

The Mayor will open the meeting with the council prayer and make 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 to advise 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.

There is a link to the agenda papers on council’s website.

**COUNCIL MEETING**  
**MONDAY 28 FEBRUARY 2022**

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**BUSINESS TO BE CONDUCTED AT THIS MEETING IS TO BE CONDUCTED IN THE ORDER IN WHICH IT IS SET OUT IN THIS AGENDA UNLESS THE COUNCIL BY ABSOLUTE MAJORITY DETERMINES OTHERWISE**

**COUNCIL MEETINGS, NOT INCLUDING CLOSED MEETING, ARE AUDIO-VISUALLY RECORDED AND PUBLISHED TO COUNCIL'S WEBSITE**

**1. APOLOGIES****2. 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.

**3. OMNIBUS ITEMS****3.1 CONFIRMATION OF MINUTES****RECOMMENDATION:**

That the Minutes of the Council Meeting held on 7 February 2022, as circulated, be taken as read and confirmed.

**3.2 MAYOR'S COMMUNICATION**

### 3.3 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
Confidential Land Matter – Howrah LGAT Motions 2022/2023 Budget	15 February
Greater Hobart Metro Plan Update Confidential Briefing – Rosny Hill Lease Budget 2022/2023 – Performance Budget Survey Results Workforce Behaviour Report LGAT Motions	21 February

#### RECOMMENDATION:

That Council notes the workshops conducted.

### 3.4. TABLING OF PETITIONS

(Note: Petitions received by Aldermen are to be forwarded to the General Manager within seven days after receiving the petition).

Petitions are not to be tabled if they do not comply with Section 57(2) of the Local Government Act, or are defamatory, or the proposed actions are unlawful.

### **3.5 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.

### **3.6 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**

The Copping Refuse Disposal Site Joint Authority has distributed its Quarterly Summary of its Meetings for the period ending 21 February 2022 (refer Attachment 1).

The Copping Refuse Disposal Site Joint Authority has also distributed its Quarterly Report for the period ending 31 December 2021.

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

**Representative Reporting**

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**



## Copping Refuse Disposal Site Joint Authority

21 February 2022

Mr Ian Nelson  
General Manager  
Clarence City Council  
PO Box 96  
ROSNY PARK 7018

Mr Robert Higgins  
General Manager  
Sorell Council  
P O Box 126  
SORELL 7072

Mr Gary Arnold  
General Manager  
Kingborough Council  
Locked Bag 1  
KINGSTON 7050

Ms Kim Hossack  
General Manager  
Tasman Council  
1713 Main Road  
NUBEENA 7184

Dear General Manager

### **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY REPORT: December 2021 Quarter**

Participating Councils and the Director, Local Government agreed to establish consistent reporting arrangements for the Authority. The following advice regarding matters discussed at recent Authority and Board meetings is now provided for inclusion in your routine report to your Council.

#### **Authority meeting held on 20 January 2022**

The Authority convened an out of schedule meeting to consider the Authority's commitment to the capital cost of a prospective composting project. This was needed to support a submission to the State Government's Expression of Interest process for grant funding toward the establishment of composting processing facilities in Southern Tasmania as part of its election commitment.

#### **Authority meeting held on 10 February 2022**

Material matters addressed in the open meeting:

- Endorsed the December 2021 Quarterly Report (attached) for distribution to participating councils
- Approved repayment of Clarence City Council's overpaid Gate Fee for \$191,319.91 for the period from October – December 2021
- Received a presentation from Dr Kathy Meney, Syrinx, on the outcomes of the wetlands trial project at Copping
- Rescheduled the site visit to Copping to coincide with the Authority meeting on 12 May 2022
- An update on activities of the Boards of Southern Waste Solutions and C Cell Pty Ltd provided by Board Chair, Dr Christine Mucha. Of note, this included:
  - the status of the Composting Project EOI process,
  - progress of the recruitment process for the new Chief Executive Officer
  - status of leachate management at Copping

- the need for Landowner Councils to formally approve an application for a mining licence, and to agree to forego royalties, so that development application for Stage 1B at Copping can proceed.
- Acknowledged the need for Participating Councils to move to a more commercial level of gate fees in the near future.
- No matters were considered in closed meeting.

**Matters considered by the Boards of Southern Waste Solutions and C Cell Pty Ltd as Trustee**

Summaries of the material matters considered by both Boards are attached.

Note: As minutes of meetings of the Southern Waste Solutions Board and C Cell Pty Ltd Board are commercial in confidence, it is requested that these be held on file for perusal by Aldermen / Councillors but not tabled at Council meetings.

Yours sincerely



Carolyn Pillans  
**Secretary**

**Attachment 1: Quarterly Report to the Authority December 2021**

**Attachment 2: Summary of SWS Board meetings**

**Attachment 3: Summary of C Cell Board meetings**



**3.7 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES****BICYCLE ADVISORY COMMITTEE – QUARTERLY REPORT****Chairperson's Report – Alderman D Ewington**

Report to Council for the 3-month period, 1 October 2021 to 31 December 2021.

**1. PRINCIPAL OBJECTIVES AND GOALS**

The Committee's prime objectives are to:

- advise Council on the identification, development and maintenance of cycling routes and infrastructure along roads and other easements throughout the City;
- facilitate and provide guidance for the implementation of Council's adopted Bicycle Strategy;
- be actively involved in providing design advice relating to cycling infrastructure projects undertaken by Council;
- be actively involved in providing advice to Cycling South on matters relating to regional cycling infrastructure; and
- promote information sharing of cycling related matters affecting the City.

In working towards these goals, the Committee arranged and implemented a range of activities, which are set out below.

**2. CAPITAL WORKS PROJECTS****Clarence Foreshore Trail – Montagu Bay to Rosny College**

Works are now complete on the upgraded 2.5m pathway between Montagu Bay and Seabird Lane. A section of path south of Heskett Court to Rosny Point remains to be upgraded when further funding is available.

**Clarence Foreshore Trail – Simmons Park to Anzac Park, Lindisfarne**

Funds were allocated for the 2020-2021 capital budget to extend the Lindisfarne Clarence Foreshore Trail from the Yacht Club through to Anzac Park. Construction has been staged with the first section commenced in February 2021. The majority of works have been completed east of Wellington Road with fencing, some resealing of driveways and other minor works to be completed in the New Year.

**Multi-user Pathway – Rokeby to Lauderdale**

Council has grant funds for a path along the northern side of South Arm Road from Horsham Road to Oakdowns Parade. Design is complete and State Growth approvals are being finalised for construction to commence in early 2022. Concept design for a gravel path is underway for extension of the path through to Acton Road (ahead of any works by the Department of State Growth as part of the Rokeby Bypass project).

**3. RECURRENT INITIATIVES**

Nil.

**4. DESIGN AND INVESTIGATION WORK IN PROGRESS****Clarence Foreshore Trail**

Design work is continuing for the upgrade of the Clarence Foreshore Trail between Montagu Bay and Rosny College.

**Clarence Street/Cambridge Road Intersection Upgrade**

A consultant is currently completing detailed design to allow for pedestrian crossings on all three sides of the signalised intersection. This project will result in connectivity benefits for pedestrians and cyclists.

The following projects have been funded for design in 2021-2022:

- Review of Bike Strategy and Action Plan.
- Improved directional signage, particularly for the Tasman Bridge connections and preferred routes. Also signs for the bike lanes painted on Cambridge Road, Mornington.
- Short section of new path to bypass the bus stop and connect under the pedestrian overpass ramps on the Tasman Highway at Rose Bay. This is not straightforward as the vertical clearance will be tight and there are significant services nearby.
- Safety improvements on Howrah Road and Tranmere Road from Cleve Court to Foreshore Trail and to Clarence Street.

## **5. GOVERNANCE MATTERS**

### **Committee Meeting**

The Committee held two meetings during the quarter on 4 October 2021 and 6 December 2021.

### **Committee Membership**

The Committee is also seeking new members as per the Committee Constitution. The Committee is looking to recruit a member from Council's DDA Committee and Clarence High School has been approached regarding potential student representation.

## **6. EXTERNAL LIAISON**

The Department of State Growth has appointed a consultant to deliver the Mornington Traffic Solution Study – investigating the area around the Mornington interchange and roundabout and to prepare designs.

The Department of State Growth has appointed a consultant to deliver the Clarence Transport Network Operating Framework – to develop a framework to support and balance the needs of all road users across the transport network, considering the needs of both movement and place.

### **RECOMMENDATION:**

That the Chairperson's Report be received by council.

Attachments: Nil.

Alderman Dean Ewington  
**CHAIRPERSON**

**TRACKS AND TRAILS ADVISORY COMMITTEE – QUARTERLY REPORT****Chairperson's Report –Alderman D Ewington**

Report to Council for the three-month period for 1 October 2021 to 31 December 2021.

**1. PRINCIPAL OBJECTIVES AND GOALS**

The Committee's principal objectives are to:

- provide advice and make recommendations, including policy, to assist Council in the development of tracks and trails in the City;
- assist in the development and periodic review of Council's Tracks and Trails Strategy;
- develop and maintain a Tracks and Trails Register which captures all existing and possible future trail and track networks (including multi-user pathways) in Clarence;
- develop and review (on a rolling basis) the Tracks and Trails Action Plan for endorsement by Council that articulates the development initiatives prioritised and proposed to be conducted over a 5-year programme which recognises the access and needs of all users e.g.: walkers, horse riders, mountain bikers, etc;
- monitor progress and work to address the actions of the plan according to their level of priority;
- as part of internal referral processes to provide input and advice on the provision and requirements for trail networks and the provision of trail linkages as part of new subdivisions.

In working towards these goals, the Committee undertook a range of activities, which are set out below.

**2. CAPITAL WORKS PROJECTS****Meehan Range Tracks - Hobbit Loop**

The 250m circuit which caters for young children on small wheeled bikes was constructed next to the carpark of the Clarence Mountain Bike Park.

### **Tangara Trail – Mortimer Bay**

A new bypass track was constructed adjacent to the southern carpark, so users don't need to traverse the carpark.



### **Clarence Kayak Trail**

A kayak washdown has been installed at Bellerive Beach Park.



### **Clarence MTB Park Track Upgrades**

The XC loop has been realigned with a new starting point and easier grades to make it more accessible to beginner riders. The Corkscrew Track (pictured) was extended to the main trail hub area by the railway abutment.



**Clarence Foreshore Trail – Bellerive Bluff – upgraded lookout****3. RECURRENT INITIATIVES – MAINTENANCE****Tangara Trail – Sandville Track**

The track has been cleared and drainage work done to minimise damage after rain.

**Tangara Trail – Clear Lagoon Track at Forest Hill Road**

The entry points at either end of Forest Hill Road have been gravelled to guide users off the roadway and onto the track. A new culvert has been installed at Farnaby Place for crossing the drain. It will be completed shortly (Photos – before and after).





### **Tangara Trail – Seven Mile Beach Road**

As the track is used by people accessing bus stops and pushing prams the surface has been gravelled and realigned along the fence line. With new subdivisions in the area and more people walking in the area, there were a number of complaints received about the condition of the track (Photos – before and after).



### **Single Hill Illegal Mountain Bike Track**

Local children started constructing a track on the north face of Single Hill which created a visible scar on the landscape, was unsustainable and subject to erosion. The area was rehabilitated. During the school holidays a session was organised with local children on sustainable track building to divert their energy to a more suitable location at the Wallaby Tracks on the south side of Single Hill.



**DESIGN AND INVESTIGATION WORK IN PROGRESS****Meehan Range Emergency Access Points**

Emergency services has invited multiple stakeholders to be part of the development of an Emergency Access Plan for the Meehan Range, including Council officers.

**Clarence Coastal Trail – Mays Point**

The Minor Amendment to allow the coastal reserve to be transferred to Council as part of a subdivision has been approved and the Title is expected to be submitted shortly. Once the public open space comes over to Council, the steps onto Mays Beach will be repaired.

**Clarence Mountain Bike Park**

Planning is underway for track network improvements and additional amenities including a picnic shelter. Consultation was undertaken in October 2021 for the XC loop improvements and relocation of dirt jumps. Preliminary investigation has been done to look at a jumps line from the start of Smooth as Butter to the skills park. A funding application submitted to the Building Better Regions Fund has been successful.

**4. GOVERNANCE MATTERS.**

Two committee meetings were held on 14 October 2021 and 16 December 2021.

**5. EXTERNAL LIAISON**

Tranmere & Clarence Plains Landcare and Coastcare Group (TACPLACI) – Clarence Plains Historic Trail regarding updating the Old Rokeby Historic Trail.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

Attachments: Nil.

Alderman D Ewington  
**CHAIRPERSON**



**NATURAL RESOURCE MANAGEMENT – QUARTERLY REPORT****Chairperson's Report – Alderman Beth Warren**

Report to Council for the three-month period 1 October to 31 December 2021.

**1. PRINCIPAL OBJECTIVES AND GOALS**

The Committee's principal objectives are to:

- advise Council on the strategic planning and management of bushland and coastal reserves and parks throughout the City;
- provide advice on Council's Reserve Activity Plans and Catchment Management Plans in the context of the "Clarence Bushland and Coastal Strategy";
- administer, in conjunction with Council, the Land and Coast Care Grants Program;
- facilitate and provide guidance for the implementation of Council's adopted "Clarence Bushland and Coastal Strategy"; and
- promote information sharing of natural resource related matters affecting the City.

In working towards these goals, the Committee, in conjunction with Council's Natural Assets Officer, implemented a range of activities, which are set out below.

**2. CAPITAL WORKS PROJECTS****Glebe Hill Bushland Reserve Entrance Landscaping**

Landscaping works at all entrances has been done at Glebe Hill Bushland Reserve. Some additional planting and mulching will occur in Autumn to complete the project.

**Montagu Bay to Rosny Concrete Path Upgrade Landscaping**

Contractors have been engaged to landscape path verges, post concrete path upgrade, between Hesket Court and the Montagu Bay Boat Shed. Jute mesh is initially installed to reduce erosion before the addition of gum bark mulch and native coastal plants.

### **Natone Hill Entrance Landscaping**

Dry mudstone walls have been installed at the entrances to Natone Hill at Nubeena Street (see **Figure 1**) and Tianna Road, Lindisfarne.



**Figure 1** – Entrance Landscaping at Nubeena Street, Lindisfarne

## **3. RECURRENT INITIATIVES**

### **Development of Natural Area Reserve Activity Plans (RAP) & NRM Planning**

The below dot points summarise natural area planning outcomes for the quarter.

- Stage 2 community consultation is now complete for the Draft Glebe Hill Bushland RAP. A draft Council Agenda report will be finalised once a set of criteria to assess the sensitivity to the impacts of dogs on the reserve's natural values is endorsed by Council in accord with the newly adopted Dog Management Policy.
- Stage 1 community consultation for the Carbeen Bushland RAP has been completed. A Draft RAP has been established and awaiting an opportunity to begin Stage 2 consultation.
- Following the adoption of the Coastal Hazards Policy in 2021, Council have engaged Water Research Laboratory from the University of New South Wales to develop Coastal Management Plans for Pipeclay Lagoon and Roches Beach. Consultation is currently underway.

- To inform the draft Pipe Clay Lagoon Coastal Management Plan sensitive instruments which monitor tidal regime in Pipe Clay Lagoon have been installed.
- The Clarence Tree Policy (Trees on Council Owned or Managed Land) 2021 was adopted by Council.
- Prescribed burns in accordance with current Clarence Bushfire Management Strategy have been completed, with additional burns scheduled for Autumn 2022, when weather conditions become more favourable. Fire breaks, fire trails and other manual fuel reduction work has continued, often requiring a repetition of work due to the exceptional level of vegetation growth this season.
- Quotations are being sought for the review of the existing Clarence Bushfire Management Strategy (for Council owned and controlled land) 2016 – 2022.

### **Natural Area Works**

The below dot points summarise works achieved in Clarence's natural areas.

- Reserve Maintenance works (brush cutting, weed control, rubbish removal and general tidy up work) have been administered at North Warrane Bushland Reserve, Waverley Flora Park, Old Lauderdale Tip, Racecourse Flats, Rosny/Montagu Bay Coastal Reserve, Otago Bay Coastal Reserve, Pilchers Hill Bushland Reserve, Thoona Bushland Reserve, Tranmere Coastal Reserve, Seven Mile Beach Coastal Reserve, Kangaroo Bay Rivulet, Barilla Rivulet and Glebe Hill Bushland Reserve.
- Gravel pathways that were “washed out” by strong storm events during the quarter have been repaired at Sandford, Barilla Rivulet and Tranmere.

### Priority Weed Management

The below dot points summarise priority weed management for the quarter.

- Chilean needlegrass (*Nassella neesiana* priority 1 weed) and Texas needlegrass (*Nassella leucotricha* priority 1 weed) spring and early summer monitoring and control was undertaken at all known locations on Council-managed land as per the annual works program for needlegrasses. The works program included re-visiting all known infestations and chipping out seeding plants or spot-spraying individual plants to prevent seeding.
- A new population of Chilean needle grass was discovered at the old Lauderdale Tip site in November with extensive mapping and knockdown control by contractors being implemented in December.
- Serrated tussock (*Nassella trichotoma* priority 4 weed) spring and early summer monitoring and follow-up was undertaken across affected bushland reserves and roadsides with a focus on Acton Park, Mt Rumney, Cambridge, Dulcot, Rokeby, Sandford, Roches Beach, Seven Mile Beach, Single Hill, Cremorne, South Arm and Lauderdale.
- St John's wort (*Hypericum perforatum* Priority 1 weed) annual control program commenced in December at all known locations including Risdon Vale, Sandford and Rosny Park. Follow-up control is scheduled for January and February 2022.
- Mediterranean daisy (*Urospermum dalechampii* Priority 1 weed) annual control program was undertaken at all known locations including Rosny Foreshore Reserve, Tranmere Foreshore Reserve, Dorans Road Sandford and Mortimer Bay Coastal Reserve.
- Patersons curse (*Echium plantagianeum* Priority 3 weed) annual control program was undertaken at known locations including Risdon Vale, Lindisfarne, Otago, Cambridge, Opossum Bay and South Arm.

**Volunteer Support**

The below dot points summarise volunteer support for the quarter.

- Council's Landcare and Coastcare grants received 13 applications from community groups, with the requested amount of funding totalling \$35,755. The NRM Committee assessed and approved all submitted applications.
- Landcare Tasmania, through grant funding and logistical support from Council, have delivered four trainings for landcare/coastcare volunteers in this reporting period; bird identification and monitoring; citizen science; seed propagation and community action planning.
- Following a Council review of herbicide use by volunteers, Vigilant II was recommended as a replacement to glyphosate. Two trainings were delivered by Council officers in October and November 2021 in the safe use of Vigilant II, attended by 15 volunteers representing 12 landcare/coastcare groups.
- Council provided financial assistance to support six landcare/coastcare volunteers to attend the State Landcare Conference in October.
- A marine debris clean-up day was undertaken by Friends School together with Conservation Volunteers Australia, collecting 40kg of rubbish from Seven Mile Beach and Bellerive Beach.
- Eight landcare/coastcare groups have committed to Council's Community Clean Up Program and will undertake a specified number of volunteer hours cleaning up rubbish in addition to registering for a Clean Up Australia Day event in March 2022.
- Several working bees and annual general meetings have been undertaken by Landcare and Coastcare groups throughout the Clarence region.
- The Natural Areas Volunteer Coordinator resigned from the role and recruitment has commenced to re-fill the position.

**Climate Change Initiatives**

The below dot point summarises climate change initiatives for the quarter.

- Solar energy is now being generated at the Council Works Depot at Mornington and at the Lindisfarne Community Activity Centre. A 20 kilowatt solar photovoltaic system was commissioned at the depot and a 6 kilowatt system at the Lindisfarne Community Activity Centre in October 2021. This adds to the 100 kilowatt solar photovoltaic system operating since September 2017 at the Clarence Aquatic Centre.

**4. GOVERNANCE MATTERS**

The NRM & Grants Committee met on Thursday 9 of December 2021. The next meeting is to be advised.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

Attachments: Nil.

Alderman Beth Warren  
**CHAIRPERSON**

**SPORT AND RECREATION ADVISORY COMMITTEE – QUARTERLY REPORT****Chairperson's Report –Alderman D Ewington**

Report to Council for the three-month period for 1 October 2021 to 31 December 2021.

**1. PRINCIPAL OBJECTIVES AND GOALS**

The Committee's principal objectives are to:

- provide advice and input to Council relevant to sport and recreation within the municipality and in accordance with the strategies outlined in Council's Strategic Plan and the Recreation Needs Analysis 2019;
- advise Council on significant developments, projects and/or infrastructure requirements for community level sport and recreation;
- provide assistance and support to sport and recreation clubs in relation to grant submissions and development applications; and
- promote shared facility provision and investment through strategic partnerships with local clubs, peak bodies and state agencies.

In working towards these goals, the Committee undertook a range of activities, which are set out below.

**2. STRATEGIC ITEMS****Sport and Recreation Strategy**

The committee has been actively involved in the preparation of a city-wide Sport and Recreation Strategy. This has included providing technical advice to the project manager, identify key focus areas and objectives for the strategy and further review of the draft strategy. The draft Sport and Recreation Strategy is due to go to Council seeking approval to commence broader community consultation during the first half of 2022.

**3. CAPITAL WORKS PROJECTS****Blossom Crescent Play Park**

Council accepted the tender for construction of a new community playground at Blossom Crescent Play Park. Works are programmed to be completed during the first half of 2022.

**Lindisfarne No. 1 Oval – Drainage and Irrigation**

Tender documents prepared for replacement and upgrade of the irrigation and drainage at Lindisfarne No. 1 Oval. Tender to be advertised in February with works anticipated to be completed over the winter season.

**ANZAC Park Pavillion**

Design drawings are nearing completion, with a review currently underway prior to submitting a development application for the new pavilion to service both cricket and football at ANZAC park.

**4. MASTER PLANNING****Bayview Secondary Master Plan**

At the October Council meeting, the final Bayview Secondary College master plan was endorsed. In addition, Council provided authorisation to develop a feasibility study/business case to support the master plan to attract further investment for the proposed development.

**Cambridge Memorial Oval Master Plan**

Planning has commenced for the preparation of a master plan for the Cambridge Memorial Oval precinct. The plan will consider the future development for Cambridge Primary School and preferred use of the sporting surfaces for community level sport and recreation. Targeted stakeholder consultation has commenced with local users/clubs and adjoining landowners to the precinct.

**Victoria Esplanade Master Plan**

Council commenced master planning for Victoria Esplanade to Queen Street (Bellerive). The plan will focus on enhancing the coastal landscape and streetscape of Bellerive village. The Draft master plan is to be prepared in the coming months for further comment.



**5. GRANTS**

**Improving the Playing Field – Communities, Sport and Recreation**

Council made application to Round 2 of Improving the Playing Field, to seek funding for construction of a new pavilion at Clarendon Vale Oval and upgrade the field lighting at Risdon Vale Oval. Council will be advised of the outcome of the grant applications late February 2022.

**6. GOVERNANCE MATTERS.**

Three committee meetings were held on 27 October, 17 November and 15 December 2021.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

Attachments: Nil.

Alderman D Ewington  
**CHAIRPERSON**

### **3.8 WEEKLY BRIEFING REPORTS**

The Weekly Briefing Reports of 7, 14 and 21 February 2022 have been circulated to Aldermen.

#### **RECOMMENDATION:**

That the information contained in the Weekly Briefing Reports of 7, 14 and 21 February 2022 be noted.

**4. 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.

**4.1 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.

Nil.

**4.2 ANSWERS TO QUESTIONS ON NOTICE**

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

Nil.

**4.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil.

**4.4 QUESTIONS WITHOUT NOTICE**

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

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

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

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

## **5. 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)

<b>6</b>	<b>PLANNING AUTHORITY MATTERS</b>
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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:

**6.1 DEVELOPMENT APPLICATION PDPLANPMTD-2021/024188 – 49  
CAMBRIDGE ROAD, BELLERIVE - 1 LOT SUBDIVISION****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 1 lot Subdivision at 49 Cambridge Road, Bellerive.

**RELATION TO PLANNING PROVISIONS**

The land is zoned General Residential and subject to 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 was extended with the consent of the applicant until 1 March 2022.

**CONSULTATION**

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

- Existing outbuildings
- Fencing
- Non-compliance with Scheme
- Impact on services
- Development incompatible with surrounding area
- Loss of amenity
- Increase in traffic
- Site coverage non-compliant
- Potential conflict of interest.

**RECOMMENDATION:**

A. That the Development Application for a 1 Lot Subdivision at 49 Cambridge Road, Bellerive (Cl Ref PDPLANPMTD-2021/024188) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. Prior to the sealing of the Final Plan, the western most outbuilding on Lot 2, adjacent to the dwelling on Lot 1, must be demolished.
3. ENG M2 – DESIGNS SD.
4. ENG S1 – INFRASTRUCTURE REPAIR.

5. ENG S4 – STORMWATER CONNECTION.
  6. GEN POS 1 – POS CONTRIBUTION [5%] [Lot 2].
  7. The development must meet all required Conditions of Approval specified by TasWater notice dated 7 December 2021 (TWDA 2021/02106-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.

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## **ASSOCIATED REPORT**

### **1. BACKGROUND**

The most recent permit issued for the site is for a dwelling addition (B-1982/300).

### **2. STATUTORY IMPLICATIONS**

- 2.1.** The land is zoned General Residential under the Scheme.
- 2.2.** The proposal is discretionary because it does not meet certain Acceptable Solutions under the Scheme.
- 2.3.** The relevant parts of the Planning Scheme are:
  - Section 5.6 – Compliance with Applicable Standards
  - Section 6.10 – Determining Applications
  - Section 8.0 – General Residential Zone
  - Section C3.0 – Road and Railway Assets Code
  - Section E6.0 – Parking and Sustainable Access Code
  - Section E16.0 – Safeguarding of Airports Code.
- 2.4.** Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the *Land Use Planning and Approvals Act, 1993* (LUPAA).

### **3. PROPOSAL IN DETAIL**

#### **3.1. The Site**

The site is a 673m<sup>2</sup> residential property located on the corner of Cambridge Road and York Street. The site contains a dwelling and outbuildings and has two vehicular accesses from York Street.

The site is adjoined by residential properties on its eastern and southern boundary. To the north is a church and to the west is the Bellerive Yacht Club.

#### **3.2. The Proposal**

The proposal is for a 1 lot subdivision resulting in a 454m<sup>2</sup> lot (Lot 1) containing the existing dwelling and a 219m<sup>2</sup> lot (Lot 2) which will contain one of the existing outbuildings. The second, larger outbuilding is to be removed. Each lot is accessed via an existing access from York Street.

The applicant has confirmed that the existing outbuilding, constructed within the last two years, will be demolished to facilitate the subdivision. The smaller of the outbuildings, located in the south-eastern corner of the site will remain.

The proposal includes indicative plans of a two-storey dwelling which are only submitted for the purposes of demonstrating how the lot can be developed in accordance with the standards of the Scheme. The indicative dwelling plans meet all relevant Acceptable Solutions including setbacks, height, privacy and provision of private open space and car parking.

As the indicative dwelling on this lot does not require a planning permit, it does not form part of the application.

### **4. PLANNING ASSESSMENT**

#### **4.1. Compliance with Applicable Standards [Section 5.6]**

*“5.6.1 A use or development must comply with each applicable standard in the State Planning Provisions and the Local Provisions Schedules.”*



**4.2. Determining Applications [Section 6.10]**

*“6.10.1 In determining an application for any permit for use or development the planning authority must, in addition to the matters required by section 51(2) of the Act, take into consideration:*

- (a) all applicable standards and requirements in this planning scheme; and*
- (b) any representations received pursuant to and in conformity with section 57(5) of the Act, but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.”*

References to these principles are contained in the discussion below.

**4.3. General Provisions**

The Scheme contains a range of General Provisions relating to specific circumstances not controlled through the application of Zone, Code or Specific Area Plan provisions.

There are no General Provisions relevant to the assessment of this proposal.

**4.4. Compliance with Zone and Codes**

The proposal meets the Scheme’s relevant Acceptable Solutions of the General Residential Zone and Road and Railway Assets Code with the exception of the following.

**General Residential Zone**

- **Clause 8.6.1 A1** – Proposed Lot 2 has an area of 219m<sup>2</sup> which is less than the minimum size allowed by the Acceptable Solution of 450m<sup>2</sup>.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause 8.6.1 as follows.

<b>Clause</b>	<b>Performance Criteria</b>	<b>Assessment</b>
8.6.1 P1	<p><i>“Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</i></p> <p><i>(a) the relevant requirements for development of buildings on the lots;</i></p>	<p>There is no specific minimum lot size when the performance criteria assessment is applied. Instead, the appropriateness of the proposed lot size is determined by the site’s suitability for development.</p> <p>The applicant has provided indicative plans for a 3-bedroom dwelling that comply with all development standards of the zone, including setbacks, heights and provision of private open space and parking. Accordingly, it has been demonstrated that the size of the lot is sufficient to enable a residential development.</p>
	<i>(b) the intended location of buildings on the lots;</i>	As above.
	<i>(c) the topography of the site;</i>	The site is generally flat and does not restrict a future residential development on Lot 2.
	<i>(d) the presence of any natural hazards;</i>	Not applicable.
	<i>(e) adequate provision of private open space; and</i>	The indicative plans provided show an area of private open space which meets the minimum requirements of the zone. This demonstrates that adequate provision can be made for private open space.
	<i>(f) the pattern of development existing on established properties in the area.”</i>	The surrounding area is generally residential with the majority of the lots within the immediate area being between 500m <sup>2</sup> and 900m <sup>2</sup> in area and containing single dwellings and associated outbuildings.

		<p>Dwellings have a relatively substantial setback from the street and car parking is generally provided off street, in driveways, carports or garages.</p> <p>There are varying range of densities existing in the area with medium density multiple dwelling developments located to the north in Alma Street and to the south in Clarence Street</p> <p>When considering the pattern of development in the area, it is beneficial to consider the type of development that is allowable on the site. The size of the lot provides that multiple dwellings are a permitted use as it meets the Acceptable Solution for density of 1 dwelling per 325m<sup>2</sup>.</p> <p>Additionally, a secondary dwelling would be a “no permit required” development on the site if all relevant standards are met.</p> <p>Regardless of whether the lot obtains approval for a subdivision or a permitted multiple dwelling application, the form of development on the lot will appear the same when viewed from the street. On this basis, the development will not be inconsistent with the pattern of development in the area when taking into consideration the “no permit required” and “permitted” developments that can occur on the subject and surrounding lots.</p> <p>It is considered that the proposal meets the objective of the standard as it has been demonstrated that the lot can be developed appropriately for residential use.</p>
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## **5. REPRESENTATION ISSUES**

The proposal was advertised in accordance with statutory requirements and five representations were received. The following issues were raised by the representors.

### **5.1. Existing Outbuildings**

Concern was raised that it is unclear whether the sheds are being demolished as part of the subdivision application and also raised concern that the extension to the outbuilding may not have approval.

- **Comment**

The applicant has confirmed that the larger of the two outbuildings located adjacent to the dwelling will be demolished if the subdivision is approved. Accordingly, this issue is not relevant to the assessment of the application but will be investigated as a separate matter.

It is recommended that a permit condition should be included requiring the western most outbuilding on Lot 2 to be demolished prior to the sealing of the Final Plan.

### **5.2. Fencing**

Concern was raised that the existing front fence is non-compliant with the Scheme standard relating to fencing and that there is no information on fencing.

- **Comment**

The site contains a paling fence approximately 1.5m high along the front boundary which has been in place for many years. Under the previous Clarence Planning Scheme 2007, boundary fences up to 2.1m in height were exempt from requiring planning approval and therefore the concern that the fence does not meet current Scheme standards is not relevant and does not have determining weight.

As the proposal is for a subdivision only, there is no requirement to provide details of fencing. However, any changes to the existing fencing will need to be in accordance with the Scheme.

**5.3. Non-compliance with Scheme**

Concern was raised that the proposal does not meet Clause 8.6.1 P1 as the proposal is inconsistent with the pattern of development in the area.

- **Comment**

As discussed above, the proposal is considered to comply with Clause 8.6.1 P1.

**5.4. Impact on Services**

Concern was raised that the subdivision would impact services in the area.

- **Comment**

Council's engineer is satisfied that the proposed lot can be connected to council's reticulated stormwater system. Additionally, TasWater have issued a conditions document which grants approval for additional water and sewer connections to the proposed lot.

**5.5. Dwelling Incompatible with Surrounding Area**

Concern was raised that the design of the dwelling is not compatible with the character of the surrounding area, particularly in relation to the adjoining heritage listed properties.

- **Comment**

The indicative dwelling plans are included only for the purposes of demonstrating the potential for a dwelling to comply with the Scheme standards and therefore if approved, a permit will be issued for a subdivision only. Furthermore, the site is not subject to the requirements of the Historic Heritage Code or the Bellerive Specific Area Plan and therefore there are no additional standards regarding dwelling design that are relevant to the site. On this basis, this concern is not relevant and cannot have determining weight.

**5.6. Loss of Amenity**

Concern was raised that the proposal will create an unreasonable loss of amenity to adjoining properties through overshadowing, loss of privacy, lack of separation between dwellings on adjoining lots and visual impact causing loss of views.

- **Comment**

As discussed above, the indicative dwelling plans comply with all relevant development standards in the Scheme and are only provided for the purposes of demonstrating that the lot can be developed appropriately for residential purposes. As all the relevant Acceptable Solutions can be met, the above issues cannot have determining weight.

**5.7. Increase in Traffic**

Concern was raised that the proposal will result in increased traffic and congestion in York Street.

- **Comment**

The proposal complies with the requirements of the Road and Railway Access Code as the two existing crossovers are utilised for the development and the increase in traffic generation will not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.

**5.8. Site Coverage Non-compliant**

Concern was raised that the proposal does not meet the Acceptable Solution regarding site coverage.

- **Comment**

The indicative plans were assessed and are considered to demonstrate compliance with the Acceptable Solution in Clause 8.4.3 A1.

