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| <b>MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 11 APRIL 2022</b> |
|--|

**HOURL CALLED:** 7.00pm

**PRESENT:** The meeting commenced at 7.00 pm with the Acting Mayor (Ald H Chong) in the Chair and with Aldermen:

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

**1. APOLOGIES** D C Chipman (Mayor)

**ORDER OF BUSINESS** Items 1 – 10

**IN ATTENDANCE**

General Manager  
(Mr I Nelson)

Acting Group Manager Engineering Services  
(Ms A Moore)

Manager Health and Community Development  
(Mr J Toohey)

Manager City Planning  
(Mr R Lovell)

Chief Financial Officer  
(Ms J Murrell)

Manager Communication and Strategic Development  
(Mr C Paske)

Executive Officer to the General Manager  
(Ms J Ellis)

The Meeting closed at 10.04 pm.

**COUNCIL MEETING**  
**MONDAY 11 APRIL 2022**

**TABLE OF CONTENTS**

| <b>ITEM</b> | <b>SUBJECT</b>   | <b>PAGE</b> |
|-------------|--|-------------|
| 1.          | ACKNOWLEDGEMENT OF COUNTRY .....   | 5           |
| 2.          | ATTENDANCE AND APOLOGIES .....   | 5           |
| 3.          | DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE .....   | 5           |
| 4.          | OMNIBUS ITEMS 6  |             |
| 4.1         | CONFIRMATION OF MINUTES .....  | 6           |
| 4.2         | MAYOR'S COMMUNICATION .....  | 6           |
| 4.3         | COUNCIL WORKSHOPS .....  | 7           |
| 4.4.        | TABLING OF PETITIONS .....   | 8           |
| 4.5         | REPORTS FROM OUTSIDE BODIES .....  | 9           |
| 4.6         | REPORTS FROM SINGLE AND JOINT AUTHORITIES .....  | 9           |
| 4.7         | REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES .....  | 10          |
|             | 4.7.1 CLARENCE JAZZ FESTIVAL EVENT REPORT 2022 .....   | 10          |
| 4.8         | WEEKLY BRIEFING REPORTS .....  | 11          |
| 5.          | PUBLIC QUESTION TIME .....   | 12          |
| 5.1         | PUBLIC QUESTIONS ON NOTICE .....   | 12          |
| 5.2         | ANSWERS TO QUESTIONS ON NOTICE .....   | 12          |
| 5.3         | ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE .....  | 12          |
| 5.4         | QUESTIONS WITHOUT NOTICE .....   | 13          |
| 6.          | DEPUTATIONS BY MEMBERS OF THE PUBLIC .....   | 14          |
| <b>7</b>    | <b>PLANNING AUTHORITY MATTERS</b>  |             |
| 7.1         | DEVELOPMENT APPLICATION PDPLANPMTD-2021/017577 – 269 KENNEDY DRIVE, CAMBRIDGE (WITH ACCESS OVER 273 KENNEDY DRIVE, CAMBRIDGE) - WAREHOUSE, CARAVAN PARK AND RESTAURANT ..... | 16          |
| 7.2         | DEVELOPMENT APPLICATION PDPLANPMTD-2021/021597 – 147 BAYVIEW ROAD, LAUDERDALE - 22 LOT SUBDIVISION .....   | 19          |
| 7.3         | AMENDMENT APPLICATION PDPSAMEND-2019/001707- 18 DOWNHAMS ROAD, RISDON VALE – ARAN ECO-DEVELOPMENT SPECIFIC AREA PLAN AND SITE-SPECIFIC DEPARTURE .....                       | 23          |
| 7.4         | CLARENCE LOCAL PROVISION SCHEDULE - LINDISFARNE REZONING TO THE GENERAL RESIDENTIAL ZONE .....   | 25          |

|            |   |    |
|------------|---|----|
| 7.5        | CLARENCE LOCAL PROVISION SCHEDULE - ROSNY HILL NATURE RECREATION AREA:<br>REZONING TO THE ENVIRONMENTAL MANAGEMENT ZONE .....                 | 27 |
| 7.6        | CLARENCE LOCAL PROVISIONS SCHEDULE - APPLICATION OF NATURAL ASSET CODE AND<br>REZONING TO THE LANDSCAPE CONSERVATION ZONE, HOWRAH HILLS ..... | 29 |
| 7.7        | CLARENCE LOCAL PROVISION SCHEDULE - REPLACEMENT OF THE ROAD AND RAILWAY<br>ASSETS CODE ATTENUATION AREAS OVERLAY WITH REVISED MAPPING .....   | 31 |
| 7.8        | CLARENCE LOCAL PROVISION SCHEDULE – MODIFICATION OF THE POTENTIALLY<br>CONTAMINATED LAND OVERLAY .....  | 33 |
| 8.         | REPORTS OF OFFICERS.....  | 34 |
| 8.1        | DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS.....   | 34 |
| 8.1.1      | PETITION – FOOTPATH HOOKEY PLACE, ROKEBY .....  | 34 |
| 8.1.2      | PETITION – “NORTHERN PASS ROAD PRECINCT” .....  | 36 |
| <b>8.2</b> | <b>ASSET MANAGEMENT - NIL ITEMS</b>   |    |
| <b>8.3</b> | <b>FINANCIAL MANAGEMENT - NIL ITEMS</b>   |    |
| <b>8.4</b> | <b>GOVERNANCE</b>   |    |
| 8.4.1      | DRAFT COMMUNITY WELLBEING STRATEGY 2022-2032 – COMMUNITY<br>CONSULTATION.....   | 40 |
| 8.4.2      | UPDATED CONSTITUTION – DISABILITY ACCESS ADVISORY COMMITTEE .....   | 42 |
| 8.4.3      | RENEWAL OF LEASE – SOUTH ARM PENINSULA RESIDENTS ASSOCIATION<br>COMMUNITY CENTRE– 9 CALVERTON PLACE, SOUTH ARM .....                          | 43 |
| <b>9.</b>  | <b>MOTIONS ON NOTICE</b>  |    |
| 9.1        | NOTICE OF MOTION - ALD JAMES<br>PARKING ARRANGEMENTS IN THE VICINITY OF BELLERIVE VILLAGE .....   | 45 |
| 9.2        | NOTICE OF MOTION - ALD MULDER<br>YOUTH JUSTICE PROGRAMS .....   | 46 |
| 9.3        | NOTICE OF MOTION - ALD VON BERTOCH<br>NATURAL DISASTER/HUMANITARIAN CRISIS ASSISTANCE POLICY .....  | 47 |

|      |  |    |
|------|--|----|
| 10.  | ALDERMEN’S QUESTION TIME .....                                       | 48 |
| 10.1 | QUESTIONS ON NOTICE .....  | 48 |
| 10.2 | ANSWERS TO QUESTIONS ON NOTICE .....                                 | 48 |
| 10.3 | ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING ..... | 50 |
| 10.4 | QUESTIONS WITHOUT NOTICE .....                                       | 53 |
| 11.  | CLOSED MEETING .....   | 54 |
| 11.1 | APPLICATIONS FOR LEAVE OF ABSENCE                                    |    |
| 11.2 | TENDER 1391/20 – SPITFARM ROAD, OPOSSUM BAY – STORMWATER UPGRADE     |    |
| 11.3 | TENDER T1410-21 – KERBSIDE WASTE COLLECTION SERVICE                  |    |

**BUSINESS TO BE CONDUCTED AT THIS MEETING IS TO BE CONDUCTED IN THE ORDER IN WHICH IT IS SET OUT IN THIS AGENDA UNLESS THE COUNCIL BY ABSOLUTE MAJORITY DETERMINES OTHERWISE**

**COUNCIL MEETINGS, NOT INCLUDING CLOSED MEETING, ARE AUDIO-VISUALLY RECORDED AND PUBLISHED TO COUNCIL’S WEBSITE**

## 1. ACKNOWLEDGEMENT OF COUNTRY FOLLOWED BY COUNCIL PRAYER

The Acting Mayor:

- made the following statement:

*“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”.*

- recited the Council prayer; and
- 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. A link to the Agenda is available via Council’s website.

