

<b>MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 22 OCTOBER 2018</b>
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**HOURL 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  
D Doust  
D Hulme  
R H James  
P K McFarlane  
J Peers  
D Thurley  
S von Bertouch  
J Walker; present.

**1. APOLOGIES** P Cusick (Leave of Absence)

**ORDER OF BUSINESS** Items 1 – 13

**IN ATTENDANCE**

General Manager  
(Mr A Paul)

Corporate Secretary  
(Mr I Nelson)

Chief Financial Officer  
(Ms Miriam Coleman)

Group Manager Engineering Services  
(Mr R Graham)

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 8.45pm.

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

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

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

**COUNCIL MEETING**  
**MONDAY, 22 OCTOBER 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 1 October 2018, as circulated, be taken as read and confirmed.

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

“That the Minutes of the Council Meeting held on 1 October 2018, as circulated, be taken as read and confirmed”.

**CARRIED UNANIMOUSLY**

**3. MAYOR’S COMMUNICATION**

The Mayor presented certificates acknowledging retiring Aldermen Jock Campbell and Doug Doust and on behalf of Council, thanked them for their valuable contribution to the Council and the Clarence community over many years.

**4. COUNCIL WORKSHOPS**

An Aldermen’s Meeting Briefing (workshop) was conducted on Friday immediately preceding the Council Meeting:

**Decision:** **MOVED** Ald Peers **SECONDED** Ald Chong

“That Council notes the workshop conducted”.

**CARRIED UNANIMOUSLY**

**5. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE**

(File No)

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

**INTEREST DECLARED:** **NIL**



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

Nil

**7. PUBLIC QUESTION TIME**

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

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

**7.1 PUBLIC QUESTIONS ON NOTICE**

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

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**

The General Manager provides the following answers to Questions taken on Notice from members of the public at previous Council Meetings.

**STORMWATER SYSTEM - LAUDERDALE**

Mr Michael Figg of Lauderdale asked when will Council make the main stormwater system through Lauderdale compliant with the Drains Act?

**ANSWER**

The pump station at the rear of 490 South Arm Road, Lauderdale is now operational. Additional electronics will be installed in the pump station within the next month to allow for remote monitoring. The pump is set to switch on and off depending on water levels in the channel. The levels for pump operation will be monitored over the coming weeks.

The General Manager provided the following additional information:

The pump station at the rear of 490 South Arm Road, Lauderdale is operational and switches on and off depending on the water levels in the channel. In relation to the Urban Drainage Act, Council has an obligation to prepare drainage plans for each of our main catchments. It is expected that the Catchment Management Plan for Lauderdale will be commenced before the end of the calendar year.



**ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE /contd...****ROSNY HILL DEVELOPMENT**

Dr Jo Castillo of Rosny asked as instigator of the Rosny Hill Development, why has Council failed to address the National Parks and Reserve Management Act, 2002 as suggested by the Acting General Manager and what guarantee can the Council provide to ensure that any future proposal does address that Act?

**ANSWER**

It is incorrect to assert that the Acting General Manager suggested that Council failed to address the National Parks and Reserve Management Act 2002 (NPRMA) as the instigator of the Rosny Hill development. Council acted in accordance with the RHNRA Management Strategy and engaged in a public and transparent EOI process to identify a potential developer for the site. The requirement to address the legislative requirements set out in the NPRMA against a particular proposal only arose at the time a development application was received.

Council will consider any future proposal for a development on Rosny Hill in the same manner. That is, upon lodgement of a development application the General Manager will consider the requirements of the NPRMA as part of any determination regarding consent. Subject to consent being granted, the Council sitting as a Planning Authority will consider the requirements of the NPRMA within the context of the planning scheme requirements when it determines whether to approve or reject an application. Any assessment prior to receiving a development application could be regarded as a presumptive and therefore prejudicial to the proper determination of an application.

**7.4 QUESTIONS WITHOUT NOTICE****PUBLIC CONSULTATION**

Mr Michael Figg of Lauderdale asked when there is public consultation on a matter, such as is listed in the Agenda tonight, there are comments and reactions to those submissions from members of the public; I've noticed that some major omissions are made in what the officers have responded to. Can you tell me why that is, and also, do the Alderman see all of the applications and representations put in by the public.

**ANSWER**

The General Manager advised that if we do not include material on the consultation it is certainly accidental and he is not aware of circumstances where that it is indeed the case; however, he is aware that on at least one occasion we did omit something because of the defamatory nature of the comments, leaving that aside we always endeavour to ensure that the reports reflect accurately. In relation to the Aldermen seeing each of the documents, certainly in some circumstances we do not circulate directly to the Aldermen all of the comments, given the voluminous nature of some of the feedback but advice is provided to the Aldermen that documentation is available for inspection if they so wish.

/ contd on Page 8...

