

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 19 AUGUST 2024

HOURL CALLED: 7.00pm

PRESENT: The meeting commenced at 7.02pm with the Mayor (Cr B A Blomeley) in the Chair and with Councillors:

H	Chong
J	Darko
E	Goyne
D	Hulme
B	Hunter
R	James
W	Kennedy
T	Mulder
J	Walker
B	Warren; present.

1. APOLOGIES A Ritchie (Deputy Mayor)

IN ATTENDANCE

Chief Executive Officer
(Mr I Nelson)

Head of Infrastructure & Natural Assets
(Mr R Graham)

Chief Financial Officer
(Ms J Murrell)

Head of City Planning
(Mr D Marr)

Head of Governance
(Ms C Shea)

Head of Community and Culture
(Ms T Cockburn)

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

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

The Meeting closed at 9.08pm.

COUNCIL MEETING
MONDAY 19 AUGUST 2024

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1. ACKNOWLEDGEMENT OF COUNTRY

The Mayor:

- made the following statement:

“Before proceeding, I pay my respects to the Mumirimina people as the traditional and original custodians of the lands on which we meet, and I acknowledge the continuing connection of the Tasmanian Aboriginal people to the skies, land and waterways.

I pay respect to Elders past and present.”

- invited those present to pause for a moment of quiet reflection and respect before commencing the council meeting.
- advised the Meeting and members of the public that Council Meetings, not including Closed Meeting, are livestreamed, audio-visually recorded and published to Council’s website. The meeting is not protected by privilege. A link to the Agenda is available via Council’s website.

2. ATTENDANCE AND APOLOGIES

Refer to cover page.

3. DECLARATIONS OF INTERESTS OF COUNCILLORS OR CLOSE ASSOCIATE

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2015 and Council’s adopted Code of Conduct, the Mayor requests Councillors to indicate whether they have, or are likely to have a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in any item on the Agenda.

INTEREST DECLARED: **NIL.**

4. OMNIBUS ITEMS

4.1 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Council Meeting held on 29 July 2024, as circulated, be taken as read and confirmed.

Decision: **MOVED** Cr Goyne **SECONDED** Cr Hunter

“That the Minutes of the Council Meeting held on 29 July 2024, as circulated, be taken as read and confirmed”.

CARRIED

FOR

Cr Blomeley
Cr Chong
Cr Darko
Cr Goyne
Cr Hulme
Cr Hunter
Cr James
Cr Kennedy
Cr Mulder
Cr Warren

AGAINST

Cr Walker

4.2 MAYOR'S COMMUNICATION

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

30 July:	Media Conference – Seven Mile Beach Golf Course; Tasmanian Hospitality Association – Women in Leadership Charity Event;
31 July:	Tour of Marinova Facility; Tasmanian Irrigation – Greater South East Irrigation Scheme Meeting;
1 August:	Derwent River Ferry Lindisfarne Terminal Site Consultation;
2 August:	24 Carrot Gardens Meeting;
3 August:	Tasmanian Tourism Showcase; Variety the Children's Charity – Night of Chefs;
4 August:	Exhibition Opening – Edith Perrenot & Alex White; 50 Years of the Aboriginal Movement in Lutruwita/Tasmania Lecture;
6 August:	Cambridge Hospital Development Meeting;
7 August:	Greater Hobart Mayors Forum; Media Interview – Off the Couch – Homelessness Week 2024;

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MAYOR'S COMMUNICATION /contd...

- 8 August: Clarence Mountain Bike Park Photo with Rotary;
Lindisfarne Motor Yacht Club – Ferry Discussions;
- 9 August: Interview with Ryk Goddard – Derwent Ferry;
Media Interview – Derwent Ferry 3rd Anniversary / Result of High Performance Centre Elector Poll;
Meeting with Kingborough Council regarding High Performance Centre;
ABC Radio – Drive Interview – High Performance Centre Elector Poll;
- 10 August: Mercury Interview – High Performance Centre Poll Result;
ABC / 7 Nightly News Interview;
ABC Grandstand – High Performance Centre Elector Poll Interview;
Exhibition Opening – Hannah Foley;
Model Train Show Award Presentation.
- 12 August: Ryk Goddard Interview – Elector Poll Results
- 13 August: Greater Hobart Committee Meeting;
- 14 August: TasWater Chair Interview Panel;
- 15 August: Indian Independence Day and Official Flag Hoisting Celebration;
- 16 August: National Local Government Housing Summit;
- 17 August: Clarence Football Ladies Day Luncheon;
- 18 August: Lindisfarne Vietnam Veterans Day Service – ANZAC Park;
Vietnam Veterans Day – Hobart Cenotaph Service;
Royal Society of Tasmania Winterfest 2024;
- 19 August: Meeting with Dragon Boat Committee; and
Eastside Lutheran College – Book Week.

Deputy Mayor Councillor Allison Ritchie (on behalf of Mayor)

- 13 August: Pakistan's Independence Day Reception;
- 16 August: Children's Book Council of Australia Book Week Event; and
- 18 August: Indian Independence Day Function.

Councillor Emma Goyne (on behalf of Mayor)

- 3 August: Wetland Restoration Workshop in Richmond.

- The Mayor tabled the following:
 - a letter from the Minister for Primary Industries and Water, the Hon Jane Howlett MP, regarding drought relief for the agricultural sector.
 - a letter from the Federal Minister for Agriculture, Fisheries and Forestry, the Hon Julie Collins MP, outlining two new grant programs: the Thriving Suburbs Program and Urban Precincts and partnership Program.

4.3 COUNCIL WORKSHOPS

In addition to the Councillor’s Meeting Briefing (workshop) conducted on Friday immediately preceding the Council Meeting the following workshops were conducted by Council since its last ordinary Council Meeting:

PURPOSE	DATE
ANZAC Park Sporting Pavilion	
Youth Centre Analysis	
Derwent Ferry Consultation Results	
Update on Parking Sensors	5 August
Elector Poll Results	
Confidential Contractual Matter	12 August

RECOMMENDATION:

That Council notes the workshops conducted.

Decision: **MOVED** Cr Goyne **SECONDED** Cr Hunter

“That the Recommendation be adopted”.

