

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 18 SEPTEMBER 2023

HOURLY CALLED: 7.00pm

PRESENT: The meeting commenced at 7.03pm 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

Acting Chief Executive Officer
(Ms J Murrell)

Acting Head of Infrastructure & Natural Assets
(Ms A Moore)

Acting Head of City Planning
(Ms R Olsen)

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

Head of Governance
(Ms C Shea)

Head of Regulatory Services
(Mr R Brennan)

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

The Meeting closed at 7.48pm.

COUNCIL MEETING
MONDAY 18 SEPTEMBER 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 28 August 2023, as circulated, be taken as read and confirmed.

Decision: **MOVED** Cr Kennedy **SECONDED** Cr Chong

“That the Minutes of the Council Meeting held on 28 August 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:

- 29 August: AICD Hobart Directors' Breakfast;
- 30 August: Clubs Tasmania – Industry Night;
- 31 August: Difficult Terrain/Contemporary Jewellery – Art Exhibition Opening;
- 1 September: ABC Mornings Radio Interview – Stolen Necklace;
HOFM Radio Interview – Stolen Necklace;
ABC Radio Interview – AFL High Performance Centre;
Triple M Radio Interview – AFL High Performance Centre;
- 4 September: Meeting with Andrew Calvert – Bicheno Street, Clifton Beach;
- 6 September: SES Management/Southern Region General Response Unit – Appreciation Dinner;
- 7 September: One Hill Estate – Site Visit;
- 8 September: Investiture Recipients 2023 King's Birthday Honours – Government House;
Investiture Day Lunch – Royal Yacht Club of Tasmania;
- 9 September: 2023 NPL/WSL Awards Night;
- 10 September: 2023 SFLW Grand Final Luncheon;
- 12 September: Asuria Employer Breakfast;
- 13 September: Breakfast with Hon Jo Palmer MLC;
- 14 September: Media – Clarence Prize – Rosny Barn;
Exhibition Opening – Clarence Prize;
- 15 September: Bill Sorell Luncheon – Wrest Point Casino;
- 16 September: Official Opening Blossom Park;
SFL Grand Final Luncheon;
Nelson Eastern Suburbs Football Club – End of Season Awards; and
- 18 September: Launch of National Emergency Ready Week.

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

2 September: HMA Onam Festival.

Councillor Heather Chong (on behalf of Mayor)

5 September: Glenorchy City Council RAP Launch; and

9 September: Teej Festival.

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

Presentation – South Arm Irrigation Scheme

Presentation – Derwent Estuary Program

Confidential Briefing – Unpaid Rates

DATE

4 September

RECOMMENDATION:

That Council notes the workshops conducted.

Decision: **MOVED** Cr Kennedy **SECONDED** Cr Chong

“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

None pending.

Representative Reporting

- **SOUTHERN TASMANIAN REGIONAL WASTE AUTHORITY**

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

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

BELLERIVE COMMUNITY ARTS CENTRE

- Cr Kennedy tabled the minutes of a meeting held on 13 September 2023 and the Financial Statement for the period ending 31 August 2023.

4.6 WEEKLY BRIEFING REPORTS

The Weekly Briefing Reports of 28 August and 4 and 11 September 2023 have been circulated to Councillors.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 28 August and 4 and 11 September 2023 be noted.

Decision: **MOVED** Cr Kennedy **SECONDED** Cr Chong

“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.

Questions on notice and their answers will be included in the minutes.

Ms G Hickman of Cremorne gave notice of the following questions:

TRAFFIC ISSUES AT CREMORNE

1. Will the Clarence City Council recognise the lagoon beach area of Pipe Clay Esplanade between No 74 and 102 is a public street and that the Clarence City Council is the managing authority of this area?
2. Will the Clarence City Council commit to consulting with locals and finding solutions to the issues listed in my submission which would focus on prevention?

Bradley Walker of Howrah gave notice of the following questions:

1. ROSNY BOWLS CLUB

At council meeting 7th August 2023. Councillor James at 9.30 minutes on the council recording asks for details of the Rosny Bowls Club within the Sports Facilities Strategic Plan. Could this response given in councillors weekly briefing reports please be made available to the community?

