

**COUNCIL MEETING**  
**MONDAY 7 AUGUST 2023**

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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. ACKNOWLEDGEMENT OF COUNTRY**

The Mayor will:

- make the following statement:

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

*I pay respect to Elders past and present.”*

- invite those present to pause for a moment of quiet reflection and respect before commencing the council meeting.
- 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. A link to the Agenda is available via Council’s website.

**2. APOLOGIES**

Nil.

**3. DECLARATIONS OF INTERESTS OF COUNCILLORS OR CLOSE ASSOCIATE**

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

**4. OMNIBUS ITEMS****4.1 CONFIRMATION OF MINUTES****RECOMMENDATION:**

That the Minutes of the Council Meeting held on 17 July 2023, as circulated, be taken as read and confirmed.

**4.2 MAYOR'S COMMUNICATION****4.3 COUNCIL WORKSHOPS**

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

**PURPOSE****DATE**

Development – Low-lying Areas

Draft Land Acquisition Policy and Process

42 Day Rule for Planning Applications

Changes to Dog Management Policy – Declared Areas and

Working Dog Category

Delegation for Changes to Annual Estimates

24 July

**RECOMMENDATION:**

That Council notes the workshops conducted.



#### **4.4. TABLING OF PETITIONS**

(Note: Petitions received by Councillors are to be forwarded to the Chief Executive Officer 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.

**4.5 REPORTS FROM OUTSIDE BODIES**

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

**REPORTS FROM SINGLE AND JOINT AUTHORITIES**

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

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

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

Representative: Cr James Walker

**Quarterly Reports**

June Quarterly Report pending.

**Representative Reporting**

- **SOUTHERN TASMANIAN REGIONAL WASTE AUTHORITY**

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

**Quarterly Reports**

The Southern Tasmanian Regional Waste Authority has distributed its Quarterly Report for the period ending 30 June 2023 (refer Attachment 1).

**Representative Reporting**

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

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



## REPORT

<b>REPORT TO:</b>	STRWA LOCAL GOVERNMENT FORUM
<b>PREPARED BY:</b>	PAUL JACKSON CEO
<b>SUBJECT:</b>	QUARTERLY REPORT
<b>MEETING DATE:</b>	JUNE 2023

### SUMMARY

The Rules of the STRWA provides:

#### 13 Quarterly reporting

13.1 The STRWA must provide a report to Members as soon as practicable after the end of March, June, September and December in each year.

13.2 The quarterly report must include:

- (a) A statement of the STRWA's general performance; and
- (b) A statement of the STRWA's financial performance.

### BACKGROUND

This is the inaugural quarterly report to members of the STRWA and its format will be utilised in each subsequent quarter.

### GENERAL PERFORMANCE

#### Grant Deed

The STRWA's obligations under the Grant Deed are well underway. The obligations for 2022-2023 are summarised with an update on progress in the table below.

#### Key Initiatives

Joint Authority Governance establishment

Southern regional material recovery facility tender

#### Progress

Rules were finalised in July 2022.

Directors and CEO have been recruited and appointed.

Corporate governance and administrative processes have also been established.

**Action: complete.**

Tender process – including ACCC approval – is complete with contract entered into with City of Hobart in June 2022. Contract will be

	novated from CoH to STRWA, which is underway.
Ongoing educational activities	<p><b>Action: complete.</b></p> <p>Funding for Rethink Waste Tasmania provided. Strategic plan for Rethink Waste being developed.</p> <p>Initial engagement had with Garage Sale Trail in relation to possible regional involvement. Clean-up Australia program not commenced.</p> <p><b>Action: partially complete.</b></p>
Regional waste and resource recovery register of initiatives	<p>Individual councils reviewing current register developed by LGAT to confirm extent of regional initiatives.</p> <p><b>Action: partially complete.</b></p>
Regional litter management plan	<p>A draft specification being prepared ready for going to market.</p> <p><b>Action: commenced.</b></p>
<p>The initial set-up of the STRWA as a legal entity is largely complete. There was considerable work involved in doing this including obtaining an ABN, creating a bank account, implementing a finance system and other IT systems. With this being largely complete, greater attention by the CEO can be focused on the waste related initiatives.</p> <p>To secure funding for the 2023-2024 financial year, a plan needs to be provided to NRE and agreement reached as to the priorities for the coming year. A draft of that has been provided to NRE and discussions are progressing to reach agreement.</p>	

## IMPLEMENTATION OF THE STRATEGIC PLAN

The Board has determined that the development of a Strategic Plan will occur later in 2023 to provide time to consider required inclusions in the plan as well as provide priority for delivering some tangible outcomes in the short-term.

The identified member issues and priorities will form part of the inputs to the Strategic Plan.

## EMERGING STRATEGIC ISSUES AND STRATEGIC PROJECTS

### Rethink Waste

Consultant currently engaged is developing a Strategic Plan for Rethink Waste for 2023-2028. A workshop was held with relevant stakeholders in May to progress this.

### Cleanaway Contract

The contract with Cleanaway is in the process of being novated from the City of Hobart to the STRWA.

### Stakeholder Engagement

Correspondence has occurred with the 12 General Managers in Southern Tasmania. Requests were to identify relevant officers to participate in a network of officers under the umbrella of STRWA to progress key initiatives and share relevant information. Also requested to address individual councils, and this has occurred with some.

## Newsletter

June 2023 newsletter distributed to 47 recipients and had an open rate of 68.1%.

## Meetings with Stakeholders

8 meetings with councils – General Managers, waste staff, elected members

Waste Organisations:

- Rethink Waste
- Australian Tyre Recyclers Association
- ABC
- Garage Sale Trail
- Other regions
- Charitable Recycling Australia

6 meetings with other stakeholders including consultants.

## OTHER MATTERS

### LinkedIn

<https://www.linkedin.com/company/strwa/>

A company page has been created for STRWA on LinkedIn and the URL is included above.

## FINANCIAL MATTERS

### 2022-23 Financial Report

G/L Code	Account Title	Budget 2023	Actual
<b>1000</b>	<b>Income</b>		
1010	Member Contributions	\$0	\$0
1020	Fees & Charges	\$0	\$0
1030	Grants	\$502,500	\$502,500
1040	Other revenue	\$0	\$0
	<b>Total Income</b>	<b>\$502,500</b>	<b>\$502,500</b>
<b>2000</b>	<b>Expenses</b>		
2010	Employee Expenses	\$108,416	\$82,707.41
2020	Board Expenses	\$25,783	\$22,857.17
2030	Office Expenses	\$15,508	\$9,932.44
2040	Other Expenses	\$36,793	\$14,231.59
2050	Project Costs	\$316,000	\$246,148.45
	<b>Total Expenses</b>	<b>\$502,500</b>	<b>\$375,877.06</b>
<b>3000</b>	<b>Profit / (Loss)</b>	<b>\$0</b>	<b>\$126,622.94</b>

#### 2023-24 Budget

G/L Code	Account Title	Budget 2024
<b>2000</b>	<b>Expenses</b>	
2010	Employee Expenses	\$212,486
2020	Board Expenses	\$63,105
2030	Office Expenses	\$24,000
2040	Other Expenses	\$70,820
2050	Project Costs	\$220,000
	<b>Total Expenses</b>	<b>\$590,411</b>

#### CONCLUSION

The above report highlights the activities of the STRWA for the quarter ending 30 June 2023.

#### RECOMMENDATION

That the STRWA Local Government Forum notes the Quarterly Report for the period ending 30 June 2023.

#### **4.6 WEEKLY BRIEFING REPORTS**

The Weekly Briefing Reports of 17, 24 and 31 July 2023 have been circulated to Councillors.

#### **RECOMMENDATION:**

That the information contained in the Weekly Briefing Reports of 17, 24 and 31 July 2023 be noted.

**5. PUBLIC QUESTION TIME**

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

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

**5.1 PUBLIC QUESTIONS ON NOTICE**

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

Nil.

**5.2 ANSWERS TO QUESTIONS ON NOTICE**

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

Nil.

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

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

At Council's Meeting of 17 July Mr Bradley Walker of Howrah posed the following question on notice.

**CAPITAL PROJECT ROKEBY HILLS / ILLEGAL DUMPING OF RUBBISH**

Council recently approved 23/24 Budget included a capital project in Rokeby Hills. This project includes the construction of a new pathway/track from the Fairisle Terrace to Kuynah Reserve. A large portion of this track would be in alignment with a section of track that permit conditions for SD-2011/30 required the developer to construct. Has this been taken into account and what part is the developer contributing to this project?

The following answer to the question is provided:

The budget approved in 2023/2024 is for Council's contribution towards the track from Fairisle Terrace to Kuynah Reserve. This project is progressing in partnership with the developer who, as part of their amended development application, is required to develop a track to a class 5 standard. Council's budget will allow the track to be built to a higher standard.



**ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE /contd...**

At Council's Meeting of 17 July Mr Victor Marsh of Bellerive asked the following question.

**NON-COMPLIANT KERBS ON BELLERIVE BLUFF**

At a Clarence City Council meeting on 25 July 2022 my wife, Joanne Marsh asked a question without notice about the 15 DDA non-compliant kerbs on Bellerive bluff. These kerbs pose a safety risk in particular for people in wheelchairs, people with disabilities, the elderly and parents with large prams.

My question is, can Council give an update on what progress has been made to rectify this issue?

**ANSWER**

Since Mrs Marsh's question of July 2022, Council has completed a number of projects across the city to provide DDA ramps in locations where they previously did not exist on footpaths in Lindisfarne, Warrane, Risdon Vale and Clarendon Vale. More than 18 sites were addressed during the 2022-2023 financial year.

In March 2023, the triennial footpath condition audit was completed of all footpaths across the Clarence municipality and identified more than 1,200 locations where DDA ramps are required across our footpath network. The 2023-2024 budget for DDA Kerb Ramp installation was increased to \$150,000 (from \$100,000 in the 2022-23 financial year) in recognition of this and officers are working with Council's Access and Inclusion working group to prioritise sites based on the volume of pedestrians (including those with particular mobility needs such as people using wheelchairs, pushing prams or using walking frames etc) and nearby land uses (such as schools, aged care facilities, commercial areas, health services etc) that might attract more people that have limited mobility.

Council has funded several projects in the Bellerive area including design of streetscape upgrades in Scott Street (between Queen Street and Clarence Street), pedestrian improvements at the Percy Street / Cambridge Road intersection will be completed as part of the stormwater project, and where possible, the Beach Street stormwater project (programmed to commence November 2023) will include provision of DDA ramps where the works impact existing kerbs.

#### **5.4 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.

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

## **6. DEPUTATIONS BY MEMBERS OF THE PUBLIC**

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

<b>7 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:

**7.1 DEVELOPMENT APPLICATION - PDPLANPMTD-2023/036916 – 145 AND 163 PASS ROAD AND 46A ANGELINA DRIVE, ROKEBY – AMENDMENT TO PARANVILLE SPECIFIC AREA PLAN****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to seek Council's support to undertake community consultation with regard to a request for a variation to the Master Plan and approved staging to satisfy the provisions of Clause F4.8.A1 of the ParanVille Specific Area Plan (the SAP). If approved, this will facilitate the assessment of a 31-lot subdivision including road lots, drainage lot and construction of public open space infrastructure at 145 and 163 Pass Road and 46A Angelina Drive, Rokeby (as shown in Attachment 2) currently to be developed in a later stage of the ParanVille development.

**RELATION TO PLANNING PROVISIONS**

The land at 163 Pass Road would accommodate most of the proposed residential subdivision and is zoned General Residential, and is subject to the SAP, Bushfire-prone Areas Code, Flood-prone Hazard Areas Code, Landslip Hazard Code, Natural Assets Code, Road and Railway Assets Code and Safeguarding of Airports Code under the Tasmanian Planning Scheme – Clarence (the Scheme).

The subdivision includes part of the access strip associated with 145 Pass Road which is zoned General Residential and Open Space. This land is also subject to the SAP, Bushfire-prone Areas Code, Flood-prone Hazard Areas Code, Natural Assets Code, Road and Railway Assets Code and Safeguarding of Airports Code of the Scheme.

The proposed subdivision includes Council's public open space land at 46A Angelina Drive for the development of public recreation works as part of Stage 1 of the subdivision.

Clause S4.8.1 A1(a) of the SAP requires that the subdivision must be in accordance with the Master Plan (Figure 3 of the SAP) and that the land must be developed in accordance with the Staging Plan (Figure 4 of the SAP), unless otherwise approved in writing by Council. This standard is an Acceptable Solution with no corresponding Performance Criteria, meaning an application for a subdivision in the form proposed cannot be considered by Council until such time Council approves a variation to the Master Plan and staging plan. However, this report is firstly seeking authorisation to consult, not to approve or refuse the request. The applicant's written request is detailed in Attachment 3.

**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 2000 and the Local Government (Meeting Procedures) Regulations 2015.

**RECOMMENDATION:**

- A. That Council authorise the Chief Executive Officer to undertake community consultation prior to referring the request to vary the Master Plan and staging plan associated with the ParanVille Specific Area Plan back to Council for determination.
- 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**

- 1.1.** The site was originally rezoned as part of the ParanVille amendment A-2009/18. At its meeting of 19 January 2011, Council initiated the amendment and issued a draft subdivision permit SD-2009/62. The amendment comprised of:
- rezoning (from Rural to Residential, Local Business and Special Use);
  - an extension of the Scheme’s Urban Growth Boundary (UGB) to encompass 89, 93, 145 and 163 Pass Road; and
  - the introduction of the “ParanVille Development Plan” (DPO-12) and amendments to existing overlays.
- 1.2.** The amendment included a subdivision SD-2009/62 which comprised of 113 residential lots and 209 community living lots, as well as road reservation, commercial and Special Use lots, and included the development of a language school. At the above meeting, the developer gave commitments related to timing and context of the development and its forecast economic development impacts.
- 1.3.** At the time the draft amendment A-2009/18 was initiated, the subject land was outside the Scheme’s identified Urban Growth Boundary (UGB) and contrary to Council’s Residential Strategy (April 2008). Consequently, the amendment relied on the adoption of the *Southern Regional Land Use Strategy 2010-2035* (STRLUS) which identified the subject site as a “Greenfield Development Precinct”. The STRLUS was approved on 27 October 2011, and the Tasmanian Planning Commission (TPC) approved the amendment on 1 February 2012.

- 1.4.** In 2013, the applicant submitted a revised application (SD-2013/16) seeking to modify the subdivision layout, include additional lots and staging arrangements. This application was approved by Council at its meeting on 1 December 2014.
- 1.5.** This permit increased the number of residential lots to 325 (an additional 212 lots) and this combined with the 225-community living lots, results in a total of 550 residential sites approved by this subdivision.
- 1.6.** Since 2013, five residential subdivision applications have been approved on land covered by the SAP, but not forming part of SD-2013/16, as follows:
- SD-2016/31 – 179 residential lots
  - SD-2018/3 – 175 residential lots
  - SD-2018/11 – 169 residential lots
  - PDPLANPMTD-2021/024236 – 130 Lot Subdivision
- 1.7.** The above subdivisions are located on areas shown in Figure 4 of the SAP (**Attachment 4**) as “future residential subdivision”. The SAP requires that the use and development must be in accordance with the Master Plan in Figure 3 of the SAP and the approved staging plan. Legal advice was previously provided to Council that the “future residential subdivision” areas within the Master Plan can be assessed independently of the specially identified staging and the permits were issued on this basis.
- 1.8.** Most recently, a similar application was made to amend the staging plan and Master Plan to provide for the development of Stages 3 and 4 of the approved Staging Plan, prior to Stages 1 and 2. This request was approved by Council at its meeting on 12 October 2020.
- 1.9.** Currently all 13 stages of SD-2018/3 have been completed and six of 15 stages of SD-2016/31 have been completed.

- 1.10.** The site at 163 Pass Road fronts Pass Road which will require future upgrading and widening to accommodate the residential growth within the ParanVille area. The planning permits for SD-2016/16 and SD-2018/3 included a condition to upgrade Pass Road from the junction of Winterborne Road to Glebe Hill Road prior to the sealing of the final plan for the subdivision. The condition could be addressed through payment of headworks charges or the developer upgrading the road. In November 2021, the developer of 163 Pass Road paid \$1,002,000.00 in headworks charges for the road upgrade. These works have not yet commenced.

## **2. STATUTORY IMPLICATIONS**

- 2.1.** The site (consisting of the three titles subject to this request) is zoned General Residential and Public Open Space and subject to the SAP, Bushfire-prone Areas Code, Flood-prone Hazard Areas Code, Landslip Hazard Code, Natural Assets Code, Road and Railway Assets Code and Safeguarding of Airports Code.
- 2.2.** As part of the subdivision application, modifications to the Master Plan and approved staging plan under the SAP is proposed. Clause S4.8 A1 of the SAP requires that Council must advise in writing whether the modifications to the Master Plan and Staging Plan are acceptable and therefore is considered to meet the Acceptable Solution.

## **3. PROPOSAL IN DETAIL**

### **3.1. The Site**

The site is part of the area known as ParanVille, with 163 Pass Road (the site) being 5.63ha in area. The site is currently vacant but has a stormwater detention basin as part of the approved engineering works for subdivision permit SD-2018/3.

The titles to the north originally forming part of 163 Pass Road have recently been issued as part of subdivision permit SD-2018/3.



The titles to the east including 145 Pass Road, which is the subject of subdivision permit PDPLANPMTD-2020/008820, are currently under construction, and land formerly known as 89 Pass Road, which is the subject of subdivision permit SD-2016/31 has been completed with titles recently issued.

### **3.2. The Proposal**

The applicant is seeking approval to vary the SAP Master Plan to alter the lot layout in response to the location of the stormwater detention and treatment already constructed on the site as part of subdivision permit SD-2018/3. The proposed layout provides for a future road connection to the land to the south, which is zoned Future Urban.

The request to amend the staging is to facilitate the development of Stage 5 of the approved staging plan, as the next stage of the development.

The applicant has indicated the reason for the request is to allow for the logical sequencing of subdivision of the land near the Pass Road frontage of the site and to make best use of road, water, sewer and stormwater infrastructure that has recently been constructed under planning permit SD-2018/3.

## **4. PLANNING ASSESSMENT**

**4.1.** This report is addressing only the requirements of the ParanVille SAP and whether Council agrees to the modification to the Master Plan and staging plan. If approved, the Acceptable Solution is met and a subdivision application which has been lodged for the site can be assessed.

If Council approves the request, a total of 681 residential lots will be able to be developed on the “ParanVille” site, prior to any of the non-residential aspects of the original proposal being developed, including the language school and community facilities. The approved staging in the SAP provided a significant catalyst to develop the community facilities in the first and second stages, prior to the residential component. Given the delay in developing the site since first approved in 2009, the developer appears to have little interest at this time in developing the site in the manner in which it was originally approved.

The implications of approving this request to alter the staging originally proposed and approved will de-emphasise the non-residential aspects of the development, including the language school and community facilities, and there must now be some doubt as to whether they will eventuate.

The original request made in 2022 to vary the Master Plan and staging plan raised concern in that the increase in the number of residential lots, prior to any of the community facilities, including a park, will not have access to a neighbourhood park within a reasonable proximity to the development. Although large areas of public open space zoned land were set aside when the development was originally approved, they consist almost entirely of walkways through stormwater overflow paths and bushland, and the large area through the centre of the site is constrained by a large dam. Therefore, there was no suitable area zoned for public open space that could be developed into a neighbourhood park to service the lots proposed as part of the subdivision application.

In response to the above issues, Council's open space team provided direction on the recreational priorities for the district and the applicant engaged a landscape architect to prepare the Paranville Open Space Framework Snapshot Report 2023 (Attachment 5) with input from Council's open space team.

Council's open space team support the proposal for public open space along the rivulet and indicated their preference for a play space to be developed on the existing public open space lot at 46A Angelina Drive. The location of the play space on 46A Angelina Drive is considered to activate the area in advance of the development of the balance of the public open space along the rivulet corridor.

The subdivision proposal includes the construction of public open space infrastructure on the existing public open space lot at 46A Angelina Drive and is the preferred outcome by Council's public open space team.

The proposed public open space infrastructure would be transferred to Council as part of Stage 1 of the subdivision application.

Prior to Council determining whether the public be consulted prior to Council's consideration of the request, the following assessment under the relevant Scheme provisions is provided.

Clause S4.8.1 A1 of the SAP requires:

*“Subdivision:*

- (a) must be in accordance with the Master Plan shown in Figure CLAS4.3 unless otherwise approved in writing by the planning authority;*
- (b) all land within the Community Development Scheme Boundary in the Draft Community Development Scheme Concept shown in Figure CLA-S4.6 must be contained as one lot1; and*
- (c) must be developed in stages in accordance with the Staging Plan shown in Figure CLA-S4.4, or unless otherwise approved in writing by the planning authority.”*

The proposal does not relate to land within the Community Development Scheme Boundary under Figure S4.6 of the SAP. It does, however, involve a variation to staging requiring approval in writing from Council under criteria (c).

The proposed subdivision layout responds to the approved wetland area included as part of the approved engineering design for the subdivision of 163 Pass Road. The subdivision layout will also achieve improved passive surveillance of public open space areas and involves some departure of the approved Master Plan layout in Figure S4.3 of the SAP and requires similar approval in writing from Council under criteria (a).

In consideration of criteria (a), the Master Plan in Figure S4.3 of the SAP establishes a preferred road layout connecting Pass Road, from 163 Pass Road south to Winterborne Road. The Master Plan intends to ensure connectivity and efficient and coordinated development of the land in accordance with the SAP. The preferred road layout will achieve a logical and coordinated development of the land having regard to matters such as the contours of the land, drainage line and the ability to maximise development potential consistent with the target densities under the SAP being 35-45 dwellings in the proposed subdivision on 163 Pass Road.

