

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 7 MAY 2018

HOUR CALLED: 7.30pm

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

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

1. APOLOGIES J Peers (Leave of Absence)

ORDER OF BUSINESS Items 1 – 13

IN ATTENDANCE

General Manager
(Mr A Paul)

Corporate Treasurer
(Mr F Barta)

Group Manager Engineering Services
(Mr R Graham)

Corporate Secretary
(Mr I Nelson)

Manager Health and Community Development
(Mr J Toohey)

Manager City Planning
(Mr R Lovell)

Co-ordinator Council Support
(Ms J Ellis)

The Meeting closed at 9.22pm.

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 MAY 2018
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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 16 April 2018, as circulated, be taken as read and confirmed.

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

“That the Minutes of the Council Meeting held on 16 April 2018, 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
Budget	23 April
Presentation – Proposed Cambridge Primary School Master Plan	
Rating Matters	
Kerbside Recyclables Collection Service	
Draft Capital Expenditure Program 2018/19	30 April

RECOMMENDATION:

That Council notes the workshops conducted.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

5. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE
(File No)

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

INTEREST DECLARED

Alderman Chong **Item Nos 11.3.2 and 11.7.2**

Alderman Hulme **Item No 11.3.1**

6. TABLING OF PETITIONS

(File No. 10/03/12)

(Petitions received by Aldermen may be tabled at the next ordinary Meeting of the Council or forwarded to the General Manager within seven (7) days after receiving the petition.

Petitions are not to be tabled if they do not comply with Section 57(2) of the Local Government Act, or are defamatory, or the proposed actions are unlawful.

- Ald James lodged a petition consisting of an electronic petition and a paper petition, stating an approximate number of signatories totalling 1027 requesting Council hold a public meeting about the proposed development by Hunter Development on Rosny Hill.

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.

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**Traffic Issues Kangaroo Bay**

In relation to traffic issues in Kangaroo Bay during weekend sporting events, Ms Sachie Yasuda of Lindisfarne asked that given that construction has not commenced, the anticipated increase in traffic and Council's Parking Strategy as shown on the website, does Council believe that the current situation is acceptable and safe.

Answer

The Mayor advised that this matter would be taken on notice the Mayor further advised that steps would be taken to ensure that Council Rangers are on site for the coming weekend during the sporting event to assess the situation and what can be done to remedy any issues.

/ contd on Page 8...

QUESTIONS WITHOUT NOTICE /contd...

Recording of Council Meetings

Mr Michael Geard of Bellerive asked whether any action had been taken to rectify the problems regarding the recording of the Council Meeting of 16 April and whether Council has given further consideration to the introduction of live streaming of Council Meetings.

Answer

The General Manager advised that due to technical problems the Meeting of 16 April had not recorded despite it appearing so during the Meeting. Following the Meeting it was discovered the recording file had corrupted and was not able to be played. It is understood that this issue has been rectify and further investigations into better options for recording of Council Meetings is underway. The General Manager further advised that regarding live streaming this is a matter for Council to consider.

Community Grants Programme

Mr Michael Geard of Bellerive asked if an Alderman was a patron of a grant recipient under the Community Grants Programme, whether they would absent themselves from a decision endorsing a grant.

Answer

The Mayor advised that this was a matter for the Councillor concerned.

Chambers Sound System

Mr Michael Figg of Lauderdale asked whether a timeline could be provided on the upgrade of the sound system for the chamber.

Answer

The General Manager advised that advice is being sought regarding this matter and as soon as that advice is received, an update can be provided, however, a timeline is not available at this point.

8. DEPUTATIONS BY MEMBERS OF THE PUBLIC

(File No 10/03/04)

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

DEVELOPMENT APPLICATION D-2017/523 – 155 TRANMERE ROAD, HOWRAH – MULTIPLE DWELLINGS (1 EXISTING, 1 NEW) AND ADDITIONS TO EXISTING
(REFER ITEM 11.3.2)

Mr Steve Batten addressed the Meeting regarding the above Development Application.

9. MOTIONS ON NOTICE

Nil.

