

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 26 JUNE 2023

HOURLY CALLED: 7.00pm

PRESENT: The meeting commenced at 7.02pm with the Mayor (Cr B A Blomeley) in the Chair and with Councillors:

J Darko
E Goyne
D Hulme
B Hunter
R James
W Kennedy
T Mulder
A Ritchie
J Walker
B Warren; present.

1. APOLOGIES

H Chong

IN ATTENDANCE

Chief Executive Officer
(Mr I Nelson)

Group Manager Engineering Services
(Mr R Graham)

Acting Manager City Planning
(Ms V Tomlin)

Chief Financial Officer
(Ms J Murrell)

Acting Manager Communication and Strategic Development
(Ms G Wicks)

Acting Manager Community Well-being and Services
(Ms T Cockburn)

Manager Governance
(Ms C Shea)

Acting Manager Regulatory Services
(Mr R Brennan)

Executive Officer to the Chief Executive Officer
(Ms J Ellis)

The Meeting closed at 8.11pm.

COUNCIL MEETING
MONDAY 26 JUNE 2023

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1. ACKNOWLEDGEMENT OF COUNTRY

The Mayor:

- made the following statement:

“Before proceeding, I pay my respects to the Mumirimina people as the traditional and original custodians of the lands on which we meet, and I acknowledge the continuing connection of the Tasmanian Aboriginal people to the skies, land and waterways.

I pay respect to Elders past and present.”

- invited those present to pause for a moment of quiet reflection and respect before commencing the council meeting.
- 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 to cover page.

3. DECLARATIONS OF INTERESTS OF COUNCILLORS 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 Councillors 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**

4. OMNIBUS ITEMS

4.1 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Council Meeting held on 5 June 2023 and the Special Council Meeting held on 19 June 2023, as circulated, be taken as read and confirmed.

Decision: **MOVED** Cr Warren **SECONDED** Cr Kennedy

“That the Minutes of the Council Meeting held on 5 June 2023 and the Special Council Meeting held on 19 June 2023, as circulated, be taken as read and confirmed”.

CARRIED UNANIMOUSLY

4.2 MAYOR’S COMMUNICATION

The Mayor tabled a letter from the Tasmanian Electoral Commission advising of the results of the recent Local Government Association of Tasmania Elections and announced that Mayor Mick Tucker of Break O’Day Council has been elected as President of LGAT, Mayor Leigh Gray of Brighton Council has been elected as member of the General Management Committee representing the southern electorate with a population of less than 20,000 and Mayor Paula Wriedt of Kingborough Council has been elected as member of the General Management Committee representing the southern electoral district with a population of greater than 20,000. On behalf of Council the Mayor congratulated all successful candidates and wished them well for their two-year term on the General Management Committee of LGAT.

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

- 6 June: 7HOFM Radio Interview – Rate Increase;
Business Eastern Shore’s 25th Anniversary Celebration;
- 7 June: Hobart Women’s Shelter Fundraising Event at Government House;
- 8 June: Opening of Southern Support School Fresh Food;
Hobart Airport – Rex Airlines Announcement;
Exhibition Opening – Filaments by Timothy Hodge;
Beacon Foundation’s 35th Anniversary at Government House;
- 9 June: Women in Football Breakfast (Southern Football League);
Guest Speaker – Lindisfarne School for Seniors;
- 13-15 June: 2023 National General Assembly in Canberra;
- 19 June: Meet & Greet new Clarence Police Inspector Andrew Keane;
- 21 June: Future of Local Government Review – Southern Mayor’s Forum;
Unveiling of the Legacy Seat by Premier Rockliff at ANZAC Park;
- 22 June: LGAT Eastern Shore Community Catchment Elected Members session.

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MAYOR'S COMMUNICATION /contd...**Deputy Mayor Councillor Allison Ritchie (on behalf of Mayor)**

10 June: Football Tasmania's State-wide Cup Weekend.

Councillor Jade Darko (on behalf of Mayor)

7 June: Priscilla Queen of the Desert – The Musical.

Councillor Heather Chong (on behalf of Mayor)

15 June: Walks Against Elder Abuse June 2023

4.3 COUNCIL WORKSHOPS

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

PURPOSE	DATE
Presentation – TasWater	
Presentation – Water Pipeline Drilling Algona Street	
Tasmanian Planning Policies	
Financial Policies and Strategies	13 June
Skylands Discussion	
Local Government Review	19 June

RECOMMENDATION:

That Council notes the workshops conducted.

