

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 12 JULY 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)

Acting Group Manager Engineering Services
(Mr R Grierson)

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 8.17pm.

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

COUNCIL MEETING
MONDAY 12 JULY 2021

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1. ATTENDANCE AND APOLOGIES

Refer to cover page.

2. ***CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Council Meeting held on 21 June 2021, as circulated, be taken as read and confirmed.

Decision: **MOVED** Ald Peers **SECONDED** Ald Edmunds

“That the Minutes of the Council Meeting held on 21 June 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

- 22 June: ABC Radio Interview with Ryk Goddard;
- 23 June: Triple M Interview with Brian Carlton – Kangaroo Bay update
TasWater Board Selection Committee Meeting (Launceston);
- 24 June: Owners Representatives Group (ORG) General Meeting;
- 27 June: Eastside Activity Centre 10th Anniversary;
- 28 June: Howrah Beach Water Quality Media Event;
ABC Drive Interview with Lucy Breden on Howrah Beach Water Quality Control;
- 30 June: LGAT AGM – Annual General Meeting (via zoom);
- 1 July: Exhibition (x2) at School House Gallery;
- 2 July: ABC Radio Interview – Ryk Goddard – Weed Sprays;
Clarence Prize Article Photo Shoot;
Launch of Mobile Activity Centre (MAC);
- 5 July: Tour of Eastside Activity Centre;
Emerging Community Leaders Program – Networking Session;
- 9 July: Citizenship Ceremony – Blundstone Arena; and
- 12 July: Southern COVID-19 Regional Recovery Committee.

/contd on Page 5...

MAYOR'S COMMUNICATION /contd...

Ald Brendan Blomeley

- 29 June: Launch for the Extended and Enhanced Headspace Hobart Office via Zoom (on behalf of the Mayor); and
- 10 July: Inner Wheel District A 80 – District Changeover Dinner (on behalf of the Mayor).

Ald James Walker

- 7 July: Rotary Club Lindisfarne - Changeover Dinner (on behalf of the Mayor).

The Mayor tabled the Certificate of Election for the LGAT General Management Committee.

Ald James sought Leave of the Meeting to make the following statement: “Following the Code of Conduct determination, I Ald James apologise to the Mayor, Ald Doug Chipman and also to my fellow Aldermen on behalf of council.”

The Mayor advised that Ald James’ apology was graciously accepted and that he looks forward to continuing to work with Ald James for the benefit of the City of Clarence.

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
Presentation – Cat Management Strategy	
Skylands Development Presentation	28 June
Victoria Esplanade Landscape Master Plan	
Container Recycling Consultation Feedback	
Rosny Golf Course EOI Updates	
Confidential Briefing	5 July

RECOMMENDATION:

That Council notes the workshops conducted.

Decision: MOVED Ald Peers SECONDED Ald Edmunds

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

5. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE

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

INTEREST DECLARED**Alderman Edmunds****Item No. 11.3.3**

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

Kerry D Turfrey of Howrah has given notice of the following question:

ROSNY HILL HOTEL PROJECT

Mr Mayor could you please advise who are the developers/financiers for the proposed Rosny Hill Hotel Project?

7.2 ANSWERS TO QUESTIONS ON NOTICE

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

ROSNY HILL HOTEL PROJECT

The Mayor advised that Hunter Developments is the preferred developer for the Rosny Hill project. Council has not been notified of a financier, which is ultimately a matter for Hunter Developments.

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

7.4 QUESTIONS WITHOUT NOTICE

Mrs Joanne Marsh of Bellerive asked the following question.

BACTERIA – HOWRAH BEACH

The City of Clarence News [winter 2021] states that the Council is extremely concerned about the high level of bacteria in a section of the water at Howrah Beach that poses a risk to public health.

The Derwent Estuary Program CEO said that ratings were based on five years of data [Mercury 29/6/21]. Council have now announced a number of investigators and projects prioritising getting to the source of the contamination at Howrah Beach.