## 2. ATTENDANCE AND APOLOGIES

Refer cover page

## 3. 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

| <b>Alderman</b>    | <b>Item No.</b> |
|--------------------|-----------------|
| Ald L Edmunds      | 7.3             |
| Ald S von Bertouch | 8.4.3 and 11.3  |

## 4. OMNIBUS ITEMS

### 4.1 CONFIRMATION OF MINUTES

#### RECOMMENDATION:

That the Minutes of the Council Meeting held on 21 March 2022, as circulated, be taken as read and confirmed.

**Decision:** **MOVED** Ald Peers **SECONDED** Ald Mulder

“That the Minutes of the Council Meeting held on 21 March 2022, as circulated, be taken as read and confirmed”.

**CARRIED UNANIMOUSLY**

### 4.2 MAYOR'S COMMUNICATION

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

#### Mayor

|                 |   |
|-----------------|---|
| 22 March 2022 - | ABC Radio Interview with Ryk Goddard                      |
| 23 March 2022 - | Coal River Valley Networking Event at Pooleys             |
| 24 March 2022 - | Greater Hobart Committee Meeting                          |
| -               | RDA Tasmania – Governance Committee Meeting               |
| 25 March 2022 - | ABC 936 with Leon Compton                                 |
| -               | Greater Hobart Mayors Meeting                             |
| -               | Neighbour Day Media Event                                 |
| 26 March 2022 - | McDonalds National Premier League Tasmania Match          |
| 27 March 2022 - | Women's National Cricket League Chairman's room event     |
| 29 March 2022 - | 7HOFM - Jimmy & Nathan re length of Seven Mile Beach      |
| -               | Southern Covid Regional Recovery Committee meeting        |
| 30 March 2022 - | Greater Hobart Mayors Forum                               |
| 31 March 2022 - | Metro Tasmania Business Update                            |
| -               | ABC Radio Interview re Federal Election                   |
| 1 April 2022 -  | 7HOFM - Interview with Jimmy & Nath                       |
| 5 April 2022 -  | Ryk Goddard- ABC 936 interview re Airport                 |
| 7 April 2022 -  | Exhibition Opening Connected: An Eastern Shore Print Show |
| 8 April 2022 -  | Ferry Funding Commitment Announcement Media Event         |

#### Deputy Mayor Heather Chong

|                 |   |
|-----------------|---|
| 22 March 2022 - | Harmony Week Event – Libraries Tasmania             |
| 24 March 2022 - | Opening of Harmony Week – Rosny Farm Arts Centre    |
| 31 March 2022 - | Rosny College Achievers Presentation (online event) |
| 4 April 2022 -  | Youth Week Tasmania Launch                          |
| 4 April 2022 -  | 26TEN Community Project Launch                      |

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

The Acting Mayor tabled the briefing notes from a meeting held with Chambroad Australia on 24 March 2022

**4.3 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:

| <b>PURPOSE</b>                               | <b>DATE</b> |
|--|-------------|
| Fees Comparison                              |             |
| Community Well-being Strategy                |             |
| Greenhouse Gas Emissions                     |             |
| PlanBuild                                    |             |
| Business Support                             | 28 March    |
| DSG Network Operating Plan                   |             |
| Clarence Local Provision Schedule Amendments |             |
| Waste Levy                                   |             |
| Confidential – Significant Projects Update   |             |
| School Road                                  | 4 April     |

**RECOMMENDATION:**

That Council notes the workshops conducted.

**Decision:** **MOVED:** Ald Peers **SECONDED:** Ald Mulder

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

#### **4.4. 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.

Nil.



**4.5 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.

**4.6 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**

March Quarterly Report pending.

**Representative Reporting**

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

## **4.7 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES**

### **4.7.1 CLARENCE JAZZ FESTIVAL EVENT REPORT 2022**

#### **EXECUTIVE SUMMARY**

##### **PURPOSE**

The purpose of this report is to table the Clarence Jazz Festival 2022 Event Report.

##### **RELATION TO EXISTING POLICY/PLANS**

City Events Plan 2014–2018 is relevant. The Clarence Jazz Festival is a tool to market the city nationally and is the City’s signature event.

##### **LEGISLATIVE REQUIREMENTS**

Nil.

##### **CONSULTATION**

Audience surveys and community feedback through review of the Cultural Arts Plan.

##### **FINANCIAL IMPLICATIONS**

The Clarence Jazz Festival is funded annually through the Annual Operating Plan.

#### **RECOMMENDATION:**

That council receives the Clarence Jazz Festival 2022 Event Report.

**Decision:** **MOVED:** Ald Peers **SECONDED:** Ald Mulder

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

## **OTHER REPORTS**

#### **Events Special Committee**

- The Acting Mayor tabled Minutes from a meeting held on 16 March 2022

#### **Cultural History Advisory Committee**

- The Acting Mayor tabled Minutes of a meeting held on 23 February 2022

**4.8 WEEKLY BRIEFING REPORTS**

The Weekly Briefing Reports of 21 and 28 March and 4 April 2022 have been circulated to Aldermen.

**RECOMMENDATION:**

That the information contained in the Weekly Briefing Reports of 21 and 28 March and 4 April 2022 be noted.

**Decision:** **MOVED** Ald Peers **SECONDED** Ald Mulder

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**5. 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.

**5.1 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.

**5.2 ANSWERS TO QUESTIONS ON NOTICE**

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

Nil.

**5.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

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

At Council's Meeting of 21 March Teena Bourne of Rokeby asked the following questions.

**NEIGHBOURHOOD CENTRES**

1. Who will be funding the six new Neighbourhood Centres in the Skyline Plans?
2. Does Clarence City Council give funding to the two Neighbourhood Centre that is currently providing excellent services to the community in the Clarence Plains Area?"

**ANSWER**

1. The Skylands Master Plan contemplates six new communities on the Droughty Point peninsula. Within each community it is proposed that there be an activity centre that includes local shops and other facilities that a local community might need. There is no proposal to establish six Neighbourhood Centres that we are aware of.

**ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE /CONTD...**

2. There are four Neighbourhood Centres currently operating in the Clarence municipality. They are funded through the Tasmanian Government via the Department of Communities. Council does not provide direct funding to these centres; however, it does provide a significantly subsidised lease to the Rokeby Neighbourhood Centre. Council also leases land to the Warrane / Mornington Neighbourhood Centre for a community garden. This reflects councils' approach to work in partnership with neighbourhood centres by providing support to assist each centre.