Considering the above, the proposed subdivision layout is considered logical and appropriate to the extent it departs from the Master Plan in the SAP.

In response to criteria (c), the proposed subdivision of 163 Pass Road is in an area identified as Stage 5 Residential on Figure S4.4 of the SAP. The development standard allows Council to approve alternative staging. However, the Scheme is not clear which criteria should be used to determine the appropriateness of amended staging. In the absence of such guidance, it is considered reasonable to have regard to the purpose of the SAP and the broader Objectives of the Scheme. In consideration of the purpose statements and Objectives of the Scheme, the proposed staging variation will support the development of a master planned community.

The development of 163 Pass Road is logical given its proximity to Pass Road, surrounding residential development context and that it would not prevent the logical development of the balance land in accordance with the purpose of the SAP.

If the request to modify the Master Plan and staging is approved by Council, the applicant will then be able to proceed with the subdivision application currently lodged for assessment.

## **5. CONSULTATION**

There is no statutory requirement to advertise this request before making a decision. However, Council may wish to consult with the community before making its decision. As indicated above, in seeking Council's original support for this development, the owners made strong commitments to a unique form of community that would be supported by the range of educational and community services, including reliance on the economic impacts these elements would bring.

The approved form of the development was widely publicised over the years and there is presumably also a level of community expectation about what will happen on the site and when. It follows that the community may feel a degree of dissatisfaction if key elements of the proposal are changed without their knowledge and opportunity to have a say.

It is considered appropriate to consult the community about this request. This approach is consistent with the purpose of Council's adopted "Community Engagement Policy 2020", including the objectives set out in the Policy Statement.

It is proposed to undertake a 28-day consultation period during which Council would notify adjacent neighbours, provide social media information and receive feedback through Council's "Your Say" web page.

At the conclusion of the consultation period, the request to vary the Master Plan and SAP will be referred to Council for decision.

## **6. CONCLUSION**

It is recommended that Council undertake community consultation on the matter before considering the request to vary the Master Plan and staging approved in the SAP.

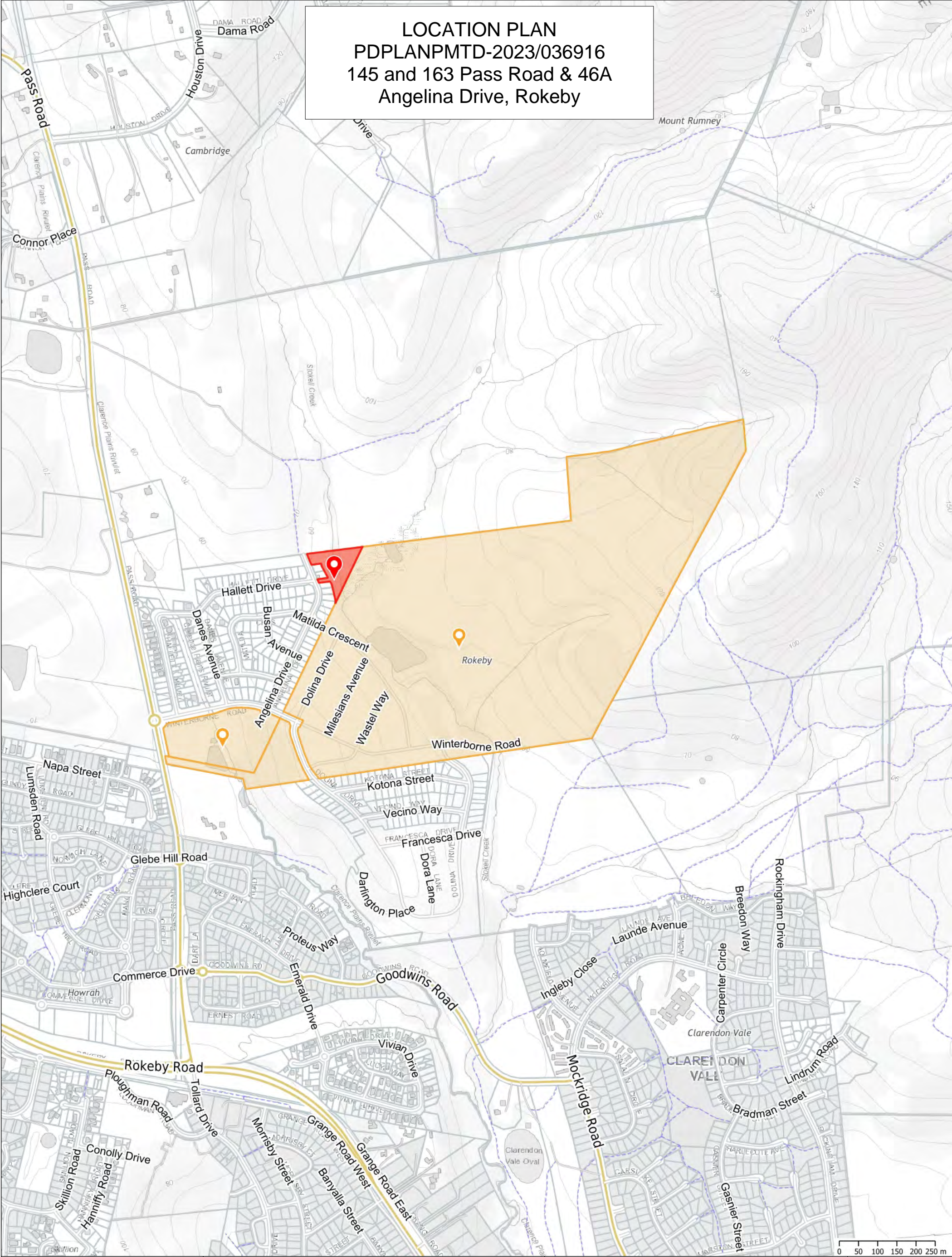
Attachments: 1. Location Plan (1)  
2. Subdivision Plan for 163 Pass Road (1)  
3. Written Request (4)  
4. ParanVille Specific Area Plan (15)  
5. ParanVille Open Space Framework Snapshot Report 2023 (26)

Robyn Olsen  
**ACTING HEAD OF CITY PLANNING**

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



LOCATION PLAN  
PDPLANPMTD-2023/036916  
145 and 163 Pass Road & 46A  
Angelina Drive, Rokeby



This map has been produced by Clarence City Council using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties.

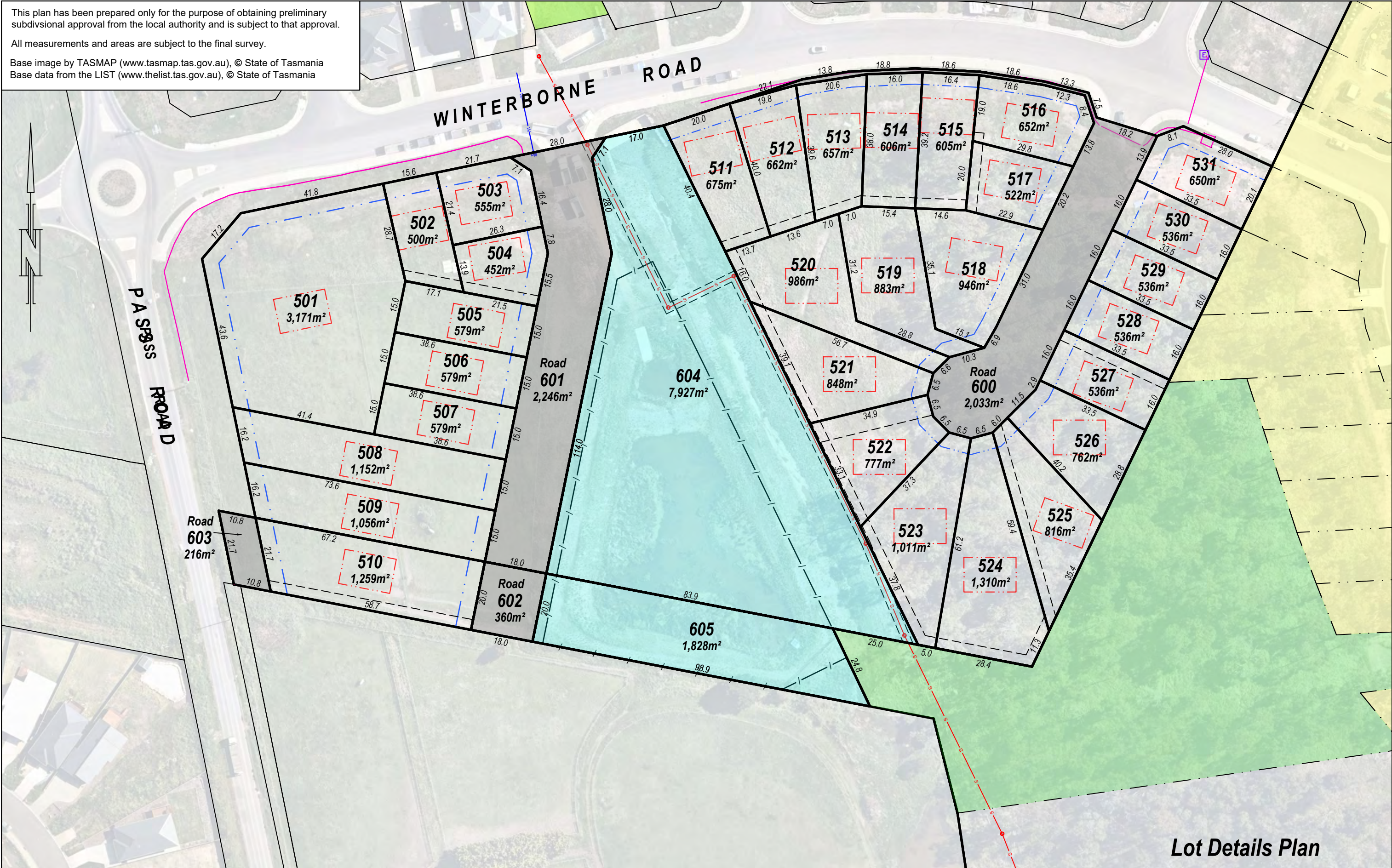
26/07/2023

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This plan has been prepared only for the purpose of obtaining preliminary  
subdivisional approval from the local authority and is subject to that approval.  
All measurements and areas are subject to the final survey.  
Base image by TASMAP (www.tasmap.tas.gov.au), © State of Tasmania  
Base data from the LIST (www.thelist.tas.gov.au), © State of Tasmania



**Lot Details Plan**  
**Proposed Subdivision**

E				
D				
C				
B				
A				
REV	AMENDMENTS	DRAWN	DATE	APPR.



UNIT 1, 2 KENNEDY DRIVE  
CAMBRIDGE 7170  
PHONE: (03)6248 5898  
EMAIL: admin@rbsurveyors.com  
WEB: www.rbsurveyors.com

OWNER: KMC TAS COMPANY PTY LTD,  
DAESUNG TAS PTY LTD & Clarence City Council  
TITLE REFERENCE: C.T.182817/501, C.T.184320/1 & C.T.182816/404  
LOCATION: 163 Pass Road, 145 Pass Road & 46a Angelina Drive  
**ROKEBY**

Date:	31-5-2023	Reference:	DSGRE01 10663-21
Scale:	1:1000 (A3)	Municipality:	Clarence



4 March 2022

Ian Nelson  
General Manager  
Clarence City Council  
38 Bligh Street  
Rosny Park 7018

Dear Ian

## Request for variation to subdivision staging under the ParanVille Specific Area Plan

All Urban Planning Pty Ltd acts on behalf of HBA Daesung Pty Ltd the owner of 163 Pass Road and seeks approval for a minor variation to the Master Plan layout and a variation to subdivision staging of the land under Clause F.4.8A1 of the ParanVille Specific Area Plan (SAP) of the Clarence Local Provisions Schedule of the Tasmanian Planning Scheme (Planning Scheme).

I attach the proposed subdivision plan and staging plan amended to provide 32 lots including a 4611m<sup>2</sup> multi dwelling lot and a wetland area already constructed as part of the stormwater design for SD-2018/3.

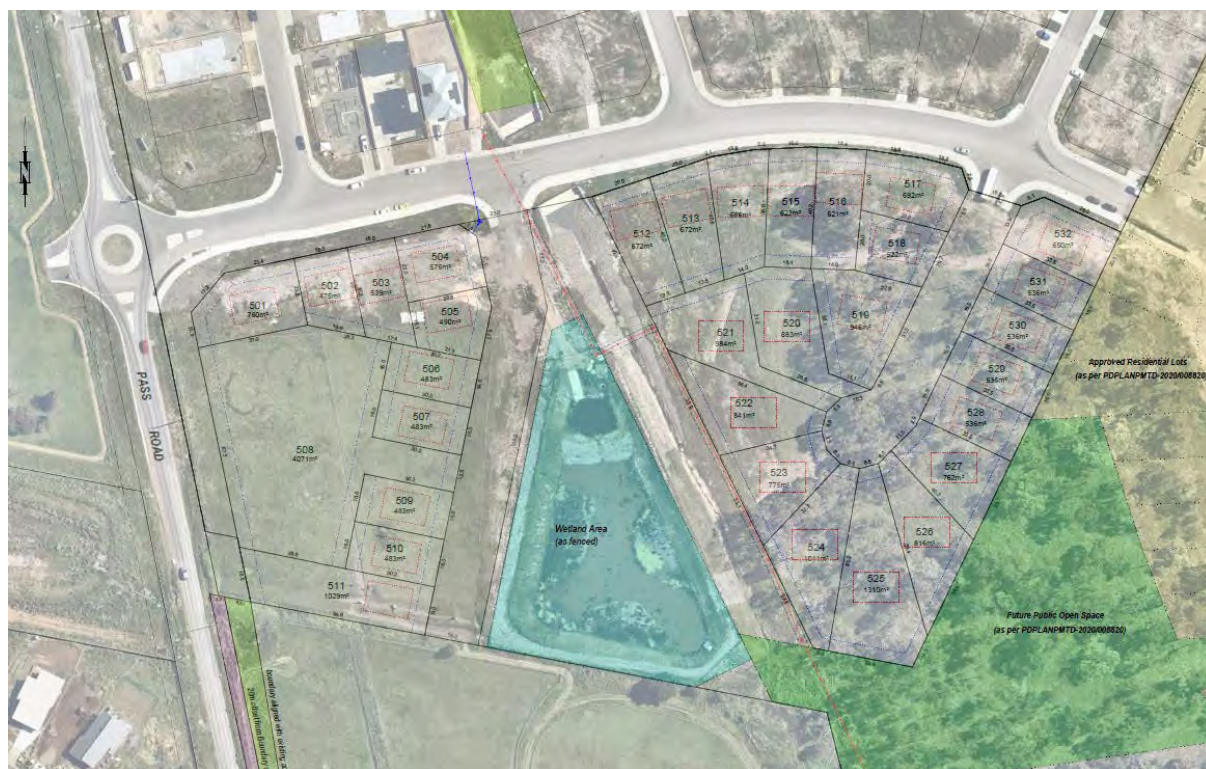


Figure 1 - Proposed subdivision layout



## Reason for Request

The reason for the request is to allow for the logical sequencing of subdivision of the land near the Pass Road frontage of the site and to make best use of road, water, sewer and stormwater infrastructure that has recently been constructed at 163 Pass Road under planning permit SD-2018/3. Figure 2 below shows the relationship of the proposed subdivision (red) with four surrounding approved subdivisions at 145, 163, 89 and 91 Pass Road (pink) and an additional proposal for subdivision at 93 Pass Road currently being prepared.

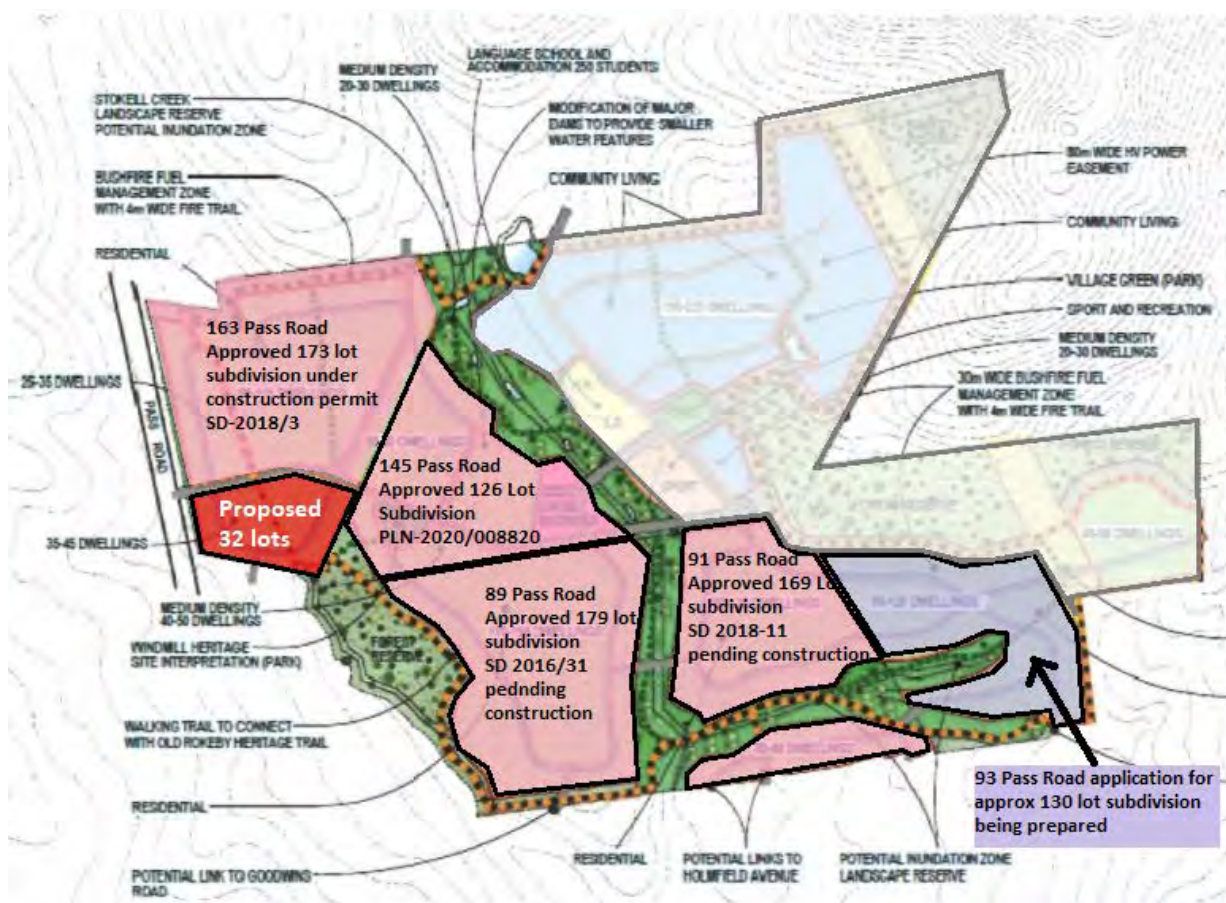


Figure 1 - Relationship of proposed subdivision relative to approved subdivision permits at 89, 91, 145 and 163 Pass Road.

## Clause CLA-S4.8 Development Standards for Subdivision

### CLA-S4.8.1 Master Plan

The Objective of the Development Standards for Subdivision are to ensure that the outcomes are consistent with the Paranville Master Plan.

A1 states that:

*Subdivision:*

- (a) must be in accordance with the Master Plan shown in Figure CLA-S4.3 unless otherwise approved in writing by the planning authority;*
- (b) all land within the Community Development Scheme Boundary in the Draft Community Development Scheme Concept shown in Figure CLA-S4.6 must be contained as one lot [1] ; and*
- (c) must be developed in stages in accordance with the Staging Plan shown in Figure CLA-S4.4, or unless otherwise approved in writing by the planning authority.*

The proposal does not relate to land within the Community Development Scheme Boundary under Figure CLA-S4.6 of the SAP. It does however involve some variation to staging requiring approval in writing from Council under criterion c). The proposed subdivision layout responds to the approved wetland area included as part of the approved engineering design for the subdivision of 163 Pass Road. It also will achieve improved passive surveillance of public open space areas and involves some departure from the approved Master Plan layout in Figure CLA-S4.3 of the SAP and arguably also requires similar approval in writing from Council under criterion a). That variation is also sought for the sake of completeness.

I provide the following submissions in support of the request:

***Criterion a) – Variation to the Master Plan layout***

The Master Plan in Figure CLA- S4.3 of the SAP sets a road layout connecting from Pass Road, through No. 163 Pass Road to 101 Pass Road, adjacent to the south.

I approach the Master Plan layout on the basis that the intent is to ensure connectivity, efficient and coordinated development of the land in accordance with the SAP. I consider that the road layout on the Master Plan is conceptual and that Council has the capacity to approve an alternate layout where it will achieve a logical and coordinated development of the land having regard to matters such as the contours of the land, drainage line, maximising the development potential consistent with the target densities under the SAP and for improved planning outcomes such as passive surveillance and incorporation of water sensitive urban design for the management of stormwater.

The Master Plan sets a target for 35-45 dwellings in the area of the proposed subdivision.

Noting that some of the lots including the proposed multi dwelling lot 508 could be expected to accommodate multiple dwellings, the proposed 32 residential lots are within the target of 35-45 dwellings for this part of the site under the Master Plan.

It is submitted that having regard to the above it would be logical and appropriate for Council to approve the proposed subdivision layout to the extent that it departs from the Master Plan in Figure CLA-S4.3 of the SAP.

