

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 25 JULY 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:

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 N M Campbell (Leave of Absence)

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 8.54pm.

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 25 JULY 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 4 July 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 4 July 2016, as circulated, be taken as read and confirmed”.

CARRIED UNANIMOUSLY

3. MAYOR'S COMMUNICATION

The Mayor:

- invited Ald von Bertouch to present to Council on behalf of the Positive Ageing Committee an award received from the Local Government Association of Tasmania in the 2016 Local Government Awards for Excellence for its aWake Before Death project. Ald von Bertouch presented the award and provided some background. The Mayor on behalf of Council congratulated the Committee;
- provided a report from a briefing he attended recently regarding Tasman Bridge risk issues and also tabled the notes from the meeting; and
- congratulated Ald Chong on her recent election to the Local Government Association of Tasmania General Management Committee.

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
Proposed Motions – LGAT General Meeting Strategic Plan Airport Rating	11 July
Howrah Community Centre – Strategic Plan and Constitution Draft Economic Development Plan 2016-2021 Rokeby Hill Bushland Reserve Activity Plan Food Vans	18 July

RECOMMENDATION:

That Council notes the workshops conducted.

Decision: **MOVED** Ald Chong **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: **NIL.**

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

Nil.

7. PUBLIC QUESTION TIME

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

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

7.1 PUBLIC QUESTIONS ON NOTICE

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

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

Nil.

7.2 ANSWERS TO QUESTIONS ON NOTICE

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

Nil.

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

7.4 QUESTIONS WITHOUT NOTICE

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-2016/149 – 415 AND 429 FLAGSTAFF GULLY ROAD,
LINDISFARNE – REPLACEMENT OF ASPHALT PLANT
(REFER ITEM 11.3.6)**

Mr Ken McGivern of Downer EDI Works addressed the Meeting regarding the above Development Application.

9. MOTIONS ON NOTICE

Nil.

10. REPORTS FROM OUTSIDE BODIES

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

10.1 REPORTS FROM SINGLE AND JOINT AUTHORITIES

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

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

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

Quarterly Reports

March Quarterly Report pending.

Representative Reporting

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

Quarterly Reports

The Copping Refuse Disposal Site Joint Authority has distributed its Quarterly Report for the period 1 January to 31 March 2016.

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

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 gave a report on the winding up of the Authority.

- **TASWATER CORPORATION**

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES**AUDIT PANEL**

(File No 07/02/12)

Chairperson's Report 42 – July 2016

The Audit Panel held a Meeting on 21 June 2016. I attach a copy of the draft Minutes of the Meeting for tabling at Council's Meeting (refer Attachment 1).

The Deputy Auditor General Mr Ric De Santi and the Clarence Audit Manager, Engagement Leader, Mr Derick Burns attended the meeting and provided the Panel with a verbal update in relation to the 2015/16 Annual Audit for Clarence City Council. There were no specific matters arising from the preliminary stage of the Audit that warranted being raised with the Audit Panel.

Mr De Santi provided an outline of the new draft format for the Long Form Audit Report which the Tasmanian Audit Office was trialling at present and was keen to gain feedback. The Panel was also advised that the Tasmanian Audit Office has completed a special audit of the compliance with obligations under legislation and regulations by public sector organisations. The Panel noted that although management comments were invited from all agencies that were respondent to the audit review; in light of the findings of full compliance for Clarence, a response was not considered or warranted.

The Panel was updated on the tender process for the new IT system that was concluded at Council's Meeting of 14 June 2016 when Council resolved to accept Tech 1 as the successful tender. The General Manager provided a further verbal update in respect to the finalisation of contracts and the preparation of plans for implementation, which is expected to commence in July 2016.

The meeting was temporarily adjourned to allow the Panel to conduct a Workshop to give further detailed consideration of its proposed Strategic Forward Audit Programme for the next 3 years. The Panel concluded their Workshop discussions with the view that future Audit Panel activities should primarily focus on Strategic level risks for Council and less focus on matters that:

- potentially overlap external audit focus; and
- areas that are too heavily based on operational matters and focus.