**5.4 QUESTIONS WITHOUT NOTICE**

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

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

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

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

|  |
|--|
| <b>6. DEPUTATIONS BY MEMBERS OF THE PUBLIC</b> |
|--|

(In accordance with Regulation 38 of the Local Government (Meeting Procedures) Regulations 2015 and in accordance with Council Policy, deputation requests are invited to address the Meeting and make statements or deliver reports to Council)

Nil.

|          |                                   |
|----------|-----------------------------------|
| <b>7</b> | <b>PLANNING AUTHORITY MATTERS</b> |
|----------|-----------------------------------|

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:

**7.1 DEVELOPMENT APPLICATION PDPLANPMTD-2021/017577 – 269 KENNEDY DRIVE, CAMBRIDGE (WITH ACCESS OVER 273 KENNEDY DRIVE, CAMBRIDGE) - WAREHOUSE, CARAVAN PARK AND RESTAURANT****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Warehouse, Caravan Park and Restaurant at 269 Kennedy Drive, Cambridge (with access over 273 Kennedy Drive, Cambridge).

**RELATION TO PLANNING PROVISIONS**

The land is zoned Light Industrial and Open Space and subject to the Natural Assets, Safeguarding of Airports, Coastal Inundation Hazard and Flood-prone Hazard 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 was extended with the consent of the applicant until 30 April 2022.

**CONSULTATION**

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

- impact on natural values;
- impact on water quality;
- impact on adjoining airport services; and
- Caravan Park and Restaurant is a prohibited use.

**RECOMMENDATION:**

A. That the Development Application for Warehouse, Caravan Park and Restaurant at 269 Kennedy Drive, Cambridge (with access over 273 Kennedy Drive, Cambridge) (CI Ref PDPLANPMTD-2021/017577) be refused for the following reasons.

1. The proposed caravan sites and reception/amenities building is defined as Visitor Accommodation which is a prohibited use in the Light Industrial Zone.



2. The proposal does not comply with Clause 18.3.2 P1 of the Light Industrial Zone as the close proximity of the warehouse is likely to result in noise and odour emissions which will have an adverse impact on the users of the visitor accommodation and restaurant and thereby creates a land use conflict which would compromise the use of the land for industrial purposes.
  3. The proposal does not comply with Clause C3.5.1 P1 of the Road and Railway Assets Code as the safety and efficiency will be adversely effected due to the conflict between the users of the warehouse and the caravan park and restaurant.
  4. The proposal does not comply with Clause C7.6.1 P1.1 of the Natural Assets Code as there would be an adverse impact on natural values as the buffers between the site and the Pittwater Orielton RAMSAR Wetland Site are insufficient.
  5. The proposal does not comply with Clause C7.6.1 P2.1 of the Natural Assets Code as the proposed cabins are located within a coastal refugia area and development within this area is considered to limit the potential for landward retreat of saltmarsh and saline wetlands due to sea level rise caused by climate change.
  6. The proposal does not comply with Clause C7.6.1 P2.2 of the Natural Assets Code as the proposed use is not reliant upon a coastal location to fulfill its purpose.
  7. The proposal does not comply with Clause C11.5.2 P1.1 and P1.1 of the Coastal Inundation Hazard Code as the proposed caravan park is not a use that relies on a coastal location to fulfill its purpose.
  8. The proposal does not comply with Clause C11.6.1 P1.1 and P1.2 of the Coastal Inundation Hazard Code as a coastal inundation hazard report was not provided.
  9. The proposal does not comply with Clause C16.5.1 of the Safeguarding of Airports Code as the visitor accommodation and restaurant will adversely impact the operation of the Cambridge Airport.
- 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 18 for Decision...

**DEVELOPMENT APPLICATION PDPLANPMTD-2021/017577 – 269 KENNEDY DRIVE, CAMBRIDGE (WITH ACCESS OVER 273 KENNEDY DRIVE, CAMBRIDGE) - WAREHOUSE, CARAVAN PARK AND RESTAURANT /contd...**

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

“That the Recommendation be adopted”

**CARRIED UNANIMOUSLY**

**7.2 DEVELOPMENT APPLICATION PDPLANPMTD-2021/021597 – 147 BAYVIEW ROAD, LAUDERDALE - 22 LOT SUBDIVISION****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 22 lot subdivision at 147 Bayview Road, Lauderdale.

**RELATION TO PLANNING PROVISIONS**

The land is zoned General Residential and subject to the Road and Railway Assets Code, the Natural Assets Code, the Safeguarding of Airports Code, the Bushfire-prone Areas Code, the Coastal Inundation Hazard Code and the Flood-prone Areas Hazard 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 with the written consent of the applicant on 13 April 2022.

**CONSULTATION**

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

- environmental impact;
- traffic impact;
- noise;
- impact on residential amenity;
- impact on character; and
- inappropriate subdivision design.

**RECOMMENDATION:**

A. That the Development Application for a 22 lot subdivision at 147 Bayview Road, Lauderdale (CI Ref PDPLANPMTD-2021/021597) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. Amended plans showing a change to the area of the public open space to create a taper from the southern boundary of Lot 21 to the north-western corner of the site must be submitted to and approved by Council's Manager City Planning. The total area of public open space is to be no less than one-twentieth of the whole area comprised in the plan of subdivision. When approved, the plans will form part of this permit.

3. An amended bushfire hazard management plan (BHMP) is required showing all the individual lots and is certified by the Tasmania Fire Service (TFS) or an accredited person, showing hazard management areas equal to, or greater than the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS3959-2009 Construction of buildings in bushfire-prone Areas must be submitted to and approved by Council's Manager City Planning prior to the commencement of the use/development. When approved, the plans will form part of the permit.
4. The Final Plan and Schedule of Easements for Lots 12 to 22 inclusive must describe an area that:
  - prohibits development within the saltmarsh migration area described by the Natural Values Assessment dated 31 August 2021 and Addendum dated 7 February 2022, prepared by North Barker Ecosystem Services; and
  - for Lots 10 to 22 inclusive, a bushfire hazard management zone as required by the Bushfire Hazard Management Plan referred to by Condition 3, within which no habitable building or part thereof is to be constructed, unless constructed to a higher BAL standard and accompanied by a bushfire hazard management plan that operates in a manner that is consistent with BHMP referred to at Recommendation 3 above.
5. An environmental management plan is to be submitted to and endorsed by Council's Group Manager Engineering Services, prior to commencement of site works. The plan is to include the demarcation of the permitted impact area (the building impact area) on-site and on all construction plans and include a requirement that all works, and movements be confined within the designated impact area. It will additionally identify the actions required by both the developer and future lot owners to comply with the recommendations of the Natural Values Assessment (Section 5) dated 31 August 2021 and Addendum (Section 2.2.4) dated 7 February 2022, prepared by North Barker Ecosystem Services.
6. GEN F5 – PART 5 AGREEMENT [the ongoing management and maintenance of Lots 12 to 22 inclusive as described by the environmental management plan required by Condition 5].
7. Filling of the land shall be fit for the purposes of those future uses reasonably expected on the land and must be undertaken in a manner which does not create nuisance by way of dust, noise, traffic movements or weed dispersal, either during the filling operation or after completion. Upon completion of filling operations, the works shall be certified by a suitably qualified person as being carried out in accordance with the approved filling plan and rehabilitation plan and is fit for purpose and free of deleterious matter or hazardous/controlled substances. An as constructed topographical survey plan at a suitable scale is to be provided to council upon completion of the works.

