

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 20 SEPTEMBER 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 – 11.3.1; 11.3.2 – 11.3.3; 11.3.1 (Recommitted) - 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)

Executive Officer to the General Manager
(Ms J Ellis)

The Meeting closed at 10.35pm.

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 20 SEPTEMBER 2021

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
1.	ATTENDANCE AND APOLOGIES.....	5
2.	***CONFIRMATION OF MINUTES	5
3.	MAYOR’S COMMUNICATION	5
4.	***COUNCIL WORKSHOPS	6
5.	DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE	7
6.	***TABLING OF PETITIONS.....	8
7.	PUBLIC QUESTION TIME.....	9
7.1	PUBLIC QUESTIONS ON NOTICE	9
7.2	ANSWERS TO QUESTIONS ON NOTICE.....	10
7.3	ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE.....	11
7.4	QUESTIONS WITHOUT NOTICE	12
8.	DEPUTATIONS BY MEMBERS OF THE PUBLIC	14
9.	MOTIONS ON NOTICE – NIL ITEMS.....	15
10.	***REPORTS FROM OUTSIDE BODIES	16
10.1	***REPORTS FROM SINGLE AND JOINT AUTHORITIES	16
	• CIPPING REFUSE DISPOSAL SITE JOINT AUTHORITY	
	• TASMANIAN WATER CORPORATION	
	• GREATER HOBART COMMITTEE	
10.2	***REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES.....	16
11.	REPORTS OF OFFICERS.....	17
11.1	***WEEKLY BRIEFING REPORTS	17
11.2	DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS.....	18
11.2.1	PETITION – SEAMIST AND LONGVIEW WALKS, LAUDERDALE	18

11.3 PLANNING AUTHORITY MATTERS

11.3.1 DEVELOPMENT APPLICATION PDPLANPMTD-2021/020548 – 24 VICTORIA ESPLANADE, BELLERIVE - FENCING	20
11.3.2 DEVELOPMENT APPLICATION PDPLANPMTD-2021/020707 – 37 BASTICK STREET, ROSNY - ANCILLARY DWELLING AND ADDITIONS TO DWELLING	23
11.3.3 DEVELOPMENT APPLICATION PDPLANPMTD-2021/019465 – 9 AMBLESIDE, LINDISFARNE – SINGLE DWELLING	26

11.4 CUSTOMER SERVICE - NIL ITEMS**11.5 ASSET MANAGEMENT**

11.5.1 PROPOSED PURCHASE OF LED STREET LIGHTS WITHIN THE DISTRIBUTION NETWORK OF CLARENCE	28
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11.6 FINANCIAL MANAGEMENT - NIL ITEMS**11.7 GOVERNANCE**

11.7.1 SUPPLEMENTARY LAND SUPPLY ANALYSIS RELATING TO REVIEW OF URBAN GROWTH BOUNDARY AT 52 RICHARDSONS RD, SANDFORD	31
11.7.2 WORLD HEALTH ORGANISATION GLOBAL REPORT ON AGEISM.....	33
11.7.3 RULES AMENDMENT – COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY	35
11.7.4 TREE VANDALISATION - ALEXANDRA ESPLANADE, BELLERIVE	36
11.7.5 DRAFT ACCESS AND INCLUSION PLAN 2021-2025 – COMMUNITY CONSULTATION.....	38
11.7.6 PROPERTY MATTERS – 2B LOINAH ROAD	39
12. ALDERMEN’S QUESTION TIME	40
12.1 QUESTIONS ON NOTICE.....	40
12.2 ANSWERS TO QUESTIONS ON NOTICE.....	40
12.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING.....	40
12.4 QUESTIONS WITHOUT NOTICE	44
13. CLOSED MEETING	45
13.1 APPLICATIONS FOR LEAVE OF ABSENCE	
13.2 REPORTS FROM SINGLE AND JOINT AUTHORITIES	

- 13.3 TENDER T1411/21 – ENGINEERING AND PROPERTY SURVEY SERVICES CONSULTANCY 2021-2022
- 13.4 TENDER T1428-21- 2021 ANNUAL HARD WASTE COLLECTION SERVICE
- 13.5 PROPERTY MATTERS – 17 GOODWINS ROAD/36 DUNTROON DRIVE AND 2B LOINAH ROAD
- 13.6 PARTICIPATION IN JOINT TENDER FOR ESTABLISHMENT OF A NEW RECYCLABLE MATERIALS FACILITY AND ESTABLISH A JOINT WASTE AUTHORITY

1. ATTENDANCE AND APOLOGIES

Refer to cover page.

2. ***CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Council Meeting held on 30 August 2021 and the Special Council (Planning Authority) Meeting held on 6 September 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 30 August 2021 and the Special Council (Planning Authority) Meeting held on 6 September 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

- 31 August: ABC Radio Interview – Council Meetings Outcomes; Local Government New Zealand discussion; Southern Cross Interview – COVID Motion;
- 2 September: 2021 Queens Birthday Order of Australian Honours and Meritorious Awards;
- Three Waters Reform Update;
- 3 September: Australia China Business Council (ACBC) Tasmania 2021 Insights Breakfast Series;
- 6 September: Media Press Release on Tree Policy and Poisoning;
- 7 September: Southern COVID-19 Regional Recovery Committee Co-Chair Meeting / Briefing; ABC Drive Interview – Tree Poisoning;
- 8 September: Triple M Interview with Brian Carlton – Tree Poisoning;
- 9 September: Southern COVID-19 Regional Recovery Committee Working Group Meeting; Sunday Tasmanian Interview – Clarence Plains;
- 11 September: 81st Anniversary of the Battle of Britain – Dining in Night;
- 12 September: 81st Anniversary of the Battle of Britain – Cenotaph Service and Wreath Laying;
- 15 September: Southern COVID-19 Regional Recovery Committee Meeting;
- 20 September: Launch of Business Eastern Shore and Business East Taking New Direction.

