

**From:** "Clarence City Council" <clarence@ccc.tas.gov.au>  
**Sent:** Wed, 29 Mar 2023 14:53:52 +1100  
**To:** "City Planning" <cityplanning@ccc.tas.gov.au>  
**Subject:** FW: REPRESENTATION - COMBINED DRAFT PLANNING SCHEME AMENDMENT AND DEVELOPMENT APPLICATION PDPSPAMEND-2021/019004  
**Attachments:** Representation - from JMG 29.03.23.pdf, Representation - from JMG 29.03.23.pdf  
**Categories:** Bec



## Brooke Thorp

Customer Contact Team | Clarence City Council

**a** 38 Bligh Street | PO Box 96 Rosny Park TAS 7018

**p** 03 6217 9500

**e** [bthorp@ccc.tas.gov.au](mailto:bthorp@ccc.tas.gov.au) | **w** [www.ccc.tas.gov.au](http://www.ccc.tas.gov.au)

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**From:** Katrina Hill <khill@jmg.net.au>  
**Sent:** Wednesday, 29 March 2023 2:37 PM  
**To:** Clarence City Council <clarence@ccc.tas.gov.au>  
**Cc:** Graeme Geard <magnacast@bigpond.com>; Matthew Clark <mclark@jmg.net.au>  
**Subject:** REPRESENTATION - COMBINED DRAFT PLANNING SCHEME AMENDMENT AND DEVELOPMENT APPLICATION PDPSPAMEND-2021/019004

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General Manager  
Clarence City Council  
Via email – [clarence@ccc.tas.gov.au](mailto:clarence@ccc.tas.gov.au)

### REPRESENTATION COMBINED DRAFT PLANNING SCHEME AMENDMENT AND DEVELOPMENT APPLICATION PDPSPAMEND-2021/019004

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The proposal seeks to amend the Clarence Local Provision Schedule (LPS) by rezoning the subject site from Community Purpose to General Residential, Open Space and Utilities, and undertake a 7-lot subdivision at 30 Holland Court, Howrah.

Katrina Hill.  
Katrina Hill | TOWN PLANNER  
**JMG ENGINEERS & PLANNERS**

117 Harrington Street HOBART TAS 7000  
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P: [03 6231 2555](tel:0362312555)



[Email Confidentiality Notice and Disclaimer](#)

JMG Ref: 203057PH

Council Ref: PDPSPAMEND-2021/019004

28 March 2023

General Manager  
Clarence City Council  
Via email - [clarence@ccc.tas.gov.au](mailto:clarence@ccc.tas.gov.au)

Attention: Ross Lovell

Dear Ross,

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The City of Clarence has provided an alternative Public Open Space arrangement (see Attachment 1) which the applicant supports:

- Lot 101 will be the POS land contribution and is modified in shape and increased in area from 200m<sup>2</sup> to 754m<sup>2</sup>, to better provide for the intended future walking track;
- Lot 100 is not required for POS, therefore the land can be allocated to the subdivision, potentially enlarging proposed Lot 1 or possibly creating an additional lot;
- A condition be placed upon the permit with the intention to protect the Eucalyptus ovata forest and woodland as shown in Figure 3, page 9 of the Natural Values Assessment, prepared by North Barker Ecosystem Services, dated 6 January 2023; and
- No change is proposed for the land containing the existing pedestrian path along Rokeby Road, identified as being rezoned to Utilities Zone.

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as trustee for Johnstone  
McGee & Gandy  
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The previously indicated Public Right of Ways to connect the pedestrian walkway on Rokeby Road, and the Kuynah Bushland Reserve, is to be entirely removed from the plan. This reflects the redesign of Lot 101 to provide for the intended future connectivity.

Therefore, Condition 2 GEN AP3 becomes:

- Deletion of the POS Lot 100;
- Reconfiguring the lot layout to incorporate Lot 100 into Lot 1 or potentially an additional lot (noting the Part 5 Agreement condition); and
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Condition 8 - will be deleted.

