

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 3 JULY 2017

HOUR CALLED: 7.30pm

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

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

1. APOLOGIES Nil

ORDER OF BUSINESS Items 1 – 13

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

The Meeting closed at 10.45pm.

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

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

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

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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 13 June 2017 and the Special Council Meeting held on 26 June 2017, as circulated, be taken as read and confirmed.

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

“That the Minutes of the Council Meeting held on 13 June 2017 and the Special Council Meeting held on 26 June 2017, as circulated, be taken as read and confirmed”.

CARRIED UNANIMOUSLY

3. MAYOR’S COMMUNICATION

Nil.

4. COUNCIL WORKSHOPS

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

| PURPOSE | DATE |
|-----------------------------------------------------------------------------------------|-------------|
| Rating Voluntary Amalgamations | 19 June |
| Voluntary Amalgamations Clarence Street Bike Lanes Review of Positive Ageing Plan | 26 June |

RECOMMENDATION:

That Council notes the workshops conducted.

/ Refer to Page 5 for Decision on this Item...

COUNCIL WORKSHOPS /contd...

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

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 Thurley****Item No. 11.3.3**

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.

Delegation to Binzhou

Ms Sachie Yasuda of Malunna Road asked when the ratepayers could expect to see the report on the delegation to China.

Answer

The General Manager replied that he was hopeful that the report would be able to be presented to the next Council Meeting.

8. DEPUTATIONS BY MEMBERS OF THE PUBLIC
(File No 10/03/04)

Nil.

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

June Quarterly Report pending.

Representative Reporting

The Mayor tabled the Minutes of a Meeting held on 26 July 2017.

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

Quarterly Reports

June Quarterly Report pending.

Representative Reporting

Ald Campbell advised the Meeting the revised Rules will be presented to Council shortly.

- **TASWATER CORPORATION**

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES**Cycling South**

- Ald McFarlane tabled the Minutes of a Meeting held on 28 June 2017.

Howrah Community Centre Committee

- Ald Chong tabled the Minutes of a Meeting held on 20 April 2017.

Richmond Advisory Committee

- Ald Chong tabled the Minutes of a Meeting held on 16 May 2017.

Auckland Study Tour

- Ald Hulme and Ald Thurley tabled a Report on the Study Tour they attended on 24 and 25 March 2017.

Cities 4.0 Conference

- Ald Hulme tabled a report on the Conference he attended in Melbourne from 21 to 23 March 2017.

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

(File No 10/02/02)

The Weekly Briefing Reports of 13, 19 and 26 June 2017 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 13, 19 and 26 June 2017 be noted.

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

“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-2017/102 - 109 CLARENCE STREET, BELLERIVE – 2 MULTIPLE DWELLINGS (1 EXISTING, 1 NEW)
(File No D-2017/102)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 2 Multiple Dwellings (1 existing, 1 new) at 109 Clarence Street, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Road and Railway Assets, Parking and Access, and Stormwater Management Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development as the applicant seeks variations to the building envelope and car parking and access requirements of the Scheme.

LEGISLATIVE REQUIREMENTS

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

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which has been extended to 5 July 2017 with the written agreement of the applicant.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 2 representations (including one signed by 2 separate property owners) were received raising the following issues:

- overshadowing;
- privacy; and
- loss of views.

RECOMMENDATION:

A. That the Development Application for 2 Multiple Dwellings (1 existing, 1 new) at 109 Clarence Street, Bellerive (CI Ref D-2017/102) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. ENG A1 – NEW CROSSOVER CHANGE [TSD-R09][3.6m WIDE].

3. ENG A5 – SEALED CAR PARKING.
4. ENG S1 – INFRASTRUCTURE REPAIR.
5. ENG M1 – DESIGNS DA.
6. The development must meet all required Conditions of Approval specified by TasWater notice dated 23 March 2017 (TWDA 2017/00357-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.

| |
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| <p>Decision: MOVED Ald Cusick SECONDED Ald McFarlane</p> <p> “That the Recommendation be adopted”.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p> |
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**11.3.2 DEVELOPMENT APPLICATION D-2016/374 - 31 TRANMERE ROAD,
HOWRAH - 2 MULTIPLE DWELLINGS (1 EXISTING, 1 NEW)**
(File No D-2016/374)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 2 Multiple Dwellings (1 existing, 1 new) at 31 Tranmere Road, Howrah.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Road and Railway Assets, Parking and Access, and Stormwater Management Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development as the applicant seeks a variation to the building envelope requirement of the Scheme.