MAYOR'S COMMUNICATION /contd...

Deputy Mayor

- 3 September: 120th Anniversary of the Australian Flag;
- 18 September: Clarence Climate Action Community Expo;
- 20 September: Rokeby Neighbourhood Centre – Special Luncheon.

Alderman Ewington

- 11 September: 2021 National Premier – Women's Super League Awards Night.

Alderman Peers

- 12 September: 2021 LJ Hooker Pinnacle Property – SFLW Grand Final Luncheon.

Alderman von Bertouch

- 12 September: Cantiamo Ladies Choir – Celebrating 10 Years.

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
Dog Policy Consultation Feedback	
Update on Implementation of Local Planning Provisions	6 September
Property Matters	
Stadium Tas Update Presentation	
Clarence Plains Master Plan Presentation	
Rosny Golf Course	
Access and Inclusion Plan	
Alexandra Esplanade Tree Vandalism	13 September

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 Blomeley****Item No. 11.3.1**

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.

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

Bruce Payne of Seven Mile Beach has given notice of the following questions:

WALKING TRACK SEVEN MILE BEACH

My questions are regarding the walking track located in between Aqua Place, Seven Mile Beach and the pine forest. I assume this is Council land being a walking track with council signs. My concern is that I am wanting to make sure the walking track I walk along regularly with my granddaughters is maintained and has some sort of schedule/plan so that it is not a fire risk/hazard to walk along but also for the houses in the area if there is not one in place already. Eight established houses currently back onto this walking track boundary. I believe this is a serious issue and is a fire risk to the community if no maintenance plan is in place and I assume the Clarence City Council have a duty of care to do so to keep the houses and people safe.

1. Is the walking track regularly maintained so it doesn't become a fire risk to the community?
2. If the walking track is maintained by council is there a schedule in place to make sure it is regularly maintained so it is not a danger/hazard to the community?

Lisa Culic of Seven Mile Beach has given notice of the following questions:

WALKING TRACK SEVEN MILE BEACH

My questions are in regards to the walking track at Seven Mile Beach backing onto Aqua Place and the pine forest.

1. Does Clarence City Council walking tracks in bush fire prone areas have to be kept to a low fuel state for the safety of people walking the tracks and houses in the area?
2. Are fire management plans in place for council land walking tracks to keep them from being a fire hazard? If no, why not?

7.2 ANSWERS TO QUESTIONS ON NOTICE

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

WALKING TRACK SEVEN MILE BEACH – BRUCE PAYNE

1. The walking track is maintained as part of the maintenance program for the Tangara Trail.
This track also serves as a fire trail and is also maintained to allow access for fire appliances requiring emergency access.
These fire appliances are rapidly available from the neighbouring SMB Volunteer Fire brigade as well as from Cambridge Volunteer Fire Brigade.
The full length of this track corridor has recently been slashed and maintained over a 15m width, in accord with both the Tangara trail maintenance and the Clarence Bush Fire Strategy fire trail maintenance programs.
2. Yes, it is listed on a regular schedule of works associated with the municipality's Track and Fire trail/Fire break programs.

WALKING TRACK SEVEN MILE BEACH – LISA CULIC

1. Yes, Clarence City Council takes the maintenance of walking tracks in bushfire prone areas very seriously and accordingly invests significant resources to do this. Additionally, an independent track consultant walks all the approximately 300km of tracks in Clarence to provide a detailed track audit either once or twice a year depending on prevailing environmental conditions.
2. Yes, Clarence developed and implemented the Clarence Bushfire Strategy which involves a large number of individual Reserve Bushfire Management Plans which provided detailed maintenance requirements for all tracks and fire trails in each reserve.
This plan is available on the Council website at - Bushfire Management - City of Clarence: City of Clarence (ccc.tas.gov.au).

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 30 August 2021 Mr Victor Marsh of Bellerive asked the following question.

BELLERIVE BEACH REGIONAL PARK

The recent stage in the upgrading of the Bellerive Beach Regional Park costing \$600,000 has been completed. On 31 August 2020 Joanne Marsh asked a question without notice about an extensive pooling of water on the pathways and park surfaces along the length of the park after heavy rain. A council officer said in response "the proposed levels of the new pathway and adjacent transitions to the existing park land include contouring surface runoff towards new stormwater pits to help manage the issues of pooling water". I believe that this response was misleading because on 16 August 2021 after heavy rain the disappearing tarn beside the pathway leading from the playground to the toilets returned worse than ever. When is the Clarence City Council going to manage stormwater competently and fix this embarrassing mess?

ANSWER

As part of the Bellerive Beach Park Shared Cycle Path project, stormwater runoff was addressed with the installation of stormwater infrastructure including pipes, pits and grass lined overland flow paths. These works were focused on the grassed areas between the playground and beach as they are the most active areas for pedestrian movement and recreation on the grass. Existing grades and underground infrastructure in these areas allowed for efficient piping of stormwater.

With the above in mind, council prioritised providing an unobstructed path of travel and accepted that during significant rainfall events some parts of the grassed area of the park will be temporarily wet, which could include holding water in some areas.

Council will continue to monitor the impacts of stormwater in the park area. If it is deemed necessary to further remove stormwater from this area, these works will be considered for inclusion in a future stage of the park works.

7.4 QUESTIONS WITHOUT NOTICE

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

Mr David Griggs of Risdon Vale asked the following questions.

ROAD MAINTENANCE – RISDON VALE

I have sent a request for two road maintenance issues to be addressed in the Risdon Vale area on 14 August 2021.

No response was received.

