

# MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 16 MARCH 2020

**HOURL CALLED:** 7.00pm

**PRESENT:** The meeting commenced at 7.01pm with the Mayor (Ald D C Chipman) in the Chair and with Aldermen:

B A Blomeley  
H Chong  
L Edmunds  
D Ewington  
R H James  
W Kennedy  
T Mulder  
J Peers  
S von Bertouch  
J Walker (arrived at 7.19pm); present.

**1. APOLOGIES**  
J Walker (for late arrival)  
B Warren

**ORDER OF BUSINESS** Items 1 – 13

**IN ATTENDANCE**  
General Manager  
(Mr I Nelson)  
Group Manager Engineering Services  
(Mr R Graham)  
Acting Manager City Planning  
(Mr B Gibbs)  
Manager Communication and Strategic Development  
(Mr A Saddler)  
Executive Officer to the General Manager  
(Ms J Ellis)

The Meeting closed at 8.35pm.

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 16 MARCH 2020**

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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 24 February 2020, as circulated, be taken as read and confirmed.

**Decision:** **MOVED** Ald Peers **SECONDED** Ald Ewington

“That the Minutes of the Council Meeting held on 24 February 2020, as circulated, be taken as read and confirmed”.

**CARRIED UNANIMOUSLY**

## 3. MAYOR’S COMMUNICATION

The Mayor reported on the following meetings and attendances since the last Council Meeting:

- 25 February – Minister Guy Barnett and Mayor Kerry Vincent regarding Irrigation;
- 2 March – Community Meeting regarding Tasmanian Irrigation SE Integration;
- 10 March – North Melbourne Football Club Welcome Function;
- 11 March – State Grants Commission Hearing;
- 13 March – Meeting Minister Mark Shelton; and
- 13 March – Citizenship Ceremony.

## 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
Bushfire Management	
STCA Presentation – Coastal Hazards/Climate Change Adaptation	2 March
Presentation regarding Help2Health Project	
Almas Activities Centre	
Committee Financials	
Draft Apartment Development Code	10 March

**RECOMMENDATION:**

That Council notes the workshops conducted.

**Decision:** **MOVED** Ald Blomeley **SECONDED** Ald Kennedy

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

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

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

**INTEREST DECLARED**

**Alderman Kennedy**                      **Item No. 11.5.1**

**6. TABLING OF PETITIONS**

(File No. 10/03/12)

(Note: Petitions received by Aldermen are to be forwarded to the General Manager within seven days after receiving the petition).

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

The General Manager tabled the following petition which complies with the Act requirements:

- Received from 279 signatories requesting Council to:
  - review the current traffic management and pedestrian safety arrangements in the Bellerive Village retail/commercial precinct; and
  - as part of this review engage with local business owners and residents to ascertain the level of support for traffic calming/pedestrian safety measures.

## **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**

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.

#### **BELLERIVE BEACH PARK**

At Council's Meeting of 24 February 2020 Mrs J Marsh of Bellerive asked the following question:

On 7 November 2019 an on-site meeting to discuss my concerns regarding the stewardship of the Bellerive Beach park area was attended by Ian Nelson and Ross Graham. My concerns were about the obstruction of the shared pathway, non-replacement of trees and maintenance of existing trees. Interestingly, vision of the area I expressed concern about featured on a recent news item about Glenorchy, Launceston and Clarence's poor rating in its accumulative loss of trees, rust damage, heavy vehicles damaging the surface of the park, general neglect of the undeveloped areas of the park and unsightly noisy areas around the oval perimeter. Now that more than three months have lapsed since our meeting, how and when does Council intend to respond to my concerns?

/ contd on Page 8...



**ANSWER**

A letter was sent to Mrs Marsh on Friday, 6 March 2020 addressing her concerns regarding the stewardship of the Bellerive Beach Park. A copy will be provided to Aldermen.

**PARKING – KANGAROO BAY**

At Council's Meeting of 24 February 2020 Mr V Marsh of Bellerive asked the following question:

I have provided photos of cars parked in the caged areas of the Kangaroo Bay Hotel site and the Boulevard site. When events such as the Crown Series, the Big Bash, AFL football and the junior soccer clinic, along with the busy Christmas shopping period happen, where are the cars going to go when these developments are under way?

