

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 30 OCTOBER 2023

HOUR 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
A	Ritchie
J	Walker
B	Warren; present.

1. APOLOGIES T Mulder

IN ATTENDANCE

Chief Executive Officer
(Mr I Nelson)

Head of Infrastructure & Natural Assets
(Mr R Graham)

Acting Head of City Planning
(Ms R Olsen)

Head of Community and Culture
(Ms T Cockburn)

Head of Governance
(Ms C Shea)

Head of Regulatory Services
(Mr R Brennan)

Acting Head of Strategic Development Communications and Engagement
(Ms S Hannan)

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

The Meeting closed at 8.11pm.

COUNCIL MEETING
MONDAY 30 OCTOBER 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 9 October 2023, as circulated, be taken as read and confirmed.

Decision: **MOVED** Cr Ritchie **SECONDED** Cr Kennedy

“That the Minutes of the Council Meeting held on 9 October 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:

10 October: ABC Radio Interview – AFL High Performance Centre;
Salvation Army Meeting;
11-13 October: Asia Pacific Summit – Mayors Forum;
16 October: Official Launch of Mind Games;
17 October: Official Launch – Committee for Greater Hobart;
18 October: TasWater – Representatives Meeting;
WBBL/09 Season Launch;
19 October: Clarence RSL Sub-Branch – Barefoot Bowls;
SAPRA AGM/General Meeting;
21 October: Call from the Hon Felix Ellis MP – Fire Services Levy;
Pathways Gala Dinner;
22 October: Walk for Mental Health;
Lindisfarne RSL Sub-Branch Annual Luncheon;
24 October: ABC Radio Interview – Fire Services Levy;
25 October: Destination Southern Tasmania – October Meeting;
CCC City Development Advisory Committee Meeting;
26 October: 2023 Royal Hobart Show President's Luncheon; and
27 October: Minds Do Matter Exhibition – Rosny Barn.

Deputy Mayor Councillor Allison Ritchie (on behalf of Mayor)

11 October: Seniors Week – Splash of Colour High Tea;
13 October: Scoot Boot Launch; and
21 October: Springfest 2023.

Councillor Bree Hunter (on behalf of Mayor)

13 October: Tasmanian Community Achievement Awards Gala; and
20 October: Tasmanian Climate Symposium.

Councillor Emma Goyne (on behalf of Mayor)

28 October: Hobart Endometriosis Australia High Tea.

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
Skylands Update	
Community Research Outcomes	16 October

RECOMMENDATION:

That Council notes the workshops conducted.

Decision: **MOVED** Cr Ritchie **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

September Quarterly Report pending.

Representative Reporting

- **SOUTHERN TASMANIAN REGIONAL WASTE AUTHORITY**

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

Representative Reporting

Cr Hunter reported on the Annual General Meeting, which she attended in her capacity as proxy on behalf of Cr Warren; and tabled the Annual Report for 2022-2023. Cr Hunter further advised that a Strategic Planning Workshop followed the AGM, and it is anticipated that a strategy will be finalised early in 2024.

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

TRACKS AND TRAILS WORKING GROUP

- Cr James provided a report on the Tracks and Trails Working Group.

BELLERIVE COMMUNITY ARTS CENTRE

- Cr Kennedy tabled the minutes of the Bellerive Community Arts Centre held on 11 October 2023.

CULTURAL AND CREATIVE ADVISORY COMMITTEE

- Cr Kennedy tabled the minutes of the Cultural and Creative Advisory Committee held on 11 September 2023.

RICHMOND ADVISORY COMMITTEE

- Cr Chong tabled the minutes of the Richmond Advisory Committee held on 20 September 2023.

SUSTAINABILITY ADVISORY COMMITTEE

- Cr Hunter tabled the minutes of the Sustainability Advisory Committee held on 9 October 2023.