To achieve an effective baseline for future programmes the Panel has sought the preparation of a project scope to facilitate an initial review of Council’s Strategic Risks and Risk Management framework its assumptions, methodology and mitigation measures. It was anticipated that the above project would provide a platform for the Audit Panel to develop its forward program. This project, together with a possible audit project on Volunteer Management, will form the basis of the Panel’s recommendation on a proposed programme for Council adoption following the next Audit Panel meeting.

Project 46

Council Business Continuity Plan is the only outstanding project from the 2015/16 programme. The Consultants did not conclude this project in time for the Panel’s June 2016 meeting and it is now proposed that the project report will be presented at the Panel’s September 2016 meeting.

RECOMMENDATION:

That the Chairperson’s Report be received by Council.

Decision:

MOVED Ald Chong **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

CARRIED

FOR

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)

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 April 2016 to 30 June 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. Waiting outcome of consultation for the Cambridge Master Plan.

2.2. Cambridge Road, Mornington – Painted Bike Lines

Currently being designed. Kerb and 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.

2.4 Clarence Foreshore Trail – Ronnie Street to Tasman Bridge

Construction has been completed to opposite Marana Avenue.

2.5 Clarence Foreshore Trail – Anzac Park to Natone Street

Construction has been completed.

2.6 Mornington Roundabout Pedestrian/Cycling Underpass

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

2.7 Clarence Foreshore Trail – Simmons Park

Work has commenced on the upgrading of the foreshore trail at the northern end of Simmons Park. It is anticipated that this work will be completed in September 2016, subject to weather.

3. RECURRENT INITIATIVES

Further locations for bike parking facilities are being investigated. Two bike racks have been installed near Currency Café in Lindisfarne.

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's decision of 7 December 2015.

Rosny Hill Road – Pram Crossings and Path Upgrade

Design has commenced on the track upgrade and pram crossing along Rosny Hill Road from the overpass passing City View Motel towards Rosny Golf Course.

5. GOVERNANCE MATTERS

Committee Meeting

The Committee held 2 meetings during the quarter on 4 April and 6 June 2016.

6. EXTERNAL LIAISON

CyclingSouth Meetings were held on 20 April and 15 June 2016.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

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

“That the Recommendation be adopted”.

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 April 2016 to 30 June 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**Kangaroo Bay Rivulet Track**

Fencing has been designed and construction is imminent for the section of track located on the Rosny Farm site. The proposed track alignment has been modified adjacent Eastlands and quotes will be sought to enable work to commence.

3. RECURRENT INITIATIVES – MAINTENANCE AND UPGRADES

Tangara Trail – Dirty Bridge Creek Track

Drainage work was carried out on the section between Gellibrand Drive and Delphis Drive.

Tangara Trail – Roscommon Track

A gravel track has been constructed at the southern end of Roscommon from the Ringwood Road entrance to Roscommon Reserve.

Tangara Trail – Saltmarsh Track

A gravel track is being installed along the edge of the Tangara Trail to deal with the boggy areas that occur after rain.

Tangara Trail – Forest Hill Road Track

A natural surface track has been created on Forest Hill Road between the Saltmarsh Track and Farnaby Place.

Charles Darwin Trail

New signage and stencils have been installed to replace missing or vandalised signs.

4. DESIGN AND INVESTIGATION WORK IN PROGRESS

Blessington Track

As per Council's decision of 21 October 2013, a contractor has been appointed to construct the track to Fort Beach. The Aboriginal Heritage Assessment is complete and a permit is required before work can commence.

Clarence Coastal Trail – Mays Beach to Cremorne

A track consultant has been appointed to prepare a report on costings for track construction and safety fencing.

Rokeby to Lauderdale Track

A letter was sent to the Premier and a response was received from the Minister for Police stating that security issues are the reason for refusing the coastal track through the Police Academy property.