**ANSWER**

At its Meeting of 6 February 2017, Council adopted the Kangaroo Bay Public Car Parking Strategy in relation to the consideration of the supply of public car parking in the Kangaroo Bay/Bellerive area. The recommendation being:

- “A. Install clear signage and undertake necessary minimal works for the gravel area of Lot 3 of Kangaroo Drive, Bellerive to be used for temporary car parking.
- B The development of Lot 4 Kangaroo Bay Drive as a carpark and that the necessary design and approvals be sought with the funding referred to the 2017/18 budget for consideration.
- C Develop concept plans for a multi-level carpark at the Bellerive Yacht Club site, ensuring connectivity for all users, in consultation with the Bellerive Yacht Club and key stakeholders, and report back to a future Council workshop.
- D Develop concept plans and investigate funding opportunities for multi-level car parks, inclusive of potential commercial development at Winkleigh Place and Percy Street car parks, and report back to a future Council Workshop”.

In relation to the status of these items, Item A is complete, Item B is part of the Boulevard development, Item C is complete, and a development application has been approved for a ground level public car park between the Bellerive Yacht Club boat ramp and the Hotel development, and Council has adopted funds for Council Officers to proceed with Item D.

**7.4 QUESTIONS WITHOUT NOTICE**

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

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

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

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

**8. DEPUTATIONS BY MEMBERS OF THE PUBLIC**

(File No 10/03/04)

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

**SOUTH ARM OVAL MASTER PLAN – MARCH 2020**

(REFER ITEM 11.5.1)

Kerry Scambler addressed the Meeting regarding the above matter.

Jamie Kent addressed the Meeting regarding the above matter.

Noela Foxcroft addressed the Meeting regarding the above matter.

**9. MOTIONS ON NOTICE****9.1 NOTICE OF MOTION - ALD BLOMELEY  
TRIAL PEAK-HOUR FERRY PASSENGER SERVICE**  
(File No 10-03-05)

In accordance with Notice given it was:

<b>Decision:</b>	<b>MOVED</b> Ald Blomeley <b>SECONDED</b> Ald Ewington	
	“That this Council calls on the State Government to instigate a trial peak-hour ferry passenger service between Bellerive and Sullivans Cove, as soon as practicable”.	
	Ald Walker arrived at 7.19pm.	
	<b>CARRIED</b>	
	<b>FOR</b>	<b>AGAINST</b>
	Ald Blomeley	Ald James
	Ald Chipman	Ald Mulder
	Ald Chong	Ald Peers
	Ald Edmunds	
	Ald Ewington	
	Ald Kennedy	
	Ald von Bertouch	
	Ald Walker	

**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.

- **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.

Ald Walker tabled the Quarterly Summary of its Meetings for the period ending 11 March 2020.

The Copping Refuse Disposal Site Joint Authority has also distributed its Quarterly Reports for the period 1 July to 30 September 2019 and 1 October to 31 December 2019.

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**

The Mayor advised of the appointment of Joanne Pearson as a Director of the TasWater Board and further advised that the Board has a balance of skills, gender and State/Interstate representation.

- **GREATER HOBART COMMITTEE**

## **10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES**

### **BELLERIVE COMMUNITY ARTS CENTRE INC**

- Ald Kennedy tabled the Minutes of the Annual General Meeting held on 11 March 2020.

### **CLARENCE CULTURAL HISTORY ADVISORY COMMITTEE**

- Ald Chong tabled the Minutes of a Meeting held on 4 December 2019.

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

(File No 10/02/02)

The Weekly Briefing Reports of 24 February and 2 and 9 March 2020 have been circulated to Aldermen.

**RECOMMENDATION:**

That the information contained in the Weekly Briefing Reports of 24 February and 2 and 9 March 2020 be noted.

**Decision:** **MOVED** Ald Blomeley **SECONDED** Ald Ewington

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

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

Nil.



### **11.3 PLANNING AUTHORITY MATTERS**

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

**11.3.1 DEVELOPMENT APPLICATION PDPLANPMTD-2019/002768 – 1063  
CAMBRIDGE ROAD, CAMBRIDGE (WITH ACCESS OVER 1061  
CAMBRIDGE ROAD) - CONCRETE BATCH PLANT****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the development application made for a concrete batch plant at 1063 Cambridge Road, Cambridge (with access over 1061 Cambridge Road).

