

**MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 22 FEBRUARY 2016**

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

**1. APOLOGIES** P K McFarlane

**ORDER OF BUSINESS** Items 1 – 13

**IN ATTENDANCE** Acting General Manager  
(Mr J Toohey)  
Principal Engineer  
(Mr R Graham)  
Corporate Treasurer  
(Mr F Barta)  
Corporate Secretary  
(Mr A van der Hek)  
Acting Manager City Planning  
(Mr B Gibbs)  
Co-ordinator Council Support  
(Ms J Ellis)

The Meeting closed at 9.30pm.

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 22 FEBRUARY 2016**

**TABLE OF CONTENTS**

<b>ITEM</b>	<b>SUBJECT</b>	<b>PAGE</b>
1.	ATTENDANCE AND APOLOGIES .....	5
2.	CONFIRMATION OF MINUTES .....	5
3.	MAYOR’S COMMUNICATION.....	5
4.	COUNCIL WORKSHOPS.....	5
5.	DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE .....	6
6.	TABLING OF PETITIONS .....	7
7.	PUBLIC QUESTION TIME .....	8
	7.1 PUBLIC QUESTIONS ON NOTICE .....	8
	7.2 ANSWERS TO QUESTIONS ON NOTICE.....	8
	7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE.....	8
	7.4 QUESTIONS WITHOUT NOTICE .....	9
8.	DEPUTATIONS BY MEMBERS OF THE PUBLIC.....	10
9.	MOTIONS ON NOTICE .....	11
9.1	NOTICE OF MOTION – ALD VON BERTOUCHE DIGITAL RADIO.....	11
10.	REPORTS FROM OUTSIDE BODIES .....	12
10.1	REPORTS FROM SINGLE AND JOINT AUTHORITIES.....	12
	• SOUTHERN TASMANIAN COUNCILS AUTHORITY	
	• COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY	
	• SOUTHERN WASTE STRATEGY AUTHORITY	
	• TASMANIAN WATER CORPORATION	
10.2	REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES ..	13
11.	REPORTS OF OFFICERS .....	20
11.1	WEEKLY BRIEFING REPORTS .....	20

11.2	DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS .....	21
11.2.1	PETITION – SPORTSGROUND LIGHTING D2015/504 - 25 WENTWORTH STREET, HOWRAH (CLARENCE HIGH SCHOOL OVAL) .....	21

### **11.3 PLANNING AUTHORITY MATTERS**

11.3.1	DEVELOPMENT APPLICATION D-2015/510 - 474 MOUNT RUMNEY ROAD, MOUNT RUMNEY (WITH ACCESS OVER 381, 383, 455, 472 AND 491 MOUNT RUMNEY ROAD, MOUNT RUMNEY AND 44 ACTON COURT, ACTON PARK) - NEW DWELLING AND CHANGE OF USE TO TOURIST ACCOMMODATION (11 CABINS) .....	23
11.3.2	DEVELOPMENT APPLICATION D-2015/504 - 25 WENTWORTH STREET, BELLERIVE - SPORTSGROUND LIGHTING .....	26
11.3.3	DEVELOPMENT APPLICATION D-2015/546 - 36 LINCOLN STREET, LINDISFARNE - AMENDMENT TO PREVIOUSLY APPROVED PLANS (D-2014/134) .....	28
11.3.4	DEVELOPMENT APPLICATION D-2015/547 - 36 LINCOLN STREET, LINDISFARNE - CANOPY.....	30
11.3.5	DEVELOPMENT APPLICATION D-2015/560 - 27 FRANKLIN STREET, RICHMOND - DWELLING .....	32
11.3.6	DEVELOPMENT APPLICATION D-2015/329 - 476 SOUTH ARM ROAD, LAUDERDALE - ALTERATIONS AND EXTENSIONS TO SHOPPING CENTRE .....	34
11.3.7	SUBDIVISION APPLICATION SD-2015/58 - 101 CANOPUS ROAD, MOUNT RUMNEY - 3 LOT SUBDIVISION.....	38

### **11.4 CUSTOMER SERVICE - NIL ITEMS**

### **11.5 ASSET MANAGEMENT- NIL ITEMS**

### **11.6 FINANCIAL MANAGEMENT - NIL ITEMS**

### **11.7 GOVERNANCE**

11.7.1	PUBLIC ART CODE IMPLEMENTATION PROCEDURES.....	44
11.7.2	CUSTOMER SERVICE CHARTER .....	46
11.7.3	PUBLISHING OF CLOSED MEETING DECISIONS .....	47
12.	ALDERMEN'S QUESTION TIME.....	49
12.1	QUESTIONS ON NOTICE.....	49
12.2	ANSWERS TO QUESTIONS ON NOTICE.....	49
12.3	ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE .....	49
12.4	QUESTIONS WITHOUT NOTICE .....	49

13.	CLOSED MEETING.....	50
13.1	APPLICATIONS FOR LEAVE OF ABSENCE	
13.2	TENDER T1076-15 – SUPPLY ONLY BITUMINOUS CONCRETE	
13.3	TENDER T1073-15 - KANGAROO BAY PARKLANDS	

**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 1 February 2016, as circulated, be taken as read and confirmed.

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

“That the Minutes of the Council Meeting held on 1 February 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:

<b>PURPOSE</b>	<b>DATE</b>
Lauderdale Football Oval/Changerooms Clarence Street High School Oval Lights Customer Service Charter Terms of Reference for the VA Steering Committee	9 February
Cultural History Plan Bellerive Boardwalk Family Day Care Building Upgrade at Alma Street	15 February

**RECOMMENDATION:**

That Council notes the workshops conducted.