I had to send an email to the General Manager on 29 August 2021 to get the issue responded to.

I finally got a response on 2 September 2021 to look into the issue.

At 18 September no response or action has been taken.

Why is it so difficult to simple issues responded to be responded and actioned, I have to keep chasing up this issue?

Will the General Manager ensure that the customer service charter is taken seriously by all staff and make sure that more timely and efficient responses happen, as this reflects very poorly on Clarence City Council?

ANSWER

In answer to the first question, Council received the first request on 14 August and a second identical request on 29 August.

The 29 August request received an acknowledgement from my office on 30 August and the first request was responded to on 2 September advising that officers would investigate the request and provide advice.

That investigation has been completed and a work order issued for the installation of yellow rumble bars at the two locations, when work crews are next in the area.

Mr Griggs will shortly receive a letter confirming these actions.

In answer to the second question, the two emails resulted in two separate requests in our system rather than one. While we take steps to avoid this occurring, it is not always possible and can result in delay. I would like to assure Mr Griggs that council staff take customer service charter obligations seriously and aim to manage delays as effectively as possible within what is a very busy work program.

Mr Victor Marsh of Bellerive asked the following questions.

BELLERIVE PUBLIC PIER

On 21 May 2020, The Mercury reported that work on the Bellerive public pier was expected to be finished by September 2020. I understand that a number of unavoidable delays have occurred. What is currently delaying the opening of the pier?

ANSWER

The last time I reported to council regarding the opening of the pier we advised that there were underwater grouting works that needed to be undertaken, these are completed. We have undertaken a defects investigation in terms of getting ready to open the pier to the public, we have identified one non-conformance which the engineers have identified as well. We have informed the contractor of this and we are awaiting a response to address the non-conformance. Once this has been received, I will advise council of the timing of opening of the pier.

BELLERIVE VILLAGE PRECINCT – ON-STREET PARKING

As more developments are approved in Bellerive Village precinct and a percentage of ferry patrons are parking and riding, on-street parking is spreading like a cancer around surrounding streets and on the Bluff. This is resulting in increased line of sight issues for all road users and safety of movement is being affected. How is the council currently monitoring the situation?

ANSWER

We are undertaking parking surveys at present; we did so the week or two before the ferry service started and we are continuing with that. Once we have done an analysis on the trends, I will be in a position to advise council what actions are recommended.

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-2021/020548 – 24 VICTORIA ESPLANADE, BELLERIVE - FENCING
(REFER ITEM 11.3.1)

Mr Tassie Strafkos address the meeting regarding the above Development Application.

DEVELOPMENT APPLICATION PDPLANPMTD-2021/020707 – 37 BASTICK STREET, ROSNY – ANCILLARY DWELLING AND ADDITIONS TO DWELLING
(REFER ITEM 11.3.2)

Ms Monica Cameron addressed the meeting regarding the above Development Application.

SUPPLEMENTARY LAND SUPPLY ANALYSIS RELATING TO REVIEW OF URBAN GROWTH BOUNDARY AT 52 RICHARDSONS ROAD, SANDFORD
(REFER ITEM 11.7.1)

Mr Dean Richards addressed the meeting regarding the above matter.

Ms Katharine O'Donnell addressed the meeting regarding the above matter.

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

The Copping Refuse Disposal Site Joint Authority has distributed the Quarterly Summary of its Meetings for the period ending 30 August 2021.

The Copping Refuse Disposal Site Joint Authority has also distributed its Quarterly Report for the period ending 30 June 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**

- **GREATER HOBART COMMITTEE**

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

RICHMOND ADVISORY COMMITTEE

- Ald Chong tabled the Minutes of a Meeting held on Wednesday, 21 July 2021.

LINDISFARNE COMMUNITY ACTIVITIES CENTRE MANAGEMENT COMMITTEE MEETING

- Ald Blomeley tabled the Minutes of a Meeting held on Thursday, 12 August 2021.

HOWRAH COMMUNITY CENTRE

- Ald James tabled the Minutes of a Meeting held on Thursday, 22 July 2021.

11. REPORTS OF OFFICERS

11.1 ***WEEKLY BRIEFING REPORTS

The Weekly Briefing Reports of 30 August and 6 and 13 September 2021 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 30 August and 6 and 13 September 2021 be noted.

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

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

CHANGE TO ORDER OF BUSINESS

Decision: **PROCEDURAL MOTION**

MOVED Ald Edmunds **SECONDED** Ald Peers

“That Recommendation A of Item 13.5 be dealt with in open meeting as a new Item 11.7.6”.

CARRIED

FOR

Ald Chipman
Ald Blomeley
Ald Chong
Ald Edmunds
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald Warren

AGAINST

Ald Ewington
Ald von Bertouch
Ald Walker

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS**11.2.1 PETITION – SEAMIST AND LONGVIEW WALKS, LAUDERDALE****EXECUTIVE SUMMARY****PURPOSE**

To consider a petition tabled at Council's Meeting of 30 August 2021 seeking consultation regarding the Seamist and Longview Walks, in Lauderdale.

RELATION TO EXISTING POLICY/PLANS

There are no relevant existing policies and plans.

LEGISLATIVE REQUIREMENTS

The Land Titles Act 1980 and Local Government (Building and Miscellaneous Provisions) Act 1993 are relevant.

CONSULTATION

Initial consultation with a small group of residents has occurred. The intention was to then survey all property owners adjoining the two Walks.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the petition.

RECOMMENDATION:

- A. That Council notes the intent of the petition.
- B. That Council authorises the General Manager to undertake a survey of property owners adjacent to Seamist and Longview Walks to determine if there is support to amend the relevant land titles.

Decision: **MOVED** Ald Blomeley **SECONDED** Ald Ewington

“That the Recommendation be adopted”.

