

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 14 JANUARY 2019
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HOURLY CALLED: 7.30pm

PRESENT: The meeting commenced at 7.35pm with the Mayor (Ald D C Chipman) in the Chair and with Aldermen:

B A Blomeley
H Chong
L Edmunds
R H James
W Kennedy
T Mulder
J Peers
S von Bertouch
J Walker
B Warren; present.

1. APOLOGIES D Ewington (Leave of Absence)

ORDER OF BUSINESS Items 1 – 13

IN ATTENDANCE

General Manager
(Mr A Paul)

Acting Corporate Secretary
(Ms C Shea)

Chief Financial Officer
(Ms Miriam Coleman)

Group Manager Engineering Services
(Mr R Graham)

Manager City Planning
(Mr R Lovell)

Acting Manager Health and Community Development
(Mr R Brennan)

Co-ordinator Council Support
(Ms J Ellis)

The Meeting closed at 9.20pm.

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 14 JANUARY 2019

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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 3 December 2018, the Special Council (Planning Authority) Meeting and Special Council Meeting held on 17 December 2018, as circulated, be taken as read and confirmed.

Decision: **MOVED** Ald Chong **SECONDED** Ald Kennedy

“That the Minutes of the Council Meeting held on 3 December 2018, the Special Council (Planning Authority) Meeting and Special Council Meeting held on 17 December 2018, as circulated, be taken as read and confirmed”.

CARRIED UNANIMOUSLY

3. MAYOR'S COMMUNICATION

The Mayor made a presentation to Father Peter O'Loughlin to acknowledge his pending retirement after 52 years of Priesthood and 20 years as a Catholic Priest in the City of Clarence. On behalf of Council and in particular the City of Clarence, the Mayor thanked Father Peter for his years of service and wished him all the best for his retirement.

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
Hobart City Deal	
Greater Hobart Deal	
Workshop Procedures Meeting Times	
Strategic Risk Management	10 December

RECOMMENDATION:

That Council notes the workshops conducted.

Decision: **MOVED** Ald Blomeley **SECONDED** Ald Edmunds

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

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

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

INTEREST DECLARED: **NIL.**

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

Nil.

7. PUBLIC QUESTION TIME

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

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

7.1 PUBLIC QUESTIONS ON NOTICE

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

Nil.

7.2 ANSWERS TO QUESTIONS ON NOTICE

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

Nil.

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

7.4 QUESTIONS WITHOUT NOTICE

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

Regional Park Signage

Mrs Joanne Marsh of Bellerive asked the following question: In 2014 a regional park sign was erected in Bellerive Beach park and later removed. Council correspondence in 2014 stated that the level of service in a 'regional park' will contain a high level of facility to encourage sustained visit duration. Council correspondence in 2016 stated that changes had recently been made to the parking restrictions in the new car park to prevent long stay parking, which allows for more frequent use of the area. Does Bellerive Beach park currently have 'regional park' status, and if so, why doesn't the parking area provided within the park have the same 4 hour parking allowance as other regional parks in Clarence with restricted parking times? This would encourage sustained visit duration by allowing safer and more convenient access to the park's facilities, particularly for more vulnerable members of the community.

ANSWER

The Mayor took the question on notice.

/ contd on Page 8...

QUESTIONS WITHOUT NOTICE /contd...

STREET LIGHT HOOKEY PLACE, ROKEBY

Mr Peter McDermott of Rokeby asked why he was still being aggravated by the street light on the corner of Hookey Street and Hookey Place and when there would be a solution to the problem. He stated that it was taken down by Council vote 17 years ago and he was informed it would never go back up. The shield put up around the light is hardly any help.

ANSWER

The General Manager advised that further information would be presented to Council on the matter.

COUNCIL SEATING LAYOUT

Mr Michael Figg of Lauderdale asked if there could be a change to the seating layout of the Council so that Aldermen are facing the public.