**5.9. Potential Conflict of Interest**

Concern was raised that there is a potential conflict of interest as the applicant is an employee of council.

- **Comment**

This issue is not a relevant planning consideration and does not have determining weight.

## **6. EXTERNAL REFERRALS**

The proposal was referred to TasWater, which has provided a number of conditions to be included on the planning permit if granted.

## **7. STATE POLICIES AND ACT OBJECTIVES**

**7.1.** The proposal is consistent with the outcomes of the State Policies.

**7.2.** The proposal is consistent with the objectives of Schedule 1 of LUPAA.

## **8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS**

There are no inconsistencies with council's adopted Strategic Plan 2021-2031 or any other relevant council policy.

Developer contributions are required to comply with the following Council policies:

### **Public Open Space Policy**

The subject site is zoned General Residential and will be afforded the highest level of access to both local and regional recreational opportunities. It is considered that the development resulting from an approval of this application will, or is likely to, increase residential density creating further demand on council's Public Open Space (POS) network and associated facilities.

No POS land is proposed to be provided to council as part of this application and nor is it considered desirable to require it on this occasion. Notwithstanding, it is appropriate that the proposal contributes to the enhancement of council's POS network and associated facilities. In this instance there are no discounting factors that ought to be taken into account that would warrant a reduction of the maximum POS contribution.

While Section 117 of the Local Government Building and Miscellaneous Provision Act 1993 (LGBMP) provides for a maximum of up to 5% of the value of the entire site to be taken as cash-in-lieu of POS, it is considered appropriate to limit the contribution only to each additional lot created, representing the increased demand for POS generated by the proposal and not the entire site the subject of the application.

## **9. CONCLUSION**

The proposal for a 1 lot subdivision is considered to meet the relevant standards of the Scheme and is recommended for approval.

Attachments: 1. Location Plan (1)  
2. Proposal Plan (6)  
3. Site Photo (1)

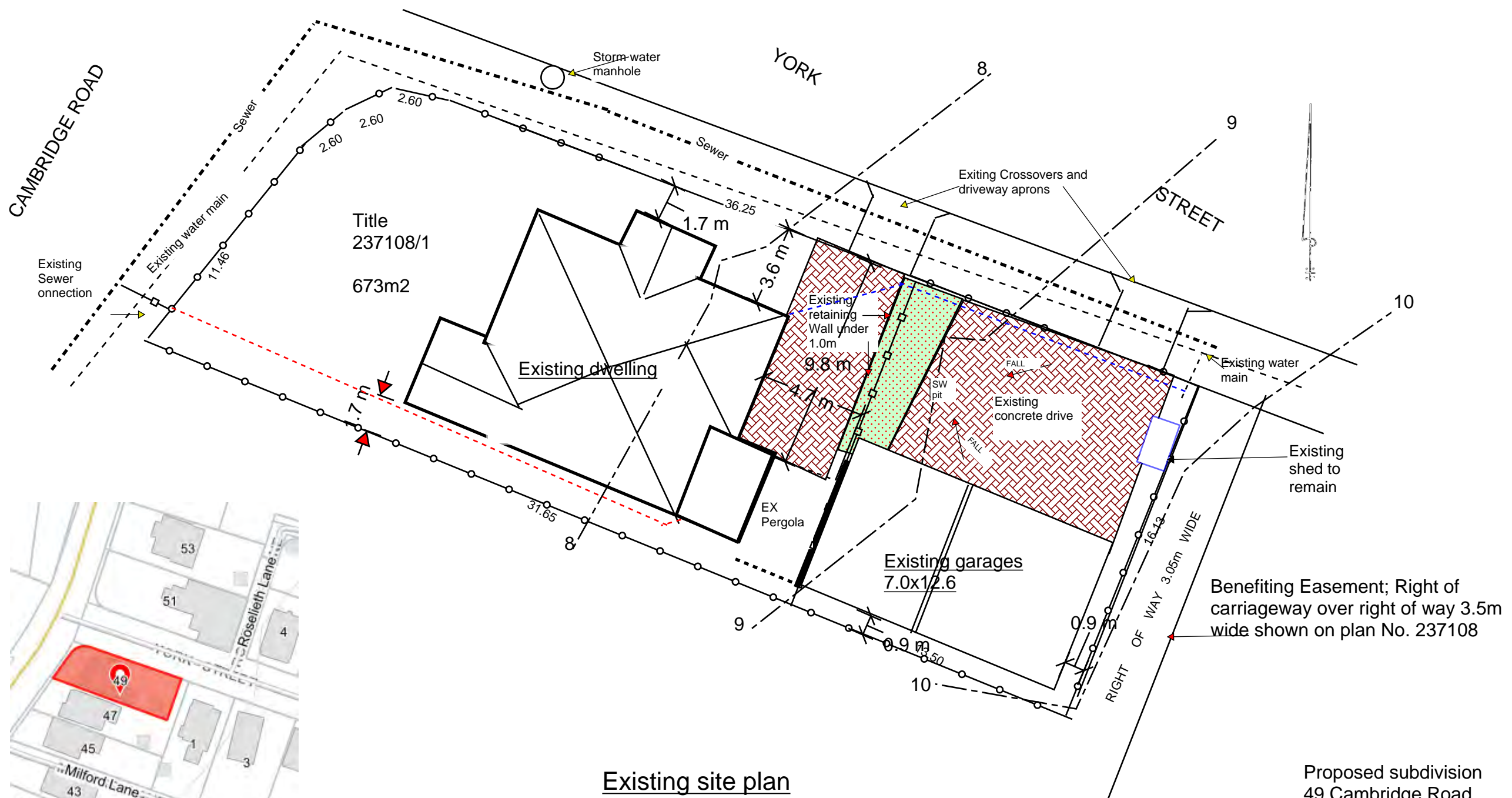
Ross Lovell  
**MANAGER CITY PLANNING**

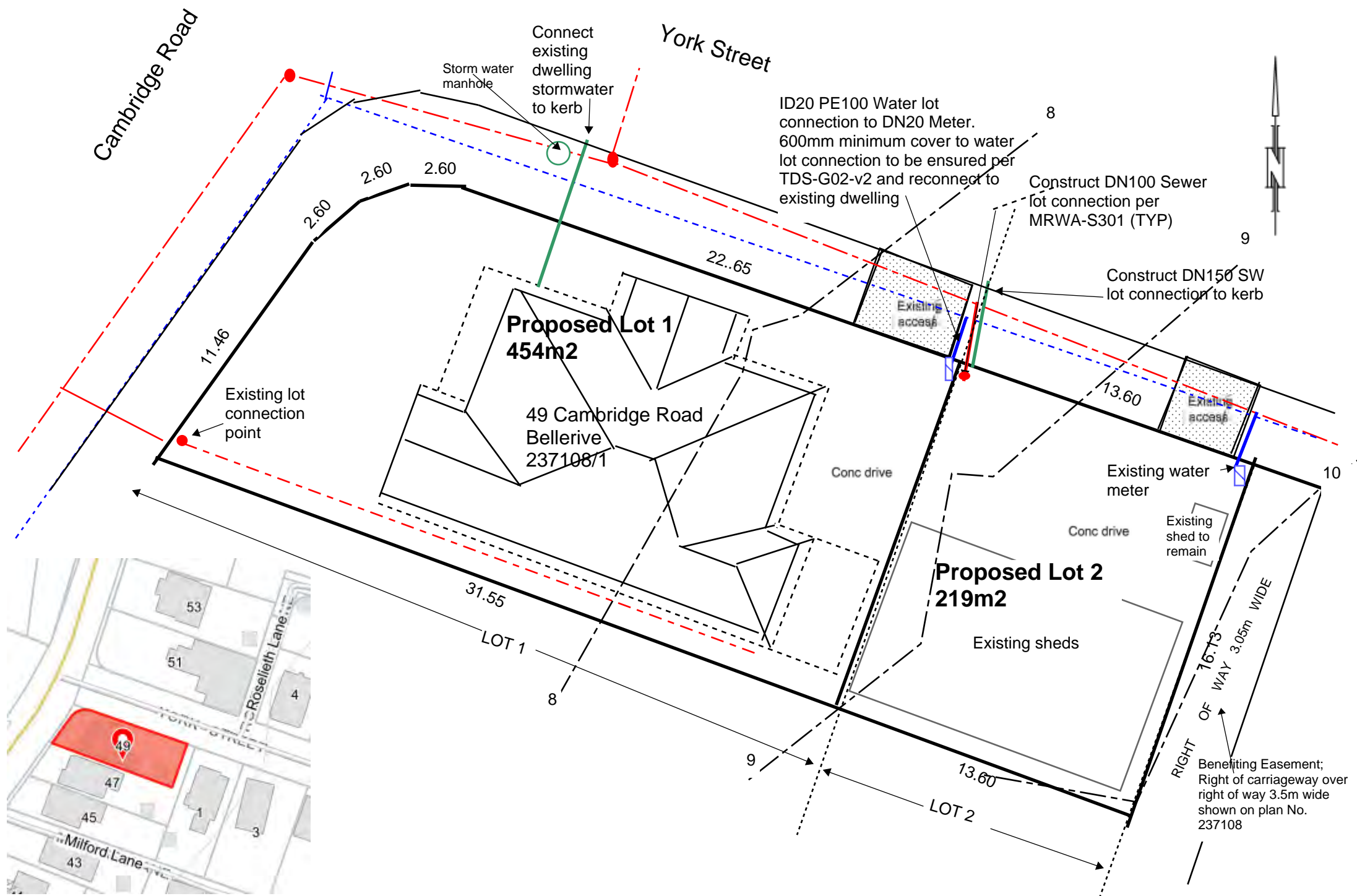


# Attachment 1



Proposal plans  
49 Cambridge Road, Bellerive



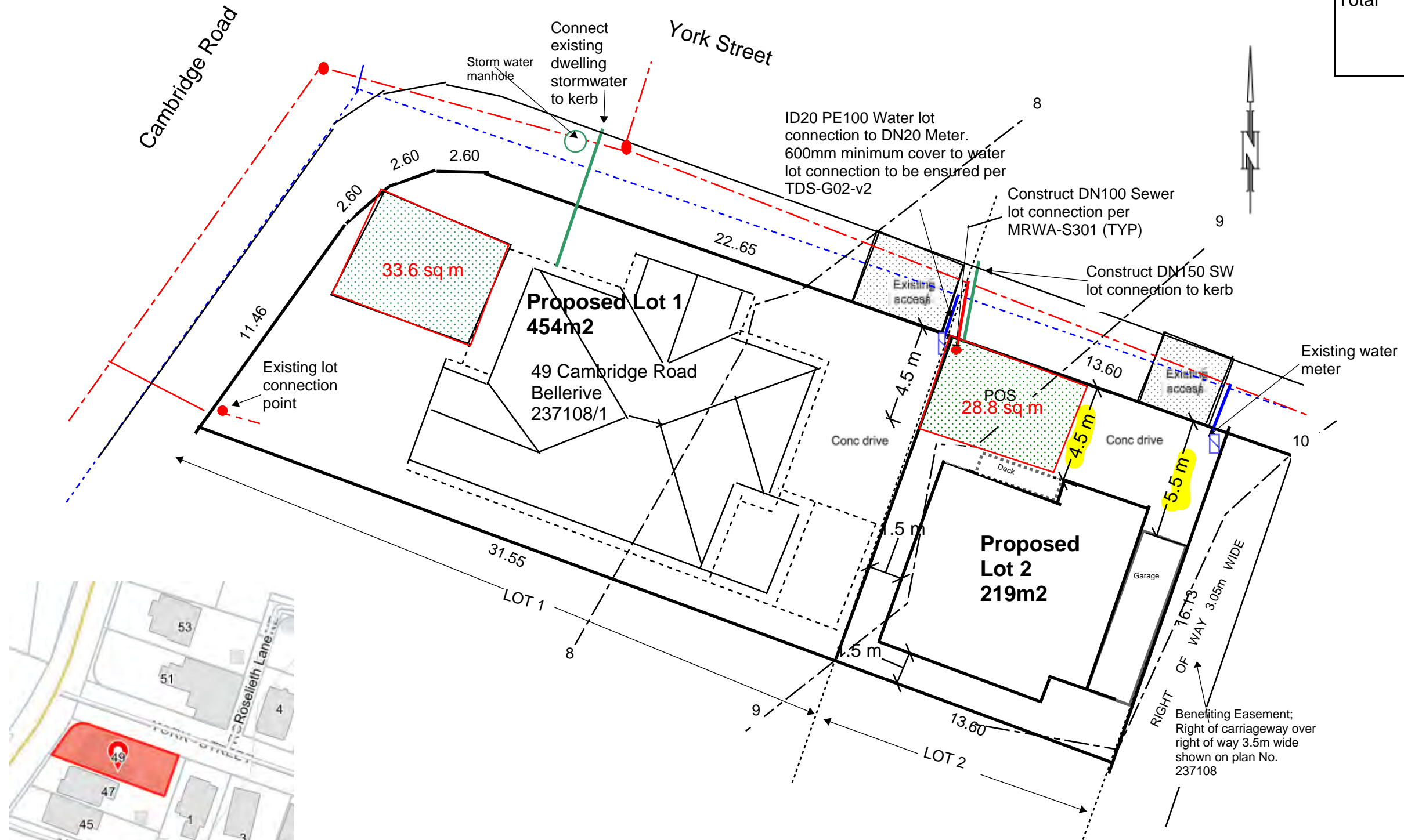


Proposed site plan

Proposed Subdivision  
49 Cambridge Road  
Bellerive  
for L & G Watson  
Scale:1:200 A3  
Page 2 of 6

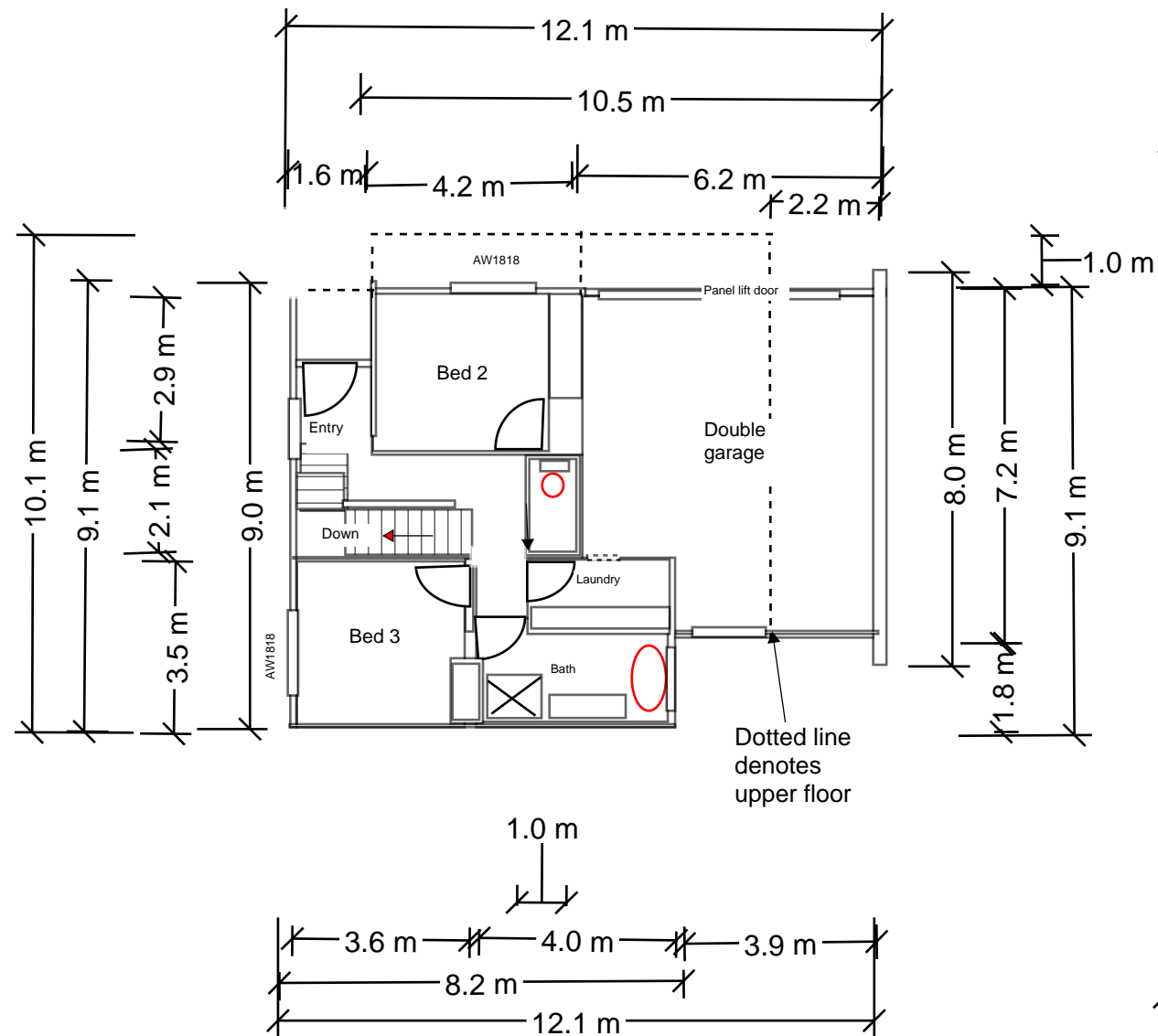


Site area	219m2
Total Building Area	106m2
Total	48%



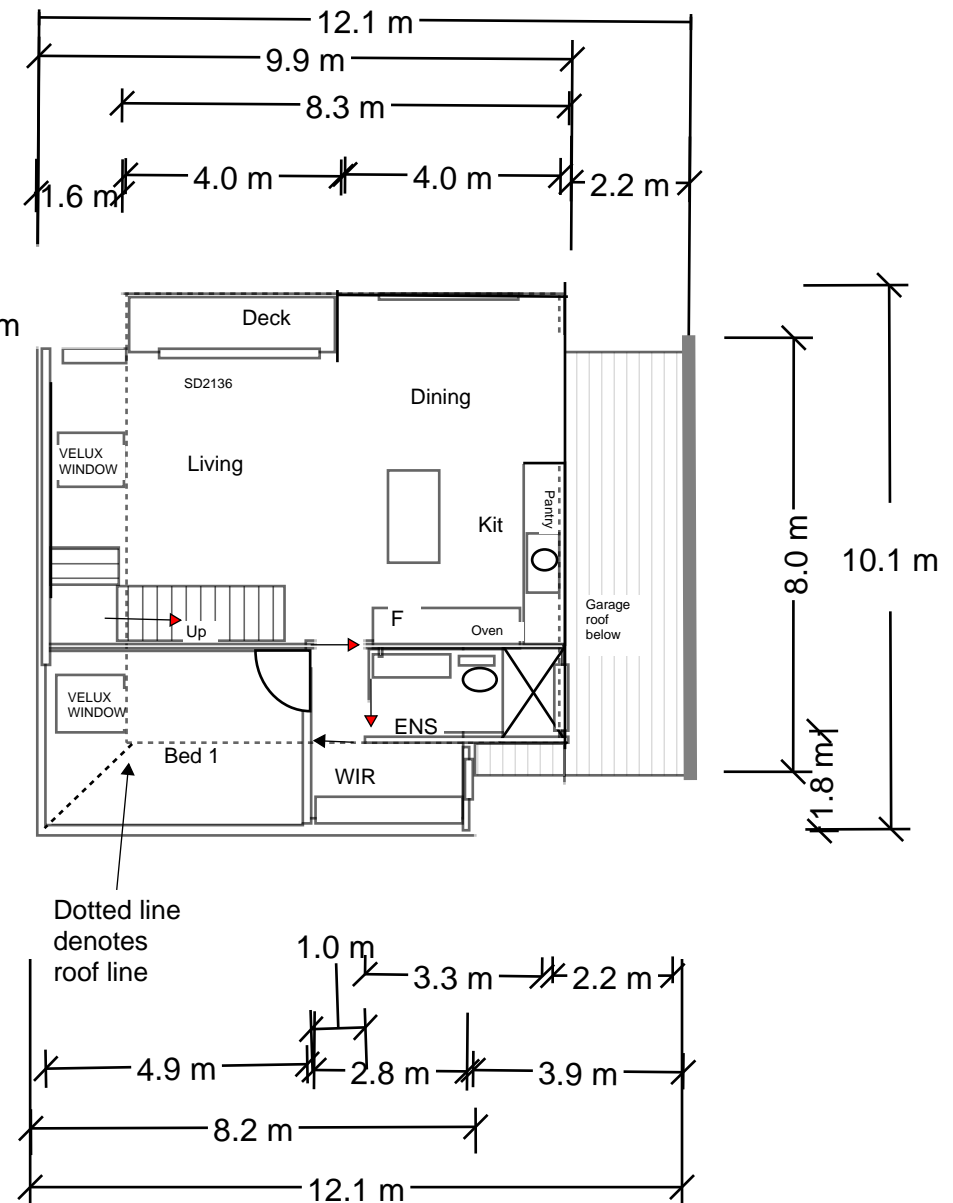
Proposed site plan and Plausble dwelling

Proposed subdivision  
49 Cambridge Road  
Bellerive  
for L & G Watson  
Scale:1:200 A3  
Page 3 of 6

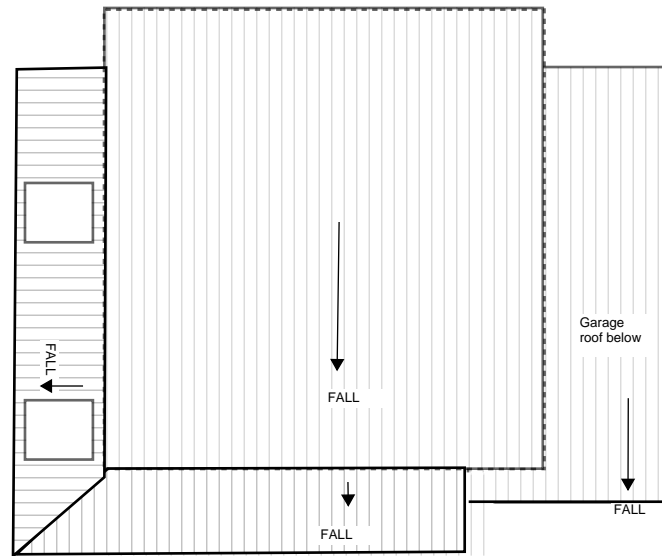


LOWER FLOOR  
Scale 1:100

### Proposed Plausible dwelling Floor Plan



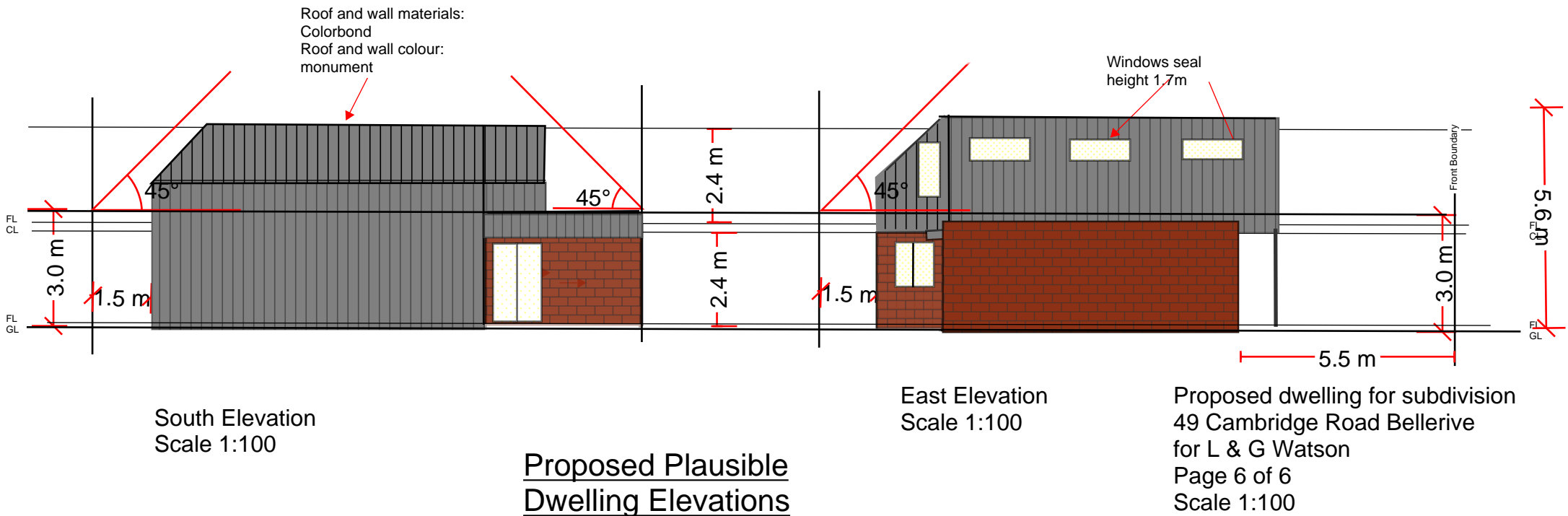
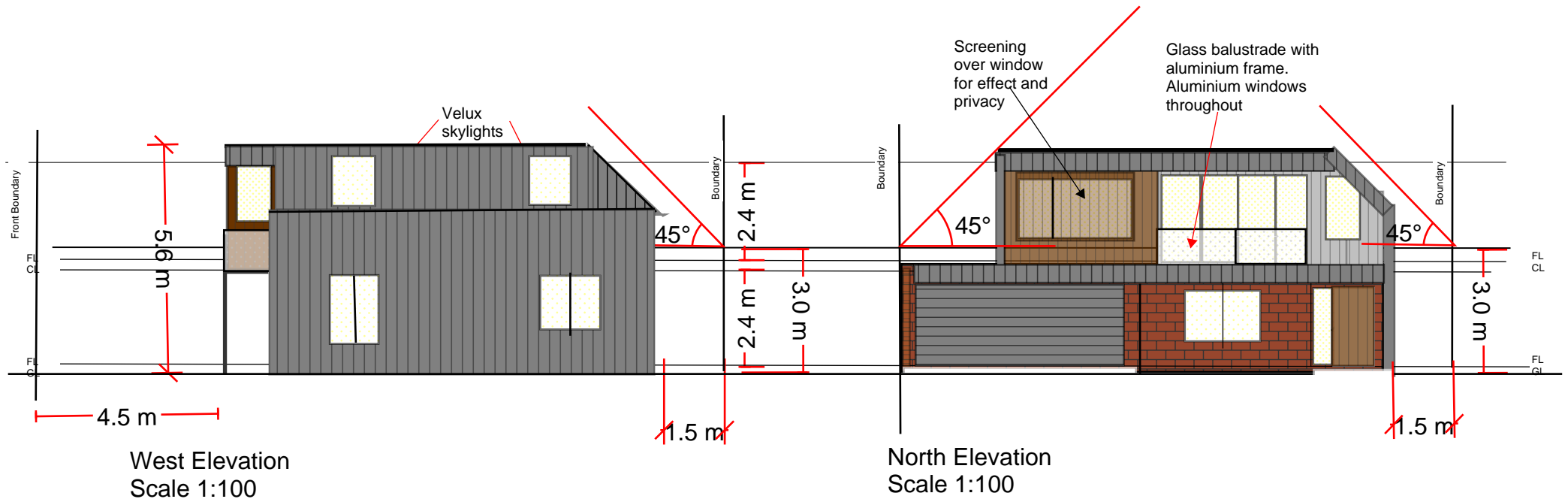
Plausible dwelling for  
subdivision  
49 Cambridge Road  
Bellerive  
for L & G Watson  
Page 4 of 6  
Scale 1:100



Roof material: Colorbond Roof  
colour: monument

Proposed Plausible  
dwelling Roof Plan

Proposed dwelling for subdivision  
49 Cambridge Road Bellerive  
for L & G Watson  
Page 5 of 6  
Scale 1:100



Attachment 3

Site photo  
49 Cambridge Road, Bellerive



View of site from York Stret showing existing dwelling and outbuildings.



**6.2 DEVELOPMENT APPLICATION PDPLANPMTD-2021/021846 – 2 BARR STREET, RISDON - 3 MULTIPLE DWELLINGS (1 EXISTING + 2 NEW) AND ADDITIONS TO EXISTING****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 3 Multiple Dwellings (1 existing + 2 new) and additions to the existing dwelling at 2 Barr Street, Risdon.

**RELATION TO PLANNING PROVISIONS**

The land is zoned General Residential and subject to the Parking and Sustainable Transport and Bushfire Prone Areas Codes 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 with the written consent of the applicant on 2 March 2022.

**CONSULTATION**

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

- Privacy
- Visual impact
- Character of area
- Noise
- Density
- Traffic
- Waste disposal;
- Stormwater
- Insufficient time for advertising.

**RECOMMENDATION:**

A. That the Development Application for 3 Multiple Dwellings (1 Existing + 2 New) and additions to existing at 2 Barr Street, Risdon (CI Ref PDPLANPMTD-2021/021846) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. Prior to the commencement of works on-site, or prior to the issue of any building consent, building permit (including demolition) and/or plumbing permit pursuant to the *Building Act 2016* (if applicable and whichever occurs first), certificates of title for the site Volume 19818 Folio 12 and Volume 56393 Folio 12, must be adhered in accordance with Section 110 of the Local Government (Building and Miscellaneous Provisions) Act 1993, to the satisfaction of council's Manager City Planning.
3. ENG M1 – DESIGNS DA.
4. ENG S1 – INFRASTRUCTURE REPAIR.
5. ENG A5 – SEALED CAR PARKING.
6. Stormwater pumped system design must be submitted to and approved by council's Group Manager Engineering Services prior to the commencement of use. The system must be maintained in perpetuity and must not negatively affect surrounding properties.
7. The development must meet all required Conditions of Approval specified by TasWater notice dated 21 December 2021 (TWDA 2021/01649-CCC).

#### ADVICE

- All plumbing works must comply with the Tasmanian Plumbing Code and Australian Standard 3500.
- The proposed works are located within a mapped bushfire prone area and as such a bushfire assessment and BAL must be provided by a suitably qualified person and form part of the certified documents for the building application.

- 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.

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## ASSOCIATED REPORT

### 1. BACKGROUND

No relevant background.

### 2. STATUTORY IMPLICATIONS

- 2.1. The land is zoned General Residential under the Scheme.

**2.2.** The proposal is discretionary because it does not meet certain Acceptable Solutions under the Scheme.

**2.3.** The relevant parts of the Planning Scheme are:

- Section 5.6 – Compliance with Applicable Standards
- Section 6.10 – Determining Applications
- Section 8.0 – General Residential Zone
- Section C2.0 – Parking and Sustainable Transport Code
- Section C13.0 – Bushfire Prone Areas Code.

**2.4.** Council’s assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the *Land Use Planning and Approvals Act, 1993* (LUPAA).

### **3. PROPOSAL IN DETAIL**

#### **3.1. The Site**

The site is comprised of two lots at 2 Barr Street, with a total combined area of 1214m<sup>2</sup>. The site has 20.12m frontage to Barr Street and is located within an established residential area at Risdon.

The site supports an existing dwelling and associated landscaped gardens, and slopes gradually down to the south-west. Existing parking areas are located between the dwelling and Barr Street, with a looped driveway and two access points to Barr Street. The location of the site is shown in the Attachments.

#### **3.2. The Proposal**

The proposal is for the development of 3 Multiple Dwellings (1 existing, 2 new) on the site and additions to the existing dwelling.

The proposed dwellings would each be 2-storey and would be accessed from a shared driveway adjacent the southern boundary of the site. The development would be setback 3m from the northern (side) boundary, 2.73m from the western (rear) boundary and 1.5m from the southern (side) boundary. The dwellings would not exceed 7.47m in height above natural ground level at their highest point and would each contain three bedrooms and a 2-car garage.

It is proposed to modify the existing dwelling to remove the existing garage on the southern side of the dwelling, and to remove an entertaining area to the west of the dwelling. A single garage is proposed to replace the garage to be demolished, together with an upper level 40m<sup>2</sup> deck addition to face west.

The existing dwelling would have a single car garage only, and a second parking space is proposed between the dwelling and the frontage. The proposal does not include a visitor parking space.

The development incorporates the consolidation of the two lots that comprise the site and would have a total site coverage (over both lots) of 420m<sup>2</sup>. The proposed plans are provided in the Attachments.

#### **4. PLANNING ASSESSMENT**

##### **4.1. Compliance with Applicable Standards [Section 5.6]**

*“5.6.1 A use or development must comply with each applicable standard in the State Planning Provisions and the Local Provisions Schedules.”*

##### **4.2. Determining Applications [Section 6.10]**

*“6.10.1 In determining an application for any permit for use or development the planning authority must, in addition to the matters required by section 51(2) of the Act, take into consideration:*

- (a) all applicable standards and requirements in this planning scheme; and*
- (b) any representations received pursuant to and in conformity with section 57(5) of the Act, but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.”*

References to these principles are contained in the discussion below.

#### **4.3. General Provisions**

The Scheme contains a range of General Provisions relating to specific circumstances not controlled through the application of Zone, Code or Specific Area Plan provisions.

There are no General Provisions relevant to the assessment of this proposal.

#### **4.4. Compliance with Zone and Codes**

The proposal meets the Scheme’s relevant Acceptable Solutions of the General Residential Zone and Parking and Sustainable Transport and Bushfire Prone Areas Codes with the exception of the following.

##### **General Residential Zone**

- **Clause 8.4.2 (A3) setbacks and building envelopes for all dwellings** – the proposal would protrude beyond the building envelope by 100mm at the western wall of Unit 2, where adjacent to the western (rear) boundary. A second protrusion of 800mm is proposed in relation to the glazed privacy screen of the proposed deck addition to the existing dwelling.

The proposed variation must be considered pursuant to the Performance Criteria (P3) of Clause 8.4.2 as follows.

