

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 26 OCTOBER 2015

HOURLY CALLED: 7.30pm

PRESENT: The meeting commenced at 7.31pm with the Mayor (Ald D C Chipman) in the Chair and with Aldermen:

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

1. APOLOGIES Nil

ORDER OF BUSINESS Items 1 – 13

IN ATTENDANCE General Manager
(Mr A Paul)
Acting Group Manager Asset Management
(Mr R Graham)
Corporate Secretary
(Mr A van der Hek)
Corporate Treasurer
(Mr F Barta)
Manager City Planning
(Mr R Lovell)
Manager Health and Community Development
(Mr J Toohey)
Co-ordinator Council Support
(Ms J Ellis)

The Meeting closed at 9.30pm.

“That prior to the commencement of the meeting, the Mayor will make 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”.

COUNCIL MEETING
MONDAY 26 OCTOBER 2015

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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 5 October 2015, as circulated, be taken as read and confirmed.

Decision:

MOVED Ald Peers **SECONDED** Ald Chong

“That the Minutes of the Council Meeting held on 5 October 2015, as circulated, be taken as read and confirmed”.

CARRIED

FOR

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

AGAINST

Ald von Bertouch (abstained)

3. MAYOR'S COMMUNICATION

Nil.

4. COUNCIL WORKSHOPS

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

PURPOSE	DATE
Strategic Planning Workshop Bellerive Parking	12 October
Presentation – Economic Development Plan Presentation – Copping C-Cell and Update Trading Operations Draft Clarence Interim Planning Scheme	19 October

RECOMMENDATION:

That Council notes the workshops conducted.

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

“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 Campbell Item No. 11.3.7

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**LAUDERDALE STRUCTURE PLAN****Question**

Mr Figg made an observation regarding the tender advertisement which referenced a capability study and the tender scope of works which referenced a feasibility study and that a tender has not yet been awarded. Based on these observations sought clarification from the Council in respect to the following questions:

- When a tender is awarded are they (the consultant) in this process coming up with an amendment to the Lauderdale Structure Plan and also an adjustment to the urban growth boundary?
- Could we have a timeline for both the tender to be announced and when the project will be finished?

Response

The General Manager advised that tenders had closed; interviews have been conducted with those determined as suitable and currently going through a process of determining who to award the tender to. This determination is hoped to be concluded in the next 2 - 3 weeks. In so far as the project timeline this is being worked through with the shortlisted parties. It is a process that will take several months to complete.

Question

Mr Figg then sought clarification on the following question:

- In respect to the Lauderdale Structure Plan and the urban growth boundary; are these going to be dealt with in this project?

Response

The General Manager advised that it would be anticipated that the outputs that Council will get from the consultants will provide recommendations in relation to amendments to the Lauderdale Structure Plan and proposed amendments to the urban growth boundary.

Question

Mr Figg then put forward an understanding that there was a directive from the Minister that the urban growth boundary and the Lauderdale Structure Plan be amended and then sought clarification on the following question:

- That the \$100,000 allocated to the project will not provide that outcome?

Response

The Mayor advised the meeting that this question appeared to open debate on the matter and that given that there was a meeting scheduled on 3 November 2015 with Mr Figg that these matters could be discussed and advised in detail in that forum.

/ contd on Page 10...

QUESTIONS WITHOUT NOTICE /contd...

CLARENCE INTERIM PLANNING SCHEME

Question

Mr Figg then sought clarification on the following matters pertaining to submissions on the Clarence Interim Planning Scheme:

- Is it correct that the public will not be provided with access to the submissions Council has received in response to the advertising of the Scheme and how the Council was going to deal with this?

Response

The General Manager advised that the details of all the submissions received will be provided to the Council for its consideration. As a public format this will be presented as summary of particular points raised in the representations made and matters to be considered. Council generally does not, as a matter of standard practice, make public the names and addresses of those person making submissions on the understanding that in many cases there is an expectation that they remain confidential.

The Mayor advised Mr Figg that it was not appropriate to use Public Question Time to make further statements. The Mayor asked if Mr Figg had another question. The Mayor then reminded Mr Figg of the meeting scheduled for 3 November 2015 and that he was happy to expand on this matter in those discussions. It was further suggested that Mr Figg could consider placing his questions on notice as another means of having his question on the public record.

There were no further public questions.

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-2015/349 – 51 TRANMERE ROAD, HOWRAH – 2 MULTIPLE DWELLINGS

(REFER ITEM 11.3.5)

Mrs Sally Mollison addressed the Meeting regarding the above Development Application.

DOG POLICY

Mr Jon Price addressed the Meeting regarding the above matter.

9. MOTIONS ON NOTICE

9.1 NOTICE OF MOTION – ALD MCFARLANE MULTI-USER PATHWAY - ROKEBY

(File No 10-03-05)

At Council's Meeting of 14 September 2015 it was **resolved**: *“That this Item lay on the Table for relisting in 2 meetings time”*.

The matter is now relisted for consideration.

In accordance with Notice given Ald McFarlane intended to move the following Motion

“That Council is provided with a design plan and costings for a multi-user pathway from:

- 1 The round-a-bout at the Rokeby Police Academy to approximately 309 Rokeby Road.
- 2 A costing for acquisition of land for the Rokeby Highway to the foreshore.
- 3 Investigate the best position for its location and include land outside of the road reserve to maintain and create a permanent access route for the multi-user pathway along the road.
- 4 Costings for continuation for 309 Rokeby Road to the Lauderdale School intersection”.

