

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 11 OCTOBER 2021

HOURLY CALLED: 7.00pm

PRESENT: The meeting commenced at 7.01pm with the Mayor (Ald D C Chipman) in the Chair and with Aldermen:

B A Blomeley
H Chong
L Edmunds
D Ewington
R H James
W Kennedy
T Mulder
J Peers
S von Bertouch
J Walker
B Warren; present.

1. APOLOGIES Nil

ORDER OF BUSINESS Items 1 – 13

IN ATTENDANCE

General Manager
(Mr I Nelson)

Group Manager Engineering Services
(Mr R Graham)

Chief Financial Officer
(Ms M Coleman)

Manager City Planning
(Mr R Lovell)

Manager Communication and Strategic Development
(Mr C Paske)

Acting Manager Health and Community Development
(Mr S Edwards)

Executive Officer to the General Manager
(Ms J Ellis)

The Meeting closed at 10.30pm.

Prior to the commencement of the meeting, the Mayor made the following declaration:

“I acknowledge the Tasmanian Aboriginal Community as the traditional custodians of the land on which we meet today, and pay respect to elders, past and present”.

The Mayor also 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.

COUNCIL MEETING
MONDAY 11 OCTOBER 2021

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1. ATTENDANCE AND APOLOGIES

Refer to cover page.

2. ***CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Council Meeting held on 20 September 2021, as circulated, be taken as read and confirmed.

Decision: **MOVED** Ald Blomeley **SECONDED** Ald Peers

“That the Minutes of the Council Meeting held on 20 September 2021, as circulated, be taken as read and confirmed”.

CARRIED UNANIMOUSLY

3. MAYOR'S COMMUNICATION

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

Mayor

- 21 September: Greater Hobart Mayors Forum;
- 22 September: ABC Ratio Interview with Ryk Goddard;
- 1 October: Every Age Counts Pledge Media Event;
- 7 October: CRRC Meeting – Ben Bowring (DPAC);
- 8 October: SERDA AGM;
Clarence Mountain Bike Park – Media Event; and
Citizenship Ceremony – Blundstone.

Deputy Mayor

- 23 September: Exhibition – Poochibald (on behalf of Mayor);
- 29 September: National Police Remembrance Day 2021 (on behalf of Mayor);
- 30 September: Multicultural Council of Tasmania AGM (on behalf of Mayor);
- 9 October: Cuboree State-wide Cub-Scout Camp Opening (on behalf of Mayor).

Alderman von Bertouch

- 22 September: Notice of AGM 2021, Nominations for the Election of Directors (on behalf of Mayor).

MAYOR'S COMMUNICATION /contd...

Alderman Beth Warren

- 24 September: Book Launch – Parting the Veil (on behalf of Mayor).

Alderman Dean Ewington

- 24 September: 2021 Southern Championship Function (on behalf of Mayor).

4. *COUNCIL WORKSHOPS**

In addition to the Aldermen'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
Bayview Draft Master Plan Consultation	
Begonia Street Consultation	
Seven Mile Beach Plan	
Preliminary Budget Discussions	
Annual Plan Reformatted Draft	
Confidential Update – Bellerive Pier	27 September
Lauderdale Canal Park Draft Master Plan	
Lauderdale Stormwater Management	
Confidential Update – Bellerive Pier	
Confidential Update – Rosny Golf Course	
City Heart Terms of Reference	
Planning Matter Update	4 October

RECOMMENDATION:

That Council notes the workshops conducted.

Decision: **MOVED** Ald Blomeley **SECONDED** Ald Peers

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

5. DECLARATIONS OF INTERESTS OF ALDERMAN 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 Aldermen 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**Alderman Kennedy****Item No. 11.7.2**

6. *TABLING OF PETITIONS**

Nil.

7. 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 an Alderman 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.

7.1 PUBLIC QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, a member of the public may give written notice to the General Manager 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.

Denise Hoggan of Rosny has given notice of the following question:

THE RMPAT JUDGEMENT OF 11 JANUARY 2021

The RMPAT judgement of 11 January 2021, point 5, requires a construction management plan to be approved by Council, taking into account the locations of particular botanical species.

1. What field studies will Council institute, as Managing Authority, to ensure that the locations of threatened species are mapped annually, given that previous studies have shown that these threatened species do not remain in a set location?
2. Will Council fund and oversee a comprehensive species level fieldwork survey of the Rosny Hill Nature Recreation Area, prior to the creation of any supporting plans, as part of the development of the RHNRRAP, as outlined in point 21 of the RMPAT judgement?

