

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL CONDUCTED ELECTRONICALLY, ON MONDAY 20 JULY 2020

HOUR CALLED: 7.00pm

PRESENT: The meeting commenced at 7.00pm 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)

Chief Financial Officer
(Ms M Coleman)

Group Manager Engineering Services
(Mr R Graham)

Manager City Planning
(Mr R Lovell)

Manager Communication and Strategic Development
(Mr A Saddler)

Executive Officer to the General Manager
(Ms J Ellis)

The Meeting closed at 9.45pm.

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 audio-visually recorded and published to Council’s website.

COUNCIL MEETING
MONDAY 20 JULY 2020

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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 29 June 2020 and the Special Council (Planning Authority) Meeting held on 13 July 2020, as circulated, be taken as read and confirmed.

Decision: **MOVED** Ald Peers **SECONDED** Ald Chong

“That the Minutes of the Council Meeting held on 29 June 2020 and the Special Council (Planning Authority) Meeting held on 13 July 2020, 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

- 30 June: Interview – ABC Radio;
- 2 July: Opening of Madison House;
- 6 July: SERDA Meeting;
- 6 July: WebEx Meeting – Minister Shelton;
- 15 July: Julie Collins MP – General Catch Up;
- 16 July: Meetings;
 - multi-use facility; and
 - proposed school at Sorell.

Deputy Mayor

- 30 June: Petition to Amend Hearing;
- 6 July: WebEx Meeting – Minister Shelton;
- 8 July: Launch of EV Station;
- 16 July: One Community Together PR Squad Meeting; and
- 16 July: Events Special Committee.

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
Presentation – Tasman Highway Access Ramps to/from Gordons Hill Road Road Traffic Priorities Ford Parade Multi-user Pathway Update on Electric Vehicle Charging Station Community Consultation Illegal Removal of Trees and Vegetation from Council Land Hardship Policy/Council Leased Facilities	6 July
Clarence Draft Local Provisions Schedule	13 July

RECOMMENDATION:

That Council notes the workshops conducted.

Decision: **MOVED** Ald Peers **SECONDED** Ald Chong

“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 Peers **Item No. 11.3.1**

Alderman James **Item No 11.3.4**

6. TABLING OF PETITIONS

Nil Items.

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.

Mrs Jan Counsell has given notice of the following questions:

Rosny Hill RMPAT Hearing

1. Is the Clarence City Council aware that it was the respondents (Hunter Developments) who requested an adjournment of the RMPAT hearing scheduled for 15 June, not the Rosny Hill Friends Network?
2. Is the Clarence City Council aware that the rescheduled dates for the RMPAT hearing are 7 – 11 September 2020?

Ms Linda J Thompson has given notice of the following questions:

Tourist Accommodation

1. How many tourist accommodation facilities, in Clarence City, are located in Zone 18 recreation land?
2. Please list the names of the recreation areas where these accommodation facilities exist.

7.2 ANSWERS TO QUESTIONS ON NOTICE

The General Manager provided the following answer to Questions Taken on Notice listed at Item 7.1.

Rosny Hill RMPAT Hearing

Council is a respondent to the appeal. It has received the updated Procedural Orders as issued to all parties.

/ contd on Page 8...

ANSWERS TO QUESTIONS ON NOTICE /contd...**Tourist Accommodation**

There are no Tourist accommodation uses in the Recreation zoned properties in the City.

However, to put some context around that it is quite a varied and flexible zone, providing for a range of no permit required, permitted and discretionary uses.

The discretionary uses for example, include Business and professional services; Community meeting and entertainment; Educational and occasional care; Domestic dog breeding and occasional care; Emergency services; Food services; General retail and hire; Pleasure boat facility; Tourist operation; Transport depot and distribution; Utilities; Vehicle parking; and Visitor accommodation. It is also the case that there are few of these uses in the zone.

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

The General Manager provides the following answers to Questions taken on Notice from members of the public at previous Council Meetings.

ROSNY HILL NATURE RECREATION AREA

At Council's Meeting of 29 June 2020 Mrs Denise Hoggan of Rosny asked the following questions:

In June 2018, Greening Australia, in a Natural Values Report of the Rosny Hill Nature Recreation Area, brought to Council's attention the presence of six Declared Weeds, their GPS locations and their densities.