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

“That this Item lay on the Table for relisting in 2 meetings time”.

CARRIED

FOR

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

AGAINST

Ald Thurley (abstained)
Ald Walker (abstained)

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

The Southern Tasmanian Councils Authority has distributed its Quarterly Report for the period 1 April to 30 June 2015.

RECOMMENDATION:

That the Quarterly Report of the Southern Tasmanian Councils Authority for the Quarter ending 30 June 2015 be received.

Decision: **MOVED** Ald Chong **SECONDED** Ald McFarlane

“That the Quarterly Report of the Southern Tasmanian Council Authority for the Quarter ending 30 June 2015 be received”.

CARRIED UNANIMOUSLY

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 Reports for the periods 1 January to 31 March 2015 and 1 April to 30 June 2015.

In accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2005 the Reports will be tabled in Closed Meeting.

Representative Reporting

REPORTS FROM SINGLE AND JOINT AUTHORITIES /contd...

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

Quarterly Reports

The Southern Waste Strategy Authority has distributed its Quarterly Report for the period 1 April to 30 June 2015.

RECOMMENDATION:

That the Quarterly Report of the Southern Waste Strategy Authority for the Quarter ending 30 June 2015 be received.

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

“That the Quarterly Report of the Southern Waste Strategy Authority for the Quarter ending 30 June 2015 be received”.

CARRIED UNANIMOUSLY

Representative Reporting

- **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 July 2015 to 30 September 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**

Parking survey has been completed recording a 15% parking density along this section of Cambridge Road.

2.2. Cambridge Road, Mornington – Painted Bike Lines

Investigation and design has commenced.

2.3. Tranmere Road – Missing Section of Foreshore Trail

Construction has now been completed.

2.4. Flagstaff Gully Road – Fairway Rise to Flagstaff Gully Road

Construction has now been completed.

2.5. Clarence Foreshore Trail – Camelot Park to Pindos Park

Waiting on completion of the Aboriginal Heritage assessment of the path alignment before proceeding with construction. Crown Land Services have issued a Works Permit for the project.

3. RECURRENT INITIATIVES

Further locations for bike parking facilities are being investigated.

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

Meetings have been held on 15 September and 30 September with representatives of Department of State Growth, RACT, Metro, Safety Advisory Council and Bicycle Network Tasmania to assess the feasibility of these recommendations and how they will impact the design and function of Clarence Street.

5. GOVERNANCE MATTERS.**Committee Meeting**

The Committee held 1 meeting during the quarter on 24 August 2015.

6. EXTERNAL LIAISON

CyclingSouth Meetings held on 1 July and 23 September 2015.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

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

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

CARRIED UNANIMOUSLY

TRACKS AND TRAILS ADVISORY COMMITTEE

(File No 07-06-09)

Chairperson's Report – Alderman R James

Report to Council for the 3 month period for 1 July 2015 to 30 September 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**Meehan Range and Clarence Mountain Bike Park**

A new extension has been added to the Corkscrew Track within the Mountain Bike Park, a beginners by-pass has been constructed on the XC loop and upgrades have been carried out on the Grassy Valley Descent Track.

Council has signed a licence agreement with Hansens Quarry to allow the public to use tracks on their land. Signage which includes Hansens logo has been installed at track intersections where the Skyline Fire Trail meets with the Stringbark Gully Track, Big Hill By-pass Track and Flagstaff Hill Track.

A new track has been constructed to the Council-owned summit of Flagstaff Hill and work has started on a new Caves Hill Track (track construction work is being donated by Dirt Art and the Meehan Range Trail Groomers at no cost to Council).

429 Flagstaff Gully Road – Rocky Tom

The Committee recognise the significant recreational values of this property that is currently for sale and moved the following motion at its Meeting held on 13 August 2015.

“MOTION: The Tracks and Trails Committee recommends that Council acquire this area as Public Open Space to create a Meehan Skyline Trail that links Pilchers Hill Reserve with the Meehan Range Recreation Area and Clarence Mountain Bike Park and to secure public access to Rocky Tom and Caves Hill.

The resolution was carried by the Committee”.

Council officers are currently assessing the property to determine the extent of illegal dumping and remediation costs. This will be discussed at a future Council Workshop.

Kangaroo Bay Rivulet Track

Work has commenced on the track inside Rosny Barn. A fencing contractor has been awarded the work to fabricate and erect safety fencing which is scheduled to be installed in October/November prior to track work commencing.

Clarence Coastal Trail - Rokeby to Lauderdale

The Tracks and Trails Committee moved the following motion at its Meeting held on 10 September 2015.

“MOTION: The Tracks and Trails committee wish Council to continue discussions with the Minister. The committee recommends that the Mayor and Chair of the Tracks and Trails Committee communicate with the Minister of Infrastructure requesting that the track be reconsidered in light of the previous commitments Council has made to the development of the trail for the Clarence and broader community.

