

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 10 MAY 2021

HOURLY CALLED: 7.00pm

PRESENT: The meeting commenced at 7.02pm 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)

Group Manager Engineering Services
(Mr R Graham)

Chief Financial Officer
(Ms M Coleman)

Manager City Planning
(Mr R Lovell)

Manager Health and Community Development
(Mr J Toohey)

Manager Communication and Strategic Development
(Mr C Paske)

Executive Officer to the General Manager
(Ms J Ellis)

The Meeting closed at 9.48pm.

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.

VALE

Before commencing the meeting the Mayor acknowledged the passing of former Alderman, Wing Commander Bill Ryan, AFC. Bill was a colourful and long serving member of council. First elected councillor in 1980 he retained his seat after Clarence became a city in 1988 until he retired in 2004. Bill held a number of positions during his time on council most notably many years as a local government representative on the State Fire Commission.

On behalf of Council I would like to express our condolences to Bill’s family.

URGENT AGENDA ITEM

The Mayor advised of an Urgent Item to be discussed in accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2015.

The Mayor called for a Procedural Motion.

Decision:

PROCEDURAL MOTION

MOVED Ald Peers **SECONDED** Ald Blomeley

“That pursuant to the provisions of Regulation (8) of the Local Government (Meeting Procedures) Regulations 2015, the Council gives Leave of the Meeting to consider an urgent item regarding a Planning Appeal”.

CARRIED UNANIMOUSLY

/ contd...

URGENT AGENDA ITEM /contd...

Decision:

PROCEDURAL MOTION

MOVED Ald Blomeley **SECONDED** Ald Ewington

“That pursuant to the provision of Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015, this report be considered in Closed Meeting as the matter to be dealt with deals with a matter related to actual litigation”.

CARRIED

FOR

Ald Chipman
Ald Blomeley
Ald Chong
Ald Ewington
Ald Peers
Ald von Bertouch
Ald Walker

AGAINST

Ald Edmunds
Ald James
Ald Kennedy
Ald Mulder
Ald Warren

COUNCIL MEETING
MONDAY 10 MAY 2021

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BUSINESS TO BE CONDUCTED AT THIS MEETING IS TO BE CONDUCTED IN THE ORDER IN WHICH IT IS SET OUT IN THIS AGENDA UNLESS THE COUNCIL BY ABSOLUTE MAJORITY DETERMINES OTHERWISE

COUNCIL MEETINGS, NOT INCLUDING CLOSED MEETING, ARE AUDIO-VISUALLY RECORDED AND PUBLISHED TO COUNCIL'S WEBSITE

1. ATTENDANCE AND APOLOGIES

Refer to cover page.

2. ***CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Council Meeting held on 19 April 2021, as circulated, be taken as read and confirmed.

Decision:

MOVED Ald Blomeley **SECONDED** Ald Peers

“That the Minutes of the Council Meeting held on 19 April 2021, as circulated, be taken as read and confirmed”.

CARRIED

FOR

Ald Chipman
Ald Blomeley
Ald Chong
Ald Edmunds
Ald Ewington
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald von Bertouch
Ald Warren

AGAINST

Ald Walker (abstained)

3. MAYOR'S COMMUNICATION

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

Mayor

- 20 April: Ryk Goddard – ABC Radio Interview;
Greater Hobart Mayors Forum;
- 22 April: Air New Zealand Inaugural Flight to Hobart Airport Media Event;
Television New Zealand – Seven Sharp Interview;
ABC Drive – re Droughty Point;
- 24 April: Clarence Zebras Football Club vs Newtown Eagles Gala Day;
- 25 April: ANZAC Day Commemoration Lindisfarne RSL;
ANZAC Day Cambridge Memorial;
- 27 April: ABC Radio with Leon Compton;
Kangaroo Bay Photo Opportunity with Rotary Club Bellerive;
Rokeby Cricket Club Clubrooms Photo Opportunity;

/contd on Page 4...

MAYOR'S COMMUNICATION

- 28 April: RDA – Meeting with Hon Nola Marino;
RDA Committee Dinner;
- 29 April: RDA Committee Meeting;
- 2 May: North Melbourne vs Melbourne AFL Match;
- 4 May: Hobart Airport Community Aviation Consultative Group Meeting;
- 6 May: Rosny Barn – Exhibition – Suburbs Project;
- 7 May: Uni Revue 2021 – Tool Story Opening Night; and
- 10 May: New Zealand Water Reform Steering Committee.

Deputy Mayor

- 25 April: Anzac Day South Arm RSL (on behalf of Mayor);
- 28 April: Cuppa with a Cop – Grace Centre, Rokeby (on behalf of Mayor);
- 30 April: Youth Week Tasmania Official Launch (on behalf of Mayor); and
- 6 May: Salvation Army 2021 Red Shield Appeal Launch (on behalf of Mayor).

Ald Kennedy

- 10 May: 2021 Australia Day Order of Australia Honours and Meritorious Awards – Residents of Clarence.

Ald Ewington

- 25 April: ANZAC South Arm Dawn Service (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
Public Open Space Options	
Rosny Golf Course Site – EOI Process	
Northern Corridor Sports Planning	
Business East Transition	
Health and Wellbeing Strategy - Next Steps	
Enterprise Agreement Update	26 April
Budget	3 May

RECOMMENDATION:

That Council notes the workshops conducted.