1. Have these Declared Weeds been eradicated as required by law?
2. If no, why not and if yes, what was the precise cost of such eradication?

ANSWER**Question 1**

The declared weeds on Rosny Hill are actively managed under ongoing programs including the Rosny Hill Bushfire Management Plan 2017 (including pre and post prescribed burn weeding by Council staff) and via weed contractors utilised throughout Clarence's network of bushland and coastal reserves. Additionally, the Rosny - Montagu Bay Land and Coast-care Group run working bees that remove and control small patches of the declared weeds. Complete eradication of the declared weeds is not possible, hence the requirement for ongoing maintenance and management, which reflects a best-practice approach.

Question 2

The cost of weed management on Rosny Hill totals approximately \$5,200 per year.

/ contd on Page 9...

ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE /contd...**COVID-19 – DINE IN MEAL AVAILABILITY**

At Council's Meeting of 29 June 2020 Ms Ella Van Tienen asked the following question:

The COVID crisis and temporary cessation of dine in meal availability has seen a significant increase in take-away food consumption. Take-away coffees have also been the only option, with disposable cups being provided and the option of taking your own keep cup being discontinued for hygiene reasons. Some stores which were previously allowing customers to bring their own containers for purchasing items at the butcher or deli have also reverted to providing single use plastic packaging. I am asking whether the Clarence City Council will consider a single use plastic ban like the Hobart and Launceston City Councils have done?

ANSWER

Council is currently reviewing its waste management strategy in conjunction with its Strategic Plan and within the context of other issues occurring in the waste industry. These issues include the State Government's Draft Waste Action Plan, possible introduction of a waste levy, container refund scheme and the Australian Government's new recycling arrangements. These issues, including a position on single use plastics, will be discussed with Council at a workshop later this year.

7.4 QUESTIONS WITHOUT NOTICE

Mr Griggs of Risdon Vale asked the following questions:

1. DAMAGE TO THE END OF LANTANA ROAD, RISDON VALE

A contractor installed a new sewage pipeline along the edge of the Risdon Vale rivulet behind houses from the fire station to the end of Lantana Road near number 64. (Redshaw Excavations) on behalf of a property development. Required by TasWater. The work finished a few months ago. The kerb and guttering was damaged, the road surface was destroyed, no proper drainage channel was put in for stormwater to enter the rivulet, causing serious erosion, and the end road railing needs to be replaced.

Can Council please repair the above damage, billing the contractor or TasWater or property developer who paid for the pipeline, or Council itself?

ANSWER

The question was taken on notice and the matter will be investigated.

/ contd on Page 10...

QUESTIONS WITHOUT NOTICE /contd...

2. COVID-19

Can Council please install pump action liquid soap dispensers in its toilets and paper towel dispensers or hand dryers?

Some toilets have soap which is handled by everyone using the toilets, very poor public hygiene. Very many have no way of drying hands, including some of the very recently built toilets. These items can have protection put around them to stop vandalism. I have spoken to people in public health, who have said the current standards in public toilets needs to be improved quickly if a second wave COVID-19 was to happen.

Can this issue be dealt with as quickly as possible?

ANSWER

We have tried over the years to place liquid soap in our public toilets. Unfortunately, there is an element of anti-social behaviour which consistently vandalises wall mounted soap dispensers and deliberately spills or spreads soap over the floors, resulting in a high risk of users potentially slipping.

This matter was reviewed in light of the current COVID-19 crises and was discussed with Council. At that stage it was decided not to pursue the supply and installation of liquid soap dispensers but to provide solid soap. There have been a few incidents to date where that soap has been squashed on the floor.

Signage has been placed at each facility advising users to exercise good personal hygiene.

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)

DEVELOPMENT APPLICATION PDPLANPMTD-2020/009190 – 1 BAYFIELD STREET, ROSNY PARK – RESTAURANT AND TAKEAWAY
(REFER ITEM 11.3.1)

Mr Alexander Haros provided a deputation regarding the above matter which was read out by the General Manager.

DEVELOPMENT APPLICATION PDPLANPMTD-2020/006792 – 377 SOUTH ARM ROAD, LAUDERDALE – FRONT FENCE
(REFER ITEM 11.3.2)

Mr Brayden Millhouse provided a deputation regarding the above matter which was read out by the General Manager.