LEGISLATIVE REQUIREMENTS

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

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which has been extended to 5 July 2017 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:

- traffic; and
- impact of Multiple Dwelling developments.

RECOMMENDATION:

- A. That the Development Application for 2 Multiple Dwellings (1 existing, 1 new) at 31 Tranmere Road, Howrah (CI Ref D-2016/374) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AP3 – AMENDED PLAN [vehicle kerb and gutter crossing with a minimum width of 5.5m constructed from the road carriageway to the property boundary].

3. ENG A2 – CROSSOVER CHANGE [TSD-R09][5.5m WIDE] replace 7.5m with 6m.
 4. ENG A5 – SEALED CAR PARKING.
 5. ENG S1 – INFRASTRUCTURE REPAIR.
 6. ENG M1 – DESIGNS DA.
 7. The development must meet all required Conditions of Approval specified by TasWater notice dated 23 May 2017 (TWDA 2016/01305-CCC).
 8. **ADVICE** – The application for a building permit may need to be accompanied by a building “Form 6 – Notice for Proposed Protection Work” as directed by the building surveyor for the development to deal with retaining of land upon demolition of the garage.
- 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.

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| <p>Decision: MOVED Ald Campbell SECONDED Ald Chong</p> <p>“That the Recommendation be adopted”.</p> <p>CARRIED UNANIMOUSLY</p> |
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**11.3.3 DEVELOPMENT APPLICATION D-2017/200 - 14B BAYSIDE DRIVE,
LAUDERDALE - DWELLING**
(File No D-2017/200)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a dwelling at 14B Bayside Drive, Lauderdale.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Bushfire Prone Areas, Landslide and Parking and Access Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which expires on 14 July 2017.

CONSULTATION

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

- subdivision approval; and
- damage to nature strip.

RECOMMENDATION:

- A. That the Development Application for Dwelling at 14B Bayside Drive, Lauderdale (CI Ref D-2017/200) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

/ Refer to Page 21 for Decision on this Item...

**DEVELOPMENT APPLICATION D-2017/200 - 14B BAYSIDE DRIVE,
LAUDERDALE – DWELLING /contd...**

Ald Thurley declared an Interest in this Item and left the Meeting prior to discussion (7.51pm).

| |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Decision: MOVED Ald McFarlane SECONDED Ald Cusick</p> <p> “That the Recommendation be adopted”.</p> <p> Ald Walker left the Meeting at this stage (7.56pm).</p> <p> The MOTION was put and CARRIED UNANIMOUSLY</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Ald Walker and Ald Thurley returned to the Meeting at this stage (7.59pm).

**11.3.4 DEVELOPMENT APPLICATION D-2017/155 - 60A TRANMERE ROAD,
HOWRAH - DWELLING**
(File No D-2017/155)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a dwelling at 60A Tranmere Road, Howrah.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Access Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which has been extended with the consent of the applicant until 5 July 2017.

CONSULTATION

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

RECOMMENDATION:

- A. That the Development Application for Dwelling at 60A Tranmere Road, Howrah (CI Ref D-2017/155) be approved subject to the following conditions and advice.
 - 1. GEN AP1 – ENDORSED PLANS.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

**DEVELOPMENT APPLICATION D-2017/155 - 60A TRANMERE ROAD, HOWRAH
– DWELLING /contd...**

Decision:

MOVED Ald Peers **SECONDED** Ald Chong

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

**11.3.5 DEVELOPMENT APPLICATION D-2017/43 - 78 HILL STREET, BELLERIVE
- MULTIPLE DWELLINGS (1 EXISTING, 1 NEW)**
(File No D-2017/43)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 2 Multiple Dwellings (1 existing, 1 new) at 78 Hill Street, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Access code and Stormwater Management code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which expires on 7 July 2017, following the receipt of an extension of time.

CONSULTATION

The proposal was advertised, then readvertised in accordance with statutory requirements and 9 representations were received. All issues raised during the representation periods are addressed within the body of this report and relate to the following:

- drainage;
- height;
- visual impact;
- density;
- setback;
- overshadowing;
- privacy;
- Private Open Space;
- bin storage;
- construction works; and
- property values.

