

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 5 SEPTEMBER 2016

HOUR CALLED: 7.30pm

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

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

1. APOLOGIES J Peers (Leave of Absence)

ORDER OF BUSINESS Items 1 – 11.2, 11.3.8, 11.3.1 – 11.3.7, 11.4 - 13

IN ATTENDANCE General Manager
(Mr A Paul)
Corporate Secretary
(Mr A van der Hek)
Acting Group Manager Asset Management
(Mr R Graham)
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 9.45pm.

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.

COUNCIL MEETING
MONDAY 5 SEPTEMBER 2016

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1. ATTENDANCE AND APOLOGIES

Refer to cover page.

2. CONFIRMATION OF MINUTES

(File No 10/03/01)

RECOMMENDATION:

That the Minutes of the Council Meeting held on 15 August 2016, as circulated, be taken as read and confirmed.

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

“That the Minutes of the Council Meeting held on 15 August 2016, as circulated, be taken as read and confirmed”.

CARRIED UNANIMOUSLY

3. MAYOR'S COMMUNICATION

Nil.

4. COUNCIL WORKSHOPS

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

PURPOSE	DATE
Audit Panel Review of Process for Performance Review Kangaroo Bay Tollard Drive Cycleway Transport Access Strategy Copping C Cell Board Appointments	22 August
Dysart Street – Proposed Rezoning and Subdivision Richmond Road Master Plan Winkleigh Place Car Park Property Matter – Lauderdale	29 August

/ contd on Page 6...

COUNCIL WORKSHOPS /contd...

RECOMMENDATION:

That Council notes the workshops conducted.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

5. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE

(File No)

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2015 and Council’s adopted Code of Conduct, the Mayor requests Aldermen to indicate whether they have, or are likely to have a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in any item on the Agenda.

INTEREST DECLARED: NIL.

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

Nil.

7. PUBLIC QUESTION TIME

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

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

7.1 PUBLIC QUESTIONS ON NOTICE

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

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

Nil.

7.2 ANSWERS TO QUESTIONS ON NOTICE

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

Nil.

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

7.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

8. DEPUTATIONS BY MEMBERS OF THE PUBLIC

(File No 10/03/04)

(In accordance with Regulation 38 of the Local Government (Meeting Procedures) Regulations 2015 and in accordance with Council Policy, deputation requests are invited to address the Meeting and make statements or deliver reports to Council)

AMENDMENT APPLICATION A-2015/2 – 15 DYSART STREET AND 443 CLIFTON BEACH ROAD, CLIFTON BEACH – SECTION 43A REZONING AND 13 LOT SUBDIVISION (SD-2015/50)
(REFER ITEM 11.3.8)

Mr Daniel Gardner addressed the Meeting regarding the above Amendment Application.

Mr Richard Bugg addressed the Meeting regarding the above Amendment Application.

Mr Craig Terry addressed the Meeting regarding the above Amendment Application.

9. MOTIONS ON NOTICE

Nil.

10. REPORTS FROM OUTSIDE BODIES

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

10.1 REPORTS FROM SINGLE AND JOINT AUTHORITIES

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

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

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

Quarterly Reports

The Southern Tasmanian Councils Authority has distributed its Quarterly Reports for the periods ending 31 March 2016 and 30 June 2016.

Representative Reporting

RECOMMENDATION:

That the Southern Tasmanian Councils Authority Quarterly Reports to 31 March 2016 and 30 June 2016 be received.

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

“That the Southern Tasmanian Councils Authority Quarterly Reports to 31 March 2016 and 30 June 2016 be received”.

CARRIED

FOR

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

AGAINST

Ald Walker (abstained)

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REPORTS FROM SINGLE AND JOINT AUTHORITIES /contd...

- **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 the Quarterly summary of its Meetings for the period ending 31 August 2016.

The Copping Refuse Disposal Site Joint Authority has also distributed its Quarterly Report for the period ending 30 June 2016.

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

<p>Decision: MOVED Ald Campbell SECONDED Ald Cusick</p> <p style="text-align: center;">“That the Copping Refuse Disposal Site Joint Authority Quarterly summary of its Meetings for the period ending 31 August 2016 be noted”.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>

Representative Reporting

- **SOUTHERN WASTE STRATEGY AUTHORITY**

Representative: Ald Richard James
(Ald Sharyn von Bertouch, Proxy)

Quarterly Reports

The Southern Waste Strategy Authority has distributed its Quarterly Reports for the periods ending 30 September 2015, 31 March 2016 and 30 June 2016.

RECOMMENDATION:

That the Southern Waste Strategy Authority Quarterly Reports to 30 September 2015, 31 March 2016 and 30 June 2016 be received.

/ Refer to Page 13 for Decision on this Item...

REPORTS FROM SINGLE AND JOINT AUTHORITIES /contd...

