

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 2 MAY 2016

HOURLY CALLED: 7.30pm

PRESENT: The meeting commenced at 7.34pm with the Mayor (Ald D C Chipman) in the Chair and with Aldermen:

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

1. APOLOGIES Nil.

ORDER OF BUSINESS Items 1 – 13

IN ATTENDANCE

General Manager
(Mr A Paul)

Corporate Secretary
(Mr A van der Hek)

Group Manager Asset Management
(Mr J Stevens)

Corporate Treasurer
(Mr F Barta)

Manager City Planning
(Mr R Lovell)

Manager Health and Community Development
(Mr J Toohey)

Co-ordinator Council Support
(Ms J Ellis)

The Meeting closed at 9.08pm.

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 2 MAY 2016

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1. ATTENDANCE AND APOLOGIES

Refer to cover page.

2. CONFIRMATION OF MINUTES

(File No 10/03/01)

RECOMMENDATION:

That the Minutes of the Council Meeting held on 11 April 2016, as circulated, be taken as read and confirmed.

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

“That the Minutes of the Council Meeting held on 11 April 2016, as circulated, be taken as read and confirmed”.

CARRIED UNANIMOUSLY

3. MAYOR’S COMMUNICATION

Nil.

4. COUNCIL WORKSHOPS

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

PURPOSE	DATE
Budget – Asset Management Bayfield Street Streetscape	18 April
Review of Draft Capital Budget Presentation – State Planning Scheme Provisions Code of Conduct	26 April

RECOMMENDATION:

That Council notes the workshops conducted.

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

“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 Peers Item No. 11.5.1

Alderman Thurley Item No. 13.3

6. TABLING OF PETITIONS

(File No 10/03/12)

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

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

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

- Received from 73 signatories supporting the immediate restoration of the public access walkway through the Carella/Toorittya Bushland Reserve from Oceana Drive to Carella Street.

7. PUBLIC QUESTION TIME

Public question time at ordinary Council meetings will not exceed 15 minutes. An individual may ask questions at the meeting. Questions may be submitted to Council in writing on the Friday 10 days before the meeting or may be raised from the Public Gallery during this segment of the meeting.

The Chairman may request an Alderman or Council officer to answer a question. No debate is permitted on any questions or answers. Questions and answers are to be kept as brief as possible.

7.1 PUBLIC QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, a member of the public may give written notice to the General Manager of a question to be asked at the meeting). A maximum of two questions may be submitted in writing before the meeting.

Questions on notice and their answers will be included in the minutes.

Nil.

7.2 ANSWERS TO QUESTIONS ON NOTICE

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

Nil.

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

7.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

8. DEPUTATIONS BY MEMBERS OF THE PUBLIC

(File No 10/03/04)

(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)

ADDRESSING THE RESULTING DEFICIENCIES ARISING FROM THE MIGRATION FROM CPS2007 TO CIPS2015

Mr Charles Higby addressed the Meeting regarding the above matter.

9. MOTIONS ON NOTICE

Nil.

10. REPORTS FROM OUTSIDE BODIES

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

10.1 REPORTS FROM SINGLE AND JOINT AUTHORITIES

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

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

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

Quarterly Reports

March Quarterly Report pending.

Representative Reporting

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

Quarterly Reports

March Quarterly Report pending.

Representative Reporting

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

Quarterly Reports

September and March Quarterly Reports pending.

Representative Reporting

Ald James advised that a Special Meeting of the Authority will be held on 19 May to discuss the future of the Authority.

/ contd on Page 12

REPORTS FROM SINGLE AND JOINT AUTHORITIES /contd...

- **TASWATER CORPORATION**

The TasWater Corporation has distributed its Quarterly Report to 31 March 2016.

RECOMMENDATION:

That the TasWater Corporation Quarterly Report to Owners' Representatives to 31 March 2016 be received.

Decision:

MOVED Ald Thurley **SECONDED** Ald Chong

“That the TasWater Corporation Quarterly Report to Owners' Representatives to 31 March 2016 be received”.

CARRIED UNANIMOUSLY

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

(File No 04-03-02)

Chairperson's Report – Alderman S von Bertouch

Report to Council for the 3 month period 1 January 2016 to 31 March 2016.

1. PRINCIPAL OBJECTIVES AND GOALS

The Committee's prime objectives are to:

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

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

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

Parking survey has been completed recording a 15% parking density along this section of Cambridge Road. Awaiting the outcome of community consultation for the Cambridge Master Plan.