CARRIED

FOR

Cr Blomeley
Cr Chong
Cr Darko
Cr Goyne
Cr Hulme
Cr Hunter
Cr James
Cr Kennedy
Cr Mulder
Cr Warren

AGAINST

Cr Walker

4.4. TABLING OF PETITIONS

Nil Items.

4.5 REPORTS FROM OUTSIDE BODIES

This agenda item is listed to facilitate the receipt of both informal and formal reporting from various outside bodies upon which Council has a representative involvement.

REPORTS FROM SINGLE AND JOINT AUTHORITIES

Provision is made for reports from Single and Joint Authorities if required.

Council is a participant in the following Single and Joint Authorities. These Authorities are required to provide quarterly reports to participating Councils, and these will be listed under this segment as and when received.

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

Representative: Cr James Walker

Quarterly Reports

March Quarterly Report pending.

Representative Reporting

- **TASWASTE SOUTH**

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

- **TASWATER CORPORATION**

As a member of the TasWater Selection Committee, the Mayor reported that on Wednesday, 14 August the Committee interviewed five shortlisted candidates for the TasWater Chair position and a formal announcement of the Committee's decision will be made in due course.

- **GREATER HOBART COMMITTEE**

The Mayor advised that the Committee had its first meeting in 17 months on Tuesday, 13 August. The Mayor reported that it was a productive meeting under the new Chairmanship of the Hon Eric Abetz MP and that once the communique of the meeting has been approved he will circulate it for the information of colleagues.

REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

RICHMOND ADVISORY COMMITTEE

- Cr Chong tabled the minutes of a meeting of the Richmond Advisory Committee held on 19 June 2024.

CYCLING SOUTH

- Cr Chong tabled the minutes of a meeting of Cycling South held on 25 June 2024.

COMMUNITY WELLBEING ADVISORY COMMITTEE

- Cr Chong tabled the minutes of a meeting of the Community Wellbeing Advisory Committee held on 14 May 2024.

4.6 WEEKLY BRIEFING REPORTS

The Weekly Briefing Reports of 29 July and 5 and 12 August 2024 have been circulated to Councillors.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 29 July and 5 and 12 August 2024 be noted.

Decision: **MOVED** Cr Goyne **SECONDED** Cr Hunter

“That the Recommendation be adopted”.

CARRIED

FOR

Cr Blomeley
Cr Chong
Cr Darko
Cr Goyne
Cr Hulme
Cr Hunter
Cr James
Cr Kennedy
Cr Mulder
Cr Warren

AGAINST

Cr Walker

5. PUBLIC QUESTION TIME

Public question time at ordinary Council meetings will not exceed 15 minutes. An individual may ask questions at the meeting. Questions may be submitted to Council in writing on the Friday 10 days before the meeting or may be raised from the Public Gallery during this segment of the meeting.

The Chairman may request a Councillor or Council officer to answer a question. No debate is permitted on any questions or answers. Questions and answers are to be kept as brief as possible.

5.1 PUBLIC QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, a member of the public may give written notice to the Chief Executive Officer of a question to be asked at the meeting). A maximum of two questions may be submitted in writing before the meeting.

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

Mrs Sharyn von Bertouch of Sandford gave notice of the following questions:

POLICY FOR MANAGING UNREASONABLE CONDUCT BY CUSTOMERS

1. If Council has adopted the Department of Premier and Cabinet, Office of Local Government Division's Unreasonable Customer Conduct – Resources for Councils, where are the policy and/or procedures detailed on the Council's website?
2. If Council does not have a Policy for Managing Unreasonable Conduct by Customers, and associated procedures, including Guidelines for Disruptive Behaviour by the Public at Council Meetings, why not, and when will such a policy and procedures be considered by Council?

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

1. **CITY HEART PLAN**
Would the City Heart Plan now be finalised and adopted by council if HPC proposal had not been within its scope. If so, would council have allocated funds in its 24/25 budget for pursuing goals with the City Heart Plan?
2. **ALL LEGAL AFFAIRS COSTS FOR 23/24 PERIOD**
How much has Clarence City Council spent on all legal affairs within the 23/24 period. Including in house legal aid, all levels of outsourced legal representation in all tiers of courts, tribunals and commissions and debt recovery services?

PUBLIC QUESTIONS ON NOTICE /contd...

Mr Dean Ewington of Howrah gave notice of the following questions:

1. RECENT RATES INCREASE

How many businesses, entities or clubs were impacted by the recent increase in rates for sport and recreation facilities?

2. COUNCIL REVENUE

How much extra revenue will council collect in years 1, 2 and 3 from this decision?

5.2 ANSWERS TO QUESTIONS ON NOTICE

The Mayor may address Questions on Notice submitted by members of the public.

Council's Chief Executive Officer provided the following answer to the questions from Mrs Sharyn von Bertouch at Item 5.1.

POLICY FOR MANAGING UNREASONABLE CONDUCT BY CUSTOMERS

The Model Policy for Managing Unreasonable Conduct by Customers and Guidelines for Disruptive Behaviour by the Public at Council Meetings have been provided to Tasmanian Councils as a resource for use, if required, and are a guideline only. These documents are available on the Office of Local Government website.

Council is working to develop a policy of its own, in-line with its Customer Service Charter, draft Customer Experience Strategy, organisational values as well as Workplace Health and Safety protocols and policies.

Council's Chief Executive Officer provided the following answers to the questions from Mr Bradley Walker at Item 5.1.

1. CITY HEART PLAN

The City Heart Plan is a 20-year vision for the transformation and urban renewal of our principal activity centre. At the core of the document is a series of strategies and design principles that council will use to leverage opportunities to deliver key outcomes for the City Heart area.

The plan stretches from Warrane through to Bellerive and addresses a range of areas including community housing, economic development, traffic, parking, public transport and general mobility, as well as recreation, culture and events.

As we have stated previously, the delay in finalising the Plan simply relates to the fact that we are working to include the High Performance Centre in the relevant section of the Plan, capitalising on the opportunity to build connections between an extended arts and cultural precinct around Rosny Farm and the High Performance Centre to ensure the best outcome for our community.

/ contd on Page 11...

