

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL (PLANNING AUTHORITY) HELD AT THE COUNCIL CHAMBERS, Blich Street, Rosny Park, on Monday 8 May 2017

HOUR CALLED: 7.30pm

PRESENT: The meeting commenced at 7.30pm with the Mayor (Ald D C Chipman) in the Chair and with Aldermen:

N M Campbell
H Chong
P Cusick
D Doust
D Hulme
P K McFarlane
D Thurley
S von Bertouch
J Walker; present.

1. APOLOGIES
J Peers (Leave of Absence)
R H James

ORDER OF BUSINESS Items 1 –3

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

The Meeting closed at 7.42pm.

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 8 MAY 2017

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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

Alderman Chipman Item No. 3.1

3. REPORTS OF OFFICERS

**3.1 DEVELOPMENT APPLICATION D-2016/554 - 38 GORDONS HILL ROAD,
LINDISFARNE - RETIREMENT VILLAGE**
(File No D-2016/554)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Retirement Village at 38 Gordons Hill Road, Lindisfarne.

RELATION TO PLANNING PROVISIONS

The land is zoned Particular Purpose (Zone 3) – Gordons Hill Precinct and subject to the Bushfire Prone Areas, Natural Assets, Waterways and Coastal Protection Areas, Road and Railways Assets, 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.

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which expires on 11 May 2017.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 8 representations were received (one outside the statutory advertising period), including 2 from State Government departments, raising the following issues:

- bike paths to the northern side of the Tasman Highway;
- general support for the application;
- impact on wildlife and natural values and no wildlife corridors provided;
- existing natural values of the site not considered;
- the applicant's natural values report is limited in important respects and the development should be redesigned to retain the Eucalyptus vegetation;
- further surveys should be undertaken; and
- contrary to the Environmental Protection and Biodiversity Conservation Act (EPBCA).

The proposal was considered by the Tracks and Trails Committee who raised the following issues:

- perimeter track within the site;
- internal road crossings; and
- upgrade of the existing “Gregson Track” located within the site and in proximity to its southern boundary.

RECOMMENDATION:

A. That the Development Application for a Retirement Village at 38 Gordons Hill Road, Lindisfarne (CI Ref D-2016/554) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. 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.
3. Parking and vehicle circulation roadways and pedestrian paths must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.
4. An amended site plan showing any revisions to the independent living units (in compliance with the approved standard types and variations) as may be required throughout the construction process, depending on the requirements of prospective purchasers, must be submitted and approved by Council’s Manager City Planning prior to applications for building and plumbing permits for each unit. When approved, the amended site plan will form part of the development permit.
5. Prior to the commencement of the development, a Construction Management Plan must be submitted to and approved by Council’s Group Manager Asset Management. The Construction Management Plan must include the following:
 - public safety, amenity and site security;
 - air and dust management;
 - operating hours, noise and vibration controls;
 - stormwater and sediment control;
 - the management of waste collection;
 - car parking and traffic management during the construction stage;
 - measures to protect trees to be retained as part of the landscaping;
 - works are undertaken generally in accordance with “Wetlands and Waterways Works Manual” (DPIWE, 2003) and “Tasmanian Coastal Works Manual” (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided; and

- measures to minimise the impact of construction vehicles arriving and departing from the site.
6. Access to the development is to be provided from Gordons Hill Road via a round-about, to be constructed by the developer, which will also formalise access to Toogood Drive. The round-about and associated infrastructure must be constructed and commissioned prior to a completion certificate being issued for the first stage of the proposed development, or the development commencing use (whichever occurs first). This access point is to form the sole and principle point of access to the site, however, a secondary construction access point may be utilised whilst the principle point of access is being constructed and until the first stage of the development is in use.
 7. The development must be undertaken, maintained and operated in accordance with the Bushfire Hazard Management Plan and an Emergency Management Plan prepared by Ireneinc and dated March 2017.
 8. GEN M14 – STORAGE AREAS.
 9. ENG A5 – SEALED CAR PARKING.
 10. ENG A7 - REDUNDANT CROSSOVER.
 11. ENG S1 – INFRASTRUCTURE REPAIR.
 12. ENG S10 – UNDERGROUND SERVICES.
 13. ENG M1 – DESIGNS DA.
 14. ENG M5 – EROSION CONTROL.
 15. ENG M6 – CONSTRUCTION FENCING.
 16. ENG M7 – WEED MANAGEMENT.
 17. ENG R1 – ROAD NAMES.
 18. ENG R2 – URBAN ROAD.
 19. ENG R5 – ROAD EXTENSION.

20. All stormwater run-off from impervious surfaces within the site must be treated and discharged from 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 submitted to Council's Group Manager Asset Management for approval prior to the issue of building or plumbing permits or certificates of likely compliance. This report is to include the maintenance management regime/replacement requirements for the treatment facility. Easements must be placed over all Council stormwater pipes and overland flow paths through the development in order to facilitate the development.
21. All new dwellings within 50m of the Tasman Highway are to incorporate attenuation measures to achieve a noise level not exceeding the following:
- | | Night Time | Day Time |
|-----------------|------------|----------|
| Living Areas: | 35 db(A) | 45 db(A) |
| Sleeping Areas: | 30 db(A) | 40 db(A) |
22. These attenuation measures are to be certified by a recognised Acoustic Engineer or other appropriately qualified person to the satisfaction of Council's Senior Environmental Health Officer and submitted as part of the application for a Building Permit.
23. Accumulated vegetation or the like must be managed by:
- (a) chipping/mulching for removal or reuse on the site; or
 - (b) removal from the site to a location to be approved by Council's Senior Environmental Health Officer prior to such removal; or
 - (c) removal to a waste management facility licensed to take such material (receipts must be retained as proof of disposal location); or
 - (d) other method approved in writing by Council's Senior Environmental Health Officer.
24. EHO 4 – NO BURNING.
25. LAND 1A – LANDSCAPE PLAN.

26. A weed management plan identifying methods to control weeds, must be submitted to and approved by Council’s Group Manager Asset Management prior to commencement of works. The plan must reference any Weeds of National Significance and Declared Weeds under the Weed Management Act and address the spread of soil based pathogens in accordance with the Tasmanian Washdown Guidelines for Weed and Disease Control. The plan must identify the weed species, initial treatment, on-going management and maintenance period thereof. The plan may include manual removal of larger plants and/or chemical control as recommended by the relevant Government department. The plan must include a detailed breakdown of estimated costs.

The works for each development stage must be completed prior to the commencement of the use.

27. The development must meet all required Conditions of Approval specified by TasWater notice dated 20 January 2017 (TWDA 2016/01970-CCC).

ADVICE

The Department of State Growth notes that there is to be stormwater detention on-site to minimise peak flows through the Gordons Hill Road underpass beneath the Tasman Highway. Changes to stormwater discharge into the Tasman Highway reservation will require approval under Section 17B of the Roads and Jetties Act, 1935.

- 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.

The Mayor declared an Interest in this Item and left the Meeting prior discussion (7.32pm).

The Deputy Mayor assumed the Chair.

Decision:	MOVED Ald Cusick SECONDED Ald Doust “That the Recommendation be adopted” CARRIED UNANIMOUSLY
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The Mayor returned to the Meeting at this stage and resumed the Chair (7.42pm).

The Meeting closed at 7.42pm.