The communication should cover elements such as:

- *Establishment of a Tracks and Trails Committee*
- *Development and adoption of Tracks and Trails Strategies*
- *Development and adoption of Tracks and Trails Action Plans*
- *Zoning in respective planning schemes*
- *Community survey*
- *Budgeting*

Council acknowledges that the Academy has security requirements and is receptive to addressing these concerns through:

- *Fencing*
- *Management plans*

CARRIED UNANIMOUSLY”.

3. RECURRENT INITIATIVES – MAINTENANCE AND UPGRADES

Tracks and Trails Action Plan 2015-2020

The Action Plan was adopted by Council

4. DESIGN AND INVESTIGATION WORK IN PROGRESS

Blessington Track

An Aboriginal Heritage Assessment will be carried out in October to check for Aboriginal relics on the site of the proposed track.

5. GOVERNANCE MATTERS.

Committee Meeting

The Committee held 2 General Meetings during the quarter on 16 July 2015 and 13 August 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 18 for Decision on this Item...

TRACKS AND TRAILS ADVISORY COMMITTEE /contd...

Decision: **MOVED** Ald James **SECONDED** Ald Chong

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

CARRIED

FOR

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

AGAINST

Ald Thurley (abstained)
Ald Walker (abstained)

Hobart International Airport Community Aviation Consultation Group

- Ald Chipman tabled the Minutes of a Meeting held on Monday, 24 August 2015.

South East Region Development Association (SERDA)

- Ald Chipman tabled the Minutes of a Meeting held on Thursday, 16 April 2015.

Committee of Management of Business East

- Ald Hulme tabled the Minutes of a Meeting held on Tuesday, 8 September 2015.

Lindisfarne Community Activities Centre Management Committee

- Ald Peers tabled the Minutes of a Meeting held on Thursday, 15 October 2015.

Seafarers Festival

- Ald von Bertouch gave a verbal report on the successful conduct of the Seafarers Festival.

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

(File No 10/02/02)

The Weekly Briefing Reports of 5, 12 and 19 October 2015 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 5, 12 and 19 October 2015 be noted.

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

“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-2015/364 - 9 ORMOND STREET, BELLERIVE - ADDITIONS TO DWELLING
(File No D-2015/364)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an addition to an existing single dwelling at 9 Ormond Street, Bellerive.

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 as the proposal does not meet the acceptable solutions for building envelope and private open space under the zone.

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 28 October 2015 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 issues:

- visual bulk and overshadowing; and
- location of sewer main.

RECOMMENDATION:

- A. That the Development Application for additions to dwelling at 9 Ormond Street, Bellerive (CI Ref D-2015/364) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AP3 – AMENDED PLAN [retaining wall of the “planter” with a minimum setback of 1.5m from the south-eastern boundary].
 3. ENG A1 – NEW ACCESS replace “each lot must be provided with a minimum 3.0m” with “The new access must be a minimum 3.6m” [TSD R-09].
 4. ENG S1 – INFRASTRUCTURE REPAIR.

5. The development must meet all required Conditions of Approval specified by TasWater notice dated 5 October 2015 (TWDA 2015/01427-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 McFarlane

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.3.2 DEVELOPMENT APPLICATION D-2015/307 - 13 PARK STREET, BELLERIVE - 2 MULTIPLE DWELLINGS (1 EXISTING + 1 NEW)
(File No D-2015/307)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 2 Multiple Dwellings (1 existing plus 1 new) at 13 Park Street, Bellerive.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended to expire on 28 October 2015.

CONSULTATION

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

- details on plans; and
- overshadowing.

RECOMMENDATION:

- A. That the Development Application for 2 Multiple Dwellings (1 existing + 1 new) at 13 Park Street, Bellerive (CI Ref D-2015/307) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. ENG M1 – DESIGNS DA.
 3. ENG A5 – SEALED CAR PARKING.
 4. ENG S1 – INFRASTRUCTURE REPAIR.
 5. ENG S4 – STORMWATER CONNECTIONS.
 6. The development must meet all required Conditions of Approval specified by TasWater notice dated 07/08/2015 (TWDA 2015/01202-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 Walker SECONDED Ald McFarlane																								
	“That the Recommendation be adopted”.																								
	CARRIED																								
	<table><tr><td>FOR</td><td>AGAINST</td></tr><tr><td>Ald Campbell</td><td>Ald James</td></tr><tr><td>Ald Chipman</td><td></td></tr><tr><td>Ald Chong</td><td></td></tr><tr><td>Ald Cusick</td><td></td></tr><tr><td>Ald Doust</td><td></td></tr><tr><td>Ald Hulme</td><td></td></tr><tr><td>Ald McFarlane</td><td></td></tr><tr><td>Ald Peers</td><td></td></tr><tr><td>Ald Thurley</td><td></td></tr><tr><td>Ald von Bertouch</td><td></td></tr><tr><td>Ald Walker</td><td></td></tr></table>	FOR	AGAINST	Ald Campbell	Ald James	Ald Chipman		Ald Chong		Ald Cusick		Ald Doust		Ald Hulme		Ald McFarlane		Ald Peers		Ald Thurley		Ald von Bertouch		Ald Walker	
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Ald McFarlane																									
Ald Peers																									
Ald Thurley																									
Ald von Bertouch																									
Ald Walker																									

11.3.3 DEVELOPMENT APPLICATION D-2015/353 - 7 ESPLANADE, SEVEN MILE BEACH - DWELLING ADDITION
(File No D-2015/353)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a dwelling addition at 7 Esplanade, Seven Mile Beach.