<b>Clause</b>	<b>Performance Criteria</b>	<b>Assessment</b>
8.4.2 P3	<p><i>“The siting and scale of a dwelling must:</i></p> <p><i>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</i></p> <p><i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</i></p>	<p>See below assessment.</p> <p>The adjoining sites at 8, 12 and 14 Risdon Street are located to the south-west and south of the development site.</p>

		<p>The shadow diagrams provided by the applicant (included in the Attachments) show that the development would have an impact upon solar access to the land to the south/south-west of the development.</p> <p>The overshadowing diagrams included as part of the advertised plans showed only a portion of each of the sites to the south/south-west of the development site. Upon conclusion of the advertising period the applicant subsequently provided further shadow diagrams to show the broader extent of overshadowing at Winter Solstice in the context of the location of those adjacent dwellings. These are included in the Attachments.</p> <p>The supplementary diagrams show that the second dwelling at the northern part of 14 Risdon Street would experience overshadowing throughout the day. Of the windows facing north that are compromised, there is a bedroom window only.</p> <p>The diagrams satisfactorily demonstrate that there would be no impact upon the existing dwelling at 16 Risdon Street. Similarly, the impact upon the dwelling at 8 Risdon Street would be limited to early morning at Winter Solstice, with in excess of three hours of sunlight being available to the dwelling from 11am onwards.</p>
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	<p>(ii) <i>overshadowing the private open space of a dwelling on an adjoining property;</i></p>	<p>The diagrams provided indicate that there would also be an impact upon the dwelling at 12 Risdon Street, and that the impact would move across the site throughout the day at Winter Solstice. The diagrams satisfactorily demonstrate that there would be in excess of three hours of sunlight available to the habitable rooms at the northern part of that dwelling at Winter Solstice from 11am.</p> <p>The site at 8 Risdon Street would experience overshadowing as a result of the proposal in the early part of the day at Winter Solstice. This would not extend to the dwelling, which is separated from the shared boundary with the site by 10m. The dwelling would not be overshadowed by the proposed development.</p> <p>The proposal will cause overshadowing to parts of the ground level private open space at the rear of the sites at 8, 12 and 14 Risdon Street throughout the day at Winter Solstice.</p> <p>Shadow diagrams show that the impacted area to the private open space areas at 12 Risdon Street would occur at times throughout the day, however a compliant area exists to the west of that dwelling that would be unaffected by the proposal at Winter Solstice, meaning that the extent of the overshadowing impact on the outdoor living areas associated with that dwelling is not unreasonable, in that in excess of three hours of sunlight would also be available.</p>
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		<p>The open space areas associated with each of the dwellings at 14 Risdon Street are sited between the two existing dwellings, and the diagrams satisfactorily demonstrate that these spaces would be provided with in excess of three hours of sunlight at Winter Solstice.</p> <p>Parts of the site at 8 Risdon Street would experience overshadowing, as shown at Winter Solstice. The lot at 8 Risdon Street has an area of 2674m<sup>2</sup> with areas of compliant open space located in parts of the site uncompromised by the proposal.</p>
	<p>(iii) <i>overshadowing of an adjoining vacant property; or</i></p>	Not relevant.
	<p>(iv) <i>visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</i></p> <p>(b) <i>provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</i></p>	<p>The proposed dwelling units are 2-storey and would have a maximum height above natural ground level that would not exceed 7.47m at their highest point above natural ground level. The proposed dwelling units would have setbacks ranging from 1.5m to 6.6m providing for separation consistent with the surrounding area.</p>



		<p>There are many examples in the surrounding area where dwellings are located in proximity to the rear and side boundaries of lots and on this basis, the separation between the proposed dwellings is considered compatible with that prevailing in the surrounding area.</p> <p>The immediate area is characterised by a combination of single and multiple dwellings on each lot with a combination of single and double-storey development. The proposed double-storey units would each provide setback distances from boundaries that limit the visual impact in terms of bulk and proportion, when viewed from adjacent lots.</p> <p>On this basis, the development is not considered to have an unreasonable visual impact on the adjoining properties.</p>
	<p>(c) <i>not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</i></p> <p>(i) <i>an adjoining property;</i> <i>or</i></p> <p>(ii) <i>another dwelling on the same site.”</i></p>	<p>There are no solar installations located within proximity of the site that would be compromised by the proposed development.</p>

### **General Residential Zone**

- **Clause 8.4.6 (A1) privacy for all dwellings** – the proposed upper level, north-west facing deck of Unit 1 would not be provided with screening compliant with the acceptable solution and would be located within 6m of the private open space area associated to Unit 2.

Similarly, the deck addition to the existing dwelling would overlook the open space areas associated with Unit 1 and would also not be provided with screening of at least 1.7m above the surface level of the deck where facing the adjacent unit. The acceptable solutions are met in relation to the location of the proposed decks relative to the side and rear (external) boundaries.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause 8.4.6 as follows.

Clause	Performance Criteria	Assessment
8.4.6 P1	<p><i>“A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of:</i></p> <p><i>(a) a dwelling on an adjoining property or its private open space; or</i></p> <p><i>(b) another dwelling on the same site or its private open space.”</i></p>	<p>See below assessment.</p> <p>The proposed development satisfies the acceptable solution in relation to separation from side and rear (external) boundaries, in that the prescribed 3m setback requirement is met, where decks are proposed within proximity of side boundaries. This test is therefore met.</p> <p>The separation distances proposed internally between each of the proposed dwelling units and their compliant open space areas are in excess of the 6m prescribed by the acceptable solution. The decks proposed are each largely offset from both the outdoor and indoor living areas of each of the dwelling units and would incorporate screening.</p>

		These measures are considered to minimise overlooking between the open space areas of the dwelling units, thus meeting this test of the Scheme.
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### **Parking and Sustainable Transport Code**

- **Clause C2.5.1 (A1) car parking numbers** – the proposed development incorporates the provision of six parking spaces, being two per dwelling unit. There has been no visitor parking space provided as required by the acceptable solution.

The proposed variation must be considered pursuant to the Performance Criteria (P1.1) and (P1.2) of Clause C2.5.1 as follows.

<b>Clause</b>	<b>Performance Criteria</b>	<b>Assessment</b>
C2.5.1 P1.1	<p><i>“The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</i></p> <p><i>(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;</i></p> <p><i>(b) the ability of multiple users to share spaces because of:</i></p> <p><i>(i) variations in car parking demand over time; or</i></p> <p><i>(ii) efficiencies gained by consolidation of car parking spaces;</i></p>	<p>See below assessment.</p> <p>There are no council parking facilities located within proximity of the site that could be relied upon as part of the proposal.</p> <p>Not applicable.</p> <p>No applicable.</p> <p>Not applicable.</p>

	<p>(c) <i>the availability and frequency of public transport within reasonable walking distance of the site;</i></p> <p>(d) <i>the availability and frequency of other transport alternatives;</i></p> <p>(e) <i>any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</i></p> <p>(f) <i>the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</i></p> <p>(g) <i>the effect on streetscape; and</i></p> <p>(h) <i>any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</i></p>	<p>The nearest public transport available to the site would be located on the East Derwent Highway, approximately 1.1km walk from the site. This is not considered a reasonable walking distance from the site.</p> <p>The site is within an urban environment, though remote from other suburbs and separated by the East Derwent Highway. Residents would have options to use bicycles and motorcycles, which would easily be parked on-site.</p> <p>There are no site constraints that would otherwise prevent the inclusion of a visitor space.</p> <p>Council has no record of parking issues in the Barr Street area and council's Senior Development Engineer is satisfied that the proposed development would not place unreasonable demand on on-street parking in the area.</p> <p>There would be no adverse impact upon the streetscape as a result of the proposed parking configuration, and the use of on-street parking for visitors to the site.</p> <p>Not applicable.</p>
C2.5.1 P1.2	<i>The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</i>	See below assessment.

	<p>(a) <i>the nature and intensity of the use and car parking required;</i></p> <p>(b) <i>the size of the dwelling and the number of bedrooms; and</i></p> <p>(c) <i>the pattern of parking in the surrounding area.”</i></p>	<p>Council’s Senior Development Engineer is satisfied that the proposed number of parking spaces would be reasonable for the proposed use, on the basis that each dwelling unit would have two parking spaces. This is considered appropriate on the basis of the low traffic volumes in the Barr Street area and established pattern of residential development (and parking) within proximity of the site.</p>
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## **5. REPRESENTATION ISSUES**

The proposal was advertised in accordance with statutory requirements and three representations were received. The following issues were raised by the representors.

### **5.1. Privacy**

Concern is raised by the representations that there would be a loss of privacy as a result of the proposed development, for nearby and adjacent residential development.

- **Comment**

The proposal meets the requirements of the Scheme in relation to privacy to external boundaries of the site, as articulated by the acceptable solutions of Clause 8.4.6 (A1). The proposal is reliant upon the Performance Criteria, P1, of the clause in relation to internal separation between the proposed dwellings only. Being that the external impacts have been appropriately addressed, this issue is not of determining weight and does not warrant refusal of the proposal.

### **5.2. Visual Impact**

Concern is raised by the representations that there would be a loss of views from surrounding properties towards the river and mountain as a result of the proposal, and that the coastal bushland character of the area would be compromised.

It is submitted that this impact is unreasonable, and that there would be a high and negative impact upon residential amenity as a whole, and the visual impact is also itself unreasonable in relation to proximity to nearby residential land use.

- **Comment**

Loss of view in isolation is not a relevant planning consideration and therefore cannot have determining weight. For the reasons discussed above, it is considered that the proposal meets the relevant tests of the Scheme in relation to building envelope and associated visual impact. The development complies with those relevant acceptable solutions and performance criteria within the General Residential Zone.

### **5.3. Character of Area**

Concern is raised by the representations that the proposal is inconsistent with the character of the area and would be detrimental to amenity. It is submitted that such “speculative” development is not appropriate for the site and area more broadly and should not be approved.

- **Comment**

The proposal satisfies those relevant development standards of the General Residential Zone, in relation to the development of multiple dwellings. The proposed use is a permitted (permit required) use within the zone, and the intended purpose of the development is not a relevant consideration under the Scheme. This issue is therefore not relevant to the determination of the application.

### **5.4. Noise**

Concern is raised by the representations in relation to noise to be generated as a result of construction and resultant traffic and residential use, which are highlighted as being objections to the proposal.

- **Comment**

The site is located within an established residential area at Risdon. Noise associated with construction is not a relevant consideration under the Scheme. The *Environmental Management and Pollution Control Act 1994* (EMPCA) provides certain noise limits and associated timeframes with which development (and residential land use more broadly) must comply. This issue is therefore not of determining weight.

### **5.5. Density**

Concern is raised by the representations that the proposed density of development is inappropriate for the site, and inconsistent with the character of the area.

- **Comment**

The proposed development satisfies the relevant acceptable solution of Clause 8.4.1 (A1) in relation to density, in that the proposal is for a density of one dwelling unit per 404.6m<sup>2</sup> of site area. On the basis that the proposal meets the relevant test for density, the considerations of compatibility with the density of existing development in the area is not a relevant consideration as part of this assessment.

### **5.6. Traffic**

The impact of the proposed development upon traffic movements on, around and within proximity of the site is raised as a concern. The concerns include the impacts associated with the increased number of vehicular movements in Barr and Risdon Streets and specific impacts on nearby residential properties in relation to construction traffic.

Concern is also raised in relation to employees of the builders parking on Barr Street for the duration of construction of the dwellings. It is submitted that the timeframe should be limited to prevent all day parking in this situation.

- **Comment**

Council's engineers are satisfied that there is capacity in the road network to absorb and cater for the additional traffic likely as a result of the proposal without compromise to efficiency of the road network.

The proposal satisfies the relevant standards of the Scheme in relation to the Parking and Sustainable Transport Code, addressed above. Council's engineers are satisfied that the available sight distances for vehicles entering the site from the access road are adequate for the proposed development, and that the available sight distances comply with the minimum sight distance requirements of the Australian Standards, as required by the Code.

As discussed above, it is considered the on-site parking is adequate and on-street visitor parking is within the street's capacity. This issue is therefore not of determining weight.

## **5.7. Waste Disposal**

Concerns are raised in relation to waste disposal during construction and associated interference with surrounding residential land use, and the number of bins to be placed on the street for each of the dwelling units upon completion, and the impact on accessibility for pedestrians and vehicles.

- **Comment**

Council's engineers are satisfied that there is capacity within the existing road layout and the road reservation for Barr and Risdon Street to cater for the proposed development, and associated movements of pedestrians in relation to bin collection days without safety being compromised. Sight distances comply with the relevant Australian Standards, and as such the safety of pedestrians utilising footpaths in the vicinity of the site when manoeuvring around bins placed for collection would not be compromised. This issue is therefore not of determining weight.



**5.8. Stormwater**

The representations raise concerns in relation to stormwater disposal and runoff associated with the proposed development, and impervious areas. Concerns are that this could impact adjacent properties, with adjacent owners being required to fund any required repairs.

- **Comment**

The proposed development would incorporate on-site stormwater detention together with a stormwater pump station to service the development. Council's development engineers together with council's plumbers are satisfied that this approach will satisfy the requirements of the relevant Australian Standards, and the provision of on-site detention will ensure that stormwater is managed within the boundaries of the site. This is reflected by the proposal plans, and the detailed design is to be required at building and plumbing approval stage, if a planning permit is granted. This issue is therefore not of determining weight.

**5.9. Insufficient Time for Advertising**

Concerns were raised by the representations that there was insufficient time provided for comments to be made in relation to the proposed development. Specific concerns are that the mail notification was received to leave the representor four days to make submission to council and that this was insufficient time to respond, and that the proposal was advertised in the "holiday period" when many owners may be away and therefore be unaware of the proposal.

- **Comment**

The proposal was advertised in accordance with council's statutory obligations under the LUPAA. This issue is not a relevant consideration under the Scheme and therefore not of determining weight.

**6. EXTERNAL REFERRALS**

The proposal was referred to TasWater, which has provided a number of conditions to be included on the planning permit if granted.

**7. STATE POLICIES AND ACT OBJECTIVES**

**7.1.** The proposal is consistent with the outcomes of the State Policies, including those of the State Coastal Policy.

**7.2.** The proposal is consistent with the objectives of Schedule 1 of LUPAA.

**8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS**

There are no inconsistencies with council's adopted Strategic Plan 2021-2031 or any other relevant council policy.

**9. CONCLUSION**

The proposal is for the development of 3 multiple dwellings (1 existing, 2 new) and additions to the existing dwelling at 2 Barr Street, Risdon. The proposal satisfies the relevant requirements of the Scheme and is recommended for approval subject to conditions.

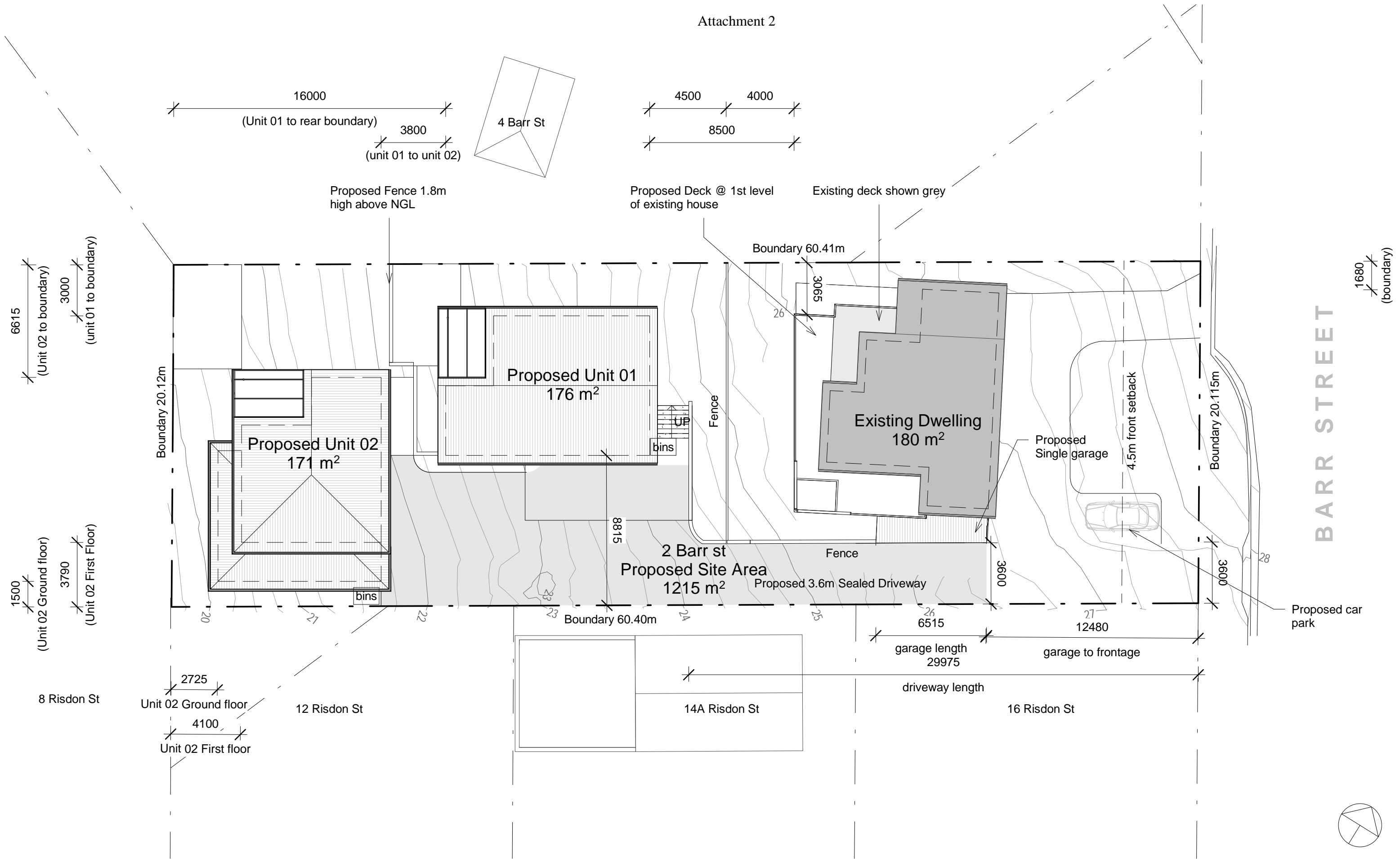
Attachments: 1. Location Plan (1)  
2. Proposal Plan (12)  
3. Supplementary Overshadowing Diagrams (1)  
4. Site Photos (2)


Ross Lovell  
**MANAGER CITY PLANNING**

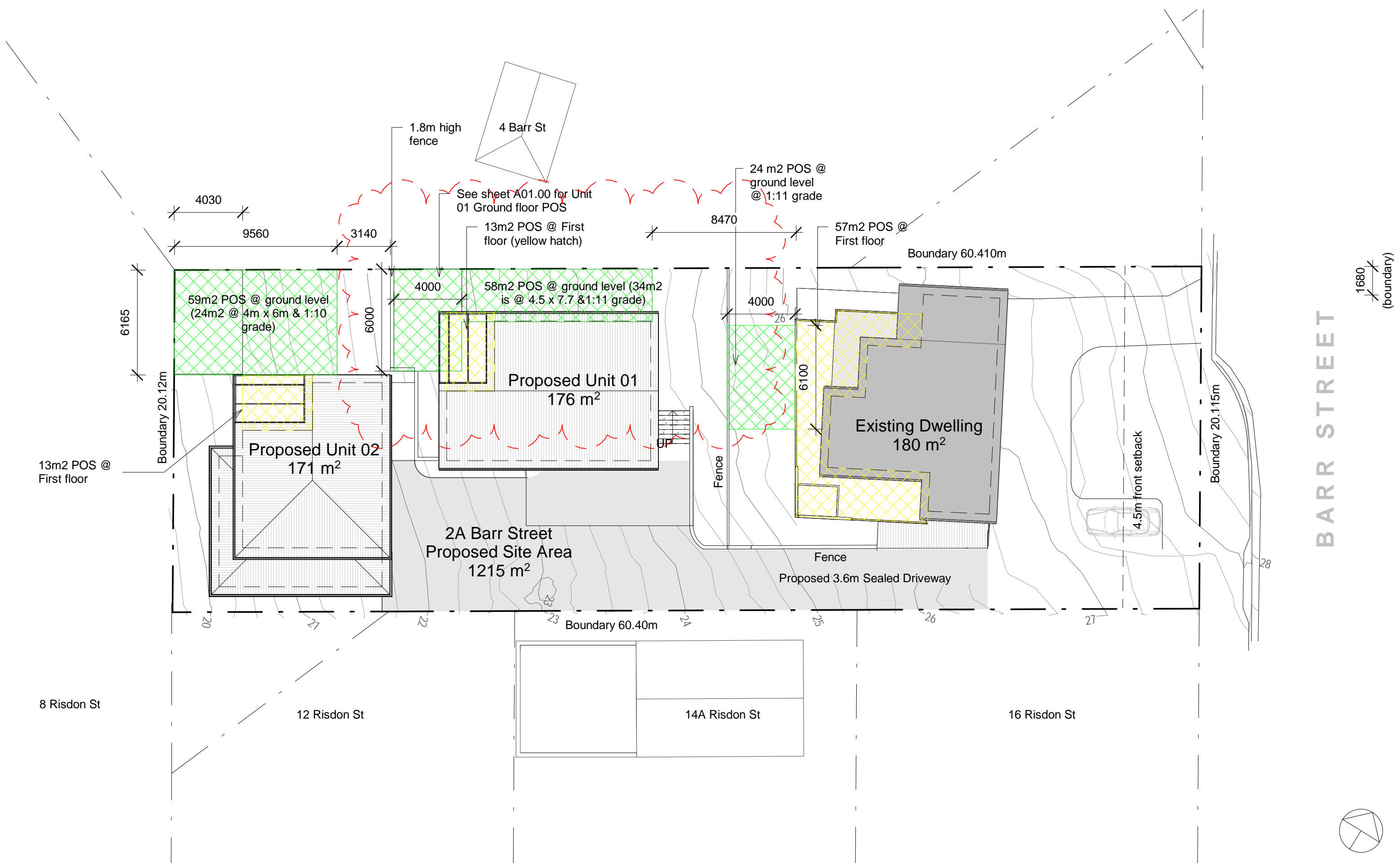
Council now concludes its deliberations as a Planning Authority under the Land Use Planning and Approvals Act, 1993.

## Attachment 1





No	Description	Date	Safdar Devji	Proposed Site Plan			A00.02	
B	Drawings issued for client approval	20/07/2021		Project number	KA 2108			
C	DA ISSUE	09/09/2021		Date	July 2021			
D	DA RFI 29/09/2021	04/11/2021		Drawn by	BA			
E	DA Revised Issue	13/12/2021		BSP Lic#	CC 6171B	Scale		
			2 Barr St, Risdon				1: 200 @A3	



No	Description	Date	Safdar Devji	Private Open Space			
D	DA RFI 29/09/21	04/11/2021			Project number	KA 2108	
E	DA Revised Issue	13/12/2021			Date	July 2021	
F	DA RFI 21/12/21	21/12/21			Drawn by	LB	
			2 Barr St, Risdon		BSP Lic#	CC 6171B	Scale
							A00.04
							1: 200 @A3
							KUNAMA ARCHITECTS







No	Description	Date
B	Drawings issued for client approval	20/07/2021
C	DA ISSUE	09/09/2021
D	DA RFI 29/09/21	04/11/2021
E	DA Revised Issue	13/12/2021

Safdar Devji

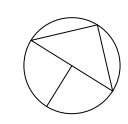
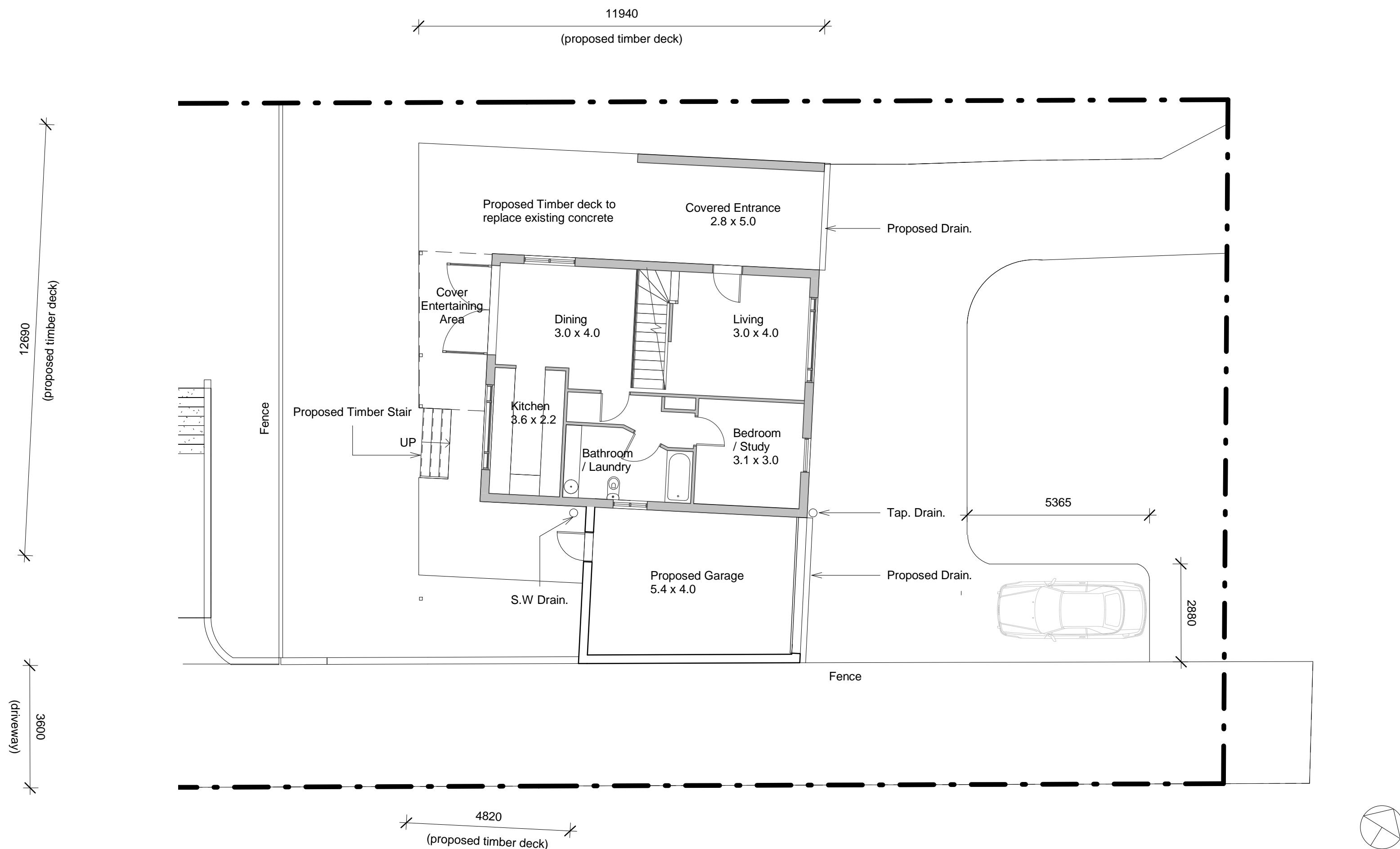
2 Barr St, Risdon


## Units 01 & 02 – First Floor Plan

Project number KA 2108  
 Date July 2021  
 Drawn by BA  
 BSP Lic# CC 6171B Scale

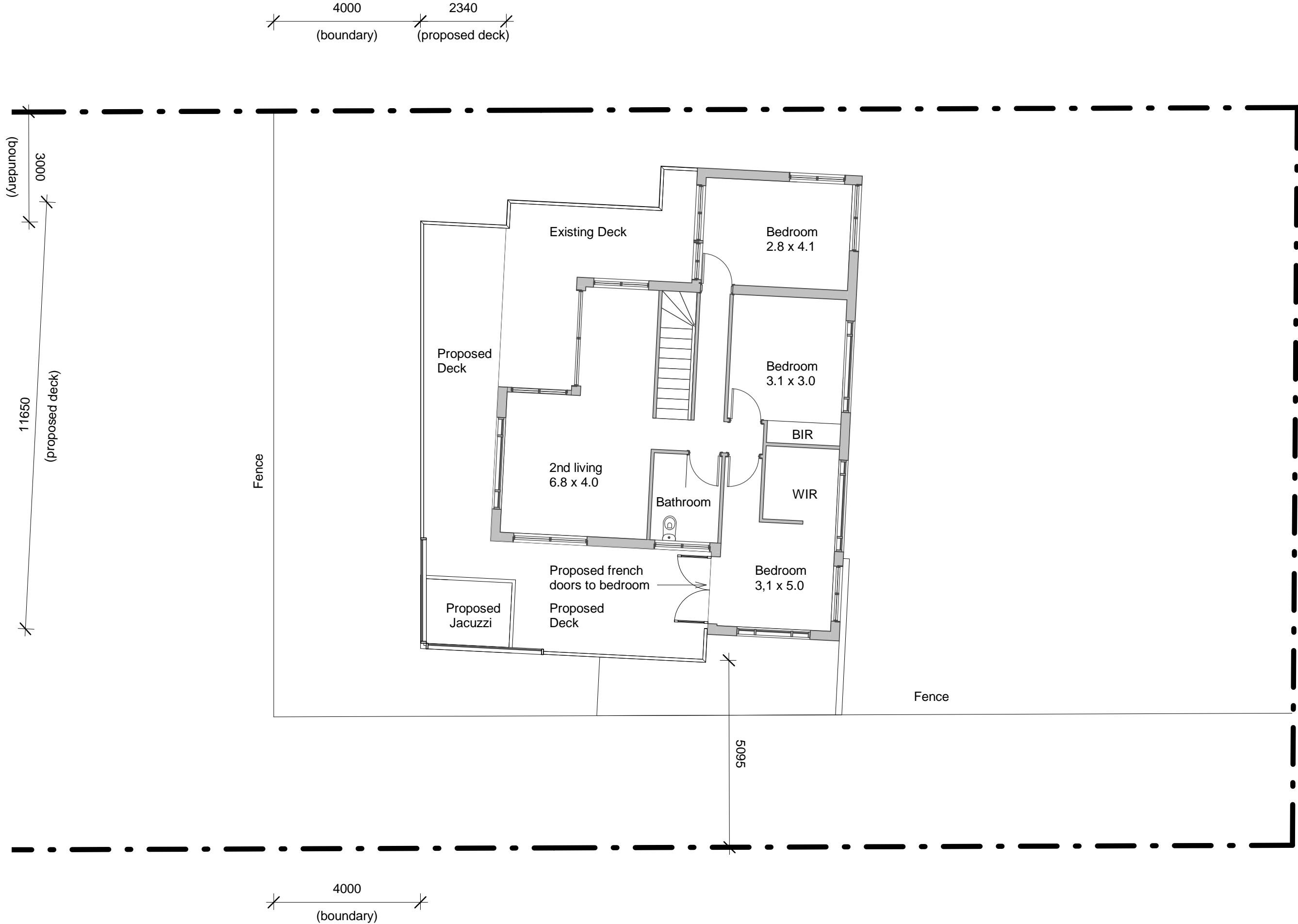
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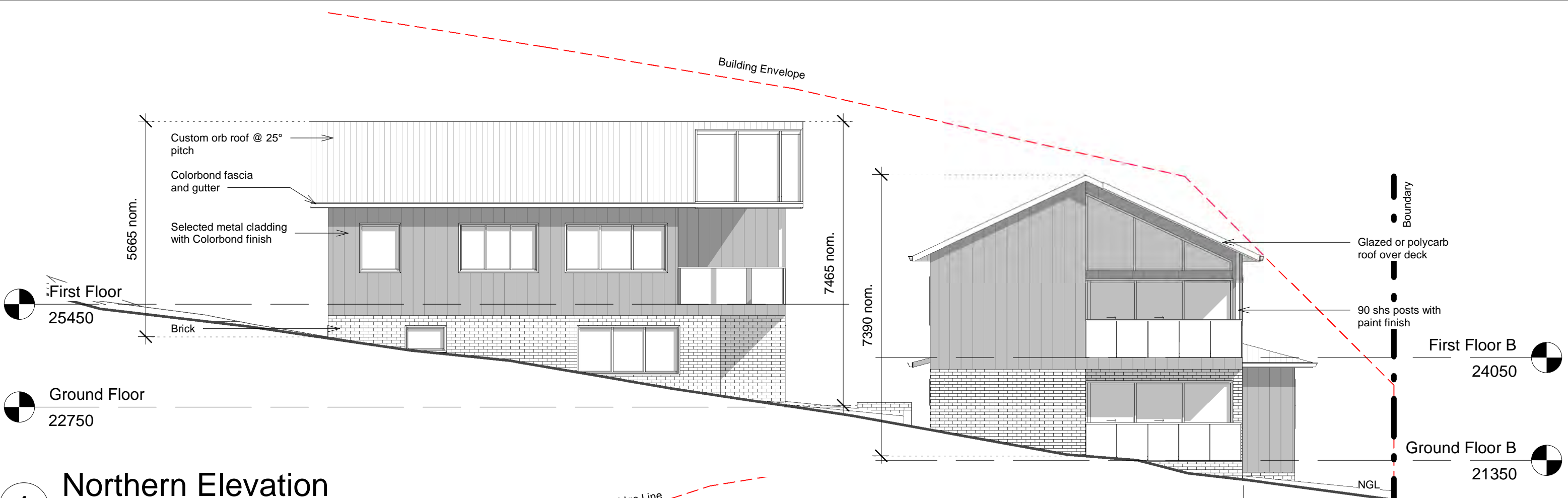




