

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL CONDUCTED ELECTRONICALLY, ON MONDAY 28 FEBRUARY 2022

HOUR 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 – 10

IN ATTENDANCE

Acting General Manager
(Ms M Coleman)

Group Manager Engineering Services
(Mr R Graham)

Manager Health and Community Development
(Mr J Toohey)

Manager City Planning
(Mr R Lovell)

Manager Communication and Strategic Development
(Mr C Paske)

Executive Officer to the General Manager
(Ms J Ellis)

The Meeting closed at 10.03pm.

The Mayor opened the meeting with the council prayer and 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. The meeting is not protected by privilege.

There is a link to the agenda papers on council’s website.

COUNCIL MEETING
MONDAY 28 FEBRUARY 2022

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10. CLOSED MEETING

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10.2	REPORTS FROM SINGLE AND JOINT AUTHORITIES
10.3	TENDER T1439-21 CONCRETE – SUPPLY AND DELIVERY 2022-2023
10.4	JOINT AUTHORITY MATTER

1. ATTENDANCE AND APOLOGIES

Refer to cover page.

2. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE

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

INTEREST DECLARED: **NIL**

3. OMNIBUS ITEMS**3.1 CONFIRMATION OF MINUTES****RECOMMENDATION:**

That the Minutes of the Council Meeting held on 7 February 2022, as circulated, be taken as read and confirmed.

Decision: **MOVED** Ald Peers **SECONDED** Ald Chong

“That the Minutes of the Council Meeting held on 7 February 2022, as circulated, be taken as read and confirmed”.

CARRIED UNANIMOUSLY

3.2 MAYOR'S COMMUNICATION

The Mayor acknowledged the recent passing of former Councillor and Alderman, Dr Michael Readett.

Michael was a long serving member of council. He was a Councillor from 1981 to 1988, Deputy Warden from 1986 until 1988 and following Clarence's proclamation as a city in 1988, Alderman until retiring from council in 1998.

Michael was very dedicated to serving the community and strived to do his best for the people of Clarence. Notably, he initiated the formation of the Clarence Community Band in 1986 which went on to become the Clarence City Band. He was also at the forefront of the introduction of Neighbourhood Watch in several areas of Clarence.

On behalf of council, I would like to express our condolences to Michael's family.

Contd on Page 5...

MAYOR'S COMMUNICATION /CONTD...

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

Mayor

- 9 February: RDA Strategic Regional Plan Meeting update;
- 10 February: Exhibition Opening regarding Future Lutruwita Group Show;
- 16 February: RDA Committee Meeting – General Meeting;
- 17 February: RDA Committee Meeting;
- 20 February: Annual Floral Tribute – Hobart Town (1804) First Settlers Association;
- 21 February: RDA – Online Seminar with Hon Trevor Evans – Assistant Minister for Waste & Environment;
- 23 February: Monty's Shed Opening – Rokeby Neighbourhood Centre; and
- 24 February: RDA – Governance Committee Meeting.

Deputy Mayor Heather Chong on behalf of Mayor

- 8 February: Women's Housing Working Meeting Hosted by the Governor of Tasmania;
- 16 February: Launch – New Artwork/Sculpture at Kangaroo Bay.

Ald Wendy Kennedy on behalf of Mayor

- 13 February: Hobart Cup – Official VIP Luncheon.

3.3 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
Confidential Land Matter – Howrah LGAT Motions 2022/2023 Budget	15 February
Greater Hobart Metro Plan Update Confidential Briefing – Rosny Hill Lease Budget 2022/2023 – Performance Budget Survey Results Workforce Behaviour Report LGAT Motions	21 February

RECOMMENDATION:

That Council notes the workshops conducted.

Decision: **MOVED** Ald Peers **SECONDED** Ald Chong

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

3.4. TABLING OF PETITIONS

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

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

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

- Received from 46 signatories requesting council to undertake a planning study to reclassify land in the Precinct from Rural Living zone (minimum 2ha) to Rural Living A (minimum 1ha) and to submit the outcome to the Tasmanian Planning Commission.

3.5 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.

3.6 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 its Quarterly Summary of its Meetings for the period ending 21 February 2022.

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

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

Representative Reporting

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

3.7 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

BICYCLE ADVISORY COMMITTEE – QUARTERLY REPORT

Chairperson’s Report – Alderman D Ewington

Report to Council for the 3-month period, 1 October 2021 to 31 December 2021.

RECOMMENDATION:

That the Chairperson’s Report be received by council.