8. LAND 5 – SUBDIVISION LANDSCAPING.
9. GEN AM4 – CONSTRUCTION HOURS.
10. ENG S3A – WATER SENSITIVE URBAN DESIGN PRINCIPLES.
11. ENG A1 – NEW CROSSOVER [TSD-R09].
12. ENG A3 – COMBINED ACCESSES [TSD-R09].
13. ENG M2 – DESIGNS SD.
14. ENG M4 – POS ACCESS.
15. ENG M5 – EROSION CONTROL.
16. ENG R1 – ROAD NAMES.
17. ENG M7 – WEED MANAGEMENT PLAN.
18. ENG M8 – EASEMENTS.
19. ENG R2 – URBAN ROAD.
20. ENG S1 – INFRASTRUCTURE REPAIR.
21. ENG S4 – STORMWATER CONNECTION.
22. ENG R5 – ROAD EXTENSION.
23. The development must meet all required Conditions of Approval specified by TasWater notice dated 10 September 2021 (TWDA 2021/01482-CCC).

ADVICE:

- Consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot. To understand what these requirements may entail, it is recommended that the proponent contact TasNetworks Early Engagement team at [early.engagement@tasnetworks.com.au](mailto:early.engagement@tasnetworks.com.au) at their earliest opportunity.

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

Ald Edmunds declared and **Interest** in this Item and left the Meeting prior to discussion (7.10 pm)

/Refer to Page 22 for Decision...

**DEVELOPMENT APPLICATION PDPLANPMTD-2021/021597 – 147  
BAYVIEW ROAD, LAUDERDALE - 22 LOT SUBDIVISION /contd...**

|                  |   |                  |
|------------------|---|------------------|
| <b>Decision:</b> | <b>MOVED:</b> Ald Ewington <b>SECONDED:</b> Ald Peers |                  |
|                  | “That the Recommendation be adopted”.                 |                  |
|                  | <b>CARRIED</b>  |                  |
|                  | <b>FOR</b>  | <b>AGAINST</b>   |
|                  | Ald Chong   | Ald Mulder       |
|                  | Ald Blomeley  | Ald von Bertouch |
|                  | Ald Ewington  |                  |
|                  | Ald James   |                  |
|                  | Ald Kennedy   |                  |
|                  | Ald Peers   |                  |
|                  | Ald Walker  |                  |
|                  | Ald Warren  |                  |

Ald Edmunds returned to the Meeting at this stage (7.21 pm)

**7.3 AMENDMENT APPLICATION PDPSAMEND-2019/001707- 18 DOWNHAMS ROAD, RISDON VALE – ARAN ECO-DEVELOPMENT SPECIFIC AREA PLAN AND SITE-SPECIFIC DEPARTURE****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to review council's decision of 10 May 2021 in response to the representations received during the public exhibition period in accordance with the requirements of Section 40K of the Land Use Planning and Approvals Act, 1993 (LUPAA).

The representations relate to an application made for a Section 37 planning scheme amendment at 18 Downhams Road, Risdon Vale.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Landscape Conservation and subject to the following Codes under the Tasmanian Planning Scheme - Clarence (the Scheme):

- Landslip Hazard;
- Natural Assets;
- Potentially Contaminated;
- Safeguarding of Airports;
- Bushfire-prone Areas;
- Flood-prone Hazard Areas;
- Electricity Transmission Infrastructure Protection.

**LEGISLATIVE REQUIREMENTS**

The proposal was submitted to council in accordance with Section 37 of LUPAA for a planning scheme amendment. The certified amendment was advertised in accordance with the statutory requirements and pursuant to Section 40K of LUPAA; council is required to consider the merits of any representation received.

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 proposal was advertised in accordance with the statutory requirements and six representations were received including submissions from:

- neighbouring property owners and interested parties;
- the applicant;
- the Department of State Growth; and
- the Tasmania Fire Service.

The matters raised by the representors relate to:

- support for the proposed amendment and modifications reflected in the certified SAP;
- the excluded portion of the site;
- property address/description;
- passive surveillance and potential for a gated community;
- maintenance of Downhams Road;
- bushfire risk, hazard management and vegetation clearance;
- proximity to the quarry at 415 Flagstaff Gully Road, Lindisfarne; and
- proximity to the private timber reserve at 429 Flagstaff Gully Road, Lindisfarne.

These issues are discussed within the body of the report.

### **RECOMMENDATION:**

- A. That Council resolves, under Sections 39(2) of the Land Use Planning and Approvals Act, 1993 to advise the Tasmanian Planning Commission that it considers the merits of the representations relating to the draft amendment PDPSPAMEND-2019/001707 warrant the following modifications:
1. The draft Aran Eco–Development Specific Area Plan be modified to meet the drafting standards of the Tasmanian Planning Scheme and that additional acceptable solutions and performance criteria be included to satisfy the matters raised by the representations made by the Tasmania Fire Service, as noted in the Associated Report.
  2. A Site-Specific Qualification be added to the Clarence Local Provisions Schedule to enable the minimum lot size to be 15ha at 18 Downhams Road, Risdon Vale and that this be limited to the 15ha located outside the draft Aran Eco–Development Specific Area Plan.
- 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.

|                  |   |
|------------------|---|
| <b>Decision:</b> | <b>MOVED:</b> Ald James <b>SECONDED:</b> Ald Ewington |
|                  | “That the Recommendation be adopted”.                 |
|                  | <b>CARRIED UNANIMOUSLY</b>                            |

### **CLARENCE LOCAL PROVISIONS SCHEDULE ITEMS**

|                  |   |
|------------------|---|
| <b>Decision:</b> | <b>PROCEDURAL MOTION</b>                              |
|                  | <b>MOVED:</b> Ald Mulder <b>SECONDED:</b> Ald Kennedy |
|                  | “That Items 7.4-7.8 be dealt with as an omnibus item” |
|                  | <b>CARRIED UNANIMOUSLY</b>                            |



**7.4 CLARENCE LOCAL PROVISION SCHEDULE - LINDISFARNE REZONING TO THE GENERAL RESIDENTIAL ZONE****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to review the representations received following the exhibition of the proposed amendment to the Clarence Local Provision Schedule (LPS) which was directed to be advertised by the Tasmanian Planning Commission (TPC).

**RELATION TO PLANNING PROVISIONS**

The LPS makes up the local component of the Tasmanian Planning Scheme (TPS).

**LEGISLATIVE REQUIREMENTS**

The proposed planning scheme modification was directed to be advertised by the TPC following the hearing into the Clarence LPS.

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 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 amendments were exhibited from Wednesday 17 November - Tuesday 14 December 2021 in accordance with statutory requirements and one representation in support of the proposed amendments was received, TasWater responded to the advertised amendment and did not raise any objections.

**RECOMMENDATION:**

- A. That council resolves, under Section 40K of the Land Use Planning and Approvals Act, 1993 to advise the Tasmanian Planning Commission regarding draft PDPSAMEND-2021/022801 that:
- The draft amendment not be modified to take account of any representation;
  - It is satisfied that the draft amendment meets the LPS criteria;
  - It recommends that draft amendment be modified, and that 22 Radiata Drive retain its open space zoning and it not be zoned General Residential.
- 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 26 for Decision...

**CLARENCE LOCAL PROVISION SCHEDULE - LINDISFARNE REZONING  
TO THE GENERAL RESIDENTIAL ZONE /contd...**

|                  |   |
|------------------|---|
| <b>Decision:</b> | <b>MOVED:</b> Ald Mulder <b>SECONDED:</b> Ald Kennedy |
|                  | “That the Recommendation be adopted”.                 |
|                  | <b>CARRIED UNANIMOUSLY</b>                            |

**7.5 CLARENCE LOCAL PROVISION SCHEDULE - ROSNY HILL NATURE RECREATION AREA: REZONING TO THE ENVIRONMENTAL MANAGEMENT ZONE****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to review the representations received following the exhibition of the proposed amendments to the Clarence Local Provision Schedule (LPS) which was directed to be advertised by the Tasmanian Planning Commission (TPC).