**Criterion c) - Staging**

The proposed subdivision is in an area identified as Stage 5 Residential on Figure CLA-S4.4.

The Development Standard allows Council to approve an alternative Staging. The Planning Scheme however is not clear which criteria should be used to determine whether amended staging should be approved.

In the absence of specific guidance I approach the Planning Scheme on the basis that the Purpose statements in Clause CLA-S4.1 of the Specific Area Plan would be of some relevance but also the broader Objectives of the Planning Scheme.

In this case I assess that the proposed subdivision of serviced and residentially zoned land will support the progressive development of a mixed use, master planned community.

The proposed development close to the Pass Road frontage is logical and will not prevent the subsequent use and development of the balance of the land in accordance with the Purpose of the SAP.

In my submission the proposed amendment to the staging plan under Figure 4 of the SAP is appropriate and should be approved by Council.

**Conclusion**

Approval is sought from Council for a minor variation to the Master Plan layout under Figure CLA – S4.3 and amended staging under Figure CLA – S4.4 of the ParanVille Specific Area Plan. For the reasons setout above the proposed variations are considered logical and will facilitate the orderly development of land.

I would be pleased to discuss as necessary.

Yours sincerely



Frazer Read  
**Principal**  
All Urban Planning Pty Ltd

**CLA-S4.0 ParanVille Specific Area Plan****CLA-S4.1 Plan Purpose**

The purpose of the ParanVille Specific Area Plan is:

- CLA-S4.1.1 To create a unique mixed use master planned community by providing for a range of housing and associated community, recreational, educational and commercial uses and developments in a socially and environmentally sustainable manner.
- CLA-S4.1.2 To provide for open space that includes:
  - (a) recreation and social activities;
  - (b) parkland to enhance the residential environment;
  - (c) preservation of significant natural and heritage values of the site;
  - (d) buffers to potential conflicting uses;
  - (e) connectivity to Clarendon Vale and Clarence Heights; and
  - (f) walking trails consistent with the *Clarence City Council Tracks and Trails Action Plan (2008)*.
- CLA-S4.1.3 To provide for adequate infrastructure service delivery in accordance with water sensitive design principles.
- CLA-S4.1.4 To create street and pedestrian networks providing for:
  - (a) acceptable levels of access, safety and conveniences for all users;
  - (b) walking, cycling and public transport use to minimise energy consumption and promote active lifestyles within and beyond the site;
  - (c) connectivity to Clarendon Vale and Clarence Heights; and
  - (d) future road reservation to allow for the potential upgrade of Pass Road.
- CLA-S4.1.5 To ensure that vegetation clearance is only required as an integral part of an approved use and development and is carried out in such a way as to have minimal impact on identified flora and landscape values.

**CLA-S4.2 Application of this Plan**

- CLA-S4.2.1 The specific area plan applies to the area of land designated as the ParanVille Specific Area Plan on the overlay maps and in Figure CLA-S4.1.
- CLA-S4.2.2 The Residential Precinct applies to the area designated as Residential in Figure CLA-S4.2 ParanVille Development Plan - Precinct Plan and on the overlay maps as CLA-S4.3.1.1.
- CLA-S4.2.3 The Community Living Precinct applies to the area designated as Community Living in Figure CLA-S4.2 ParanVille Development Plan - Precinct Plan and on the overlay maps as CLA-S4.3.1.2.

- CLA-S4.2.4 The Local Business Precinct applies to the area designated as Commercial in Figure CLA-S4.2 ParanVille Development Plan - Precinct Plan and on the overlay maps as CLA-S4.3.1.3.
- CLA-S4.2.5 The Education Precinct applies to the area designated as Education in Figure CLA-S4.2 ParanVille Development Plan - Precinct Plan and on the overlay maps as CLA-S4.3.1.4.
- CLA-S4.2.6 The Open Space Precinct applies to the area designated as Open Space in Figure CLA-S4.2 ParanVille Development Plan - Precinct Plan and on the overlay maps as CLA-S4.3.1.5.
- CLA-S4.2.7 In the area of land to which this plan applies, the provisions of the specific area plan are in substitution, and are in addition to the provisions of:
- (a) General Residential Zone;
  - (b) Local Business Zone;
  - (c) Community Purpose Zone; and
  - (d) Open Space Zone,
- as specified in the relevant provision.

### **CLA-S4.3 Local Area Objectives**

#### **CLA-S4.3.1 Local Area Objectives**

<b>Sub-clause</b>	<b>Area Description</b>	<b>Local Area Objectives</b>
CLA-S4.3.1.1	Residential Precinct, shown on an overlay map as CLA-S4.3.1.1 and in Figure CLA-S4.2.	To provide a range of housing options to meet the diverse needs of the community and provide for efficiency in the use of land for residential development.
CLA-S4.3.1.2	Community Living Precinct, shown on an overlay map as CLA-S4.3.1.2 and in Figure CLA-S4.2.	To provide for a range of housing on lots with associated community, health and recreational facilities to meet the residential needs of the community.
CLA-S4.3.1.3	Local Business Precinct, shown on an overlay map as CLA-S4.3.1.3 and in Figure CLA-S4.2.	<p>(a) To provide for a variety of local business uses including offices, retail, shops and restaurants to meet the residential, investment and employment needs of the ParanVille Development and local community.</p> <p>(b) To provide for dwellings above ground level (shop top housing) to support the primary purpose of the</p>

		precinct. (c) To maintain the retail hierarchy of the City
CLA-S4.3.1.4	Education Precinct, shown on an overlay map as CLA-S4.3.1.4 and in Figure CLA-S4.2.	To provide for a language school and halls of residence and other uses associated with and complementary to those uses.
CLA-S4.3.1.5	Open Space Precinct, shown on an overlay map as CLA-S4.3.1.5 and in Figure CLA-S4.2.	(a) To provide for a network of well distributed, accessible and connected walking, cycling trails, and parkland. (b) To preserve significant bushland on the foothills of the Meehan Range. (c) To protect and enhance riparian areas along Clarence Plains Rivulet and Stokell Creek.

#### **CLA-S4.4 Definition of Terms**

This sub-clause is not used in this specific area plan.

#### **CLA-S4.5 Use Table**

##### **CLA-S4.5.1 Use Table – Residential Precinct**

This clause is in substitution for General Residential Zone – clause 8.2 Use Table.

<b>Use Class</b>	<b>Qualification</b>
<b>No Permit Required</b>	
Educational and Occasional Care	If for a home-based child care.
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for: (a) a single dwelling; (b) a home-based business, with: (i) not more than 1 worker on the site who does not reside at the dwelling; (ii) not more than 1 commercial vehicle; and

	(iii) a floor area of not more than 30m <sup>2</sup> .
Utilities	If for minor utilities.
<b>Permitted</b>	
Residential	<p>If:</p> <ul style="list-style-type: none"> <li>(a) not listed as No Permit Required; and</li> <li>(b) if a home-based business, with: <ul style="list-style-type: none"> <li>(i) more than 1 worker on the site who does not reside at the dwelling;</li> <li>(ii) more than 1 commercial vehicle; and</li> <li>(iii) a floor area of more than 30m<sup>2</sup>.</li> </ul> </li> </ul>
Visitor Accommodation	
<b>Discretionary</b>	
Business and Professional Services	<p>If:</p> <ul style="list-style-type: none"> <li>(a) a consulting room, medical centre, veterinary centre or a child health clinic; and</li> <li>(b) not displacing a use in the Residential Use Class.</li> </ul>
Community Meeting and Entertainment	If a church, art and craft centre or public hall.
Educational and Occasional Care	If not listed as No Permit Required.
Emergency Services	
Food Services	If not displacing a use in the Residential Use Class.
General Retail and Hire	If a local shop not displacing a use in the Residential Use Class.
Residential	If not listed as No Permit Required or Permitted.
Sports and Recreation	
Utilities	If not Listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

## CLA-S4.5.2 Use Table – Community Living Precinct

This clause is in substitution for General Residential Zone – clause 8.2 Use Table.

Use Class	Qualification
<b>No Permit Required</b>	
Utilities	If for minor utilities.
<b>Permitted</b>	
Business and Professional Services	If for a consulting room, medical centre or child health clinic.
Community Meeting and Entertainment	If not a place of worship or civic centre.
Passive Recreation	
Residential	If for a single dwelling, multiple dwelling or home-based business.
Visitor Accommodation	
<b>Discretionary</b>	
Business and Professional Services	If: <ul style="list-style-type: none"> <li>(a) for veterinary surgery; or</li> <li>(b) not listed as Permitted.</li> </ul>
Community Meeting and Entertainment	If: <ul style="list-style-type: none"> <li>(a) for place of worship or civic centre; or</li> <li>(b) not listed as Permitted.</li> </ul>
Educational and Occasional Care	
Food Services	
General Retail and Hire	If for local shop with a gross floor area of not more than 100m <sup>2</sup> .
Residential	If: <ul style="list-style-type: none"> <li>(a) for a retirement village; or</li> <li>(b) not listed as Permitted.</li> </ul>
Sports and Recreation	
Utilities	If not listed as No Permit Required.



Vehicle Fuel Sales and Service	
<b>Prohibited</b>	
All other uses	

#### CLA-S4.5.3 Use Table – Local Business Precinct

This clause is in substitution for Local Business Zone - clause 14.2 Use Table.

Use Class	Qualification
<b>No Permit Required</b>	
Utilities	If for minor utilities.
<b>Permitted</b>	
Business and Professional Services	If for a veterinary surgery.
Community Meeting and Entertainment	If for a civic centre.
Food Services	If for a take away food premises with a gross floor area of not more than 80m <sup>2</sup> .
General Retail and Hire	If the gross floor area is not more than 400m <sup>2</sup> .
Passive Recreation	
Residential	If for a home-based business.
<b>Discretionary</b>	
Bulky Goods Sales	If for motor vehicle, boat or caravan sales.
Business and Professional Services	If not listed as Permitted.
Community Meeting and Entertainment	If not listed as Permitted.
Educational and Occasional Care	If for home-based child care.
Food Services	If not listed as Permitted.
General Retail and Hire	If: <ul style="list-style-type: none"> <li>(a) for an amusement parlour; or</li> <li>(b) not listed as Permitted.</li> </ul>

Hotel Industry	
Residential	<p>If:</p> <ul style="list-style-type: none"> <li>(a) on a site containing a multiple use development, and if: <ul style="list-style-type: none"> <li>(i) for single dwelling; or</li> <li>(ii) for multiple dwelling not exceeding a dwelling density of 1 dwelling per 300m<sup>2</sup> of site area; or</li> </ul> </li> <li>(b) not listed as Permitted.</li> </ul>
Service Industry	If for motor repairs.
Sports and Recreation	
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
Vehicle Parking	
<b>Prohibited</b>	
All other uses	

## CLA-S4.5.4 Use Table – Education Precinct

This clause is in substitution for Community Purpose Zone – clause 27.2 Use Table.

Use Class	Qualification
<b>No Permit Required</b>	
Educational and Occasional Care	If for home-based child care.
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling or home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Educational and	<p>If:</p> <ul style="list-style-type: none"> <li>(a) for school or institution primarily providing</li> </ul>

Occasional Care	language courses; or (b) not listed as No Permit Required.
<b>Discretionary</b>	
Business and Professional Services	If for a consulting room, medical centre or child health clinic.
Community Meeting and Entertainment	If not a place of worship or civic centre.
Educational and Occasional Care	If: (a) for child care centre; (b) associated with or complementary to a school or institution primarily providing language courses; or (c) not listed as Permitted.
Emergency Services	
General Retail and Hire	If for local shop with a gross floor area of not more than 100m <sup>2</sup> .
Residential	If: (a) associated with or complementary to a school or institution primarily providing language courses; or (b) not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

## CLA-S4.5.5 Use Table – Open Space Precinct

This clause is in substitution for Open Space Zone – clause 29.2 Use Table.

Use Class	Qualification
<b>No Permit Required</b>	
Utilities	If for minor utilities.
<b>Permitted</b>	
Resource Development	If for agriculture, crop production or horse stud.
Passive Recreation	
<b>Discretionary</b>	

Business and Professional Services	If for veterinary surgery.
Community Meeting and Entertainment	
Educational and Occasional Care	
Food Services	
General Retail and Hire	If for local shop with a gross floor area of not more than 100m <sup>2</sup> .
Residential	If: <ul style="list-style-type: none"> <li>(a) for single dwelling; or</li> <li>(b) for multiple dwelling not exceeding a dwelling density of 1 dwelling per 375m<sup>2</sup> of site area.</li> </ul>
Resource Development	If: <ul style="list-style-type: none"> <li>(a) for plantation forestry; or</li> <li>(b) not listed as Permitted.</li> </ul>
Sports and Recreation	
Tourist Operation	
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
Visitor Accommodation	If not for a motel.
<b>Prohibited</b>	
All other uses	

**CLA-S4.6 Use Standards****CLA-S4.6.1 Discretionary uses**

This clause is in addition to: General Residential Zone – clause 8.3.1 Discretionary uses, Local Business Zone – clause 14.3.2 Discretionary uses, Community Purpose Zone – clause 27.3 Use Standards, and Open Space Zone – clause 29.3.1 Discretionary uses.

<b>Objective:</b>	That uses listed as Discretionary further the Specific Area Plan Purpose and the relevant precinct local area objectives.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b>  No Acceptable Solution.		<b>P1</b>  A use listed as Discretionary must demonstrate that it is consistent with this Specific Area Plan Purpose and the relevant local area objectives.

**CLA-S4.7 Development Standards for Buildings and Works****CLA-S4.7.1 Bird strike**

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings, General Residential Zone – clause 8.5 Development Standards for Non-dwellings, Local Business Zone – clause 14.4 Development Standards for Buildings and Works, Community Purpose Zone – clause 27.4 Development Standards for Buildings and Works, Open Space Zone – clause 29.4 Development Standards for Buildings and Works.

<b>Objective:</b>	That development minimises the risk of bird strike.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b>  (a) The relevant State authority or Commonwealth Department confirms in writing that the proposal is acceptable in terms of its impact on the local Swift Parrot ( <i>Lathamus discolor</i> ) community; or  (b) buildings and structures must be designed and managed to minimise risk of bird strike by:  (i) eliminating or obscuring transparent or highly reflective obstacles that are not readily perceptible by birds in flight, such as, mesh fences more than 1.5m, uncovered corner		<b>P1</b>  No Performance Criterion.

<p>windows or opposing windows that allow sightlines through buildings; and</p> <p>(ii) using low reflectance glass on external surfaces; or</p> <p>(iii) angling glass surfaces to reflect the ground or built fabric rather than the sky or habitat.</p>	
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#### **CLA-S4.8 Development Standards for Subdivision**

##### **CLA-S4.8.1 Master Plan**

This clause is in addition to General Residential Zone – clause 8.6 Development Standards for Subdivision, Local Business Zone – clause 14.5 Development Standards for Subdivision, Community Purpose Zone – clause 27.5 Development Standards for Subdivision, Open Space Zone – clause 29.5 Development Standards for Subdivision.

<b>Objective:</b>	That subdivision outcomes are consistent with the Paranville Master Plan.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b></p> <p>Subdivision:</p> <p>(a) must be in accordance with the Master Plan shown in Figure CLA-S4.3 unless otherwise approved in writing by the planning authority;</p> <p>(b) all land within the Community Development Scheme Boundary in the Draft Community Development Scheme Concept shown in Figure CLA-S4.6 must be contained as one lot<sup>1</sup>; and</p> <p>(c) must be developed in stages in accordance with the Staging Plan shown in Figure CLA-S4.4, or unless otherwise approved in writing by the planning authority.</p>	<p><b>P1</b></p> <p>No Performance Criterion.</p>	

<sup>1</sup> Division of this parcel is anticipated by means of a Community Development Scheme and does not require approval under this Planning Scheme.

<p><b>A2</b></p> <p>The arrangement of each lot, or lot proposed in a plan of subdivision, for a road or open space must provide connections to Clarendon Vale and Clarence Heights to allow for improved traffic movement, public transport networks and community and recreational activities.</p>	<p><b>P2</b></p> <p>No Performance Criterion.</p>
<p><b>A3</b></p> <p>Service infrastructure must adequately mitigate impact of stormwater pollution to drainage catchments of Clarence Plains Rivulet and Stokell Creek.</p>	<p><b>P3</b></p> <p>No Performance Criterion.</p>
<p><b>A4</b></p> <p>A 10m wide road reserve must be provided along the Pass Road frontage to provide for potential future upgrades of Pass Road, unless otherwise approved by council.</p>	<p><b>P4</b></p> <p>No Performance Criterion.</p>
<p><b>A5</b></p> <p>Each lot, or lot proposed in a plan of subdivision, in the Open Space Precinct:</p> <ul style="list-style-type: none"> <li>(a) must provide for ongoing weed management; and</li> <li>(b) must retain native vegetation unless its removal is to facilitate a Passive Recreation use, bushfire hazard management, or unless otherwise approved by council.</li> </ul>	<p><b>P5</b></p> <p>No Performance Criterion.</p>

#### **CLA-S4.9 Tables**

This sub-clause is not used in this specific area plan.

Figure CLA-S4.1 - Planning Area Paranville Specific Area Plan as required by clause CLA-S4.2

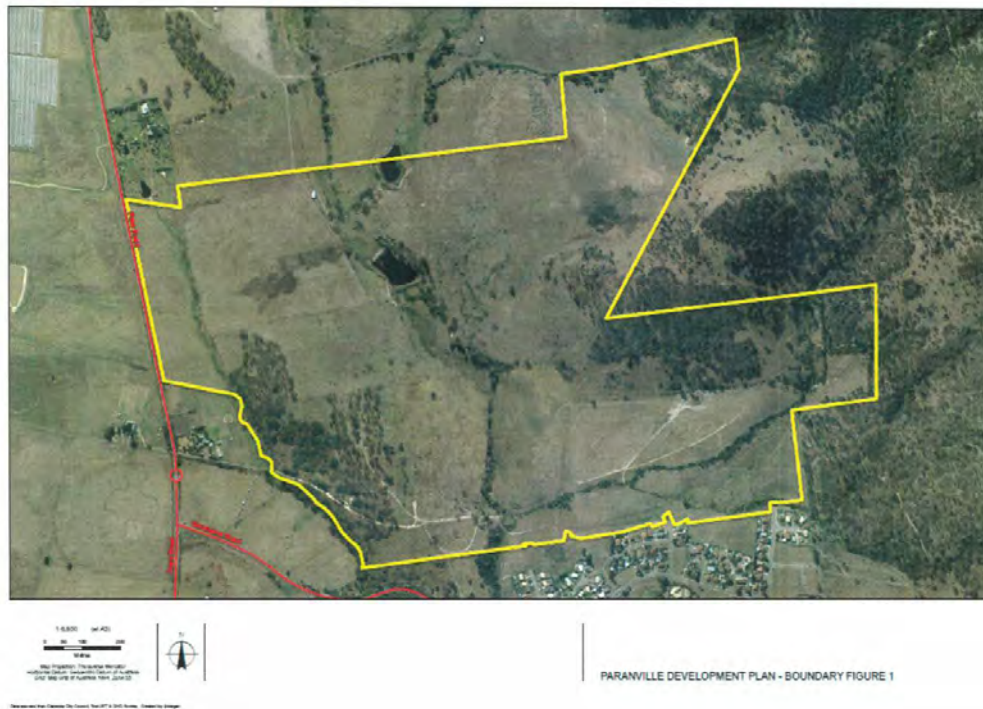


Figure CLA-S4.2 - Paranville Precinct Plan as required by clause CLA-S4.2

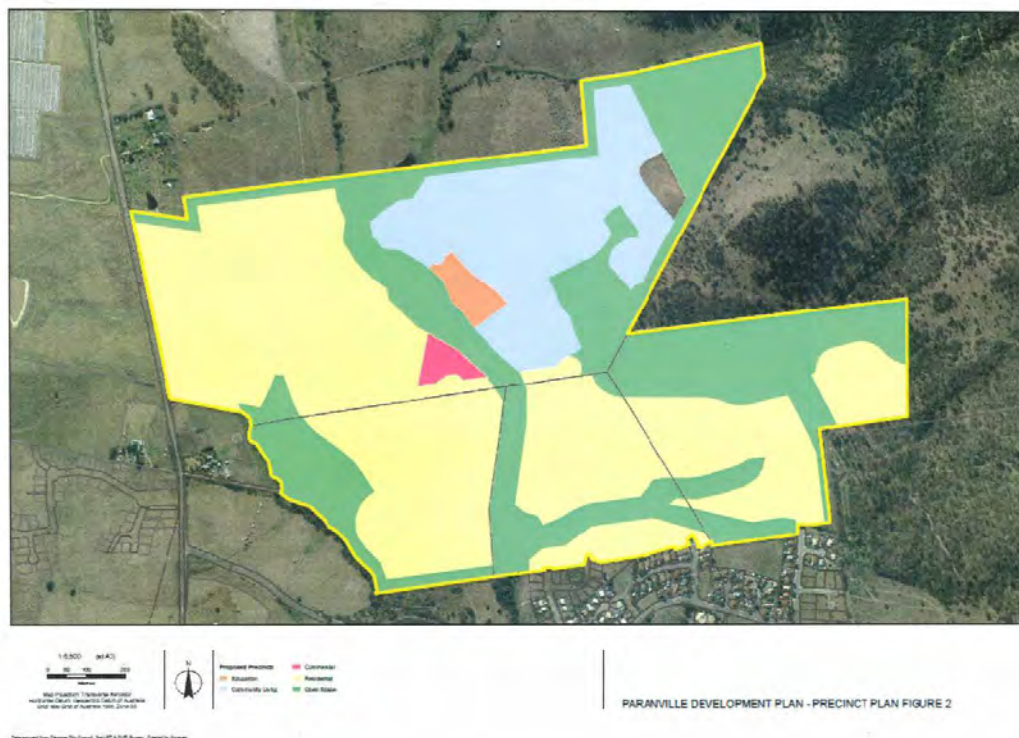






Figure CLA-S4.5 - Bushfire Hazard Management Plan as required by clause CLA-S4.8.1

