

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 31 MAY 2021

HOURLY CALLED: 7.00pm

PRESENT: The meeting commenced at 7.00pm with the Mayor (Ald D C Chipman) in the Chair and with Aldermen:

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

1. APOLOGIES Nil

ORDER OF BUSINESS Items 1 – 13

IN ATTENDANCE

General Manager
(Mr I Nelson)

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 9.02 pm.

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 live streamed, audio-visually recorded and published to Council’s website.

COUNCIL MEETING
MONDAY 31 MAY 2021

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1. APOLOGIES

Nil.

2. ***CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Council Meeting held on 10 May 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 10 May 2021, 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

- 13 May 2021 - DPAC – COVID-19 Vaccination Campaign.
- 18 May 2021 - Launch - Bayview Masterplan Consultation -Bayview Secondary School.
- Greater Hobart Mayors Forum.
- UTAS Presentation – Greater Hobart Mayors Forum
- Ultra 106.5 Radio with David Wood
- Annual Volunteer Recognition Reception event
- 26 May 2021 - Glebe Hill Village - Soil Turning Ceremony -Media event
- ABC Drive – Interview with Lucy Breden
- 30 May 2021 -ABC News Interview – re Kangaroo Bay
- 31 May 2021 - ABC Mornings Program
- Crime Stoppers Week Launch
- RDA Tasmanian Committee Meeting

Deputy Mayor Heather Chong

- 12 May 2021 - 2021 Australia Day Order of Australia Honours & Meritorious Award (on behalf of Mayor).
- 19 May 2021 - Lord Mayor of Hobart Luncheon -Town Hall (on behalf of Mayor).
- 23 May 2021 - Nelson Eastern Suburbs Football Club -Official Opening (on behalf of Mayor).

Alderman Wendy Kennedy

- 17 May 2021 - Tasmanian Volunteering Awards - Blundstone Arena (on behalf of Mayor).

MAYOR’S COMMUNICATION – MEETING ATTENDANCES /contd...**Alderman Brendan Blomeley**

22 May 2021 - 80th Anniversary -Battle of Crete (on behalf of Mayor).

Alderman Sharyn Von Bertouch

23 May 2021 - Cantiamo Ladies Choir (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
Budget ANZAC Park Pavilion	17 May
Finalisation of Budget Dog Management Policy Consultation Feedback	24 May

RECOMMENDATION:

That Council notes the workshops conducted.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

5. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE

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

INTEREST DECLARED

Nil.

6. *TABLING OF PETITIONS**

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

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

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

- An electronic petition containing 1634 signatories requesting that the Clarence City Council reverse its decision to force the Pooseum to remove the existing sign, and that they accept and approve the Pooseum's retroactive Development Application.

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 10 May 2021 Mr David Griggs of Risdon Vale asked the following question.

LANTANA ROAD

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?

/ contd on Page 10...

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

Council's staff have inspected the area of Lantana Road and discussed this matter with a TasWater representative. Contractors have used this area on a number of occasions to upgrade TasWater infrastructure for upstream development. TasWater has advised they are currently planning additional works which will require access via this road.

A recent inspection by Council staff confirmed while the road surface is worn, the reinstatement of the road is satisfactory. In readiness for the new project, Council's staff will have a site visit with TasWater's engineers and make assessment for the proposed works and consider future reinstatement or resurfacing requirements.

7.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

Mr David Griggs of Risdon Vale asked the following questions

- 1 Will council plant some drought tolerant evergreen or deciduous tree species throughout the small and large reserves in Risdon Vale?
Using some decent sized specimens with adequate protection to stop damage from people and wildlife.
There is a big lack of tree canopy cover which is very noticeable in the summer months.

ANSWER

The reserves in this area are managed through council's adopted Risdon Vale and Grass Tree Hill Rivulet Reserve Activity Plan.

Additional tree plantings are undertaken to areas identified in the Plan and where the local land care group can assist with the early growth management of the tree plantings.

2. In the upcoming budget will all elected members and council officers be very restrained in any rate increases as people's income has been static in the last (12) months?

ANSWER

The Mayor advised that this is a matter for Council and that the budget will be considered at a Special Meeting on 7 June which will be a public meeting.

Mrs Joanne Marsh of Bellerive asked the following question

The May 2021 Eastern Shore Sun states on page 2 under Council Works May/June 2021 that a cycleway is being constructed in Bellerive Beach Park.