What proactive steps had Council taken to monitor water quality at our beaches and bays, detect sources of any contamination and remove them prior to receiving the current water quality ratings which were publicly released on Monday, 28 June 2021? [Mercury 29/6/21]

ANSWER

The General Manager took the Question on Notice.

QUESTIONS WITHOUT NOTICE /contd...

Mr Victor Marsh of Bellerive asked the following question.

KANGAROO BAY PUBLIC PIER/BREAKWATER AND KANGAROO BAY OVAL IRRIGATION

What is the latest updated information about the completion and opening to the public of the Kangaroo Bay public pier/breakwater and the installation of the new irrigation system at Kangaroo Bay Oval?

ANSWERS

1. KANGAROO BAY PUBLIC PIER/BREAKWATER

Council is working with the contractor to resolve final outstanding works including underwater grouting work for the supporting piles. This work requires specialist subcontractors to undertake and timing of works is contingent on the availability of the subcontractor.

2. KANGAROO BAY OVAL IRRIGATION

Council staff are finalising the contract execution with works expected to commence in July 2021.

Mrs Denise Hoggan of Rosny asked the following question.

ROSNY HILL NRA MANAGEMENT STRATEGY/ROSNY HILL NATURE RECREATION AREA RESERVE ACTIVITY PLAN

Given that the Rosny Hill NRA Management Strategy is due to expire and that a Rosny Hill Nature Recreation Area Reserve Activity Plan is due for development:

1. When will the RHNRRARAP be ready for public consultation?
2. Please list all people working on the RHNRRARAP, both within Council and from any other source.

ANSWER

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)

Nil.

9. MOTIONS ON NOTICE

Nil

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

June Quarterly Report pending.

Representative Reporting

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

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

HOWRAH COMMUNITY CENTRE

- Ald James tabled the Minutes of a Meeting held on 24 June 2021.

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

The Weekly Briefing Reports of 21 and 28 June and 5 July 2021 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 21 and 28 June and 5 July 2021 be noted.

Decision: **MOVED** Ald Peers **SECONDED** Ald Edmunds

“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-2021/015918 – 22 BRIDGE STREET, RICHMOND - SIGNAGE**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application for retrospective approval for the signage located at 22 Bridge Street, Richmond.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Historic Heritage Code, Waterway and Coastal Protection Code and the non-spatial codes Signs and Parking and Access 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 15 July 2021.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and no representations were received.

RECOMMENDATION:

- A. That the Development Application for Signage at 22 Bridge Street, Richmond (CI Ref PDPLANPMTD-2021/015918) be refused for the following reasons.
1. The signage does not comply with Clause E17.7.1 P1 due to the signage not having been designed to be compatible with the streetscape of Bridge Street, Richmond.
 2. The signage does not comply with Clause E17.7.1 P2 due to the signage increasing visual clutter within the streetscape.
 3. The signage does not comply with Clause E17.7.2 P1 as the signage does not complement the historic streetscape of Bridge Street and adversely impacts on the cultural heritage significance of places or precincts listed in the Historic Heritage Code.
 4. The signage does not comply with Clause E17.7.2 P2 as it involves repetition of messages or information.

- 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 Edmunds **SECONDED** Ald James

“A. That the Development Application for Signage at 22 Bridge Street, Richmond (C1 Ref PDPLANPMTD-2021/015918) be approved subject to the following conditions.

1. GEN AP1 – ENDORSED PLANS.
2. GEN S7 – SIGN MAINTENANCE.

B. That the reasons are as follows:

- The signage complies with Clause E17.7.1 P1 of the Signs Code in that signs are not considered to dominate the building or streetscape.
- The signage complies with Clause E17.7.1 P2 of the Signs Code because the “signs” in the windows are simply photos and not advertising and are set back from the streetscape and do not create any more visual clutter than other properties in the street. The signage for the museum is only two signs, one in the front yard and another smaller sign on the building. This is not unprecedented in Richmond and is not considered unnecessary repetition.
- The signage complies with Clause E17.7.2 P1 of the Signs Code because the photos in the window are small and set back from the street behind the property’s garden and the building is located outside of the general business zone of Richmond.
- The signage complies with Clause E17.7.2 P2 of the Signs Code because the building is recently built and the signage has no impact on its cultural heritage.
- On each of the clauses, Council has discretion to approve the signage.”

