

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 7 AUGUST 2023

HOURL CALLED: 7.00pm

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

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

1. APOLOGIES Nil

IN ATTENDANCE

Chief Executive Officer
(Mr I Nelson)

Head of Infrastructure & Natural Assets
(Mr R Graham)

Acting Head of City Planning
(Ms R Olsen)

Chief Financial Officer
(Ms J Murrell)

Acting Head of Strategic Development Communications and Engagement
(Ms G Wicks)

Acting Head of Community and Culture
(Ms T Cockburn)

Head of Governance
(Ms C Shea)

Acting Head of Regulatory Services
(Mr R Brennan)

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

The Meeting closed at 9.14pm.

COUNCIL MEETING
MONDAY 7 AUGUST 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 17 July 2023, as circulated, be taken as read and confirmed.

Decision: **MOVED** Cr Ritchie **SECONDED** Cr Hunter

“That the Minutes of the Council Meeting held on 17 July 2023, as circulated, be taken as read and confirmed”.

CARRIED UNANIMOUSLY

4.2 MAYOR’S COMMUNICATION

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

19 July: Meeting with BYC – Partner Initiative;
ABC Drive Interview – Lucy Breaden;
24 July: Meeting with “The Mercury” Editor;
26 July: Meeting with Scott Spanton – Tipalea Partners;
Tour of Mackillop College;
27 July: An Evening with Loaves and Fishes Tasmania;
31 July: Meeting with Premier and Minister Barnett – Kangaroo Point Development;
1 August: Jazz Festival Photo – Scholarship Program;
3 August: Vietnam Veterans Vigil – ANZAC Park;
6 August: Exhibition Opening of “Impermanence” and “Slow, Slow, Slow” – Rosny Barn.

Deputy Mayor Councillor Allison Ritchie (on behalf of Mayor)

6 August: Cantiamo Ladies Choir.

Councillor Wendy Kennedy (on behalf of Mayor)

30 July: Exhibition Opening of “Kairos” – Rosny Barn;
31 July: FIFA Women’s World Cup Match – Wrest Point Casino.

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
Development – Low-lying Areas	
Draft Land Acquisition Policy and Process	
42 Day Rule for Planning Applications	
Changes to Dog Management Policy – Declared Areas and Working Dog Category	
Delegation for Changes to Annual Estimates	24 July

RECOMMENDATION:

That Council notes the workshops conducted.

Decision: **MOVED** Cr Ritchie **SECONDED** Cr Hunter

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

4.4. TABLING OF PETITIONS

(Note: Petitions received by Councillors are to be forwarded to the Chief Executive Officer within seven days after receiving the petition).

Nil Items

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

June Quarterly Report pending.

Representative Reporting

- **SOUTHERN TASMANIAN REGIONAL WASTE AUTHORITY**

Representative: Cr Warren (Mayor's nominee)
Cr Hunter (Proxy)

Quarterly Reports

The Southern Tasmanian Regional Waste Authority distributed its Quarterly Report for the period ending 30 June 2023.

Representative Reporting

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

RICHMOND ADVISORY COMMITTEE

- Cr Chong tabled the minutes of a meeting held on 21 June 2023.

4.6 WEEKLY BRIEFING REPORTS

The Weekly Briefing Reports of 17, 24 and 31 July 2023 have been circulated to Councillors.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 17, 24 and 31 July 2023 be noted.

Decision: **MOVED** Cr Ritchie **SECONDED** Cr Hunter

“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

The Chief Executive Officer provides the following answers to Questions taken on Notice from members of the public at previous Council Meetings.

At Council's Meeting of 17 July Mr Bradley Walker of Howrah posed the following question on notice.

CAPITAL PROJECT ROKEBY HILLS / ILLEGAL DUMPING OF RUBBISH

Council recently approved 23/24 Budget included a capital project in Rokeby Hills. This project includes the construction of a new pathway/track from the Fairisle Terrace to Kuynah Reserve. A large portion of this track would be in alignment with a section of track that permit conditions for SD-2011/30 required the developer to construct. Has this been taken into account and what part is the developer contributing to this project?

The following answer to the question is provided:

The budget approved in 2023/2024 is for Council's contribution towards the track from Fairisle Terrace to Kuynah Reserve. This project is progressing in partnership with the developer who, as part of their amended development application, is required to develop a track to a class 5 standard. Council's budget will allow the track to be built to a higher standard.

ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE /contd...

At Council's Meeting of 17 July Mr Victor Marsh of Bellerive asked the following question.