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-2021/020548 – 24
VICTORIA ESPLANADE, BELLERIVE - FENCING****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for fencing at 24 Victoria Esplanade, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Historic Heritage and Parking and Access Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42-day period which expires with the written consent of the applicant on 22 September 2021.

CONSULTATION

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

- impact on heritage values;
- inconsistency with Planning Scheme requirements;
- compromise of connection to foreshore;
- overshadowing;
- insufficient plan detail; and
- reduction in height.

RECOMMENDATION:

A. That the Development Application for fencing at 24 Victoria Esplanade, Bellerive (C1 Ref PDPLANPMTD-2021/020548) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. The external surfaces of the structure must be finished in white, to the satisfaction of Council's Manager City Planning.

ADVICE

Advice should be sought from a building surveyor as to the requirements for certification for building approval.

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

Ald Blomeley declared an Interest in this Item and left the meeting prior to discussion (7.30)

Decision:	<p>MOVED Ald Ewington SECONDED Ald Mulder</p> <p>“That the Recommendation be adopted”.</p> <p>The MOTION was put and LOST</p> <table> <tr> <td>FOR</td><td>AGAINST</td></tr> <tr> <td>Ald Chipman</td><td>Ald Edmunds</td></tr> <tr> <td>Ald Chong</td><td>Ald James</td></tr> <tr> <td>Ald Ewington</td><td>Ald Kennedy</td></tr> <tr> <td>Ald von Bertouch</td><td>Ald Mulder</td></tr> <tr> <td>Ald Walker</td><td>Ald Peers</td></tr> <tr> <td></td><td>Ald Warren</td></tr> </table> <p>Consideration of this item was suspended to enable circulation of an alternative motion to Aldermen at 7.44pm.</p> <p>Ald Blomeley returned to the meeting at 7.44pm. Item 11.3.2 was dealt with at this stage.</p> <p>Item 11.3.1 was resumed at 8.04pm.</p> <p>Ald Blomeley left the meeting at 8.04pm.</p> <p>The Item was recommitted for consideration and it was:</p> <p>MOVED Ald Mulder SECONDED Ald Edmunds</p> <p>“A. That the Development Application for fencing at 24 Victoria Esplanade, Bellerive (Cl Ref PDPLANPMTD-2021/020548) be refused for the following reasons:</p> <ul style="list-style-type: none"> • 10.4.2 PC 3 – Excessive bulk scale and proportions when viewed from the adjacent lot. • E.13 Historic Heritage Code – 8.2 Colour schemes not compatible with the heritage code. 	FOR	AGAINST	Ald Chipman	Ald Edmunds	Ald Chong	Ald James	Ald Ewington	Ald Kennedy	Ald von Bertouch	Ald Mulder	Ald Walker	Ald Peers		Ald Warren
FOR	AGAINST														
Ald Chipman	Ald Edmunds														
Ald Chong	Ald James														
Ald Ewington	Ald Kennedy														
Ald von Bertouch	Ald Mulder														
Ald Walker	Ald Peers														
	Ald Warren														

/ Decision contd on Page 22...

**DEVELOPMENT APPLICATION PDPLANPMTD-2021/020548 – 24 VICTORIA
ESPLANADE, BELLERIVE – FENCING /Decision contd...**

B. That the officer’s report, with the necessary modifications in accordance with the two criteria, are the reasons for refusal.”

CARRIED

FOR

Ald Edmunds
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald Warren

AGAINST

Ald Chipman
Ald Chong
Ald Ewington
Ald von Bertouch
Ald Walker

Ald Blomeley returned to the meeting at this stage (8.18pm).

11.3.2 DEVELOPMENT APPLICATION PDPLANPMTD-2021/020707 – 37 BASTICK STREET, ROSNY - ANCILLARY DWELLING AND ADDITIONS TO DWELLING**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an Ancillary Dwelling and Additions to Dwelling at 37 Bastick Street, Rosny.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the 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 on 23 September 2021.

CONSULTATION

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

- inconsistent front boundary setback;
- side boundary setbacks too close;
- loss of views;
- unreasonable bulk and mass of additions and extension;
- proposed private open space will not be private;
- loss of privacy;
- overshadowing;
- no plan for lower ground floor;
- extension to the rear does not meet definition of Ancillary Dwelling;
- visitor accommodation parking concerns; and
- traffic congestions and safety concerns.

RECOMMENDATION:

A. That the Development Application for Ancillary Dwelling and Additions to Dwelling at 37 Bastick Street, Rosny (CI Ref PDPLANPMTD-2021/020707) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

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

Decision:**MOVED** Ald James **SECONDED** Ald Edmunds

“A That the Development Application for PDPLANPMTD-2021/020707) be refused for the following reasons.

1. The proposal does not satisfy the Clause 10.4.2.(P2) as the proposed development is not contained within the building envelope and will cause *unreasonable* loss of amenity to the adjoining properties - 35 and 39 Bastick Street, Rosny by reduction in sunlight entering their habitable room windows along the northern elevation and a significant increase in overshadowing of private open space (POS) of 39 Bastick Street.
2. The proposal does not satisfy the Clause 10.4.3(P2) which requires dwellings to be provided with an area of private open space including a space that is not less than 4m wide. Despite the number of decks existing and proposed by the development there are no spaces that meet this dimension.
3. The proposal does not satisfy the Clause 10.4.6(P2) that there are three decks that form part of the development that are less than 3m from the side boundaries. The deck at the rear off the ancillary dwelling, comprises *no screening* and will have view-lines directly into private open space of 35 Bastick Street.
4. It is considered the proposed ‘ancillary dwelling’ does not meet the definition provided in the planning scheme. An ancillary dwelling means an *additional* dwelling that is not greater than 60m² in area. On the plans the proposed ancillary dwelling is connected to the existing dwelling and floor areas are connected via a hallway thereby the floor area is greater than 60m².