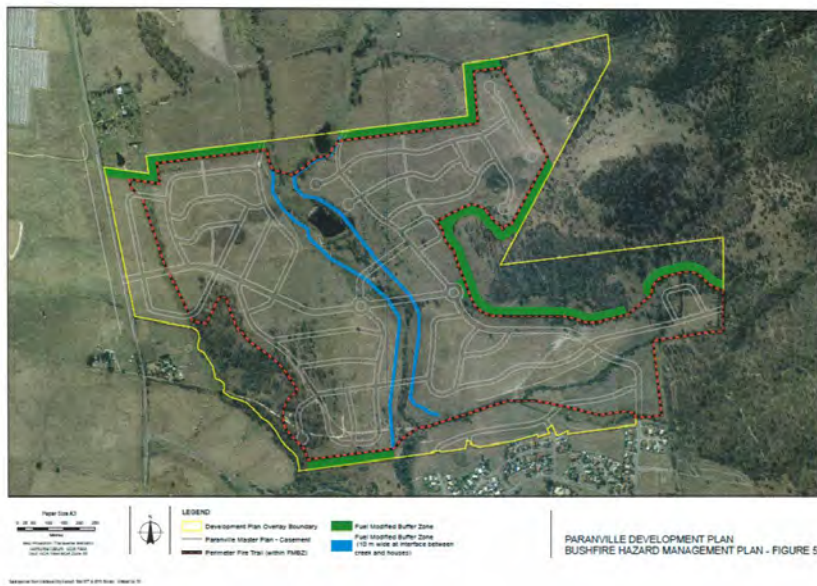
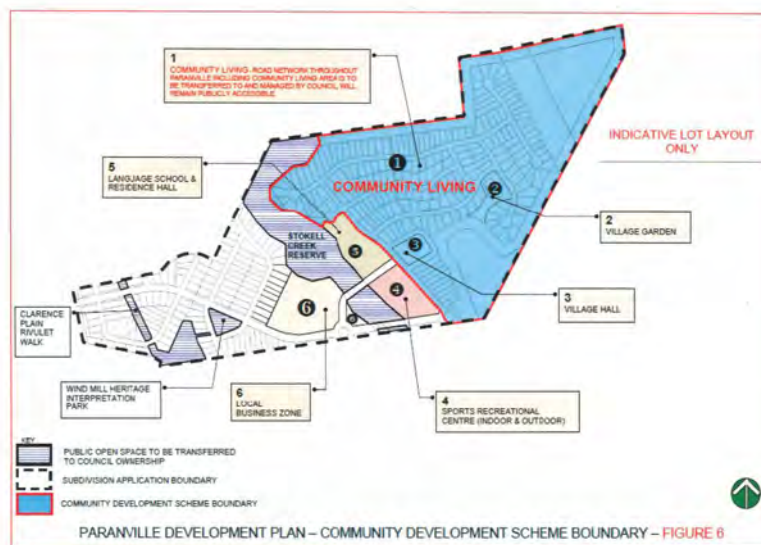


Figure CLA-S4.6 - Community Development Scheme Boundary as required by clause CLA-S4.8.1 A1(b).



# PARANVILLE OPEN SPACE FRAMEWORK

SNAPSHOT REPORT, March 2023





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# 1 INTRODUCTION

## PARANVILLE BACKGROUND

The name Paranville refers to an area of original farmland to the north of Clarendon Vale: Lots 89, 91, 93, 145 and 163 Pass Road, Rokeby. The name initially applied to a proposed integrated development - language school, residential and open space. The current land use zones and the associated Paranville Specific Area Plan (SAP) while still reflecting aspects of the earlier proposal, provide for a network of waterway linear parks connecting to woodland reserves on steeper slopes.

When the initial venture did not proceed, the 5 lots were purchased by different owners. Development focus has shifted to primarily residential use. The establishment of Glebe Hill shopping centre nearby and forthcoming Sports Centre south of Rokeby has increased the suitability of the area for residential use.

The original open space concept based on retaining waterways has been incorporated into subdivision proposals for each of the 5 lots. The integrated development implicit in the original proposal is being achieved through informal liaison between the different owners of the 5 lots and their consultants.

Development has commenced with the areas closest to Pass Road being subdivided and houses are being built ready for occupation.

## NORTH CLARENCE PLAINS OPEN SPACE

Clarence Council commissioned a study of the Clarence Plain area. Associated with that, Council officers assessed the long term open space performance of the area north of Clarendon Vale to Mount Rumney, assessing existing and emerging demands for and provision of recreation opportunities.

In July 2022 there was a liaison meeting between Council officers and the developer project team to consider the nature of open space performance most suitable for the Paranville area and options for the waterway open space areas.

## THIS REPORT

This report is a follow-up to the July 2022 meeting and the request from Council for more detail regarding emerging open space directions and integration of development across the 5 lots.

The report describes the situation and the directions emerging in early 2023. It outlines completed design and works, current DAs, directions proposed or being considered and open space performance aspirations for the area covered by the Paranville Specific Area Plan. It is not intended to prepare updates to this report as development proceeds.

In some locations the report identifies provision for open space facilities but does not commit the owners to providing those facilities.

For Council's Advice to the developers and for a summary of owner responses, refer Appendices 1a and 1b. For a description of the multi-function open space uses of the waterways refer Appendix 2.



Figure 1 - Master Plan - Paranville Specific Area Plan





Figure 2 - Extent of open space - approved and proposed

## 2 EXISTING SITUATION FEBRUARY 2023

### 89 PASS ROAD

#### Approaching full completion

179 lots - SD 2016/13

#### Progress

- Civil works largely completed

#### Outstanding/being considered

- Path alongside Clarence Plains Rivulet on sewer line
- Open space to the south, redundant or potentially suboptimum use and layout as a fire trail if 22 Goodwins proceeds
- Relationship to No 91 Stokell Creek POS

### 91 PASS ROAD

#### Construction pending waiting for completion of works documentation

169 lots - SD -2018

Landscape Concept Plan that accompanied the DA currently being resolved/detailed

- Urban stormwater wetlands design and landscape works plan to follow
- Documentation will incorporate a response to conservation of Raspwort in Stokell Creek waterway bed
- Trail linkages/bridge to cross Sawpit and Stokell waterways

### 93 PASS ROAD

There has been different progress in 3 separate areas of Lot 93.

#### 93 West -

Construction pending awaiting works documentation.

PDPLANPMTD-2021/024236 130 lots - Permit issued 5 January 2023.

- Design detailing commencing consistent with approval. DA was supported by Landscape Concept Plan and indicative swale cross sections and preliminary wetlands pond engineering design and modelling

#### 93 East -

Zoned General Residential.

#### Progress

- Natural values report received and considered
- Preliminary subdivision layout (2 options) prepared

#### Currently being resolved/detailed

- Fine tuning around natural values, fire response, flood mitigation and water quality (urban stormwater) management prior to consultation with council

#### 93 North - Rezoning investigation

The owners are investigating extending the north west boundary of the General Residential zone upslope. They are assessing ways lots could be laid out to provide a perimeter road alongside the retained woodland to provide fire hazard maintenance and informal surveillance of the parkland, while minimising or offsetting any impacts on natural values.

### 145 PASS ROAD

There has been different progress in separate areas of Lot 145.

#### 145 West

Permit -2020/008820

Construction awaiting works documentation 126 lots.

#### Currently being resolved/detailed

- Wetlands design for urban stormwater - *Urban Initiatives* Schematic with project team, refer Appendix 4a. Requires engineering/wetland engagement and input - currently attempting to engage appropriate consultants
- Currently being considered to be undertaken in 2 stages to allow more time for resolving the engineering issues associated with the proposal to re-establish the dam area as 3 wetland ponds
- Trail linkages over/under Winterborne Road at Stokell Creek

#### 145 Central

Anticipated rezoning and consideration of nature or extent of a new District Park.

#### Currently being resolved/detailed

- Preliminary feasibility layout developed for consideration by owners and Council
- In stages/date/implications Council would like to see a District level park established

#### 145 East

Possible rezoning, possible works towards new District Park.

#### Currently being resolved/detailed

- Preliminary concept for zoning and intended use including consideration of aged care facility on less steep area - in preparation
- Requires update of natural values reporting, engineering and fire considerations and open space performance.

### 163 PASS ROAD

#### 163 North

Permit: 220183 civil construction effectively completed.

173 lots, civil construction effectively completed under maintenance.

#### Currently being resolved/detailed

Landscape works not fully undertaken causing issues with Council.

#### 163 South

DA application for new lot configuration with Council.

#### Currently being resolved/detailed

- Issues of open space contribution
- Quality of open space with 163 north
- Options for catch-up landscape works and realisation of recreation destinations for early residents identified 4 July meeting. *Urban Initiatives* has prepared notes or schematics for those areas. Appendix 4b





Figure 3 - Development - approved and proposed



### 3 LANDSCAPE AND OPEN SPACE CHARACTER

#### CONTEXT

The current land-use zoning and SAP allows for Paranville to be developed as a residential area while also retaining (or in some instances re-establishing) it's distinctive landscape character of waterways and wooded slopes. The approved and proposed open space areas are generally consistent with the areas zoned for open space. Refer Appendix 5 for more detail of relevant reference controls and standards.

#### APPROACH TO RETENTION OF NATURAL CHARACTER

Before design of works a recent natural values report is required to ensure any high value species are identified, to be retained as practical. Trees to be retained are to be assessed by an arborist to ensure retained trees are structurally sound.

It is desirable to avoid altering landform around trees to reduce changes to surface water flow, groundwater, ground level or compaction which can compromise tree health even when the trees may not appear to be impacted.

Re-shaped landforms, swales or ponds are to be detailed to provide natural-like appearance. except in locations where an urban streetscape character is required.

In waterways where there is significant reshaping, re-establishment of vegetation is to be effected primarily through rehabilitation practices.

The open space areas alongside tree-lined waterways are to have an open traditional (savannah-like) park character to comply with requirements to minimise fire hazard.

#### RESIDENTIAL CHARACTER

Open space areas should be designed to add to residential amenity, and to allow residences overlooking open space (to encourage the use and perceived safety of the open space areas).

The owners appreciate Council's aspiration that significant street trees should be established in residential streets and POS. However planting larger trees is not always possible with setbacks required from underground services and vandalism remains an issue.

#### FIRE HAZARD AREAS

Areas managed for fire hazard minimisation are to have an open savannah-like appearance with isolated trees and any patches of vegetation distinct and widely separated.

#### TRANSMISSION EASEMENT

The easement is required to be kept free of vegetation, however easement areas can become weed infested and overgrown.

#### BIODIVERSITY VALUES IN NATURAL-LIKE AREAS

Generally the most sensitive natural value areas at Paranville that were identified in a 2009 ecological assessment are now protected by the open space zone and SAP requirements. Recent natural values reports confirm that the conservation value woodland communities have survived on site.

#### COMPLETED OPEN SPACE AREAS

##### 163 - Clarence Plains Rivulet North section

The reserve runs longitudinally N-S through the centre of the block. Trees have been planted along the gravel trail beside the Rivulet and prominent shrubs beds at each end.

##### 163 Clarence Plains Rivulet wetland section

A wetland pond has been constructed and surrounds planted within a fenced boundary. Sections of fencing are being stolen and planting outside the fence is still being established.

##### West (Clarence Plains Rivulet) Woodland Reserve

The woodland has been retained with minor tracks through and a HMA and fire trail around the perimeter are being finalised.

##### North Boundary HMA and Fire Trail

The open isolated trees fuel structure has been established and the trail has been constructed.

##### South Boundary HMA and Fire Trail

Rezoning of the east section to residential is being investigated (duplicates a connection proposed for 22 Goodwins Road).

#### COMMITTED OPEN SPACE WORKS

##### Stokell Creek South Reserves and Sawpit Gully

The scope and general nature of landscape works in these waterways has been described in Landscape Concept Plans that accompanied DAs for Lot 91 and the west of Lot 93.

Those concepts designs are now being documented largely consistent with the initial concept plans. Appendices 3a and 3b.

#### EMERGING LANDSCAPE CHARACTER DIRECTIONS

##### Stokell Creek North

A Schematic design prepared for the dam area proposes a 'chain of ponds' wetland consistent with Council advice and earlier owner direction. Appendices 1 and 4a.

##### Provision for future District Park

The owners anticipate that their primary contribution is providing land (and possibly earthworks), with park establishment undertaken by Council as the area develops.

##### Sawpit East and Northmost arms of gully waterway

Waterways in POS are anticipated in subdivision designs that are in preparation.

##### 93 North - North woodland

The owner is investigating options for residential use of the area alongside the approved residential lots to the south.

The investigation area includes the 35m wide fire hazard management buffer (part of the current approval) along the edge of the woodland.

The intention would be to contain new lots within a perimeter road to give the woodland a front parkland like address with prominent entrances and paths that consolidated its appearance and use as a park, while providing informal surveillance, road access, and easier hazard management.

Opportunities to limit or mitigate potential impacts are being explored, and also opportunities for offsets including restoration of nearby areas.

##### 145 east - Village woodland

Anticipated to be retained as bushland with minor reconfiguration for effective open space with some surveillance as subdivision design is being revisited.





Figure 4 - Open Space - landscape character



# 4 RECREATION OPPORTUNITIES AND OPEN SPACE CONNECTIVITY

## CONTEXT

The current opens pace zoning establishes a network of linked reserves following the waterways combined with the elevated or steeper areas of woodland. The SAP requires establishing a network of tracks with indicative connections illustrated in the SAP Masterplan (Fig 1). It also requires providing strong connections to Clarendon Vale and Clarence Heights. Refer Appendix 5 for more detail.

Council’s Tracks and Trails Action Plan proposes regional trail connections with tracks along Stokell Creek and Clarence Plains Rivulet and outlines benchmark standards. Refer Appendix 5.

Council has advised the Paraville developers that the preferred recreation priority for this area would be to facilitate a centrally located recreation node, a District Park alongside Stokell Creek, below the existing dam. The District Park would provide a focus for recreation in the north Clarence Plains area. Refer Appendices 1. 1a and 1b.

## APPROACH TO RECREATION AND CONNECTIVITY

It is intended to support Councils longer term open space strategies for trails and contribute towards the District Park proposal while ensuring recreation opportunities are provided for people when they take up residence at Paraville. This means ensuring that there are easy access local opportunities, referring to a nominal 400m maximum distance from at least one recreational feature including play and ‘near nature’ opportunities,

## TRAILS CONSTRUCTED OR COMMITTED WORKS

### Winterborne-Rockingham

Road being constructed with cycleway.

### 163 North Clarence Plains Rivulet Trail

Formed path, planted for tree lined walk and entry landscaping.

### 163 North - North boundary HMA Fire Trail

Gravel trail with some landscape incidents along the trail.

### 89 West woodland Fire Trail

Utilitarian fire access alongside rear fences being constructed.

## CURRENTLY BEING RESOLVED

### Pass Road upgrade

Once finalised would provide cycleway linkage to highway.

## COMMITTED TRAIL WORKS

To be constructed by the developers.

### Clarence Plains Rivulet Trail

Continue to 22 Goodwins Road. (SAP, Tracks and Trails AP).

### 145 Stokell Creek North

Class1/2 trail (permit condition), loop trail generally as anticipated in Council June 2022 Advice.

### 91 Stokell South

Main trail on west side Class 1/2, consider if Lot 89 fire trail still required.

### 91-93 Sawpit Gully confluence,

Trails each side of waterway, may incorporate roadway footpath . Minor local connection trails except where fire trail.

## EMERGING DIRECTIONS

### Wayfinding

Distinctive trees (maples) on main road and/or intersections.

### Roads

Where main roads cross trails - identify the crossing with refuges, and/or trail signs and/or bulbing to create driver pinchpoints.

Roads alongside POS - Consider narrow carriageways and defined parking, bulbing or other threshold treatment.

### Waterway crossings

Balance Council preference for fewer bridges except for vehicle crossings, with encouraging trail use by providing options for shorter loop routes and opportunities for infrastructure connection.

### Redundant firetrails

Close where adjacent land no longer a potential threat

## COMMITTED RECREATION OPPORTUNITIES

### Central sports ground

Identified by SAP and zoning. Extent and shape and any potential for further owner contribution currently being resolved. Appendix 1c.

### Lot 91, 93 Riparian parkways

The landscape concepts that supported DAs, feature recreation destinations. Appendices 3a, 3b and 3c.

Woodland reserves - retain, except where loss of fabric for HMA.

## EMERGING RECREATION OPPORTUNITIES

Local stopping and play areas to be in place when residences are occupied, being modest but robust nature based play incidental spaces. Refer Schematic Appendix 4a.

### Central sports ground

Extent and shape and any potential for further owner contribution currently being resolved. Refer Appendices 1a and 1b.

### Lot 145, Chain of Ponds Reserve

Current Schematic illustrating re-imagining of the existing dam area to provide a series of ponds with an accessible edge and possibly a wander path adjacent. Refer Appendix 4a.

### Transmission line easements

The easements are 50m wide roughly brushcut open strips, relatively steep slopes with little landscape interest to attract recreation use. Options to use the easements include fitness trails.



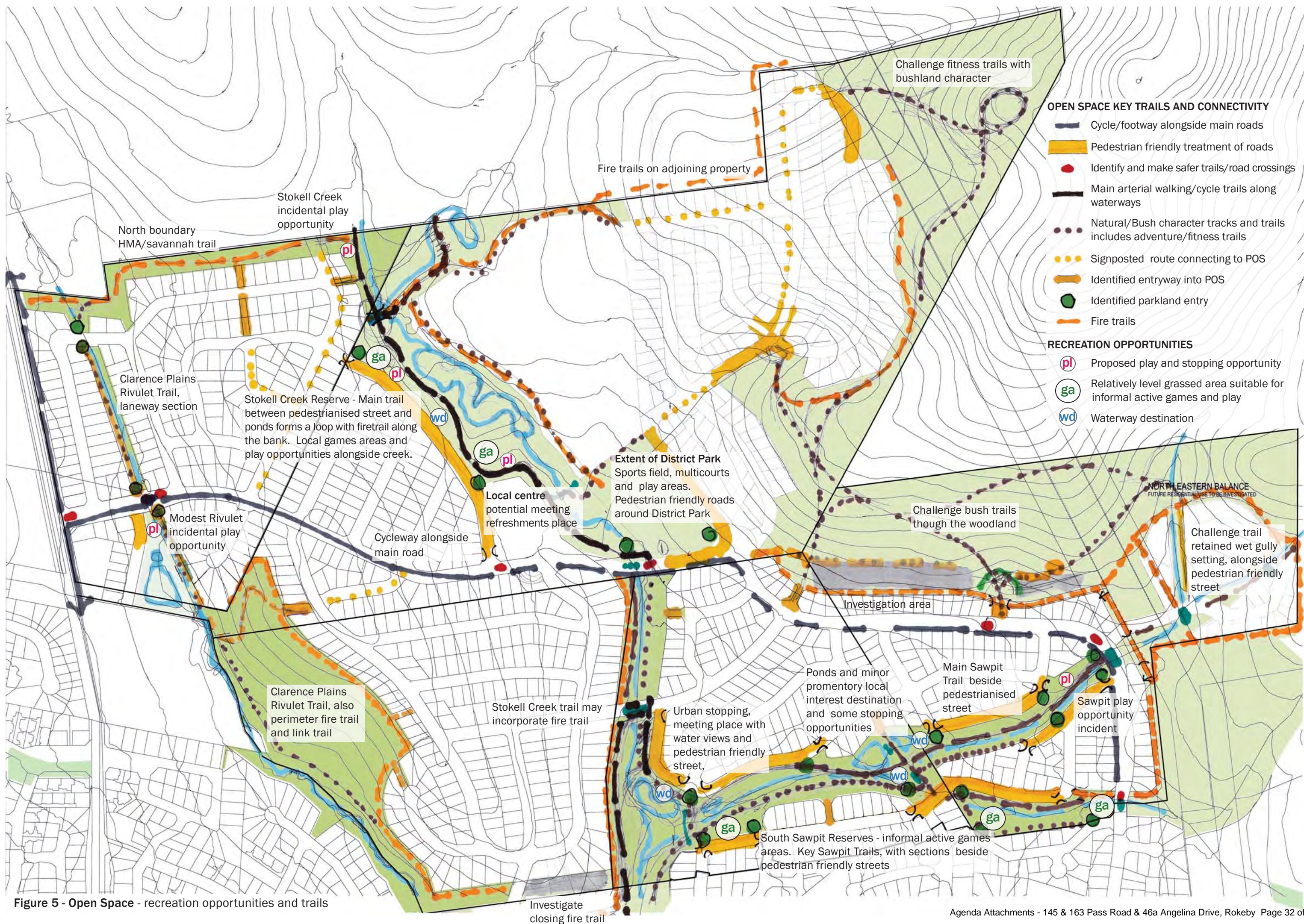


Figure 5 - Open Space - recreation opportunities and trails



# 5 WATER MANAGEMENT AND ASSOCIATED OPEN SPACE

## CONTEXT

Multiple use of the waterway system is implicit in the landuse zoning of waterways and adjacent areas as open space. This direction is strongly reinforced by the SAP which requires retention of the riparian character of the creeks and rivulet utilising engineering and landscape design responses are guided by WSUD principles. Refer Appendix 5.