7.2 ANSWERS TO QUESTIONS ON NOTICE

The General Manager provided the following Answer to the Question listed at Item 7.1.

THE RMPAT JUDGEMENT OF 11 JANUARY 2021

The Rosny Hill DA appeal was resolved via a consent agreement between Rosny Hill Friends Network, Hunter Developments and Council, with a permit issued on 11 January 2021. The permit sets out the requirements and obligations associated with the development in terms of construction and a Reserve Activity Plan. The developer/operator is required to meet the costs associated with meeting the permit requirements.

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

7.4 QUESTIONS WITHOUT NOTICE

Mr Victor Marsh of Bellerive asked the following questions.

1. BELLERIVE BREAKWATER

When the Bellerive Breakwater was transformed into a public pier, the publicly available design drawings for approval showed boxed seating of approximately 50cm in height and width, which accesses a handrail similar height, which then accesses a wave panel with a ledge running along the entire length of the pier which forms accessible platform about 55cm wide.

My question is, what process resulted in approval of this design which allows access to an unsafe wave panel ledge?

ANSWER

The Mayor took the question on notice.

2. KANGAROO BAY OVAL

What is the updated information regarding the completion of the Kangaroo Bay oval irrigation works so that cricket matches can resume there?

ANSWER

The arrangements with Cricket Tasmania and Clarence District Cricket Club is their first game will be on the last weekend in October. We have provided a notice of this to Cricket Tasmania and the club back in June/July.

Mr Pat McMahon asked the following questions.

1. SURVEY RESPONSES

What is the tangible number of responses council requires from an initial survey to tout they have conducted significant community consultation?

ANSWER

The consultation isn't dictated by a particular number. In terms of the significance of the consultation, it would be a multi factor approach across various media and various forms of communication to reach as many people as possible.

2. ROSNY PARK GOLF CLUBHOUSE

Can council use the \$75,000 pledged by the State Government in April towards the upgrade of the former Rosny Park golf clubhouse to repurpose the building as council or community offices.

ANSWER

I am not aware that has been proposed, to the best of my knowledge I don't think we have seen the agreement from the State Government at this point in time. That funding was offered through the election process, so we are unclear as to exactly what the terms were.

8. 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)

DOG MANAGEMENT POLICY REVIEW

(REFER ITEM 11.7.1)

Tanzi Lewis addressed the Meeting regarding the above matter.

Terry Polglase addressed the Meeting regarding the above matter.

9. MOTIONS ON NOTICE**9.1 NOTICE OF MOTION - ALD CHONG
EXPANDING THE DEFINITION OF ASSISTANCE DOGS**

In accordance with Notice given it was:

Decision: **MOVED** Ald Chong **SECONDED** Ald Kennedy

“That Council works with LGAT to request the State Government to amend the Dog Control Act 2000 to allow for the inclusion of other types of Therapy / assistance dogs as well as Guide and Hearing Dogs and that an appropriate mechanism of registering such dogs be implemented.”

CARRIED UNANIMOUSLY

9.2 NOTICE OF MOTION - ALD MULDER ENTITLEMENTS POLICY

In accordance with Notice given it was:

Decision:	MOVED Ald Mulder SECONDED Ald James	
	“A. Amending Section 4.4.3 Cab Charge Facility by: 1) Replacing the title to refer to ‘taxi use and ride share arrangements’; 2) Removing the provisions relating to supply of Alderman’s Council’s Cab Charge; and 3) Extending taxi arrangements to include use of registered ride share operators. B. Amending Section 5.1 Facilities and Resources by: 1) Removing provisions relating to the <i>Community Consultation Allowance</i> (dot point 3).”	
	CARRIED	
	FOR Ald Edmunds Ald James Ald Kennedy Ald Mulder Ald Peers Ald Walker Ald Warren	AGAINST Ald Chipman Ald Blomeley Ald Chong Ald Ewington Ald von Bertouch

10. *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.

10.1 *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**

Representatives: Ald James Walker
(Ald Luke Edmunds, Deputy Representative)

Quarterly Reports

September Quarterly Report pending.

Representative Reporting

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

10.2 *REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES**

HOWRAH COMMUNITY CENTRE

- Ald James tabled the Minutes of a Meeting held on 26 August 2021.