2. COUNCIL MINUTES

At the writing of this question the minutes of meeting held 28th August, which was currently available for viewing is not available online. I personally have noticed several changes to these online documents also, made after their original release. For the purpose of good housekeeping and transparency, why aren't these changes to these files noted on them?

5.2 ANSWERS TO QUESTIONS ON NOTICE

Council's Acting Head of Infrastructure & Natural Assets provided the following answers to the questions from Ms G Hickman at Item 5.1.

TRAFFIC ISSUES AT CREMORNE

1. Council has title for the foreshore area between the private properties along Pipe Clay Esplanade and the high-water mark.

In 2010, Council was approached by MAST to improve access and car parking as a contribution towards the new jetty and pontoon works at the time. However, Council was not in a position to improve access along the spit. Also, in response to a petition tabled in September 2013, Council considered a report for providing an access road for properties on the Spit beyond 72 Pipe Clay Esplanade. In relation to the unmade road – under the Local Government (Highways) Act Council has no obligation to take over and maintain a road unless it has been constructed to a suitable standard. This provision is to ensure councils and their ratepayers take over roads from developers that are appropriately designed and constructed to minimise long term maintenance and maximise the life of the assets. Pipe Clay Esplanade beyond #72 was never designed or constructed in the first place – instead, it was originally a track serving shacks in the area. The mechanism to make a road to standard is generally by a developer (when creating a subdivision) or by the people benefitting from the road (i.e. the immediate and downstream frontagers). This ensures the investment in the making the road provides a benefit to the immediate property owners without imposing an undue burden on all ratepayers. Generally, a frontage scheme equally apportions the cost of road construction between Council, the State Government and the landowners affected by the road works. Previous discussions elsewhere in Cremorne regarding frontager schemes were not supported by the majority of landowners and did not proceed.

The issue is further complicated by the 2009 Clarence Climate Change Impacts Report that identified the Pipe Clay Lagoon side of Cremorne as a priority area at risk of inundation and coastal erosion. Council adopted a Coastal Hazard Policy in January 2021, which adopts a risk-based approach to managing coastal hazards and clarifies responsibilities regarding Council-controlled land, Crown land and privately-owned land. The policy also enables Council to develop coastal hazard management plans for key coastal areas. Council (with consultant support) are finalising the Pipe Clay Lagoon Coastal Management Plan which will be a key document to inform any future works in this area (including any road construction).

2. Council has no ability to undertake enforcement of driving offences and can only contribute to addressing anti-social driver behaviour through modified infrastructure (such as traffic calming devices or similar). These infrastructure changes can take a number of years to design, fund and implement and often have limited effectiveness in deterring the behaviour.

/ contd on Page 11...

ANSWERS TO QUESTIONS ON NOTICE / contd...

All of the solutions suggested in Ms Hickman's submission would require design input and funding allocation to deliver. Any infrastructure changes would need to be informed by the Pipe Clay Lagoon Coastal Management Plan.

Council has a "DOB IN A HOON" campaign in conjunction with Tasmania Police. The campaign is active on our website. However, Tasmania Police are best placed to address anti-social driver behaviour through enforcement.

The Acting Chief Executive Officer provided the following answers to the questions from Mr Bradley Walker at Item 5.1.

1. ROSNY BOWLS CLUB

At the meeting of 7 August, in response to Cr James' question, the Chief Executive Officer advised that he was unable to respond to the question at that stage as he believed that the specific question asked related to a confidential matter. No response has been provided in the Weekly Briefing Report.

2. COUNCIL MINUTES

All minutes are subject to confirmation at the following council meeting. Until they are confirmed, amendments can be made to correct typographical errors or similar. The amended minutes are then recirculated to Councillors so that the minutes "as circulated" can be confirmed. These are also made publicly available via the website. Amendments which are required regarding the proceedings of a meeting or are not made prior to the meeting at which they are to be confirmed, are raised at Item 4.1 Confirmation of Minutes. The details of those changes are noted as part of the decision to confirm.

