

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL PLANNING AUTHORITY HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 6 SEPTEMBER 2021

HOURL CALLED: 7.00pm

PRESENT: The meeting commenced at 7.01pm 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

Acting General Manager
(Ms M Coleman)

Group Manager Engineering Services
(Mr R Graham)

Manager City Planning
(Mr R Lovell)

Manager Communication and Strategic Development
(Mr C Paske)

Executive Officer to General Manager
(Ms J Ellis)

The Meeting closed at 7.59pm.

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 live-streamed, audio-visually recorded and published to Council’s website.

CLARENCE CITY COUNCIL (PLANNING AUTHORITY) MEETING**MONDAY 6 SEPTEMBER 2021****TABLE OF CONTENTS**

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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 Acting General Manager:

- Mr Geoff Curry (representor).
- Mrs Robyn Lewis (representor).
- Mr Justin Goc (representor).
- Mr Adrian Paine and Mr Sven Meyer (on behalf of DSG - proponent).

PART B – FORMAL PROCEEDINGS

3.1 DEVELOPMENT APPLICATION PDPLANPMTD-2021/017782 – THE TASMAN HIGHWAY, PITTWATER ROAD & VARIOUS ADJACENT LOTS (LOT 1 KENNEDY DRIVE, 1420 TASMAN HIGHWAY, AND 1431 TASMAN HIGHWAY) BETWEEN HOBART INTERNATIONAL AIRPORT & THE MIDWAY POINT CAUSEWAY, CAMBRIDGE - TASMAN HIGHWAY UPGRADES INCLUDING PITTWATER ROAD INTERSECTION UPGRADES**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Tasman Highway Upgrades including Pittwater Road Intersection upgrades at the Tasman Highway, Pittwater Road and various adjacent lots between Hobart International Airport and the Midway Point Causeway, Cambridge.

RELATION TO PLANNING PROVISIONS

The land is zoned Utilities, Rural Resource, Open Space, Recreation Zones and subject to the Bushfire Prone Areas, Road and Railway Assets, Parking and Access, Stormwater Management, Inundation Prone Areas, Historic Heritage. Signs, and Airport Buffer Codes under the Clarence Interim Planning Scheme 2015 (the Scheme) also apply. 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 8 September 2021, as extended with consent from the applicant.

CONSULTATION

The proposal was advertised in accordance with statutory requirements (21 days as per s.57(5) of *Land Use Planning and Approvals Act 1993* (LUPAA) and 3 representations were received raising the following issues:

- Inadequate stakeholder consultation and needs not addressed;
- Adverse impact on patronage/business;
- Inequitable treatment of stakeholders;
- Incorrect description of existing access arrangements;
- Lack of details as to grass species to be used in the exposed batter;
- Abuse of process;
- Construction timing not feasible;
- Inadequate consideration of adverse construction impacts including noise, security risks to adjoining properties;
- Inadequate details of vegetation removal work, proposed site rehabilitation;

- Incorrect assessment by applicant against the provisions of the Rural Resource Zone and Road and Railway Assets Code;
- State Policy for the Protection of Agricultural Land not considered;
- Adverse impact on the Eastern Gateway to Clarence, adverse impact on Tourism experience;
- Inadequate assessment against the Bushfire Prone Area Code;
- Land Acquisition process excluded from planning application;
- Incorrect mapping of Biodiversity Protection Area (BPA) overlay;
- Historic Heritage not adequately addressed; and
- Inadequate stormwater management on Pittwater Road;

RECOMMENDATION:

- A. That the Development Application for Tasman Highway Upgrades including Pittwater Road Intersection upgrades at the Tasman Highway, Pittwater Road and Various Adjacent Lots (Lot 1 Kennedy Drive, 1420 Tasman Highway, and 1431 Tasman Highway) between Hobart International Airport and the Midway Point Causeway, Cambridge (CI Ref PDPLANPMTD-2021/017782) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AP1 – AMENDED PLANS, insert the access from Tasman Highway to 1431 Tasman Highway, Cambridge on proposal plan Sheet 1912 (dated 24 June 2021) outside the pink area.
 3. Non-Statutory signs must not be displayed on the site or adjoining properties without further approval from Council.
 4. To ensure the Tasmania Golf Club Colorbond fence contributes positively to the streetscape all external surfaces must be maintained in good condition and free of graffiti.
 5. For the purposes of protecting Council's stormwater system all stormwater runoff 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 and consistent with the Stormwater System Management Plan for the relevant catchment. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions or a model using industry accepted proprietary software, such as MUSIC must be submitted to Council's Group Manager Engineering Services for approval prior to the commencement of works.
 6. ENG A1 – NEW CROSSOVER, delete TSD-R09 (Urban).

