

<b>MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 31 AUGUST 2020</b>
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**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  
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 City Planning  
(Mr R Lovell)  
  
Manager Health and Community Development  
(Mr J Toohey)  
  
Executive Officer to the General Manager  
(Ms J Ellis)

The Meeting closed at 10.04pm.

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 31 AUGUST 2020**

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## 1. ATTENDANCE AND APOLOGIES

Refer to cover page.

## 2. \*\*\*CONFIRMATION OF MINUTES

### RECOMMENDATION:

That the Minutes of the Council Meeting held on 10 August 2020, as circulated, be taken as read and confirmed.

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

“That the Minutes of the Council Meeting held on 10 August 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:

### Mayor

- 10 August: 13 Bridge Street – Richmond Maze Redevelopment;
- 13 August: Minister Ferguson – Mode Analysis Study;
- 14 August: Hydrogen in Clarence;
- 17 August: ABC Radio Interview regarding Events in Clarence;
- 18 August:
  - Vietnam Veterans Day Remembrance Service Anzac Park;
  - Greater Hobart Mayors Forum;
- 19 August:
  - Football Federation Tasmania – Infrastructure;
  - Owners' Representatives Quarterly Briefing;
- 20 August:
  - Unveiling of the First Historic Ferry Marker;
  - Eastern Shore Sun – Dulcot Emergency Water Tank;
- 21 August:
  - Minister Ferguson – South East Traffic Congestion;
  - Soft Launch – Hobart City Deal Annual Progress Report and Kingston Place Strategy;
- 24 August: SERDA Future Structure/Strategy Discussion; and
- 25 August: RDA Tasmania Governance Committee Meeting.

### Deputy Mayor

- 18 August: Vietnam Veterans Day – Cenotaph (on behalf of Mayor);
- 19 August: Community Health and Wellbeing Advisory Committee;
- 20 August: Unveiling of the First Historic Ferry Marker;
- 24 August: Open Night in Howrah Martial Arts for Disability and Additional Needs (on behalf of Mayor);
- 26 August:
  - Briefing on the NSTC Transport Mode Study (on behalf of Mayor); and
  - Mornington Neighbourhood Centre Annual General Meeting 2020 (on behalf of Mayor).

#### 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
Local Provisions Schedule	17 August
Levelling the Playing Fields Grant Program	
Sponsorship Policy	
Digital and Social Media Audit	
Delegations under LUPAA	24 August

#### 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

**Alderman Blomeley**                      **Item No. 11.3.1**

**Alderman Mulder**                      **Item No. 13.3**

**6. \*\*\*TABLING OF PETITIONS**

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

Ald James tabled the following petition which the General Manager advised complies with the Act requirements:

- Petition from 173 signatories objecting to a bottle shop in the Edgeworth Street, Warrane Shopping Centre for the following reasons:
  1. Will detract from the character and amenity of the neighbourhood in an area already experiencing socio-economic issues.
  2. Will raise security concerns for management and staff at the pharmacy located next to the proposed bottle shop.
  3. Will strain and cause further congestion as the shopping centre is already experiencing lack of car parking spaces.
  4. Will cause unnecessary disturbance and unreasonable impact for a small community mainly comprising of young families and senior citizens living so close to the proposed development.

Twelve entries only contain a Christian name and partial address which does not meet Council's adopted Guidelines for submission of petitions which require that a paper petition must contain details and signature of each of the signatories (The details need to be sufficient to identify each signatory. This will usually be the signatory's name and address as a minimum).



## **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.

Ms Kimbra Fitzmaurice has given notice of the following questions:

#### **KANGAROO BAY PIER**

1. How much is this project now anticipated to cost?
2. Assuming the figures accessed 3 August 2020, primarily on Council's website, are close to accurate, who is paying for the apparent shortfall in budget of approximately \$860k (\$2.8M-\$1.59M-\$350K = \$860,000)?

### **7.2 ANSWERS TO QUESTIONS ON NOTICE**

The General Manager provided the following Answers to the Questions listed at Item 7.1.

#### **KANGAROO BAY PIER**

1. Council has allocated funds of \$1.59M to the project and received a State Government grant of \$350,000. It is estimated the final project costs could be near \$2.78M which includes a contingency amount. This is the amount that council currently anticipates the project to cost, noting that unforeseen contingencies may still arise.
2. The additional funding is currently funded via approved loan funding associated with the COVID-19 stimulus support package. If grant funding becomes available, council will apply for that funding. Council also currently has strong financial capacity and sufficient cash holdings to consider borrowing funds or accessing cash holdings via an internal loan with no material effect on its on-going operations.

**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 REGIONAL PARK**

At Council's Meeting of 10 August 2020 Mrs J Marsh of Bellerive asked the following questions.

I have two questions which seek to clarify statements made in documents dated 2 April 2020 relating to the footpath and landscaping works.

The first question relates to a statement in the response box for Coastal Erosion Hazard Area E16.7.1[a] Performance Criteria – Sugden and Gee

1. Where are the precedent 3m wide footpaths along adjacent properties recently constructed by council and what are their respective lengths?

The second question relates to a statement in the response box for Coastal Erosion Hazard Area E16.7.1 [j] – Sugden and Gee.

2. Where are the existing garden beds and how are they defined?

**ANSWER**

1. The entry footpath to the Bellerive Beach all abilities playground is a width of 3m for a length of 31m. There is also a length of 3m wide footpath adjacent Derwent Street at the drop off zone for a length of 12m. To the east of the proposed works, there is a 210m length of recently constructed footpath just under 3m wide.
2. The existing garden beds are located within the former carpark and are defined by concrete kerb edging.