Specifically in regard to the minutes of the council meeting of 28 August, following uploading to the website it was realised that a question without notice from a member of the public had unintentionally been omitted. The correction was made but unfortunately due to an oversight the amended minutes were not immediately replaced. As soon as this was discovered, the amended minutes were uploaded to the website.

5.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

The Acting Chief Executive Officer provides the following answer to a Question taken on Notice at the previous Council Meeting.

At Council's Meeting of 28 August Mrs Joanne Marsh of Bellerive asked the following question.

UNCONTROLLED PEDESTRIAN REFUGE ISLANDS IN BELLERIVE VILLAGE

All the uncontrolled pedestrian refuge islands in Bellerive Village which has a high level of pedestrian and vehicular traffic have been removed for a week. This is an ongoing occurrence when developments are in progress in my local area.

Pedestrians are left to their own devices to negotiate dangerous footpaths and road crossings. All pedestrians and particularly those with a disability are made vulnerable by this situation. My question is, when council authorises changes to pedestrian conditions or approves a traffic management plan, what risk assessments are undertaken and how is risk managed and effectively monitored by the responsible officers for the duration of the work?

ANSWER

Traffic control at work sites in Clarence is undertaken under the guidance of the Department of State Growth's *Traffic Control on Roads – Tasmanian Guide*. Traffic control at work sites is designed and installed in accordance with the latest version of the relevant Australian Standard – *AS 1742.3 Manual of Uniform Traffic Control Devices* and *Austroroads Guide to Temporary Traffic Management (AGTTM) Part 3: Traffic Control for Works on Roads*.

Risk is managed through personnel involved in planning, designing, installing, and managing traffic control at work sites understanding the requirements of the AGTTM and being appropriately trained and qualified in its use, which includes the assessment of risks. The AGTTM recognises the safety and protection of road workers and road users is the primary concern. This is achieved through the consideration of risk categories including road workers, road users, vulnerable road users, site conditions, parked vehicles, adverse weather conditions and unattended work sites.

Trained personnel conduct regular inspections to ensure the traffic management plan has been correctly implemented and is effective.

It is acknowledged by necessity roadworks can involve the temporary removal of infrastructure which was provided to improve safety. In the example of Cambridge Road, Bellerive, pedestrian islands were removed to provide adequate road space for traffic while the works are being undertaken. In this instance, a step-free temporary pedestrian crossing has been installed. Unfortunately, there is inadequate space on the road to enable the provision of a pedestrian refuge island at the temporary pedestrian crossing, and this often occurs during roadworks construction. This means pedestrians may need to wait longer for a gap in the traffic as they can no longer stage their crossing of the road by waiting on a central island. Signage is in place to advise motorists of the temporary road works.

5.4 QUESTIONS WITHOUT NOTICE

Mr Michael Figg of Lauderdale asked the following question.

CHANGE TO AGENDA

Can you tell me Mr Mayor, is there any change to the agenda tonight?

ANSWER

In regard to agenda items, yes there will be a change which will be advised when we come to Item 7 on the agenda.

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://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)

DEVELOPMENT APPLICATION PDPLANPMTD-2023/037581 – 7 TANUNDAL STREET, HOWRAH – ADDITIONS AND ALTERATIONS
(REFER ITEM 7.1)

Mr Sam Henderson of BPSM Architects addressed the meeting regarding the above development application.

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-2023/037581 – 7
TANUNDAL STREET, HOWRAH - ADDITIONS AND ALTERATIONS****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Additions and Alterations to a dwelling at 7 Tanundal Street, Howrah.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Sustainable Transport Code and Safeguarding of Airports Code of the Tasmanian Planning Scheme - Clarence (the Scheme). In accordance with the Scheme, the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

This report details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

Council is required to exercise a discretion within the statutory 42-day period which expires on 21 September 2023.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and four representations were received in support of the application. The representors made the following comments in relation to the proposed development:

- improvement to the street; and
- minimal external works.

