

**MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 7 DECEMBER 2015**

**HOUR CALLED:** 7.30pm

**PRESENT:** The meeting commenced at 7.30pm with the Mayor (Ald D C Chipman) in the Chair and with Aldermen:

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

**1. APOLOGIES** D Hulme (Leave of Absence)

**ORDER OF BUSINESS** Items 1 – 13

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

The Meeting closed at 9.30pm.

Prior to the commencement of the meeting, the Mayor will make the following declaration:

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

The Mayor also to advise 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 7 DECEMBER 2015**

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**BUSINESS TO BE CONDUCTED AT THIS MEETING IS TO BE CONDUCTED IN THE ORDER IN WHICH IT IS SET OUT IN THIS AGENDA UNLESS THE COUNCIL BY ABSOLUTE MAJORITY DETERMINES OTHERWISE**

**COUNCIL MEETINGS, NOT INCLUDING CLOSED MEETING, ARE AUDIO-VISUALLY RECORDED AND PUBLISHED TO COUNCIL’S WEBSITE**

## 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 16 November 2015, as circulated, be taken as read and confirmed.

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

“That the Minutes of the Council Meeting held on 16 November 2015, as circulated, be taken as read and confirmed”.

**CARRIED UNANIMOUSLY**

## 3. MAYOR’S COMMUNICATION

Nil.

## 4. COUNCIL WORKSHOPS

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

<b>PURPOSE</b>	<b>DATE</b>
Clarence Street Safety Review Design Concepts	
Sports Facilities – Planning for the Future	
Service Levels City Rangers	
Interim Planning Scheme	23 November

### RECOMMENDATION:

That Council notes the workshops conducted.

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

**Alderman Chipman                      Item No 11.3.3**

**Alderman Chong                        Item No 11.7.1**

**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.

Mr Russell Hill has given notice of the following question:

#### **REZONING REQUESTS**

Since 2005 how many rezoning requests have been before Council for consideration?

The answer should cover the following points:

- The breakdown of requests eg Rural Residential to Low Density Residential, Low Density Residential to Residential and Recreation, Special Use 7 to Residential.
- Total and list of requests and total of approvals for all 25 zones.
- Total of requests that have been denied and have gone to appeal stage and the final results of the appeals.

### **7.2 ANSWERS TO QUESTIONS ON NOTICE**

The General Manager provided the following answer to question at Item 7.1.

#### **REZONING REQUESTS**

Without detailed analysis of each application it is not possible to generate a report that will provide a breakdown of rezoning applications in the format requested. However, the breakdown information is presented in the description details shown in the full list of all rezoning applications considered for the period is provided below. Additionally, Council can advise that:

1. Since 2005 Council received 171 applications for various types of planning scheme amendments. Of these, 110 related to private applicant driven requests and the remaining 61 were of Council's own motion.

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

2. A total of 46 applications (29 private applicant driven requests) were either withdrawn or were unable to be determined due to the approval of the Clarence Planning Scheme 2007 on 1 April 2008 or the declaration of the Clarence Interim Planning Scheme 2015 on 1 July 2015.
3. Of the 110 applicant driven amendments, 2 are currently being assessed and 79 were “initiated” and progressed to public exhibition. Ultimately 57 of these were approved by either the Tasmanian Planning Commission (TPC) [or the former Resource Planning and Development Commission (RPDC) as it was called prior to 2009], and 22 were refused, with a further 29 withdrawn.
4. Under the Land Use Planning and Approval Act 1993 there is no mechanism available to appeal a decision of the TPC (or the former RPDC) on planning grounds.

Number	Type	Description	Location	Lodged	Status
A-2015/2	AMEND	Section 43A re-zoning and 13 lot subdivision	15 Dysart Street and 443 Clifton Beach Road. CLIFTON BEACH TAS 7020	19/10/2015	Application being assessed
A-2015/1	AMEND	Rezoning Amendment	38 Gordons Hill Road, LINDISFARNE	17/07/2015	Application on Council agenda
A-2014/9	AMEND	Section 43A amend table of use and new bulky goods	25 South Arm Highway, MORNINGTON	18/12/2014	Application approved
A-2014/8	AMEND	S.43 Rezoning and subdivision (SD-2014/39)	473 Rokeby Road, HOWRAH	10/11/2014	Application withdrawn
A-2014/7	AMEND	Rezoning residential to recreation, recreation to	473 Rokeby Road, HOWRAH	24/06/2014	Application withdrawn
A-2014/6	AMEND	Deletion of Lindisfarne Shopping Centre Car Parking Policy	Deletion of Lindisfarne Shopping Centre Car Parking Policy	2/06/2014	Application approved
A-2014/5	AMEND	Amendment to Coastal Erosion Hazard Overlay	Amendment to Coastal Erosion Hazard overlay	30/05/2014	Application approved
A-2014/3	AMEND	Implementation of PD5 (Bushfire controls)	Implementation of PD5 (Bushfire controls)	7/05/2014	Application approved
A-2014/2	AMEND	Amendment to Coastal Management Overlay	Amendment to Coastal Management Overlay	4/03/2014	Application approved
A-2014/1	AMEND	Rezone from Rural to Rural Residential and introduction of DPO	79 and 110 Prospect Road, 1029, 1089 and 1099 South Arm Road, 18, 63, 84, 100 and 211 School Road, 21 and 87 Delphis Drive and 69 Germain Court, SANDFORD	30/01/2014	Application approved
A-2013/9	AMEND	Amendment to Heritage Overlay		10/12/2013	Application withdrawn
A-2013/8	AMEND	Rezoning from Special Use to Low Density Residential	840 Cambridge Road, CAMBRIDGE	10/12/2013	Application withdrawn
A-2013/7	AMEND	Rezoning from Special Use to Recreation	1010 Cambridge Road, CAMBRIDGE	10/12/2013	Application approved
A-2013/6	AMEND	Rezoning from Special Use to Industry	21 Maxwells Road, CAMBRIDGE	10/12/2013	Application approved
A-2013/5	AMEND	Re-zoning from Residential to Commercial	457 Rokeby Road, HOWRAH	21/11/2013	Application withdrawn
A-2013/4	AMEND	Amendment to Table of Uses in Industry zone		26/08/2013	Application approved
A-2013/3	AMEND	S43A Application for amendment to DPO	30 Pass Road, part of 40 Pass Road (CT162099/1) , 4, 1-5/5 and 6 Hance Road, 6, 8, 10 and 12 Fielder Lane, 5 Threxton Way, and 1 Clermont Lane, HOWRAH	29/05/2013	Application approved
A-2013/2	AMEND	Rezoning from Rural Residential to Residential	153 Bangalee Street, ROCHES BEACH	6/03/2013	Application withdrawn
A-2013/1	AMEND	New Development Plan	300 Pittwater Road, SEVEN MILE BEACH	6/03/2013	Application refused
A-2012/7	AMEND	Rezoning to Industry and Recreation	1 Kennedy Drive and 30 Backhouse Lane, CAMBRIDGE	19/11/2012	Application approved
A-2012/6	AMEND	Rezone recreation to industry	3/73 Droughty Point Road, ROKEBY	9/11/2012	Application approved

