

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 11 DECEMBER 2023

HOURL 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

Chief Executive Officer
(Mr I Nelson)

Head of Infrastructure & Natural Assets
(Mr R Graham)

Chief Financial Officer
(Ms J Murrell)

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 G Wicks)

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

The Meeting closed at 11.05pm.

COUNCIL MEETING
MONDAY 11 DECEMBER 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 20 November 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 20 November 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:

- 22 November: TasWater Annual General;
- 23 November: Rosny Barn Exhibition Opening (Artist Esther Toubert);
- 27 November: Richmond Bicentenary Media Launch;
- 28 November: Eastern Shore Sun – Media Event – Annual Christmas Brunch;
- 29 November: Greater Hobart Mayors Meeting – Various Matters;
Crime Stoppers Review and Report 2023 Meeting;
YLOT (Young Leaders of Tasmania) All Abilities Program Graduation;
- 2 December: Swinging Christmas Official Opening;
- 3 December: South Arm Community Market;
- 5 December: Clarence Community Volunteer Services – Christmas Lunch 2023;
Australian Christian College End of Year Graduation;
- 6 December: Greater Hobart Mayors Forum;
Bayview Secondary School Market;
CCC City Development Advisory Committee Meeting;
Rotary Club of Lindisfarne – Annual Christmas Dinner;
- 7 December: Media Interview regarding High Performance Centre and Skylands with Sky News / 7 News and Win News;
Wrest Point General Manager End of Year Event;
- 10 December: Richmond Bicentenary Opening; and
- 11 December: Clarence Football Club AGM.

Deputy Mayor Councillor Allison Ritchie (on behalf of Mayor)

- 26 November: Choir Concert (Community Hall at Clarence Lifestyle Village); and
- 9 December: Clarence City Band – End of Year and Awards Concert 2023.

MAYOR'S COMMUNICATION /contd...**Councillor Bree Hunter (on behalf of Mayor)**

24 November: Planning Institute Australia (PIA) Tasmania Awards for Planning Excellence Event.

Councillor Wendy Kennedy (on behalf of Mayor)

6 December: Warrane Mornington Neighbourhood Centre (WMNC) Community Christmas Lunch.

The Mayor tabled the following documents:

- A thank you letter from BreastScreen Tasmania for hosting the mobile screening unit "LUNA" at Rosny Park between 2 October and 24 November.
- An email from the owner of Cabbages Flower Shop in Bellerive regarding the recent works at Percy Street.
- A letter from the Chair of the Tasmanian Football Club AFL Ltd seeking Council support for establishment for their proposed training and administration facility in the Rosny precinct.

The Mayor also acknowledged the outstanding success of the Richmond Bicentenary launch on Sunday 10 December and thanked Her Excellency the Governor, the Hon. Barbara Baker AC for officially opening the celebrations. He also thanked the Richmond Bicentenary Planning Committee, particularly the Creative Director, Professor Noel Frankham and the Chair, Cr Heather Chong and thanked Council's Arts and Events teams for bringing together a very successful event.

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

Paranville Public Open Space
Seven Mile Beach Local Area Plan and Stormwater
Chambers Redevelopment Update
Mayor/Councillor Meetings and Attendances

DATE

27 November

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

The Copping Refuse Disposal Site Joint Authority distributed its Quarterly Summary of its Meetings for the period ending 24 November 2023.

The Copping Refuse Disposal Site Joint Authority also distributed its Quarterly Report for the period ending 30 September 2023.

In accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 the Report will be tabled in Closed Meeting.

Representative Reporting

- **SOUTHERN TASMANIAN REGIONAL WASTE AUTHORITY**

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

- **TASWATER CORPORATION**

The Mayor tabled draft minutes from the General Meeting held on 22 November as well as a copy of a power point presentation given at the meeting.

- **GREATER HOBART COMMITTEE**

The Mayor advised that the meeting scheduled for 1 December has been postponed until a date to be determined next year. The Mayor also advised of his attendance at the Greater Hobart Mayors' forum on 6 December at which two of the matters for discussion were the Hobart City Deal and Derwent Ferry Expansion Project.

REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES
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COMMUNITY WELLBEING ADVISORY COMMITTEE

- Cr Chong tabled the minutes of the Community Wellbeing Advisory Committee held on 2 October 2023.

CYCLING SOUTH

- Cr Chong tabled the minutes of Cycling South held on 27 June 2023.

ACTIVE LIVING ADVISORY COMMITTEE

- Cr Ritchie tabled the minutes of the Active Living Advisory Committee held on 15 August 2023.

4.6 WEEKLY BRIEFING REPORTS

The Weekly Briefing Reports of 20 and 27 November and 4 December 2023 have been circulated to Councillors.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 20 and 27 November and 4 December 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.

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

CROSSING /TRAFFIC CALMING MEASURES DUNTROON DRIVE, ROKEBY

Between bus stops 30 and 31 on Duntroon Drive, Rokeby. Many children cross this section of road on school days, morning, and afternoons. Yet there is no crossing or traffic calming measures in place and the signage is quite old and in poor condition. There is a high level of concern that with traffic often passing at high speeds its only a matter of time before a serious incident happens at this location. Is the council able to do a report to see what could be done to create a safer crossing for our children?