10. REPORTS FROM OUTSIDE BODIES

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

10.1 REPORTS FROM SINGLE AND JOINT AUTHORITIES

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

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

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

Quarterly Reports

Not required.

Representative Reporting

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

Quarterly Reports

March Quarterly Report pending.

Representative Reporting

- **TASWATER CORPORATION**
The Mayor tabled a copy of the Memorandum of Understanding between TasWater and the State Government. The Mayor also advised that a General Meeting of the Owners Representative would be held on 10 June 2018.

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES**TRACKS AND TRAILS ADVISORY COMMITTEE**

(File No 07-06-09)

Chairperson's Report – Alderman R James

Report to Council for the 3 month period 1 January 2018 to 31 March 2018.

1. PRINCIPAL OBJECTIVES AND GOALS

The Committee's prime objectives are to:

- provide advice and make recommendations, including policy, to assist Council in the development of tracks and trails in the City;
- assist in the development and periodic review of Council's Tracks and Trails Strategy;
- develop and maintain a Tracks and Trails Register which captures all existing and possible future trail and track networks (including multi-user pathways) in Clarence;
- develop and review (on a rolling basis) the Tracks and Trails Action Plan for endorsement by Council that articulates the development initiatives prioritised and proposed to be conducted over a 5 year programme, which recognises the access and needs of all users eg: walkers, horse riders, mountain bikers, etc;
- monitor progress and work to address the actions of the plan according to their level of priority;
- as part of internal referral process to provide input and advice on the provision and requirements for trail networks and the provision of trail linkages as part of new subdivisions.

In working towards these goals, the Committee undertook a range of activities, which are set out below.

2. CAPITAL WORKS PROJECT

Clarence Mountain Bike Park – Skills Park Stage 2

A funding application to the Cycle Tourism Grant was successful and construction of Stage 2 of the skills park has commenced. The funding will also go towards a new carpark, signage, shelter with seating and 2 new mountain bike tracks in the Meehan Range.

Coal River Track at Richmond Recreation Reserve

Post and rail fencing has been installed at the entry off Gunning Street.

Clarence Foreshore Trail in Tranmere – Pindos Park to Gully

A new track has been constructed in the foreshore reserve south of Pindos Park.

Meehan Range

A new easily graded walking and biking track has been constructed between the Tunnel Hill road crossing and the Skyline Fire Trail and a link track has been constructed between Flagstaff Hill and Caves Hill.

3. RECURRENT INITIATIVES – MAINTENANCE AND UPGRADES

Tangara Trail Post and Rail Fencing at Entry Points

Several entry points on the Tangara Trail in Sandford have had post and rail fencing installed.

Track Maintenance

Maintenance work has been carried out on the Risdon Vale Rivulet Track, Thoona Track, Geilston Bay intertidal track, Elinga Park Track, Blessington Track, Flagstaff Gully Track and Natone Hill Track.

4. DESIGN AND INVESTIGATION WORK IN PROGRESS

Ralphs Bay Coastal Track

Quotes have been received and an application for a Permit to Conceal Aboriginal middens has been submitted.

Blessington Track to Fort Direction Road

A track alignment has been identified at Fort Direction. The Defence Force has approved a 10 year licence agreement with Council for a track to link the foreshore to Fort Direction Road and Potters Hill Reserve.

5. GOVERNANCE MATTERS**Committee Meetings**

One committee meeting was held on 15 February 2018 and a special meeting was held on 15 March 2018.

6. EXTERNAL LIAISON

Nil.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

NATURAL RESOURCE MANAGEMENT – QUARTERLY REPORT

(File No 12-15-01)

Chairperson’s Report – Alderman Kay McFarlane

Report to Council for the 3 month period 1 January 2018 to 31 March 2018.

1. PRINCIPAL OBJECTIVES AND GOALS

The Committee’s prime objectives are to:

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

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

2. CAPITAL WORKS PROJECTS

Nil.

3. RECURRENT INITIATIVES**Work for the Dole Program**

The Work for the Dole Program is progressing very well. The crew, during the last quarter, have conducted brush cutting, weed control, cumbungi removal and crack willow removal. The crew have also been working closely with Council’s Fire Crew, piling vegetation heaps that the Fire Crew burn to reduce fuel loads about 45 Goodwin’s Road.