The rezoning plan includes a parcel of private land to be re-zoned Utilities. This has been determined by Council given there is a public pedestrian path that is currently partially on private land. The landowner does not consider it appropriate to have public infrastructure on their land. They seek, therefore, to have that land purchased by the Council as public open space above the requirements of the Local Government (Building and Miscellaneous Provisions) Act.

With alterations to the subdivision plan (by Council), the associated civil services proposed for lot 1 may be required to be modified. We support Council's view that these changes can be made in the detailed design phase.

Council conditions should make clear that it is not the applicant's responsibility to remove the existing cul-de-sac head beyond the connection to the extended road. The extension of the road and the creation of a new cul-de-sac head is already a considerable expense for a subdivision of this size.

If Council requires any further information or clarification with respect to this application, please contact me on 6231 2555 or at [khill@jmg.net.au](mailto:khill@jmg.net.au).

Yours faithfully

**JOHNSTONE MCGEE & GANDY PTY LTD**



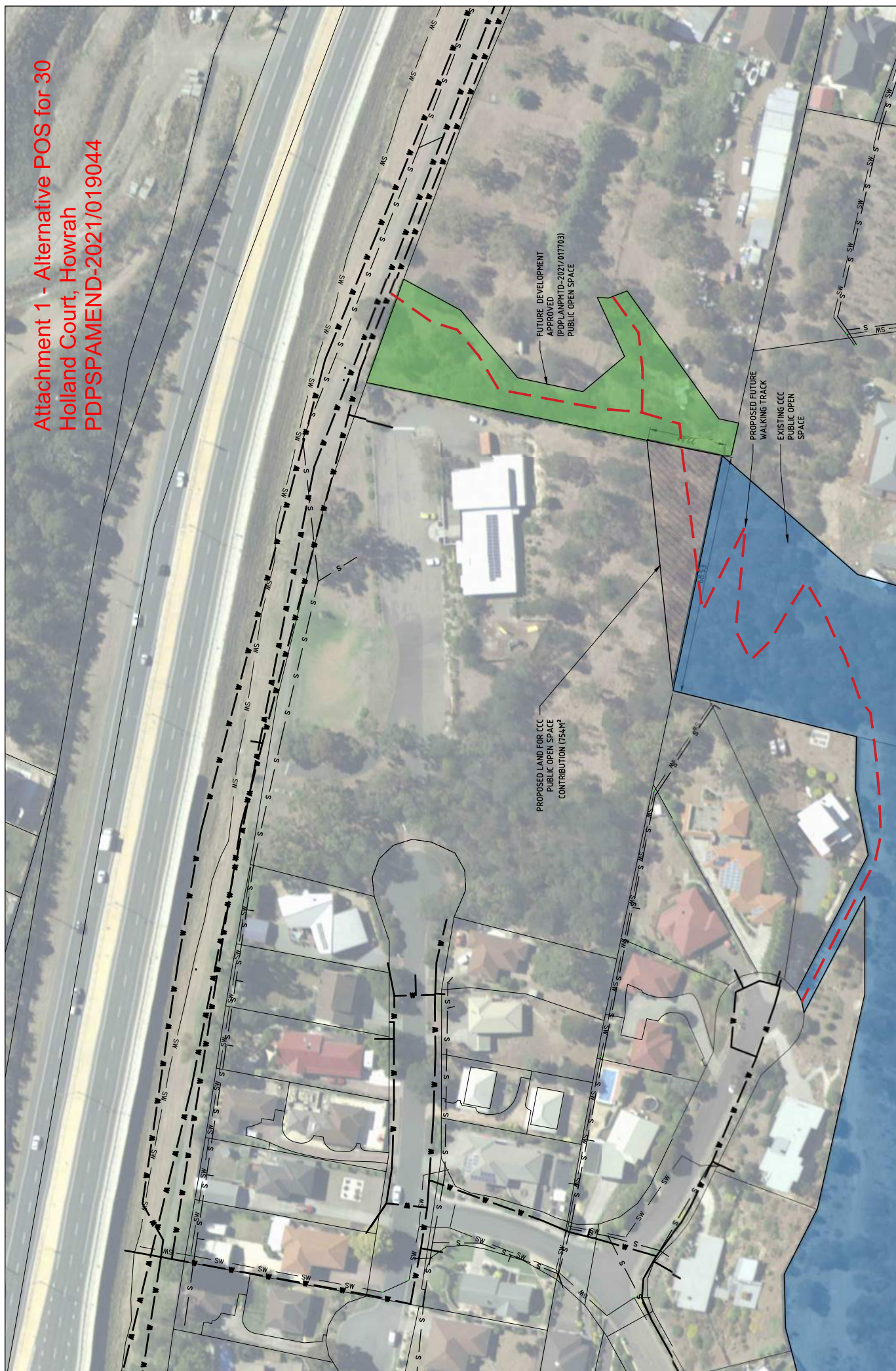
Katrina Hill  
**TOWN PLANNER**

# Attachment 1

## Public Open Space



**Attachment 1 - Alternative POS for 30  
Holland Court, Howrah  
PDPSPAMEND-2021/019044**



STATUS		###	
SCALE	###	DATE	###
DRAWN	###	DRAFT CHECK	###
DESIGN CHECK	###	APPROVED	###
REVISIONS	INITIAL	DATE	###
NO.			###

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DATE	GD/2020/AHD	DATE	###
DRAWN	###	DRAFT CHECK	###
DESIGN CHECK	###	APPROVED	###
REVISIONS	INITIAL	DATE	###
NO.			###

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DATE	###	DATE	###
DRAWN	###	DRAFT CHECK	###
DESIGN CHECK	###	APPROVED	###
REVISIONS	INITIAL	DATE	###
NO.			###



JMG Ref: 203057PH

Council Ref: PDPSPAMEND-2021/019004

28 March 2023

General Manager  
Clarence City Council  
Via email - [clarence@ccc.tas.gov.au](mailto:clarence@ccc.tas.gov.au)

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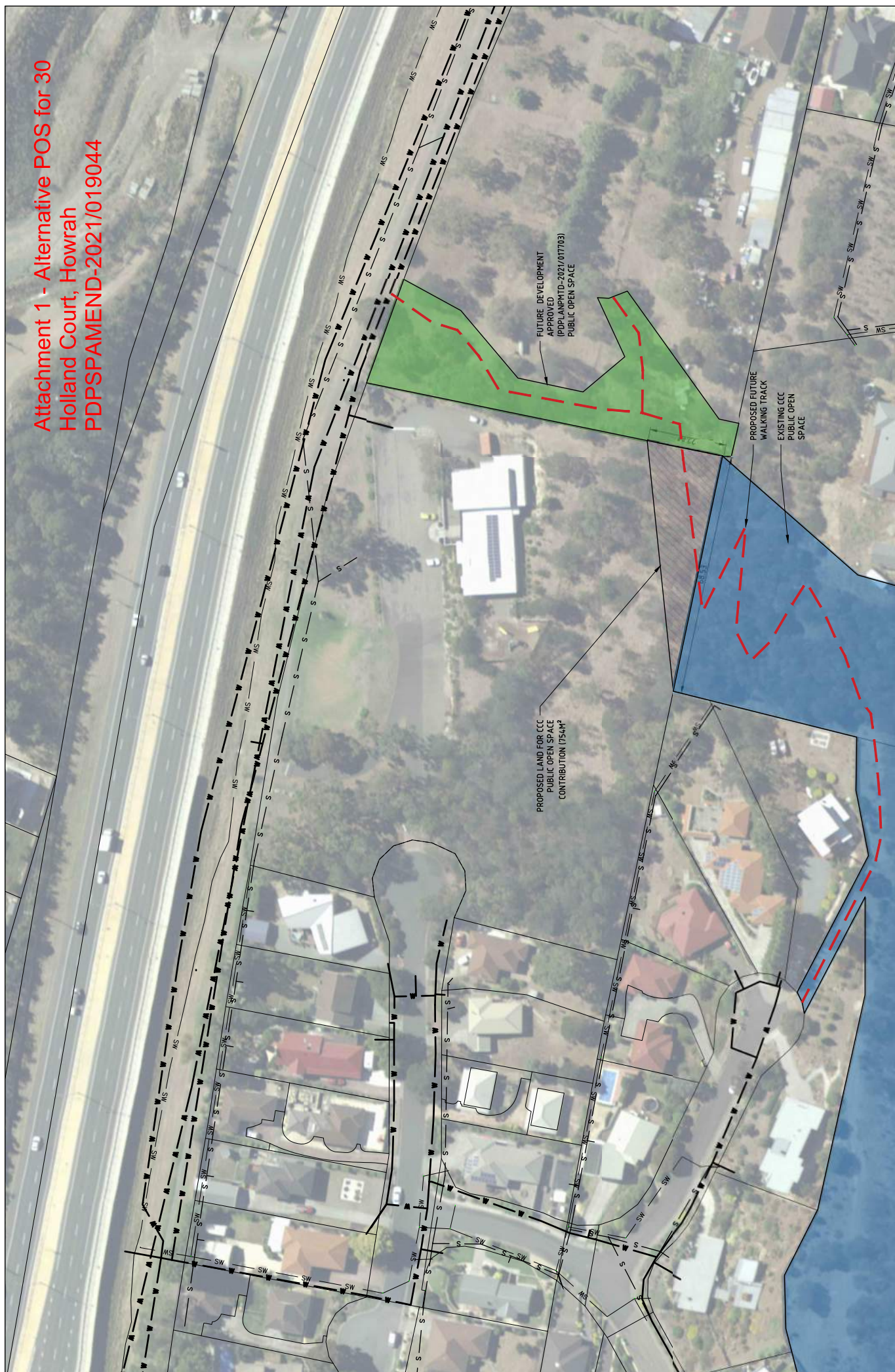
Katrina Hill  
**TOWN PLANNER**