A-2012/5	AMEND	Amendment to Coastal Management Overlay	Amendment to Coastal Management Overlay	31/08/2012	Application approved
A-2012/3	AMEND	Rezoning, Development Plan Overlay & Urban Growth Boundary	50 Minno Street, HOWRAH	16/08/2012	Application approved
A-2012/2	AMEND	Rezoning from Rural to Rural Residential	79 and 110 Prospect Road, 1029, 1089 and 1099 South Arm Road, 18, 84 and 100 School Road, 21 and 87 Delphis Drive and 69 Germain Court, SANDFORD	22/02/2012	Application refused
A-2012/1	AMEND	Correction of zone Boundaries	44 Woodhurst Road and 20 Regal Court, SEVEN MILE BEACH	7/02/2012	Application approved
A-2011/18	AMEND	Rezoning from Residential/Landscape and Skyline	Geilston Creek Road, 30 and 80 Geilston Creek Road, 430 Flagstaff Gully Road, GEILSTON BAY and 418 Flagstaff Gully Road, LINDISFARNE	22/12/2011	Application withdrawn
A-2011/17	AMEND	Amend Table of Uses in Local Business Zone		1/12/2011	Application withdrawn
A-2011/16	AMEND	Rezoning from Rural Residential to Low Density Residential	870, 882, 900, 906 and 914, Cambridge Road, CAMBRIDGE	30/09/2011	Application refused
A-2011/15	AMEND	Amend Coastal Erosion Hazard overlay	Lost Property Building, Rosny Applic, ROSNY TAS 7018	20/09/2011	Application approved
A-2011/14	AMEND	S43a Rezoning, amendment to Development Plan overlay	20, 25 and 40 Pass Road, 23, 25, 27, 29, 31 and 33 Norfolk Drive, HOWRAH	8/09/2011	Application approved
A-2011/13	AMEND	Amend Table of Uses in Local Business Zone	103 East Derwent Highway, LINDISFARNE	8/08/2011	Application approved
A-2011/12	AMEND	S.43A Application for rezoning from Rural to Rural	63 & 211 School Road, SANDFORD	20/07/2011	Application refused
A-2011/11	AMEND	Rezoning from Special Use to Industry	21 Maxwells Road, CAMBRIDGE	15/07/2011	Application withdrawn
A-2011/10	AMEND	Lauderdale Structure Plan	Clarence Planning Scheme 2007	11/07/2011	Application approved
A-2011/9	AMEND	Rezoning from Recreation to Landscape & Skyline	473 Rokeby Road, HOWRAH	22/06/2011	Application approved
A-2011/8	AMEND	Rezoning from Low Density Residential to Residential	162A Flagstaff Gully Road and 166 Begonia Street, LINDISFARNE	17/06/2011	Application approved
A-2011/7	AMEND	Rezoning from Rural and Landscape and Skyline	50 Minno Street, HOWRAH	10/06/2011	Application refused
A-2011/6	AMEND	Rezoning from Low Density Residential to Residential	908 Oceana Drive, 11, 13, 15, 17, 19 and 23 Spinnaker Crescent, 2 - 8 Reliance Court and 3 and 5 Endeavour Court, TRANMERE	20/05/2011	Application refused
A-2011/5	AMEND	Rezoning from Rural and Landscape & Skyline	182, 220 and 252 Droughty Point Road, ROKEBY	9/05/2011	Application approved
A-2011/4	AMEND	Rezoning from Intensive Agriculture to Residential	1 Kennedy Drive and 30 Backhouse Lane, CAMBRIDGE	19/04/2011	Application refused

A-2011/3	AMEND	Additional Controls for Stormwater Drainage	Lost Property Building, Rosny Applic, ROSNY TAS 7018	25/03/2011	Application approved
A-2011/2	AMEND	Change to Ordinance to allow for variation to setbacks	Lost Property Building, Rosny Applic, ROSNY TAS 7018	21/01/2011	Application refused
A-2011/1	AMEND	Amendment of zoning maps to correct zone boundaries	Lost Property Building, Rosny Applic, ROSNY TAS 7018	13/01/2011	Application approved
A-2010/17	AMEND	Rezoning a portion of 128 Mornington Road	128 Mornington Road, MORNINGTON	21/12/2010	Application withdrawn
A-2010/16	AMEND	Rezoning to Rural Residential	SUBDIVISON APPLICATION SD-2010/83 40 Canopus Road, MOUNT RUMNEY	29/11/2010	Application refused
A-2010/15	AMEND	Combined S.43a - Rezoning from Rural to Local Business	936 Oceana Drive, TRANMERE TAS 7018	15/09/2010	Application refused
A-2010/14	AMEND	S.43a proposal - Partial rezoning	1 Downhams Road, RISDON VALE	13/09/2010	Application refused
A-2010/13	AMEND	S.37 Amendment Application a-2010/13 - 25 Brogo Way	25 Brogo Way, CLARENDON VALE and 260 Acton Drive, ACTON PARK	13/09/2010	Application approved
A-2010/12	AMEND	Section 43A application for combined planning scheme amendment	SECTION 43.A APPLICATION at 936, 1047 Oceana Drive, 89 Norla Street and 17 Anchorage Court, TRANMERE (A-2010/12, SD-2010/63, D-2010/291 and D-2011/140)	10/09/2010	Application approved
A-2010/11	AMEND	Rezoning to recreation	1000 Cambridge Road, CAMBRIDGE TAS 7170	24/08/2010	Application withdrawn
A-2010/10	AMEND	S.43A Application, rezoning and 2 lot subdivision	840 Cambridge Road, CAMBRIDGE	24/08/2010	Application withdrawn
A-2010/9	AMEND	Rezone part of 476 South Arm Road from Rural Residential	476 South Arm Road, LAUDERDALE	23/07/2010	Application withdrawn
A-2010/8	AMEND	S.43A Rezoning from Rural Residential to Special Use	SUBDIVISION APPLICATION SD-2011/3 - 15 and 19 ACTON ROAD, ACTON PARK	20/07/2010	Application approved
A-2010/7	AMEND	SECTION 43A AMENDMENT APPLICATION	473, 475 and 479 Rokeby Road, HOWRAH, 503 and 525 Rokeby Road, ROKEBY and 134 Grange Road West, ROKEBY	12/07/2010	Application approved
A-2010/6	AMEND	Kangaroo Bay Amendment	Kangaroo Bay Development Plan	17/06/2010	Application approved
A-2010/5	AMEND	Amendment to Table of Uses in Industry Zone	1 Stanton Place and 3 and 5 Loongana Court, CAMBRIDGE	16/04/2010	Application approved
A-2010/4	AMEND	Rezoning from Rural to Residential	74 Sugarloaf Road and 16 Marlock Street, RISDON VALE	15/04/2010	Application approved
A-2010/3	AMEND	Section 43 Amendment for rezoning and shop/restaurant	1169 Acton Road, CAMBRIDGE	11/03/2010	Application approved