/ Refer to Page 5 for Decision on this Item...

COUNCIL WORKSHOPS /contd...

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

“That the Recommendation be adopted”.

CARRIED

FOR

Ald Chipman
Ald Blomeley
Ald Chong
Ald Edmunds
Ald Ewington
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald von Bertouch
Ald Warren

AGAINST

Ald Walker (abstained)

5. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE

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

INTEREST DECLARED

Alderman Kennedy **Item No. 11.3.2 and 11.5.1**

6. *TABLING OF PETITIONS**

Nil.

7. PUBLIC QUESTION TIME

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

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

7.1 PUBLIC QUESTIONS ON NOTICE

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

Nil.

7.2 ANSWERS TO QUESTIONS ON NOTICE

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

Nil.

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

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

At Council's Meeting of 19 April 2021 Mrs Joanne Marsh of Bellerive asked the following questions.

WATER DISCOLOURATION

1. I have occasionally noticed a pink discolouration of the water near the Bellerive boardwalk and the slipway area – possibly an algal bloom (photos were provided). On Tuesday, 13 April it was the worst I have seen it.

What is causing this problem, and does it pose a threat to the health and well-being of the community?

ANSWER

We received several enquiries from the public between February and April regarding red discolouration in the waters around the eastern shoreline. Investigations confirmed that the red discolouration was in fact bioluminescent algae, which creates what are commonly known as red tides. At night when the phytoplankton are agitated by movement, they produce their natural light show.

/ contd on Page 8...

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

The red tide event in the Kangaroo Bay area was observed to be quite extensive throughout the Bay and Boardwalk area. This is a natural event and such concentrations are relatively short term. There is no public health risk associated with a red tide.

PUBLIC ART – KANGAROO BAY

2. Council has asked for expression of interest from artists and designers to provide ideas for public art at Kangaroo Bay. Council wants to create a unique destination that links land, sea and mountain and respects the stories and histories of place. Hopefully Council are encouraging artists and designers who are descendants of the original custodians of the area.

Will the community be given a say in which ideas submitted best fulfil these criteria and are the best use of the budgeted \$110,000?

ANSWER

An expert panel that includes two external representatives will assess the proposals submitted and select a preferred artist whose proposal best meets the criteria.

7.4 QUESTIONS WITHOUT NOTICE

Mr David Griggs of Risdon Vale asked the following question.

ROSNY HILL ROAD ROUNDABOUT

1. I asked at the last council meeting about when the grassed areas at the roundabout at the top of Rosny Hill Road next to the United Service Station would be planted or resown with grass as it has been left after concreting works were done a long time ago.
I have received no response at all!
This why I am asking the question again?
2. Half of the road surface in front of 64 Lantana Road has been suffered major damage due to a contractor who was engaged to put in a pipeline along the back of houses along Risdon Vale Rivulet damaging it and not repairing the damage.

The work was done at the end of 2020 and left like it.

The contractor was engaged by the developer of Olive Grove subdivision off Sugarloaf Road, Risdon Vale as requirement of a Clarence Council Planning Permit and Approval.

Can the road surface be repaired or reinstated?

ANSWER

1. A response to this question was provided at the last council meeting and is recorded in the minutes of that meeting.
2. The General Manager took the question 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-2021/016061 – 9 CALVERTON PLACE AND 21 HARMONY LANE, SOUTH ARM – MEN’S SHED (COMMUNITY MEETING AND ENTERTAINMENT)
(REFER ITEM 11.3.2)

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

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

9. MOTIONS ON NOTICE

9.1 NOTICE OF MOTION - ALD EWINGTON CONCEPT PLAN DEVELOPMENT PROCESS – CITY HEART PROJECT

In accordance with Notice given it was:

Decision:	MOVED Ald Ewington SECONDED Ald Blomeley	
	“That council include within its Expression of Interest concept plan development process for the City Heart project:	
	<p>(a) A draft precinct map of the Rosny Park activity centre, council lawns, Rosny Farm complex, the land comprising Rosny Park Public Golf Course and Charles Hand Park, Sheoak Point, Kangaroo Bay and Bellerive Village identifying potential commercial and non-commercial development ‘hubs’ based on key themes; and then consider</p> <p>(b) A mechanism for interested parties in the sport, recreation, leisure, tourism, hospitality, arts and cultural sectors, both commercial and not for profit, as well as community groups and individuals to submit potential development projects for concept planning consideration within each hub; and</p> <p>(c) Also include consideration of an urban densification plan for the immediate area surrounding the Rosny Park activity centre, which could play an important role in the future growth and utilisation of the area.”</p>	
	The MOTION was put and LOST	
	FOR	AGAINST
	Ald Chipman	Ald Edmunds
	Ald Blomeley	Ald James
	Ald Chong	Ald Kennedy
	Ald Ewington	Ald Mulder
	Ald von Bertouch	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

December and March Quarterly Reports pending.

Representative Reporting

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

OTHER COMMITTEES

HOBART AIRPORT PLANNING COORDINATION FORUM

- The Mayor tabled the Minutes of a Meeting held on 2 February 2021.

LINDISFARNE COMMUNITY ACTIVITIES CENTRE MANAGEMENT COMMITTEE

- Ald Blomeley tabled the Minutes of a Meeting held on 8 April 2021.

HOWRAH COMMUNITY CENTRE

- Ald James tabled the Minutes of a Meeting held on 18 March 2021.