Tangara Trail – Roscommon Track

Meetings have been held with the Tasmanian Equestrian Centre and Hobart Archers for extending the trail around the northern perimeter of Roscommon. The archery club have agreed to relocate 6 targets to accommodate the trail.

5. GOVERNANCE MATTERS.**Committee Meeting**

The Committee held 2 General Meetings during the quarter on 14 April 2016 and 9 June 2016.

6. EXTERNAL LIAISON

Nil.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

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

“That the Recommendation be adopted”.

CARRIED

FOR

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

AGAINST

Ald Walker

NATURAL RESOURCE MANAGEMENT – QUARTERLY REPORT

(File No 12-15-02)

Chairperson’s Report – Alderman Kay McFarlane

Report to Council for the 3 month period 1 April 2016 to 30 June 2016.

1. PRINCIPAL OBJECTIVES AND GOALS

The Committee’s prime objectives are to:

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

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

2. CAPITAL WORKS PROJECTS

Nil.

3. RECURRENT INITIATIVES**Clean Up Australia Day**

Clean Up Australia Day was a huge success for 2016. The following results were achieved:

- total tonnes of waste collected: 11.38;
- passenger tyres collected: 44 recycled, 78 to MPWTS - **Total 122**;
- total number of truck tyres collected: 36 recycled - **Total 36**;

- light truck tyres collected: 32 recycled, 11 to MPWTS - **Total 43**;
- total number of estimated participants: 2,500;
- total number of registered sites: 32;
- total number of registered participants: 44;
- total number of community groups participating: 15;
- total number of school groups participating: 8;
- total number of youth groups participating: 6; and
- total number of business groups participating: 3.

Implement Natural Area Reserve Activity Plans

- Entrance landscaping has been administered in several of Council's reserves including:
 - Rosny/Montagu Bay Foreshore Reserve;
 - Bedlam Walls Reserve; and
 - Seven Mile Beach Coastal Reserve.
- Maintenance has been performed, such as brush cutting, pruning and weed control across most natural area reserves.
- A pitched rock foreshore access path at Limekiln Point was installed.

Wetland/Storm Water Retention Basins

Maintenance work, including cumbungi removal, brush cutting and pruning was performed at Cambridge Park Wetland and Otago Bay Freshwater Lagoon. Bio retention basins were excavated for silt and sediment at Rosny, Montagu Bay and Rose Bay.

Priority Weed Management

African boxthorn, boneseed and blackberry were controlled at the Old Lauderdale Tip. Spanish heath was treated in the Mortimer Bay Coastal Reserve. African Boxthorn removal work was done at Tranmere Foreshore Reserve and serrated tussock was treated at Nowra Bushland Reserve.

Landcare Grants Program

Several groups have completed and acquitted funded projects for 2015-16, including Mt Rumney Landcare Group and Glebe Hill Bushland Reserve Landcare Group.

Maintenance Clarendon Vale Rivulet

Brush cutting of the bitumen track verges, removal of dead limbs, mulching, landscaping and rubbish removal have been administered along Council managed sections of the Clarence Plains Rivulet in the last quarter.

Bedlam Walls Project

Follow up Weed Control and replacement planting has been achieved in the last quarter. The 3 year project has now concluded.

Schools Landcare Support Program

A successful planting working bee with students and the School gardener at Cambridge Primary School was organised in June, adjacent to the school along Council's managed Barilla Creek.

Community Clean Up Program

A successful Clean Up Program was completed in this quarter with several groups participating, including Sandford Scout Group, Wildcare Deslacs, Seven Mile Beach Coastcare and Tranmere/Clarence Plains Land & Coast Care Group Inc.

Prison Program Project

The Prison Crew spent several weeks removing radiata pine from Day Use Areas 1 and 2 at Seven Mile Beach, post hand over from Parks and Wildlife. They also spent several weeks hand pulling boneseed at Pilchers Hill Bushland Reserve along with regular maintenance of Council's natural areas in Risdon Vale.