Decision: **MOVED** Cr Warren **SECONDED** Cr Kennedy

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

4.4. TABLING OF PETITIONS

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.

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**

Representative: Cr James Walker

Quarterly Reports

The Copping Refuse Disposal Site Joint Authority distributed its Quarterly Summary of its Meetings for the period ending 31 May 2023.

The Copping Refuse Disposal Site Joint Authority also distributed its Quarterly Report for the period ending 31 March 2023.

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**

The Mayor reported on his attendance at the TasWater Annual General Meeting in Launceston and advised that:

- the updated shareholders' letter of expectations was agreed,
- the corporate plan for the next five years - 2024-28 was agreed;
- with just 2% of the population and 30% of the nation's water infrastructure related assets the overarching approach of TasWater is to rationalise, reduce and renew;
- recruitment company Davidson has been engaged to fill 2 Board Director positions; and
- the updated Board Selection Committee Travel and Business Expense Policy was agreed in line with CPI.

The Mayor tabled the TasWater Corporate Plan and Report to Owners' Representatives for the March 2023 quarter.

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REPORTS FROM SINGLE AND JOINT AUTHORITIES /contd...

- **GREATER HOBART COMMITTEE**

The Mayor advised that the four metro Mayors wrote to the Deputy Premier, the Hon Michael Ferguson MP on 20 June in his capacity as Minister for Infrastructure and shared the Proof of Concept Report for the Derwent Ferry Expansion Project that was funded by Hobart City Council. That letter called for the establishment of a formal project steering committee to provide a consultative forum for officials from the Tasmanian Government and Greater Hobart councils to progress planning, feasibility and development of infrastructure to support a domestic ferry service operating on the Derwent River.

REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES
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Nil.

4.6 WEEKLY BRIEFING REPORTS

The Weekly Briefing Reports of 5, 12 and 19 June 2023 have been circulated to Councillors.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 5, 12 and 19 June 2023 be noted.

Decision: **MOVED** Cr Warren **SECONDED** Cr Kennedy

“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 a Councillor 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 Chief Executive Officer 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

Nil.

5.4 QUESTIONS WITHOUT NOTICE

Mrs J Marsh of Bellerive asked the following question.

BELLERIVE BEACH PARK DRAFT MASTER PLAN

Ratepayers who rallied against aspects of the Bellerive Beach Park draft master plan in 2012 to save the public open space of the park from further intrusions linked to the part of 15 Derwent Street leased to Cricket Tasmania, would heartily agree with Alderman Blomeley's comments in his explanatory notes tabled on 4 July 2022 in which he stated *"All too often, our community is frustrated by the time it takes to deliver on promised Master Plans and there is a need to ensure the expectations of all stakeholders are managed through open and transparent communication and accountability mechanisms"*. Documentation tabled on 5 September 2022, states that Bellerive Beach Park will be a regional standard public open space with a high level of services, amenity and access for the community to both the beach and the parklands.

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QUESTIONS WITHOUT NOTICE /contd...

The master plan positions the park as a prime coastal recreation destination for residents and visitors of Clarence. In the ten years until 2022 the master plan has had 11 phases with 3 future phases. Phase 14 lists 8 significant works. Bellerive Beach Park has thousands of visitors each week. It currently has no baby change facilities, the toilets are located too far away from the all-abilities playground, kayaks are still being unloaded onto the shared pathway before being dragged down the bank onto the beach and stormwater is still not being adequately managed. In his most recent Mercury talking point on June 5, Mayor Blomeley stated in 15-20 years' time not only will our city be a smart city, but it will also be a considered and coherent city that many people have carefully planned in intricate detail to ensure optimum liveability and well-being. So, my question is, as each master plan speaks to the other what can the council advise the thousands of weekly visitors about where the completion of the Bellerive Beach Master Plan sits in the 15-20 year timeframe, considering planning construction has already been underway for over 10 years.

ANSWER

The Mayor took the question on notice and undertook to provide a response directly to Mrs Marsh.

The Mayor called for a 5 minute break in the Meeting (7.17pm).

The Meeting resumed at 7.20pm.

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

Nil.