EVENTS SPECIAL COMMITTEE

- Ald James tabled the Minutes of a Meeting held on 5 December 2019

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

TRACKS AND TRAILS ADVISORY COMMITTEE – QUARTERLY REPORT

Chairperson's Report – Alderman D Ewington

Report to council for the three-month period for 1 January 2021 to 31 March 2021.

RECOMMENDATION:

That the Chairperson's Report be received by council.

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

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

CARRIED

FOR

Ald Chipman
Ald Blomeley
Ald Chong
Ald Edmunds
Ald Ewington
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald von Bertouch
Ald Warren

AGAINST

Ald Walker (abstained)

SPORT AND RECREATION ADVISORY COMMITTEE – QUARTERLY REPORT**Chairperson's Report –Alderman D Ewington**

Report to council for the three-month period 1 January 2021 to 31 March 2021.

RECOMMENDATION:

That the Chairperson's Report be received by council.

Decision:

MOVED Ald Blomeley **SECONDED** Ald Peers

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

CARRIED

FOR

Ald Chipman
Ald Blomeley
Ald Chong
Ald Edmunds
Ald Ewington
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald von Bertouch
Ald Warren

AGAINST

Ald Walker (abstained)

BICYCLE ADVISORY COMMITTEE – QUARTERLY REPORT
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Chairperson's Report – Alderman D Ewington

Report to council for the three-month period, 1 January to 31 March 2021.

RECOMMENDATION:

That the Chairperson's Report be received by council.

Decision:

MOVED Ald Blomeley **SECONDED** Ald Peers

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

CARRIED

FOR

Ald Chipman
Ald Blomeley
Ald Chong
Ald Edmunds
Ald Ewington
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald von Bertouch
Ald Warren

AGAINST

Ald Walker (abstained)

NATURAL RESOURCE MANAGEMENT – QUARTERLY REPORT**Chairperson's Report – Alderman Beth Warren**

Report to council for the three-month period 1 January to 31 March 2021.

RECOMMENDATION:

That the Chairperson's Report be received by council.

Decision:

MOVED Ald Blomeley **SECONDED** Ald Peers

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

CARRIED

FOR

Ald Chipman
Ald Blomeley
Ald Chong
Ald Edmunds
Ald Ewington
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald von Bertouch
Ald Warren

AGAINST

Ald Walker (abstained)

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

The Weekly Briefing Reports of 19 and 26 April and 3 May 2021 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 19 and 26 April and 3 May 2021 be noted.

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

“That the Recommendation be adopted”.

CARRIED

FOR

Ald Blomeley
Ald Chipman
Ald Chong
Ald Edmunds
Ald Ewington
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald von Bertouch
Ald Warren

AGAINST

Ald Walker (abstained)

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS**11.2.1 PETITIONS – DRAFT DOG MANAGEMENT POLICY****EXECUTIVE SUMMARY****PURPOSE**

To consider two petitions tabled at Council's Meeting of 19 April 2021 regarding the draft Dog Management Policy, specifically relating to dog exercise areas.

RELATION TO EXISTING POLICY/PLANS

The draft revision of Council's Dog Management Policy including the Schedule of Declared Areas – January 2021 is relevant.

LEGISLATIVE REQUIREMENTS

Section 60 of the Local Government Act 1993 requires council to formally consider petitions within 42 days of receipt.

The Dog Control Act 2000 requires council to review its Dog Management Policy at least once every five years.

CONSULTATION

A workshop was held with Aldermen in October 2020 on the draft revision of the Dog Management Policy.

Council endorsed a revised draft Dog Management Policy including the Schedule of Declared Areas (January 2021) at its meeting of 9 February 2021 for public consultation. The draft was initially released for a 4-week period of public consultation via council's "Your Say Clarence" website and this closed on 12 April 2021. Council at its meeting of 19 April 2021 endorsed the re-opening of the consultation for a further two-week period from 20 April 2021.

A total of 2948 submissions was received during the initial consultation period with an additional 137 being received during the additional two-week period. The two petitions the subject of this report were received following the conclusion of the first round of consultation.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the petitions.

RECOMMENDATION:

- A. That Council notes the intent of the petitions.
- B. That the petitioners be advised that the petitions will be considered as part of Council's review of submissions regarding the revised draft Dog Management Policy.

/ Refer to Page 18 for Decision on this Item...

PETITIONS – DRAFT DOG MANAGEMENT POLICY /contd...

Decision: **MOVED** Ald Warren **SECONDED** Ald Chong

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

CARRIED UNANIMOUSLY

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-2020/014306 – 18 YORK STREET, 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 18 York Street, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Road and Rail Assets, Parking and Access, Stormwater Management, and Historic Heritage 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.

Council is required to exercise a discretion within the statutory 42-day period which expires on 12 May 2021.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 10 representations were received raising the following issues:

- density of dwellings;
- heritage;
- height;
- visual bulk and scale;
- loss of view;
- overlooking potential;
- traffic impacts – construction vehicle movements;
- traffic impacts – school hours and pedestrian conflicts;
- traffic impacts – vehicle turning;
- traffic impacts – use of school owned carpark;
- traffic impacts – 4 car width crossover;
- traffic impacts – number of vehicle movements in TIA questioned;
- traffic impacts – lack of existing on-street parking; and
- traffic impacts – TIA did not consider bus movements through the school.