ANSWERS TO QUESTIONS ON NOTICE /contd...

All other elements of the Plan outside of the High Performance Centre are expected to be implemented as described in the Plan, once approved by Council.

In terms of inclusion in the budget, the City Heart Plan, is a high-level strategic project that once adopted by council, will then have an implementation plan developed that includes a prioritisation of projects over a short, medium and long-term timeline. It is important to note that there are a range of delivery methods that these projects will be implemented through – some will be through direct investment by council, some will be exploring potential partnerships and collaboration with the State Government, community groups, private landowners and the development industry. There will also be a number of projects where council's role is to advocate for outcomes and key projects for our city that align with the goals and strategies within the City Heart Plan.

2. ALL LEGAL AFFAIRS COSTS FOR 23/24 PERIOD

Council's external legal costs in 2023/24 totalled \$551,114. Debt recovery is separate to legal expenses.

Council's Chief Executive Officer provided the following answers to the questions from Mr Dean Ewington at Item 5.1.

1. RECENT RATES INCREASE

In 2024/25, council chose to introduce a new general rate in the dollar for 17 properties with the land use code S1, S2, S3, S5 and S6. Over the next three years this rate in the dollar will move from the residential rate to a rate similar to the commercial rate, which recognises that properties within these codes are not residential in nature. This change has also been implemented for the stormwater rate affecting another 16 properties that only pay the stormwater rate.

2. COUNCIL REVENUE

Council gains no extra revenue from this change in rating methodology. Rating decisions simply apportion the budget decision across businesses and residences throughout the municipality.

5.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

The Chief Executive Officer provided the following answers to Questions taken on Notice from members of the public at previous Council Meetings.

At Council's Meeting of 29 July Mr Michael Figg asked the following question.

WATERWAY OVERLAY

I have noticed and this relates partly to a D/A I am trying to put in for fill on my property, which is probably the 6th D/A that I have put in. There seems to be a difficulty relating to a waterway overlay and I notice that the stormwater system has been changed to a waterway. Can you please explain why stormwater is now classified as waterway?

ANSWER

Council's Head of City Planning took the question on notice and undertook to follow up with Mr Figg if further clarification around the question was required.

(Further Information) The Waterway and Coastal Protection Area overlay – both as originally adopted in the Clarence Interim Scheme 2015 and transitioned to the Tasmanian Planning Scheme – Clarence in 2021 - is focused on protection of natural values for watercourses, wetlands, and lakes and minimising adverse impacts on water quality (as per the State Policy on Water Quality Management 1997). Their focus has never been on managing stormwater, but it is acknowledged that there are some commonalities with the definition and usage of a waterway under the Urban Drainage Act 2013. The final overlay maps for the Tasmanian Planning Scheme – Clarence were based on the 2015 planning scheme and the guidance map (issue by the state government) and modified where the natural watercourses had been piped through subdivision works.

5.4 QUESTIONS WITHOUT NOTICE

Mr Michael Figg of Lauderdale asked the following question.

WATERWAY OVERLAY

My question relates to the answer to the one I asked at the last meeting which is listed in the agenda. I asked a fairly simple question; the question was can you please explain why stormwater is classified as waterway? The confusion that we have, the members of the public, is a lot of referral goes to the explanation of that under the Waterway and Wetlands Works Manual where it states "waterways are natural depressions consisting of a flow of surface water". Now how can a constructed drain of concrete and in some places just a hole in the ground be classified as a waterway? That was my question, and I don't think referring to the Act has answered it. Could I have an answer please?

ANSWER

The Chief Executive Officer took the question on notice.

Council's Public Question Time Policy can be found on Council's website at [Public Question Time - City of Clarence : City of Clarence \(ccc.tas.gov.au\)](https://www.ccc.tas.gov.au/public-question-time)

6. DEPUTATIONS BY MEMBERS OF THE PUBLIC

(In accordance with Regulation 38 of the Local Government (Meeting Procedures) Regulations 2015 and in accordance with Council Policy, deputation requests are invited to address the Meeting and make statements or deliver reports to Council)

DERWENT RIVER FERRY EXPANSION – LINDISFARNE SITE OPTIONS
(REFER ITEM 8.4.1)

Mr Brian Edmonds addressed the meeting regarding the above matter.

PLANNING APPLICATION PDPLANPMTD-2024/041312 – 238 EAST DERWENT HIGHWAY, LINDISFARNE (CT203368/1 AND CT74293/11) – VEHICLE FUELS SALES AND SERVICE (24-HOUR SERVICE STATION AND SIGNAGE) AND CONSOLIDATION OF TWO LOTS INTO ONE LOT
(REFER ITEM 7.1)

M/s Monica Cameron addressed the meeting regarding the above Planning Application.

7 PLANNING AUTHORITY MATTERS
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In accordance with Regulation 25 (1) of the Local Government (Meeting Procedures) Regulations 2015, the Mayor advises that the Council intends to act as a Planning Authority under the Land Use Planning and Approvals Act 1993, to deal with the following items:

7.1 PLANNING APPLICATION PDPLANPMTD-2024/041312 – 238 EAST DERWENT HIGHWAY, LINDISFARNE (CT203368/1 AND CT74293/11) - VEHICLE FUEL SALES AND SERVICE (24-HOUR SERVICE STATION AND SIGNAGE) AND CONSOLIDATION OF TWO LOTS INTO ONE LOT**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Vehicle fuel sales and service (24-hour service station and signage) and consolidation of two lots into one lot at 238 East Derwent Highway, Lindisfarne (Certificate of Title references CT203368/1 and CT74293/11).

RELATION TO PLANNING PROVISIONS

The land is zoned Local Business and subject to the Flood-prone Areas Hazard Code, Road and Railway Assets Code, Parking and Sustainable Transport Code, Potentially Contaminated Land Code, Signs Code and the Safeguarding of Airports Code under the Tasmanian Planning Scheme - Clarence (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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 21 August 2024 as agreed with the applicant.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 14 representations were received raising the following issues:

- Reduction in traffic and pedestrian safety;
- Loss of amenity on nearby residential uses;
- Community Health;
- Property values;
- Anti-social behaviour;
- Overshadowing; and
- Environmental impacts.