2.2. Cambridge Road, Mornington – Painted Bike Lines

Currently being designed. Kerb & gutter to be installed along road to capture stormwater from roadway before flowing onto subdivision land. Parking survey revealed 10% parking density along Cambridge Road.

2.3. Clarence Foreshore Trail – Camelot Park to Pindos Park

Construction of the concrete path is complete, waiting determination of fencing requirements arising from the road safety audit of the site.

2.4 Clarence Foreshore Trail – Ronnie Street to Tasman Bridge

Construction has commenced on upgrading of existing hotmix path to a 2.5m concrete path that is more fitted into the landscape.

2.5 Clarence Foreshore Trail – Anzac Park to Natone Street

Construction has commenced to upgrade path.

2.6 Mornington Roundabout Pedestrian/Cycling Underpass

Pitt and Sherry have submitted a report for this project which requires further investigation and assessment before proceeding.

3. RECURRENT INITIATIVES

Further locations for bike parking facilities are being investigated.

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

Funding request submitted for Council's consideration in the 2016/2017 Capital Works Program to implement Council decision of 7 December 2015.

5. GOVERNANCE MATTERS.**Committee Meeting**

The Committee held 1 meeting during the quarter held on 1 February 2016.

6. EXTERNAL LIAISON

CyclingSouth Meeting held on 17 February 2016.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

Decision:

MOVED Ald von Bertouch **SECONDED** Ald Chong

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

CARRIED UNANIMOUSLY

TRACKS AND TRAILS ADVISORY COMMITTEE

(File No 07-06-09)

Chairperson's Report – Alderman R James

Report to Council for the 3 month period for 1 January 2016 to 31 March 2016.

1. PRINCIPAL OBJECTIVES AND GOALS

The Committee's prime objectives are to:

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

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

2. CAPITAL WORKS PROJECT**Meehan Range - Caves Hill Track**

A new track has been constructed from the top of Stringy Bark Gully to a fire trail near Caves Hill. The work was donated by Dirt Art and the track grooming was carried out by the volunteer Meehan Range Trail Groomers.

Kangaroo Bay Rivulet Track

Fencing is being designed for the section of track located on the Rosny Farm site.

Glebe Hill Reserve

A new track has been constructed to link the Watton Fire Trail to the Glebe Hill Track.

Howrah Beach to Little Howrah Beach Intertidal Track

An elevated stone wall track has been constructed to provide a walking link across the rocks separating Howrah Beach and Little Howrah Beach. This track links to the toilet block at Little Howrah Beach.

3. RECURRENT INITIATIVES – MAINTENANCE AND UPGRADES**Tangara Trail**

Work was carried out to improve the link between the Gellibrand East Track and the Storm Bay View Track adjacent to South Arm Highway.

Split post log gateways are being installed at track entrances in Acton Park on the Lynrowan Track, Acton Creek Track, Horseshoe Track and Crossroads Track.

Charles Darwin Trail

An audit was carried out on the Charles Darwin Trail and new signage will be installed.

4. DESIGN AND INVESTIGATION WORK IN PROGRESS**Blessington Track**

As per Council's decision of 21 October 2013, a contractor has consulted with residents adjoining the track to discuss the proposed track alignment. At the request of Aboriginal Heritage Tasmania the track corridor has been cleared in preparation for the Aboriginal Heritage assessment.

Once the Aboriginal Heritage assessment is completed Council will be further advised in relation to this project.

Anulka Street Walkway

This is being considered as part of the Reserve Activity Plan for the Howrah bushland reserves. The walkway is a strategic link through Carella Bushland Reserve to a relocated bus stop on Oceana Drive.

5. GOVERNANCE MATTERS.**Committee Meeting**

The Committee held 1 General Meeting during the quarter on 11 February 2016 and 1 Special Meeting on 10 March 2016.

6. EXTERNAL LIAISON

Nil.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

Decision:

MOVED Ald James **SECONDED** Ald Cusick

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

CARRIED

FOR

Ald Campbell
Ald Chipman
Ald Chong
Ald Cusick
Ald Doust
Ald Hulme
Ald James
Ald McFarlane
Ald Peers
Ald von Bertouch
Ald Walker

AGAINST

Ald Thurley

Bellerive Community Arts Centre Management Committee

- Ald Thurley tabled the Minutes of a Meeting held on 13 April 2016.