5.2 ANSWERS TO QUESTIONS ON NOTICE

Council's Head of Infrastructure & Natural Assets provided the following answer to the question from Mr Bradley Walker at Item 5.1.

CROSSING /TRAFFIC CALMING MEASURES DUNTROON DRIVE, ROKEBY

Council engineers are planning to include a pedestrian crossing island (near bus stop 31, on Duntroon Drive between Hookey Street and Duntroon Place) as a funding request for consideration in the 2024/25 roads capital budget.

In the meantime, council officers will undertake a review of the existing signage in the area to confirm it is still in serviceable condition and meets contemporary signage standards.

5.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

5.4 QUESTIONS WITHOUT NOTICE

Mr Michael Figg of Lauderdale asked the following question.

AREA NAME - LAUDERDALE

I have noticed in correspondence both written and non-written that central Lauderdale is now being called the Lauderdale Basin. Can the Chief Executive Officer explain why that change has been made because ratepayers in Lauderdale are very concerned that the land is up to 3m AHD, so we don't see it as a basin?

ANSWER

The Chief Executive Officer provided the following answer.

Several of us have referred internally to the area as the Lauderdale basin because it does tend to hold a fair bit of water at certain times. Certainly, in the last couple of years with El Niño weather we have seen that. The area is known as central Lauderdale and different parts of our city are referred to in different ways. Both are essentially informal names but for the sake of consistency we can certainly refer to it as central Lauderdale.

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-2023/034770 – 214, 216 AND 218 BLESSINGTON STREET, SOUTH ARM – BOUNDARY ADJUSTMENT (CONSOLIDATION OF THREE LOTS TO TWO LOTS

(REFER ITEM 7.1)

Mr Jamie Vassos addressed the meeting regarding the above application.

DEVELOPMENT APPLICATION PDPLANPMTD-2023/039025 – 128 BICHENO STREET, CLIFTON BEACH – CHANGE OF USE TO VISITOR ACCOMMODATION

(REFER ITEM 7.3)

Dr Warrick Bishop addressed the meeting regarding the above application.

SKYLANDS MASTERPLAN – MOTION D OUTCOMES

(REFER ITEM 8.4.2)

M/s Virginia Mendoza addressed the meeting regarding the above matter.

OPPORTUNITY FOR AN AFL HIGH PERFORMANCE CENTRE IN CLARENCE

(REFER ITEM 8.4.5)

Mr Roger Curtis addressed the meeting regarding the above matter.

Mr Gary Swain addressed the meeting regarding the above matter.

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-2023/034770 – 214, 216 AND 218 BLESSINGTON STREET, SOUTH ARM - BOUNDARY ADJUSTMENT (CONSOLIDATION OF THREE LOTS TO TWO LOTS)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Boundary Adjustment (Consolidation of Three Lots to Two lots) at 214, 216 & 218 Blessington Street, South Arm.

RELATION TO PLANNING PROVISIONS

The land is zoned Low Density Residential and subject to the Car Parking and Sustainable Transport Code and the Bushfire-Prone Areas 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 agreement of the applicant and expires on 13 December 2023.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and no representations were received.

RECOMMENDATION:

- A. That the Development Application for Boundary Adjustment (Consolidation of Three Lots to Two lots) at 214, 216 & 218 Blessington Street, South Arm (Cl Ref PDPLANPMTD-2023/034770) be refused because the proposal is contrary to the provisions of the Tasmanian Planning Scheme – Clarence for the following reasons.
 - 1. The proposal does not comply with *10.6.1 lot design P1* because both lots on the proposed plan are less than 1200m² in site area.
- 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 15 for Decision on this Item...

DEVELOPMENT APPLICATION PDPLANPMTD-2023/034770 – 214, 216 AND 218 BLESSINGTON STREET, SOUTH ARM - BOUNDARY ADJUSTMENT (CONSOLIDATION OF THREE LOTS TO TWO LOTS) / contd...**Decision:****MOVED** Cr Kennedy **SECONDED** Cr Goyne

“A That the Development Application for a Boundary Adjustment (Consolidation of three lots to two lots) at 214, 216 and 218 Blessington Street, South Arm (PDPLANPMTD-2023/034770) be approved subject to the following conditions and advice:

1. The use or development must only be undertaken in accordance with the endorsed plans and any permit conditions and must not be altered without the consent of Council.
2. The Final Plan and accompanying Schedule of Easements must describe all existing easements and any additional easements required in respect of all utilities infrastructure required to service the lots in a form to the satisfaction of the relevant utility service provider.
3. The Final Plan and accompanying Schedule of Easements must describe all existing easements and any additional easements required in respect of all Council infrastructure required to service the lots in a form to the satisfaction of Council’s relevant / delegated officer.
4. Prior to the sealing of the final plan of survey, the recommendations made within the Bushfire Hazard Management Plan prepared by HED Consulting dated 31 October 2023 must be implemented to the satisfaction of Council’s Manager City Planning. A report certifying compliance with the recommendations made within the report must be provided to the satisfaction of Council’s Manager City Planning prior to sealing of the final plan of survey.

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.

/ Decision contd on Page 16...