### **QUESTIONS WITHOUT NOTICE /contd...**

Mr Figg further asked, in regard to a public meeting at Lauderdale a number of issues regarding an item on the Agenda tonight were raised and in a submission that I made there was quite a serious one about the weight of a vehicle in relation to the construction of a ramp and I would have thought that was serious enough and not defamatory and it should have been included in the report, could you please let me know why it was not.

#### **ANSWER**

The General Manager advised he was not aware of the actual submission and would take the matter on notice and provide an answer in due course.

#### **TREE POLICY**

Mr Tony Mulder of Howrah asked in regard to the current inquest into the death of a Margate motorist due to a falling Eucalypt tree branch, is Council reviewing its policy on protecting large eucalypt in backyards and near roads and footpaths.

#### **ANSWER**

The Mayor advised that Council is not currently reviewing its policy, it is waiting to see what the coroner's findings are before any further action is considered and the policy we have has been well founded for a number of years.

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

Nil

**9. MOTIONS ON NOTICE**

Nil

**10. REPORTS FROM OUTSIDE BODIES**

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

**10.1 REPORTS FROM SINGLE AND JOINT AUTHORITIES**

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

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

- **SOUTHERN TASMANIAN COUNCILS AUTHORITY**

Representative: Ald Doug Chipman, Mayor or nominee

**Quarterly Reports**

September Quarterly Report pending.

**Representative Reporting**

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

Representatives: Ald Jock Campbell  
(Ald James Walker, Deputy Representative)

**Quarterly Reports**

September Quarterly Report pending.

**Representative Reporting**

Ald Campbell advised the AGM for the Authority is scheduled to be held on Monday, 29 October.

- **TASWATER CORPORATION**

The Mayor tabled the 2017-2018 Annual Report.

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

(File No 07-06-09)

**Chairperson's Report – Alderman R James**

Report to Council for the 3 month period for 1 July to 30 September 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 processes 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**

The skills park has been extended and a new entry gateway constructed. Landowner approval is pending from Parks and Wildlife to lodge a Development Application for a new carpark, access road and picnic shelter.

### **Clarence Foreshore Trail at Tranmere**

The coastal track has been extended south from Pindos Park to the reserve off 963A Oceana Drive. Planning work is underway for the next stage to Starboard Road.

### **Wiena Reserve Track, Lindisfarne**

The track has been upgraded and resurfaced between Gordons Hill Road and Radiata Drive.

## **3. RECURRENT INITIATIVES – MAINTENANCE AND UPGRADES**

### **Mortimer Bay Coastal Track - Sabre Court**

Sightlines have been improved.

### **Forest Hill Road, Sandford – Access Track to Coast**

The track was very overgrown and has been cleared.

### **Brinktop Reserve**

There has been illegal dumping of tyres and rubbish at the reserve, which has been cleaned up by Council workers.

### **Waverly Flora Park**

There is a problem with trail bikes entering the park and using the tracks. Council is meeting with Tas Police.

### **Clarence Plains Rivulet Track**

The Clarence Plains track will be repaired where contractors have recently carried out works.

**4. DESIGN AND INVESTIGATION WORK IN PROGRESS****Ralphs Bay Coastal Track**

An application for a Permit to Conceal Aboriginal middens has been submitted. Work cannot commence until a permit is issued by the Minister.

**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. The Aboriginal Heritage Assessment is complete. Waiting on signed licence agreement from Department of Defence.

**Clarence Coastal Trail – Mays Point to Cremorne**

A survey is required by Parks and Wildlife Service where the coastal track crosses the Calverts Hill Nature Area.

**Gregson Track – Springhaven Development**

Council's Group Manager Engineering Services wrote to the Board at Springhaven to request a fence be constructed on the inside of the Vegetation Protection Zone in order to increase the width of the green belt alongside the highway and provide more width for the track and vegetation alongside.

**Meehan Range Strategic Mountain Bike Plan**

A draft is being finalised in consultation with Parks and Wildlife Service.

**5. GOVERNANCE MATTERS.****Committee Meetings**

One committee meeting was held on 16 August 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)

**Chairperson's Report – Alderman Kay McFarlane**

Report to Council for the 3 month period 1 July 2018 to 30 September 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****Development of Reserve Activity Plans (RAP) 2018-19**

The Mortimer Bay Coastal Reserve Activity Plan is in draft form. Council has invited feedback on the draft plan from relevant stakeholders and the local community.

The Seven Mile Beach Coastal Reserve Activity Plan is in draft format at present with feedback being considered by Council.

A draft Cremorne Coastal Reserve RAP is being developed by Council at present.

### **Implement Natural Area Reserve Activity Plans**

#### **Otago Bay Coastal Reserve and Lagoon**

Entrance landscaping has been done at Otago Bay Lagoon.