DEVELOPMENT APPLICATION PDPLANPMTD-2020/008491 – BELLERIVE BEACH PARK – 54 QUEEN STREET, 15 DERWENT STREET AND 14A VICTORIA ESPLANADE, BELLERIVE FOOTPATH WORKS AND LANDSCAPING
(REFER ITEM 11.3.4)

Mrs Joanne Marsh provided a deputation regarding the above matter which was read out by the General Manager.

MAJOR ROAD PRIORITIES LIST
(REFER ITEM 11.5.1)

Mr Thomas Chick provided a deputation regarding the above matter which was read out by the General Manager.

9. MOTIONS ON NOTICE**9.1 NOTICE OF MOTION - ALD MULDER
WASTE RECOVERY**

(File No 10-03-05)

In accordance with Notice given it was:

Decision: MOVED Ald Mulder **SECONDED** Ald James

“That Council

1. endorses, in principle, the mandatory use of recycled glass in the supply of gravel (including concrete and bitumen) for all Council projects;
2. requests an Officer’s Report on the feasibility of requiring all gravel and concrete products used on Council projects to contain recycled glass; and
3. advises the Department of Primary Industries, Parks, Water and the Environment (DPIPWE) of its desire to see the mandatory requirement for recycled glass in government projects included in the Tasmanian Waste Action Plan (under development)”.

CARRIED UNANIMOUSLY

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

June Quarterly Report pending.

Representative Reporting

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

The Mayor advised that a Meeting of the Greater Hobart Committee will be held on Wednesday, 22 July.

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

EVENTS SPECIAL COMMITTEE

- Ald Chong tabled the Minutes of a Meeting held on Thursday, 3 March.

CLARENCE JAZZ FESTIVAL

- Ald Chong tabled a report on the 2020 Clarence Jazz Festival which was held 16 – 23 February.

RICHMOND ADVISORY COMMITTEE

- Ald Chong tabled the Minutes of a Meeting held on Wednesday, 15 July.

CULTURAL HISTORY ADVISORY COMMITTEE

- Ald Chong tabled the Minutes of a Meeting held on Wednesday, 17 June.

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

The Weekly Briefing Reports of 29 June, 6 and 13 July 2020 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 29 June, 6 and 13 July 2020 be noted.

Decision: **MOVED** Ald Peers **SECONDED** Ald Chong

“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-2020/009190 – 1
BAYFIELD STREET, ROSNY PARK - RESTAURANT AND TAKEAWAY****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a change of use to a Restaurant and Takeaway at 1 Bayfield Street, Rosny Park.

RELATION TO PLANNING PROVISIONS

The land is zoned Central Business and subject to the Road and Railway Assets, Parking and Access and Signs 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.

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and Transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which expires with the written consent of the applicant on 22 July 2020.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and four representations were received raising car parking as an issue.

RECOMMENDATION:

- A. That the Development Application for a change of use to a Restaurant and Takeaway at 1 Bayfield Street, Rosny Park (Cl Ref PDPLANPMTD-2020/009190) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN C2 – CASH-IN-LIEU [\$180,000] and [15].
 3. GEN S2 – SIGN LOCATION.
 4. GEN S7 – SIGN MAINTENANCE.

5. The development must meet all required Conditions of Approval specified by TasWater notice dated 22 May 2020 (TWDA 2020/00666-CCC).

ADVICE

- a) Disabled access requirements to the upper level of the premises must be designed to be in accordance with the NCC provisions of the BCA Vol 1 Part D3.3 (f) for a Class 6 building.
 - b) **ADVICE 5 – FOOD SPECIFICATIONS ADVICE.**
 - c) **ADVICE 6 – FOOD REGISTRATION ADVICE.**
- 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.

Ald Peers declared an Interest in this Item and left the Meeting prior to discussion (7.37pm).