/ Decision contd on Page 25...

DEVELOPMENT APPLICATION PDPLANPMTD-2021/020707 – 37 BASTICK STREET, ROSNY - ANCILLARY DWELLING AND ADDITIONS TO DWELLING /Decision contd...**B. REASONS**

The proposed development will cause unreasonable loss of amenity to the adjoining properties to 35 and 39 Bastick Street, Rosny by reduction in sunlight and significant increase in overshadowing of private open space (POS). It is considered the proposed ancillary dwelling is connected to the existing dwelling and is not an ‘additional dwelling.’”

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

FOR

Ald Edmunds
Ald James
Ald Kennedy
Ald Warren

AGAINST

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

FORESHADOWED MOTION

MOVED Ald Ewington **SECONDED** Ald Blomeley

“That the Recommendation be adopted”.

CARRIED

FOR

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

AGAINST

Ald Edmunds
Ald James
Ald Kennedy
Ald Warren

**11.3.3 DEVELOPMENT APPLICATION PDPLANPMTD-2021/019465 – 9
AMBLESIDE, LINDISFARNE – SINGLE DWELLING****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider a Consent Agreement regarding an appeal against council's decision to refuse the development application at 9 Ambleside, Lindisfarne.

RELATION TO EXISTING POLICY/PLANS

The land is zoned General Residential and subject to the Parking and Access, Stormwater Management and Potentially Contaminated Land Codes under the Clarence Interim Planning Scheme 2015 (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 and the Resource Management and Planning Appeal Tribunal Act, 1993.

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.

RECOMMENDATION:

- A. That Council authorises the General Manager to sign the Consent Agreement to grant a permit in accordance with the terms of the draft permit contained in Attachment 1 of the Associated Report.
- 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 Kennedy

“That the Recommendation be adopted”.

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 PROPOSED PURCHASE OF LED STREET LIGHTS WITHIN THE DISTRIBUTION NETWORK OF CLARENCE****EXECUTIVE SUMMARY****PURPOSE**

To consider the purchase of LED streetlights from TasNetworks, currently installed on their distribution network within the Clarence area, to augment the LED street lights which council already own through the “Great Southern Lights” project.

RELATION TO EXISTING POLICY/PLANS

Council’s Strategic Plan 2021-2031 goals are relevant - to be a well-planned, liveable city with services and infrastructure to meet current and future needs of our growing and vibrant community.

LEGISLATIVE REQUIREMENTS

This report has been listed in the Closed Meeting section of the Council Agenda pursuant to Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* (Tas) as this report relates to contracts and tenders for the supply and purchase of goods and services.

The *Local Government Act 1993* (Tas) and the associated *Local Government (General) Regulations 2015* (Tas) relating to tendering and contracting requirements are relevant.

This report details the basis for the recommendation. Any alternative decision by council will require a full statement of reasons to maintain the integrity of the Tender process and to comply with the requirements of the *Judicial Review Act 2000* (Tas).

CONSULTATION

No community consultation has occurred on this matter.

FINANCIAL IMPLICATIONS

Financial implications are dependent on the option selected as described in the body of this report. Options other than “do nothing” require financial outlay by council and deliver different on-going savings to council.

RECOMMENDATION:

That Council authorises the General Manager to enter into negotiations with TasNetworks for the purchase of all LED street lights currently under TasNetworks ownership on their distribution network within the Clarence municipal area, in accordance with Option 2 as detailed within the associated report.

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

PROPOSED PURCHASE OF LED STREET LIGHTS WITHIN THE DISTRIBUTION NETWORK OF CLARENCE /contd...

Decision:

MOVED Ald James **SECONDED** Ald Edmunds

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 SUPPLEMENTARY LAND SUPPLY ANALYSIS RELATING TO REVIEW OF URBAN GROWTH BOUNDARY AT 52 RICHARDSONS RD, SANDFORD****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider a response from the applicant relating to their request to modify the Southern Tasmanian Regional Land Use Strategy's (STRLUS) Urban Growth Boundary (UGB) at 52 Richardsons Road, Sandford.

RELATION TO PLANNING PROVISIONS

Under the Clarence Local Provision Schedule, the land at 52 Richardsons Road, Sanford will be zoned Landscape Conservation and Rural and subject to a range of Code Overlays.

The site is located outside of the STRLUS UGB.

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

The request to amend the STRLUS has not been exhibited and there is no requirement to do so.

RECOMMENDATION:

- A. That in response to the matters raised by the Minister for Planning in his letter dated 15 March 2021, council notes the response provided by JMG Engineers and Planners.
- B. That council undertakes the further steps recommended as Option 3 within this report, including a public consultation of five weeks duration.
- C. That at the conclusion of the referral and public consultation processes, a report be prepared for council's consideration of the outcomes of recommendation B above.
- D. 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 on this Item...

