

# MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 1 NOVEMBER 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 (arrived at 7.36pm)  
S von Bertouch  
J Walker  
B Warren; present.

**1. APOLOGIES** J Peers (for late arrival)

**ORDER OF BUSINESS** Items 1 – 13

**IN ATTENDANCE**

General Manager  
(Mr I Nelson)

Group Manager Engineering Services  
(Mr R Graham)

Chief Financial Officer  
(Ms M Coleman)

Manager City Planning  
(Mr R Lovell)

Manager Communication and Strategic Development  
(Mr C Paske)

Acting Manager Health and Community Development  
(Ms J Andersson)

Manager Governance  
(Ms C Shea)

The Meeting closed at 10.27pm.

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 1 NOVEMBER 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 11 October 2021, as circulated, be taken as read and confirmed.

**Decision:** **MOVED** Ald Blomeley **SECONDED** Ald Kennedy

“That the Minutes of the Council Meeting held on 11 October 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

- 12 October: ABC Radio Interview – Dog Consultation;  
Local Government Support – re COVID-19 Vaccination;  
WIN News Interview – Bayview and Mornington Roundabout  
Clarence Emergency Management Committee Meeting;  
Australia Day Committee Meeting;
- 13 October: SCRRC – Pre-Briefing with Co-Chair for October Meeting;  
Exhibition Opening – Rosny Barn – Women’s Art Prize;
- 19 October: SCRRC – Committee Meeting;
- 20 October: M.L Egeria 80<sup>th</sup> Anniversary of her Launch;
- 23 October: Lindisfarne RSL – Sub-Branch – Annual Luncheon;
- 24 October: South ARM RSL Sub-Branch 68<sup>th</sup> Annual Luncheon;
- 25 October: Greater Hobart Mayor’s Forum;
- 26 October: RDA – AGM Meeting;
- 27 October: RDA – General Committee Meeting; and
- 28 October: Triple M Radio Interview – Hooning at Risdon Vale.

### Deputy Mayor

- 13 October: Women for the Environment – Bush Heritage Australia Breakfast (on behalf of Mayor); and
- 26 October: Exploring Hobart’s Antarctic Future (on behalf of Mayor).

**MAYOR'S COMMUNICATION /contd...**

Alderman Blomeley

- 22 October: 2021 Royal Hobart Show Official Luncheon (on behalf of Mayor).

Alderman Sharyn von Bertouch

- 28 October: St John Ambulance AGM (on behalf of Mayor); and
- 29 October: Tasmanian Youth Orchestra's – Kaleidoscope Event (on behalf of Mayor).

**4. \*\*\*COUNCIL WORKSHOPS**

In addition to the Aldermen's Meeting Briefing (workshop) conducted on Friday immediately preceding the Council Meeting the following workshops were conducted by Council since its last ordinary Council Meeting:

**PURPOSE      DATE**

Victoria Esplanade Landscape and Master Plan

Tree Policy Consultation

Social Media Update

18 October

Performance Budgeting

Quarterly Report Format

Economic Development Strategy

Marketing and Communication Strategy

25 October

**RECOMMENDATION:**

That Council notes the workshops conducted.

**Decision:**                      **MOVED** Ald Blomeley **SECONDED** Ald Kennedy

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**5. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE**

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

**INTEREST DECLARED**

**Alderman Walker                      Item No. 11.7.3**

**Alderman von Bertouch            Item No. 11.7.3**



**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**

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

Nil.

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

Nil.

### **7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

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

At Council's Meeting of 11 October 2021 Mr Victor Marsh of Bellerive asked the following question.

#### **BELLERIVE BREAKWATER**

When the Bellerive Breakwater was transformed into a public pier, the publicly available design drawings for approval showed boxed seating of approximately 50cm in height and width, which accesses a handrail similar height, which then accesses a wave panel with a ledge running along the entire length of the pier which forms accessible platform about 55cm wide.

My question is, what process resulted in approval of this design which allows access to an unsafe wave panel ledge?

#### **ANSWER**

The community consultation on the pier indicated interest in a wider walkway, seating and lighting. The design of the handrail system along the pier provides a consistent appearance, clearly indicating the safe height for users. Signage at the Bellerive Pier indicates "Persons using this facility do so at their own risk." The evaluation by our risk team advised the signage is reasonable to inform the users of the facility.