Decision: MOVED Ald James SECONDED Ald Chong	
“That the Southern Waste Strategy Authority Quarterly Reports to 30 September 2015, 31 March 2016 and 30 June 2016 be received”.	
CARRIED	
FOR	AGAINST
Ald Campbell	Ald Walker (abstained)
Ald Chipman	
Ald Chong	
Ald Cusick	
Ald Doust	
Ald Hulme	
Ald James	
Ald McFarlane	
Ald Thurley	
Ald von Bertouch	

Representative Reporting

Ald James tabled the Agenda and Notice of Meeting for the Board Meeting to be held on 23 September 2016.

- **TASWATER CORPORATION**

The Mayor provided a brief report on TasWater’s proposal to cut dividend payments to Councils and the ensuing process on this matter.

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES**AUDIT PANEL – BENCHMARKING REVIEW AND ADOPTION OF GENERAL MANAGER’S PERFORMANCE AND REMUNERATION SYSTEM POLICY**

(File No 540)

EXECUTIVE SUMMARY**PURPOSE**

To consider the adoption of a draft policy for conducting performance reviews for the General Manager

RELATION TO EXISTING POLICY/PLANS

The draft policy was prepared following a benchmarking review of the process for reviewing the General Manager’s performance was undertaken by the Audit Panel.

LEGISLATIVE REQUIREMENTS

The Local Government Act, 1993 is largely silent on the matter of reviewing a general manager’s performance except that it is a collective function of councillors under Section 28.

CONSULTATION

A Council Workshop was conducted to consider the Audit Panel’s report on their findings following the benchmarking review and a draft policy which has been prepared drawing from those findings.

FINANCIAL IMPLICATIONS

There are no financial implications in adopting the proposed draft policy

RECOMMENDATION:

That Council adopts the draft “General Manager Performance and Remuneration Review System Policy”.

/ Review to Page 15 for Decision on this Item...

AUDIT PANEL – BENCHMARKING REVIEW AND ADOPTION OF GENERAL MANAGER’S PERFORMANCE AND REMUNERATION SYSTEM POLICY /contd...

Decision:	MOVED Ald Chong SECONDED Ald Cusick	
	“A. That Council adopts the draft “General Manager Performance and Remuneration Review System Policy.	
	B. That the Policy and process be reviewed after the first Annual Review cycle”.	
	CARRIED	
	FOR	AGAINST
	Ald Campbell	Ald James (abstained)
	Ald Chipman	
	Ald Chong	
	Ald Cusick	
	Ald Doust	
	Ald Hulme	
	Ald McFarlane	
	Ald Thurley	
	Ald von Bertouch	
	Ald Walker	

OTHER COMMITTEES

Bellerive Community Art Centre Inc

- Ald Thurley tabled the Meetings of a Meeting held on 10 August 2016.

Richmond Advisory Committee

- Ald Chong tabled the Minutes of a Meeting held on 19 July 2016.

Community Health and Wellbeing Advisory Committee

- Ald Chong tabled the Minutes of Meetings held on 25 May 2016 and 24 August 2016.

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

(File No 10/02/02)

The Weekly Briefing Reports of 15, 22 and 29 August 2016 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 15, 22 and 29 August 2016 be noted.

Decision: **MOVED** Ald Hulme **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:

CHANGE TO ORDER OF BUSINESS**Decision:****PROCEDURAL MOTION****MOVED** Ald James **SECONDED** Ald Chong

“That Leave of the Meeting be granted to amend the Order of Business to allow Item 11.3.8 to be dealt with at this stage of the Meeting”.

CARRIED**FOR**

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

AGAINST

Ald Walker (abstained)

Refer to Page 33 for Decision in respect to Item 11.3.8

11.3.1 DEVELOPMENT APPLICATION D-2016/268 - 8 FORD PARADE, LINDISFARNE - FRONT FENCE AND SIDE AND REAR BOUNDARY WALLS

(File No D-2016/268)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for a new front fence and retrospective approval for side and rear boundary walls at 8 Ford Parade, Lindisfarne.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and is not subject to any 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 10 September 2016.

CONSULTATION

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

- visual bulk;
- devaluation of property values;
- excessive height; and
- loss of daylight.

RECOMMENDATION:

A. That the Development Application for front fence and side and rear boundary walls at 8 Ford Parade, Lindisfarne (Cl Ref D-2016/268) 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.

Ald Cusick left the Meeting at this stage (8.37 pm)

/Refer to Page 20 for Decision...

**DEVELOPMENT APPLICATION D-2016/268 - 8 FORD PARADE,
LINDISFARNE - FRONT FENCE AND SIDE AND REAR BOUNDARY
WALLS /contd...**

<p>Decision: MOVED Ald Campbell SECONDED Ald Chong</p> <p> “That the Recommendation be adopted”.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>
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Ald Cusick returned to the Meeting at this stage (8.39 pm)

**11.3.2 DEVELOPMENT APPLICATION D-2016/281 - 993 CAMBRIDGE ROAD,
CAMBRIDGE - OUTBUILDING (GARAGE)**
(File No D-2016/281)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an Outbuilding (Garage) at 993 Cambridge Road, Cambridge.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Road and Rail Assets Code, 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.