RECOMMENDATION:

- A. That the Development Application for 3 Multiple Dwellings (1 existing + 2 new) at 18 York Street, Bellerive (Cl Ref PDPLANPMTD-2020/014306) be refused for the following reasons.

1. The proposal does not comply with Clause 10.4.1 P1 (a) as the proposal is not compatible with the density of the surrounding area.
 2. The proposal does not comply with Clause 10.4.1 P1 (b) as the proposal does not provide for a significant social or community housing benefit.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

Decision:	MOVED Ald Blomeley SECONDED Ald Ewington
	<p>“A That the Development Application for 3 Multiple Dwellings (1 existing + 2 new) at 18 York Street, Bellerive (C1 Ref PDPLANPMTD-2020/014306) be approved subject to the following conditions.</p> <ol style="list-style-type: none"> 1. GEN AP1 – ENDORSED PLANS. 2. ENG A2 – CROSSOVER CHANGE [7.5m]. 3. ENG A5 – SEALED CAR PARKING. 4. ENG M1 – DESIGNS DA. 5. ENG S1 – INFRASTRUCTURE REPAIR. 6. TASWATER – TASWATER CONDITION [30 November 2020, TWDA 2020/01994-CCC]. <p>B. That the reasons are as follows:</p> <ol style="list-style-type: none"> 1. The density provisions in the surrounding area (as outlined in the decision of M Drury v Clarence City Council [2020] TASRMPAT 26) demonstrate a compatibility with the proposed development, in that the proposal is ‘in broad correspondence or in harmony with the prevailing or predominant densities in the surrounding area’.

/ Decision contd on Page 22...

**DEVELOPMENT APPLICATION PDPLANPMTD-2020/014306 – 18 YORK STREET,
BELLERIVE - 3 MULTIPLE DWELLINGS (1 EXISTING + 2 NEW) /Decision contd...**

2. With the exception of the proposal not providing social or community housing benefit, the Report demonstrates that all other standards have been met.”

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

FOR

Ald Chipman
Ald Blomeley
Ald Ewington

AGAINST

Ald Chong
Ald Edmunds
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald von Bertouch
Ald Walker
Ald Warren

FORESHADOWED MOTION

MOVED Ald Mulder **SECONDED** Ald Warren

“That the Recommendation be adopted”.

CARRIED

FOR

Ald Chong
Ald Edmunds
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald von Bertouch
Ald Walker
Ald Warren

AGAINST

Ald Chipman
Ald Blomeley
Ald Ewington

11.3.2 DEVELOPMENT APPLICATION PDPLANPMTD-2021/016061 – 9 CALVERTON PLACE AND 21 HARMONY LANE, SOUTH ARM - MEN'S SHED (COMMUNITY MEETING AND ENTERTAINMENT)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Men's Shed (Community Meeting and Entertainment) at 9 Calverton Place and 21 Harmony Lane, South Arm.

RELATION TO PLANNING PROVISIONS

No. 9 Calverton Place is zoned Community Purpose and 21 Harmony Lane is zoned Recreation and subject to the Parking and Access, Stormwater Management and On-site Wastewater 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.

Council is required to exercise a discretion within the statutory 42 day period which was extended with the consent of the applicant until 12 May 2021.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 23 representations were received (19 in support and 4 against) raising the following issues:

- zoning of land;
- noise and need for additional sound proofing;
- class of shed;
- security alarms/lights;
- impact on property values of nearby residences;
- delay in receiving notification of application;
- lack of information regarding hours of operation and numbers of users;
- issues with accuracy of noise report;
- inadequate car parking; and
- future zoning.

RECOMMENDATION:

- A. That the Development Application for a Men's Shed (Community Meeting and Entertainment) at 9 Calverton Place and 21 Harmony Lane, South Arm (Cl Ref PDPLANPMTD-2021/016061) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

ADVICE:

The applicant must enter into a lease agreement with council prior to the commencement of the use. The lease agreement may include conditions to ensure that the surrounding owners are not adversely affected, such as hours of operation and the inclusion of any other noise mitigation measures in the design of the building.

- 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 Kennedy Declared an Interest in this Item and left the Meeting prior to discussion (8.22pm).

Decision:	MOVED Ald von Bertouch SECONDED Ald Blomeley	
	<p>“A. That the Development Application for a Men’s Shed (Community Meeting and Entertainment) at 9 Calverton Place and 21 Harmony Lane, South Arm (CI Ref PDPLANPMTD-2021/016061) be approved subject to the following conditions and advice.</p> <p>1. GEN AP1 – ENDORSED PLANS.</p> <p>ADVICE: The applicant must enter into a lease agreement with council prior to the commencement of the use. The lease agreement shall include conditions to ensure that the surrounding owners are not adversely affected, such as hours of operation and the inclusion of any other noise mitigation measures in the design of the building.</p> <p>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.”</p>	
	CARRIED	
	<p>FOR</p> <p>Ald Chipman Ald Blomeley Ald Chong Ald Ewington Ald Mulder Ald von Bertouch</p>	<p>AGAINST</p> <p>Ald Edmunds Ald James Ald Peers Ald Walker Ald Warren</p>

Ald Kennedy returned to the Meeting at this stage (8.45pm).