# Attachment 1

## Public Open Space

**Attachment 1 - Alternative POS for 30  
Holland Court, Howrah  
PDPSPAMEND-2021/019044**



STATUS	###	DATE
SCALE	###	###/###/###
DRAWN	###	###/###/###
DRAFT CHECK	###	###/###/###
DESIGN CHECK	###	###/###/###
APPROVED	###	###/###/###
REVISIONS	INITIAL	DATE
NO.		

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DATE	GD/2020/AHD	DATE
DRAWN	###	###/###/###
DRAFT CHECK	###	###/###/###
DESIGN CHECK	###	###/###/###
APPROVED	###	###/###/###
ENGINEERS	###	###/###/###

###	###
PROJECT NUMBER	###
DRAWING NUMBER	###



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**From:** "Katrina Hill" <[khill@jmg.net.au](mailto:khill@jmg.net.au)>  
**Sent:** Thu, 30 Mar 2023 15:32:16 +1100  
**To:** "Indra Boss" <[iboss@ccc.tas.gov.au](mailto:iboss@ccc.tas.gov.au)>  
**Cc:** "City Planning" <[cityplanning@ccc.tas.gov.au](mailto:cityplanning@ccc.tas.gov.au)>  
**Subject:** 30 Holland Court REPRESENTATION  
**Attachments:** Representation - from JMG 30.03.23.pdf  
**Categories:** Bec

Indra, please find attached the revised letter as discussed this morning.

Call me if there is anything else I can help you with.

Katrina.

Katrina Hill | TOWN PLANNER  
**JMG ENGINEERS & PLANNERS**

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JMG Ref: 203057PH

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The Howrah Church of Christ (landowner) would like to state that the subdivision plan approved at the Council meeting of 6 February 2023 is not acceptable and does not reflect the previous advice received from the council and considerable expense has already been incurred modifying the originally submitted plans to accommodate previous council advice.

In summary, the concerns are the:

1. proposed Right of Way (ROW) is impractical and prevents the client from developing the balance lot (Lot 8) and impacts the ongoing operation of the church;
2. proposed ROW makes no sense if the intention is to provide connectivity to council reserve land further north;
3. PART 5 Agreement shifts the onus of protecting the natural values from the council to the client; and
4. rezoning of the 'footpath' along the northern boundary of the site from the proposed Open Space to Utilities.