Council is required to exercise a discretion within the statutory 42 day period which expires on the 13 September 2016.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 1 representation was received concerning the issue of the creation of a second access onto Camrise Drive raises safety concerns.

RECOMMENDATION:

- A. That the Development Application for Outbuilding (Garage) at 993 Cambridge Road, Cambridge (CI Ref D-2016/281) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN MP – NONHABITABLE PURPOSES.
 3. ENG A1 – NEW CROSSOVER [TSD-R09 (Urban) – 3.6m].
 4. ENG S1 – INFRASTRUCTURE REPAIR.

5. The development must meet all required Conditions of Approval specified by TasWater notice dated 19 July 2016 (TWDA 2016/00975-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 Chong **SECONDED** Ald Hulme

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

**11.3.3 DEVELOPMENT APPLICATION D-2016/289 - 4 RELIANCE COURT,
TRANMERE - DWELLING**
(File No D-2016/289)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Single Dwelling at 4 Reliance Court, Tranmere.

RELATION TO PLANNING PROVISIONS

The land is zoned Low Density Residential and is subject to the Bushfire Prone Areas, Landslide, 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.

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 13 September 2016.

CONSULTATION

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

- stormwater run-off; and
- the need for erosion and sedimentation control measures.

RECOMMENDATION:

- A. That the Development Application for a dwelling at 4 Reliance Court, Tranmere (CI Ref D-2016/289) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. ADVICE - A soil and water management plan is required as part of a building permit application for the development, to be in accordance with the Soil and Water Management on Building and Construction Sites guidelines (available from Council).
 3. ADVICE - All works are to be contained entirely within the property boundaries, including all footings and associated agricultural drains for retaining walls.

4. **ADVICE** – As the property is located within a bushfire prone area, a bushfire assessment and BAL report must be provided as part of a building permit application for the development.

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

<p>Decision: MOVED Ald Campbell SECONDED Ald Walker</p> <p>“That the Recommendation be adopted”.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>
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**11.3.4 DEVELOPMENT APPLICATION D-2016/235 - 525 ROKEBY ROAD,
ROKEBY - CHILD CARE AND EARLY LEARNING CENTRE**
(File No. D-2016/235)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Child Care and Early Learning Centre at 525 Rokeby Road, Rokeby.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended with the consent of the applicant and now expires on 7 September 2016.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 2 representations were received raising the following issue of proximity of the development to Rokeby sub-station.

RECOMMENDATION:

- A. That the Development Application for Child Care and Early Learning Centre at 525 Rokeby Road, Rokeby (CI Ref D-2016/235) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AM7 – OUTDOOR LIGHTING.
 3. The illuminated signs on the building must be illuminated only during the operating hours of the business.
 4. The development is limited to a maximum of 129 children without the further approval of Council.
 5. GEN AM5 – TRADING HOURS.
 - Monday – Friday [6.30am to 6.30pm].

6. Commercial vehicle movements (including loading and unloading and garbage removal) to or from the site must only occur within the following hours:
 - 7.00am to 5.00pm Mondays to Fridays.
7. Prior to the issue of a building permit, confirmation must be provided by the building surveyor that noise emissions measured at the boundary of the site will not exceed the following:
 - (a) 55 dB(A) (LAeq) between the hours of 8.00am to 6.00pm;
 - (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00pm to 8.00am;
 - (c) 65dB(A) (LAmax) at any time.Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.
8. Prior to the issue of a building permit, details must be provided to Council's Manger City Planning demonstrating that the parking area is provided with lighting in accordance with Clause 3.1 "Basis of Design" and Clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting. The carpark is to be constructed and operated in accordance with these standards.
9. GEN AP3 – AMENDED PLAN [one way entry to the site from Ploughmans Road and one way exit to Tollard Drive].
10. ENG A2 – CROSSOVER CHANGE [Minimum 5.5m].
11. ENG A5 – SEALED CAR PARKING.
12. ENG A7 – REDUNDANT CROSSOVER.
13. ENG S1 – INFRASTRUCTURE REPAIR.
14. ENG S2 – SERVICES.
15. ENG S4 – STORMWATER CONNECTION.
16. ENG S5 – STORMWATER PRINCIPLES.
17. ENG M1 – DESIGNS DA.
18. ENG M5 – EROSION CONTROL.
19. ENG M8 – EASEMENTS.