As an additional comment it is common for marine walkways such as boardwalks not to have any handrail. This is evident in Hobart, Bellerive and many places in Australia.

**7.4 QUESTIONS WITHOUT NOTICE**

Mrs Joanne Marsh of Bellerive submitted the following questions.

**CYCLE WAY AT BELLERIVE REGIONAL PARK**

I am concerned about the number of potential conflict points between cyclists and pedestrians on the newly developed shared cycle way at Bellerive Beach Regional Park. This cycle way separates the high use playground/BBQ area and the beach. I believe that the necessary calming devices need to be in place before the peak use times of summer and autumn. Without them people such as the elderly, children and people with disabilities will be more vulnerable in this area.

My questions are:

1. Why haven't the necessary devices been installed?
2. How are the council currently prioritising this matter?

**ANSWER**

1. Council officers are currently seeking quotations for the installation of supplementary slow-high activity zone signage and slow yellow painted line marking on the concrete.
2. The works are imminent and will be undertaken as soon as possible.

Mr Victor Marsh of Bellerive asked the following questions.

**BELLERIVE BEACH PARK**

These photos have been taken after recent periods of rain in Bellerive Beach Park, which has just undergone a \$600,000 upgrade. I believe that delaying the rehabilitation of the area of Bellerive Beach Park where ponding the curves after periods of rain until the next stage of the masterplan is unwise, as this ponding occurs next to the path leading from the children's playground to the toilets. It is an amenity and safety issue.

1. So, my question is, when will council assess this issue and taken action?

**ANSWER**

The General Manager took the question on notice.

2. Why hasn't the instant lawn been laid over the entire high use area between the playground-barbecue area and the beach?

**ANSWER**

The General Manager took the question on notice.

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

**REQUEST FOR COUNCIL TO PROVIDE WRITTEN SUPPORT FOR PLACE NAME AT SANDFORD**  
(REFER ITEM 11.7.5)

Mrs Patricia Biddle addressed the meeting regarding the above matter.

**NOTICE OF MOTION – ALD JAMES – FOOTPATH EXTENSION OTAGO BAY ROAD, OTAGO**  
(REFER ITEM 9.2)

Mr Peter Rasmussen addressed the meeting regarding the above matter.

Ald Peers arrived at the meeting at this stage (7.36pm).

## 9. MOTIONS ON NOTICE

### 9.1 NOTICE OF MOTION - ALD MULDER CLIMATE CHANGE – EMISSIONS REDUCTION

In accordance with Notice given Ald Mulder intended to move the following Motion:

“That Council acknowledges:

- A. the ‘Code Red for planet warming’ issued by the International Panel of Climate Change Experts;
- B. the work of officers on the Environmental Sustainability Strategy as part of Council’s Strategic Planning process; and
  - a. requests an audit of greenhouse gas emissions arising from Council operations;
  - b. identifies actions and opportunities for reducing emissions; and
  - c. presents its findings to a future workshop for the purpose of establishing a budget and target for reducing emissions arising from Council operations.”

With the Leave of the Meeting Ald Mulder **amended** his Motion and it was:

<b>Decision:</b>	<b>MOVED</b> Ald Mulder <b>SECONDED</b> Ald James
	“That Council acknowledges:
	A. the planet warming findings of the report issued by the International Panel of Climate Change Experts;
	B. the work of officers on the Environmental Strategy as part of Council’s Strategic Planning process, and
	<ul style="list-style-type: none"> <li>a. requests an audit of greenhouse gas emissions arising from Council operations;</li> <li>b. identifies actions and opportunities for reducing emissions; and</li> </ul>

/ Decision contd on Page 13...

**NOTICE OF MOTION - ALD MULDER**  
**CLIMATE CHANGE – EMISSIONS REDUCTION /Decision contd...**

- c. presents its findings to a future workshop for the purpose of establishing a budget and target for reducing emissions arising from Council operations.”