## APPROACH

Each waterway is to have its own character, so considered together they offer a rich suite of distinctive water’s edge landscapes to encourage walking and other recreational use. The detailed design of the different areas along the waterways is to respond to the specifics of each location, realising opportunities for diversity of detailing but with some common elements:

- As practical existing landforms, profiles and locally native vegetation is to be retained while priority is given to minimising opportunities for flooding
- Generally the edges of waterways and any ponds are to be accessible and natural-like in appearance, and edges where access is discouraged are to be minimised
- Low flow areas and stormways may have a flagged base to retain some flow, while minimising a muddy runnel appearance
- Any swales that require reshaping are to be detailed with varied and natural-like sideslopes, to provide treeplanting opportunities and to be shaped to be complementary to nearby trails and recreation incidents
- Bridges are to be introduced only where necessary for vehicle crossings, infrastructure connections or walking trail crossings at convenient separation.

## COMPLETE/ CONSTRUCTED

### 163 Pass Road - South

Reshaped waterway and laneway open space and fenced sediment forebay pond and larger wetland. Design slopes mean fencing is required to limit access, so the open space contribution of the pond area is limited to providing a natural like planting and some birdlife visible through the picket fence.

## PRELIMINARY DESIGN

### 91/93 Pass Road - ponds at Sawpit Gully waterway junction

Wetland ponds are proposed at the boundary of the original 91 and 93 Pass Road lots, at the junction of Sawpit North and Sawpit North East arms to provide for 130 lots subdivision proposed for 93 Pass Road (permit, 5 Jan 2023). Appendices 3b and 3c.

### 91 and 93 - Sawpit Creek.

Waterway close to natural to the east, but realigned around the proposed ponds and reshaped approaching Stokell Creek to accommodate storm flows. Realignment and profile to create natural-like appearance and facilitate rehabilitation.

## EMERGING DIRECTIONS

### 91 Stokell Creek/Sawpit Junction

HSCE Engineers are exploring options to retain profile and limit changes around trees to maximise retention of trees, while acknowledging that minor change to an area, without removing trees, can contribute to their decline.

Options are also being explored for water treatment ponds with the currently preferred direction to design the ponds to be a more urban feature alongside a streetscape stopping incident.

### 145 dam re-worked

Reconfiguration as ponds in series is being considered, refer Appendix 4a.

### 93 East

Consideration of options at present is preliminary. Initial concepts include a smaller pond local feature to the south of the waterway. The subdivision layout is still unresolved and the extent and shape of available open space would be finalised having regard to emerging concepts for the waterway.

## MULTI-USE PERFORMANCE

For more detail of the multi-function open space performance of the waterways refer Appendix 2.



- 1** Existing pond and ephemeral marshland  
No changes anticipated
- 2** Preliminary reconfiguration of existing dam as a  
'Chain of Ponds' Wetland. Refer LC2.1 Stokell  
Creek Waterway Reserve Schematic – Urban  
Initiatives, Draft Appendix 4a
- 3** Existing waterway swale and wetland ponds
- 4** As practical retain waterway profile with  
minimum loss of local riparian vegetation
- 5** Proposed wetland (DA), further design resolution  
for natural-like character and integration with  
landscape. Ferndene Studio, 91/93 Ponds &  
Environs Appendix 3c
- 6** Preliminary exploration wetland location and  
layout. As practical retain waterway profiles with  
minimum loss of local riparian vegetation
- 7** Possible wetland location if required
- 8** As practical retain waterway profile with  
minimum loss of local riparian vegetation

**Figure 6 - Open Space - waterway features and linkage**



**APPENDICES**

- Appendix 1** Council advice Paranville Open Space Priorities, June 2022
- Appendix 1a** Owner response to Council advice
- Appendix 1b** Feasibility exploration Extent of District Park
- Appendix 2** Waterways multi-function performance
- Appendix 3a** Landscape concept (DA for 91 Pass Road)
- Appendix 3b** Landscape concept (DA for 93 Pass Road)
- Appendix 3c** Landscape concept pond and environs 91/93 (DA 93 Pass Road)
- Appendix 4a** Waterway schematic Stokell Creek Dam to Ponds - For Council review comment
- Appendix 4b** Play space schematics Lot 163 – For Council comment
- Appendix 5** Reference controls and documents







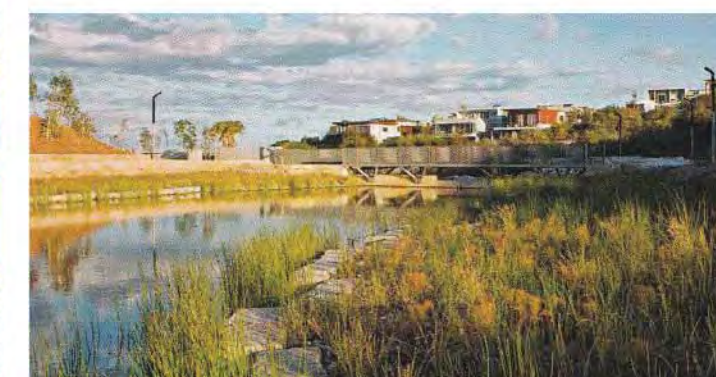
## NEW DISTRICT PARK

**Area Required - 3ha**

**District level facilities:**

- District scale playspace (60m x 40m) - all ages and inclusive
- Large scale nature play
- Picnic facilities - shade shelters, tables, seating, water point.
- Public amenities - toilets/change room, bicycle parking, seating
- Multi Purpose Courts
- Kick about lawns (50m x 70m) - irrigated, option for informal goals for ball sports
- Car parking for 50 cars and 1 coach.
- Landscaping and fencing and path network
- Food van parking facilities

- Community gathering space
- Fenced dog area.
- Located on or close to bike/walking pathway or tracks
- Attractive and interesting for children and appealing for family groups.
- Topography to avoid major cut and fill. At least 30% of area to be 5% gradient.
- Opportunity to reuse existing dam into water feature for the community
- Dam safety
- Walking track class 2
- Water engagement/connection
- Revegetation of degraded areas
- Use water and water retention as an asset to improve the landscape and the visitor experience.



## OPEN SPACE PRIORITIES

## Parranville, Rokeby

CCC Draft Feedback for Developer  
JUNE 2022 V2





## OWNER RESPONSE TO COUNCIL ADVICE SUGGESTIONS

ITEM	CCC ADVICE, SKETCH PLAN OR DETAIL	STATUTORY COMMITMENTS	OWNER RESPONSE
<b>POTENTIAL DISTRICT PARK</b>			
Potential District park east of Stokell Creek and north of Winterborne Road	A note on the CCC advice suggests 3ha would be appropriate to accommodate the various recreation activities that Council has assessed as being required in this area.	The Planning Scheme zoning map shows an area 1.67ha	The subdivision layout currently being considered for the east of Lot 145 would enlarge the POS area available to 2 ha (or 2.11ha if Winterborne is narrowed to 24m, the same width as to the west) .  The owner suggests that the additional 0.33 ha area available for POS (and possibly bulk earthworks) would constitute a suitable open space contribution.
<b>LISTED FEATURES ALSO SHOWN ON COUNCILS SKETCH PLAN</b>			
Walking Trail	Trails shown to the north east of Stokell Creek. Relevant notes on the Sketch Plan are ‘a path network’ and ‘walking track class 2’	<i>The SAP Master Plan</i> - shows a walking and bicycle trail along the west side of Stokell Creek passing to the east below the dam. <i>SAP – Local Area objectives</i> CLA-S4.3.1.5 Open space Precinct (a) To provide for a network of well distributed, accessible and connected walking, cycling trails and parkland <i>Clarence Tracks and Trails Action 2015-2020</i> Shows an ‘arterial trail’ along Stokell Creek	Currently being considered by owner <ul style="list-style-type: none"> <li>Option for 2 separate paths on the west of the creek a main trail and a wander path closer to the creek. Refer (<i>Urban Initiatives</i> LC2.1 Stokell Creek Waterway Reserve Schematic date, Appendix 4a)</li> <li>20m wide open space above bank to the east of the current dam to accommodate fire trail and services and open space connection and walking trail.</li> </ul>
Stokell Creek existing dam re-imagined as wetland ponds	Council Sketch shows 3 pond replacing the dam, Notes: ‘Opportunity to reuse existing dam feature into water feature for the community’, ‘Dam safety’, ‘water engagement/connection’ and ‘Use water retention to improve visitor experience’	<i>SAP – Local Area objectives</i> - CLA-S4.3.1.5 Open space Precinct (c) To protect and enhance riparian areas along Clarence Plains Rivulet and Stokell Creek	Currently being considered by the owner Design development of the 3 ponds concept - investigating engineering requirements. Refer Schematic Landscape Plan LC2.1 Stokell Creek Waterway Reserve Schematic, ( <i>Urban Initiatives</i> , 25.8.2023) Appendix 4a
Multicourts	Shown on Council Sketch Plan and included in listed notes	<i>SAP – Local Area objectives</i> - CLA-S4.3.1.5 Open space Precinct (a) To provide ... and parkland	District Park Feasibility exploration sketch by owner consultants Figure 7 (opposite) shows potential to accommodate two courts 3,000m <sup>2</sup> suitable for netball  Owner consultant Feasibility and Council’s Sketch Plan suggested re-imagining the dam as a 3 pond wetland.
Carpark	Shown on Council Sketch Plan beside the east boundary and alongside a road. Note ‘Car parking for 50 cars and a coach’	<i>SAP – Local Area objectives</i> - CLA-S4.3.1.5 Open space Precinct (a) To provide ... and parkland	District Park Feasibility exploration sketch. Figure 7 shows potential for carpark to meet Council requirements Close but different location allows entry off Winterborne. Utilises area that appears to be currently zoned for the road
Playground	Rectangular shape near the creek, carparking and amenities. Note – ‘District level playground 40x60m (i.e. 240m <sup>2</sup> ) all ages and inclusive	<i>SAP – Local Area objectives</i> - CLA-S4.3.1.5 Open space Precinct (a) To provide ... and parkland	District Park Feasibility exploration sketch Figure shows comparable area to Council requirements, but slightly irregular shape
Amenities block	The Sketch Plan shows the Amenities Block located centrally in the District Park.	<i>SAP – Local Area objectives</i> - CLA-S4.3.1.5 Open space Precinct (a) To provide ... and parkland	District Park Feasibility exploration sketch Sketch shows comparable and location to amenities shown on Council Sketch
Grassed area	Shown as a rectangular area, long axis E-W. Note - ‘kickabout lawns, 50x70m – irrigated option for informal goals for ball games’	<i>SAP Masterplan</i> . Notation identifies Sports Fields in this location	District Park Feasibility exploration sketch Shows comparable location to Council Sketchplan, and area to requirements Grassed area has a different orientation to Council advice
Nature play	Shown on the Sketch Plan near Stokell Creek at the north of the District Park, noted as ‘Large Scale Nature Play	<i>SAP – Local Area objectives</i> - CLA-S4.3.1.5 Open space Precinct a) To provide ... and parkland	District Park Feasibility exploration sketch Sketch shows comparable area and location to Council Sketch
<b>OTHER ITEMS LISTED ON THE COUNCIL ADVICE HANDOUT</b>			
Picnic facilities			Anticipate some picnic facilities could be fitted in around the play areas and games areas. Suggest use of the adjacent areas of Stokell Creek
Landscaping, fencing and paths			The owner is reluctant to offer to provide landscape elements
Food van parking			A matter for Council in the detailing of the District Park
<b>GENERAL COMMENT NOTES ON COUNCILS ADVICE HANDOUT</b>			
Wide appeal			The extent of area being provided for parkland open space allows Council to develop different facilities with wide appeal. The existing distinctive riparian character already provides significant appeal.
<b>LOT 163 ADDITIONAL OPEN SPACE RECREATION OPPORTUNITIES CURRENTLY BEING EXPLORED</b>			
Winterborne Ponds play space	Options discussed with Council 4 July meeting		Refer SK1.1 163 Pass Road Incidental Playspaces- Schematic Figures 1 and 2, 31.10.2022 Appendix 4b
North Stokell play/gathering	Options discussed with Council 4 July meeting		Refer SK1.1 163 Pass Road Incidental Playspaces- Schematic Figures 1 and 3, 31.10.2022 Appendix 4b



**Figure 7** - District Park required extent feasibility exploration

## WATERWAY POS AREAS - CONTRIBUTION TO OPEN SPACE FRAMEWORK

	LOCATION AND CONTEXT	WATER MANAGEMENT	RECREATION FUNCTION	CONNECTIVITY	LANDSCAPE CHARACTER AND NATURAL VALUES CONSERVATION	EXISTING SITUATION PLANNING AND PROGRESS
<b>CLARENCE PLAINS RIVULET</b>						
<b>CP1</b>	Junction of northern boundary perimeter open space (O.S.) and Clarence Plains Rivulet O.S.	Short term local detention of minor surface flows, some particle drop.	Local meeting place, informal seating.	Future connection to the Clarence Plains Rivulet walk to the south anticipated.	Shaped and grassed urban open space.	Construction Landscape plan partly realised – neighbour liaison to address flooding from upstream
<b>CP2</b>	Narrow open space between back fences	Swale accommodates stormflows	Walking, future enjoyment of trees and landscape incidents in streets Suboptimal surveillance	Walking route allows loop walks for residents moving into first lots.	Narrow tree-lined laneway, alongside the swale. plantings at wider entries	Virtually complete. Some replanting required due to flood damage
<b>CP3</b>	Ponds on triangular lot south of Winterborne Drive entrance	Forebay and wetland in the flow line of Clarence Plains Rivulet	Passive enjoyment of natural-like character, and backdrop to proposed play space and trail	No contribution	Wetlands establish natural character	Ponds complete, some landscape not in place. Options for playspace being explored
<b>CP4</b>	Straight stormflow section along the berm of the existing ponds	Rivulet swale Swale accommodates stormflows	Setting of walking trail	Enriches the setting of the adjacent walking trail	Provides setting for walking trail	In design resolution, options being considered. Narrow fit issues
<b>CP5</b>	South section straddles 2 owners	Natural flows	Backdrop to walking trail	Waterway alongside walking trail	Provides setting for walking trail	
<b>STOKELL CREEK</b>						
<b>SK1</b>	Existing dam on north boundary	Detention and storm flow	Landscape setting	Trail along west and to the east	Natural ephemeral marshland	No changes proposed at present
<b>SK2</b>	North section of Stokell Creek, included channel and wider ephemeral marsh area residential area, streets facing towards POS	Channel sufficient to storm flows	Setting for main Stokell Creek arterial trail, passive enjoyment and some water based play opportunities (Refer <i>Urban Initiatives</i> SK01	Main Stokell Creek arterial trail, fire trails and possible intermittent wander tracks along edge.	As practical retain the trees whole N-S length of Stokell Creek including Sawpit junction and road crossings	Minimise changes to waterway profile - Schematic landscape for incidental play space Lot 163 to CCC for comment. Appendix 4b
<b>SK3</b>	Existing large dam and surrounds, picturesque appearance fringed with trees	Proposed Chain of pond - low flow water retention, particle and nutrient removal	Central water feature and complement to the proposed District Park and feature of arterial trail	Trail along west side and above bank to the east, Possible wander trails. Fire trail and connecting trail along bank above ponds	Natural-like and picturesque, strengthen wildlife habitat value. Trees retained where practical. Deep areas allow for reflections	Schematic waterway landscape prepared for CCC comment. Concepts with engineers for preliminary feasibility testing. Appendix 4a
<b>SK4</b>	Dam-Winterborne Section	Accommodate all flow volumes	Landscape setting	Stokell Trail runs closeby		Appendix 4a to CCC for comment
<b>SK5</b>	Stokell South of Winterborne to 22 Goodwins Road, including Sawpit junction - established trees and meander section at junction	Storm channels and low flow wetlands ponds for water cleansing to be established at the Stokell/Sawpit junction	Urban meeting place and stopping place with views over waterways junction and pond T	Trails and some bridges/crossings over creek	Urban character for ponds at meeting of waterways. Retain trees in the meander section if possible. Protect, re-establish raspwort in swale	Engineering and landscape documentation in progress for ponds and waterways implement DA Landscape Concept. Appendix 3a.
<b>SK6</b>	Minor upper waterways to the East	Bio swale and remediation explore	Local destinations and trails	Setting for local trails	Natural-like near nature	Initial Lot 145 subdivision concepts
<b>SAWPIT GULLY</b>						
<b>SP1</b>	Upper NE arm of Sawpit Gully, steep and tree-lined with woodland riparian vegetation	Low and high flows through existing channel	Adventure, challenge walking if track possible and enjoyment of 'Near nature' setting.	Connects to north woodland areas,	Retain natural gully vegetation with consideration of fire hazard reduction and maintenance	Initial subdivision layout prepared requires- fire hazard, conservation and civil engineering investigation
<b>SP2</b>	Upper reaches E through open less steep area	Low and high flows through existing channel – may require some reshaping	Walkway alongside waterway	Passive enjoyment	Parkland with native trees	Initial layout design requires fire hazard, conservation and civil engineering investigation
<b>SP3</b>	Wetland investigation area vicinity of transmission line easement	Not clear yet what may be required.	Appears likely to have width for stopping and play opportunities	Trail linkage alongside waterway.	Riparian character and opportunity for retention of high value species	Assess options with Tas Networks for wetland in Transmission Line
<b>SP4</b>	North are wet gully character	Low and high flows through existing channel - minimum changes	Wet gully	Trails alongside	Some established trees retain as practical	Current - design development of subdivision and landscape concept
<b>SP5</b>	91/93 boundary ponds landscape and engineering concepts supported recently approved DA	Proposed ponds - low flow water retention, particle and nutrient removal	Feature for viewing spots and some access at edge	Track between ponds connects across 2 arms of Sawpit. Potential viewing spots overlooking water.	Natural like character, reed bed fringe,	Landscape concept, Appendix 3c, being detailed for construction and plantings
<b>SP6</b>	Sawpit south watercourse through flat land and established residential area	Channel and option for detention	Informal games and passive enjoyment, sitting opportunities	Connection through POS to Clarendon Vale and attractor trail route	Tree lined natural like waterway through parkland and games areal	Landscape concept, Appendix 3b, being detailed for construction and plantings
<b>SP7</b>	Sawpit through No 91 future residential area	Low and high flows through existing channel – requires some reshaping	Passive enjoyment of waterway setting for parkland	Trails along both sides	Establish parkland with native trees and natural like profile	Landscape concept, Appendix 3a, being detailed for construction and plantings





Figure 6 - Open Space - waterway features and linkage



LANDSCAPE AND STREETSCAPE CONCEPT

The Landscape and Streetscape Concept shows the general directions proposed for landscape design. The final design will reflect engineers resolved details, further infrastructure information and detail of local destination incidents, seating or play opportunities in POS and possibly street spaces.

OPEN SPACE SYSTEM -

Stokel Creek and Sawpit Gully Tributary Junction

The creek and tributary will be reprofiled in accordance with a final design by Hutchings Spurr and shaped to accommodate storm event flows and limited local runoff from the adjacent lots. The practical feasibility of rehabilitation with riparian species will be explored with the project engineers and environmental consultants including consideration of establishment viability and maintenance costs for Council. It is anticipated that the finalised design would be park-like in character, with all areas readily accessible for maintenance, and detailed so that the original alignment of watercourses would be immediately recognisable.

Water treatment ponds will be constructed at the junction of the 2 arms of the watercourses. The design would be natural in appearance. The area would be fenced initially and may be opened later when informal surveillance is available.

It is anticipated that the area will be primarily maintained by mowing. Planting locations and trails should allow for efficient mowing, with vegetation primarily laid out in in long lenses consistent with contours.

- 1a Multiple use all weather emergency and maintenance accesses and recreational use, may require bridges
- 1b Minor POS trails for recreation, walking and cycleway connectivity
- 1c Utility trail - maintenance and other access, recreation and connectivity
- 1d Prominent entrances into the reserve from adjacent roads
- 1e Open relatively level parkland area suitable for active play, perimeter seats
- 1f Rehabilitate steep areas near the water finishing pools as open woodland

Retained open woodland

- 2 An open grassy woodland area is to be retained. The woodland is to be restructured and a multiple use perimeter fire trail and walkway constructed in accordance with an updated Bushfire Hazard Management Plan.

STREETSCAPE

- A Paved entry threshold off the major entry road link to Pass Road, to be detailed consistent others along the major entry road.  
Intersections along the two main roads in the proposed subdivision are limited to 3 way junctions that are identified by minor thresholds at the entry onto side streets. Thresholds will be constructed with a colour similar to but darker than those along the major entry road and also be narrower.
- B Minor roundabout and pedestrian refuges on the arced entry road would have a wide drivable outer annulus, and subject to engineering detail, may have a raised central planting area.
- C 2 micro roundabouts and pedestrian refuges in the road along the north of the waterway parkland to slow traffic. Subject to engineering detail microundabouts would be largely (possibly completely) drivable.
- D Pedestrian refuges in perimeter roads alongside parkland slow traffic and highlight park entries.
- E Road narrowing at a park entry makes the entry more prominent and cues slower driving speeds.
- F Pedestrianisation of a long internal road to cue slower driving speeds - drivable bulbing at entries and a central refuge that also highlights the the footpath changing from the upper to the lower side of the street.
- G

Street trees

Where practical with consideration of the final locations of services and as nature strip width allows, street trees will be planted close to every second side boundary between adjacent lots - with more substantial trees on the lower sides of road for privacy.

Street tree size and formality should reflect the road hierarchy. Main roads have more formal taller trees, whereas trees on low traffic pedestrian friendly roads are a variety of sizes and more informal in habit.