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A-2010/2	AMEND	Rezoning 21.8ha from rural to residential	170 Sugarloaf Road, RISDON VALE	4/03/2010	Application approved
A-2010/1	AMEND	Application to rezone from Intensive Agriculture	73 Prossers Road, RICHMOND	8/01/2010	Application refused
A-2009/22	AMEND	Specified Departure - 19 Gordons Hill Road	19 Gordons Hill Road, BELLERIVE TAS 7018	8/12/2009	Application refused
A-2009/21	AMEND	Rezoning from Rural Residential to Local Business	464 South Arm Road, LAUDERDALE	7/12/2009	Application approved
A-2009/20	AMEND	Amendments to Planning Scheme	620 Gellibrand Drive, SANDFORD	8/10/2009	Application refused
A-2009/19	AMEND	Rezoning part of 395 Flagstaff Gully Road	395 Flagstaff Gully Road, LINDISFARNE	16/09/2009	Application approved
A-2009/18	AMEND	Introduction of Paranville Development Plan	89, 91, 93, 145 and 163 Pass Road, ROKEBY	14/09/2009	Application approved
A-2009/17	AMEND	Amendment to the ordinance for the Bellerive Bluff	Lost Property Building, Rosny Applic, ROSNY TAS 7018	3/09/2009	Application approved
A-2009/16	AMEND	Rezoning - Change to Glebe Hill Site Development Plan	40 Pass Road, Rokeby	3/07/2009	Application approved
A-2009/15	AMEND	To allow for residential development on the ground level	3 Clarence Street, BELLERIVE	12/06/2009	Application refused
A-2009/14	AMEND	To rezone of a portion of 1300 Tasman Highway	1300 Tasman Highway (also known as 273 Kennedy Drive), CAMBRIDGE	2/06/2009	Application approved
A-2009/13	AMEND	Climate Change Impacts on Clarence Coastal Areas		21/05/2009	Application approved
A-2009/12	AMEND	Amendment to Section 4.3 of the Clarence Planning		21/05/2009	Application withdrawn
A-2009/11	AMEND	To rezone part of 127 Canopus Drive from Recreation	127 Canopus Road, MOUNT RUMNEY	6/05/2009	Application approved
A-2009/10	AMEND	Amendment to Glebe Hill Site Development Plan		17/04/2009	Application withdrawn
A-2009/9	AMEND	Amendments to controls for Battle Axe blocks		7/04/2009	Application approved
A-2009/8	AMEND	Amendment to remove Development Plan Overlay	11A Wisteria Avenue, CREMORNE	1/04/2009	Application withdrawn
A-2009/7	AMEND	Rezone part of 128 Mornington Road, Mornington	128 Mornington Road, MORNINGTON	1/04/2009	Application approved
A-2009/6	AMEND	Rezoning of Rural Land on Cambridge Road	474, 476, 480, 482, 484, 486, 488, 490, 492, 494, 496 and 498 Cambridge Road, part of 464 Cambridge Road, 3, 4, 5, 6 and 7 Solandra Court and 500 and 504 Cambridge Road	16/03/2009	Application approved
A-2009/5	AMEND	Modification to correct misc Zoning and Heritage	490 Acton Road, ACTON PARK TAS 7170	11/03/2009	Application approved
A-2009/4	AMEND	Additional Controls in the Residential, Low Density Residential		26/02/2009	Application approved
A-2009/3	AMEND	Opossum Bay Structure Plan	Opossum Bay Structure Plan	12/02/2009	Application withdrawn
A-2009/2	AMEND	To amend Clause 6.5.2 of the Clarence Planning Scheme	Ordinance - Clarence Planning Scheme 2007	21/01/2009	Application approved
A-2009/1	AMEND	Revision setback standards & definitions of site cover	Ordinance - Clarence Planning Scheme 2007	8/01/2009	Application approved
A-2008/42	AMEND	Section 43A Application - Rezoning from Low Density Residential	8 Karoola Crescent, LINDISFARNE	29/12/2008	Application refused