**CARRIED**

**FOR**

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

**AGAINST**

Ald Ewington

**9.2 NOTICE OF MOTION - ALD JAMES  
FOOTPATH EXTENSION OTAGO BAY ROAD, OTAGO**

In accordance with Notice given it was:

<b>Decision:</b>	<b>MOVED</b> Ald James <b>SECONDED</b> Ald Peers
	“That Council:
	A. Notes a provisional amount of \$140,000 to be considered for inclusion in the capital works programme for the upcoming 2022/2023 Estimates, to extend the footpath on the western side of Otago Bay Road, Otago.
	B. Requests an officer’s report and estimated costs of works for extension in stages of the footpath programme along Otago Bay Road and ultimately link with the new DSG cement footpath and roadworks at the northern end with the East Derwent Highway.”
	<b>CARRIED UNANIMOUSLY</b>

**9.3 NOTICE OF MOTION - ALD EDMUNDS  
ALL-ABILITIES APPROACH TO PLAY PARK DESIGN AND DELIVERY**

In accordance with Notice given it was:

<b>Decision:</b>	<b>MOVED</b> Ald Edmunds <b>SECONDED</b> Ald Ewington  “That Council recognises the importance and value of an all-abilities approach to play park design and delivery by:  A. Requesting the General Manager develop a policy or guideline for development of parks in Clarence that ensures parks, whether new or renovated, provide all-abilities equipment and facilities, for presentation at an upcoming workshop.  B. As part of the FY2022-23 budget development, provides options for where all-abilities play equipment may be installed either as new standalone items or as part of already planned play park projects.  C. As part of the Clarence Plains Master Plan project, considers Neilson Park in Rokeby for development as a regional all-abilities play park.”  <b>CARRIED UNANIMOUSLY</b>
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## **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**

September Quarterly Report pending.

**Representative Reporting**

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

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

**CLARENCE POSITIVE AGEING ADVISORY COMMITTEE**

- Ald von Bertouch tabled the Minutes of a Meeting held on 19 August 2021.

**LINDISFARNE COMMUNITY ACTIVITIES CENTRE MANAGEMENT COMMITTEE MEETING**

- Ald Blomeley tabled the Minutes of a Meeting held on 9 September 2021.

**TRACKS AND TRAILS ADVISORY COMMITTEE**

- Ald Ewington tabled the Minutes of a Meeting held on 19 August 2021.

**HOWRAH COMMUNITY CENTRE**

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

**RICHMOND ADVISORY COMMITTEE**

- Ald Chong tabled the Minutes of a Meeting held on 8 September 2021

**RICHMOND BICENTENNIAL COMMITTEE**

- Ald Chong tabled the Minutes of a Meeting held on 19 August 2021.

## 11. REPORTS OF OFFICERS

### 11.1 \*\*\*WEEKLY BRIEFING REPORTS

The Weekly Briefing Reports of 11, 18 and 25 October 2021 have been circulated to Aldermen.

#### RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 11, 18 and 25 October 2021 be noted.

**Decision:** **MOVED** Ald Blomeley **SECONDED** Ald Kennedy

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

## CHANGE TO ORDER OF BUSINESS

**Decision:** **PROCEDURAL MOTION**

**MOVED** Ald Edmunds **SECONDED** Ald James

“That consideration of Item 13.3 be brought into open meeting”.

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

#### FOR

Ald Edmunds  
Ald Kennedy  
Ald Warren

#### AGAINST

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

**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-2021/021834 – 16 BRIDGE STREET, RICHMOND - CHANGE OF USE - TASTING ROOM****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Change of Use to a Tasting Room at 16 Bridge Street, Richmond.

**RELATION TO PLANNING PROVISIONS**

The land is zoned General Residential and subject to the Local Historical Heritage Code, Safeguarding of Airports Code, Bushfire-prone Areas Code, Flood-prone Hazard Areas Code under the Tasmanian Planning Scheme - Clarence (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 2 November 2021.

**CONSULTATION**

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

- inappropriate use within a residential area;
- the following loss of amenity to neighbouring properties resulting from the proposed use:
  - proposed artificial lighting;
  - noise;
  - odour; and
  - increase in traffic;
- loss of vegetation (specifically, Hawthorn Trees located within the nature strip/road reserve).

**RECOMMENDATION:**

A. That the Development Application for Change of Use - Tasting Room at 16 Bridge Street, Richmond (Cl Ref PDPLANPMTD-2021/021834) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN AM7 – OUTDOOR LIGHTING.
3. GEN S1 – SIGN CONSENT.