The crew have also worked alongside contractors (chainsaw assistance) to remove dead trees and thin vegetation along the Clarence Plains Rivulet.

Development of Reserve Activity Plans (RAP) 2017-18

The review and extension of the Tranmere Coastal Reserve RAP 2018-2022 has recently been adopted by Council.

The second stage of consultation for the draft Acton Trails and Reserves RAP 2018-2022 attracted substantial feedback. The feedback is currently being evaluated prior to drafting a report to Council.

The first stage of consultation for the review and extension of the Mortimer Bay Coastal Reserve RAP 2018-2022, involving a well-attended “Walk and Talk” and feedback forms, has been completed.

Letters have been sent to the Seven Mile Beach community regarding the date for a “Walk and Talk” as part of the consultation for the review and extension of Seven Mile Beach Coastal Reserve RAP 2018-2022.

Implement Natural Area Reserve Activity Plans

Tranmere Coastal Reserve

Has had 2 stone pitched/paver water access paths installed close to the headland at Punchs Reef.

North Warrane Bushland Reserve

Has undergone brush cutting, slashing of treated/untreated blackberry canes and weed control. Cumbungi in the nearby swale has been treated using a “wick wipe” technique to trial its effectiveness for control.

Seven Mile Beach Coastal Reserve

Radiata pine control has been undertaken at Seven Mile Beach Coastal Reserve. Minor pruning of coastal wattle has also occurred.

Second Bellerive Bluff

Has undergone maintenance contractor works. Garden beds have been weeded, vegetation pruned and track verges sprayed and cleared of vegetation.

Wetland/Storm Water Retention Basins

Otago Bay Freshwater Lagoon

Has been brush cut, has undergone weed control and had cumbungi removed from the native vegetation growing in the lagoon.

Drainage Swales

Barilla Rivulet

Near Backhouse Lane, has been slashed in preparedness for excavation works. Crack willow has been poisoned for removal and cumbungi will be dug out to restore flow lines.

Below Spinnaker Terrace Swale

The swale Reserve below Spinnaker Terrace has undergone brush cutting, weed control and pruning.

Priority Weed Management

Significant weed control work has been administered in various CCC natural areas including: Second Bellerive Bluff, Tranmere Coastal Reserve, Cambridge Road and South Arm.

CCC Land and Coastcare Grants' Program

All projects that were funded by the NRM & Grants Committee are well underway. Projects will need to be finished by the end of the financial year.

Maintenance Clarendon Vale Rivulet

The Clarence Plains Rivulet is in very good condition at the moment due to the work carried out by the Work for Dole Team.

Schools Landcare Support Program

Planning is underway to do some more planting with Richmond Primary School at the Richmond Recreational Ground.

Community Clean Up Program

The program is well underway with many groups having conducted clean ups in their local areas.

Clean up Australia Day

Clean up Australia Day was a huge success for 2018. Data on transfers, recycling, number of groups etc, will be collated in the coming weeks and a report submitted for the 2018 events.

World Wetlands Day

Clarence City Council, in partnership with Sorell Council, NRM South, Derwent Estuary Program, DPIPWE and University of Tasmania, hosted a World Wetlands Day Event centred at Lauderdale Primary School. The event attracted 500 participants and strong media interest featuring numerous stalls and field trips on both Lauderdale saltmarshes and the Roscommon constructed wetland.

Australian Native Plants Society Conference 2018

Clarence City Council hosted 5 well-attended half day field trips on the Lauderdale Saltmarshes.

Australia Coast to Coast Conference 2018

Clarence City Council is providing support to Australia's foremost Conference on Coasts under a Changing Climate. Clarence City Council will be hosting a field event at Roches Beach and providing a presentation on Clarence's coastal adaptation activities.

Prison Program Project

The Prison Crew have continued with dry stone retaining wall work along the new gravel path from Gordons Hill Road to the Rosny Barn.