7 PLANNING AUTHORITY MATTERS

In accordance with Regulation 25 (1) of the Local Government (Meeting Procedures) Regulations 2015, the Mayor advises that the Council intends to act as a Planning Authority under the Land Use Planning and Approvals Act 1993, to deal with the following items:

7.1 SECTION 40T COMBINED SCHEME AMENDMENT APPLICATION - DEVELOPMENT APPLICATION – PROPOSED REZONING AND 8 LOT SUBDIVISION (PDPSPAMEND -2021/019004) – 30 HOLLAND COURT, HOWRAH**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to review Council’s decision of 6 February 2023 in response to the representations received during the public exhibition period in accordance with the requirements of Section 40G and Section 40Z of the *Land Use Planning and Approvals Act, 1993* (LUPAA).

The representations relate to a Section 37 request to amend the Clarence Local Provision Schedule (LPS) and Section 40T combined planning permit application for an 8 Lot subdivision at 30 Holland Court, Howrah.

The Planning Authority’s assessment of the representations and impact to the proposal must be provided to the Tasmanian Planning Commission (the Commission) under Section 40K and Section 42 of LUPAA.

RELATION TO PLANNING PROVISIONS

The site is located at 30 Holland Court, Howrah (CT 35660/1) and has an area of 1.52ha and is currently zoned Community Purpose Zone; and subject to the Parking and Sustainable Transport Code, Road and Railway Assets Code, Natural Assets Code, Flood-Prone Areas Hazard Code, the Bushfire-Prone Areas Code, the Landslip Hazards Code, and the Safeguarding of Airports Code.

The proposed residential subdivision for the purpose of providing future single or multiple dwellings, is currently Prohibited under the Scheme. The only residential use permitted in the Community Purpose zone, is “*if for a residential care facility, respite centre, retirement village or assisted housing; or for accommodation for staff or students of a use on the site.*”

LEGISLATIVE REQUIREMENTS

The proposal was submitted to the Planning Authority for a decision in accordance with Section 38 (2) and Section 40Y of LUPAA for a combined amendment to the LPS and planning permit application. The certified amendment and draft permit were advertised in accordance with the statutory requirements of Section 40G and Section 40Z. Council is now required to consider the merits of any representation received.

This report provides details of the representations received, and the justification for the recommendations. 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 2000* and the Local Government (Meeting Procedures) Regulations 2015.

CONSULTATION

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

- Proposed General Residential Zone inappropriate,
- Proposed rezoning of footpath to Utilities is inappropriate,
- Proposed Public Open Space zone areas are inadequate,
- Loss of trees/ management of vegetation,
- Stormwater impacts on Rokeby Road,
- Lack of Bushfire-Prone Areas Code compliance,
- Lack of Traffic Impact Assessment,
- Proposed lot sizes too small or too large,
- Proposed lots within landslip areas,
- Loss of residential amenity,
- Proposed Right-of-Way locations inappropriate,
- Request to clarify detailed design condition,
- Public Open Space contribution permit condition not aligned with approved plans, and
- Final amended plans not advertised.

RECOMMENDATION:

A. That the Clarence City Planning Authority, after considering the merits of the representations, resolves that:

1. Pursuant to section 40K(1) of the *Land use Planning and Approvals Act 1993*, advise the Tasmanian Planning Commission that four representations were received during the exhibition of draft amendment PDPSPAMEND-2021/019004 and permit application, that related to the draft amendment.
2. Pursuant to section 42(a) of the *Land use Planning and Approvals Act 1993*, advise the Tasmanian Planning Commission that seven representations were received during the exhibition of the draft amendment PDPSPAMEND-2021/019004 and permit application, that related to the permit application.
3. Pursuant to section 40K (2)(a) and 42(a) of the *Land use Planning and Approvals Act 1993*, provides to the Tasmanian Planning Commission a copy of the representations that were received during the advertising of the draft amendment and permit application PDPSPAMEND-2021/019004.