**Decision:** **MOVED** Ald Peers **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**

**Alderman Hulme**

**Item No. 11.3.2**

**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

The Acting General Manager provided the following answer to Questions taken on Notice from members of the public at previous Council Meetings.

#### **FOOTPATH BETWEEN ROKEBY AND LAUDERDALE**

Mr Stephen Heraghty asked a question which sought an update on discussions between the State Government and Council regarding the footpath between Rokeby and Lauderdale along South Arm Road.

#### **ANSWER DETAILS**

Council, at its Meeting on 22 June 2015 considered a Motion on Notice from an Alderman and resolved:

*“That Clarence City Council requests the Department of State Growth for a shared multi-user pathway along the South Arm Highway from Oakdowns to Lauderdale”.*

/ contd on Page 9...

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

Council wrote to the Department of State Growth on 29 June 2015 seeking advice for the creation of a safe active transport link for all users of the South Arm Highway between Oakdowns and Lauderdale.

The Department of State Growth wrote to Council on 2 September 2015 advising that the Department is in the process of developing a 10 year Infrastructure Investment Plan. This Plan is scheduled to be launched by the Tasmanian Government in the first quarter of the 2016 calendar year. Projects will be evaluated for inclusion in the Plan based on the objectives of the State Roads Infrastructure Services Policy launched by the Minister for Infrastructure in December 2015.

The Mayor has also met with the Minister for Infrastructure who has indicated that he will examine the priority for this project.

**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-2015/510 – 474 MOUNT RUMNEY ROAD, MOUNT RUMNEY (WITH ACCESS OVER 381, 383, 455, 472 AND 491 MOUNT RUMNEY ROAD, MOUNT RUMNEY AND 44 ACTON COURT, ACTON PARK) – NEW DWELLING AND CHANGE OF USE TO TOURIST ACCOMMODATION (11 CABINS)**  
(REFER ITEM 11.3.1)

M/s Clarissa Leary addressed the Meeting regarding the above Development Application.

## 9. MOTIONS ON NOTICE

### 9.1 NOTICE OF MOTION – ALD VON BERTOUCHE DIGITAL RADIO

(File Nos 10-03-05; 08-01-01)

In accordance with Notice given Ald von Bertouch intended to move the following Motion:

“That Council writes to the Minister for Communications, Senator the Hon Mitch Fifield, and the Australian Communications and Media Authority seeking advice on the followings matters:

- what are the current plans, if any, for the provision of digital radio spectrum availability in Hobart and Southern Tasmania? and;
- what are the likely timelines for the provision of digital radio in Hobart and Southern Tasmania?”

With the Leave of the Meeting Ald von Bertouch amended her motion and it was:

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

“That the Mayor, on behalf of the Council, writes to the Minister for Communications, Senator the Hon Mitch Fifield, and the Australian Communications and Media Authority seeking advice on the followings matters:

- what are the current plans, if any, for the provision of digital radio spectrum availability in Hobart and Southern Tasmania? and;
- what are the likely timelines for the provision of digital radio in Hobart and Southern Tasmania?”

**FOR**

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

**AGAINST**

Ald James

## 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 Peter Cusick, Deputy Representative)

#### **Quarterly Reports**

September and December Quarterly Reports pending.

#### **Representative Reporting**

Ald Campbell advised the Meeting that Tenders have been called for the C Cell project.

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

#### **Quarterly Reports**

#### **Representative Reporting**

September and December Quarterly Reports pending.

- **TASWATER CORPORATION**

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

(File No 04-03-02)

**Chairperson's Report – Alderman S von Bertouch**

Report to Council for the 3 month period 1 October 2015 to 31 December 2015.

**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**

A parking survey has been completed recording a 15% parking density along this section of Cambridge Road. Line marking is ready to commence.

**2.2. Cambridge Road, Mornington – Painted Bike Lines**

Currently being designed. Kerb and gutter is to be installed along the 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**

An Aboriginal Heritage Survey has been conducted and approval has been given to commence construction to the edge of Pindos Park. A Permit to Conceal has been applied for to complete the path within the park where Aboriginal relics are present. This process will take several weeks. Construction of the first section will commenced at the end of January.

**2.4 Acton Road to Cambridge Village – 1.5m wide Gravel Pathway**

Pathway complete.

**2.5 Mornington Roundabout Pedestrian/Cycling Underpass**

Pitt and Sherry have been appointed to carry out a feasibility study to determine costings in order to make a submission to State Government for funding.

**3. RECURRENT INITIATIVES**

Further locations for bike parking facilities are being investigated.