RECOMMENDATION:

- A. That the Planning Application for Additions and Alterations at 7 Tanundal Street, Howrah (CI Ref PDPLANPMTD-2023/037581) be refused because the proposal is contrary to the provisions of the Tasmanian Planning Scheme – Clarence for the following reason.
1. The proposal does not comply with the performance criteria (P2) of clause 8.4.2 in relation to Setbacks for carports and garages, in that the proposed carport is not considered compatible with the setbacks of existing carports and garages in the street.
- 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 17 for Decision on this Item...

DEVELOPMENT APPLICATION PDPLANPMTD-2023/037581 – 7 TANUNDAL STREET, HOWRAH - ADDITIONS AND ALTERATIONS /contd...

Decision:	MOVED Cr Mulder SECONDED Cr Kennedy
	<p>“A That the Development Application for Additions and Alterations at 7 Tanundal Street, Howrah (PDPLANPMTD-2023/037581) be approved subject to the following conditions and advice:</p> <ol style="list-style-type: none">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. The new crossover must be constructed in accordance with Standard Drawing TSD-R09 and the Works in Road Reservation Permit must be obtained from Council prior to the commencement of any works within the road reserve. The access and associated works must be inspected by Council prior to sealing or pouring new concrete. <p>Following construction, the crossover must be maintained or repaired by the owner at the owner’s expense in accordance with any directions given by Council to the owner.</p> <ol style="list-style-type: none">3. All redundant crossovers must be removed and kerb and guttering with footpath reinstated to match with the existing in a smooth and continuous fashion.4. The owner must, at their expense, repair any Council services (eg pipes, drains) and any road, crossover, footpath or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council. <p>If the owner does not undertake the required repair works within the timeframe specified by Council, the Council may arrange for the works to be carried out at the owner’s expense.</p>

/ Decision contd on Page 18...

DEVELOPMENT APPLICATION PDPLANPMTD-2023/037581 – 7 TANUNDAL STREET, HOWRAH - ADDITIONS AND ALTERATIONS /Decision contd...**ADVICE**

- a. This Permit will lapse after two years from the date on which it is granted unless the development / use has been substantially commenced. Upon request, under Section 53(5A) of the *Land Use Planning and Approvals Act 1993*, Council may grant an extension of time for a further two years. A further two years may be granted upon request under Section 53(5B) of the *Land Use Planning and Approvals Act 1993*. Any such requests must be made in writing and within six months of the day on which the permit has lapsed.
 - b. This is a town 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. 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.
- B. That the reason is as follows:
- The proposed carport conforms with Clause 8.4.2 P2, in that the carport has a setback from the primary frontage that, at 2.95m, is greater than the 1.1m setback of the carport at No.2 Tanundal Street.”

CARRIED**FOR**

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

AGAINST

Cr Hulme
Cr Hunter
Cr James

7.2 DEVELOPMENT APPLICATION PDPLANPMTD-2021/018475 – 476 SOUTH ARM ROAD AND 488 SOUTH ARM ROAD, LAUDERDALE - LANDFILL**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for landfill at 476 South Arm Road and 488 South Arm Road, Lauderdale.

RELATION TO PLANNING PROVISIONS

The application was made valid under the Clarence Interim Planning Scheme 2015 (the Scheme) and is required to be assessed under the relevant provisions of this Scheme. The land is zoned Rural Living and Local Business and is subject to the Road and Railway Assets Code, Parking and Access Code, Stormwater Management Code, Waterway and Coastal Protection Area Code, Inundation Prone Areas Code, Coastal Erosion Hazard Code and the Lauderdale Neighbourhood Centre Specific Area Plan.

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

Council is required to exercise a discretion within the statutory 42-day period which expires on 20 September 2023.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and one representation was received raising the issue of Inundation risk.

RECOMMENDATION:

- A. That the Planning Application for landfill at 476 South Arm Road and 488 South Arm Road, Lauderdale (CI Ref PDPLANPMTD-2021/018475) be refused on the following grounds.
1. The proposal does not comply with clause 13.4.3 P4 (a) of the Rural Living Zone because the placement of fill on the site would detract from the landscape character of the area.
 2. The proposal does not comply with clause E15.7.5 P1 (a), (b) and (c) of the Inundation Prone Areas Code for reasons detailed in this report and therefore does not achieve the objectives of the standard.