4. Pursuant to section 40K(2)(c) of the *Land use Planning and Approvals Act 1993*, advise the Tasmanian Planning Commission that the representations received during advertising warrant modification to the certified LPS amendment PDPSPAMEND-2021/019004 as detailed in this report and shown in Attachment 3 of the Associated Report.
5. Pursuant to section 42 (b) and (c) of the *Land use Planning and Approvals Act 1993*, advise the Tasmanian Planning Commission that the representations received during advertising warrant that the Planning Authority support for the modified draft permit PDPSPAMEND-2021/019004 is withdrawn due to non-compliance with the Bushfire-Prone Areas Code and therefore the draft permit is not supported. It is noted that the Clarence Planning Authority supports the granting of the draft subdivision permit, in the event that the applicant demonstrates compliance with the Bushfire-Prone Code requirements, prior to the Commission making a determination.
6. Pursuant to Section 40K and Section 42 of the *Land use Planning and Approvals Act 1993* that this report and relevant attachments, be provided to the Tasmanian Planning Commission as detailed in this report.

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

Decision:**MOVED** Cr James **SECONDED** Cr Hulme

“That the Recommendation be adopted”.

CARRIED**FOR**

Cr Blomeley
 Cr Darko
 Cr Goyne
 Cr Hulme
 Cr Hunter
 Cr James
 Cr Kennedy
 Cr Ritchie
 Cr Walker
 Cr Warren

AGAINST

Cr Mulder

7.2 DEVELOPMENT APPLICATION PDPSPAMEND-2023/034393 – 923 AND 1015 GRASSTREE HILL ROAD, GRASSTREE HILL - SECTION 37 AND 40T COMBINED SCHEME AMENDMENT REQUEST AND BOUNDARY ADJUSTMENT**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is for the Clarence City Planning Authority to consider the application made for a combined draft amendment to the Clarence Local Provisions Schedule (LPS) and a development application for a boundary adjustment under sections 37 and 40T of the *Land Use Planning and Approvals Act 1993* (the Act).

PROPOSAL OVERVIEW

An area of 4404m² is proposed to be rezoned from Landscape Conservation Zone to Rural Zone, to reflect the existing use and development of the land currently forming part of 923 Grasstree Hill Road, Grasstree Hill.

The proposed boundary adjustment between the two lots can then be undertaken, so that the 4404m² is effectively transferred from 923 Grasstree Hill Road to 1015 Grasstree Hill Road. The boundary adjustment will bring the existing use and development into greater conformance with the provisions of the Tasmanian Planning Scheme - Clarence (the Scheme).

The following report is structured in two parts:

- Part A – considers the proposed Draft Amendment to the Clarence Local Provision Schedule (LPS) mapping, and
- Part B – considers the proposed boundary adjustment against the Scheme provisions.

Accompanying this report are the following documents:

- Attachment 1 – Location plan,
- Attachment 2 – Proposed draft Instrument of Certification,
- Attachment 3 – Boundary Adjustment proposal plans,
- Attachment 4 - Detailed assessment of the boundary adjustment,
- Attachment 5 - Comparison Table of zone use classes, and
- Attachment 6 – Site photo.

RELATION TO EXISTING POLICY/PLANS

The subject land is located within the Landscape Conservation Zone (923 Grasstree Hill Road) and the Rural Zone (1015 Grasstree Hill Road) in the LPS. It is also subject to the Parking and Sustainable Transport, Natural Assets, Flood-Prone Hazard Area, Bushfire-Prone Areas, Landslip Hazard, and Safeguarding of Airports codes

The proposed boundary adjustment is currently Prohibited under the Scheme as it would involve changing a lot boundary that aligns with a zone boundary.

Section 37 of the Act provides for Council to consider a request to amend a Local Provision Schedule (LPS).

Section 40T of the Act provides for the lodging of an application for a permit which would not be allowed if the planning scheme were not amended as requested.

LEGISLATIVE REQUIREMENTS

The report has been prepared considering the requirements of the Act and applicable standards of the planning scheme and details the basis and reasons for the recommendation. The Planning Authority must consider this report but is not bound to adopt the recommendations. Broadly, the Planning Authority can either: (1) adopt the recommendation or (2) vary the recommendation by adding, modifying, or removing recommended reasons and conditions or (3) replacing an approval with a refusal (or vice versa). Any alternative decision 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 2000* and the Local Government (Meeting Procedures) Regulations 2015.

A Planning Authority that has prepared a draft amendment of an (LPS) must consider whether it is satisfied that the draft amendment of the LPS meets the LUPAA section 34 LPS criteria.

In accordance with section 38 of the Act, Council is required to make a decision in relation to a request within 42 days after receiving the request, or a longer period allowed by the Tasmanian Planning Commission (the Commission). The decision timeframe for this request expires on 3 July 2023, as extended by the Commission.