Committee of Management of Business East Inc

- Ald Hulme tabled the Meetings of a Meeting held on 8 March 2016.

Clarence Bicycle Steering Committee

- Ald von Bertouch tabled the Minutes of a Meeting held on 4 April 2016.

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

(File No 10/02/02)

The Weekly Briefing Reports of 11, 18 and 25 April 2016 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 11, 18 and 25 April 2016 be noted.

Decision: **MOVED** Ald Thurley **SECONDED** Ald Peers

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS**11.2.1 PETITION - REZONING ROSNY HILL**

(File No)

EXECUTIVE SUMMARY**PURPOSE**

To consider the petition presented at Council's Meeting on 11 April 2016 from 231 signatories requesting a Planning Scheme Amendment to change the zoning of Rosny Hill Nature Recreation Area (currently zoned Recreation) to the Environmental Management Zone.

RELATION TO EXISTING POLICY/PLANS

Not applicable.

LEGISLATIVE REQUIREMENTS

Section 60 of the Local Government Act, 1993 requires Council to formally consider petitions within 42 days of receipt.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

Not applicable.

RECOMMENDATION:

That the petitioners be advised that:

- A. Council does not support the rezoning of Rosny Hill Nature Recreation Area to Environmental Management Zone.
- B. Questions in relation to the potential future use and development of the site are appropriately addressed in accordance with the existing zoning, the statutory processes under the Land Use Planning and Approvals Act 1993, and the status of the site as a Nature Recreation Area under the Nature Conservation Act 2002, should a development application be made to develop the site.

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

PETITION - REZONING ROSNY HILL /contd...

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

11.3 PLANNING AUTHORITY MATTERS

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

**11.3.1 DEVELOPMENT APPLICATION D-2016/94 - 1 HOWLEY COURT,
HOWRAH - ADDITIONS TO DWELLING**
(File No D-2016/94)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for additions to an existing dwelling at 1 Howley Court, Howrah.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended to 4 May 2016 with the written agreement of the applicant.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising privacy as an issue.

RECOMMENDATION:

- A. That the Development Application for additions to dwelling at 1 Howley Court, Howrah (CI Ref D-2016/94) 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 Peers **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

**11.3.2 DEVELOPMENT APPLICATION D-2016/89 - 3 AYRES COURT,
CAMBRIDGE - CARPORT**
(File No D-2016/89)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a carport at 3 Ayres Court, Cambridge.

RELATION TO PLANNING PROVISIONS

The land is zoned Low Density Residential and is subject to the Bushfire Prone Areas, Attenuation, Parking and Access, On-site Wastewater Management and Stormwater Management Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended until 4 May 2016 with the applicant's consent.

CONSULTATION

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

- floor area of the outbuildings;
- setback;
- stormwater;
- potential damage to trees;
- inconsistent with other front setbacks in the street;
- site plan is incorrect and misleading; and
- loss of amenity.

RECOMMENDATION:

- A. That the Development Application for a carport at 3 Ayres Court, Cambridge (CI Ref D-2016/89) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. ADVICE - This approval is for the carport only and does not include the “pergola” structure.

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

Decision:**MOVED** Ald Campbell **SECONDED** Ald Peers

“That the Recommendation be adopted”.

CARRIED**FOR**

Ald Campbell
Ald Chipman
Ald Chong
Ald Cusick
Ald Doust
Ald Hulme
Ald James
Ald McFarlane
Ald Peers
Ald Thurley
Ald von Bertouch

AGAINST

Ald Walker (abstained)

**11.3.3 DEVELOPMENT APPLICATION D-2016/76 - 48 MARIAH CRESCENT,
OAKDOWNS - 2 ADDITIONAL MULTIPLE DWELLINGS**
(File No D-2016/76)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 2 additional Multiple Dwellings at 48 Mariah Crescent, Oakdowns.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Bushfire Prone Areas 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.

Council is required to exercise a discretion within the statutory 42 day period which has been extended to expire on 4 May 2016.

CONSULTATION

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

- loss of sunlight/overshadowing; and
- property value.

RECOMMENDATION:

- A. That the Development Application for 2 additional Multiple Dwellings at 48 Mariah Crescent, Oakdowns (CI Ref D-2016/76) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. ENG A5 – SEALED CAR PARKING.
 3. ENG S1 – INFRASTRUCTURE REPAIR.
 4. ENG M1 – DESIGNS DA. Delete first and last dot point.
 5. ENG M3 – GARBAGE FACILITIES.
 6. The development must meet all required Conditions of Approval specified by TasWater notice dated 29/02/2016 (TWDA 2016/00229-CCC).