The Prison Crew have continued with maintenance-type work in the natural areas about Risdon Vale and have also performed extensive vegetation management works about Grass Tree Hill Rivulet.

Extensive weed control has been done along footpaths and natural areas at Risdon Vale.

4. DESIGN AND INVESTIGATION WORK IN PROGRESS

Nil.

5. GOVERNANCE MATTERS.

Committee Meeting

Committee meetings were held on 25 January 2018 and 13 March 2018. Capital and recurrent budget items were discussed for Council consideration during the 2018/2019 budget process.

Revised Constitution

The Committee has undertaken a 5 year review of the Constitution and discussed a revised Constitution to reflect the current needs and purpose of the Committee. A proposed revised Constitution will be reported to a Council Meeting for formal adoption.

6. EXTERNAL LIAISON

The NRM & Grants Committee have assessed all Landcare Grant Applications and funds have distributed to successful applicants.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

BICYCLE STEERING COMMITTEE – QUARTERLY REPORT

(File No 04-03-02)

Chairperson's Report – Alderman S von Bertouch

Report to Council for the 3 month period 1 January 2018 to 31 March 2018.

1. PRINCIPAL OBJECTIVES AND GOALS

The Committee's prime objectives are to:

- advise Council on the identification, development and maintenance of cycling routes and infrastructure along roads and other easements throughout the City;
- facilitate and provide guidance for the implementation of Council's adopted Bicycle Strategy;
- be actively involved in providing design advice relating to cycling infrastructure projects undertaken by Council;
- be actively involved in providing advice to Cycling South on matters relating to regional cycling infrastructure; and
- promote information sharing of cycling related matters affecting the City.

In working towards these goals the Committee arranged and implemented a range of activities, which are set out below.

2. CAPITAL WORKS PROJECTS**Silwood Avenue Track Upgrade**

The Aboriginal Heritage Assessment has been completed and an application for a Permit to Conceal has been lodged with Aboriginal Heritage Tasmania.

3. RECURRENT INITIATIVES

Nil.

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

Council decided to adopt Option 1 as its preferred option at its Council Meeting held on 3 July 2017. Plans are being designed for intersection treatments at Shoreline and Wentworth Streets of which the Committee provide comments.

After this, design plans will be prepared for Wentworth Street to Beach Street.

Clarence Foreshore Trail – Simmons Park to Anzac Park

Design is well advanced to show the Aldermen and a cost estimate has been completed at \$700,000.

Tasman Highway – Extension from Tasman Bridge to Montagu Bay Road

Council has been successful in receiving funding of \$70,000 under the Vulnerable Road User Program for this project. With Council's contribution of \$50,000 the total funding available is \$120,000. Currently waiting on final negotiations with the Department of State Growth (DSG) on the shared responsibilities for the area between the southern property boundary and the edge of the Tasman Highway. An issue is DSG's insistence on the application of the Roads and Jetties Act in relation to Council being responsible for maintaining the State Government road reserve if a path is constructed.

Tasman Highway – Tasman Bridge to Mornington

Cycling South has been successful in being awarded funding of \$25,000 for the feasibility and concept design for a multi-user pathway along the Tasman Highway road reservation. Sugden and Gee are preparing a report which is focused on a safe walking and cycling crossing at the Mornington Roundabout.

Howrah and Tranmere Roads – Investigation of Bike Infrastructure

The consultant's report is complete. Staff are currently working through the list of the recommended outcomes.

Clarence Foreshore Track – Marana Avenue to Montagu Bay Park

The demolition of the SES building has allowed for a realignment of the path around the point and large rocks have been placed to restrict vehicle access and to reduce the amount of illegal rubbish dumping. A Notification of Works sign was installed under the Tasman Bridge and the school has been notified of plans to close off the secondary access road to the SES building and re-use it for the Clarence Foreshore Trail.

Richmond Road Sealed Shoulders Project

Concern at the use of 14/7mm twin seal finished surface for the road shoulder. Staff are negotiating to have a 10/7mm seal instead.