CONSULTATION

Applications made under sections 37 and section 40T under the Act are not formally open for public comment unless the Planning Authority has made the decision to agree to and certify the draft amendment. Following the decision, the draft amendment and draft permit will be advertised for a period of 28 days and open for public comment in accordance with sections 40G, 40H and 40Z of the Act.

FINANCIAL IMPLICATIONS

No significant implications.

RECOMMENDATION:

Rezoning

- A. That pursuant to Section 40W (1) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority agrees to prepare Amendment PDPSPAMEND-2023/034393 to the Clarence Local Provision Schedule to:
- rezone 4404m² of 923 Grasstree Hill Road, Grass Tree Hill from Landscape Conservation Zone to Rural Zone.
- B. That having decided to agree to the amendment, the Planning Authority pursuant to Section 40F (2) (a) of the *Land Use Planning and Approvals Act 1993*, certifies that the draft amendment meets the requirements of this Act including the LPS criteria required to be assessed in accordance with section 34 of the *Land Use Planning and Approvals Act 1993*.

- C. That pursuant to Section 40G, 40H and 40Z of the *Land Use Planning and Approvals Act 1993*, the Planning Authority places the draft amendment and permit on public exhibition for a period of 28 days.

Combined Permit

- D. That pursuant to Section 40Y of the *Land Use Planning and Approvals Act 1993*, the Planning Authority prepares a draft permit for a boundary adjustment at 923 Grasstree Hill Road, Grasstree Hill and 1015 Grasstree Hill Road, Grasstree Hill subject to the following conditions and advice.

1. The use or development must only be undertaken in accordance with the endorsed plans and any permit conditions and must not be altered without the consent of Council.
2. Prior to sealing, the Final Plan and accompanying Schedule of Easements must describe all existing easements and any additional easements required in respect of all utilities infrastructure required to service the lots in a form to the satisfaction of the relevant utility service provider.

ADVICE

- (a) This permit will lapse after two years from the date on which it is granted in accordance with Section 42C(2) (a) of the Act unless the development / use has been substantially commenced.

In accordance with Section 42C(3) an application may be made to the Planning Authority for an extension in accordance with Section 42C (2) (b) or (c), any time before the period of six months from the day on which the permit has lapsed.

- (b) This is a planning permit only. Please be aware that a building permit and/or a plumbing certificate of likely compliance or plumbing permit may be required before the development can proceed. It is recommended that you contact Council's Building Department on (03) 6217 9580 to discuss the requirement for any additional permits or certification.

- (c) Aerial imagery indicates that the gravel drive in the south-west corner of 1015 Grasstree Hill Road, providing a second access to Grasstree Hill Road, relies on the land associated with 923 Grasstree Hill Road and 831 Grasstree Hill Road.

The owner/developer should seek independent legal advice on how to formalise this road access via a Right of Carriageway, or other means.

- (d) Based on the information provided, the development is not likely to adversely affect TasNetworks' operations. It is recommended that the customer or their electrician contact TasNetworks on 1300 137008 if they have any questions regarding any upgrades they may require to their electricity supply due to this development.

- (e) Non-compliance with this permit is an offence under Section 63 of the Land Use Planning and Approvals Act 1993 and may result in enforcement action under Division 4A of the Land Use Planning and Approvals Act 1993, which provides for substantial fines and daily penalties.

General

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

Decision: **MOVED** Cr Mulder **SECONDED** Cr 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

Nil Items.

8.2 ASSET MANAGEMENT

Nil Items.

8.3 FINANCIAL MANAGEMENT

Nil Items.

8.4 GOVERNANCE

Nil Items.

9. MOTIONS ON NOTICE

9.1 NOTICE OF MOTION - COUNCILLOR DARKO CONDEMNATION OF TARGETED VANDALISM

In accordance with Notice given it was:

Decision: **MOVED** Cr Darko **SECONDED** Cr Hulme

“That Council

1. expresses sympathy to Rosemary Harwood for the desecration of a memorial to her deceased daughter, Marjorie Harwood.
2. condemns the aforementioned desecration as a hate-based targeted attack on a minority group - who have been increasingly subject to misunderstanding and public fearmongering.
3. stands in solidarity with the transgender and broader LGBTQIA+ community.
4. re-affirms its commitment to ensuring Clarence is a welcoming and inclusive city where all are safe from hate which targets gender identity, gender, sexuality, race, ability, or any other marginalisation.”