3. The proposal does not comply with clause F2.4.1 P1 (a), (b) and (c) of the Lauderdale Neighbourhood Specific Area Plan because the proposal would not complement and contribute to the character of the Lauderdale neighbourhood activity centre, would not provide for clearly articulated and organised site management, and does not include measures for protection from the impact of coastal hazards and climate change.
 4. The proposal does not comply with clause F2.4.4 P1 (a), (b) and (c) of the Lauderdale Neighbourhood Specific Area Plan because appropriate landscaping treatment has not been provided to enhance the appearance of the development.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

The Mayor advised that the applicant for 476 and 488 South Arm Road, Lauderdale has requested that the item be **withdrawn** from consideration at tonight’s meeting and has paid the required fee.

The Mayor called for a Procedural Motion to defer the item.

Decision:	PROCEDURAL MOTION MOVED Cr Chong SECONDED Cr Kennedy “That Item 7.2 be deferred from consideration at tonight’s Council Meeting”. CARRIED UNANIMOUSLY
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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
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Nil Items.

8.2 ASSET MANAGEMENT

Nil Items.

8.3 FINANCIAL MANAGEMENT

Nil Items.

8.4 GOVERNANCE

Nil Items.

9. MOTIONS ON NOTICE

Nil Items.

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 Kennedy

On Saturday 19 August the Acton grocer ran a market, and I wondered if there were any approvals for that, it is private land. I had a number of calls about the amount of parking that was taken up on the road right up to Cilwen Drive and it was a little dangerous for people trying to navigate their way through. Referring back to the Harmony Market situation I wonder whether this was something that had a permit?

ANSWER

Taken on notice.

(Further information) The Acton Road Grocer was advised that they require a planning permit to undertake an ongoing market at that site. The upcoming market due to occur on 17 September has been cancelled until planning permission is granted. We are yet to receive an application for planning assessment. Parking will be addressed through the assessment of a planning application.

Cr Goyne

1. About four years ago some residents of Lauderdale established a makeshift bike park at the back of Roscommon bordering on Roscommon and the equestrian centre. I believe last week Council demolished the site and put up some signs I just wondered if there were any plans to replace that with a Council approved alternative, or if and when the Lauderdale master plan would possibly consider consultation into including areas such as that?

ANSWER

Taken on notice.

(Further information) Advice from Council's insurers states that once Council becomes aware of illegal jumps, we must make reasonable efforts to remove them. The illegal jumps in the Roscommon Reserve were removed in response to a report received from a member of the public on 11 August 2023.

There is already an established BMX track located at South Arm Road in Lauderdale.

The recommendations in the Roscommon Master Plan (2014-2024) include maintaining the network of existing tracks and a circuit track, not further bike infrastructure.

The Lauderdale Canal Park Draft Master Plan does not currently include bike jumps. However, this could be revisited as this project progresses.

2. I know that you were all made aware of the excitement last week of the vagrant emu and I believe that we made a tv show because of the situation. Also, about 18 months ago we had issues with a stallion causing some very testosterone fuelled havoc around Lauderdale and I was the owner of a vagrant cow that took several days and thousands of dollars to hunt and dispose of. Has Council, or has Council considered establishing a policy to manage these situation because while they are obviously few they cause issues when they arise?

ANSWER

Taken on notice.

(Further information) Council has few options under current legislation to deal with animals (other than dogs) escaping and causing a nuisance. We currently have authority to act if the animals are on a road/road verge, but if they have gone from one private property to another private property, we have no head of power to act.

Council has the head of power to make a by-law in relation to animal management, but this would require further consideration.

Cr Chong

I notice in the Quarterly Report there are some quotes being sought for the Geilston Bay boat ramp. Could we have an update on where it is at and what is happening?

ANSWER

(Head of Infrastructure and Natural Assets) I believe it is out for quotation, I will provide an update to Council.