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

The first meeting of Technical Working Group was held on 15 September 2015. The second meeting of Technical Working Group was held on 30 September 2015. Discussion was held at Council's Workshop on Monday, 9 November 2015 to consider the Technical Working Groups recommendations with Council supporting improvements of consisting of consistent bus stop spacing, providing discreet turning lane and rationalising the frequency and location of islands and standouts. Furthermore, at the same meeting on 7 December 2015, Council authorised the General Manager to undertake consultation with Bellerive Primary School and the Department of State Growth on the desirability and feasibility of traffic signals at Scott Street.

**5. GOVERNANCE MATTERS**

**Committee Meeting**

The Committee held 2 general meetings during the quarter on 5 October and 7 December 2015.

**6. EXTERNAL LIAISON**

CyclingSouth held meetings on 23 September and 18 November 2015.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

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

“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 October 2015 to 31 December 2015.

**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****Rocky Tom Property at 429 Flagstaff Gully Road**

The property has been sold to a private owner and discussions have taken place with the new owner regarding the illegal dumping and remediation requirements.

### **Kangaroo Bay Rivulet Track**

Safety fencing has been installed at 2 locations where golf balls were a safety concern (1<sup>st</sup> and 7<sup>th</sup> tee). A new perimeter fence is required in the Rosny Barn before the first stage of the track between the Barn and the Council building can be opened to the public. Quotes are being sought for the barn fencing.

Design options for the crossing of the rivulet between Council Offices and Eastlands has commenced.

### **Clarence Coastal Trail - Rokeby to Lauderdale**

A letter was received from the Police Minister stating that the *“Government cannot allow for any proposal that borders or crossed the land of the Police Academy to proceed”*.

A petition was also received requesting a trail along the foreshore.

A meeting was held with the Mayor, General Manager and Ald James with the Commissioner of Police, Darren Hine on Monday, 30 November. Discussion took place around security and operations of the Academy.

## **3. RECURRENT INITIATIVES – MAINTENANCE AND UPGRADES**

### **3.1 Tangara Trail**

Posts and signage have been installed in the Sandford section of the Tangara Trail to improve navigation for users.

Maintenance work has been carried out on the Tangara Trail on the Silver Peppermint Track to address erosion issues.

### **3.2 Trail Audit**

An audit of tracks across the municipality has been completed including the Tangara Trail, Clarence Coastal Trail and tracks in reserves. This is being used to create a comprehensive database of all our tracks and guide the maintenance program.

### **3.3 Charles Darwin Trail**

The Charles Darwin track off Aruma Street in Waverly Flora Park has been widened, resurfaced and landscaped.

## **4. DESIGN AND INVESTIGATION WORK IN PROGRESS**

### **4.1 Blessington Track**

An Aboriginal Heritage Assessment was carried out in October 2015 to check for Aboriginal relics on the site of the proposed track. A Permit will be required and the process is underway.

### **4.2 Meehan Range Strategic Plan**

The Parks Planner is working on the draft management statement. After they have finished this draft, it requires internal review by specialists in the Department of Primary Industries, Water and the Environment. Following any updates from the specialists, it will be put out for public consultation which is expected to occur sometime in early 2016.

## **5. GOVERNANCE MATTERS**

### **Committee Meeting**

The Committee held 2 General Meetings during the quarter on 8 October 2015 and 3 December 2015 and 1 special meeting on 10 September 2015.

## **6. EXTERNAL LIAISON**

Nil.

## **RECOMMENDATION:**

That the Chairperson's Report be received by Council.

/ Refer to Page 19 for Decision on this Item...

**TRACKS AND TRAILS ADVISORY COMMITTEE /contd...**

<b>Decision:</b>	<b>MOVED</b> Ald James <b>SECONDED</b> Ald Chong	
	“That the Chairperson’s Report be received by Council”.	
		<b>CARRIED</b>
	<b>FOR</b>	<b>AGAINST</b>
	Ald Campbell	Ald Walker (abstained)
	Ald Chipman	
	Ald Chong	
	Ald Cusick	
	Ald Doust	
	Ald Hulme	
	Ald James	
	Ald Peers	
	Ald Thurley	
	Ald von Bertouch	

**Southern Tasmanian Councils Authority**

- Ald von Bertouch tabled the Agenda of the Regional Waste Group Meeting held on 16 February 2016.

**Lindisfarne Community Activities Centre**

- Ald Peers tabled the Minutes of a Meeting held on 21 January 2016.

**Committee of Management of Business East**

- Ald Hulme tabled Minutes of Meetings held on 10 November and 15 December 2015.

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

(File No 10/02/02)

The Weekly Briefing Reports of 1, 9 and 15 February 2016 have been circulated to Aldermen.

**RECOMMENDATION:**

That the information contained in the Weekly Briefing Reports of 1, 9 and 15 February 2016 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

### 11.2.1 PETITION – SPORTSGROUND LIGHTING D2015/504 - 25 WENTWORTH STREET, HOWRAH (CLARENCE HIGH SCHOOL OVAL)

(File No W012-25)

#### EXECUTIVE SUMMARY

##### PURPOSE

To consider the petition tabled at Council's Meeting of 11 January 2016, requesting Council support the planning application D-2015/504 for Sportsground Lighting installation at Clarence High School.

##### RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2010-2015 is relevant.

##### LEGISLATIVE REQUIREMENTS

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

##### CONSULTATION

Consultation has been undertaken with the local community in regards to the provision of sportsground lighting as part of planning application D-2015/504.

##### FINANCIAL IMPLICATIONS

Funds have been allocated within the 2015/2016 Annual Plan to construct sportsground lighting at Clarence High School.

#### RECOMMENDATION:

- A. That Council notes the intent of the petition.
- B. That the petitioners be advised of Council's decision when resolved by Council sitting as a Planning Authority.

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

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

### **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-2015/510 - 474 MOUNT RUMNEY ROAD, MOUNT RUMNEY (WITH ACCESS OVER 381, 383, 455, 472 AND 491 MOUNT RUMNEY ROAD, MOUNT RUMNEY AND 44 ACTON COURT, ACTON PARK) - NEW DWELLING AND CHANGE OF USE TO TOURIST ACCOMMODATION (11 CABINS)**

(File No D-2015/510)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a new Dwelling and Change of Use to Tourist Accommodation (11 cabins) at 474 Mount Rumney Road, Mount Rumney (with access over 381, 383, 455, 472 and 491 Mount Rumney Road, Mount Rumney and 44 Acton Court, Acton Park).

**RELATION TO PLANNING PROVISIONS**

The land is zoned Environmental Living and subject to the Bushfire Prone Areas, Landslide, Waterways 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.

Council is required to exercise a discretion within the statutory 42 day period which has been extended to expire on 24 February 2016.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and 8 representations were received raising the following issues:

- road/site access safety;
- pedestrian safety;
- native flora and fauna;
- amenity/scale of development;
- private road;
- private road upgrades;
- change of use status under CIPS 2015;
- potential fire escape for all of Mount Rumney;
- potential for Tangara Trail connections;
- water supply; and
- rental vehicles.



**RECOMMENDATION:**

A. That the Development Application for a new Dwelling and Change of Use to Tourist Accommodation (11 cabins) at 474 Mount Rumney Road, Mount Rumney (with access over 381, 383, 455, 472 and 491 Mount Rumney Road, Mount Rumney and 44 Acton Court, Acton Park) (CI Ref D-2015/510) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. Access to the site for residents and guests is to be via Mount Rumney Road. The Acton Court access is to be utilised for emergency purposes only. Suitable signage should be installed within the site directing residents to the appropriate point of access for the site.
3. Internal road upgrades in accordance with BHMP prior to commencement of use.
4. An evacuation plan is required to be submitted to Council’s Manager City Planning to comply with Clause E1.5.1.1 A2 of the Clarence Interim Planning Scheme 2015.
5. ENG A6 – GRAVELLED CAR PARKING.
6. ENG S1 – INFRASTRUCTURE REPAIR.
7. ENG M1 – DESIGNS DA [remove “• service upgrades or relocations”].

**ADVICE 3 – SPECIAL PLUMBING ADVICE.**

ADVICE – Appropriate building surveying certification must be obtained for all existing buildings on-site for the approved intended uses prior to those uses commencing. Should this not be obtained, Council may be bound to commence proceedings.

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 25 for Decision on this Item...

**DEVELOPMENT APPLICATION D-2015/510 - 474 MOUNT RUMNEY ROAD, MOUNT RUMNEY (WITH ACCESS OVER 381, 383, 455, 472 AND 491 MOUNT RUMNEY ROAD, MOUNT RUMNEY AND 44 ACTON COURT, ACTON PARK) - NEW DWELLING AND CHANGE OF USE TO TOURIST ACCOMMODATION (11 CABINS) /contd...**

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

**11.3.2 DEVELOPMENT APPLICATION D-2015/504 - 25 WENTWORTH STREET,  
BELLERIVE - SPORTSGROUND LIGHTING**  
(File No D-2015/504)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Sportsground Lighting at 25 Wentworth Street, Bellerive.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Community Purpose 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 was extended with the consent of the applicant until 24 February 2016.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and 5 representations and 1 petition (in support) was received raising the following issues:

- effect on amenity caused by glare from lights;
- noise;
- height of poles;
- the lights are located in close proximity to Wentworth Park and Blundstone Arena;
- request to limit hours of operation;
- concern that the information conflicts with previous advice from Council; and
- loss of property values.

**RECOMMENDATION:**

A. That the Development Application for Sportsground Lighting at 25 Wentworth Street, Bellerive (CI Ref D-2015/504) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. Operation of the lights must be within the following hours:  
Monday – Saturday: 8.00am to 9.00pm only.

- 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.

Ald Hulme declared an Interest in this Item and left the Meeting prior to discussion (8.09pm).

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

Ald Hulme returned to the Meeting at this stage (8.25pm).