Native tube stock was also planted at Otago Bay Coastal Reserve where the large rocks and timber edging is situated at the start of Otago Bay Road.

#### **Gordons Hill Road Entrance**

Additional landscaping has been done at the entrance to the Kangaroo Bay Rivulet Track from Gordon's Hill Road.

#### **Tranmere Coastal Reserve**

Basic Maintenance works have been done along Tranmere Coastal Reserve including brush cutting, planting and weed control in landscaped areas.

#### **Limekiln Point Coastal Reserve**

Entrance Landscaping has been done at the entrance to Limekiln Point at the end of Palooka Street. Rock furniture was also installed to replace “ugly” boulders previously placed to prevent vehicle thoroughfare.



**She Oak Point**

The elongated garden bed between the Rosny College Carpark and She Oak Point has been heavily pruned due to anti-social behaviour occurring there predominately by college students. View-lines through the vegetation have been restored and additional mulch applied to prevent weed growth.

**Seven Mile Beach Coastal Reserve**

Another mudstone wall has been installed and radiata pine seedling removed from the reserve at Seven Mile Beach. Entrance landscaping at access points to the beach have been maintained, re-mulched where required and more plants added.

Several areas about the newly installed bridge at the Esplanade, Seven Mile Beach, have been prepared, mulched and planted out with front-line coastal species.

**Thoona Bushland Reserve**

Thoona Bushland Reserve has had 3 large single storey boulder retaining walls installed to define already landscaped areas.



The red gravel track that runs parallel with the swale, recently washed out from storm events, has been repaired.

**Clarence Plains Rivulet – 45 Goodwin’s Road**

The northern end of the rivulet and areas that the previous Work for the Dole Team maintained has been brush cut and vegetation pruned. The mulched garden beds at the entrance to Clarendon Vale Oval have had weeds treated and more plants added to “gap up” previous plantings.

**Brinktop Bushland Reserve**

Brinktop Bushland Reserve has undergone entrance landscaping. The site was prepared and 80m of woodchips spread to cover previously disturbed ground that was becoming weedy as a result of machinery churning the soil during track construction and barrier rock placement at the entry to the reserve. Hundreds of local species of native stock were planted in the mulched areas.

**Wetland/Storm Water Retention Basins****Lauderdale Created Wetlands**

Extensive populations of weedy Flinders’ Island Wattle, *Acacia retinoides*, have been cut down and taken away from the Lauderdale Wetland. Several diseased black she oaks, *Allocasuarina littoralis*, (identified by the local coast care group) have also been pruned and or removed to prevent further spread of disease.

**Otago Bay Lagoon**

Entrance landscaping has been administered at Otago Bay Lagoon. Weeds have been controlled and cumbungi is limited in the lagoon due to continual control. Saltmarsh species have been planted on the foreshore of the lagoon where it meets the Derwent River. The lagoon is in very good condition at present.

**Drainage Swales****Thoona Swale Network**

The swale at Thoona Bushland Reserve has been reshaped to prevent “spilling” of stormwater under extreme events. Several months ago the stormwater left the swale under heavy rain and washed out the nearby track. Two drop structures have been installed to slow down water flows and allow pooling of water in the new basins.

**Flagstaff Gully Rivulet**

The Flagstaff Gully Rivulet has received recent maintenance, including brush cutting, weed control and vegetation management.

**Priority Weed Management**

Roscommon Reserve has undergone weed control works. Weeds included blackberry, boneseed, African boxthorn, Spanish heath.

Entrance landscaping was done at the entrance to the Tangara Trail from Equestrian Drive.

Pilchers Hill Reserve has undergone a big sweep for weeds. Weeds controlled included serrated tussock, boneseed, pampas grass, canary broom and Spanish heath.

**Rosny-Montagu Bay Coastal Reserve**

A sweep for weeds has been done along the linear Rosny-Montagu Bay Coastal Reserve. Weeds included sweet briar, boneseed, gorse, cotoneaster, bridal creeper and African boxthorn.

**Otago Bay Coastal Reserve and Otago Roadside Weeds**

Declared weeds have received treatment at several Council managed reserves about Otago Bay. Roadside weeds about Otago Bay Road, East Risdon and Direction Drive were controlled.

Serrated tussock has been controlled about roadsides at Sandford. Extensive work was done along Doran's Road. Musks Road also had weed control works done.

The Old Lauderdale Tip site has undergone weed control works, as has the surrounding Racecourse Flats area. Spanish heath and boneseed were the main weeds and a plan is being done to look at controlling Spanish heath, in particular, into the future.

The Tangara Trail network has undergone extensive weed management this quarter.

Mt Rumney, Mt Canopus and Cambridge roadsides have also undergone weed control works.

### **Needle Grass Project**

Winter control (fluproponate) was applied in July at all known Chilean needle grass populations on Council-managed land (reserves, nature strips, Public Open Space) – Montagu Bay, Rosny, Bellerive, Lindisfarne, Rose Bay, Warrane, Otago and Rokeby.