4.6 WEEKLY BRIEFING REPORTS

The Weekly Briefing Reports of 9, 16 and 23 October 2023 have been circulated to Councillors.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 9, 16 and 23 October 2023 be noted.

Decision: **MOVED** Cr Ritchie **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.

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

Mr Bradley Walker of Howrah gave notice of the following questions:

1. PUBLIC OPEN SPACE LOT 105 IN SD-2003/69

In May 2018, I first contacted Council in regard to the developer's condition to fence Public Open Space Lot 105 in SD-2003/69. In early 2020, the developer fenced a small section of this lot which suited their agenda. But a large section of fence has yet to be built and although last bringing this to the council's attention in February 2023 (REQ2021-044971), I have not been informed to what progress council is at with enforcing this condition onto the developer. Could I please get an update?

2. WALKING TRACK WITHIN SD-2011/30

At Council meeting on 7 August 2023, I asked about a section of walking track within SD-2011/30 that council is progressing in partnership with the developer to construct at a better standard than required. The developer has yet to construct any of the required 1km + new tracks required by conditions of this permit. Could an update of when these tracks might be constructed and what part, if any, the council will have in their construction?

5.2 ANSWERS TO QUESTIONS ON NOTICE

Council's Head of Infrastructure and Natural Assets provided the following answers to the questions from Mr Bradley Walker at Item 5.1.

1. PUBLIC OPEN SPACE LOT 105 IN SD-2003/69

It is believed the question relates to Lot 101 off Raleigh Court, Howrah, as Lot 105 is privately owned land. This land is subject to a number of subdivisions, planning approvals and completed planning permits. Officers are investigating council's records in relation to the fencing. Following this we will correspond with Mr Walker and include an answer in the agenda of the next council meeting.

/contd on Page 10...

ANSWERS TO QUESTIONS ON NOTICE /contd...**2. WALKING TRACK WITHIN SD-2011/30**

Council is continuing to liaise with the developer for the track from Fairisle Terrace to Kuynah Reserve. The developer will provide a contribution as part of the permit for a class 5 standard track. Council has approved additional funds to have the track built to a class 3 standard. Council officers are working on the design and will seek quotes for an external specialist contractor to construct the track. It is anticipated the track will be constructed in the first half of 2024.

5.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

5.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

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)

**DEVELOPMENT APPLICATION PDPLANPMTD-2023/037448 – 1 LA PEROUSE STREET, WARRANE
– MULTIPLE DWELLINGS (ONE EXISTING AND ONE NEW)
(REFER ITEM 7.3)**

Ms Cathy Chong addressed the meeting regarding the above Development Application.

Mr Frank Law 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-2022/029033 – 158 EAST DERWENT HIGHWAY, LINDISFARNE – CARPARK UPGRADE**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Carpark Upgrade at 158 East Derwent Highway, Lindisfarne.

RELATION TO PLANNING PROVISIONS

The land is zoned Local Business and subject to the Parking and Sustainable Transport Code, Flood-prone Hazard Areas Code, Road and Railway Assets Code and Safeguarding of the Airports Code under 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 was extended with the applicant's consent to 1 November 2023.

CONSULTATION

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

- Car parking lighting; and
- Boundary fence.

RECOMMENDATION:

A. That the Development Application for Carpark Upgrade at 158 East Derwent Highway, Lindisfarne (CI Ref PDPLANPMTD-2022/029033) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN S1 – SIGN CONSENT.
3. External lighting must not operate within the hours of 11.00pm to 6.00am, excluding any security lighting.
4. GEN AM7 – OUTDOOR LIGHTING - Outdoor lighting, including security lighting, where provided, must be located, designed and baffled to ensure that no direct light is emitted outside the boundaries of the site.
5. ENG A5 – SEALED CAR PARKING.

6. ENG M1 – DESIGN DA.
7. ENG M5 – EROSION CONTROL – An Erosion and Soil Control (E&SC) Plan must be submitted and approved by Council’s Head of Infrastructure and Natural Assets prior to the commencement of works.