**SUPPLEMENTARY LAND SUPPLY ANALYSIS RELATING TO REVIEW OF
URBAN GROWTH BOUNDARY AT 52 RICHARDSONS RD, SANDFORD /contd...**

Decision:	PROCEDURAL MOTION	
	MOVED Ald Edmunds SECONDED Ald Kennedy	
	“That the matter be deferred pending discussion at a Council Workshop and be brought back for consideration at the next Council Meeting”.	
	The PROCEDURAL MOTION was put and LOST	
	FOR	AGAINST
	Ald Edmunds	Ald Chipman
	Ald James	Ald Blomeley
	Ald Kennedy	Ald Chong
	Ald Mulder	Ald Ewington
	Ald Peers	Ald von Bertouch
		Ald Walker
		Ald Warren
	MOVED Ald von Bertouch SECONDED Ald Ewington	
	“That the Recommendation be adopted”.	
	CARRIED	
	FOR	AGAINST
	Ald Blomeley	Ald James
	Ald Chipman	Ald Walker
	Ald Chong	
	Ald Edmunds	
	Ald Ewington	
	Ald Kennedy	
	Ald Mulder	
	Ald Peers	
	Ald von Bertouch	
	Ald Warren	

11.7.2 WORLD HEALTH ORGANISATION GLOBAL REPORT ON AGEISM**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to present the Discussion Paper: World Health Organisation (WHO) Global Report on Ageism and associated recommendations, for council endorsement.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Council's Clarence Positive Ageing Advisory Committee (CPAAC) met twice to discuss the WHO Global Report on Ageism. From these meetings, the discussion paper was produced. The paper with recommendations was tabled at a formal CPAAC meeting on 20 May, before being presented to the Mayor and Aldermen through a Briefing Memo on 22 July 2021.

FINANCIAL IMPLICATIONS

Nil.

RECOMMENDATION:

That Council:

- Endorse the Discussion Paper: World Health Organisation (WHO) Global Report on Ageism and provide through the Mayor, a copy of this paper to the WHO Global Age Friendly Cities and Communities Network; and
- Give consideration to pledging at a council meeting to "EveryAGE Counts", a national advocacy campaign aimed at tackling ageism against older Australians.

Decision:

MOVED Ald von Bertouch **SECONDED** Ald Kennedy

"A. That Council adopts the officer's recommendation, with the following amendment:

Dot point 2 recommendation replaced with:

'That Council, as Tasmania's first World Health Organisation Age Friendly City and Community, shows its tangible support for combating ageism by making the EveryAGE Counts pledge on the inaugural Ageism Awareness Day, 1 October 2021.'

/ Decision contd on Page 34...

**WORLD HEALTH ORGANISATION GLOBAL REPORT ON AGEISM /Decision
contd...**

- B. The reasoning for the changed wording is the provision of information within the officer's report that the inaugural Ageism Awareness Day is to be held very soon, and that allows for Council to make its pledge on a high-profile occasion."

CARRIED UNANIMOUSLY

11.7.3 RULES AMENDMENT – COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to provide council the opportunity to consider a proposed amendment to the Copping Refuse Disposal Site Joint Authority (CRDSJA) Rules.

RELATION TO EXISTING POLICY/PLANS

Nil.

LEGISLATIVE REQUIREMENTS

Section 38(5) (b) of the Local Government Act requires rule amendments to be agreed by the majority of the participating councils.

CONSULTATION

The proposed Rule amendment was advertised in “The Mercury” newspaper on 12 June 2021, a notice displayed in the council foyer and a copy of the proposed amended rules provided to the Director of Local Government in accordance with the Local Government Act requirements. There were no submissions or responses received. Consultation has also occurred with the four CRDSJA member Councils.

FINANCIAL IMPLICATIONS

There are no direct financial implications for council in agreeing to the proposed Rule Amendment.

RECOMMENDATION:

That Council adopts the proposed amendment to Copping Refuse Disposal Site Joint Authority’s Rule 219 dated August 2021 and as certified by a legal practitioner and the General Manager attached as Attachment 1 to the Associated Report.

Decision: **MOVED** Ald Walker **SECONDED** Ald Peers

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.7.4 TREE VANDALISATION - ALEXANDRA ESPLANADE, BELLERIVE**EXECUTIVE SUMMARY****PURPOSE**

To consider a response to significant tree vandalism at Alexandra Esplanade, Bellerive.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 and draft Tree Policy 2021 are relevant.

LEGISLATIVE REQUIREMENTS

Public Places Bylaw No.1 of 2018 is applicable.

CONSULTATION

This vandalism has been subject to media reporting. The community will be informed of council's decision via usual media and social media channels.

FINANCIAL IMPLICATIONS

Estimated funds of \$28,000 from council's vandalism recurrent budget is required to undertake the proposed revegetation and associated works to rectify the vandalism.

RECOMMENDATION:

That Council authorises the General Manager to:

- A. Coordinate the replanting of the poisoned trees, as outlined in the associated report.
- B. Subject to the Crown providing landowner consent:
 - install large screens (3m high, between 4 – 6m long) comprising steel poles, chain wire and shade-cloth in key areas where the vandalised trees are dying, with the intention of interrupting views of the Derwent River created by the loss of trees; and
 - install signs on each screen explaining why the screens are in place and offering a reward for information leading to a successful conviction.
- C. Offer a confidential reward of \$10,000 for information leading to a successful conviction of the perpetrator(s) of the vandalism; and
- D. Require that the screens and signage remain in place until all newly planted trees are at least 4 metres tall and permanently re-established in the area.

/ Refer to Page 37 for Decision on this Item...

TREE VANDALISATION - ALEXANDRA ESPLANADE, BELLERIVE /contd...

Decision:	MOVED Ald von Bertouch SECONDED Ald Blomeley
	“That the Recommendation be adopted”.
	The MOTION was put and LOST
FOR	AGAINST
Ald Chipman	Ald Edmunds
Ald Blomeley	Ald Ewington
Ald Chong	Ald James
Ald von Bertouch	Ald Kennedy
Ald Warren	Ald Mulder
	Ald Peers
	Ald Walker (abstained)
	FORESHADOWED MOTION
	MOVED Ald Walker SECONDED Ald Kennedy
	“That Council authorises the General Manager to:
A.	Coordinate the replanting of the poisoned trees, as outlined in the associated report.
B.	Offer a confidential reward of \$10,000 for information leading to a successful conviction of the perpetrator(s) of the vandalism; and
C.	That council gives consideration to further measures which may include screening and signage after the adoption of the revised Tree Policy (Trees on Council Land).”
FOR	AGAINST
Ald Blomeley	Ald James
Ald Chipman	Ald von Bertouch
Ald Chong	
Ald Edmunds	
Ald Ewington	
Ald Kennedy	
Ald Mulder	
Ald Peers	
Ald Walker	
Ald Warren	

11.7.5 DRAFT ACCESS AND INCLUSION PLAN 2021-2025 – COMMUNITY CONSULTATION**EXECUTIVE SUMMARY****PURPOSE**

To seek approval to consult with the community on the draft Access and Inclusion Plan 2021-2025.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 is relevant.

