

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL CONDUCTED ELECTRONICALLY, ON MONDAY 6 APRIL 2020

HOUR CALLED: 7.00pm

PRESENT: The meeting commenced at 7.00pm 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
B Warren; present.

1. APOLOGIES Nil

ORDER OF BUSINESS Items 1 – 13

IN ATTENDANCE

General Manager
(Mr I Nelson)

Chief Financial Officer
(Ms M Coleman)

Group Manager Engineering Services
(Mr R Graham)

Manager Health and Community Development
(Mr J Toohey)

Manager City Planning
(Mr R Lovell)

Executive Officer to the General Manager
(Ms J Ellis)

The Meeting closed at 9.05pm.

Prior to the commencement of the meeting, the Mayor provided advice on arrangements on the conduct on tonight's electronic Council Meeting.

COUNCIL MEETING
MONDAY 6 APRIL 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 16 March 2020, as circulated, be taken as read and confirmed.

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

“That the Minutes of the Council Meeting held on 16 March 2020, as circulated, be taken as read and confirmed”.

CARRIED UNANIMOUSLY

3. MAYOR’S COMMUNICATION

The Mayor congratulated Alderman Heather Chong for her recent award in the Tasplan International Women’s Day Awards for Excellence 2020.

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

- 17 March – Greater Hobart Mayors Forum;
- 17 March – Ground Breaking Ceremony – Greenville Subdivision;
- 18 March – Unveiling of new Ute and Bike Fleet;
- 23 March – TasWater Owners Representative Group;
- 23 March – “The Mercury” regarding Tasmania Together Campaign;
- 24 March – Covid-19 Stimulus Package Discussion;
- 27 March – LGAT General Meeting; and
- 30 March – Draft Agenda and Covid-19 Hardship Policy Discussions.

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
Community Support Package	23 March
Community Support Package Bellerive Public Pier	30 March

RECOMMENDATION:

That Council notes the workshops conducted.

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

6. *TABLING OF PETITIONS**

(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 44 signatories requesting Council to replace the large eucalypt tree on Council land outside 15 Hill Street with a more suitable species.

7. PUBLIC QUESTION TIME

Public question time at ordinary Council meetings will not exceed 15 minutes. Questions may be submitted to Council in writing on the Friday 10 days before the meeting.

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

7.1 PUBLIC QUESTIONS ON NOTICE

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

Questions on notice and their answers will be included in the minutes.

Mr Thomas Chick of Mornington has given notice of the following question:

COVID-19 EFFECT ON COUNCIL MEETINGS

In what way will COVID-19 affect the way Council Meetings work. If a public gallery is not feasible, as I suspect, will meetings be streamed. Will Aldermen be teleconferencing in. What other changes will occur that I have not addressed?

7.2 ANSWERS TO QUESTIONS ON NOTICE

The General Manager provided the following answer to Questions Taken on Notice listed at Item 7.1.

COVID-19 EFFECT ON COUNCIL MEETINGS

Since the Tasmanian Government has introduced its COVID-19 - Emergency legislation and has issued notices to councils detailing new, more flexible arrangements for meetings elected members will now teleconference to participate in Council Meetings. Council will also livestream and record those meetings for the public. In respect to Questions on Notice and Deputations the arrangements that we have put in place for those are that Questions and Deputations are to be received in writing and will be read out at the meeting and responded to accordingly.

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

7.4 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 taken on notice. Wherever possible, answers will be provided at the next ordinary Council Meeting.

8. DEPUTATIONS BY MEMBERS OF THE PUBLIC
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(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 or deliver reports to Council)

NOTICE OF MOTION – ALD BLOMELEY – BELLERIVE VILLAGE PEDESTRIAN SAFETY
(REFER ITEM 9.1)

M/s Sophie Harris of Bellerive and Mr Michael Geard of Bellerive provided a statement regarding the above which was read out by the General Manager.

