

# MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 15 JANUARY 2024

**HOURL CALLED:** 7.00pm

**PRESENT:** The meeting commenced at 7.01pm with the Mayor (Cr B A Blomeley) in the Chair and with Councillors:

|   |                  |
|---|------------------|
| H | Chong            |
| J | Darko            |
| E | Goyne            |
| D | Hulme            |
| B | Hunter           |
| W | Kennedy          |
| T | Mulder           |
| A | Ritchie          |
| B | Warren; present. |

**1. APOLOGIES**

|   |                          |
|---|--------------------------|
| R | James (Leave of Absence) |
| J | Walker                   |

**IN ATTENDANCE**

Chief Executive Officer  
(Mr I Nelson)

Head of Infrastructure & Natural Assets  
(Mr R Graham)

Acting Chief Financial Officer  
(Ms D Goodman)

Head of City Planning  
(Mr D Marr)

Head of Community and Culture  
(Ms T Cockburn)

Head of Governance  
(Ms C Shea)

Head of Regulatory Services  
(Mr R Brennan)

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

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

The Meeting closed at 8.10pm.

**COUNCIL MEETING**  
**MONDAY 15 JANUARY 2024**

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**1. ACKNOWLEDGEMENT OF COUNTRY**

The Mayor:

- made the following statement:

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

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

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

**2. ATTENDANCE AND APOLOGIES**

Refer to cover page.

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

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

**INTEREST DECLARED**

|                   |                     |
|-------------------|---------------------|
| <b>Cr Hunter</b>  | <b>Item No. 7.1</b> |
| <b>Cr Kennedy</b> | <b>Item No. 7.1</b> |
| <b>Cr Ritchie</b> | <b>Item No 11.2</b> |

## 4. OMNIBUS ITEMS

### 4.1 CONFIRMATION OF MINUTES

#### RECOMMENDATION:

That the Minutes of the Council Meeting held on 11 December 2023, as circulated, be taken as read and confirmed.

**Decision:** **MOVED** Cr Hulme **SECONDED** Cr Goyne

“That the Minutes of the Council Meeting held on 11 December 2023, as circulated, be taken as read and confirmed”.

**CARRIED UNANIMOUSLY**

### 4.2 MAYOR'S COMMUNICATION

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

- 12 December: Interview with Ryk Goddard regarding 11 December Council Meeting;  
Clarence Mountain Bike Park opening re Final Stage of Construction;  
Richmond Primary School - End of Year Assembly;
- 13 December: Rokeby Neighbourhood Centre's Christmas Luncheon;  
South Arm Peninsula – Men's Shed Official Opening Event;  
Coal River Valley Tourism Association Christmas Networking Event;  
SES Christmas Thank You BBQ;
- 18 December: Cambridge Primary School – End of Year Assembly;  
Southern Cross Care Meeting – Facility Tour;
- 19 December: Lauderdale Primary School – End of Year Assembly;  
Clarence High School – End of Year Assembly;
- 20 December: Lindisfarne North Primary School – End of Year Assembly;  
City Development Committee Work Program Meeting for 2024;
- 21 December: Bellerive Primary School Grade 6 Leaver's Assembly;  
Honours and Awards Working Group Meeting;
- 22 December: Interview with Triple M Breakfast – regarding High Performance Centre;  
Leon Compton – ABC Mornings – regarding High Performance Centre;  
Media Call regarding AFL High Performance Centre;
- 23 December: Cricket Tasmania – BBL – Hurricanes v Renegades;
- 25 December: Salvation Army Community Christmas Lunch;
- 27 December: Taste of Summer VIP Invitation;
- 28 December: BBL – Hobart Hurricanes v Melbourne Stars;
- 6 January: Launch of Tasmanian Statewide Bowls Championship;  
Official Opening of Bellerive Beach Party;  
Jack Jumpers v Taipans – guest of Beetle Black Media;

/ contd on Page 5...

**MAYOR'S COMMUNICATION /contd...**

- 11 January: Media Opportunity promoting change in Dog Policy;  
Exhibition Opening at Rosny Barn;
- 12 January: ABC Breakfast Radio Interview – Hard Waste and Waste Strategies; and  
Road Network Survey Truck (surveying council roads) – Media Shoot.