Kangaroo Bay Development

When the slipway is open it becomes a challenge for cyclists to make their way along Cambridge Road through the village and back onto the foreshore path. The Committee has also discussed issues relating to the Bellerive Yacht Club development. The Committee's preference is for the suggested ramp access from Cambridge Road to the Foreshore Path.

5. GOVERNANCE MATTERS.**Committee Meeting**

The Committee held one meeting during the quarter on 19 February 2018.

6. EXTERNAL LIAISON

CyclingSouth Annual General Meeting was held on 20 February 2018.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

OTHER COMMITTEES**TRACKS AND TRAILS ADVISORY COMMITTEE**

- Ald James tabled the Minutes of a Meeting held on 26 April 2018.

RICHMOND ADVISORY COMMITTEE

- Ald Chong tabled the Minutes of a Meeting held on 20 March 2018.

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

(File No 10/02/02)

The Weekly Briefing Reports of 16, 23 and 30 April 2018 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 16, 23 and 30 April 2018 be noted.

Decision: **MOVED** Ald Campbell **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

Nil.

11.3 PLANNING AUTHORITY MATTERS

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

11.3.1 DEVELOPMENT APPLICATION D-2018/154 - 4 CULGOA STREET, MORNINGTON - 2 MULTIPLE DWELLINGS (1 EXISTING, 1 NEW)
(File No D-2018/154)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 2 Multiple Dwellings (1 existing, 1 new) at 4 Culgoa Street, Mornington.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 9 May 2018.

CONSULTATION

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

- solar access;
- noise;
- privacy; and
- overall loss of residential amenity.

RECOMMENDATION:

A. That the Development Application for 2 Multiple Dwellings (1 existing, 1 new) at 4 Culgoa Street, Mornington (CI Ref D-2018/154) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. The foundations of all structures, including deck, must be a minimum of 1m away from the side of any piped infrastructure and at an appropriate depth as not to cause detriment. The exact location of infrastructure locations and depths are to be included on the engineering drawings to be provided for Council approval, prior to the granting of a building permit.
 3. ENG M1 – DESIGNS DA.
 4. ENG A5 – SEALED CAR PARKING.
 5. ENG S1 – INFRASTRUCTURE REPAIR.
 6. The development must meet all required Conditions of Approval specified by TasWater notice dated 26 March 2018 (TWDA 2018/00415-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.

Ald Hulme Declared an Interest in this Item and left the Meeting prior to discussion (7.53pm).

Decision:	MOVED Ald McFarlane SECONDED Ald Cusick “That the Recommendation be adopted”. CARRIED UNANIMOUSLY
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11.3.2 DEVELOPMENT APPLICATION D-2017/523 - 155 TRANMERE ROAD, HOWRAH - MULTIPLE DWELLINGS (1 EXISTING, 1 NEW) AND ADDITIONS TO EXISTING
(File No D-2017/523)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Multiple Dwellings (1 existing, 1 new) and additions to the existing dwelling at 155 Tranmere Road, Howrah.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires with the consent of the applicant on 9 May 2018.

CONSULTATION

The proposal was advertised in accordance with statutory requirements on 2 occasions, secondly with modifications made to the proposal. Two representations were received in both instances, raising the following issues:

- noise;
- traffic;
- privacy;
- overshadowing;
- visual impact; and
- nature of use.

RECOMMENDATION:

- A. That the Development Application for Multiple Dwellings (1 existing, 1 new) and additions to existing at 155 Tranmere Road, Howrah (CI Ref D-2017/523) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
 2. The development must meet all required Conditions of Approval specified by TasWater notice dated 22 January 2018 (TWDA 2018/00086-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.

Ald Hulme returned to the Meeting at this stage (7.54pm).

Ald Chong Declared an Interest in this Item and left the Meeting prior to discussion (7.54pm).

Decision:	MOVED Ald McFarlane SECONDED Ald Cusick	
	“That the Recommendation be adopted”.	
		CARRIED
	FOR	AGAINST
	Ald Campbell	Ald James
	Ald Chipman	
	Ald Cusick	
	Ald Doust	
	Ald Hulme	
	Ald McFarlane	
	Ald Thurley	
	Ald von Bertouch	
	Ald Walker	

Ald Chong returned to the Meeting at this stage (8.06pm).