9. MOTIONS ON NOTICE

9.1 NOTICE OF MOTION - ALD BLOMELEY BELLERIVE VILLAGE PEDESTRIAN SAFETY

(File No 10-03-05)

In accordance with Notice given it was:

Decision:	MOVED Ald Blomeley SECONDED Ald von Bertouch	
	“That this Council:	
	A. Notes the petition tabled at the 16 March 2020 Meeting, requesting Council to:	
	1. review the current traffic management and pedestrian safety arrangements in the Bellerive Village retail/commercial precinct; and	
	2. as part of this review, engage with local business owners and residents to ascertain the level of support for traffic calming/pedestrian safety measures.	
	B. Calls for Officers to undertake a Strategic Review of the current traffic flow and pedestrian interactions in and around Bellerive Village – specifically the commercial precinct of Cambridge Road, Clarence Street, Percy Street and Queen Street – with this Review to focus on pedestrian safety and traffic management.	
	C. The findings of this Strategic Review to be presented to Aldermen at a workshop”.	
	CARRIED	
	FOR	AGAINST
	Ald Blomeley	Ald James
	Ald Chipman	Ald Warren
	Ald Chong	
	Ald Edmunds	
	Ald Ewington	
	Ald Kennedy	
	Ald Mulder	
	Ald Peers	
	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

None pending.

Representative Reporting

- **TASWATER CORPORATION**

The Mayor tabled a letter dated 20 March 2020 advising Owners of Special General Meeting.

- **GREATER HOBART COMMITTEE**

The Mayor tabled the Greater Hobart Mayors' Forum action sheet for the Meeting held on 17 March 2020.

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

LOCAL GOVERNMENT ASSOCIATION TASMANIA

- The Mayor tabled the Minutes of the General Meeting held on 27 March 2020.

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

The Weekly Briefing Reports of 16, 23 and 30 March 2020 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 16, 23 and 30 March 2020 be noted.

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

“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-2019/006108 – 16 YACHTSMANS WAY, TRANMERE - DWELLING AND ANCILLARY DWELLING**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Dwelling and Ancillary Dwelling at 16 Yachtsmans Way, Tranmere.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Bushfire Prone Areas, Coastal Erosion Hazard (Low), Stormwater Management and Parking & 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 on 14 April 2020.

CONSULTATION

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

- guesthouse setback to boundary;
- loss of sunlight; and
- visual impact.

RECOMMENDATION:

A. That the Development Application for Dwelling and Ancillary Dwelling at 16 Yachtsmans Way, Tranmere (C1 Ref PDPLANPMTD-2019/006108) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. ENG A7 – REDUNDANT CROSSOVER.

3. The ancillary dwelling must be as follows:
 - a. have a floor area not greater than 60m²
 - b. be appurtenant to the single dwelling; and
 - c. share with the single dwelling, access and parking, water, sewerage, gas, electricity and telecommunications connections and meters.

ADVICE

- a) The development is located within a mapped bushfire prone area and as such as BAL and bushfire assessment must form part of the certified documents for the building permit application.
 - b) One of the sewer connection points and one of the stormwater connection points must be sealed off prior to commencement of use.
- 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 Ewington **SECONDED** Ald Peers

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.3.2 DEVELOPMENT APPLICATION PDPLANPMTD-2020/006741 – 3 MIROS DRIVE, HOWRAH - 3 MULTIPLE DWELLINGS (1 EXISTING + 2 NEW)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for three Multiple Dwellings (one existing + two new) at 3 Miros Drive, Howrah.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Road and Railway Assets, 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 on 16 April 2020.

CONSULTATION

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

- overshadowing;
- privacy;
- fencing;
- roof material;
- building heights;
- access; and
- loss of value.

RECOMMENDATION:

A. That the Development Application for three Multiple Dwellings (one existing + two new) at 3 Miros Drive, Howrah (CI Ref PDPLANPMTD-2020/006741) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. ENG M1 – DESIGNS DA.
 3. The site must be provided with a minimum 5.5m wide constructed and sealed access from the road carriageway to the property boundary in accordance with Engineering drawings approved by Council's Development Engineer. This access must be inspected by Council's Development Works Officer prior to sealing or pouring new concrete.
 4. 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.
 5. ENG A5 – SEALED CAR PARKING.
 6. 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. A Maintenance Management Schedule/Regime must also be submitted and the facility must be maintained in accordance with this schedule.

Suitable provision must be made in the Body Corporate rules associated with this development to the satisfaction of Council for the proper management of the stormwater treatment facility by the Body Corporate. Evidence of either of these options being in place must be provided prior to [the sealing of the Final Plan/the commencement of the use/prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works].
 7. The development must meet all required Conditions of Approval specified by TasWater notice dated 30 January 2020 (TWDA 2020/00095-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.

/ Refer to Page 19 for Decision on this Item...