Decision: **MOVED** Ald Peers **SECONDED** Ald Chong

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

TRACKS AND TRAILS ADVISORY COMMITTEE – QUARTERLY REPORT

Chairperson’s Report –Alderman D Ewington

Report to Council for the three-month period for 1 October 2021 to 31 December 2021.

RECOMMENDATION:

That the Chairperson’s Report be received by Council.

Decision: **MOVED** Ald Peers **SECONDED** Ald Chong

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

NATURAL RESOURCE MANAGEMENT – QUARTERLY REPORT

Chairperson's Report – Alderman Beth Warren

Report to Council for the three-month period 1 October to 31 December 2021.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

Decision: **MOVED** Ald Peers **SECONDED** Ald Chong

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

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

Report to Council for the three-month period for 1 October 2021 to 31 December 2021.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

Decision: **MOVED** Ald Peers **SECONDED** Ald Chong

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

OTHER COMMITTEES**CULTURAL HISTORY ADVISORY COMMITTEE**

- Ald Chong tabled the Minutes of a Meeting held on 1 December 2021.

RICHMOND ADVISORY COMMITTEE

- Ald Chong tabled the Minutes of a Meeting held on 15 December 2021.

HOWRAH COMMUNITY CENTRE

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

CLARENCE POSITIVE AGEING ADVISORY COMMITTEE

- Ald von Bertouch tabled the Minutes of a Meeting held on 9 December 2021.

3.8 WEEKLY BRIEFING REPORTS

The Weekly Briefing Reports of 7, 14 and 21 February 2022 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 7, 14 and 21 February 2022 be noted.

Decision: **MOVED** Ald Peers **SECONDED** Ald Chong

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

4. 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.

4.1 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.

4.2 ANSWERS TO QUESTIONS ON NOTICE

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

Nil.

4.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

4.4 QUESTIONS WITHOUT NOTICE

Ms Lisa Culic of Seven Mile Beach asked the following question.

WALKING TRACK SEVEN MILE BEACH

My questions are in relation to my last questions on notice at the 17 January 2022 meeting regarding the walking track at Seven Mile Beach. You confirmed how many times a year it is maintained and under what strategy which was great, but my questions are:

1. When this area is maintained what is the detailed scope of work?
2. Is there a certain height the area is slashed to or is the grass and bracken fern cut down to ground level every time it is maintained?

ANSWER

- The scope of work includes mowing what is achievable and brush cutting the remainder.
- Typically, it is cut to the 50mm to 75mm range.
- Large branches are removed to allow the maintenance to occur and to keep the area clear for access.
- The work is undertaken as close as achievable to the fence and at least 15m wide to create the fire break.

QUESTIONS WITHOUT NOTICE /contd...

Mr David Griggs of Risdon Vale asked the following questions.

1. 20 SCOTTS ROAD RISDON VALE

There a building being constructed with the use of shipping containers and a roofed area.

Has a planning application been lodged for this building?

Has planning approval been granted for this structure and has it been inspected for compliance with building regulations?

Also, the surrounding area has had a large amount of fill material tipped on it, is there a total height this should not exceed?

ANSWER

In relation to the questions regarding 20 Scotts Road, Risdon Vale, the Acting General Manager advised that the site is under investigation and a full response will be provided to the next council meeting.

2. INCREASE IN PLANTING OF TREES

Will council set aside an increased amount of funding in the upcoming budget to plant more advanced deciduous trees in the non bushland parks and reserves throughout Clarence to increase tree cover in suburbs for shade for the increasingly hotter climate.

Using drought tolerant species with monies for management of these trees and for this planting to be ongoing into the future.

ANSWER

- Council's Tree Policy adopted in 2021 recognises the need to plant more trees for the benefit of the community.
- The next phase is the development of the Sustainability Strategy and the Urban Forest Strategy so council can consider the framework of establishing the right trees in the right place. After this framework is developed, specific projects can be considered by council in future budget years, noting tree planting projects require ongoing maintenance to promote health tree establishment.

5. 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)

CONSULTATION REVIEW – REVIEW OF URBAN GROWTH BOUNDARY AT 52 RICHARDSONS ROAD, SANDFORD
(REFER ITEM 7.4.2)

Nik Masters and Dean Richards provided a deputation regarding the above matter which was read out by the Acting General Manager.

Katharine O'Donnell provided a deputation regarding the above matter which was read out by the Acting General Manager.

Graeme Petersen provided a deputation regarding the above matter which was read out by the Acting General Manager.