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

Research to be undertaken on what organisations might be involved with feral cat management to compile information that the NRM and Grants Committee can digest for any future recommendations to Council.

Maintenance of Rehabilitated Area – Old Lauderdale Tip

African boxthorn has been controlled along with some other declared weeds. Long grass has been slashed and native plants have been planted to replace weed species.

5. GOVERNANCE MATTERS.**Committee Meeting**

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

6. EXTERNAL LIAISON

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

RECOMMENDATION:

That the Chairperson's Report be received by Council.

Decision: **MOVED** Ald McFarlane **SECONDED** Ald Peers

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

OTHER COMMITTEES**Committee of Management of Business East Inc**

- Ald Hulme tabled the Minutes of a Meeting held on 14 June 2016.

Bellerive Community Arts Centre Management Committee

- Ald Thurley tabled the Minutes of Meetings held on 8 June and 12 July 2016 and the Bank Statements for the periods ending 31 May and 30 June 2016.

Disability Access Advisory Committee

- Ald Thurley tabled the Minutes of a Meeting held on 7 June 2016.

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

(File No 10/02/02)

The Weekly Briefing Reports of 4, 11 and 18 July 2016 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 4, 11 and 18 July 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

Nil.

11.3 PLANNING AUTHORITY MATTERS

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

11.3.1 DEVELOPMENT APPLICATION D-2016/106 - 723 AND 723A OCEANA DRIVE, TRANMERE - DWELLING
(File No D-2016/106)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Single Dwelling at 723 and 723A Oceana Drive, Tranmere.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and is subject to the Parking and Access, Stormwater Management and Waterway and Coastal Protection 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 expires on 26 July 2016.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising the issue of stormwater run-off and drainage.

RECOMMENDATION:

- A. That the Development Application for a Single Dwelling at 723 and 723A Oceana Drive, Tranmere (CI Ref D-2016/106) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. The development must meet all required Conditions of Approval specified by TasWater notice dated 10 June 2016 (TWDA 2016/00307-CCC).
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

**11.3.2 DEVELOPMENT APPLICATION D-2016/209 - 24 NORFOLK DRIVE,
HOWRAH - DWELLING**
(File No D-2016/209)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Dwelling at 24 Norfolk Drive, Howrah.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Bushfire Prone Areas, Landslide 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 with the consent of the applicant and now expires on 27 July 2016.

CONSULTATION

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

- overshadowing;
- damage caused by excavations;
- traffic management; and
- inaccuracy of plans.

RECOMMENDATION:

- A. That the Development Application for a Dwelling at 24 Norfolk Drive, Howrah (CI Ref D-2016/209) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. ADVICE – A soil and water management plan is required as part of a building application for the development, to be in accordance with the Soil and Water Management on Building and Construction Sites guidelines (available from Council).
- 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 29 for Decision on this Item...

**11.3.3 DEVELOPMENT APPLICATION D-2016/181 - 77 OTAGO BAY ROAD,
OTAGO - DWELLING**
(File No D-2016/181)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Dwelling at 77 Otago Bay Road, Otago.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Living and subject to the Car Parking and Access, Stormwater Management, On-site Wastewater Management, Coastal Erosion Hazard 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 27 July 2016 with the written agreement of the applicant.

CONSULTATION

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

- visual bulk;
- privacy;
- overshadowing; and
- devaluation of property value.

RECOMMENDATION:

- A. That the Development Application for Dwelling at 77 Otago Bay Road, Otago (CI Ref D-2016/181) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AP3 – AMENDED PLANS [south facing upper level “dining room” window modified to either have a sill height of at least 1.7m above the floor level, or a fixed obscure glazing extending to a height of at least 1.7m above the floor level, or being deleted].