(Further information) Council has received quotations from contractors for undertaking the works to remove the old boardwalk and rehabilitate the area. Initial assessment of the quotations has been completed with the involvement of club representatives. A recommendation summary is currently being prepared and it is anticipated a contract will be awarded in September 2023. Councillors will be informed of the timing of the works once a program is confirmed from the awarded contractor.

Cr Warren

I read in the media over the last couple of weeks that the Bellerive ferry wharf has been sold to the government. Were we advised of that? I may have missed a briefing, but I was not aware of any official advice to that effect.

ANSWER

(Chief Executive Officer) We have not received official advice, but I found out informally from representatives of the Department of State Growth that it had been sold. It was effectively a private property transaction.

Question contd

I ask because people frequently request that it becomes the new ferry wharf so is there a possibility of having some communication to that effect that it is the future permanent home of the cross Derwent ferry.

ANSWER

(Chief Executive Officer) I think that we can assume that the Crown has bought what we refer to as the federal wharf for the ferry service.

Question contd

Can we have some communication to the public?

ANSWER

(Chief Executive Officer) It will have to come from the Department, but I am happy ask for that.

(Mayor) To be clear the Chief Executive Officer will engage with the Department; it is a decision for them about what they communicate about that private transaction.

(Further information) The Department of State Growth has confirmed that it has purchased the “Federal Wharf” in June 2023, to redevelop it as the long-term location for the Bellerive public transport ferry service.

Cr Darko

What are the timelines in terms of more detail and more options for replacing the hard waste services, particularly for those residents who have financial issues such as not having a car or not having the capacity to go to Facebook marketplace. In my view, the current web page does not outline many alternatives and I would like to know how we are progressing in presenting more options which may facilitate and encourage re-use where possible?

ANSWER

(Head of Infrastructure and Natural Assets) Asset Management will work with Marketing and Communication in terms of informing councillors and the community.

(Further information) Council has recently updated its website on options for ratepayers' self-management of bulky waste materials. Council is also in the process of developing its new website, which will have a newly created section dedicated to Sustainability. This new section will include more information on the Circular Economy, with links to valuable resources to help households live more sustainably, including ways to rethink waste as valuable resources. It is anticipated the new website will be live in the coming months. Also, Council is currently working to partner with organisations in the not-for-profit sector regarding assistance in managing bulky waste in vulnerable areas of our community and will be sharing the exciting news to kick off our Garage Sale Trail campaign in the coming weeks.

Cr Walker

While I am fully aware of the dealings and the planning and logistics we have with other emergency management elements with issues such as fire. My question is can Council give consideration to being a bit more active in the space of informing people or linking up through social media channels to disseminate information on best practice as far as hazard reduction in all settings, be they domestic or further wide and how best to manage this? I think there is a lot of concern around the summer coming and what role we have and I think now is the time to optimise that.

ANSWER

(Chief Executive Officer) It is certainly a concern as we go into summer. There is quite a structure in place between the State Government and councils in terms of emergency management. I will take that on notice because it will be a question at one level about what activities are the State Government undertaking and what activities we undertake. There is certainly an overlap there in terms of what information we should be making available and facilitating participation through our website and social media pages.

(Further information) A number of activities are undertaken by council to proactively inform and assist residents with their fire awareness. Each year in the lead up to the summer bushfire season, council heightens its bushfire awareness messaging in the Clarence news, website and social media platforms.

Working collaboratively with City of Hobart, Glenorchy City Council and Kingborough Council, we applied for and received a federal funding grant to establish the Sparking Conversations, Igniting Actions project to help neighbourhoods in the greater Hobart area prepare for bushfire.

Reminder notices have been sent to all owners of vacant land, advising of their responsibilities regarding fire hazard reduction on their property and a schedule for hazard reduction works is developed for all Council managed properties according to the type and amount of vegetation, the type of work required, the likely direction of bushfire travel and damage that may occur.

Cr James

1. What is the procedure for non-exec members and community members to resolve issues related to the Councillors' Statement of Expectations in regard to behaviour as listed in the document? It doesn't necessarily give non-exec members and community members any regard to fill in the form and be able to have that issue resolved through the issues resolution process.