Lisa Verrier provided a deputation regarding the above matter which was read out by the Acting General Manager.

6	PLANNING AUTHORITY MATTERS
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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:

**6.1 DEVELOPMENT APPLICATION PDPLANPMTD-2021/024188 – 49
CAMBRIDGE ROAD, BELLERIVE - 1 LOT SUBDIVISION****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 1 lot Subdivision at 49 Cambridge Road, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Safeguarding of Airports 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 was extended with the consent of the applicant until 1 March 2022.

CONSULTATION

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

- Existing outbuildings
- Fencing
- Non-compliance with Scheme
- Impact on services
- Development incompatible with surrounding area
- Loss of amenity
- Increase in traffic
- Site coverage non-compliant
- Potential conflict of interest.

RECOMMENDATION:

A. That the Development Application for a 1 Lot Subdivision at 49 Cambridge Road, Bellerive (Cl Ref PDPLANPMTD-2021/024188) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. Prior to the sealing of the Final Plan, the western most outbuilding on Lot 2, adjacent to the dwelling on Lot 1, must be demolished.
3. ENG M2 – DESIGNS SD.
4. ENG S1 – INFRASTRUCTURE REPAIR.

5. ENG S4 – STORMWATER CONNECTION.
6. GEN POS 1 – POS CONTRIBUTION [5%] [Lot 2].
7. The development must meet all required Conditions of Approval specified by TasWater notice dated 7 December 2021 (TWDA 2021/02106-CCC).

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

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

6.2 DEVELOPMENT APPLICATION PDPLANPMTD-2021/021846 – 2 BARR STREET, RISDON - 3 MULTIPLE DWELLINGS (1 EXISTING + 2 NEW) AND ADDITIONS TO EXISTING**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 3 Multiple Dwellings (1 existing + 2 new) and additions to the existing dwelling at 2 Barr Street, Risdon.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Sustainable Transport and Bushfire Prone Areas Codes 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 with the written consent of the applicant on 2 March 2022.

CONSULTATION

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

- Privacy
- Visual impact
- Character of area
- Noise
- Density
- Traffic
- Waste disposal;
- Stormwater
- Insufficient time for advertising.

RECOMMENDATION:

A. That the Development Application for 3 Multiple Dwellings (1 Existing + 2 New) and additions to existing at 2 Barr Street, Risdon (CI Ref PDPLANPMTD-2021/021846) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. Prior to the commencement of works on-site, or prior to the issue of any building consent, building permit (including demolition) and/or plumbing permit pursuant to the *Building Act 2016* (if applicable and whichever occurs first), certificates of title for the site Volume 19818 Folio 12 and Volume 56393 Folio 12, must be adhered in accordance with Section 110 of the Local Government (Building and Miscellaneous Provisions) Act 1993, to the satisfaction of council's Manager City Planning.
3. ENG M1 – DESIGNS DA.
4. ENG S1 – INFRASTRUCTURE REPAIR.
5. ENG A5 – SEALED CAR PARKING.
6. Stormwater pumped system design must be submitted to and approved by council's Group Manager Engineering Services prior to the commencement of use. The system must be maintained in perpetuity and must not negatively affect surrounding properties.
7. The development must meet all required Conditions of Approval specified by TasWater notice dated 21 December 2021 (TWDA 2021/01649-CCC).

ADVICE

- All plumbing works must comply with the Tasmanian Plumbing Code and Australian Standard 3500.
- The proposed works are located within a mapped bushfire prone area and as such a bushfire assessment and BAL must be provided by a suitably qualified person and form part of the certified documents for the building application.

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

/ Refer to Page 21 for Decision on this Item...

DEVELOPMENT APPLICATION PDPLANPMTD-2021/021846 – 2 BARR STREET, RISDON - 3 MULTIPLE DWELLINGS (1 EXISTING + 2 NEW) AND ADDITIONS TO EXISTING /contd...

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

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

7. REPORTS OF OFFICERS**7.1 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS****7.1.1 PETITIONS – BOUNDARY FENCE AT 13 WAVERLEY COURT, BELLERIVE****EXECUTIVE SUMMARY****PURPOSE**

To consider a petition tabled at Council's Meeting of 17 January 2022 requesting Council erect a boundary fence between the property at 13 Waverley Court and the southern side of Waverley Flora Park together with another gate to complement the existing one on the pathway between 9 and 11 Waverley Court.

RELATION TO EXISTING POLICY/PLANS

Nil.