RELATION TO PLANNING PROVISIONS

The land is zoned Village and subject to the Coastal Erosion Hazard and Inundation Prone Areas 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 was extended with the consent of the applicant to 27 October 2015.

CONSULTATION

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

RECOMMENDATION:

- A. That the Development Application for a dwelling addition at 7 Esplanade, Seven Mile Beach (CI Ref D-2015/353) be approved subject to the following condition and advice.
1. GEN AP1 – ENDORSED PLANS.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.3.4 DEVELOPMENT APPLICATION D-2015/308 - 81 SOUTH STREET, BELLERIVE - 3 MULTIPLE DWELLINGS (2 NEW AND 1 EXISTING)
(File No D-2015/308)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 3 Multiple Dwellings (2 new and 1 existing) at 81 South Street, Bellerive.

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 is extended with the consent of the applicant until 28 October 2015.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 4 representations were received raising the following issues:

- overshadowing;
- loss of privacy;
- visual impact of buildings due to size and height;
- colours not shown;
- removal of trees without approval;
- drainage;
- external lighting should be baffled;
- devaluation of adjoining properties; and
- discrepancy in measurements from existing dwelling and proposed dwellings to the boundary.

RECOMMENDATION:

A. That the Development Application for 3 Multiple Dwellings (2 new + 1 existing) at 81 South Street, Bellerive (CI Ref D-2015/308) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. ENG A2 – CROSSOVER CHANGE [5.5M].
3. ENG A5 – SEALED CAR PARKING.

4. ENG M1 – DESIGNS DA.
 5. ENG S1 – INFRASTRUCTURE REPAIR.
 6. ENG S2 – SERVICES.
 7. The development must meet all required Conditions of Approval specified by TasWater notice dated 10 September 2015 (TWDA 2015/01203-CCC).
 8. ADVICE 19 - STREET NUMBERING.
- 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 Walker **SECONDED** Ald Hulme

“That the Recommendation be adopted”.

CARRIED**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
Ald McFarlane

**11.3.5 DEVELOPMENT APPLICATION D-2015/349 - 51 TRANMERE ROAD,
HOWRAH - 2 MULTIPLE DWELLINGS**
(File No D-2015/349)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 2 Multiple Dwellings at 51 Tranmere Road, Howrah.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and is affected by the Coastal Erosion Hazard 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 3 November 2015.

CONSULTATION

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

- privacy;
- amenity;
- overshadowing; and
- views.

RECOMMENDATION:

A. That the Development Application for 2 Multiple Dwellings at 51 Tranmere Road, Howrah (Cl Ref D-2015/349) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. ENG A2 – CROSSOVER CHANGE [5.5M].
3. ENG A5 – SEALED CAR PARKING.
4. ENG M1 – DESIGNS DA.
5. ENG S1 – INFRASTRUCTURE REPAIR.

6. The development must meet all required Conditions of Approval specified by TasWater notice dated 30/9/2015 (TWDA 2015/01361-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 Cusick SECONDED Ald Chong																						
	“That the Recommendation be adopted”.																						
	CARRIED																						
	<table><tr><td>FOR</td><td>AGAINST</td></tr><tr><td>Ald Campbell</td><td>Ald James</td></tr><tr><td>Ald Chipman</td><td>Ald McFarlane</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>	FOR	AGAINST	Ald Campbell	Ald James	Ald Chipman	Ald McFarlane	Ald Chong		Ald Cusick		Ald Doust		Ald Hulme		Ald Peers		Ald Thurley		Ald von Bertouch		Ald Walker	
FOR	AGAINST																						
Ald Campbell	Ald James																						
Ald Chipman	Ald McFarlane																						
Ald Chong																							
Ald Cusick																							
Ald Doust																							
Ald Hulme																							
Ald Peers																							
Ald Thurley																							
Ald von Bertouch																							
Ald Walker																							

**11.3.6 DEVELOPMENT APPLICATION D-2015/355 - 34 BALOOK STREET,
LAUDERDALE - DWELLING**
(File No D-2015/355)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a new dwelling at 34 Balook Street, Lauderdale.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and is affected by the Waterway and Coastal Protection, Inundation Prone Areas and Coastal Erosion Hazard 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 28 October 2015.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising the issue of water views from nearby property.

RECOMMENDATION:

- A. That the Development Application for a new dwelling at 34 Balook Street, Lauderdale (CI Ref D-2015/355) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. The foundations of the dwelling must be designed and constructed in such a manner as to extend into the stable foundation layer as determined by the Coastal Vulnerability Report (prepared by GES, dated August 2015) submitted with the application.
 3. The development must meet all required Conditions of Approval specified by TasWater notice dated 3/9/2015 (TWDA 2015/01525-CCC).
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

/ Refer to Page 32 for Decision on this Item...

**DEVELOPMENT APPLICATION D-2015/355 - 34 BALOOK STREET,
LAUDERDALE – DWELLING /contd...**

Decision:

MOVED Ald Thurley **SECONDED** Ald McFarlane

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.3.7 SUBDIVISION APPLICATION SD-2015/37 - 760 DORANS ROAD AND 167 DIXON POINT ROAD, SANDFORD - 5 LOT SUBDIVISION (PLUS BALANCE)

(File No SD-2015/37)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application for a 5 lot subdivision (plus balance) at 760 Dorans Road and 167 Dixon Point Road, Sandford.