DEVELOPMENT APPLICATION PDPLANPMTD-2023/034770 – 214, 216 AND 218 BLESSINGTON STREET, SOUTH ARM - BOUNDARY ADJUSTMENT (CONSOLIDATION OF THREE LOTS TO TWO LOTS) /Decision contd...

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 reasons are as follows:

The development complies with performance criteria 10.6.1 P1 in that, despite the lots being less than 1200m in area, the performance criteria require the planning authority to have 'regard to' the relevant matters, and Council considers the lot design to meet the objectives of the development standard for subdivision 10.6.1 by reducing the number of lots and thereby reducing the demand for services."

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

7.2 DEVELOPMENT APPLICATION PDPLANPMTD-2023/038479 – 112 BACKHOUSE LANE, CAMBRIDGE - PROPOSED DWELLING (RETROSPECTIVE)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a proposed dwelling (retrospective) at 112 Backhouse Lane, Cambridge.

RELATION TO PLANNING PROVISIONS

The land is zoned Agriculture and subject to the Parking and Sustainable Transport Code, Bushfire Prone Areas Code, and the 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 by agreement with the applicant to 13 December 2023.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and no representations were received.

RECOMMENDATION:

- A. That the Planning Application for a proposed dwelling (retrospective) at 112 Backhouse Lane, Cambridge (CI Ref PDPLANPMTD-2023/038479) be refused because the proposal is contrary to the provisions of the Tasmanian Planning Scheme – Clarence for the following reasons:
1. The proposed residential use fails to demonstrate compliance with Clause 21.3.1 P4 Use Standards in relation to a residential use on land zoned “Agriculture”.
 2. The proposed residential use is not consistent with the State Policy on the Protection of Agricultural Land 2009.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

/ Refer to Page 18 for Decision on this Item...

DEVELOPMENT APPLICATION PDPLANPMTD-2023/038479 – 112 BACKHOUSE LANE, CAMBRIDGE - PROPOSED DWELLING (RETROSPECTIVE) /contd...**Decision:****MOVED** Cr Hulme **SECONDED** Cr Chong

“A. That the Planning Application for a proposed dwelling (retrospective) at 112 Backhouse Lane, Cambridge (CI Ref PDPLANPMTD-2023/038479) be approved subject to the following conditions:

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 use of the single dwelling is approved as part of the agricultural use of the site in accordance with the endorsed Agricultural Report prepared by Nutrien Ag Solutions dated July 19 October 2022.

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.

/ Decision contd on Page 19...

DEVELOPMENT APPLICATION PDPLANPMTD-2023/038479 – 112 BACKHOUSE LANE, CAMBRIDGE - PROPOSED DWELLING (RETROSPECTIVE) /Decision contd...

- d. The proposed works are located within a mapped bushfire prone area and as such, a bushfire assessment and BAL must be provided by a suitably qualified person and form part of the certified documents for the building application.
- e. A Building Surveyor is required to be engaged, to create & certify an Application for Building Approval.
- f. It has been identified that the development associated with this permit is likely to create additional hydraulic loading on the existing wastewater system at this property. Please note that a report from a suitably qualified and licenced environmental consultant will be required at the plumbing permit stage, that acknowledges the likely additional loading on the wastewater system, where modifications to the existing system may be provided for, or a new wastewater system may be required. The report will need to be submitted with the plumbing permit.
- g. An application for a Plumbing Permit to install an on-site wastewater disposal system must be submitted and approved as part of the Building Application.
- h. All plumbing works must comply with the Tasmanian Plumbing Code and Australian Standard 3500.

B. That the reasons for Council's decision are as follows:

- 1. The application complies with Performance Criteria 21.3.1 P4 in that the residential use is required as part of the agricultural use to ensure the attention to detail in the crop, and the cost efficiencies, needed to ensure the success of a small boutique vineyard.”

/ Decision contd on Page 20...

DEVELOPMENT APPLICATION PDPLANPMTD-2023/038479 – 112 BACKHOUSE LANE, CAMBRIDGE - PROPOSED DWELLING (RETROSPECTIVE) /Decision contd...

2. The application complies with the State Policy on the Protection of Agricultural Land 2009, in that the residential use is required as part of the agricultural use and the residential use does not unreasonably convert agricultural land and does not confine or restrain agricultural use on or in the vicinity of that land.
3. Given the proposed dwelling is within an existing building, there will be no additional site coverage or conversion of land.

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

7.3 DEVELOPMENT APPLICATION PDPLANPMTD-2023/039025 – 128 BICHENO STREET, CLIFTON BEACH - CHANGE OF USE TO VISITOR ACCOMMODATION**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Change of use to Visitor Accommodation at 128 Bicheno Street, Clifton Beach.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Living Zone B and subject to the Parking and Sustainable Transport Code, Bushfire-prone Areas Code, Coastal Erosion Hazard Code, Coastal Inundation Hazard Code, Flood-prone Hazard Areas Code and Natural Assets 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 by agreement with the applicant and is due to expire on 13 December 2023.

CONSULTATION

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

- Existing right-of-way;
- Parking;
- Traffic safety;
- Access;
- Noise; and
- Impact on residential amenity.