**7.4 QUESTIONS WITHOUT NOTICE**

Mrs Joanne Marsh of Bellerive asked the following questions:

**BELLERIVE BEACH REGIONAL PARK**

1. I would like to thank the hardworking council crew who have begun remediation work at the eastern end of Bellerive Beach Regional Park by rejuvenating the garden area. After periods of steady rain, the grassed kickabout area of the park becomes sodden and extensive pooling of water occurs over pathways and park surfaces along the length of the park. This problem can remain for days after rain has eased.

My question is: How and when will this serious drainage problem be rectified considering footpath and landscaping works have been recently approved for the affected area?

/ contd on Page 10...

**ANSWER**

The proposed levels of the new pathway and adjacent transitions to the existing park land include contouring surface runoff towards new stormwater pits to help manage the issues of pooling water. This work is intended to be Tendered in September/October this year. The timing of the works is dependent upon receiving suitable tenders and contractor availability.

2. Did the consultant engineers identify the location of the 3m wide footpaths along adjacent properties recently consulted by council or was this information provided by council officers?

**ANSWER**

Council officers identified the length of the 3m wide footpaths.

Mr Victor Marsh of Bellerive asked the following question:

**IRRIGATION – KANGAROO BAY OVAL**

I have noted that in this financial year the council have budgeted \$200,000.00 for the replacement of the irrigation system at Kangaroo Bay oval. My question is when was the current irrigation system installed and what was the cost?

**ANSWER**

The existing irrigation system is greater than 12 years old and further investigation is required to obtain the cost of installation. When the Kangaroo Bay Oval was moved to the west and the Kangaroo Bay Parkland created, the original irrigation system was modified and extended upon. This has generated difficulty in managing the sprinkling of the oval, which needs its own dedicated ring main and sprinkler feeder system.

Ms Anne Boxhall of Seven Mile Beach asked the following questions:

**INUNDATION – SEVEN MILE BEACH**

1. Will Council be commissioning a study into the effects of building developments on existing properties in areas zoned as high risk of inundation in Seven Mile Beach?
2. When flooding occurs in an area zoned at high risk of inundation, where should the responsibility lie?

**ANSWER**

The General Manager took the Questions on Notice.

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

(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 PDPLANPMTD-2020/010428 – 65 ROARING BEACH ROAD, SOUTH ARM – DWELLING AND CHANGE OF USE TO VISITOR ACCOMMODATION**  
(REFER ITEM 11.3.4)

Ms Nader provided a deputation regarding the above Development Application which was read out by the General Manager.

**DEVELOPMENT APPLICATION PDPLANPMTD-2020/010151 – 17 ALEXANDRA ESPLANDE, BELLERIVE – 3 MULTIPLE DWELLINGS (1 EXISTING + 2 NEW)**  
(REFER ITEM 11.3.1)

Mr Richard and Mrs Pamela Field provided a deputation regarding the above Development Application which was read out by the General Manager.

**S.43A APPLICATION AMDENDMENT AND RETIREMENT VILLAGE PDPSAMEND-2019/000853 – 625 AND 647 (AND 657, 659, 673 AND 691) EAST DERWENT HIGHWAY, RISDON**  
(REFER ITEM 11.3.6)

Mrs Bev Shuker provided a deputation regarding the above Application which was read out by the General Manager.

Mrs Karyne Butters provided a deputation regarding the above Application which was read out by the General Manager.

Mrs Louise Gaborit for and on behalf of 25 signatories provided a deputation regarding the above Application which was read out by the General Manager.

## 9. MOTIONS ON NOTICE

### 9.1 NOTICE OF MOTION - ALD BLOMELEY SOUTH-EASTERN TRAFFIC SOLUTION

In accordance with Notice given it was:

<b>Decision:</b>	<b>MOVED</b> Ald Blomeley <b>SECONDED</b> Ald Ewington
	“That this Council:
	<ol style="list-style-type: none"> <li>1. Calls on the State Government to investigate the demand for peak-hour passenger bus services from Dodges Ferry to the City;</li> <li>2. Calls on the State Government to consider providing a subsidy for these services;</li> <li>3. Requests the Mayor to engage with the State Government about the re-introduction of a subsidised peak-hour passenger bus service for the south-eastern transit corridor; and</li> <li>4. Requests the Mayor to invite Sorell Mayor, Cr. Kerry Vincent, to be involved in these discussions with State Government”.</li> </ol>
	With the approval of the Mover and Seconder the Motion was amended as follows:
	“That this Council:
	<ol style="list-style-type: none"> <li>1. Calls on the State Government to investigate the demand for peak-hour passenger bus services from Dodges Ferry to the City;</li> <li>2. Calls on the State Government to consider providing a subsidy for these services;</li> <li>3. Calls on the State Government to investigate dedicated bus lanes for the Hobart Service, from and to Mornington, including the Tasman Bridge, with a view to funding and building the lanes by 2022/23; and</li> <li>4. Calls on the State Government to fund in its 2021/22 budget the installation of a cycling corridor on the Tasman Highway between Sorell and Hobart”.</li> </ol>

/ Decision contd on Page 13...

**NOTICE OF MOTION - ALD BLOMELEY  
SOUTH-EASTERN TRAFFIC SOLUTION /Decision contd...**

The Mayor asked the Deputy Mayor to **assume** the Chair while he entered the debate as an Alderman (7.31pm).

The Mayor **resumed** the Chair at 7.33pm.