11.3.3 AMENDMENT APPLICATION PDPSAMEND-2019/001707- 18 DOWNHAMS ROAD, RISDON VALE – ARAN SAP**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider an application made under S.33 of the Land Use Planning and Approvals Act 1993 (LUPAA) for a planning scheme amendment at 18 Downhams Road, Risdon Vale. Specifically, it is proposed to:

- introduce a new Specific Area Plan called the Aran Eco–Development Specific Area Plan (SAP); and
- modify the minimum lot size in the Environmental Living zone (down to 15ha on the subject land).

No development is proposed as part of this application however, if approved, the proposed amendment would provide for the future development of a Visitor Accommodation complex and the excision of a 15ha northern balance outside the area subject to the SAP.

A location plan showing the subject site is included in the attachments.

RELATION TO PLANNING PROVISIONS

The land is zoned Environmental Living and subject to the following Codes under the Clarence Interim Planning Scheme 2015 (the Scheme):

- Bushfire Prone Areas;
- Landslide;
- Electricity Transmission Infrastructure Protection;
- Attenuation;
- Waterway and Coastal Protection Areas; and
- Natural Assets.

Subdivision below 20ha in the Environmental Living zone, and Visitor Accommodation at the scale proposed are currently Prohibited under the Scheme.

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 for a planning scheme amendment are not formally open for public comment until after council has agreed to certify the amendment and it has been publicly advertised.

The proposal was referred to TasWater who advised that it does not object to the draft amendment and does not require to be notified of nor attend any subsequent hearings.

FINANCIAL IMPLICATIONS

No significant implications.

RECOMMENDATION:

A. That Council:

1. Resolves, under Section 30O (1) of the Land Use Planning and Approvals Act 1993 that the draft amendment PDPSAMEND-2019/001707 at 18 Downhams Road, Risdon Vale is limited to a local provision, practical and consistent with the Southern Tasmanian Regional Land Use Strategy 2010-2035.
2. Resolves, under Section 34(1) (a) of the Land Use Planning and Approvals Act 1993 to initiate draft amendment PDPSAMEND-2019/001707 at 18 Downhams Road, Risdon Vale.
3. Resolves to modify draft amendment PDPSAMEND-2019/001707 as detailed at Section 3.4 of the report and shown via tracked changes in Attachments 7, 8 and 9.
4. Resolves, under Section 35(1) of the Land Use Planning and Approvals Act 1993 that draft amendment PDPSAMEND-2019/001707 as modified meets the requirements specified under Section 32 of the Land Use Planning and Approvals Act 1993.
5. Resolves, under Section 35(2) of the Land Use Planning and Approvals Act 1993, to prepare and certify draft amendment PDPSAMEND-2019/001707 and sign the instrument as required.

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 James **SECONDED** Ald Chong

“That the Recommendation be adopted”.

Ald Edmunds left the Meeting at this stage (8.46pm).

The **MOTION** was **put** and **CARRIED UNANIMOUSLY**

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

11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT**11.5.1 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE FUND PROGRAM
PHASE 2 – AMENDMENT TO 2020/2021 BUDGET ESTIMATES****EXECUTIVE SUMMARY****PURPOSE**

To consider an amendment to the 2020/2021 Budget Estimates to include the Federal Government Phase 2 Local Roads and Community Infrastructure Fund Program (LRCI) of \$1,952,854.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 is applicable.

LEGISLATIVE REQUIREMENTS

Approval of an amendment to the Annual Budget Estimates requires an absolute majority of council in accordance with the Local Government Act 1993, section 82(4).

CONSULTATION

No community consultation has occurred in relation to the Local Community Roads and Community Infrastructure Fund Program.

FINANCIAL IMPLICATIONS

The allocation of the \$1,952,854 grant funding within the requirements of the LRCI fund program requires a decision of council to amend the 2020/2021 Budget Estimates.

RECOMMENDATION:

That Council allocates the \$1,952,854 of grant funding received from the Federal Government Phase 2 Local Roads and Community Infrastructure Fund Program within the 2020/2021 Roads and Passive Recreation Capital Budgets as follows:

Roads Program

- Allocate funds to Clarence Foreshore Trail -
Montagu Bay to Rosny College pathway upgrade (Stage 2): \$602,854
- Allocate funds to South Arm Road -
Footpath from Horsham Road, Rokeby to
Oakdowns Parade, Oakdowns: \$400,000
- Allocate funds to Richmond Riverbank Park pathway
and timber viewing platform upgrade: \$300,000

Passive Recreation Program

- Allocate funds to South Arm Oval play space,
earth berm and paling fence: \$650,000

/ Refer to Page 29 for Decision on this Item...

LOCAL ROADS AND COMMUNITY INFRASTRUCTURE FUND PROGRAM PHASE 2 – AMENDMENT TO 2020/2021 BUDGET ESTIMATES /contd...

Ald Kennedy Declared an Interest in this Item and left the Meeting prior to discussion (8.50pm).