CARRIED**FOR**

Ald Edmunds
Ald Ewington
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald Walker
Ald Warren

AGAINST

Ald Chipman
Ald Blomeley
Ald Chong
Ald von Bertouch

11.3.2 DEVELOPMENT APPLICATION PDPLANPMTD-2021/018148 – 95A GORDONS HILL ROAD, LINDISFARNE - UPGRADE TO EXISTING TELECOMMUNICATIONS FACILITY**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an Upgrade to Existing Telecommunications Facility at 95A Gordons Hill Road, Lindisfarne.

RELATION TO PLANNING PROVISIONS

The land is zoned Low Density Residential and subject to the Bushfire Prone Areas, Telecommunications, Parking and Access, Stormwater Management, and Signs 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 13 July 2021.

CONSULTATION

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

- setback;
- visual amenity;
- reduction in property value;
- increased bushfire risk;
- adverse health impacts; and
- Aboriginal Heritage.

RECOMMENDATION:

A. That the Development Application for Upgrade to Existing Telecommunications Facility at 95A Gordons Hill Road, Lindisfarne (Cl Ref PDPLANPMTD-2021/018148) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

ADVICE

- a. The developer is requested to contact Council to ensure the proposed lease area reconfiguration is in accordance with the current lease.

- 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 von Bertouch left the Meeting at this stage (7.16pm).

Decision:	MOVED Ald Ewington SECONDED Ald James “That the Recommendation be adopted”. Ald von Bertouch returned to the Meeting at this stage (7.19pm). The MOTION was put and CARRIED UNANIMOUSLY
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11.3.3 DEVELOPMENT APPLICATION PDPLANPMTD-2021/016276 – 27 BRIDGE STREET, RICHMOND - FOOD VAN - CHANGE OF USE AND SIGNAGE (RETROSPECTIVE)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Food Van - Change of Use and Signage (Retrospective) at 27 Bridge Street, Richmond.

RELATION TO PLANNING PROVISIONS

The land is zoned General Business and subject to the Historic Heritage Code and the non-spatial codes Parking and Access Code and the Signs Code 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 14 July 2021.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and one representation was received raising the following issues:

- impact on car parking;
- impact on heritage values; and
- inappropriate signage.

RECOMMENDATION:

A. That the Development Application for Food Van - Change of Use and Signage (Retrospective) at 27 Bridge Street, Richmond (C1 Ref PDPLANPMTD-2021/016276) be refused for following reasons.

1. The Food Van does not comply with Clause 21.4.3 P1 as the building design does not contribute positively to the streetscape and the amenity and safety of the public.
2. The Food Van does not comply with Clause E13.8.2 P1, P2, or P5 and therefore is not sympathetic to the character of the precinct and adversely impacts on the historic streetscape of Bridge Street.

3. The Food Van signage does not comply with Clause E17.7.2 P1 as the size, design and siting of signs does not complement the historic streetscape of Bridge Street and adversely impacts on the cultural heritage significance of places or precincts listed in the Historic Heritage Code.
- 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 Edmunds declared an Interest in this Item and left the Meeting prior to discussion (7.20pm).

Decision:	MOVED Ald Mulder SECONDED Ald Walker
	<p>“A. That the Development Application for Food Van - Change of Use and Signage (Retrospective) at 27 Bridge Street, Richmond (Cl Ref PDPLANPMTD2021/016276) be refused for following reasons.</p> <ol style="list-style-type: none">1. The Food Van does not comply with Clause 21.4.3 P1 as the building design does not contribute positively to the streetscape and the amenity and safety of the public.2. The Food Van does not comply with Clause E13.8.2 P1, P2, or P5 and therefore is not sympathetic to the character of the precinct and adversely impacts on the historic streetscape of Bridge Street.

/ Decision contd on Page 22...