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

**FOR**

Ald Blomeley  
Ald Ewington  
Ald von Bertouch

**AGAINST**

Ald Chipman  
Ald Chong  
Ald Edmunds  
Ald James  
Ald Kennedy  
Ald Mulder  
Ald Peers  
Ald Warren  
Ald Walker (abstained)

**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.

The Copping Refuse Disposal Site Joint Authority has also distributed its Quarterly Report for the period 1 April to 30 June 2020.

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 tabled the Owners Briefing Report dated 19 August 2020.

- **GREATER HOBART COMMITTEE**

The Mayor tabled the following:

- the Greater Hobart Mayors' Forum action sheet for the Meeting held on 18 August 2020;
- the launch of the Hobart City Deal Annual Progress Report 2020; and
- the Minutes of the Hobart Airport Community Aviation Consultative Group Meeting held on 4 August 2020.

**10.2 \*\*\*REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES****NATURAL RESOURCE MANAGEMENT – QUARTERLY REPORT****Chairperson’s Report – Alderman Beth Warren**

Report to Council for the three month period 1 April 2020 to 30 June 2020.

**RECOMMENDATION:**

That the Chairperson’s Report be received by Council.

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

“That the Chairperson’s Report be received by Council”.

**CARRIED UNANIMOUSLY**



**BICYCLE ADVISORY COMMITTEE – QUARTERLY REPORT**

**Chairperson's Report – Alderman D Ewington**

Report to Council for the three month period 1 April 2020 to 30 June 2020.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

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

“That the Chairperson's Report be received by Council”.

**CARRIED UNANIMOUSLY**

**TRACKS AND TRAILS ADVISORY COMMITTEE – QUARTERLY REPORT****Chairperson's Report –Alderman D Ewington**

Report to Council for the three month period for 1 April 2020 to 30 June 2020.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

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

“That the Chairperson's Report be received by Council”.

**CARRIED UNANIMOUSLY**

**OTHER COMMITTEES****LINDISFARNE COMMUNITY ACTIVITIES CENTRE MANAGEMENT COMMITTEE**

- Ald Blomeley tabled the Minutes of a Meeting held on 20 August 2020.

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

The Weekly Briefing Reports of 10, 17 and 24 August 2020 have been circulated to Aldermen.

**RECOMMENDATION:**

That the information contained in the Weekly Briefing Reports of 10, 17 and 24 August 2020 be noted.

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

“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-2020/010151 – 17 ALEXANDRA ESPLANADE, BELLERIVE - 3 MULTIPLE DWELLINGS (1 EXISTING + 2 NEW)****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 3 Multiple Dwellings (1 existing + 2 new) at 17 Alexandra Esplanade, Bellerive.

**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 2 September 2020.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and a total of 4 representations were received (being one each from both owners of two separate addresses) raising the following issues:

- lack of consultation;
- character of area;
- impact on amenity;
- loss of views; and
- wind tunnel.

**RECOMMENDATION:**

A. That the Development Application for 3 Multiple Dwellings (1 existing + 2 new) at 17 Alexandra Esplanade, Bellerive (CI Ref PDPLANPMTD-2020/010151) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. ENG M1 – DESIGNS DA.
  3. ENG S1 – INFRASTRUCTURE REPAIR.
  4. ENG A5 – SEALED CAR PARKING.
  5. The development must meet all required Conditions of Approval specified by TasWater notice dated 8 July 2020 (TWDA 2020/00906-CCC).
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

Ald Blomeley declared an Interest in this Item and left the Meeting prior to discussion (7.48pm).

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

Ald Blomeley returned to the Meeting at this stage (8.10pm).

**11.3.2 DEVELOPMENT APPLICATION PDPLANPMTD-2020/009747 – 21  
BANJORRAH STREET, HOWRAH - GARAGE AND CARPORT****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Garage and Carport at 21 Banjorrah Street, Howrah.

**RELATION TO PLANNING PROVISIONS**

The land is zoned General Residential and subject to the Parking and Access and Stormwater Management 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 4 September 2020.

**CONSULTATION**

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

- overshadowing;
- impact on property values;
- impact on views; and
- the scale of the proposed outbuilding.

**RECOMMENDATION:**

- A. That the Development Application for Garage and Carport at 21 Banjorrah Street, Howrah (CI Ref PDPLANPMTD-2020/009747) be approved subject to the following condition and advice.
1. GEN AP1 – ENDORSED PLANS.
- B. That the details and conclusions included in the associated report be recorded as the reasons for Council's decision in respect of this matter.

/ Refer to Page 24 for Decision on this Item...



**DEVELOPMENT APPLICATION PDPLANPMTD-2020/009747 – 21 BANJORRAH STREET, HOWRAH - GARAGE AND CARPORT /contd...**

<b>Decision:</b>	<b>MOVED</b> Ald Walker <b>SECONDED</b> Ald Ewington
	“That the Recommendation be adopted”.
	<b>CARRIED UNANIMOUSLY</b>

**11.3.3 DEVELOPMENT APPLICATION PDPLANPMTD-2020/010713 – 3222 SOUTH ARM ROAD, SOUTH ARM - 2 MULTIPLE DWELLINGS (1 EXISTING + 1 NEW)****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 2 Multiple Dwellings (1 existing + 1 new) at 3222 South Arm Road, South Arm.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Village and subject to the Parking and Access, On-site Wastewater Management, 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 31 August 2020.

**CONSULTATION**

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

- location of the power pole;
- bin storage for the development;
- septic system;
- privacy;
- density of dwellings; and
- potential for overshadowing.