Winter control (fluproponate) was applied in July at all known Texas needle grass populations on Council-managed land in the Glebe Hill area as well as on isolated infestations on private land that adjoins onto a vineyard and current subdivision land. Liaison occurred with the subdivider to ensure management of Texas needle grass has occurred on subdivision land and that best practice hygiene principles are being followed to minimise risk of spread.

A new and quite large population of Chilean needle grass was discovered in the Delphis Drive/School Road part of Sandford, in August, on a mix of land tenure including extensive infestations on Council-managed roadsides. This population was treated within 2-weeks of it being discovered and the surrounding area has been surveyed and surrounding landowners are being engaged for future management to minimise further spread from the core infestation.

### **CCC Land and Coast Care Grants' Programme**

The CCC Land and Coast Care Grants' Programme is open for 2018-19. Applications close on 22 October 2018.

### **Maintenance Clarendon Vale Rivulet**

Some contractor maintenance has been done toward the northern end with more maintenance works in other areas of the rivulet scheduled for next quarter.

### **Schools Landcare Support Program**

Maintenance of the Richmond Primary School Landcare site was undertaken by contractors. The site was extended, mulched and treated for exotic grass and weeds to get the area ready for future working bees with the school.

On 15 August, 2 classes of Richmond Primary School students planted native plants in the prepared areas at Richmond Recreation Ground. The feedback from the school and local community was very positive and plans are underway for another working bee into the future.

Cambridge Primary School performed some planting on a flat section of the stream bank at Barilla Creek on 26 September 2018. The planting area was pre prepared and mulched ready for the students to plant on the day.

### **Community Clean-up Program**

Council's Natural Areas Volunteer Co-ordinator is inviting expressions of interest from local community groups to be involved with the 2018/2019 Clean-up Programme.

### **Prison Program Project**

The Prison Crew are currently installing sandstone retaining walls and borders for the Waverley Flora Park Avenue of Honour Project. They will also undertake erosion control works in the swale that feeds from the top of the hill toward Quarry Road.

Large radiata pine trees have been fallen and are being managed at Seven Mile Beach Coastal Reserve by the Prison Crew.

Two new mudstone rock walls have been installed at the beach access at the Seven Mile Beach Esplanade and Seven Mile Beach Road intersection.





### **Risdon Vale Natural Areas**

The Prison Crew have kept up with maintenance of the various natural areas at Risdon Vale in between other projects.

### **Kangaroo Bay Rivulet Track**

Two new dry stone walls have been created at the entrance to the track at Gordon's Hill Road.

## **4. DESIGN AND INVESTIGATION WORK IN PROGRESS**

Nil.

## **5. GOVERNANCE MATTERS.**

### **Committee Meeting**

A committee meeting is scheduled for Monday, 22 October. Agenda items are being drafted by Council's Natural Areas Volunteer Co-ordinator.

**6. EXTERNAL LIAISON**

Nil.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

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

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**BICYCLE ADVISORY COMMITTEE – QUARTERLY REPORT**

(File No)

**Chairperson's Report – Alderman S von Bertouch**

Report to Council for the 3 month period 1 July 2018 to 30 September 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, Howrah**

A site meeting occurred to determine the scale of the project. Given Aboriginal Heritage values, it is not practical to realign the track in the area of steep grade. Rather it is intended to provide a concrete path in the area of steep grade, essentially over the existing track. The design and costings will proceed on this basis and there will need to be further work with Council's Aboriginal Heritage Consultant on whether a permit is required for the changed scope of works.

**Clarence Foreshore Trail – Marana Ave (Tasman Bridge) to Montagu Bay Park, Montagu Bay**

Construction of the first stage, from the area under the Tasman Bridge, through the ex-SES site and around the Primary School Oval is complete. Design and completion of the next stage is dependent on progress by the Department of Education of the Primary School Masterplan. Officers will continue to liaise with the Department; however, DoE are still in the early stages of their planning.

**Clarence Foreshore Trail –Simmons Park to Anzac Park, Lindisfarne**

Design is complete for Stage 1, Simmons Park to Hume Street/Ford Parade and Council's works crew has commenced construction in the Ford Parade area of works. Adjacent residents have been updated on the timing of the works. Funding committed for Stage 1 is \$230,000. Council has further committed \$100,000 as part of this year's capital works program for the next stage. The estimated cost for the full project, to Anzac Park, is approximately \$700,000.

**3. RECURRENT INITIATIVES**

Nil.