Cr Walker left the meeting at this stage (7.52pm).

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

FOR

Cr Blomeley
Cr Darko
Cr Hulme
Cr Hunter
Cr James
Cr Kennedy
Cr Mulder
Cr Ritchie
Cr Warren

AGAINST

Cr Goyne

10. COUNCILLORS' QUESTION TIME

A Councillor 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, a Councillor may give written notice to the Chief Executive Officer of a question in respect of which the Councillor seeks an answer at the meeting).

Nil.

10.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

10.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING

Cr Mulder

My question is regarding complaints I have received about dog faeces strewn across the Wentworth Street reserve where people are running. It is an off-lead area which means that people often run there with their dogs behind them which therefore means they cannot see when their dog stops and needs to attend to the call of nature which results in a terrible look and basically it is unhygienic. What can be done about this? I appreciate that the dog policy needs to be dealt with but surely, we could put up some signs and may be take enforcement action to try to get people to be responsible owners? Maybe we need a responsible dog owners' policy rather than a dog policy?

ANSWER

Taken on notice.

Council's Code of Responsible Dog Ownership forms a part of our Dog Management Policy. Dog-Management-Policy-1-October-2021.pdf (ccc.tas.gov.au)

Wentworth Park is a dog on-lead area, as is the Clarence Foreshore Trail. When an owner walks or runs with their dog through this area, the dog is required to be on lead at all times. This information is broadly communicated, including on our website and publicised through Dog News and social media.

Council's experience in relation to the effectiveness of installed signage is mixed. Our experience is that it is more effective to promote responsible dog ownership, including cleaning up after your dog and using council's dog waste bins (there are over 100 dog waste bins at key locations throughout the city).

City rangers issue infringement notices where a person has been observed not cleaning up after their dog. To respond to this reported issue, Council rangers will increase patrols at Wentworth Park and on the Clarence Foreshore Trail to further educate dog owners and deter irresponsible dog ownership.

Cr Hunter

I have had people coming to me recently about dog attacks which is a separate issue, but the question has been raised about appropriate behaviour for dog owners and I think there is opportunity there for a campaign for appropriate behaviour for dog owners from Council's dog policy point of view. Is that something we could investigate?

ANSWER

Taken on notice.

City Rangers will continue to work with Communication and Marketing team to provide more educational posts on Council's social media and through council's Dog News. The focus will be to further promote Council's Code of Responsible Dog Ownership.

Cr Hulme

My question is regarding information circulated to councillors about unspent developer contributions and the areas from which they are contributed, the amounts, and the times they were contributed for. It concerns me that there is a number of unspent car parking contributions that go back a significant time which I think is unfair; first to those people who are looking for parking but also unfair to those developers who have paid contributions and I wonder if we could have a workshop to look at what to do with those contributions to have them spent?

ANSWER

(Mr Graham) We will be looking at that as part of our car parking strategy which will be undertaken in 2023-2024.

Cr James

1. I have been advised that a number of senior citizens that use the Dampier Street centre, namely in the activity of badminton, have been advised that they have to cease operations on 30 June 2023. My question is could that be investigated please?

ANSWER

Taken on notice.

Council leases the Warrane Community Centre to Southern Tasmanian Basketball League Inc. (STBL). STBL has advised Council that its insurance cannot cover hirers of the centre as the insurance only applies to the STBL and its activities.

Most sporting groups are affiliated with a sporting body and therefore covered by that body's insurance policy. We understand that the badminton group has previously been advised to consider joining the Southern Tasmanian Badminton Association as a social/casual group at which point they would be covered by that body's insurance. We understand that the Southern Tasmanian Badminton Association Inc. offers casual hire with appropriate insurance cover.

Alternatively, the badminton group can contact Council's Facilities Coordinator who may be able to assist with accommodating the group at one of our Council managed facilities.

2. There are a number of positions that senior managers in this place are acting in, is there a timeline in which those positions can be filled on a permanent basis?

ANSWER

(Chief Executive Officer) Yes, we have been waiting for the budget to be approved so a number of those positions will proceed to be advertised shortly.