Decision:	MOVED Ald Warren SECONDED Ald Ewington
	<p>“A. That Council allocates the \$1,952,854 of grant funding received from the Federal Government Phase 2 Local Roads and Community Infrastructure Fund Program within the 2020/2021 Roads and Passive Recreation Capital Budgets as follows:</p> <p>Roads Program</p> <ul style="list-style-type: none"> • Allocate funds to Clarence Foreshore Trail - Montagu Bay to Rosny College pathway upgrade (Stage 2): \$602,854 • Allocate funds to South Arm Road - Footpath from Horsham Road, Rokeby to Oakdowns Parade, Oakdowns: \$400,000 • Allocate funds to Richmond Riverbank Park pathway and timber viewing platform upgrade: \$300,000 <p>Passive Recreation Program</p> <ul style="list-style-type: none"> • Allocate funds to South Arm Oval play space, earth berm and paling fence: \$650,000 <p>B. That Council write to the Federal Minister thanking him for the grant funding and explaining what the monies will be used for”.</p> <p>Ald Edmunds returned to the Meeting at this stage (8.52pm).</p> <p>The MOTION was put and CARRIED UNANIMOUSLY</p>

Ald Mulder left the Meeting at 9.06pm.

Ald Kennedy returned to the Meeting at 9.06pm.

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 QUARTERLY REPORT TO 31 MARCH 2021****EXECUTIVE SUMMARY****PURPOSE**

To consider the General Manager's Quarterly Report covering the period 1 January 2021 to 31 March 2021.

RELATION TO EXISTING POLICY/PLANS

The Report uses as its base the Annual Plan adopted by Council and is consistent with council's previously adopted Strategic Plan 2016-2026.

LEGISLATIVE REQUIREMENTS

There is no specific legislative requirement associated with regular internal reporting.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

The Quarterly Report provides details of council's financial performance for the period.

RECOMMENDATION

That the Quarterly Report to 31 March 2021 be received.

Decision: **MOVED** Ald Edmunds **SECONDED** Ald Chong

"That the Recommendation be adopted".

Ald Mulder returned to the Meeting at this stage (9.08pm).

The **MOTION** was **put** and **CARRIED UNANIMOUSLY**

11.7.2 COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY (AUTHORITY) – AMENDMENT OF RULES**EXECUTIVE SUMMARY****PURPOSE**

To provide Council endorsement to advertise a proposed amendment to the Rules governing the Copping Refuse Disposal Site Joint Authority.

RELATION TO EXISTING POLICY/PLANS

The proposed amended Rules are consistent with existing policies and plans.

LEGISLATIVE REQUIREMENTS

The amendment of the Rules must comply with the certification requirements set out at Sections 31 and 32 of the Local Government Act, 1993 (Tas).

CONSULTATION

To progress the amendment of the Rules the endorsement of participating councils to advertise the proposed amendment is required. If approval is obtained to advertise the amendment a public advertising process will commence and continue for 21 days. Following the advertising period, the Authority will consider any submissions received before referring to the participating councils for final endorsement of the amended Rules.

FINANCIAL IMPLICATIONS

There are no adverse financial implications arising from the proposed amendment to the Rules.

RECOMMENDATION:

That Council:

1. Endorses the proposed amendment to the Copping Refuse Disposal Site Joint Authority Rules (Rule 219) as agreed by the Authority at its meeting of 13 August 2020; and
2. Approves advertising the proposed amendment to Rule 219 in accordance with the requirements of the *Local Government Act 1993* (Tas).

Decision:

MOVED Ald Walker **SECONDED** Ald Edmunds

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

12. ALDERMEN'S QUESTION TIME

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

12.1 QUESTIONS ON NOTICE

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

Nil

12.2 ANSWERS TO QUESTIONS ON NOTICE

Nil

12.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING**Ald Mulder**

My question relates to the Rosny Hill development that has now been approved by the Tasmanian Planning Commission. There is some discussion in the community that Hunter Developments have now outsourced or transferred their rights under that planning approval and I am just wondering if so, what is the impact for their preferred developer status which I think they have for that site and also what are the impacts for the lease, of course if it's just rumour mongering and we have no information then purely on a speculative basis should that occur?

ANSWER

I am not aware of any and I certainly haven't had any contact from Hunter Developments in relation to Rosny Hill so I am not aware if they have done anything or made any decisions. Certainly in terms of their preferred developer agreement that is an issue that would have to come back to council in my view.

[Further information] Hunter Developments have confirmed, via a recent meeting, that they have not outsourced or transferred their rights in any way. The PDA was established as part of the EOI process and set out the actions required by Hunter Developments to progress to lodging a development application with Council acting as the planning authority. As Hunter Developments has now been issued with a DA, the PDA has concluded and has no further role to play in respect to the proposed development.

Ald Kennedy

In 2019 a resident of Seven Mile Beach actually raised an issue with council over a tree that was losing limbs dramatically on their house and obviously the tree is on council land and is causing some issues. In the last couple of months as you may be aware there have been thousands and thousands of dollars' damage done to cars and property. Now with school holidays and the danger of the trees children have had to be kept inside. They did receive a report to say the tree would be removed and my question is do we have a timeframe because this is becoming a very stressed family now?

ANSWER

There is still quite a process to go through with this one we have had a report from the Arborist and we are still dealing with the Arborist on that. We also need to discuss the issue with our insurers and we need to deal with the Seven Mile Beach Landcare Group in terms of removing trees there as we do as part of our Seven Mile Beach tree strategy. If there is still a final decision to remove the tree then we have to go through the process in terms of arranging removal. I still need to email the adjacent resident; the arborist has advised that the tree is not in immediate risk of failure so we feel we still have time to ensure that all parties are involved in dealing with the process.