LEGISLATIVE REQUIREMENTS

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

The Boundary Fences Act, 1908 provides that an owner of land may request an adjoining owner to share in the cost of boundary fencing. The Act also provides that Council is not obliged to contribute to the cost of erecting a boundary fence where the fence adjoins a public place.

CONSULTATION

Noting that the owner of 13 Waverley Court was not a signatory to the petition, Council officers contacted the owner to ascertain whether they wished to have a boundary fence.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the petition.

RECOMMENDATION:

- A. That Council notes the intent of the petition.
- B. That the petitioners be advised that Council will not require the owner of 13 Waverley Court to erect a boundary fence on the boundary of the Waverley Flora Park.

/ Refer to Page 23 for Decision on this Item...

PETITIONS – BOUNDARY FENCE AT 13 WAVERLEY COURT, BELLERIVE
/contd...

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

7.2 ASSET MANAGEMENT

Nil Items.

7.3 FINANCIAL MANAGEMENT

Nil Items.

7.4 GOVERNANCE**7.4.1 QUARTERLY REPORT TO 31 DECEMBER 2021****EXECUTIVE SUMMARY****PURPOSE**

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

RELATION TO EXISTING POLICY/PLANS

The Report uses as its base the Annual Plan adopted by council and is consistent with council's adopted Strategic Plan 2021-2031.

LEGISLATIVE REQUIREMENTS

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

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

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

RECOMMENDATION

That the Quarterly Report to 31 December 2021 be received.

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

"That the Recommendation be adopted".

CARRIED UNANIMOUSLY

7.4.2 CONSULTATION REVIEW - REVIEW OF URBAN GROWTH BOUNDARY AT 52 RICHARDSONS ROAD, SANDFORD**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider consultation feedback on the request to modify the Southern Tasmanian Regional Land Use Strategy (STRLUS) Urban Growth Boundary (UGB), at 52 Richardsons Road, Sandford.

RELATION TO PLANNING PROVISIONS

Under the Clarence Local Provision Schedule, 52 Richardsons Road, Sandford is 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 has been exhibited for public comment. It has also been referred to government agencies and regional councils for their response.

RECOMMENDATION:

- A. That in response to the matters raised by the Minister for Planning in his letter dated 15 March 2021, council decides that:
 - a. the additional information supplied by the applicant and considered at the meeting of 20 September 2021 satisfies the relevant requirements of RLUS1;
 - b. the outcomes of the subsequent consultation process do not raise new matters that outweigh the merits of the proposal, as originally endorsed;
 - c. the Minister be provided with copies of all relevant documents and reports in response to his request for information to satisfy the requirements of RLUS1; and
 - d. the Minister be advised that in view of the above, Council affirms its support for the proposal and requests the Minister to approve the Urban Growth Boundary Amendment.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for council's decision in respect of this matter.

/ Refer to Page 28 for Decision on this Item...

CONSULTATION REVIEW - REVIEW OF URBAN GROWTH BOUNDARY AT 52 RICHARDSONS ROAD, SANDFORD /contd...

Decision:	MOVED Ald von Bertouch SECONDED Ald James
	<p>“A. That in response to the matters raised by the Minister for Planning in his letter dated 15 March 2021, Council notes that:</p> <ul style="list-style-type: none"> a. the additional information supplied by the applicant on 27 July 2021 and 7 September 2021 does not sufficiently meet the relevant RLUS1 requirements for Council to adopt the information as its response to the Minister; b. after referring the proposed amendment to all other Southern Councils, it is aware not all of those councils agree to the proposal, as required by the RLUS1; c. after referring the proposed amendment to relevant State Service agencies, State authorities and other infrastructure providers, it is aware that the Department of State Growth is not supportive of the current proposal. <p>B. That Council notes the quality and breadth of issues covered in the responses to the Council survey regarding support or otherwise of the proposed Sandford/Lauderdale Urban Growth Boundary amendment, particularly noting that 77% of respondents do not support the proposal.</p> <p>C. That Council withdraws its request of 9 February/3 March 2021 to the Minister for Planning to amend the Sandford/Lauderdale Urban Growth Boundary (UGB) and advises the Minister not to proceed to amend the UGB due to the information noted in A. and B. above, and for the specified reasons attached to this motion.</p> <p>D. That the details and conclusions included in the specified reasons attached to this motion be recorded as the reasons for Council’s decision in respect of this matter.”</p>

/ Decision contd on Page 29...