NON-COMPLIANT KERBS ON BELLERIVE BLUFF

At a Clarence City Council meeting on 25 July 2022 my wife, Joanne Marsh asked a question without notice about the 15 DDA non-compliant kerbs on Bellerive bluff. These kerbs pose a safety risk in particular for people in wheelchairs, people with disabilities, the elderly and parents with large prams.

My question is, can Council give an update on what progress has been made to rectify this issue?

ANSWER

Since Mrs Marsh's question of July 2022, Council has completed a number of projects across the city to provide DDA ramps in locations where they previously did not exist on footpaths in Lindisfarne, Warrane, Risdon Vale and Clarendon Vale. More than 18 sites were addressed during the 2022-2023 financial year.

In March 2023, the triennial footpath condition audit was completed of all footpaths across the Clarence municipality and identified more than 1,200 locations where DDA ramps are required across our footpath network. The 2023-2024 budget for DDA Kerb Ramp installation was increased to \$150,000 (from \$100,000 in the 2022-23 financial year) in recognition of this and officers are working with Council's Access and Inclusion working group to prioritise sites based on the volume of pedestrians (including those with particular mobility needs such as people using wheelchairs, pushing prams or using walking frames etc) and nearby land uses (such as schools, aged care facilities, commercial areas, health services etc) that might attract more people that have limited mobility.

Council has funded several projects in the Bellerive area including design of streetscape upgrades in Scott Street (between Queen Street and Clarence Street), pedestrian improvements at the Percy Street / Cambridge Road intersection will be completed as part of the stormwater project, and where possible, the Beach Street stormwater project (programmed to commence November 2023) will include provision of DDA ramps where the works impact existing kerbs.

5.4 QUESTIONS WITHOUT NOTICE

Mrs Joanne Marsh of Bellerive asked the following question:

QUESTION TAKEN ON NOTICE AT COUNCIL'S MEETING OF 26 JUNE 2023

The answer to my question on 26 June about the completion of the Bellerive Beach Park master plan taken on notice was published in the agenda for 17 July. Who provided that answer to my question please?

ANSWER

(Head of Infrastructure and Natural Assets) It would have come through the Asset Management area.

Mr Michael Figg of Lauderdale asked the following question:

COUNCIL WORKSHOPS

My question is regarding council workshops. I have been a ratepayer for forty years here and I have only ever been allowed to enter one workshop as part of a group. The information given to us is after the event and yet there is nothing that tells us what happened in the event of council workshops. Could you explain, could we receive pre-notification of items like the low-lying areas that affect us so that we can put a petition or a representation forward at that meeting or can we have information if we are not there about what happened in that meeting?

ANSWER

(Mayor) Workshops are for information for elected members so that staff can provide elected members with briefings.

(Chief Executive Officer) The workshop environment is primarily focused on council staff briefing councilors on particular issues in a private setting or taking presentations from an external body or person on a particular topic. They are not a decision-making forum they are an information session only.

(Mayor) Mr Figg I might just add that for full transparency that is why people are told what [topics] have been discussed at workshops. Regarding the particular workshop topic that you referred to, there is nothing stopping you as you often do, reaching out to me or other elected members or them reaching out to you to “sanity check” what they may have been told from other quarters.

Council's Public Question Time Policy can be found on Council's website at [Public Question Time - City of Clarence : City of Clarence \(ccc.tas.gov.au\)](https://www.ccc.tas.gov.au/public-question-time)

6. DEPUTATIONS BY MEMBERS OF THE PUBLIC

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

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 DEVELOPMENT APPLICATION - PDPLANPMTD-2023/036916 – 145 AND 163 PASS ROAD AND 46A ANGELINA DRIVE, ROKEBY – AMENDMENT TO PARANVILLE SPECIFIC AREA PLAN**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to seek Council's support to undertake community consultation with regard to a request for a variation to the Master Plan and approved staging to satisfy the provisions of Clause F4.8.A1 of the ParanVille Specific Area Plan (the SAP). If approved, this will facilitate the assessment of a 31-lot subdivision including road lots, drainage lot and construction of public open space infrastructure at 145 and 163 Pass Road and 46A Angelina Drive, Rokeby (as shown in Attachment 2) currently to be developed in a later stage of the ParanVille development.

RELATION TO PLANNING PROVISIONS

The land at 163 Pass Road would accommodate most of the proposed residential subdivision and is zoned General Residential, and is subject to the SAP, Bushfire-prone Areas Code, Flood-prone Hazard Areas Code, Landslip Hazard Code, Natural Assets Code, Road and Railway Assets Code and Safeguarding of Airports Code under the Tasmanian Planning Scheme – Clarence (the Scheme).