ANSWER

The Mayor advised that there are no plans to change the seating at this stage.

WOOLWORTHS – LAUDERDALE

Mr Figg of Lauderdale asked why he has not received a response to the question on notice that he asked in November.

Answer

The General Manager advised that he considered that he had answered the question at the meeting however, if not, he will convey an answer to Mr Figg. The General Manager further advised that Council is not aware of any proposal at this point in time that would indicate any development within the next few months.

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-2018/632 – 10 YACHTSMAN WAY, TRANMERE – 2 MULTIPLE DWELLINGS

(REFER ITEM 11.3.1)

Mr Terence Cavanagh addressed the Meeting regarding the above Development Application.

DEVELOPMENT APPLICATION D-2018/455

Mr Phillip Adams addressed the Meeting regarding the above Development Application.

NOTICE OF MOTION – ALD WALKER – STATE-OF-THE-ART DOG PARK

(REFER ITEM 9.2)

M/s Melissa Fraser addressed the Meeting regarding the above matter.

9. MOTIONS ON NOTICE

**9.1 NOTICE OF MOTION - ALD MULDER
BEGONIA STREET**

(File No 10-03-05)

In accordance with Notice given Ald Mulder intended to move the following Motion:

- “A. Noting that current traffic levels on Begonia Street are above acceptable levels for a gravel road, Council requests a report from Officers on options and costings for the sealing of Begonia Street.
- B. Such report is to be presented to Council by March 2019.
- C. Funding for the sealing of Begonia Street is to be included in the draft 2019/2020 Council budget for consideration of Council”.

With the Leave of the Meeting Ald Mulder deferred his Motion to a future meeting pending circulation of an amendment.

**9.2 NOTICE OF MOTION - ALD WALKER
STATE-OF-THE-ART DOG PARK**
(File No 10-03-05)

In accordance with Notice given it was:

Decision: **MOVED** Ald Walker **SECONDED** Ald Edmunds

“That the General Manager provides a report on options for the establishment of a state-of-the-art dog park within Clarence. Such report should canvas options and costings for the establishment of a new park and for the upgrade of the existing South Street dog park and be presented to Council in a timeframe to enable consideration of such a facility in the 2019/2020 Council budget”.

CARRIED UNANIMOUSLY

10. REPORTS FROM OUTSIDE BODIES

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

10.1 REPORTS FROM SINGLE AND JOINT AUTHORITIES

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

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

- **SOUTHERN TASMANIAN COUNCILS AUTHORITY**

Representative: Ald Doug Chipman, Mayor or nominee

Quarterly Reports

The Southern Tasmanian Councils Authority has distributed its Quarterly Report for the period 1 July to 30 September 2018.

Decision: “It was **RESOLVED** that the Report be noted”.

Representative Reporting

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

Representatives: Ald James Walker
(Ald Luke Edmunds, Deputy Representative)

Quarterly Reports

The Copping Refuse Disposal Site Joint Authority has distributed the Quarterly Summary of its Meetings for the period ending 27 December 2018.

The Copping Refuse Disposal Site Joint Authority has also distributed its Quarterly Report for the period 1 July to 30 September 2018.

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

Representative Reporting

- **TASWATER CORPORATION**

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

Nil.

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

(File No 10/02/02)

The Weekly Briefing Reports of 3, 10 and 17 December 2018 and 7 January 2019 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 3, 10 and 17 December 2018 and 7 January 2019 be noted.

Decision: **MOVED** Ald Blomeley **SECONDED** Ald Peers

“That the Recommendation be adopted”.

CARRIED

FOR

Ald Blomeley
Ald Chipman
Ald Chong
Ald Edmunds
Ald James
Ald Kennedy
Ald Peers
Ald von Bertouch
Ald Walker
Ald Warren

AGAINST

Ald Mulder (abstained)

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

11.2.1 NORMA STREET, HOWRAH - PETITION ON PARKING

(File No N014)

EXECUTIVE SUMMARY

PURPOSE

To consider the report from Council officers in response to the Petition received for street works to improve traffic conditions in Norma Street, Howrah.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2016-2026 is relevant.