RECOMMENDATION:

A. That the Planning Application for Change of use to Visitor Accommodation at 128 Bicheno Street, Clifton Beach (Cl Ref PDPLANPMTD-2023/039025) be approved subject to the following conditions and advice:

1. GEN AP1 – ENDORSED PLANS.
2. The maximum occupancy of the Visitor Accommodation use must not exceed 12 persons at any given time.

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 receiving a written request, the application may be extended for two years.
 - b. This is a town planning permit only. Please be aware that a building permit and/or 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, including substantial fines and daily penalties.
- 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 Mulder **SECONDED** Cr Walker

“That the Recommendation be adopted.”

CARRIED UNANIMOUSLY

**7.4 DEVELOPMENT APPLICATION PDPLANPMTD-2023/038982 – 7
TREVASSA CRESCENT, TRANMERE - DWELLING****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Dwelling at 7 Trevassa Crescent, Tranmere.

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 agreement of the applicant and expires on 13 December 2023.

CONSULTATION

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

- Overshadowing;
- Visual bulk; and
- Height of development.

RECOMMENDATION:

- A. That the Planning Application for a Dwelling at 7 Trevassa Crescent, Tranmere (CI Ref PDPLANPMTD-2023/038982) be approved subject to the following condition and advice.

1. GEN AP1 – ENDORSED PLANS.

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 building and plumbing approvals may still be required. 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 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 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
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Nil Items.

8.2 ASSET MANAGEMENT

Nil Items.

8.3 FINANCIAL MANAGEMENT

Nil Items.

8.4 GOVERNANCE**8.4.1 SEVEN MILE BEACH LOCAL AREA PLAN 2023 - ADOPTION****EXECUTIVE SUMMARY****PURPOSE**

To consider the adoption of the Seven Mile Beach Local Area Plan 2023 following community consultation.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 is relevant.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Extensive consultation was undertaken with the Seven Mile Beach community and key stakeholders in the study area to capture the views and aspirations of the highly engaged community.

FINANCIAL IMPLICATIONS

The adoption of the Seven Mile Beach Local Area Plan 2023 has no immediate financial impact. The preparation of the Seven Mile Beach Local Area Plan was budgeted and undertaken by Niche Planning Studio. The project was completed within the forecast budget. The implementation of the Seven Mile Beach Local Area Plan 2023 will be staged over a number of financial years, subject to Council approval of future budgets and Annual Plans.

RECOMMENDATION:

That Council:

- A. Adopts the Seven Mile Beach Local Area Plan 2023.
- B. Communicates the adoption of the Seven Mile Beach Local Area Plan 2023 to the Seven Mile Beach community.
- C. Continues to investigate stormwater management solutions for Seven Mile Beach and incorporates outcomes of the stormwater management study into the Seven Mile Beach Local Area Plan 2023 Implementation Plan.

/ Refer to Page 29 for Decision on this Item...

SEVEN MILE BEACH LOCAL AREA PLAN 2023 – ADOPTION /contd...

Cr Walker left the meeting at this stage (8.16pm).

Decision:	MOVED Cr Hunter SECONDED Cr James “That the Recommendation be adopted.” Cr Walker returned to the meeting at this stage (8.21pm). The MOTION was put and CARRIED UNANIMOUSLY
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8.4.2 SKYLAND MASTERPLAN – MOTION D OUTCOMES**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to:

- provide Council with relevant information responding to Motion D (further negotiation to address Council concerns) of the Council decision on 6 March 2023 meeting; and
- consider a request to prepare a revised structure plan for the Tranmere-Rokeby-Droughty Point Peninsula (the peninsula) based on the revised Skylands Masterplan prepared by the Carr Family.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031, Clarence Activity Centre Strategy 2013, Clarence Bushland and Coastal Strategy 2011, Tracks and Trails Action Plan 2015-2020, Public Open Space Policy, Headworks (developer) Levy Policy, Stormwater Management in New Developments Procedure, and Community Participation Policy are relevant.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

At its meeting of 6 March 2023, Council resolved to not support the Skylands Masterplan and the extension of the Urban Growth Boundary, and included an additional motion, Motion D:

“Council would welcome further negotiation with the Carr family to address these concerns noting that if an agreement cannot be made, Council will resume the development of the Tranmere/Rokeby Structure Plan (the Niche Plan).”

The requested further negotiations were progressed between June and October 2023, involving various parties. The outcomes of the negotiations were presented to Council at a Workshop of 16 October 2023, and 6 November 2023. Those outcomes are discussed within the Associated Report.

FINANCIAL IMPLICATIONS

The resolution of Motion D has no direct financial impact. There is an existing allocation of \$40,000 for the preparation of the Tranmere - Rokeby - Droughty Point Structure plan.

RECOMMENDATION:

A. That Council:

1. Notes that the requirements of Motion D of Item 5.2 of the 6 March 2023 Council Minutes have now been concluded.
2. Approves the revised Skylands Masterplan (5 November 2023 version).

3. Authorises the Chief Executive Officer to prepare a structure plan for the staged development of undeveloped land on the Tranmere – Rokeby - Droughty Point Peninsula, based on the Skylands Masterplan, including any additional or supporting detail, arrangements or agreements required in relation to physical and social infrastructure, and to undertake further community engagement activities to inform the development of the structure plan.

