

# **MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL (PLANNING AUTHORITY) CONDUCTED ELECTRONICALLY ON MONDAY 13 JULY 2020**

**HOUR CALLED:** 6.30pm

**PRESENT:** The meeting commenced at 6.30pm with the Mayor (Ald D C Chipman) in the Chair and with Aldermen:

B A Blomeley  
H Chong  
L Edmunds  
D Ewington  
R H James  
W Kennedy  
T Mulder  
J Peers  
S von Bertouch  
J Walker  
B Warren; present.

**1. APOLOGIES** Nil

**ORDER OF BUSINESS** Items 1 – 3

**IN ATTENDANCE**

General Manager  
(Mr I Nelson)

Chief Financial Officer  
(Ms M Coleman)

Development Engineer  
(Mr M Melton)

Manager City Planning  
(Mr R Lovell)

Executive Officer to General Manager  
(Ms J Ellis)

The Meeting closed at 7.02pm.

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.

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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**

Nil.

## **3. REPORTS OF OFFICERS**

### **PART A DEPUTATIONS**

Deputations were received from the following parties and were read out by the General Manager:

- Mr Gary Swain, the Deputy Secretary Transport Services of the Department of State Growth (proponent).
- Ms Emma Riley (on behalf of representor parties).

### **PART B – FORMAL PROCEEDINGS**

<b>3.1 DEVELOPMENT APPLICATION D-2020/009430 - LAND AT THE JUNCTION OF TASMAN HIGHWAY, HOLYMAN AVENUE, KENNEDY DRIVE AND CRANSTON PARADE - TASMAN HIGHWAY/HOBART INTERNATIONAL AIRPORT INTERCHANGE</b> (File No PDPLANPMTD-2020/009430)
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## **EXECUTIVE SUMMARY**

### **PURPOSE**

The purpose of this report is to consider the application made for a Tasman Highway/Hobart International Airport Interchange on Land at the junction of Tasman Highway, Holyman Avenue, Kennedy Drive and Cranston Parade.

### **RELATION TO PLANNING PROVISIONS**

The land is zoned Utilities and Light Industrial and subject to the Road and Railway Assets, Waterway and Coastal Protection, Inundation Prone Areas, Airport Buffer, Natural Assets 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 16 July 2020.

### **CONSULTATION**

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

- suggested design changes;
- effect of construction works on Richmond;
- effect on business operations;
- lack of capacity for future development;
- stormwater management; and
- riverine inundation hazard area.

Referral responses were also received from the Policy and Conservation Advice Branch of the Department of Primary Industries, Parks, Water and Environment, Aboriginal Heritage Tasmania which are considered in Section 6 of this report.

**RECOMMENDATION:**

- A. That the Development Application for a Tasman Highway/Hobart International Airport Interchange on Land at the junction of Tasman Highway, Holyman Avenue, Kennedy Drive and Cranston Parade (CI Ref PDPLANPMTD-2020/009430) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
  2. GEN AP3 – AMENDED PLAN [line marking adjustment and any consequential widening to the Cranston Parade left hand turn to the Hobart on Ramp to accommodate B-Double movements].
  3. Prior to the commencement of works, a plan for the management of construction of the site must be submitted and approved by Council's Manager City Planning. The plan must outline the proposed demolition and construction practices for the site in relation to:
    - identification and disposal of any potential acid sulfate soils in accordance with Tasmanian Acid Sulfate Soil Management Guidelines  
<http://dpipwe.tas.gov.au/Documents/ASS-Guidelines-FINAL.pdf> and <http://dpipwe.tas.gov.au/Documents/ASS-Operational-FINAL.pdf>);
    - proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on-site);
    - identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
    - control of dust and emissions during working hours;
    - construction parking;
    - proposed screening of the site and vehicular access points during work;
    - procedures for washing down vehicles, to prevent soil and debris being carried onto the street; and
    - traffic/pedestrian management.
  4. Prior to the commencement of any works associated with this permit, a Vegetation Management Plan (VMP) for the development area must be prepared to the satisfaction of Council's Manager City Planning and implemented to ensure retained values are protected and appropriately managed during construction. Specifically, the VMP will identify the locations of threatened values that are not permitted to be impacted and are required to be marked as exclusion zones. The VMP will delineate areas for the storing and movement of materials and machinery that will not further impact threatened values.