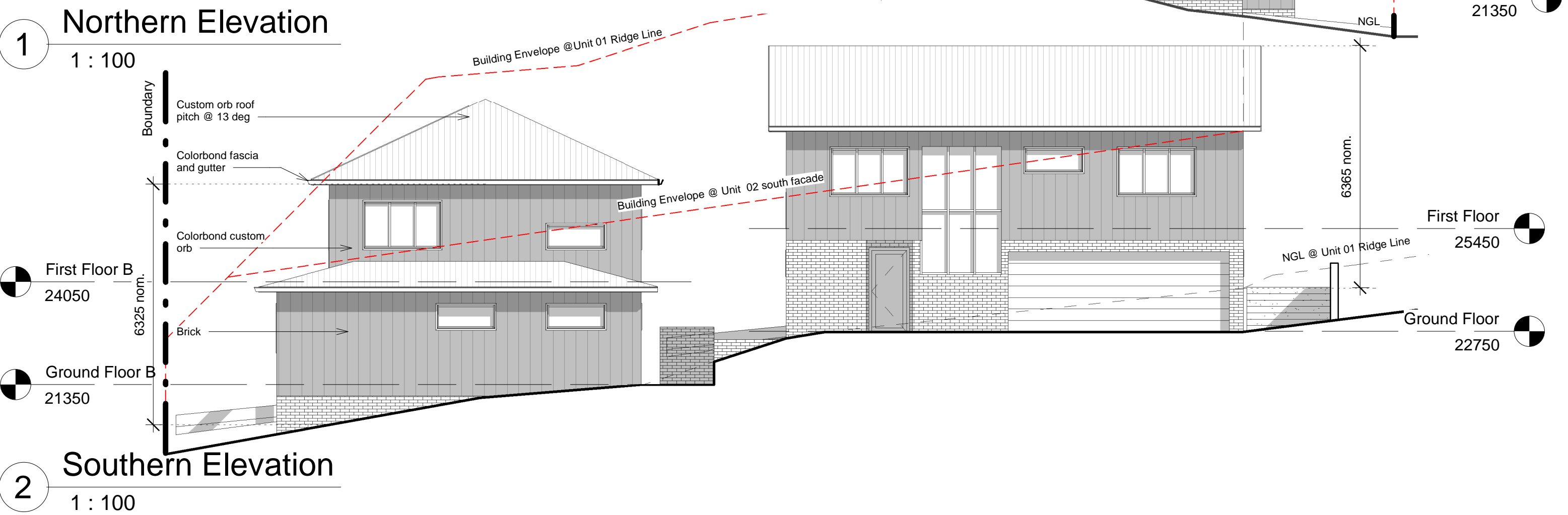
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C	DA ISSUE	09/09/2021		Date	July 2021				
D	DA RFI 29/09/21	04/11/2021	2 Barr St, Risdon	Drawn by	BA				
E	DA Revised Issue	13/12/2021		BSP Lic#	CC 6171B	Scale	1:100 @A3		



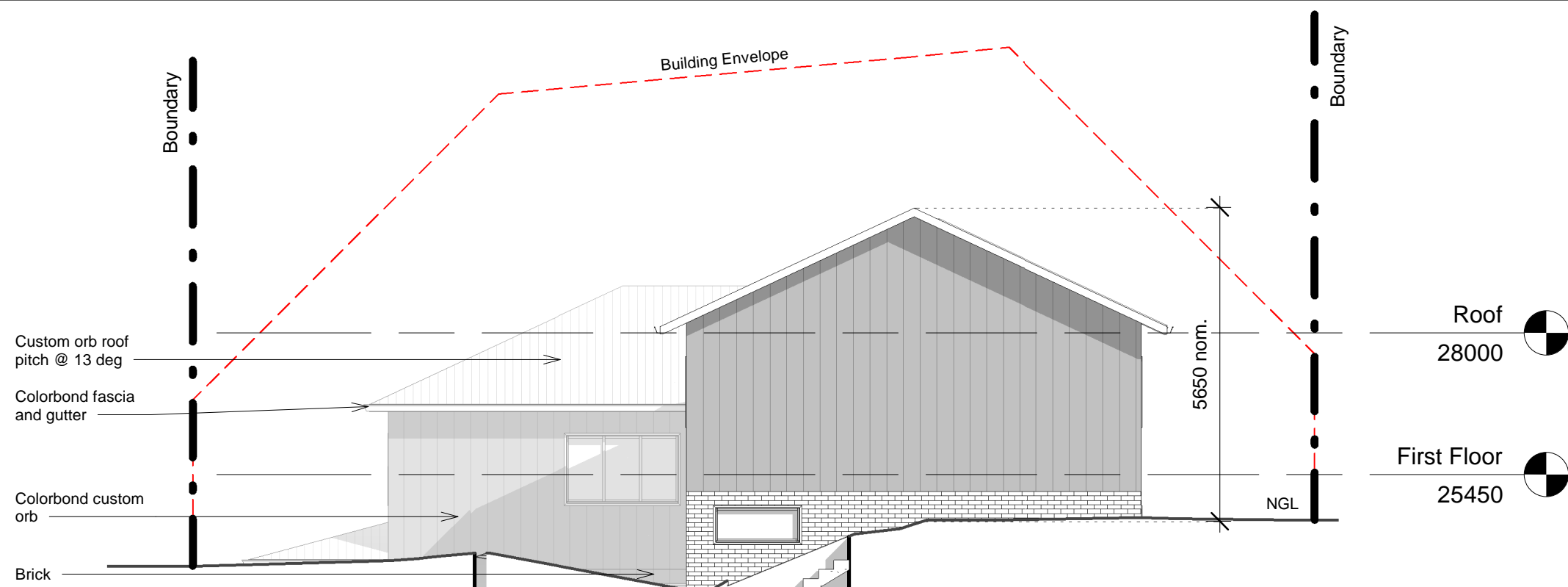




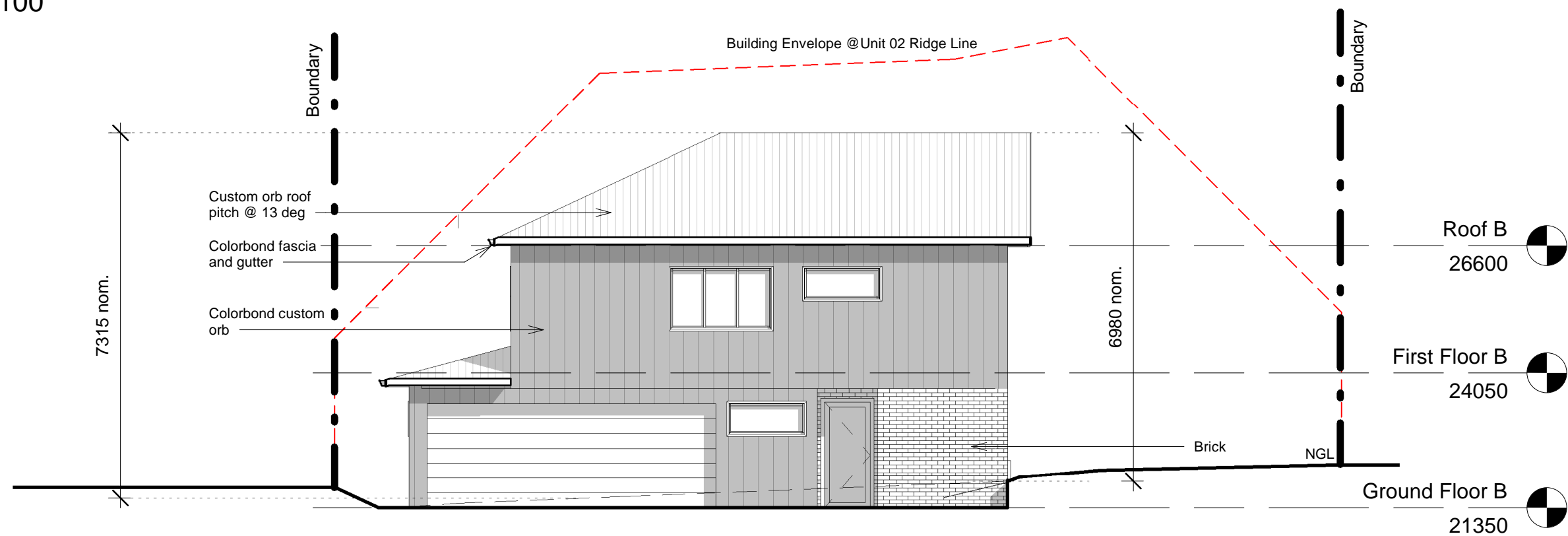
1 Northern Elevation  
1 : 100



2 Southern Elevation  
1 : 100



1 Eastern Elevation - Unit 01  
1 : 100



2 Eastern Elevation - Unit 02  
1 : 100

No	Description	Date
B	Drawings issued for client approval	20/07/2021
C	DA ISSUE	09/09/2021
D	DA RFI 29/09/21	04/11/2021
E	DA Revised Issue	13/12/2021

Safdar Devji

2 Barr St, Risdon

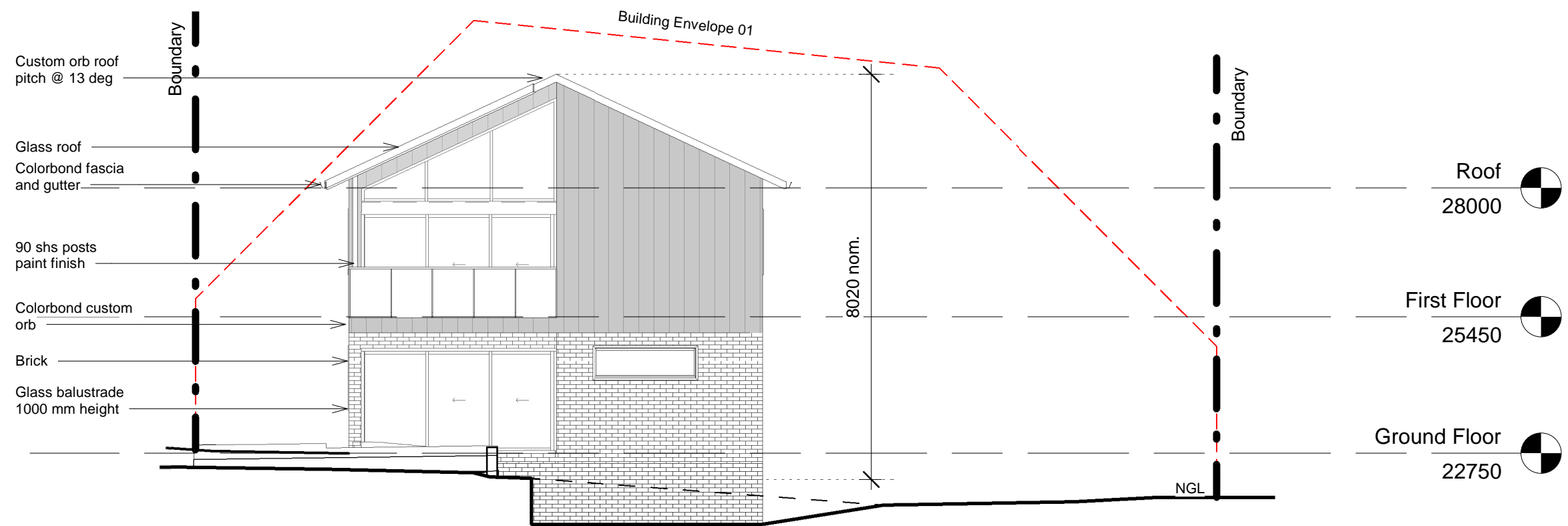
## Unit 01 & 02 Eastern Elevations

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Date	July 2021
Drawn by	BA
BSP Lic#	CC 6171B
Scale	

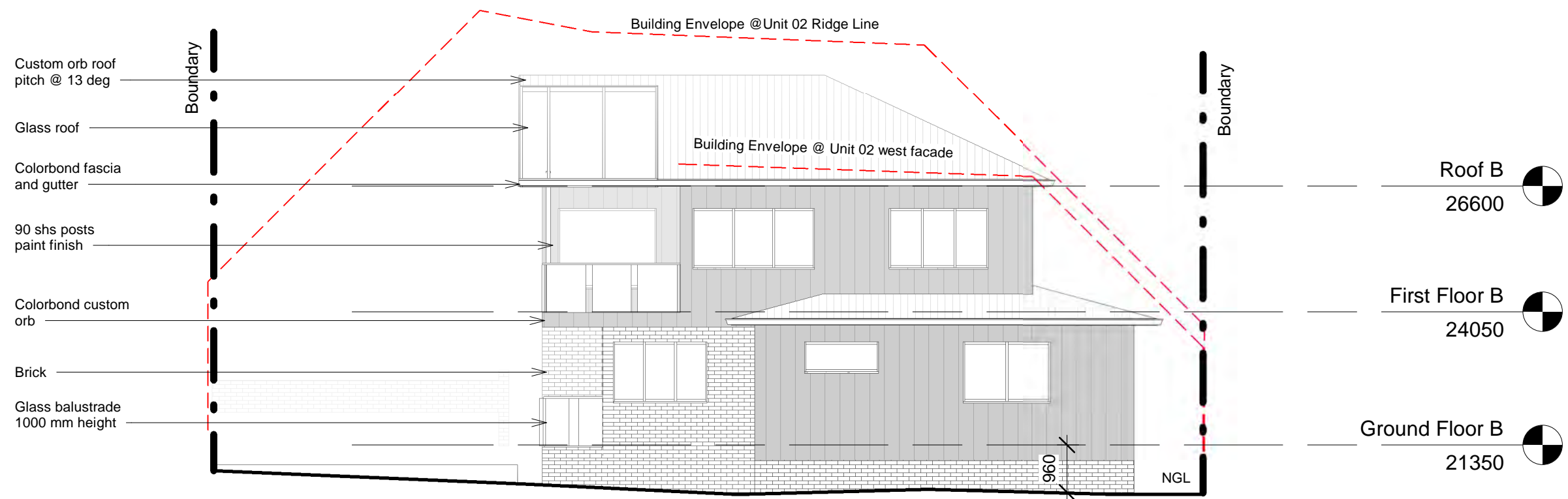
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**KUNAMA**  
ARCHITECTS

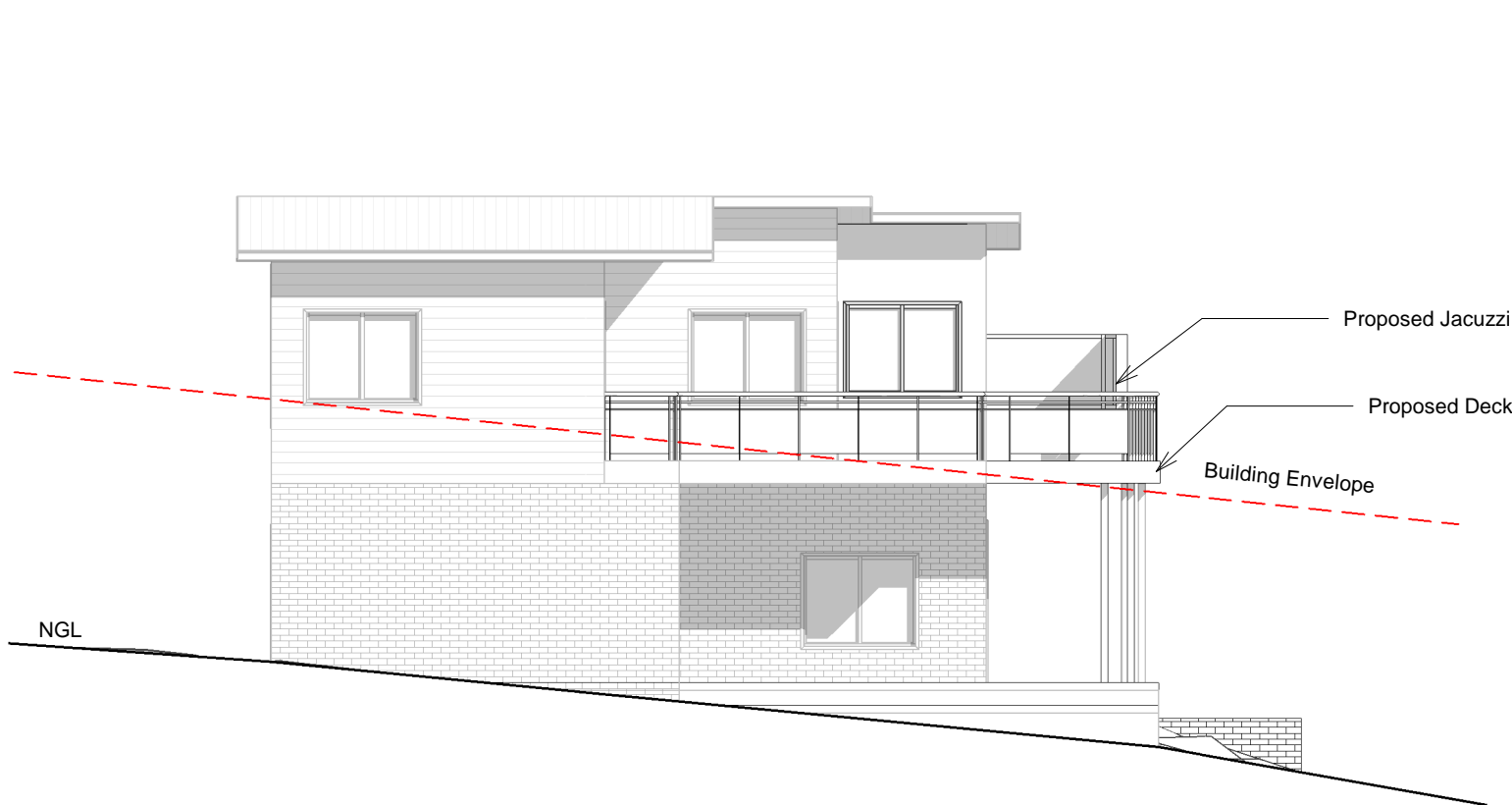


1 Western Elevation - Unit 01  
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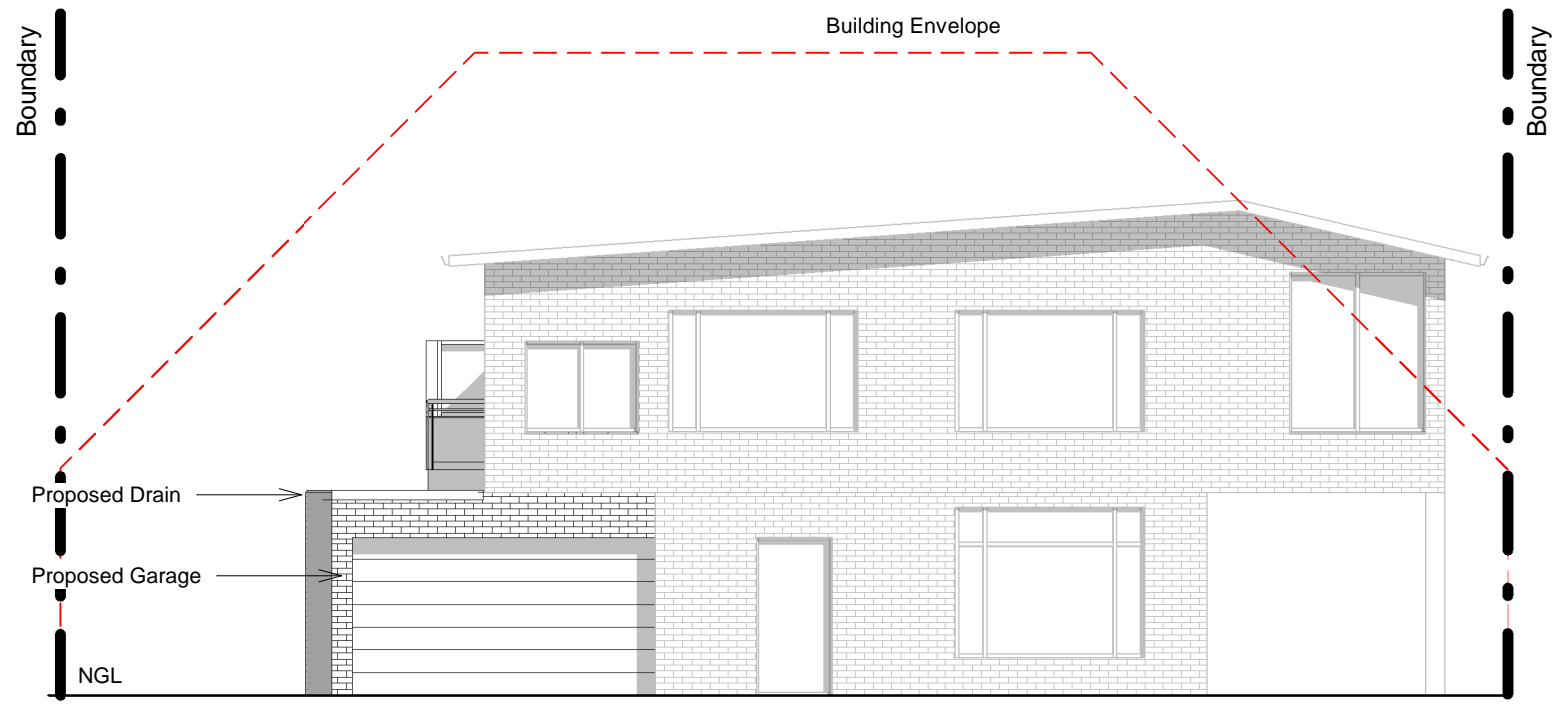


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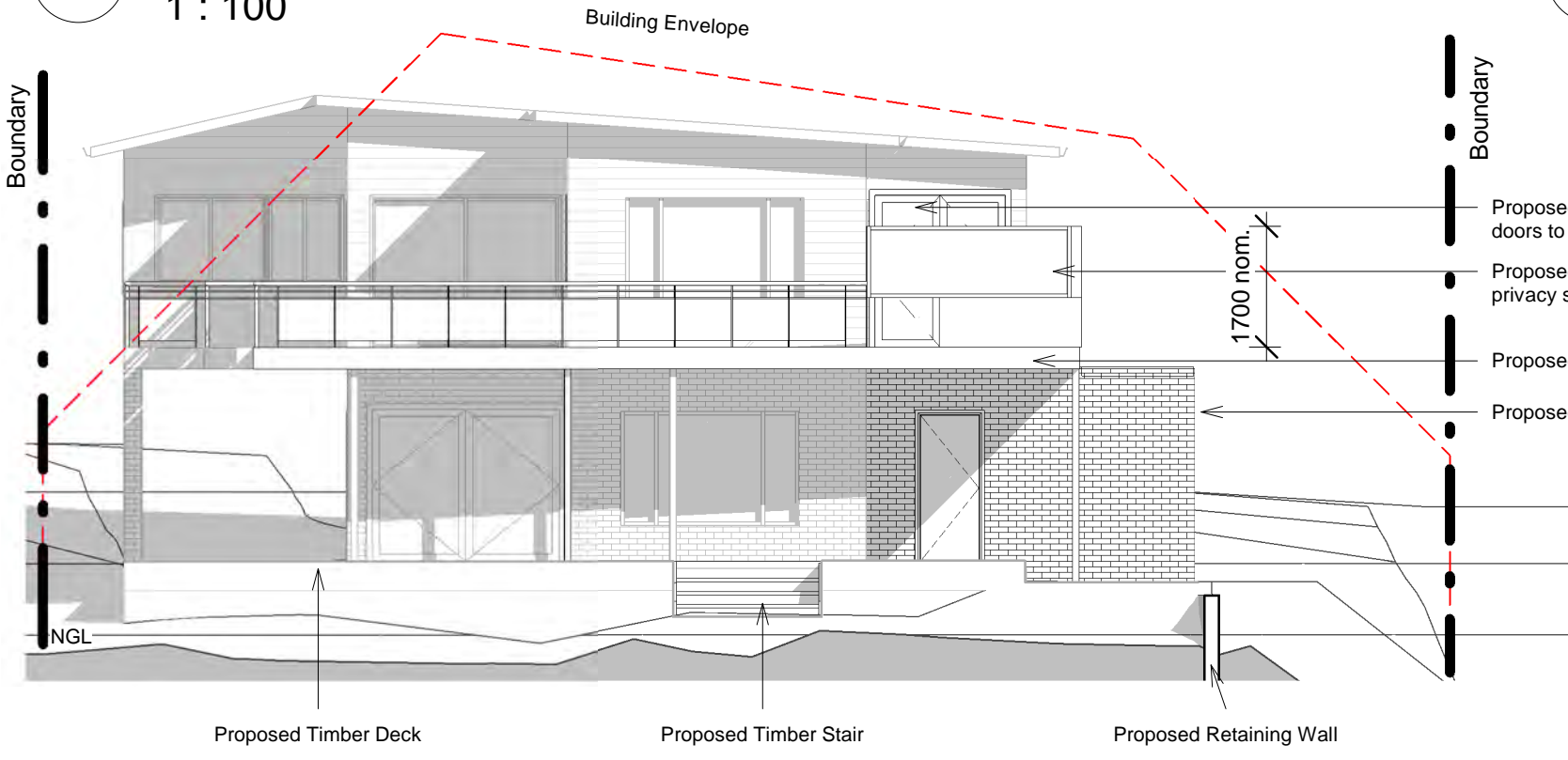
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C	DA ISSUE	09/09/2021		Date	July 2021			
D	DA RFI 29/09/21	04/11/2021	2 Barr St, Risdon	Drawn by	BA			
E	DA Revised Issue	13/12/2021		BSP Lic#	CC 6171B	Scale		
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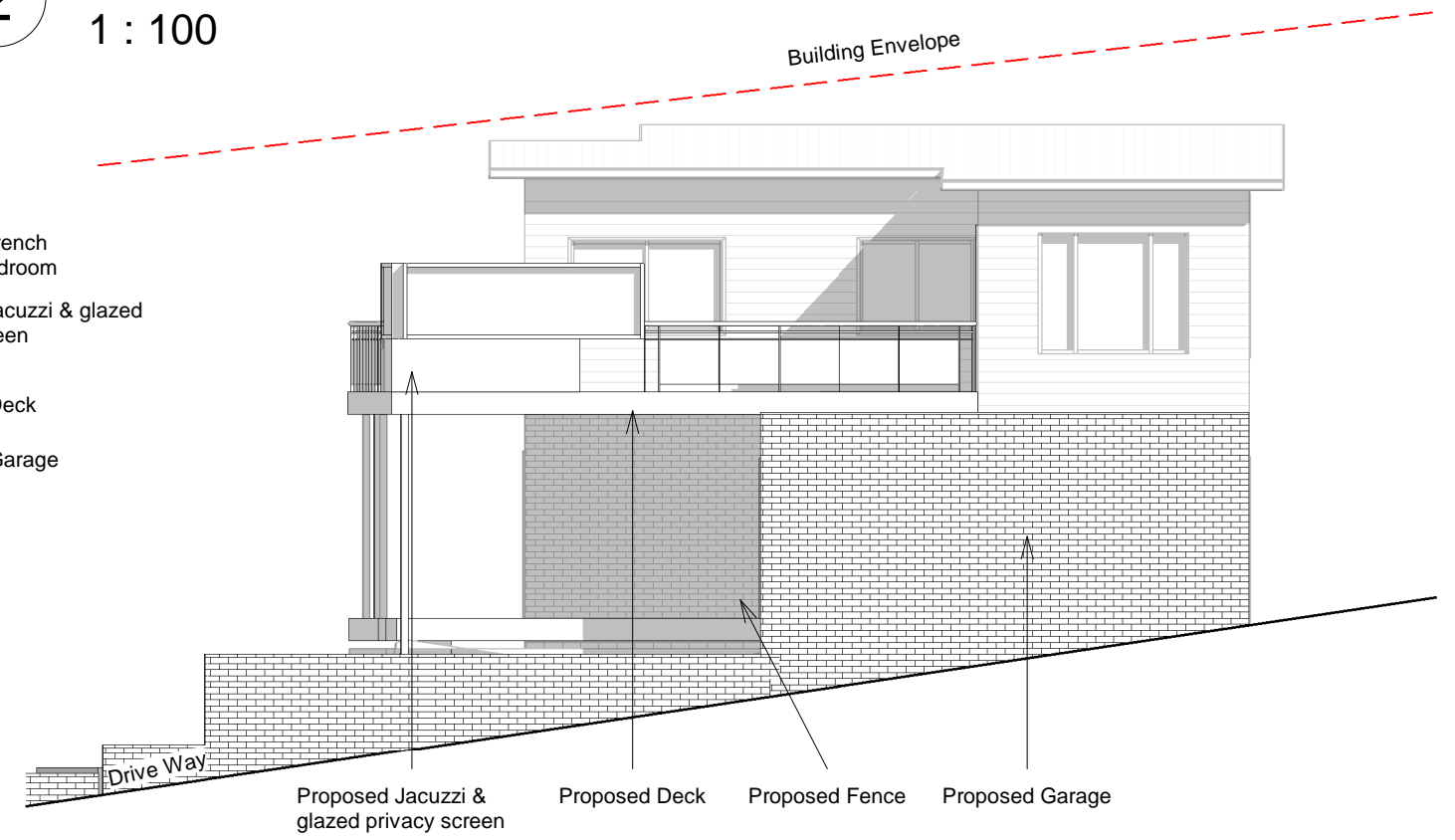
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2 East Elevation - Ex Dwelling  
1 : 100

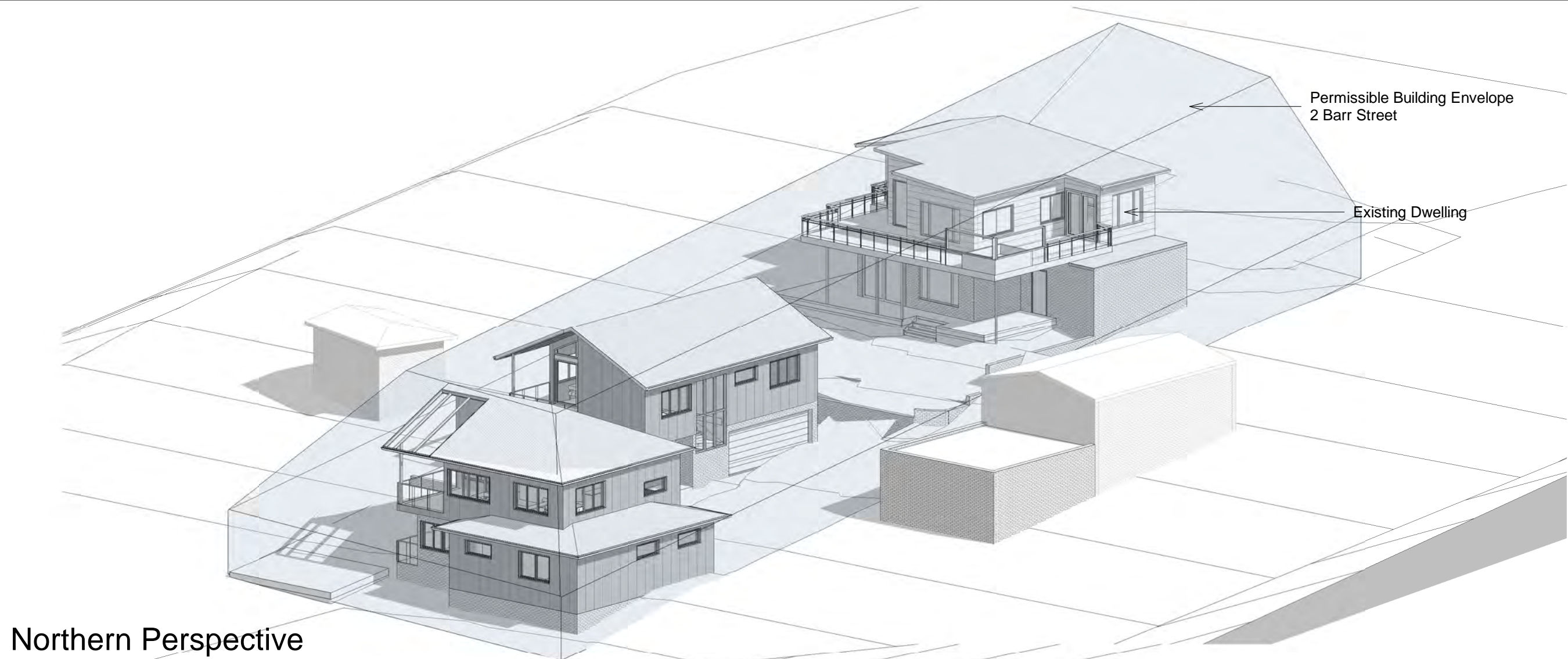


3 West Elevation-Ex Dwelling  
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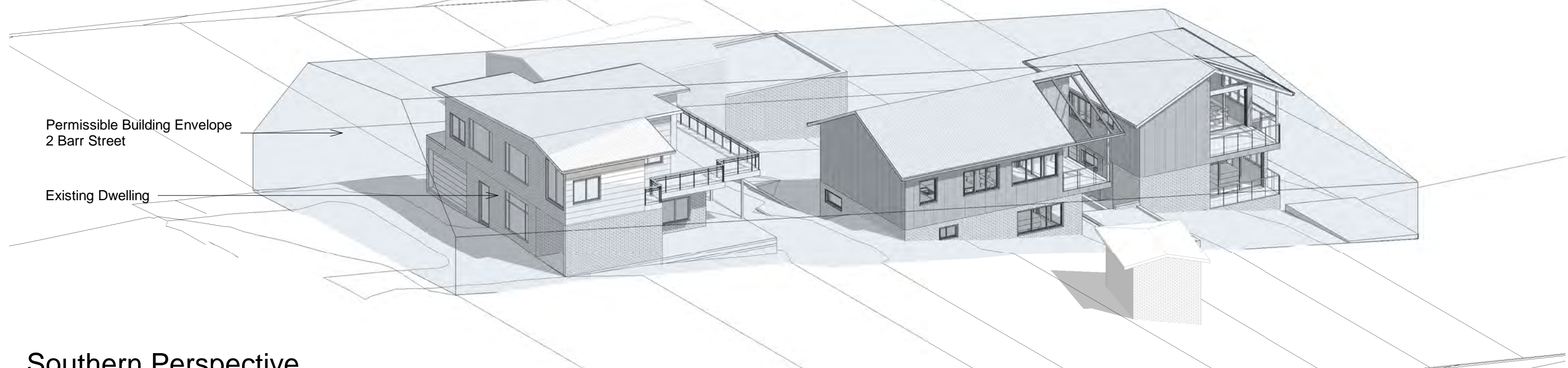


4 South Elevation-Ex Dwelling  
1 : 100





Northern Perspective



Southern Perspective

No	Description	Date
B	Drawings issued for client approval	20/07/2021
C	DA ISSUE	09/09/2021
D	DA RFI 29/09/21	04/11/2021
E	DA Revised Issue	13/12/2021