Local native trees to be used close to POS areas, sparsely planted to minimise fire hazard.





OPEN SPACE SYSTEM

The two waterway reserves each have a distinctive suite of recreation roles and rehabilitation opportunities:

**North waterway POS** - the deeper stream bed provides opportunities for rehabilitation, anticipated use primarily for passive enjoyment

**South waterway POS** - a relatively flat area at the rear of Breedon Way and with overhead powerline near Breedon back fences. A more open character is proposed with isolated clean stem trees, allowing for some informal sports and incidental active play and retaining opportunities for future more formalised recreation areas to be provided at a later stage. Plantings balance providing informal surveillance with visually distracting from the powerlines but being located for a suitable separation.

**The final landscape works plans** - would reflect any re-profiling required for flood hazard mitigation, safety of park users and to facilitate land management maintenance and access. Where earth shaping is required it should be undertaken with consideration of any opportunities to provide flatter areas suitable for recreation.

**Rehabilitation of watercourses** - retain existing indigenous species where practical and any new plantings/seedings to use local riparian species selected to provide a vegetation structure consistent with a low fire hazard threat, i.e. a discontinuous strip less than 20m wide and more than 20m from lot boundaries would establish a park-like open character.

The final selection of trees for retention, species for planting and the structure and location of vegetation on the Works Landscape Plans to reflect advice from project arborist, fire and biodiversity consultants, current fire and weed management plans, good practice for practical maintenance and liaison with Council and infrastructure authorities.

- 1 Multiple use all weather emergency and maintenance accessway and recreational use, key POS connections
- 2 Minor POS trails for recreation, walking
- 3 Prominent entrances into parkland from adjacent roads, alert drivers to likelihood of pedestrians
- 4 Retain, re-establish an allusion to the original riparian woodland along waterways
- 5 Open relatively level parkland area suitable for active or informal play
- 6 Retain options for future more formalised recreation area
- 7 Possible future incidental seating and play opportunities
- 8 Wetland ponds refer Ferndene Studio drawing Wetlands Ponds and Environs

**Retained open woodland - northern slopes balance area**  
The open grassy woodland vegetation is to be retained as a bushland park, except where fire hazard management is required (refer BHMP Menadue 2021).

Following finalisation of investigation into options for future residential use, gravel paths through the woodland will be constructed to connect to nearby POS areas to the north the west (145 and 91 Pass Road).

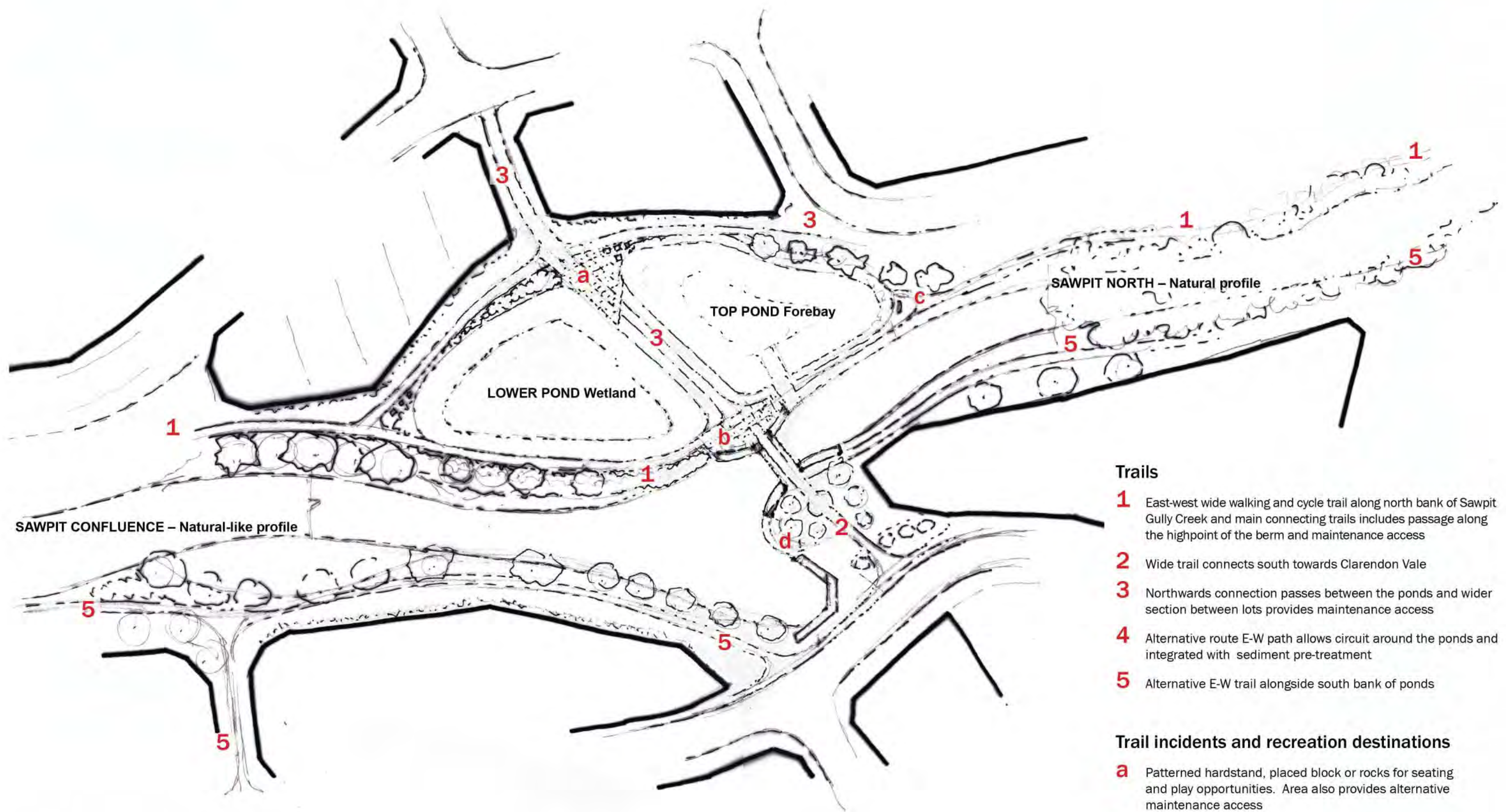
**Fences alongside POS** Where lots adjoin public open space areas on rear or side boundaries fences that allow some views into the adjacent open space from residences or their grounds will be constructed as part of subdivision works. Those fences will be solid, opaque (and of low visual prominence) up to a height of 1.2m with the views into the open space being through an upper section of at least 300mm depth of lattice or a comparable visually permeable construction.



STREETSCAPE

- A Rockingham Drive extension** to Winterbourne Road - 24m wide road reserve will accommodate bus stop insets and a cycleway. Larger trees 8-15m height to be planted generally at each second side boundary and in locations distant from service junctions or changes of direction.
- B** At the Clarendon Vale end an entry incident required to cue lower road speeds.
- C Streets alongside public open space** - 18m reserve. Where practical services to be located on one side. Carriageway located close to the POS. Moderate to large trees planted on wide nature strip on the residential side of the street and a row of larger trees parallel to the street pavement planted within the adjacent open space.
- D Local streets** - 18m reserve. Moderate height trees/shrubs planted and maintained for clear stem profile on both sides of the street.
- E** Connection to fire trail, may incorporate POS walkway
- F** Perimeter fire trail
- G** Indicative road connection to possible future residential area





#### Trails

- 1** East-west wide walking and cycle trail along north bank of Sawpit Gully Creek and main connecting trails includes passage along the highpoint of the berm and maintenance access
- 2** Wide trail connects south towards Clarendon Vale
- 3** Northwards connection passes between the ponds and wider section between lots provides maintenance access
- 4** Alternative route E-W path allows circuit around the ponds and integrated with sediment pre-treatment
- 5** Alternative E-W trail alongside south bank of ponds

#### Trail incidents and recreation destinations

- a** Patterned hardstand, placed block or rocks for seating and play opportunities. Area also provides alternative maintenance access
- b** Paths crossing informal seating opportunity to the side and patterned hardstand similar to 'A', but smaller scale.
- c** Overlooking area to the east with more comfortable seating
- d** Local promontory with park seats.





## LEGEND

	CYCLE/PEDESTRIAN RECREATIONAL TRAIL
	PEDESTRIAN PATHWAY CONNECTION
	SHALLOW MARSH / EPHEMERAL ZONE
	DEEP MARSH
	WETLAND
	STREAM RESTORATION ZONE
	SEDIMENT MANAGEMENT
	EXISTING SIGNIFICANT HABITAT STRUCTURE
	GRASS AREA
	WATERBODY
	COMMERCIAL CENTRE
	PUBLIC OPEN SPACE (POS)
	PUBLIC AMENITIES - (COMMUNITY PICNIC SHELTER)

## KEY FUNCTIONS

REFER SHEETS LC1.2, LC1.2

1/2/4/5
1/2/4/5
3/5/6
3/5/6
1/3/5/6
1/3/5/6
3/6
1/2/3/4/5/6
1/2/3/4/5/6
1/2/3/4/5/6
4
1/2/3/4/5/6
1/2/4/5/

# LC2.1 Stokell Creek Waterway Reserve Schematic

PROJECT NO. 22045 PROJECT 145 PASS ROAD WATER MANAGEMENT/RECREATION PRECEDENTS SCALE 2500 @ A3

DRAFT - 25/8/2022



Agenda Attachments - 145 & 163 Pass Road & 46a Angelina Drive, Rokeby Page 44 of 47





1

## Site Location Plan

Scale: 1:5000

### OBJECTIVE ('WHY'):

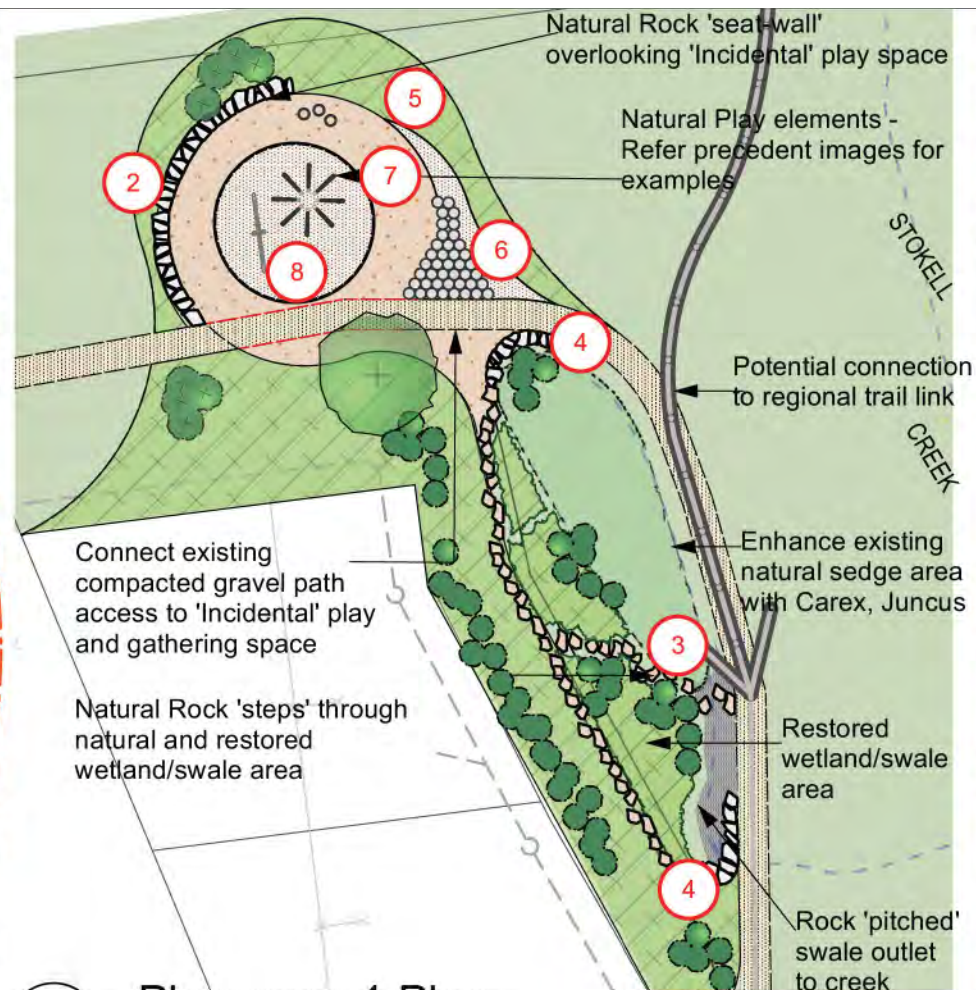
To develop 2x small to medium informal gathering/play spaces that provide an interim solution on a 'local' scale for new residents of 163 Pass Road until larger 'precinct' scale active recreation and play spaces are delivered as part of the 145 Pass Road stages of development.

### RATIONALE ('WHAT'):

2 x informal gathering/play spaces would be developed where accessible (5 mins walk) by combination of street footpaths and off-street footpaths to residents and guests with younger children utilizing informal, nature-based play elements. These 'incidental' playspaces/gathering spaces would in time form part of a network of natural open space, play and gathering spaces and support the future range of active recreation and openspace assets for the new community.

### CONCEPT ('HOW'):

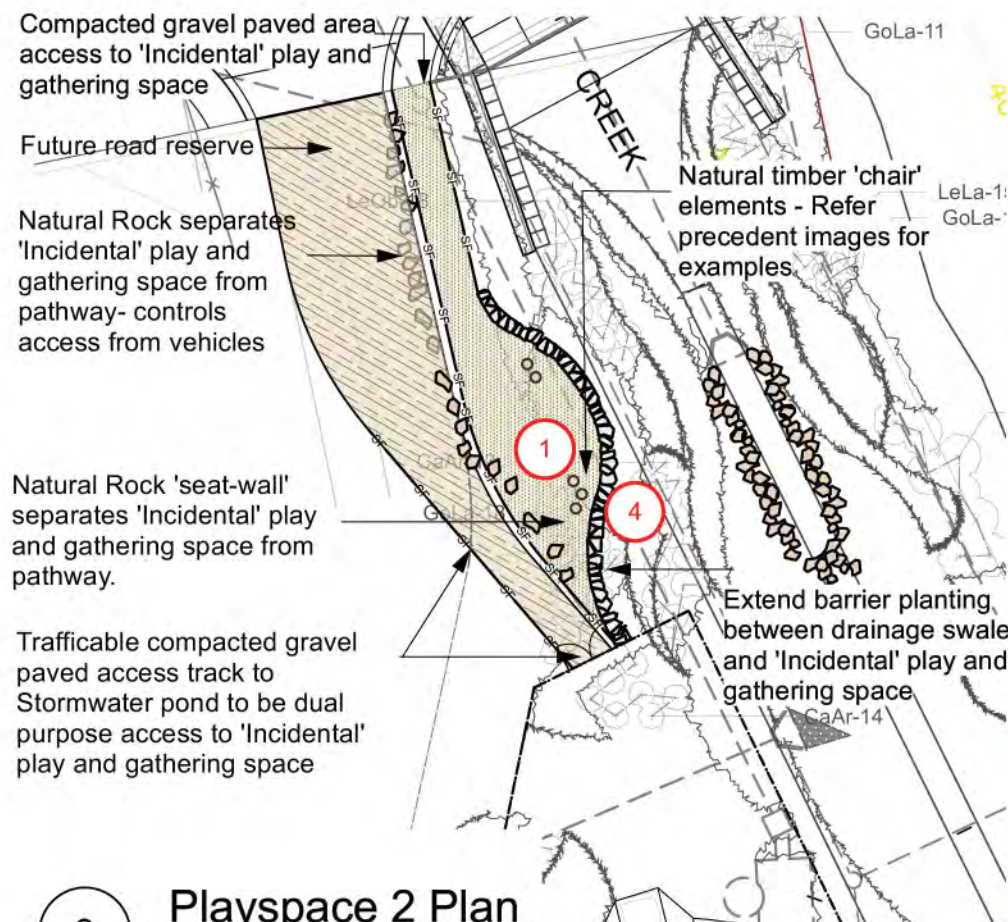
The emphasis for the gathering spaces will be informal, nature-based play elements for a younger co-hort and comfortable gathering space for families that are in close proximity to other larger natural reserves and walking trails. Materials are predominantly natural and low maintenance.



2

## Playspace 1 Plan

Scale: 1:500



3

## Playspace 2 Plan

Scale: 1:500



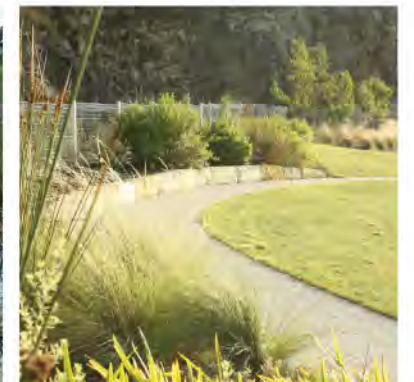
1 Hard-carved 'White-Gum' tree-stump chair elements



2 Natural Rock 'seat-terrace' overlooking 'Incidental' play space



3 Natural Rock 'steps' through natural and restored wetland/swale area



4 Natural Rock 'seat-wall' overlooking 'Incidental' play space



5 Natural steel 'caterpillar tunnel'



6 Natural timber steppers through 'Incidental' play space



7 Feature timber element- example only



8 Natural timber inclined balance beam

# SK1.1 163 Pass Road Incidental Playspaces- Schematic

DRAFT REVISION - 31/10/2022





APPENDIX 1A REFERENCE CONTROLS AND DOCUMENTS

LANDSCAPE AND OPEN SPACE CHARACTER

Planning Scheme

The open space zone is intended to provide for ‘open space purposes including passive recreation and natural and landscape amenity’. This is strengthened by the Natural Assets Code overlays that apply to parts of the area, i.e., Priority vegetation and Waterway and Coastal Protection area.

Paranville SAP

SAP Plan purpose

- CLA-S4.1.2 To provide for open space that includes:
  - (b) parkland to enhance the residential environment;
  - (c) preservation of significant natural and heritage values of the site;
- CLA-S4.1.5 To ensure that vegetation clearance is only required as an integral part of an approved use and development and is carried out in such a way as to have minimal impact on identified flora and landscape values

SAP objectives

- CLA-S4.3.1.5 Open Space Precinct, .....
- (a) To provide for a network of well distributed, accessible and connected walking, cycling trails, and parkland.
- (b) To preserve significant bushland on the foothills of the Meehan Range.
- (c) To protect and enhance riparian areas along Clarence Plains Rivulet and Stokell Creek.
- CLA-S4.1.2 To provide for open space that includes:
  - (c) preservation of significant natural and heritage values of the site;

AS3959-2009 Construction in bushfire prone areas

The Australian standard establishes the fuel loads for vegetation close to residences and other buildings. Open space proposed within subdivisions and landscape design has utilised the AS3959 standards for trees close to houses without requiring higher BAL:

- less than 20m distant from residences - separated trees established within an open park-like landscape
- strips of retained bushland less than 20m wide and at least 20m distant from residences

The 35m wide areas designated as Bushfire Fuel Management Zone on the SAP are also required to have savannah-like structure of isolated trees and limited fuels in grasses and separated areas of trees, shrubs and groundcovers, (or 20m width under AS3595).

RECREATION AND OPEN SPACE CONNECTIVITY

Planning Scheme

The Open Space zone captures the key woodland and waterways, facilitating near nature recreation opportunities. The Local Business zoned area alongside Stokell Creek suggests social interaction destinations may be developed.

Paranville SAP

SAP Plan purpose

- CLA-S4.1.1 To create .... by providing for a range of housing and associated community, recreational, ... and commercial uses and developments in a socially and environmentally sustainable manner.
- CLA-S4.1.2 To provide for open space that includes:
  - (a) recreation and social activities;
  - (b) parkland to enhance the residential environment...
  - (f) walking trails consistent with the Clarence City Council Tracks & Trails Action Plan (2008).

- CLA-S4.1.4 To create street and pedestrian networks providing for:
  - (a) acceptable levels of access, safety and conveniences for all users.
  - (b) Walking, cycling and public transport use to minimise energy consumption and promote active lifestyles within and beyond the site;
  - (c) connectivity to Clarendon Vale and Clarence Heights; ...

SAP Local area objectives

- CLA-S4.3.1.5 Open Space Precinct
  - (a) To provide for a network of well distributed, accessible and connected walking, cycling trails, and parkland.

SAP Masterplan

The SAP Masterplan identifies different types of open spaces:

- central sports and recreation ground alongside Stokell Creek
- forest reserves to the north, nor-east and west
- parkland reserves including the landscape reserves in the inundation zone along Sawpit Gully
- civic space and historic site associated with earlier village concept

The Masterplan shows different types of access to open space areas:

- Walking/cycle trails and fire trails through parkways along Clarence Plains Rivulet, Stokell creek and Sawpit Gully
- Fire trails around the perimeter of woodlands to the east and south
- Connections along roads through the residential area
- Fire trails in the transmission easement and HMA

CCC - TRACKS AND TRAILS ACTION PLAN 2015-2020

The Action Plan shows trails along Stokell Creek and Clarence Plains Rivulet as ‘Rivulet tracks that connect to Significant Trails’ and in Section 3.3 Trails alongside waterways. The role of these waterway trails is described:

- Rivulets and waterways are desired locations for tracks as they provide suitable linear corridors that are attractive and continuous. They often have remnant vegetation and provide habitat for wildlife. The preference for public open space allocation from subdivisions is along waterways or drainage lines in order to create linear parkland through residential areas or trail corridors in rural areas.
- ...
- Trails along waterways provide connections between Significant Trails and reserves, allowing for loops and circuits to be created. They are essential to the formation of a trails network

AS3959

Specifies 4m wide fire trail and requirements for separation of the trail from vegetation. .