11. REPORTS OF OFFICERS**11.1 ***WEEKLY BRIEFING REPORTS**

The Weekly Briefing Reports of 20 and 27 September and 4 October 2021 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 20 and 27 September and 4 October 2021 be noted.

Decision: **MOVED** Ald Blomeley **SECONDED** Ald Peers

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

Nil.

11.3 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:

11.3.1 DEVELOPMENT APPLICATION PDPLANPMTD-2021/021194 – 21 BEACH STREET, BELLERIVE - ADDITIONS TO DWELLING (INCLUDING HOME BASED BUSINESS) AND ANCILLARY DWELLING**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for additions to Dwelling (including Home-based business) and Ancillary Dwelling at 21 Beach Street, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Access Code and Stormwater Management Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 13 October 2021.

CONSULTATION

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

- visual bulk;
- loss of view;
- impact on amenity;
- colours for external finishes; and
- environmental impact.

RECOMMENDATION:

- A. That the Development Application for additions to Dwelling(including Home-based business) and Ancillary Dwelling at 21 Beach Street, Bellerive (CI Ref PDPLANPMTD-2021/021194) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN S1 – SIGN CONSENT.
- 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 19 for Decision on this Item...

DEVELOPMENT APPLICATION PDPLANPMTD-2021/021194 – 21 BEACH STREET, BELLERIVE - ADDITIONS TO DWELLING (INCLUDING HOME BASED BUSINESS) AND ANCILLARY DWELLING /contd...

Decision:	MOVED Ald Ewington SECONDED Ald Kennedy	
	“That the Recommendation be adopted”.	
	CARRIED	
	FOR	AGAINST
	Ald Chipman	Ald James (abstained)
	Ald Blomeley	
	Ald Chong	
	Ald Edmunds	
	Ald Ewington	
	Ald Kennedy	
	Ald Mulder	
	Ald Peers	
	Ald von Bertouch	
	Ald Walker	
	Ald Warren	

11.3.2 DEVELOPMENT APPLICATION PDPLANPMTD-2021/020698 – 196 AND 198 CLARENCE STREET AND 31 ALLUMBA STREET, HOWRAH - BOUNDARY ADJUSTMENT**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a boundary adjustment at 196 and 198 Clarence Street, and 31 Allumba Street, Howrah.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Access, Road and Railway Assets and Stormwater Management Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42-day period which expires with the consent of the applicant on 13 October 2021.

CONSULTATION

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

- adverse possession of council-owned land;
- vegetation removal and landscaping;
- insufficient path width;
- risk of vandalism/dumping;
- inaccurate proposal description;
- valuation of land;
- consultation for sale;
- consistency with Public Open Space Policy;
- unapproved buildings; and
- easements required.

RECOMMENDATION:

A. That the Development Application for boundary adjustment at 196 and 198 Clarence Street, and 31 Allumba Street, Howrah (CI Ref PDPLANPMTD-2021/020698) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. ENG M8A – SERVICE EASEMENTS.
3. ENG S1 – INFRASTRUCTURE REPAIR.

4. The development must meet all required Conditions of Approval specified by TasWater notice dated 3 August 2021 (TWDA 2021/01246-CCC).

ADVICE

- A contract to purchase the 222m² of land from council at 196 Clarence Street with the owners of 31 Allumba Street must be entered into and acted upon prior to the lodgement of the Final Plan of Survey for the development with council for sealing. Please contact council's Property Officer, Tracy Sparks, on (03) 6217 9527 regarding the details.
- A contract to purchase the 420m² of land from council at 196 Clarence Street with the owners of 198 Clarence Street must be entered into and acted upon prior to the lodgement of the Final Plan of Survey for the development with council for sealing. Please contact council's Property Officer, Tracy Sparks, on (03) 6217 9527 regarding the details.

- 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** Ald Mulder **SECONDED** Ald Ewington

"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.

11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT**11.5.1 BEGONIA STREET – SEALING AND TRAFFIC CALMING**

(ECM NO 4663794)

EXECUTIVE SUMMARY**PURPOSE**

To consider the results of community consultation and whether to upgrade the unsealed section of Begonia Street, Lindisfarne by sealing this section of Begonia Street and the installation of traffic calming measures including road humps and slow points.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 is relevant.

LEGISLATIVE REQUIREMENTS

The *Local Government Act 1993* and the *Local Government (Highways) Act 1982* are relevant.

CONSULTATION

Extensive consultation has been carried out in accordance with council's Community Engagement Policy 2020, including a media release, social media posts, newspaper advertisement, variable message boards at each end of the road and a Your Say Clarence survey on council's web site.