I think that separating cyclists and pedestrians is a great idea to improve pedestrian safety and amenity in the park. Where and when will the pedestrian pathways be constructed and how will park users be kept safe where pedestrian pathways intersect the cycleway.

ANSWER

The pathway being constructed is a new multi-user pathway. It will accommodate pedestrians, cyclists and all other users. There will not be two separate pathways as suggested by the question.

Mr Victor Marsh of Bellerive asked the following question

What is the latest updated information on the replacement of the irrigation system at Kangaroo Bay Oval and the opening of the Kangaroo Bay Public Pier?

ANSWER

The Kangaroo Bay Oval irrigation quote will be considered by council in closed session tonight.

Final grouting work to the underwater piles is required to complete the pier in readiness for opening. We are presently awaiting final methodology details to liaise with the contractor for the works. An update will be provided to Aldermen in due course.

8. DEPUTATIONS BY MEMBERS OF THE PUBLIC
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(In accordance with Regulation 38 of the Local Government (Meeting Procedures) Regulations 2015 and in accordance with Council Policy, deputation requests are invited to address the Meeting and make statements or deliver reports to Council)

DOG MANAGEMENT POLICY REVIEW

(REFER ITEM 11.7.4)

Ms Rosie Saville addressed the Meeting regarding the proposed off leash area for greyhounds.

9. MOTIONS ON NOTICE

**9.1 NOTICE OF MOTION - ALD MULDER
SEALING SCHOOL ROAD, SANDFORD**

In accordance with Notice given it was:

Decision: **MOVED:** Ald Mulder **SECONDED:** Ald James

“That Council considers including the sealing of School Road in the 2022-23 Capital Expenditure program.”

CARRIED UNANIMOUSLY

**9.2 NOTICE OF MOTION - ALD WALKER
PERFORMANCE BUDGETING**

In accordance with Notice given it was:

Decision: **MOVED:** Ald Walker **SECONDED:** Ald Kennedy

“That council investigate performance budgeting principles to assist development of future council budgets and hold a workshop before the end of the current year to consider options for inclusion in the 2022/23 budget process”.

CARRIED UNANIMOUSLY

10. *REPORTS FROM OUTSIDE BODIES**

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

10.1 *REPORTS FROM SINGLE AND JOINT AUTHORITIES**

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

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

- **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 Summaries of its Meetings for the period ending 18 February 2021 and 8 May 2021.

The Copping Refuse Disposal Site Joint Authority has also distributed its Quarterly Reports for the period ending 31 December 2020 and 31 March 2021.

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

Representative Reporting

- **TASWATER CORPORATION**

TasWater Corporation has distributed its Quarterly Report to Owners' Representatives for the period 1 January to 31 March 2021.

- **GREATER HOBART COMMITTEE**

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

- **CULTURAL HISTORY ADVISORY COMMITTEE**
Ald Chong tabled the Minutes of the meeting held on 24 February 2021
- **EVENTS SPECIAL COMMITTEE**
Ald Chong tabled the Minutes of the meeting held on 11 March 2021
- **YOUTH ADVISORY COMMITTEE**
Ald Chong tabled Minutes of the meeting held on 23 February 2021

Ald Chong also advised that the Cultural History Advisory Committee and Events Special Committee hold a combined meeting segment to discuss an event for NAIDOC Week as both committees have raised that they want to do something particular this year for that event.

In addition, the Events Special Committee has discussed including increased information in the Quarterly Report on some of the events held to inform Aldermen on the range of events and what is involved in organising them.

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

The Weekly Briefing Reports of 10, 17 and 24 May 2021 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 10, 17 and 24 May 2021 be noted.

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

“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-2021/016792 – 48
ENCHANTRESS STREET, ROKEBY - DWELLING****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a dwelling at 48 Enchantress Street, Rokeby.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Stormwater Management Code, Parking and Access Code and the North East Droughty Point Specific Area Plan, 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 has been extended to 2 June 2021.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and one representation was received raising the issue of visual amenity.

RECOMMENDATION:

- A. That the Development Application for a Dwelling at 48 Enchantress Street, Rokeby (Cl Ref PDPLANPMTD-2021/016792) be refused for the following reasons.
 - 1. The proposal does not comply with Clause 10.4.2 P2 as the proposed dwelling is not compatible with the existing front setbacks of dwellings within Enchantress Street.
 - 2. The proposal does not comply with Clause 10.4.2 P3 due to the proposed dwelling having detrimental impacts on the visual amenity.
- 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 21 for Decision...