A-2008/41	AMEND	To rezone 20, 28 & 32 Kennedy Drive Cambridge	20, 28 and 32 Kennedy Drive, CAMBRIDGE	16/12/2008	Application approved
A-2008/40	AMEND	Rezoning to part Residential and part Rural	4, 6 and 6a Wellington Street, RICHMOND	27/10/2008	Application withdrawn
A-2008/39	AMEND	Rezoning from Rural Residential to Industrial	40 Kennedy Drive, CAMBRIDGE	9/10/2008	Application approved
A-2008/38	AMEND	Rezoning from Local Business to Residential	26 High Street, BELLERIVE	26/09/2008	Application approved
A-2008/36	AMEND	Rezoning from Special Use to Industry and 79 lot subdivision	115 Kennedy Drive, CAMBRIDGE	11/08/2008	Application approved
A-2008/35	AMEND	Various amendments to the Heritage Overlay	Lost Property Building, Rosny Applic, ROSNY TAS 7018	30/07/2008	Application withdrawn
A-2008/34	AMEND	Clarence Residential Strategy and Strategic Plan	Clarence Planning Scheme 2007	29/07/2008	Application approved
A-2008/33	AMEND	Clarence Planning Scheme 2007 - Amendment to setbacks	Lost Property Building, Rosny Applic, ROSNY TAS 7018	28/07/2008	Application withdrawn
A-2008/32	AMEND	Clarence Planning Scheme 2007	Lost Property Building, Rosny Applic, ROSNY TAS 7018	28/07/2008	Application approved
A-2008/31	AMEND	To amend the Clarence Planning Scheme 2007	Clarence Planning Scheme 2007	24/07/2008	Application approved
A-2008/30	AMEND	Rezoning from Residential to Local Business	17, 19, 21, 23, 25, 27 and 29 Gordons Hill Road, BELLERIVE	23/07/2008	Application refused
A-2008/29	AMEND	Rezoning, Development Plan and 361 lot subdivision	25 Brogo Way and 260 Acton Drive, ACTON PARK	3/07/2008	Application approved
A-2008/28	AMEND	Rezone 959 Cambridge Road from Residential Zone	959 Cambridge Road, CAMBRIDGE	27/06/2008	Application approved
A-2008/27	AMEND	Section 43a amendment and 85 lot subdivision	351 Acton Road, ACTON PARK	27/06/2008	Application approved
A-2008/26	AMEND	Various amendments to the Clarence Planning Scheme	Clarence Planning Scheme 2007	18/06/2008	Application approved
A-2008/25	AMEND	Rezone from Rural Residential & Local Business	438, 444, 450 and 456 South Arm Road, LAUDERDALE	10/06/2008	Application refused
A-2008/23	AMEND	Section 43A Planning Scheme Amendment	476 South Arm Road, LAUDERDALE	27/05/2008	Application withdrawn
A-2008/22	AMEND	Section 37 Amendments	Clarence Planning Scheme 2007	26/05/2008	Application approved
A-2008/21	AMEND	Rezoning from Rural Residential to Low Density Res	17 Jove Court, LINDISFARNE	13/05/2008	Application approved
A-2008/20	AMEND	To amend the Clarence Planning Scheme 2007	Clarence Planning Scheme 2007	12/05/2008	Application refused
A-2008/19	AMEND	Rezone to Low Density Residential	7, 9, 11, 13, 15, 19 and 21 Radiata Drive, LINDISFARNE	17/04/2008	Application approved
A-2008/18	AMEND	Rezone to Residential	17 Loatta Road, LINDISFARNE	17/04/2008	Application approved
A-2008/17	AMEND	Rezoning to Low Density Residential	1, 2, 5, 6, 9, 10, and 13 Jove Court, LINDISFARNE	17/04/2008	Application approved
A-2008/16	AMEND	Rezone urban portion to Residential	182, 220 and 252 Droughty Point Road and 712 Oceana Drive, TRANMERE	17/04/2008	Application approved

A-2008/15	AMEND	Rezone to Recreation	142 Colebrook Road, RICHMOND	17/04/2008	Application approved
A-2008/14	AMEND	Rezone to Commercial	4A Howrah Road, HOWRAH	17/04/2008	Application approved
A-2008/13	AMEND	Rezone to Residential	28, 30 & 32 King Street and 181 Mockridge Road, ROKEBY	17/04/2008	Application approved
A-2008/12	AMEND	Development Overlay	50 Minno Street, HOWRAH	17/04/2008	Application approved
A-2008/11	AMEND	Rezone to Local Business	961 Cambridge Road, CAMBRIDGE	17/04/2008	Application approved
A-2008/10	AMEND	Gordons Hill Development Zone and rezoning	55 & 75 Gordons Hill Road, LINDISFARNE	17/04/2008	Application approved
A-2008/9	AMEND	Incorporate as Development Overlay	670 Cambridge Road, CAMBRIDGE	17/04/2008	Application withdrawn
A-2008/8	AMEND	Rezoning to Industry	1431 Tasman Highway, CAMBRIDGE	17/04/2008	Application approved
A-2008/7	AMEND	To rezone parts of 351 Acton Road from "Non-Urban"	351 Acton Road, ACTON PARK	28/02/2008	Application withdrawn
A-2008/5	AMEND	Rezone part of 959 Cambridge Road from Urban	959 Cambridge Road, CAMBRIDGE	4/02/2008	Application withdrawn
A-2008/4	AMEND	Rezoning from Residential A to Residential C	17 Jove Court, LINDISFARNE	30/01/2008	Application withdrawn
A-2008/2	AMEND	Rezoning from Rural to Residential D	680 Oceana Drive, TRANMERE	22/01/2008	Application withdrawn
A-2008/1	AMEND	To amend Schedule 1.2: Table of Uses	Eastern Shore (Area 2) Planning Scheme 1986	14/01/2008	Application withdrawn
A-2007/11	AMEND	Planning Scheme Amendment and Subdivision	40 Pass Road, 6 and 8 Merindah Street, HOWRAH	2/11/2007	Application approved
A-2007/10	AMEND	To amend the definition for 'Tourist Operation	12 Conara Road, 20A and 20B Rosny Esplanade, ROSNY	26/10/2007	Application refused
A-2007/9	AMEND	Clarification of subdivision controls - ESPS86	Lost Property Building, Rosny Applic, ROSNY TAS 7018	12/09/2007	Application withdrawn
A-2007/8	AMEND	Rezoning from Residential D to Public Open Space	48A Rosny Esplanade, ROSNY	16/07/2007	Application approved
A-2007/7	AMEND	Section 43 - Rezoning to Residential A	19 Kent Street, LINDISFARNE TAS 7015	11/07/2007	Application withdrawn
A-2007/6	AMEND	Section 43A - Rezoning from Active Recreation	81 Seven Mile Beach Road and 2, 4, 6, 8 and 8a Woodhurst Road, SEVEN MILE BEACH	11/07/2007	Application approved
A-2007/5	AMEND	Rezone part of 2 Pier Road from Commercial to Village	1 Rainbow Terrace and 2 Pier Road, OPOSSUM BAY	10/07/2007	Application withdrawn
A-2007/4	AMEND	Partial rezoning to Residential A - Section 43A	78 Geilston Bay Road, GEILSTON BAY	1/06/2007	Application withdrawn
A-2007/3	AMEND	Section 43A - Rezoning to Controlled Industry	1431 Tasman Highway, Cambridge	22/05/2007	Application approved
A-2007/2	AMEND	Specified Departure for 2 Lot subdivision	670 Cambridge Road, CAMBRIDGE	22/01/2007	Application approved
A-2007/1	AMEND	Section 33 - Amendment to create new Gordons Hill	55 and 75 Gordons Hill Road, LINDISFARNE	16/01/2007	Application approved
A-2006/17	AMEND	Planning Scheme Amendment and Section 43a	15 Derwent Street, BELLERIVE	15/12/2006	Application withdrawn