Decision:	MOVED Ald Walker SECONDED Ald Kennedy
	“A. That the Development Application for a change of use to a Restaurant and Takeaway at 1 Bayfield Street, Rosny Park (Cl Ref PDPLANPMTD-2020/009190) be approved subject to the following conditions and advice. 1. GEN AP1 – ENDORSED PLANS. 2. GEN C2 – CASH-IN-LIEU [\$156,000] and [13]. 3. GEN S2 – SIGN LOCATION. 4. GEN S7 – SIGN MAINTENANCE. 5. The development must meet all required Conditions of Approval specified by TasWater notice dated 22 May 2020 (TWDA 2020/00666- CCC). ADVICE a) Disabled access requirements to the upper level of the premises must be designed to be in accordance with the NCC provisions of the BCA Vol 1 Part D3.3 (f) for a Class 6 building.

/ Decision contd on Page 19...

DEVELOPMENT APPLICATION PDPLANPMTD-2020/009190 – 1 BAYFIELD STREET, ROSNY PARK - RESTAURANT AND TAKEAWAY /Decision contd...

b) ADVICE 5 – FOOD SPECIFICATIONS ADVICE.

c) ADVICE 6 – FOOD REGISTRATION ADVICE.

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”.

CARRIED

FOR

Ald Blomeley
Ald Chipman
Ald Chong
Ald Edmunds
Ald James
Ald Kennedy
Ald von Bertouch
Ald Walker
Ald Warren

AGAINST

Ald Mulder
Ald Ewington (abstained)

Ald Peers returned to the Meeting at this stage (8.00pm).

11.3.2 DEVELOPMENT APPLICATION PDPLANPMTD-2020/006792 – 377 SOUTH ARM ROAD, LAUDERDALE - FRONT FENCE**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Front Fence at 377 South Arm Road, Lauderdale.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Living and subject to the Natural Assets Code, Waterway and Coastal Protection Code, Landslide Hazard Area 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.

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and Transitional Provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which has been extended with the applicant's consent until 22 July 2020.

CONSULTATION

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

- interfere with the flow of water;
- visually obtrusive;
- not in keeping with the surrounding area; and
- encourage graffiti along the fence.

RECOMMENDATION:

A. That the Development Application for a Front Fence at 377 South Arm Road, Lauderdale (Cl Ref PDPLANPMTD-2020/006792) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN AM3 – EXTERNAL COLOURS.

3. Where the proposed fence crosses over the waterway from the culvert under South Arm Road, it is to be designed and constructed in a manner to ensure the waterway is not obstructed in any way. This section of the fence is to have either a 300mm diameter pipe under the fence to allow for water to flow under, or a similar area be left under the fence to allow for water flow.
 4. The development must meet all required Conditions of Approval specified by TasWater notice dated 28 May 2020 (TWDA 2020/00488-CCC).
- 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

11.3.3 DEVELOPMENT APPLICATION SD-2019/6 – 28 PERCY STREET, RICHMOND - 10 LOT SUBDIVISION**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 10 lot Subdivision at 28 Percy Street, Richmond.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Road and Railway Assets, Parking and Access, Waterway and Coastal Protection, Stormwater Management and Historic Heritage 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.

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and Transitional Provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which expires with the written consent of the applicant on 12 August 2020.

CONSULTATION

The proposal was advertised on two occasions in accordance with statutory requirements. A total of six representations were received during the first advertising period, with one received outside of time. The representations received raised the following issues:

- well on-site;
- impact on amenity;
- lot sizes and density of development;
- lot design;
- land stability;
- Public Open Space;
- building restrictions;
- traffic and extension of Percy Street;
- staging; and
- local service provision.

Following the representations, the applicant amended the proposal and the application was readvertised. A total of two representations were received during the second advertising period, with an amended subdivision layout for proposal. The representations received raised the following additional issues:

- internal lot Scheme requirements not met;
- pattern of development; and
- Waterway and Coastal Protection Code.

RECOMMENDATION:

A. That the Development Application for a 10 Lot Subdivision at 28 Percy Street, Richmond (Cl Ref SD-2019/6) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN POS4 – POS CONTRIBUTION [5%] and [Lot 2 – 10 inclusive].
3. ENG A1 – NEW CROSSOVER [3.6m].
4. ENG A3 – COMBINED ACCESSES [TSD-R09 (Urban)] and delete “All lots with combined right-of-way accesses” and replace with “Lots 5 and 6 must be provided with a combined right-of-way access from Percy Street, and”.
5. All lots requiring accesses by access strip to the body of the lot must be provided with a 3.6m wide sealed access from the road carriageway to the property boundary in accordance with Standard Drawing TSD-R09 (Urban) (copy available from Council). A 3.6m wide sealed driveway also must be constructed over the remaining length of the access to the body of the lot. This access must be inspected by Council prior to sealing or pouring new concrete.