Ald Ewington

1. I just wanted to follow up from my question last meeting, I did ask if we could go back a couple of years to look at the costs in relation to external legal costs in terms of some of the matters that have to go back to the tribunal. It mentions in the answer provided that we can go back to look at previous years so if we could that would be great just as an indication of higher or lower costs.

ANSWER

We can do that.

[Further information] The additional analysis will take time to prepare. A briefing report will be prepared and circulated to Aldermen when the analysis has been completed.

2. A couple of months ago we had a motion moved by Ald Mulder about including an option in Lauderdale for drainage through some land into the canal for people who are trying to develop down that way. I was just wondering whether we had received the report on that drainage solution and where that was heading and when we were going to get some information on that?

ANSWER

We have gone back to the consultant for one more look at matters and I envisage that we will come back to council at a workshop. It will not be purely that issue, it will be the stormwater management plan for Lauderdale as well to inform the Aldermen in relation to that.

Ald Edmunds

Last council meeting on 22 March I asked a question with the looming election that we speculated could be as soon as May 1 whether we had an election priority list that we provided. The answer is obviously as you said taken as read. I do have a question though because the election was called on 25 March and having spoken to the Shadow Treasurer who is also the State Member for Franklin he became aware of our election priority, what is it, strategic projects list because he bumped into the General Manager at a café and said I've got the priorities from Huonville and I've got the priorities from Kingston where are the priorities from Clarence and the answer that he was given was that he hadn't asked for them. Can I confirm if that is a true summary of events?

ANSWER

(Mayor) Well I think that's a fair summary of everything. Look we do not write to all political parties for support even within the Government party. We've only provided it to those politicians who have asked for it. It's just a matter of style in the past, now I'm quite happy to change that if you think it's necessary but that's the way it's been for years.

Question contd

Well that's basically the gist of the question that was asked and was told that as a matter of course political parties are kept up to date with council's decisions and perhaps we do need to pull our socks up in terms of how we can lobby for money because seriously to have a seventeen day window between the election being called and the Shadow Treasurer of the opposition party finding out what we actually want is probably not how we want to do things in the future.

ANSWER

(Mayor) I would add to what I've just said that we regularly have meetings with political parties of all persuasions and each time they come along to speak to myself and the General Manager we give them an up-to-date list at the time, and that would have included the gentleman you are talking about, sometime before the election was called and that list hasn't changed much since that happened.

Ald von Bertouch

1. Has the proponent of 52 Richardsons Road agreed to provide the information requested by the Minister for Planning in his letter to council dated 15 March 2021 and the supplementary is if so, is there any timeframe when this information will be provided to council and will council need to formally approve the information before it is supplied to the Minister?

ANSWER

We have not received any formal correspondence to say that the applicants are progressing with it however it hasn't been very long. I think that the way forward from here is if we hear back, we will communicate with Aldermen, so they know what's going on with the process. I think the second part of the question was about whether council would be considering the matter and I think it's fair to say that it would be subject to a report to council to make a decision on the merits of the submission that comes back and where to from there.

2. If the South Arm Oval Berm/Fence and Play Space cannot be completed by 31 December 2021 can an extension be granted to funding proposed to be allotted to these projects from the Federal Local Roads and Community Infrastructure Fund?

ANSWER

That item will need to come to council for a final decision to adopt as part of the budget and we are still making enquiries on the nature of that program in terms of that specific question.

Ald Blomeley

1. I am aware that the Rosny Park Bowls Club has approached Council seeking a grant/funding for an artificial green. Could we have an update please?

ANSWER

(General Manager) My recollection is that the last proposal we received was around January 2020, we haven't received anything recently.

(Mr Graham) The General Manager is correct, it was early last year that we received a request from the Bowls Club in terms of a synthetic green. We advised the Club at that stage that that site is being considered in the broader context of the City Heart Project plus through the adopted Recreational Needs Analysis. Council is looking into the future long term sustainability of bowls in terms of Beltana Bowls Club, Rosny Park Bowls Club and working through Bowls Tasmania in terms of the sport and ultimately, with the Strategic Plan adopted and from there the Sport and Recreation Strategy this matter will come through the Sport and Recreation Committee in terms of assessing the sustainability of this proposal and bowls in our northern region.

2. Many of us are aware of the recent formation of the community group the Friends of Tranmere and Droughty Point Peninsula. Is there an update on the Skylands development for Droughty Point? Where is that development at, at this time?

ANSWER

There has been quite a deal of discussion between officers and the developer and their consultants and they are working towards producing their master plan for council's consideration over the next couple of months. That will come to a workshop and with your agreement Mr Mayor I think they would like to make a presentation directly to the council at a workshop. So, it is underway, but it is not at a stage where it can be in a sense revealed.

Ald Peers

My question is in regard to shipping containers from say Cremorne to South Arm. I have a ratepayer that keeps telling me that shipping containers just seem to be growing from Cremorne to South Arm and he wants to know what responsibility have people got. Are they just allowed to have shipping containers on their land or are they there for a certain period of time? He just reckons that they're multiplying and normally I'd ask this question to staff personally but he's getting a bit annoyed with how many are growing and if council doesn't take any action he will take the matter further, so I am not quite sure what he means?