**DEVELOPMENT APPLICATION PDPLANPMTD-2020/006741 – 3 MIROS DRIVE,
HOWRAH - 3 MULTIPLE DWELLINGS (1 EXISTING + 2 NEW) /contd...**

Decision:	MOVED Ald Ewington SECONDED Ald Chong	
	“That the Recommendation be adopted”.	
	CARRIED	
	FOR	AGAINST
	Ald Blomeley	Ald James (abstained)
	Ald Chipman	
	Ald Chong	
	Ald Edmunds	
	Ald Ewington	
	Ald Kennedy	
	Ald Mulder	
	Ald Peers	
	Ald von Bertouch	
	Ald Walker	
	Ald Warren	

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 COVID-19 – CLARENCE CITY COUNCIL COMMUNITY SUPPORT PACKAGE****EXECUTIVE SUMMARY****PURPOSE**

To provide an update on Council's COVID-19 response, a recommended community support package for consideration and approval by Council and approve several delegations to the General Manager.

RELATION TO EXISTING POLICY/PLANS

Nil.

LEGISLATIVE REQUIREMENTS

The *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020* (Tas) and the *Local Government Act 1993* (Tas) are relevant.

CONSULTATION

Council, via the Mayor and key Council staff, has been keeping the Clarence community updated in relation to the evolving issues and responses to the COVID-19 pandemic.

On 27 March 2020, a LGAT General Meeting of member Councils was held. The meeting approved several relief measures to be put before each Council for formal consideration. This report and its recommendations address Council's previous discussion and the resolution of the LGAT General Meeting.

FINANCIAL IMPLICATIONS

There are significant immediate and long-term financial implications associated with the COVID-19 pandemic response. These costs cannot be accurately quantified at present but are realistically in the millions of dollars and will affect Council's financial position in the current and subsequent years.

Balancing the provisions of the support package with the financial consequences associated with such measures will necessarily lead Council to focus on the prioritisation of delivery of core services to the community and consequently require reductions in other services or service levels. These considerations will need to underpin Council's consideration of the 2020/21 Estimates and Annual Plan and will continue to influence budget and planning processes in subsequent years.

RECOMMENDATION:

That Council:

- A. Notes that the General Manager:
- Has activated Council's Business Continuity and Recovery Plan and taken steps in accordance with that plan to manage Council's services and activities, including steps aimed at ensuring staff safety in accordance with published social distancing and other restrictions;
 - Is working closely with representatives of the Tasmanian Government and other Councils to support the government response to this crisis, provide resources if requested, and to respond in accordance with relevant emergency management plans if required.
- B. Approves the following community assistance package, and authorises the General Manager to implement the package, to assist individual ratepayers and businesses within the City of Clarence.
- That no penalties, charges, interest or debt collection for late rate payments will occur until at least 30 June 2020.
 - That rental relief on Council owned buildings and other premises where tenants and/or leaseholders are experiencing financial hardship will be considered, upon written application by the relevant tenant, until 30 June 2020, and approved in accordance with Council's Community Hardship Policy.
 - A "Community Hardship Policy" that provides the basis for the General Manager (or delegate) to assess hardship claims in relation to payment of rates.
 - The community grants program be refocussed to support local businesses, not-for-profit organisations and community organisations recover their operations to help build resilience, until 30 June 2021.
 - As a means of supporting local business recovery and injecting funds into the local economy in a timely manner, settle creditor invoices within 14 days of receipt (or sooner), irrespective of normal or contracted trading terms.
 - Adopt a zero% rate increase of the General rate by fixing the General rate for the upcoming financial year (FY2020/21) to be the equivalent to the rate cent in the dollar as approved in Council's rating resolution 2019/2020 as detailed in Paragraphs 2.1 and 2.2 of said rating resolution.

Note:

Paragraph 2.1 of the 2019/20 rating resolution states that the General Rate consists of 2 components.

- a) a rate of 0.54595 cents in the dollar on the capital value of the land; and
- b) a fixed charge of \$300

Paragraph 2.2 of the 2019/20 rating resolution states that component (a) of the general rate is varied by decreasing by 0.35455 cents in the dollar to 0.19140 cents in the dollar in respect of land used for primary production, residential purposes, sporting or recreational facilities and land that is non-used land.

- Any increase to fees and charges limited to a maximum of Hobart CPI (for the 12 month period to the end of March 2020).