**11.3.3 DEVELOPMENT APPLICATION D-2015/546 - 36 LINCOLN STREET,  
LINDISFARNE - AMENDMENT TO PREVIOUSLY APPROVED PLANS  
(D-2014/134)**  
(File No D-2015/546)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an amendment to previously approved plans (D-2014/134) at 36 Lincoln Street, Lindisfarne.

**RELATION TO PLANNING PROVISIONS**

The land is zoned General Business 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 was extended with the consent of the applicant until 23 February 2016.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and there were no representations received.

**RECOMMENDATION:**

- A. That the Development Application for amendment to previously approved plans (D-2014/134) at 36 Lincoln Street, Lindisfarne (CI Ref D-2015/546) be refused for the following reasons.
1. The proposal does not comply with Performance Criteria of 21.4.3 P1 (b), 21.4.3 P1 (c) and 21.4.3 (h) of the Scheme as it does not make a positive contribution to the streetscape or provide for an active frontage to Wellington Road.
  2. The proposal does not comply with Performance Criteria 21.4.4 (b) and (c) of the Scheme as it does not allow for passive surveillance of Wellington Road.

3. The proposal is inconsistent with the Desired Future Character Statements of the zone as it does not provide an active façade to Wellington 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.

The Meeting noted the advice of the Acting General Manager that, at the request of the Applicant, consideration of this Item be deferred.

**11.3.4 DEVELOPMENT APPLICATION D-2015/547 - 36 LINCOLN STREET,  
LINDISFARNE - CANOPY**  
(File No D-2015/547)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a canopy addition to an existing building (currently operating as a Discount Chemist) at 36 Lincoln Street, Lindisfarne.

**RELATION TO PLANNING PROVISIONS**

The land is zoned General Business 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 was extended with the consent of the applicant until 24 February 2016.

**CONSULTATION**

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

- detrimental impact on the streetscape; and
- colour scheme.

**RECOMMENDATION:**

A. That the Development Application for Canopy at 36 Lincoln Street, Lindisfarne (C1 Ref D-2015/547) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN F5 – PART 5 AGREEMENT [the use of Council land for the development].
3. PROP 1 – LICENCE AGREEMENT.
4. GEN S1 – SIGN CONSENT.





**11.3.5 DEVELOPMENT APPLICATION D-2015/560 - 27 FRANKLIN STREET,  
RICHMOND - DWELLING**  
(File No D-2015/560)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a dwelling at 27 Franklin Street, Richmond.

**RELATION TO PLANNING PROVISIONS**

The land is zoned General Residential and subject to the Historic Heritage Code 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 solution for building envelope, private outdoor space and sunlight and overshadowing under the zone. The proposal is also Discretionary under the Historic Heritage 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.

Council is required to exercise a discretion within the statutory 42 day period which has been extended to 24 February 2016 with the written agreement of the applicant.

**CONSULTATION**

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

- rear setback variation;
- excavation required for buildings;
- use of proposed outbuilding; and
- location of easement.

**RECOMMENDATION:**

A. That the Development Application for Dwelling at 27 Franklin Street, Richmond (CI Ref D-2015/560) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN AP3 – AMENDED PLAN [- east and west facing walls of the “lean-to” on the outbuilding inset 300mm to 500mm from the walls of the remainder of the outbuilding; and  
- the correct location of natural ground level and the maximum height of the structure above natural ground level].
3. GEN M7 – DOMESTIC USE - Replace “building” with “outbuilding”.

4. All external surfaces must be finished in muted colours sympathetic to the surrounding heritage precinct 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.
  5. ENG A1 – NEW CROSSOVER [TSD-R09] - Replace 3.0m with 3.6m.
  6. ENG S1 – INFRASTRUCTURE REPAIR.
  7. Prior to building approval the existing stormwater pipe within the easement must be identified and the foundations of the proposed dwelling are to be located more than 1.0m away from the side of the pipe and deep enough to facilitate excavation of the pipeline.
  8. LAND 1A – LANDSCAPE PLAN – Insert after first sentence “The plan must demonstrate how the site is to be landscaped/fenced in order to enhance the property and to reduce conflict with historic streetscapes”. And delete “estimated cost of landscaping works”.
  9. ADVICE – It is the developer’s responsibility to ensure that construction activities do not affect the integrity of any services or structures on adjoining properties as a result of excavations near property boundaries.
- 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 Thurley **SECONDED** Ald Hulme

“That the Recommendation be adopted”.

**CARRIED****FOR**

Ald Chipman  
Ald Chong  
Ald Hulme  
Ald Peers  
Ald Thurley  
Ald von Bertouch

**AGAINST**

Ald Campbell  
Ald Cusick  
Ald Doust  
Ald James  
Ald Walker

**11.3.6 DEVELOPMENT APPLICATION D-2015/329 - 476 SOUTH ARM ROAD, LAUDERDALE - ALTERATIONS AND EXTENSIONS TO SHOPPING CENTRE**

(File No D-2015/329)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for alterations and extensions to a Shopping Centre at 476 South Arm Road, Lauderdale.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Local Business and subject to the Potentially Contaminated Land, Road and Railway Assets, Waterways and Coastal Protection, Inundation Prone Areas, Coastal Erosion Hazard, Parking and Access, Signage and Stormwater Management Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In addition, the site is subject to the Lauderdale Neighbourhood Centre Specific Area Plan. In accordance with the Scheme the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended with the written consent of the applicant to expire on 24 February 2016.