A-2006/16	AMEND	Change of use for Civic Building, Community Centre	18 Wentworth Street and 62 Alexandra Esplanade, BELLERIVE	21/11/2006	Application approved
A-2006/15	AMEND	Change of Use	18 Wentworth Street, BELLERIVE	29/09/2006	Application withdrawn
A-2006/14	AMEND	Rezoning from Urban to Commercial	961 Cambridge Road, CAMBRIDGE	15/08/2006	Application approved
A-2006/13	AMEND	Section 43A - Amendments to Eastern Shore (Area 2)	25 Brogo Way, CLARENDON VALE and 260 Acton Drive, ACTON PARK	2/08/2006	Application withdrawn
A-2006/12	AMEND	Section 43A - Amendments to Eastern Shore Planning	25 Brogo Way, CLARENDON VALE and 260 Acton Drive, ACTON PARK	26/07/2006	Application withdrawn
A-2006/11	AMEND	To allow for extractive industry	300 Pittwater Road, SEVEN MILE BEACH	25/07/2006	Application approved
A-2006/10	AMEND	Section 43A Rezoning from Residential C to Residential	73 Walana Street, GEILSTON BAY	20/06/2006	Application refused
A-2006/9	AMEND	Rezoning from Special Use to Residential D (Urban)	213 Cambridge Road, WARRANE	26/05/2006	Application withdrawn
A-2006/8	AMEND	Rezoning from Reserved Controlled Industrial	2 Kennedy Drive, CAMBRIDGE	5/05/2006	Application refused
A-2006/7	AMEND	3 lot subdivision (combined amendment A-2006/7)	50 Minno Street, HOWRAH	28/03/2006	Application approved
A-2006/6	AMEND	Amendment to car parking provisions	Richmond Planning Scheme 1993	25/01/2006	Application withdrawn
A-2006/5	AMEND	Amendment to car parking provisions	Eastern Shore (Area 2) Planning Scheme 1986	25/01/2006	Application withdrawn
A-2006/4	AMEND	Amendment to car parking provisions	Eastern Shore Planning Scheme 1963	24/01/2006	Application withdrawn
A-2006/3	AMEND	To amend the use of civic building	Eastern Shore Planning Scheme 1963	20/01/2006	Application approved
A-2006/2	AMEND	Rezoning & amendment to density rating, 5 lot subdivision	2 Kennedy Drive, CAMBRIDGE	19/01/2006	Application refused
A-2006/1	AMEND	Rezoning from Reserved Residential to Residential	28, 30 and 32 King Street and 181 Mockridge Road, ROKEBY	6/01/2006	Application approved
A-2005/23	AMEND	Amend the density rating and 1 lot subdivision	21 Canopus Road, MOUNT RUMNEY	19/12/2005	Application approved
A-2005/22	AMEND	Section 43a and 200 lot subdivision	473, 503 and 525 Rokeby Road, HOWRAH TAS	21/11/2005	Application withdrawn
A-2005/21	AMEND	Rezoning to Residential D	936, 1047, 1047a and 1049 Oceana Drive, TRANMERE	25/10/2005	Application withdrawn
A-2005/20	AMEND	Rezoning from Non-Urban to Commercial	10A and 10B Bangalee Street, LAUDERDALE	17/10/2005	Application approved
A-2005/19	AMEND	Rezoning from Residential C to Residential D	240 and 240a Geilston Bay Road, GEILSTON BAY	28/09/2005	Application approved
A-2005/18	AMEND	Amendment to Eastern Shore (Area 2) Planning Scheme	Eastern Shore (Area 2) Planning Scheme 1986	28/09/2005	Application approved
A-2005/17	AMEND	Amendment to Richmond Planning Scheme 1993	Lost Property Building, Rosny Applic, ROSNY TAS	28/09/2005	Application withdrawn
A-2005/16	AMEND	Amendment to Eastern Shore Planning Scheme 1963	Eastern Shore Planning Scheme 1963	28/09/2005	Application approved

A-2005/15	AMEND	Rezoning from Public Open Space to Professional Offices	4A Howrah Road, Howrah	20/09/2005	Application approved
A-2005/14	AMEND	Rezoning to Controlled Industry	44, 52, 66, 82, 94, 102, 134 and 136 Kennedy Drive, CAMBRIDGE	5/09/2005	Application approved
A-2005/13	AMEND	Amendment to Part 3.3.14 of the Eastern Shore Planning Scheme 1963		21/07/2005	Application approved
A-2005/12	AMEND	Amendment to Part 5.3.9 of the Eastern Shore (Area 2) Planning Scheme 1986		21/07/2005	Application approved
A-2005/11	AMEND	Amendment to Clause 2.17 of the Richmond Planning Scheme 1993		21/07/2005	Application approved
A-2005/10	AMEND	Section 43A - Health & Fitness Centre	17 Bayfield Street, ROSNY PARK	15/07/2005	Application approved
A-2005/9	AMEND	Sex Industry Premises - RPS93 - (see A-2005/7)	General Amendment - RPS93	15/06/2005	Application withdrawn
A-2005/8	AMEND	Sex Industry Premises - ES(2)PS86 (see A-2005/8)	General Amendment - ES(2)PS86	15/06/2005	Application withdrawn
A-2005/7	AMEND	Sex Industry Premises - ESPS63	General Amendment - EPS63	15/06/2005	Application withdrawn
A-2005/6	AMEND	Rezoning from Special Use to Residential D	99 Kaoota Road, ROSE BAY	14/06/2005	Application refused
A-2005/5	AMEND	Rezoning and 17 lot subdivision	290 and 326 Rifle Range Road, SANDFORD	2/06/2005	Application approved
A-2005/4	AMEND	Amendment to Part 4.3 Estuarine & Coastal Protection	Eastern Shore (Area 2) Planning Scheme 1986	2/05/2005	Application approved
A-2005/3	AMEND	Rezoning from Reserved Controlled to Controlled Industry	134 Kennedy Drive, CAMBRIDGE	14/04/2005	Application withdrawn
A-2005/2	AMEND	Rezoning to Residential D	130 Mockridge Road, CLARENDON VALE	28/02/2005	Application withdrawn
A-2005/1	AMEND	Amendment to Heritage Schedule - ESPS63	Specific Amendment - ESPS63 and ESPS86	9/02/2005	Application approved

**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)

**CLARENCE STREET – SAFETY ASSESSMENT PROJECT**  
(REFER ITEM 11.5.1)

Mr Peter Kent addressed the Meeting regarding the above matter.

**SUBDIVISION APPLICATION SD-2015/31 – 6 ROTARY PLACE, ACTON PARK AND 51 CRANSTON PARADE, CAMBRIDGE – BOUNDARY ADJUSTMENT, LANDFILL AND CONCRETE CRUSHING**  
(REFER ITEM 11.3.1)

Mr Gregory Casimaty addressed the Meeting regarding the above Subdivision Application.