FINANCIAL IMPLICATIONS

Council adopted \$60,000 in the 2020-2021 capital program for Begonia Street consultation and detailed design incorporating traffic calming measures.

RECOMMENDATION:

That:

- A. Council notes the feedback received via the recent community consultation regarding options to upgrade Begonia Street, Lindisfarne.
- B. Council adopts the preferred option for the upgrade of the unsealed section of Begonia Street, Lindisfarne, being sealing of the road and the installation of road humps and slow points.
- C. A detailed design and estimate be undertaken and budget submission be made for consideration in council's 2022-2023 Estimates to implement the preferred option.
- D. Further investigation be undertaken into the adequacy of the existing sealed section of Begonia Street, Malunna Road and Beach Road connection, including appropriate speed limit, and into possible improvements to the intersection of Begonia Street and Flagstaff Gully Road, and the results of the investigation be reported to a future council workshop.

- E. Council authorises the General Manager to write to all residents along Begonia Street advising of its decision.

Decision:	MOVED Ald Walker SECONDED Ald Edmunds
	“That:
	A. Council notes the feedback received via the recent community consultation regarding options to upgrade Begonia Street, Lindisfarne.
	B. Council adopts the preferred option for the upgrade of the unsealed section of Begonia Street, Lindisfarne, being sealing of the road and the installation of road humps and slow points.
	C. A detailed design and estimate be undertaken and budget submission be made for consideration in council’s 2022-2023 Estimates to implement the preferred option.
	D. Further investigation be undertaken into the adequacy of the existing sealed section of Begonia Street, Malunna Road and Beach Road connection and into possible improvements to the intersection of Begonia Street and Flagstaff Gully Road, and the results of the investigation be reported to a future council workshop to then be included as a budget submission to be considered in council’s 2022-23 Estimates.
	E. The Council takes appropriate steps towards lowering the speed limit on affected sections of Begonia Street, Malunna Road and Beach Road to 40kmh, including necessary community consultation and evidence gathering. That Council also undertake this process for the section of Flagstaff Gully Road between Begonia Street and Flagstaff Gully Link.
	F. That a workshop is held on the subsequent traffic impacts of sealing this section of Begonia Street some twelve months after completion with a view to consideration of further traffic calming measures if necessary.
	G. Council authorises the General Manager to write to all residents along Begonia Street advising of its decision.”
	CARRIED UNANIMOUSLY

11.5.2 BAYVIEW SECONDARY COLLEGE SPORT PRECINCT DRAFT MASTER PLAN
(ECM 4665499)**EXECUTIVE SUMMARY****PURPOSE**

To consider the community consultation feedback for the draft master plan for the proposed community sport and recreation precinct at Bayview Secondary College, adoption of the Master Plan and commencement of a detailed feasibility study/business case and site planning process based on the Master Plan.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031, Community Participation Policy, Recreation Needs Analysis (2019), and Community Engagement Policy 2020 are relevant.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Council has undertaken extensive community consultation for the draft Bayview Secondary College Sports Precinct Master Plan, with 267 online submissions received.

FINANCIAL IMPLICATIONS

Council currently has funds allocated for the Bayview Secondary College Sport Precinct Master Plan project.

RECOMMENDATION:

That Council:

- A. Adopts the Bayview Secondary College Sport Precinct Master Plan as shown in **Attachment 1** of the Associated Report.
- B. Subject to Recommendation A above being approved, authorise the General Manager to engage suitably qualified consultants to develop a detailed feasibility study/business case and site plans for the Master Plan and report to a future council workshop.

/ Refer to Page 26 for Decision on this Item...

**BAYVIEW SECONDARY COLLEGE SPORT PRECINCT DRAFT MASTER PLAN
/contd...**

Decision:	MOVED Ald Ewington SECONDED Ald Blomeley	
	“That the Recommendation be adopted”.	
	CARRIED	
	FOR	AGAINST
	Ald Chipman	Ald James (abstained)
	Ald Blomeley	
	Ald Chong	
	Ald Edmunds	
	Ald Ewington	
	Ald Kennedy	
	Ald Mulder	
	Ald Peers	
	Ald von Bertouch	
	Ald Walker	
	Ald Warren	

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 DOG MANAGEMENT POLICY REVIEW****EXECUTIVE SUMMARY****PURPOSE**

To consider adoption of the revised Dog Management Policy 2021, including a Schedule of Declared Areas, and to authorise the formal notification of the Schedule of Declared Areas via Public Notice.