**Deputy Mayor Councillor Allison Ritchie (on behalf of Mayor)**

- 14 December: Emmanuel Christian School – End of Year Assembly;
- 15 December: Rose Bay High School – End of Year Assembly;
- 19 December: Rokeby Primary School – End of Year Assembly;  
Bayview Secondary College – Presentation Day Assembly; and
- 21 December: Howrah Primary School – End of Year Assembly.

**Councillor Emma Goyne (on behalf of Mayor)**

- 14 December: Southern Support School – End of Year Assembly.

**Councillor Heather Chong (on behalf of Mayor)**

- 21 December: Risdon Vale Primary School – End of Year Assembly.

The Mayor also:

- Acknowledged the Proclamation of His Majesty King Frederik X and Her Majesty Queen Mary of Denmark on 14 January 2024 and noted that the Danish Flag was flown outside the Council Chambers on 15 January.
- Tabled a card from Pam and Tony Green thanking Council for the Clarence Christmas Brunch held at the Howrah Community Centre on Christmas Day. On behalf of Council, the Mayor extended appreciation to Major Joel Clifford and his team at the Salvation Army Clarence City who organised and conducted the event.
- Tabled a letter from Mrs Alison Merridew thanking Council for the Bellerive Beach Party held on 6 January 2024. The Mayor advised that the event was very well supported by the community and on behalf of Council, thanked Council's Head of Community and Culture Mrs Cockburn and her Arts & Events Team for a successful and professionally executed event.
- Tabled a letter from Mr Russell Hanson, congratulating Council on being awarded the location for the AFL High Performance Centre.
- Tabled a copy of the submission from the Greater Hobart Councils to the State Government regarding the Draft River Derwent Ferry Service Masterplan.

#### 4.3 COUNCIL WORKSHOPS

A Councillors' Meeting Briefing (workshop) was conducted on the Friday immediately preceding the Council Meeting.

##### **RECOMMENDATION:**

The Councillors' Meeting Briefing (workshop) conducted on the Friday immediately preceding the Council Meeting be noted.

**Decision:** **MOVED** Cr Hulme **SECONDED** Cr Goyne

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

#### 4.4. TABLING OF PETITIONS

Nil Items.

#### **4.5 REPORTS FROM OUTSIDE BODIES**

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

#### **REPORTS FROM SINGLE AND JOINT AUTHORITIES**

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

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

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

Representative: Cr James Walker

**Quarterly Reports**

December Quarterly Report pending.

**Representative Reporting**

- **SOUTHERN TASMANIAN REGIONAL WASTE AUTHORITY**

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

**Representative Reporting**

Cr Warren tabled the Inaugural Annual Report for the Southern Tasmanian Regional Waste Authority and the Quarterly Report for the period ending 31 December 2023.

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

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

**RICHMOND BICENTENNIAL**

- Cr Chong tabled a report regarding the Richmond Bicentennial Launch Weekend held 8 – 11 December 2023.

**SUSTAINABILITY ADVISORY COMMITTEE**

- Cr Hunter tabled the minutes of the Sustainability Advisory Committee held on 11 December 2023.



**4.6 WEEKLY BRIEFING REPORTS**

The Weekly Briefing Reports of 11 and 18 December 2023 and 1 and 8 January 2024 have been circulated to Councillors.

**RECOMMENDATION:**

That the information contained in the Weekly Briefing Reports of 11 and 18 December 2023 and 1 and 8 January 2024 be noted.

**Decision:** **MOVED** Cr Hulme **SECONDED** Cr Goyne

“That the Recommendation be adopted”.

**CARRIED UNANIMOUSLY**

## **5. PUBLIC QUESTION TIME**

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

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

### **5.1 PUBLIC QUESTIONS ON NOTICE**

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

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

Mr Thomas Chick of Mornington gave notice of the following question:

#### **GREATER HOBART BUSHFIRE EXPOSURE INDEX**

Geoneon has recently released their Greater Hobart Bushfire Exposure Index, funded by the Australian Government and in partnership with Hobart, Glenorchy and Kingborough Councils. The Index and associated report cover only those three councils. It is notable that Clarence, the only remaining member of the Greater Hobart Committee, is not included.