DEVELOPMENT APPLICATION PDPLANPMTD-2021/016276 – 27 BRIDGE STREET, RICHMOND - FOOD VAN - CHANGE OF USE AND SIGNAGE (RETROSPECTIVE) /Decision contd...

B. That the details and conclusions included in the Associated Report, with the necessary amendment and modification, be recorded as the reasons for Council’s decision in respect of this matter.”

CARRIED

FOR

Ald Blomeley
Ald Chipman
Ald Chong
Ald Ewington
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald Walker
Ald Warren

AGAINST

Ald von Bertouch

Ald Edmunds returned to the Meeting at this stage (7.29pm).

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 TASMANIAN DRAFT CONTAINER REFUND SCHEME BILL 2021 - CONSULTATION****EXECUTIVE SUMMARY****PURPOSE**

To consider the Department of Primary Industries, Parks, Water and Environment's draft Container Refund Scheme Bill.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 is relevant.

LEGISLATIVE REQUIREMENTS

Nil at this time.

CONSULTATION

Community consultation on the draft Container Refund Scheme Bill 2021 (the Bill) closes on 9 July 2021.

FINANCIAL IMPLICATIONS

There are no financial implications associated with council's response to this consultation. However, there are anticipated to be savings to council's operational budget if the proposed scheme operates as intended.

RECOMMENDATION:

That council:

- A. Notes the Department of Primary Industries, Parks, Water and Environment's Tasmanian draft Container Refund Scheme Bill 2021 released for public comment.
- B. Endorses the 7 July 2021 letter (Attachment 1 of the Associated Report), to the Department of Primary Industries, Parks, Water and Environment as feedback on the draft Container Refund Scheme Bill.
- C. Authorises the General Manager to provide feedback to the Department of Primary Industries, Parks, Water and Environment and the Local Government Association of Tasmania on the draft Container Refund Scheme Regulations when they are released for consultation.

Decision: **MOVED** Ald Warren **SECONDED** Ald Kennedy

"That the Recommendation be adopted".

CARRIED UNANIMOUSLY

11.5.2 SINGLE HILL BUSHLAND RESERVE ACTIVITY PLAN – 2020-2030**EXECUTIVE SUMMARY****PURPOSE**

To consider the adoption of the Single Hill Bushland Reserve Activity Plan 2020-2030 following community consultation.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031, Clarence Bushland and Coastal Strategy 2011 and Community Engagement Policy 2020 are relevant.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Extensive consultation was undertaken, involving the Hobart Airport, Tasmanian Paragliding and Hang-gliding Association Inc. (THPA), Triathlon South, Birdlife Tasmania Inc., mountain biking community, Orienteering Tasmania Inc., Toronto Pastural Company, Tangara Recreational Trails Inc., Parks and Wildlife Service, Seven Mile Beach Coast-care Group Inc., and the Seven Mile Beach and Acton Park local community in accordance with council's Community Engagement Policy 2020.

FINANCIAL IMPLICATIONS

The adoption of the Single Hill Bushland Reserve Activity Plan 2020-2030 has no direct financial impact. The implementation of the Single Hill Bushland Reserve Activity Plan 2020-2030 is planned to be staged over nine years, subject to council approval of future Annual Plans.

RECOMMENDATION

That council adopts the Single Hill Bushland Reserve Activity Plan 2020 - 2030 subject to the following four Management Action amendments.

1. Management Action HG 4

Access and car parking within the reserve for hang-gliding and paragliding to be managed/limited through negotiated licence agreement between council and Tasmanian Hang-gliding and Paragliding Association.

2. Management Action E14.

Review car parking requirements at the entrances to the reserve after a 5-year period.

3. Management Action HG1.

Prune large shrubs and remove dead trees at one launching site (to be determined by Tasmania Hang-gliding and Paragliding Association) to allow for safe hang-gliding and paragliding.

4. Management Action DM2.

Install signage at entrances referencing dogs in accordance with council's adopted Dog Management Policy for declared areas and plan to install dog bins at serviceable main entrances when there are appropriated numbers of dog walkers.