RELATION TO PLANNING PROVISIONS

The application the subject of this report was lodged under the previous Clarence Planning Scheme 2007. Although valid, the application was undetermined at the time the Clarence Interim Planning Scheme 2015 was declared. Pursuant to Section 30FA of the Land Use Planning and Approvals Act, 1993 (LUPAA) the application must be determined in accordance with the provisions of the former scheme.

Under the Clarence Planning Scheme 2007 (the Scheme) the land was zoned Recreation, Rural Residential and Landscape Skyline and Conservation. Additionally, parts of the site are subject to the Vegetation, Coastal Management and Coastal Erosion Hazard Overlays under 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 was required to exercise a discretion within the statutory 42 day period which expired on 11 August 2015 but extended with the written consent of the applicant until 28 October 2015.

CONSULTATION

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

- safety, capacity and standard of Dorans Road;
- public access to the foreshore;
- public access to Dixon Point Road;
- protection of threatened species; and
- owner consent.

RECOMMENDATION:

A. That the application for a 5 lot Subdivision (plus balance) at 760 Dorans Road and 167 Dixon Point Road, Sandford (CI Ref SD-2015/37) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. GEN AP3 – AMENDED PLAN [
 - a 6.0m wide combined public walkway and drainage reserve on southern boundary of Lot 4 from the Dorans Road extension to the proposed foreshore reservation. (The foreshore POS Lot 200 may be reduced in area by this equivalent amount and lots may be altered as necessary to achieve the required 2.0ha minimum lot area within the Rural Residential Zone);
 - the deletion of the freehold access strip from Dorans Road to the balance lot (which may be replaced with an alternate right-of-way easement over Lot 5 if desired);
 - road widening at the termination of Dorans Road to facilitate a turning head; and
 - revised staging reflecting the altered configuration. The A 6.0m wide public walkway and drainage reserve may be provided as a separate lot in the second stage.]
3. GEN F2 – COVENANTS [The 6.0m wide widened right-of-way's through the property at 760 Dorans Road. An additional right-of-way may be provided through Lot 5 to the balance lot].
4. GEN M2 – NO WORKS.
5. A Coastal Management Plan addressing the recommendations of the Pitt and Sherry Coastal Vulnerability Appraisal (accompanying the application and dated 30 June 2015) must be submitted to and approved by Council's Manager City Planning prior to the commencement of the development. When approved, the plans will form part of the permit.
6. PROP 2 – POS FENCING.
7. PROP 3 – TRANSFER.
8. ENG A1 – NEW CROSSOVER [TSD-R03 and RO4] Replace “3.0m” with “3.6m”.
9. ENG A3 – COMBINED ACCESS [MSD-02].
10. ENG M2 – DESIGNS SD. Delete “stormwater drainage”. After last sentence add “The road reservation at the southern end of the proposed development (Lot 101) is to be widened to a minimum of 25m to accommodate a rural type cul-de-sac in accordance with TSD-R08. Provision is to be made to facilitate road drainage for the road extension which may require scour prevention treatment”.
11. ENG M5 – EROSION CONTROL.
12. ENG M8 – EASEMENTS.

13. ENG R3 – RURAL ROAD. After last sentence add “Stage 1 of the development will require the formation of Dorans Road to be extended and constructed, in accordance with an S4 category and TSD-R02 with a gravel surface only until Stage 2 when it is to be sealed. The combined access strip and right-of-way, over Lot 1, is to be constructed and sealed to a minimum width of 5.5m for the full distance it services both Lots 1 and 2 and must be completed prior to the sealing of Lot 1”.
 14. ENG R5 – ROAD EXTENSION.
 15. ENG S1 – INFRASTRUCTURE REPAIR.
 16. ENG S2 – SERVICES.
 17. EHO 4 – NO BURNING.
 18. ADVICE 19 – STREET NUMBERING.
 19. ADVICE - If the existing internal drains require relocating, an application for plumbing permit will be required and a certificate of completion must be issued prior to sealing of the subdivision.
- 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 Campbell declared an Interest in this Item and left the Meeting prior to discussion (8.20pm).

Decision:	MOVED Ald Walker SECONDED Ald Peers “That the Recommendation be adopted”. CARRIED UNANIMOUSLY
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Ald Campbell returned to the Meeting at this stage (8.27pm).

11.3.8 SUBDIVISION APPLICATION SD-2014/44 - 28 AND 30 KING STREET AND 181 MOCKRIDGE ROAD, ROKEBY - 180 LOT SUBDIVISION
(File No SD-2014/44)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider a Consent Memorandum to settle an appeal against Council's refusal of a 180 lot subdivision at 28 and 30 King Street and 181 Mockridge Road, Rokeby.

RELATION TO PLANNING PROVISIONS

The land is zoned Residential and subject to the Heritage and Vegetation Management Overlays under the Clarence Planning Scheme 2007 (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.

CONSULTATION

Following mediation conducted through the Resource Management and Planning Appeal Tribunal (RMPAT) since the lodgement of an appeal by the proponent against Council's refusal, a conditional permit is recommended. The draft permit is attached, and is the subject of the report.

