 2017.

FINANCIAL IMPLICATIONS

There will be financial impacts if areas of Clarence are annexed in the formation of a new council.

RECOMMENDATION:

- A. That Council requests that the General Manager to prepare a report for Council which identifies the potential impact on the Clarence community should any part of the municipality be annexed by the Sorell/Tasman council merger.
- B. That Council make a submission to the Local Government Board in relation to any possible amalgamation to seek to ensure that the interests of the Clarence community are protected.

/ Refer to Page 30 for Decision on this Item...

**VOLUNTARY AMALGAMATION OF SORELL AND TASMAN COUNCILS –
IMPACT ON CLARENCE CITY COUNCIL /contd...****Decision:****MOVED** Ald von Bertouch **SECONDED** Ald Hulme

“A. That the officer’s Recommendation be adopted with the following changes.

1. That Council requests that the General Manager prepare a report for Council which identifies the potential impact on the Clarence community should any part of the municipality be annexed by the Sorell/Tasman Council merger.
2. That Council makes a submission to the Local Government Board in relation to any possible amalgamation to seek to ensure that the interests of the Clarence community are protected.
3. That Council requests the Local Government Board to extend the public consultation deadline to the same date as Council’s due date for a submission, ie 18 April 2018.

B. The reasoning for the addition of Clause 3 to the officer’s Recommendation is that Clarence ratepayers, residents, businesses and organisations have had no expectation that a Local Government Board review into the amalgamation of the Sorell/Tasman Councils may have an impact on the City of Clarence until this possibility was brought to their attention recently by Council. In accordance with Section 214C(2) of the Local Government Act, an extension of the closing date for public submissions from 6 April to 18 April 2018 would provide “a reasonable opportunity’ for public consultation”.

CARRIED**FOR**

Ald Campbell
Ald Chipman
Ald Chong
Ald Cusick
Ald Hulme
Ald McFarlane
Ald Peers
Ald Thurley
Ald von Bertouch
Ald Walker

AGAINST

Ald James (abstained)

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 JOINT AUTHORITY MATTER
- 13.3 QUOTATION Q1185/17 – ACTON CREEK STORMWATER UPGRADE
- 13.4 TENDER T1199/17 – ASPHALT RESURFACING WORKS 2017/18
- 13.5 TENDER T1212-18 – SIMMONS PARK CAR PARKING AND ESPLANADE, LINDISFARNE ROAD RECONSTRUCTION
- 13.6 JOINT AUTHORITY MATTER

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

- contracts and tenders for the supply of goods and services;
- information provided to the council on the condition it is kept confidential;
- 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.

Decision:

PROCEDURAL MOTION
MOVED Ald Peers **SECONDED** Ald Chong

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

CARRIED UNANIMOUSLY

CLOSED MEETING /contd...

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

13.3 QUOTATION Q1185/17 - ACTON CREEK STORMWATER UPGRADE

(File No Q1185/17)

Decision:

MOVED Ald Chong **SECONDED** Ald Cusick

- “A. That Council does not accept the Quotation from State-Wide Earthworks Pty Ltd for the sum of \$325,220.00, excluding GST, for the construction of stormwater upgrade works on Acton Creek, Seven Mile Beach due to insufficient funds.
- B. That the Acton Creek Stormwater Upgrade project be deferred and additional funds be considered through the 2018/2019 budget process and if funded, the calling for tenders on the project be undertaken as soon as practical.
- C. That in accordance with Regulation 34(3) of the Local Government (Meeting Procedures) Regulations 2015, Council authorises for release of Council’s decision (only) in respect to this item to the general public and for communication to relevant parties.
- D. That Council publish its decision only in regard to this matter in the open Minutes of this Meeting”.

CARRIED UNANIMOUSLY

13.4 TENDER T1199/17 – ASPHALT RESURFACING WORKS 2017/18

(File No T1199-17)

Decision:	MOVED Ald Campbell SECONDED Ald McFarlane
	“A. That the tender from Downer EDI Works Pty Ltd for the sum of \$712,028.78, excluding GST, be accepted for the 2017/2018 asphaltting resurfacing works.
	B. That, in accordance with Regulation 34(3) of the Local Government (Meetings Procedures) Regulations 2015, Council authorises for release the Council’s decision (only) in respect to this item to the general public and for communication to relevant parties.
	C. That Council publish its decision only in regard to this matter in the open Minutes of this Meeting”.
	CARRIED UNANIMOUSLY

13.5 TENDER T1212-18 – SIMMONS PARK CAR PARKING AND ESPLANADE, LINDISFARNE ROAD RECONSTRUCTION

(File No T1212-18)

<p>Decision:</p>	<p>MOVED Ald Peers SECONDED Ald Cusick</p> <p>“A. That the tender from DCS Civil Tas Pty Ltd for \$818,452.64, excluding GST, be accepted for the road pavement reconstruction, Simmons Park carpark and landscaping work in Esplanade Lindisfarne.</p> <p>B. That, in accordance with Regulation 34(3) of the Local Government (Meetings Procedures) Regulations 2015, Council authorises for release the Council’s decision (only) in respect to this item to the general public and for communication to relevant parties.</p> <p>C. That Council publish its decision only in regard to this matter in the open Minutes of this Meeting”.</p> <p style="text-align: right;">CARRIED</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>FOR</p> <p>Ald Campbell Ald Chipman Ald Chong Ald Cusick Ald Hulme Ald McFarlane Ald Peers Ald Thurley Ald von Bertouch Ald Walker</p> </td> <td style="width: 50%; vertical-align: top;"> <p>AGAINST</p> <p>Ald James</p> </td> </tr> </table>	<p>FOR</p> <p>Ald Campbell Ald Chipman Ald Chong Ald Cusick Ald Hulme Ald McFarlane Ald Peers Ald Thurley Ald von Bertouch Ald Walker</p>	<p>AGAINST</p> <p>Ald James</p>
<p>FOR</p> <p>Ald Campbell Ald Chipman Ald Chong Ald Cusick Ald Hulme Ald McFarlane Ald Peers Ald Thurley Ald von Bertouch Ald Walker</p>	<p>AGAINST</p> <p>Ald James</p>		

The Meeting closed at 9.40pm.