RELATION TO EXISTING POLICY/PLANS

The Policy is consistent with Council's Strategic Plan 2021-2031 and existing policy on user pays fees and charges.

LEGISLATIVE REQUIREMENTS

The Dog Control Act 2000 requires council to review its Dog Management Policy every five years. The policy contains a code of responsible dog ownership, a fee structure, the provision of declared areas and any other relevant matters. The revised and simplified dog registration fee schedule was endorsed by council during the Annual Estimates for financial year 2021/22.

CONSULTATION

Several workshops were held with Aldermen as well as a survey. Discussions and meetings have been held with relevant organisations, internal stakeholders, and committees of council. Two public consultations have occurred resulting in significant feedback.

FINANCIAL IMPLICATIONS

The fee structure contained within the policy aims to recover 70% of the costs associated with dog management.

RECOMMENDATION:

That Council adopts the Dog Management Policy 2021, including the Schedule of Declared Areas (October 2021) and authorises the formal notification of the Schedule of Declared Areas via Public Notice.

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

DOG MANAGEMENT POLICY REVIEW /contd...

Decision: **MOVED** Ald Walker **SECONDED** Ald Kennedy

“That Council:

- A. Adopts the Dog Management Policy 2021, including the Schedule of Declared Areas (October 21) and authorises the formal notification of the Schedule of Declared Areas via Public notice with the following amendments:
 - i. That the Roscommon Reserve remains off lead.
 - ii. That the status of the Tangara Trail remain unchanged, consistent with the Dog Management Policy 2015.
- B. That Council officers undertake the following investigations and report to an upcoming workshop:
 - i. Options for an off-lead dog area in the South Arm area.
 - ii. The feasibility and costs for a further fenced area at the Lauderdale Saltmarsh Reserve for an off-lead greyhound exercise area.
 - iii. Potential off lead areas that may be identified through the Single Hill Bushland activity plan process.
- C. That Council officers undertake consultation with user groups to consider the suitability of on and off lead areas for dogs on relevant parts of the Tangara Trail and Roscommon, with consultation results reported to a separate workshop.”

CARRIED

FOR

Ald Chipman
Ald Blomeley
Ald Chong
Ald Edmunds
Ald Kennedy
Ald Mulder
Ald Peers
Ald von Bertouch
Ald Walker
Ald Warren

AGAINST

Ald Ewington
Ald James

11.7.2 NOTICE OF INTENTION TO LEASE PUBLIC LAND - SOUTH ARM PENINSULA MEN'S SHED**EXECUTIVE SUMMARY****PURPOSE**

To consider entering into a lease agreement with the South Arm Peninsula Men's Shed Inc. to establish a men's shed on council land adjacent to the South Arm Calverton Hall and South Arm Community Centre at 9 Calverton Place, South Arm.

RELATION TO EXISTING POLICY/PLANS

The Strategic Plan 2021-2031 is relevant.

LEGISLATIVE REQUIREMENTS

Section 178 of the Local Government Act, 1993 is applicable.

CONSULTATION

Section 178 of the LGA requires that where council proposes to lease public land it must give public notice and invite submissions from the public.

Council officers have also consulted with representatives from the South Arm Peninsula Men's Shed Inc.

The South Arm Oval Master Plan identified an area for the development of a men's shed.

FINANCIAL IMPLICATIONS

Recommendation has no direct implications on council's Annual Plan.

RECOMMENDATION:

- A. That in accordance with Section 178 of the Local Government Act, council gives notice of intention to lease public land at 9 Calverton Place, South Arm as depicted on Attachment 1 of the Associated Report, to the South Arm Peninsula Men's Shed Inc.
- B. That provided the notice of intention process to lease is finalised and no objections are received, council authorises the General Manager to enter into a lease agreement with South Arm Peninsula Men's Shed Inc for a term of 10 years with an option for a further 10 years with the annual rental to commence at \$110.08 per annum, which will be indexed annually in accordance with the Consumer Price Index figure for Hobart.
- C. That, in the alternative to Recommendation B above, should objections be received, the matter be referred to a future meeting of council for consideration.

/ Refer to Page 31 for Decision on this Item...

**NOTICE OF INTENTION TO LEASE PUBLIC LAND - SOUTH ARM PENINSULA
MEN'S SHED /contd...**

Ald Kennedy declared an Interest in this Item and left the meeting prior to discussion (9.15pm).