Safdar Devji

2 Barr St, Risdon

## 3D Perspectives

Project number	KA 2108
Date	July 2021
Drawn by	BA
BSP Lic#	CC 6171B
Scale	

A07.00

@A3

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ARCHITECTS



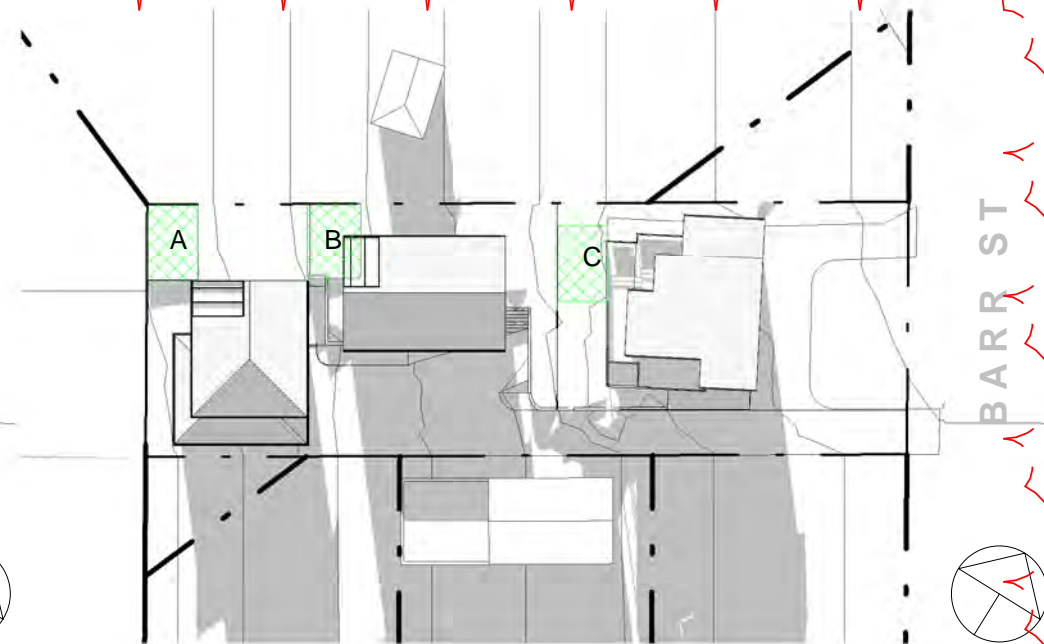
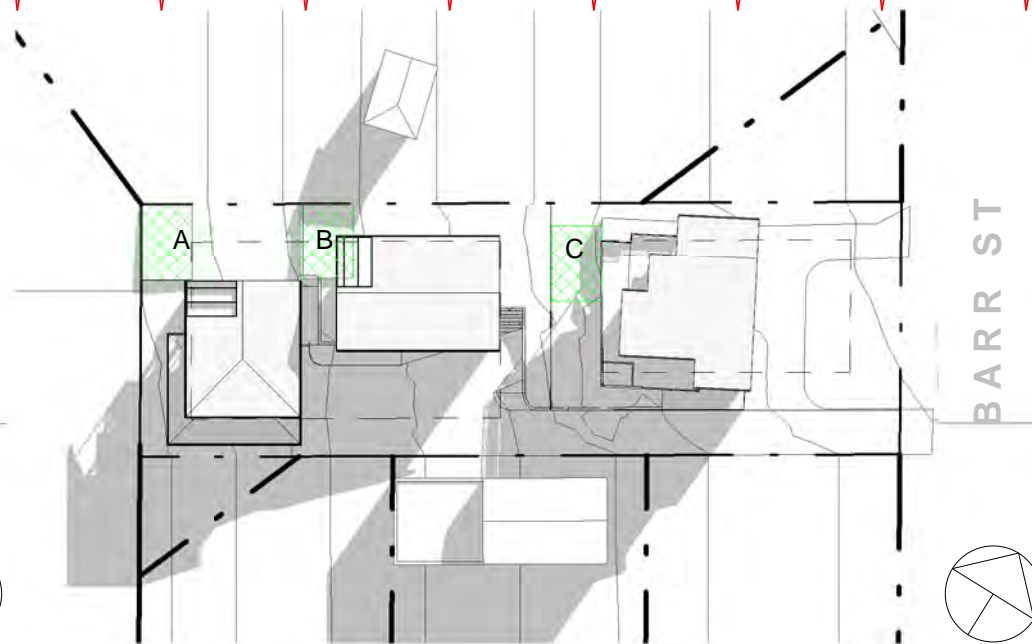
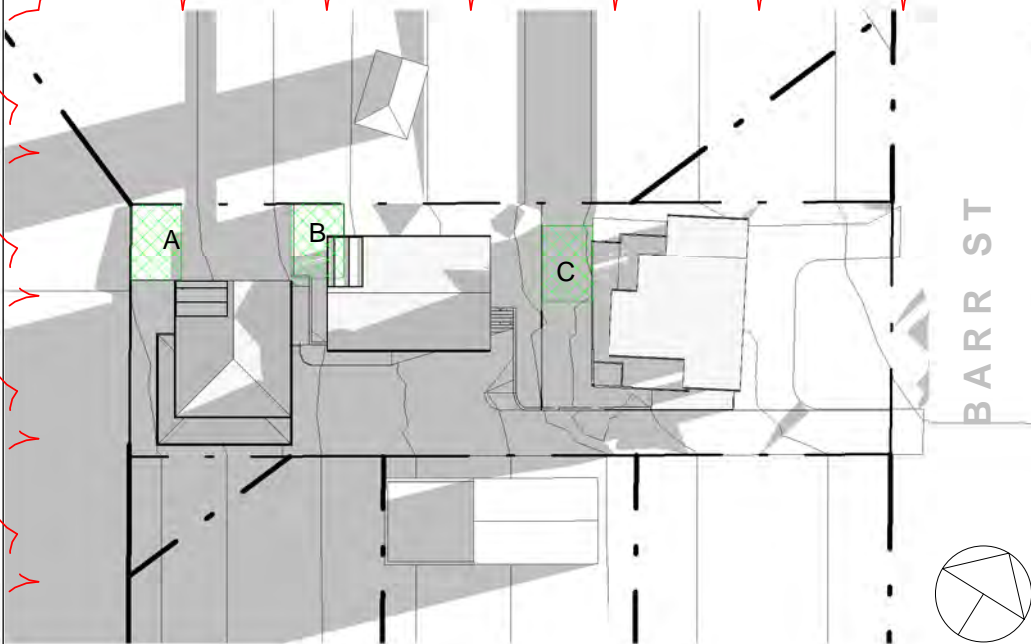
June 21

Proposed

09:00 am

12:00 pm

03:00 pm



12PM Sunlight to % of POS (4mx6m max 1:10 grade)  
A = 90%  
B = 58%  
C = 0%

12PM Sunlight to % of POS (4mx6m max 1:10 grade)  
A = 100%  
B = 50%  
C = 70%

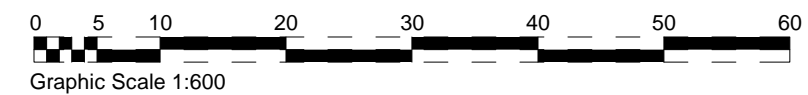
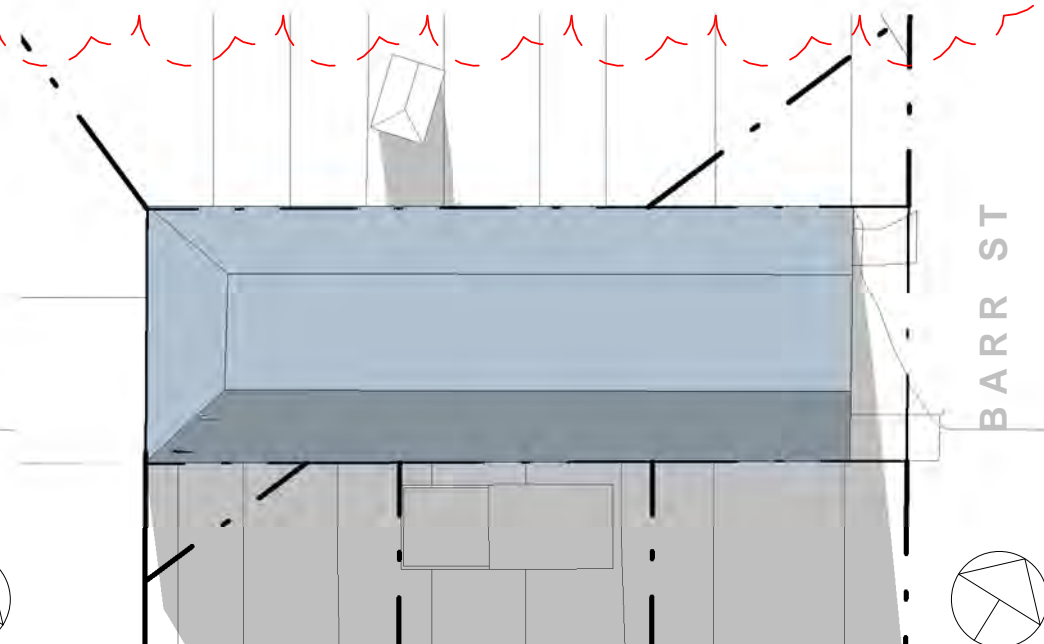
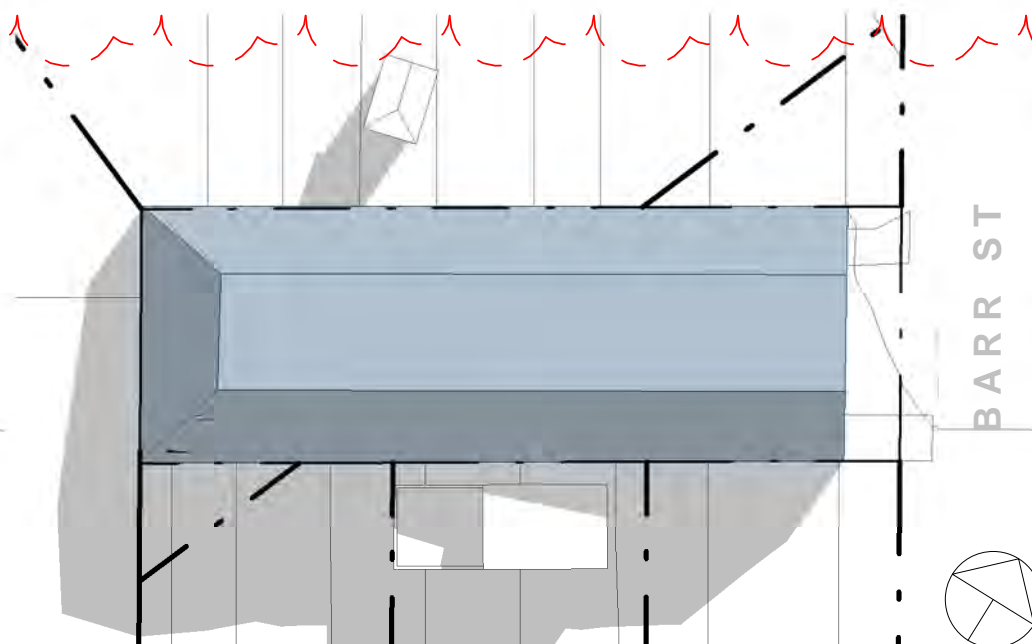
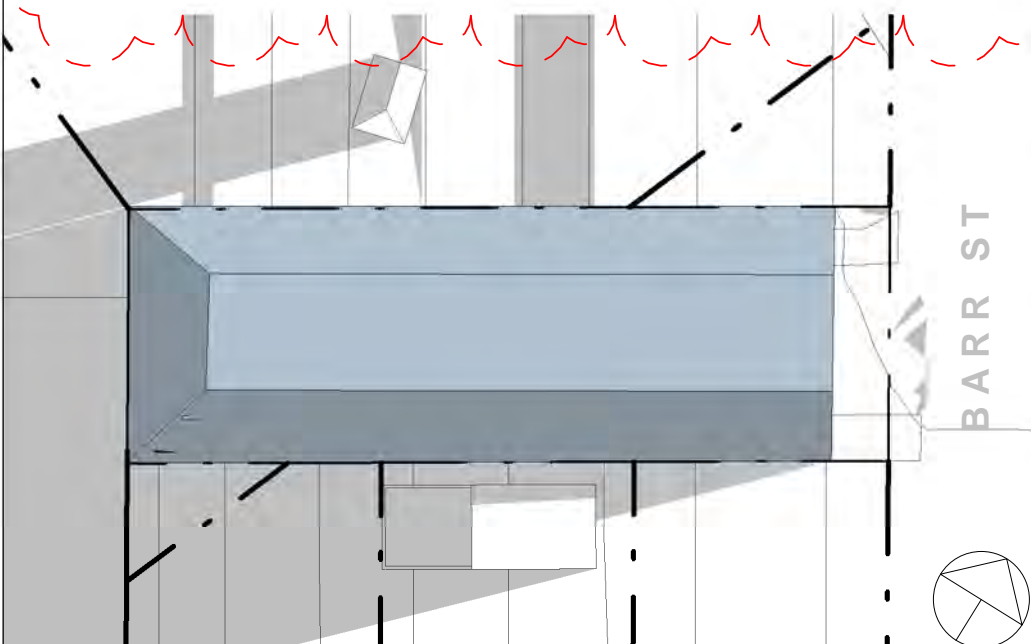
3PM Sunlight to % of POS (4mx6m max 1:10 grade)  
A = 100%  
B = 80%  
C = 100%

Permissible Building Envelope

09:00 am

12:00 pm

03:00 pm



No	Description	Date	Safdar Devji
C	DA ISSUE	09/09/2021	
D	DA RFI 29/09/21	04/11/2021	
E	DA Revised Issue	13/12/2021	
F	DA RFI 21/12/21	21/12/21	

2 Barr St, Risdon

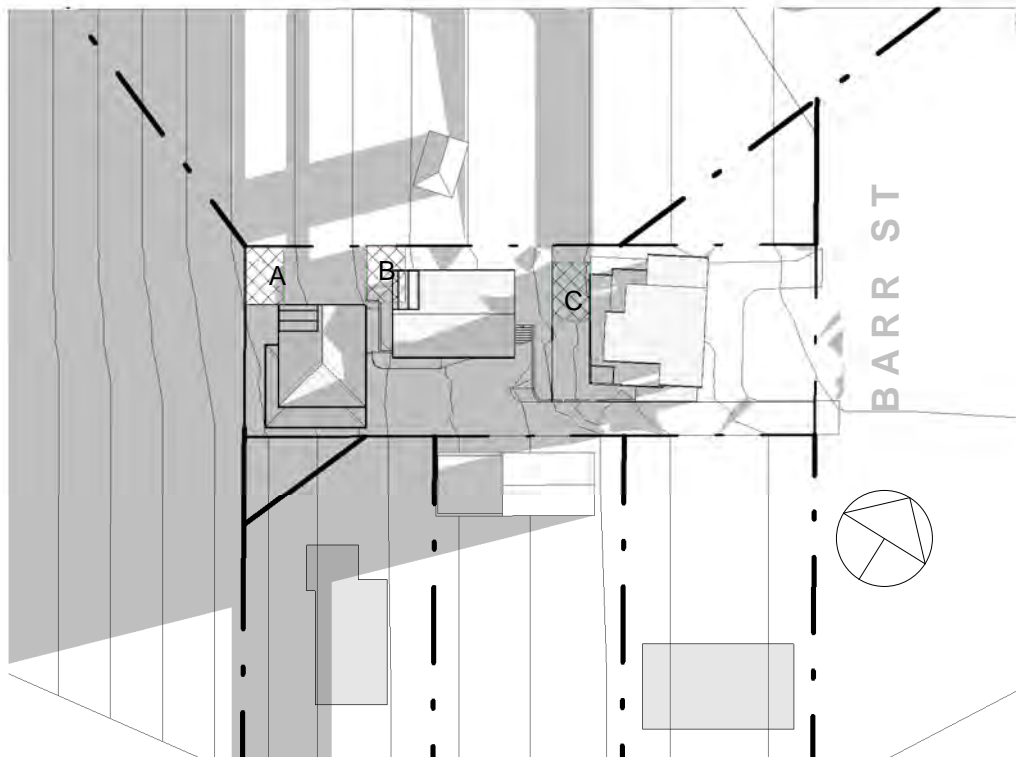
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Project number KA 2108  
Date July 2021  
Drawn by BA  
BSP Lic# CC 6171B Scale

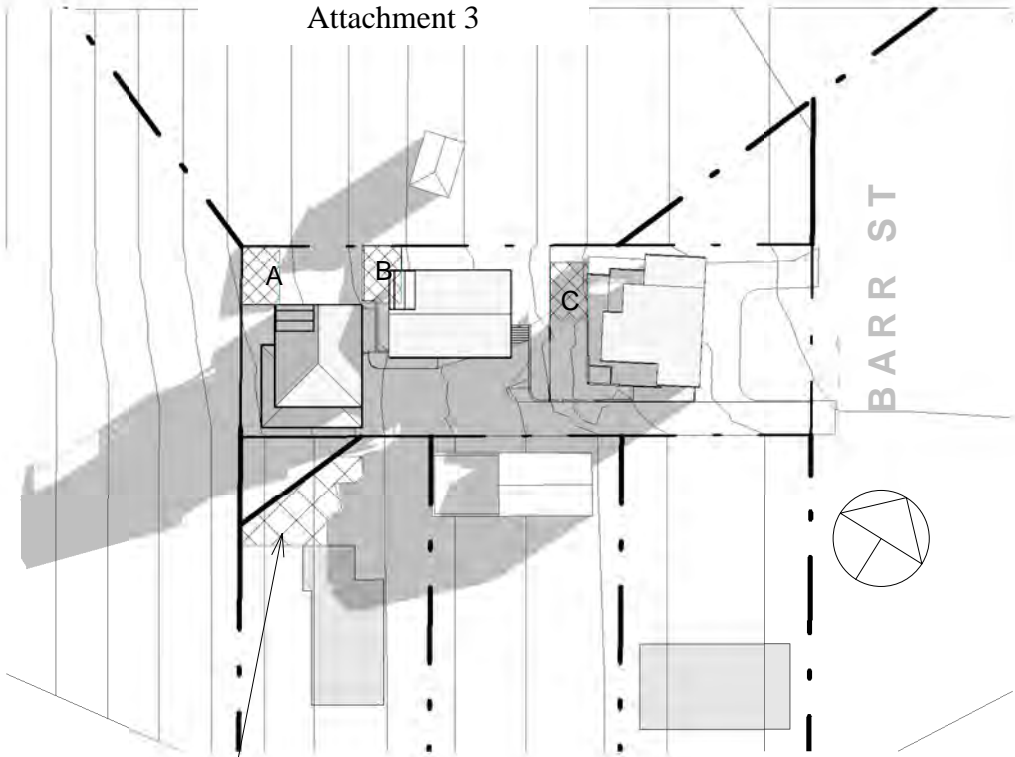
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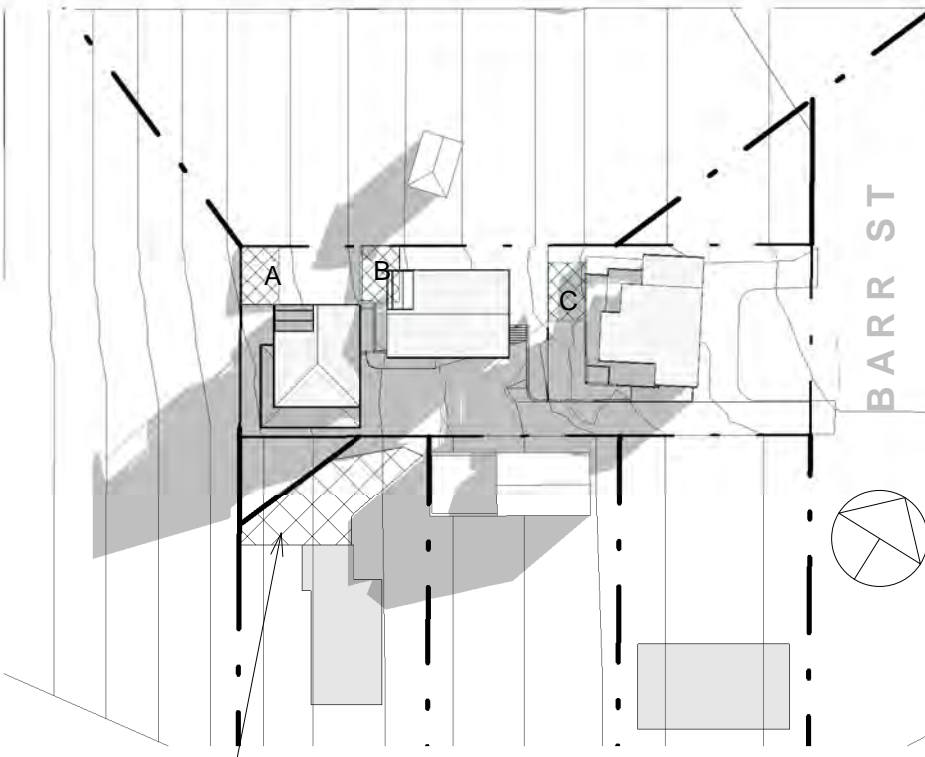
**KUNAMA**  
ARCHITECTS



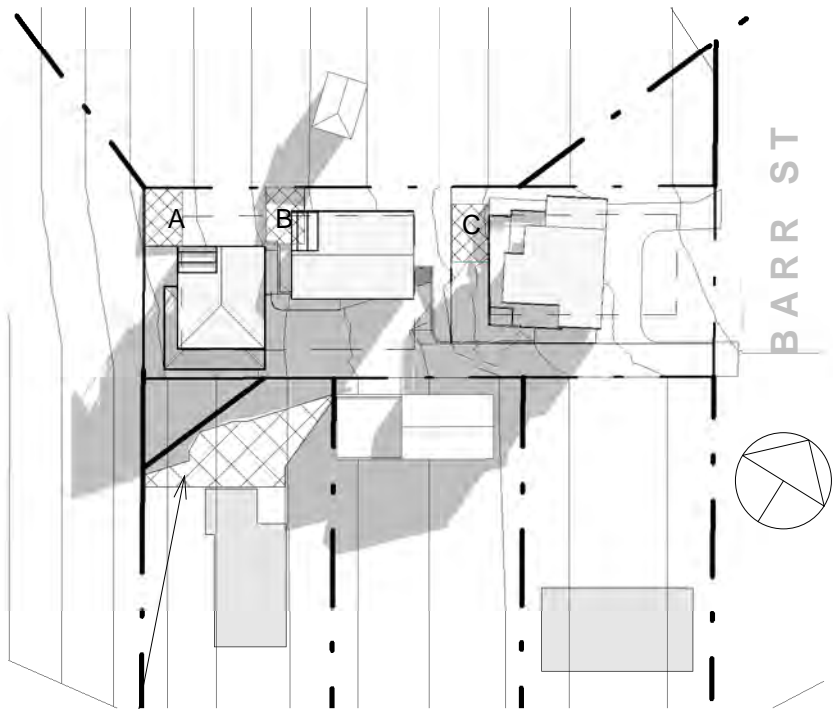
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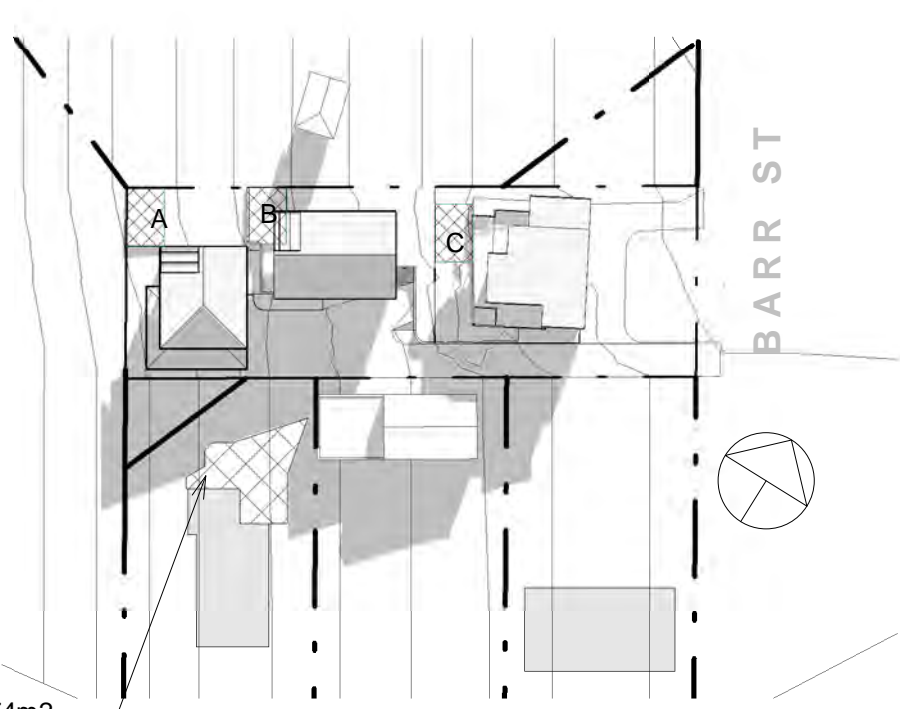
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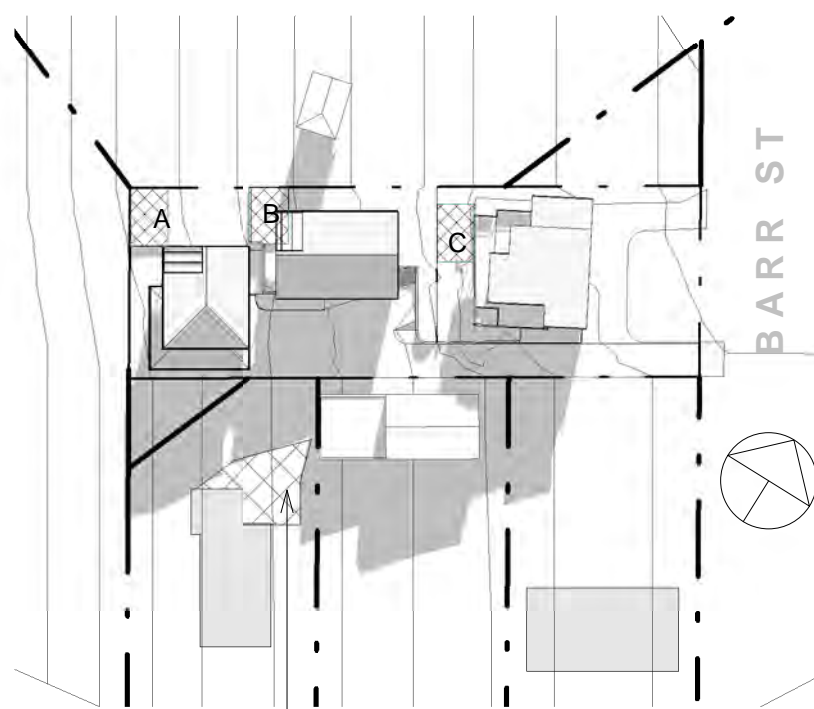
11:00 am




12:00 pm



1:00 pm



1:30 pm

No	Description	Date	Safdar Devji	June 21 Shadow diagrams extended				
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				Date	July 2021			
				Drawn by	Author			
			2 Barr St, Risdon	BSP Lic#	Checker	Scale	A07.05	1: 800 @A3



## 2 BARR STREET, RISDON

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**Photo 1:** Site viewed from Barr Street looking southwest.



**Photo 2:** Site of development viewed from rear of dwelling, looking southwest.





**Photo 3:** Site of development viewed from rear of dwelling, looking west.



**Photo 4:** Site of development viewed from Saundersons Road, looking northeast.

**7. REPORTS OF OFFICERS****7.1 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS****7.1.1 PETITIONS – BOUNDARY FENCE AT 13 WAVERLEY COURT, BELLERIVE****EXECUTIVE SUMMARY****PURPOSE**

To consider a petition tabled at Council's Meeting of 17 January 2022 requesting Council erect a boundary fence between the property at 13 Waverley Court and the southern side of Waverley Flora Park together with another gate to complement the existing one on the pathway between 9 and 11 Waverley Court.

**RELATION TO EXISTING POLICY/PLANS**

Nil.

**LEGISLATIVE REQUIREMENTS**

Section 60 of the Local Government Act 1993 requires Council to formally consider petitions within 42 days of receipt.

The Boundary Fences Act, 1908 provides that an owner of land may request an adjoining owner to share in the cost of boundary fencing. The Act also provides that Council is not obliged to contribute to the cost of erecting a boundary fence where the fence adjoins a public place.

**CONSULTATION**

Noting that the owner of 13 Waverley Court was not a signatory to the petition, Council officers contacted the owner to ascertain whether they wished to have a boundary fence.

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with the petition.

**RECOMMENDATION:**

- A. That Council notes the intent of the petition.
- B. That the petitioners be advised that Council will not require the owner of 13 Waverley Court to erect a boundary fence on the boundary of the Waverley Flora Park.

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**ASSOCIATED REPORT****1. BACKGROUND**

- 1.1.** At its meeting of 17 January 2022, Council received a petition regarding boundary fencing at 13 Waverley Court, Bellerive.

- 1.2.** The petition containing 12 signatures requested the following:

*“In light of the Boundary Fences Act 1908 (‘the Act’) which consolidates the law in relation to boundary fences in Tasmania, in particular the erection of a sufficient or rabbit-proof new boundary fence, please have this petition received and referred to the appropriate officer for action by inspecting and determining a resolute plan by arbitration (in the manner provided by Part IV of the Act) of the adjoining owners responsible to execute the urgent needed works\* as described in the above subject matter.”*

## **2. REPORT IN DETAIL**

- 2.1.** The property at 13 Waverley Court, Bellerive shares a property boundary with the Waverley Flora Park. The property does not have a boundary fence on that boundary. The dwelling was built in approximately 2015.

- 2.2.** The petition provided further detail on the petition as follows:

*“\*Direct benefits:*

- *maintaining a minimum 20m wide outer zone (in order to prevent and reduce bush fire hazard along the Waverley Flora Park bordering the southern side and 13 Waverly Court property;*
- *reduce mischievous ways of wallabies’ access, their destructive and of most often spell of disaster of and within Waverley Court residents’ gardens and lawns where they gather to graze and chew almost everything;*
- *keeping clean and safe playground for the kids in the nearby area (e.g. wallabies can be colonised by up to 22 gastrointestinal parasites, many of which are transmitted via feces/fecal droppings from infected wallabies”.*

- 2.3.** The property owner of 13 Waverley Court was not a signatory to the petition so Council officers made contact to ascertain whether they wanted a boundary fence.
- 2.4.** The property owner advised that, while they are unable to commit to a boundary fence at the moment, they may consider building a boundary fence in the future.

- 2.5.** In response to the issues raised under the petition, the Waverley Flora Park is managed under a Bushfire Management Plan. The Plan does not identify boundary fencing as being critical to bushfire prevention or reduction. It is also unlikely that a boundary fence at 13 Waverley Court would completely exclude the possibility that wallabies would be able to access other properties in the area.
- 2.6.** Under the Boundary Fences Act, 1908 (Tas.), as an adjoining owner to 13 Waverley Court, Council can request the property owner to share the cost of any boundary fencing which may be erected. The Boundary Fences Act also provides that Council is not liable for the cost of a boundary fence adjoining public space, such as the Waverley Flora Park.
- 2.7.** Noting that the owner may consider a boundary fence in the future and that Council would not be liable for sharing in the costs of any such fence, it is appropriate that the petitioners be advised that Council will not require the owner of 13 Waverley Court to erect a boundary fence.

### **3. CONSULTATION**

#### **3.1. Community Consultation Undertaken**

Nil.

#### **3.2. State/Local Government Protocol**

Nil.

#### **3.3. Other**

The owner of 13 Waverley Court was contacted following receipt of the petition.

#### **3.4. Further Community Consultation**

Nil.

### **4. STRATEGIC PLAN/POLICY IMPLICATIONS**

Not applicable.

**5. EXTERNAL IMPACTS**

Not applicable.

**6. RISK AND LEGAL IMPLICATIONS**

Not applicable.

**7. FINANCIAL IMPLICATIONS**

There are no financial implications associated with the petition.

**8. ANY OTHER UNIQUE ISSUES**

Not applicable.

**9. CONCLUSION**

The petition has requested that Council require the owner of 13 Waverley Court, Bellerive to erect a boundary fence on the boundary with the Waverley Flora Park. Given that the owner has indicated that they may consider a boundary fence in the future, it is appropriate that the petitioners be advised that Council will not take any action at this stage.

Attachments: Nil

Ian Nelson  
**GENERAL MANAGER**

## **7.2 ASSET MANAGEMENT**

Nil Items.

<b>7.3 FINANCIAL MANAGEMENT</b>
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Nil Items.



## **7.4 GOVERNANCE**

### **7.4.1 QUARTERLY REPORT TO 31 DECEMBER 2021**

#### **EXECUTIVE SUMMARY**

##### **PURPOSE**

To consider the General Manager's Quarterly Report covering the period 1 October 2021 to 31 December 2021.

##### **RELATION TO EXISTING POLICY/PLANS**

The Report uses as its base the Annual Plan adopted by council and is consistent with council's adopted Strategic Plan 2021-2031.

##### **LEGISLATIVE REQUIREMENTS**

There is no specific legislative requirement associated with regular internal reporting.

##### **CONSULTATION**

Not applicable.

##### **FINANCIAL IMPLICATIONS**

The Quarterly Report provides details of council's financial performance for the period.

#### **RECOMMENDATION**

That the Quarterly Report to 31 December 2021 be received.

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## **ASSOCIATED REPORT**

The Quarterly Report to 31 December 2021 has been provided under separate cover.