WATERWAYS AND OPEN SPACE MANAGEMENT

Planning Scheme

C12 Flood areas hazard Code

The Code requires ensuring that habitable buildings or vulnerable user building or roads and driveways are not at risk of flooding and that development does not cause upstream or downstream adverse effects.

C7 Natural assets code

Requirements for retention of natural values in identified waterways apply to the main Paranville watercourses.

PARANVILLE SAP

SAP Plan purpose

- CLA-S4.1.3 To provide for adequate infrastructure service delivery in accordance with water sensitive design principles.

SAP Local area objectives

- CLA-S4.3.1.5 Open Space Precinct
  - (c) To protect and enhance riparian areas along Clarence Plains Rivulet and Stokell Creek.

SAP Masterplan

The Master Plan notes for riparian reserves are: ‘Potential Inundation Zone Landscape Reserve’, this note applies specifically to Sawpit Gully waterway, but the colour and tone suggest it applies to all the waterway areas ‘Modification to dam to produce smaller ponds’ in the vicinity of the Stokell Creek dam with smaller ponds depicted

**Water Sensitive Urban Design (WSUD)**

There is no clear single statutory reference WSUD best practice guideline. Project engineers and landscape architects are referring to the Derwent Estuary Guidelines - and also guidelines from Victorian and South Australia (particularly Melbourne Water) in developing initial options and in design development.

Designers are endeavouring to ensure that waterways can accommodate stormflows, but also allow water treatment to capture sediment and remove nutrients in lower flows, so water flowing out of the newly developed areas is relatively clean. And, that this is achieved in a way that complements recreational enjoyment of the waterways, maximises retention of natural profiles and riparian species as practical, and having consideration of safety and subsequent maintenance.

**8. REPORTS OF OFFICERS**

**8.1 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS**

Nil Items.

**8.2 ASSET MANAGEMENT****8.2.1 AMENDMENT TO 2023/24 ACTIVE RECREATION BUDGET – 271 EAST DERWENT HIGHWAY, GEILSTON BAY FENCING****EXECUTIVE SUMMARY****PURPOSE**

To approve a new project within the Active Recreation program for the construction of sportsground fencing at Geilston Bay No. 2 Oval at 271 East Derwent Highway, Geilston Bay.

**RELATION TO EXISTING POLICY/PLANS**

Council's Strategic Plan 2021-2031 and Active Living Strategy 2022 are relevant.

**LEGISLATIVE REQUIREMENTS**

Section 82 of the *Local Government Act 1993* is applicable.

**CONSULTATION**

Council officers have consulted with the landowner Department for Education, Children and Young People (DECYP) and relevant sporting clubs and associations that hire the sportsground.

**FINANCIAL IMPLICATIONS**

The proposed reallocation of funds will not result in an overall change to Council's Annual Estimates. Project costs will be funded from existing budget savings in the Active Recreation Budget.

**RECOMMENDATION:**

That Council reallocate funds in the 2023/2024 Annual Estimates as follows:

- Transfer \$16,000 from Risdon Vale Oval Sports Field Lighting Project to a new Project: Geilston Bay Oval No. 2 Perimeter Fencing at 271 East Derwent Highway, Geilston Bay.

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

- 1.1.** Council leases Geilston Bay No. 2 Oval from Lindisfarne North Primary School and the Department for Education, Children and Young People (DECYP) and is responsible for all ground maintenance and management.

- 1.2.** In recent years, there have been repeated instances of vandalism from vehicles accessing the playing surface by driving through the treated pine log barriers along Debomfords Lane.
- 1.3.** To prevent further vehicle damage, it is proposed to construct a perimeter fence around the oval surface, with funding to be sourced from savings from another project which has reached practical completion.

## **2. REPORT IN DETAIL**

### **2.1. Proposed Perimeter Fence**

Geilston Bay No. 2 Oval is located within the Geilston Bay Sporting Precinct at 271 East Derwent Highway. Although owned by DECYP as part of Lindisfarne North Primary School, Council leases the ground for use by sporting clubs outside of school hours and is responsible for its management and maintenance.

- 2.2.** A small section of perimeter fencing of the ground runs along Debomfords Lane. The remainder of fencing at this location is made up of small, treated pine log barriers which are at end of life and not sufficient to prevent vehicular access to the oval surface.
- 2.3.** On 18/19 June 2022, vandals removed a section of the log barriers and gained vehicle access to the oval. Ruts and tyre marks on the playing surface forced Council to close the oval for that week.
- 2.4.** Significant vehicle damage also occurred on the night of 25/26 June 2022, which was so severe that the ground was unsafe to use and closed until the opening of the summer sporting season in October. The damage from this incident is shown in the photograph at **Attachment 1**.
- 2.5.** In 2023, vehicles entered the ground and caused damage on 2 February and 23 March. While not as severe as the 2022 damage, it still necessitated temporary closure of the ground.



- 2.6.** It is considered to be only a matter of time before a more serious incident occurs, which could result in an expensive repair bill and more longer-term closure of the ground.
- 2.7.** Ground closures due to vandalism displace both Eastern Region Junior Soccer Association's (ERJSA) weekly matches, involving over 300 children and also impacts the use of the oval by Lindisfarne North Primary School for physical education classes.
- 2.8.** To prevent future vehicle access and damage, it is proposed to construct the missing sections of the existing fencing around the oval to create a full perimeter fence. A diagram of the proposed fencing is shown in **Attachment 2**. Areas marked double gates will be used for vehicle access by Council and its contractors, emergency services and other approved uses.
- 2.9.** Officers have sought quotations to construct the fencing shown on the above plan and in total the works will be under \$30,000. Council does not have funds allocated for construction of a new fence in its 2023/24 budget Estimates.
- 2.10.** Although not obligated to under the terms of Council's lease, DECYP has agreed to contribute \$13,150 (excluding GST) for the construction of the fence.
- 2.11.** Savings from within the capital works budget (Active Recreation program) have been identified. The Risdon Vale Oval Sports Field Lighting project has unspent funds of \$49,291 available. Although still within the defect's liability period until March 2024, there are not expected to be any defects which would require any additional expenditure by Council. It is proposed to transfer \$16,000 of the savings from the Risdon Vale Oval Sports Field Lighting project to a new project being Geilston Bay No. 2 Oval Perimeter Fencing to cover Council's share of the quoted cost for the new fence.

### **3. CONSULTATION**

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

Consultation has been undertaken with Lindisfarne North Primary School, the Department for Education Child and Young People, representatives of Eastern Region Junior Soccer Association, and Council's maintenance contractor, all of whom are supportive of the proposal for new fencing.

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

Not applicable.

#### **3.3. Other**

Nil.

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

Council officers will continue to liaise with the above stakeholder parties in the leadup to, and during construction.

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

#### **4.1. Council's Strategic Plan 2021-2031 within the Strategic Goal Area A *Well-Planned Liveable City* contains the following Strategy:**

*"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."*

#### **4.2. Council's *Active Living Strategy 2022* within *Priority 2: Great Spaces* identifies that Council will Provide contemporary sport, recreation, exercise, and leisure (SREL) facilities and spaces, and specifically:**

*"Identify projects that maximise use and increase diversity of use of existing facilities and spaces."*

### **5. EXTERNAL IMPACTS**

It is not proposed to lock the pedestrian gates to prevent pedestrian access to the oval. Impacts on pedestrian movement through the site will be monitored after construction and adjustments to the location of gates would be possible, if necessary.

**6. RISK AND LEGAL IMPLICATIONS**

- 6.1.** Council can only make adjustments to its adopted budget estimates in accordance with the requirements which are set out in section 82 of the *Local Government Act 1993*.
- 6.2.** Under section 82(5), Council may make adjustments to individual items within any of its budget estimates by a simple majority, so long as the total amount of the estimate is not altered.
- 6.3.** The fence will significantly mitigate the risk of further damage to the oval, and also any risk of liability to Council from this cause for an uneven playing surface or an accident involving the vehicles.

**7. FINANCIAL IMPLICATIONS**

- 7.1.** The total cost for the perimeter fencing is under \$30,000.
- 7.2.** The Department for Education Child and Young People DECYP has agreed to contribute \$13,150 (ex GST) for the construction of the fence.
- 7.3.** \$16,000 is proposed to be transferred from the Risdon Vale Oval Sports Field Lighting project which is complete and has unspent funds of \$49,291 available.

**8. ANY OTHER UNIQUE ISSUES**

Nil.

**9. CONCLUSION**

It is recommended that Council approve the transfer of funds from the savings within the Risdon Vale Oval Sports Field Lighting project to allow for the installation of proposed perimeter fencing at Geilston Bay No.2 Oval.

Attachments: 1. Photograph Depicting Vehicle Damage to Playing Surface, June 2022 (1)  
2. Plan of Proposed Perimeter Fencing of Geilston Bay Oval No 2 (1)

Ross Graham

**HEAD OF INFRASTRUCTURE AND NATURAL ASSETS**

**Attachment 1 – vehicle damage to playing surface, June 2022**



**Attachment 2 – proposed perimeter fencing for Geilston Bay Oval No. 2**



<b>8.3 FINANCIAL MANAGEMENT</b>
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Nil Items.



**8.4 GOVERNANCE****8.4.1 AUTHORISATION UNDER THE LOCAL GOVERNMENT ACT (TAS.) 1993****EXECUTIVE SUMMARY****PURPOSE**

To consider the granting of an authorisation to the Chief Executive Officer under the Local Government Act 1993.

**RELATION TO EXISTING POLICY/PLANS**

The authorisation sought is specifically to deal with daily operational matters and will not impact on any pre-existing policies or strategies of Council.

**LEGISLATIVE REQUIREMENTS**

Section 22 of the Local Government Act 1993 provides that a Council, in writing, may delegate with or without conditions to the General Manager (Chief Executive Officer), any of its functions or powers under any Act.

**CONSULTATION**

Nil.

**FINANCIAL IMPLICATIONS**

Not applicable.

**RECOMMENDATION:**

That Council:

- A. In accordance with section 82(6) of the *Local Government Act 1993 (Tas.)*, authorises the Chief Executive Officer to make minor adjustments to individual items within any estimate up to \$250,000 so long as the total amount of the Council estimate is not altered.
- B. Requires the Chief Executive Officer to report any adjustment, including an explanation for the adjustment in the Weekly Briefing Report, to be tabled at the first ordinary meeting of Council after the adjustment is made.

**NB: A decision under section 82(6) requires an absolute majority of Council.**

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

- 1.1. Section 82 of the Local Government Act 1993 (Tas.) (“the Act”) prescribes the process for the preparation of estimates for Council’s revenue and expenditure for the financial year.

- 1.2.** Section 82(6) of the Act allows a council to authorise the General Manager (or Chief Executive Officer) to make minor adjustments up to specified amounts to individual items within any estimate referred to in section 86(2) as long as the total amount of the Council estimate is not altered.
- 1.3.** The estimates referred to in section 86(2) include the estimated revenue, estimated expenditure, estimated borrowings and estimated capital works of Council and any other detail the Minister may require.
- 1.4.** The Chief Executive Officer is required to report any adjustment and provide an explanation for the adjustment at the first ordinary meeting of the Council following the adjustment.

## **2. REPORT IN DETAIL**

- 2.1.** Section 82(2) of the Act provides the details that Council's estimates must contain, for example, detail on Council's capital works and expenditure.
- 2.2.** Section 82(6) allows Council to authorise the Chief Executive Officer to make adjustments to individual items within an estimate to an amount specified by Council as long as the total amount of the estimate is unaltered.
- 2.3.** Council granting the authorisation under section 82(6) would enable the Chief Executive Officer to make adjustment to individual items as required and enable Council, through reporting in the Weekly Briefing report presented at the next Council meeting, to have oversight of any adjustment.
- 2.4.** Any budget changes over \$250,000 to an existing single item will continue to be presented to Council for approval and any new budget items above \$50,000, will also be presented to Council for approval.
- 2.5.** This change to process will provide more transparency for councillors as the current process is ad hoc with budget adjustments noted either through Council decisions or through the quarterly report.

- 2.6.** It is considered appropriate that the Chief Executive Officer's limit under section 82(6) is set at \$250,000, which is the Chief Executive Officer's current limit in Council's Procurement Procedure.

**3. CONSULTATION**

**3.1. Community Consultation Undertaken**

Nil.

**3.2. State/Local Government Protocol**

Nil.

**3.3. Other**

Nil.

**3.4. Further Community Consultation**

Nil.

**4. STRATEGIC PLAN/POLICY IMPLICATIONS**

The authorisation sought is specifically to deal with daily operational matters and will not impact on any pre-existing policies or strategies of Council.

**5. EXTERNAL IMPACTS**

Nil.

**6. RISK AND LEGAL IMPLICATIONS**

The proposed authorisation will assist in the efficient administration of Council's annual estimates for each financial year.

**7. FINANCIAL IMPLICATIONS**

The recommendation has no direct implications on Council's approved Estimates and Annual Plan.

**8. ANY OTHER UNIQUE ISSUES**

Nil.

**9. CONCLUSION**

**9.1.** The Act provides that Council may authorise the Chief Executive Officer to make minor adjustments up to specified amounts to individual items within any estimate referred to in section 82(6), as long as the total amount of the Council estimate is not altered.

**9.2.** The Chief Executive Officer is required to report any adjustment and provide an explanation for the adjustment, via the Weekly Briefing Report, at the first ordinary meeting of the Council following the adjustment.

Attachments: Nil

Ian Nelson

**CHIEF EXECUTIVE OFFICER**



**8.4.2 FUTURE OF LOCAL GOVERNMENT REVIEW – STAGE 2 INTERIM REPORT – COUNCIL SUBMISSION****EXECUTIVE SUMMARY****PURPOSE**

To seek Council's endorsement of the submission to the Future of Local Government Review Stage 2 Interim Report.

**RELATION TO EXISTING POLICY/PLANS**

Council's Strategic Plan 2021-2031 is relevant.

**LEGISLATIVE REQUIREMENTS**

The *Local Government Act* 1993 is relevant.

**CONSULTATION**

The Local Government Review Board has been undertaking stakeholder and community consultation on the review of Local Government since March 2022. The latest engagement has been in relation to the Stage 2 Interim Report released by the Board in March 2023.

**FINANCIAL IMPLICATIONS**

There are no immediate financial implications arising from the submission of a response to the Local Government Review Board.

Financial implications may arise from any reform options recommended but these are not quantifiable or known at this stage.

**RECOMMENDATION:**

That Council:

- A. Endorses the submission (Attachment 1 to the Associated Report), lodged with the Local Government Review Board on Friday, 28 July 2023, in response to the Local Government Review Board Stage 2 Interim Report released in March 2023.
- B. Notes and advises the Local Government Review Board that it reserves the right to make further representations on reform options at a later date in any reform process.

**FUTURE OF LOCAL GOVERNMENT REVIEW – STAGE 2 INTERIM REPORT – COUNCIL SUBMISSION /contd...**

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

**1.1.** In 2021, the Tasmanian Government commissioned a Local Government Board Review into the Future of Local Government in Tasmania with the objective being the creation of a more robust and capable system of local government that is ready for the challenges and opportunities of the future.

**1.2.** The Review was to be conducted over an 18-month period in three distinct stages:

- **Stage 1 (Complete) – Community Engagement, Research, and Issues Identification (January 2022 – June 2022)**

Stage 1 was to gather community and stakeholder experiences and views combined with research and analysis to create a clear picture of the current state of local government, to be used to identify opportunities to achieve the Review's objectives.

- **Stage 2 – Options Development and Testing (Complete) (July 2022 – December 2022)**

In Stage 2, the Board drew on the priority reform areas identified in Stage 1 to develop and test potential reform ideas and options.

- **Stage 3 – Reform Recommendations (January 2023 - June 2023)**

In Stage 3, the Board commenced refinement of the options for delivery in its final written review and recommendations to the Minister.

**1.3.** On 16 July 2023, the Premier and Minister for Local Government announced that the Government would not be forcing any council boundary adjustments as part of its response to the recommendations of the Future of Local Government Review.

**1.4.** The Chairperson of the Local Government Board wrote to councils on 24 July 2023, advising that the Board would still proceed with its planned program of community hearings scheduled throughout August 2023 to inform its final report to the Minister by 31 October 2023.

## **2. REPORT IN DETAIL**

**2.1.** As part of Stage 2 of the Board's review, it released its Stage 2 Options Paper in December 2022. A workshop was conducted with elected members on 30 January 2023 to discuss Council's submission to the Options Paper. The submission, including officer feedback and elected member input, was endorsed at Council's meeting of 27 February 2023.

**2.2.** In May 2023, the Board released a series of Information Packs, in line with the nine Community Catchments identified in its Stage 2 Interim Report, issued in March 2023. Throughout June 2023, state-wide engagement sessions were conducted with elected members and Council staff on the identified catchment scenarios.

**2.3.** Council's position in regard to the Stage 2 Interim Report was discussed at Council workshops on 19 June and 10 July 2023. Council requested the Chief Executive Officer to prepare a submission outlining Council's position for communication to the Board by its deadline of 2 August 2023. The submission was socialised with elected members prior to forwarding to the Board on 28 July 2023. Council's formal endorsement of that submission is now sought.

- 2.4.** The Board is hosting nine Community Hearings during August 2023. Each hearing will provide a dedicated session for both councils and communities to present to the Local Government Board. Council's submission is to be formally presented to the Board by the Mayor and Chief Executive Officer on 4 August 2023.

### **3. CONSULTATION**

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

Council undertook extensive community consultation in respect to possible amalgamations in 2016/17, ultimately determining that any amalgamation lacked broad community support.

The Local Government Review Board has been undertaking stakeholder and community consultation across Tasmania since March 2022.

No specific community consultation has been undertaken by Council to inform this submission.

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

The Local Government Review Board, established by the Tasmanian Government, has been undertaking stakeholder and community consultation and provided opportunity for Council to comment on the review.

#### **3.3. Other**

Not applicable.

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

Subject to the findings and recommendations of the Board's Stage 3 report, community consultation is likely to be required at that time.

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

The implications for plans and policies of Council following any major structural reform recommendations from the Board are wide, many and varied. They will be considered beyond the feedback provided in the submission when more information and detail on recommendations is available.

**5. EXTERNAL IMPACTS**

Nil.

**6. RISK AND LEGAL IMPLICATIONS**

There are many and varied risks and legal implications arising from future possible reforms to the Local Government sector in Tasmania. They will need to be addressed once any firm recommendations of the review are known.

**7. FINANCIAL IMPLICATIONS**

**7.1.** There are no immediate financial implications arising from the submission of a response to the Local Government Review Board.

**7.2.** Financial implications are likely to arise from any reform options recommended but these are not yet quantifiable or known at this stage.

**8. ANY OTHER UNIQUE ISSUES**

Nil.

**9. CONCLUSION**

Council's submission does not provide a definitive position on possible or preferred outcomes of the Review. Once the Board has issued its Stage 3 report, including any recommendations, it is anticipated that Council will be able to engage on the merits of any recommendations, subject to there being a clear understanding of the goals and objectives of the overall review.

Attachments: 1. Clarence City Council – Future of Local Government Review Stage 2-Interim Report (9)

Ian Nelson  
**CHIEF EXECUTIVE OFFICER**





Clarence... a brighter place

## Local Government Board Review

Future of Local Government Review Stage Two Interim Report

Submission from Clarence City Council

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### Introduction

We wish to thank the Future of Local Government Review Board for the opportunity to make a submission to this second stage of the Review.

Council's submission does not provide a definitive position on possible or preferred outcomes of the Review. We look forward to reviewing the Stage 3 report, including any recommendations, at which time we anticipate being able to engage on the merits of any recommendations, subject to there being a clear understanding of the goals and objectives of the overall review.

By way of preamble to our submission below, it is important to note that our views are firmly influenced by the fact that our Council is undeniably one of the most sustainable and well-managed councils in Tasmania. We are well positioned to deal with the joint challenges and opportunities of growth and sustainability in our city and municipality. Should any amalgamation or other change be recommended by the Board, in our view, the recommendation(s) must demonstrably enhance our current circumstances as they relate to sustainability, service delivery and local representation and, consequently, not diminish it.

We are concerned the information, data and scenarios provided as part of the Stage 2 materials lack real detail and analysis. There appears to be an absence of clear goals and objectives with the current scenario process, this means we cannot reasonably deploy the data to measure or assess the merit of each scenario or other options. Our concern is that without clear goals, objectives and methodology, analysis cannot be conducted in a consistent, refined manner by all councils and others, furthermore any recommendations put forward by the Board or by councils themselves as part of this process will lack intellectual rigour. If we cannot test specific reform proposals in a robust and transparent way, we cannot be sure that any changes within the sector will deliver sustainable outcomes into the future for our communities.

Within the context of the above comments, we wish to draw the Board's attention to the 2015 – 2017 voluntary amalgamation process. Through that process, SGS produced a report titled *SGS Final Feasibility Report 'Greater Hobart: Local Government Reform'*. South-East

Region councils then commissioned the *KPMG South East Councils Feasibility Study*. Clarence City Council undertook community consultation on a range of options, culminating in a report to council on 18 December 2017 that determined not to pursue voluntary amalgamation ( [Council-Meeting-Agenda-18-December-2017.pdf \(ccc.tas.gov.au\)](#) – see item 11.7.5 ).

The process undertaken in the 2017 review provided detailed analysis of issues and options, enabling councils to undertake targeted and refined consultation with its community in respect to options. It is inciteful to reflect on the level of community engagement and the views expressed at that time. While we are now six or so years down the track, the current review process seems to lack the detailed analysis of the previous process. We are happy to share relevant documentation from that earlier review with the Board, should that be of assistance.