**RECOMMENDATION:**

- A. That the Development Application for 2 Multiple Dwellings (1 existing + 1 new) at 3222 South Arm Road, South Arm (CI Ref PDPLANPMTD-2020/010713) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. GEN AP3 – AMENDED PLAN - insert: (showing the floor plan and elevations of the existing dwelling on the site, the location of parking for the existing dwelling and a visitor parking space to serve both dwellings).
  3. ENG M2 – DESIGNS SD.
  4. ENG A5 – SEALED CAR PARKING.
  5. ENG S1 – INFRASTRUCTURE REPAIR.
- 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 Blomeley

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.3.4 DEVELOPMENT APPLICATION PDPLANPMTD-2020/010428 – 65 ROARING BEACH ROAD, SOUTH ARM - DWELLING AND CHANGE OF USE TO VISITOR ACCOMMODATION****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Single Dwelling and change of use to Visitor Accommodation at 65 Roaring Beach Road, South Arm.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Rural Resource and subject to the Landslide Hazard Area, Bushfire Prone Areas, Parking and Access, Stormwater Management and On-Site Wastewater Management and Natural Assets Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 7 September 2020.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and 3 representations were received raising the issue of visual impact of the proposed dwelling.

**RECOMMENDATION:**

A. That the Development Application for Dwelling and Change of use to Visitor Accommodation at 65 Roaring Beach Road, South Arm (Cl Ref PDPLANPMTD-2020/010428) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN S1 – SIGN CONSENT.

3. The use of the existing dwelling must cease upon occupancy of the proposed dwelling and must only be used in accordance with this permit unless otherwise approved by Council.
  4. The development must be undertaken in accordance with the recommendations of the Bushfire Hazard Reports (Lark and Creese, 29 May 2020 and 30 June 2020).
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

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

**11.3.5 SECTION 43A AMENDMENT APPLICATION PROPOSED REZONING AND 2 MULTIPLE DWELLINGS (PDPSPAMEND-2020/010079) – 10 LOINAH ROAD, MONTAGU BAY**  
(File No. PDPSPAMEND-2020/010079)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a combined Section 43A application for a planning scheme amendment and 2 multiple dwellings at 10 Loinah Road, Montagu Bay.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Community Purpose under the provisions of the Clarence Interim Planning Scheme 2015 (the Scheme). It is also subject to the Bushfire Prone Areas Code, Road and Rail Assets Code, Parking and Access Code and Stormwater Management Code.

The proposed multiple dwellings are currently Prohibited under the Scheme.

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

Essentially, the savings and transitional provisions apply to existing planning schemes in force prior to the approval of the Tasmanian Planning Scheme Local Provisions Schedule and includes the Scheme.

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

**LEGISLATIVE REQUIREMENTS**

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

**CONSULTATION**

Applications made under Section 43A are not formally open for public comment until after Council has agreed to certify the Amendment and it has been publicly advertised. Draft Permit conditions would also be advertised for public comment as part of the public consultation process for the combined amendment (rezoning) and development of the site.

**RECOMMENDATION:**

- A. That Council resolves, under Section 30O(1) of the Land Use Planning and Approvals Act 1993 that the draft Amendment PDPSPAMEND-2020/010079 at 10 Loinah Road, Montagu Bay is:
- (i) limited to a local provision;
  - (ii) practical; and
  - (iii) consistent with the Southern Tasmanian Regional Land Use Strategy 2010-2035.
- B. That Council resolves, under Section 34(1) of the Land Use Planning and Approvals Act 1993 to initiate draft Amendment PDPSPAMEND-2020/010079 at 10 Loinah Road, Montagu Bay.
- C. That Council resolves, under Section 35(1) of the Land Use Planning and Approvals Act 1993 that draft Amendment PDPSPAMEND-2020/010079 meets the requirements specified under Section 32.
- D. That Council resolves, under Section 35(2) of the Land Use Planning and Approvals Act 1993, to prepare and certify draft Amendment PDPSPAMEND-2020/010079, sign the instrument as required and to forward it to the Tasmanian Planning Commission.
- E. That the 2 Multiple Dwellings at 10 Loinah Road, Montagu Bay be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
  2. Each dwelling unit must be provided with a minimum 3.6m wide constructed and sealed access from the road carriageway to the property boundary in accordance with Standard Drawing TSD-R09 (copy available from Council). This access must be inspected by Council's Development Works Officer 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.
  3. ENG A5 – SEALED CAR PARKING.
  4. ENG M1 – DESIGNS DA.
  5. ENG S1 – INFRASTRUCTURE REPAIR.
  6. TASWATER CONDITION [22 July 2020] and [TWDA 2020/00894-CCC].

7. **ADVICE** – It is advised that fire separation will need to be assessed by a Building Surveyor in relation to the location of the stairs being close to or on the boundary and attached to the dwelling. It is advised that a Building Surveyor be consulted.

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

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



**11.3.6 S.43A APPLICATION AMENDMENT AND RETIREMENT VILLAGE  
PDPSAMEND-2019/000853 – 625 AND 647 (AND 657, 659, 673 AND 691)  
EAST DERWENT HIGHWAY, RISDON**  
(File No PDPSAMEND-2019/000853)

## **EXECUTIVE SUMMARY**

### **PURPOSE**

The purpose of this report is to consider an application made for a planning scheme amendment to modify the Clarence Interim Planning Scheme 2015 (the Scheme) by introducing a new “Clarence Lifestyle Village” Specific Area Plan (SAP). The proposed SAP contains new use and development standards designed to provide for “retirement village or community living” as a Discretionary use, a use that is currently prohibited in the underlying zone.