## Advice Notes:

- a) Pursuant to the Building Act 2016, a Building Surveyor is required to be engaged, to consider the proposed Change of Use, accessibility, and a new occupancy permit.
  - b) Detailed plans and specifications for all food handling areas, showing all internal surfaces, fittings and fixtures, must form part of a request for report from council’s Environmental Health Officer in accordance with Regulation 26B(3) of the Building Regulations 2016 where the proposed work is notifiable building work or Regulation 28 of the Building Regulations 2016 where the proposed work is permitted building work. The plans must comply with the *Food Act 2003*, the *Tasmanian Appendix Part H102 Food Premises of Volume 1 of the National Construction Code* and the *Food Standards Code*.
  - c) The site must be registered as a business in accordance with the *Food Act 2003* prior to the commencement of the use.
- 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 Mulder

“A That the Development Application for Change of Use – Tasting Room at 16 Bridge Street, Richmond (PDPLANPMTD-2021/021834) be refused for the following reasons.

1. The proposal does not satisfy the Clause 7.4 of the Scheme as the proposed development is Tasting Room (Hotel Industry Use) and hospitality service provides alcohol tasting to clientele and the proposed use is more akin to a bar or hotel premises; and
2. The proposal does not satisfy the Clause 8.3.1(P4)(d) as the Hotel Industry use will result loss of general amenity within the immediate locality; and
3. The proposal does not satisfy Clause 7.4 of the Scheme as the change of use to facilitate the conversion of a section of a historic building into an alcohol tasting room as a “hotel industry” use and contrary to the provisions of the General Residential Zone.

/ Decision contd on Page 22...

**DEVELOPMENT APPLICATION PDPLANPMTD-2021/021834 – 16 BRIDGE STREET, RICHMOND - CHANGE OF USE - TASTING ROOM /Decision contd...****B. REASONS**

The proposed development is zoned General Residential under the Scheme and a Tasting Room (Hotel Industry) is a use prohibited in the zone. The subject site is located outside the commercial centre of the village of Richmond and thus outside the General Business Zone and change of use will result in loss of general residential amenity within the immediate locality.

The proposed change of use is to facilitate the public use of the historic stable building/servant quarters and appreciation of the heritage place. The proposed change of use (Hotel Industry) is contrary to the Clause 7.4 of the Scheme as its use is more akin to a bar or hotel premises and hospitality service for patrons to sample alcohol with the intent to purchase a product.”

The Mayor asked the Deputy Mayor to **assume** the Chair and left the meeting (8.36pm).

The Mayor returned to the meeting at 8.39pm and **resumed** the Chair.

**FORESHADOWED MOTION**

**MOVED** Ald Ewington **SECONDED** Ald Blomeley

“That the Recommendation be adopted”.

**CARRIED**

**FOR**

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

**AGAINST**

Ald James

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

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



<b>11.5 ASSET MANAGEMENT</b>
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Nil Items.

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

**11.7 GOVERNANCE****11.7.1 TREE POLICY (TREES ON COUNCIL OWNED OR MANAGED LAND) 2021****EXECUTIVE SUMMARY****PURPOSE**

To consider adopting the Tree Policy (Trees on Council Owned or Managed Land).

**RELATION TO EXISTING POLICY/PLANS**

Councils Strategic Plan 2021-2031 is relevant.

**LEGISLATIVE REQUIREMENTS**

Nil.

**CONSULTATION**

Community consultation was undertaken on the draft Tree Policy and concluded on 4 October 2021.

**FINANCIAL IMPLICATIONS**

There are no financial implications as a result of council adopting this policy.

**RECOMMENDATION:**

That Council adopts the Tree Policy (Trees on Council owned or managed land) 2021.

Ald Ewington left the meeting at this stage (9.01pm).

**Decision:**

**MOVED** Ald Warren **SECONDED** Ald Peers

“That the Recommendation be adopted”.

Ald Ewington returned to the meeting at this stage (9.04pm).

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

**11.7.2 RENEWAL OF LEASE – SOUTHERN SUPPORT SCHOOL COMMUNITY GARDEN – 33 SALACIA AVENUE, HOWRAH****EXECUTIVE SUMMARY****PURPOSE**

To consider issuing a new lease agreement with the Department of Education for the existing community garden on council land adjacent to the Southern Support School.