**DEVELOPMENT APPLICATION PDPLANPMTD-2021/016792 – 48
ENCHANTRESS STREET, ROKEBY – DWELLING /contd...**

Decision:

MOVED: Ald James **SECONDED:** Ald Peers

“That the Recommendation be adopted”.

CARRIED

FOR

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

AGAINST

Ald Ewington (abstained)

11.3.2 DEVELOPMENT APPLICATION PDPLANPMTD-2021/016854 - 23B SEABROOK STREET, SEVEN MILE BEACH - DWELLING**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a dwelling at 23B Seabrook Street, Seven Mile Beach.

RELATION TO PLANNING PROVISIONS

The land is zoned Village and subject to the Parking and Access, Stormwater Management, Waterway and Coastal Protection and Inundation Prone Areas Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42-day period which expires on 6 June 2021.

CONSULTATION

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

- Inundation/Coastal Inundation/Flooding/Climate Change Risks;
- swimming pool;
- impact on residential and/or visual amenity;
- environmental impacts;
- privacy;
- noise;
- building height;
- setback;
- incorrectly advertised/inadequate/incorrect plans;
- motion passed by council; and
- property value.

RECOMMENDATION:

A. That the Development Application for Dwelling at 23B Seabrook Street, Seven Mile Beach (CI Ref PDPLANPMTD-2021/016854) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. GEN AP3 – AMENDED PLAN [the sill height of the upper storey windows on the southern elevation increased to a minimum of 1.7m above finished floor level].
3. ENG M5 – EROSION CONTROL.
4. A plan for the management of construction works must be submitted and approved by council’s Manager City Planning prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works. The plan must outline the proposed demolition and construction practices in relation to:
 - weed hygiene methods to prevent the spread of weeds and soil-based pathogens to and from the property during construction;
 - procedures to prevent soil and debris being carried into Acton Creek;
 - methods for the storage and removal of materials handled on-site; and
 - how works would be undertaken generally in accordance with “Wetlands and Waterways Works Manual” (DPIWE, 2003) and “Tasmanian Coastal Works Manual” (DPIPWE, Page and Thorp, 2010)].

ADVICE: The proposed works are located within a mapped flood prone area and as such, attention should be given to ensure that the works comply with the requirements of the Building Regulations 2014 s15 (d).

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

11.3.3 DEVELOPMENT APPLICATION PDPLANPMTD-2021/017732 – 97 SHELOMITH DRIVE, ACTON PARK - EXTEND TRADING HOURS OF BOARDING KENNEL**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made to Extend Trading Hours of Boarding Kennel at 97 Shelomith Drive, Acton Park.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Living 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 June 2021.

CONSULTATION

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

- noise; and
- Saturday opening time.

RECOMMENDATION:

A. That the Development Application to Extended Trading Hours of Boarding Kennel at 97 Shelomith Drive, Acton Park (Cl Ref PDPLANPMTD-2021/017732) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. Trading hours must be within the following hours:

Monday – Friday	7.00am to 6.00pm;
Saturday	7.00am to 4.00pm;
Sunday	10.00am to 5.00pm;
Public Holidays	10.00am to 5.00pm.

- 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>Decision:</p> <p>“That the Recommendation be adopted”.</p> <p>CARRIED UNANIMOUSLY</p>
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11.3.4 DEVELOPMENT APPLICATION PDPLANPMTD-2020/014033 – 3 PARK ROAD, LINDISFARNE - 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 3 Park Road, Lindisfarne.

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.

Council is required to exercise a discretion within the statutory 42 day period which expires with the written consent of the applicant on 2 June 2021.

CONSULTATION

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

- privacy;
- retention of trees; and
- overshadowing.

RECOMMENDATION:

A. That the Development Application for 3 Multiple Dwellings (1 existing + 2 new) at 3 Park Road, Lindisfarne (CI Ref PDPLANPMTD-2020/014033) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN AP3 – AMENDED PLAN [obscure glazing to a minimum height of 1.7m above the driveway surface level for the south-facing kitchen window of the existing dwelling].
3. ENG M1 – DESIGNS DA.
4. ENG A2 – CROSSOVER CHANGE.
5. ENG A5 – SEALED CAR PARKING.
6. ENG S1 – INFRASTRUCTURE REPAIR.