20. All stormwater run-off from impervious surfaces within the site must be treated and discharged from site using Water Sensitive Urban Design Principles or achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions (or the MUSIC model) must be submitted to Council’s Group Manager Asset Management for approval prior to commencement of works.
 21. Line markings and appropriate traffic devices as required by Condition 20 are to be documented within a traffic management plan, which must be submitted to and approved by Council’s Group Manager Asset Management prior to the granting of a Building Permit.
 22. LAND 1 – LANDSCAPE PLAN.
 23. LAND 3 – LANDSCAPE BOND (COMMERCIAL).
 24. The development must meet all required Conditions of Approval specified by TasWater notice dated 17 June 2016 (TWDA 2016/00823-CCC).
 25. ADVICE 5 – FOOD SPECIFICATIONS ADVICE.
 26. ADVICE 6 – FOOD REGISTRATION ADVICE.
- B. That the details and conclusions included in the associated report be recorded as the reasons for Council’s decision in respect of this matter.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.3.5 DEVELOPMENT APPLICATION D-2016/295 - 8 AND 12 ST JOHNS CIRCLE, RICHMOND - DWELLING AND OUTBUILDING
(File No D-2016/295)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Dwelling and Outbuilding at 8 and 12 St Johns Circle, Richmond.

RELATION TO PLANNING PROVISIONS

The land is zoned General 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 31 August but was extended with the consent of the applicant until 7 September 2016.

CONSULTATION

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

- safety concerns due to cut and fill required for driveway construction;
- gravel construction;
- impact on the stability of an existing boundary fence along adjoining lot; and
- concern with non-completion of building works in Cosgrove Drive.

RECOMMENDATION:

A. That the Development Application for Dwelling and Outbuilding at 8 and 12 St Johns Circle, Richmond (CI Ref D-2016/295) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

ADVICE

An application for works in the Council road reserve must be submitted and approved by Council's Group Manager Asset Management prior to the commencement of any works.

ADVICE

A license agreement with Council may be required for structures within the Council's road reservation.

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 Chong
“That the Recommendation be adopted”.
CARRIED UNANIMOUSLY

**11.3.6 SUBDIVISION APPLICATION SD-2015/67 - 84 SCHOOL ROAD,
SANDFORD - 4 LOT SUBDIVISION**
(File No S009-84)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider Council's position on headwork contributions for the upgrade of School Road in relation to a planning appeal made through the Resource Management and Planning Appeal Tribunal (RMPAT) against Council's conditional approval of a 4 lot subdivision at 84 School Road, Sandford.

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.

CONSULTATION

The application was advertised during 14 - 28 June 2016 and no representations were received. Accordingly the application was approved by Officer Delegation.

FINANCIAL IMPLICATIONS

The reduction of the Headworks charge as recommended will reduce the amount of cost recovery received by Council for the construction of School Road, Sandford.

RECOMMENDATION:

- A. That the General Manager sign a Consent Memorandum to the Resource Management and Planning Appeal Tribunal deleting Condition 16 of subdivision permit SD-2015/67 and replacing it with a condition requiring headworks of \$8,637.50 per lot.
- 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 31 for Decision on this Item...

**SUBDIVISION APPLICATION SD-2015/67 - 84 SCHOOL ROAD, SANDFORD - 4
LOT SUBDIVISION /contd...**

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

11.3.7 SUBDIVISION APPLICATION SD-2016/17 - 1039 CAMBRIDGE ROAD, CAMBRIDGE - 17 LOT SUBDIVISION (AMENDED STAGE 5 OF SD-2008/79)

(File No SD-2016/17)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for a 17 lot subdivision at 1039 Cambridge Road, Cambridge.

RELATION TO PLANNING PROVISIONS

The land is zoned Low Density Residential and General Residential, and subject to the Bushfire Prone Areas, Landslide, Road and Railway Assets and Stormwater Management Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended with the consent of the applicant and now expires on 7 September 2016.

CONSULTATION

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

- size of lots;
- use of rights-of-way; and
- Cambridge Road speed limit.

RECOMMENDATION:

A. That the application for a 17 lot Subdivision (amended Stage 5 of SD-2008/79) at 1039 Cambridge Road, Cambridge (CI Ref SD-2016/17) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. EHO 4 – NO BURNING.
3. GEN AM4 – CONSTRUCTION HOURS.
4. GEN M2 – NO WORKS.
5. GEN F2 – COVENANTS [preventing direct access onto the Tasman Highway].

6. GEN POS1 – POS CONTRIBUTION [5%], [116 to 119 inclusive].
 7. ENG A1 – NEW CROSSOVER [TSD-R09].
 8. ENG A3 – COMBINED ACCESSES [TSD-R09 – 6.0m].
 9. ENG A4 – DSG ACCESS.
 10. ENG S1 – INFRASTRUCTURE REPAIR.
 11. ENG S2 – SERVICES.
 12. ENG S4 – STORMWATER CONNECTION.
 13. ENG S10 – UNDERGROUND SERVICES.
 14. ENG M2 – DESIGNS SD.
 15. ENG M5 – EROSION CONTROL.
 16. ENG M7 – WEED MANAGEMENT PLAN.
 17. ENG M8 – EASEMENTS.
 18. ENG R2 – URBAN ROAD.
 19. ENG R4 – ROAD WIDENING [9.0m].
 20. Prior to lodging a building application each property owner is required to provide an assessment from a suitably qualified acoustic engineer that the design and construction will meet the relevant recommended design sound levels and reverberation times specified in AS/NZS 2107:2000 - Recommended design sound levels and reverberation times for building interiors must be included.
 21. The development must meet all required Conditions of Approval specified by TasWater notice dated 4 May 2016 (TWDA 2016/00527-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 Campbell **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

Council concludes its deliberations as a Planning Authority under the Land Use Planning and Approvals Act, 1993.