RECOMMENDATION:

- A. That the Development Application for Multiple Dwellings (1 existing, 1 new) at 78 Hill Street, Bellerive (C1 Ref D-2017/43) be approved subject to the following conditions and advice:
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AM4 – CONSTRUCTION HOURS.
 3. ENG A2 – CROSSOVER CHANGE [5.5M].
 4. ENG A5 – SEALED CAR PARKING.
 5. ENG S1 – INFRASTRUCTURE REPAIR.
 6. ENG S4 – STORMWATER CONNECTION.
 7. ENG M1 – DESIGNS DA – delete “service upgrade and relocations”.
 8. The development must meet all required Conditions of Approval specified by TasWater notice dated 7/6/17 (TWDA 2017/00804-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 Thurley | |
| | “That the Recommendation be adopted”. | |
| | CARRIED | |
| | FOR | AGAINST |
| | Ald Campbell | Ald James |
| | Ald Chipman | Ald McFarlane |
| | Ald Chong | |
| | Ald Cusick | |
| | Ald Doust | |
| | Ald Hulme | |
| | Ald Peers | |
| | Ald Thurley | |
| | Ald von Bertouch | |
| | Ald Walker | |

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 CLARENCE STREET SAFETY IMPROVEMENTS – CONSULTATION RESULTS**

(File No 04-03-01)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the results of the community consultation undertaken with local residents on 2 options for road safety improvements to Clarence Street.

RELATION TO EXISTING POLICY/PLANS

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

LEGISLATIVE REQUIREMENTS

There are no specific legislative requirements.

CONSULTATION

There has been consultation in relation to the Clarence Street Safety Assessment Report through the Clarence Street Collaborative Reference Group and Technical Working Group including Metro, RACT, DSG and Bicycle Tasmania.

A petition signed by 574 people in October 2016 requested Council undertake community consultation based on 2 options. The consultation involved letters, advertisements, website information, facebook post and public information sessions.

FINANCIAL IMPLICATIONS

Council's 2016/2017 Annual Plan provided funding of \$295,000 for this project, for the implementation of safety improvements to the section of Clarence Street, East of Wentworth Street.

RECOMMENDATION:

- A. That Council supports Option 1 to include safety improvements along Clarence Street to:
- provide consistent spacing of bus stops and align with pedestrian movement;
 - provide discreet turning lanes, where possible, at intersections along Clarence Street; and
 - rationalise the frequency and location of standouts and islands.
- B. To improve safety to cyclists at the lighted intersections, provide cycle standing lines at the 4 lighted intersections in Clarence Street.

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

CLARENCE STREET SAFETY IMPROVEMENTS – CONSULTATION RESULTS
/contd...

| | | |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| Decision: | <p>PROCEDURAL MOTION MOVED Ald von Bertouch SECONDED Ald McFarlane</p> <p>“That Recommendations A and B be dealt with ad seriatum”.</p> <p style="text-align: right;">CARRIED</p> | |
| | <p>FOR Ald Campbell Ald Chipman Ald Chong Ald Cusick Ald Doust Ald Hulme Ald James Ald McFarlane Ald Peers Ald von Bertouch</p> | <p>AGAINST Ald Thurley Ald Walker (abstained)</p> |
| | <p>MOVED Ald Cusick SECONDED Ald James</p> <p>“A. That Council supports Option 1 to include safety improvements along Clarence Street to:</p> <ul style="list-style-type: none"> • provide consistent spacing of bus stops and align with pedestrian movement; • provide discreet turning lanes, where possible, at intersections along Clarence Street; and • rationalise the frequency and location of standouts and islands”. <p style="text-align: right;">CARRIED</p> | |
| | <p>FOR Ald Campbell Ald Chipman Ald Chong Ald Cusick Ald Doust Ald James Ald Thurley Ald Walker</p> | <p>AGAINST Ald Hulme Ald McFarlane Ald Peers Ald von Bertouch</p> |

/ Decision contd on Page 29...

CLARENCE STREET SAFETY IMPROVEMENTS – CONSULTATION RESULTS
/Decision contd...

MOVED Ald James **SECONDED** Ald Cusick

“B. To improve safety to cyclists at the lighted intersections, provide cycle standing lines at the 4 lighted intersections in Clarence Street”.

CARRIED UNANIMOUSLY

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 VOLUNTARY MERGER FEASIBILITY STUDIES**

(File No 10-13-01)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to provide information to Council in relation to the studies that have been undertaken into the feasibility of voluntary amalgamation of Clarence Council with either the Greater Hobart Metropolitan Councils or Councils of the Greater South East Region.