7. ENG S3B – WATER SENSITIVE URBAN DESIGN PRINCIPLES – BODY CORPORATE.
8. The development must meet all required Conditions of Approval specified by TasWater notice dated 19 November 2020 (TWDA 2020/01927-CCC).

ADVICE

- The existing stormwater lot connection and line is not suitable for the proposed development. A new lot connection to the piped stormwater main on Park Road will be required to be constructed by the developer at the developer's cost and must be reflected by the engineering designs required by Condition 3.

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

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

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

11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT

Nil Items.

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 BRIGHTON COUNCIL - REQUEST TO AMEND THE URBAN GROWTH BOUNDARY AT 69 BRIGHTON ROAD, BRIGHTON****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider a referral from Brighton Council seeking council's endorsement for an amendment to the Southern Tasmania Regional Land Use Strategy (STRLUS) to extend the Urban Growth Boundary (UGB) to approximately 11.27ha of land at 69 Brighton Road, Brighton.

RELATION TO PLANNING PROVISIONS

The land at 69 Brighton Road, Brighton is currently zoned Rural Resource under the Brighton Interim Planning Scheme 2015. It is outside and abutting the southern extent of the STRLUS UGB.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Brighton Council advised that the Minister for Planning has requested that they seek endorsement from all councils within the southern region for a proposal to extend the UGB to include 11.27ha of land at 69 Brighton Road, Brighton.

RECOMMENDATION:

A. That the Minister for Planning be advised that:

1. Council does not oppose the request to extend the Southern Tasmanian Regional Land Use Strategy's Urban Growth Boundary to include 69 Brighton Road, Brighton because it is unlikely to have significant direct impacts on Clarence.
2. Council is nevertheless concerned that continued ad hoc expansion of the Urban Growth Boundary around the region will adversely impact the sustainable development of the region, including the efficient and equitable supply of infrastructure and services. Accordingly, Council requests urgent action by the State Government on the review of the Southern Tasmanian Regional Land Use Strategy.

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 32 for Decision...

**BRIGHTON COUNCIL - REQUEST TO AMEND THE URBAN GROWTH
BOUNDARY AT 69 BRIGHTON ROAD, BRIGHTON/contd...**

Decision:	MOVED: Ald Mulder SECONDED: Ald Ewington	
	“A. That the Minister for Planning be advised that:	
	1.	Council does not oppose the request to extend the Southern Tasmanian Regional Land Use Strategy’s Urban Growth Boundary to include 69 Brighton Road, Brighton because it is unlikely to have significant direct impacts on Clarence.
	2.	Council is nevertheless concerned that continued ad hoc expansion of the Urban Growth Boundary around the region may adversely impact the sustainable development of the region, including the efficient and equitable supply of infrastructure and services. Accordingly, Council requests urgent action by the State Government on the review of the Southern Tasmanian Regional Land Use Strategy.
	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”.
	CARRIED	
	FOR	AGAINST
	Ald Chipman	Ald James
	Ald Blomeley	Ald von Bertouch
	Ald Chong	
	Ald Edmunds	
	Ald Ewington	
	Ald Kennedy	
	Ald Mulder	
	Ald Peers	
	Ald Walker	
	Ald Warren	

11.7.2 WARRANE MORNINGTON NEIGHBOURHOOD CENTRE – LEASE OF PUBLIC LAND – 18 HEEMSKIRK STREET, WARRANE**EXECUTIVE SUMMARY****PURPOSE**

To consider entering into a new lease agreement with Warrane Mornington Neighbourhood Centre for a community garden at 18 Heemskirk Street, Warrane.

RELATION TO EXISTING POLICY/PLANS

Council's Leased Facilities Pricing and Term of Lease Policy and the Recreation Needs Analysis 2019 are applicable.

LEGISLATIVE REQUIREMENTS

Section 177 of the Local Government Act 1993 is applicable.

CONSULTATION

Consultation has occurred between council and Neighbourhood Centre officers.

FINANCIAL IMPLICATIONS

The Recommendation has no direct implication on council's Annual Plan.

RECOMMENDATION:

- A. That in accordance with Section 177 of the Local Government Act 1993, council gives notice of intention to lease public land at 18 Heemskirk Street, Warrane to Warrane Mornington Neighbourhood Centre Inc.
- B. That provided the notice of intention process to lease is finalised and no objections are received, council authorises the General Manager to enter into a new lease agreement with Warrane Mornington Neighbourhood Centre for a term of 10 years in accordance with council's Leased Facilities Pricing and Term of Lease Policy.
- C. That the annual rental for the term of the lease is to be at a nominal amount of \$1.00 per annum (if requested).
- D. That, in the alternative to Recommendation B above, should objections be received, the proposed lease be referred to a future meeting of council for consideration.

