

MINUTES OF A SPECIAL MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 6 MARCH 2023

HOURL CALLED: 7.00pm

PRESENT: The meeting commenced at 7.03pm with the Mayor (Cr B A Blomeley) in the Chair and with Councillors:

H Chong
J Darko
E Goyne
D Hulme (via zoom)
B Hunter
R James
W Kennedy
T Mulder
A Ritchie
J Walker
B Warren; present.

1. APOLOGIES Nil

IN ATTENDANCE

Chief Executive Officer
(Mr I Nelson)

Acting Group Manager Engineering Services
(Ms A Moore)

Manager City Planning
(Mr R Lovell)

Chief Financial Officer
(Ms J Murrell)

Manager Communication and Strategic Development
(Mr C Paske)

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

Acting Manager Health and Community Well-being
(Ms T Cockburn)

Manager Governance
(Ms C Shea)

Acting Manager Regulatory Services
(Mr R Brennan)

Meeting closed at 8.01pm.

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1. ACKNOWLEDGEMENT OF COUNTRY

The Mayor:

- made the following statement:

“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 recognising their continuing spiritual connection to the land”.

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

2. ATTENDANCE AND APOLOGIES

Refer to cover page.

3. DECLARATIONS OF INTERESTS OF COUNCILLORS OR CLOSE ASSOCIATES

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

INTEREST DECLARED: NIL

4. 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)

REQUEST TO APPROVE THE “SKYLANDS MASTERPLAN” AT 936 OCEANA DRIVE, TRANMERE AND 328 DROUGHTY POINT ROAD, ROKEBY AND TO AMEND URBAN GROWTH BOUNDARY PDPSAMEND-2021/022172

(REFER ITEM 5.2)

Mr Greg Carr provided a statement regarding the above matter which was read out by the Chief Executive Officer.

Ms Kylie Holland addressed the meeting regarding the above matter.

Mr Geoff Murray addressed the meeting regarding the above matter.

5. REPORTS FROM OFFICERS

5.1 REPORT ON STUDY TOUR OF SUBDIVISION DEVELOPMENTS IN PERTH, WESTERN AUSTRALIA, INCLUDING JINDEE

EXECUTIVE SUMMARY

PURPOSE

This report provides a summary of the recent study tour conducted by councillors and senior staff to Perth, Western Australia. The purpose of the tour was to view developments in greater Perth that reflect modern subdivision design; to improve knowledge and understanding in terms of contemporary design, planning controls and associated engineering requirements. The tour is linked to the pending council decision in relation to the Skylands Masterplan for land at Droughty Point.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan is relevant. The Tasmanian Planning Scheme – Clarence is also a relevant consideration.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

There was no requirement for consultation in respect to the study tour, however there is a broader relationship between the study tour and consultation undertaken in respect to the proposed Skylands Masterplan.

FINANCIAL IMPLICATIONS

Costs associated with the study tour were \$26, 419 (excluding GST). This is made up of:

- Travel: \$16,229
- Accommodation: \$7,182
- Car Hire: \$910
- Meals: \$1981
- Incidentals: \$117

There are currently some minor cab-charge costs still outstanding.

RECOMMENDATION:

That Council notes the report.

Decision: **MOVED** Cr Kennedy **SECONDED** Cr Chong

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

5.2 REQUEST TO APPROVE THE “SKYLANDS MASTERPLAN” AT 936 OCEANA DRIVE, TRANMERE AND 328 DROUGHTY POINT ROAD, ROKEBY AND TO AMEND URBAN GROWTH BOUNDARY PDPSAMEND-2021/022172**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is twofold:

- to consider a request to endorse a masterplan for the future development of the site; and
- to consider a request to modify the Southern Tasmanian Regional Land Use Strategy’s (STRLUS) Urban Growth Boundary (UGB), around the Droughty Point peninsula between Tranmere and Rokeby.

RELATION TO PLANNING PROVISIONS

The land is subject to a range of mapped planning zones and code overlays: Landscape Conservation; Future Urban; Utilities, Bushfire-prone Areas Code; Coastal Inundation Hazard Code; Flood-prone Hazard Areas Code; Landslip Hazard Code; Natural Assets Code and Safeguarding of Airports Code.

CONSULTATION

Although there is no statutory requirement to undertake community consultation for this type of application, extensive community engagement has been undertaken in accordance with Council’s Community Engagement Policy 2020 and the following Notice of Motion approved by Council at its meeting on 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.”*

The applicant has also incorporated consultation with the wider community and relevant agencies within their design process, referred to as the design “charette process”.