CONSULTATION REVIEW - REVIEW OF URBAN GROWTH BOUNDARY AT 52 RICHARDSONS ROAD, SANDFORD /Decision contd...**REASONS**

- The 20 September 2021 Council Meeting officer's report advises at pages 129 – 132 of several requirements within pages 4 – 5 of the RLUS1 which have not been adequately addressed; namely, point 4 under the minimum information requirements to support an amendment request, and points 1, 3, 5 and 6 under amendment requests that seek to modify the UGB. At the 20 September 2021 meeting, Council only noted, rather than adopted, the response provided for the applicants by JMG Engineers and Planners. Council needs to be confident that a detailed and targeted response to the relevant RLUS1 requirements has been provided to the Minister for Planning to ensure compliance with his request, in his letter dated 15 March 2021, for a direct response to RLUS1.
- The requirement on page 7 of the RLUS1 that the Minister for Planning will require all planning authorities in the relevant region to agree to the proposed amendment cannot be met, as some of the Southern Councils' responses did not express support. In fact, Glenorchy City Council's Mayor Bec Thomas in her letter, dated 1 November 2021, to Minister Jaensch advised that in adopting the reasoning provided in the Clarence City Council 9 February 2021 and 20 September 2021 Council Meeting officer's reports, Glenorchy City Council considered there "appears to be insufficient justification for the extension and it is not possible for Glenorchy City Council to provide a statement of support". She also stressed that "[s]upporting ad-hoc requests on the expansion of the UGB makes it increasingly difficult to promote the vision of the Hobart City Deal...Given the number of requests for changes being received, and that the cumulative impact of those approved requests is not being monitored on a regular basis, the value and role of the regional strategy and the work being undertaken on the Metroplan through the Hobart city Deal may be significantly compromised".

/ Decision contd on Page 30...

CONSULTATION REVIEW - REVIEW OF URBAN GROWTH BOUNDARY AT 52 RICHARDSONS ROAD, SANDFORD /Decision contd...

- The Department of State Growth's Secretary, Kim Evans, in his letter to the General Manager, dated 15 November 2021, reiterated and expanded on initial written comments provided to the General Manager in January 2021. He notes that "...further strategic justification is required to support the proposal...Given the regional context of the STRLUS, and development pressures across Greater Hobart, any demand and supply analysis should at least consider the Greater Hobart metropolitan area and ensure growth is planned and co-ordinated".
- Secretary Evans also advises that although the current proposal relates specifically to the expansion of the UGB, an attachment to his letter comments on the transport infrastructure and services impacts of the current proposed subdivision. He stresses that these impacts "...are not insignificant".
- The quantity and quality of the public consultation representations against the proposal (525 of 679) should be a critical factor in withdrawing Council's support for the proposed amendment. The Aldermen have been provided with the spreadsheets of comments for and against the proposal; there are 2 pages for the proposed amendment, and 57 pages against. Many of the reasons provided in the 9 February 2021 Council Meeting officer's report and recommendation to Council not to support the proposed UGB expansion are highlighted, elaborated upon, and given a local amenity and safety focus by the 77% of representations which did not support the proposal and gave detailed information on their issues of concern.

/ Decision contd on Page 31...

CONSULTATION REVIEW - REVIEW OF URBAN GROWTH BOUNDARY AT 52 RICHARDSONS ROAD, SANDFORD /Decision contd...

- As noted in the 28 February 2022 Council Meeting officer's report, at page 95, "[t]he request to amend the UGB is a non-statutory application...Council may therefore choose to review how it deals with the matter, having regard to the consultation outcomes". Following the extensive "Referral, Exhibition and Report" option adopted by Council on 20 September 2021, there is strong and varied evidence that Council should now withdraw its support for the current proposed amendment at 52 Richardsons Road, Sandford.

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

FOR

Ald Chong
Ald James
Ald von Bertouch
Ald Walker
Ald Warren

AGAINST

Ald Chipman
Ald Blomeley
Ald Edmunds
Ald Ewington
Ald Kennedy
Ald Mulder
Ald Peers

FORESHADOWED MOTION

MOVED Ald Blomeley **SECONDED** Ald Ewington

- "A. That in response to the matters raised by the Minister for Planning in his letter dated 15 March 2021, council decides that:
- a. the additional information supplied by the applicant and considered at the meeting of 20 September 2021 satisfies the relevant requirements of RLUS1;
 - b. the outcomes of the subsequent consultation process do not raise new matters that outweigh the merits of the proposal, as originally endorsed;
 - c. the Minister be provided with copies of all relevant documents and reports in response to his request for information to satisfy the requirements of RLUS1; and
 - d. the Minister be advised that in view of the above, Council affirms its support for the proposal and requests the Minister to approve the Urban Growth Boundary Amendment.