Ald Edmunds left the Meeting at this stage (8.21 pm)

/Refer to Page 34 for Decision...

WARRANE MORNINGTON NEIGHBOURHOOD CENTRE – LEASE OF PUBLIC LAND – 18 HEEMSKIRK STREET, WARRANE /contd...

Decision:	MOVED: Ald von Bertouch SECONDED: Ald Kennedy
	“That the Recommendation be adopted”
	Ald Edmunds returned to the Meeting at 8.23 pm
	Ald Mulder left the Meeting at 8.25 pm
	The MOTION was put and CARRIED UNANIMOUSLY

11.7.3 COPPING REFUSE DISPOSAL SITE – PROPOSED MODIFICATION TO TASNETWORKS EASEMENT
EXECUTIVE SUMMARY
PURPOSE

To consider a modification to an existing easement, proposed by and in favour of TasNetworks, situated at the Copping Refuse Disposal Site (“CRDS”), Blue Hills Road, Copping, for the renewable energy facility expansion project.

RELATION TO EXISTING POLICY/PLANS

Nil.

LEGISLATIVE REQUIREMENTS

The Land Titles Act 1980 (Tas) is relevant.

CONSULTATION

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

FINANCIAL IMPLICATIONS

Nil.

RECOMMENDATION:

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

Decision:	MOVED: Ald Walker SECONDED: Ald Edmunds
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“That the Recommendation be adopted”.

Ald Mulder returned to the Meeting at 8.27 pm

The Motion was **put** and **CARRIED UNANIMOUSLY**

11.7.4 DOG MANAGEMENT POLICY REVIEW**EXECUTIVE SUMMARY****PURPOSE**

To obtain endorsement by Council of the draft revision of Council's Dog Management Policy 2021, including a draft Schedule of Declared Areas, and to initiate an eight-week period of public consultation.

RELATION TO EXISTING POLICY/PLANS

The Policy is consistent with Council's Strategic Plan 2021-2031 and existing policy on user pays fees and charges.

LEGISLATIVE REQUIREMENTS

The Dog Control Act 2000 requires Council to review its Dog Management Policy every five years. The policy contains a code of responsible dog ownership, a fee structure, the provision of declared areas and any other relevant matters.

CONSULTATION

A workshop was held with Aldermen in October 2020 as well as a follow-up survey with Aldermen via "Your Say" in November 2020. Discussions and meetings have been held with relevant organisations, internal stakeholders, and committees of Council. Six weeks of public consultation occurred resulting in 3,216 responses, two petitions to council and other forms of feedback.

FINANCIAL IMPLICATIONS

The fee structure contained within the policy aims to recover 70% of the costs associated with dog management.

RECOMMENDATION:

That Council:

- A. Endorses the revised draft Dog Management Policy 2021 including a draft Schedule of Declared Areas (June 2021) and authorises its release to the public for an eight-week period of statutory public consultation inviting submissions.
- B. Notes the inclusion of the revised and simplified dog fee schedule in the upcoming Annual Estimates for financial year 2021/22.

A revised draft Schedule of Declared Areas (June 2021) was provided to Aldermen prior to the meeting, replacing the version circulated with the Agenda

Decision:

MOVED: Ald James **SECONDED:** Ald Peers

"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 Warren

The previous government as a core promise had the introduction of a trans Derwent ferry service. Can the General Manager update us please on where we are up to with that given that the term of that government has nearly concluded? Do we have a ferry service yet?

ANSWER

I can advise that work is underway between council staff, the Department of State Growth, the ferry operator and Bellerive Yacht Club to try to ascertain the exact arrangements for the ferry service to arrive in Kangaroo Bay and those discussions are underway. I do not have a firm plan at this point in time, there are certainly operations being discussed and explored at this point.

Question contd

Can I confirm that you just said that it would be going into Kangaroo Bay not to the Federal ferry wharf next to the Waterfront Hotel.

ANSWER

When I mentioned Kangaroo Bay, I am talking about the whole bay so yes the focus is on the Federal end of the wharf behind the new pier.