Secondly, the report facilitates Council discussion on whether or not to seek to progress any of the options studied.

RELATION TO EXISTING POLICY/PLANS

Councils adopted Strategic Plan provides as follows: “*Explore opportunities with neighbouring Councils into the potential benefits of mergers or resource sharing*”.

Council has also previously resolved to participate in a Greater Hobart feasibility study and a Greater South East feasibility study.

LEGISLATIVE REQUIREMENTS

None at this stage.

CONSULTATION

There has been no community consultation at this time.

FINANCIAL IMPLICATIONS

Council has contributed to the financial cost of undertaking the reports and in respect of the Greater South East study has funded an additional peer review of that study.

Any decision by Council to go to public consultation with one or both studies would incur additional expenditure.

Funds have been allocated in the draft 2017-2018 budget for this purpose.

RECOMMENDATION:**Part A.**

1. That Council receives and notes the SGS Economics and Planning report and resolves that Clarence City Council does not wish to participate in any of the voluntary merger options identified in the SGS report into Local Government Reform in Greater Hobart; and advise the Minister for Local Government and Hobart, Kingborough and Glenorchy Councils accordingly.

2. That Council pursue Option 3 as identified in the SGS report, that being a Strategic alliance of the 4 Councils; and advise the Minister for Local Government and Hobart, Kingborough and Glenorchy Councils accordingly.
3. That Council engage in discussion with the Minister and the other Councils on how to most effectively implement a strategic alliance as outlined in the SGS report.

Part B

1. That Council resolves to seek the views of the community in relation to a possible voluntary merger with Sorell and Tasman Councils.
2. That the Minister, Sorell, Tasman and GSB Councils be informed of Council's decision.
3. That the General Manager be requested to report back to Council as a matter of priority in relation to the proposed content of a community consultation package.

The Mayor advised that he would take motions on this Item ad seriatum.

Decision:

Part A

MOVED Ald Walker **SECONDED** Ald Hulme

- “1. That Council receives and notes the SGS Final Feasibility Report ‘Greater Hobart: Local Government Reform’.
2. That Council includes all the options listed by SGS in any community consultation process conducted by Council into voluntary mergers. These consultation documents are to be drafted to include the strengths and weaknesses for the Clarence community of each option listed by SGS. Furthermore, the consultation information is to overview each option's adherence to the Minister for Local Government's guiding principles for voluntary amalgamations.
3. That Council determines Option 3 as identified in the SGS report, that being a strategic alliance of the 4 Councils (Clarence, Glenorchy, Hobart and Kingborough), is its current preferred option, and would be compatible with also pursuing any option identified in the KPMG South East Councils Feasibility Study.

/ Decision contd on Page 33...

VOLUNTARY MERGER FEASIBILITY STUDIES /Decision contd...

4. That Council advises the Minister for Local Government and Hobart, Kingborough and Glenorchy Councils accordingly.
5. That the General Manager be requested to report back to Council as a matter of priority in relation to the proposed format and content of the community consultation package”.

At 8.39pm the Mayor **adjourned** the Meeting for 5 minutes to allow Aldermen to read the proposed motion.

The Meeting **resumed** at 8.44pm.

Ald James Foreshadowed Part ‘A’ of Recommendation in the event that the Motion before the Meeting was Lost.

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

| FOR | AGAINST |
|------------------|----------------|
| Ald Doust | Ald Campbell |
| Ald Hulme | Ald Chipman |
| Ald McFarlane | Ald Chong |
| Ald Peers | Ald Cusick |
| Ald von Bertouch | Ald James |
| Ald Walker | Ald Thurley |

Part A**FORESHADOWED MOTION**

MOVED Ald James **SECONDED** Ald Cusick

- “1. That Council receives and notes the SGS Economics and Planning report and resolves that Clarence City Council does not wish to participate in any of the voluntary merger options identified in the SGS report into Local Government Reform in Greater Hobart; and advise the Minister for Local Government and Hobart, Kingborough and Glenorchy Councils accordingly.
2. That Council pursue Option 3 as identified in the SGS report, that being a Strategic alliance of the 4 Councils; and advise the Minister for Local Government and Hobart, Kingborough and Glenorchy Councils accordingly.

/ Decision contd on Page 34...

VOLUNTARY MERGER FEASIBILITY STUDIES /Decision contd...

3. That Council engage in discussion with the Minister and the other Councils on how to most effectively implement a strategic alliance as outlined in the SGS report”.