**RELATION TO PLANNING PROVISIONS**

The LPS makes up the local component of the future Tasmanian Planning Scheme (TPS).

**LEGISLATIVE REQUIREMENTS**

The proposed planning scheme amendment was directed to be advertised by the TPC following the hearing into the LPS.

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 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 amendments were exhibited from Wednesday 17 November - Tuesday 14 December 2021 in accordance with statutory requirements and 108 representations (106 in support and two against) were received. TasWater responded to the advertised amendment and did not raise any objections.

**RECOMMENDATION:**

- A. That council resolves, under Section 40K of the Land Use Planning and Approvals Act, 1993 to advise the Tasmanian Planning Commission regarding draft amendment PDPSAMEND-2021/022803 that:
- the draft amendment is not modified to take account of any representation;
  - it is satisfied that the draft amendment meets the LPS criteria; and
  - it does not recommend that any modifications be made to the 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...

**CLARENCE LOCAL PROVISION SCHEDULE - ROSNY HILL NATURE  
RECREATION AREA: REZONING TO THE ENVIRONMENTAL  
MANAGEMENT ZONE /contd...**

**Decision:** **MOVED:** Ald Mulder **SECONDED:** Ald Kennedy

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**7.6 CLARENCE LOCAL PROVISIONS SCHEDULE - APPLICATION OF NATURAL ASSET CODE AND REZONING TO THE LANDSCAPE CONSERVATION ZONE, HOWRAH HILLS****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to review the representations received following the exhibition of the proposed amendments to the Clarence Local Provision Schedule (LPS) which was directed to be advertised by the Tasmanian Planning Commission (TPC).

**RELATION TO PLANNING PROVISIONS**

The LPS makes up the local component of the Tasmanian Planning Scheme (TPS).

**LEGISLATIVE REQUIREMENTS**

The proposed planning scheme amendment was directed to be advertised by the TPC following the hearing into the LPS.

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 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 amendments were exhibited from Wednesday 17 November - Tuesday 14 December 2021 in accordance with statutory requirements and three representations, all in support of the proposed planning scheme amendment, were received.

**RECOMMENDATION:**

- A. That Council resolves, under Section 40K of the Land Use Planning and Approvals Act, 1993 to advise the Tasmanian Planning Commission regarding draft amendment PDPSAMEND-2021/022804 that:
- the draft amendment is not modified to take account of any representation;
  - it is satisfied that the draft amendment meets the LPS criteria.
  - does not recommended that any modifications be made to the 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 30 for Decision...

**CLARENCE LOCAL PROVISIONS SCHEDULE - APPLICATION OF  
NATURAL ASSET CODE AND REZONING TO THE LANDSCAPE  
CONSERVATION ZONE, HOWRAH HILLS /contd...**

**Decision:**

**MOVED:** Ald Mulder **SECONDED:** Ald Kennedy

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**7.7 CLARENCE LOCAL PROVISION SCHEDULE - REPLACEMENT OF THE ROAD AND RAILWAY ASSETS CODE ATTENUATION AREAS OVERLAY WITH REVISED MAPPING****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to review the representations received following the exhibition of the proposed amendments to the Clarence Local Provision Schedule (LPS) which was directed to be advertised by the Tasmanian Planning Commission (TPC).

**RELATION TO PLANNING PROVISIONS**

The LPS makes up the local component of the future Tasmanian Planning Scheme (TPS).

This amendment was considered by the TPC to be a substantial modification to the advertised LPS.

**LEGISLATIVE REQUIREMENTS**

The proposed planning scheme amendment was directed to be advertised by the TPC following the hearing into the LPS.

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 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 substantial modification was exhibited from Wednesday 17 November - Tuesday 14 December 2021 in accordance with statutory requirements and one representation was received.

**RECOMMENDATION:**

- A. That council resolves, under Section 40K of the Land Use Planning and Approvals Act, 1993 to advise the Tasmanian Planning Commission regarding draft amendment PDPSAMEND-2021/022804 that:
- the draft amendment is not modified to take account of any representation;
  - it is satisfied that the draft amendment meets the LPS criteria; and
  - it does not recommend that any modifications be made to the 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 32 for Decision...

**CLARENCE LOCAL PROVISION SCHEDULE - REPLACEMENT OF THE  
ROAD AND RAILWAY ASSETS CODE ATTENUATION AREAS OVERLAY  
WITH REVISED MAPPING /contd...**

**Decision:** **MOVED:** Ald Mulder **SECONDED:** Ald Kennedy

“That the Recommendation be adopted”

**CARRIED UNANIMOUSLY**



**7.8 CLARENCE LOCAL PROVISION SCHEDULE – MODIFICATION OF THE POTENTIALLY CONTAMINATED LAND OVERLAY****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to review the representations received following the exhibition of the proposed amendments to the Clarence Local Provision Schedule (LPS) which was directed to be advertised by the Tasmanian Planning Commission (TPC).

**RELATION TO PLANNING PROVISIONS**

The LPS makes up the local component of the Tasmanian Planning Scheme (TPS).

**LEGISLATIVE REQUIREMENTS**

The proposed planning scheme amendment was directed to be advertised by the TPC following the hearing into the LPS.

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 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 substantial modifications were exhibited from Wednesday 17 November - Tuesday 14 December 2021 in accordance with statutory requirements and one representation was received.

**RECOMMENDATION:**

- A. That council resolves, under Section 40K of the Land Use Planning and Approvals Act, 1993 to advise the Tasmanian Planning Commission regarding draft amendment PDPSAMEND-2021/022807 that:
- the draft amendment is not modified to take account of any representation;
  - it is satisfied that the draft amendment meets the LPS criteria;
  - no modifications are made to the 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.

**Decision:** **MOVED:** Ald Mulder **SECONDED:** Ald Kennedy

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

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

**8. REPORTS OF OFFICERS****8.1 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS****8.1.1 PETITION – FOOTPATH HOOKEY PLACE, ROKEBY****EXECUTIVE SUMMARY****PURPOSE**

To consider the petition tabled at the council's meeting on 21 March 2022 requesting council construct a footpath in Hookey Place, Rokeby.

**RELATION TO EXISTING POLICY/PLANS**

Council's Strategic Plan 2021-2031, Code for Tenders and Contracts and Procurement Policy are relevant.

**LEGISLATIVE REQUIREMENTS**

Section 60 of the *Local Government Act 1993* (Tas) requires council to formally consider petitions within 42 days of receipt.

**CONSULTATION**

No consultation has been undertaken with the local community in relation to the provision of a footpath.

**FINANCIAL IMPLICATIONS**

No funds have been allocated within the 2021/2022 Capital Budget to construct a footpath in Hookey Place, Rokeby.

**RECOMMENDATION:**

That Council:

- A. Notes the petition.
- B. Notes the General Manager's advice that the petition complies with Section 59 of the *Local Government Act 1993* (Tas.).
- C. Consider the installation of a footpath in Hookey Place, Rokeby in the 2022/2023 budget.
- D. Authorises the General Manager to write to petitioners acknowledging their concerns and advising of council's decision.

/Refer to Page 35 for Decision...

**PETITION – FOOTPATH HOOKEY PLACE, ROKEBY/ contd**

**Decision:** **MOVED:** Ald Mulder **SECONDED:** Ald Edmunds

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

**8.1.2 PETITION – “NORTHERN PASS ROAD PRECINCT”****EXECUTIVE SUMMARY****PURPOSE**

To consider the petition presented at council’s meeting on 28 February 2022 with 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.