**RELATION TO PLANNING PROVISIONS**

The land is zoned Light Industrial and subject to the Parking and Access, Stormwater Management, Potentially Contaminated Land and Road and Railway 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 has now been extended with the written consent of the applicant to expire on 18 March 2020.

**CONSULTATION**

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

- inappropriateness of development for area;
- dust and noise emissions;
- vibration of plant and machinery;
- visual impact; and
- traffic impacts.

**RECOMMENDATION:**

- A. That the Development Application for Concrete Batch Plant at 1063 Cambridge Road, Cambridge (with access over 1061 Cambridge Road) (Cl Ref PDPLANPMTD-2019/002768) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. Noise emissions measured at the boundary of a residential zone must not exceed the following:
  - a) 55dB(A) (LAeq) between the hours of 7.00am to 7.00pm on any day;
  - b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00pm to 7.00am on any day;
  - c) 65dB(A) (LAm<sub>ax</sub>) at any time.

Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.

A noise monitoring report is to be submitted to Council within three months of commencement of the use to confirm the described noise emissions are met, to the satisfaction of Council's Senior Environmental Health Officer.
3. All soil disturbance on the site such as trench or foundation preparation is to be undertaken in accordance with the conclusions of the Environmental Site Assessment prepared by Geo-Environmental Solutions, dated January 2020, which will require the soil to be assessed for heavy metals. Any soil found to be Level 2 Material must be managed or disposed of in accordance with IB105 recommendations, to the satisfaction of Council's Senior Environmental Health Officer.
4. GEN S1 – SIGN CONSENT.
5. Engineering designs, prepared by a suitably qualified person, are required for:
  - carpark and driveways construction;
  - service upgrades or relocations;

they must show the extent of any vegetation removal proposed for these works and submitted to Council's Group Manager Engineering Services for approval prior to the issue of a building or plumbing permit.
6. Designs for pavement and work areas are required to be approved by Council's Group Manager Engineering Services prior to the granting of a building permit. A sealed all-weather pavement is required for the access driveway from Cambridge Road over the right-of-way (9.0m wide) to the boundary of the site, together with staff car parking and manoeuvring areas, and key production areas to include:
  - internal roads, parking and manoeuvring areas used by agitator trucks;
  - underneath silos (fly-ash/cement storage areas);
  - concrete-mix loading bays;

- slumping stations;
- truck wash areas;
- all areas of water recycling system;
- reclaimed water storage tanks area;
- truck maintenance areas;
- chemical storage areas;
- other areas as required.

Hardstand surfaces are to be contoured and bunded to:

- direct all washwater on-site to front-end loader accessible settling pits (wedge pits);
- intercept washwater at site entrance/exit points (to prevent tracking out);
- intercept all stormwater drains and direct washwater away from drains to sediment-settling pits;
- direct washwater from slumping stations to sediment-settling pits;
- direct all washwater from truck-wash stations to sediment-settling pits.

All works are to be completed prior to commencement of use.

7. For the purposes of protecting Council's stormwater system all stormwater runoff from impervious surfaces within the site must be treated and discharged from the site using Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010 and consistent with the Stormwater System Management Plan for the relevant catchment. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions or a model using industry accepted proprietary software, such as MUSIC must be submitted to Council's Group Manager Engineering Services for approval prior to the issue of a building or plumbing permit. Prior to the commence of use, the works must be constructed, and a Maintenance Management Schedule/Regime must also be submitted and the facility must be maintained in accordance with this schedule.

Prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works the landowner must enter into and thereafter abide by an agreement with Council under Part 5 of the Land Use Planning and Approvals Act, 1993 in such form as Council may require and which incorporates the Maintenance Management Schedule/Regime obligations for the stormwater treatment facility and a requirement to report to Council on an annual basis stating that all maintenance requirements for the facility have been met.

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

Note: The landowner is to give 14 days' notice to Council of the request to prepare a Part 5 Agreement.

8. Stormwater design and treatment is required to meet the following criteria:
- No discharge of process water (ie stormwater from Area 1 “polluted”, referenced below, water from batch facility and wash down water from truck wash area);
  - Be in place and operational for water treatment prior to upstream site stormwater pipelines being commissioned;
  - Be routinely maintained;
  - Water monitored and within discharge limits, with records kept;
  - Site segregated into three areas to minimise risk of contamination of stormwater: 1) “Polluted” Area; 2) “Dirty” Area; 3) “Clean” area and proactive controls implemented to prevent cross contamination by cementitious components into Areas (2) and (3).