The subdivision includes part of the access strip associated with 145 Pass Road which is zoned General Residential and Open Space. This land is also subject to the SAP, Bushfire-prone Areas Code, Flood-prone Hazard Areas Code, Natural Assets Code, Road and Railway Assets Code and Safeguarding of Airports Code of the Scheme.

The proposed subdivision includes Council's public open space land at 46A Angelina Drive for the development of public recreation works as part of Stage 1 of the subdivision.

Clause S4.8.1 A1(a) of the SAP requires that the subdivision must be in accordance with the Master Plan (Figure 3 of the SAP) and that the land must be developed in accordance with the Staging Plan (Figure 4 of the SAP), unless otherwise approved in writing by Council. This standard is an Acceptable Solution with no corresponding Performance Criteria, meaning an application for a subdivision in the form proposed cannot be considered by Council until such time Council approves a variation to the Master Plan and staging plan. However, this report is firstly seeking authorisation to consult, not to approve or refuse the request. The applicant's written request is detailed in Attachment 3.

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 2000 and the Local Government (Meeting Procedures) Regulations 2015.

RECOMMENDATION:

- A. That Council authorise the Chief Executive Officer to undertake community consultation prior to referring the request to vary the Master Plan and staging plan associated with the ParanVille Specific Area Plan back to Council for determination.
- 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 Kennedy **SECONDED** Cr Hunter

“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**8.2.1 AMENDMENT TO 2023/24 ACTIVE RECREATION BUDGET – 271 EAST DERWENT HIGHWAY, GEILSTON BAY FENCING****EXECUTIVE SUMMARY****PURPOSE**

To approve a new project within the Active Recreation program for the construction of sportsground fencing at Geilston Bay No. 2 Oval at 271 East Derwent Highway, Geilston Bay.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 and Active Living Strategy 2022 are relevant.

LEGISLATIVE REQUIREMENTS

Section 82 of the *Local Government Act 1993* is applicable.

CONSULTATION

Council officers have consulted with the landowner Department for Education, Children and Young People (DECYP) and relevant sporting clubs and associations that hire the sportsground.

FINANCIAL IMPLICATIONS

The proposed reallocation of funds will not result in an overall change to Council's Annual Estimates. Project costs will be funded from existing budget savings in the Active Recreation Budget.

RECOMMENDATION:

That Council reallocate funds in the 2023/2024 Annual Estimates as follows:

- Transfer \$16,000 from Risdon Vale Oval Sports Field Lighting Project to a new Project: Geilston Bay Oval No. 2 Perimeter Fencing at 271 East Derwent Highway, Geilston Bay.

Decision: **MOVED** Cr Chong **SECONDED** Cr Ritchie

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

8.3 FINANCIAL MANAGEMENT

Nil Items.

8.4 GOVERNANCE**8.4.1 AUTHORISATION UNDER THE LOCAL GOVERNMENT ACT (TAS.) 1993****EXECUTIVE SUMMARY****PURPOSE**

To consider the granting of an authorisation to the Chief Executive Officer under the Local Government Act 1993.

RELATION TO EXISTING POLICY/PLANS

The authorisation sought is specifically to deal with daily operational matters and will not impact on any pre-existing policies or strategies of Council.

LEGISLATIVE REQUIREMENTS

Section 22 of the Local Government Act 1993 provides that a Council, in writing, may delegate with or without conditions to the General Manager (Chief Executive Officer), any of its functions or powers under any Act.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

Not applicable.

RECOMMENDATION:

That Council:

- A. In accordance with section 82(6) of the *Local Government Act 1993 (Tas.)*, authorises the Chief Executive Officer to make minor adjustments to individual items within any estimate up to \$250,000 so long as the total amount of the Council estimate is not altered.
- B. Requires the Chief Executive Officer to report any adjustment, including an explanation for the adjustment in the Weekly Briefing Report, to be tabled at the first ordinary meeting of Council after the adjustment is made.

/ Refer to Page 19 for Decision on this Item...

AUTHORISATION UNDER THE LOCAL GOVERNMENT ACT (TAS.) 1993 /contd...

Decision:	MOVED Cr Ritchie SECONDED Cr Mulder	
	“That the Recommendation be adopted”.	
	CARRIED	
	FOR	AGAINST
	Cr Blomeley	Cr James
	Cr Chong	
	Cr Darko	
	Cr Goyne	
	Cr Hulme	
	Cr Hunter	
	Cr Kennedy	
	Cr Mulder	
	Cr Ritchie	
	Cr Walker	
	Cr Warren	

8.4.2 FUTURE OF LOCAL GOVERNMENT REVIEW – STAGE 2 INTERIM REPORT – COUNCIL SUBMISSION**EXECUTIVE SUMMARY****PURPOSE**

To seek Council's endorsement of the submission to the Future of Local Government Review Stage 2 Interim Report.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 is relevant.