/ Decision contd on Page 32...

**CONSULTATION REVIEW - REVIEW OF URBAN GROWTH BOUNDARY AT 52
RICHARDSONS ROAD, SANDFORD /Decision contd...**

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.

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

FOR

Ald Chipman
Ald Blomeley
Ald Edmunds
Ald Ewington
Ald Kennedy
Ald Mulder
Ald Peers

AGAINST

Ald Chong
Ald James
Ald von Bertouch
Ald Walker
Ald Warren

7.4.3 DRAFT ACTIVE LIFESTYLE STRATEGY 2022-2032 – COMMUNITY CONSULTATION**EXECUTIVE SUMMARY****PURPOSE**

To seek approval to consult with the community on the draft Active Lifestyle Strategy 2022-2032.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021 - 2031, is relevant.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

To date consultation has been provided from internal stakeholders and council's Sport and Recreation Advisory Committee. Community Consultation will be undertaken in accordance with Council's Community Engagement Policy 2020.

FINANCIAL IMPLICATIONS

Consultation costs will be accommodated within the recurrent budget.

RECOMMENDATION:

- A. Approve the draft Active Lifestyle Strategy 2022-2032 for community Consultation.
- B. Authorise the General Manager to coordinate community consultation to obtain feedback on the draft Active Lifestyle Strategy 2022-2032 and to report the consultation outcomes to a future workshop.

Decision:	<p>MOVED Ald Ewington SECONDED Ald Walker</p> <p>“That the Recommendation be adopted”.</p> <p>The Mayor asked the Deputy Mayor to assume the Chair (9.05pm).</p> <p>The Mayor resumed the Chair at 9.07pm.</p> <p>The MOTION was put and CARRIED UNANIMOUSLY</p>
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8. MOTIONS ON NOTICE

Nil.

9. 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.

9.1 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.

9.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

9.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING

Ald Walker

1. My question relates to a notice of motion that I moved in November regarding inclusion of a representative from a dog walking group onto the tracks and trails committee. My understanding was that it was going to take some constitutional tweaking but could I have a rough idea of the likely timelines on when this might occur, or if there has been correspondence with representative groups since that motion.

ANSWER

The Notice of Motion approved by Council on 22 November 2021 provided:

Decision: MOVED Ald Walker SECONDED Ald Kennedy

“That Council expand the membership of the Tracks and Trails Committee to include a representative from a recognised dog walkers group, and authorise amendment of the Tracks and Trails Constitution to reflect this change”.
[emphasis added]

CARRIED UNANIMOUSLY

Consequently, council has authorised amendment of the Tracks and Trails Committee constitution and no further decision is required.

A representative of Clarence Dog Owners Group (CDOG) has been invited to attend the next Tracks and Trails committee meetings and did so on 17 February 2022.

2. There have been some issues in Cremorne around what you would call the “80’s” of Pipeclay Esplanade where the road isn’t specifically sealed and it relates to where the conduit or cable gets exposed so my question is can officers have another look at that area because I understand that something was rectified by contractors at the end of January and see if we need to be more specific in some of the protections for this or what role council has?

ANSWER

Council maintains the gravel and sealed sections up to the property at number 72. Council is not required to maintain access to properties beyond this point as there is not a declared road reserve or a constructed road. Some rocks and an evident depression were the result of repairs to the fibre optic cable infrastructure. This information has been directed to NBNco to reinstate the area to the condition it was prior to the cabling repair work.

Ald von Bertouch

In the Aldermen’s Weekly Briefing Package week commencing 20 September 2021, aldermen were advised via a memo from the Group Manager Engineering Services, Mr Graham, dated 21 September 2021, that there had been water damage to the Alma’s Activities Centre flooring. Could we be provided with a detailed reason for the damage; the cost of the repairs; whether the full cost will be covered by insurance; and the status of the repairs?

ANSWER

There was a leak from the water connection into a hand basin which caused damage to parquetry and carpet flooring in the main reception and adjoining rooms. This required complete replacement and amounted to around \$111,000 of damage.

The damage is covered by insurance. Replacement works are 95% complete.

Ald Peers

1. We received a letter from the Minister regarding ferries. When are we going to receive some more information? I notice the government want us to put money in for facilities and whatever; when are we going to receive some more information on ferries in general?

ANSWER

(C Paske) We will have an update to Aldermen on the specifics of ferries as it related to the Ashes service that we recently assisted with and more broadly ferries and the greater transport network will be considered as part of the Metro Plan consultation in the next couple of months.