PROCEDURAL MOTION

MOVED Ald McFarlane **SECONDED** Ald Hulme

“That consideration of this matter be deferred pending further Workshop discussion”.

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

FOR

Ald Hulme
Ald McFarlane

AGAINST

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

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

FOR

Ald Campbell
Ald Chipman
Ald Chong
Ald Cusick
Ald James
Ald Thurley

AGAINST

Ald Doust
Ald Hulme
Ald McFarlane
Ald Peers
Ald von Bertouch
Ald Walker

Part A

It was further:

MOVED Ald Campbell **SECONDED** Ald Cusick

- “1. That Council receives and notes the SGS Final Feasibility Report ‘Greater Hobart: Local Government Reform’.

/Decision contd on Page 35...

VOLUNTARY MERGER FEASIBILITY STUDIES /Decision contd...

2. That Council explains and details all the options listed by SGS in any community consultation process conducted by Council into voluntary mergers. These consultation documents are to be drafted to include the strengths and weaknesses for the Clarence community of each option listed by SGS. Furthermore, the consultation information is to overview each option's adherence to the Minister for Local Government's guiding principles for voluntary amalgamations.
3. That Council determines Option 3 as identified in the SGS report, that being a strategic alliance of the 4 Councils (Clarence, Glenorchy, Hobart and Kingborough), is its current preferred option, and would be compatible with also pursuing any option identified in the KPMG South East Councils Feasibility Study.
4. That Council advises the Minister for Local Government and Hobart, Kingborough and Glenorchy Councils accordingly.
5. That the General Manager be requested to report back to Council as a matter of priority in relation to the proposed format and content of the community consultation package.

The reasons be recorded as follows:

- Council entered into and lead discussions around voluntary mergers using a 'without prejudice approach'. Studies were undertaken on the basis of willingness to engage with any neighbouring Council which was also willing to engage.
- Including the SGS report options into the consultation process will provide Council with an opportunity to explain why Option 3, ie a strategic alliance, is its preferred position at this time. In particular, regarding the principle of being in the interest of ratepayers.
- There has been a recent increase in community sentiment that Council is not adequately consulting with the Clarence community on matters of strategic importance.
- Given the expenditure on and depth of analysis provided by the SGS Final Feasibility Report, the Clarence community is entitled to express an opinion on all options listed in the report. This includes those who are of the opinion that a Greater Hobart Council would be preferable to an alliance of the existing Councils.

/ contd on Page 36...

VOLUNTARY MERGER FEASIBILITY STUDIES /Decision contd...

- Consultation results are not binding on Council, however, they provide a greater awareness of community sentiment and further evidence/information to add to the feasibility studies and peer reviews, in order that Council can arrive at a strongly considered final decision as to the matter of its involvement in Tasmanian Local Government voluntary structural reform”.

CARRIED**FOR**

Ald Campbell
Ald Chipman
Ald Chong
Ald Cusick
Ald Doust
Ald Hulme
Ald McFarlane
Ald Thurley

AGAINST

Ald James
Ald Peers
Ald von Bertouch
Ald Walker

Part B**MOVED** Ald von Bertouch **SECONDED** Ald Peers

- “1. That Council includes all the options listed by KPMG in its ‘South East Councils Feasibility Study Final Report’ in any community consultation process conducted by Council into voluntary mergers. These consultation documents are to be drafted to include the strengths and weaknesses for the Clarence community of each option listed by KPMG. Furthermore, the consultation information is to overview each option’s adherence to the Minister for Local Government’s guiding principles for voluntary amalgamations.
2. That Council advises the Minister for Local Government and Sorell, Tasman and Glamorgan Spring Bay Councils accordingly.
3. That the General Manger be requested to report back to Council as a matter of priority in relation to the proposed format and content of the community consultation package.

/ Decision contd on Page 37...

VOLUNTARY MERGER FEASIBILITY STUDIES /Decision contd...

The reasons be recorded as follows:

- Council entered into and lead discussions around voluntary mergers using a ‘without prejudice approach’. Studies were undertaken on the basis of willingness to engage with any neighbouring Council which was also willing to engage.
- Including all the KPMG report options into the consultation process will provide Council with an opportunity to determine which option, if any, is preferred by a majority of the community.
- There has been a recent increase in community sentiment that Council is not adequately consulting with the Clarence community on matters of strategic importance.
- Given the expenditure on and depth of analysis provided by the KPMG Final Feasibility Report, the Clarence community is entitled to express an opinion on all options listed in the report.
- Consultation results are not binding on Council, however, they provide a greater awareness of community sentiment and further evidence/information to add to the feasibility studies and peer reviews, in order that Council can arrive at a strongly considered final decision as to the matter of its involvement in Tasmanian Local Government voluntary structural reform”.