RECOMMENDATION:

- A. Council supports the draft Consent Memorandum to set aside its refusal of a Subdivision Application at 28 and 30 King Street and 181 Mockridge Road, Rokeby (Cl Ref SD-2014/44) subject to all parties consenting to the draft permit at Attachment 2 of the Associated Report.
- 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 Walker **SECONDED** Ald McFarlane

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

**11.3.9 SUBDIVISION APPLICATION SD-2015/33 - 211 SCHOOL ROAD,
SANDFORD - 16 LOT SUBDIVISION**
(File No SD-2015/33)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 16 lot subdivision at 211 School Road, Sandford.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Residential and subject to the Vegetation Management, Subject to Inundation and Development Plan Overlays under the Clarence Planning Scheme 2007 (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 28 October 2015.

CONSULTATION

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

- School Road;
- DPO 19; and
- staging.

RECOMMENDATION:

- A. That the application for a 16 lot subdivision at 211 School Road, Sandford (Cl Ref SD-2015/33) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AP3 – AMENDED PLANS
[- the horse trail between Lots 4 and 5 being 10m wide for the whole length of the lot; and
- amended staging showing Lots 13 - 17 and the road lot providing access to these lots as Stage 1 of the sealing of the development.]
 3. The “Horse Trail 10m wide” at the eastern side of the site is to be provided to Council in its entirety as part of the first stage of sealing of lots for this subdivision.
 4. GEN POS 4 – POS CONTRIBUTION (post 11/11/13) [2%] [1-16].

5. No plans for the issue of title to any lots are to be sealed until the construction of the road on the Road lot through to boundary of CT-30596/4 is completed to the satisfaction of Council's Group Manager Asset Management.
6. GEN F3 – ENDORSEMENTS.
7. ENG A1 – NEW CROSSOVER [3.6M] [TSD-R03 and 4].
8. ENG A10 – TRAILS IN LOW DENSITY OR RURAL SUBDIVISIONS.
9. ENG M2 – DESIGNS SD.
10. ENG M4 – POS ACCESS.
11. ENG M5 – EROSION CONTROL.
12. ENG M7 – WEED MANAGEMENT PLAN.
13. ENG M8 – EASEMENTS.
14. ENG R1 – ROAD NAMES.
15. ENG R3 – RURAL ROADS.
16. ENG R4 – ROAD WIDENING [9m minimum] add “for the length of the property boundary to School Road” after “...road carriageway”.
17. ENG R5 – ROAD EXTENSION.
18. ENG R6 – VEHICLE BARRIERS.
19. ENG S1 – INFRASTRUCTURE REPAIR.
20. ENG S2 – SERVICES.
21. ENG S10 – UNDERGROUND SERVICES.
22. Minor adjustment may be required to the boundary of Lot 15 to facilitate an appropriate road radius for the interconnecting road with 110 Prospect Road and 69 Germain Court. This radius is to be identified as part of the detailed engineering designs.
23. ENG S12 – HEADWORKS – SUBDIVISION \$138,200] [1-16]. Insert “..., to be paid \$8,638 per lot at the time of the sealing of each stage”. after “...created by the permit”.

Add final paragraph “Any surplus contribution will be refunded to the applicant upon completion of the road works on a pro-rata basis”.

- 24. PROP 3 – TRANSFER.
- 25. EHO 4 – NO BURNING.

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

Decision: **MOVED** Ald Campbell **SECONDED** Ald Peers
“That the Recommendation be adopted”.
CARRIED 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 PARKING ACTION PLAN FOR BELLERIVE OVAL ENVIRONS**

(File No)

EXECUTIVE SUMMARY**PURPOSE**

To consider an action plan for parking around the Bellerive Oval environs.

RELATION TO EXISTING POLICY/PLANS

Council's adopted parking policy, strategy and action plan is relevant.

LEGISLATIVE REQUIREMENTS

Council has powers under the Local Government (Highways) Act, 1982 to control and regulate parking. Council's Group Manager Asset Management has a delegation from the Transport Commission to approve the installation of parking controls of all the devices described in Australian Standard AS 1742.11, Manual of uniform traffic control devices, Part 11: Parking controls.

CONSULTATION

Letters were sent to all residents in the streets to be affected by the proposed parking restrictions in Derwent, Park, Queen and Church Streets and Cricket Tasmania. Feedback was received from 8 residents and Cricket Tasmania.

Information will be forwarded to residents in these streets prior to any implementation of parking restrictions.

FINANCIAL IMPLICATIONS

The recommendations in this report may be funded from the regular recurrent allocations.

RECOMMENDATION:

A. That Council adopts the following actions arising from community consultation and parking surveys in the area around Bellerive Oval.

Stage 1 - A balanced mixture of unrestricted and timed parking restrictions in Derwent and Park Streets with:

- unrestricted parking on the Bellerive Oval side of Derwent Street;
- mixture of unrestricted and 2P restricted parking, 9.00am to 5.00pm Monday to Friday, on the western side of Derwent Street from Queen to Church Street and both sides at the eastern (oval) end of Park Street;
- 1P restricted parking for 2 spaces at the western end of the angled parking in Derwent Street; and
- 2P restricted parking, 9.00am to 5.00pm Monday to Friday, in the Bellerive Beach Park western car park of Derwent Street.