**9. MOTIONS ON NOTICE****9.1 NOTICE OF MOTION – ALD MCFARLANE  
MULTI-USER PATHWAY - ROKEBY**  
(File No 10-03-05)

At Council's Meeting of 26 October 2015 it was **resolved**: *“That this Item lay on the Table for relisting in 2 meetings time”*.

The matter is now relisted for consideration.

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

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

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

The **Motion LAPSED** for want of a **Seconder**

**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 Mayor tabled the Quarterly Report for the period ending 30 September 2015, which will be included in the Agenda for the next Council Meeting.

**Representative Reporting**

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

**Quarterly Reports**

September Quarterly Report pending.

**Representative Reporting**

Ald Campbell advised that the Authority held its Annual General Meeting on Thursday, 3 December 2015 and will provide a report to Council in due course.

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

**Quarterly Reports**

September Quarterly Report pending.

/ contd on Page 21...

**REPORTS FROM SINGLE AND JOINT AUTHORITIES /contd...**

<b>Decision:</b>	<b>MOVED</b> Ald James <b>SECONDED</b> Ald Cusick	
	“That the 2015 Annual Report for the Southern Waste Strategy Authority be received”.	
		<b>CARRIED</b>
	<b>FOR</b>	<b>AGAINST</b>
	Ald Campbell	Ald Walker (abstained)
	Ald Chipman	
	Ald Chong	
	Ald Cusick	
	Ald Doust	
	Ald James	
	Ald McFarlane	
	Ald Peers	
	Ald Thurley	
	Ald von Bertouch	

**Representative Reporting**

Ald James tabled the Minutes of the 2014 Annual General Meeting and the Agenda for the 2015 Annual General Meeting, he also provided an update on Authority matters and its future operation.

- **TASWATER CORPORATION**

**Quarterly Reports**

TasWater Corporation has distributed its Quarterly Report for the period 1 July to 30 September 2015.

**RECOMMENDATION:**

That the Quarterly Report of TasWater Corporation for the Quarter ending 30 September 2015 be received.

<b>Decision:</b>	<b>MOVED</b> Ald Chong <b>SECONDED</b> Ald Cusick	
	“That the Quarterly Report of TasWater Corporation for the Quarter ending 30 September 2015 be received”.	
		<b>CARRIED UNANIMOUSLY</b>

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

- Ald McFarlane tabled the following:
  - Minutes of a Meeting held on 1 July 2015;
  - Agenda for the Annual General Meeting held on 18 November 2015; and
  - Agenda for the Management Committee Meeting held on 18 November 2015.

**Land and Coastcare Grants Assessment Committee**

- Ald McFarlane tabled the Minutes of a Meeting held on 14 October 2015.

**Lindisfarne Community Activities Centre Management Committee**

- Ald Peers tabled the Minutes of a Meeting held on 19 November 2015.

**Tracks and Trails Committee**

- Ald James tabled the Minutes of a Meeting held on 8 October 2015; and
- provided a brief report of the meeting held with the Commissioner of Police regarding the proposed route of the trail through the academy property.

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

(File No 10/02/02)

The Weekly Briefing Reports of 16, 23 and 30 November 2015 have been circulated to Aldermen.

**RECOMMENDATION:**

That the information contained in the Weekly Briefing Reports of 16, 23 and 30 November 2015 be noted.

**Decision:** **MOVED** Ald Campbell **SECONDED** Ald Thurley

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS**

Nil.

**11.3 PLANNING AUTHORITY MATTERS**

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

**11.3.1 SUBDIVISION APPLICATION SD-2015/31 - 6 ROTARY PLACE, ACTON PARK AND 51 CRANSTON PARADE, CAMBRIDGE - BOUNDARY ADJUSTMENT, LANDFILL AND CONCRETE CRUSHING**

(File No SD-2015/31)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a boundary adjustment, landfill and concrete crushing operation at 6 Rotary Place, Acton Park and 51 Cranston Parade, Cambridge.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Light Industrial, Rural Resource and Rural Living and subject to the Waterway and Coastal Protection, Inundation Prone Areas, Natural Assets and Airport Buffer Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). The land is also subject to the Cranston Parade Specific Area Plan. In accordance with the Scheme the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 15 December 2015.

**CONSULTATION**

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

- stormwater management;
- composition of fill;
- type of existing material on-site;
- environmental impact of asphalt;
- quantities of material to be processed;
- dust control;
- traffic impact;
- aesthetic impact;
- categorisation of use; and
- impact on natural values.

**RECOMMENDATION:**

A. That the application for boundary adjustment, landfill and concrete crushing at 6 Rotary Place, Acton Park and 51 Cranston Parade, Cambridge (CI Ref SD-2015/31) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

**Subdivision Conditions**

2. ENG M8 – EASEMENTS.
3. The boundaries of Lot 1 must encompass all of the Light Industrial Zone aligning with the zone boundary.

**Landfill Conditions**

4. The landfill must be undertaken in accordance with the endorsed filling plan and must not exceed a height of 6m Australian Height Datum.
5. ENG M9 – FILLING OF LAND.
6. ENG M5 – EROSION CONTROL.
7. ENG M7 – WEED MANAGEMENT PLAN.
8. Filling and associated drainage works within the Waterway and Coastal Protection Code must be undertaken generally in accordance with “Wetlands and Waterways Works Manual” (DPIWE, 2003) and “Tasmanian Coastal Works Manual” (DPIPWE, Page and Thorp, 2010). The unnecessary use of machinery within watercourses or wetlands must be avoided.

**Scrap Yard Conditions**

9. An amended plan showing the location of the crushing activity, including mounding of material stockpiles before and after processing, must be submitted to and approved by Council’s Manager City Planning prior to the commencement of works. The plan must include dimensions showing the location of the area in relation to site boundaries and other relevant site features. The area identified for the crushing activities, including the material stockpiles, must not exceed 5000m<sup>2</sup>. When approved, the plans will form part of the permit.
10. Mounds of stockpiled material must not exceed 3m in height above natural ground level.
11. The existing stockpiled material located adjacent to the Cranston Parade boundary of the site must be crushed and removed from the site within 3 months of the date of this permit. After this date, all activities associated with the crushing of concrete must be relocated to the area identified on the endorsed plan.
12. ENG S1 – INFRASTRUCTURE REPAIR.
13. All commercial vehicles used in the landfill/concrete crushing activity must access Lot 1 (51 Cranston Parade) from Cranston Parade and must not use access from Rotary Place.