C. Authorises the General Manager to take all further actions necessary to continue to address this pandemic crisis, including:

- expending funds in addition to the 2019/20 Estimates in order to respond effectively to the current crisis (in accordance with Section 82(4) of the Local Government Act 1993 (Tas)). Such additional expenditure to be reported to Council at each Council Meeting, or monthly via an update to Elected Members if Council Meetings are not occurring.

Note – this recommendation requires an absolute majority decision.

- Putting in place flexible work and leave arrangements, where such arrangements will have the effect of ensuring Council has a workforce that is ready and able to respond to the crisis and the recovery, that may result in the incurring of additional costs in addition to the 2019/20 Estimates (in accordance with Section 82(4) of the Local Government Act 1993 (Tas)).

Note – this recommendation requires an absolute majority decision.

- Implementing all statutory Notices issued by the Tasmanian Government in accordance with the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Tas).
- Take all necessary steps to secure altered funding arrangements (for example, increased overdraft limits, securing debt funding, etc) to facilitate continued Council operations. Additional funding arrangements to be reported to Council at each Council Meeting, or monthly via an update to Elected Members if Council Meetings are not occurring.
- Subject to any statutory notice being issued by the Tasmanian Government in accordance with the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Tas), pursuant to Section 6(3) of the Land Use Planning and Approvals Act 1993 (LUPAA), delegate the General Manager to determine all applications that would otherwise be determined by the full Council unless they are called in by an Elected Member for the period from 7 April to 30 June 2020 inclusive, subject to the following requirements:
 - i. Elected Members will be informed of any application(s) subject to this recommendation; to make them aware of matters they may wish to call in before any delegation is exercised.
 - ii. Such delegation to be immediately revoked upon appropriate change to legislation to allow alternative Council Meeting formats that enable Council to sit as a Planning Authority in accordance with LUPAA.

/ Refer to Page 26 for Decision on this Item...

COVID-19 – CLARENCE CITY COUNCIL COMMUNITY SUPPORT PACKAGE
/contd...

Decision:	MOVED Ald Ewington SECONDED Ald Peers
	<p>“That Council:</p> <p>A. Notes the requirement to balance the provisions of the community assistance package detailed at Recommendation C below with the financial consequences associated with such measures, including the necessity for Council to focus on the prioritisation of delivery of core services to the community and consequent reductions in other services or service levels. These considerations will underpin Council’s consideration of the 2020/21 Estimates and Annual Plan and will continue to influence budget and planning processes in subsequent years.</p> <p>B. Notes that the General Manager:</p> <ul style="list-style-type: none"> • Has activated Council’s Business Continuity and Recovery Plan and taken steps in accordance with that plan to manage Council’s services and activities, including steps aimed at ensuring staff safety in accordance with published social distancing and other restrictions; • Is working closely with representatives of the Tasmanian Government and other Councils to support the government response to this crisis, provide resources if requested, and to respond in accordance with relevant emergency management plans if required. <p>C. Approves the following community assistance package, and authorises the General Manager to implement the package, to assist individual ratepayers and businesses within the City of Clarence.</p> <ul style="list-style-type: none"> • That no penalties, charges, interest or debt collection for late rate payments will occur until at least 30 June 2020. • That rental relief on Council owned buildings and other premises where tenants and/or leaseholders are experiencing financial hardship will be considered, upon written application by the relevant tenant, until 30 June 2020, and approved in accordance with Council’s Community Hardship Policy.

/ Decision contd on Page 27...

COVID-19 – CLARENCE CITY COUNCIL COMMUNITY SUPPORT PACKAGE
/Decision contd...

- A “Community Hardship Policy” that provides the basis for the General Manager (or delegate) to assess hardship claims in relation to payment of rates.
- The community grants program be refocussed to support local businesses, not-for-profit organisations and community organisations recover their operations to help build resilience, until 30 June 2021.
- As a means of supporting local business recovery and injecting funds into the local economy in a timely manner, settle creditor invoices within 14 days of receipt (or sooner), irrespective of normal or contracted trading terms.
- Adopt a zero% rate increase of the General rate by fixing the General rate for the upcoming financial year (FY2020/21) to be the equivalent to the rate cent in the dollar as approved in Council’s rating resolution 2019/2020 as detailed in Paragraphs 2.1 and 2.2 of said rating resolution.

Note:

Paragraph 2.1 of the 2019/20 rating resolution states that the General Rate consists of 2 components.