**CONSULTATION**

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

- roadway access (past the existing 3 residential units) to the rear car park and delivery entrance of the commercial development;
- proposed new position of the residential car parking; and
- logic of placing a disabled toilet at the top of a flight of steps.

**RECOMMENDATION:**

A. That the Development Application for Alterations and Extensions to Shopping Centre at 476 South Arm Road, Lauderdale (CI Ref D-2015/329) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN AP3 – AMENDED PLANS [
  - deletion of all vehicular ingress and egress to the rear of shopping centre via the driveway to the north of that building;

- provision only for residential access/turning areas to the north of the shopping centre building with not less than 3 car parking spaces to be assigned to each of the residences; and
  - a 2.1m high fence with a 2m wide landscaping strip to the north side must be provided for the entire interface of the rear shopping centre car park with the residential driveway and parking area].
3. GEN AM4 – CONSTRUCTION HOURS.
  4. Hours of operation of the approved uses must be within:
    - (a) 7.00am to 9.00pm Monday to Saturday inclusive;
    - (b) 9.00am to 5.00pm Sundays and Public Holidays except for office and administrative tasks.
  5. Noise emissions measured at the boundary of a residential zone must not exceed the following:
    - (a) 55dB(A) (LAeq) between the hours of 7.00am to 7.00pm;
    - (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00pm to 7.00am;
    - (c) 65dB(A) (LAmax) at any time.Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.
  6. External lighting must comply with all of the following:
    - (a) be turned off between 10.00pm and 6.00am, except for security lighting;
    - (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.
  7. Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50m of a residential zone must be within the hours of:
    - (a) 7.00am to 5.00pm Monday to Friday inclusive;
    - (b) 9.00am to 5.00pm Saturdays;
    - (b) 10.00am to 12noon Sundays and public holidays.
  8. Not less than 77 car parking spaces must be provided on-site prior to the commencement of the use. Each space, including disabled parking, must be clearly marked and used solely for parking purposes. Plans showing the layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with Section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking. The Plans must provide for external lighting to illuminate car parking areas and pathways.

Suitable signage must be provided to direct staff employed at the shopping centre to park at the rear of the building. Accessible car parking for people with a disability in accordance with the requirements of the National Construction Code of Australia must be provided as close as practicable to the main building entrance.

9. The signs (approved envelopes) must be maintained at all times in good repair and in a clean, tidy and safe condition. The signs must not be illuminated without the further consent of Council.
10. GEN AM3 - EXTERNAL COLOURS - Add after final sentence “Walls of the building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent”.
11. GEN F5 – PART 5 AGREEMENT [incorporate the Maintenance Management Schedule/Regime obligations for the stormwater treatment facility and a requirement to report to Council on an annual basis demonstrating that all maintenance requirements for the facility have been met.] Add at beginning of first sentence “Prior to commencement of use or the issuing of a completion certificate (whichever occurs first)...”.
12. ENG A5 – SEALED CAR PARKING.
13. ENG S1 – INFRASTRUCTURE REPAIR.
14. ENG M1 – DESIGNS DA.
15. 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 Asset Management 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.
16. LAND 1A – LANDSCAPE PLAN [after first sentence insert “The landscape plan must provide for a fence and vegetation screen between the existing residential units on the site and the car park loading area. It must also provide for vegetation along the front boundary and through the car parking areas”.
17. LAND 3 – LANDSCAPE BOND (COMMERCIAL).

18. The development must meet all required Conditions of Approval specified by TasWater notice dated 24 August 2015 (TWDA 2015/01298-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 James **SECONDED** Ald Campbell  
“That the Recommendation be adopted”.  
**CARRIED UNANIMOUSLY**

**11.3.7 SUBDIVISION APPLICATION SD-2015/58 - 101 CANOPUS ROAD, MOUNT RUMNEY - 3 LOT SUBDIVISION**  
(File No SD-2015/58)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 3 lot subdivision at 101 Canopus Road, Mount Rumney.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Rural Living and subject to the Bushfire-Prone Areas, Landslide, and Natural Assets 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 24 February 2016 with the written agreement of the applicant.

**CONSULTATION**

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

- Public Open Space contribution;
- natural values.

**RECOMMENDATION:**

- A. That the application for a 3 lot subdivision at 101 Canopus Road, Mount Rumney (CI Ref SD-2015/58) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
  2. GEN AP3 – AMENDED PLAN [building envelope on Lot 2 modified to ensure it is clear of the Lowland Poa labillardierei grassland].
  3. GEN POS4 – POS CONTRIBUTION [4%] [Lots 2, 3 and 4].
  4. GEN F5 – PART 5 AGREEMENT – Insert after first “Council” “and the owners of all the other lots shown on the endorsed plan” [the implementation and on-going maintenance of the Hazard Management Areas identified in the Bushfire Report and Bushfire Hazard Management Plan prepared by Thomas O’Connor dated November 2015].