LEGISLATIVE REQUIREMENTS

The Local Government (Highways) Act, 1982 is applicable with Section 31 being relevant if traffic-calming works are to be undertaken.

CONSULTATION

Limited consultation has been undertaken with directly affected residents and Metro Tasmania as part of the investigation.

FINANCIAL IMPLICATIONS

No funds have been specifically allocated in the current Annual Plan for any road works in Norma Street. Proposed minor works can be funded under the Annual Plans.

RECOMMENDATION:

- A. That Council notes the intent of the Petition.
- B. That a centre line (Special Purpose) be installed on the bend in Norma Street from 37 Norma Street to 47 Norma Street for better definition and visual clue.
- C. That Council authorises the General Manager to write to the Petitioners informing them of Council's decision.

Decision:

MOVED Ald Peers **SECONDED** Ald

“A. That Council notes the intent of the Petition.

B. That a centre line (Special Purpose) not be installed on the bend in Norma Street from 37 Norma Street to 47 Norma Street for better definition and visual clue.

C. That Council authorises the General Manager to write to the Petitioners informing them of Council's decision”.

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

/ Decision contd on Page 15...

NORMA STREET, HOWRAH - PETITION ON PARKING /Decision contd...

MOVED Ald James **SECONDED** Ald von Bertouch

“That the Recommendation be adopted”.

CARRIED

FOR

Ald Blomeley
Ald Chipman
Ald Chong
Ald Edmunds
Ald James
Ald Kennedy
Ald Mulder
Ald von Bertouch
Ald Walker
Ald Warren

AGAINST

Ald Peers

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-2018/631 - 10 YACHTSMANS WAY, TRANMERE - 2 MULTIPLE DWELLINGS
(File No D-2018/631)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 2 Multiple Dwellings at 10 Yachtsmans Way, Tranmere.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Bushfire Prone Areas, Parking and Access, Stormwater Management and Waterway and Coastal Protection Areas 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 16 January 2019.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 3 representations (1 with 4 signatories) were received raising the following issues:

- inconsistency with character of area;
- size of lots in Yachtsmans Way;
- inconsistency with building envelope requirements;
- privacy;
- loss of value;
- stormwater runoff;
- lack of cladding/colour information;
- intended use not described; and
- prohibited use.

RECOMMENDATION:

- A. That the Development Application for 2 Multiple Dwellings at 10 Yachtsmans Way, Tranmere (CI Ref D-2018/631) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
 2. ENG A5 – SEALED CAR PARKING.
 3. ENG M1 – DESIGNS DA, delete third dot point “service upgrades or relocations”.
 4. The development must meet all required Conditions of Approval specified by TasWater notice dated 23 October 2018 (TWDA 2018/01707-CCC).
 5. ADVICE – The development is located within a mapped bushfire prone area and as such a BAL and bushfire assessment must form part of the certified documents for the building permit application.
- 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 Mulder SECONDED Ald Blomeley
		“That the Recommendation be adopted”.
		CARRIED
FOR		AGAINST
Ald Blomeley		Ald Edmunds
Ald Chipman		Ald James
Ald Chong		Ald Kennedy
Ald Mulder		Ald Warren
Ald Peers		
Ald von Bertouch		
Ald Walker		

11.3.2 DEVELOPMENT APPLICATION D-2018/598 - 26 SUGARLOAF ROAD, RISDON VALE - CHANGE ROOMS AND PUBLIC TOILETS
(File No. D-2018/598)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Change Rooms and Public Toilets at 26 Sugarloaf Road, Risdon Vale.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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 16 January 2019.