- a) a rate of 0.54595 cents in the dollar on the capital value of the land; and
- b) a fixed charge of \$300

Paragraph 2.2 of the 2019/20 rating resolution states that component (a) of the general rate is varied by decreasing by 0.35455 cents in the dollar to 0.19140 cents in the dollar in respect of land used for primary production, residential purposes, sporting or recreational facilities and land that is non-used land.

- Any increase to fees and charges limited to a maximum of Hobart CPI (for the 12 month period to the end of March 2020).

/ Decision contd on Page 28...

COVID-19 – CLARENCE CITY COUNCIL COMMUNITY SUPPORT PACKAGE
/Decision contd...

D. Authorises the General Manager to take all further actions necessary to continue to address this pandemic crisis, including:

- expending funds in addition to the 2019/20 Estimates in order to respond effectively to the current crisis (in accordance with Section 82(4) of the Local Government Act 1993 (Tas)). Such additional expenditure to be reported to Council at each Council Meeting, or monthly via an update to Elected Members if Council Meetings are not occurring.
- Note – this recommendation requires an absolute majority decision.
- Putting in place flexible work and leave arrangements, where such arrangements will have the effect of ensuring Council has a workforce that is ready and able to respond to the crisis and the recovery, that may result in the incurring of additional costs in addition to the 2019/20 Estimates (in accordance with Section 82(4) of the Local Government Act 1993 (Tas)).
Note – this recommendation requires an absolute majority decision.
- Implementing all statutory Notices issued by the Tasmanian Government in accordance with the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Tas).
- Take all necessary steps to secure altered funding arrangements (for example, increased overdraft limits, securing debt funding, etc) to facilitate continued Council operations. Additional funding arrangements to be reported to Council at each Council Meeting, or monthly via an update to Elected Members if Council Meetings are not occurring”.

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 Mulder**

1. Citing an over-reliance on Chinese students UTAS has announced major reductions in course offerings. Have there been any communications regarding the Kangaroo Bay Hospitality School? If not does the Mayor think it appropriate that we make such an enquiry?

ANSWER

There have been communications with UTAS and Chambroad and they are still working together on a business plan.

2. In the event that Council cannot meet as a planning authority within the prescribed time does the General Manager have discretion to determine a planning application in the absence of a Planning Authority or does Council need to approve such delegation?

ANSWER

In the context of Council sitting as a planning authority, the State Government is currently considering whether it needs to legislate particular changes to the Local Government Act to deal with the Coronavirus situation, but we are unclear on what those measures might be at this point in time. In respect to actual delegations, Council officers have delegation to approve planning matters in certain circumstances already and as Aldermen would be aware that any planning matter that is listed for a refusal or has more than one objector then those matters automatically come to Council so there is a limited number of planning matters that are not captured by delegation at this point in time.

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2 contd...

The purpose of my question was to find out how we would navigate it should it be that say the next Council Meeting if we were in a situation where some of us may have the virus and be in home isolation we may not have a quorum for a planning meeting even if there is one so if you don't have quorum for a Council Meeting you can't sit as a planning authority. What do we do in those circumstances?

ANSWER

The answer to that question goes back to my initial statement. We are awaiting advice from the State which I understand should be considered this week in terms of alternative arrangements they may put in place. So the two principle issues under the Local Government Act for Councils are the requirement to have a Council Meeting at least once every 4 weeks and secondly that those meetings are to be in person so once that issue has been dealt with that will give a clearer idea of just how planning matters might be dealt with.

Mayor

If Council is unable to deal with an application within a certain period of time isn't there a fall back on the General Manager?

ANSWER

There is a fall back on the Manager City Planning to be able to resolve that planning item under delegation.

Ald Walker

1. With regard to Victoria Esplanade landscaping as we approach budget time, I would like to know for the public record that we could get some comfort that while designs might not have been finalised that there is still an intent that there will be a budget component around that area.

ANSWER

Council officers have been working on not only a landscaping plan but also the initial stages of a master planning process for the Victoria Esplanade area right around to the Bellerive Fort. It was our intention to bring that to a workshop within the next few weeks.

2. With reference to an email received by all Aldermen extending an invitation to attend an event on 15 March organised by Clarence Climate Action in partnership with Living Well Clarence, it sounds like that was an event with part of Council working with a non-government entity. For the sake of comfort but also for some potential future events and on the basis of consistency could it be explained how Council may be able to do a similar thing with other organisations that are community minded such as perhaps the IPA, the nearly eighty year old venerable think tank that supports free market ideas, the free flow of capital, limited efficient government, evidence based policy, the rule of law, representative democracy and property rights. Is that something that could and should happen and if not on the basis of consistency, why not?