**11.3.3 DEVELOPMENT APPLICATION D-2018/55 - 7 PERCY STREET,
RICHMOND - 4 MULTIPLE DWELLINGS (1 EXISTING + 3 NEW)**
(File No D-2018/55)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 4 Multiple Dwellings (1 existing and 3 new) at 7 Percy Street, Richmond.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Bushfire Prone Areas and Heritage Area 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.

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

Council is required to exercise a discretion within the statutory 42 day period which was extended with the consent of the applicant until 9 May 2018.

CONSULTATION

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

- impact on the adjoining heritage listed property;
- impact on privacy; and
- removal of trees.

RECOMMENDATION:

- A. That the Development Application for 4 Multiple Dwellings (1 existing + 3 new) at 7 Percy Street, Richmond (CI Ref D-2018/55) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AP3 – AMENDED PLAN [the roof pitch increased to a minimum of 25 degrees].

3. LAND 1B – LANDSCAPE PLAN – Replace the last sentence with “The landscape works must be completed prior to the issue of the Certificate of the Completion of any of the dwellings”, include additional paragraph after last sentence, “All landscape works must be maintained:
- in perpetuity by the existing and future owners/occupiers of the property;
 - in a healthy state; and
 - in accordance with the approved landscape plan.

If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity, as the vegetation which died or which was removed.

4. ENG A2 – CROSSOVER CHANGE [5.5m].
5. ENG A5 – SEALED CAR PARKING.
6. ENG A7 – REDUNDANT CROSSOVER.
7. ENG S1 – INFRASTRUCTURE REPAIR.
8. ENG S2 – SERVICES.
9. ENG S4 – STORMWATER CONNECTION.
10. ENG S10 – UNDERGROUND SERVICES.
11. ENG M1 – DESIGNS DA – remove last dot point.
12. Materials used in the crossover and driveway must be consistent with the Richmond Townscape Study (copy available from Council).
13. The development must meet all required Conditions of Approval specified by TasWater notice dated 13 March 2018 (TWDA 2018/00196-CCC).

ADVICE

An application for works in the Council road reserve must be submitted and approved by Council’s Group Manager Engineering Services prior to the commencement of any works and must be consistent with the Richmond Townscape Study.

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

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

**DEVELOPMENT APPLICATION D-2018/55 - 7 PERCY STREET, RICHMOND - 4
MULTIPLE DWELLINGS (1 EXISTING + 3 NEW) /contd...**

Decision:

MOVED Ald Chong **SECONDED** Ald McFarlane

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.3.4 CLARENCE DRAFT LOCAL PROVISIONS SCHEDULE – TASMANIAN PLANNING SCHEME

(File No 20-10-22)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to endorse the draft Local Provisions Schedule (LPS) applying to the Clarence municipal area, for submission to the Tasmanian Planning Commission (Commission).

RELATION TO PLANNING PROVISIONS

The LPS makes up the local component of the future Tasmanian Planning Scheme (TPS). Submitting the LPS to the Commission commences the process of implementing the TPS. When the Clarence LPS is ultimately approved by the Commission, the TPS will replace the current Clarence Interim Planning Scheme 2015 (CIPS2015).

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 draft LPS, the subject of this report, has not been exhibited. When directed to do so by the Commission the LPS will be exhibited in accordance with the statutory requirements.

RECOMMENDATION:

- A. That Council resolves that it is satisfied that the Clarence Local Provisions Schedule meets the LPS Criteria of prescribed at Section 34 of the Land Use Planning and Approvals Act 1993.
- B. That Council endorses the Clarence Local Provisions Schedule and the Clarence Local Provisions Schedule Supporting Report at Attachments 1 and 2 of the Associated Report for submission to the Tasmanian Planning Commission under Section 35(1) of the Land Use Planning and Approvals Act 1993.
- C. That for the purposes of implementing the future Parking and Sustainable Transport Code, Council adopts the Clarence Parking Plan contained at Section 10.2.1 of the Clarence Local Provisions Schedule Supporting Report.
- D. 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 34 for Decision on this Item...