**4. DESIGN AND INVESTIGATION WORK IN PROGRESS****Clarence Street**

Council decided to adopt "Option 1" as its preferred option at its Meeting held on 3 July 2017. Plans are being designed for the entire length. While the section between Howrah Road to Wentworth Street was adopted by Council as being Stage 1, Officers are focussing on treating the section from Wentworth Street to Beach Street to meet the coming need for road reseal along this section. The Committee has provided comment on the design of the proposed improvements to the Clarence Street/Howrah Road intersection.

**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. Negotiations are on-going with the Department of State Growth (DSG) on the maintenance responsibility for the area between the southern property boundary and the edge of the Tasman Highway. At 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 was 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 have prepared a draft report, which also considers a safe walking and cycling crossing at the Mornington Roundabout. The report is being reviewed by Council officers.

**Howrah and Tranmere Roads – Investigation of Bike Infrastructure**

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

**Richmond Road Sealed Shoulders Project**

The Committee was concerned at the proposed use of 14/7mm twin coat seal for surfacing of the road shoulder. Representatives from Cycling South and Bicycle Tasmania met with the Minister for Infrastructure to raise concerns about the proposed surface quality and texture. The Minister undertook to ask the Department of State Growth to investigate and provide a response. Nonetheless the shoulders have now been finished with a 2 coat seal.

**Kangaroo Bay Development**

When the marine 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 considered issues relating to the Bellerive Yacht Club development. At its Meeting of 28 May 2018, Council selected “Option 3”, which is to retain a ramp from Clarence Street to the Bellerive Yacht Club carpark.

## 5. GOVERNANCE MATTERS.

### Committee Meeting

The Committee held one meeting during the quarter on 6 August 2018.

## 6. EXTERNAL LIAISON

Nil.

### RECOMMENDATION:

That the Chairperson’s Report be received by Council.

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

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

## OTHER COMMITTEES

### Board of Management of Business East

- Ald Hulme tabled the Minutes of a Meeting held on 11 September 2018.

### Richmond Advisory Committee

- Ald Chong tabled the Minutes of a Meeting held on 19 September 2018.

### Natural Resource Management and Grants Committee

- Ald McFarlane tabled the Minutes of a Meeting held on 29 August 2018.

### Bicycle Advisory Committee

- Ald von Bertouch tabled the Minutes of a Meeting held on 6 August 2018.

### Disability Access Advisory Committee

- Ald Thurley tabled the Minutes of a Meeting held on 4 September 2018.

### Risdon Vale Hall Management Committee

- Ald Peers tabled the Minutes of a Meeting held on 11 September 2018.

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

(File No 10/02/02)

The Weekly Briefing Reports of 1, 8 and 15 October 2018 have been circulated to Aldermen.

**RECOMMENDATION:**

That the information contained in the Weekly Briefing Reports of 1, 8 and 15 October 2018 be noted.

**Decision:** **MOVED** Ald Chong **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 SECTION 43A AMENDMENT APPLICATION (A-2018/1) AND 30 LOT SUBDIVISION (SD-2018/19) - 22 ATKINS STREET, ROKEBY**  
(File No A-2018/1)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider:

- i. certification of a modified Amendment (A-2018/1) to the Clarence Interim Planning Scheme 2015 at 22 Atkins Street, Rokeby consistent with Council's decision of 9 July 2018.
- ii. a draft subdivision permit (SD-2018/19) for a 30 lot subdivision at 22 Atkins Street, Rokeby.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Environmental Living under the provisions of the Clarence Interim Planning Scheme 2015 (the Scheme). It is also subject to the Bushfire Prone Areas, Landslide Hazard Area and Natural Assets codes.

The proposed subdivision is currently Prohibited under the Scheme.

Section 43A(1) of the Land Use Planning and Approvals Act 1993 (LUPAA) provides for the lodging of an application for a permit which would not be allowed if the planning scheme were not amended as requested.

**LEGISLATIVE REQUIREMENTS**

The 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 (LUPAA) are references to the former provisions of LUPAA 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.

**CONSULTATION**

If certified the draft Amendment and draft Permit will be placed on Public Exhibition and any representations received will then be considered in accordance with Section 39 of LUPAA.

**RECOMMENDATION:**

- A. That Council resolves that draft Amendment A-2018/1 (as modified) meets the requirements specified in Section 32 of the Land Use Planning and Approvals Act, 1993.