CONSULTATION

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

RECOMMENDATION:

A. That the Development Application for Change Rooms and Public Toilets at 26 Sugarloaf Road, Risdon Vale (CI Ref D-2018/598) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. The external surfaces of the north-western and south-western elevations must be coloured using colours with a light reflectance value not greater than 40%, to the satisfaction of Council's Manager City Planning. Details of the colour scheme must be submitted and approved prior to the granting of a Building Permit.
3. GEN AM7 – OUTDOOR LIGHTING.

4. The development must meet all required Conditions of Approval specified by TasWater notice dated 19 November 2018 (TWDA 2018/01628-CCC).

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

Decision:	MOVED Ald Peers SECONDED Ald Walker Ald James left the Meeting at this stage (8.27pm). “That the Recommendation be adopted”. The MOTION was put and CARRIED UNANIMOUSLY
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11.3.3 SUBDIVISION APPLICATION SD-2018/53 - 25 TALUNE STREET, LINDISFARNE (WITH ACCESS OVER 25A TALUNE STREET) - 2 LOT SUBDIVISION
(File No SD-2018/53)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 2 lot subdivision at 25 Talune Street, Lindisfarne (with access over 25A Talune Street).

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and is subject to the Landslide Code, Road and Rail Assets Code, Parking and Access Code, Stormwater Management Code and 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 the 16 January 2019 as agreed with the applicant.

CONSULTATION

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

- impact of future development; and
- vegetation loss.

RECOMMENDATION:

A. That the application for a 2 lot subdivision at 25 Talune Street, Lindisfarne (with access over 25A Talune Street) (Cl Ref SD-2018/53) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN POS 4 – POS CONTRIBUTION [Lot 1 and 2].

3. ENG A3 – COMBINED ACCESS [TSD-R09 (Urban) 5.5m wide].
 4. An amended subdivision plan must be submitted to and approved by Council’s Manager City Planning prior to the sealing of the final plan of survey providing for the provision of a 5.5m wide sealed access from the property boundary to the boundary of Lot 3. When approved, the amended subdivision plan will form part of the permit.
 5. ENG S1 – INFRASTRUCTURE REPAIR.
 6. ENG S2 – SERVICES.
 7. ENG S4 – STORMWATER CONNECTION.
 8. ENG M2 – DESIGNS SD [Lot accesses and stormwater drainage].
 9. ENG M8- EASEMENTS.
 10. The development must meet all required Conditions of Approval specified by TasWater notice dated 7 January 2019 (TWDA 2018/02090-CCC).
- B. That the details and conclusions included in the associated report be recorded as the reasons for Council’s decision in respect of this matter.

Decision:	MOVED Ald Blomeley SECONDED Ald Chong
	“That the Recommendation be adopted”.
	CARRIED UNANIMOUSLY

11.3.4 SUBDIVISION APPLICATION SD-2018/46 - 9 AND 11 BASTICK STREET, ROSNY - 2 LOT SUBDIVISION
(File No SD-2018/46)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 2 lot subdivision (2 existing lots into 4 lots) at 9 and 11 Bastick Street, Rosny.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Road and Railway 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 16 January 2019.

CONSULTATION

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

- character of area;
- privacy; and
- residential density.

RECOMMENDATION:

- A. That the application for a 2 lot subdivision at 9 and 11 Bastick Street, Rosny (C1 Ref SD-2018/46) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN POS4 – POS CONTRIBUTION [5%] and [Lots 2 and 3].
 3. ENG A1 – NEW CROSSOVER [5.5m].