Ian Nelson

**GENERAL MANAGER**

**7.4.2 CONSULTATION REVIEW - REVIEW OF URBAN GROWTH BOUNDARY AT 52 RICHARDSONS ROAD, SANDFORD****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider consultation feedback on the request to modify the Southern Tasmanian Regional Land Use Strategy (STRLUS) Urban Growth Boundary (UGB), at 52 Richardsons Road, Sandford.

**RELATION TO PLANNING PROVISIONS**

Under the Clarence Local Provision Schedule, 52 Richardsons Road, Sandford is zoned Landscape Conservation and Rural and subject to a range of Code Overlays.

The site is located outside of the STRLUS UGB.

**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.

**CONSULTATION**

The request has been exhibited for public comment. It has also been referred to government agencies and regional councils for their response.

**RECOMMENDATION:**

- A. That in response to the matters raised by the Minister for Planning in his letter dated 15 March 2021, council decides that:
  - a. the additional information supplied by the applicant and considered at the meeting of 20 September 2021 satisfies the relevant requirements of RLUS1;
  - b. the outcomes of the subsequent consultation process do not raise new matters that outweigh the merits of the proposal, as originally endorsed;
  - c. the Minister be provided with copies of all relevant documents and reports in response to his request for information to satisfy the requirements of RLUS1; and
  - d. the Minister be advised that in view of the above, Council affirms its support for the proposal and requests the Minister to approve the Urban Growth Boundary Amendment.
- 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.

**CONSULTATION REVIEW - REVIEW OF URBAN GROWTH BOUNDARY AT 52 RICHARDSONS RD, SANDFORD /contd...**

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**ASSOCIATED REPORT****1. BACKGROUND**

**1.1.** The history of the proposal, including the previous council decision of 9 February 2021 and subsequent correspondence are outlined in the report for the meeting of 20 September 2021, which is attached (refer Attachment 1).

**1.2.** At its meeting on 20 September 2021, council resolved:

- “A. That in response to the matters raised by the Minister for Planning in his letter dated 15 March 2021, council notes the response provided by JMG Engineers and Planners.*
- B. That council undertakes the further steps recommended as Option 3 within this report, including a public consultation of five weeks duration.*
- C. That at the conclusion of the referral and public consultation processes, a report be prepared for council’s consideration of the outcomes of recommendation B above.*
- D. That the details and conclusions included in the Associated Report be recorded as the reasons for council’s decision in respect of this matter.”*

The Minister’s letter of 15 March is attached (refer Attachment 2).

**2. STATUTORY IMPLICATIONS**

Requests to amend the STRLUS must be assessed against the Information Sheet - *Reviewing and Amending the Regional Land Use Strategies* (RLUS1) issued by the Department of Justice, Planning Policy Unit. A copy of the Information Sheet is attached (refer Attachment 3).

### **3. THE SITE AND CONTEXT**

#### **3.1. The Site**

The subject site is 52 Richardsons Road, Sandford (CT 158742/9), a 73Ha irregular shaped vacant lot located to the south of Lauderdale. A detailed description, location plan and site photographs were included in the 9 February 2021 council report.

#### **3.2. Planning Controls**

Under the Clarence Local Provision Schedule (LPS), the land is zoned Landscape Conservation and Rural and subject to the following Code Overlays:

- Bushfire Prone Areas
- Landslide Hazard Area
- Coastal Inundation Hazard Area
- Flood Prone Areas
- Coastal Erosion Hazard Area
- Natural Assets
- Potentially Contaminated Land.

The northern boundary of the site adjoins the UGB however the entire site is outside of it.

### **4. THE PROPOSAL**

The applicant requested an amendment to the STRLUS by expanding the UGB to include a 12.1Ha portion of the subject land to provide for a residential development, illustrated with an indicative subdivision layout. A detailed description of the proposal was included in the 9 February 2021 council meeting agenda.

Should the requested UGB expansion ultimately be approved, the applicant foreshadowed the submission of a subsequent combined application seeking a planning scheme amendment and subdivision permit.

### **5. PLANNING ASSESSMENT**

**5.1.** RLUS1 prescribes the minimum information required to be submitted in order to consider an amendment request.

- 5.2. The request has been assessed in relation to RLUS1 in previous reports. There has been no new substantive information provided which requires reassessment of the prescribed matters and therefore those reports may be referred to, as appropriate.
- 5.3. However, the recent consultation process has highlighted a range of matters which council may wish to take into account.

## **6. CONSULTATION**

- 6.1. Following the decision of 20 September 2021, community consultation was undertaken during October - November 2021, using council's "Your Say" facility. This attracted significant interest, with 679 responses received. Council has been provided with the full details of all submissions and a copy of the consultation outcomes is attached to provide a concise summary (refer Attachment 4). The attachment has also been made available to the public via council's web page. Following the completion of consultation, the applicant provided Aldermen with comments on the process, however this does not require further discussion here.
- 6.2. Regional councils either supported or had no objection to the request, other than Glenorchy City Council, who indicated that there is insufficient justification under RLUS1, and it is concerned that ad hoc expansion will undermine the vision of the Hobart City Deal. A copy of the response is attached (refer Attachment 5). While advising it has no view on the merits of the current request, Tasman Council also supports the Metroplan work on regional supply and demand for residential land in Greater Hobart, which is to lead to a revised STRLUS in 2024. Tasman Council supports the revision as it has concerns that STRLUS impedes timely and appropriate settlement expansion.
- 6.3. Comment was invited from relevant government agencies. Of those, the Department of State Growth - Transport Systems and Policy Planning raised concerns about the strategic assessment of the project and impacts on State infrastructure. A copy of the response is attached (refer Attachment 6).

- 6.4.** Comments were also received from the TasFire Service and Department of Primary Industry Water and Environment - Conservation Assessment and Wildlife Management regarding requirements associated with the future development of the property.

**7. EXTERNAL REFERRALS**

As detailed in the 9 February 2021 council report, the initial proposal was referred to TasWater and the Department of State Growth. As part of the above consultation process, comments were sought from a wider range of agencies.

**8. COUNCIL COMMITTEE RECOMMENDATION**

The proposal was not referred to any council committees.

**9. STRATEGIC PLAN/POLICY IMPLICATIONS**

The 9 February 2021 council report contained an assessment against the relevant State Policies.

The community consultation process was carried out in accordance with council's Community Engagement Policy 2020.

The process was also consistent with the decision of 22 March 2021:

- “1. that prior to considering any further Council requests to the Minister for Planning to amend the Southern Tasmanian Regional Land Use Strategy (STRLUS), including any extension to the Urban Growth Boundary (UGB) within Clarence, Council as a matter of policy and best practice, undertakes broad public consultation before determining whether or not to support a particular request; and 2. that the feedback received be included in any report to Council in the same manner as a land use planning application.”*

## **10. OPTIONS**

The request to amend the UGB is a non-statutory application and is not subject to timelines or appeal and therefore contrasts with the statutory processes for planning permit or planning scheme amendment applications. Council may therefore choose to review how it deals with the matter, having regard to the consultation outcomes. There appear to be two options available to council and these are outlined below.

In view of the 9 February 2021 decision, which established council's support for the proposal, the recommendation will set out a process for submitting the additional RLUS1 information and the consultation outcomes to the Minister, as part of the approval process. Specifically, this report respects council's adopted position to support the UGB expansion and provides an appropriate recommendation.

- **Option 1 – Request Minister to Amend the UGB**

This option would involve three steps:

1. Decide that the additional information supplied by the applicant and considered at the meeting of 20 September 2021 satisfies the relevant requirements of RLUS1;
2. Decide that the outcomes of the subsequent consultation process do not raise new matters that outweigh the merits of the proposal, whereas the positive responses confirm the merits; and
3. Provide the Minister with copies of all relevant documents and reports in response to his request for information to satisfy the requirements of RLUS1 and affirm Council's support for the proposal.

Even though RLUS1 does not require community consultation by a council, in this case inclusion of all relevant material from the recent process may avoid the Minister deciding there is a need for further consultation. This may assist to avoid unnecessary decision-making delay.

- **Option 2 – Withdraw the Request to Amend the UGB**

As indicated above, this is not a statutory process, and it is open to Council to reconsider its support for the project. It may wish to do that for any combination of reasons, such as consideration of the applicant's responses to RLUS1, responses received from referrals to Councils and government agencies; or for any of the opposing reasons expressed in the community consultation outcomes. This option would involve two steps:

1. Decide that for reasons (to be specified) the request to amend the UGB should be withdrawn; and
2. Decide to request the Minister not to proceed to amend the UGB, for the specified reasons.

## **11. CONCLUSION**

The Minister for Planning asked for additional information to satisfy the requirements of RLUS1, before considering council's request for an amendment to the UGB. This report references the applicant's responses to RLUS1 technical matters in the report of 20 September 2021 and the outcomes of consultation with councils, government agencies; and the community.

Council has resolved to support the request and the recommendation provides the mechanism to progress the matter before the Minister.

- Attachments:
1. Council Agenda Report of 20 September 2021 (12)
  2. Minister for Planning Letter 15 March 2021 (2)
  3. Information Sheet RLUS1 (7)
  4. Community Consultation Results (8)
  5. Glenorchy City Council Response (2)
  6. Department of State Growth Response (4)

Ian Nelson  
**GENERAL MANAGER**



**11.7 GOVERNANCE****11.7.1 SUPPLEMENTARY LAND SUPPLY ANALYSIS RELATING TO REVIEW OF URBAN GROWTH BOUNDARY AT 52 RICHARDSONS RD, SANDFORD****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider a response from the applicant relating to their request to modify the Southern Tasmanian Regional Land Use Strategy's (STRLUS) Urban Growth Boundary (UGB) at 52 Richardsons Road, Sandford.

**RELATION TO PLANNING PROVISIONS**

Under the Clarence Local Provision Schedule, the land at 52 Richardsons Road, Sanford will be zoned Landscape Conservation and Rural and subject to a range of Code Overlays.

The site is located outside of the STRLUS UGB.

**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.

**CONSULTATION**

The request to amend the STRLUS has not been exhibited and there is no requirement to do so.

**RECOMMENDATION:**

- A. That in response to the matters raised by the Minister for Planning in his letter dated 15 March 2021, council notes the response provided by JMG Engineers and Planners.
- B. That council undertakes the further steps recommended as Option 3 within this report, including a public consultation of five weeks duration.
- C. That at the conclusion of the referral and public consultation processes, a report be prepared for council's consideration of the outcomes of recommendation B above.
- D. That the details and conclusions included in the Associated Report be recorded as the reasons for council's decision in respect of this matter.

**SUPPLEMENTARY LAND SUPPLY ANALYSIS RELATING TO REVIEW OF  
URBAN GROWTH BOUNDARY AT 52 RICHARDSONS RD, SANDFORD /contd...**

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**ASSOCIATED REPORT**

**1. BACKGROUND**

- 1.1. Council, at its meeting on 9 February 2021 resolved *“to support the proposed expansion of the UGB to include the land at 52 Richardsons Road, Sandford and requests the Minister for Planning to approve the necessary amendment to the Southern Tasmanian Regional Land Use Strategy.”*
- 1.2. On 3 March 2021, council provided the Minister for Planning with a copy of the application, all supporting documentation and council’s decision.
- 1.3. In a letter dated 15 March 2021, the Minister advised that the request had been received and that he was unable to progress the matter until council provided a direct response to the requirements set out in the Planning Policy Unit’s Information Sheet RLUS1 - Reviewing and Amending the Regional Land Use Strategies.
- 1.4. At its meeting on 22 March 2021, in accordance with its Community Engagement Policy 2020, council resolved:
  - “1. *that prior to considering any further Council requests to the Minister for Planning to amend the Southern Tasmanian Regional Land Use Strategy (STRLUS), including any extension to the Urban Growth Boundary (UGB) within Clarence, Council as a matter of policy and best practice, undertakes broad public consultation before determining whether or not to support a particular request; and*
  2. *that the feedback received be included in any report to Council in the same manner as a land use planning application.”*

- 1.5. At a workshop relating to the Minister's letter and request for a direct response to the RLUS1 it was considered that the applicant was best placed to provide the required information. On 12 April 2021, council advised the applicant of the Minister's decision and requested a report to address the requirements set out the information sheet in a form that council could adopt as its response to the Minister (a copy of the letter is included in the attachments).
- 1.6. In a letter received 27 July 2021, (included in the attachments) the applicant provided their response. Following an assessment against the RLUS1 requirements, on 7 September 2021 the applicant provided clarification of several matters but did not provide any substantially new information. The applicant's response is the subject of this report.

## **2. STATUTORY IMPLICATIONS**

- 2.1. The statutory implications associated with this proposal were detailed in the report considered by council at its meeting on 9 February 2021.
- 2.2. The most relevant consideration is that proposals requesting an amendment to the STRLUS are required to be assessed against the Information Sheet RLUS1 - *Reviewing and Amending the Regional Land Use Strategies* issued by the Department of Justice, Planning Policy Unit. A copy of the Information Sheet RLUS1 is included in the attachments.

## **3. THE SITE AND CONTEXT**

### **3.1. The Site**

The subject site is 52 Richardsons Road, Sandford (CT 158742/9), a 73Ha irregular shaped vacant lot located to the south of Lauderdale. A detailed description, location plan and site photographs were included in 9 February 2021 council report.

### **3.2. Planning Controls**

The 9 February 2021 council report identified that the site is zoned Rural Resource and Environmental Living and subject to a range of Codes under the provisions of Clarence Interim Planning Scheme 2015 (CIPS2015).

These provisions have now been replaced with the implementation of the Clarence Local Provision Schedule (LPS). Under the LPS the land will be zoned Landscape Conservation and Rural and subject to the following Code Overlays:

- Bushfire Prone Areas;
- Landslide Hazard Area;
- Coastal Inundation Hazard Area;
- Flood Prone Areas;
- Coastal Erosion Hazard Area;
- Natural Assets; and
- Potentially Contaminated Land.

The northern boundary of the site adjoins the UGB however the entire site is outside of it.

#### **4. THE PROPOSAL**

The applicant requests an amendment to the STRLUS by expanding the UGB to include a 12.1Ha portion of the subject land to provide for a residential development. A detailed description of the proposal was included on 9 February 2021 council meeting agenda.

Should the requested UGB expansion ultimately be approved, the applicant foreshadows the submission of a subsequent combined application seeking a planning scheme amendment and subdivision permit.

#### **5. PLANNING ASSESSMENT**

**5.1.** The PPU's Information Sheet RLUS1 (attached) prescribes the minimum information required to be submitted in order to consider an amendment request.

**5.2.** Noting the progress outlined in the Background section of this report, an assessment against the applicant's response to the requirements of the PPU's Information Sheet RLUS1 is outlined below.

<b>1. Minimum information requirements to support an amendment request</b>	
<b>RLUS1 Information Requirement</b>	<b>Officer Comments</b>
1. All requests for an amendment to a regional land use strategy should first be directed to the relevant local planning authority or regional body representing the local planning authorities in the region.	The proposed amendment to the STRLUS was made to council as required. This requirement has been addressed.
2. All draft amendments to a regional land use strategy should be submitted in writing to the Minister for Planning by the relevant local planning authority or regional body representing the local planning authorities in the region.	Following its resolution on 9 February 2021 Council wrote to the Minister for Planning as required. This requirement has been addressed.
3. The supporting documentation should include details on why the amendment is being sought to the regional land use strategy.	Section 2.2 of the JMG Planning Report identifies why the amendment to the STRLUS was requested/required. Specifically, it foreshadows a future planning scheme amendment comprising of a rezoning and a Specific Area Plan. This requirement has been addressed.
4. The supporting documentation should include appropriate justification for any strategic or policy changes being sought and demonstrate how the proposed amendment: (a) furthers Schedule 1 objectives of LUPAA; (b) is in accordance with the State Policies; (c) is consistent with the Tasmanian Planning Policies once they are made; and (d) meets the overarching strategic directions and related policies in the regional land use strategy.	References to the Tasmanian Planning Policies are not relevant as the policies have not yet been made. The JMG Planning Report responds to each of the other matters at Section 2.3. While each of these matters have been considered, JMG submit that the updated May 2021 land supply figures did not provide a breakdown of residential infill/green field ratios. For this reason, they submit that there is no basis to consider this STRLUS policy based on the regional information available. It is considered that this requirement is not addressed at the regional level, this is explored in further detail below.

<b>2. Amendment requests that seek to modify the UGB should be accompanied by the following:</b>	
<b>RLUS1 Information Requirement</b>	<b>Officer Comments</b>
1. Justification for any additional land being required beyond that already provided for under the existing regional land use strategy. This analysis should include the current population growth projections prepared by the Department of Treasury and Finance.	<p>Section 3.1 of the JMG Planning Report addresses the STRLUS and articulates the case for additional residential land supply in Clarence. This matter addressed in further detail in JMG's supplementary supply and demand response dated 27 July 2021 utilising council's updated May 2021 Clarence land supply figures.</p> <p>The limitation is that the land supply figures and observations are based exclusively on the land within Clarence and there is no analysis of land availability at the regional level. For this reason, it is considered that this requirement has not been addressed.</p>
2. Analysis and justification of the potential dwelling yield for the proposed additional area of land.	<p>Appendix B of the JMG Planning Report contains a concept subdivision plan providing an indication of likely yield. The other appendices C-J reflect site analysis informing the concept subdivision plan.</p> <p>This requirement has been addressed.</p>
3. Analysis of land consumption (i.e. land taken up for development) since the regional land use strategy was declared.	<p>Section 3.1 of the JMG Planning Report provided details of population growth in Greater Hobart and presented a case for land consumption/need in Clarence, and Lauderdale specifically.</p> <p>This matter is addressed in further detail in JMG's supplementary supply and demand response dated 27 July 2021 utilising council's updated May 2021 land supply figures and land consumption rates. Note: land consumption rates were established based on the increase in the number of domestic bin services over time. It is considered that this method closely correlates with the increase in the number of constructed dwellings.</p> <p>The response is generally limited to Clarence rather than the regional context as no regional data is available. For this reason, it is considered that this requirement has been addressed in respect of Clarence but the requirement to provide an analysis at the regional level has not been addressed.</p>
4. Justification for any additional land being located in the proposed area, considering the suitability of the area in terms of access to existing physical infrastructure, public transport, and activity centres that provide social services, retail and employment opportunities.	<p>The original JMG Planning Report (supported by council's previous decision) outlines the rationale for the development of Greenfield land at Section 3.2. This section addresses these matters as well as the eight other areas that should be considered where an amendment is proposed to a regional land use strategy to develop "greenfield" land.</p> <p>This requirement has been addressed.</p>



<p>5. Consideration of appropriate sequencing of land release within the local area and region.</p>	<p>The applicant submits that this is not a relevant consideration as <i>“this part of STRLUS has not been acted upon”</i>.</p> <p>It is submitted that the applicant is incorrect. The STRLUS identifies greenfield precincts shown on Map 10 and listed in Regional Policy SRD2.3. At the time of approval, the STRLUS foreshadowed that these areas would be zoned for urban purposes at a future date. Given the lapse of time since the STRLUS was approved, many of the identified greenfield sites have now been rezoned. Once rezoned it is agreed that the STRLUS does not guide the sequencing of land release at neither the local nor regional level.</p> <p>The STRLUS SRD2.5 identifies the need to implement a land release program and a 5-step process required to achieve it. Following the identification of greenfield targets with the UGB, the second step is to develop a Concept Sequencing Plan. The Concept Sequencing Plan is not contained within the STRLUS and has not been developed at the local level. Indeed, no southern council has implemented a concept sequencing plan for their local area.</p> <p>Despite this, under the RLUS1 the sequencing of land release at the local and regional level remains a relevant consideration to any proposal seeking an amendment to the UGB. This requirement has not been addressed.</p>
<p>6. Consideration of any targets for infill development required by the regional land use strategy.</p>	<p>Section 3.1 of the JMG Planning Report outlines the rationale for the proposed amendment. This section specifically addresses local and regional population trends, existing housing stock and market segments, and take up of greenfield precincts.</p> <p>The applicant provided further commentary on infill/greenfield targets. They submitted that council’s updated May 2021 land supply figures did not provide a breakdown of residential infill/greenfield take-up rates and for this reason there is no basis to consider the STRLUS infill/greenfield targets.</p> <p>To assist the proponents, council officers subsequently provided JMG with additional data establishing an indication of infill/greenfield take up in Clarence for the 2020 calendar year.</p> <p>In summary, during the 2020 calendar year (based on Building Applications and notifiable works) 84% Single Dwellings in Clarence were within the UGB. Of these, 27% would be considered infill and the remaining 73% were in greenfield areas.</p>

	<p>Similarly, (based on planning applications), in the 2020 calendar year in Clarence, 72% of approved multiple dwellings were in infill areas while the remaining 28% were in greenfield areas. These figures provide a snapshot of infill/greenfield take up rates in Clarence. The applicant provided no further commentary on these figures other than they ought to be included in this report. While an indication of infill/greenfield ratios have been established in respect of Clarence, the proponents found it was not possible to satisfy the requirement at the regional level.</p>
7. Potential for land use conflicts with use and development on adjacent land that might arise from the proposed amendment.	<p>Section 3.2 of the JMG Planning Report outlines the rationale for the proposed amendment in terms of constraints and opportunities. This section of the report specifically addresses the potential for land use conflict.</p> <p>This requirement has been addressed.</p>

<b>3. The following matters must be considered if an amendment is proposed to a regional land use strategy to develop 'greenfield' land.</b>	
<b>RLUS1 Information Requirement</b>	<b>Officer Comments</b>
<ol style="list-style-type: none"> <li>1. How the amendment accords with the other strategic directions and policies in the relevant regional land use strategy.</li> <li>2. Impacts on natural values, such as threatened native vegetation communities, threatened flora and fauna species, wetland and waterway values, and coastal values.</li> <li>3. Impacts on cultural values, such as historic heritage values, Aboriginal heritage values and scenic values.</li> <li>4. The potential loss of agricultural land from Tasmania's agricultural estate (including but not limited to prime agricultural land and land within irrigation districts) or land for other resource-based industries (e.g. extractive industries).</li> </ol>	<p>These matters are identified and addressed in Section 3.2 of the JMG Planning Report.</p> <p>The proposal was accompanied by the following reports addressing these requirements:</p> <ul style="list-style-type: none"> <li>• a Natural Values Assessment;</li> <li>• an Aboriginal Heritage Assessment;</li> <li>• an Agricultural/Geotechnical Assessment;</li> <li>• a Visual Impact Assessment;</li> <li>• a Traffic Impact Assessment; and</li> <li>• a Bushfire Hazard Assessment.</li> </ul> <p>Each of the proponent's reports conclude the proposal is acceptable subject to their respective recommendations.</p> <p>This requirement has been addressed.</p>



<ul style="list-style-type: none"><li>5. The potential for land use conflicts with adjoining land, such as agricultural land and nearby agricultural activities, other resource-based industries (e.g. forestry and extractive industries) and industrial land taking into account future demand for this land.</li><li>6. Risks from natural hazards, such as bushfire, flooding, coastal erosion and coastal inundation, and landslip hazards.</li><li>7. Risks associated with potential land contamination.</li><li>8. The potential for impacts on the efficiency of the State and local road networks (including potential impacts/compatibility with public transport and linkages with pedestrian and cycle ways), and the rail network (where applicable).</li></ul>	
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## **6. CONSULTATION**

- 6.1.** The request to amend the STRLUS has not been exhibited and there is no requirement to do so.
- 6.2.** Following the decision to support the proposal, at its meeting on 22 March 2021 council resolved that future applications involving an amendment to the STRLUS be publicly exhibited. On this basis, should council wish to do so, broad consultation within the Lauderdale and Sandford communities could be undertaken prior to responding to the Minister's request for additional information.
- 6.3.** The RLUS1 outlines that, as a minimum, the Minister for Planning will consult with the TPC, all planning authorities within the region and the relevant State Service Agencies and Authorities for a period of at least five weeks.

Subject to the Minister's discretion, requests seeking to incorporate broader strategic changes are likely to require public input through a public exhibition process. In this instance, it is understood that the Minister has advised several concerned residents that the proposal would require exhibition prior to any determination. However, the timing, form and reporting of that consultation process is not known. With this in mind, broad public consultation (initiated by council) may assist to expedite the RLUS1 process. A community consultation process in this case could include notification to landowners accessing Richardsons and Bayview Road/Bayside Drive, newspaper and council social media platforms, combined with the use of "Your Say" for making submissions.

**7. EXTERNAL REFERRALS**

As detailed on 9 February 2021 council report, the initial proposal was referred to TasWater and the Department of State Growth.

**8. COUNCIL COMMITTEE RECOMMENDATION**

The proposal was not referred to any council committees.

**9. STRATEGIC PLAN/POLICY IMPLICATIONS**

To achieve a "well-planned liveable city", the Strategic Plan 2021-2031 provides objectives, including "2.12 - *Undertaking best practice land use policy development and active participation in regional planning processes*".

The 9 February 2021 council report also contained an assessment against the relevant State Policies.

**10. OPTIONS**

It is considered that JMG is unlikely to be able to provide additional land supply and demand analysis at the regional level beyond that already provided.

This being the case there are four main options available to council outlined below.

**10.1. Option 1 – Respond to Minister and Referral**

1. Receive the response provided by JMG.
2. Provide each of the southern councils with a copy of the proposal and all of the associated supporting information and request them to provide their comments directly to the Minister for Planning.
3. Forward the supplementary information to the Minister for Planning and advise that the proposal has been referred to each of the southern councils and that they had been requested to provide any feedback directly to the Minister's office.

**10.2. Option 2 – Referral and Report**

1. Receive the response provided by JMG.
2. Provide each of the southern councils with a copy of the proposal and all the associated supporting information and request them to provide feedback to council.
3. Consider a subsequent report identifying any issues raised by the councils before resolving whether to advise the Minister.

**10.3. Option 3 – Referral, Exhibition and Report**

1. Receive the response provided by JMG.
2. Provide each of the southern councils with a copy of the proposal and all the associated supporting information and request them to provide feedback to council.
3. Take opportunity to undertake public exhibition concurrently with the referral to the southern councils.
4. Consider a subsequent report identifying any issues raised during the exhibition/referrals before resolving how to advise the Minister of council's position.

**10.4. Option 4 – Not to Progress**

1. Receive the response provided by JMG
2. Resolve that the response does not satisfy the RLUS1 requirements and not respond to the Minister.

## **11. CONCLUSION**

It is recommended that council resolve to adopt the approach outlined in Option 3 – “Referral, Exhibition and Report”. This approach would enable council to establish the level of support (or otherwise) from each of the southern councils while concurrently engaging with the community consistent with Council’s Community Engagement Policy 2020, and resolution at its 22 March 2021 meeting.

Attachments: 1. Information Sheet RLUSI (7)  
2. JMG Response to CCC – 27 July 2021 (7)  
3. Letter to JMG regarding Minister’s Concerns – 12 April 2021 (2)

Ian Nelson  
**GENERAL MANAGER**

**Minister for Housing**  
**Minister for Environment and Parks**  
**Minister for Human Services**  
**Minister for Aboriginal Affairs**  
**Minister for Planning**

Level 9 15 Murray Street HOBART TAS 7000 Australia  
GPO Box 123 HOBART TAS 7001 Australia  
Ph: +61 3 6165 7670  
Email: [minister.jaensch@dpactas.gov.au](mailto:minister.jaensch@dpactas.gov.au)



**15 MAR 2021**

Mr Ian Nelson  
General Manager  
Clarence City Council  
[clarence@cccc.tas.gov.au](mailto:clarence@cccc.tas.gov.au)

Dear Mr Nelson,

I refer to your recent correspondence requesting that I consider an amendment to the Southern Tasmania Regional Land Use Strategy (STRLUS) urban growth boundary (UGB) to provide for a residential subdivision at 52 Richardsons Road, Sandford.

I note that at its meeting of 9 February 2021, Clarence City Council (the Council) formally resolved to support the proposed expansion of the UGB and request that I consider the necessary amendment to the STRLUS, and I further note the planning report, prepared by JMG Engineers and Planners, in support of the proposed amendment.

However, I understand that the agenda papers for the Council meeting of 9 February 2021 included a comprehensive report from Council's Manager, City Planning, in regard to the proposed amendment. I am advised that this report, which included land supply analysis for the Clarence local government area, recommended that Council not support the proposed expansion of the UGB.

I am further advised that the report estimates that there are already 5000-6500 vacant greenfield lots in the Clarence local government area that are either approved, or could be readily approved for residential development, within the current UGB. I note this estimate does not include infill and minor subdivisions.

The process for considering a proposed amendment to a regional land use strategy is outlined in *Information Sheet – RLUS 1 – Reviewing and Amending the Regional Land Use Strategies*, which is available at: [https://planningreform.tas.gov.au/\\_data/assets/pdf\\_file/0004/456961/Information-Sheet-RLUS-1-Reviewing-and-amending-the-Regional-Land-Use-....pdf](https://planningreform.tas.gov.au/_data/assets/pdf_file/0004/456961/Information-Sheet-RLUS-1-Reviewing-and-amending-the-Regional-Land-Use-....pdf).

In particular, I draw your attention to the information required to support a request for an amendment. To consider an amendment to the UGB it would need to be clearly demonstrated that additional residential land is required beyond that which already available within the region.

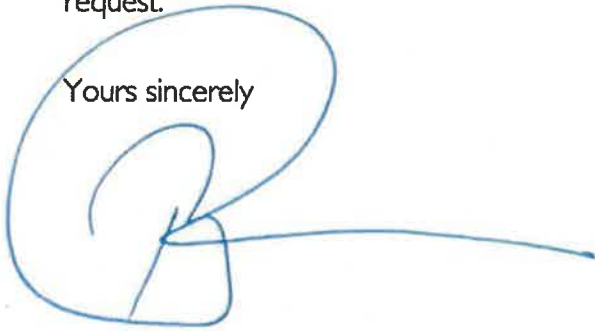
In addition, the information sheet strongly recommends that written endorsement of the proposed amendment be sought from the other councils in the region, and that consultation be

undertaken with relevant State Service agencies, State authorities and other infrastructure providers prior to formally making a request for an amendment.

While it is encouraging to see developers interested in Tasmania's future, particularly in the area of housing, it is my view that this should not occur at the expense of good strategic planning and a coordinated approach across the region.

I would therefore appreciate you providing me with a direct response to the requirements set out in the Information Sheet, as in the absence of such documentation, I am unable to progress your request.

Yours sincerely

A handwritten signature in blue ink, consisting of a large, stylized capital 'R' followed by a horizontal line extending to the right.

Hon Roger Jaensch MP  
Minister for Planning

# REVIEWING AND AMENDING THE REGIONAL LAND USE STRATEGIES

## Purpose

This information sheet is issued by the Department of Justice, Planning Policy Unit and provides information on when and under what circumstances the regional land use strategies are reviewed and amended. It also provides information on the requirements and processes for reviewing and considering amendments to the regional land use strategies.

## Background

The *Land Use Planning and Approvals Act 1993* (LUPAA) provides for the preparation and declaration of regional land use strategies, which provide an important high-level component of the planning system. Essentially, the regional land use strategies provide the linkage between the Schedule 1 objectives of LUPAA, State Policies established under the *State Policies and Projects Act 1993*, and the future Tasmanian Planning Policies with the current interim and future Tasmanian planning schemes. They provide the mechanism by which the strategic directions of the State and each region are implemented through the land use planning system.

The regional land use strategies set out the key agreed strategic directions for a region over the medium to longer-term. They aim to provide certainty and predictability for Government, local councils, developers and the community on where, when and what type of development will proceed.

Three regional land use strategies are currently in place in Tasmania. The Minister for Planning<sup>1</sup> originally declared the Cradle Coast, Northern and Southern regional land use strategies on 27 October 2011<sup>2</sup>.

The three regional land use strategies provide the strategic direction for future land use and development in each region over a 25-year time horizon. The strategic directions, policies and actions contained within the regional land use strategies aim to deliver sustainable settlements that are integrated across each region, integrated with services and infrastructure, and complemented

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<sup>1</sup> Minister for Planning, the Hon Bryan Green MP.

<sup>2</sup> The three regional land use strategies are: Living on the Coast – The Cradle Coast Regional Land Use Planning Framework; Northern Tasmania Regional Land Use Strategy; and Southern Tasmania Regional Land Use Strategy 2010-2035.



by built and open space environments. They also provide directions, policies and actions to protect Tasmania's agricultural estate and other resource-based industries and protect the State's cultural and natural environments.

Regional land use strategies may also incorporate or reference specific local strategic documents for the purposes of reflecting the application of each strategy within a particular municipal area or sub-regional area.<sup>3</sup>

Since their declaration, a number of subsequent amendments have been made to both the northern and southern regional land use strategies. The amendments range from minor revisions and refinements to improve consistency and revisions to align with the latest planning reforms, through to broader reviews to implement more strategic changes, such as the review of the Northern Tasmania Regional Land Use Strategy to allow for components of the Greater Launceston Plan.

The regional land use strategies are currently implemented in the land use planning system through statutory zoning and planning provisions in interim planning schemes. They are a key consideration when amendments to the interim planning schemes and other existing planning schemes are being assessed. The regional land use strategies will similarly be implemented through the Local Provisions Schedules (LPSs) that form part of the Tasmanian Planning Scheme.

## Legislative context

The regional land use strategies are given legal effect through section 5A of LUPAA.

The Minister for Planning may declare a regional land use strategy for a regional area. Amendments to a regional land use strategy may also be made by the Minister declaring an amended strategy and the Minister is also responsible for keeping the strategies under regular and periodic review.

In addition, comprehensive reviews of all three regional land use strategies will be undertaken following the implementation of the future Tasmanian Planning Policies.

When declaring a regional land use strategy under section 5A of LUPAA, the Minister must first consult with the:

- Tasmanian Planning Commission;
- planning authorities; and
- relevant State Service Agencies and State authorities.

LUPAA specifically requires all planning schemes and any amendments to a planning scheme to be, as far as practicable, consistent with the relevant regional land use strategy.

Before certifying and publicly exhibiting a draft planning scheme amendment, a local council, acting as a planning authority, needs to be satisfied that the draft amendment is consistent with the relevant regional land use strategy.

