

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL (PLANNING AUTHORITY) HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 21 MARCH 2016

HOUR CALLED: 7.00pm

PRESENT: The meeting commenced at 7.03pm with the Mayor (Ald D C Chipman) in the Chair and with Aldermen:

N M Campbell
H Chong
P Cusick
D Doust
D Hulme
R H James
P K McFarlane
J P Peers
D Thurley
S von Bertouch

1. APOLOGIES J Walker

ORDER OF BUSINESS Items 1 – 3

IN ATTENDANCE General Manager
(Mr A Paul)
Corporate Secretary
(Mr A van der Hek)
Manager City Planning
(Mr R Lovell)
Principal Engineer
(Mr R Graham)
Corporate Treasurer
(Mr F Barta)
Manager Health and Community Development
(Mr J Toohey)

The Meeting closed at 7.21 pm.

Prior to the commencement of the meeting, the Mayor made the following declaration:

“I acknowledge the Tasmanian Aboriginal Community as the traditional custodians of the land on which we meet today, and pay respect to elders, past and present”.

The Mayor also advised the Meeting and members of the public that Council Meetings, not including Closed Meeting, are audio-visually recorded and published to Council’s website.

CLARENCE CITY COUNCIL (PLANNING AUTHORITY) MEETING

MONDAY 21 MARCH 2016

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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. ATTENDANCE AND APOLOGIES

Refer to cover page.

2. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE

(File No 10-03-09)

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

INTEREST DECLARED

Nil.

3. REPORTS OF OFFICERS

PART A DEPUTATIONS

Mr Philip Drew addressed the Meeting on behalf of the applicant, Bunnings Group and answered questions from Aldermen regarding the Development Proposal

PART B FORMAL PROCEEDINGS

3.1 DEVELOPMENT APPLICATION D-2016/40 - 25 SOUTH ARM HIGHWAY, MORNINGTON - BULKY GOODS STORE (BUNNINGS WAREHOUSE)
(File No D-2016/40)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to consider the application made for a Bulky Goods Store (Bunnings Warehouse) at 25 South Arm Highway, Mornington.

RELATION TO PLANNING PROVISIONS

The land is zoned Light Industrial and subject to the Potentially Contaminated Land, Road and Railway Assets, Signs, Parking and Access and Stormwater Management Codes under the Clarence Interim Planning Scheme 2015 (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 has been extended with the consent of the applicant and now expires on 23 March 2016.

CONSULTATION

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

RECOMMENDATION:

A. That the Development Application for Bulky Goods Store (Bunnings Warehouse) at 25 South Arm Highway, Mornington (CI Ref D-2016/40) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN AM1 – NUISANCE.
3. GEN AM4 – CONSTRUCTION HOURS.
4. GEN AM5 – TRADING HOURS.

Monday – Friday	6.00am – 10.00pm
Saturday, Sunday and Public Holidays	6.00am – 7.00pm.

5. Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50m of a residential zone must be within the hours of:
 - (a) 7.00am to 5.00pm Mondays to Fridays inclusive;
 - (b) 9.00am to 5.00pm Saturdays; and
 - (c) 10.00am to 12 noon Sundays and public holidays.

6. Noise emissions measured at the boundary of a residential zone must not exceed the following:
 - (a) 55dB(A) (LAeq) between the hours of 7.00am to 7.00pm;
 - (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00pm to 7.00am;
 - (c) 65dB(A) (LAm_{ax}) at any time.

Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minutes time interval.

7. External lighting must comply with all of the following:
 - (a) be turned off between 10.00pm and 6.00am, except for security lighting; and
 - (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.

8. GEN M2 – NO WORKS.

9. GEN M14 – STORAGE AREAS.

10. GEN S3 – SIGN ILLUMINATION.

11. GEN S8 - SIGN ILLUMINATION HOURS. Delete “sign” and replace with “signage” and delete “operating” and replace with “trading”.

12. Not less than 266 car parking spaces must be provided on-site prior to the commencement of the use. Each space, including disabled parking, must be clearly marked and used solely for parking purposes.

Plans showing the layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with Section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking. The Plans must provide for external lighting to illuminate car parking areas and pathways.

Suitable signage must be provided to direct staff employed at the shopping centre to park at the rear of the building.