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

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

11.3.4 DEVELOPMENT APPLICATION D-2015/561 - 4 MARANA AVENUE, ROSE BAY - 2 MULTIPLE DWELLINGS (1 EXISTING + 1 NEW)
(File No D-2015/561)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 2 Multiple Dwellings (1 existing + 1 new) at 4 Marana Avenue, Rose Bay.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and is 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.

Council is required to exercise a discretion within the statutory 42 day period which has been extended to expire on 4 May 2016.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and one representation was received raising privacy as an issue.

RECOMMENDATION:

- A. That the Development Application for 2 Multiple Dwellings (1 existing + 1 new) at 4 Marana Avenue, Rose Bay (CI Ref D-2015/561) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. ENG A5 – SEALED CAR PARKING.
 3. ENG S1 – INFRASTRUCTURE REPAIR.
 4. ENG S4 – STORMWATER CONNECTION.
 5. The development must meet all required Conditions of Approval specified by TasWater notice dated 17-12-2015 (TWDA 2015-02009-CCC).
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

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

**DEVELOPMENT APPLICATION D-2015/561 - 4 MARANA AVENUE, ROSE BAY -
2 MULTIPLE DWELLINGS (1 EXISTING + 1 NEW) /contd...**

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

11.3.5 TASMANIAN PLANNING SCHEME SPP'S – PUBLIC EXHIBITION

(File No 20-10-22)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the draft Tasmanian Planning Scheme (TPS) State Planning Provisions (SPP's).

RELATION TO EXISTING POLICY/PLANS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015.

LEGISLATIVE REQUIREMENTS

In accordance with Section 21 of the Land Use Planning and Approvals Act, 1993 (LUPAA), the Minister for Planning and Local Government approved the SPPs for public exhibition.

CONSULTATION

Pursuant to Section 22(4) the Tasmanian Planning Commission (TPC) commenced exhibition of the SPP's on Tuesday, 15 March 2016 for a period of 60 days closing on 18 May 2016.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the exhibition of the SPP's. However, there are budgetary implications for the development, assessment and future implementation of a new scheme.

RECOMMENDATION:

- A. That Council endorses the Attachment to this report as Council's representation to the exhibition of the Tasmanian Planning Scheme – Final State Planning Provisions and exhibited documentation.
- 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 30 for Decision on this Item...

TASMANIAN PLANNING SCHEME SPP'S – PUBLIC EXHIBITION /contd...

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

The Mayor extended his appreciation to the Planning Officers for their preparation of the Submission.

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 BAYFIELD STREET STREETScape RENEWAL**

(File No 20-09-37)

EXECUTIVE SUMMARY**PURPOSE**

This report provides for the consideration of funding for this project.

RELATION TO EXISTING POLICY/PLANS

Undertaking plans and strategies to guide the future planning and economic development of the City is consistent with Council's adopted Strategic Plan 2010-2015.

LEGISLATIVE REQUIREMENTS

There is no legislative requirement associated with consideration of this matter.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

Funding has been set aside for the development of the redevelopment of the streetscape; however, this report concerns future budget funding to complete the project.

RECOMMENDATION:

That Council adopts the approach described in the Associated Report as Option 4 and consider funding the estimated cost over the 2016/17 and 2017/18 budgets.

Ald Peers declared an Interest in this Item and left the Meeting prior to discussion (8.26pm).

/ Refer to Page 33 for Decision on this Item...

BAYFIELD STREET STREETScape RENEWAL /contd...

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

Ald Peers returned to the Meeting at this stage 8.45pm.

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 QUARTERLY REPORT TO 31 MARCH 2016**

(File No 10/02/05)

EXECUTIVE SUMMARY**PURPOSE**

To consider the General Manager's Quarterly Report covering the period 1 January 2016 to 31 March 2016.

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 2010-2015.

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 31 March 2016 be received.

Decision: **MOVED** Ald Chong **SECONDED** Ald Thurley

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

Ald James left the Meeting at this stage and did not return (8.52pm).

11.7.2 STCA REGIONAL WASTE GROUP

(File No 30-08-00)

EXECUTIVE SUMMARY**PURPOSE**

To consider Council's position on the establishment of a Regional Waste Group aligned with the Southern Tasmanian Councils Authority (STCA).