- B. That Council resolves, under Section 35(2) of the Land Use Planning and Approvals Act, 1993 to certify draft Amendment A-2018/1 (as modified) and sign the instrument as required and to forward it to the Tasmanian Planning Commission.
- C. That the 30 lot subdivision (SD-2018/19) at 22 Atkins Street, Rokeby be approved subject to the following conditions and advice.
- (1) GEN AP1 – ENDORSED PLANS.
  - (2) GEN AP2 – STAGING [
    - Stage 1: POS Lots 200 and 201, Lots 1-3 and Lots 16-19;
    - Stage 2: Lots 4-15;
    - Stage 3: POS Lot 202 and Lots 306 and 307;
    - Stage 4: Lots 300 and 301;
    - Stage 5: Lots 302 and 303;
    - Stage 6: Lots 304 and 305;Stages may be developed concurrently.]
  - (3) GEN AP3 – AMENDED PLANS [revised staging in accordance with Condition 2].
  - (4) GEN AM4 – CONSTRUCTION HOURS.
  - (5) PROP 3 – TRANSFER.
  - (6) ENG A1 – NEW CROSSOVER.
  - (7) ENG M2 – DESIGNS SD after “stormwater drainage” add a new dot point “POS track alignment and construction”.
  - (8) ENG M4 – POS ACCESS.
  - (9) ENG M5 – EROSION CONTROL.
  - (10) A weed and hygiene management plan identifying how vehicle and machinery hygiene will be managed and methods to control weeds, must be submitted to and approved by Council’s Group Manager Engineering Services prior to commencement of works. The plan must:
    - reference any Weeds of National Significance and Declared Weeds under the Weed Management Act;
    - address the spread of weed contaminated soil, weed material and soil-based pathogens in accordance with the Tasmanian Washdown Guidelines for Weed and Disease Control;
    - identify the weed species, initial treatment, on-going management and maintenance period thereof. The plan may include manual removal of larger plants and/or chemical control as recommended by the relevant Government department; and

- include a detailed breakdown of estimated costs.

The Final Plan and Schedule of Easements for any stage will not be sealed until the weed and hygiene management plan for that stage has been implemented and maintained to the satisfaction of Council's Group Manager Engineering Services. Alternatively, a bond of 1.5 times the estimated cost of works associated with implementing the weed and hygiene management plan for that stage must be submitted prior to sealing. The bond will be held as security to ensure both development and maintenance of each lot is undertaken in accordance with the approved plan until each of the newly created lots are sold or the management period has expired, whichever comes first. The bond is to be a cash deposit or a bank guarantee.

- (11) ENG M8 – EASEMENTS.
- (12) ENG M9 – FILLING OF LAND.
- (13) ENG R1 – ROAD NAMES.
- (14) ENG R2 – URBAN ROAD.
- (15) ENG R5 – ROAD EXTENSION.
- (16) ENG R6 – VEHICLE BARRIERS.
- (17) ENG S1 – INFRASTRUCTURE REPAIR.
- (18) All stormwater designs for the development must include Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions (or the MUSIC model) must be submitted to Council's Group Manager Engineering Services for approval prior to the issue of the approved engineering drawings. This report is to include the maintenance management regime/ replacement requirements for any treatment facilities.
- (19) Each lot must be provided with a minimum 150mm diameter stormwater drainage connected to Council's main. An extension to Council's stormwater main may be required at the owner's expense.
- (20) ENG S10 – UNDERGROUND SERVICES.
- (21) LAND 5 – SUBDIVISION LANDSCAPING.
- (22) EHO 4 – NO BURNING.

- (23) The development must meet all required Conditions of Approval specified by TasWater notice dated 3 May 2018 (TWDA 2018/00560-CCC).

**ADVICE**

Following the approval of new street name/s please contact Council's Administration Officer on 62179683 who will be able to assist with the allocation of street numbering to each lot.

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

<b>Decision:</b>	<b>MOVED</b> Ald Campbell <b>SECONDED</b> Ald McFarlane	
	"That the Recommendation be adopted".	
	<b>CARRIED</b>	
	<b>FOR</b>	<b>AGAINST</b>
	Ald Campbell	Ald von Bertouch
	Ald Chipman	
	Ald Chong	
	Ald Doust	
	Ald Hulme	
	Ald James	
	Ald McFarlane	
	Ald Peers	
	Ald Thurley	
	Ald Walker	

**11.3.2 DEVELOPMENT APPLICATION D-2018/478 - 89A SOUTH TERRACE AND 11 NORTH TERRACE, LAUDERDALE - BOAT RAMP, DEMOLITION OF EXISTING TIMBER PEDESTRIAN ACCESS RAMP AND CARPARK REDEVELOPMENT**

(File No D-2018/478)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a boat ramp, demolition of existing timber pedestrian access ramp and carpark redevelopment at 89A South Terrace and 11 North Terrace, Lauderdale.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Open Space and subject to the Parking and Access Code, Waterway and Coastal Protection Code, Inundation Prone Areas Code and the Coastal Erosion Hazard 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 24 October 2018 as agreed with the applicant.

**CONSULTATION**

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

- suggested redesign measures;
- funding;
- usability by emergency services;
- historical approval process for existing timber pedestrian access ramp;
- Crown land requirements;
- Council's response to climate change;
- traffic and pedestrian safety impacts;
- strategic integration with the broader foreshore reserve;
- erosion mitigation and ramp design;
- demand for the boat ramp;

- safety concerns in relation to proposed boat ramp surface material;
- impact on beach access; and
- stormwater management.