Was Clarence City Council approached by Geoneon to participate in the Index? If so, did Clarence decline? If so, for what reason(s)?

### **5.2 ANSWERS TO QUESTIONS ON NOTICE**

Council's Chief Executive Officer provided the following answer to the question from Mr Thomas Chick at Item 5.1.

#### **GREATER HOBART BUSHFIRE EXPOSURE INDEX**

The work on the Greater Hobart Bushfire Exposure Index was completed in 2022 and released at the end of 2023. Clarence Council was not invited to be part of this project, which was funded by the federal government and state government. The Geoneon project, was a collaboration with the University of Tasmania and funded by the Tasmania SES National Disaster Risk Reduction Grant.

Clarence Council did provide a letter of support for another round of funding to replicate the mapping in Clarence, however this application was unsuccessful.

The data is input into the model looking at bushfire risk and is therefore beneficial to Council. We will write to Geoneon and the State government to advise that we are interested in a partnership approach for future opportunities.

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

Nil.

**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)

### **AFL HIGH PERFORMANCE CENTRE**

Ms Helen Tait addressed the meeting regarding the above matter.

Mr Terry Polglase addressed the meeting regarding the above matter.

Ms Michelle Laffer addressed the meeting regarding the above matter.

### **DEVELOPMENT APPLICATION PDPLANPMTD-2022/032299 – 6 PAIGE COURT, WARRANE – 10 MULTIPLE DWELLINGS AND THREE COMMUNAL RESIDENCES (REFER ITEM 7.3)**

Mr Matt Brown addressed the meeting regarding the above Development Application.

|                                     |
|-------------------------------------|
| <b>7 PLANNING AUTHORITY MATTERS</b> |
|-------------------------------------|

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-2023/038850 – 7 BANGALEE STREET, LAUDERDALE - ADDITIONS AND ALTERATION (SINGLE DWELLING)****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Additions and Alteration (Single Dwelling) at 7 Bangalee Street, Lauderdale.

**RELATION TO PLANNING PROVISIONS**

The land is zoned General Residential, and subject to the Parking and Sustainable Transport Code, Coastal Inundation Hazard Code and Safeguarding of the Airports Code under the *Tasmanian Planning Scheme - Clarence* (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

Council is required to exercise a discretion within the statutory 42-day period which expires on 15 January 2024.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and no representations were received.

**RECOMMENDATION:**

- A. That the Planning Application for Additions and Alteration (Single Dwelling) at 7 Bangalee Street, Lauderdale (CI Ref PDPLANPMTD-2023/038850) be refused because the proposal is contrary to the provisions of the *Tasmanian Planning Scheme – Clarence* for the following reason.
  - 1. The proposal does not comply with Clause 8.4.2 P2 of the Scheme relating to setbacks for carports and garage because the setbacks for the proposed garage are not comparable to any carports or garages existing within the street.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

/ Refer to Page 14 for Decision on this Item...

**DEVELOPMENT APPLICATION PDPLANPMTD-2023/038850 – 7 BANGALEE STREET, LAUDERDALE - ADDITIONS AND ALTERATION (SINGLE DWELLING)  
/contd...**

Cr Hunter declared an Interest in this Item and left the meeting prior to discussion (7.24pm).

Cr Kennedy declared an Interest in this Item and left the meeting prior to discussion (7.24pm).

|                  |  |
|------------------|--|
| <b>Decision:</b> | <b>MOVED</b> Cr Warren <b>SECONDED</b> Cr Goyne  |
|                  | <p>“A That the Planning Application for Additions and Alteration (Single Dwelling) at 7 Bangalee Street, Lauderdale (CI Ref PDPLANPMTD-2023/038850) be approved subject to the following condition and advice:</p> <p>1. GEN AP1 – ENDORSED PLANS.</p> <p><b>ADVICE</b></p> <p>a. This Permit will lapse after two years from the date on which it is granted unless the development/use has been substantially commenced. Upon request, under Section 53(5A) of the Land Use Planning and Approvals Act 1993, Council may grant an extension of time for a further two years. A further two years may be granted upon request under Section 53(5B) of the Land Use Planning and Approvals Act 1993. Any such requests must be made in writing and within six months of the day on which the permit has lapsed.</p> <p>b. This is a town planning permit only. Please be aware that a building permit and/or a plumbing certificate of likely compliance or plumbing permit may be required before the development can proceed. It is recommended that you contact Council’s Building Department on (03) 6217 9580 to discuss the requirement for any additional permits or certification.</p> ” |

/ Decision contd on Page 15...