LEGISLATIVE REQUIREMENTS

- Disability Discrimination Act 1992 (Cth)
- National Building and Construction Codes of Australia 2019
- Anti-Discrimination Act 1998 (Tas)
- Disability Services Act 2011 (Tas)
- Disability Services Regulations 2015 (Tas)
- Land Use Planning and Approvals Act 1993 (Tas)

CONSULTATION

Development of the draft Access and Inclusion Plan has involved a thorough engagement process using multiple methods, in consultation with council's Disability Access Advisory Committee (DAAC).

FINANCIAL IMPLICATIONS

Actions and projects identified in the five-year plan will be subject to council's annual budget discussions and allocation, including council's capital work program, and any external funding grants or partnerships.

RECOMMENDATION:

That Council:

- A. Approve the draft Access and Inclusion Plan 2021-2025 for city-wide community consultation.
- B. Authorise the General Manager to coordinate city-wide community consultation to obtain feedback on the draft Access and Inclusion Plan 2021-2025 and to report the consultation outcomes to a future workshop.

Decision:

MOVED Ald Warren **SECONDED** Ald Blomeley

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.7.6 PROPERTY MATTERS – 2B LOINAH ROAD

This Item was introduced by **Procedural Motion** refer to Page 17.

Decision:

MOVED Ald Warren **SECONDED** Ald Kennedy

“That Council authorise the General Manager to commence negotiations with Scouts Australia – Tasmanian Branch regarding the possible purchase of the scout hall located at 2B Loinah Road Montagu Bay”.

The Mayor asked the Deputy Mayor to **assume** the Chair while he entered the debate as an Alderman (10.14pm).

The Mayor **resumed** the Chair at 10.16pm.

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

FOR

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

AGAINST

Ald Edmunds
Ald James
Ald Mulder

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**

I refer to the Tree Management Policy, just for the record the policy says “tree removal – trees will not be removed because they... trees are permitted to be removed under exceptional circumstances” and it’s just that the initial wording despite the definitions and things would appear to fetter council’s decision in the policy says this, that trees can be removed. As part of the community consultation would the General Manager advise of his intention to tidy up those words so that trees would not be recommended for removal because they...

ANSWER

(Mayor) I’m afraid we have endorsed the draft policy as it is for consultation so...

Question contd

I was just putting that in as a consultation mechanism.

(Mayor) I don’t know that the general manager has discretion to change what we have agreed to go out however you have every right during the consultation to inject that very wise thought.

Ald Kennedy

Following the Food Van Policy what has the take up been for permanent sites? It would be good to get an understanding of feedback as to whether the locations are actually correct or appealing to those people who may be considering applying

ANSWER

(Mayor) I understand that we introduced the idea for a twelve-month trial and hopefully we will get a report back that must be nearly due.

[Further information]

Applications originally opened in February/March however only two applications were received. There are now six applications received with the last received only two weeks ago.

It has just come to our attention that the area nominated for Bellerive Beach is within the TCA lease area. Council officers have visited the area and determined that due to the recent upgrade to the Bellerive Beach park and pathway (Derwent Street end) there is no suitable space as an alternative. Asset Management have advised there is a long-term plan to develop the public open space at the end of Beach Street and that there will be a hard area provided for a food van to be situated. On that basis it is recommended that Bellerive Beach be put on hold until that is developed.

In relation to the other sites, council officers have now determined the location for the mobile food vans and each application for each site is being assessed internally in relation to food requirements, traffic and sight distance and risk. It is expected this process will be completed in 2 weeks and permits can then be issued.

Ald Walker

I am reminded given the frequency and duration of a Hyundai that is parked in the charging bay for electric vehicles. I am just wondering have we now started charging users for the electricity or is it still ratepayer funded at this stage?

ANSWER

Council is paying for the charging of the electric vehicles. Usage data for 12 months July 2020 – June 2021 indicates 1.2 Megawatts hours of electricity with a cost to council of \$120. Charging was provided to vehicles registered mostly from the Clarence area, however some were registered from Dodges Ferry, Blackmans Bay, Woodbridge, Northern Tasmania, North-west Tasmania and Warrandyte in Victoria.

At present Huon Valley, Brighton and Clarence are providing free charging, plus Hobart and Launceston provide this free at some sites.

Others have introduced a fee for service: Launceston \$0.45 per kWh at the central city car park, Devonport City Council \$0.25 per kWh and Hobart City Council \$20/hour for a 50kW charger which includes parking fees.

For council to cover costs it would need to implement a fee of \$0.45/kWh. There appears to be no consistency across the State. This is a matter for council.

ALD Peers

1. I have raised trees in Bayfield Street and I think our staff have done a really great job. My question is when will the centre aisle be maintained and a bit of work done there because it really needs it?

ANSWER

The gravel area in the central median will be addressed by the end of September. Three missing trees will be replanted at this time and we are trying to source a fourth tree.

2. We have the tree policy I wonder with the maintenance of trees when they are in certain areas like our main streets are we going to have a slightly different policy for that than if they are in a park out of the way?