RECOMMENDATION:

A. That the Planning Application for Vehicle fuel sales and service (24-hour service station and signage) and consolidation of two lots into one lot at 238 East Derwent Highway, Lindisfarne (Certificate of Title references CT203368/1 and CT74293/11) (CI Ref PDPLANPMTD-2024/041312) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. The take-away food and convenience store within the Vehicle fuel sales (Service station) building must remain subservient to the service station use and any intensification or new use may require separate approval from Council.
3. All separate titles of the subject land must be consolidated into one title prior to the issue of a building permit or commencement of works, whichever occurs first.
4. Commercial vehicle movements and the unloading and loading of commercial vehicles for the use (including waste collection vehicles) must be within the hours of:
 - (a) 7.00am to 9.00pm Monday to Saturday; and
 - (b) 8.00am to 9.00pm Sunday and Public Holidays.
5. An external lighting plan must be submitted to and approved by Council's Chief Executive Officer or Delegate prior to the issue of a Certificate of Likely Compliance for building works, demonstrating external lighting will be baffled to ensure direct light does not extend into the adjoining properties in the General Residential Zone and complies with Clause 3.1 "Basis of Design" and Clause 3.6 "Car Parks" in Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements.
6. GEN S2 – SIGN LOCATION.
7. GEN S4 – FLASHING SIGNS.
8. GEN S7 – SIGN MAINTENANCE.
9. The development must be constructed in accordance with the recommendations made within Section 6 of the NVC Noise Impact Assessment dated 11 June 2024 provided with the application. These measures are to be certified by a suitably qualified Acoustic Engineer or other appropriately qualified person and submitted prior to the issue of a Certificate of Likely Compliance for building works, to the satisfaction of Council's Chief Executive Officer or Delegate. The Noise Report must be implemented prior to the commencement of the use of the service station.
10. A Noise Verification Report must be submitted to the satisfaction of Council's Chief Executive Officer or Delegate within six weeks of the occupancy of the service station to verify the modelled scenarios in the NVC Noise Impact Assessment, dated 11 June 2024 relating to the roof top mechanical plant equipment, chillers and air conditioning units on the north-western side of the building.

If predicted noise levels in the NVC Noise Impact Assessment, dated 11 June 2024 are exceeded, the Noise Verification Report must provide recommendations to mitigate the noise to achieve satisfactory levels.

These recommendations must be implemented, and further verification undertaken until the predicted noise levels are met to the satisfaction of Council's Chief Executive Officer or Delegate.

11. Prior to removal of any excavated material from the site, testing is required to determine contamination levels to ensure that disposal is undertaken in accordance with relevant legislative requirements. A record of all testing and disposal is required to be maintained for checking if required.
12. A landscape plan must be submitted to and approved by Council's Chief Executive Officer or Delegate prior to the commencement of the use/ prior to the issue of a certificate of likely compliance (CLC) for building works, (whichever occurs first). The landscape plan must be to a standard scale, provide the designer's contact details and be legible when reproduced at A3 size. The landscape plan must clearly document the following:
 - a north point/arrow;
 - existing property information such as building footprints, location of underground and overhead services, boundary lines, outdoor structures, garden beds and fences;
 - existing trees identified, marked clearly as "retained" or "for removal". An outline of tree protection measures – inclusive of calculated Tree Protection Zones in line with AS 4970-2009 – is required for all "retained" trees;
 - existing contours, relevant finished floor levels and any proposed alterations to ground levels;
 - areas of proposed landscape hard work treatments such as driveways, paths, buildings, carparks, retaining walls, edging and fencing; areas of proposed landscape soft work treatments including garden beds and lawns; proposed planting design with locations of individual plants at intended spacing and clearly identified species (use of symbols with a legend or direct labelling of plants preferred);
 - a table listing selected species' botanical names, mature height, mature width, pot size and total quantities; and
 - consideration of plantings within 2m of the East Derwent Highway frontage that will achieve the required "no vertical obstruction" as required by the Traffic Impact Assessment prepared by Hubble Traffic and dated June 2024; and
 - estimated cost for the installation of landscape works.

Note: Refer to "Preparing Landscape Plans for Development Applications" pamphlet for further information.

Installed landscape works (soft and hard) will be inspected for adherence to the approved landscape plan and for quality of workmanship. In order for a landscape bond to be released, the works must be deemed satisfactory by Council's Landscape Design Officer. Trade standard will be the minimum quality benchmark that all landscape works will be assessed against.

All landscape works must be maintained:

- in perpetuity by the existing and future owners/occupiers of the property;
- in a healthy state; and
- in accordance with the approved landscape plan.

If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity, as the vegetation which died or which was removed.

13. LAND 3 – LANDSCAPE BOND (COMMERCIAL).
14. GEN C1 – ON-SITE CAR PARKING [15].
15. ENG A5 – SEALED CAR PARKING.
16. ENG M1 – DESIGNS DA [access arrangements, carpark and driveway construction, service upgrades or relocations, stormwater management and flood hazard management in accordance with the recommendations made within section 7.1 of the Flood Hazard Report prepared by AD Design and Consulting].
17. An erosion and sedimentation control plan prepared in accordance with the Derwent Estuary Program Soil and Water Management on Building and Construction Sites document must be submitted and approved by Council's Chief Executive Officer or Delegate prior to the commencement of works /prior to the issue of a certificate of likely compliance (CLC) for building works, (whichever occurs first). All debris /construction materials must be contained within the property. All works must be carried out in compliance with the approved erosion and sediment control plan or to the satisfaction of Council's Chief Executive Officer or Delegate prior to the commencement of works.
18. Vehicular access to the East Derwent Highway must be constructed in accordance with a Department of State Growth's (DSG) Works Permit prior to the commencement of the use and include:
 - The "No Standing" signs proposed on the East Derwent Highway must be modified to "No Stopping" as per relevant Australian Standards.
 - The OUT pavement arrow onto the East Derwent Highway must be a left turn arrow.

Works on, or affecting, the State Road Reservation must not be commenced until the necessary approvals have been obtained by contacting DSG's Approval Section on (03) 6166 3369 or email to permits@stategrowth.tas.gov.au.

Application for permits can be found at:

https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings.