Following construction, the crossover must be maintained or repaired by the owner at the owner’s expense in accordance with any directions given by Council to the owner.

6. ENG M2 – DESIGNS SD. Delete third dot point and replace with “lot accesses, in that the combined crossovers for access to the lots are only approved in the locations shown by the endorsed plan”.
7. ENG M5 – EROSION CONTROL.
8. ENG M7 – WEED MANAGEMENT PLAN.
9. ENG M8 – EASEMENTS.
10. ENG R2 – URBAN ROAD.
11. ENG R5 – ROAD EXTENSION.

12. ENG S1 – INFRASTRUCTURE REPAIR.
13. ENG S10 – UNDERGROUND SERVICES.
14. ENG S12 – HEADWORKS – SUBDIVISION [\$38,000] and [\$38,000].
15. ENG S4 – STORMWATER CONNECTION.
16. ENG 3A – STORMWATER PRINCIPLES FOR SUBDIVISION.
17. TASWATER – The development must meet all required Conditions of Approval specified by TasWater notice dated 5 June 2020 (TWDA 2019/00274-CCC).
18. ADVICE – An application for works in the Council road reserve must be submitted and approved by Council’s Group Manager Engineering Services prior to the commencement of any works and must have regard to the Richmond Townscape study.

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

11.3.4 DEVELOPMENT APPLICATION PDPLANPMTD-2020/008491 – BELLERIVE BEACH PARK - 54 QUEEN STREET, 15 DERWENT STREET AND 14A VICTORIA ESPLANADE, BELLERIVE - FOOTPATH WORKS AND LANDSCAPING**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for footpath works and landscaping at Bellerive Beach Park - 54 Queen Street, 15 Derwent Street and 14A Victoria Esplanade, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned Open Space and subject to the Waterway and Coastal Protection, Inundation Prone Areas and Coastal Erosion Hazard 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.

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and Transitional Provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which expires with the written consent of the applicant on 22 July 2020.

CONSULTATION

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

- description of advertised proposal;
- future replacement works;
- specific details of proposal unclear;
- recommendations for modification of works;
- inconsistency with master plan;
- accessible parking and safety; and
- recommendations of safety review disregarded.

RECOMMENDATION:

- A. That the Development Application for footpath works and landscaping at Bellerive Beach Park - 54 Queen Street, 15 Derwent Street and 14A Victoria Esplanade, Bellerive (Cl Ref PDPLANPMTD-2020/008491) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
- 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.

Ald James declared an Interest in this Item and left the Meeting prior to discussion (8.08pm).

Decision:	MOVED Ald Ewington SECONDED Ald Blomeley “That the Recommendation be adopted”. CARRIED UNANIMOUSLY
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Ald James returned to the Meeting at this stage (8.22pm).

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 MAJOR ROADS PRIORITIES LIST**

(ECM: 4375070)

EXECUTIVE SUMMARY**PURPOSE**

To seek Council's endorsement of a priority-based list of potential projects as a basis for Council to advocate for infrastructure funding from State and Federal Governments.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2016-2026 is applicable.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

There is no direct impact on Council's budget in recommending the priority-based projects to the Tasmanian Government.

RECOMMENDATION:

- A. That Council identifies the following priority outstanding traditional Road Transport issues for the City, which are (in order of priority):
- Mornington Interchange upgrade;
 - Rosny Park access - Tasman Highway access ramps;
 - South Arm Road upgrade from the Police Academy roundabout to Acton Road at Lauderdale;
 - Rokeby Main Road - Hawthorne Place to the Police Academy roundabout;
 - Flagstaff Gully Link Road connection to East Derwent Highway;
 - Richmond Eastern By-pass;
 - East Derwent Highway 4 lane extension from Grass Tree Hill Road roundabout to East side of Bowen Bridge; and
 - Brighton to Cambridge freight corridor upgrade.
- B. That Council identifies the following priority outstanding Active Transport issues for the City, which are (in order of priority):
- bus stop and pedestrian/bicycle access improvements;
 - Oakdowns to Lauderdale multi-user pathway;
 - Tasman Highway to Cambridge – Airport – Sorell multi-user pathway; and
 - East Derwent Highway to Bowen Bridge multi-user pathway.