3. Certification from a suitably qualified geological engineer must be provided demonstrating that the on-site wastewater treatment system tank located within the Coastal Erosion Hazard Code is capable of withstanding future erosion related events. The certification must be submitted to and approved by Council's Group Manager Asset Management prior to the issue of a Building Permit or a Special Plumbing Permit.
 4. A plan for the management of demolition and construction works must be submitted and approved by Council's Manager City Planning prior to the issue of a Building Permit. The plan must outline the proposed demolition and construction practices in relation to:
 - weed hygiene methods to prevent the spread of weeds and soil based pathogens to and from the property during construction;
 - procedures to prevent soil and debris being carried onto the river;
 - parking for employees involved in demolition and construction;
 - how works would be undertaken generally in accordance with "Wetlands and Waterways Works Manual" (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010).
 5. Native vegetation must not be removed from the site without further approval from Council, unless exempt under the relevant planning scheme applying to the land.
- 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	
	FOR	AGAINST
	Ald Chipman	Ald James (abstained)
	Ald Chong	
	Ald Cusick	
	Ald Doust	
	Ald Hulme	
	Ald McFarlane	
	Ald Peers	
	Ald Thurley	
	Ald von Bertouch	
	Ald Walker	

**11.3.4 DEVELOPMENT APPLICATION D-2016/241 - 9 CORINTH STREET,
HOWRAH - DEMOLITION AND NEW DWELLING**
(File No D-2016/241)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for demolition of the existing dwelling and a new dwelling at 9 Corinth Street, Howrah.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and Open Space and subject to the Parking and Access, Inundation Prone Areas, and Waterway & Coastal Protection 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 expires on 2 August 2016.

CONSULTATION

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

- visual amenity;
- loss of views;
- loss of sunlight and overshadowing; and
- sewer connection location.

RECOMMENDATION:

- A. That the Development Application for Demolition and New Dwelling at 9 Corinth Street, Howrah (CI Ref D-2016/241) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. ENG S1 – INFRASTRUCTURE REPAIR.
 3. ENG S11 – SEALING OF SERVICES.
- 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 33 for Decision on this Item...

**DEVELOPMENT APPLICATION D-2016/241 - 9 CORINTH STREET, HOWRAH -
DEMOLITION AND NEW DWELLING /contd...**

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

**11.3.5 DEVELOPMENT APPLICATION D-2016/207 - 2 KELLATIE ROAD, ROSNY
- ALTERATIONS AND ADDITIONS TO DWELLING**
(File No D-2016/207)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Alterations and Additions to a Dwelling at 2 Kellatie Road, Rosny.

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 expires on 29 July 2016.

CONSULTATION

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

RECOMMENDATION:

- A. That the Development Application for Alterations and Additions to Dwelling at 2 Kellatie Road, Rosny (C1 Ref D-2016/207) be refused subject to the following reasons:
1. The proposal does not meet the Performance Criteria of Clause 10.4.2 P2 in that the proposed building would not be compatible with the setback of existing garages or carports in the street.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.3.6 DEVELOPMENT APPLICATION D-2016/149 - 415 AND 429 FLAGSTAFF GULLY ROAD, LINDISFARNE - REPLACEMENT OF ASPHALT PLANT
(File No D-2016/149)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for the Replacement of an Asphalt Plant at 415 and 429 Flagstaff Gully Road, Lindisfarne.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Resource and subject to the Potentially Contaminated Land, Parking and Access, Stormwater Management, Attenuation, and Waterway and Coastal Protection 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 expires on 28 August 2016.

CONSULTATION

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

- impact on air quality;
- hours of operation;
- traffic impact; and
- public consultation.

RECOMMENDATION:

- A. That the Development Application for Replacement of Asphalt Plant at 415 and 429 Flagstaff Gully Road, Lindisfarne (Cl Ref D-2016/149) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AP3 – AMENDED PLANS [- setbacks of the plant, site office and stockpiles measured perpendicular to the property boundaries;
 - a minimum of 6 car parking spaces; and
 - elevation plans for the site office and stockpile canopies,].