Applications must be received by the DSG at least 20 business days before the expected start date for works, to allow enough time to assess the application.

19. The upgraded accesses (East Derwent Highway and Lowanna Road frontages) must be constructed from the road carriageway to the property boundary in accordance with Standard Drawing TSD-R09 (Urban) (copy available from Council). A works in Road reservation permit must be obtained from Council prior to the works and this access must be inspected by Council's Development Works Officer 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.

20. ENG M8 – EASEMENTS.

21. ENG M8A – SERVICE EASEMENTS.

22. All redundant services must be sealed off prior to the sealing of the final plan of survey for the lot consolidation.

23. All delivery vehicles must enter and exit the site from the East Derwent Highway only.

24. A Construction Management Plan must be submitted and approved by Council's Chief Executive Officer or Delegate prior to the issue of a Building or Plumbing Permit. The plan must outline the proposed demolition and construction practices in relation to:

- proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on-site);
- proposed hours of construction;
- identification of potentially noisy construction phases, such as operation of rock breakers if any;
- control of dust and emissions during working hours;
- access and parking during construction;
- proposed screening of the site and vehicular access points during work; and
- procedures for washing down vehicles, to prevent soil and debris being carried onto the surrounding road network.

The approved plan must be implemented to the satisfaction of Council's Chief Executive Officer or Delegate during construction practices.

25. ENG S1 – INFRASTRUCTURE REPAIR.

26. The development must meet all required Conditions of Approval specified by TasWater notice dated 15 July 2024 (TWDA 2024/00006-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** Cr Hulme **SECONDED** Cr Goyne

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

7.2 PLANNING APPLICATION PDPLANPMTD-2023/039291 – 386 CARELLA STREET, TRANMERE (WITH ACCESS OVER 384 CARELLA STREET, TRANMERE) - FOUR MULTIPLE DWELLINGS**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for four Multiple Dwellings at 386 Carella Street, Tranmere (with access over 384 Carella Street, Tranmere).

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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 21 August 2024.

CONSULTATION

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

- Clarity of documentation;
- Privacy;
- Overshadowing;
- Landscaping and amenity;
- On-site vehicle manoeuvring;
- Retaining walls; and
- Stormwater.

RECOMMENDATION:

- A. That the Planning Application for Four Multiple Dwellings at 386 Carella Street, Tranmere (with access over 384 Carella Street, Tranmere) (Cl Ref PDPLANPMTD-2023/039291) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. Amended plans showing Unit 1 window (1815 AAW) with obscure glazing to a sill height not less than 1.7m, must be submitted to and approved by Council's Head of City Planning prior to the commencement of the use /development. When approved, the plans will form part of the permit.
3. ENG M1 – DESIGNS DA.
4. ENG A5 – SEALED CAR PARKING.
5. ENG S1 – INFRASTRUCTURE REPAIR.
6. ENG M3 – GARBAGE FACILITIES.
7. Works and development are to be undertaken in accordance with the guidelines of the Tasmanian Wetlands and Waterways Works Manual.
8. An erosion and sedimentation control plan, in accordance with the Derwent Estuary Program Soil & Water Management on Building & Construction Sites document, must be submitted and approved by Council's Head of Infrastructure and Natural Assets prior to the commencement of the works /prior to the issue of a certificate of likely compliance (CLC) for building works, (whichever occurs first). All debris /construction materials must be contained within the property. All works must be carried out in compliance with the approved erosion and sediment control plan or to the satisfaction of Council's Head of Infrastructure and Natural Assets prior to the commencement of works.
9. The development must meet all required Conditions of Approval specified by TasWater notice dated 5/07/2024 (TWDA 2023/01407-CCC).

ADVICE

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

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

- 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 23 for Decision on this Item...

PLANNING APPLICATION PDPLANPMTD-2023/039291 – 386 CARELLA STREET, TRANMERE (WITH ACCESS OVER 384 CARELLA STREET, TRANMERE) - FOUR MULTIPLE DWELLINGS /contd...

Decision:

MOVED Cr Hunter **SECONDED** Cr Mulder

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

7.3 PLANNING APPLICATION PDPLANPMTD-2024/042893 – 64A CAMBRIDGE ROAD, BELLERIVE (WITH ACCESS OVER 78 CAMBRIDGE ROAD, BELLERIVE) - MARINA EXPANSION (PLEASURE BOAT FACILITY)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to consider the application made for an expansion of the existing marina at 64A Cambridge Road, Bellerive (including access over 78 Cambridge Road, Bellerive).

RELATION TO PLANNING PROVISIONS

The land is subject to the Kangaroo Bay Particular Purpose Zone and subject to the Coastal Inundation Hazard Code, Flood-prone Hazard Areas Code, Natural Assets Code, Attenuation Code, Potentially Contaminated Land Code and Safeguarding of Airports Code under the Tasmanian Planning Scheme – Clarence (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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 to maintain the integrity of the Planning approval process and to comply with the requirements of the *Judicial Review Act* and the *Local Government (Meeting Procedures) Regulations 2015*.

Council is required to exercise a discretion within the statutory 42-day period which was extended and expires on 21 August 2024.

CONSULTATION

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

- Validity of the application;
- Impacts upon the use and enjoyment of existing moorings;
- Over-expansion of Bellerive Yacht Club's footprint in Kangaroo Bay;
- Reduced car parking for the public;
- Impacts on marine environment; and
- Impacts on safety and accessibility of foreshore trail.

RECOMMENDATION:

A. That the Planning Application for Marina Expansion (Pleasure Boat Facility) at 64A Cambridge Road, Bellerive (with access over 78 Cambridge Road, Bellerive) (Cl Ref PDPLANPMTD-2024/042893) be approved subject to the following conditions and advice:

1. GEN AP1 – ENDORSED PLANS.
2. Prior to the use of any berths in this new pier (Arm C), the following works (as approved under permit D-2018/469) must be completed:
 - Reconfiguration of existing sealed BYC carpark to provide 92 parking spaces and landscaping.