5. ENG M7 – WEED MANAGEMENT PLAN.
  6. ENG A3 – COMBINED ACCESSES [TSD R-03 and TSD R-04].
  7. ENG A7 – REDUNDANT CROSSOVER.
  8. ENG M2 – DESIGNS SD - Delete “road design (including line marking), road stormwater drainage and stormwater drainage”.
  9. ENG M8 – EASEMENTS.
  10. The development must meet all required Conditions of Approval specified by TasWater notice dated 14 December 2015 (TWDA 2015/01802-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.

The Acting Manager City Planning advised the Meeting of a correction to the Recommendation for this Item regarding the number of lots (2) in the subdivision and the basis for calculation of POS and contributions.

<b>Decision:</b>	<p><b>MOVED</b> Ald Chong <b>SECONDED</b> Ald Hulme</p> <p>“A. That the application for a 2 into 4 lot subdivision at 101 Canopus Road, Mount Rumney (C1 Ref SD-2015/58) be approved subject to the following conditions and advice.</p> <ol style="list-style-type: none"> <li>1. GEN AP1 – ENDORSED PLANS.</li> <li>2. GEN AP3 – AMENDED PLAN [building envelope on Lot 2 modified to ensure it is clear of the Lowland Poa labillardierei grassland].</li> <li>3. GEN POS4 – POS CONTRIBUTION [4%] [Lots 2 and 4].</li> <li>4. GEN F5 – PART 5 AGREEMENT – Insert after first ‘Council’ ‘and the owners of all the other lots shown on the endorsed plan’ [the implementation and on-going maintenance of the Hazard Management Areas identified in the Bushfire Report and Bushfire Hazard Management Plan prepared by Thomas O’Connor dated November 2015].</li> </ol>
------------------	---

/ Decision contd on Page 40...



**SUBDIVISION APPLICATION SD-2015/58 - 101 CANOPUS ROAD, MOUNT RUMNEY - 3 LOT SUBDIVISION /Decision contd...**

5. ENG M7 – WEED MANAGEMENT PLAN.
  6. ENG A3 – COMBINED ACCESSES [TSD R-03 and TSD R-04].
  7. ENG A7 – REDUNDANT CROSSOVER.
  8. ENG M2 – DESIGNS SD - Delete “road design (including line marking), road stormwater drainage and stormwater drainage”.
  9. ENG M8 – EASEMENTS.
  10. The development must meet all required Conditions of Approval specified by TasWater notice dated 14 December 2015 (TWDA 2015/01802-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”.

**CARRIED UNANIMOUSLY**

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**

Nil Items.

**11.6 FINANCIAL MANAGEMENT**

Nil Items.

**11.7 GOVERNANCE****11.7.1 PUBLIC ART CODE IMPLEMENTATION PROCEDURES**

(File No 24-03-03)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is for Council to consider adopting the Public Art Code Implementation Procedures and Public Art Code Guidelines for Developers. The procedures and guidelines provide a framework for the implementation of the Clarence Interim Planning Scheme 2015 E24.0 Public Art Code.

**RELATION TO EXISTING POLICY/PLANS**

- Clarence Interim Planning Scheme 2015;
- Public Art Policy;
- Cultural Arts Plan;
- Strategic Plan.

**LEGISLATIVE REQUIREMENTS**

To assist in implementing the Clarence Interim Planning Scheme 2015 requirements.

**CONSULTATION**

The Cultural Arts Plan and Public Art Policy were subject to community consultation and public exhibition.

The Clarence Interim Planning Scheme (CIPS) 2015 was publicly exhibited in accordance with statutory requirements from Saturday, 18 July 2015 until Monday, 31 August 2015. During this exhibition period 126 representations and 2 late submissions were received. The representation raised numerous issues none of which related to the E24.0 Public Art Code.

**FINANCIAL IMPLICATIONS**

Nil.

**RECOMMENDATION:**

That Council adopts the Public Art Code Implementation Procedures and Public Art Code Guidelines for Developers, which are to be made available on Council's website.

/ Refer to Page 45 for Decision on this Item...

**PUBLIC ART CODE IMPLEMENTATION PROCEDURES /contd...**

<b>Decision:</b>	<b>MOVED</b> Ald Chong <b>SECONDED</b> Ald von Bertouch																
	“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 Campbell</td></tr><tr><td>Ald Chong</td><td>Ald Peers</td></tr><tr><td>Ald Cusick</td><td>Ald Thurley</td></tr><tr><td>Ald Doust</td><td>Ald Walker</td></tr><tr><td>Ald Hulme</td><td></td></tr><tr><td>Ald James</td><td></td></tr><tr><td>Ald von Bertouch</td><td></td></tr></table>	<b>FOR</b>	<b>AGAINST</b>	Ald Chipman	Ald Campbell	Ald Chong	Ald Peers	Ald Cusick	Ald Thurley	Ald Doust	Ald Walker	Ald Hulme		Ald James		Ald von Bertouch	
<b>FOR</b>	<b>AGAINST</b>																
Ald Chipman	Ald Campbell																
Ald Chong	Ald Peers																
Ald Cusick	Ald Thurley																
Ald Doust	Ald Walker																
Ald Hulme																	
Ald James																	
Ald von Bertouch																	

**11.7.2 CUSTOMER SERVICE CHARTER**

(File No 10-18-00)

**EXECUTIVE SUMMARY****PURPOSE**

To adopt the revised Customer Service Charter.