11.3.8 AMENDMENT APPLICATION A-2015/2 - 15 DYSART STREET AND 443 CLIFTON BEACH ROAD, CLIFTON BEACH - SECTION 43A REZONING AND 13 LOT SUBDIVISION (SD-2015/50)

(File No A-2015/2)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to review Council's decision of 4 July 2016 in light of the representations received during public exhibition period in accordance with the requirements of Section 39 of the Land Use Planning and Approvals Act, 1993 (LUPAA).

RELATION TO PLANNING PROVISIONS

The land at 15 Dysart Street and 443 Clifton Beach Road, Clifton Beach, is zoned Rural Living and is not subject to any spatial Codes under the Clarence Interim Planning Scheme 2015 (the Scheme).

The proposed 13 lot residential subdivision is currently prohibited. Section 43A(1) of the Land Use Planning and Approvals Act, 1993 (LUPAA) provides for the lodging of an application for a permit which would not be allowed if the planning scheme were not amended as requested.

LEGISLATIVE REQUIREMENTS

The proposal was submitted to Council in accordance with Section 43A of LUPAA seeking an amendment to the Scheme at 15 Dysart Street and 443 Clifton Beach Road, Clifton Beach and a permit for a 13 lot residential subdivision at 15 Dysart Street, Clifton Beach.

The certified draft Amendment and associated Permit was advertised in accordance with the statutory requirements and pursuant to Section 39 of LUPAA Council is required to consider the merits of any representation received.

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

The draft Amendment, proposal and Permit conditions were advertised in accordance with statutory requirements and 62 representations were received, including a reference to an online petition with 219 signatories opposed to the proposal. The issues raised by the representors have been grouped into the following subcategories and discussed in further detail within the body of this report.

- procedural;
- strategy;
- traffic/safety and access;

- stormwater;
- wastewater;
- character/amenity;
- climate change; and
- miscellaneous.

RECOMMENDATION:

A. That Council resolves, under Sections 39(2) of the Land Use Planning and Approvals Act, 1993 to advise the Tasmanian Planning Commission that it considers the merits of the representations do not warrant modification to draft Amendment A-2015/2.

B. That Council resolves, under Section 39(2) of the Land Use Planning and Approvals Act, 1993 to advise the Tasmanian Planning Commission that it considers the merits of the representations warrant the incorporation of the following additional conditions to Draft Planning Permit SD-2015/50.

1. In accordance with the Headworks Levy Policy, a headworks charge of \$34,450 is applicable in relation to each of the 13 proposed lots created by the permit. Payment must be made prior to sealing of the final plan for the subdivision.

The amount of headworks charge applicable to this development shall be indexed quarterly by CPI (All Groups Index) Hobart, effective from the Permit date until the date of payment of the headworks charge to Council.

2. The landowner must enter into an agreement with Council under Part 5 of the Land Use Planning and Approvals Act, 1993 in such form as Council may require and which provides for the following:
 - (a) for each lot, all run-off from roofed areas must be collected in tanks of minimum 20,000 litre capacity; all tank overflows shall be directed to on-site infiltration.
 - (b) all future driveway and turning areas:
 - (i) shall be permeable, or
 - (ii) collected and disposed of via onsite infiltration techniques.

The agreement will be prepared and registered by Council. The landowner is responsible for all Council and Land Titles Office fees and charges. Upon written request from the landowner and payment of relevant fees, Council will prepare the Part 5 Agreement.

3. Prior to the sealing of the final plan for subdivision, the Developer shall construct a landscaped bioretention basin and lined, underground stormwater detention storage in Council’s park at 465 Clifton Beach Road to collect and treat drainage from the subdivision road and Dysart Street. The bioretention basin shall be of sufficient size and configuration to treat run-off during a 2 year ARI event by infiltration. The bioretention basin shall incorporate a high flow by-pass for flows up to 20 year ARI. The treated run-off and by-pass flows shall be directed to the detention storage with sufficient capacity to detain a 20 year ARI run-off event of 7 days duration. The detention storage shall discharge to groundwater via an infiltration trench.
- C. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

This Item was dealt with prior to Item 11.3.1 (refer to Page 18)

Decision:	<p>MOVED Ald von Bertouch SECONDED Ald Hulme</p> <p>“A. That Council resolves, under Section 39(2) of the Land Use Planning and Approvals Act, 1993 to advise the Tasmanian Planning Commission that based on the merits of the representations received Council no longer supports draft Amendment A-2015/2.</p> <p>B. That Council resolves, under Section 39(2) of the Land Use Planning and Approvals Act, 1993 to advise the Tasmanian Planning Commission that it considers the merits of the representations warrant the refusal of draft Planning Permit SD-2015/50 as draft Amendment A-2015/2 is not supported and the proposal is prohibited in the current zone.</p> <p>C. That the reasons for Council’s decision in respect of this matter are:</p> <ol style="list-style-type: none"> 1. The representations have raised concerns about the strategic planning basis for the amendment effectively demonstrating that the proposal does not satisfy all of the requirements of Section 32 of LUPAA (specifically Section 300 relating to the application of the regional strategy).
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/ Decision contd on Page 37...