**DEVELOPMENT APPLICATION PDPLANPMTD-2023/038850 – 7 BANGALEE STREET, LAUDERDALE - ADDITIONS AND ALTERATION (SINGLE DWELLING)  
/Decision contd...**

- B. That the reasons for Council's decision in respect of this matter are as outlined in the attached report with the exception that:
1. The proposal complies with Clause 8.4.2 of the Scheme relating to setbacks for carports and garages in that:
    - A setback of 2.9m for the proposed garage is greater than the setback of the existing carport and is comparable to other developments in the area.
    - The proposed garage is screened from the street by a fence.”

**CARRIED UNANIMOUSLY**

Cr Hunter returned to the meeting at 7.29pm.

Cr Kennedy returned to the meeting at 7.29pm.



**7.2 DEVELOPMENT APPLICATION PDPLANPMTD-2023/037666 – 12  
CHILEAN COURT, SANDFORD – DWELLING AND OUTBUILDING****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a dwelling and outbuilding at 12 Chilean Court, Sandford.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Rural Living and is subject to the Parking and Sustainable Transport Code, Road and Railway Assets Code, Bushfire-prone Areas Code, Landslip Hazard Code, Attenuation Code and Safeguarding of Airports Code and the Sandford Specific Area Plan under the Tasmanian Planning Scheme - Clarence (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

Council is required to exercise a discretion within the statutory 42-day period which expires on 31 January 2024, as agreed with the applicant.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and no representations were received.

**RECOMMENDATION:**

- A. That the Planning Application for a dwelling and outbuilding at 12 Chilean Court, Sandford (PDPLANPMTD-2023/037666) be refused because the proposal is contrary to the provisions of the Tasmanian Planning Scheme – Clarence for the following reasons.
1. The proposal does not comply with Clause C9.5.2 P1(a)-(e) *Sensitive use within an attenuation area*, as the proposed sensitive use has the potential to constrain the operation of an existing extractive activity listed in Table C9.1 of the Attenuation Code.
  2. The proposal does not comply with Clause CLA-S11.7.1 P1 *Residential amenity*, as the proposal design and location of the dwelling is considered unlikely to be protected from unreasonable noise impacts associated with the extractive activity located at 100 School Road, Sandford and does not protect the extractive activity from potential land use conflict arising from the dwelling development.

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

**Decision:****MOVED** Cr Mulder **SECONDED** Cr Kennedy

“A That the Planning Application for a dwelling and outbuilding at 12 Chilean Court, Sandford (PDPLANPMTD-2023/037666) be approved subject to the following conditions and advice:

1. GEN AP1 – ENDORSED PLANS.
2. GEN AP3 – AMENDED PLAN  
Amended Plans showing:
  - Mitigation measures of a 2.0m high wall (or similar) to the north-west of the dwelling as identified in Figure 2.4 of the Noise Impact Assessment Addendum (NVC – 7 December 2023).
3. GEN AM3 – EXTERNAL COLOURS.
4. NON-STANDARD CONDITION 1  
These noise mitigation measures must be implemented prior to the commencement of the use.

**ADVICE**

- a. This Permit will lapse after two years from the date on which it is granted unless the development/use has been substantially commenced. Upon request, under Section 53(5A) of the Land Use Planning and Approvals Act 1993, Council may grant an extension of time for a further two years. A further two years may be granted upon request under Section 53(5B) of the Land Use Planning and Approvals Act 1993. Any such requests must be made in writing and within six months of the day on which the permit has lapsed.
- b. This is a town planning permit only. Please be aware that a building permit and/or a plumbing certificate of likely compliance or plumbing permit may be required before the development can proceed. It is recommended that you contact Council’s Building Department on (03) 6217 9580 to discuss the requirement for any additional permits or certification.

/ Decision contd on Page 18...