**RELATION TO EXISTING POLICY/PLANS**

The revised Charter is an update of the previous Customer Service Charter.

**LEGISLATIVE REQUIREMENTS**

Under the Local Government Act, 1993 Council is required to review the Customer Service Charter every 2 years.

**CONSULTATION**

Discussions undertaken with the Corporate Executive Committee and an Alderman's Workshop were held to consider proposed changes.

**FINANCIAL IMPLICATIONS**

There will be some costs associated with the production of a brochure. Funds are available in Council's 2015/16 Budget for this purpose.

**RECOMMENDATION:**

That Council adopts the revised Customer Service Charter.

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

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.7.3 PUBLISHING OF CLOSED MEETING DECISIONS**

(File No)

**EXECUTIVE SUMMARY****PURPOSE**

To formalise Council's practice of publishing certain Closed Meeting decisions in the public Minutes.

**RELATION TO EXISTING POLICY/PLANS**

Council has an adopted Meeting Procedures Policy which addresses aspects of Council's meeting practice not covered under the Local Government (Meeting Procedures) Regulations 2015.

**LEGISLATIVE REQUIREMENTS**

There are no provisions in the Local Government (Meeting Procedures) Regulations 2015 that cover or govern the current Council practice of publishing Closed Meeting decisions.

**CONSULTATION**

The matter was the subject of Council Workshops in mid-2015 and on 9 February 2016.

**FINANCIAL IMPLICATIONS**

Nil.

**RECOMMENDATION:**

A matter for Council.

**Decision:**

**MOVED** Ald Peers **SECONDED** Ald Cusick

“That Council continue with the publication of certain Closed Meeting decisions in the public Minutes without disclosure of Motion details and how votes were cast”.

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

**FOR**

Ald Cusick  
Ald Hulme  
Ald Peers  
Ald Walker

**AGAINST**

Ald Campbell  
Ald Chipman  
Ald Chong  
Ald Doust  
Ald James  
Ald Thurley  
Ald von Bertouch

/ Decision contd on Page 48...



**PUBLISHING OF CLOSED MEETING DECISIONS /Decision contd...**

<b>Decision:</b>	<b>FORESHADOWED MOTION</b> <b>MOVED</b> Ald Campbell <b>SECONDED</b> Ald James																
	“That Council continue with the publication of certain Closed Meeting decisions in the public Minutes including Motion details and how votes were cast”.																
	<b>CARRIED</b>																
	<table><tr><td><b>FOR</b></td><td><b>AGAINST</b></td></tr><tr><td>Ald Campbell</td><td>Ald Cusick</td></tr><tr><td>Ald Chipman</td><td>Ald Hulme</td></tr><tr><td>Ald Chong</td><td>Ald Peers</td></tr><tr><td>Ald Doust</td><td>Ald Walker</td></tr><tr><td>Ald James</td><td></td></tr><tr><td>Ald Thurley</td><td></td></tr><tr><td>Ald von Bertouch</td><td></td></tr></table>	<b>FOR</b>	<b>AGAINST</b>	Ald Campbell	Ald Cusick	Ald Chipman	Ald Hulme	Ald Chong	Ald Peers	Ald Doust	Ald Walker	Ald James		Ald Thurley		Ald von Bertouch	
<b>FOR</b>	<b>AGAINST</b>																
Ald Campbell	Ald Cusick																
Ald Chipman	Ald Hulme																
Ald Chong	Ald Peers																
Ald Doust	Ald Walker																
Ald James																	
Ald Thurley																	
Ald von Bertouch																	

**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 TENDER T1076-15 – SUPPLY ONLY BITUMINOUS CONCRETE
- 13.3 TENDER T1073-15 - KANGAROO BAY PARKLANDS

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; and
- 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 Cusick

“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 TENDER T1076-15 – SUPPLY ONLY BITUMINOUS CONCRETE**

(File No T1076-15)

**Decision:**

**MOVED** Ald Campbell **SECONDED** Ald Chong

- “A. That the contract to Supply only Bituminous Concrete be awarded to Downer EDI Works Pty Ltd.
- 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**

**13.3 TENDER T1073-15 - KANGAROO BAY PARKLANDS**

<b>Decision:</b>	<b>MOVED</b> Ald Campbell <b>SECONDED</b> Ald Thurley
	“A. That the tender from Specialised Landscaping Services Pty Ltd for \$1,171,093.55, excluding GST, be accepted for construction of the Kangaroo Bay Parklands.
	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”.
	The <b>MOTION</b> was <b>put</b> and <b>CARRIED UNANIMOUSLY</b>

The Meeting closed at 9.30pm.