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

“A. That Council:

1. Notes that the requirements of Motion D of Item 5.2 of the 6 March 2023 Council Minutes has now been concluded. Approves the revised Skylands Masterplan (5 November 2023 version), noting that not all concerns held by council have been addressed by recent masterplan revisions, and that these matters will be further investigated and addressed as part of the structure plan development process.
2. Authorises the Chief Executive Officer to prepare a structure plan for the staged development of undeveloped land on the Tranmere – Rokeby - Droughty Point Peninsula, based on the Skylands Masterplan, including any additional or supporting detail, arrangements or agreements required in relation to physical and social infrastructure, and to undertake further community engagement activities to inform the development of the structure plan.
3. Notes that development of a structure plan will involve:
 - (a) Regular updates to councillors including workshops and briefing reports;
 - (b) community consultation in the development of the draft structure plan, and on the Council approved draft structure plan; and
 - (c) final approval of the structure plan by Council before submission to the Tasmanian Planning Commission for consideration as a planning scheme amendment.

/ Decision contd on Page 32...

SKYLAND MASTERPLAN – MOTION D OUTCOMES /Decision contd...

4. Requests that the Chief Executive Officer develop and issue a community information sheet on the Skylands project, including explanation of key steps in the process. The information sheet to be provided via social media, council's website and by direct mail-out (to residents in the Rokeby / Tranmere area adjoining the Droughty Point peninsula."

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

**8.4.3 MANAGING CONFLICTS OF INTEREST OF COUNCILLORS –
FRAMEWORK PROPOSAL SUBMISSION**
EXECUTIVE SUMMARY
PURPOSE

To consider the release of a discussion paper titled Managing Conflicts of interest of councillors – framework proposal and provide a submission to the Office of Local Government.

RELATION TO EXISTING POLICY/PLANS

Code of Conduct.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Councillors were advised of the discussion paper on 8 November 2023 and invited to provide comment on the discussion paper.

FINANCIAL IMPLICATIONS

There are no financial costs for Council associated with Council's response to this consultation.

RECOMMENDATION:

That Council:

- A. Notes the Office of Local Government discussion paper titled *Managing Conflicts of interest of councillors – framework proposal* released for public comment.
- B. Endorses the submission (Attachment 1 to the Associated Report) to the Department of Premier and Cabinet as feedback on the discussion paper.

Decision:	MOVED Cr Chong SECONDED Cr Hulme
	“A. Notes the Office of Local Government discussion paper titled <i>Managing Conflicts of interest of councillors – framework proposal</i> released for public comment.

/ Decision contd on Page 34...

**MANAGING CONFLICTS OF INTEREST OF COUNCILLORS – FRAMEWORK
PROPOSAL SUBMISSION /Decision contd...**

B. Approves the submission (Attachment 1 to the Associated Report) to the Department of Premier and Cabinet as feedback on the discussion paper.”

Cr Goyne left the meeting at this stage (9.03pm).

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

FOR

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

AGAINST

Cr Mulder

8.4.4 DOG MANAGEMENT POLICY 2021 – CONSULTATION ON PROPOSED CHANGES TO DECLARED AREAS (SOUTH STREET RESERVE AND BELLERIVE BOARDWALK)**EXECUTIVE SUMMARY****PURPOSE**

To consider the results of community consultation on Council's proposal to change declarations at South Street Reserve and Bellerive Boardwalk under the *Dog Control Act 2000* and recommend Council makes the proposed declarations, including a 12-month trial of an off-leash greyhound exercise area.

RELATION TO EXISTING POLICY/PLANS

Council's Dog Management Policy 2021, Strategic Plan 2021 – 2031, Recreation Needs Analysis 2019 and Active Living Strategy 2022 are relevant.

LEGISLATIVE REQUIREMENTS

The *Dog Control Act 2000* is relevant.

CONSULTATION

Community consultation on the proposed changes to declarations has been undertaken, as well as the statutory public notification and consultation process required under section 24 of the *Dog Control Act 2000*.

FINANCIAL IMPLICATIONS

Any costs associated with implementing the changes to declared areas will be accommodated within existing budgets.

RECOMMENDATION:

That Council:

- A. Notes the written submissions and other community consultation responses received in response to Council's notice of intention to make changes to declarations under the *Dog Control Act 2000* applying to parts of South Street Reserve, Bellerive and the Bellerive Boardwalk.
- B. Makes the following declarations under Part 3, Division 2 of the *Dog Control Act 2000* in respect of the South Street Reserve dog training and exercise area at 34A and 34B South, Bellerive:
 - (i) That the areas shown in purple on Attachment 1 of the Associated Report be declared a restricted area, a condition of use is that greyhounds are the only dogs permitted in the restricted area and may be exercised off-leash and un-muzzled;
 - (ii) That the areas shown in yellow on Attachment 1 of the Associated Report be declared a restricted area, a condition of use is that vulnerable dogs (being dogs which are small, geriatric or experiencing or recovering from an injury or illness) are the only dogs permitted in the restricted area and may be exercised off-leash;