The proposal also seeks to obtain a permit for the expansion of the existing “Clarence Lifestyle Village” on the land at 625 East Derwent Highway, Risdon by the construction of 53 additional dwelling units on the adjoining land at 647 East Derwent Highway.

In addition to the land at 625 and 647 East Derwent Highway subject to the proposed amendment, the land at 657, 659, 673 and 691 forms part of the development application due to a proposed footpath/walking trail traversing their respective property boundaries.

A location plan is included in the Attachments.

### **RELATION TO EXISTING POLICY/PLANS**

The subject land is zoned Rural Living under the Clarence Interim Planning Scheme 2015 (the Scheme). Additionally, all of the land is subject to the Bushfire Prone Areas Code and parts are subject to the Landslide Hazard Area (Low) and Waterway and Coastal Protection Areas Codes.

The proposed retirement village complex is currently Prohibited under the Scheme.

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

### **LEGISLATIVE REQUIREMENTS**

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

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

Essentially, the savings and transitional provisions apply to existing planning schemes in force prior to the approval of the Tasmanian Planning Scheme Local Provisions Schedule and includes the Clarence Interim Planning Scheme 2015.

#### **CONSULTATION**

Applications made under Section 43A are not formally open for public comment until after Council has agreed to certify the Amendment and it has been publicly advertised. Draft Permit conditions would also be advertised for public comment as part of the public consultation process for the combined amendment and development of the site.

The proposal was referred to TasWater who advised that it does not object to the draft amendment to planning scheme, has no formal comments for the Tasmanian Planning Commission, and does not want to attend any subsequent hearings in relation to this matter. Further, it does not object to the granting of the permit subject to the inclusion of TasWater conditions.

Additionally, the proposal was referred to the Department of State Growth, who raised concerns relating to the Piper Road/East Derwent Highway junction and secondary access onto the Highway. These matters are discussed within the body of this report.

#### **FINANCIAL IMPLICATIONS**

No significant implications.

#### **RECOMMENDATION:**

- A. That Council resolves not to initiate draft Amendment PDPSAMEND-2019/000853 at – 625 and 647 East Derwent Highway, Risdon under Section 34 of the Land Use Planning and Approval Act 1993.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

<b>Decision:</b>	<b>MOVED</b> Ald Ewington <b>SECONDED</b> Ald Kennedy
	<p>“A. That Council resolves, to defer consideration of the S.43A application for a Planning Scheme Amendment &amp; Retirement Village (PDPSAMEND-2019/000853) at 625 and 647 (and 657, 659, 673 and 691) East Derwent Highway, Risdon, until further advised in writing by the applicant.</p> <p>B. That Council resolves, to advise the applicant that it has several concerns with the proposal that must be resolved to Council’s satisfaction prior to any initiation of the proposed amendment. Specifically, the following matters will be required to be addressed:</p>

/ Decision contd on Page 34...

**APPLICATION AMENDMENT AND RETIREMENT VILLAGE PDPSAMEND-2019/000853 – 625 AND 647 (AND 657, 659, 673 AND 691) EAST DERWENT HIGHWAY, RISDON /Decision contd...**

1. That the Southern Tasmanian Regional Land Use Strategy is sufficiently amended to enable an urban expansion in this location.
  2. The proposal is modified to include rezoning the land appropriately for its context, proposed use and density.
  3. The proposed development controls being sufficiently amended to address the concerns outlined in the Council report.
  4. The layout of proposal be sufficiently amended to meet the requirements of any new controls proposed.
- C. That the reasons for Council’s decision in respect of this matter be recorded as follows:
- Council supports the objective of the developer, recognising the need to increase the supply of retirement living options for our aging population.
  - However, the report contained in Council’s agenda has identified some substantive issues that may be better progressed by further discussion and review between the developer and Council.
  - Council recognises the need to stimulate the building sector at the moment and deferring the matter to enable the developers to address the planning issues is a suitably constructive approach”.

**CARRIED****FOR**

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

**AGAINST**

Ald Warren  
Ald James (abstained)

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

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

**11.5 ASSET MANAGEMENT****11.5.1 TRANSFER OF FUNDS FROM COUNCIL'S PUBLIC OPEN SPACE RESERVE FUND – 76 RICHARDSONS ROAD, SANDFORD**  
(ECM 4405394)**EXECUTIVE SUMMARY****PURPOSE**

To approve the transfer of \$2,400.00 (excluding GST) from council's Public Open Space Reserve Fund to pay for a land survey as the first step toward transferring a portion of the private foreshore land at 76 Richardsons Road, Sandford to council as Public Open Space or to the Crown as a reservation.

**RELATION TO EXISTING POLICY/PLANS**

Council's Strategic Plan 2016-2026, Public Open Space Policy 2013, Tracks & Trails Action Plan 2015-2020 and Climate Change Impacts on Clarence Coastal Areas 2009 are all relevant.

**LEGISLATIVE REQUIREMENTS**

Minor Amendment to subdivision SD-2001/19 to be in accordance with S.56 of the *Land Use Planning and Approvals Act 1993* (LUPAA).

**CONSULTATION**

The landowner has been consulted and has provided verbal consent to progress with the Minor Amendment to SD-2001/19 to create 2 separate lots for the coastal reserve.

**FINANCIAL IMPLICATIONS**

To transfer \$2,400.00 (excluding GST) from Council's Public Open Space Reserve Fund to pay for the land surveying costs associated with field work and administrative processing required for creation of a new title suitable for transfer to either the Crown or to council.