**RECOMMENDATION:**

A. That the Development Application for boat ramp, demolition of existing timber pedestrian access ramp and carpark redevelopment at 89A South Terrace and 11 North Terrace, Lauderdale (CI Ref D-2018/478) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. The use and development must not cause an environmental nuisance or harm, by way of noise, odour, dust and fumes within the meaning of the Environmental Management and Pollution Control Act, 1994.
3. The development must be constructed in accordance with all recommendations made within the “Lauderdale Access Ramp – Coastal Vulnerability Assessment” prepared by Burbury Consulting and dated 26 June 2018.
4. All works must be conducted in accordance with Environmental Best Practice Guidelines for Undertaking Works in Waterways and Wetlands in Tasmania as outlined in the Department of Primary Industries, Parks, Water and Environment publication “Waterways and Wetlands Works Manual 2003”.
5. 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;
  - proposed driveways, paths, buildings, car parking, retaining walls and fencing;
  - any proposed rearrangement of ground levels;
  - provision of dune stabilisation and revegetation plantings within the surrounding dune system;
  - 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 the use.

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.

6. ENG M1 – DESIGNS DA [ACCESS ARRANGEMENTS, CARPARK AND DRIVEWAY CONSTRUCTION; SERVICE UPGRADES OR RELOCATIONS]

#### **ADVICE**

Use or development which may impact on Aboriginal cultural heritage is subject to the Aboriginal Relics Act, 1975. If Aboriginal relics are uncovered, works are to cease immediately, Aboriginal Heritage Tasmania is to be contacted immediately and an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures. An Unanticipated Discovery Plan is enclosed with this Permit.

- 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.

<b>Decision:</b>	<b>MOVED</b> Ald James <b>SECONDED</b> Ald Peers
	<p>“A. That Council adopts the officer's recommendation, subject to the addition of the following 'Part B' and subsequent renumbering of the original 'Part B' to 'Part C'.</p> <p>B. That Council's Group Manager Engineering Services ensures that:</p> <ol style="list-style-type: none"> <li>1. Council officers will consider the installation of bollards following an audit of the use of the facility once operational.</li> <li>2. Council officers will consider the installation of sight poles following an audit of the use of the facility once operational.</li> <li>3. Stormwater design will be addressed as part of a detailed design prior to construction.</li> <li>4. Council officers will consider the need for pedestrian measures and controls following an audit of the use of the facility once in operation.</li> <li>5. Council officers intend to reuse the pedestrian ramp and will consider how best to utilise the redundant materials.</li> </ol>

/ Decision contd on Page 39...



**DEVELOPMENT APPLICATION D-2018/478 - 89A SOUTH TERRACE AND 11 NORTH TERRACE, LAUDERDALE - BOAT RAMP, DEMOLITION OF EXISTING TIMBER PEDESTRIAN ACCESS RAMP AND CARPARK REDEVELOPMENT /Decision contd...**

6. Council officers will assess dune rejuvenation at completion of the project.

7. Council officers will consider the installation of signage following an audit of the use of the facility once in operation.

C. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter and further including:

- The new 'Part B' confirms the undertakings given in the officer's report and this will clarify to the representors how Council will be responding to the particular issues".

**CARRIED**

**FOR**

Ald Campbell  
Ald Chipman  
Ald Chong  
Ald Doust  
Ald Hulme  
Ald James  
Ald Peers  
Ald Walker

**AGAINST**

Ald McFarlane  
Ald Thurley  
Ald von Bertouch

**11.3.3 DEVELOPMENT APPLICATION D-2015/343 - 17 ANCHORAGE COURT, TRANMERE (LOCATED ADJACENT TO STARBOARD ROAD) - JETTY**  
(File No D-2015/343)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Jetty at 17 Anchorage Court, Tranmere (located adjacent to Starboard Road).

**RELATION TO PLANNING PROVISIONS**

The land is zoned Open Space and subject to the Parking and Access, Waterways and Coastal Protection, Inundation Prone Areas, Coastal Erosion Hazard and Natural Assets 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 on 24 October 2018.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and 5 representations were received (including 2 State Government departments) raising the following issues:

- private ownership of the jetty;
- impact on spotted handfish;
- impact on aboriginal heritage site;
- extent of the prescribed land use (Port and shipping) and lack of clarity about proposed use;
- traffic and parking;
- outdated application submission;
- location of DA advertising signage;
- boat noise; and
- the jetty is an eyesore and too large.