Ald James

1. In the press this very day there was a grant to Tasmania and in particular \$44 million as I understand it for the South Arm Highway upgrade. So, my question is what is the timeline with respect to us getting our hands on the \$44 million and would that entail any upgrade of the pathway between the Academy and Lauderdale Primary School or is it basically for the road itself?

ANSWER

We will have to wait until the State Government advises us in terms of what the details of the budget include.

(Mayor) First of all it is a State highway and so we won't be getting our hands on the money - it will be a state managed project. On top of that Federal money there is \$80M earmarked as part of the election campaign by the Liberal State Government so altogether that's a \$123 million project. I am not sure of the full scope of that project. We are waiting to find out.

2. Council at its meeting in February this year granted an unconditional extension of time to October 2022 for the Kangaroo Bay development matter. Has there been any response from Chambroad in relation to that confirmation letter of acknowledgement etc that they have obviously received our letter and are making good with their determination to have substantial commencement by October 2022?

ANSWER

We received a letter from Chambroad today and that it has been circulated on a confidential basis to Aldermen this afternoon.

Ald Peers

One thing I am concerned about I am getting complaints about it and I can vouch for it too. The leaves in Bayfield Street, they're horrendous at certain times they are blowing into businesses. I am copping a lot of flak and I couldn't even vote on it because I work here but the amount of leaves are just going everywhere. I am wondering if next year we can do something about it get our guys to do the leaves occasionally. Now our former General Manager assured me that when we did put trees in Bayfield Street council staff were going to remove some of the leaves but it has really got to the stage where it is ridiculous.

ANSWER

I will talk to our depot about increased level of service in the autumn period.

Ald Blomeley

I was at Howrah Community Centre last night for the Sunday night bingo and the thing that one of the regular players mentioned to me was that patrons are still restricted to 4 persons per table whereas other areas, Glenorchy was an area they referred to, have now reverted back to 6 per table and they get tables spaced as they want to be but I just wondered whether there has been a change that would permit the Clarence Football Club who run the bingo to actually increase their numbers back to what they were, not obviously to pre COVID-19 but to have 2 additional people per table so they can hopefully increase their revenue stream?

ANSWER

(Mayor) General Manager this is related to the question we were talking about earlier in regard to council meetings and when we might be able to be a bit more open to the public in a physical sense. If you could take it on notice and circulate an update on where we are with the COVID-19 rules within Tasmania and the implications for Howrah Community Centre and other venues within the city.

Question contd

If that could be communicated to the Clarence District Football Club as well that would be greatly appreciated?

[Further information] A revised and updated COVID plan has been developed for the council chambers and for community halls and venues. The updated information has been communicated to relevant clubs, associations and users. The updated plan will be available via council's website.

Ald Walker

1. Just a follow up, we around the table came pretty much to a consensus around a notice of motion I had in relation to parking shortfall payments, I think this was last year, basically saying that we were hoping to liaise in relation to the planning scheme to get some flexibility so that where contributions were made they could be staggered rather than being done in such an upfront process so could we have a progress update on where that might be or how we can speed that along?

ANSWER

Some work has been done in this area including better arrangements for timed payments. We have also been in communication with the policy planning unit about changes to the planning scheme, so I think the best thing I can do is a memo or briefing report to bring council up to date with where it's at.

2. It is good to see the growth around the Geilston Bay area, Olive Grove residential neighbourhood, the nearest shopping precinct is the Risdon Vale shops and that's my preamble to say that that pathway has been there for quite a long time and is increasing its utilisation, there have just been some reports about its state. Could I just make a request to check it a bit more regularly or keep it in good order?

[Further information] This area requires further investigation which will be undertaken by council staff. A report will be provided via the weekly briefing reports once complete.

Ald Edmunds

1. Could I have an update on the status of the Rosny Golf Course and the process going forward for the expression of interest?

ANSWER

The aim at this point is to have the expression of interest documentation finalised this week and advertised on Saturday and that will be for approximately 3 weeks to take that process through. Once we have got a shortlist of applicants then we will start the next stage which is more detailed.

2. I have had a resident send me a few photos and I know it is a bit of a bug bear for us at Rosny Hill and it was not necessarily about the mess it's more the fact that that the bins, I can see how this happens because people go to the drive through and eat their food and then it goes in the bins and then they are overflowing and just stacking up next to them. I know we are on a finite budget with people under a lot of pressure but is there a way that we could look at how regularly those bins are attended to as opposed to others in the city?