AMENDMENT APPLICATION A-2015/2 - 15 DYSART STREET AND 443 CLIFTON BEACH ROAD, CLIFTON BEACH - SECTION 43A REZONING AND 13 LOT SUBDIVISION (SD-2015/50) /Decision contd...

The strategy clarifies that the “Consolidation” growth scenario is applicable to Clifton Beach and that vacant lots within existing settlements assigned a ‘Very Low’ Growth Strategy (including Clifton Beach) may be developed with Single Dwellings or subdivided at low densities where the zone provides but not rezoned to enable an increase in development potential. On this basis, the Amendment should not proceed.

2. The representations have identified ways that the proposal will adversely affect the visual and physical amenity of Clifton Beach, particularly on the abutting properties and on common infrastructure and facilities.
3. Given the increased number of dwellings provided for by the proposal, Dysart Street would require upgrading. The necessary works would involve reconstruction of from 4.5m seal to 6.9m road width, kerb-to-kerb, with gravel footpath on north side to link to Clifton Beach Road path, at an estimated cost of \$92,000. Council could recover \$34,450 from the developer as a headworks charge based on apportioning costs amongst the benefitting properties, Council does not wish to accept the burden of this expenditure, which is unnecessary should the status quo remain.
4. The size of proposed lots would mean that house size and hard standing area potential is unreasonably limited by the need to leave adequate undeveloped space for on-site treatment of wastewater.

/ Decision contd on Page 38...

AMENDMENT APPLICATION A-2015/2 - 15 DYSART STREET AND 443 CLIFTON BEACH ROAD, CLIFTON BEACH - SECTION 43A REZONING AND 13 LOT SUBDIVISION (SD-2015/50) /Decision contd...

5. The development is unable to treat stormwater entirely on the site and the resolution for this – a combination of requiring 20,000 litre water storage capacity with on-site infiltration on each lot and requiring the developer to construct a landscaped bioretention basin and underground storage in Council’s Park – is unsuitable. These methods are unreliable and an unfair burden on Council land. Moreover any additional drainage load will unreasonably exacerbate ponding on the Council Park, reducing its capacity to service its public open space purpose.

6. Council does not wish to accept the burden of the on-going annual maintenance of the necessary bioretention swale estimated to be approximately \$7,000 per year to ensure the sale performs its function adequately”.

CARRIED**FOR**

Ald Chong
Ald Cusick
Ald Doust
Ald Hulme
Ald James
Ald McFarlane
Ald von Bertouch
Ald Walker

AGAINST

Ald Campbell
Ald Thurley
Ald Chipman (abstained)

11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT**11.5.1 RICHMOND ROAD MASTER PLAN – COUNCIL SUBMISSION ON PUBLIC CONSULTATION**

(File No R008)

EXECUTIVE SUMMARY**PURPOSE**

To seek Council approval to make a submission on the Department of State Growth (DSG) Richmond Road Master Plan.

RELATION TO EXISTING POLICY/PLANS

Council's adopted Strategic Plan 2010-2015, Bicycle Strategy 2013-2017 and associated Bicycle Action Plan 2013-2017 are relevant.

LEGISLATIVE REQUIREMENTS

Not applicable.

CONSULTATION

Officers from DSG have previously presented the Richmond Road Master Plan at a Council Workshop; the plan is now open for public consultation.

FINANCIAL IMPLICATIONS

There are no implications from making a submission to DSG on the Richmond Road Master Plan.

RECOMMENDATION:

That Council authorises the General Manager to make a submission to the Department of State Growth on the Richmond Road Master Plan covering the following points:

- generally indicating appreciation for improvements in Richmond Road;
- Council's wish is for 1.5m cycle lanes to avoid future legacy issues and to give connectivity to the rest of the network;
- the Richmond Road Master Plan ensures all the mature elm trees along Richmond Road are preserved and are not removed or damaged in any way;
- the Department of State Growth consider a community information process to deal with the contradiction of a better road and likely speed environment with proposed speed limit reduction; and
- request some physical changes/thresholds prior to 50kph zone associated with the Richmond Heavy Vehicle Link.

/ Refer to Page 41 for Decision on this Item...

11.5.2 CLARENCE PLAINS RESERVE ACTIVITY PLAN – 2016-2020

(File No 12-06-08)

EXECUTIVE SUMMARY**PURPOSE**

To consider the adoption of the Clarence Plains Reserve Activity Plan 2016-2020 following community consultation.