The final design of the sealed areas, working areas, and service reticulation and treatment must provide for a sustainable solution that does not adversely affect the surrounding environment, and any potential environmental risks are mitigated to an acceptable standard in accordance with relevant guidelines and standards for the proposed use.

9. The operator is to engage a National Association of Testing Authorities (NATA) accredited water testing organisation to undertake stormwater discharge testing and report every three months from commencement of use for the first 12 months, and every 6 months thereafter. This report is to be submitted to Council within seven days of issue of report. The report is to include testing for PH levels, Suspended solids, and Nutrients. Should Council deem it necessary to include testing of other contaminants outlined within the ANZECC guidelines the report must include any further testing results as requested.

The operator must design the stormwater system that limits discharge contaminants to the following:

- Suspended Solids less than 1000mg/L;
- PH must be between 6.5 and 8.5;
- Total Phosphorus less than 1.0 mg/L;
- Total Nitrogen less than 5.0mg/L.

Should contaminants exceed the above targets, the owner must undertake immediate rectification measures to reduce contaminate discharge in consultation with Council Engineers and Environmental Health Officers.

10. A landscape plan must be submitted to and approved by Council's Manager City Planning prior to the granting of a building permit. The plan must include a 3m wide landscaping strip adjacent to the Tasman Highway comprised of suitable species to provide screening when viewed from the Tasman Highway, be to a standard scale, provide the designer's contact details and be legible when reproduced at A3.
11. The landscape plan must clearly document the following:
  - a north point;
  - existing property information such as building footprints, boundary lines, outdoor structures, garden beds and fences;
  - existing contours, relevant finished floor levels and any proposed rearrangement to ground levels;
  - existing trees identified as to be retained or removed;
  - areas of proposed landscape hard work treatments such as driveways, paths, buildings, car parking, retaining walls, edging and fencing;
  - areas of proposed landscape soft work treatments including garden beds and lawns;
  - proposed planting design with locations of individual plants at intended spacing and clearly identified species (use of symbols with a legend or direct labelling of plants preferred);
  - a table listing selected species botanical names, mature height, mature width, pot size and total quantities;
  - details of proposed irrigation system (if required);
  - details of proposed drainage system (if required); and
  - estimate of cost for the installation of landscape works.

All landscaping works must be completed and verified as being completed by Council 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.

Installed landscape works (soft and hard) will be inspected for adherence to the approved landscape plan and for quality of workmanship. In order for a landscape bond to be released the works must be deemed satisfactory by Council's Landscape Design Officer. Trade standard will be the minimum quality benchmark that all landscape works will be assessed against.

12. LAND 3 – LANDSCAPE BOND (COMMERCIAL).

13. The development must meet all required Conditions of Approval specified by TasWater notice dated 14 August 2019 (TWDA 2019/01117-CCC).

**ADVICE**

- The use is not to cause an environmental nuisance to the owners or occupiers of land in the surrounding area by reason of noise, smell, fumes, dust or other pollutants emanating from the site.
- Documentation to detail the means of suppression of dust associated with operation of the use will be required as part the building permit application, to be approved by the Council’s Senior Environmental Health Officer.
- The use must comply with the requirements of the *Environmental Management and Pollution Control (Noise) Regulations 2016* and the *Environmental Management and Pollution Control Act 1994* (EMPCA).

- 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 Ewington

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

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

**11.4 CUSTOMER SERVICE****11.4.1 CUSTOMER SERVICE CHARTER REVIEW****EXECUTIVE SUMMARY****PURPOSE**

To adopt a revised Customer Service Charter 2020.

**RELATION TO EXISTING POLICY/PLANS**

The changes sought will not impact on any pre-existing policies or strategies of Council.

**LEGISLATIVE REQUIREMENTS**

In accordance with the *Local Government Act 1993*, Section 339F(4), a review of the Customer Service Charter is required to be undertaken within 12 months of the last Council election. The Charter was reviewed in October 2019 and the Customer Service Charter 2019 adopted by Council. Since that time consideration has been given to the reasonableness and achievability of certain timeframes specified in the Charter.