3. The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B (Page 7 of 17), which the Board of the Environment Protection Authority (EPA) has required the planning authority to include in the permit, pursuant to Section 25(5) of the Environmental Management and Pollution Control Act, 1994.
 4. The development must meet all required Conditions of Approval specified by TasWater notice dated 11 May 2016 (TWDA 2016/00473-CCC).
 5. A plan for the construction of the stormwater outlet, including the pipe and stone headwall, must be submitted and approved by Council's Group Manager Asset Management prior to the issue of a Building Permit. The plan must outline how works would be undertaken generally in accordance with "Wetlands and Waterways Works Manual" (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010).
 6. **ADVICE** – In accordance with the Building Act 2000, a bushfire hazard management plan and emergency plan must be submitted with the application for a building permit.
 7. **ADVICE** – To maintain good communication with surrounding residents about occasional early morning and late night works, the operator is encouraged to consider extending its current notification arrangements for residents of Eurobin Street and Walana Street, Geilston Bay.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

<p>Decision: MOVED Ald Peers SECONDED Ald Cusick</p> <p> "That the Recommendation be adopted".</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>

11.3.7 DEVELOPMENT APPLICATION D-2016/184 - 3131 SOUTH ARM ROAD, SOUTH ARM - DEMOLITION OF EXISTING DWELLING AND 3 MULTIPLE DWELLINGS

(File No D-2016/184)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for Demolition of the Existing Dwelling and 3 Multiple Dwellings at 3131 South Arm Road, South Arm.

RELATION TO PLANNING PROVISIONS

The land is zoned Village and is subject to the Road and Rail Assets Code, Parking and Access Code, Stormwater Management Code and On-site Wastewater Management Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which expires with the consent of the applicant on 27 July 2016.

CONSULTATION

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

- stormwater drainage;
- setbacks;
- inadequacy of off-street parking;
- visual impact;
- privacy;
- lack of private open space;
- overshadowing;
- inconsistency with character of area; and
- decrease in property values.

A representation from the Department of State Growth was also received although later withdrawn.

RECOMMENDATION:

A. That the Development Application for Demolition of Existing Dwelling and 3 Multiple Dwellings at 3131 South Arm Road, South Arm (Cl Ref D-2016/184) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. GEN M5 – ADHESION [the issue of a Building Permit].
 3. LAND 1A – LANDSCAPE PLAN.
 4. LAND 2 – LANDSCAPE BOND (RESIDENTIAL).
 5. GEN C1 – ON-SITE CAR PARKING [7 spaces].
 6. ENG A1 – NEW CROSSOVER.
 7. ENG A4 – DSG ACCESS.
 8. ENG A6 – SEALED CAR PARKING.
 9. ENG A7 – REDUNDANT CROSSOVER.
 10. ENG S1 – INFRASTRUCTURE REPAIR.
 11. ENG M1 – DESIGNS DA [Access, car park and driveways, service upgrades and relocations, stormwater].
 12. A 6m wide sealed access is required to be constructed to service each property title from the road carriageway to the property boundary in accordance with the Tasmanian Standard Drawings (TSD-R03- Rural). This access must be inspected by Council prior to the sealing or pouring new concrete.
 13. Following construction, the crossover must be maintained or repaired at the owner’s expense in accordance with any directions given by Council to the owner.
- 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 Hulme **SECONDED** Ald Chong

“That the Recommendation be adopted”.

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**11.5.1 ROKEBY HILLS BUSHLAND RESERVE ACTIVITY PLAN – 2016-2020**

(File No 12-06-08)

EXECUTIVE SUMMARY**PURPOSE**

To consider the adoption of the Rokeby Hills Bushland Reserve Activity Plan 2016-2020 following community consultation.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2010-2015 and Community Participation Policy are relevant.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

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

FINANCIAL IMPLICATIONS

The adoption of the Rokeby Hills Bushland Reserve Activity Plan 2016-2020 has no direct financial impact. The implementation of the Rokeby Hills Bushland Reserve Activity Plan 2016-2020 is planned to be staged over a number of financial years, subject to Council approval of future Annual Plans.