**RECOMMENDATION:**

That Council approves the transfer of \$2,400.00 (excluding GST) from council's Public Open Space Reserve Fund to pay for a land survey as the first step toward transferring a portion of the private foreshore land at 76 Richardsons Road, Sandford to council as Public Open Space or to the Crown as a reservation.

Ald Walker left the Meeting at this stage (8.58pm).

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

"That the Recommendation be adopted".

**CARRIED UNANIMOUSLY**

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

**11.7 GOVERNANCE****11.7.1 REVIEW OF COUNCIL DELEGATIONS UNDER THE LAND USE PLANNING AND APPROVALS ACT 1993**

(File No 20-01-00)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to review a Council delegation under the Land Use Planning and Approvals Act 1993 (LUPAA).

**RELATION TO EXISTING POLICY/PLANS**

The delegation which is the subject of this report is aimed at improving the efficient delivery of services and does not impact on any pre-existing Council policies or strategies.

**LEGISLATIVE REQUIREMENTS**

Delegations under the Land Use Planning and Approvals Act 1993 must be direct from Council to the officer, as they cannot be on-delegated by the General Manager.

**CONSULTATION**

Not applicable.

**FINANCIAL IMPLICATIONS**

No significant implications.

**RECOMMENDATION:**

That Council resolves to approve the following Delegation in respect to the Land Use Planning and Approvals Act, 1993.

NO.	ACT REF	DETAILS OF DELEGATION	DELEGATION
133	Land Use Planning and Approvals Act, 1993 S57, 58	To administer the processing of applications and agreements in respect to planning permits; and to grant permits, or to grant permits with conditions (development applications and subdivisions) as appropriate in relation to applications for permits in accordance with the provisions of the relevant Planning Scheme and to attach conditions to permits granted with respect to any matters specified in a relevant Planning Scheme and/or consistent with Council policies and standards in respect of applications for Discretionary Permits where:	General Manager; Manager City Planning (incorporating the role of Manager Integrated Assessment), Senior Statutory Planner

		<ul style="list-style-type: none"> <li>• representations are only from State Government Departments;</li> <li>• there is a maximum of two representations, where one representation is also deemed to include all separately submitted representations from or on behalf of one property address;</li> <li>• the development value is less than \$10M.</li> </ul>	
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<b>Decision:</b>	<p><b>MOVED</b> Ald Peers <b>SECONDED</b> Ald Ewington</p> <p>Ald Walker returned to the Meeting at this stage (9.00pm).</p> <p>“That the Recommendation be adopted”.</p> <p>The <b>MOTION</b> was <b>put</b> and <b>LOST</b></p> <table> <tr> <td><b>FOR</b></td><td><b>AGAINST</b></td></tr> <tr> <td>Ald Blomeley</td><td>Ald Edmunds</td></tr> <tr> <td>Ald Chipman</td><td>Ald James</td></tr> <tr> <td>Ald Chong</td><td>Ald Kennedy</td></tr> <tr> <td>Ald Ewington</td><td>Ald Mulder</td></tr> <tr> <td>Ald Peers</td><td>Ald Walker</td></tr> <tr> <td>Ald von Bertouch</td><td>Ald Warren</td></tr> </table>	<b>FOR</b>	<b>AGAINST</b>	Ald Blomeley	Ald Edmunds	Ald Chipman	Ald James	Ald Chong	Ald Kennedy	Ald Ewington	Ald Mulder	Ald Peers	Ald Walker	Ald von Bertouch	Ald Warren
<b>FOR</b>	<b>AGAINST</b>														
Ald Blomeley	Ald Edmunds														
Ald Chipman	Ald James														
Ald Chong	Ald Kennedy														
Ald Ewington	Ald Mulder														
Ald Peers	Ald Walker														
Ald von Bertouch	Ald Warren														



**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 Warren**

1. Regarding DA2019/006096 for building of a jetty on land adjacent to 754 and 798A Dorans Road, Sandford and I also believe involves Crown Land. Could we have an update on the status of this application because I understand that the advertising date expired on 22 July 2020. We have not received that Development Application at a Council meeting and I would also like to know what the process is for giving permission to such a development that requires the use of Crown land.

**ANSWER**

The application was deferred from this Council meeting. There were a number of representations and the developer has requested and entered into an agreement with us to have the application deferred pending discussion with his neighbours and I think the length of the extension was about 90 days. That is all I can advise at the moment.

2. It has been brought to my attention that some of the verges on the Tasman Highway and the East Derwent Highway are particularly untidy. Could we have an update on when the next maintenance is due in those areas?

**ANSWER**

(Mayor) That is a matter for the State Government however we will investigate and report back.

(Mr Graham) We have forwarded an enquiry to the Department of State Growth and are awaiting a response

**Ald James**

1. In relation to 19 Corinth Street have the amended plans been brought to Council in relation to that development, has the stormwater matter been contained on the site and has the wall on the boundary between no. 17 and no. 19 been constructed of concrete block as distinct from brick veneer?

**ANSWER**

In relation to 19 Corinth Street as I understand there are a range of issues that Mr Lovell is pursuing with the developer of the property. I am not sure what you are referring to regarding the stormwater issue because from my point of view that was resolved a long time ago. I understand there are issues with the design versus the actual build that Mr Lovell is pursuing but beyond that I don't have any additional details at this time.