5. The landowner must enter into an agreement with Council under Part 5 of the Land Use Planning and Approvals Act, 1993 in such form as Council may require or create a reservation of the land by a Crown Land Order under Section 8 of the Crown Lands Act 1976. Such an agreement or Order must provide for the following:
  - the protection of offset areas identified by the North Barker Natural Values Assessment for the site dated 16 June 2017. The Part 5 Agreement or Order must be in accordance with the recommendations and detail measures and frequencies of weed control, threatened flora species management, and woody shrub and tree control as appropriate. Additionally, sheltering sites for the eastern barred bandicoot must also be provided in accordance with the specifications of the Natural Values Assessment.

If a Part 5 Agreement is preferred it will be prepared and registered by Council. The landowner is responsible for all Council and Land Titles Office fees and charges. Upon written request from the landowner and payment of relevant fees, Council will prepare the Part 5 Agreement.
6. Prior to the completion of works, a comprehensive signage plan and design of future cycle path connections to Kennedy Drive westbound and Tasman Highway eastbound must be prepared and constructed with the approval of Council's Group Manager Engineering Services.
7. ENG S1 – INFRASTRUCTURE REPAIR.
8. ENG R3 – RURAL ROAD.
9. ENG R5 – ROAD EXTENSION [Delete reference to balance lot].
10. ENG M5 – EROSION CONTROL [after the word "document" add "*and the DPIPWET Wetlands and Waterways Works Manual* (<http://dpiuwe.tas.gov.au/conservation/flora-of-tasmania/tasmanias-wetlands/wetlands-waterways-works-manual>)"]
11. ENG M6 – CONSTRUCTION FENCING.
12. ENG M7 – WEED MANAGEMENT PLAN.
13. All stormwater runoff 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 Engineering Services for approval prior to the start of works. This report must include the maintenance management regime/replacement requirements for the treatment facility as well as a site rehabilitation plan.

Sufficient stormwater detention is to be provided as part of the development to ensure that the stormwater discharge rates from the site do not exceed that of pre-development.

14. The section of the Tasman Highway east of the overpass bridge and the westbound offramp must be finished with microsurfacing/DGA to reduce expected traffic noise at the tourist park to below 68 dBA in 2030 in accordance with the recommendations of the Tarkarri Engineering Technical Memo dated 9 April 2020.
15. The development must meet all required Conditions of Approval specified by TasWater notice dated 05/06/2020 (TWDA 2020/00714-CCC).

ADVICE 16 – THREATENED SPECIES ADVICE.

ADVICE 17 – ABORIGINAL RELICS 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.

<b>Decision:</b>	<b>MOVED</b> Ald Blomeley <b>SECONDED</b> Ald Ewington		
	“That the Recommendation be adopted”		
	<b>CARRIED</b>		
	<table> <tr> <td data-bbox="558 1142 877 1585"> <b>FOR</b>  Ald Blomeley  Ald Chipman  Ald Chong  Ald Edmunds  Ald Ewington  Ald Kennedy  Ald Peers  Ald von Bertouch  Ald Walker  Ald Warren </td><td data-bbox="877 1142 1414 1585"> <b>AGAINST</b>  Ald James  Ald Mulder </td></tr> </table>	<b>FOR</b> Ald Blomeley Ald Chipman Ald Chong Ald Edmunds Ald Ewington Ald Kennedy Ald Peers Ald von Bertouch Ald Walker Ald Warren	<b>AGAINST</b> Ald James Ald Mulder
<b>FOR</b> Ald Blomeley Ald Chipman Ald Chong Ald Edmunds Ald Ewington Ald Kennedy Ald Peers Ald von Bertouch Ald Walker Ald Warren	<b>AGAINST</b> Ald James Ald Mulder		

The Meeting closed at 7.02pm