Question contd

(Mayor) I think the nub of Ald Peers’ question is we have had some rhetoric from the government indeed from our sister council on the other side of the river about trials being extended and we have got nothing definitive in terms of whether there are any expectations or not on this council contributing towards those extensions so I guess what we are really seeking is if there is any guidance available or any progress to getting guidance in the future of all that.

ANSWER

(General Manager) The short answer is not at this stage. We are basically in the same situation (as officers) as the elected members are - that there has been some announcement about the way forward but nothing definite at this point.

2. Some time ago the Beltana Bowls Club wrote in about their carpark needing attention and looking at it, it looks like there has been a pipe or wires put under the ground and I have no idea whose responsibility that is. I'm just wondering because they sent a letter in I think before Christmas can we just get someone to go and have a look at that carpark and see what needs to be done and see if it is council's or their responsibility?

ANSWER

A work order was raised in 2021 to repair the potholes in the carpark however our crews have been busy on higher priority works. The work will be completed by the week of 21 February 2022.

Ald Mulder

1. My question relates to the ferries trial and when we will get a full report regarding the key performance criteria or objectives set by the government on the ferry trial. I'm not talking about just the usage but the impact on traffic congestion on the Tasman Bridge which was one of the reasons for the trial?

ANSWER

Officers have meetings scheduled in March with representatives from the Department of State Growth to get a briefing on the plans for the second year of the trial, which they expect will include a review of the impact of the service to-date and key statistics. Officers will provide an update to aldermen at a future workshop following these meetings.

2. My question relates to my failed motion this evening. Given the fact that the current two-step process utilises the delegation in a way that was not intended when the delegation was initially approved is it the intention of the General Manager or you Mr Mayor to conduct a workshop in order to regularise this delegation in a way that reflects what council is contemplating?

ANSWER

(Mayor) The problem is that council has given no indication that it is seeking a workshop in this area however I will discuss with the General Manager.

(Further information) – It is a matter for Council whether or not it wants a workshop on this subject.

Ald James

1. Has council received a further extension of time for the works on the property on the corner of Clarence Street and Cambridge Road Bellerive.

ANSWER

(J Toohey) No nothing has been received.

2. I refer to the Bellerive Yacht Club redevelopment. There was an original planning permit granted on 17 June 2019 and an amendment to the permit which was granted on 13 March 2020. In that, it was decided that the amendment was a change to allow construction through the year and therefore it did not require any formal approach to council to confirm or otherwise that amendment. Given that the amendment has basically allowed a change is it intended that with the new extension which is very close to the public pier is it going to be very difficult for the ferries to manoeuvre into the Federal Hotels' wharf in order to be able to continue with the ferry operation once that extension to that arm of the Bellerive Yacht Club extension is completed?

ANSWER

Not long after the ferry trial was announced, and planning was underway it was identified that the development application for the Bellerive Yacht Club marina extension and renewal was very close to the operating areas of the ferry. Subsequent to that the Department of State Growth, council and Bellerive Yacht Club entered into some negotiations to try and find a solution to that and the Department of State Growth and Bellerive Yacht Club, as I understand things, have resolved that they will not build out the last row of pens next to the pier and that there will be a new development application submitted at some stage to rearrange the marina layout further towards the shore end of Kangaroo Bay to account for that change. There is further work to be done on that so it is not clear at this point in time and once the work has been done, we can expect a further development application to go through the usual process. None of that is certain until such stage that there has been commitment between those parties and also a development permit issued.

Ald Edmunds

1. In October I asked a question about replacing the concrete ripple pads in Kerria Road, Grass Tree Hill Road, Marlock Road and Laurel Street in Risdon Vale, the answer was that there was a works order done. I was just wondering how far away the actual work is?

ANSWER

(R Graham) I will follow that up, ripple pads are regarded as line marking and the Department of State Growth undertake the maintenance of our line marking program when they are available and ready.

(Further information) Rumble bars were installed by the Department of State Growth at the intersection of Kerria Road/Grass Tree Hill Rd. However, some of these have been since damaged and removed. Maintenance of this safety bar island remains the responsibility of the Department of State Growth.

A number of locations across Risdon Vale were nominated to the Department of State Growth (DSG) in September 2021 for line marking maintenance, including the intersection of Laurel Road and Kerria Road. However, none of these were funded for maintenance in the DSG 2021/2022 line marking program.