Drainage, sediment and erosion controls, sufficient to prevent sediment leaving the site and in accordance with an approved Erosion and Sediment Control (E&SC) Plan, must be installed prior to the commencement of work and maintained until such time as all disturbed areas have been stabilised and/or restored or sealed to the satisfaction of Council’s Head of Infrastructure and Natural Assets.

The E&SC Plan must be submitted as part of the engineering assessment prior to the issue of any approval under the Building Act 2016’, or the commencement of work, whichever occurs first. The E&SC Plan must be prepared in accordance with the information in Erosion and Sediment Control – the fundamentals for development in Tasmania (DEP & TEER, 2023). All work required by this condition must be undertaken in accordance with the approved E&SC Plan.

8. GEN AM4 – CEMP - A Construction & Environmental Management Plan (CEMP) must be submitted and approved by Council’s Head of Infrastructure and Natural Assets prior to the commencement of works and such plan must include the following: Construction methodology, strategy for noise and dust control, area designated for visitor and staff/works parking and necessary access/egress arrangements for construction vehicle. Works associated with excavations and other activities associated with the development are only to be undertaken between the following hours:

Monday – Friday	7.00am to 6.00pm
Saturday	9.00am to 6.00pm
Sunday	10.00am to 6.00pm
9. The development must meet all required Conditions of Approval specified by TasWater notice dated 14 September 2023 (TWDA 2022/01539 - CCC).

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.
 - d. A Building Surveyor is required to be engaged to create and certify an Application for Building Approval.
 - e. Advice from a Building Surveyor will be required to be sought in relation to any building permit requirements that may apply under the Building Act 2016 and the Directors Determinations for excavation works associated with future 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.

Decision: **MOVED** Cr Walker **SECONDED** Cr Kennedy

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

7.2 DEVELOPMENT APPLICATION PDPLANPMTD-2023/036897 – 9 BASTICK STREET, ROSNY - TWO MULTIPLE DWELLINGS (ONE NEW AND ONE EXISTING)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Two Multiple Dwellings (One New and One Existing) at 9 Bastick Street, Rosny.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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 has been extended with the consent of the applicant and now expires on 1 November 2023.

CONSULTATION

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

- Privacy;
- Overshadowing;
- Removal of established trees;
- Car parking and driveway; and
- Excavation works.

RECOMMENDATION:

A. That the Development Application for Two Multiple Dwellings (One New and One Existing) at 9 Bastick Street, Rosny (CI Ref PDPLANPMTD-2023/036897) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. The development must meet all required Conditions of Approval specified by TasWater notice dated 5 July 2023 (TWDA 2023/00837-CCC).
3. ENG M1 –DESIGNS DA.
4. ENG S1 – INFRASTRUCTURE REPAIR.

- 5 An Erosion & Sediment Control (E&SC) Plan must be submitted and approved by Council’s Head of Infrastructure and Natural Assets prior to the issue of any approval under the Building Act 2016, or the commencement of work, whichever occurs first. The E&SC Plan must be prepared in accordance with the information in Erosion and Sediment Control – the fundamentals for development in Tasmania (DEP & TEER, 2023) available at best practice erosion and sediment control booklet 2022 (derwentestuary.org.au).

All work required by this condition must be undertaken in accordance with the approved E&SC Plan.

ADVICE

- a. Council, as a Stormwater authority, formed a view that the proposed development will intensify the stormwater discharge from the property and hence requires approval under the Urban Drainage Act 2013. The stormwater is to be designed as per Council’s Stormwater Management Procedure for new development [Stormwater-Management-Procedure-for-New-Development (1).pdf]. This requirement will be assessed as part of engineering plans assessment if the proposed DA is approved.

If you would like to discuss what is required to meet Council’s requirements in regard to stormwater, please contact Council’s Development Engineers on 6217 9500.