ANSWER

A higher level of service is required during the initial years of tree growing for street trees, as well as maintenance requirements depending on the particular local area. An area maintenance plan for the earlier years following street tree planting in a particular area will be developed for future streetscape projects.

Ald Edmunds

1. As part of the Government's election promises from the last election the local football side Clarence Zebras was promised money for portable goal posts and portable dug outs. The club is ready to purchase these from the UK but is awaiting final approval from the council. Could I be advised when the club can expect this approval so that it can place the order?

ANSWER

A recent meeting has been held with the Club presidents and we agreed to continue to work through several issues. Portable goals are particularly problematic from a risk/safety perspective, and this has been discussed with club representatives. Council officers continue to work with the club.

2. There is a bit of scuttlebutt that is going around I hadn't heard anything then all of a sudden at the weekend I heard from a few people who were concerned about an extra year being added to this term of local government. Is that anything that has been raised in your discussions with the Minister?

ANSWER

(Mayor) At this stage it remains entirely academic. Aldermen will be aware that the Premier has been talking about a review of local government and that could possibly involve a change of local government areas. He is hoping to take a parliamentary approach to that which would involve co-operation with the opposition and indeed the Greens and Independent, Kristie Johnston. Until we know first of all whether that process is going to go ahead and what shape it is going to take it is purely speculation at this stage as to whether there is going to be an extra year or not. We will not know anything until we know where this review is going to take us. It is speculation but there has been nothing announced yet it was raised at the LGAT general meeting but once again the same answer was provided.

Ald von Bertouch

1. What dates were the permits approved for the Arm End golf course development and the Arm End golf course pipeline?

ANSWER

The golf course was approved under permit 2015/235 in 2015. It has been extended to its maximum term. It now expires on 1 April 2022 and there are no further extensions to the permit possible under LUPAA.

The pipeline permit was granted under D-2018/455. It expires on 23 April 2023. One further extension to the permit is possible under the Act.

2. Has there been technical substantial commencement under the permit of the Arm End golf course?

ANSWER

It does not appear that substantial commencement has been achieved and this status would mean undertaking meaningful progress in accordance with the relevant permit conditions. This would involve more than preparatory works.

Ald James

1. Council approved the maze, Richmond development some time ago and my question is has there been any progress and discussion with the developer to adhere to the conditions of the original approval or in relation to the original development and by that I mean the reduction in the 8m lights and some baffling around those particular lights?

ANSWER

The lights were approved 6m in height but they were constructed at 8m. They are being reduced back to the approved 6m in height. Can I also say that in accordance with the permit they will be baffled in accordance with Australian Standards to ensure that light does not spill out onto other properties.

2. In relation to the LPS and the introduction of the Statewide planning scheme in particular, Clarence's planning scheme, where are we at with consideration by the Commission in relation to two matters - first the Acton corridor and second the Spitfarm Road proposal that was supported by this council?

ANSWER

In relation to the first matter, I cannot advise you. I do not have the decision of the commission on this. We only know those things they wish to have changed - the eight things I referred to earlier in the meeting. We will however know when we get the decision on 1 September and when we do, we will email you as soon as we can with a copy of that for your information

In relation to the Spitfarm Road proposal, there have been several proposals involving Spitfam Road, which council has supported. However, we need more information in order to investigate the particular matter. The best approach may be an alderman's request with the relevant details, which would then provide the basis for a more detailed 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 JOINT AUTHORITY MATTER

13.3 TENDER T1411/21 – ENGINEERING AND PROPERTY SURVEY SERVICES CONSULTANCY 2021-2022

13.4 TENDER T1428/21 – ANNUAL HARD WASTE COLLECTION SERVICE

13.5 PROPERTY MATTERS

13.6 JOINT AUTHORITY 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:

- commercial information of a confidential nature that, if disclosed, is likely to prejudice the commercial position of the person who supplied it, or confer a commercial advantage on a competitor of the council; or reveal a trade secret;
- contracts and tenders for the supply of goods and services;
- proposals to acquire land or an interest in land or for the disposal of land;
- 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 Walker SECONDED Ald Peers	
	“That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”.	
	CARRIED	
	FOR Ald Blomeley Ald Chipman Ald Chong Ald Edmunds Ald Ewington Ald Kennedy Ald Mulder Ald Peers Ald von Bertouch Ald Walker Ald Warren	AGAINST Ald James (abstained)

CLOSED MEETING /CONTD...

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

13.3 TENDER T1411/21 – ENGINEERING AND PROPERTY SURVEY SERVICES CONSULTANCY 2021-2022

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

- “A. That the tender received from Utility Detection & Mapping at an estimated cost to council of \$200,000 per annum, excluding GST, be accepted for the engineering and property survey services consultancy for a period of 12 months, with a possible extension of up to two years.
- B. That in accordance with Regulation 34(3) of the *Local Government (Meetings Procedures) Regulations 2015* (Tas), council authorises for release of the council’s decision (only) in respect to this item to the general public and for communication to relevant parties.”

CARRIED UNANIMOUSLY

13.4 TENDER T1428-21- 2021 ANNUAL HARD WASTE COLLECTION SERVICE**Decision:****MOVED** Ald Peers **SECONDED** Ald James

“That council resolves:

- A. That the Tender received from Corporate Maintenance Solutions (Tas) Pty Ltd for \$212,177.28, excluding GST together with the schedule of fees as submitted for any additional Call Back Days be accepted for the provision of the 2021 Residential Hard Waste Collection Service.
- B. That, in accordance with Regulation 34(3) of the *Local Government (Meetings Procedures) Regulations 2015* (Tas), council authorises for release of the council’s decision (only) in respect to this item to the general public and for communication to relevant parties.”.

CARRIED UNANIMOUSLY