**RELATION TO EXISTING POLICY/PLANS**

The Strategic Plan 2021-2031 and the Clarence Local Planning schedule are relevant to this matter.

**LEGISLATIVE REQUIREMENTS**

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

**CONSULTATION**

Not applicable.

**FINANCIAL IMPLICATIONS**

Undertaking the requested planning study would have financial implications that are not provided for in the current budget.

**RECOMMENDATION:**

That the petitioners be advised that:

- Council may consider undertaking a planning study and subsequent planning scheme amendment in future budget considerations.
- In the event that council does not satisfy their wishes, they may choose to engage appropriate consultants to undertake the necessary study and to submit a planning scheme amendment application to council, for consideration in accordance with the relevant legislation.

/Refer to Page 37 for Decision...

**PETITION – “NORTHERN PASS ROAD PRECINCT /contd...**

|                  |                                      |                              |
|------------------|--------------------------------------|------------------------------|
| <b>Decision:</b> | <b>MOVED:</b> Ald Mulder             | <b>SECONDED:</b> Ald Edmunds |
|                  | “That the Recommendation be adopted” |                              |
|                  |                                      | <b>CARRIED</b>               |
|                  | <b>FOR</b>                           | <b>AGAINST</b>               |
|                  | Ald Chong                            | Ald James                    |
|                  | Ald Blomeley                         |                              |
|                  | Ald Edmunds                          |                              |
|                  | Ald Ewington                         |                              |
|                  | Ald Kennedy                          |                              |
|                  | Ald Mulder                           |                              |
|                  | Ald Peers                            |                              |
|                  | Ald von Bertouch                     |                              |
|                  | Ald Walker                           |                              |
|                  | Ald Warren                           |                              |

## **8.2 ASSET MANAGEMENT**

Nil Items.

**8.3 FINANCIAL MANAGEMENT**

On behalf of Council the Acting Mayor expressed appreciation to the former Chief Financial Officer, Ms Miriam Coleman who has left the role after 13 years with Council, five of those being as CFO. The Acting Mayor welcomed Ms Jane Murrell to her new role as Chief Financial Officer.

**8.4 GOVERNANCE****8.4.1 DRAFT COMMUNITY WELLBEING STRATEGY 2022-2032 - COMMUNITY CONSULTATION****EXECUTIVE SUMMARY****PURPOSE**

To seek approval to consult with the community on the draft Community Wellbeing Strategy 2022-2032.

**RELATION TO EXISTING POLICY/PLANS**

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

**LEGISLATIVE REQUIREMENTS**

Section 20 of the *Local Government Act 1993* describes the role of councils:

- to provide for the health, safety and welfare of the community,
- to represent the interests of the community, and
- to provide for the peace, order and good government of the municipal area.

Section 27 of the Public Health Act 1997 requires councils to develop and implement strategies to promote and improve public health.

**CONSULTATION**

To date consultation has been provided from internal stakeholders, including via workshops with Aldermen, council's Health and Wellbeing Committee and with individual Aldermen in relation to particular subject matter. Extensive community consultation was also undertaken as part of strategy development. Further community consultation will be undertaken following endorsement by council of the draft strategy.

**FINANCIAL IMPLICATIONS**

Consultation costs will be accommodated within the current approved budget.

**RECOMMENDATION:**

That Council:

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

/Refer to Page 41 for Decision...



**DRAFT COMMUNITY WELLBEING STRATEGY 2022-2032 - COMMUNITY CONSULTATION /contd...**

|                  |   |
|------------------|---|
| <b>Decision:</b> | <b>MOVED:</b> Ald Warren <b>SECONDED:</b> Ald Kennedy |
|                  | “That the Recommendation be adopted”                  |
|                  | <b>CARRIED UNANIMOUSLY</b>                            |

**8.4.2 UPDATED CONSTITUTION – DISABILITY ACCESS ADVISORY COMMITTEE****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is for council to consider the revised changes to the current Disability Access Advisory Committee (DAAC) constitution and adopt the changes to this constitution under the new name of Clarence Disability Access and Inclusion Advisory Committee (CDAIAC).

**RELATION TO EXISTING POLICY/PLANS**

Council's Strategic Plan 2021-2031, and Access and Inclusion Plan 2021-2025 are relevant.

**LEGISLATIVE REQUIREMENTS**

As an Advisory Committee of Council, Section 24 of the Local Government Act 1993 (Tas) is relevant.

**CONSULTATION**

As a function of an Advisory Committee, the review was undertaken by the current committee members consisting of seven community representatives with disability and seven council staff.

**FINANCIAL IMPLICATIONS**

Nil.

**RECOMMENDATION:**

That council adopt the new constitution for the Clarence Disability Access and Inclusion Advisory Committee (CDAIAC).

Arising from debate it was suggested that a definition of "inclusion", be added to the revised constitution. It was noted that this be referred to the Committee for consideration and that any amendment will require a further decision of council.

**Decision:** **MOVED:** Ald Warren **SECONDED:** Ald Edmunds

"That the Recommendation be adopted"

**CARRIED UNANIMOUSLY**

**8.4.3 RENEWAL OF LEASE – SOUTH ARM PENINSULA RESIDENTS ASSOCIATION COMMUNITY CENTRE– 9 CALVERTON PLACE, SOUTH ARM****EXECUTIVE SUMMARY****PURPOSE**

To consider issuing a new lease agreement with the South Arm Peninsula Residents Association Inc. for the existing community centre and community garden on council land at 9 Calverton Place, South Arm.

**RELATION TO EXISTING POLICY/PLANS**

Council's Leased Facilities Pricing and Term of Lease Policy applies.

The 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 Operating Plan.

**RECOMMENDATION:**

- A. That in accordance with section 178 of the Local Government Act 1993, council gives notice of intention to enter into a new lease for the public land at 9 Calverton Place, South Arm for the existing community centre and adjacent community garden to the South Arm Peninsula Residents Association Inc.
- B. That once the notice of intention to lease process is finalised and no objections are received, council authorise the General Manager to enter into a new lease agreement with the South Arm Peninsula Residents Association Inc. for a term of 10 years from 1 January 2022 and that the annual rental for the lease is to be in accordance with Council's Leased Facilities Pricing and Term of Lease Policy.
- 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.

Ald von Bertouch declared an **Interest** in this Item and left the Meeting prior to discussion (8.05 pm)

/Refer to Page 44 for Decision...

**RENEWAL OF LEASE – SOUTH ARM PENINSULA RESIDENTS  
ASSOCIATION COMMUNITY CENTRE– 9 CALVERTON PLACE, SOUTH  
ARM /contd...**

|                  |  |
|------------------|--|
| <b>Decision:</b> | <b>MOVED:</b> Ald Blomeley <b>SECONDED:</b> Ald Peers<br><br>“That the Recommendation be adopted”.<br><br><b>CARRIED UNANIMOUSLY</b> |
|------------------|--|

Ald von Bertouch returned to the Meeting at this stage (8.10 pm)

**9. MOTIONS ON NOTICE****9.1 NOTICE OF MOTION - ALD JAMES  
PARKING ARRANGEMENTS IN THE VICINITY OF BELLERIVE VILLAGE**

In accordance with Notice given, it was:

**Decision:** **MOVED:** Ald James **SECONDED:** Ald Kennedy

“That this Council:

- A. Requests Council’s Traffic Working Group to review parking arrangements in the vicinity of Bellerive Village and Trans Derwent Ferry wharf facility and consider a parking time limit of 3 hours between 8am to 5pm Monday to Friday be implemented to replace all day parking on Victoria Esplanade and surrounding streets in the village; and
- B. That the findings of the parking review be presented to a council workshop as soon as practical after the review is completed.”