**RELATION TO EXISTING POLICY/PLANS**

- Leased Facilities Pricing and Term of Lease Policy applies; and
- Strategic Plan 2021-2031 is relevant.

**LEGISLATIVE REQUIREMENTS**

Section 178 of the Local Government Act, 1993 is applicable.

**CONSULTATION**

Section 178 of the Local Government Act, 1993 provides that council must advertise its intention to dispose of public land through public advertisement.

**FINANCIAL IMPLICATIONS**

Recommendation has no direct implications on Council's Annual Plan.

**RECOMMENDATION:**

- A. That in accordance with section 178 of the Local Government Act 1993, Council gives notice of intention to enter a new lease for an area of public land at 33 Salacia Avenue, Howrah adjacent to the Southern Support School for the existing community garden.
- B. That once the notice of intention to lease process is finalised and no objections are received and that all necessary approvals are in place:
- (i) council enters a new lease agreement with the Department of Education for a term of five years with an option for a further term of five years from 1 February 2022.
  - (ii) the annual rental for the lease is to remain at the nominal amount of \$1.00 (if demanded).
- C. That, in the alternative to Recommendation B above, should objections be received, the matter be referred to a further meeting of council for consideration.

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

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.7.3 COMMUNITY SUPPORT GRANTS****EXECUTIVE SUMMARY****PURPOSE**

To consider the Community Support Grants Assessment Panel's recommendations for the allocation of financial assistance in respect of the September 2021 round of Community Support Grants.

**RELATION TO EXISTING POLICY/PLANS**

Consistent with Council's Strategic Plan 2021-2031, Community Grants Policy and social plans including Youth Plan; Cultural Arts Plan; Age Friendly Plan; Community Health and Wellbeing Plan; Access Plan; Cultural History Plan; Community Participation Policy; Clarence Events Plan; Community Safety Plan; Reserve Activity Plans and Recreation Strategies.

**LEGISLATIVE REQUIREMENTS**

Nil.

**CONSULTATION**

Nil.

**FINANCIAL IMPLICATIONS**

There is an annual budget of \$35,000 for the Community Grants Program including the bi-annual Community Support Grants.

**RECOMMENDATION:**

That Council approves the distribution of financial grants totalling to \$17,308.00 to community groups and organisations, as detailed in the schedule attached to the Associated Report.

Ald von Bertouch and Ald Walker declared an interest in this Item and left the meeting prior to discussion (9.06pm).

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

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

Ald von Bertouch and Ald Walker returned to the meeting at this stage 9.14pm.

**11.7.4 38 LANENA STREET, BELLERIVE – TRANSFER TO TASWATER****EXECUTIVE SUMMARY****PURPOSE**

To consider the transfer of council owned land at 38 Lanena Street, Bellerive to TasWater for future use as a water storage site.

**RELATION TO EXISTING POLICY/PLANS**

Nil.

**LEGISLATIVE REQUIREMENTS**

Section 177 of the Local Government Act 1993 and Sections 28 and 33 of the Water and Sewerage Corporation Act 2012 are applicable.

**CONSULTATION**

Consultation has occurred between Council and TasWater officers.

**FINANCIAL IMPLICATIONS**

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

**RECOMMENDATION:**

That Council approves the transfer of council owned land at 38 Lanena Street, Bellerive to TasWater subject to TasWater meeting all costs associated with the transfer.

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

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**11.7.5 REQUEST FOR COUNCIL TO PROVIDE WRITTEN SUPPORT FOR PLACE NAME AT SANDFORD****EXECUTIVE SUMMARY****PURPOSE**

To consider a request from a property owner in Rifle Range Road for council to provide written support for the introduction of a place name at Sandford.

**RELATION TO EXISTING POLICY/PLANS**

Nil.

**LEGISLATIVE REQUIREMENTS**

The *Place Names Act 2020* is applicable.

**CONSULTATION**

Nil required by council.

The owners, if an application is made under the Place Names Act 2020, will be required to undertake public consultation and provide evidence of community support as part of the applicant's process to Placenames Tasmania.

**FINANCIAL IMPLICATIONS**

Nil.

**RECOMMENDATION:**

That council advises the property owner that council does not provide written support for the introduction of the place name "Kilgaran Shore" for the reasons set out in the Associated Report.