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<sup>3</sup> Before being incorporated into (or referenced in) a regional land use strategy, local strategic documents would need to be based on verifiable evidence, supported by Government and demonstrate how they reflect the strategic application of a relevant strategy.



Equally, the Tasmanian Planning Commission must be satisfied that a draft planning scheme amendment is consistent with the relevant regional land use strategy before approving the amendment. Similar legislative requirements apply to all future LPSs, and amendments to LPSs that will be in place under the Tasmanian Planning Scheme.

## Reviewing and amending the regional land use strategies

Regional land use strategies have a significant role to play in setting the medium to longer-term strategic directions for each region. Therefore, it is important that the strategic directions, policies and actions contained within each strategy appropriately address both current and emerging land use planning issues. To achieve this, the Minister for Planning is committed to regularly and periodically reviewing the strategies.

Amendments to regional land use strategies will need to be considered over time for a number of reasons. Importantly, amendments to the strategies will generally occur as part of the reviews that are conducted by the Minister for Planning. The Minister for Planning may consider an amendment to a strategy outside the normal review periods under exceptional circumstances.

Any amendment to a regional land use strategy that is requested by an individual or a planning authority would need to be supported by documentation that identified and justified the need for the amendment. Moreover, as the regional land use strategies are a regional plan, it would require the general support from all councils within the region.

The request would also be subject to a rigorous assessment process to ensure that the agreed medium and longer-term strategic directions contained in the relevant strategy are not undermined. This is necessary to ensure that any site-specific amendments to a regional land use strategy do not lead to unintended regional planning outcomes.

An amendment to a regional land use strategy may need to be considered for purposes such as:

- implementing broader legislative reform or overarching State policies or strategies (e.g. the future Tasmanian Planning Policies);
- implementing any revised background analysis of issues in response to changes such as demographics, emerging planning issues, housing supply and demand, or population growth projections;
- incorporating or referring to local or sub-regional strategy planning work that is based on verifiable and agreed evidence and reflects the application of a regional land use strategy in a municipal area or sub-regional area;
- incorporating contemporary community expectations; or
- making minor refinements to correct errors or clarify the operation of a strategy.

It is also important to consider that amending a regional land use strategy is not always the most appropriate course of action to facilitate use and development within a region. This is because the strategies represent the agreed and approved strategic directions for each 'entire' region and provide certainty to the broad community, infrastructure providers and governments as to medium and long-term investment decisions. Consequently, use and development should be directed in the first instance to those agreed areas identified in the relevant strategy.<sup>4</sup>

## Information requirements to support an amendment request

The information requirements for considering a request to amend a regional land use strategy will be dependent on the nature of the proposed amendment.

Before an individual or a planning authority considers whether or not to make a request to amend a regional land use strategy, it is recommended that early discussions take place with the Planning Policy Unit within the Department of Justice to determine if specific information requirements will be required to enable the consideration of the proposed amendment.

All requests to amend a regional land use strategy should include, as a minimum, the following information.

### Minimum information requirements to support an amendment request

1. All requests for an amendment to a regional land use strategy should first be directed to the **relevant local planning authority or regional body representing the local planning authorities in the region.**
2. All draft amendments to a regional land use strategy should be submitted in writing to the Minister for Planning by the **relevant local planning authority or regional body representing the local planning authorities in the region.**
3. The supporting documentation should include details on why the amendment is being sought to the regional land use strategy.
4. The supporting documentation should include appropriate justification for any strategic or policy changes being sought and demonstrate how the proposed amendment:
  - (a) furthers the Schedule 1 objectives of LUPAA;
  - (b) is in accordance with State Policies made under section 11 of the *State Policies and Project Act 1993*;
  - (c) is consistent with the Tasmanian Planning Policies, once they are made; and
  - (d) meets the overarching strategic directions and related policies in the regional land use strategy.

<sup>4</sup> For example, the Northern Tasmania Regional Land Use Strategy and Southern Tasmania Regional Land Use Strategy 2010-2035 direct residential development in areas within a relevant Urban Growth Boundary or growth corridors.

As the regional land use strategies represent the agreed and approved strategic directions for the planning authorities that are located in a particular region and the State, any proposed amendments need to consider the impacts on these entities and should be based on an agreed position.

To assist with the consideration of an amendment to a regional land use strategy, it is strongly recommended that written endorsement for the proposed change is sought from all the planning authorities in the relevant region.

It is also strongly recommended that consultation with relevant State Service agencies, State authorities and other infrastructure providers be undertaken before making a request for an amendment to ensure that any significant issues are avoided when the Minister for Planning consults as part of considering the merits of the amendment request.

In addition, amendments that seek to modify an urban growth boundary (or equivalent), settlement growth management strategies, or seek other modifications to a regional settlement strategy, will usually require additional supporting information such as an analysis of current residential land supply and demand, using accepted contemporary and verifiable data sources, that considers the region in its entirety.

The following additional supporting information should also be included.

1. Justification for any additional land being required beyond that already provided for under the existing regional land use strategy. This analysis should include the current population growth projections prepared by the Department of Treasury and Finance.
2. Analysis and justification of the potential dwelling yield for the proposed additional area of land.
3. Analysis of land consumption (i.e. land taken up for development) since the regional land use strategy was declared.
4. Justification for any additional land being located in the proposed area, considering the suitability of the area in terms of access to existing physical infrastructure, public transport, and activity centres that provide social services, retail and employment opportunities.
5. Consideration of appropriate sequencing of land release within the local area and region.
6. Consideration of any targets for infill development required by the regional land use strategy.
7. Potential for land use conflicts with use and development on adjacent land that might arise from the proposed amendment.

The following matters must be considered if an amendment is proposed to a regional land use strategy to develop ‘greenfield’ land<sup>5</sup>. These matters may also need to be considered for amendments relating to some infill development (such as ‘brownfield’ and ‘greyfield’ development<sup>6</sup>).

The following matters should be considered.

1. How the amendment accords with the other strategic directions and policies in the relevant regional land use strategy.
2. Impacts on natural values, such as threatened native vegetation communities, threatened flora and fauna species, wetland and waterway values, and coastal values.
3. Impacts on cultural values, such as historic heritage values, Aboriginal heritage values and scenic values.
4. The potential loss of agricultural land from Tasmania’s agricultural estate (including but not limited to prime agricultural land and land within irrigation districts) or land for other resource-based industries (e.g. extractive industries).
5. The potential for land use conflicts with adjoining land, such as agricultural land and nearby agricultural activities, other resource-based industries (e.g. forestry and extractive industries) and industrial land taking into account future demand for this land.
6. Risks from natural hazards, such as bushfire, flooding, coastal erosion and coastal inundation, and landslip hazards.
7. Risks associated with potential land contamination.
8. The potential for impacts on the efficiency of the State and local road networks (including potential impacts/compatibility with public transport and linkages with pedestrian and cycle ways), and the rail network (where applicable).

## Process for considering an amendment request

The process for considering an amendment request to a regional land use strategy will depend on the nature and scope of the request and the adequacy of the supporting documentation.

As a minimum, the Minister for Planning is required to consult with the Tasmanian Planning Commission, planning authorities, and relevant State Service agencies (e.g. Department of State

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<sup>5</sup> Greenfield land is generally former agricultural or undeveloped natural land on the periphery of towns and cities that has been identified for urban development

<sup>6</sup> Brownfield sites are underutilised or former industrial or commercial sites in an urban environment characterised by the presence of potential site contamination. Greyfield sites are underutilised, derelict or vacant residential or commercial sites in an urban environment that are not contaminated.

Growth) and State authorities (e.g. TasNetworks) on all amendments to regional land use strategies).

The Minister will consult with these relevant entities for a period of at least 5 weeks. The Minister may also need to consult with other infrastructure providers, where relevant, such as TasWater and TasGas.

For amendments seeking to incorporate broader strategic changes to a regional land use strategy, the Minister for Planning is also likely to seek public input through a formal public exhibition process during this 5 week consultation period. Broader strategic changes have the potential to affect property rights and the community should be afforded natural justice before the Minister declares an amended strategy.

The Minister for Planning will also require all planning authorities in the relevant region to agree to the proposed amendment.

Following the consultation period, the Minister for Planning will consider any submissions received and seek advice from the Department of Justice, Planning Policy Unit before determining whether or not to declare an amended regional land use strategy and whether any modifications are required to the amendment prior to declaration. Procedural fairness will be afforded to all parties prior to making a decision on the amendment request.

### Where can I get more information?

General enquiries about the requirements and process for considering amendments to the regional land use strategies should be directed to:

Planning Policy Unit  
Department of Justice  
GPO Box 825  
HOBART TAS 7001

Telephone (03) 6166 1429  
Email: [planning.unit@justice.tas.gov.au](mailto:planning.unit@justice.tas.gov.au)

January 2019





## 52 Richardsons Road UGB Consultation Outcomes

# Consultation Details

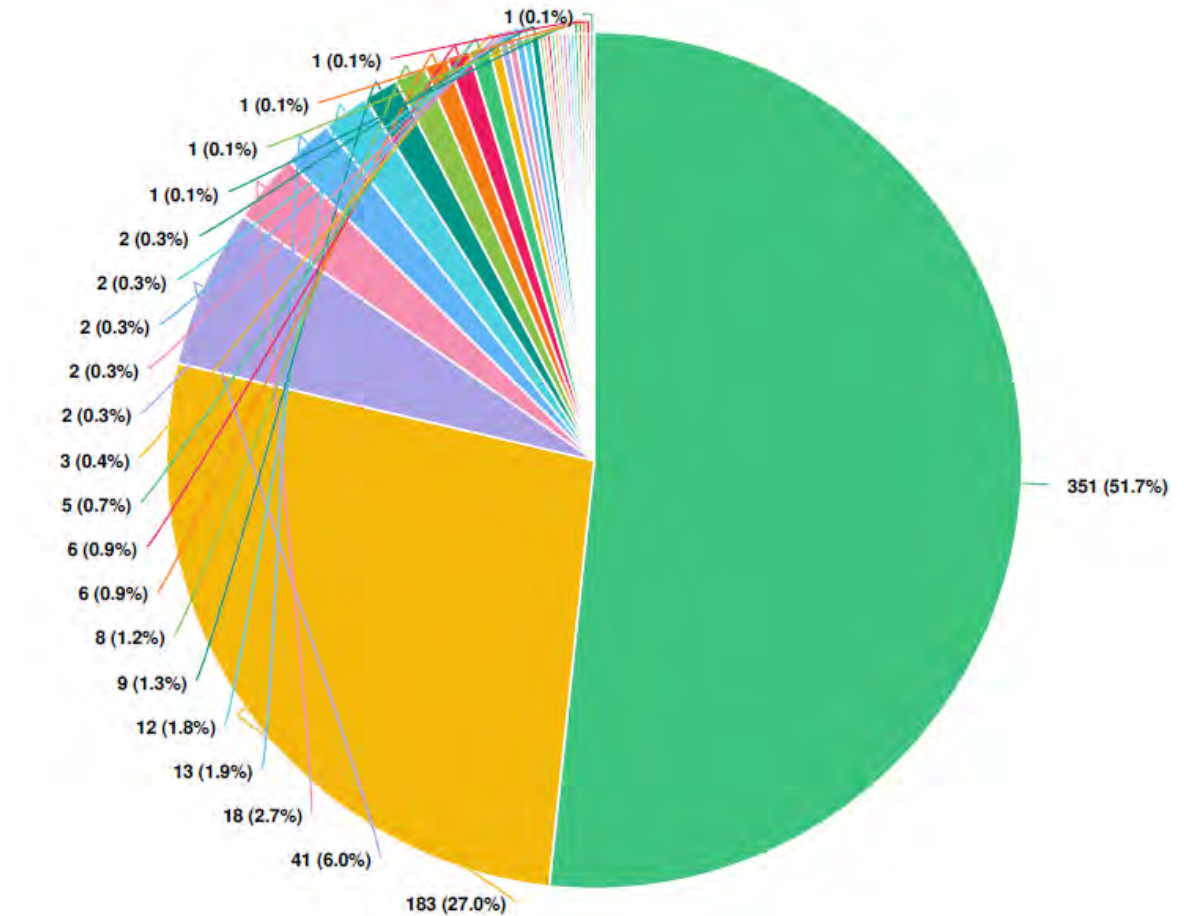
- Timeframe: 5 October – 10 November
- Responses: 679
- Communication
  - Mail out to the area about the consultation
  - Facebook posts on council page and community pages
  - Advertising in the Eastern Shore Sun



# Consultation results

## Respondent's Suburb

- Lauderdale, Sandford and Cremorne residents represented 84.7% of respondents



### Question options

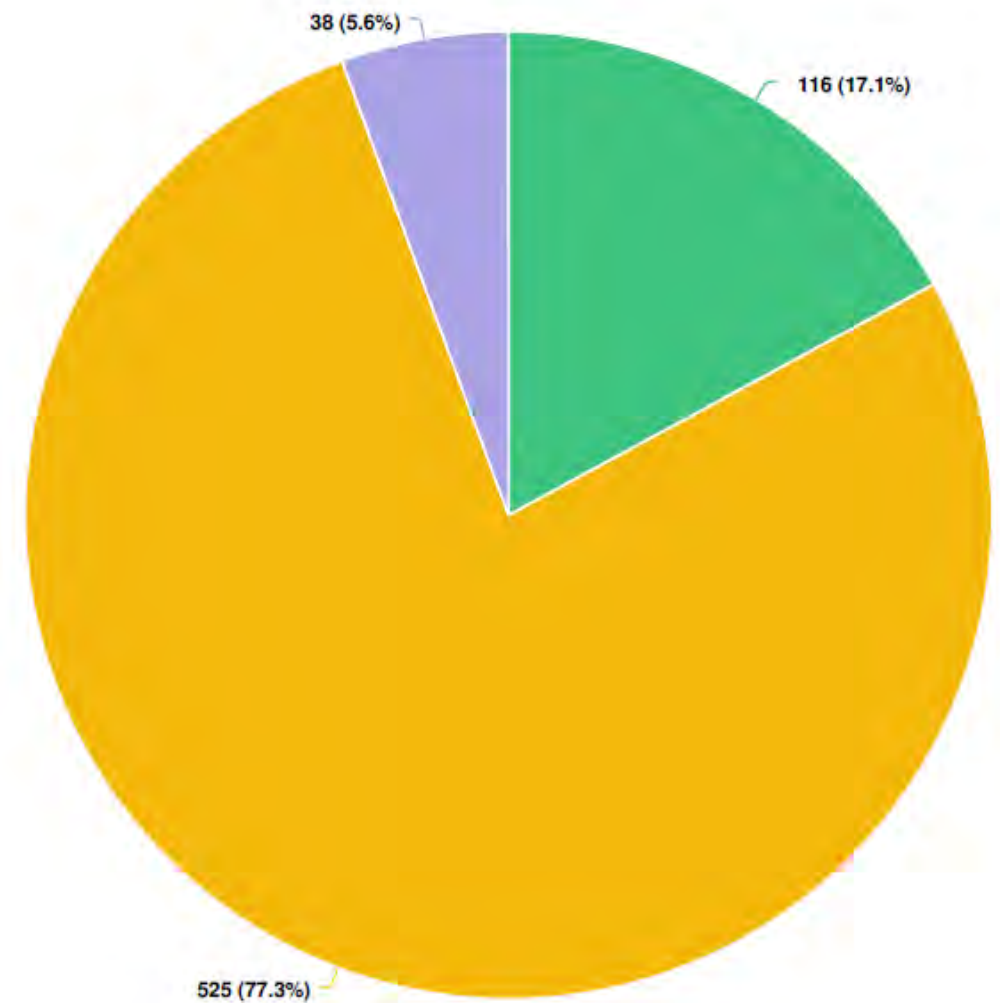
LAUDERDALE, TAS	SANDFORD, TAS	CREMORNE, TAS	CLIFTON BEACH, TAS	HOWRAH, TAS
ACTON PARK, TAS	SOUTH ARM, TAS	ROCHES BEACH, TAS	ROKEBY, TAS	TRANMERE, TAS
BELLERIVE, TAS	LINDISFARNE, TAS	WARRANE, TAS	SOUTH HOBART, TAS	OPOSSUM BAY, TAS
SORELL, TAS	GEILSTON BAY, TAS	BEACONSFIELD, TAS	CLAREMONT, TAS	
WILLOUGHBY NORTH, NSW	LAUNCESTON, TAS	NEW TOWN, TAS	RICHMOND, TAS	
SHOREWELL PARK, TAS	NORTH HOBART, TAS	ULVERSTONE, TAS	SANDFORD, VIC	
LEWISHAM, TAS	KINGSTON, TAS	BLACKMANS BAY, TAS	OAKDOWNS, TAS	





# Consultation results

What is your view on the proposed expansion of the Urban Growth Boundary to include a 12.1ha portion of the land at 52 Richardson Road, Sandford?



## Question options

● I support the proposal ● I do not support the proposal ● Undecided/other



# Summary of Support verbatim responses

There were 109 total verbatim responses in support with general reasoning further categorised as:

- Want to buy here/Land Supply/Housing Crisis – 79
- Enhance the area/Better Services – 10
- Support development – 10
- Economic Benefit – 4
- Environmental/Fire management – 3
- Suitability of land – 2
- Support with conditions – 1

Of those in support, the vast majority stated that they wanted to purchase land or property in the area, they wanted family to be able to purchase in the area, or for more housing to generally be available for purchase. Others believed that more houses would lead to better services in the area and/or increased property value.



# Summary of Don't Support verbatim responses

There were 521 total verbatim responses of don't support with general reasoning further categorised as:

- Area unsuited to development/General infrastructure lacking – 219
- Traffic issues specifically – 142
- Against changing Urban Growth Boundary/Setting precedent – 82
- Environmental concerns/Limit urban sprawl – 40
- Against developing/Growing area – 28
- School size specifically – 10

Of those in the 'don't support' category, the majority stated that the area did not have the general infrastructure (a combination of roads, school space, services etc.) to support a larger population, while others were specifically concerned about increased traffic. Many respondents believed that changing the Urban Growth Boundary for this development would set a precedent for future developments or would increase urban sprawl.



# Summary of Undecided Verbatim responses

There were 42 total verbatim responses for undecided with general reasoning further categorised as:

- Traffic – 14
- Planning issues/Urban Growth Boundary – 7
- Needing more information/Consultation – 6
- General infrastructure – 6
- Drainage/Flooding – 3
- Community feel/Lifestyle – 2
- School size – 2
- Environment – 1
- Economic concerns – 1

Of those in the 'undecided' category, the majority stated that they had concerns around possible increased traffic associated with the development while others wanted more information about the specifics of the development e.g. proposed block sizes or road placement.



# Summary of verbatim 'other comments' responses

There were 482 total 'other comments' verbatim responses with general reasoning further categorised as:

- Needing more information/Consultation/Planning – 163
- Miscellaneous – 85
  - E.g. 'Already said this', 'in my other answer', 'see 42'
- Traffic – 72
- General infrastructure – 64
- Community feel/Lifestyle – 47
- Environment – 42
- School size – 9

It is worth noting that many of the above responses were 'copy and pastes' of comments from both support and against comments.

Our ref: Regional Land Use Strategy  
Enquiries: Lyndal Byrne, Senior Strategic Planner  
Direct phone: (03) 6216 6424  
Email: Lyndal.Byrne@gcc.tas.gov.au

1 November 2021

The Hon. Roger Jaensch MP  
Minister for Planning  
GPO Box 123  
HOBART TAS 7001

Dear Minister Jaensch

**AMENDMENT TO THE SOUTHERN TASMANIA REGIONAL LAND USE STRATEGY – CHANGES TO THE URBAN GROWTH BOUNDARY AT 52 RICHARDSONS ROAD, SANFORD**

I refer to Clarence City Council's letter of 5 October 2021 seeking comments on the expansion of the *Southern Tasmania Regional Land Use Strategy 2010-2035* (STRLUS) Urban Growth Boundary (UGB) at 52 Richardsons Road, Sanford.

Clarence City Council's meeting report of 9 February 2021 did not recommend support for the request to expand the UGB as it was considered premature, likely to exacerbate the impacts of sprawl and compound costs associated with infrastructure and services provision. Council did not support the recommendation and resolved to support the proposed expansion of the UGB to include the land at 52 Richardsons Road, Sandford. A supplementary report at the meeting of 20 September 2021 indicated that the Planning Policy Units' *Information Sheet RLUS1 - Reviewing and Amending the Regional Land Use Strategies* had not been adequately addressed by the applicant, particularly in respect to analysis at a regional level of land availability and consumption, land release sequencing and consideration of any targets for infill development.

In light of the above, there appears to be insufficient justification for the extension and it is not possible for Glenorchy City Council to provide a statement of support.

Supporting ad-hoc requests on the expansion of the UGB makes it increasingly difficult to promote the vision of the Hobart City Deal and encourage affordable housing and urban renewal opportunities closer to services and along the Northern Suburbs Transit Corridor.

As Council has indicated in the past, the increasing number of requests for amendments and modifications to the STRLUS indicates the need for an urgent review. While the *Phase 2 Planning Reforms Work Program* (available on the Planning Reform Webpage) indicates a plan for this review, it is unlikely to be finalised before the end of 2024.

Given the number of requests for changes being received, and that the cumulative impact of those approved requests is not being monitored on a regional basis, the value and role of the regional strategy and the work being undertaken on Metroplan through the Hobart City Deal may be significantly compromised.

It is considered that a prompt, targeted and holistic review of anomalies with the UGB could address immediate issues, with all other future requests only considered as part of a comprehensive formal review of the STRLUS.

Should you wish to discuss this matter further, please contact me on (03) 6216 6800. Alternatively, departmental staff may wish to contact Council's Senior Strategic Planner Lyndal Byrne on (03) 6216 6424.

With kindness



**Bec Thomas**  
**Mayor**

CC: Ross Lovell, Manager City Planning, Clarence City Council, [clarence@ccc.tas.gov.au](mailto:clarence@ccc.tas.gov.au)

## Department of State Growth

Salamanca Building, Parliament Square  
4 Salamanca Place, Hobart TAS 7000  
GPO Box 536, Hobart TAS 7001 Australia  
Phone 1800 030 688 Fax (03) 6233 5800  
Email [info@stategrowth.tas.gov.au](mailto:info@stategrowth.tas.gov.au) Web [www.stategrowth.tas.gov.au](http://www.stategrowth.tas.gov.au)  
Our Ref: D21/292076 Your Ref: PDPSAMEND-2020/011424



Mr Ian Nelson  
General Manager  
Clarence City Council  
PO Box 96  
ROSNY PARK TAS 7018

Via email: [clarence@ccc.tas.gov.au](mailto:clarence@ccc.tas.gov.au)

Dear Mr Nelson

**Request to Amend the Southern Tasmania Regional Land Use Strategy  
Urban Growth Boundary at 52 Richardsons Road, Sandford**

Thank you for the opportunity to comment on a proposal to amend the *Southern Tasmania Regional Land Use Strategy 2010-2035* ('STRLUS'), specifically to expand the Urban Growth Boundary at Lauderdale to facilitate a future 154 lot subdivision at 52 Richardsons Road, Sandford.

State Growth previously provided comments to Council on this proposal in January this year. Council subsequently resolved to support the proposed amendment in February. The Minister for Local Government and Planning then advised Council to consult with state agencies, infrastructure providers and other councils, consistent with *Information Sheet RLUS 1 – Reviewing and Amending the Regional Land Use Strategies*.

With the exception of an update to population projections and residential land supply and analysis, I understand the supporting information to the proposal has not otherwise changed.

State Growth reiterates its earlier comments that further strategic justification is required to support the proposal. The analysis of land supply and demand focuses on the Clarence municipality and local area and does not consider the role of both greenfield and infill development in meeting forecast population growth. Given the regional context of the STRLUS, and development pressures across Greater Hobart, any demand and supply analysis should at least consider the Greater Hobart metropolitan area to ensure growth is planned and coordinated.

The supporting information raises a specific issue within Clarence related to the slow or inadequate release of land, which affects actual versus theoretical residential land supply. To the extent this is an issue, it is recommended it is addressed at a whole of municipality level, to inform whether any changes to the UGB or existing residential zoning are required. I note that some of the larger subdivisions highlighted as being affected by this issue are now underway (e.g. Pass Road, Rokeby).

While the proposal relates to the UGB only at this stage, I have attached preliminary comments in relation to the impact of the proposed subdivision on transport infrastructure and services, which



have previously been provided directly to the proponent (see Attachment 1): The comments indicate that the transport infrastructure impacts of the development are not insignificant.

I note that the Tasmanian Government will commence a review of the State's three Regional Land Use Strategies in 2022. This review will be supported by updated analysis of land supply and demand across the Region. The Greater Hobart MetroPlan, which includes Clarence City Council, is also considering demand and supply needs across the metropolitan area, and for individual councils.

Please do not hesitate to contact Patrick Carroll, Principal Land Use Planning Analyst at [Patrick.Carroll@stategrowth.tas.gov.au](mailto:Patrick.Carroll@stategrowth.tas.gov.au) or on 03 6166 4472 if you have any further queries in relation to this submission.

Yours sincerely



Kim Evans  
**Secretary**

15 November 2021

## **Attachment I – Impact on transport infrastructure and services**

### **Traffic and Network Planning**

The proposal seeks to obtain access via both Bayview Road and Richardsons Road via Forest Hill Road, to the South Arm Highway.

Recent work undertaken by State Growth as part of future planning for the South Arm Highway through Rokeby assumed a low underlying growth rate in through traffic of 0.5% per annum. It also identified the additional traffic associated with new residential dwellings, with each new house adding between 0.71 (AM) and 0.78 (PM) additional peak hour trips. Based on this analysis, the 154 additional dwellings that form part of the future subdivision would add a further 109 trips along South Arm Road in the AM peak and 120 trips in the PM peak. Measured against a forecast 2024 volume of 1646 vehicles per hour in the AM peak at Acton Road, this represents a 7% increase from the subdivision alone.

The South Arm Highway through and south of Lauderdale is very low-lying. Proximity to Ralphs Bay and adjacent saline wetlands increase the technical complexity of delivering any upgrades through this section. From a corridor perspective, any upgrades to the Highway should be based on strategic traffic analysis and planning, to ensure upgrades support improved travel reliability, efficiency and access for all users.

State Growth has previously provided comments on the Traffic Impact Assessment (TIA) supporting the proposal directly to the proponent. The supporting TIA has not been altered to reflect State Growth's advice, and the comments remain relevant in Council's consideration of the proposal.

It is also noted that based on the dates of the turning movement counts (12 May 2020), the conclusions of the TIA may not reflect typical traffic movements.

#### *1. Left turn deceleration lane at South Arm Highway /Bayview Road, Lauderdale*

State Growth does not usually provide or support left turn deceleration lanes within built-up areas as the potential disruption caused by vehicles slowing down to turn left is not considered a significant issue.

The proposed development will see a substantial increase in the number of vehicles turning left into Bayview Road. For example, in the evening peak hour, the number of vehicles turning left increases from about 33 to 129 vehicles per hour - almost four times as many as at present.

Based on these volumes, a left turn deceleration lane may be appropriate. Any upgrades must be funded by the developer.

#### *2. Left turn deceleration lane at South Arm Road/Forest Hill Road, Sandford*

The proposal will increase the number of vehicles turning left into Forest Hill Road from 27 to 67 vehicles in the evening peak hour - more than double existing volumes. If a left turn deceleration lane is required to facilitate this additional traffic, this will need to be funded by the developer.

It is also noted that sight distances to and from Forest Hill Road and South Arm Highway appear less than ideal for traffic turning out of the junction to travel towards Lauderdale.

### **3. *Need for a roundabout at South Arm Highway/Bayview Road***

The traffic generated by the proposed development would result in substantial delays for right turn movements out of Bayview Road to South Arm Highway. This will affect existing traffic using the Bayview Road approach, as well as traffic generated by the development.

Any roundabout at this location would be very difficult to deliver, given limited space. It is recommended that Council consider this issue in detail as it may be difficult to resolve in a straightforward manner.

Any works to address volumes at this location will need to be funded by the developer.

### **Passenger and active transport**

The main bus corridor in this area is along the South Arm Highway. South Terrace is also used for buses travelling to/from Roches Beach/Lauderdale, which is more than two kilometres from the middle of the proposed site via the proposed road network. This distance is considered too great to encourage public transport use.

The level of bus services along South Arm Highway is very low due to low-density development and limited attractors. Lauderdale has a good level of service, with half hourly services during peaks to hourly during interpeak.

Increasing local densities by an additional 154 residential lots would not be sufficient to extend a bus route to service the new residential area.

Residential areas within the existing Urban Growth Boundary are prioritised in the provision of additional passenger transport services. For the Eastern Shore, this is the Rokeby/Clarendon Vale growth area.

The proposal should give proper consideration to the provision of adequate active transport infrastructure. This should include improved walking and cycling connections to existing infrastructure, which will reduce reliance on car-based movements to the site.

**7.4.3 DRAFT ACTIVE LIFESTYLE STRATEGY 2022-2032 – COMMUNITY CONSULTATION****EXECUTIVE SUMMARY****PURPOSE**

To seek approval to consult with the community on the draft Active Lifestyle Strategy 2022-2032.

**RELATION TO EXISTING POLICY/PLANS**

Council's Strategic Plan 2021 - 2031, is relevant.

**LEGISLATIVE REQUIREMENTS**

Nil.

**CONSULTATION**

To date consultation has been provided from internal stakeholders and council's Sport and Recreation Advisory Committee. Community Consultation will be undertaken in accordance with Council's Community Engagement Policy 2020.

**FINANCIAL IMPLICATIONS**

Consultation costs will be accommodated within the recurrent budget.

**RECOMMENDATION:**

- A. Approve the draft Active Lifestyle Strategy 2022-2032 for community Consultation.
- B. Authorise the General Manager to coordinate community consultation to obtain feedback on the draft Active Lifestyle Strategy 2022-2032 and to report the consultation outcomes to a future workshop.

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**ASSOCIATED REPORT****1. BACKGROUND**

Council adopted the Clarence City Council Strategic Plan 2021-2031 at its meeting on 19 April 2021. The Strategic Plan provided for the development of seven key strategies to build upon the identified goals and outcomes and to provide direction in the development of implementation plans and annual plans to guide delivery of outcomes.

**2. REPORT IN DETAIL**

- 2.1.** The Draft Active Lifestyle Strategy 2022-2032 has been developed in consultation with Council's Sport and Recreation Advisory committee.

- 2.2.** The purpose of the strategy is to identify objectives to support the health and wellbeing of our community. This purpose is outlined in the strategy's Vision statement:

*"Clarence...a destination of choice*

*Providing opportunities for a healthy and active lifestyle, accessible to all in our community, through enhancing amenity and access to our natural environment, together with providing diverse parks, tracks, trails and sport, fitness and leisure facilities."*

A copy of the draft Strategy is included at **Attachment 1**.

- 2.3.** Physical activity is a significant factor in supporting improvement in the health and wellbeing of our community. It plays a critical role in reducing the risk of, and managing, chronic conditions, such as high blood pressure and high cholesterol, as well as maintaining a healthy weight. Participating in an active lifestyle not only improves physical health, but it also brings people together through shared experiences, supports a balanced lifestyle and improves mental health.
- 2.4.** The strategy also considers the trend to more individual pursuits and seeks to support individual, social, group, competitive and non-competitive users of our facilities and spaces on an equitable basis.
- 2.5.** The aim of council's strategy is to support all forms of activity, i.e. sport, recreation, exercise and leisure, in an inclusive and equitable manner.
- 2.6.** In developing the draft strategy, three key priority areas have been identified as critical to achieving council's active lifestyle vision:
- Good planning and governance - Fair and transparent planning and governance processes
  - Great spaces - Provide contemporary facilities and spaces to engage our community in an active lifestyle

- Activated places - Activate our facilities and spaces to encourage increased participation in an active lifestyle.

Specific objectives that council will work toward are outlined for each of these three key priority areas.

- 2.7.** The community is to be informed of the draft strategy and invited to share their feedback via Council's "Your Say Clarence" page over a four-week period. The results of the consultation will be reported to a future council workshop.
- 2.8.** The intention is after the draft strategy is adopted, 3-year implementation plans and rolling annual plans will be developed. The implementation plans will outline how and when each objective will be delivered. Relevant activities from existing planning documents and other implementation plans will be mapped against the objectives of this strategy to ensure that our efforts are coordinated, rigorous, time-focussed and do not duplicate effort or resources. The rolling annual plans will provide for review of progress and inform budget discussions and decision-making.

### **3. CONSULTATION**

#### **3.1. Community Consultation Undertaken**

No community consultation on the draft Active Lifestyle Strategy has been undertaken to date.

#### **3.2. State/Local Government Protocol**

Nil.

#### **3.3. Other**

A workshop was held with council on the draft Active Lifestyle Strategy on 29 November 2021.

### **3.4. Further Community Consultation**

Community consultation will be undertaken following endorsement by council. A consultation promotion plan will be developed in accordance with council's Community Engagement Policy 2020 and circulated to Aldermen prior to commencement.

- **Consultation Plan**

To be completed following council decision.

- **Consultation Aim**

To engage the community on Council's draft Active Lifestyle Strategy and obtain feedback.

- **Community Engagement Tools**

In accordance with Clause 8 of the Community Engagement Policy 2020, this consultation will be advertised in the Eastern Shore Sun, social media platforms and "Your Say Clarence". The consultation will be provided online via the "Your Say Clarence" website.

- **Consultation Timing**

The consultation is anticipated to commence in March 2022 and be open for four weeks.

## **4. STRATEGIC PLAN/POLICY IMPLICATIONS**

**4.1.** Council's Strategic Plan 2022-2032 under the strategic goal area *A people friendly city*:

*"1.9 Undertaking the development of a Sport and Recreation Strategy."*

*"1.10 Promoting active and health lifestyles through provision and support of programs that improve physical and mental health."*

*"1.11 Continuing to develop and maintain a quality open space network."*

*"1.12 Facilitating opportunities for community connections and growth through a range of programs, activities and events."*

**4.2.** Also under the goal area *A well planned liveable city*:

*“2.11 In line with our Sport and Recreation Strategy, work with local clubs, state and regional organisations and other levels of government to meet the sport and recreation needs of our community.”*

**4.3.** Under the goal area *A prosperous and creative city*:

*“3.4 Communicating our city brand and benefits through the promotion of our attributes, opportunities and visitor attractions.”*

*“3.5 Building and facilitating productive networks and relationships based on common interests with business groups, regional bodies, other councils, and other levels of government.”*

**5. EXTERNAL IMPACTS**

The draft Active Lifestyle Strategy 2022-2032, if adopted by council, will have significant external community impacts in providing opportunity to support improved health and wellbeing outcomes.