Decision:	MOVED Ald von Bertouch SECONDED Ald Blomeley “That the Recommendation be adopted”. Ald Edmunds left the meeting at 9.20pm. Ald Walker left the meeting at 9.21pm. The MOTION was put and CARRIED UNANIMOUSLY
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Ald Kennedy returned to the meeting at this stage (9.25pm).

11.7.3 NOTICE OF INTENTION TO DISPOSE OF PUBLIC LAND AT 36 DUNTROON DRIVE, ROKEBY**EXECUTIVE SUMMARY****PURPOSE**

To authorise commencement of the process to dispose of public land at 36 Duntroon Drive, Rokeby via a land swap with the Department of Housing and through a separate arrangement with an adjoining landowner.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 is relevant.

LEGISLATIVE REQUIREMENTS

Section 178 of the Local Government Act, 1993 is applicable.

CONSULTATION

Section 178 of the Local Government Act, 1993 provides that council must advertise its intention to dispose of public land through public advertisement.

FINANCIAL IMPLICATIONS

Other than transactional costs associated with title amendments and land transfer, there are no other significant costs associated with the proposals.

RECOMMENDATION:

- A. That in accordance with Section 178 of the Local Government Act 1993, council gives notice of intention to dispose of the land at 36 Duntroon Drive, Rokeby to Communities Tasmania and to an adjoining landowner.
- B. That provided the notice of intention to dispose process is finalised and no objections are received, council authorise the General Manager to negotiate the following:
 - (i) an agreement with the adjoining landowner to transfer the section of the land at 36 Duntroon Drive, Rokeby, shown as "C" on Attachment 1 of the Associated Report, in exchange for the adjoining landowner agreeing to undertake community infrastructure works on his land to provide public access from 36 Duntroon Drive to the foreshore;
 - (ii) an agreement with the Crown to transfer a section of land at 36 Duntroon Drive, Rokeby, shown as "A", "B" and "Road corridor 20m wide" on Attachment 1 of the Associated Report, in exchange for the land at 17 Goodwins Road, Clarendon Vale, subject to conditions agreed between the parties as set out in the report;
 - (iii) that a pre-condition of the agreements is that council, at its cost, arranges a boundary adjustment of the land at 36 Duntroon Drive, Rokeby to enable the two separate transfers.

- C. That, in the alternative to Recommendation B above, should objections be received, that the matter be referred to a future meeting of council for consideration.

Ald Ewington left the meeting at 9.25pm.

Ald Blomeley left the meeting at 9.25pm.

Decision:

MOVED Ald James **SECONDED** Ald Peers

“That the Recommendation be adopted”.

Ald Edmunds returned to the meeting at this stage (9.26pm).

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

FOR

Ald Chipman
Ald Chong
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald von Bertouch
Ald Warren

AGAINST

Ald Edmunds (abstained)

11.7.4 ANNUAL PLAN 2021/2022**EXECUTIVE SUMMARY****PURPOSE**

To consider the Annual Plan for the 2021/2022 financial year.

RELATION TO EXISTING POLICY/PLANS

Consistent with Council's adopted Strategic Plan and adopted Estimates.

LEGISLATIVE REQUIREMENTS

Section 71 of the *Local Government Act 1993* requires Council to prepare and adopt an annual plan for each financial year.

CONSULTATION

No issues to be addressed.

FINANCIAL IMPLICATIONS

No direct financial implications, however, the draft Annual Plan reflects the Estimates adopted by Council for financial year 2021/2022.

RECOMMENDATION:

That the Annual Plan for financial year 2021/2022 attached as Attachment 1 be adopted.

Decision: **MOVED** Ald James **SECONDED** Ald Edmunds

“That the Recommendation be adopted”.

Ald Walker returned to the meeting at this stage (9.27pm).

Ald Ewington returned to the meeting at this stage (9.28pm).

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

11.7.5 ROSNY GOLF COURSE MANAGEMENT TENDER OUTCOME**EXECUTIVE SUMMARY****PURPOSE**

To provide an update on the tender process for the management of 2/22 and 3/22 Rosny Hill Road, Rosny Park; known as the Rosny Park Public Golf Course.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan outlines the Rosny Golf Course site as an important community asset.

LEGISLATIVE REQUIREMENTS

The Local Government Act 1993 is applicable regarding procurement processes.