**CLARENCE DRAFT LOCAL PROVISIONS SCHEDULE – TASMANIAN
PLANNING SCHEME /contd...**

Decision:	MOVED Ald James SECONDED Ald Chong
	“That the Recommendation be adopted”.
	CARRIED
	FOR
	Ald Campbell
	Ald Chipman
	Ald Chong
	Ald Cusick
	Ald Doust
	Ald Hulme
	Ald James
	Ald Thurley
	Ald von Bertouch
	Ald Walker
	AGAINST
	Ald McFarlane

The Mayor noted the efforts of staff and in particular Senior Planning staff, in the preparation of the Report.

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

Nil Items.

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 QUARTERLY REPORT TO 31 MARCH 2018**

(File No 10/02/05)

EXECUTIVE SUMMARY**PURPOSE**

To consider the General Manager's Quarterly Report covering the period 1 January to 31 March 2018.

RELATION TO EXISTING POLICY/PLANS

The Report uses as its base the Annual Plan adopted by Council and is consistent with Council's previously adopted Strategic Plan 2016-2026.

LEGISLATIVE REQUIREMENTS

There is no specific legislative requirement associated with regular internal reporting.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

The Quarterly Report provides details of Council's financial performance for the period.

RECOMMENDATION

That the Quarterly Report to 31 March 2018 be received.

Decision: **MOVED** Ald Campbell **SECONDED** Ald Chong

"That the Recommendation be adopted".

CARRIED UNANIMOUSLY

11.7.2 COMMUNITY SUPPORT GRANTS

(File No 09-17-05A)

EXECUTIVE SUMMARY**PURPOSE**

To consider the Community Grants Assessment Panel's recommendations for the allocation of financial assistance in respect of the March 2018 round of Community Support Grants.

RELATION TO EXISTING POLICY/PLANS

- Community Grants Policy; and
- Social Plans including Youth Plan; Cultural Arts Plan; Positive Ageing Plan; Access Plan; Health and Wellbeing Plan; Cultural History Plan; Clarence Events Plan; and Community Safety Plan.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

There is an annual budget for the Community Grants Program including the bi-annual Community Support Grants.

RECOMMENDATION:

That Council approves financial grants to community groups and organisations, as detailed in the schedule attached to the Associated Report, amounting to \$18,078.

Ald Chong and Ald Walker Declared an Interest in this Item and left the Meeting prior to discussion (8.18pm).

Decision:

MOVED Ald McFarlane **SECONDED** Ald Cusick

“That the Recommendation be adopted”.

With the Leave of the Mover and Seconder the Motion was amended to read:

“That the Recommendation be adopted with the addition of the Sunshine Tennis Club application to purchase a defibrillator being also approved”.

CARRIED UNANIMOUSLY

Ald Chong and Ald Walker returned to the Meeting at this stage (8.27pm).

11.7.3 KANGAROO BAY DEVELOPMENT PRECINCT – REQUEST FOR PROPOSALS - STAGE 2 ASSESSMENT

(File Nos E1029-15; 20-15-01)

EXECUTIVE SUMMARY**PURPOSE**

To consider a recommendation of preferred developer status from the joint Kangaroo Bay Assessment Panel in regard to the Boulevard Site development proposal in the Kangaroo Bay precinct.

RELATION TO EXISTING POLICY/PLANS

Consistent with Council's Strategic Plan 2016-2026 and the objectives for the Kangaroo Bay Urban Design Strategy and Concept Plan, and the Land Use Planning Scheme.

LEGISLATIVE REQUIREMENTS

Any property related matters arising from the request for proposals process are required to be undertaken in accordance with the Local Government Act (1993) and the Crown Lands Act (1976).

CONSULTATION

Community consultation in regard to specific site development proposals will occur in the event that a proposal proceeds to assessment under the Land Use Planning and Approvals Act.

It is a proposed condition of preferred developer status that the proponents undertake community consultation prior to any development application being submitted. This community consultation must be approved by the General Manager on Council's behalf.