14. Any noise emitted from the site must not cause an environmental nuisance as defined in the Environmental Management and Pollution Control Act, 1994.
15. Dust emissions from roads, disturbed areas, stockpiles and machinery must be controlled to the extent necessary to prevent an environmental nuisance, as defined in the Environmental Management and Pollution Control Act, 1994.
16. The crushing operation is to cease during windy periods to the extent necessary to prevent an environmental nuisance, as defined in the Environmental Management and Pollution Control Act, 1994.
17. If officers from the Department of State Growth consider dust or debris from the crushing activity is creating a traffic hazard to vehicles using the Tasman Highway, the activity must cease immediately on notification either verbally or in writing from officers of the Department.
18. Prior to commencement of crushing operations, a water supply pipe must be provided to the crushing area to provide for dust suppression measures, including the wetting down of stockpiles before and after processing.
19. The operator must notify Council's Senior Environmental Health Officer prior to the first crushing event (once for the Cranston Parade site and once at the permanent location) to enable an inspection of the dust suppression measures to be undertaken.
20. Landscaping must be provided along the frontage of the site (except where the existing access and driveway is provided). A landscape plan must be submitted to and approved by Council's Manager City Planning prior to the commencement of works. The plan must be to scale and show:
  - a north point;
  - existing trees and those to be removed;
  - driveways, paths, car parking, retaining walls and fencing;
  - any proposed rearrangement of ground levels;
  - details of proposed plantings including botanical names, and the height and spread of canopy at maturity; and
  - estimated cost of the landscaping works.

The landscaping works must be completed prior to the commencement of crushing at the permanent location.

21. LAND 3 – LANDSCAPE BOND (COMMERCIAL).

**TasWater Conditions**

22. The development must meet all required Conditions of Approval specified by TasWater notice dated 23 June 2015 (TWDA 2015/00960-CCC).
23. **ADVICE** – The Vegetation and Fauna Habitat Assessment indicates that a number of rare and vulnerable flora and fauna species are present on the land. Not all of these species are located in areas identified under the Natural Assets Code of the Clarence Interim Planning Scheme 2015. The applicant is therefore advised that permits to disturb these species may be required under the Tasmanian Threatened Species Protection Act 1995, or the national Environment Protection and Biodiversity Conservation Act, 1999. It is your responsibility to comply with the legislation and therefore you should contact the relevant government departments to determine whether there will be any issues which may arise under either Act in relation to the development.
24. **ADVICE** – Previous permits affecting the land have advised that the site may contain relics which are protected under the Aboriginal Relics Act, 1975. The applicant is therefore responsible for ensuring compliance with the provisions of that Act. The applicant is advised to seek independent technical advice in relation to identification and protection of any relics.
- 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 Walker

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.3.2 DEVELOPMENT APPLICATION D-2015/416 - 18 ST HELENS STREET,  
LINDISFARNE - OUTBUILDING**  
(File No D-2015/416)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an outbuilding at 18 St Helens Street, Lindisfarne.

**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 as the proposal does not meet the acceptable solutions for front boundary setback or frontage fences under the zone.

**LEGISLATIVE REQUIREMENTS**

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 9 December 2015.

**CONSULTATION**

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

- lack of passive surveillance; and
- inconsistency with streetscape.

**RECOMMENDATION:**

A. That the Development Application for Outbuilding at 18 St Helens Street, Lindisfarne (C1 Ref D-2015/416) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN AP3 – AMENDED PLAN [a reduction in the overall maximum height of the fence to 1.8m above natural ground level and increased transparency of not less than 30% for the portion of the fence from 1.2m above natural ground level].

3. The development must meet all required Conditions of Approval specified by TasWater notice dated 1 October 2015 (TWDA 2015/01577-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 McFarlane

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.3.3 REZONING AMENDMENT A-2015/1 - 38 GORDONS HILL ROAD,  
LINDISFARNE**  
(File No A-2015/1)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to review Council's decision of 8 October 2015, in light of the representations received during the public exhibition period in accordance with the requirements of Section 39 of the Land Use Planning and Approvals Act, 1993 (LUPAA).

The representations relate to a Section 33 application made for a Planning Scheme Amendment to rezone the land at 38 Gordons Hill Road, Lindisfarne from Open Space to Particular Purpose Zone 3 – Gordons Hill Precinct.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Open Space and subject to the Bushfire and Waterway and Coastal Protection Overlay Codes under the Clarence Interim Planning Scheme 2015 (the Scheme).

**LEGISLATIVE REQUIREMENTS**

The proposal was submitted to Council in accordance with Section 33 of LUPAA seeking a rezoning amendment. The certified Amendment was advertised in accordance with the statutory requirements and pursuant to Section 39 of LUPAA; Council is required to consider the merits of any representations 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 proposal was advertised in accordance with statutory requirements and 2 public representations were received, as was a submission from the Department of State Growth. Additionally, the applicant submitted a representation reserving their right to participate in any TPC panel hearing. The representors raised the following issues:

- future access;
- future Tasman Highway on and off ramp alignment;
- development within proximity of the Tasman Highway;
- erroneous reference to Henley Street;
- no supporting documentation from Parks and Wildlife;
- timing of Ecological Survey;
- Ecological Survey/assessment and lack of wildlife connectivity;
- bushfire management; and
- STRLUS/infill development.

These issues are discussed within the body of this report.

**RECOMMENDATION:**

- A. That Council resolves, under Section 39(2) of the Land Use Planning and Approvals Act, 1993 to advise the Tasmanian Commission that it considers the merits of the representations received do not warrant any modification to draft Amendment A-2015/1 relating to the rezoning at 38 Gordons Hill Road, Lindisfarne.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

The Mayor declared an Interest in this Item and left the Meeting prior to discussion (8.10pm).

The Deputy Mayor Assumed the Chair.

<b>Decision:</b>	<b>MOVED</b> Ald Cusick <b>SECONDED</b> Ald Chong “That the Recommendation be adopted”. <b>CARRIED UNANIMOUSLY</b>
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The Mayor returned to the Meeting at this stage and Resumed the Chair (8.14pm).

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 ASSESSMENT PROJECT**

(File No 04-03-01)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the next phase of the Clarence Street Safety Assessment Project. To seek Council's approval to undertake public consultation on design options for improving safety for all users of Clarence Street.

**RELATION TO EXISTING POLICY/PLANS**

Council's Strategic Plan 2010-2015 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.

Engagement with the community will be in accordance with Council's Community Participation Policy.