- Completion of the proposed parking area to provide 54 parking spaces, 6 boat trailer carparks and landscaping works to the north of the existing sealed section.
 - Closure of the existing vehicular access from Cambridge Road and replacement and reinstatement with new kerb and footpath.
 - Construction of a retaining wall parallel to Cambridge Road to allow for future provision of an extension to the Cambridge Road footpath width.
3. External lighting for the marina must comply with all the following:
- be turned off between 11.00pm and 6.00am, except for security lighting; and
 - security lighting must be baffled to ensure it does not cause emission of light outside the site.
4. Commercial vehicle movements, (including load and unloading and garbage removal) to or from any area of the site within 50m of a residential zone must be within the hours of:
- 7.00am to 6.00pm Mondays to Fridays inclusive;
 - 9.00am to 5.00pm Saturdays; and
 - 10.00am to 12.00 noon Sundays and Public Holidays.
5. ENG M2 – DESIGNS SD.
6. ENG S1 – INFRASTRUCTURE REPAIR.
7. LAND 1A – LANDSCAPE PLAN.
8. LAND 3 – LANDSCAPE BOND (COMMERCIAL).
9. A plan for the management of construction must be submitted and approved by Council's CEO or Delegate prior to the commencement of each stage. The plan must outline the demolition and construction practices in relation to:
- proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on-site);
 - proposed hours of construction not exceeding the Environmental Management and Pollution Control Act (Noise Regulations) 2016;
 - identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
 - construction parking and temporary displacement of public carparks;
 - alternative arrangements for pedestrian and cycling along the Boardwalk;
 - procedures to washdown vehicles, to prevent soil and debris being carried onto the street;

- control of dust and emissions during working hours;
 - proposed screening of the site and vehicular access points during work; and
 - if contaminants in the soil exceed IB105, disposal is to occur in accordance with the Environmental Protection Authority Information Bulletin No. 105 – Classification and Management of Contaminated Soil for Disposal.
10. An Environmental Management Plan must be submitted to and approved by Council's CEO or Delegate in addition to the Construction Management Plan. The Plan must be in accordance with the recommendations of the report prepared by Marine Solutions Tasmania, Marine Environmental Impact Assessment for a Jetty Replacement at Bellerive Yacht Club, Kangaroo Bay, Tasmania, dated June 2022; and to the satisfaction of Council's CEO or Delegate. At a minimum, the Plan must address or incorporate the following:
- Translocation of marine pests by machinery working on-site, including thorough cleaning protocol for any marine equipment sourced from outside south-east Tasmania.
 - Management of silt disturbance during construction.
 - Methodology to prevent debris from entering the bay during construction.
 - Installation and maintenance of silt fencing (land) on the shoreline prior to construction and earthworks to control sediment discharge into the adjacent river during earthworks and protection of the construction area.
 - Minimisation of seabed sediments, including cutting of piles at the seabed as opposed to extraction.
 - Methodology to prevent debris from entering the bay during construction.
 - Water quality monitoring to be undertaken during piling or other construction within the water beyond the area of the silt curtain directed to monitor any resuspension of sediments.
 - Methodology detailing suitable measures to avoid and/or manage the potential for disturbance of ASS and monitor for impact according to the ASS Guidelines before work commences. The management plan should clearly describe and detail construction techniques, include a risk assessment and describe management and monitoring activities. Specialised ASS dredging guidance is available at: <https://www.waterquality.gov.au/issues/acid-sulfate-soils/dredge-spoil-management>.
 - Marine spill kit and methodology to employ it.
 - Control of stormwater discharge during construction and access to proposed new works for ongoing maintenance and future works (i.e. sediment and debris collection, one-way valve controls for future sea level rise, etc).

- Construction must be confined to calm weather conditions to minimise sediment plume dispersion.
- No placement of excavated material into the adjacent river during construction.

Mitigating acoustic disturbance prior to and during any heavy marine activities (such as pile driving and any activities impacting the seabed):

- All construction activities involving contact with the seabed (pile-driving, mooring removal, and installation) are to be conducted outside of the spotted handfish breeding season, unless follow-up surveys of the development footprint close to the start of the breeding season in 2024 (i.e. prior to but as close as possible to mid-July 2024) do not observe any suitable breeding substrate.
- Each day the immediate area should be scanned for the presence of cetaceans, pinnipeds, turtles, and/or penguins – both on land and in the water. Construction activities must not occur, or must cease, if any listed cetacean and pinniped/turtle/penguin species are known to be present within 500m of construction activities.
- A “soft start” technique should also be used at the beginning of each pile installation day to allow any cetaceans, pinniped, turtle, and/or penguin that may be in the immediate area to avoid the area before noise levels reach full capacity (employing a soft start technique would also benefit other mobile animals (e.g. birds, fish, sharks) which can move away). A slow start should ramp up to full capacity over a 30-minute period.
- The Marine Conservation Program within NRE Tas must be consulted immediately prior to construction activities to determine whether there have been any recent marine mammal sightings in the proposed work area [24hr Whale Hotline on 0427 WHALES (0427 942 537)].
- Occurrences of cetaceans, pinnipeds, turtles, and/or penguins observed during and within 500m of construction activities must be reported to NRE Tas within 24 hours. Reference data should include species name, location-GPS (grid reference GDA94), observer name, date, number of individuals and area occupied.
- To mitigate disturbance to potential resident cetaceans, construction activities such as pile driving, installation of concrete screens and concrete groyne activities be conducted in accordance with marine mammal observers and appropriate shut down procedures for these activities (see SA guidelines at: https://www.dit.sa.gov.au/data/assets/pdf_file/0004/88591/DOC_S_AND_FILES-7139711-v2-DIT_2012_Underwater_Piling_Noise_Guidelines.pdf).
- Prefabrication of elements off-site and delivered to site to minimise site construction times and potential impacts of construction works occurring within the river.

11.

TASWATER – TASWATER CONDITION. The development must meet all required Conditions of Approval specified by TasWater notice, dated 16 June 2024 (TWDA 2024/00661-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 Cr Mulder SECONDED Cr Hunter	
	“That the Recommendation be adopted”.	
	CARRIED	
	FOR	AGAINST
	Cr Blomeley	Cr James (abstained)
	Cr Chong	
	Cr Darko	
	Cr Goyne	
	Cr Hulme	
	Cr Hunter	
	Cr Kennedy	
	Cr Mulder	
	Cr Walker	
	Cr Warren	

Council now concludes its deliberations as a Planning Authority under the Land Use Planning and Approvals Act, 1993.