Stage 2

In accordance with Stage 1 and extended to include a mixture of unrestricted, 2P and 3P restricted parking, 9.00am to 5.00pm Monday to Friday, in Derwent Street, Park Street, Church Street and Queen Street when these areas reach the regular 85% trigger for day time occupancy.

- B. Council authorises the General Manager to review the management and implementation of a residential parking permit system and report to a future Council Workshop.
- C. The parking restrictions as detailed in “A” above will not apply during any major events held at Bellerive Oval that necessitate the operation of the Bellerive Oval Transport plan, as this plan is implemented in accordance with the Development Permit conditions imposed on Bellerive Oval.

Decision:

MOVED Ald Chong **SECONDED** Ald Hulme

“A. That Council adopts the following actions arising from community consultation and parking surveys in the area around Bellerive Oval.

Stage 1 - A balanced mixture of unrestricted and timed parking restrictions in Derwent and Park Streets with:

- unrestricted parking on the Bellerive Oval side of Derwent Street;
- mixture of unrestricted and 2P restricted parking, 9.00am to 5.00pm Monday to Friday, on the western side of Derwent Street from Queen to Church Street and both sides at the eastern (oval) end of Park Street;
- 1P restricted parking for 2 spaces at the western end of the angled parking in Derwent Street; and
- 2P restricted parking, 9.00am to 5.00pm Monday to Friday, in the Bellerive Beach Park western car park of Derwent Street.

Stage 2

In accordance with Stage 1 and extended to include a mixture of unrestricted, 2P and 3P restricted parking, 9.00am to 5.00pm Monday to Friday, in Derwent Street, Park Street, Church Street and Queen Street when these areas reach the regular 85% trigger for day time occupancy.

- B. Council authorises the General Manager to review the management and implementation of a residential parking permit system and report to a future Council Workshop.

/ Decision contd on Page 45...

PARKING ACTION PLAN FOR BELLERIVE OVAL ENVIRONS /Decision contd...

- C. The parking restrictions as detailed in “A” above will not apply during any major events held at Bellerive Oval that necessitate the operation of the Bellerive Oval Transport plan, as this plan is implemented in accordance with the Development Permit conditions imposed on Bellerive Oval.

- D. The parking action plan be reviewed after 6 months and the results of this be presented at a future Workshop and the results and any recommended amendments be presented to Council at a future meeting”.

CARRIED

FOR

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

AGAINST

Ald James

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 QUARTERLY REPORT TO 30 SEPTEMBER 2015**

(File No 10/02/05)

EXECUTIVE SUMMARY**PURPOSE**

To consider the General Manager's Quarterly Report covering the period 1 July 2015 to 30 September 2015.

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. The report also provides details of proposed minor changes within the Financial Management section.

RECOMMENDATION:

- A. That the Quarterly Report to 30 September 2015 be received.
- B. That Council amends the 2015-2016 Estimates, consistent with advice contained within the report, as follows:
 - (a) The Black Spot revenue estimate and associated capital project estimates in the Roads program both be reduced by \$50,000.
 - (b) The estimate associated with the Wentworth Park change facility of \$46,000 be transferred from the Communities and People program to the Facilities Management program.

Decision: **MOVED** Ald Chong **SECONDED** Ald McFarlane

"That the Recommendation be adopted".

CARRIED UNANIMOUSLY

11.7.2 SOUTHERN TASMANIAN COUNCILS AUTHORITY – REGIONAL WASTE GROUP – COUNCIL REPRESENTATION
(File No 30-08-00)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to enable Council to consider nominating an elected member as a representative on the Southern Tasmanian Councils Authority (STCA) Regional Waste Group.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2010-2015 in part provides that Council will: "*provide advocacy on behalf of the community and actively engage governments and other organisations in the pursuit of community priorities*".

LEGISLATIVE REQUIREMENTS

Not Applicable.

CONSULTATION

No consultation has been undertaken.

FINANCIAL IMPLICATIONS

There are no financial implications to be incurred by this appointment.

RECOMMENDATION:

That Council nominates an Alderman as a Council Representative on the Southern Tasmanian Councils Authority (STCA) Regional Waste Group.

Decision:

Ald Peers **nominated** Ald von Bertouch

Ald Thurley **nominated** Ald Walker

There being 2 nominations a ballot was conducted and Ald von Bertouch was elected as Council's nominee on the Southern Tasmanian Councils Authority (STCA) Regional Waste Group.

11.7.3 REVIEW OF COUNCIL POLICY - MANAGEMENT OF TREES ON COUNCIL LAND

(File No 12-05-01)

EXECUTIVE SUMMARY

PURPOSE

To consider the formal adoption of a revised policy in relation to the management of trees on Council land.

RELATION TO EXISTING POLICY/PLANS

Council's existing Management of Trees on Council Land Policy from 13 October 2008 requires amendment. A new draft policy has now been developed for Council's consideration.

LEGISLATIVE REQUIREMENTS

The proposed changes to the Management of Trees on Council Land Policy will reflect the adoption of the Clarence Interim Planning Scheme 2015.

CONSULTATION

No specific public consultation has been undertaken on this matter.

FINANCIAL IMPLICATIONS

There are no financial implications.