2. It seems like our requests for maintenance, cutting of grass etc, around the city are at an all-time high not only this year but obviously this is the time of year that we get the requests. My question is about workforce capability. Do we consider that we have enough resources to get all this work done?

ANSWER

We are battling at the moment on a number of things, our request numbers are high, our council staff numbers are a little bit low because of vacancies and also our crews have been hit by COVID-19 absences, so we are trying to reschedule things in terms of capital and maintenance to address things as quickly as possible.

Ald Blomeley

1. Following the 22 November 2021 decision of this Council to support my motion calling for increased Police resourcing and collaboration with Tasmania Police to address anti-social behaviour in and around the Rosny Park Bus Mall and Rosny Skatepark, please provide an update as to what actions this Council has taken - including any interactions with Tasmania Police, the management of Eastlands Shopping Centre and other shopkeepers in the Rosny Park area?

ANSWER

Since the November council meeting the following has occurred:

- Tas police ran a pre-Christmas high visibility blitz in the Rosny Park area from the end of November through to end of December and had great success, with reports of incidences such as shoplifting down to zero by the end of December.
- The high vis exercises were re-initiated again last week and have started in full force again this week. This includes officers from Bellerive station, as well as the Metro Police unit. They have already issued a number of Public Infringement Notices (PINs) for smoking in the Rosny bus mall and includes increased attendance at the Skate Park and through Eastlands.

Furthermore, in relation to the skatepark:

- The CCTVs at the skate park now feeds directly to Bellerive police station
- Our youth services have increased their presence in skatepark including a skating session with YMCA and we are developing a more structured program to engage with young people in the mall/skatepark– estimated start time is 3 March.
- We have done a basic clean up and repairs around the skatepark, however there is more work to be done
- We have been talking with HCC about how they dealt with the problems at the North Hobart skatepark
- We have had discussions with other youth organisations about increasing their presence in the area – e.g. YouthBeat.
- Also talked with skatepark users including SHEShreds about what needs improvement and the possibility of them doing something there.

We continue to work together with the police, Eastlands, Rosny college, Metro and other players to improve safety in the area. Our next meeting is in mid-March to review progress and plan the next stages.

2. Following the 22 November 2021 decision of this Council to advertise our intention to enter into a 10-year lease with the Hobart Model Aero Club, can the General Manager please advise:
 1. if any objections were received, and
 2. if so, what is the process from here?

ANSWER

Council received correspondence during the objection period which did not specifically state it was an objection. Council has written to the person asking for clarification whether the correspondence was intended as an objection and has not yet heard back.

If the person intended to make an objection, it will be the subject of a report to the next Council meeting. If the person did not intend to make an objection, council officers will proceed with renewing the lease with the Hobart Model Aero Club.

9.4 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.

10. 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.

10.1 APPLICATIONS FOR LEAVE OF ABSENCE

10.2 JOINT AUTHORITY MATTER

10.3 TENDER T1439-21 CONCRETE – SUPPLY AND DELIVERY 2022-2023

10.4 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:

- contracts and tenders for the supply of goods and services;
- information of a confidential nature or information provided to the council on the condition it is kept confidential;
- 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;
- applications by Aldermen for a Leave of Absence.

The content of reports and details of the Council decisions in respect to items listed in “Closed Meeting” are to be kept “confidential” and are not to be communicated, reproduced or published unless authorised by the Council.

Decision:	PROCEDURAL MOTION	
	MOVED Ald Peers SECONDED Ald 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”.	
	CARRIED	
	FOR	AGAINST
	Ald Chipman	Ald von Bertouch
	Ald Blomeley	
	Ald Chong	
	Ald Edmunds	
	Ald Ewington	
	Ald James	
	Ald Kennedy	
	Ald Mulder	
	Ald Peers	
	Ald Walker	
	Ald Warren	

The Meeting closed at 10.03pm

CLOSED MEETING /contd...

The following Closed Meeting Motions have been authorised by Council for publication in the public Minutes.

10.3 TENDER T1439-21 CONCRETE – SUPPLY AND DELIVERY 2022-2023**Decision:****MOVED** Ald Edmunds **SECONDED** Ald James

“A. That the Tender received from Hanson Construction Materials Pty Ltd be accepted for Concrete supply and delivery 2022-2023.

B. That, in accordance with Regulation 34(3) of the Local Government (Meeting Procedures) Regulations 2015, council authorises for release of the council’s decision (only) in respect to this item to the general public via the open minutes of this meeting and for communication to relevant parties.”

CARRIED UNANIMOUSLY