- b. A Building Surveyor is required to be engaged, to create and certify an Application for Building Approval.

- 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 Hulme SECONDED Cr Kennedy	
	“That the Recommendation be adopted”.	
	CARRIED	
	FOR	AGAINST
	Cr Blomeley	Cr James (abstained)
	Cr Chong	
	Cr Darko	
	Cr Goyne	
	Cr Hulme	
	Cr Hunter	
	Cr Kennedy	
	Cr Ritchie	
	Cr Walker	
	Cr Warren	

7.3 DEVELOPMENT APPLICATION PDPLANPMTD-2023/037448 – 1 LA PEROUSE STREET, WARRANE - MULTIPLE DWELLINGS (ONE EXISTING AND ONE NEW)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Multiple Dwellings (one existing and one new) at 1 La Perouse Street, Warrane.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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 was extended with the consent of the applicant until 31 October 2023.

CONSULTATION

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

- Loss of views;
- Loss of sunlight to adjoining properties;
- Loss of privacy;
- Building character; and
- Property values.

RECOMMENDATION:

A. That the Development Application for Multiple Dwellings (one existing and one new) at 1 La Perouse Street, Warrane (CI Ref PDPLANPMTD-2023/037448) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. ENG M1 – DESIGNS DA.
3. ENG S1 – INFRASTRUCTURE REPAIR.
4. ENG A5 – SEALED CAR PARKING.

5. ENG A2 – CROSSOVER CHANGE.
6. ENG S4A – STORMWATER CONNECTION FOR EXISTING LOTS.
7. The development must meet all required Conditions of Approval specified by TasWater notice dated 24/07/2023 (TWDA 2023/00939-CCC).

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.
 - d. Council, as a Stormwater authority, formed a view that the proposed development will intensify the stormwater discharge from the property and hence requires approval under the Urban Drainage Act 2013, and the stormwater is to be designed as per Council's Stormwater Management Procedure for new development [Stormwater-Management-Procedure-for-New-Development (1).pdf]. This requirement will be assessed under Engineering assessment as to the proposals likely impact into the Stormwater System. A detailed Stormwater management report/detail will be required on how the proposal satisfies the stormwater procedure.
- 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 20 for Decision on this Item...

**DEVELOPMENT APPLICATION PDPLANPMTD-2023/037448 – 1 LA PEROUSE STREET, WARRANE - MULTIPLE DWELLINGS (ONE EXISTING AND ONE NEW)
/contd...**

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

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**8.4.1 AUSTRALIAN COASTAL COUNCILS' ASSOCIATION COMMITTEE OF MANAGEMENT VACANCY****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to enable Council to consider nominating an elected member as one of the Tasmanian representatives on the Committee of Management of the Australian Coastal Councils' Association Inc.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 is relevant.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

If a council nominee is successful in being elected to the Australian Coastal Councils' Association, there would be some costs associated with representative attendance at the meetings. These costs can be met from existing budget allocations.

RECOMMENDATION:

That Council nominates a Councillor as a Tasmanian representative to the Australian Coastal Councils' Association Committee of Management.

Decision:

Cr Warren **nominated** Cr Hunter

Cr Hulme **seconded** the **nomination**

There being no further nominations Cr Hunter was nominated as a Tasmanian representative to the Australian Coastal Councils' Association Committee of Management.

9. MOTIONS ON NOTICE

9.1 NOTICE OF MOTION – MAYOR BLOMELEY STATE AND LOCAL GOVERNMENT CONSULTATION PROTOCOLS

The Mayor asked the Deputy Mayor to **assume** the Chair (7.38pm), while his Motion on Notice was before the Meeting.