**DEVELOPMENT APPLICATION PDPLANPMTD-2023/037666 – 12 CHILEAN COURT, SANDFORD – DWELLING AND OUTBUILDING /Decision contd...**

- c. An application for a Plumbing Permit to install an on-site wastewater disposal system must be submitted and approved as part of the Building Application.
- B. That the reasons for Council’s decision in respect of this matter are as follows:
  - 1. The proposal complies with clause c9.5.2 P1(a)-(e) Sensitive use within an attenuation area as the proposed sensitive use (residential) will not constrain the operation of an existing extracted activity listed in tables C9.1 of the Attenuation Code.
  - 2. The proposal complies with Clause CLA-S11.7.1 P1 Residential amenity, as the primary areas of inhabitation will experience levels below the QCoP daytime criteria of 45 decibels as per the Noise Impact Assessment Addendum of the Noise Vibration Consulting Report.”

**CARRIED****FOR**

Cr Blomeley  
Cr Chong  
Cr Darko  
Cr Goyne  
Cr Kennedy  
Cr Mulder  
Cr Ritchie  
Cr Warren

**AGAINST**

Cr Hulme  
Cr Hunter

**7.3 DEVELOPMENT APPLICATION PDPLANPMTD-2022/032299 – 6 PAIGE COURT, WARRANE - 10 MULTIPLE DWELLINGS AND THREE COMMUNAL RESIDENCES****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 10 Multiple Dwellings and three Communal Residences at 6 Paige Court, Warrane.

**RELATION TO PLANNING PROVISIONS**

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

**LEGISLATIVE REQUIREMENTS**

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

Council is required to exercise a discretion within the statutory 42-day period which expires on 18 January 2024.

**CONSULTATION**

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

- safety concerns relating to the increased traffic, on-street parking likely from the development, reduced sight lines along Paige Court, and increased congestion at the intersection with Cambridge Road;
- concerns in relation to the siteworks undertaken in recent months; and
- concerns about the proximity of the communal waste storage area to residences, and reliability (business viability) of private collection arrangements.

**RECOMMENDATION:**

A. That the Development Application for 10 Multiple Dwellings and 3 Communal Residences at 6 Paige Court, Warrane (CI Ref PDPLANPMTD-2022/032299) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

**2. GEN AP2 – STAGING****• Stage 1**

Construction of Townhouses 1 to 5, driveway, parking areas (Motorcycle parking spaces 1 and 2, car parking spaces 21 to 29), footpaths, installation of private stormwater to Townhouses 1 to 5, sewer to Townhouses 1 to 5, master water meter, individual Townhouse 1 to 5 water meters, bin enclosure, associated landscaping and letter boxes, and all shared plumbing infrastructure.

**• Stage 2**

Construction of Townhouses 6 to 10, footpaths, installation of private stormwater to Townhouses 6 to 10, sewer to Townhouses 6 to 10, individual Townhouse 6 to 10 water meters, visitor car parking spaces 38 and 39, motorcycle parking spaces 3 and 4, and associated landscaping.

**• Stage 3**

Construction of Communal Residences 1 to 3, driveway, parking areas (car parking spaces 29 to 37), footpaths, installation of private stormwater to each communal residence, sewer to each communal residence, individual water meters to each communal residence, associated landscaping and swale drain.

**3. GEN AP3 – AMENDED PLAN**

Amended plans showing:

- a revised North Elevation view of Unit 1 in DWG No A118 Rev B to match the following notation “opening in panel provided for traffic sight distances, minimum 850mm wide x 600mm high opening in panel 1.2m above driveway level” as shown on proposed site plan DWG No A002 Rev B, and
- the location of additional footpaths and crossings to provide occupants of Townhouses 6 to 10 and communal residence 13 safe crossings to reach the communal storage bin location, in a revised Car parking Landscaping Plan DWG No. A004 Rev B, must be submitted to and approved by Council’s Head of City Planning prior to the commencement of works or issue of building permit, whichever comes first, for Stage 1. When approved, the plans will form part of the permit.