Accessible car parking for people with a disability in accordance with the requirements of the Building Code of Australia must be provided as close as practicable to the main building entrance.

13. ENG A5 – SEALED CAR PARKING.
14. ENG M1 – DESIGNS DA.
15. ENG M5 – EROSION CONTROL.
16. ENG S1 – INFRASTRUCTURE REPAIR.
17. ENG S11 – SEALING OF SERVICES.
18. The South Arm Highway – Service Road junction must be upgraded with the installation of traffic lights in accordance with the recommendations of the Traffic Impact Assessment, including a dedicated left turn lane, prior to the commencement of use. The traffic lights must be connected to advance electronic warning sign for the northbound carriageway. The junction upgrade, traffic lights and advance warning signs must be designed, constructed and be operational to the satisfaction of the Department of State Growth (DSG) prior to the commencement of use on-site.
19. Vehicular access to be constructed in accordance with the DSG's Works Permit. Works on or effecting, the State Road Reservation must not be commenced until the necessary approvals have been obtained by contacting DSG's Approval Section on (03)61663369 or email to permits@stategrowth.tas.gov.au.
20. The service road must be upgraded to accommodate access for a B-Double design vehicle into the development site, prior to the commencement of use. Works required to facilitate this will include, but are not limited to, pavement widening and the installation of kerb and gutter.
21. All stormwater run-off from impervious surfaces within the site must be treated and discharged from the site using Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions (or the MUSIC model) must be approved by Council's Group Manager Asset Management prior to the issue of building and plumbing permits. This report must include the maintenance management regime/replacement requirements for the treatment facility and must be operational prior to the commencement of use.

22. GEN F5 – PART 5 AGREEMENT.
Insert prior to first sentence “Prior to commencement of use or the issue of a Completion Certificate (whichever occurs first)”.
[• the maintenance management schedule/regime obligations for the stormwater treatment facility for the site; and
• requires reporting to Council on an annual basis stating that all maintenance requirements for the facility have been met].
 23. An Environmental Management Plan must be submitted to and approved by Council’s Senior Environmental Health Officer prior to the granting of a Building Permit. The plan must include details of the nature and location of material to be cut from the site and details of the proposed dust suppressions methods and all site works must be undertaken in accordance with the recommendations of the approved plan.
 24. LAND 1 – LANDSCAPE PLAN.
 25. LAND 3 – LANDSCAPE BOND (COMMERCIAL).
 26. The development must meet all required Conditions of Approval specified by TasWater notice dated 4 February 2016 (TWDA 2016/00106-CCC).
 27. ADVICE 5 – FOOD SPECIFICATIONS ADVICE.
 28. ADVICE 6 – FOOD REGISTRATION ADVICE.
- 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 8 for Decision...

**DEVELOPMENT APPLICATION D-2016/40 - 25 SOUTH ARM HIGHWAY,
MORNINGTON - BULKY GOODS STORE (BUNNINGS WAREHOUSE)
/contd...**

Decision:	MOVED: Ald McFarlane	SECONDED: Ald Hulme
	<p>“A. That Council adopts the officers recommendation, subject to</p> <ol style="list-style-type: none"> 1. Condition 9 being amended to insert at the end of the first sentence “...except for outdoor display areas indicated on the endorsed plans”. 2. Condition 12 being amended to delete the third paragraph. <p>B. That the reasons for Council’s decision in respect of this matter be recorded as follows.</p> <ul style="list-style-type: none"> • The change to Condition 9 is appropriate as it should not apply to temporary and orderly displays of products for sale, including plants and other garden products such as wheelbarrows and compost bins when arranged in defined areas adjoining the main warehouse and nursery entrances. As drafted the conditions is intended for storage, rather than such displays – however the amendment will resolve any uncertainty. • The change to Condition 12 is appropriate as staff parking will be located in the least convenient locations on-site, rather than at the rear and therefore signage to staff parking at the rear is not required. It is noted that standard Bunnings operational practice is to manage staff parking to ensure maximum convenient parking for customers”. 	
	CARRIED	
	<p>FOR Ald Campbell Ald Chipman Ald Chong Ald Cusick Ald Doust Ald Hulme Ald McFarlane Ald Peers Ald Thurley Ald von Bertouch</p>	<p>AGAINST Ald James (abstained)</p>

The Meeting closed at 7.21 pm