**CONSULTATION**

Discussions were undertaken internally with the Corporate Executive Committee and other key personnel. The proposed amendments to the Charter were also discussed at a recent workshop.

**FINANCIAL IMPLICATIONS**

There will be some minor costs associated with the production of a new brochure, which will be funded within the current budget allocation.

**RECOMMENDATION:**

That Council adopts the Customer Service Charter 2020.

**Decision:** **MOVED** Ald Peers **SECONDED** Ald Kennedy

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**



**11.5 ASSET MANAGEMENT****11.5.1 SOUTH ARM OVAL MASTER PLAN – MARCH 2020**

(ECM: 3769335)

**EXECUTIVE SUMMARY****PURPOSE**

To consider the next stage of implementation of the South Arm Oval Master Plan.

**RELATION TO EXISTING POLICY/PLANS**

Council's Strategic Plan 2016-2026 and Community Engagement Policy are relevant.

**LEGISLATIVE REQUIREMENTS**

Nil.

**CONSULTATION**

The South Arm Oval Master Plan has been subject to previous community consultation. Most recently, residents adjacent to the Skate Park and key stakeholders were advised of the South Arm Skate Park Noise Survey Council Workshop Outcomes on 23 December 2019.

**FINANCIAL IMPLICATIONS**

There is \$73,161 remaining within the 2019-2020 Passive Recreation Capital Works Budget for the South Arm Master Plan implementation. Any further development and/or implementation of the master plan, including in accordance with this report, will require Council approval and possibly additional funding.

**RECOMMENDATION:**

- A. That Council install vehicle barriers to prevent vehicle access onto the South Arm Oval as set out in Attachment 4 of the Associated Report to address associated safety implications and periodic night use of the skate park.
- B. That Council notes receipt of the jta Health, Safety and Noise Specialists "Noise Modelling Study – South Arm Skate Park - February 2020" and release the report as a publicly available document.
- C. That Council authorises the General Manager to undertake community consultation on the remaining elements in the South Arm Oval Master Plan inclusive of the proposed playground, Men's shed, landscaping/planting, hardstand, passive games area, including any proposed consequent amendments to the current master plan, and to then obtain an acoustic consultant review of the master plan to identify any potential ongoing noise attenuation issues, and to then report back to a future workshop on design options for Council consideration.

- D. That Council authorises the General Manager to write to nearby residents to the South Arm Oval, SAPRA and Calverton Hall advising of Council's decision.

Ald Kennedy declared an Interest in this Item and left the Meeting prior to discussion (7.46pm).

<b>Decision:</b>	<b>MOVED</b> Ald Walker <b>SECONDED</b> Ald James
	<p>“A. That Council install vehicle barriers to prevent vehicle access onto the South Arm Oval as set out in Attachment 4 of the report to address associated safety implications and periodic night use of the skate park.</p> <p>B. That Council notes receipt of the jta Health, Safety and Noise Specialists “Noise Modelling Study – South Arm Skate Park – February 2020” and release as a public document as well as undertaking community engagement to determine the most appropriate form of noise attenuation for Council to install.</p> <p>C. That Council authorises the General Manager to undertake community consultation on the remaining elements in the South Arm Oval Master Plan inclusive of the proposed playground, Men's shed, landscaping/planting, hardstand, passive games area, including any proposed consequent amendments to the current master plan, and to then obtain an acoustic consultant review of the master plan to identify any potential ongoing noise attenuation issues, and to then report back to a future workshop on design options for Council consideration.</p> <p>D. That Council authorises the General Manager to write to nearby residents to the South Arm Oval, SAPRA and Calverton Hall advising of this Council decision”.</p> <p style="text-align: right;"><b>CARRIED UNANIMOUSLY</b></p>

Ald Kennedy returned to the Meeting at this stage (8.09pm).

<b>11.6 FINANCIAL MANAGEMENT</b>
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Nil Items.

**11.7 GOVERNANCE****11.7.1 YOUTH ADVISORY COMMITTEE – AMENDED CONSTITUTION****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is for Council to adopt the amended constitution for the Youth Advisory Committee.

**RELATION TO EXISTING POLICY/PLANS**

- Strategic Plan 2016-2026; and
- Youth Plan 2018-2022.