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### Council's current position

Council's primary concern is the long-term sustainability of any amalgamation scenario above all else. We believe that Tasmanian councils must be sustainable, within the context of the following key considerations:

- **sufficient population** – any current or amalgamated council must have sufficient population to ensure it can respond effectively and efficiently to the needs of its community in both the short and long-term. There is an inherent efficiency and economy in size and scale. Additionally and more broadly, a growing population, when well-managed, enhances communities, drives economic development and growth, creates greater diversity and cultural richness beyond basic infrastructure development and service provision.
- **diverse rates base** – allied to the first point, any current or amalgamated council must have a sufficient rates base to meet the growth and service demands of its community. As far as possible, a balanced mix of urban population, commercial/industrial activity centres and/or rural/agricultural areas is important. A diverse rate base provides a council with the ability to balance the impost of its rate burden across its community (via an effective rate strategy) while also creating opportunities to deliver the diverse range of services required by a modern community, as well as growing economic capacity.
- **growing asset base** – any current or amalgamated council must have a sufficient and well-maintained asset base upon which to invest and borrow against. Small councils will naturally struggle to deliver larger or more costly projects than larger councils with a well-managed asset portfolio.

Within the three key sustainability considerations above (noting that there are arguably other factors influencing sustainability), we have assessed five scenarios against our current situation:

- Status quo – no change to Clarence City Council boundaries.
- Scenario 1 – Establishing a single council encompassing Clarence, the urban areas from Sorell to Primrose Sands, plus Forcett and Richmond.
- Scenario 2 – Establishing a single council combining the existing Clarence and Brighton LGAs.
- Scenario 3 – Establishing a single council area encompassing the current council areas of Clarence, Sorell and Tasman.
- Scenario 4 – Clarence, Brighton, Sorell LGAs, with some possible minor boundary adjustments.
- Scenario 5 – Scenario 4 plus Tasman LGA.

Noting our introductory concerns regarding the perceived lack of process and analysis throughout Stage 2, we have nonetheless conducted a rudimentary assessment of each scenario against the catchment data provided, as well as a status quo position. An analysis of population, rate and asset valuation data makes it clear that the 'no change' scenario remains valid even at this cursory level.

That is, Clarence City Council can remain unchanged in terms of its municipal boundaries on the basis that it is financially sustainable in its current form, is providing services to its community within its financial means and capacity and is managing its asset portfolio (valued in excess of \$1 billion) well.

Our basic analysis confirms that scenarios 1 to 5 demonstrate that there is a balance to be struck between population, land area and assets. However, without qualified assistance to undertake a proper assessment it is impossible to determine a preferred scenario that is conclusively sustainable and beneficial to the communities captured by the relevant scenario.

Within the context of the assessment provided above, Council notes Minister Street's comments that some councils are not currently meeting their statutory obligations – this is not the case for Clarence, in fact we consider that our service delivery standards are well above that mandate. This reinforces our view that we are sustainable and well managed, and that the status quo option is not just a valid option but should be seriously considered.

Notwithstanding our comments regarding data, it is clear that a long-term sustainable council must have well-managed growth – whether that be via its population centres, a diversity of commercial/industrial activity centres, active rural areas or a combination thereof. While the current Clarence municipality has these features, so does the wider region (Clarence, Brighton, Sorell). Tasman has a slightly different mix, having a smaller more dispersed population and a high reliance on one key activity – tourism. These differing features demonstrate the complexity of any assessment and the need for a clear methodology to be applied to any recommendations the Board may make.

Our analysis has also focused on potential amalgamations that would create the opportunity to live and work within a larger municipality. It is clear that many people currently travel from the Eastern Shore to the Hobart CBD for work. A focus on municipalities that are sustainable and growing across their urban and commercial activity areas has the potential to reduce the need to travel into the Hobart CBD over time. That said, it is also not necessary to amalgamate councils to achieve that outcome – effective and coordinated regional strategies can achieve the same result. The work undertaken by the Greater Hobart councils via the Hobart City Deal and Greater Hobart Committee is evidence of this. But it also highlights a broader point – there is sustainability in size and well-coordinated development of assets and activity centres that benefit the population in each region, and that amalgamation is not a necessary element for success in all cases.

While the financial position of each council is broadly outlined in the Interim Report, caution is needed when relying on this detail to determine sustainability. Data across councils is not universally comparable given the diversity of service delivery models, rating practices, strategic focus and approach to long-term financial provisioning between various councils within each region. For example, there is a fundamental difference in rating practices, strategic focus and service delivery models between Clarence City Council and Brighton Council. We do not say that one is better than the other, rather that the fundamental basis of operation is different and that in turn has an impact on data that might be relied upon for comparison and decision-making purposes.

As a further point related to boundary adjustments, we are concerned that some councils may recommend opportunistic boundary adjustments that serve no strategic purpose other than to benefit one municipal area at the expense of another. From that perspective, our firm view is that boundary adjustments (as opposed to mergers of whole council municipal areas) should only occur where there is a clear, rational reason for doing so. For example, where a boundary adjustment would address a geographic anomaly or other logical feature or circumstance. Cherry-picking preferred outcomes should be avoided at all costs.

In conclusion, based on council's growing population, strong asset base and sound performance, we consider that maintaining the status quo represents the best outcome for our community at this time. Council is evidently sustainable in the short and long-term without any need for change. Specifically, council has no substantive debt, is in a strong financial position, has adopted and delivered on strong financial strategies, provides sufficient funding for asset renewal and generation, and has not in our memory returned a deficit budget. If the Board were to prefer an amalgamated scenario, we would like to see analysis of the potential benefits of amalgamation assessed, based on available data, focussed on the key areas of population, rate base and asset base as a minimum; and in accordance with a properly developed assessment methodology focussed on clearly articulated goals and objectives. The previously mentioned SGS and/or KPMG reports may provide methodology upon which the Board can base its current analysis and assessment.

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## Response to Shared Service Models

We have reviewed the supporting discussion paper addressing the issue of shared service models.

The key drivers for shared services are usually skill shortages, capacity to increase organisational capacity, achievement of efficiencies and risk mitigation. There is an argument to support a shared service model where the functions, scale, governance and funding achieve the drivers outlined.

The need for shared services will vary depending on the location of councils which can impact a council's ability to attract and retain qualified and experienced staff, noting the following points:

- Officers working in areas of reduced supply are often working to full capacity and simply do not have the ability to provide support to other councils.
- Attracting officers to regional areas requires a regional or state-wide approach to workforce development, engagement and retention strategies.

Councils all over Tasmania have, or are looking at, major investments in IT systems. There may be opportunities to consolidate these investments – there are only three or so major suppliers for council systems; major efficiencies including compatibility across councils and ‘virtual’ shared services may be achieved by aligning these programs strategically.

Importantly, any consolidation of IT systems will necessitate standardisation of supporting policies and processes across councils to begin with. While councils already share a vast range of policy and procedure information, standardisation will become a community wide issue as many of our policies and procedures impact the daily lives and decisions of our residents. This would need to be followed by Council IT departments collaborating on IT governance, IT architecture, business process and data management while working towards aligning procurement timelines.

There is an important case in point to highlight here. The Tasmanian Government’s PlanBuild project, on face value, represents an initiative to consolidate building and planning services into a state-wide online portal platform. While the initiative has merit at a principles level, its conception and execution has fallen well short of what would be regarded as ‘good practice’. The project highlighted the need for genuine engagement with councils when designing such a platform (what occurred is best described as paternalistic), realistic project management goals and critical assessment of ‘off the shelf’ options rather than a bespoke product - while some shared service portals may look simple at the front end, they can be incredibly complex in the back end. There was also a failure to recognise that different councils undertook their planning and building services within substantially different operating contexts. Had this project been developed as a shared service model rather than the approach adopted by



Tasmanian Government, it is likely that its pathway to successful delivery would have been easier and more efficient.

A move toward consolidation of services across several councils may reflect good practice and support economies of scale in some cases, but this will not be universal. Promotion of mechanisms that allow councils to work together to deliver services on a regional or sub-regional basis may be a more useful pathway forward (that is, establish the environment in which shared service models can be explored, resourced and adopted, rather than nominating specific outcomes). The aim should be to support councils by providing a framework that encourages outcomes that can demonstrate and achieve high-level function or service delivery to communities.

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## Response to State and Local Government Partnership Opportunities

Increased demand on Local Government to deliver broader functions and services has in some circumstances stripped the capacity of councils to deliver those services cost effectively and efficiently. In several cases councils have been required to deliver functions and services they cannot reasonably afford to deliver.

There are undeniably structural sustainability challenges within some councils. Notwithstanding, service consolidation and partnership models, if broadly implemented, run the risk of undermining councils by making them lack meaning within their communities.

Furthermore, state government offerings for partnership are not providing value for money for councils. NetTas is a clear example of a service originally adopted by many councils, and now being replaced as councils can procure up to ten times the value (including far greater bandwidth, throughput, resilience and diversity) for the same investment on the open market.

Within the context of the Review, it is important to recognise that there is clearly a core business for councils within their community. There are services and activities that are clearly associated with councils and an inherent risk that any partnership model may confuse that service delivery. What is to be avoided is a situation where community members don't know who to contact or hold accountable for certain services in their community.

Notwithstanding, there are examples where a state and local government partnership may work. These opportunities are likely to centre around co-location of service centres and staff. A good example is the partnership between Service Tasmania and Devonport City Council within the Paranaple Centre in Devonport.

A further enhancement worth exploring with respect to this in the long term, is an integrated Customer Relationship Management System that particularly upholds a tell-us-once mantra for all government customers. Such an initiative would need to take into consideration realistic local government investment capacity and take on board the learnings with respect to PlanBuild and NetTas examples referred to above.

We would also like to draw your attention to the use of single and joint authorities by councils. Within that context, we refer to the submission by the Copping Refuse Disposal Site Joint Authority (Copping JA), which we support. The Copping JA is a prime example of councils working together to provide a long-term, well-managed waste disposal solution for councils in the southern region of Tasmania. It exemplifies best-practice management of waste with a focus on risk mitigation and cost.

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## Response to Supporting Strong and Empowered Local Communities

### Preserve and enhance local voice

Undoubtedly there will be arguments that larger councils have an impact on local voice and representation. This view should be challenged. Councils have had good success engaging with their communities through structured engagement and consultation. While it is clear that communities value the opportunity to speak directly with their elected members on key issues and concerns, the focus of broader information and consultation campaigns as well as community updates and forums has had a positive impact.

Over recent years our council has made significant effort and investment to better resource engagement practices, utilising modern, accessible and relevant information sharing and engagement platforms.

There is a clear concern that amalgamation of councils will lead to less representation within our communities. In that context, there has been discussion related to creation of wards or similar representation mechanisms. Our experience at Clarence suggests that wards are not necessary. Our councillors have a history of being elected from areas such as Richmond, South Arm, Sandford, etc – all areas that are rural with smaller populations than the main urban areas of our city. This is demonstrably a reflection on how those councillors interact within the community, their accessibility and willingness to engage with all parts of the city, not just their local area. Our predominant view is that a move back to a ward-based system would be retrograde.

### Retention of jobs and services locally

Retention of jobs and services locally is particularly important in areas across our community where there are reduced workforce participation rates.

Our experience is that moving jobs outside of immediate communities can further disenfranchise people, particularly in areas where disadvantage is significant. Jobs and services assist people to engage within their communities, build relationships and opportunities as a consequence.

While the COVID pandemic has demonstrated the effectiveness of remote work, which can reduce some barriers to participation, in reality this rarely applies to those in our community who are seeking labour-based roles or come from a lower socio-economic background.

Councils play a vital role in providing local, labour-based roles as well as professional opportunities. In nearly all of our municipalities, the local council is a major employer within the community and therefore central to community wellbeing and employment.

Within our own city, the top five local employment industries within Clarence (construction, retail trade, public administration and safety, education, and health care and social assistance) do not generally provide the capacity to work remotely.

Keeping jobs local is important in maintaining the sustainability of local communities. Once access to local jobs is removed, communities become disenfranchised from access to essential social, economic and environmental resources.

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## Additional responses

### [Any change must be supported by economic modelling for the long-term sustainable outcomes of councils and their communities](#)

Councils must have the necessary financial resources to plan for, provide, and maintain - on a sustainable basis - infrastructure and services to an agreed level which meets the current and projected future needs of our communities. Funding models that support councils must be equitable, transparent, consistent, and efficient.

There are significant differences in service levels and standards across municipal boundaries. Any change must address how we harmonise these differences in an equitable manner.

Any change must also be realistic about the financial costs of implementation, and the impact should we get it wrong.

### [Retain momentum for key strategic projects](#)

Council has invested to date in a number of projects that are staged to deliver significant social and economic benefits to our community. Any reform process must consider the potential to derail or delay these projects – the aim must be to avoid disruption to these critical infrastructure projects.

In addition to the comment above, many projects have been arrived at through a strong democratic process that leads our communities to feel invested in outcomes and to hold a reasonable expectation of delivery. It is essential that we do not lose capacity to deliver and leverage these outcomes as a result of any proposed amalgamation. A particular focus on ensuring our communities do not become disenfranchised because of change, delay or uncertainty will be critical.

### [Consultation feedback process](#)

Council would like to see feedback from stakeholders made available broadly to councils and our communities. Feedback could be de-identified then grouped into the key themes

identified by the Board. It is also particularly important that the Board respond to feedback received, either by theme areas, or individually.

This is one of the most significant review projects undertaken and will impact communities in both the short and long term. It is appropriate and reasonable for anyone who takes the time to provide a response to the review, to also have the opportunity to consider other stakeholder perspectives and the Board's response.

#### Models of government structure

There are many different models of government structure, including those that focus on delivering outcomes at a local level.

One of the challenges of spreading the role of a council over a greater geographical area or increasing the diversity of an area is gaining support across the region from residents willing to pay for increasing equity in service delivery.

Building a local government catchment area to achieve economies of scale, equity, local responsiveness, access and accountability is simply not possible and resolution of some criteria will likely lead to challenges against other criteria.

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#### Conclusion

We thank the Review Board for the opportunity to comment on the Stage 2 Report. We look forward to discussing our submission with the Board on 4 August 2023.



Councillor Brendan Blomeley  
**MAYOR**



Ian Nelson  
**CHIEF EXECUTIVE OFFICER**

**9. MOTIONS ON NOTICE****9.1 NOTICE OF MOTION - COUNCILLOR MULDER  
COUNCIL MERGERS**

In accordance with Notice given, Cr Mulder intends to move the following motion:

“That Clarence Council seeks the support of Sorell, Tasman and Glamorgan Spring Bay Councils in conducting elector polls on merging all or some of the said Councils.”

**EXPLANATORY NOTES**

Twentynine Councils, each with distinct administrative functions, systems and representation is inefficient and unsustainable.

Small regional councils are unable to meet their statutory obligations without massive rate hikes or continuance of inequitable government grants.

Consolidation of administrative systems and functions frees financial resources for increased operations, reducing the need for massive rate rises in smaller Councils whose infrastructure is disproportionate to its rate base.

Despite the logical suggestions of the “Future of Local Government Review” the State Government has declared that there will be no amalgamations unless they are supported by both the relevant Council and the community.

T Mulder  
**COUNCILLOR**

**CHIEF EXECUTIVE OFFICER’S COMMENTS**

An item is included on this agenda (Item 8.4.2) seeking Council’s endorsement of the submission to the Local Government Review Board setting out Council’s position on any recommended amalgamations/boundary adjustments arising from the Future of Local Government Review. The submission was forwarded to the Board on 28 July 2023.

Council undertook a community consultation process on the scenarios proposed as part of the 2015 – 2017 voluntary amalgamation process, with a final community consultation report being considered by Council in December 2017 that determined not to pursue voluntary amalgamation.

The Local Government Review Board will provide its next report, with recommendations, by 31 October 2023 after which councils will have a further opportunity to provide feedback.

A matter for Council.



**10. COUNCILLORS' QUESTION TIME**

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

**10.1 QUESTIONS ON NOTICE**

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

Nil.

**10.2 ANSWERS TO QUESTIONS ON NOTICE**

Nil.

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

Councillor Mulder

1. My question relates to the Skylands master plan/structure plan. That plan, the final version which was rejected by Council but appears to have been adopted by the Minister contained a suggestion of alternative routes to the north to the Norla Street crossover being part of the structure plan, in other words outside of the area of that particular structure plan. I have yet to have an indication of what the planners have in mind as to what that other northern route would be. My question is, is the connection from Rokeby through Sunray Court to Oceana Drive over which there is already a reservation relating to a water tower, is that under active consideration as one of the alternatives?

**ANSWER**

(Chief Executive Officer) I am not in a position to give a definitive answer at this time. What I can say to update Council is that Ms Olsen and other staff have been working with the proponents and the Friends of Tranmere and Droughty Point to organise a process to resolve the outstanding issues. We have been trying to clarify what those issues are and there are a range of them. We are starting to work through a resolution process and that matter will be one of them.

2. Is there a capacity in the negotiations for the cost of that construction to be allocated to the proponents of Skylands since we are saving them a lot of money by not requiring them to make Norla Street.

**ANSWER**

(Chief Executive Officer) I am not able to answer that. There will be a range of factors that go into that negotiation.

Councillor Hulme

I refer back to my question regarding the Workplace Health and Safety Review and to provide some context, the catalyst was attending the LGAT professional development day where they were talking about the responsibility of councils and councillors for having robust processes for dealing with issues throughout the workplace such as social risk. I thank the Chief Executive Officer for his answer which focused fairly heavily on Edge Legal's report to Council and my understanding from the CEO is that this is very much about the conduct of councillors. My question is, could the CEO provide a comprehensive answer in terms of what has been going on across the entire workplace?

**ANSWER**

Taken on Notice.

(Further information) Council officers have provided councillors with a memorandum detailing key aspects of Council's work health and safety system, including accreditations.

Councillor James

1. We have received correspondence from [a resident] at Lauderdale regarding barking dogs. I know that it has got into a situation where there have been delays and so on, but my question is, given that this has been on the books and Council has been approached for well over 12 months and there doesn't appear to be a resolution to date, and I am quoting from a memorandum from [the resident] to us on 26 June. My question is when will resolution of this occur and when will [the resident] be advised accordingly?

**ANSWER**

Taken on Notice.

(Further information) The matter has been investigated by Council's rangers, who determined that while the dog barked, the barking did not constitute a nuisance as defined under the Dog Control Act 2000. The resident was advised of this in writing on 3 July 2023 and has been further advised that if they wish to instigate a formal investigation under section 47 of the Dog Control Act 2000 it will incur a fee of \$79.50. If the complaint is found to have substance, the fee will be refunded.

2. In relation to Minister Julie Collins' memorandum in relation to the Mornington roundabout, and it seems that the State and Federal governments are responsible for delivery of infrastructure projects and Minister Collins and the Federal Labor government are working in conjunction with the State Liberal government to progress work on the Mornington roundabout upgrade. My question is what involvement will Council have if any, given that Cambridge Road junction with the South Arm Highway on both the eastern and western approaches and they are council roads and is it going to be a joint effort with Federal, State and Local Government in relation to getting something done about the Mornington roundabout?

**ANSWER**

(Mayor) We will all be aware that at the last Federal election the Hon. Julie Collins, MP Member for Franklin did secure some funds to assist with the Mornington roundabout upgrade. There is also a requirement as you have noted for the State government to contribute as well.

(Head of Infrastructure and Natural Assets) Council will be a key stakeholder on this project. With regard to some of the initial analysis work, certainly some of our staff were informed through workshops in terms of looking at the proposal. We understand that the State and Federal governments are trying to define what the scope will be, and we have not had any update in the last four months or so, but we will liaise with Department officers.

Councillor Warren

My question is on behalf of a constituent. I believe there has been an increase of roadkill on Bellerive Bluff, particularly pademelons, and I wonder if this is just anecdotal or whether the rangers have noticed that? I believe that there was some discussion about signage, and I wonder where we are up to with that as well?

**ANSWER**

Taken on notice.

(Further information) Council's depot staff, who are responsible for collection of roadkill, report there has been no noticeable increase in incidents of roadkill reports around Bellerive Bluff.

The Australian Standard for signage only specifies warning signage for large wildlife (such as kangaroos, camels, wandering stock etc) that would constitute a hazard to occupants of motor vehicles and motorcycles if struck on the road. The standard goes on to state that the efficacy of warning signs in preventing roadkill of small animals is considered doubtful. Instead, signs aimed at creating a general awareness of wildlife in an area are suggested as a more meaningful approach to the problem of protecting small animals.

Council generally does not install wildlife warning signage within built-up areas of the city as drivers are expected to be anticipating the usual activity associated with residential areas like cars entering and exiting driveways, residents (including children) and domestic animals moving around, etc. However, given that Victoria Esplanade adjacent to the old fort does not have the same level of residential activity as nearby parts of Victoria Esplanade, officers will investigate the appropriateness of installing Wildlife Awareness Signage (similar to those shown below).



FIGURE H1 WILDLIFE AWARENESS SIGNS

**10.4 QUESTIONS WITHOUT NOTICE**

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

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

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

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

**11. CLOSED MEETING**

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

The following matters 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.

11.1 APPLICATIONS FOR LEAVE OF ABSENCE

11.2 T1473-22 – WISTERIA AVENUE STORMWATER UPGRADE CONSTRUCTION

11.3 JOINT AUTHORITY MATTER

11.4 APPOINTMENT OF COMMITTEE MEMBER

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:

- personnel matters;
- information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the Council is conducting, or proposes to conduct, business
- contracts and tenders for the supply of goods and services; and
- applications by Councillors 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”.