At 9.50pm the Mayor **adjourned** the Meeting for 5 Minutes to allow Aldermen to read the proposed motion.

The Meeting **resumed** at 9.55pm.

The **MOTION** was **put** and **CARRIED**

FOR

Ald Doust
Ald Hulme
Ald McFarlane
Ald Peers
Ald Thurley
Ald von Bertouch
Ald Walker

AGAINST

Ald Campbell
Ald Chipman
Ald Chong
Ald Cusick
Ald James

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 INDEPENDENT REVIEW
- 13.3 T1175/17 – LINDISFARNE STREETSCAPE STAGE 3B CONSTRUCTION
- 13.4 APPOINTMENT OF ACTING GENERAL MANAGER

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 Hulme **SECONDED** Ald Cusick

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

CARRIED UNANIMOUSLY

CLOSED MEETING /contd...

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

**13.2 CLOSED MEETING
INDEPENDENT REVIEW**
(File No 10-13-01)

| | | | | | | | | | | | | | | | | | | | | | |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------|--------------|-----------|-------------|------------|-----------|-----------|-----------|--|---------------|--|-----------|--|-------------|--|------------------|--|------------|--|
| Decision: | <p>MOVED Ald James SECONDED Ald Cusick</p> <p>“1. That the UTS report be received.</p> <p>2. That on the basis of legal advice received and advice received from UTS the report remain confidential and not for public release”.</p> <p>AMENDMENT MOVED Ald Hulme SECONDED Ald McFarlane</p> <p>“1. That the UTS report be received.</p> <p>2. That on the basis of legal advice received and advice received from UTS the report remain confidential and not for public release.</p> <p>3. That Council publish its decision only in regard to this matter in the open Minutes of this Meeting”.</p> <p style="text-align: right;">CARRIED</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top;">FOR</td> <td style="vertical-align: top;">AGAINST</td> </tr> <tr> <td>Ald Campbell</td> <td>Ald Chong</td> </tr> <tr> <td>Ald Chipman</td> <td>Ald Cusick</td> </tr> <tr> <td>Ald Doust</td> <td>Ald James</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 Chong | Ald Chipman | Ald Cusick | Ald Doust | Ald James | Ald Hulme | | Ald McFarlane | | Ald Peers | | Ald Thurley | | Ald von Bertouch | | Ald Walker | |
| FOR | AGAINST | | | | | | | | | | | | | | | | | | | | |
| Ald Campbell | Ald Chong | | | | | | | | | | | | | | | | | | | | |
| Ald Chipman | Ald Cusick | | | | | | | | | | | | | | | | | | | | |
| Ald Doust | Ald James | | | | | | | | | | | | | | | | | | | | |
| Ald Hulme | | | | | | | | | | | | | | | | | | | | | |
| Ald McFarlane | | | | | | | | | | | | | | | | | | | | | |
| Ald Peers | | | | | | | | | | | | | | | | | | | | | |
| Ald Thurley | | | | | | | | | | | | | | | | | | | | | |
| Ald von Bertouch | | | | | | | | | | | | | | | | | | | | | |
| Ald Walker | | | | | | | | | | | | | | | | | | | | | |

/ Decision contd on Page 41...

**CLOSED MEETING
INDEPENDENT REVIEW /Decision contd...**

The **AMENDMENT** became the **MOTION** and was **put** and **CARRIED**

FOR

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

AGAINST

Ald Campbell
Ald Cusick
Ald James
Ald McFarlane

13.3 T1175/17 - LINDISFARNE STREETScape – STAGE 3B CONSTRUCTION

(File No T1175/17)

| | |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Decision: | MOVED Ald Campbell SECONDED Ald Chong |
| | <p>“A. That Council accepts the Tender received from Kelly Civil Contracting Pty Ltd for the sum of \$508,801, excluding GST, for the construction of the Lindisfarne Streetscape – Stage 3B Project in Derwent Avenue, Lindisfarne.</p> <p>B. 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.</p> <p>C. That Council publish its decision only in regard to this matter in the open Minutes of this Meeting”.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p> |

The Meeting closed at 10.45pm.