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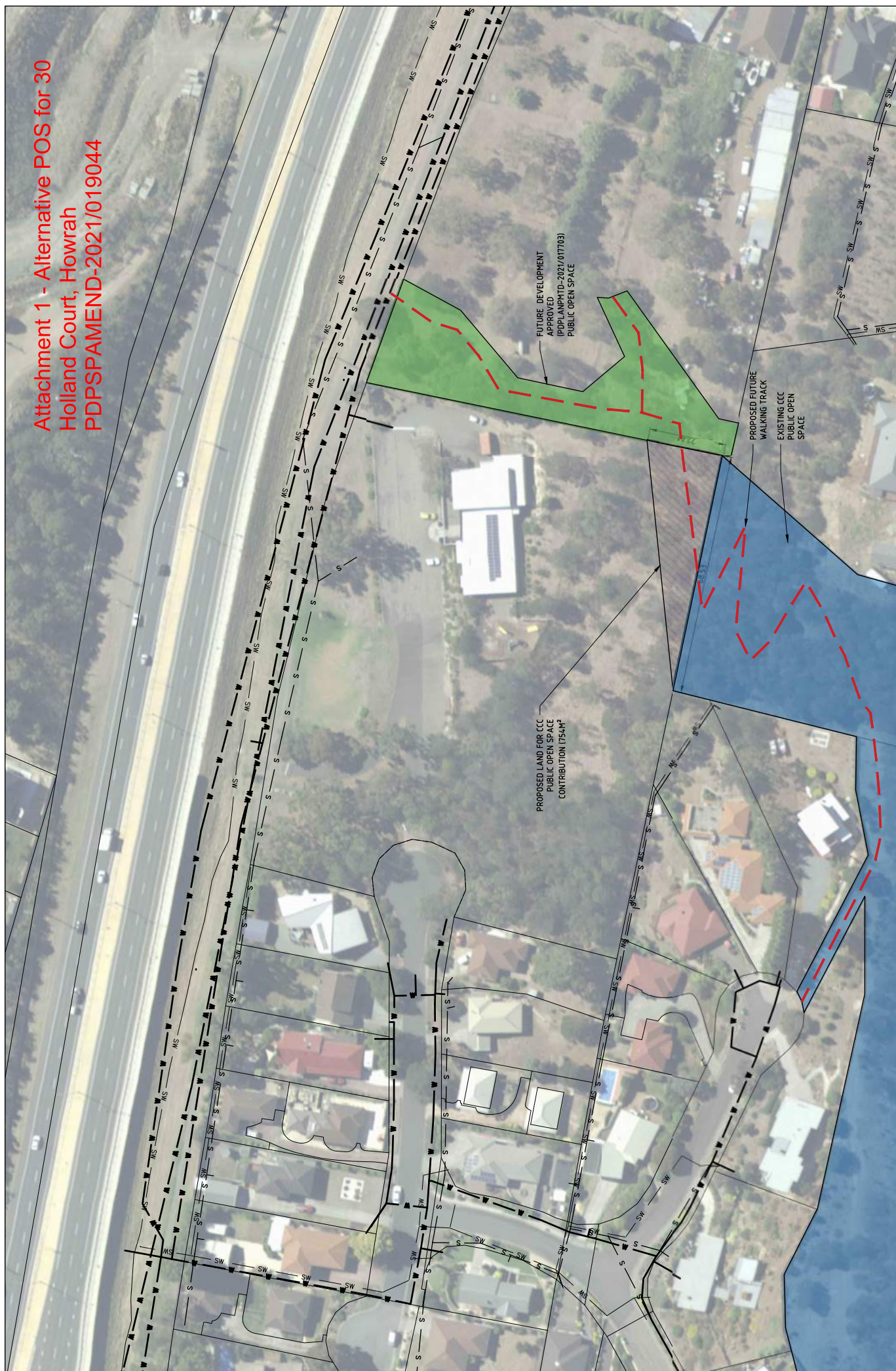
A handwritten signature in black ink, appearing to read 'KHill', written in a cursive style.

Katrina Hill  
**TOWN PLANNER**

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