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

MAJOR ROADS PRIORITIES LIST /contd...

The Mayor advised the Meeting that the Recommendation would be dealt with ad seriatum.

Decision:	MOVED Ald Mulder SECONDED Ald Peers																								
	“A. That Council identifies the following priority outstanding traditional Road Transport issues for the City, which are (in order of priority): • Mornington Interchange upgrade; • Rosny Park access - Tasman Highway access ramps; • South Arm Road upgrade from the Police Academy roundabout to Acton Road at Lauderdale; • Rokeby Main Road - Hawthorne Place to the Police Academy roundabout; • Flagstaff Gully Link Road connection to East Derwent Highway; • Richmond Eastern By-pass; • East Derwent Highway 4 lane extension from Grass Tree Hill Road roundabout to East side of Bowen Bridge; and • Brighton to Cambridge freight corridor upgrade”. CARRIED																								
	<table> <tr> <td>FOR</td><td>AGAINST</td></tr> <tr> <td>Ald Blomeley</td><td>Ald von Bertouch</td></tr> <tr> <td>Ald Chipman</td><td></td></tr> <tr> <td>Ald Chong</td><td></td></tr> <tr> <td>Ald Edmunds</td><td></td></tr> <tr> <td>Ald Ewington</td><td></td></tr> <tr> <td>Ald James</td><td></td></tr> <tr> <td>Ald Kennedy</td><td></td></tr> <tr> <td>Ald Mulder</td><td></td></tr> <tr> <td>Ald Peers</td><td></td></tr> <tr> <td>Ald Walker</td><td></td></tr> <tr> <td>Ald Warren</td><td></td></tr> </table>	FOR	AGAINST	Ald Blomeley	Ald von Bertouch	Ald Chipman		Ald Chong		Ald Edmunds		Ald Ewington		Ald James		Ald Kennedy		Ald Mulder		Ald Peers		Ald Walker		Ald Warren	
FOR	AGAINST																								
Ald Blomeley	Ald von Bertouch																								
Ald Chipman																									
Ald Chong																									
Ald Edmunds																									
Ald Ewington																									
Ald James																									
Ald Kennedy																									
Ald Mulder																									
Ald Peers																									
Ald Walker																									
Ald Warren																									
	MOVED Ald Mulder SECONDED Ald Peers																								
	“B. That Council identifies the following priority outstanding Active Transport issues for the City, which are (in order of priority): • bus stop and pedestrian/bicycle access improvements;																								

/ Decision contd on Page 30...

MAJOR ROADS PRIORITIES LIST /Decision contd...

- Oakdowns to Lauderdale multi-user pathway;
- Tasman Highway to Cambridge – Airport – Sorell multi-user pathway; and
- East Derwent Highway to Bowen Bridge multi-user pathway”.

CARRIED UNANIMOUSLY

11.5.2 VICTORIA ESPLANADE AND KANGAROO BLUFF RESERVE MASTER PLAN**EXECUTIVE SUMMARY****PURPOSE**

To consider reallocating capital funds to develop a holistic Victoria Esplanade and Kangaroo Bluff Reserve Master Plan which references the City Heart and incorporates a Cultural Precinct viewpoint.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2016-2026 is relevant.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Community consultation occurred in 2013 on the existing Landscape and Master Plan. This proposal will involve consultation through the development of a new Master Plan.

FINANCIAL IMPLICATIONS

Council has sufficient Victoria Esplanade capital funds carried over from the 2019-2020 Annual Estimates to reallocate for the development of the new Victoria Esplanade and Kangaroo Bluff Master Plan.

RECOMMENDATION:

That Council reallocates the following funds to a new project to develop a Victoria Esplanade and Kangaroo Bluff Master Plan.