(Mr Lovell) A memo to Aldermen has been drafted which will provide an update on that situation. We have received the revised plans, we have reviewed them, we have determined that a minor amendment is required for things like the change of the wall construction and some reduction in the footprint of the building and also some reduction to some windows. Because the matter was determined by the Tribunal the minor amendment will need to be considered by the Tribunal rather than the Council and it will be detailed further in the briefing report item.

2. Regarding the development application, 754 Dorans Road for Jetty Construction, did Council provide approval for a cable over Council land some months or a couple of years ago in order for a cable to be part of the lighting on the concrete jetty at that location in Dorans Road?

**ANSWER**

Council has not given approval for a cable. The matter has been raised with the developer, who has advised that there were to be no services going to the jetty.

**Ald Peers**

Are the workshops going to be conducted here in the Council building?

**ANSWER**

Workshops as advised will be a choice for Aldermen as to whether they attend in person or via the Teams environment.

(Mayor) We need to come to a decision on that, the last workshop conducted had 50/50 attendance so we will continue with that approach.

**Ald Blomeley**

1. In recent days residents in Risdon Vale have been in contact to express their anger and deep disappointment over the recent senseless and wanton vandalism of the new Risdon Vale oval changerooms and toilets. I understand that on the weekend of 1 and 2 August in 2 separate incidents windows were smashed, a fire was lit in the partially constructed changerooms. Mr Mayor can you please advise what action if any is or has been taken on the part of Council or the police to ensure those responsible for these senseless acts of vandalism are brought to account and that a clear message is sent to the community that this type of disrespectful conduct will not, under any circumstances, be tolerated?

**ANSWER**

We became aware of this issue late last week. I have seen some photos today. The damage is minor, but it is vandalism and certainly amounted to a break in with an attempt to set a small fire. That is certainly very disappointing. I am advised that the police are investigating and in accordance with our usual process in terms of investigations we do not have any more details but I would be more than happy to provide updates through an appropriate means as they come to light. We are ourselves very disappointed that this has happened. Aldermen will be aware that previously when we have undertaken construction of community facilities they have been vandalised during construction and certainly our sympathies are with the community in terms of the frustration that this causes and the waste of money that it leads to.

(Mr Graham) Tasmania Police have advised the investigation on this matter is ongoing.

2. Is there capacity within Council to investigate the best options for reducing traffic congestion. Is there a committee or could there be one?

**ANSWER**

We have an internal traffic group which looks at mostly parking issues or if there are issues with speeding in certain environments and in terms of what traffic mitigation methods and changes to our infrastructure that we could implement to improve in certain locations. I would also say that through the Hobart City Deal there is a number of working groups being established with transport which are looking at regional improvements which may occur and to improve traffic flow. We may be able to report to Council on those in terms of initiatives that may have been implemented or advised through those groups.

(Mr Graham) Recently a first meeting of the Greater Hobart Transport Working Group was held with Executive Managers from Hobart, Clarence, Glenorchy, Kingborough and Department of State Growth representatives. A separate Memo will be forwarded to Aldermen on the outcomes of the working group meeting.

**Ald Walker**

Through this COVID time a lot of councils have been looking at different things they can do in terms of supporting as far as different methods of service delivery as far as how we conduct our meetings. We pay a subscription to the Local Government Association of Tasmania and I wonder if you can furnish me with what we are receiving in return as far as potential reform options for local government efficiency or other methods of practicalities with COVID. What has LGAT done in this space in more recent times because the whole thing seems to be about some Alderman austerity and nothing else so I am asking that as our representative there is something you can furnish me with?

**ANSWER**

(Mayor) LGAT is quite pervasive across policy issues, individual lobbying efforts.

(Ald Blomeley) There has been a comprehensive submission made to PESRAC and I am happy to forward a copy of LGAT's submission to you and colleagues if that's of interest to you. It covers off fairly comprehensively on areas that LGAT suggests could be of assistance to the community both in economic and social regard.

(Mayor) LGAT has also been in touch with all councils right across the state to form impact statements on how local councils are being impacted. There is quite a range of activities, I will make sure that you get a report.

**Ald Edmunds**

With regard to correspondence between Council and the Clarence Zebras Football Club, things look like they have not got off to a good start with this issue but I would say there is considerable scope to work towards a solution which means the set up at the club is compliant and a local club is able to make a small trade to keep itself viable and affordable to grass roots players in pretty challenging times for sports clubs. I wanted to seek an assurance from the Council that we will work constructively with the club to resolve the issues.

**ANSWER**

Our primary concern was risk-based in terms of the changes that had been made. They were, without going into details, unsafe. We were also significantly concerned that we had complaints from the other clubs using the facility that those changes had occurred without any consultation.

We contacted the club before the letter was sent to explain that we were giving them in writing all the details we had observed during the inspection and that we were interested in meeting the club this week to go through all the issues, understanding that they are volunteers that work with the club and it is going to take time for them to understand what is happening and being available for a meeting. I will make sure our team contacts the club to arrange to go to the clubrooms to go through everything with them.

We are happy to provide Aldermen with updates when those meetings have occurred if that assists.

**Ald Ewington**

1. In the last few months we have had discussions about the budget and one of the things that I pushed pretty heavily for there was looking at what are our core services and what do we need to focus on and also part of that is looking at some of the programs we decided that we didn't want to continue funding after going through and looking at their effectiveness and what we thought the value was in some of them. My question is about one of those, the Help2Health program, that we decided not to continue funding in the budget. How is it that Council is still running this program and advising other councils and agencies that we are actually still doing so and going to continue to do so after a decision was made by Aldermen that we weren't going to continue with this actual program?