In accordance with Notice given, it was:

Decision:	MOVED Cr Blomeley SECONDED Cr Goyne	
	“That Council authorises the Chief Executive Officer to write to the Local Government Association of Tasmania (LGAT) and request that a motion be placed on the agenda for the next LGAT General Meeting seeking:	
	a) Support from Tasmanian Councils for the renegotiation of the Partnership Agreement on Communication and Consultation 2003 (Partnership Agreement), between the Tasmanian Government and Councils;	
	b) That LGAT seek agreement in principle from the Tasmanian Government to renew the Partnership Agreement, subject to the negotiation of new terms; and	
	c) That, in pursuit of a new Partnership Agreement, LGAT establish a working group comprising council representatives to develop the key terms of a new Partnership Agreement.”	
	The MOTION was put and CARRIED	
	FOR	AGAINST
	Cr Blomeley	Cr James
	Cr Chong	Cr Walker (abstained)
	Cr Darko	
	Cr Goyne	
	Cr Hulme	
	Cr Hunter	
	Cr Kennedy	
	Cr Ritchie	
	Cr Warren	

The Mayor **resumed** the Chair at 7.58pm.

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 Darko

Noting the progress of Pindos Park could we have an answer for those constituents who were interested in basketball at the site, when would be the appropriate time for that avenue to be explored and what might that look like?

ANSWER

(Head of Infrastructure a Natural Assets) I believe that our previous advice was that we would consider that as part of the open space strategy which is being developed and we will bring that to council in the New Year. We are also waiting until all the work is finished to reassess the site and how it is being used by the community and what is available. I would need to find out what an expected construction timeframe would be and then inform council.

(Further information) The Pindos Park Playspace is due to open in March/April 2024. As indicated, consideration of a future basketball court will be evaluated through council's upcoming Open Space Strategy and use of the playspace.

Cr Goyne

1. This is more a question from a member of the public and I know that we discussed the pontoon at Lauderdale. If the community itself was to purchase a pontoon for the Lauderdale Bay, what steps would they need to take to have it moored in the bay itself? Is that something to be approved by Council or MAST?

ANSWER

(Chief Executive Officer) That raises a lot of complicated questions regarding ownership, risk, and liability but the issue of where it would be sited would be an issue for MAST as well. We can have a look and provide further information, but it would certainly not be our preferred way to approach this as it raises a range of complicated issues.

(Further information) Any structure in the water requires approval from Crown Land Services and MAST. This is not council's jurisdiction. Officers are also mindful of the risk and insurance aspects of a private facility, which the public may use in an unsheltered beach that can be subject to large wave action.

2. Do we normally have lighting at public toilets in Clarence? Is that something that is generally a safety consideration? I believe that the toilets at Bellerive, the Blundstone end, don't have lighting and the LED flood light at the barbecue area has been blown for a considerably long period of time.

ANSWER

Taken on notice.

(Further information) Some of council's public toilets have lighting; however, this is dependent upon the location and design of the facility as it can contribute to antisocial behaviour in some circumstances. The public toilet at Bellerive Beach Park was not designed to incorporate internal lighting and there is no power supply to the building.

There are no recorded reports of a faulty light at the barbeque area. An electrical contractor has now been engaged to inspect all the lights and repair any faults and this should be completed within the next few days.

Cr Walker

1. At the council meeting of 22 November 2021, I moved a notice of motion and was grateful to have it seconded by Alderman Kennedy and passed unanimously and that was in relation to the Tracks and Trails Advisory Committee representation “that council expand the membership of the Tracks and Trails Committee to include a representative from a recognised dog walkers’ group and authorise amendment of the Tracks and Trails constitution to reflect this change”. Can you confirm that the reconstituted committee has a representative from a recognised dog walking group? I won't ask you to provide the name of that person now, but I would seek confirmation that is the case and sometime after the meeting I would be grateful if you could furnish me with the name of who that representative is.