**CARRIED UNANIMOUSLY**

## 9.2 NOTICE OF MOTION - ALD MULDER YOUTH JUSTICE PROGRAMS

In accordance with Notice given, it was:

|                  |   |                |
|------------------|---|----------------|
| <b>Decision:</b> | <b>MOVED:</b> Ald Mulder <b>SECONDED:</b> Ald James   |                |
|                  | “That Council:  |                |
|                  | <ol style="list-style-type: none"> <li>1. Notes the work of the State Government in addressing youth offending, particularly through the Youth Justice framework and closing the Ashley Youth detention Centre.</li> <li>2. Acknowledges the work of non-government organisations such as: <ol style="list-style-type: none"> <li>a. Clarence Council Youth Services programs which includes Youth Network Advisory Group</li> <li>b. Mission Australia Youth Beat Hobart program</li> <li>c. Salvation Army youth programs</li> <li>d. JCP Youth programs</li> <li>e. YMCA’s all aboard program</li> <li>f. Karadi’s deadly choices program</li> <li>g. Headspace’s mental health programs.</li> </ol> </li> <li>3. Requests staff to consider further work with State Government and Non-Government Organisations service providers in this space.</li> <li>4. Rejects ‘harsher sentencing’ as the way forward for youth offending.</li> <li>5. Calls on the State Government to consider an increase in the number and resourcing of Youth Justice workers to enable lower caseloads and better supervision.”</li> </ol> |                |
|                  | <b>CARRIED</b>  |                |
|                  | <b>FOR</b>  | <b>AGAINST</b> |
|                  | Ald Chong   | Ald Blomeley   |
|                  | Ald Edmunds   | Ald Ewington   |
|                  | Ald James   | Ald Walker     |
|                  | Ald Kennedy   |                |
|                  | Ald Mulder  |                |
|                  | Ald Peers   |                |
|                  | Ald von Bertouch  |                |
|                  | Ald Warren  |                |

Ald Ewington left the Meeting at this stage (9.11 pm) and did not return

|   |
|---|
| <b>9.3 NOTICE OF MOTION - ALD VON BERTOUCH<br/>NATURAL DISASTER/HUMANITARIAN CRISIS ASSISTANCE POLICY</b> |
|---|

In accordance with Notice given, it was:

|                  |   |                |
|------------------|---|----------------|
| <b>Decision:</b> | <b>MOVED:</b> Ald von Bertouch <b>SECONDED:</b> Ald Mulder  |                |
|                  | <p>“A. Requests the General Manager to develop a draft Natural Disaster/Humanitarian Crisis Assistance Policy to guide future council in-kind and/or financial support in relation to these types of events;</p> <p>B. Considers the draft policy, to be presented to a council workshop as soon as practical, preferably prior to the conclusion of the 2022/23 budget deliberations, and with the intention of then submitting the draft policy to Council for approval; and</p> <p>C. Considers allocating an amount in the 2022/23 budget to fund any support approved by Council in accordance with the policy.”</p> |                |
|                  | <b>FOR</b>  | <b>AGAINST</b> |
|                  | Ald Chong   | Ald James      |
|                  | Ald Blomeley  |                |
|                  | Ald Edmunds   |                |
|                  | Ald Kennedy   |                |
|                  | Ald Mulder  |                |
|                  | Ald Peers   |                |
|                  | Ald von Bertouch  |                |
|                  | Ald Walker  |                |
|                  | Ald Warren  |                |
|                  |   | <b>CARRIED</b> |

**10. 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.

**10.1 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).

Ald Mulder has given notice of the following question:

**ADDITIONAL FERRY SERVICES FOR THE ASHES TEST MATCH AT BELLERIVE OVAL**

1. What was the cost to Clarence City Council for the additional crossings?
2. How many patrons were carried by these additional ferry crossings?
3. Has any assessment been made of the economic benefit to Kangaroo Bay businesses?

**10.2 ANSWERS TO QUESTIONS ON NOTICE****ADDITIONAL FERRY SERVICES FOR THE ASHES TEST MATCH AT BELLERIVE OVAL**

The General Manager provided the following answers to the Questions at Item 10.1

1. Clarence City Council contributed \$30,000 excluding GST, with State Growth contributing over and above this to co-facilitate the provision of the service.
2. Free Derwent Ferry services ran between Brooke Street Pier and Bellerive Quay each day of the test match, with 9,965 passengers using the service over the three days. The busiest day recorded was Saturday, with a total of 4,176 for the day across all services.

The Ashes Express ferry service started from 12.30pm each day with trips leaving every 15 to 20 minutes, and Ashes Express buses started at 1.00pm each day with trips leaving every 10 to 20 minutes. Return Ashes Express ferry services to the city began at 6.30pm with the last voyage at 10.45pm and return Ashes Express buses to Franklin Square via the Regatta Grounds operated between 5.00pm and 10.20pm each day.



**ANSWERS TO QUESTIONS ON NOTICE /contd...**

Derwent Ferries reported positive feedback from passengers utilising the service:

*“A message of thanks and congratulations for the quality and experience of the Hobart Ashes test ferry service. Getting on the ferry at Brooke Street was seamless and hassle free, and the trip was quick and efficient. On arrival in Bellerive, the presence of a band created a carnival atmosphere befitting such an event, and, similar to my experiences of attending important sporting events at the MCG, a wonderful sense of occasion. The designated walkway to the ground also created a sense of occasion (again, similar to the walk from various public transport stops at the MCG) which is exactly what you want when attending a big sporting event. Kudos to all of those involved, and hopefully this service is repeated next time we have a test in Hobart.” – feedback from a Derwent Ferry passenger*

With the large crowds placing extra parking pressure on the local area, the ferry service was an effective way to reduce travel by car to the event and provide the additional benefits of enhancing the overall test match experience.

Express bus services between the city and Bellerive were also provided by the State Government, with free bus services travelling between Elizabeth Street Bus Mall and Bellerive Oval. Metro put on extra regular-fare bus services connecting passengers from Kingston, Claremont, Glenorchy, Bridgewater and Lauderdale, which worked alongside the free Ashes Express bus and ferry services. The usage numbers for these were also significant and are listed below.

| <b>Metro Bus User Numbers</b> |                               |                                 |                       |
|-------------------------------|-------------------------------|---------------------------------|-----------------------|
| <b>Day</b>                    | <b>Travel to Ground (est)</b> | <b>Travel from Ground (est)</b> | <b>Total (actual)</b> |
| Friday 14 January             | 1,368                         | 2,051                           | 3,419                 |
| Saturday 15 January           | 1,912                         | 2,869                           | 4,781                 |
| Sunday 16 January             | 2,197                         | 3,295                           | 5,492                 |

3. Events Tasmania are finalising a report on visitor numbers and overall impact of the event for the State which we will forward on to Aldermen as soon as it is available.  
At a local level, council currently does not have the tools to undertake economic impact assessments but will be putting forward a budget request to be able to access a tool in the new financial year.

**10.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING**

Ald James

1. When is it proposed to reactivate the Sport and Recreation Committee?

**ANSWER**

(Mayor) The next meeting of the working group that is in place at the moment is immediately after Easter and at that meeting, we will be considering a new constitution which we hope to bring back to council shortly after that and provided council approves it, we will be in a position to advertise for new members.