RECOMMENDATION:

That Council adopts the Rokeby Hills Bushland Reserve Activity Plan 2016-2020.

Decision: **MOVED** Ald James **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 QUARTERLY REPORT TO 30 JUNE 2016**

(File No 10/02/05)

EXECUTIVE SUMMARY**PURPOSE**

To consider the General Manager's Quarterly Report covering the period 1 April 2016 to 30 June 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 30 June 2016 be received.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.7.2 CONSTITUTION FOR HOWRAH COMMUNITY CENTRE COMMITTEE

(File No H023-11)

EXECUTIVE SUMMARY**PURPOSE**

To consider a revised Constitution for the Howrah Community Centre (formerly Howrah Recreation Centre Management Committee).

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2010-2015 Mission is: *"to represent the people of Clarence by providing leadership, programs, services and facilities to advance the quality of life in Clarence"*.

LEGISLATIVE REQUIREMENTS

Council has established a number of Management Committees as Special Committees under the provisions of Section 24 of the Local Government Act, 1993 including a Committee to run the Howrah Community Centre.

CONSULTATION

Consultation has occurred between the appointed Representatives, Council officers and the Management Committee in respect to the new Constitution.

FINANCIAL IMPLICATIONS

Nil.

RECOMMENDATION:

- A. That the revised Committee Constitution for the Howrah Community Centre be adopted.
- B. That implementation of the revised Constitution be as follows:
- come into full effect at the 2016 Annual General Meeting for the Committee; and
 - suitable transition arrangement to be effected for the filling of Committee member positions based on the new Committee structure proposed.

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

"That the Recommendation be adopted".

CARRIED UNANIMOUSLY

11.7.3 DRAFT ECONOMIC DEVELOPMENT PLAN 2016-2021

(File No 20-21-01)

EXECUTIVE SUMMARY**PURPOSE**

To consider the adoption of an Economic Development Plan 2016-2021.

RELATION TO EXISTING POLICY/PLANS

The establishment of an economic development plan is consistent with the goal within Council's Strategic Plan 2010-2015 to plan, lead and provide for the sustainable economic growth of the City.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

A public consultation program involving the community, business and industry sector groups and government agencies has been undertaken.

FINANCIAL IMPLICATIONS

If the 5 year Economic Development Plan is adopted, it will be implemented through Council's Annual Plan and Capital Works Programme, with priorities identified annually.

RECOMMENDATION:

That the Clarence City Council Economic Development Plan 2016-2021 be adopted.

Decision: **MOVED** Ald Hulme **SECONDED** Ald Chong

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

12. ALDERMEN'S QUESTION TIME

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

12.1 QUESTIONS ON NOTICE

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

Nil.

12.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

12.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

12.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

13. CLOSED MEETING

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

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

13.1 APPLICATIONS FOR LEAVE OF ABSENCE

13.2 JOINT AUTHORITY MATTER

13.3 TENDER T1106-16 – TOPHAM STREET – RECONSTRUCTION WORKS

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

- contracts and tenders for the supply of goods and services;
- information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;
- applications by Aldermen for a Leave of Absence.

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

Decision:

PROCEDURAL MOTION

MOVED Ald Chong **SECONDED** Ald Hulme

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

CARRIED UNANIMOUSLY

CLOSED MEETING /contd...

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

13.3 TENDER T1106-16 – TOPHAM STREET - RECONSTRUCTION WORKS

(File No T1106-16)

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

“A. That the tender from Batchelor Construction Group Pty Ltd for \$319,169.70, excluding GST, be accepted for the Topham Street Reconstruction works.

B. That, in accordance with Regulation 34(3) of the Local Government (Meetings Procedures) Regulations 2015, Council authorises for release the Council’s decision (only) in respect to this item to the general public and for communication to relevant parties.

C. That Council release to the public their decision only in regard to this matter”.

CARRIED**FOR**

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

AGAINST

Ald James (abstained)

The Meeting closed at 8.54pm.