ANSWER

(Mayor) There have been some issues with reconstitution of the Tracks and Trails Working Group. There have been several attempts to have that committee meet but it has not been possible. I have received correspondence today advising me that there will be discussion in the near future to try to ensure that it does occur because I have been contacted by members of the community as you have, concerned that the committee has not met for nearly twelve months now, and even though this Council has made a decision to put in place that committee, it has not for various reasons been able to meet. I mention that for your benefit and for the benefit of everyone that it is not through lack of will on the part of council officers that this committee has not met for twelve months.

(Chief Executive Officer) As part of the restructure of Council Special Committees, the Tracks and Trails Advisory Committee was disbanded and reconstituted as a working group. I cannot recall whether that group has its own constitution or operating rules but those would have had an approval process and it may be that particular requirement was not picked up in the new rules. If it hasn't, it has been an oversight and can be addressed. It certainly has not been a premeditated view that has been taken by officers if that gives you any comfort. I will take the question on notice and provide further information.

(Further information) The working groups undertake their work in accordance with the special committee constitution; they do not have their own constitution. Working groups do not have any limitations on membership. We understand that the Tracks and Trails Working Group has a representative from the dog walking community.

2. I received correspondence from a landcare group that there seems to be some changes with grant opportunities. The funding received by the bulk of landcare groups is to maintain the good work that they have done and preserve the care that they have provided and not let it fall into disrepair. I have a concern that there has been a note that there “is going to be further information regarding funding in February next year” and that “the program is designed to fund specific projects within the council area aimed at enhancing our natural values. Please note that grants for maintenance of previous projects for ongoing sites will not be eligible under the new program”. Could you confirm that is the case because I find it concerning that we might have our landcare groups disbanding or at least getting disillusioned?

ANSWER

(Chief Executive Officer) I will take the question on notice, but it would be of assistance if you could share that correspondence so that we know what the specific concern is that we are responding to. I put it in that context because we have, as council knows, gone through a process to reform our grants and sponsorship processes through a policy and other structural change framework so I can't answer specifically, but we can certainly give you a detailed answer that may indicate how those groups may access funding, or if there is an issue it can be flushed out and we can discuss how it might be addressed.

(Further information) Following council adoption of the Grants and Sponsorship Policy 2023 in June, a letter was forwarded to our 16 official land and coast care groups to explain a delay of the grant round to February 2024, normally undertaken in August. The letter explains the purpose of the grants program is to focus on enhancing the natural values and not simply maintenance work, which some previous grants approved. Council has separate funds to support the groups with maintenance work, whereas the grants can progress strategies identified in the Reserve Activity Plans. This is a change to how the grants program has operated and the delay in the timing is to provide time for council officers to engage with land care groups and support them through the change. Council officers are available to support the groups.

A briefing detailing information on the grants program is being prepared to forward to all Councillors.

Cr James

1. My question is regarding the shopping trolleys that are left ad hoc on our main streets, particularly Bligh Street and there has been a number of representations made to me and I am sure everyone is aware of this. It seems Mr Mayor, that Coles and Woolworths may have some responsibility in trying to address this. My question is, given it is on council land where these trolleys are being left and given that in the circumstances a lot of people are going without and having no means to get their goods to their properties in close proximity, is it possible for Council to approach Coles and Woolworths, or those major companies not necessarily at Eastlands but there are other places within the City to draw to their attention that they do have some responsibility? These trolleys are being left on council land and may cause some hazard particularly to pedestrians and some of those trolleys can roll onto passing traffic and so on.

ANSWER

(Mayor) You would be aware through media that Glenorchy City Council has a trial with major supermarket chains with some success.

(Chief Executive Officer) I cannot add much more other than the trolleys are the property of relevant supermarket chains and are their obligation to collect. What I am unsure of is what their arrangements are for notification and collection of trolleys. We will investigate further and provide advice to council.

(Further information) Council officers have been in contact with the Centre Manager of Eastlands who advised that supermarket operators have trolley handlers that look after and maintain the Eastland site, including their carparks. They do monitor the Bus Mall as part of this. They do not go further out from the site to look for trolleys but rather rely on the public to log abandoned trolleys via the website (<https://trolleytracker.com.au/>) and arrangements are then made to retrieve them.