ANSWER

There are a whole range of controls which apply to shipping containers. If they are associated with a building that is under construction for which they have a permit they are exempt from requiring approval. They are actually exempt from requiring a building approval as well thanks to a change to the Building Regulations. Sometimes they are used as outbuildings, perhaps a more convenient way than building a shed from scratch. It may be depending on the zone, depending on the setbacks and so on it may also be exempt under the planning scheme. The only way we could deal with a question like this is to be advised of the particular sites that are of concern to someone so that we can investigate these from a planning and building point of view and advise whether they were exempt or whether they might need some approval.

[Further information] A detailed response has been provided to Ald Peers in this issue.

Ald James

1. Given the trial period is about to commence in regard to the ferry operation between Sullivans Cove and Bellerive has there been any consideration given to a wharf/jetty site that will obviously have to be linked to this operation between the west and the east/east to west?

ANSWER

Mr Graham and I had a meeting last week with representatives of the ferry operator and representatives from the Department of State Growth to start a process which is essentially to establish a small working group so that all decision makers and interested parties are in one room dealing with each other directly rather than a tripartite arrangement. We thought that would be more effective. As an outcome of that meeting representatives from the Department of State Growth and I are meeting with Bellerive Yacht Club this week and we will be talking to them about the project and seeking their input as well.

Question contd

Does that mean that our new whizz-bang pier and breakwater may have some landing area which the passengers can actually use as a source of movement to and from the ferries?

ANSWER

There is not a firm plan at the moment, certainly that has been mooted but we are somewhat cautious from our point of view about that so it is certainly not our preference but we are working with a range of stakeholders to try and find an actual solution that meets a range of needs.

2. In relation to that unsightly building on the corner of Cambridge Road and Clarence Street, I think it's designated 39 Cambridge Road and it's been in a very haphazard and unsightly state. Now they have had extensions of time but it's getting to a stage now where people are starting to say what's going on so my question is when will the extension expire and I have a feeling it's going to be the end of this year, 31 December and is there a possibility for another extension for a year or two?

ANSWER

(Mayor) I believe they have made substantial commencement so there's no question of whether anything expires or not. So it is not a matter of whether the permit's going to expire. We have investigated it a number of times and it is very frustrating.

[Further response] The initial development has a valid development permit as it achieved substantial commencement, however the associated building permit has lapsed as the works were not completed. Since then, a new development permit was issued in respect to the site and this expires on 2 October 2021; however, the building permit associated with the new development expired on 16 December 2020 as works did not commence within 12 months. The developer will be contacted to ascertain their development intentions. The site is secured to prevent public access. While this is frustrating there is no further action we are able to take.

Ald Warren

1. Regarding Rosny Hill, I have received questions from a number of constituents regarding the anti-social behaviour, the hooning and the terrible amount of litter left up there. What steps are council taking to patrol that area and keep it in a state that it can be enjoyed by all citizens?

ANSWER

I have written to a number of residents who have written directly to me over the last few weeks all raising the same question. We've discussed that internally and I have requested that an extra bin be put up there. I actually attended Rosny Hill on a Saturday as I was in the area and all of the rubbish and rubber on the road is confined to a 50m area. The bulk of the area is relatively clear but this problem seems to exist in this one particular area which is relatively close to the existing bin. So I have asked for an additional bin to be put up there, additional cleaning and rubbish collection and I have been in contact with the police for them to up their patrols in the area as well. Importantly in my discussions with the police it would seem that most of the hooning behaviour is not being reported to police so we have been encouraging people to make that direct report so that police can attend as quickly as possible.

2. My question is in regard to the proposal that came to us in September last year regarding a new home for the croquet club in South Street. We did discuss it in September, I believe the council met with the people involved and I understand that they were expecting a response within 6 weeks but they have not yet received a response so can you update me on the progress or otherwise of that proposal please?

ANSWER

I have had a report for a number of months. It has been on my list of things to do, essentially that report says that the croquet club and Rosny Bowls Club merging on the same site has a number of problems, space being one of them and it does not solve a number of other issues but because of other commitments I have not had a chance to revisit that but it is certainly on my list of things to do.

Question contd

Could we perhaps then make it a priority to communicate that to the croquet club?

ANSWER

I can certainly do that.

[Further information] The report has been provided to aldermen appointed to the Sport and Recreation Committee on a confidential basis, for their consideration and to assist with a meeting with the croquet club.

Ald Chong

Today I was sent a picture of a trail bike riding over the golf course and my question is presumably this is not the first time this has happened, has it been reported, is the trail bike working group aware of this and what can we do about it?

ANSWER

The trail bike working group had not been notified about the trail bike riding on the golf course. The Trail Bikes Working Group will meet again on 2 June and this occurrence will be raised with the group. Illegal and inappropriate trail bike riding has been an ongoing issue for the community and is being tackled through education programs, diversion to other activities and spaces, environmental treatments, enforcement by authorities, and advocacy to government. The community are encouraged to always call 131 444 to report this kind of behaviour. This information has been shared with our Community Safety Officer as convener of the Trail Bikes Working Group.

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 PROPERTY MATTER – RISDON VALE

13.3 LEGAL 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:

- proposals to acquire land or an interest in land;
- applications by Aldermen for a Leave of Absence;
- matters relating to actual or possible litigation.

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 Blomeley	
	“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 Chipman Ald Blomeley Ald Chong Ald Edmunds Ald Ewington Ald Kennedy Ald Mulder Ald Peers Ald von Bertouch Ald Walker Ald Warren	AGAINST Ald James

The Meeting closed at 9.48pm.