- (iii) That the areas shown in teal and green on Attachment 1 of the Associated Report (including the “Puppy Area”) be declared an exercise area, a condition of use is that dogs may be exercised off-leash in this area at times when this area is not being used by the Eastern Shore Dog Club in accordance with its lease terms; and
 - (iv) That the areas which are enclosed by fences (being those shown in purple, yellow, teal and green on Attachment 1 of the Associated Report) be declared a training area at the times a permit issued to the Eastern Shore Dog Club authorises them to be used to conduct dog obedience, agility or other training activities by the club.
 - (v) That the declarations for South Street Reserve made in:
 - a. paragraph B(i) and (ii) remain in force for 12 months after the date on which they take effect, being the date specified in the notice to be published under section 25 of Act, unless lawfully extended by Council; and
 - b. paragraph B(i)(iii) and (iv) remain in force until next reviewed by Council, or otherwise for a period of 5 years.
- C. Requires a future Council report on the success and any issues encountered after the first six-months of the trial of the greyhound off leash and vulnerable dog exercise areas at South Street Reserve.
- D. Makes the following declarations under Part 3, Division 2 of *the Dog Control Act 2000* in respect of parts of the Bellerive Boardwalk Area at 30 Cambridge Road, Bellerive:
 - (i) That the area on the land side of the Bellerive Boardwalk perimeter shown in blue on Attachment 1 of the Associated Report is declared a restricted area, a condition of use of which is that dogs are permitted in this area if they are on a leash, otherwise they are restricted from entering the area off-leash, or if the conditions of an event permit declare dogs are not permitted at the event.
 - (ii) That the declaration made in paragraph D(i) remain in force until next reviewed by Council, or otherwise for a period of five years.
- E. Amends its Dog Management Policy 2021 to update the Schedule of Declared Areas to reflect the changes to declared areas approved in paragraphs “B” and “D”.
- F. Authorises the Chief Executive Officer to take any action necessary to give effect to the declarations in “B” and “D”, including, but not limited to:
 - (i) determining the date, the declarations take effect; and
 - (ii) giving public notice of the declarations and commencement dates in accordance with section 25 of the *Dog Control Act 2000*.

Decision:	MOVED Cr Chong SECONDED Cr Kennedy
	“That the Recommendation be adopted”.
	CARRIED UNANIMOUSLY

8.4.5 OPPORTUNITY FOR AN AFL HIGH PERFORMANCE CENTRE IN CLARENCE**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to inform Council of results of the recent community consultation survey on the opportunity for Clarence to be the home of the future Tasmanian AFL/AFLW team High Performance Centre (HPC). The report also provides information to assist the Council in its decision whether to support, in principle, an AFL HPC in Clarence, noting that the site selection is a competitive process with the eventual site to be determined by the Department of State Growth (DSG).

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 has governance and leadership objectives that are relevant including:

- "5.5 Engaging with our community and stakeholders through the continued implementation of our Community Engagement Policy; and*
- 5.6 Establishing strategic partnerships to facilitate greater opportunities."*

LEGISLATIVE REQUIREMENTS

There are no legislative considerations arising from the recommendation in this report. If the HPC development were to progress in Clarence, the *Local Government Act 1993* would be relevant in relation to any lease or disposal of public land, and a further report would be provided to the Council for a decision at the appropriate time. Planning, building and other considerations would be addressed through the Land Use Planning and Approvals Act 1993, Building Act 2016 and other relevant legislation and regulations.

CONSULTATION

At Council's meeting on 9 October 2023, Council endorsed consultation with the community on the potential for hosting a HPC in Clarence. Community consultation was undertaken between 10 October and 7 November 2023, to gain an understanding of public sentiment in relation to a future Tasmanian AFL HPC being sited in Clarence. There was a high level of engagement and strong support for the AFL HPC to be located within Clarence. A high number of respondents identified the Rosny Parklands (formerly Rosny Golf Course) and Charles Hand Park areas within Rosny Park as suitable locations, with a smaller number of respondents identifying Geilston Bay as a suitable location.

Targeted consultation has been undertaken with key stakeholders who would be directly impacted by the development of a HPC at the Charles Hand Park and Geilston Bay sites.

FINANCIAL IMPLICATIONS

There are no immediate impacts on the current financial year operating budget. Subject to endorsement of a HPC within Clarence, there may be some costs associated with development of a centre, which would be identified and detailed in any agreement between Council and DSG related to the project.

RECOMMENDATION:**A. That Council:**

- (a) Receives and notes the results of the recent consultation regarding the opportunity for Council to host an AFL High Performance Centre in Clarence;
- (b) Provides in-principle support for Clarence to be the home of the AFL High Performance Centre located within the Rosny Park CBD area;
- (c) Authorises the CEO to submit a proposal for two site options for consideration under the Department of State Growth's competitive selection process, those options being:
 - i. Preferred Option – Option (c) – Charles Hand Park accommodating the High Performance Centre's primary oval, training and administration buildings and associated infrastructure, with a second oval to be located in the Rosny Parklands; and
 - ii. Secondary Option - Option (b) - Rosny Parklands accommodating the High Performance Centre's primary oval, training and administration buildings and associated infrastructure, with a second oval to be located in Charles Hand Park

C. Should Clarence be the successful applicant under the AFL High Performance Centre Site Assessment Process, Council authorises the CEO to negotiate terms for inclusion in a Heads of Agreement with Department of State Growth, to be submitted to Council for approval, to ensure mutually beneficial outcomes are achieved for the Clarence community and the Tasmanian AFL team and provide further reports for Council's consideration as decisions are required.