Note: Aldermen requested that the Single Hill Bushland Reserve Activity Plan not be published until the updated Dog Management Policy has been finalised.

Decision:**MOVED** Ald Ewington **SECONDED** Ald Kennedy

“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)

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 CODE OF CONDUCT DETERMINATION REPORT**

(File No 10-01-07)

EXECUTIVE SUMMARY**PURPOSE**

To list a determination report received from the Code of Conduct Panel dated 21 June 2021.

RELATION TO EXISTING POLICY/PLANS

Nil.

LEGISLATIVE REQUIREMENTS

Section 28ZK(4) of the Local Government Act 1993 (Tas) provides that the General Manager must ensure a copy of a determination report is included within an item on the agenda at the first Council Meeting which is practicable to do so and is open to the public.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

The complainant, Alderman Doug Chipman, is entitled to a full refund of the lodgement fee in accordance with Section 28ZO of the Local Government Act 1993.

RECOMMENDATION:

That the Council receives and notes the Code of Conduct Determination Report attached to the Associated Report as Attachment 1.

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

“That the Council receives and notes the Code of Conduct Determination Report attached to the Associated Report as Attachment 1 and acknowledges the apology given by Ald James and its acceptance by the Mayor.”

CARRIED UNANIMOUSLY

12. ALDERMEN'S QUESTION TIME

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

12.1 QUESTIONS ON NOTICE

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

Nil

12.2 ANSWERS TO QUESTIONS ON NOTICE

Nil

12.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING

Ald James

1. My question is in relation to the public pier in Bellerive and it is almost ready to open it seems to me. I go for my jog, correction fast walk, around the esplanade from time to time. Are you in a position to advise council when the pier will be open to the public and can you advise council of a monetary value that it has cost in relation to the pier and its construction?

ANSWER

(Mr Graham) We are not in a position at the moment to advise of the opening but will advise as soon as we have a date. Pending the outcome of the closed meeting item tonight it will allow us to proceed with some underwater grouting work which has been recommended by the structural engineer to complete the construction and then we will be in readiness to enter practical completion and hand over to council for it to be opened to the public. In terms of the cost I believe the closed meeting report has the monetary value indications.

2. In relation to 28 Aqua Place, Seven Mile Beach there were four representations against that proposal. It was approved under delegation by council officers. Are you able to advise council in the last financial year how many of these particular applications where there have been at least two or more representations have in fact council officers exercised their delegation to approve the development application?

ANSWER

A total of two applications with two or more representations have been dealt with under delegation in the past twelve months.

Ald von Bertouch

1. What is the current status of the council resolutions of 10 August 2020 and 9 February 2021 respectively that the General Manager write to the Minister for Planning advising that council supports an amendment to the Southern Tasmanian Regional Land Use Strategy that extends the urban growth boundary to include the properties at 471 Cambridge Road, Mornington and 540 Pass Road, Cambridge and also 52 Richardsons Road, Sandford?

ANSWER

In relation to the Mornington site the Mayor wrote to the Minister approximately a week after the council meeting advising of the decision, there has been nothing received back from the Minister's office or a relevant government department since then. There have been communications at officer level with officers in relevant departments, who say that at this point there is no further action on the decision.

In relation to the site at 52 Richardsons Road as council may be aware the Minister wrote asking for further information that responded to the information sheet RLUS1 and the council in turn asked the applicant to provide that documentation for council consideration. That has happened, we have forwarded that request on, we are currently waiting for a response and when we receive that we will be able to report back to council.

2. When is it anticipated that the two public toilets and the skate park berm/fence at South Arm will be completed?

ANSWER

The South Arm Oval toilets are planned for an early July opening. The Jetty Road toilets are likely to be open in September or October. The construction program for both toilets has recently been affected by the supply of power to the new sites.

The timing of the berm will be advised to the Aldermen when quotations are closed, and contractor program of works is known.

Ald Edmunds

Does council have any modelling on the cost per household of the waste levy?