**ANSWER**

I need to be very clear that Council's decision during the budget process was not to provide any additional funding in this financial year to the program. At the budget it was also made clear that there was ongoing state government funding to complete the project and there was no decision by Council to withdraw from the project ahead of its conclusion. That project is due to finish towards the end of this year and we will provide a final report in terms of the work it has done and the research it has undertaken.

It is also really important to understand that that project is aimed at working with four communities in Tasmania, Clarence is one of them. The project is aimed at understanding better what the barriers to accessing health services are for members of our community and it is squarely aimed at among other things ensuring that things like our emergency departments aren't overloaded by people who are turning up looking for assistance when they could have received assistance elsewhere had they known to ask for it or that it was available. So, in the context of the overall health system within Tasmania, the State Government has seen this as a vital project working with selected communities to try and build a more effective understanding of why it is people make health decisions or in fact why it is that people do not have the relevant knowledge to make good health decisions. The project is auspiced through the University of Tasmania. It has ethical approval in terms of its efficacy and the current funding that is being utilised is by the State Government it is not costing Council anything. The time that Council staff are putting into it is through that funding.

2. As Aldermen we thought that there were questionable benefits to continuing this program that is why we decided not to put any more Council funds towards it but are we going to advise the health department or State Government or any other agencies involved that that is the decision that we made in relation to this program?

**ANSWER**

No, not unless Council directs me to.

**Ald Kennedy**

1. My question relates to a recently lodged development application at 65 Roaring Beach Road South Arm. This acreage adjoins Potters Hill Reserve and I am wondering whether there was actually ever any signage on the reserve advertising the development application or whether it has been removed?

**ANSWER**

Signs were erected on the boundaries of the site. The locations include a sign on the common fence line between the reserve and the site.

2. Have we set a date yet for the hardwaste collection?

**ANSWER**

It was advertised at the weekend. It will commence on the last Monday in September, but I will put something in writing to the Aldermen to confirm the dates.

(Mr Graham) A Memo has been forwarded to Aldermen in relation to the hard waste collection dates. It is intended for the collection to commence on Monday 28 September 2020 and conclude on Friday 23 October 2020

**Ald Mulder**

My questions relate to the Kangaroo Bay Hotel and Hospitality School Development.

1. I assume that the building and plumbing permits are yet to be lodged. My question is what are the prospects of actually getting substantial commencement of this development by the close off date of 30 October?

**ANSWER**

I cannot give you a precise answer at this time. We continue to receive confidential updates from the developer at this stage. I have not heard that they have concluded any particular negotiations and have a commencement date. I do understand that they are well advanced in terms of their tendering process for the works, but I cannot give you a precise answer.

Question contd

For clarification they are tendering for works when the building and plumbing permits have not been issued yet?

**ANSWER**

In the context that they can do that off their detailed designs without needing to have finalised permits, but they do need to have permits issued before they can commence.

2. Will Council or the State Government be providing any financial support to the prospective operators of the hospitality school or the hotel and if so, how much and for what purpose?

**ANSWER**

I am not aware of any offer of support certainly not from Council, you would know about that if that was the case. If the State Government has made any offer I am unaware of that.

(Mayor) I certainly cannot throw any light on that either.

**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 T1364-20 – ROSNY CHILD CARE CENTRE LANDSCAPING UPGRADE

13.4 TENDER T1375-20 – 2020 ANNUAL HARD WASTE COLLECTION SERVICE

13.5 COMMITTEE MATTER

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.**

**Decision:**

**PROCEDURAL MOTION**

**MOVED** Ald Peers **SECONDED** Ald Walker

“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 Ewington  
Ald Kennedy  
Ald Mulder  
Ald Peers  
Ald von Bertouch  
Ald Walker  
Ald Warren

**AGAINST**

Ald James



**CLOSED MEETING /contd...**

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

**13.3 TENDER T1364-20 – ROSNY CHILD CARE CENTRE LANDSCAPING UPGRADE**  
(File No T1364-20)

Ald Mulder declared an Interest in this Item and left the Meeting prior to discussion (9.44pm).

<b>Decision:</b>	<b>MOVED</b> Ald Warren <b>SECONDED</b> Ald Peers
	<p>“A. That the Tender Response from Logic Build Tas Pty Ltd for \$341,300.00 excluding GST be accepted for the Rosny Child Care Centre landscaping upgrade at 2C Loinah Road, Montagu Bay.</p> <p>B. That, in accordance with Regulation 34(3) of the Local Government (Meeting Procedures) Regulations 2015, Council authorises for release of the Council’s decision (only) in respect to this item to the general public via the open minutes of this meeting and for communication to relevant parties”.</p> <p style="text-align: right;"><b>CARRIED UNANIMOUSLY</b></p>

Ald Mulder returned to the Meeting at this stage (9.48pm).

**13.4 TENDER T1375-20 - 2020 ANNUAL HARD WASTE COLLECTION SERVICE**

(File No T1375-20; ECM 4398268)

**Decision:** **MOVED** Ald Walker **SECONDED** Ald Blomeley

“That Council resolves:

- A. That the Tender received from Corporate Maintenance Solutions (Tas) Pty Ltd for \$172,816.88, excluding GST together with the schedule of fees as submitted for any additional Call Back Days be accepted for the provision of the 2020 Residential Hard Waste Collection Service.
- B. That in accordance with Regulation 34(3) of the Local Government (Meeting Procedures) Regulations 2015, council authorises the release of the council’s decision (only) in respect to this item to the general public via the open minutes of this meeting and for communication to relevant parties”.

**CARRIED UNANIMOUSLY**