**FINANCIAL IMPLICATIONS**

Council's Annual Plan provided funding of \$50,000 for this project. Until a recommendation is made on the preferred outcome resulting from the Technical Working Group and public consultation, there is no financial impact.

**RECOMMENDATION:**

- A. That Council supports the Technical Working Group's agreed safety improvements for Clarence Street, being:
- provide consistent spacing of Bus Stops and align with pedestrian movements;
  - provide discreet turning lanes, where possible, at intersections along Clarence Street; and
  - rationalise the frequency and location of standouts and islands.
- B. That Council authorises the General Manager to undertake consultation with Bellerive Primary School and the Department of State Growth on the desirability and feasibility of traffic signalisation at the Scott Street/Clarence Street intersection.

- C. That Council authorises the General Manager to undertake a community consultation program based on Design Options 1 and 3, as set out in Attachments 1 and 2 to the Associated Report.
- D. That once the community consultation is complete a future Council Workshop is held on the results of the consultation program.

**Decision:****MOVED** Ald James **SECONDED** Ald Campbell

“A. That Council supports the Technical Working Group’s agreed safety improvements for Clarence Street, being:

- provide consistent spacing of Bus Stops and align with pedestrian movements;
- provide discreet turning lanes, where possible, at intersections along Clarence Street; and
- rationalise the frequency and location of standouts and islands.

B. That Council authorises the General Manager to undertake consultation with Bellerive Primary School and the Department of State Growth on the desirability and feasibility of traffic signalisation at the Scott Street/Clarence Street intersection”.

**CARRIED****FOR**

Ald Campbell  
 Ald Chipman  
 Ald Cusick  
 Ald Doust  
 Ald James  
 Ald Peers  
 Ald Thurley

**AGAINST**

Ald Chong  
 Ald McFarlane  
 Ald von Bertouch  
 Ald Walker

**11.6 FINANCIAL MANAGEMENT**

Nil Items.

**11.7 GOVERNANCE****11.7.1 PARTNERSHIP GRANTS**

(File No 09-17-06A)

**EXECUTIVE SUMMARY****PURPOSE**

To consider the Partnership Grants Assessment Panel's recommendations for the allocation of financial assistance in respect of the 2015/2016 Partnership Grants.

**RELATION TO EXISTING POLICY/PLANS**

Community Grants Policy and social plans including Youth Plan, Cultural Arts Plan, Positive Ageing Plan, Health and Wellbeing Plan, Cultural History Plan, Community Participation Policy and Clarence Events Plan.

**LEGISLATIVE REQUIREMENTS**

Nil.

**CONSULTATION**

Nil.

**FINANCIAL IMPLICATIONS**

There is an annual budget for the Community Grants Program including the Partnership Grants.

**RECOMMENDATION:**

That Council approves financial grants amounting to \$36,000.00 to:

- Transistor Youth Arts – “Transition Youth Arts” - \$12,000;
- Young Life Australia (Hobart) – “Young Stars” - \$12,000; and
- Clarendon Vale Neighbourhood Centre Inc – “Bringing One Community Together – Making the Opportunities Happen” - \$12,000.

Ald Chong declared an Interest in this Item and left the Meeting prior to discussion (8.32pm).

/ Refer to Page 39 for Decision on this Item...

**PARTNERSHIP GRANTS /contd...**

<b>Decision:</b>	<b>MOVED</b> Ald Campbell <b>SECONDED</b> Ald Peers																						
	“That the Recommendation be adopted”.																						
	<b>CARRIED</b>																						
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Ald Chong returned to the Meeting at this stage (8.33pm).

**11.7.2 COUNCIL DELEGATIONS UNDER THE URBAN DRAINAGE ACT 2013**

(File No 10/08/00)

**EXECUTIVE SUMMARY****PURPOSE**

To consider the update of Council's delegations based on the introduction of the Urban Drainage Act 2013.

**RELATION TO EXISTING POLICY/PLANS**

The changes sought are specifically to deal with the introduction of the Urban Drainage Act 2013, which replaced the Drains Act 1954. The delegations proposed will not impact on any pre-existing policies or strategies of Council.

**LEGISLATIVE REQUIREMENTS**

Delegations under the Urban Drainage Act 2013 are effected through the Delegation Provisions of the Local Government Act, 1993 which enables Council to delegate its powers to the General Manager who in turn can on-delegate.

**CONSULTATION**

Consultation has occurred at an administrative level.

**FINANCIAL IMPLICATIONS**

Not applicable.

**RECOMMENDATION:**

1. That the following Schedule of Delegations in respect to the Urban Drainage Act 2013 be approved.
2. That the following Schedule of functions and powers, in respect to the Urban Drainage Act 2013, be delegated to the General Manager together with the powers to on-delegate.

<b>NO.</b>	<b>ACT REF</b>	<b>DETAILS OF DELEGATION</b>	<b>DELEGATION</b>
	Urban Drainage Act 2013 Section 11	To determine the Council's requirements regarding the hydraulic capacity of new urban drains that are to form part of the public stormwater system and to reach agreement on the expenses incurred by a person in meeting any additional requirements under Section 11(4) of the Act that are to be paid and to declare private stormwater system works to be vested in Council.	General Manager
	Section 12	To maintain and make available a map of the Council maintained public stormwater system.	General Manager

	Sections 13 and 14 and 21, 22, 23	To instigate the remedy, restoration or reinstatement of and connection to or disconnection from the public stormwater system and to rectify the discharge from a private stormwater system onto neighbouring properties following failure of a person to comply with a notice requiring them to undertake these works.	General Manager
	Urban Drainage Act 2013(General)	To undertake all necessary administration under the Act and the Regulations once introduced including any necessary issuing and serving of consents and notices in respect to: <ul style="list-style-type: none"> <li>• protection of stormwater assets under Part 3;</li> <li>• interference with public stormwater systems under Part 3;</li> <li>• requirement to connect to public stormwater system under Part 4; and</li> <li>• the requirement that a property owner is not to direct stormwater onto neighbouring properties under Part 5.</li> </ul>	General Manager
	General	To attend to any court or tribunal hearing to determine an application for compensation made and to seek reimbursement of any costs incurred under this Act.	General Manager

<b>Decision:</b>	<b>MOVED</b> Ald Walker <b>SECONDED</b> Ald Cusick  “That the Recommendation be adopted”.  <b>CARRIED UNANIMOUSLY</b>
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**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 RATING MATTER
- 13.3 ANNUAL REVIEW – 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:

- personnel matters;
- 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 Peers **SECONDED** Ald Chong

“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**

The Meeting closed at 9.30pm.