CONSULTATION

Significant consultation in respect to the City Heart Project has occurred. That consultation confirmed that the community highly valued the Rosny Golf Course land as public open space.

FINANCIAL IMPLICATIONS

Funds of \$50,000 for maintenance are approved in the 2021/2022 budget. These funds have been partly expended maintaining the land since 1 July 2021.

RECOMMENDATION:

- A. That council notes the report.
- B. That council notes that the General Manager will continue to maintain the site as a green public open space, within the limitation of the current approved budget.

Decision: **MOVED** Ald Edmunds **SECONDED** Ald Peers

"A. That council notes the report.

B. That the council continues to maintain the Rosny Golf Course greens to an adequate standard pending attempts by council to find an operator, and continues to maintain the rest of the site as a green public open space.

C. That any financial impacts of this decision are brought to a council workshop for further discussion as soon as possible.

Decision contd on Page 36...

ROSNY GOLF COURSE MANAGEMENT TENDER OUTCOME /Decision contd...

- D. Seeks community feedback on the future of golf at the Rosny Golf Course site in any future consultation on the City Heart project.”

Ald Blomeley returned to the meeting at this stage (9.30pm).

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

FOR

Ald Edmunds
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald Warren

AGAINST

Ald Chipman
Ald Blomeley
Ald Chong
Ald Ewington
Ald von Bertouch
Ald Walker

FORESHADOWED MOTION

MOVED Ald von Bertouch **SECONDED** Ald Blomeley

“That the Recommendation be adopted”.

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

FOR

Ald Chipman
Ald Blomeley
Ald Chong
Ald Ewington
Ald von Bertouch
Ald Walker

AGAINST

Ald Edmunds
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald Warren

12. ALDERMEN'S QUESTION TIME

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

12.1 QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, an Alderman may give written notice to the General Manager of a question in respect of which the Alderman seeks an answer at the meeting).

Nil.

12.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

12.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING

Ald James

1. In regard to the public pier, I have asked the question on a number of occasions and the response I have received from either the General Manager or Mr Graham is that it is still with the contractors. Again, I ask the question in the public forum of this place, is there any timeline in which this particular public facility will be available for the public to access?

ANSWER

(Mayor) I will ask Mr Graham to repeat the answer that he gave to Mr Marsh earlier.

(Mr Graham) The underwater specialised grouting works on the pier is complete. We have undertaken a defects inspection in terms of handing the structure over to council and one non-conformance was identified. Burbury Consulting engineers have confirmed that. We have forwarded that to the contractor, and we are awaiting a response as to how the contractor will address this non-conformance. Once I understand how he is going to address this non-conformance I will be in a position to give an estimated opening date to council.

Question contd

In relation to that same matter, that non-conformance matter, is that in relation to a major cost or is it something that would fall within the normal tender construction price?

ANSWER

The cost is unknown. The issue is it is a structural item which requires engineering sign off. We can open up the pier if there are minor defects but this a structural item so we cannot open it to the public until all structural items have been signed off by the engineers.

2. Could I seek some advice in relation to the Frederick Henry Parade matter, there is one exit from Frederick Henry Parade opposite No 1 Frederick Henry Parade. The “no entry” sign which is on the opposite side to No 1 but there is no one way sign that people who are travelling into Cremorne and then along Frederick Henry Parade are able to negotiate traffic that would be coming along that same road as part of the one way in and one way out. Is it possible for council to consider at its next monthly meeting for a one way sign into those houses at 1,3, 5, 7, 9 Frederick Henry Parade and therefore advise people that it is one way in and one way out?

ANSWER

(Mr Graham) I will take that to the traffic working group and advise council.

Further information

An Initial assessment has been undertaken and signage will be installed to provide directional information for motorists.

Ald Edmunds

1. I wanted to check the thresholds around how many people becomes a public event when it comes to use of our barbecue facilities and things. I know when we had the golf course campaign, we had more than 100 people at the barbecue facilities at Kangaroo Bay. I know that some of the community organisations, political parties etc have had barbecues throughout our barbecue facilities but I have been informed that the ASU is trying to hold a barbecue for about 30 people but needs to do all the paperwork as if it is a major event. Can I just check that is actually necessary?

ANSWER

Clarence City Council requires groups to register to use a council facility to ensure that:

- the facilities are not double booked;
- toilets are adequately stocked and cleaned;
- glass drinking containers are not used;
- there are adequate waste disposal bins;
- if alcohol or food is being sold, there is an appropriate permit in place; and
- the event organisers have appropriate public liability insurance and a COVID-19 plan in place.