/ Refer to Page 39 for Decision on this Item...

**OPPORTUNITY FOR AN AFL HIGH PERFORMANCE CENTRE IN CLARENCE
/contd...**

Decision:	MOVED Cr Ritchie SECONDED Cr Chong	
	“That the Recommendation be adopted”.	
	Cr Goyne returned to the meeting at this stage (9.17pm).	
	The MOTION was put and CARRIED	
	FOR	AGAINST
	Cr Blomeley	Cr Darko
	Cr Chong	Cr Hunter
	Cr Goyne	Cr James
	Cr Hulme	Cr Walker
	Cr Kennedy	Cr Warren
	Cr Mulder	
	Cr Ritchie	

9. MOTIONS ON NOTICE

Nil

10. COUNCILLORS' QUESTION TIME

A Councillor may ask a question with or without notice at Council Meetings. No debate is permitted on any questions or answers.

10.1 QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, a Councillor may give written notice to the Chief Executive Officer of a question in respect of which the Councillor seeks an answer at the meeting).

Nil

10.2 ANSWERS TO QUESTIONS ON NOTICE

Nil

10.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING

Cr Mulder

1. My question relates to Clarence Council road priorities which are now several years old. The quarterly report in regard to our road priorities refers us to the Hobart City Deal website. I looked at what I believed to be the latest report there and there is not one Clarence Council road in there nor was there one Clarence Council road in the last State Government budget. Could you advise us Mr Mayor how the Clarence Council road priorities are progressing?

ANSWER

Taken on notice.

(Further information) At its meeting on 20 July 2020, Council resolved 8 road transport priorities and 4 active transport priorities.

It was noted in the council report that adopting a priority list of road infrastructure projects would allow council to provide an immediate response when requests for funding arise from State or Federal Government.

Due to the amount of detail involved, a separate briefing memo will be provided on the status of the individual projects.

2. Neither does the quarterly report make any mention of the Begonia Street sealing. Can you advise as to the progress and why it does not seem to be in any of the road projects in the report?

ANSWER

(Head of Infrastructure and Natural Assets) The design is progressing in terms of the sealing of the road and I will provide an update on that specific project. Page 88 of the quarterly report does note that the design is complete for Begonia Street road sealing project but I will confirm the status.

(Further information) Design works for the sealing and traffic calming in Begonia Street is complete and tender documentation is currently being prepared to enable an external contractor to be engaged. It is anticipated the project will be completed in 2024, subject to the tender approval process and contractor availability.

Cr Hunter

My question is in relation to organisational structure and staff resourcing. As far as ensuring our duty of care to the organisation and appropriate resourcing and being able to do that, could we have a more detailed breakdown of the different areas as well as the number of positions and the number of people in those positions.

ANSWER

Taken on notice.

(Further Information) A copy of the organisation chart at program level detailing full-time equivalent numbers was provided to Cr Hunter on 5 December 2023.

Cr Hulme

1. In response to a query from a resident about putting a yellow line to indicate parking restrictions on a section of road I was told that council's policy was not to provide such markings where restrictions already exist under traffic law such as within a certain distance of intersections but I have noticed that there are other places within our city where there are yellow line markings on corners and I wonder whether that is because we had a different policy when those line markings were installed?

ANSWER

(Head of Infrastructure and Natural Assets) It is probable that it is a legacy issue. We have an internal traffic working group to assess parking and restrictions and requests that come through, although we are trying not to have kilometres of yellow lines across the municipality because of cost, maintenance, look. We take due respect of road rules as they apply and people should not be parking in those areas. We can have the specific area investigated, if there is a yellow line on the road it has been there for a number of years with previous personnel considering that request.

2. My question relates to the Future of Local Government Review report. Do we know what the next steps would be in terms of looking at the recommendations of that report, there is nothing that will affect us in respect to proposed amalgamation but in terms of shared services what would be the next steps in progressing that?

ANSWER

(Chief Executive Officer) As you would be aware the consultation runs to 29 February 2024. We plan to use December and January at officer level to examine the 37 recommendations and develop our position on those and then circulate those to councillors, probably in January to workshop in early February. That will be a fairly substantial piece of work. In the background to all of that we haven't had contact yet from LGAT or other bodies in terms of coordinating responses.

(Mayor) I would like to commend the Hon Sue Smith AM and her team for a very comprehensive report and there were some very fine recommendations made.

Cr James

1. What is council's cash reserve at 30 June 2024?

ANSWER

Taken on notice.

(Further information) The total cash holdings of council at 30 June 2023 was \$103.175M. This included monies held in daily transactional accounts, as well as monies placed in term deposits. However as per the audited financial statements of council, \$58.101M was subject to restrictions, namely for employee provisions and reserves for (but not limited to) infrastructure renewal, public open space, car parking, and community services. \$45.074M was therefore considered unrestricted at that time.