**LEGISLATIVE REQUIREMENTS**

Nil.

**CONSULTATION**

Consultation has occurred with the Youth Network Advisory Group (YNAG) for the review of the Youth Advisory Committee (YAC) Constitution.

**FINANCIAL IMPLICATIONS**

Nil.

**RECOMMENDATION**

That Council endorses the amended Constitution for the Youth Advisory Committee.

**Decision:** **MOVED** Ald Kennedy **SECONDED** Ald James

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.7.2 COPPING REFUSE DISPOSAL SITE – PROPOSED TASNETWORKS EASEMENT****EXECUTIVE SUMMARY****PURPOSE**

To consider an easement, proposed by and in favour of TasNetworks, situated at the Copping Refuse Disposal Site (“CRDS”), Blue Hills Road, Copping, Tasmania 7174.

**RELATION TO EXISTING POLICY/PLANS**

Nil.

**LEGISLATIVE REQUIREMENTS**

The Land Titles Act 1980 (Tas) is relevant.

**CONSULTATION**

The Tasman and Sorell Councils must also approve the easement. This Report will be provided to Tasman and Sorell for consideration and approval. Following approval by each of the three member Councils the easement will be registered on the property title Certificate of Title 126073 Folio 1.

**FINANCIAL IMPLICATIONS**

Nil.

**RECOMMENDATION:**

- A. That Council consents to the easement proposed by TasNetworks.
- B. That the General Manager is delegated to do all things necessary to execute the Easement Deed including applying the Council seal.
- C. That the General Manager is delegated to do all things necessary to formalise the easement, including to execute and to apply the Council seal to all documentation necessary to enable the registration of the easement on the Title.

**Decision:** **MOVED** Ald Blomeley **SECONDED** Ald Chong

“That the Recommendation be adopted”.

**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 QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING****Ald James**

1. Recently I received and I believe that a number of my colleagues received, a complaint from a resident near the Bellerive Oval regarding an activity that started at 7am when in fact the permit was for a 7.30 am start. What action is going to be taken in relation to that because that person is not the only person who has raised a question in regard to activities and times.

**ANSWER**

An investigation has been completed and advice has been provided to Aldermen.

2. In regard to the installation of the safety fence at ANZAC Park when will this occur?

**ANSWER**

Signage which warns of Cliff Top Risk has been ordered and will be installed at entry points to Anza Park and Second Bluff within the next few weeks.

Both cliff top risk sites have been inspected by an Aboriginal Heritage Consultant and Council has been advised this week that permits are required for both areas.

AHT has informed Council that if impacts to Aboriginal heritage sites cannot be avoided, Council must apply for a permit under the Aboriginal Heritage Act 1975 (the Act) prior to works proceeding.

Council's engaged consultant has advised that the permits are being drafted and will be lodged. The timeframe for permit applications is generally up to 3 months (90 days) from the time that the completed permit application form has been accepted by AHT.

**Ald von Bertouch**

1. Are all the permit conditions and licence requirements for the Armend pipeline going to be met by the developer before the expected timeline of mid to late March for the work to install the pipeline?

**ANSWER**

The Mayor advised that he had received an email from the developer indicating that he will not make the timeline of March, he may still make it before the start of the Spotted Hand Fish breeding season. If he cannot make that date it will be November before he starts.

Further to the advice provided at the meeting, we can advise that the proponent has confirmed that construction will not now commence until after the Spotted Hand fish season.

2. Has the developer approached Council for a contribution to the funding of installation of the pipeline and if so, what advice has been given to the developer and the Aldermen?

**ANSWER**

The issue of funding was raised obliquely at the last workshop that the proponent attended. There has been no request for funding assistance that we are aware of.

**Ald Blomeley**

1. I note in the answer to my question regarding the infrastructure for a Bellerive to Sullivans Cove ferry service and as I understand it the Hobart City Deal is a joint State, Federal and Clarence City Council undertaking, can you please outline what role Clarence has in the development of a business case and can Aldermen be updated on progress of said business case?

**ANSWER**

At this stage we are not involved in the development of the business case. That is being handled by the Department of State Growth and it will be raised with the Mayors and General Managers as part of the City Deal as that progresses through the course of this year.

2. As a point of clarification, I understand that in State and Federal Parliament when a mover and a seconder moves said motion they then support that motion. Does that rule apply here?