**Decision:** **MOVED** Ald Ewington **SECONDED** Ald Mulder

- "A. That council advises the property owner that council does not provide written support for the introduction of the place name "Kilgaran Shore" for the reasons set out in the Associated Report.
- B. That council requests the General Manager to investigate ways to alleviate the situation and report to a workshop."

**CARRIED UNANIMOUSLY**

**11.7.6 AMENDED COUNCIL MEETING AGENDA FORMAT****EXECUTIVE SUMMARY****PURPOSE**

To propose, by way of a six month trial, an update to the council meeting agenda format.

**RELATION TO EXISTING POLICY/PLANS**

Nil.

**LEGISLATIVE REQUIREMENTS**

The Local Government Act 1993 and the Local Government (Meeting Procedures) Regulations 2015 are relevant. Council's Consolidated Meeting Procedures are also relevant.

**CONSULTATION**

This matter was discussed at a recent council workshop.

**FINANCIAL IMPLICATIONS**

There are no financial implications arising from this recommendation.

**RECOMMENDATION:**

That Council:

- A. Adopts the amended agenda format as set out at Attachment 1 of this report, for a trial period of six months.
- B. Amends its Consolidated Meeting Procedures (*Council Meeting Agenda and Report Formats (Council Policy) – 1. Agenda Format*) to reflect the amended agenda format for the period of the trial.

**Decision:** **MOVED** Ald Edmunds **SECONDED** Ald Kennedy

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**



**11.7.7 AUSTRALIAN COASTAL COUNCIL COMMITTEE OF MANAGEMENT VACANCY**
**EXECUTIVE SUMMARY**
**PURPOSE**

The purpose of this report is to enable council to consider nominating an elected member as one of the Tasmanian representatives on the Committee of Management of the Australian Coastal Council.

**RELATION TO EXISTING POLICY/PLANS**

Council's Strategic Plan 2021-2031 is relevant.

**LEGISLATIVE REQUIREMENTS**

Nil.

**CONSULTATION**

Nil.

**FINANCIAL IMPLICATIONS**

If a council nominee is successful in being elected to the Australian Coastal Council, then there would be some costs associated with representative attendance at the meetings. These costs can be met from existing budget allocations.

**RECOMMENDATION:**

That council nominates an Alderman as a Tasmanian representative to the Australian Coastal Council Committee of Management.

<b>Decision:</b>	<p><b>MOVED</b> Ald Mulder <b>SECONDED</b> Ald von Bertouch</p> <p>“That the Recommendation be adopted”.</p> <p style="text-align: right;"><b>CARRIED UNANIMOUSLY</b></p> <p>Ald Blomeley <b>nominated</b> Ald von Bertouch</p> <p>Ald Warren <b>nominated</b> Ald Edmunds</p> <p>Ald von Bertouch and Ald Edmunds left the meeting at this stage (9.39pm).</p> <p>As there was more than one nomination a ballot was conducted and Ald Edmunds was nominated as a Tasmanian representative to the Australian Coastal Council Committee of Management.</p>
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Ald von Bertouch and Ald Edmunds returned to the meeting at this stage (9.43pm).

**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

At 6 pm this evening would you believe one hour before this meeting started TasRoads formally announced public consultation on Mornington roundabout improvement. Unfortunately, Mr Mayor in light of discussions you and I have had many times the Gordons Hill ramps are not part of that study project despite the fact I think that we have been formally advised that they were, yet when the study came out, they are absent. Mr Mayor my question is could you use your good officers to find out the status of the Gordons Hill road ramps given the fact that it is such an integral part to the solution of the Mornington roundabout whose problem is Cambridge Road whose traffic volumes would rapidly decrease with the ramps. Once again, we have one of these studies, we are told one thing it is in, it is out, it is in again and they are at the point of going to consultation. At the risk of making a speech I would ask that you find out what the formal position is and are they in or out and if they are in why aren't they in the study?

**Answer**

(Mayor) I will pass a briefing note around once I have ascertained the facts.