ANSWER

(Mayor) that is a matter that is of concern I have responded to some questions from The Mercury today in fact along those lines.

It has been an issue of concern I have previously given instructions for an extra bin installed up there and I believe that has been done. We have also increased the number of bin collections and inspections in the area. One of the issues is quite simply that despite the bins being there what we are also seeing is a number of people just dumping their rubbish outside their car windows so that's incredibly disappointing but we are looking at how to try and improve that circumstance.

(Mayor) We have also adjusted the collection cycle.

The collection cycle is every day of the week with the exception of Saturday at this point and there will be a full inspection on Friday afternoons to do in effect a pick-up of any rubbish ahead of Saturday. It comes down to a lot of poor behaviour unfortunately it is not the only part of the city that we see that.

Ald Ewington

To the General Manager, in light of the failure of my motion to get up tonight in relation to the concept planning development for the City Heart Project, specifically in your proposal to put forward the expression of interest documents, do you believe that the issues I have raised in my motion in relation to a precinct map.

(Mayor) I think that is a leading question and I think that it is unfair to put it to the General Manager in that sense. I don't think it's reasonable to ask him if he believes it is in his interest. He is here to report facts not give an opinion I believe.

Question contd

Do you think it is going to take longer to get through that process now without being able to add all of these issues at the beginning?

(General Manager) One of my key performance goals for this year is to have an expression of interest proposal for council to consider by mid-year. Unless council changes that, that is still my timeline.

Question contd

Are those issues I raised in my motion still valid?

(Mayor) It is not appropriate to revisit an issue we have just debated.

Ald Kennedy

Are any staff post COVID-19 or during the COVID-19 period still working from home?

ANSWER

We have in the last 3 months developed and are in the process of implementing a work from home policy. We are aiming to have a number of staff, I'll say signed up to that, it's not quite the right term, by the end of June so that we've effectively got a number of staff working from home and rotating back through the office. It's a lighter weight version than during the lockdown period and we are trying to do that on the basis that it suits those employees to do that as well as it suits the organisation. So, we are working through that at the moment.

Question contd

Is that taking some pressure off the capacity of the building to be able to accommodate staff?

ANSWER

Not significantly at the moment but we are hoping it will do. It really does depend on 2 things, those staff who are able to work from home conveniently and in an IT sense we are set up to do that quite well so it really comes to that point but also at certain times of the year certain staff need to work in the building because of their interaction they have with other staff. The end of financial year is a good example. So we need to have a very flexible approach because sometimes it is a really convenient thing to do, other times it is not convenient for staff or the organisation.

Ald Mulder

My question relates to the 87 flats that are mooted for the Kangaroo Bay boulevard. Have we received a building application at this point and if not, are we expecting one or do we have any indication of when it might arrive?

ANSWER

We are not expecting a building application we are expecting a development application. I had a meeting with the proponents about a week or so ago and we are expecting that to be completed and ready for lodgement in the next few weeks.

Question contd

Sorry it was a development application not a building application that I was referring to so thank you for that. Can I ask whether the current proposal meets the on-site parking requirements for this area?

ANSWER

I will have to take that on notice and the reason for that is that we asked the proponents to relook at the parking allocation because we had some concerns about that and in terms of the council's desire to have public parking there; because of the nature of the site it is incredibly expensive parking and I have not seen the revised plan at this point in time. [Further information] Further information has been provided by the preferred developer regarding parking at the site. That information will form part of the development application. Once lodged and landowner consent has been provided, the parking allocation will be considered in accordance with the planning scheme requirements.

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 QUOTATION Q1412-21 – KANGAROO BAY OVAL IRRIGATION DESIGN AND CONSTRUCT

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 of a personal and confidential nature or 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 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 UNANIMOUSLY

13. CLOSED MEETING

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

13.3 QUOTATION Q1412-21 – KANGAROO BAY OVAL IRRIGATION DESIGN AND CONSTRUCT
(Ecm No 4582838)

Decision:	MOVED: Ald Blomeley SECONDED: Ald Ewington
A.	That the Quotation received from Irrigation Tasmania Pty Ltd (Irrigation Tas) for the amount of \$274,618.56 excluding GST, be accepted for design and construction of the replacement irrigation system at Kangaroo Bay Oval.
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.
CARRIED UNANIMOUSLY	

The Meeting closed at 9.02pm.