8. REPORTS OF OFFICERS

8.1 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

Nil Items.

8.2 ASSET MANAGEMENT

Nil Items.

8.3 FINANCIAL MANAGEMENT

Nil Items.

8.4 GOVERNANCE**8.4.1 DERWENT RIVER FERRY EXPANSION – LINDISFARNE SITE OPTIONS****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to inform Council of the results of the recent community consultation survey on the proposal to locate a new ferry terminal in Lindisfarne Bay near the Lindisfarne Sailing Club site, or the alternative location at the end of Natone Street, Lindisfarne.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 is relevant.

LEGISLATIVE REQUIREMENTS

There are no relevant legislative requirements.

CONSULTATION

At Council's meeting on 17 June 2024, Council endorsed consultation with the community on the two site options for a ferry terminal located in Lindisfarne. Community consultation was undertaken between 18 June to 16 July 2024, to gain an understanding of community concerns and support associated with each location, including in relation to traffic and parking. There was a high level of engagement from the immediate community surrounding both sites.

Targeted communication with key stakeholders who would be directly impacted by the ferry terminal was undertaken to encourage them to make a submission.

FINANCIAL IMPLICATIONS

There are no immediate impacts on the current financial year operating budget. While there is no direct investment to be provided by Local Government for the operation of the service, it will be incumbent on the Council to invest in shore-based transport facilities (walkways, cycleways etc) to ensure the ferry service is well connected to existing services and centres. To this end, each council (of the four Greater Hobart Councils) has committed to contribute \$500,000 over a two-year period. No funds have been budgeted in the FY2024/25 financial year.

The Australian Government has provided funding of \$20M to develop infrastructure at key locations to enable the expansion of the ferry service to proceed.

RECOMMENDATION:

That Council:

- A. Notes the results of the recent consultation regarding the two possible sites in Lindisfarne for a new ferry terminal.

- B. Based on the consultation feedback, amends its 17 June 2024 in principle support for Lindisfarne Bay as the preferred site to now provide in principle support for Natone Street to be the preferred site, subject to further engineering, financial and other assessments confirming Natone Street as a viable site for a ferry terminal.
- C. Authorises the Chief Executive Officer to submit the consultation report to the Department of State Growth for consideration and to assist in informing their decision.

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

8.4.2 ELECTOR POLL - AFL/AFLW HIGH PERFORMANCE CENTRE**EXECUTIVE SUMMARY****PURPOSE**

To note the results of the recent Elector Poll conducted by the Tasmanian Electoral Commission on behalf of Council, in relation to the AFL/AFLW High Performance Centre in Rosny Park.

RELATION TO EXISTING POLICY/PLANS

Nil.

LEGISLATIVE REQUIREMENTS

- Section 60A of the Local Government Act, 1993 requires a council to hold an elector poll if certain legislated criteria are met.
- Section 60E of the Act requires council to discuss the result of an elector poll at its next ordinary meeting.

CONSULTATION

- In accordance with section 60E(1) of the Act, Council is required to discuss the result of an elector poll at its next ordinary meeting (following the completion of the poll).
- The Chief Executive Officer is to ensure that the result of the elector poll is published in a newspaper circulating in the municipal area.

FINANCIAL IMPLICATIONS

The estimated cost to conduct the elector poll is in the order of \$150,000 to \$200,000. An allocation was included in Council's recently adopted Annual Estimates. The final figure will be known once the Tasmanian Electoral Commission provides an invoice.

RECOMMENDATION:

That Council notes the results of the Elector Poll contained in the Certificate dated 12 August 2024 and signed by the Tasmanian Electoral Commissioner (Attachment 1 to the Associated Report).

/ Refer to Page 35 for Decision on this Item...

ELECTOR POLL - AFL/AFLW HIGH PERFORMANCE CENTRE /contd...

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

9. MOTIONS ON NOTICE

Nil Items.

10. COUNCILLORS' QUESTION TIME

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

10.1 QUESTIONS ON NOTICE

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

Nil.

10.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

10.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING

Cr Mulder

I have been informed that two regular members of the public have been banned for not always bringing their best selves to council. Mr Mayor:

A Is this correct?

B Is this lawful and what is the head of power?

C Is this not a somewhat draconian response to people who have a passion for politics?

ANSWER

(Chief Executive Officer) I can confirm that is correct, the action was taken by me and the head of power was the Work Health and Safety legislation, as a result of threatening conduct that occurred at the last meeting.

Cr Hulme

Just following up on my previous question which was taken on notice and responded to regarding the Flagstaff Gully Link Road. I am just wondering if there is any indication when we might receive that update in the Weekly Briefing Report on the outcome of the Department of State Growth's investigations, and also the further background on the work council has done previously?

ANSWER

(Head of Infrastructure and Natural Assets) I can have the background information this week. I am still waiting for the information from the Department, but I will see if I can have that information for council.

(Further information) A briefing on the background information has been provided to council. We have not received a formal reply from the Department of State Growth, so we

have written to DSG requesting advice on the outcome of the investigation work they undertook.

Cr James

1. I understand that the Tender for the Skylands Structure Plan has been let and my question is, have all of those landowners in that direct vicinity of the project been contacted in relation to their comments or invited to make submissions?

ANSWER

(Head of City Planning) Yes, the Tender has been let however we are still doing the preliminary work with the appointed consultant in order to set out the engagement plan, timelines, etc and the community engagement will follow as part of the normal program and the method and nature of how that will occur will be part of that.

2. Council spent ratepayers' money on the installation of motor vehicle electric charging stations for senior executive staff at Clarence in their private homes. What was the cost of those installations, and should they decide to leave council would these charging stations be returned to council?

ANSWER

Taken on notice.

(Further information) Home charging stations are provided to council employees who have private use of a council supplied electric vehicle. The average cost to install a charging station is \$6400, which includes the charger, installation by a licensed provider and associated Fringe Benefits Tax. We have currently installed seven chargers into staff residences.