RELATION TO EXISTING POLICY/PLANS

Council is currently a member of the Southern Waste Strategy Authority (SWSA) and has previously expressed a desire to transition association from SWSA to a Regional Waste Group co-ordinated under the banner of the STCA.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Mayor Kerry Vincent of Sorrel Council has consulted with the elected members of Council in his capacity as the Chair of the STCA Regional Waste Group and he was supported by Mr Brenton West in his capacity as the STCA CEO.

FINANCIAL IMPLICATIONS

Under the STCA Regional Waste Group proposal Council would pay a levy of \$30,240.00 in Financial Year 2016/2017 which is based on the size of each council, in the same way and breakdown of subscription fees that are paid to the STCA.

RECOMMENDATION:

- A. That in response to the request received from the STCA on the proposal to join the STCA Waste Management Strategy Group, Council advises that it supports the establishment of the STCA Waste Management Strategy Group and endorses the draft Terms of Reference as circulated.
- B. That a provision for support funding required for the new STCA Waste Management Strategy Group be listed for budget consideration in the 2016/17 Annual Plan.
- C. That Council advise the Board of SWSA that in the event that the proposed STCA Waste Management Strategy Group is supported by a majority of STCA member Councils that Clarence City Council pursuant to Section 37 of the Local Government Act, 1993 formally supports the winding up of SWSA and the transfer of any remaining surpluses to be distributed to the current participating Council members of SWSA, as provided for under the Rules.
- D. That Council considers who is to be its representative on the proposed STCA "Waste Management Strategy Group".

/ Refer to Page 37 for Decision on this Item...

STCA REGIONAL WASTE GROUP /contd...

Decision:	MOVED Ald Chong SECONDED Ald Hulme	
	<p>“A. That in response to the request received from the STCA on the proposal to join the STCA Waste Management Strategy Group, Council advises that it supports the establishment of the STCA Waste Management Strategy Group and endorses the draft Terms of Reference as circulated.</p> <p>B. That a provision for support funding required for the new STCA Waste Management Strategy Group be listed for budget consideration in the 2016/17 Annual Plan.</p> <p>C. That Council advise the Board of SWSA that in the event that the proposed STCA Waste Management Strategy Group is supported by a majority of STCA member Councils that Clarence City Council pursuant to Section 37 of the Local Government Act, 1993 formally supports the winding up of SWSA and the transfer of any remaining surpluses to be distributed to the current participating Council members of SWSA, as provided for under the Rules.</p> <p>D. That Ald von Bertouch be nominated as Council’s representative on the proposed STCA ‘Waste Management Group’”.</p>	
	CARRIED	
	FOR	AGAINST
	Ald Campbell	Ald von Bertouch (abstained)
	Ald Chipman	
	Ald Chong	
	Ald Cusick	
	Ald Doust	
	Ald Hulme	
	Ald McFarlane	
	Ald Peers	
	Ald Thurley	
	Ald Walker	

11.7.3 COMMUNITY SUPPORT GRANTS

(File No 09-17-05A)

EXECUTIVE SUMMARY**PURPOSE**

To consider the Community Grants Assessment Panel's recommendations for the allocation of financial assistance in respect of the March 2016 round of Community Support Grants.

RELATION TO EXISTING POLICY/PLANS

Community Grants Policy and social plans including Youth Plan, Cultural Arts Plan, Positive Ageing Plan, Health and Wellbeing Plan, Cultural History Plan, Community Participation Policy, Clarence Events Plan.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

There is an annual budget for the Community Grants Program including the bi-annual Community Support Grants.

RECOMMENDATION:

That Council approves financial grants amounting to \$14,750.00 to community groups and organisations, as detailed in the schedule attached to the Associate Report.

Ald McFarlane left the Meeting at this stage (8.54pm).

Decision: **MOVED** Ald Campbell **SECONDED** Ald Peers

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.7.4 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA – 2016 BY-ELECTION (SOUTHERN ELECTORAL DISTRICT)

(File No 24-03-03)

EXECUTIVE SUMMARY**PURPOSE**

An extraordinary vacancy has occurred in Council's "representative" position on the General Management Committee of the Local Government Association of Tasmania (LGAT). The purpose of this report is for Council to consider whether it wishes to nominate an eligible elected member to represent the Southern Electoral District (population 20,000+) on the General Management Committee for the balance term which is to conclude July 2017.