7. ENG M2 – DESIGNS SD, insert additional dot point after road design (including line marking); - shared path design.
8. ENG M5 – EROSION CONTROL.
9. ENG M6 – CONSTRUCTION FENCING.
10. ENG M7 – WEED MANAGEMENT PLAN.
11. ENG R2 – URBAN ROAD.
12. ENG S1 – INFRASTRUCTURE REPAIR.
13. ENG S5 – STORMWATER PRINCIPLES.
14. GEN M2 – NO WORKS.
15. EHO 6 – NOISE MANAGEMENT PLAN.
16. Prior to the commencement of works, as approved under this permit, 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:
 - (a) proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken onsite);
 - (b) 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;
 - (c) control of dust and emissions during working hours;
 - (d) construction parking;
 - (e) proposed screening of the site and vehicular access points during work;
 - (f) procedures for washing down vehicles, to prevent soil and debris being carried onto the street; and
 - (g) traffic/pedestrian management.
17. The development must meet all required Conditions of Approval specified by TasWater notice dated 08/04/2021 (TWDA 2021/00506-CCC).

ADVICE

- A. ADVICE 16 – THREATENED SPECIES ADVICE.
- B. ADVICE 17 – ABORIGINAL RELICS ADVICE.
- C. Based on the information provided, the use/development is not likely to adversely affect TasNetworks' operations and the standard arrangements (for developments of this type) will apply for connection to the electricity network. For further information, please refer to the TasNetworks' website: "New electricity connections – TasNetworks".
- D. Controlled activities (Airports (Protection of Airspace) Regulations) are also defined as any activities causing intrusions into the protected airspace through glare from artificial light or reflected sunlight, air turbulence from stacks or vents, smoke, dust, steam or other gases or particulate matter. Details will need to be provided to Hobart Airport for consideration if this proposal may subject the protected airspace around Hobart Airport to one or more of these items.

Please note that further to the above, any structures used in the construction process, such as cranes, may in fact be controlled activities and require separate approval under the Regulations.
- E. Council's Bicycle Steering Committee requests that the contractor liaise with Council engineering staff regarding the layout of the path intersection at the golf club entry – in particular placement of poles and angles on the path – to ensure the design complies with Austroads Part 6A – Paths for Walking and Cycling.
- 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 Ald Kennedy SECONDED Ald James
	<p>"A. That Council adopts the officer's recommendation commencing on page 5 of the Agenda, subject to the addition of the following Advice:</p> <p>F. Council encourages consultation between the owner of 'Milford' and the Department of State Growth in relation to the design of alternative access from Pittwater Road and invites a suitable permit application to implement such a design.</p>

/ Decision contd on Page 8...

DEVELOPMENT APPLICATION PDPLANPMTD-2021/017782 – THE TASMAN HIGHWAY, PITTWATER ROAD & VARIOUS ADJACENT LOTS (LOT 1 KENNEDY DRIVE, 1420 TASMAN HIGHWAY, AND 1431 TASMAN HIGHWAY) BETWEEN HOBART INTERNATIONAL AIRPORT & THE MIDWAY POINT CAUSEWAY, CAMBRIDGE - TASMAN HIGHWAY UPGRADES INCLUDING PITTWATER ROAD INTERSECTION UPGRADES /Decision contd...

- G. Council encourages consultation between the owner of ‘Milford’ and the Department of State Growth in relation to the provision of fire protection compliant access for Tasmania Fire Service (TFS) into the ‘Milford’ forest.
- 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 and further including.
- There is no plan for an alternative access to ‘Milford,’ however there are ongoing negotiations between the applicant and ‘Milford’ with regard to an alternative access in Pittwater Road and as such the plan would be subject to a separate planning permit application.
 - White Gum dry forest type DVC of Milford Forest is listed as Threatened at a State level (DPIPWE’s Tasmanian Threatened Native Vegetation Communities) and suitable TFS access is appropriate to assist in the protection of the area.”

CARRIED

FOR

Ald Blomeley
Ald Chipman
Ald Chong
Ald Edmunds
Ald Ewington
Ald James
Ald Kennedy
Ald Peers
Ald von Bertouch
Ald Walker
Ald Warren

AGAINST

Ald Mulder

The Meeting closed at 7.59pm.