• Victoria Esplanade flush kerb	\$200,000
• Victoria Esplanade road works	\$20,700
• Victoria Esplanade reserve irrigation system	\$90,000
• Victoria Esplanade reserve rejuvenate grass	\$80,000

/ Refer to Page 32 for Decision on this Item...

**VICTORIA ESPLANADE AND KANGAROO BLUFF RESERVE MASTER PLAN
/contd...**

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

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE

Nil Items.

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 Blomeley

1. Following the 17 March 2020 deadline for submissions to the Clarence draft Local Provisions schedule can Aldermen be advised when Council will have an opportunity to formally consider the submissions received?

ANSWER

A detailed review of the representations will be circulated to Aldermen this week. The report will then be considered at a workshop during July and after Aldermen have had time to read it the intention is that it be reported to the following Council Meeting for a determination, provided the workshop does not raise any matters that would require a further workshop. We are aiming for the Council Meeting in July.

2. I refer to the recently commissioned stormwater report for the Lauderdale area that I understand was received by Council in mid-June. Can you please advise when Aldermen will be provided with a copy of the report and the timeframe associated with consideration of the report's findings?

ANSWER

Council has received stormwater management plans for 7 of our urban catchments and our engineers are finishing the last one being Richmond using our own resources. Each management plan identified considerable stormwater challenges to be met by Council in the long term. It is quite significant work for us to go through each of the management plans, summarise these and recommend findings to Council. The timing of this with our workload is likely to be the end of 2020. The next action with the Council adopted stormwater management plans is to actually compile all the respective flood maps and go to a workshop to show the flood risk communication strategy which was discussed at a workshop last year. It will be most likely in August in terms of publicly releasing of the flood risk maps to the community.

Ald Edmunds

1. Regarding Wirksworth Park, works have begun again on that site. Do we have any advice on a delivery date and whether that has been adjusted because of the hold-ups?

ANSWER

I am not aware of any hold-ups or delivery dates. It is a Department of Education project, on their land in conjunction with a third party so most of those details are with the department.

2. There is a lot of conflicting advice about people having fire pits in their backyards. Are regular suburban families breaking the law if they have a fire pit in their backyard which they light?

ANSWER

Fire pits are not illegal provided they are used solely for heating or cooking. However, if you use them to get rid of vegetative or other types of waste, then backyard burning restrictions do apply. The requirements for wood-fired heating and cooking can be found at EPA Tasmania's website <https://epa.tas.gov.au/epa/air/wood-fired-heating-and-cooking>. However, a nuisance must not be caused by way of excessive smoke.

Ald Ewington

Has any work been done on the food van issue in relation to the coastal trail and on Council land which was part of my motion passed a few meetings ago regarding Bellerive Beach. Can that be looked at as the restrictions are reduced and when we can get that into a workshop. Has there been some work already started on it by Council staff?

ANSWER

At this point in time we will need to follow up on what work has been done but we are starting to schedule workshops now that the budget is complete. The matter was taken on notice.

The further update from the General Manager is that this topic will be listed for workshop presentation at the end of July or early August.

Ald Kennedy

How many staff are still working remotely?

ANSWER

It is difficult to put an exact number on this; we are probably at around 50 % capacity at the moment. As the rules change in terms of numbers within confined spaces we are reviewing things but we are also taking a very flexible approach so that we are not having a lot of people come back into the building. We have people moving through in a more rostered type way rather than back here permanently every day of the week. It is a very flexible approach at the moment.

Ald Mulder

Last year Council passed a motion to review the Urban Growth Boundary Policy and I believe it was to be referred to the Local Government Association of Tasmania to take up with the State Government. What steps have been taken to conduct this review?

ANSWER

In real terms there has been very little movement on this as we indicated at a previous Council Meeting. The responsibility for reviewing the urban growth boundary and the regional strategy within which it fits is actually a task that is dedicated by law to the Minister for Planning and is carried out for him by the Planning Policy Unit. In our previous discussions in various meetings the Policy Planning Unit has revealed that it has no timeline for reviewing the strategy or the urban growth boundary because it has other tasks it intends to undertake first which involve developing some state planning policies and as they do not have a timeline for completing that work they are unable to offer us a timeline on completion of the review of the strategy. However, Councils through the Greater Hobart Act are doing everything they can to encourage that work to get underway. It was discussed as recently as last Thursday so hopefully we will get some more news in the short term.