(Further information)

Council officers have contacted the Department of State Growth. They have advised that the current consultation is just seeking ideas, issues and comments at this stage. A second round of public consultation will occur after consideration of options by a working group including Council officers. The intent is to shortly start workshops involving council officers to consider a range of options, discuss the issues, look at traffic modelling results including the impact of Rosny access ramps (Gordons Hill Road) and a future Pass Road interchange, then shortlist say 2 options for 2<sup>nd</sup> round consultation by around February next year.

Ald Walker

1. Noting the constraints of the maintenance budget for the green area that was formerly the Rosny golf course I think for a lot of the community the default way to enter is through the golf course club rooms. At the moment if you go there it is not in its finest state and I think there is the word “closed” across the gate which in some senses is technically. I am just wondering if we could look at perhaps making it look more obvious to the community that it is public access to all now?

**Answer**

We have previously considered signage prior to the April decision I can certainly bring that to a workshop for discussion.

(Further information)

Council staff have assessed the allocated budget. Maintenance via basic mowing is within budget, however ongoing maintenance of the greens is not. Within the budget basic signage indicating public access can be accommodated, and an instruction to this effect has been issued.

Ald Peers

When we are doing consultation on the Dog Management Policy can it be broken up into areas? It would have to be done every five years as you said

**Answer**

The Dog Control Act 2000 requires council to develop, make and implement a dog management policy and review that policy at least every five years. The consultation, drafting and implementation required in making the policy is extensive and time-consuming. A significant element of the policy is to review and implement declared areas which requires council to view the municipality as a whole. It would be problematic to break the policy up to only focus on specific areas at particular times.

Ald Blomeley

1. Is there a new strategy being proposed for management of our community halls throughout the city?

**Answer**

That is an issue that we are looking at, at the moment and it is an extension of previous discussions that we have had about the Howrah Community Centre and Alma’s Activities Centre. I understand that there are two other halls that have had some issues around the on-going nature of their management committees, so we are looking at that as an issue to bring to the budget process and a workshop prior to that.

2. Following on from a briefing we received a number weeks ago from Stadiums Tasmania has there been any update from the officers particularly in regard to timing of when the legislation may be tabled and the potential impact in the short to medium term on Blundstone arena in particular?

**Answer**

We have had no further update

Ald Edmunds

1. I have a question about some concrete ripple pads at Kerria Road Grasstree Hill Road, Marlock Road and Laurel Street in Risdon Vale. They were put there to stop people cutting through the intersection or doing burn-outs but apparently, they have ended up being knocked out of place and destroyed. I know it has been raised by constituents, but I wondered if we have a timeline for replacement of those?

**Answer**

We wrote to the constituent three weeks ago and there is a work order in the system for that work to be undertaken.

We have received information that rumble bars are managed by line marking contractors. Through a legacy process maintenance of line marking on council roads is the responsibility of the Department of State Growth (DSG). We are presently submitting our preferred list of roads for line marking improvements. DSG review the state-wide list and issue a contract(s) for the upgrade, typically during the summer period. We are therefore not in a position to identify when the rumble bars will be installed. We can advise line marking contractors are very busy at present.

2. In relation to my question from last meeting about gatherings at barbecue facilities etc I am still not really sure what the threshold is to notify the council if you are planning to have a barbecue, a birthday party, a campaign event, a community rally etc. Can I have some clarity on that please? It is just that the figure quoted in the question is yes, 100 and also 30 and the answer is very specific about the 30 and I just think that there are that many events that you can hold and I don't want to go down the path prior to last election when people brought up backyard cricket but you can crack 30 people pretty easily at a fifth birthday party and I would hate it if we were putting an eight week notice period on people having a birthday party in our parks.

**Answer**

We do not take formal bookings for family BBQ's or birthday parties; our BBQ facilities are available to the general public on first come basis.

However, if it is an organisation that is organising a formal event such as a campaign event or community rally, where a large gathering may be expected, then an application is required.

The event application process time of eight weeks may seem excessive however in order to address all risk issues we are now required to undertake a more detailed approach that addresses, risk management, traffic management, additional toilet cleaning, waste removal, environmental health if food is provided, public liability insurance and COVID19 requirements have been addressed.

Ald von Bertouch

1. When will the audio visual system upgrade in the council chambers allow for virtual attendance by an Alderman at a meeting?