RELATION TO EXISTING POLICY/PLANS

The General Management Committee representation has been determined on a non-contest basis with the 3 Councils involved reaching agreement to hold the term of office for this appointment "in turn". To date these appointments within this particular electoral category have been held by the person holding the position of Mayor of the Council holding the "in turn" term (currently held by Glenorchy).

The arrangement is recognised in Council's "Council Authorities, Boards and Committee - Structure and Appointments" Policy.

LEGISLATIVE REQUIREMENTS

There are no express legislative provisions in respect to this matter as the representative structure and electoral process for appointments to the LGAT is governed by the Association's rules. Elected members of the Clarence City, Glenorchy City and Kingborough Councils are eligible to be nominated. A nominee must "accept" their nomination.

To avoid any ambiguity in the nomination process the Electoral Commission has expressly required that any nominations submitted in the By-election are to be endorsed through a decision at a Council Meeting.

CONSULTATION

The LGAT has engaged the Tasmanian Electoral Commission to preside over the conduct of this election. The formal notification of election and details of the nomination process are provided as attachments to the item (3 pages).

FINANCIAL IMPLICATIONS

Nil.

RECOMMENDATION:

A matter for Council to determine if it wishes to put forward an elected member nomination for the position as the representative of the Southern Electoral District on the LGAT General Management Committee for the balance term.

/ Refer to Page 40 for Decision on this Item...

**LOCAL GOVERNMENT ASSOCIATION OF TASMANIA – 2016 BY-ELECTION
(SOUTHERN ELECTORAL DISTRICT) /contd...**

Decision:	MOVED Ald Walker SECONDED Ald Peers
	“That Council notes the discontinuation of the long standing appointment protocols and that Ald Chong be nominated for the position as the representative of the Southern Electoral District on the LGAT General Management Committee for the balance term”.
	Ald McFarlane returned to the Meeting at this stage (9.56pm).
	The MOTION was put and CARRIED
FOR	AGAINST
Ald Campbell	Ald Chipman (abstained)
Ald Cusick	Ald Chong (abstained)
Ald Doust	
Ald Hulme	
Ald McFarlane	
Ald Peers	
Ald Thurley	
Ald von Bertouch	
Ald Walker	

12. ALDERMEN'S QUESTION TIME

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

12.1 QUESTIONS ON NOTICE

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

Nil.

12.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

12.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

12.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

13. CLOSED MEETING

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

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

13.1 APPLICATIONS FOR LEAVE OF ABSENCE

13.2 T1097-16 – ASPHALT RESURFACING WORKS 2015/16

13.3 T1095-16 – CULVERT UPGRADE AND DOWNSTREAM CHANNEL WORKS – BRIDGE STREET, RICHMOND

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

- contracts and tenders for the supply of goods and services;
- applications by Aldermen for a Leave of Absence.

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 Doust

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

CARRIED UNANIMOUSLY

CLOSED MEETING /contd...

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

13.2 T1097-16 – ASPHALT RESURFACING WORKS 2015/16

(File No T1097-16)

Decision:

MOVED Ald Cusick **SECONDED** Ald Chong

- “A. That the tender from Downer EDI Works Pty Ltd for the sum of \$429,991.00, excluding GST, be accepted.
- B. That, in accordance with Regulation 34(3) of the Local Government (Meetings Procedures) Regulations 2015, Council authorises for release the Council’s decision (only) in respect to this item to the general public and for communication to relevant parties.
- C. That Council release to the public their decision only in regard to this matter”.

CARRIED UNANIMOUSLY

13.3 T1095/16 – CULVERT UPGRADE AND DOWNSTREAM CHANNEL WORKS – BRIDGE STREET, RICHMOND

(File No T1095-16)

Ald Thurley declared an Interest in this Item and left the Meeting prior to discussion and did not return (9.07pm).

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

- “A. That Council accepts the tender of State-Wide Earthworks Pty Ltd for the sum of \$288,113.00, excluding GST, for construction of the Culvert Upgrade and Downstream Channel Works in Bridge Street, Richmond.
- B. That in accordance with Regulation 34(3) of the Local Government (Meeting Procedures) Regulations 2015, Council authorises for release the Council’s decision (only) in respect to this item to the general public and for communication to relevant parties.
- C. That Council release to the public their decision only in regard to this matter”.

CARRIED UNANIMOUSLY

The Meeting closed at 9.08pm.