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ANSWER

The usual way that that would occur if it has gone to all Aldermen is if Council wishes to adopt a position on that, one would normally expect a notice of motion to be raised and if it is supported by a majority of Aldermen then it would be implemented. It is not a decision that officers would ordinarily make.

2 contd...

That did seem to happen in relation to this event

ANSWER

My understanding was that all Aldermen received a copy of the invitation and there is nothing to stop individual Aldermen from attending in their own right.

ALD PEERS

The land just down from Fairway Rise on the far side of the road, there is a big mound of dirt, who owns that land?

ANSWER

It is State Government owned and it is identified for a slip road onto the Tasman Highway.

Ald Blomeley

Aldermen would be aware that today AFL made some announcements postponing games until 31 May and then they will review the situation. Some of the big organisations have already made the call including RSL Tasmania who have cancelled ANZAC Day services. In part of that announcement they were urging local government state-wide to ensure that we do not hold similar events. I know that there is one run by the local community in Richmond and I would just like to understand what our position is because it hasn't been officially communicated to Aldermen. Just so we have information about what our position is and how we are communicating and through which channels to the residents and ratepayers of this great city.

ANSWER

An email was sent at around 5pm on 16 March giving Aldermen an update on our high-level preparations regarding the coronavirus pandemic and we discussed the memo on the previous Friday. It is certainly our intention to systematically review events and determine which events should be cancelled and which should go ahead and in fact to that extent we have already cancelled several events over the last few days.

Our preparations will go further than that in the context of assessing what activities Council should be involved in going forward which should be cancelled, and which should not. Which are essential versus which are discretionary. Also, which of our facilities should remain open to the public and which should not. There has been a lot of planning engaged in over the last 2 weeks. We had plans in place prior to that in a general sense as we always do for business continuity issues and in light of the emerging advice and other material from various governments, we have been constantly reviewing that and adapting it to our circumstances with a view that we may need to act upon it as early as this week.

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Question contd

My concern is more about communication to residents and ratepayers and what channels will be used. Clarence Your Say is just not sufficient in this situation and I understand it is ever evolving but we have to try and get ahead of the curve here in communicating to our residents and ratepayers.

ANSWER

We will utilise a range of communication channels, including social media, signage and other means available to us to communicate with our community.

Ald Edmunds

1. How many casual staff does Council employ and what measures are being put in place to support them and those permanent staff without enough sick leave should they lose work due to coronavirus cancellations or self-isolation?

ANSWER

Arrangements that have been put in place are focussed upon maintaining as much work for staff as possible, potentially in alternative locations which might well be from home. That's our primary focus right now. The aim is to keep people engaged in meaningful work for as long as possible and avoid stand downs where annual leave or other forms of leave might need to be utilised. In the context of casual employees my discussions with the HR manager have been that in terms of numbers I believe it is around 70-80 casuals and for a significant number of those they are what we would refer to as regular casuals. For the purposes of our COVID-19 arrangements we will treat them as part time employees and maintain their income as consistently as possible. For a small number of employees who are genuine casuals where we cannot find work, we will have to assess their individual situations but we have not made a particular determination in their circumstances at this point, but they are very much the minority.

2. Did the City Heart promotion video uploaded to Council's internet channels the day after our last meeting cost any money?

ANSWER

The cost was approximately \$2000.

Ald von Bertouch

Could Aldermen be advised what permit conditions and licence requirements have not been met for the Arm End pipeline?

ANSWER

Planning Permit D-2018/455 for a Water Reuse Pipeline contains five conditions which must be satisfied prior to the commencement of development, being Conditions 2, 5, 6, 8 and 9. Specifically, the conditions require amended plans (in relation to the proposed pump station), a Construction and Environmental Management Plan, a legal agreement with Council (to include matters such as infrastructure maintenance, ownership and licensing), engineer designs and an erosion and sediment control plan.

None of the conditions have been satisfied to date.