Extensive community and stakeholder consultation has occurred earlier through the processes leading to the adoption of the Kangaroo Bay Urban Design Masterplan, establishment of the Kangaroo Bay Particular Purpose Zone, and the granting of a precinct subdivision permit.

FINANCIAL IMPLICATIONS

Council is not responsible for any cost or expenses incurred by any respondent to the EOI process. Council has existing budgetary commitments to further the implementation of the Kangaroo Bay Urban Design Masterplan and associated projects.

RECOMMENDATION:

That based on the assessment undertaken of the Stage 2 proposal and additional information received from Hunter Developments P/L in response to request for proposals E1029-15 regarding the Boulevard site:

- A. Preferred developer status for the Boulevard site be awarded to Hunter Developments P/L through the establishment of a development agreement between Council and Hunter Developments P/L.
- B. That the General Manager be authorised to negotiate and execute the preferred developer agreement on Council's behalf.
- C. That as a condition of the preferred developer status, Hunter Development P/L be required to undertake a community consultation program, in a manner to be approved by the General Manager, prior to the submission of any development application.

Decision:	<p>MOVED Ald von Bertouch SECONDED Ald Thurley</p> <ol style="list-style-type: none"> 1. That based on the assessment undertaken of the Stage 2 proposal and additional information received from Hunter Developments P/L in response to request for proposals E1029-15 regarding the Boulevard site: <ul style="list-style-type: none"> A. Council endorses the further extension of time given by the Joint Assessment Panel to Hunter Developments P/L to provide additional information on its proposal. B. Preferred developer status for the Boulevard site be awarded to Hunter Developments P/L through the establishment of a development agreement between Council and Hunter Developments P/L. C. That the General Manager be authorised to negotiate and execute the preferred developer agreement on Council's behalf. D. That as a condition of the preferred developer status, via the development agreement, Hunter Development P/L be required to undertake a community consultation program, or programs, in a manner to be approved by the General Manager, prior to the submission of any development application. 2. The reasoning for the addition of a new Clause 'A' to the Officer's Recommendation is that:
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/Decision contd on Page 42...

**KANGAROO BAY DEVELOPMENT PRECINCT – REQUEST FOR PROPOSALS -
STAGE 2 ASSESSMENT /Decision contd...**

- A further period for Hunter Developments P/L to provide additional information past the original extension period (April 2017), approved unanimously at Council's Meeting of 17 October 2016, has been required so that a comprehensive response could be provided by the proponent as to the design detail, specifications and commercial arrangements for the proposed development, and a thorough assessment could be made of these aspects by the Joint Assessment Panel.
- A Probity Adviser was appointed as part of the Expression of Interest (EOI) process to overview the processes in relation to the Request for Proposals (RFP) and sale stages of the project. This role includes the oversight of the Joint Assessment Panel and the assessment process. The focus of the role is to ensure that fairness and impartiality are observed throughout the process.
- Recent advice from the Probity Adviser which notes that although the RFP included anticipated timeframes, these were not prescriptive. He advises that in order to continue the RFP process, a Council resolution is required to endorse the further extension of the original 6 months period adopted by Council on 17 October 2016.
- The Probity Adviser stresses that 'Hunter Development were entitled to consider that they had no time limit to respond to the further information request', and that the 'EOI process has not been undermined in any way and accordingly it is still possible for Hunter Developments to complete that process''.

CARRIED**FOR**

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

AGAINST

Ald James

12. ALDERMEN'S QUESTION TIME

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

12.1 QUESTIONS ON NOTICE

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

Nil.

12.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

12.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

12.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

13. CLOSED MEETING

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

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

- 13.1 APPLICATIONS FOR LEAVE OF ABSENCE
- 13.2 KERBSIDE RECYCLING CONTRACT
- 13.3 POTENTIAL LEGAL ACTION
- 13.4 DEED OF SETTLEMENT

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

- contracts and tenders for the supply of goods and services;
- 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.

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

Decision:

PROCEDURAL MOTION
MOVED Ald Chong **SECONDED** Ald Cusick

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

CARRIED UNANIMOUSLY

The Meeting closed at 9.22pm.