Question contd

The Motion we passed did not relate to a review of the strategy it related to a review of the policy so the fact that we do not have a policy at all that was the question. Having said that, is there any documentary evidence or agenda items of these bodies or meetings where it has actually appeared that we can see or is this just general discussion around these points?

ANSWER (Mayor)

I will follow up with LGAT and circulate a memo to all Aldermen as part of the Weekly Briefing Report.

Ald Peers

Have we appointed an architect yet for the Lindisfarne changeroom complex?

ANSWER

We are finalising the assessment process and in discussion with the General Manager we intend to complete that this week and engage an architect.

Ald Walker

1. In relation to consultation around the South Arm Master Plan which I believe in recent weeks some community members have received correspondence on, is Council's process through this likely to be a Vox pop on the issues or would you be more looking at a quantitative approach of inviting specific concerns and concepts on a case by case basis?

ANSWER

We have circulated some suggested issues and designs as part of consultation, and we intend to bring the full scope of the feedback we receive on those to a workshop probably within three or four weeks of the consultation concluding.

2. This Council nearly a year ago unanimously passed by those in the room at the time the motion that I moved around reducing illegal dumping or RID squads and part of that motion was to convey it through to Waste Strategy South. Now given it has been a year can you give me an update on how that has progressed please?

ANSWER

The Waste Strategy South group has effectively been replaced by the Southern Councils Waste Management and Resource Recovery MOU which established a steering committee and secretariat. This matter was reported to the steering committee but will need to be further raised as it did not receive a response. The issue has been noted for further action.

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 TENDER T1362-20 – BANGALEE STREET ROAD RECONSTRUCTION WORKS

13.3 ANZAC PARK COMMUNITY SPORTS PAVILION – DESIGN SERVICES CONSULTANCY

In accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 the reports in the Closed Meeting section of the Council Agenda were dealt with on the grounds that the detail covered in the reports relates to:

- contracts and tenders for the supply of goods and services;
- 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 Edmunds

“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

CLOSED MEETING /contd...

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

13.2 TENDER T1362-20 - BANGALEE STREET ROAD RECONSTRUCTION WORKS
(ECM: T1362-20)

Ald Walker left the Meeting at this stage and did not return (9.30pm).

Decision:	MOVED Ald Warren SECONDED Ald Ewington
	“A. That the Tender Response from Stabilised Pavements of Australia Pty Ltd for \$371,710.70, excluding GST, be accepted for the Road works in the section of Bangalee Street, Lauderdale. B. That, in accordance with Regulation 34(3) of the Local Government (Meetings Procedures) Regulations 2015, Council authorises for release the Council’s decision (only) in respect to this item to the general public and for communication to relevant parties. C. That Council publishes its decision only in regard to this matter in the open Minutes of this Meeting”. CARRIED UNANIMOUSLY

13.3 ANZAC PARK COMMUNITY SPORTS PAVILION – DESIGN SERVICES CONSULTANCY (ECM No 4376260)
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Decision:	MOVED Ald Blomeley SECONDED Ald Ewington
	“A. That the Quotation Response from ARTAS Architects Pty Ltd for \$248,777.00 be accepted as follows: a. \$95,490 excluding GST, be accepted for Stage 1 being Preliminary Design to development approval of the ANZAC Park Community Sports Pavilion; and b. \$153,287 excluding GST, be accepted for Stage 2 Detailed Design, subject to Council approving additional funding and determining to proceed to the detailed design stage following development approval. B. That, in accordance with Regulation 34(3) of the Local Government (Meeting Procedures) Regulations 2015, Council authorises for release the Council’s decision (only) in respect to this item to the general public and for decision (only) in respect to this item to the general public and for communication to relevant parties. C. That Council publishes its decision only in regard to this matter in the open Minutes of this Meeting”.
	CARRIED
FOR	AGAINST
Ald Blomeley	Ald James
Ald Chipman	Ald Mulder
Ald Chong	
Ald Edmunds	
Ald Ewington	
Ald Kennedy	
Ald Peers	
Ald von Bertouch	
Ald Walker	
Ald Warren	

The Meeting closed at 9.45pm.