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Ald James

1. At what stage are we up to in the appeal process on the Rosny Hill Hotel Development?

ANSWER

A preliminary conference was held on 26 February 2020 after which the appellants were directed to file revised grounds of appeal by 4 March 2020. This direction was not complied with until 20 March 2020. Mediation between the parties may take place but this is unlikely to resolve all the grounds of appeal. However, it may reduce the number of grounds of appeal. A full hearing of the appeal has been scheduled for the week beginning 15 June 2020.

2. Are you able to provide to Council a timeline for the consideration of the Boulevard Development at Kangaroo Bay?

ANSWER

We are expecting a Development Application by May and also expect to go back with a revised design following the consultation. At this stage we are unaware of the timeline for this aspect of the development process.

Ald Chong

I have been listening to comments regarding problems with supermarkets being able to restock due to time constraints that supermarkets can be accessed to make deliveries and I know that we put those type of conditions on our planning permits. Have we received any such requests to change those delivery times while the Covid-19 situation is causing shortages and do we have a policy to deal with it if we receive such requests?

ANSWER

My advice is that there are no restrictions from a planning point of view on any of the 4 supermarkets in our City. They are free to take deliveries at any time of the day or night.

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 TENDER T1357-20 – RISDON VALE OVAL PUBLIC TOILETS AND CHANGEROOMS CONSTRUCTION

13.3 WASTE COLLECTION CONTRACTS – EXTENSION

13.4 T1276-18 – BELLERIVE PUBLIC PIER CONSTRUCTION

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

- contracts and tenders for the supply of goods and services;
- applications by Aldermen for a Leave of Absence.

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 Edmunds	
	“That the Meeting be closed to the public to consider Regulation 15 matters”.	
	CARRIED	
	FOR Ald Blomeley Ald Chipman Ald Chong Ald Edmunds Ald Ewington Ald Kennedy Ald Mulder Ald Peers Ald von Bertouch Ald Walker Ald Warren	AGAINST Ald James (abstained)

CLOSED MEETING /contd...

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

13.2 TENDER T1357-20 – RISDON VALE OVAL PUBLIC TOILETS AND CHANGEROOMS CONSTRUCTION

(File No T1357-20; ECM 3778910)

Decision:

MOVED Ald James **SECONDED** Ald Edmunds

- “A. That the Tender response from Macquarie Builders Pty Ltd for \$1,337,361.00, excluding GST, be accepted for the Risdon Vale Oval Public Toilets and Changerooms construction at 26 Sugarloaf Road, Risdon Vale.
- 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

13.4 T1276-18 BELLERIVE PUBLIC PIER CONSTRUCTION

Decision:	MOVED Ald Ewington SECONDED Ald Walker
	<p>“A. That the conforming Tender from Tas Marine Construction Pty Ltd (TMC) for \$2,327,505.00 excluding GST, be accepted for the construction of the Bellerive Public Pier.</p> <p>B. That an application for grant funding for the additional amount of \$968,000 is sought from the State Government’s COVID-19 Tasmania Stimulus and Support Package and relevant Federal Stimulus funding packages. If in the circumstances these are unsuccessful in obtaining funding, that Council provides an interim loan to fund to the value of \$968,000 or relevant difference.</p> <p>C. That the General Manager (or, in his absence, the Chief Financial Officer) is authorised to finalise and review the terms and conditions of the internal loan arrangement within the parameters of this report, and specifically having regard to:</p> <ul style="list-style-type: none"> • creation of principal interest loan schedule once the funds have been drawn; • introduction of principal and interest repayments to be funded from the Asset Renewal Reserve for the 2019/2020 financial year; • interest to be applied for each financial year is Council’s weighted average interest rate on investments held as at 30 June; • the internal loan funds are to be drawn from Council’s Asset Renewal Reserve; • repayment of the internal loan is to be funded through Council’s annual budget estimates. <p>D. That the General Manager (or, in his absence, the Chief Financial Officer) is authorised to secure an external loan to extinguish the internal loan should economic and financial circumstances of Council require such action.</p> <p>E. That, in accordance with Regulation 34(3) of the Local Government (Meetings Procedures) Regulation 2015 (Tas), Council authorises for release the Council’s decision (only) in respect to this item to the general public and for communication to relevant parties.</p>

/ Decision contd on Page 37...

T1276-18 BELLERIVE PUBLIC PIER CONSTRUCTION /Decision contd...

F. That Council publishes its decision only in regard to this matter in the open Minutes of this Meeting”.

CARRIED

FOR

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

AGAINST

Ald James
Ald Mulder

The Meeting closed at 9.05pm.