**4. ENG A5 – SEALED CAR PARKING.****5. ENG M1 – DESIGNS DA.****6. ENG M3 – GARBAGE FACILITIES.****7. ENG M5 – EROSION CONTROL.****8. ENG S1 – INFRASTRUCTURE REPAIR.**

9. **NON-STANDARD CONDITION 1**  
A Construction Management Plan (CMP) identifying the proposed car parking, traffic flow and circulation measures to be undertaken during construction must be submitted to and approved by Council's Head of Infrastructure and Natural Assets prior to the granting of a building permit. The CMP must also identify construction hours, noise, vibration or dust mitigation measures.
10. **NON-STANDARD CONDITION 2**  
Details of the proposed private garbage collection service for the development are to be provided to and approved by Council's Head of Infrastructure and Natural Assets prior to the granting of a building permit. Upon approval, garbage collection (including future Food Organics and Garden Organics) must be undertaken in accordance with the approved arrangement unless an alternative on-site arrangement is subsequently approved by Council's Head of Infrastructure and Natural Assets.
11. The development must meet all required Conditions of Approval specified by TasWater notice, dated 25/11/2022 (TWDA 2022/01856-CCC).

**ADVICE**

- a. This Permit will lapse after two years from the date on which it is granted unless the development/use has been substantially commenced. Upon request, under Section 53(5A) of the Land Use Planning and Approvals Act 1993, Council may grant an extension of time for a further two years. A further two years may be granted upon request under Section 53(5B) of the Land Use Planning and Approvals Act 1993. Any such requests must be made in writing and within six months of the day on which the permit has lapsed.
- b. This is a town planning permit only. Please be aware that a building permit and / or a plumbing certificate of likely compliance or plumbing permit may be required before the development can proceed. It is recommended that you contact Council's Building Department on (03) 6217 9580 to discuss the requirement for any additional permits or certification.
- c. Council, as a Stormwater authority, formed a view that the proposed development will intensify the stormwater discharge from the property and hence requires approval under the Urban Drainage Act 2013 and the stormwater is to be designed as per Council's Stormwater Management Procedure for new development (Stormwater-Management-Procedure-for-New-Development (1).pdf). This requirement will be assessed as part of engineering plans assessment if the proposed DA is approved.

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

- d. The development is approved for residential uses within the sensitive use class only. Any future change of use, including for visitor accommodation or assisted living may require further planning approvals from the planning authority.
  - e. TasNetworks has advised the development is likely to adversely affect TasNetworks' operations. A low voltage underground cable runs in the road reserve where a driveway crossover is proposed and there is a streetlight in the proximity of the entrance which may need relocating. Consideration will be required to be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to this development. To understand what these requirements may entail, it is recommended you contact TasNetworks Early Engagement team at [early.engagement@tasnetworks.com.au](mailto:early.engagement@tasnetworks.com.au).
- 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.

|                  |   |
|------------------|---|
| <b>Decision:</b> | <b>MOVED</b> Cr Mulder <b>SECONDED</b> Cr Kennedy |
|                  | “That the Recommendation be adopted”.             |
|                  | <b>CARRIED UNANIMOUSLY</b>                        |

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

**8. REPORTS OF OFFICERS**

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

Nil Items.



## 8.2 ASSET MANAGEMENT

Nil Items.

### **8.3 FINANCIAL MANAGEMENT**

Nil Items.

#### **8.4 GOVERNANCE**

Nil Items.

**9. MOTIONS ON NOTICE**

Nil Items.

**10. COUNCILLORS' QUESTION TIME**

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

**10.1 QUESTIONS ON NOTICE**

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

Cr Hulme gave notice of the following question:

**ELECTRIC VEHICLES**

Noting that 11% of new car sales in Australia in 2023 were electric vehicles (EVs) and that the number of EVs sold is more than doubling every year:

1. Please provide the following information (or an estimate if an exact answer is not possible):
  - a. The number of registered private EVs in Clarence, and what percentage of registered private vehicles this represents.
  - b. The number and location of public EV charging stations in Clarence.
  - c. The number and location of private EV charging stations in Clarence.
2. What is Council's understanding of the current and projected future EV charging infrastructure needs in Clarence, and the capacity of the private sector to deliver it?
3. Does Council have any plans to assist in the delivery of EV charging infrastructure further to the installation of an EV charging station at Council chambers?

**10.2 ANSWERS TO QUESTIONS ON NOTICE**

Council's Chief Executive Officer provided the following Answer to Cr Hulme's Question listed at Item 10.1.