LEGISLATIVE REQUIREMENTS

The *Local Government Act* 1993 is relevant.

CONSULTATION

The Local Government Review Board has been undertaking stakeholder and community consultation on the review of Local Government since March 2022. The latest engagement has been in relation to the Stage 2 Interim Report released by the Board in March 2023.

FINANCIAL IMPLICATIONS

There are no immediate financial implications arising from the submission of a response to the Local Government Review Board.

Financial implications may arise from any reform options recommended but these are not quantifiable or known at this stage.

RECOMMENDATION:

That Council:

- A. Endorses the submission (Attachment 1 to the Associated Report), lodged with the Local Government Review Board on Friday, 28 July 2023, in response to the Local Government Review Board Stage 2 Interim Report released in March 2023.
- B. Notes and advises the Local Government Review Board that it reserves the right to make further representations on reform options at a later date in any reform process.

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

**FUTURE OF LOCAL GOVERNMENT REVIEW – STAGE 2 INTERIM REPORT –
COUNCIL SUBMISSION /contd...**

Decision:	MOVED Cr Hunter SECONDED Cr Ritchie	
	“That Council:	
	A. Notes the submission (Attachment 1 to the Associated Report), lodged with the Local Government Review Board on Friday, 28 July 2023, in response to the Local Government Review Board Stage 2 Interim Report released in March 2023.	
	B. Notes and advises the Local Government Review Board that it reserves the right to make further representations on reform options at a later date in any reform process.”	
	CARRIED	
	FOR	AGAINST
	Cr Blomeley	Cr James
	Cr Chong	
	Cr Darko	
	Cr Goyne	
	Cr Hulme	
	Cr Hunter	
	Cr Kennedy	
	Cr Mulder	
	Cr Ritchie	
	Cr Walker	
	Cr Warren	

9. MOTIONS ON NOTICE**9.1 NOTICE OF MOTION - COUNCILLOR MULDER
COUNCIL MERGERS**

In accordance with Notice given, it was:

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

“That Clarence Council seeks the support of Sorell, Tasman and Glamorgan Spring Bay Councils in conducting elector polls on merging all or some of the said Councils.”

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

FOR

Cr James
Cr Mulder

AGAINST

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

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

Councillor Mulder

1. My question relates to the Skylands master plan/structure plan. That plan, the final version which was rejected by Council but appears to have been adopted by the Minister contained a suggestion of alternative routes to the north to the Norla Street crossover being part of the structure plan, in other words outside of the area of that particular structure plan. I have yet to have an indication of what the planners have in mind as to what that other northern route would be. My question is, is the connection from Rokeby through Sunray Court to Oceana Drive over which there is already a reservation relating to a water tower, is that under active consideration as one of the alternatives?

ANSWER

(Chief Executive Officer) I am not in a position to give a definitive answer at this time. What I can say to update Council is that Ms Olsen and other staff have been working with the proponents and the Friends of Tranmere and Droughty Point to organise a process to resolve the outstanding issues. We have been trying to clarify what those issues are and there are a range of them. We are starting to work through a resolution process and that matter will be one of them.

2. Is there a capacity in the negotiations for the cost of that construction to be allocated to the proponents of Skylands since we are saving them a lot of money by not requiring them to make Norla Street.

ANSWER

(Chief Executive Officer) I am not able to answer that. There will be a range of factors that go into that negotiation.

Councillor Hulme

I refer back to my question regarding the Workplace Health and Safety Review and to provide some context, the catalyst was attending the LGAT professional development day where they were talking about the responsibility of councils and councillors for having robust processes for dealing with issues throughout the workplace such as social risk. I thank the Chief Executive Officer for his answer which focused fairly heavily on Edge Legal's report to Council and my understanding from the CEO is that this is very much about the conduct of councillors. My question is, could the CEO provide a comprehensive answer in terms of what has been going on across the entire workplace?

ANSWER

Taken on Notice.

(Further information) Council officers have provided councillors with a memorandum detailing key aspects of Council's work health and safety system, including accreditations.