This information has been passed onto council's Customer Contact team and Councillors may wish to recommend this website to anyone that might approach them regarding abandoned trolleys.

2. Clunie Close has been scheduled over the last two years for major upgrade that is roadworks, kerb and gutter and a substantial amount of funds has been set aside for those works. Could we be advised what is the current state of play and when works will commence, or whether there has been a change in some of the road works that may require funding in the upcoming budget?

ANSWER

(Head of Infrastructure and Natural Assets) There are sections of the footpath on Clunie Close which are due to be replaced but because of the steepness of the road, a like-for-like replacement with bitumen is not the best long term strategy for the street. If we decide to use concrete, it may be best to do the kerb and gutter at the same time, but this involves some complexities with the intersection with East Derwent Highway, which would then require kerb ramps and dealing with DSG regarding a concrete footpath and there are a lot of services and service pits in this location. If it was decided to go to concrete, it is a specific design project rather than a simple footpath replacement program. Council officers are undertaking an assessment in terms of best long-term strategies, and we will inform council after we have completed this assessment.

Cr Hulme

1. Could we have an update on the progress of the development of the Economic Development Strategy?

ANSWER

Taken on notice.

(Further information) A review of the Economic Development Plan has been undertaken since the expiration of the previous plan in 2021. The economic development strategy will be a component of the City Future Strategy rather than as a stand-alone strategy. Economic development will be a key priority of this strategy. The strategy is pending development and will focus on economic development and planning. An implementation plan will be developed after the strategy is adopted, for action by the Economic Development team.

2. Could we have confirmation that there is some work being done as part of the strategy for a progress report on the 2016-2021 Economic Development Plan?

ANSWER

Taken on notice.

(Further information) The answer to this question is covered in the answer provided above. A progress report on the revised Economic Development Plan element of the City Future Strategy will be provided to Councillors in due course.

Cr Hunter

Has there been a development application approved previously for the large property on the corner of Rifle Range Road and South Arm Highway?

ANSWER

Taken on notice.

(Further information) A planning permit was approved in October 2020 for an eight-lot subdivision. Works have been undertaken since that time to meet the permit conditions. Stage one, including Lots 2, 3 and 4, has been completed.

Cr Mulder

Residents in Howrah Gardens, particularly Fermoy Crescent have complained for some time about a lack of water pressure in that particular area. Being a brand-new subdivision, this is somewhat appalling. I notice that a new reservoir has been constructed at the top end of Roybridge Way. Has that reservoir been commissioned and if so, will that resolve the pressure, and what is TasWater's intention in regard to raising the water pressure to a level that it is usable?

ANSWER

Taken on notice.

(Further information) TasWater has advised that their Service Delivery team is not aware of any recent complaints in the area about water pressure. Affected residents are encouraged to call TasWater's customer service centre on 136 992, so that the complaints can be logged and flag the problem with the team for follow up.

Regarding the new reservoir at the top of Roybridge Way, the advice from TasWater Service Delivery is that it should not have any impact on water pressure in that subdivision.

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 TENDER T1461-22 – ALTERATIONS AND ADDITIONS – LINDISFARNE COMMUNITY ACTIVITIES CENTRE

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; 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

Cr James left the Meeting at this stage and did not return (8.08pm).

The Meeting closed at 8.11pm.

CLOSED MEETING /contd...

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

11.2 TENDER T1461-22 - ALTERATIONS AND ADDITIONS – LINDISFARNE COMMUNITY ACTIVITIES CENTRE**Decision:****MOVED** Cr Warren **SECONDED** Cr Chong

- “A That the tender received from Haven Built Pty Ltd for the amount of \$302,406.00 excluding GST, be accepted for the Alterations and Additions-Lindisfarne Community Activities Centre Project.
- 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