RELATION TO EXISTING POLICY/PLANS

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

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

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

FINANCIAL IMPLICATIONS

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

RECOMMENDATION:

- A. That Council incorporates the following additional items in the Clarence Plains Reserve Activity Plan 2016-2020;
- recognition of the importance of the saltmarsh and encourage Council to pursue the purchase or management rights to the saltmarsh;
 - modify Table 1 to include identification of edible native species together with associated interpretation signage;
 - installation of appropriately designed kerb ramps to provide access to Clarendon Vale Rivulet walking track for people who rely on mobility aids;
 - include in Section 16 that the proposed interpretation signage include prominent local native flora;
 - acknowledge Rokeby High School's historical and future interest in participating in Reserve management activities; and
 - recognise the impacts free ranging horses are having on the Clarence Plains Rivulet.
- B. That Council adopts the Clarence Plains Reserve Activity Plan 2016-2020 including the modifications detailed in "A" above.

/ Refer to Page 43 for Decision on this Item...

CLARENCE PLAINS RESERVE ACTIVITY PLAN – 2016-2020 /contd...

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

11.5.3 REVIEW OF BUSHFIRE FIRE MANAGEMENT STRATEGY

(File No 12-01-07)

EXECUTIVE SUMMARY**PURPOSE**

To seek Council endorsement to release the draft Bushfire Management Strategy, Best Management Practice Guidelines and 15 Bushfire Management Plans for public consultation in order to obtain feedback from the broader community.

RELATION TO EXISTING POLICY/PLANS

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

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Consultation was held with relevant State Government Agencies as part of the development of the Bushfire Management Strategy, Best Management Practice Guidelines and 15 Bushfire Management Plans.

FINANCIAL IMPLICATIONS

Funds for the implementation of the Bushfire Management Strategy, Best Management Practice Guidelines and 15 Bushfire Management Plans are included in the 2016/2017 Annual Plan. Council will consider, as part of future Annual Plans, on-going funding for the future implementation of the Bushfire Management Strategy, Best Management Practice Guidelines and 15 Bushfire Management Plans.

RECOMMENDATION:

- A. That Council authorises the General Manager to undertake community consultation for the draft Bushfire Management Strategy, Best Management Practice Guidelines and 15 Bushfire Management Plans as outlined in the Associated Report.
- B. That the results of the community consultation be reported back to Council.

Decision: **MOVED** Ald McFarlane **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

**11.5.4 TOLLARD DRIVE SAFETY IMPROVEMENT UPGRADE PLAN –
APPROVAL TO ADOPT**
(File No T014)**EXECUTIVE SUMMARY****PURPOSE**

To seek Council's approval of the Tollard Drive Safety Improvement Upgrade Plan for adoption and implementation of the works.

RELATION TO EXISTING POLICY/PLANS

Council's adopted Strategic Plan 2010-2015, Community Participation Policy, Bicycle Strategy 2013-2017 and associated Bicycle Action Plan 2013-2017 are relevant.

LEGISLATIVE REQUIREMENTS

Not applicable.

CONSULTATION

Officers from the Department of State Growth, as well as Council Officers and the Bicycle Steering Committee have provided input and feedback on the Plan prior to carrying out community consultation.

FINANCIAL IMPLICATIONS

Funds have been allocated in the 2015/2016 Annual Plan to undertake the draft Tollard Drive Safety Improvement Upgrade Plan.

RECOMMENDATION:

That Council adopts the draft Tollard Drive Safety Improvement Upgrade Plan as outlined in the Associated Report and authorise the General Manager to implement the necessary works generally in accordance with the proposed plan.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 TRANSPORT ACCESS STRATEGY – FEEDBACK TO DEPARTMENT OF STATE GROWTH**

(File No 28-04-01)

EXECUTIVE SUMMARY**PURPOSE**

To consider the Department of State Growth (DSG) Draft Transport Access Strategy.

RELATION TO EXISTING POLICY/PLANS

Consistent with Council's Strategic Plan 2010–2015.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

The DSG's Draft Transport Access Strategy is open for public consultation until 9 September 2016. Comments have been received from members of Council's Positive Ageing, Disability Access Advisory and Health and Wellbeing Committees as well as individual staff. Community consultation has not been undertaken.

FINANCIAL IMPLICATIONS

Nil.

RECOMMENDATION:

- A. That Council supports the Department of State Growth Draft Transport Access Strategy.
- B. That Council authorises the General Manager to write to the Department of State Growth on the Draft Transport Access Strategy recommending:
- Council's general support;
 - the inclusion of actions to strengthen local government partnerships and recognising local innovations and responding to local needs;
 - more focus on the broader canvas of transport access covering a range of modes such as water, air and rail;
 - the inclusion of actions to define a strategy for continuous improvement;
 - the inclusion of actions to define the role of utilities in removing barriers to the public transport system.
 - the inclusion of actions to strengthen the approach for infill development and transport planning associated with workplaces; and
 - more focus on clarifying the responsibility for bus stops and shelters.