RECOMMENDATION:

That Council adopts the policy "Management of Trees on Council Land" dated 26 October 2015.

Decision: **MOVED** Ald McFarlane **SECONDED** Ald Thurley

"That the Recommendation be adopted".

CARRIED

FOR

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

AGAINST

Ald Walker (abstained)

11.7.4 CLOSURE OF FOOTWAY 36C KENTON ROAD

(File No K009-36A)

EXECUTIVE SUMMARY**PURPOSE**

For Council to consider whether to proceed with the formal process to close the footway at 36C Kenton Road.

RELATION TO EXISTING POLICY/PLANS

None identified.

LEGISLATIVE REQUIREMENTS

Closure of the footway would be subject to the provision of the Local Government (Highways) Act 1982. Disposal of the land would require separate processes for the Disposal of Public Land; a Petition to Amend the Title; and Subdivision and Adhesion depending on agreement of adjoining property owners.

CONSULTATION

Should Council decide to proceed with the formal process to close the footway, Council must serve notice on each of the owners and occupiers affected, place a notice on-site and publicly advertise its intention to close the footway on 2 occasions. Other processes involving disposal of the land are also subject to separate public notification requirements.

FINANCIAL IMPLICATIONS

There are direct financial costs associated with closure (in advertising, notifications; document preparation, survey and subdivision cost and legal representation at appeals) were Council to pursue all processes involved, however, the cost of these processes is indeterminable. In addition, given the potentially lengthy and involved processes it has significant resource implications.

RECOMMENDATION:

- A That Council proceed with the process for closure of the footway at 36C Kenton Road, Geilston Bay under Section 14 of the Local Government Highways Act, 1982.
- B. That should the closure process be resolved in the affirmative the land:
- not be disposed of due to the costs involved in the associated processes; and
 - be offered for licence to the adjoining landowners for a nominal consideration to resolve on-going maintenance and convenience of use.

/ Refer to Page 51 for Decision on this Item...

CLOSURE OF FOOTWAY 36C KENTON ROAD /contd...

Decision:	MOVED Ald James SECONDED Ald Campbell																						
	“That the Recommendation be adopted”.																						
	CARRIED																						
	<table><tr><td>FOR</td><td>AGAINST</td></tr><tr><td>Ald Campbell</td><td>Ald McFarlane</td></tr><tr><td>Ald Chipman</td><td>Ald von Bertouch</td></tr><tr><td>Ald Chong</td><td></td></tr><tr><td>Ald Cusick</td><td></td></tr><tr><td>Ald Doust</td><td></td></tr><tr><td>Ald Hulme</td><td></td></tr><tr><td>Ald James</td><td></td></tr><tr><td>Ald Peers</td><td></td></tr><tr><td>Ald Thurley</td><td></td></tr><tr><td>Ald Walker</td><td></td></tr></table>	FOR	AGAINST	Ald Campbell	Ald McFarlane	Ald Chipman	Ald von Bertouch	Ald Chong		Ald Cusick		Ald Doust		Ald Hulme		Ald James		Ald Peers		Ald Thurley		Ald Walker	
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Ald McFarlane left the Meeting at this stage (9.10pm).

11.7.5 LEASE OHA FOOTBALL CLUBROOMS

(File No D028-18A)

EXECUTIVE SUMMARY**PURPOSE**

To consider a further lease agreement with the OHA Football Club for the clubrooms at Geilston Bay.

RELATION TO EXISTING POLICY/PLANS

Council's Leased Facilities Pricing and Term of Lease Policy is applicable.

LEGISLATIVE REQUIREMENTS

Section 177 of the Local Government Act, 1993 is applicable.

CONSULTATION

Consultation has occurred between Council officers and representatives of the OHA Football Club.

FINANCIAL IMPLICATIONS

The recommendation has no direct implications on Council's Annual Plan.

RECOMMENDATION:

- A. That the General Manager be authorised to enter into a new lease with the OHA Football Club for clubrooms at 18 Debomfords Lane, Geilston Bay for a term of 10 years commencing 1 July 2015.
- B. That the rental be assessed in accordance with Council's Leased Facilities Pricing and Term of Lease Policy.

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

“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.

Ald McFarlane returned to the Meeting at this stage (9.13pm).

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 REPORTS FROM SINGLE AND JOINT AUTHORITIES
- 13.3 TENDER T1060-15 – ANNUAL RESEAL PROGRAM 2015/2016

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

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

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

Decision:

PROCEDURAL MOTION

MOVED Ald Campbell **SECONDED** Ald Peers

“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 Motion has been authorised by Council for publication in the public Minutes.

13.3 TENDER T1060-15 ANNUAL RESEAL PROGRAM 2015/2016

(File No T1060-15)

Decision:

MOVED Ald Peers **SECONDED** Ald Chong

“A. That the tender received from Downer EDI Works Pty Ltd for the amount of \$559,688.70, excluding GST, be accepted for the Separable Portion Part A: Spray Seal Works.

B. That the tender received from Downer EDI Works Pty Ltd for the amount of \$409,459.00, excluding GST, be accepted for the Separable Portion Part B: Micro-surfacing Works.

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

D. That the Council decision only be recorded in the public Minutes”.

CARRIED UNANIMOUSLY

The Meeting closed at 9.30pm.