**6. RISK AND LEGAL IMPLICATIONS**

Nil.

**7. FINANCIAL IMPLICATIONS**

Community consultation costs will be met from the recurrent budget.

**8. ANY OTHER UNIQUE ISSUES**

Nil.



**9. CONCLUSION**

The draft Active Lifestyle Strategy is ready for community consultation. The consultation is intended to be open for four weeks commencing in March 2022. A summary of results will be provided to a future council workshop.

Attachments: 1. Draft Active Lifestyle Strategy 2022-2032 (22)

Ian Nelson  
**GENERAL MANAGER**



Clarence... a brighter place

2022-2032

# DRAFT Active Lifestyle Strategy

## Relationship to our strategic plan

### Our purpose

- To provide for the health, safety, and welfare of the community
- To represent the interests of the community
- To provide for the peace, order, and good governance of the municipal area

### Our mission

To respond to the needs of the community through a commitment to excellence in leadership, advocacy, best practice governance and service delivery

### Our vision

Clarence... a vibrant, prosperous, sustainable city

### Our goals



## Active lifestyle objectives

GOOD PLANNING AND GOVERNANCE  
PROVIDE CONTEMPORARY FACILITIES AND SPACES  
ACTIVATE OUR SPACES TO INCREASE PARTICIPATION

#### GOVERNANCE AND LEADERSHIP

*We seek to act with the highest ethical standards and foster trusting and respectful relationships, demonstrating leadership and accountable transparent governance of the city. Good governance promotes public trust, leads to informed and ethical decision-making, and improves efficacy.*

#### ASSETS AND RESOURCES

*We will efficiently and effectively manage financial, human, and property resources to attain our strategic goals and meet statutory obligations.*

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## Our strategies

This strategy is one of seven key strategies adopted by council to support achievement of our goals.

While each strategy stands alone, many objectives overlap. In achieving the best outcomes for our community, we will take a whole of council approach to align planning, resources and delivery, particularly where objectives have connections with other key strategies.

The strategy establishes three priority areas:

1. **Good planning and governance** - Fair and transparent planning and governance processes
2. **Great spaces** - Provide contemporary facilities and spaces to engage our community in an active lifestyle
3. **Activated places** - Activate our facilities and spaces to encourage increased participation in an active lifestyle

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## Our role in supporting our community to lead an active lifestyle

Council has an important role to play in providing opportunities for our community to participate in an active and healthy lifestyle. Council is well placed to deliver facilities, public places, and programs to increase physical activity and exercise levels in our community.

The major focus of council's effort is to provide the opportunity for everyone to participate in sport, recreation, exercise, and leisure (SREL) activities. Council will deliver these outcomes by delivering, partnering, facilitating and advocating for facilities, spaces, and service delivery.

**Delivering** direct provision of SREL spaces, and services.

**Partnering** working collaboratively with other committees, agencies and organisations to deliver SREL facilities, spaces, and services.

**Facilitating** providing key engagement, connections and planning to help progress physical activity outcomes.

**Advocating** for stakeholders to be heard and promoting SREL opportunities in our community.

## Our active lifestyle vision

### *Clarence...a destination of choice*

Providing opportunities for a healthy and active lifestyle, accessible to all in our community, through enhancing amenity and access to our natural environment, together with providing diverse parks, tracks, trails and sport, fitness and leisure facilities

Clarence is a city that supports the health and wellbeing of our community through provision of a wide range of sport, recreation, exercise and leisure (SREL) facilities and spaces set within and beside our natural coastal, aquatic and bush settings.

Our vision is for everyone in our community to have the opportunity to enjoy an active lifestyle to support improved health and wellbeing.

Enhancing our parks and playgrounds provides physical activity options for all ages and abilities and encourages groups to meet and build social connections that support resilient and cohesive communities.

We will strive to provide sportsgrounds and facilities that are multi-user and multi-purpose hubs to facilitate the sharing of resources and build to high quality construction and design standards with amenities that allow year-round and increased use.

We will support individual, social, group, competitive and non-competitive users on an equitable basis while recognising the trend to more individual pursuits.

We will also work with external operators and providers, seeking to establish partnerships and arrangements that enhance our spaces and places by providing facilities and services that support healthy lifestyles and promote social connections.

In working towards our objectives, it is important that we consult with our community to develop master plans and implementation schedules that include transparent decision-making processes to guide our investment in the health and wellbeing of our community.

We want everyone to enjoy and benefit from the opportunity to engage in an active lifestyle, supported by quality and diverse SREL facilities and spaces, all within our wonderful natural environment.

Our aim is to make Clarence a healthy and active community by being a destination of choice for those who live, work or visit our city.



### Consultation and feedback

Direct feedback and contributions from several sources have been considered in the development of this strategy. The Sport and Recreation Advisory Committee provided input and guidance and feedback was sought from our community through our YourSay platform. Workshops were also conducted with aldermen, our staff, and consultations held with representatives from Special Committees of Council.

### What factors influence participation in an active lifestyle

Key to identifying how we can increase participation in an active lifestyle is to understand and consider the factors that influence participation in physical activity, including:

- our families and communities
- our lifestyle choices
- our relationships and social connections
- our socio-economic status
- our access to spaces and places
- inclusiveness of our spaces and places



### What is physical activity<sup>1</sup>

*“Physical activity is anything that gets your body moving, makes you breathe faster and speeds up your heart rate.”*

Any form of physical activity is beneficial to health and wellbeing and it is our aim to support all forms of activity.

You can also be physically active at different intensities, not every activity has to be strenuous to benefit health and wellbeing:

- light –activities of daily living, such as strolling around the garden
- moderate – where you are putting in some effort, such as walking or cycling
- vigorous – anything that elevates your heart and breathing rates, such as jogging or fitness activities

### What have we achieved to date?

We already provide access to a range of sport, recreation, exercise, and leisure activity opportunities across our city.

Our current open space network includes more than 60 parks and reserves, 15 major sportsgrounds, an extensive multi-use trail network, and over 190 km of coastline and numerous bushland reserves.

<sup>1</sup> <https://www.health.gov.au/health-topics/physical-activity-and-exercise>

### *Major sporting facilities*

Clarence is home to several significant sporting facilities, including Bellerive Oval and Clarence Aquatic Centre. In addition, we have developed numerous community facilities which are available for public use.

### *Parks and reserves*

Our parks and reserves are spread throughout the city, ranging from small quiet spaces to iconic playgrounds. There are a range of facilities in these spaces including play structures, exercise equipment, seating, kickabout areas, skate parks and barbecues.

### *Tracks and Trails*

Clarence has an extensive tracks and trails network, including the Tangara Trail which offers 250km of recreational trails between Seven Mile Beach and South Arm. The network has been developed over several decades and provides multiple leisure and fitness activity opportunities set against diverse landscapes from coastal beaches and bushland to vistas and rural settings.

### *Iconic Parks*

- Simmons Park
- Kangaroo Bay Parklands
- Bellerive Beach All Abilities Park



### *Mountain Biking*

Clarence is home to the premier Clarence Mountain Bike Park and the Meehan Range Recreation Area. These areas have a network of trails which are located on Crown Land but managed by council and state government with support from local volunteers.



### Physical activity

Physical activity is a significant factor in supporting improvement in our health and wellbeing. It plays a critical role in reducing the risk of, and managing, chronic conditions, such as high blood pressure and high cholesterol, as well as maintaining a healthy weight.

Even with increased awareness of the importance of physical activity, there was only a slight decrease in the percentage of adults who were insufficiently active between 2007–08 and 2017–18, from 69% to 65%.<sup>2</sup>

The National Health Survey 2017-2018 reports that overall Australians aged 15 years and over exercised 42 minutes per day on average. However, only a minority met the 2014 Physical Activity Guidelines.

#### Physical Activity Guidelines

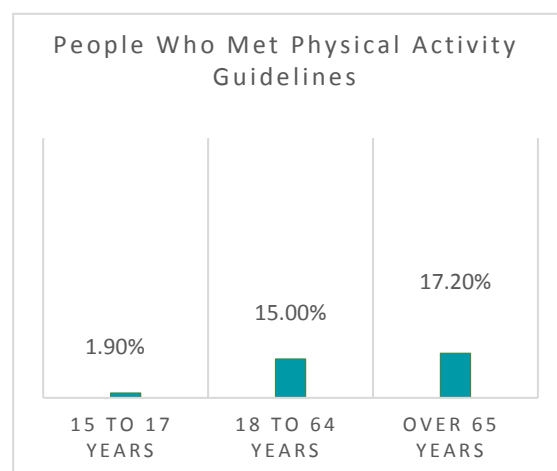
While any form of movement is encouraged, the national guidelines recommend participation in regular higher intensity activities to provide increased protective health benefits (as appropriate to a person's age and capacity).

A summary of the Physical activity and sedentary behaviour guidelines is shown at Table 1, with the full guidelines available from the Department of Health<sup>3</sup>.

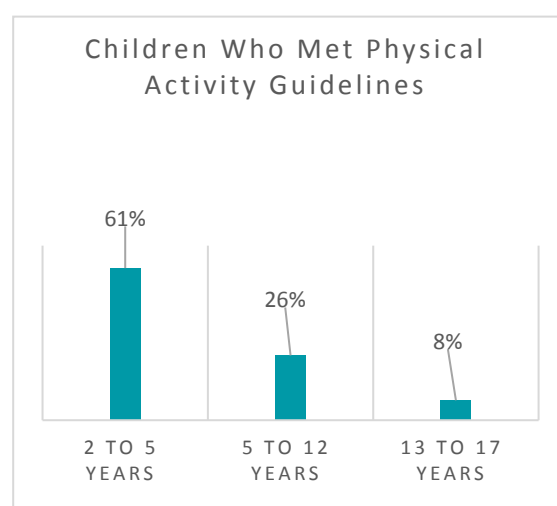
<sup>2</sup> <https://www.aihw.gov.au/reports/australias-health/insufficient-physical-activity>

<sup>3</sup> <https://www.health.gov.au/health-topics/physical-activity-and-exercise>

#### 15 years and over



#### Children<sup>4</sup>



While data in the 2020 report comes from Australia Bureau of Statistics reports of 2011-2012, it highlights the need to support activity across our life cycle. An AusPlay Study<sup>5</sup> also found that while 75%

topics/physical-activity-and-exercise

<sup>4</sup> Australian Institute of Health and Welfare 2020. Australia's children. Cat. no. CWS 69. Canberra: AIHW

<sup>5</sup> Ongoing impact of COVID-19 on sport and physical activity participation, June 2021 Update, AusPlay



of adults maintained some level of activity during COVID-19, only 16% of children exercised outside of school during 2020.

**TABLE 1 - Physical activity guidelines by age**

<i>Children and young people</i>				
Recommendations	Under 12 months	1 to 2 years	3 to 5 years	5 to 17 years
<b>Physical activity</b>	Interactive floor-based play, and at least 30 minutes of tummy time for babies per day.	At least 3 hours of energetic play per day.	At least 3 hours per day, with 1 hour being energetic play.	At least 1 hour of moderate to vigorous activity involving mainly aerobic activities per day. Vigorous activities should be incorporated at least 3 days per week. Several hours of light activities per day.
<b>Strength</b>				At least 3 days a week.
<b>Sedentary time</b>	Do not restrain for more than 1 hour at a time.	Do not restrain for more than 1 hour at a time.	Do not restrain for more than 1 hour at a time.	Minimise and break up long periods of sitting.

<i>Adults</i>			
Recommendations	18 to 64 years	Pregnancy	65 years and over
<b>Physical activity</b>	Be active on most (preferably all) days, to weekly total of: 2.5 to 5 hours of moderate activity or 1.25 to 2.5 hours of vigorous activity or an equivalent combination of both.	Be active on most (preferably all) days, to weekly total of: 2.5 to 5 hours of moderate activity or 1.25 to 2.5 hours of vigorous activity or an equivalent combination of both. Do pelvic floor exercises.	At least 30 minutes of moderate activity on most (preferably all) days.
<b>Strength</b>	At least 2 days a week.	At least 2 days a week.	Do a range of activities that incorporate fitness, strength, balance and flexibility.
<b>Sedentary time</b>	Minimise and break up long periods of sitting.	Minimise and break up long periods of sitting.	

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## Participation

Participation rates record those taking part in an activity irrespective of the length of time or intensity. These figures are important however as they can guide where focus of effort may have the most impact on increasing physical activity levels.



Participation in sport-related activities has declined while non-sport physical activities have increased by more than 20% over the past 20 years.<sup>6</sup>

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<sup>6</sup>The Australian sport and physical participation survey, AusPlay, 2020

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## Use of our facilities

Current use levels will be identified as part of the audit of our facilities and spaces.

These base figures will inform development of objectives to increase use rates of our facilities and form the benchmark for review of our performance.



## Where do we want to be in 10 years?

Over the next 10 years, it is our aim to provide increased opportunities for our community to participate in an active lifestyle. We will achieve this through providing contemporary facilities and spaces, activating our facilities and spaces to encourage increased participation, and delivering outcomes in an open and transparent manner.

Reviewing “Where We Are Now” and independent data and trends, highlights the need to give focus to areas in achieving improvement in physical activity levels, including:

- the increasing move toward individual sport, leisure, and fitness activities
- improving amenities to support activities  
*for example: showers, changerooms and kayak washdown facilities at beaches*
- increasing the diversity of our playgrounds and parks to provide amenities, equipment and spaces for all ages and all abilities  
*for example: providing BBQs and picnic areas to encourage people to stay and play, seniors playgrounds to aid exercise and mobility, and teenage friendly adventure-based spaces*

The growth in popularity of mountain biking has primarily been driven by the construction of purpose-built trails and infrastructure. This has attracted professional, social, and individual riders to the sport.

This approach to meeting demand and growth may be used to increase participation in other similarly diverse sport, recreation, exercise, and leisure pursuits, as well as providing opportunity for sport and leisure tourism, and partnering with other providers to deliver facilities and amenities. For example:

- our waterways support a diverse range of leisure and exercise activities including surfing, fishing, triathlon/duathlon, and kayaking; the provision of appropriate facilities and amenities is important to encourage increased participation in these areas
- continuing to provide a range of on and off leash dog exercise areas to encourage both leisure and fitness activity.

The objectives in this strategy include actions across the full spectrum of sport recreation, exercise and leisure for the benefit of all in our community.

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## Key performance indicators - by 2031

### *Good governance*

- We have undertaken strategic planning for sport and recreation across each regional of the city and for the city as a whole
- Implementation plans have been developed and progressively implemented on an ongoing basis
- A needs, serviceability and suitability audit of our facilities and spaces has been completed
- Our decision-making is guided by strategic planning and research

### *Great spaces*

- Land purchased for open space meets provisions of our Open Space Framework
- Universal design principles are included in new and refurbished facilities and spaces

### *Activated places*

- The number of people participating in physical activity has increased.
- The percentage of our community meeting the Australian guidelines for physical activity has increased.
- The use levels of our spaces and places have increased.

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## How will we get there?

Implementation plans will be developed that outline how and when each objective will be delivered. Relevant activities from existing planning documents and other implementation plans will be mapped against the objectives of this strategy to ensure that our efforts are coordinated, rigorous, time-focussed and do not duplicate effort or resources.

Implementation plans will provide for a major review of progress every 3 years, and an annual minor review to inform budget and annual plan discussions and decision-making.

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## Who will we engage with?

In delivering the objectives outlined in this strategy we will engage with:

Our community .....✓  
Internal stakeholders.....✓  
Council special committees.....✓  
Local and regional sporting bodies.....✓  
State and Federal government.....✓

# What will we do to improve the opportunity for everyone in our community to enjoy an active lifestyle over the next ten years?

*The following pages set out the objectives we will pursue over the next ten years.*

*The nature and extent of our involvement will depend on the role we choose to take.*

## PRIORITY 1 Good planning and governance

Fair and transparent sport, recreation, exercise, and leisure (SREL) planning and governance processes

### Key principles

We will strive to ensure that the provision of sport, recreation, exercise, and leisure (SREL) facilities and spaces is guided by sound governance and planning processes, including:

- being transparent
- conducting business with fairness
- evidence based decision making
- operational and strategic planning frameworks, and
- consulting with and being accountable to our community.

We will seek to provide necessary resourcing of SREL facilities and spaces to support optimal health and wellbeing in our community.

### Why is this important

Strong governance principles provide a framework to ensure that we can work towards meeting the demand for SREL facilities and spaces in a fair and equitable way.

Good governance also reduces the risk of undue influence in decision-making processes and increases community confidence.

### Objectives we will work towards

#### *Planning for sport and recreation*

- Undertake master planning to inform development and investment of facilities and spaces within the city
- Undertake development of an open space framework, including our parks and playgrounds, which provides increased activity for all ages and all abilities, social amenity and connections and identifies local, regional and district design and amenity standards
- Continue development and implementation of our reserve activity plans to ensure our natural spaces are sustainably managed to support, preserve, and enhance their natural, cultural, and social values
- Plan for and design to provide for improved connectivity and opportunities for active transport between our spaces and places
- Ensure provision of suitable land for SREL in our planning framework

#### *Conducting business*

- Manage facilities on a sustainable model which meets community service obligations and national competition policy requirements



#### *Consultation and support*

- Provide a framework for stakeholders to provide input to inform decision-making, identify opportunities for improvement and to identify trends and emerging activities
- Provide a framework for council's special advisory committees to continue to provide input and advice into SREL planning
- Facilitate our community groups and users of our SREL facilities to adopt best practice governance and operations to ensure sustainability
- Review our grant program to provide opportunities for small SREL funding

#### *Policies and processes*

- Regularly audit facilities to identify users and existing use levels to inform need for new facilities and capacity for increased activity
- Develop and maintain 3-year Implementation Plans to identify priority funding projects
- Provide a documented and structured application process for requests for funding from individual, groups and sporting clubs with a requirement to demonstrate links to key active lifestyle priority areas

## PRIORITY 2 Great spaces

Provide contemporary sport, recreation, exercise, and leisure (SREL) facilities and spaces

### Key principles

We will work to ensure that our facilities are:

- developed in accordance with master plans
- built to high standard design principles to maximise user capacity and return on investment, and
- supported by responsive maintenance and risk management programs.

We will enhance our facilities and spaces to meet the needs of all ages and all abilities.

We will cater for individual, community, competitive and elite sport, leisure, and fitness on an equitable basis.

We will build strong partnerships to encourage shared facility provisions.

### Why is this important

Built facilities come at a significant financial cost, it is important to ensure they are designed to maximise their life cycle and can be adapted to meet changing demands and trends.

Providing facilities for all ages and all abilities and which are fit for purpose encourages increased use and participation and removes barriers for potential participants.

Providing support on an equitable basis maximises community benefit.

### Objectives we will work towards

#### *Building facilities and spaces*

- Develop a policy that ensures facilities are designed to contemporary and legislative standards, incorporating universal design and inclusive approaches that have the capacity to meet current and future demand
- Design to complement and enhance the natural and built amenity of our city
- Identify projects that maximise use and increase diversity of use of existing facilities and spaces
- Continue development of our mountain bike tracks, including research expansion into regional areas to cater for local communities and reduce unauthorised track construction
- Identify locations to develop formal walking and jogging circuits with features to support increased vigorous activity for all ages and all abilities and all-day and year-round use.

#### *Maintaining our facilities and spaces*

- Address our ageing facilities through ongoing development and review of asset management plans
- Support community participation in the care and maintenance of our public facilities and spaces

*Developing partnerships to facilitate improved sport and recreation outcomes*

- Promote our investment in sport, leisure, and fitness to attract external and joint funding
- Investigate opportunities through public and private partnerships to enable development, expansion and enhancement of our active spaces, where appropriate
- Expand integration of schools and community facilities where appropriate

## PRIORITY 3 Activated places

Activate sport, recreation, exercise, and leisure (SREL) facilities and spaces to encourage increased participation and activity levels

### Key principles

We will strive to provide diverse, safe, and inclusive spaces and facilities to provide the opportunity for everyone to participate in an active lifestyle regardless of age, gender, ability, cultural background, or socioeconomic status.

We will work with commercial operators in sport, recreation, exercise, and leisure (SREL) sectors to activate and enhance our facilities and spaces to support an active lifestyle and promote social connections.

### Why is this important

Providing facilities and spaces accessible to all our community reduces barriers to participation, provides choice and increases physical activity.

Currently a large population of our community are not meeting Australian guidelines for physical activity and exercise. Lack of physical activity has direct links to increased risk of health conditions.

Promoting increased participation in an active lifestyle supports our community's well-being. It brings people together through shared experiences, supports a balanced lifestyle and improves mental and physical health.

### Objectives we will work towards

#### *Provide inclusive places and spaces*

- Ensure new and refurbished facilities meet or exceed sport-specific accessibility standards
- Provide opportunities for free and low-cost activity to reduce barriers to participation
- Research low participation levels in under-represented communities to identify barriers and opportunities
- Engage with our youth, older adults, and people with disability to understand how to support increased physical activity
- Ensure individual and social activities are provided equitable access to facilities and spaces

#### *Marketing and promotion*

- Develop a strategy to activate our coastal trail to enhance use and amenity
- Develop a plan to market our city's active lifestyle and opportunities, including to highlight our position as an all age and all ability destination and our vast trail networks
- Promote the benefits of physical activity and active use of our local natural environments, public spaces, and active programs
- Advocate for major sport and other events to inspire participation and support economic growth

#### *Innovation and responding to emerging trends*

- Identify emerging sport and recreation activities to enable planning for future use
- Respond to the trend towards individual pursuits and less structured activities
- Develop a process to support not for profit and commercial providers to deliver programs that maximise use of our spaces and increase physical activity
- Develop a process to support hospitality providers to provide services that activate our SREL spaces and enhance amenity and provide improved opportunity for social connections

## Explanation of terms

*The terms sport, recreation, exercise, and leisure can be used interchangeably depending on an individual's exertion level or motivation. The explanations outlined below indicate how they are used in this strategy.*

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### Sport

Activity involving physical exertion and skill as the primary focus, with elements of competition or social participation where rules formally govern the activity through organisations.<sup>7</sup>

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### Recreation

Physical activity undertaken for enjoyment.

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### Exercise

Exercise is a planned event that involves physical exertion to maintain or improve health and wellbeing.

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### Leisure

Activity undertaken for enjoyment, with limited or no physical activity.

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<sup>7</sup>

<https://www.clearinghouseforsport.gov.au/kb/what-is-sport>

*This strategy identifies various documents to be developed, revised, and implemented. Terms used seek to convey the strategic and/or operational objective of the content.*

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## Strategy

Outlines the key issues in the strategic plan and identifies the key objectives and what needs to be done at a high level.

---

## Framework

Provides guidance around strategies without being prescriptive. Allows for some flexibility in delivery to adapt to changing conditions.

---

## Plan

A detailed outline for achieving outcomes from a strategy or framework. Identifies specific actions, what, who when and how.

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## Policy

Formal statement of principles. Primarily seeks to ensure compliance with legislation, standards, and community expectations

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## Procedure

Generally, relates to a policy. Mandates operational activities and assigns responsibilities through specific operational actions.

<b>8. MOTIONS ON NOTICE</b>
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Nil.



**9. 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.

**9.1 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.

**9.2 ANSWERS TO QUESTIONS ON NOTICE**

Nil.

**9.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING**

Ald Walker

1. My question relates to a notice of motion that I moved in November regarding inclusion of a representative from a dog walking group onto the tracks and trails committee. My understanding was that it was going to take some constitutional tweaking but could I have a rough idea of the likely timelines on when this might occur, or if there has been correspondence with representative groups since that motion.

**ANSWER**

The Notice of Motion approved by Council on 22 November 2021 provided:

*Decision: MOVED Ald Walker SECONDED Ald Kennedy*

*“That Council expand the membership of the Tracks and Trails Committee to include a representative from a recognised dog walkers group, and authorise amendment of the Tracks and Trails Constitution to reflect this change”.*  
[emphasis added]

*CARRIED UNANIMOUSLY*

Consequently, council has authorised amendment of the Tracks and Trails Committee constitution and no further decision is required.

A representative of Clarence Dog Owners Group (CDOG) has been invited to attend the next Tracks and Trails committee meetings and did so on 17 February 2022.

2. There have been some issues in Cremorne around what you would call the “80’s” of Pipeclay Esplanade where the road isn’t specifically sealed and it relates to where the conduit or cable gets exposed so my question is can officers have another look at that area because I understand that something was rectified by contractors at the end of January and see if we need to be more specific in some of the protections for this or what role council has?

**ANSWER**

Council maintains the gravel and sealed sections up to the property at number 72. Council is not required to maintain access to properties beyond this point as there is not a declared road reserve or a constructed road. Some rocks and an evident depression were the result of repairs to the fibre optic cable infrastructure. This information has been directed to NBNco to reinstate the area to the condition it was prior to the cabling repair work.

Ald von Bertouch

In the Aldermen’s Weekly Briefing Package week commencing 20 September 2021, aldermen were advised via a memo from the Group Manager Engineering Services, Mr Graham, dated 21 September 2021, that there had been water damage to the Alma’s Activities Centre flooring. Could we be provided with a detailed reason for the damage; the cost of the repairs; whether the full cost will be covered by insurance; and the status of the repairs?

**ANSWER**

There was a leak from the water connection into a hand basin which caused damage to parquetry and carpet flooring in the main reception and adjoining rooms. This required complete replacement and amounted to around \$111,000 of damage.

The damage is covered by insurance. Replacement works are 95% complete.

Ald Peers

1. We received a letter from the Minister regarding ferries. When are we going to receive some more information? I notice the government want us to put money in for facilities and whatever; when are we going to receive some more information on ferries in general?

**ANSWER**

(C Paske) We will have an update to Aldermen on the specifics of ferries as it related to the Ashes service that we recently assisted with and more broadly ferries and the greater transport network will be considered as part of the Metro Plan consultation in the next couple of months.

Question contd

(Mayor) I think the nub of Ald Peers’ question is we have had some rhetoric from the government indeed from our sister council on the other side of the river about trials being extended and we have got nothing definitive in terms of whether there are any expectations or not on this council contributing towards those extensions so I guess what we are really seeking is if there is any guidance available or any progress to getting guidance in the future of all that.

**ANSWER**

(General Manager) The short answer is not at this stage. We are basically in the same situation (as officers) as the elected members are - that there has been some announcement about the way forward but nothing definite at this point.

2. Some time ago the Beltana Bowls Club wrote in about their carpark needing attention and looking at it, it looks like there has been a pipe or wires put under the ground and I have no idea whose responsibility that is. I'm just wondering because they sent a letter in I think before Christmas can we just get someone to go and have a look at that carpark and see what needs to be done and see if it is council's or their responsibility?

**ANSWER**

A work order was raised in 2021 to repair the potholes in the carpark however our crews have been busy on higher priority works. The work will be completed by the week of 21 February 2022.

Ald Mulder

1. My question relates to the ferries trial and when we will get a full report regarding the key performance criteria or objectives set by the government on the ferry trial. I'm not talking about just the usage but the impact on traffic congestion on the Tasman Bridge which was one of the reasons for the trial?

**ANSWER**

Officers have meetings scheduled in March with representatives from the Department of State Growth to get a briefing on the plans for the second year of the trial, which they expect will include a review of the impact of the service to-date and key statistics. Officers will provide an update to aldermen at a future workshop following these meetings.

2. My question relates to my failed motion this evening. Given the fact that the current two-step process utilises the delegation in a way that was not intended when the delegation was initially approved is it the intention of the General Manager or you Mr Mayor to conduct a workshop in order to regularise this delegation in a way that reflects what council is contemplating?

**ANSWER**

(Mayor) The problem is that council has given no indication that it is seeking a workshop in this area however I will discuss with the General Manager.

(Further information) – It is a matter for Council whether or not it wants a workshop on this subject.

Ald James

1. Has council received a further extension of time for the works on the property on the corner of Clarence Street and Cambridge Road Bellerive.

**ANSWER**

(J Toohey) No nothing has been received.

2. I refer to the Bellerive Yacht Club redevelopment. There was an original planning permit granted on 17 June 2019 and an amendment to the permit which was granted on 13 March 2020. In that, it was decided that the amendment was a change to allow construction through the year and therefore it did not require any formal approach to council to confirm or otherwise that amendment. Given that the amendment has basically allowed a change is it intended that with the new extension which is very close to the public pier is it going to be very difficult for the ferries to manoeuvre into the Federal Hotels' wharf in order to be able to continue with the ferry operation once that extension to that arm of the Bellerive Yacht Club extension is completed?

**ANSWER**

Not long after the ferry trial was announced, and planning was underway it was identified that the development application for the Bellerive Yacht Club marina extension and renewal was very close to the operating areas of the ferry. Subsequent to that the Department of State Growth, council and Bellerive Yacht Club entered into some negotiations to try and find a solution to that and the Department of State Growth and Bellerive Yacht Club, as I understand things, have resolved that they will not build out the last row of pens next to the pier and that there will be a new development application submitted at some stage to rearrange the marina layout further towards the shore end of Kangaroo Bay to account for that change. There is further work to be done on that so it is not clear at this point in time and once the work has been done, we can expect a further development application to go through the usual process. None of that is certain until such stage that there has been commitment between those parties and also a development permit issued.

**Ald Edmunds**

1. In October I asked a question about replacing the concrete ripple pads in Kerria Road, Grass Tree Hill Road, Marlock Road and Laurel Street in Risdon Vale, the answer was that there was a works order done. I was just wondering how far away the actual work is?

**ANSWER**

(R Graham) I will follow that up, ripple pads are regarded as line marking and the Department of State Growth undertake the maintenance of our line marking program when they are available and ready.

(Further information) Rumble bars were installed by the Department of State Growth at the intersection of Kerria Road/Grass Tree Hill Rd. However, some of these have been since damaged and removed. Maintenance of this safety bar island remains the responsibility of the Department of State Growth.

A number of locations across Risdon Vale were nominated to the Department of State Growth (DSG) in September 2021 for line marking maintenance, including the intersection of Laurel Road and Kerria Road. However, none of these were funded for maintenance in the DSG 2021/2022 line marking program.

2. It seems like our requests for maintenance, cutting of grass etc, around the city are at an all-time high not only this year but obviously this is the time of year that we get the requests. My question is about workforce capability. Do we consider that we have enough resources to get all this work done?

**ANSWER**

We are battling at the moment on a number of things, our request numbers are high, our council staff numbers are a little bit low because of vacancies and also our crews have been hit by COVID-19 absences, so we are trying to reschedule things in terms of capital and maintenance to address things as quickly as possible.

**Ald Blomeley**

1. Following the 22 November 2021 decision of this Council to support my motion calling for increased Police resourcing and collaboration with Tasmania Police to address anti-social behaviour in and around the Rosny Park Bus Mall and Rosny Skatepark, please provide an update as to what actions this Council has taken - including any interactions with Tasmania Police, the management of Eastlands Shopping Centre and other shopkeepers in the Rosny Park area?

**ANSWER**

Since the November council meeting the following has occurred:

- Tas police ran a pre-Christmas high visibility blitz in the Rosny Park area from the end of November through to end of December and had great success, with reports of incidences such as shoplifting down to zero by the end of December.
- The high vis exercises were re-initiated again last week and have started in full force again this week. This includes officers from Bellerive station, as well as the Metro Police unit. They have already issued a number of Public Infringement Notices (PINs) for smoking in the Rosny bus mall and includes increased attendance at the Skate Park and through Eastlands.

Furthermore, in relation to the skatepark:

- The CCTVs at the skate park now feeds directly to Bellerive police station
- Our youth services have increased their presence in skatepark including a skating session with YMCA and we are developing a more structured program to engage with young people in the mall/skatepark– estimated start time is 3 March.
- We have done a basic clean up and repairs around the skatepark, however there is more work to be done
- We have been talking with HCC about how they dealt with the problems at the North Hobart skatepark
- We have had discussions with other youth organisations about increasing their presence in the area – e.g. YouthBeat.
- Also talked with skatepark users including SHEShreds about what needs improvement and the possibility of them doing something there.

We continue to work together with the police, Eastlands, Rosny college, Metro and other players to improve safety in the area. Our next meeting is in mid-March to review progress and plan the next stages.

2. Following the 22 November 2021 decision of this Council to advertise our intention to enter into a 10-year lease with the Hobart Model Aero Club, can the General Manager please advise:
  1. if any objections were received, and
  2. if so, what is the process from here?

**ANSWER**

Council received correspondence during the objection period which did not specifically state it was an objection. Council has written to the person asking for clarification whether the correspondence was intended as an objection and has not yet heard back.

If the person intended to make an objection, it will be the subject of a report to the next Council meeting. If the person did not intend to make an objection, council officers will proceed with renewing the lease with the Hobart Model Aero Club.

**9.4 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.

**10. 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 have been listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.

10.1 APPLICATIONS FOR LEAVE OF ABSENCE

10.2 JOINT AUTHORITY MATTER

10.3 TENDER T1439-21 CONCRETE – SUPPLY AND DELIVERY 2022-2023

10.4 JOINT AUTHORITY MATTER

These reports have been listed in the Closed Meeting section of the Council agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulation 2015 as the detail covered in the report relates to:

- contracts and tenders for the supply of goods and services;
- information of a confidential nature or information provided to the council on the condition it is kept confidential;
- commercial information of a confidential nature that, if disclosed, is likely to prejudice the commercial position of the person who supplied it, or confer a commercial advantage on a competitor of the council; or reveal a trade secret;
- applications by Aldermen for a Leave of Absence.

**Note: The decision to move into Closed Meeting requires an absolute majority 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.**

**PROCEDURAL MOTION**

“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”.