Cr Walker

1. Since the last meeting data packs have been received regarding the future of local government. In the case of Clarence, it seems to be either looking northwards for greater collaboration with Brighton or eastwards for greater collaboration in the south-east. There is a timeline for community consultation or responses to go back to Council. Has there been a process developed about how we think we are going to go forward or is it something that we are waiting for a workshop?

ANSWER

(Mayor) The process has been extended by an additional six weeks until 2 August. I have had a preliminary meeting with the Mayors of Brighton, Tasman and Sorell. I will hand over to the Chief Executive Officer, but I understand there is an intention to hold a Council workshop on Tuesday 13 June. The CEO and his staff have done a great deal of work also with neighbouring colleagues on this.

(Chief Executive Officer) We are contemplating one of two dates for a workshop, either 13 June or the following Monday which is 19 June; which is the night of the Special Council Meeting. In discussion with the Mayor, I was going to circulate that as a proposal. My contemplation at the moment is 19 June is probably the better date for a 5.00pm workshop focusing on the local government review and one other key item and then we will move into the Special Council Meeting at 7.00pm. That will give us time to do any additional work after that.

2. Could we have an update on where things are at with the Victoria Esplanade master plan and consultation where the next milestone is?

ANSWER

(Mr Graham) The consultation has closed, and we are collating the results to come back to Council, so I will provide a memo to councillors on the timeline.

Cr Kennedy

Is it possible given that we have just approved the budget to give some assurance to the residents of Seven Mile Beach that we will be keeping an eye on the Esplanade road conditions because at the moment residents are suggesting that it is only suitable for four wheel drives? We know that there is a whole plan in process everyone is comfortable with that happening but it does need to have some regular attention.

ANSWER

(Mr Graham) We will monitor the Esplanade for potholes but our design team this financial year is certainly doing work for the upgrade of that section of road.

10.4 QUESTIONS WITHOUT NOTICE

A Councillor may ask a Question without Notice of the Chairman or another Councillor or the Chief Executive Officer. 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, a Councillor or the Chief Executive Officer may decline to answer a question without notice.

Cr Walker returned to the meeting at this stage (7.56pm).

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 were 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 JOINT AUTHORITY MATTER
- 11.3 TENDER T1492/23 CLEANING OF PUBLIC TOILETS, BARBEQUES AND PICNIC TABLES
- 11.4 TENDER T1480/22 ANNUAL FOOTPATH RECONSTRUCTION PROGRAM 2023-2024
- 11.5 SUPERINTENDENT'S REPRESENTATIVE FOR THE BEACH STREET, BELLERIVE STORMWATER UPGRADE PROJECT
- 11.6 PROPERTY MATTER - ROKEBY
- 11.7 PROPERTY MATTER - ROKEBY

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

- contracts and tenders for the supply of goods and services;
- proposals to acquire land; and
- applications by Councillors for a Leave of Absence.

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

Decision:	<p>PROCEDURAL MOTION MOVED Cr Hulme SECONDED Cr Warren</p> <p>“That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>
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The Meeting closed at 8.11pm.

CLOSED MEETING /contd...

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

11.3 TENDER T1492/23 CLEANING OF PUBLIC TOILETS, BARBEQUES AND PICNIC TABLES

Decision:	MOVED Cr Goyne SECONDED Cr Ritchie
	<p>“A. That the Tender received from NB Direct Pty Ltd T/as Cleenco for the cleaning of public toilets, barbeques and picnic tables in the lump sum amount of \$214,602.95 be accepted.</p> <p>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.”</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>

11.4 TENDER T1480/22 ANNUAL FOOTPATH RECONSTRUCTION PROGRAM 2023-2024**Decision:****MOVED** Cr Hunter **SECONDED** Cr Hulme

- “A. That the Schedule of Rates Tender received from Earth Innovations Pty Ltd for the Annual Footpath Reconstruction Program 2023-2024 be accepted.
- 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

11.5 SUPERINTENDENT'S REPRESENTATIVE FOR THE BEACH STREET, BELLERIVE STORMWATER UPGRADE PROJECT**Decision:****MOVED** Cr Warren **SECONDED** Cr Goyne

- “A. That Council appoint Mr James Sugden of Sugden and Gee Consultants, pursuant to section 27 of the *Local Government (General) Regulations 2015* (Tas), without a public tender process, to oversee the Beach Street Stormwater upgrade project; for the reasons set out in the Associated Report.
- 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