4. ENG S1 – INFRASTRUCTURE REPAIR.
 5. ENG S2 – SERVICES.
 6. Each lot (including lots of existing dwellings) must be provided with 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.
 7. ENG M2 – DESIGNS SD, delete "road design" and "road stormwater drainage".
 8. ENG M8 – EASEMENTS.
 9. A 5.5 wide kerb and gutter crossing must be provided to the lot and must be constructed in accordance with Tasmanian standard drawings. A 5.5 wide sealed driveway must then continue a minimum length of 7.5m and then may reduce to 3.6m over the remaining length of the driveway. This access must be inspected by Council prior to sealing or pouring new concrete. Following construction, the crossover must be maintained or repaired by the owner at the owner's expense in accordance with any directions given by Council to the owner.
 10. The development must meet all required Conditions of Approval specified by TasWater notice dated 4 December 2018 (TWDA 2018/01583-CCC).
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

Decision:	MOVED Ald Mulder SECONDED Ald Walker
	Ald Blomeley left the Meeting at this stage (8.30pm).
	"That the Recommendation be adopted".
	The MOTION was put and CARRIED UNANIMOUSLY

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 CAMBRIDGE PRIMARY SCHOOL – LEASE OF PUBLIC LAND**

(File No C004-1000)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to enable Council the opportunity to consider submissions in relation to the proposed lease of a portion of public land located at the Cambridge Memorial Oval, to the Department of Education.

RELATION TO EXISTING POLICY/PLANS

Council, at its Meeting of 10 September 2018 resolved to lease public land (a portion of Cambridge Memorial Oval) to the Department of Education for development of the Cambridge Primary School.

LEGISLATIVE REQUIREMENTS

Section 178 of the Local Government Act details the process Council must follow in determining to lease public land.

Section 178 provides that (in part):

“... if a Council intends to lease ... public land the General Manager is to:

- (a) publish that intention on at least 2 separate occasions ...; and*
- (b) display a copy of the notice on the property; and*
- (c) notify the public that objection to the proposed lease may be made within 21 days”.*

Further, the Council must consider any objection lodged. A decision to lease public land requires an absolute majority of Council.

CONSULTATION

In addition to the statutory requirements under Section 178 of the Act, Council also conducted a public meeting at the Cambridge Hall to advise the community in regard to the proposal to lease. Approximately 90 people attended the public meeting.

FINANCIAL IMPLICATIONS

The proposal to lease part of the reserve to the Department of Education will necessitate relocation of the existing reserve clubrooms and toilets and require the relocation of the reserve car parking. A condition of Council's proposed lease is that these costs be met by the State Government (Department of Education).

RECOMMENDATION:

- A. That Council resolves to lease public land as depicted in Attachment 1 of the Associated Report to the Department of Education for a period of up to 99 years.

- B. That the lease be subject to the following conditions (as determined by Council at its Meeting of 10 September 2018).
- that the Department of Education agree that no further encroachment onto the reserve will be sought for further expansion of the school footprint;
 - that the State Government fund the relocation of the existing clubrooms and toilet facilities and the redevelopment of new like facilities on the eastern end of the oval. Such cost and relocation to be further negotiated between Council and the State. Noting that the existing facilities are to continue in use until replacement facilities are built;
 - that the State Government and Council explore options for additional parking at the site; and that the State Government meet the cost of providing for agreed additional car parking for both school and public use; and
 - that the Department of Education agree to work with Council to facilitate the provision of a public walking trail along the Barilla Creek rivulet at the rear of the school.
- C. That the General Manager be authorised to undertake the necessary actions to negotiate and finalise lease arrangements in accordance with this report and the requirements of the Local Government Act.
- D. That the General Manager advise all parties who lodged an objection to the proposed lease of Council's decision and their rights to appeal Council's decision in accordance with Section 178A of the Local Government Act.

Decision:	MOVED Ald von Bertouch SECONDED Ald Warren
	Ald James returned to the Meeting at 8.31pm.
	Ald Blomeley returned to the Meeting at 8.32pm.
	<p>“A. That Council noting the receipt of 6 objections and 32 submissions resolves to lease public land as depicted in Attachment 1 of the Associated Report to the Department of Education for a period of up to 99 years.</p> <p>B. That the lease be subject to the following conditions (as determined by Council at its Meeting of 10 September 2018).</p> <ul style="list-style-type: none"> ● that the Department of Education agree that no further encroachment onto the reserve will be sought for further expansion of the school footprint;

CAMBRIDGE PRIMARY SCHOOL – LEASE OF PUBLIC LAND /Decision contd...