On learning that the ASU were planning to hold a barbecue for members and other interested council staff, council approached an ASU Delegate to ask whether the ASU were aware that a booking was needed.

Council also offered to waive the 8-week notice period to allow the event to happen sooner. Council has received an events application from the ASU and it is being processed.

On checking the booking records council was not aware of the 100 plus gathering for the golf course campaign. The organisers of this gathering should have sought approval from council to use the barbecue facilities at Kangaroo Bay.

Information on holding an event on council land can be found on council’s website.

2. It was only three weeks ago that we had the motion about vaccinations and encouraging people to get vaccinated and we had the photo which has since appeared in the Eastern Shore Sun. What measures are we putting in place to get our workforce, some of whom are out in the field five days per week, to get their jab. Are we supporting them to take time off to get it, do we have sick leave provisions etc for the whole organisation?

ANSWER

We have had an informal program in place, but we have communicated with staff on a number of occasions that the time they need to get their vaccination can simply be taken - they just need to let their manager know, get their jab and return to work and if anyone is unwell then we treat that as sick leave, but we take a fairly relaxed view about that and we are encouraging people to do that. We have not been keeping track of how many people have had their vaccination. We leave that as a matter for them mainly because we haven't had any mandatory requirements other than a couple of areas of the business.

Ald Blomeley

My question relates to staff. You will recall at the last council meeting in reference to the quarterly report I asked some questions regarding staff metrics. Of the 15 resignations that we had for that period of time 8 of those positions have been filled. It was indicated to me that the balance of 7 were going to be filled in this quarter by September 2021. I just wondered how we are going with that and also, I note just as a comment that the workers' compensation situation seems to be, considering our size, in a very good place but I am more concerned about ensuring that we have those 7 positions filled.

ANSWER

As indicated in the April to June Quarterly Report 2021 there were 7 vacant positions. Currently 6 of the 7 vacancies have now been filled, the remaining vacant position was advertised with no suitable candidates being identified. Council is covering this position by engaging casual staff. The vacant role will be readvertised soon.

Ald Walker

I received the Rates notice this week as did may across the municipality. On the very back section of the rates notice and I want to say I in no way suggest any involvement from anyone around this table whatsoever, but on the very back is the title "go green go paperless" and what I have put next to it is a bit of political material from the Greens Party and the reason I've done this is because the colouring and font looks close to almost the point of plagiarism and I would be deeply concerned especially if it wasn't this September but say it was next September it was coming up because it looks almost identical in font and styling to corflutes and other distribution material. So I think it is a situation you would describe as a cock up rather than an conspiracy but I would ask that a serious reflection is put onto a styling for messages like this. The copy I have given you is the back of the Rates Notice we received, and I have copied onto it some of the promotional material of a political party and I am pointing out the closeness in the colour guide and font I expect that this would be highly problematic if this was the case closer to an election. Is that appropriate to do and do you acknowledge the closeness, and will it happen again?

ANSWER

The communications team have reviewed the advertisement and understand the confusion given the closeness of the two designs. It is coincidental the font for council in its style guide is very similar to the Greens Party font, and the colour green is universally tied to environmental initiatives such as reducing the use of paper and switching to electronic communications from council.

The design will be updated for future rates reminders, once the current base stock is exhausted which should be after the December rates reminder.

Ald Mulder

My question relates to our reporting on legal expenses. Could I have a breakdown of the expenditure that council incurs by department rather than by staffing for example when we brief lawyers on planning matters versus when we brief them on court challenges or when we brief someone for a legal opinion on some matters such as the abandoned hotel in Kangaroo Bay.

ANSWER

In the 2020/21 financial year, the following amounts were expended on legal services by the following departments:

- City Planning \$345,068;
- Human Resource \$7,000;
- Corporate Support \$117,694;
- Governance \$219; and
- Community Development \$18.

12.4 QUESTIONS WITHOUT NOTICE

An Alderman may ask a Question without Notice of the Chairman or another Alderman or the General Manager. 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, an Alderman or the General Manager may decline to answer a question without notice.

13. 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.

- 13.1 APPLICATIONS FOR LEAVE OF ABSENCE
- 13.2 ANNUAL REVIEW – GENERAL MANAGER

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; and
- applications by Aldermen 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 Ald Peers SECONDED Ald Chong “That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”. CARRIED UNANIMOUSLY
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The Meeting closed at 10.30pm.