The proposal has also been referred to relevant government agencies and regional councils for their consideration and responses.

RECOMMENDATION:**A. That Council:**

1. Endorses the Skylands Masterplan as the detailed framework for the future development of the Droughty Point peninsula, subject to:
 - i. The motor vehicle access above Norla Street, Trammere through to Neighbourhood 5, Rokeby, being replaced by a multi-user pathway, with provision for access by infrastructure service and emergency vehicles.
 - ii. The Lots above existing Oceana Drive houses between Norla Street and Bindara Road, being designed as Low Density Residential Zoned lots.
2. Requests the Minister for Planning to approve the request to amend the Urban Growth Boundary, to facilitate a future proposed planning scheme amendment application to implement the Skylands Masterplan.
3. Advises the applicant that:
 - i. if the Urban Growth Boundary is amended, council expects that a form-based code will be developed for the site, to be introduced as a Specific Area Plan, through a planning scheme amendment.
 - ii. as a significant area of public open space is to be offered as part of the implementation of the Skylands masterplan, legal mechanisms such as a Part 5 Agreement under the *Land Use Planning and Approvals Act 1993* must be entered into with council before the development of the site begins, to cover land management arrangements, as well as major public open spaces, under the *Local Government Act 1993*, to identify them as public open space with a notation on the title and recording as public land on the General Manager public land register.

B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

Decision:	MOVED Cr Hunter SECONDED Cr James
	“That Council:
	A. Refuse the request to endorse the Skylands Masterplan and extend the urban growth boundary.
	B. Notes that the refusals are based on the following reasons:
	(i) The request to extend the UGB raises unresolved concerns with the <i>30-Year Greater Hobart Plan</i> (adopted on 24 August 2022), in that:

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REQUEST TO APPROVE THE “SKYLANDS MASTERPLAN” AT 936 OCEANA DRIVE, TRANMERE AND 328 DROUGHTY POINT ROAD, ROKEBY AND TO AMEND URBAN GROWTH BOUNDARY PDPSAMEND-2021/022172 /Decision contd...

- The plan notes that while all expected growth and development can be accommodated within the existing urban growth boundary but will consider exceptions.

However, technical planning analysis demonstrating the need to extend the UGB in this particular area (as opposed to other areas in the region) has not been sufficiently provided to Council.

- The plan aims to enable a coordinated approach across governments to achieve the aims and objectives of the Greater Hobart Plan.

However, neighbouring councils are not supportive of extending the UGB to accommodate the Skylands proposal until the STRLUS is reviewed at a strategic, regional level (as noted in the Council report, page 136 & 137).

- (ii) The Skylands Masterplan does not align with the 30 Year Greater Hobart Plan and associated Strategy for Growth and Change, based on the following:

- The Skylands Masterplan will densify an area outside the STRULS densification area. (In Clarence, these areas are Bellerive, Rosny Park /Warrane, and Rose Bay /Lindisfarne). Therefore, the Skyland Masterplan undermines the objective of incentivising infill development closer to main activity centres and transit corridors.
- The Strategy for Growth and Change clearly identifies the importance of genuine engagement programs in relation to planning urban growth.

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REQUEST TO APPROVE THE “SKYLANDS MASTERPLAN” AT 936 OCEANA DRIVE, TRANMERE AND 328 DROUGHTY POINT ROAD, ROKEBY AND TO AMEND URBAN GROWTH BOUNDARY PDPSAMEND-2021/022172 /Decision contd...

However, concerns about the Skylands Masterplan and UGB extension have been raised by the community as demonstrated by Council’s Your Say survey and a community petition that is actively ‘open’ (which has not yet been tabled at a Council meeting).

- C. Authorises the CEO to inform the Minister for Planning of Council’s decision, including a letter detailing the reasons for refusal and Council’s position.
- D. Council would welcome further negotiation with the Carr family to address these concerns noting that if an agreement cannot be made, Council will resume the development of the Tranmere/Rokeby Structure Plan (the Niche Plan)."

The Mayor asked the Deputy Mayor to **assume** the Chair while he entered the debate as a Councillor (7.54pm).

The Mayor resumed the Chair at 7.59pm.

CARRIED

FOR

Cr Chong
Cr Darko
Cr Goyne
Cr Hunter
Cr James
Cr Kennedy
Cr Mulder
Cr Ritchie
Cr Warren

AGAINST

Cr Blomeley
Cr Hulme
Cr Walker

The meeting closed at 8.01pm.