ANSWER

(Mr Graham) Early analysis indicates that the waste levy in terms of applying to ratepayers would be \$8-10 per property per year. That is an early estimate at this stage based on \$20 per tonne. That said, if people were to go to Mornington Park Waste Transfer Station themselves, they will be charged effectively a waste levy for their own waste that they take across the weighbridge. Further information will be provided to Aldermen when we receive advice from the State Government.

(General Manager) It needs to be remembered that the waste levy is based around tonnes received through the gate, so it is designed to encourage people to reduce the waste they send to landfill. So, if that number of tonnes per year does decrease then it has a material impact on what we would levy from year to year as well. At this point in time we are running on the current tonnes per year based on a \$20 per tonne levy.

Question contd

So that is a city-wide measurement?

ANSWER

(General Manager) Yes and when you divide it up per property it comes down to around \$8-10.

Question contd

That modelling or dollar figure will be grandfathered in is that correct?

ANSWER

(General Manager) It is anticipated that year by year it is going to go from 20 to 40 to 60; those increments may not be correct but essentially over a number of years it is designed to get to \$60 per tonne.

Ald Blomeley

I refer to the new bike track that I notice is being developed outside the Clarendon Vale Primary School with the generous support of Clarence Sunrise Rotary, Variety Tas and others. I am just keen to understand when that will be operational and able to be used?

ANSWER

It is understood the bike track is being constructed on Department of Education Land at the Clarendon Vale Primary School. Council has not been made aware of this project. Advice received is several schools are constructing the tracks to encourage students to ride their bikes.

Ald Peers

After 6pm on certain days we have a very busy restaurant opposite council, some days you just can't get through because the road is blocked with cars turning into the takeaway restaurant. It is just happening more and more now, I am just wondering and because it is after 6.00 there are no staff here is there some way we can just have a look at that traffic I mean it's not the restaurants fault I'm pleased it's really busy but it is blocking the traffic you just can't get through?

ANSWER

This item is under investigation and we will inform Aldermen of the outcome in due course.

Ald Ewington

A few months ago, I had an Alderman's request in relation to the no parking along Shoreline Drive where you turn into the Shoreline Shopping Centre. I noticed some advice went out that it had gone out for consultation, but it is six months later and I have not seen anything happening I was just wondering what is happening there?

ANSWER

I believe that it has been resolved I will inform Aldermen of the outcome that certainly undertook some consultation, I think from memory we erected a no standing sign at a certain time but I'll inform Aldermen of the outcome of that project.

(Further information) Parking restrictions are now in place at this location along Shoreline Drive.

Ald Mulder

I refer to the proposal that we received recently to convert some of the short stay rooms tourist accommodation in the Kangaroo Bay Hotel development into privately owned permanent accommodation. Does the current design and footprint of the buildings in that development provide for adequate private open space as required by our planning scheme?

ANSWER

(Mayor) It is somewhat academic at this point; we do actually have to consider the proposal put forward by Chambroad and we haven't had a chance to do that yet. I expect we will be doing that in early July.

Question contd

By way of explanation I asked it in the context of the proposal that is before us is to use the existing footprint and the existing architectural design of the buildings.

The Question was taken on Notice

Within the context of the Clarence Interim Planning Scheme 2015, the "Wharf" site upon which the proposed hotel is situated does not permit residential use. Any proposal to change hotel accommodation to apartments will first require a planning scheme amendment.

Ald Chong

My question relates to Cambridge. When the by-pass was being built the intention was that the roads between Jane Lane and the highway were to be handed back to council and we have a master plan for that area. What is the status of that and where are we up to with discussions about handing the roads back?

ANSWER

Last year the State Government wrote to us enquiring about the process for that. We provided an audit on that road back to the State Government and we have not heard back so I will follow up with them and inform Aldermen.

(Further Advice) We have followed up with the Department of State Growth on the process and timing of the handover and are awaiting a response.

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 APPOINTMENT OF COMMITTEE MEMBER

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:

- personnel matters,
- 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:	<p>PROCEDURAL MOTION MOVED Ald Peers SECONDED Ald Kennedy</p> <p>“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”.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>
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The Meeting closed at 8.17pm.