ANSWER

(Chief Executive Officer) The procedure sets out the process for a councillor, employee or a member of the public to raise an issue and have that dealt with informally or formally.

- 2 My question is regarding comments from a resident in relation to Spitfarm Road, Opossum Bay and the expectation that there is a future golf course access to be built. What would it take for Council to consider the ring road that was mooted some years ago in respect to the provision of that road to lessen the impact on Spitfarm Road and would it take a rezoning of that area to include the ring road and would it require also a structure plan?

ANSWER

(Mayor) The resident emailed me last week and I have organised a detailed mayoral response. I contacted him as well and had a conversation with him where those issues were raised. You are right, Councillor James a great deal of work has been done previously and when Arm End does come online it will clearly increase, as it has now anyway, the popularity of that part of the peninsula and with the water reuse scheme coming online, a lot more residential blocks will become available. It is a concern for all of us. You have asked for a detailed response, I don't believe we are in a position to answer that with the detailed response that it deserves and although every elected member will receive a copy of my response, if I could just ask that a more detailed response be circulated in the weekly briefing report.

(Further information) Council officers will organise a workshop briefing on this issue in the near future.

Cr Hulme

1. Who is responsible for clearing rubbish on highways and if it is the department of State Growth, how frequently do they do it?

ANSWER

Taken on notice.

(Further information) Collection of rubbish on State highways is the responsibility of the Department of State Growth (DSG), who have a dedicated telephone hotline and online contact form for reporting littering and dumped rubbish available via the Service Tasmania website. Following seeking advice, DSG have advised the highways on the Eastern shore are a monthly litter collection cycle.

2. Even though it is a State Government responsibility have we, may be through our customer service staff, had feedback from the public on how they have been affected by changes to Metro services recently?

ANSWER

(Chief Executive Officer) Not that I am aware, but I will follow up.

(Further information) Council's Customer Contact team has not received any enquiries or feedback regarding disruptions to Metro's services.

Cr Mulder

1. Planning applications for Rosny Hill and Kangaroo Bay boulevard were both approved 3 and 2 years ago respectively. Considerable time has elapsed, and we have been consistently told that these matters are under renegotiation. What is the status of negotiations and whose turn is it to respond?

ANSWER

(Chief Executive Officer) In respect to Rosny Hill I had a draft copy of the lease to proofread today. It is now with the Head of Governance to take through to the next stage which will be a referral to Parks and Wildlife Service, the State Government arm for land management, then back to Hunter Developments for their comment. I would hope to bring it back to a Council workshop shortly.
I will seek an update on the Boulevard site.

(Further information) In relation to the Boulevard site, we are awaiting lodgement of a new development application from Hunter Developments. This was the subject of a workshop presentation to councillors in May 2023. There will also be a requirement to vary the Sale and Development Agreement between Council and Hunter Developments if Council accepts the new development application (outside of any planning approval) for the site.

2. I assume that we have not had building applications from either of them yet in regard to the boulevard, is there any indication that construction costs are now putting us in a position where many other developments throughout the state are now pulling out?

ANSWER

(Chief Executive Officer) I have not had any contact in that regard.

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 Goyne left the meeting at this stage and did not return (7.31pm).

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 TENDER T1501/23 – ASPHALT SUPPLY ONLY
- 11.3 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:

- applications by Councillors for a Leave of Absence;
- contracts and tenders for the supply of goods and services; and
- the personal hardship of a ratepayer or person living in the municipal area.

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 Kennedy SECONDED Cr Warren “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
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The Meeting closed at 7.48pm.

CLOSED MEETING /contd...

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

11.2 TENDER T1501/23 – ASPHALT SUPPLY ONLY**Decision:****MOVED** Cr Hulme **SECONDED** Cr Chong

- “A. That the Council accepts the Tender rates submitted by Downer EDI Works Pty Ltd for the 2023-2024 provision of asphalt supply only for the Council’s operations crew works.
- 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