2. The open drain that actually abuts some private properties in Lauderdale which meanders at the rear of the properties in North Terrace and actually flows under the South Arm Highway into Ralphs Bay, who is responsible for cleaning of that drain and is there a requirement to have a permit for that?

**ANSWER**

The concrete drain is the responsibility of council to clean. We do not require a permit in order to clean the drain, but we may advise the owner if we have to go onto private property to undertake that work.

Ald von Bertouch

What was the total cost of the Edge Legal review into the Clarence City Council elected member work health and safety?

**ANSWER**

\$20,000.

Question contd

\$20,000 exactly?

**ANSWER**

That's right.

(Further information) The contracted amount for the Review was capped at \$20,000. An additional amount of \$970 was incurred in relation to the alderman debrief and associated preparation. Both amounts are ex-GST.

**ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING  
/contd...**

Ald Edmunds

My question relates to election signage, the eight weeks issue how do we deal with that with certain rogue people that are putting signs up which might be covered off with a retrospective 8 week thing and is there a punishment that they could have if their signs were up at 9 weeks before we inevitably go to the Federal poll?

**ANSWER**

In the initial phase we will write to the property owners and the person who owns the signs so the candidate and the property owner and advise them if they are in breach and asking them to take action. Our first port of call is always seeking voluntary compliance and then if that doesn't change things then we would look at our options from there which can be to issue a notice and then simply have the sign removed.

Question contd

These are signs that went up in February, so I guess it is the old better to seek forgiveness than ask permission?

**ANSWER**

I can confirm if those are the signs, I think you are referring to they are being dealt with.

Ald Blomeley.

1. Can you please provide an update on the current status of the Chambroad Development at Kangaroo Bay?

**ANSWER**

The status of the development is unchanged at this point. Officers have a meeting with Chambroad representatives on Thursday of this week after which they will provide a further update to aldermen.

2. Where is the Rosny Hill Development at? Is there an indication as to when works on this development will begin?

**ANSWER**

As mentioned in a workshop late last month, officers are working through the drafting of key sub-lease terms with the proponent. We will then bring the draft sub-lease to a workshop for review before progressing any further.

Council is also aware that the proponent referred themselves to the Department of Agriculture, Water and the Environment (DAWE) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) regarding the proposed development. On the 11th March 2022 council was advised by the proponents that they had received a response to the referral.

**ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING  
/contd...**

DAWE has advised them that “the proposed action is not a controlled action, provided it is taken in the manner described in the decision document. This means that, provided that the action is taken in that way, it does not require further assessment and approval under the EPBC Act before it can proceed.”

The full decision has been published on the DAWE website.

At this stage we do not have an indication of when works will begin given a sub-lease is yet to be agreed.

Ald Peers

1. With our Have Your Say page I am a bit worried that some people think that is the only way Aldermen get information on a topic. We know we can get information in many ways should something be said on that, this is not the only way that Aldermen receive news because some people seem to think that is the only way and I just get a bit worried on that?
2. Have we only got one street sweeper or two because a lot of people complain. What is the set time?

**ANSWER**

We have one street sweeper; it is on an eight to ten week cycle.

Ald Walker

When it comes to parks and playgrounds there are issues that we discuss from time to time. If we were ranking them at the apex would be the Bellerive Beach park it is in part the location, the infrastructure as well as the play equipment as well as the family destination. Given its status it is currently in a state where there are star pickets fencing off areas that are sitting in what is almost an artificial water feature. In relation to its status does council believe it is currently in an adequate state and if not are there extra resources that we are going to be looking at in the budget to help aid with keeping especially flagship destination playgrounds in top condition?

**ANSWER**

We are certainly looking at a budget consideration to improve the stormwater inundation in Bellerive Beach park following heavy rainfall.

Question contd

If that comes before us in budget considerations is that something we can look at tackling in the next financial year?

**ANSWER**

It is a decision of council if you want those works to be funded next financial year.

**ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING  
/contd...**

Question contd

Should we decide to fund such works next financial year is that something that is capable of being delivered?

**ANSWER**

Yes, we can give that a priority if that is what council wants.

Ald Ewington

I use Mornington Road quite regularly to visit various businesses and it is getting worse with the parking situation and I know I have raised this informally with some staff. Are we actually working on anything at the moment in relation to a parking plan that considers some of the issues that are quite obvious in relation to some of the safety issues and functionality issues in terms of getting access to businesses and is anything being done at the moment to address this?

**ANSWER**

I will take that to the next traffic working group and I will advise aldermen.

Ald Mulder

Apropos the public question on notice regarding consultation could you confirm for the public record that the results of neither elector polls or consultation is binding on council?

**ANSWER**

The short answer is neither are binding, the difference being an elector poll needs to come before council for consideration.

**10.4 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.

## 11. 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 have been listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.

11.1 APPLICATIONS FOR LEAVE OF ABSENCE

11.2 TENDER T1391-20 – SPITFARM ROAD, OPOSSUM BAY – STORMWATER UPGRADE

11.3 TENDER T1410-21 – KERBSIDE WASTE COLLECTION SERVICE

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;
- 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 Mulder

“That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”.

**CARRIED UNANIMOUSLY**

**CLOSED MEETING /contd...**

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

**11.2 TENDER 1391/20 – SPITFARM ROAD, OPOSSUM BAY – STORMWATER UPGRADE**

|                  |  |
|------------------|--|
| <b>Decision:</b> | <b>MOVED:</b> Ald von Bertouch <b>SECONDED:</b> Ald James  |
|                  | <p>“A. That the Tender received from State-Wide Earthworks Pty Ltd for the amount of \$352,818.50 excluding GST, be accepted for the 90-106 Spitfarm Road, Opossum Bay – Stormwater Upgrade works, subject to approval being received for council’s application under section 14 of the Aboriginal Heritage Act 1975.</p> <p>B. That the General Manager be authorised to negotiate a contract with State-Wide Earthworks Pty Ltd at the appropriate time in the event that approval under the Aboriginal Heritage Act 1975 is not obtained prior to 15 April 2022.</p> <p>C. 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”.</p> <p style="text-align: right;"><b>CARRIED UNANIMOUSLY</b></p> |

|   |
|---|
| <b>11.3 TENDER T1410-21 – KERBSIDE WASTE COLLECTION SERVICE</b> |
|---|

Ald von Bertouch declared an **Interest** in this Item and left the Meeting prior to discussion and did not return (10.00 pm)

|                  |  |
|------------------|--|
| <b>Decision:</b> | <p><b>MOVED:</b> Ald James <b>SECONDED:</b> Ald Warren</p> <p>“That Council:</p> <p>A. Accept the Tender received from Cleanaway Pty Ltd on 17 November 2021 for Council’s Kerbside Waste Collection Services including the general, recycling and green waste collections, and the General Manager be authorised to negotiate the final contract for the services.</p> <p>B. Accepts the Full Customer Service option from Cleanaway Pty Ltd at a cost of \$60 per collection day.</p> <p>C. Authorise General Manager to negotiate with Veolia Environmental Services (Australia) Pty Ltd the end date of the existing kerbside collection contract and with Cleanaway Pty Ltd for the start date of the new kerbside collection contract.</p> <p>D. 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.</p> <p>E. Authorise the General Manager to provide regular community updates as the kerbside waste collection service transitions from Veolia Environmental Services (Australia) Pty Ltd to Cleanaway Pty Ltd”.</p> <p style="text-align: right;"><b>CARRIED UNANIMOUSLY</b></p> |
|------------------|--|

The Meeting closed at 10.04 pm