2. My question is regarding the Kangaroo Bay development precinct. In particular Kangaroo Bay boulevard. On page 12 of the quarterly report it says the process of sale of the land is ongoing. In answer to my question at the previous council meeting it said Council is anticipating presenting a development application before Christmas. In regard to the boulevard development at Kangaroo Bay could I have some clarification as to whether we are going to seek the sale of that land alternatively it will be on hold while the development application is submitted?

ANSWER

(Chief Executive Officer) I think it is difficult to conflate two issues with one on that site. As you would be aware, a person can lodge a development application with landowner's consent so clearly anything that came forward from Hunter Developments requires our consent before it goes any further and we haven't seen anything yet. The issue of the sale of the land is tied to the Preferred Developer Agreement and that is the next stage on. In the context of where things stand at the moment Hunter Developments are choosing to develop another D/A, another proposal for us to consider. One would assume that if that is supported by council through the development application process they will also want to discuss that in terms of the sale, equally they could go the other way around.

Cr Walker

1. My question is regarding consultation on the High Performance Centre that was recently undertaken by council. There is a substantial amount of community interest in this matter. Could you please specify when the community can expect the wider publication of the survey or some detail around that?

ANSWER

(Acting Head of Strategic Development, Communications and Engagement) The consultation results will go live after the council meeting of 11 December.

(Further information) While a full consultation report will be made available following the council meeting on Monday, 11 December, a summary of findings is included in the agenda report, in line with the data provided to Councillors at the workshop on Monday, 6 November, in order to fulfil the requirement to respond to the previously endorsed recommendation, as well as to assist in informing the officer's recommendation to Councillors.

A separate memo has also been circulated to *councillors*.

2. Mr Mayor, noting your concern around prolix preambles to questions but I think I need to put these assumption in as I make this. In relation to the fire levy which I believe council receives 4% if you like handling fee, I would assume that 1% is eaten up by credit card surcharges and I think that is being overly generous. I think you could suggest that the administration costs as far as adding to the rates bill would be generously costing this organisation 1% again so there is 2%. Noting that any outstanding debt council is accruing interest on. My question to the CFO is where am I getting it wrong assuming that council is getting about 2% clipping the ticket for this?

ANSWER

(Chief Financial Officer) Yes, your calculations are reasonably accurate. Last year, we received \$270,000 so I would have to step out the final calculation but 1% for administration is probably light on.

(Question contd)

Just for clarification is this a burden (collecting fire tax) that you welcome in your role that you currently perform?

ANSWER

(Chief Financial Officer) It is not a bad percentage but we would need to look, to step it out.

Cr Goyne

1. Following on from my previous questions regarding vagrant animals. We currently have sheep that like to go for a stroll along Rifle Range Road every morning. They have no owners. They have been contained by members of the public because the public believes that they are probably better at managing it than council. Do we have plans in place for further managing vagrant animals which seems to be mainly in Sandford?

ANSWER

Taken on notice.

(Further information) As advised at the September meeting, Council has few options under current legislation to deal with animals (other than dogs) escaping and causing a nuisance except where they are on a road/road verge. It may be possible to address this issue during a by-law review in relation to animal management, which can be investigated in 2024.

2. There are some neat patchwork squares along South Arm Highway I have had people asking me what they are for because they are very symmetrical. Can I be enlightened about what their purpose is?

ANSWER

Taken on notice

(Further information) The square patches on South Arm Highway relate to geotechnical and service investigations recently completed to inform the detailed design of the Rokeby Bypass, being done on behalf of the Department of State Growth.

Cr Chong

Could we be advised where we are up to with the cat management policy discussions?

ANSWER

(Head of Regulatory Services) We planned for a workshop but there have been a number of higher priorities so we will arrange something for early in the New Year.

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.

VALE

Cr Hulme sought leave of the meeting to have a moment's silence to recognise the recent passing of the Hon Frances Mary Bladel, who was a Bellerive resident and made an enormous contribution to Tasmania.

Before proceeding, the Mayor noted that the Hon Fran Bladel was a Member for Franklin from 1986 until 2002. She served as a Minister in the Field Government and was also Secretary to Cabinet under Jim Bacon in the first term of his Government.

The Mayor invited those present to stand for a moment's silence as a mark of respect for the late Ms Bladel.

Cr Hunter left the meeting at this stage (10.02pm).

11. CLOSED MEETING

Regulation 15 of the Local Government (Meetings Procedures) Regulations 2015 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matters were listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.

- 11.1 APPLICATIONS FOR LEAVE OF ABSENCE
- 11.2 JOINT AUTHORITY MATTER
- 11.3 PROPERTY MATTER - RICHMOND
- 11.4 CONTRACTUAL MATTER
- 11.5 PERSONNEL MATTER

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;
- contracts and tenders for the supply of goods and services;
- proposals to acquire land or an interest in land or for the disposal of land;
- information provided to the council on the condition it is kept confidential; and
- applications by Councillors for a Leave of Absence;

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

Decision:	<p>PROCEDURAL MOTION MOVED Cr Goyne SECONDED Cr Chong</p> <p>“That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>
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The Meeting closed at 11.05pm.