**ELECTRIC VEHICLES**

Most recent statistics indicate there are 51 privately registered EV's in Clarence, with nine public charging stations. Council has received external advice that no further charging stations are needed in Clarence at this time. However, officers are continually working with industry partners to ensure fit-for-purpose infrastructure is considered. Planning is well underway for Council's light vehicle fleet to transition towards electric vehicles, as well as investigating additional charging infrastructure. A briefing report based on your questions will be provided to Councillors.

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

Cr James

1. In response to a question I asked at the last meeting, I was advised what Council's cash reserves were at 30 June 2023. The answer referred to amongst other things, 58.1 million dollars was subject to restrictions for employee provisions but not limited to infrastructure renewal, 45.074 million dollars was therefore considered unrestricted at that time. That 45 million dollars, could that be directed to any particular project or need to be directed towards a major project within the city as part of a major redevelopment of this space?

**ANSWER**

(Chief Financial Officer) Those monies are all allocated to existing projects within our capital or operational budgets, to move any of those monies would be a matter for Council.

2. On our rates notice there is a reference to the Tasmanian Collection Service, and I think has the words "may" or "is to be contacted" should a ratepayer fail to meet his or her obligation to pay their rates on time. Is it possible for some of that wording to be changed so that it may not necessarily frighten the ratepayers because it seems as though the very wording does imply that the Tasmanian Collection Service will as a matter of course collect unpaid rates?

**ANSWER**

Taken on notice.

(Further information) All Council rates notices have commentary that if rates are not paid on time or a formal payment arrangement is not entered into the ratepayer may be referred to our collection agency for possible legal action. Our final notice which is only issued to ratepayers with a minimum of two instalments outstanding has a heading of "overdue/final notice – referral to Tas Collection Service". Further, on the notice it says unless payment or contact is made with Council the account will be referred to Tas Collection Service. We recently issued almost 1900 final notices and have only received two complaints about the wording on the notice. The notices have had the same wording for many years and complies with the requirements of the Local Government Act 1993.

Cr Walker

1. Mr Mayor, my question relates to something you mentioned earlier when reading out some correspondence in relation to the upgrades in the Percy Street area. I have had some feedback from some of the Bellerive residents that the state of the road immediately leading up to that area is quite degraded with potholes on the Clarence Street side. Would it be the engineering department's plan to deal with those once all the road works have been completed and the use of heavy trucks has ended?

**ANSWER**

Taken on notice.

(Further information) The section of Cambridge Road (between Clarence Street and Percy Street) has been identified as reaching end of life and is due for reconstruction. A works program is being developed. To minimise disruption to local residents and businesses, these renewal works would likely be completed in conjunction with upgrades at the Cambridge Road / Clarence Street traffic signals.

2. Page 41 of the Quarterly Report mentions a delay in installing the drinking fountain at the park in De Bomford Lane. There are two shelters and barbecues which are incredibly popular at this time of the year. Can we have a timeline of when we can expect that? Given the absence of this fountain families are now having to use the hand basin associated with the toilet to access water. Could we look at prioritising this drinking fountain please?

#### **ANSWER**

Taken on notice.

(Further information) The drinking station for De Bomford Lane, Geilston Bay has arrived for installation. Assessment is being carried out on a location and whether the infrastructure needs a back-flow prevention device, which will take some more time and additional cost to coordinate. We will provide further information and timing to Council once these items have been resolved.

TasWater has flushed the water main leading to the existing toilet block and a further check this week has found the water to be clear.

### **10.4 QUESTIONS WITHOUT NOTICE**

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

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

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

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

**11. CLOSED MEETING**

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

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

11.1 APPLICATIONS FOR LEAVE OF ABSENCE

11.2 PROPERTY MATTER - ROKEBY

11.3 LEGAL MATTER

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

- applications by Councillors for a Leave of Absence;
- matters relating to actual or possible litigation; and
- the personal hardship of a ratepayer or person living in the municipal area.

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

**Decision:****PROCEDURAL MOTION**

**MOVED** Cr Ritchie **SECONDED** Cr Goyne

“That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”.

**CARRIED UNANIMOUSLY**

The Meeting closed at 8.10pm.