Chargers are installed for the life of the leased vehicle (usually three years) and can then be used for any subsequent electric vehicle, effectively amortising the cost over several years. Operating costs for electric vehicles are significantly lower than conventional fuel vehicles, effectively offsetting the cost of each charger.

Council's vehicle policy does not include a specific provision related to removal of the charger at the end of the employee's employment with council, however, the charger remains the property of the Council, so removal is possible by agreement. Importantly, council would need to assess the cost / benefit of removal, which would depend on the age of the charger, electrician costs, etc before making a decision to remove a charger from a private home and reuse it elsewhere.

Cr Walker

1. It has been publicly reported that after receiving initial results, further geotechnical testing has been sought by the Department of State Growth/AFL in relation to Rosny. With that in mind, as per last meeting, has any communication occurred in any fashion about those initial findings?

ANSWER

(Chief Executive Officer) We have not been advised of any of the findings at this point. I checked in about a week ago about an update but have not heard anything yet.

2. On 8 July, Council unanimously supported a Cr Kennedy's bullying motion and I note a group press conference was held the next day which included six councillors who all spoke while another councillor who did not attend was informed of the event. Was the reason I was not invited or notified of the event because I was the only councillor on the night with a different view on the Rosny parkland not being used for a High Performance Centre, or was it some other matter?

ANSWER

(Mayor) I don't believe that is the case Cr Walker.

Cr Goyne

1. On Friday I was involved in a rather confronting incident at a local business where a group of "eshays" proceeded to act quite violently and we and other families had to hide on the premises. I believe in 2023 Tas Police set up a youth task force designed to tackle anti-social behaviour specifically in the Clarence area. Do we have a working relationship with the police in regard to this matter and how does Council interact with this taskforce and what will be any future progress in this area?

ANSWER

(Mayor) The Chief Executive Officer, myself and other senior staff regularly meet with Inspector Keane and in his absence, his team.

(Chief Executive Officer) We have regular updates with Inspector Keane and as you are aware we have periodically run programs with Tas Police and other entities in regard to crime and other safety issues within the City. It remains the case that the best initial action anyone caught up in an incident that you have described, is to call the police and ask for assistance straight away because that will be the best way to get an immediate response. But that doesn't take away from programs we run and seek to raise awareness with these issues.

2. The distillery on Richmond Road [McGuire's] is according to the plans supposed to be charcoal grey in colour. It is still apparently a very pale grey, and the warehouses seem to be being used. Could we have an update on when they will be in accordance with the plans?

ANSWER

Taken on Notice.

(Further information) The distillery buildings are currently being constructed. The original permit was issued in May 2022 and several minor amendments have been approved since that time. The proposal incorporates a variety of external finishes and colours. Council officers are following up with the applicant to ensure that the development proceeds in accordance with the approved plans.

Cr Chong

1. An amount was allocated in the budget for planning of a footpath out to the caravan park on Middle Tea Tree Road, do we have a timeframe?

ANSWER

Taken on notice.

(Further information) Design of a footpath connection along Middle Tea Tree Road (between Colebrook Road and the Richmond Caravan Park) was funded in the 2024/25 Roads Capital program. This project is currently flagged for design by external designers. A design brief is currently being prepared and it is anticipated an external civil designer will be engaged to commence work during Q2. It is anticipated the design work will be completed in Q3 2024/25.

2. Issues are regularly raised about the state of Middle Tea Tree Road. It is used by heavy trucks frequently and the damage those trucks do travelling along the road, particularly from people who live at the caravan park and walk along that side of the road. Could we write to the Department of State Growth asking them to consider reducing the speed limit and/or the weight limit?

ANSWER

(Head of Infrastructure and Natural Assets) Our roads engineers are looking at doing a speed review across a number of our roads and we are working with the Department of State Growth on how we would approach that. Our roads team are reviewing the criteria and which roads it would apply to. The Chief Executive Officer and I will review that information and then bring it to a council workshop. Middle Tea Tree Road is one of the roads we are considering but it will take us a few more months to develop.

10.4 QUESTIONS WITHOUT NOTICE

A Councillor may ask a Question without Notice of the Chairman or another Councillor or the Chief Executive Officer. Note: the Chairman may refuse to accept a Question without Notice if it does not relate to the activities of the Council. A person who is asked a Question without Notice may decline to answer the question.

Questions without notice and their answers will be recorded in the following Agenda.

The Chairman may refuse to accept a question if it does not relate to Council's activities.

The Chairman may require a question without notice to be put in writing. The Chairman, a Councillor or the Chief Executive Officer may decline to answer a question without notice.

11. CLOSED MEETING

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

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

11.1 APPLICATIONS FOR LEAVE OF ABSENCE

11.2 TENDER T1472-22 BACKHOUSE LANE, CAMBRIDGE – ROAD RECONSTRUCTION

11.3 CONFIDENTIAL CONTRACTUAL MATTER

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

- applications by Councillors for a Leave of Absence;
- contracts and tenders for the supply of goods and services;
- commercial information that, if disclosed, would confer a competitive advantage on a competitor of council.

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

Decision:	PROCEDURAL MOTION MOVED Cr Warren SECONDED Cr Goyne “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	
	FOR Cr Blomeley Cr Chong Cr Darko Cr Goyne Cr Hulme Cr Hunter Cr Kennedy Cr Mulder Cr Walker Cr Warren	AGAINST Cr James (abstained)

The Meeting closed at 9.08pm.

CLOSED MEETING /contd...

The following Closed Meeting Motions have been authorised by Council for publication in the public Minutes.

11.2 TENDER T1472-22 BACKHOUSE LANE, CAMBRIDGE – ROAD RECONSTRUCTION**Decision:****MOVED** Cr Warren **SECONDED** Cr Chong

- “A. That the Tender received from RCCC Civil Contracting Pty Ltd for the amount of \$1,494,436.80, excluding GST, be accepted for the Backhouse Lane, Cambridge – Road Reconstruction.
- B. That, in accordance with Regulation 34(3) of the Local Government (Meeting Procedures) Regulations 2015, Council authorises for release of the Council’s decision (only) in respect to this item to the general public via the open minutes of this meeting and for communication to relevant parties.”

CARRIED UNANIMOUSLY