- that the State Government fund the relocation of the existing clubrooms and toilet facilities and the redevelopment of new like facilities on the eastern end of the oval. Such cost and relocation to be further negotiated between Council and the State. Noting that the existing facilities are to continue in use until replacement facilities are built;
- that the State Government and Council explore options for additional parking at the site; and that the State Government meet the cost of providing for agreed additional car parking for both school and public use; and
- that the Department of Education agree to work with Council to facilitate the provision of a public walking trail along the Barilla Creek rivulet at the rear of the school.

- C. That the Department of Education is requested to give consideration to the leased area being utilised for the School sporting and recreation facilities, including a gymnasium and that such facilities be available for community use outside of normal school hours.
- D. That the General Manager be authorised to undertake the necessary actions to negotiate and finalise lease arrangements in accordance with this report and the requirements of the Local Government Act.
- E. That the General Manager advise all parties who lodged an objection to the proposed lease of Council's decision and their rights to appeal Council's decision in accordance with Section 178A of the Local Government Act.

CARRIED UNANIMOUSLY

12. ALDERMEN'S QUESTION TIME

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

12.1 QUESTIONS ON NOTICE

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

Nil

12.2 ANSWERS TO QUESTIONS ON NOTICE

Nil

12.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

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

Kangaroo Bay

Ald James asked the following question: The developer has purchased the encroachment onto Crown land, is that basically in the Title of the purchaser, or in fact is he or she leasing it and is there anything in relation to reclamation of Crown land still remaining in the ownership of Crown land?

Answer Details

The area of reclaimed land that has been infilled as part of the kangaroo bay development is freehold land that was incorporated in the title at the time of the original subdivision undertaken by Council in October 2013.

Bus Stop – Bridge Street, Richmond

Ald Walker asked the following question: “Opposite Ashmore on Bridge Street is a bus stop that gets used by a bus once a day, it is a premium parking space but not a parking space because it is a bus stop that generates some revenue for the State, as visitors and tourists to the area are quite often getting fined. What can we possibly do to discuss whether that bus stop can be relocated to another location?”

Answer Details

There are 3 bus stops along Bridge Street: one being east of the Colebrook Road intersection, one at the Henry Street intersection (opposite Ashmore's) and the Franklin Street carpark. The distance between the bus stops is approximately 300m.

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ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE /contd...

The regular bus service through the area operates 6 journeys in each direction. It is unknown how many times patrons use the bus stop opposite Henry St during the day.

Unfortunately there is no way to combine car parking and a bus stop at a specific location. In order to assist motorists in understanding the specific area is a bus stop Council can highlight the bus stop area with road markings to indicate it is a bus stop.

Council Officers will liaise with bus service operators on possible locations and obtain feedback from the Richmond Advisory Committee. It is noted a bus stop can take up to 30m length and any location along Bridge Street is likely to affect a local business. We will advise Aldermen further through a Briefing Report.

12.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

13. CLOSED MEETING

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

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

13.1 APPLICATIONS FOR LEAVE OF ABSENCE

13.2 REPORTS FROM SINGLE AND JOINT AUTHORITIES

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 provided to the council on the condition it is kept confidential;
- applications by Aldermen for a Leave of Absence.

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

Decision:	PROCEDURAL MOTION MOVED Ald Peers SECONDED Ald Chong	
	“That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”.	
	CARRIED	
	FOR Ald Blomeley Ald Chipman Ald Chong Ald Edmunds Ald James Ald Kennedy Ald Peers Ald von Bertouch Ald Walker Ald Warren	AGAINST Ald Mulder (abstained)

The Meeting closed at 9.20pm