**Answer**

We are waiting for a particular piece of equipment to work with the system we have at the moment and because of global shortages that is proving very difficult to track down the right piece of equipment. It is a piece of equipment with particular types of ports that we are looking for. Once we have done that it will be a question of how quickly it can be delivered.

2. Does council's air conditioning system in the council chambers and the council offices have Hepa filters which are being considered as COVID-19 mitigation measures by some organisations?

**Answer**

The short answer is no. The slightly more complicated answer is that we have what is referred to as F5 hospital grade filters in the system and the advice that I have is that any upgrade to a Hepa-style filter would require a major overhaul of the system because those filters have an increased filtering capacity and would put a lot of strain on the overall system. We are at a level of filter that is hospital grade but not at Hepa filter level.

Ald James

1. My first question relates to the Arm End Golf Course. Has the proponent received Federal funding for the provision of the Grade B recycled water in the pipeline to source the watering of the golf course at Armend?

**Answer**

We understand that the proponent has received funding, but I have not had that formally confirmed.

(Mayor) My understanding is that they are working towards being able to deliver Grade A water.

2. In relation to the public pier and breakwater given that Mr Graham in his response in the answer on page 225 and he says in relation to the issue "it is an engineering item which requires engineering sign-off". Given that there is an engineering matter that needs to be signed off does this in any way prevent the Bellerive Yacht Club proceeding with their approved development application for the extension of their marina?

**Answer**

No it will not.

Ald Warren

It has been brought to my attention that a substantial amount of fill has been deposited on the Droughty Point land. I know that there is not yet an active development application, so I am just seeking some clarity on whose responsibility that is given that we are expecting a significant amount of rain and the environmental damage of that ending up in Ralphs Bay. I am not sure if it is a council responsibility or EPA. I am just seeking some clarity on whether the General Manager is aware of that and whether we should be taking any sort of overview of that?

**Answer**

This question was taken on notice so that officers could investigate the matter.

Our investigations have included contacting the land owners. In relation to one property in southern Tranmere, where images were provided of track construction, we can advise that these were for the purposes of fire trails. These are exempt works and do not require council approval. In relation to the second property, which covers the Droughty Point locality, there is no evidence of any land fill identified and the owners have advised that they have not undertaken such works and their recent activities on the land have been limited to weed removal.

## **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 TENDER T1374-20 SEVEN MILE BEACH PUBLIC TOILET CONSTRUCTION

13.3 PROPERTY MATTER – RISDON VALE

In accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 the reports in the Closed Meeting section of the Council Agenda were dealt with on the grounds that the detail covered in the reports relates to:

- contracts and tenders for the supply of goods and services;
- 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.**

<b>Decision:</b>	<b>PROCEDURAL MOTION</b> <b>MOVED</b> Ald Peers <b>SECONDED</b> Ald Kennedy  “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”.  <div style="text-align: right;"><b>CARRIED</b></div>	
	<b>FOR</b> Ald Chipman Ald Blomeley Ald Chong Ald Edmunds Ald Ewington Ald Kennedy Ald Mulder Ald Peers Ald von Bertouch Ald Walker Ald Warren	<b>AGAINST</b> Ald James (abstained)

The Meeting closed at 10.27pm.

**CLOSED MEETING /CONTD...**

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

**13.2 TENDER T1374-20- SEVEN MILE BEACH PUBLIC TOILET CONSTRUCTION**

<b>Decision:</b>	<b>MOVED</b> Ald Ewington <b>SECONDED</b> Ald Kennedy
	“That Council resolves:
A.	That the Tender received from Lamcon Constructions Pty Ltd for \$340,000.00, excluding GST, together with the schedule of day work rate fees as submitted, be accepted for construction of a new DDA compliant public toilet facility at Seven Mile Beach.
B.	Reallocate funds from the 2021-2022 Roads Capital Program to the Facilities Capital Program as follows: <ul style="list-style-type: none"> <li>Remove funds from Bangalee Street Pavement reconstruction project \$100,000</li> <li>Allocate funds to the Seven Mile Beach Toilet facility project \$100,000</li> </ul>
C.	That, in accordance with Regulation 34(3) of the Local Government (Meeting Procedures) Regulations 2015, Council authorises for release of Council’s decision (only) in respect to this item to the general public via the open minutes of this meeting and for communication to relevant parties.”
	<b>CARRIED UNANIMOUSLY</b>