**ANSWER**

There is no requirement to do so under the meeting procedures or regulations.

**Ald Peers**

1. We have many culverts in Clarence. Do we inspect them because I did have a ratepayer put that question to me and earlier Ald Walker referred to a culvert where the water has to go up hill. Do we do regular maintenance on those?

**ANSWER**

Council does not clean out driveway culverts unless they are blocked and causing damage to Council's infrastructure. Road culverts are inspected when Council's staff are cleaning drains or when a ratepayer complaint is received. Drain cleaning is undertaken around March and September each year. If we have a blocked drain then a work order is produced and a vac truck is used to clear the blockage.

2. I had a complaint from a ratepayer regarding a private contractor collecting rubbish from a private firm at 2am. What can we do if that is the case?

**ANSWER**

Ald Peers to provide further details to enable the complaint to be investigated.

**Ald Walker**

Late last year the \$200,000 plus skate park in South Arm that we were told today is racing past \$450,000 was scheduled to have an official opening that was abruptly cancelled. What were the costs involved in the cancellation and when is the scheduled official opening like to occur?

**ANSWER**

There was a planned opening or celebration of the skate park. That is usual when we have a major recreational asset opened. We usually acknowledge it and celebrate it with the community. The only expense incurred in the lead up was staff time. At this stage no consideration has been given to rescheduling but if Council wishes, that can be looked at. The thinking was that until we had the sound report and Council had made a decision on what course of action it would take, it would have been inappropriate to open the park before we had finalised the project.

**Ald Mulder**

1. On 20 January Council received a confidential briefing on a Shopping Centre development. Mr Mayor can you explain the following social media post, "Has anyone heard any update about the Coles development? My nan said there was a guest speaker at her probus club, Mayor Doug Chipman who said there would be a lot of development happening soon with Coles days away from being finalised and apparently also a McDonalds".

**ANSWER**

Before I made the presentation to the Probus Club I checked with the proponent who came along to brief us at the workshop and asked if there was any update and what was his intention in terms of public media in other words what could I say and he was quite comfortable with my advice to the probus club that it was in the mill and imminent and that I was allowed to say that without comprising the project.



Would it not have been nice for you to have communicated that to Aldermen whose job it is to consult with the community rather than be ambushed because these questions are directed at me personally and I am not in a position to make any comment about those things?

**ANSWER**

I have no more information other than what I have already said and I believe there could be a public announcement later this week

2. Could I be advised of the annual maintenance costs for School Road?

**ANSWER**

Council grades School Road around 3 times per year. This includes gravel but is dependent on heavy traffic (access to local gravel quarry) and weather conditions at a yearly cost of approximately \$15,000.

## **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 be recorded in the following Agenda.

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 JOINT AUTHORITY MATTER

13.3 TENDER T1332-19 – WELLINGTON STREET RICHMOND – ROAD SAFETY

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

- contracts and tenders for the supply of goods and services;
- 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>	<b>PROCEDURAL MOTION</b> <b>MOVED</b> Ald Peers <b>SECONDED</b> 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”.	
	<b>FOR</b> Ald Blomeley Ald Chipman Ald Chong Ald Edmunds Ald Ewington Ald James Ald Kennedy Ald Peers Ald von Bertouch Ald Walker	<b>AGAINST</b> Ald Mulder (abstained)
	<b>CARRIED</b>	

**CLOSED MEETING /contd...**

The following Closed Meeting Motion has been authorised by Council for publication in the public Minutes.

**13.3 TENDER T1332-19 – WELLINGTON STREET RICHMOND-ROAD SAFETY UPGRADE**

(File No Q1332-19 – Ecm 3769374)

**Decision:**

**MOVED** Ald Chong **SECONDED** Ald Peers

- “A. That the Tender from JDM Contracting Pty Ltd for \$411,629.15, excluding GST, be accepted for the safety upgrades in Wellington Street, Richmond.
- B. That, in accordance with Regulation 34(3) of the Local Government (Meetings Procedures) Regulations 2015, Council authorises for release the Council’s decision (only) in respect to this item to the general public and for communication to relevant parties.
- C. That Council publishes its decision only in regard to this matter in the open Minutes of this Meeting”.

**CARRIED UNANIMOUSLY**

The Meeting closed at 8.35pm.