/ Refer to Page 48 Decision on this Item...

TRANSPORT ACCESS STRATEGY – FEEDBACK TO DEPARTMENT OF STATE GROWTH /contd...

Decision:	MOVED Ald Walker SECONDED Ald Campbell
	<p>“A. That Council supports the Department of State Growth Draft Transport Access Strategy.</p> <p>B. That Council authorises the General Manager to write to the Department of State Growth on the Draft Transport Access Strategy recommending:</p> <ul style="list-style-type: none">• Council’s general support;• the inclusion of actions to strengthen local government partnerships and recognising local innovations and responding to local needs;• more focus on the broader canvas of transport access covering a range of modes such as water, air and rail;• the inclusion of actions to define a strategy for continuous improvement;• the inclusion of actions to define the role of utilities in removing barriers to the public transport system;• the inclusion of actions to strengthen the approach for infill development and transport planning associated with workplaces;• more focus on clarifying the responsibility for bus stops and shelters;• support buses as the cornerstone of the public transport system;• investigation into the viability of roll out of free Wi Fi services similar to the Melbourne Airport Sky Bus for longer Metro Tas bus routes. This could make public transport a more attractive and productive option for commuters;• collaborate to roll out infrastructure that improves strategic connections and supports multi-modal transport eg park/ride, bike/ride, bike/ferry, walk part-way;• expansion of concession fares for apprentices and trainees on Metro Tas services;• expansion of definition of student concession to include International Student Identity Card (ISIC) holders on Metro Tas services; and• enhanced utilisation of digital media platforms to provide improved information such as time, cost, Co2 and Calorie impact of transport choices (see Go La App)”.
	CARRIED UNANIMOUSLY

11.7.2 APPOINTMENT OF DIRECTORS – C CELL PTY LTD

(File No)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to enable Council to consider the appointment of 2 Directors to C Cell Pty Ltd.

RELATION TO EXISTING POLICY/PLANS

Council has previously resolved to invest in the C Cell Pty Ltd Unit Trust and as such is entitled to appoint 2 Directors to the 5 member C Cell P/L Board.

LEGISLATIVE REQUIREMENTS

C Cell Pty Ltd is a company established under the Corporations Act.

Council's investment in C Cell Pty Ltd is subject to approvals from the Treasurer. The Treasurer has granted approval to Council under Section 75 of the Local Government Act, 1993 to invest in the Copping C Cell Unit Trust.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

There are no financial implications in Council considering to appoint Directors to the C Cell Pty Ltd.

As Council appointees, any Directors being an elected member or Council officer member would not be eligible for Directors fees in respect of their service to the company.

RECOMMENDATION:

- A. That Council resolve to appoint 2 Directors to C Cell Pty Ltd.
- B. That 1 Director be Alderman
- C. That 1 Director be nominated by the General Manager and that nominee be an employee of the Clarence City Council with relevant experience in waste management issues.

/ Refer to Page 50 for Decision on this Item...

APPOINTMENT OF DIRECTORS – C CELL PTY LTD /contd...

The Mayor advised the Meeting that he would deal with the Recommendations ad seriatim.

Decision:

MOVED Ald Campbell **SECONDED** Ald Chong

“A. That Council resolve to appoint 2 Directors to C Cell Pty Ltd”.

CARRIED UNANIMOUSLY

MOVED Ald Campbell **SECONDED** Ald Hulme

“B. That Ald Cusick be nominated as 1 of the Directors to C Cell Pty Ltd.

The Mayor called for further nominations. There being no further nominations **Ald Cusick was duly elected”**.

MOVED Ald Campbell **SECONDED** Ald Chong

“C. That 1 Director be nominated by the General Manager and that nominee be an employee of the Clarence City Council with relevant experience in waste management issues”.

The Mayor asked Ald James withdraw a remark made about Ald Cusick.

The Mayor then asked that if Ald James would not withdraw his remark he would ask him to apologise.

Following a further exchange the Mayor stated that if Ald James was unable to apologise then he would have no option but to suspend him from the meeting.

Ald James stated that he would leave the Meeting. He left the Meeting at this stage and did not return (9.19pm).

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

12. ALDERMEN'S QUESTION TIME

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

12.1 QUESTIONS ON NOTICE

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

Nil.

12.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

12.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

12.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

13. CLOSED MEETING

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

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

- 13.1 APPLICATIONS FOR LEAVE OF ABSENCE
- 13.2 REPORTS FROM SINGLE AND JOINT AUTHORITIES
- 13.3 PROPERTY MATTER - LAUDERDALE
- 13.4 LEGAL MATTER

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:

- proposals to acquire land or an interest in land or for the disposal of land;
- 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;
- matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;

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:	<p>PROCEDURAL MOTION MOVED Ald Chong SECONDED Ald Doust</p> <p>“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”.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>
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The Meeting closed at 9.45pm.