Councillor James

1. We have received correspondence from [a resident] at Lauderdale regarding barking dogs. I know that it has got into a situation where there have been delays and so on, but my question is, given that this has been on the books and Council has been approached for well over 12 months and there doesn't appear to be a resolution to date, and I am quoting from a memorandum from [the resident] to us on 26 June. My question is when will resolution of this occur and when will [the resident] be advised accordingly?

ANSWER

Taken on Notice.

(Further information) The matter has been investigated by Council's rangers, who determined that while the dog barked, the barking did not constitute a nuisance as defined under the Dog Control Act 2000. The resident was advised of this in writing on 3 July 2023 and has been further advised that if they wish to instigate a formal investigation under section 47 of the Dog Control Act 2000 it will incur a fee of \$79.50. If the complaint is found to have substance, the fee will be refunded.

2. In relation to Minister Julie Collins' memorandum in relation to the Mornington roundabout, and it seems that the State and Federal governments are responsible for delivery of infrastructure projects and Minister Collins and the Federal Labor government are working in conjunction with the State Liberal government to progress work on the Mornington roundabout upgrade. My question is what involvement will Council have if any, given that Cambridge Road junction with the South Arm Highway on both the eastern and western approaches and they are council roads and is it going to be a joint effort with Federal, State and Local Government in relation to getting something done about the Mornington roundabout?

ANSWER

(Mayor) We will all be aware that at the last Federal election the Hon. Julie Collins, MP Member for Franklin did secure some funds to assist with the Mornington roundabout upgrade. There is also a requirement as you have noted for the State government to contribute as well.

(Head of Infrastructure and Natural Assets) Council will be a key stakeholder on this project. With regard to some of the initial analysis work, certainly some of our staff were informed through workshops in terms of looking at the proposal. We understand that the State and Federal governments are trying to define what the scope will be, and we have not had any update in the last four months or so, but we will liaise with Department officers.

Councillor Warren

My question is on behalf of a constituent. I believe there has been an increase of roadkill on Bellerive Bluff, particularly pademelons, and I wonder if this is just anecdotal or whether the rangers have noticed that? I believe that there was some discussion about signage, and I wonder where we are up to with that as well?

ANSWER

Taken on notice.

(Further information) Council's depot staff, who are responsible for collection of roadkill, report there has been no noticeable increase in incidents of roadkill reports around Bellerive Bluff.

The Australian Standard for signage only specifies warning signage for large wildlife (such as kangaroos, camels, wandering stock etc) that would constitute a hazard to occupants of motor vehicles and motorcycles if struck on the road. The standard goes on to state that the efficacy of warning signs in preventing roadkill of small animals is considered doubtful. Instead, signs aimed at creating a general awareness of wildlife in an area are suggested as a more meaningful approach to the problem of protecting small animals.

Council generally does not install wildlife warning signage within built-up areas of the city as drivers are expected to be anticipating the usual activity associated with residential areas like cars entering and exiting driveways, residents (including children) and domestic animals moving around, etc. However, given that Victoria Esplanade adjacent to the old fort does not have the same level of residential activity as nearby parts of Victoria Esplanade, officers will investigate the appropriateness of installing Wildlife Awareness Signage (similar to those shown below).



FIGURE H1 WILDLIFE AWARENESS SIGNS

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.

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 T1473-22 – WISTERIA AVENUE STORMWATER UPGRADE CONSTRUCTION

11.3 JOINT AUTHORITY MATTER

11.4 APPOINTMENT OF COMMITTEE MEMBER

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:

- personnel matters;
- information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the Council is conducting, or proposes to conduct, business
- contracts and tenders for the supply of goods and services; 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:

PROCEDURAL MOTION

MOVED Cr Chong **SECONDED** Cr Kennedy

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

CARRIED UNANIMOUSLY

The Meeting closed at 9.14pm.

CLOSED MEETING /contd...

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

11.2 T1473-22 - WISTERIA AVENUE STORMWATER UPGRADE CONSTRUCTION

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

“That Council:

- A. Approves the tender received from Batchelor Construction Group Pty Ltd for the amount of \$635,970.00 excluding GST, but inclusive of provisional sums totalling \$20,000.00 (excluding GST) for the Wisteria Avenue Stormwater and Road Upgrade - Construction.
- B. Reallocates funds from 2023/2024 Roads Capital Budget to the Wisteria Avenue Stormwater and Road Upgrade project:
 - Roads – Major Dig Outs \$144,140.00
- 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.”

CARRIED

FOR

Cr Blomeley
Cr Chong
Cr Darko
Cr Goyne
Cr Hulme
Cr Hunter
Cr Kennedy
Cr Mulder
Cr Ritchie
Cr Walker
Cr Warren

AGAINST

Cr James (abstained)