**RECOMMENDATION:**

- A. That the Development Application for a jetty at 17 Anchorage Court, Tranmere (located adjacent to Starboard Road) (CI Ref D-2015/343) be refused for the following reasons.
1. The proposal is contrary to Development Standard E11.7.1 of the Waterway and Coastal Protection Code as it does not avoid or mitigate impact on natural values or maintain fish passage in relation to the critically endangered spotted handfish.
  2. The proposal is contrary to Schedule 1 of the LUPAA – Objectives “Part 1 – Objectives of the Resource Management and Planning System of Tasmania” (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and (b) to provide for the fair, orderly and sustainable use and development of air, land and water. Specifically the proposal has not sufficiently demonstrated that it will not endanger the habitat of the critically endangered spotted handfish.
- 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 General Manager advised that a request had been received to withdraw the application from consideration.

**Decision:****PROCEDURAL MOTION**

**MOVED** Ald McFarlane **SECONDED** Ald Chong

“That the request to withdraw the application from consideration be granted”.

**CARRIED UNANIMOUSLY**

/ Decision contd on Page 42...

**DEVELOPMENT APPLICATION D-2015/343 - 17 ANCHORAGE COURT,  
TRANMERE (LOCATED ADJACENT TO STARBOARD ROAD) – JETTY  
/Decision contd...**

**MOVED** Ald McFarlane **SECONDED** Ald Peers

“That withdrawal of the application fee be waived and the unused portion of application fee be refunded”.

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

**FOR**

Ald McFarlane  
Ald Peers

**AGAINST**

Ald Campbell  
Ald Chipman  
Ald Chong  
Ald Doust  
Ald Hulme  
Ald James  
Ald Thurley  
Ald von Bertouch  
Ald Walker

**11.3.4 DEVELOPMENT APPLICATION D-2018/520 - 9 GUNNING STREET, RICHMOND - DWELLING ALTERATIONS AND ADDITIONS**  
(File No D-2018/520)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for dwelling alterations and additions at 9 Gunning Street, Richmond.

**RELATION TO PLANNING PROVISIONS**

The land is zoned General Residential and subject to the Historic Heritage 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 written consent of the applicant on 24 October 2018.

**CONSULTATION**

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

- inaccuracy of plans;
- inconsistency with character of area and site;
- removal of chimney to compromise the place; and
- lack of appropriate consideration of heritage value of place and area.

**RECOMMENDATION:**

- A. That the development application for dwelling alterations & additions at 9 Gunning Street, Richmond (CI Ref D-2018/520) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

- B. That the details and conclusions included in the associated report be recorded as the reasons for Council's decision in respect of this matter.

**Decision:**

**MOVED** Ald Chong **SECONDED** Ald McFarlane

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.3.5 DEVELOPMENT APPLICATION D-2018/528 - 9 RIVER STREET, BELLERIVE - 2 MULTIPLE DWELLINGS (1 EXISTING + 1 NEW)**  
(File No D-2018/528)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 2 Multiple Dwellings (1 existing + 1 new) at 9 River Street, Bellerive.

**RELATION TO PLANNING PROVISIONS**

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

**LEGISLATIVE REQUIREMENTS**

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on the 26 October 2018.

**CONSULTATION**

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

- visual impact;
- overshadowing; and
- dwelling density.

**RECOMMENDATION:**

A. That the Development Application for 2 Multiple Dwellings (1 existing + 1 new) at 9 River Street, Bellerive (CI Ref D-2018/528) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. GEN AP3 – AMENDED PLANS [inclusion of fixed obscure glazing extending to a height of at least 1.7m above the floor level of the west facing kitchen and dining room windows associated with the additional dwelling].
  3. ENG A2 – CROSSOVER CHANGE.
  4. ENG A5 – SEALED CAR PARKING.
  5. ENG S1 – INFRASTRUCTURE REPAIR.
  6. ENG M1 – DESIGNS DA [ACCESS, CARPARK AND DRIVEWAYS, SERVICE UPGRADES OR RELOCATIONS].
  7. The development must meet all required Conditions of Approval specified by TasWater notice dated TWDA 2018/01468-CCC (12 October 2018).
- 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.

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

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



<b>11.4 CUSTOMER SERVICE</b>
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Nil Items.

## **11.5 ASSET MANAGEMENT**

Nil Items.

## **11.6 FINANCIAL MANAGEMENT**

The General Manager tabled the Audit Report and Financial Statements for the year ended 30 June 2018.

The General Manager thanked the Chief Financial Officer and her finance team for the effort that has gone into the preparation of this year's financial statement.

With the Leave of the Meeting the Mayor requested that the General Manager's comments in regard to the efforts of the staff be recognised.

**11.7 GOVERNANCE**

Nil Items.

**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 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:

- 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.**

<b>Decision:</b>	<p><b>PROCEDURAL MOTION</b>  <b>MOVED</b> Ald Campbell <b>SECONDED</b> Ald Peers</p> <p>“That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”.</p> <p><b>CARRIED UNANIMOUSLY</b></p>
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The Meeting closed at 8.45pm.