

**MINUTES OF A PLANNING AUTHORITY COMMITTEE MEETING OF THE DEVONPORT CITY COUNCIL HELD IN ABERDEEN ROOM, LEVEL 2, paranaple centre, 137 ROOKE STREET, DEVONPORT ON MONDAY, 1 APRIL 2019 COMMENCING AT 5:15PM**

**PRESENT:** Cr A Rockliff (Mayor) in the Chair  
Cr J Alexiou  
Cr P Hollister  
Cr S Milbourne  
Cr L Murphy  
Cr L Perry

**Aldermen in Attendance:**

Cr G Enniss  
Cr A Jarman  
Cr L Laycock

**Council Officers:**

General Manager, P West  
Deputy General Manager, M Atkins  
Development Services Manager, K Lunson  
Planning Coordinator, S Warren  
Planning Officer, A Mountney

**Audio Recording:**

All persons in attendance were advised that it is Council policy to record Council meetings, in accordance with Council's Audio Recording Policy. The audio recording of this meeting will be made available to the public on Council's website for a minimum period of six months.

**1.0 APOLOGIES**

There were no apologies received.

**2.0 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**3.0 DELEGATED APPROVALS**

**3.1 PLANNING APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY – 1 SEPTEMBER 2018 – 24 MARCH 2019 (D572609)**

**PAC 01/19 RESOLUTION**

MOVED: Cr Perry  
SECONDED: Cr Murphy

That the list of delegated approvals be received.

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Cr Rockliff	✓		Cr Milbourne	✓	
Cr Alexiou	✓		Cr Murphy	✓	
Cr Hollister	✓		Cr Perry	✓	

CARRIED UNANIMOUSLY

## 4.0 DEVELOPMENT REPORTS

### 4.1 PA2019.0029 RESIDENTIAL (MULTIPLE DWELLINGS X 3) - 46 FLEETWOOD DRIVE, SPREYTON (D572584)

#### PAC 02/19 RESOLUTION

MOVED: Cr Perry  
SECONDED: Cr Murphy

That the Planning Authority, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2019.0029 and grant a Permit to use and develop land identified as 46 Fleetwood Drive, Spreyton for the following purposes:

- Multiple dwellings x 3

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the endorsed plans referenced as 3 Unit Development – Job No 1238 (Sheets 1-5), dated 10/1/2019, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. Stormwater discharge from the proposed development is to be adequately hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 100-year Average Recurrence Interval (ARI), and for a suitable range of storm durations to adequately identify peak discharge flows. As part of their design the hydraulic engineer is to limit stormwater discharge from the proposed development, by utilising a combination of pipe sizing and/or on-site detention, to that equivalent to only 50% of the development lot being impervious. There is to be no overland flow discharge from the proposed development to any of the adjoining properties, for all the above nominated storm events. All design calculations are to be submitted for approval by the City Engineer prior to commencing construction on site.
3. The existing stormwater connection is to be used for the purposes of the proposed development.
4. The proposed driveways are to be generally designed and constructed in accordance with the IPWEA Tasmanian Standard Drawings and to concrete standard, size and location suitable for the proposed future use of the site.
5. The proposed parking is to comply with AS2890.1. In addition, the requirements of AS2890.6 (disability parking) is also to be adopted where appropriate.
6. The developer is to comply with the conditions contained in the Submission to Planning Authority Notice which TasWater has required to be included in the planning permit, pursuant to section 56P(1) of the *Water and Sewerage Industry Act 2008*.

**THIS IS NOT A BUILDING OR PLUMBING PERMIT.**

Prior to commencing any building or plumbing work you are required to:

Contact a Tasmanian registered Building Surveyor to determine the category of building approval required, and

Contact the Council Permit Authority to determine the category of plumbing approval required.

With respect to street addressing for the multiple dwelling development, the following will apply:

Unit number on site plan	Street address
1	Unit 2, 1A Mulligan Drive
2	Unit 1, 1A Mulligan Drive
3	46 Fleetwood Drive

The above street addresses comply with AS/NZS 4819.2011 *Rural and urban addressing*.

A permit to work within the road reserve must be sought and granted prior to any works being undertaken within the road reserve.

Any existing Council infrastructure impacted by the works is to be reinstated in accordance with the relevant standards.

In regard to conditions 2-5 the applicant should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

In regard to condition 6 the applicant should contact TasWater (Ph 136 992) with any enquiries.

General enquires can be directed to Council's Planning Department - 6424 0511.

	For	Against		For	Against
Cr Rockliff	✓		Cr Milbourne	✓	
Cr Alexiou	✓		Cr Murphy	✓	
Cr Hollister	✓		Cr Perry	✓	

CARRIED UNANIMOUSLY

#### **4.2 PA2019.0008 COMMUNITY MEETING AND ENTERTAINMENT (FUNCTION CENTRE) & VISITOR ACCOMMODATION - 10363 BASS HIGHWAY LILICO (D572604)**

##### **PAC 03/19 RESOLUTION**

MOVED: Cr Perry

SECONDED: Cr Murphy

##### **Firstly:**

That the Planning Authority, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 58 of the *Land Use Planning and Approvals Act 1993*, approve application PA2019.0008 and grant a Permit to use and develop land identified as 10363 Bass Highway, Lillico for the following purposes:

- Visitor Accommodation (5 pods and 3 cabins) and associated infrastructure.

Subject to the following conditions:

- 1 Unless requiring modification by subsequent conditions of this permit the use and development is to proceed and be undertaken in accordance with the submitted plans and supporting documentation referenced as:
  - Veris Australia Pty Ltd, Town Planning Consultants, Reference 3D15080 dated November 2018 and Concept Plan D15180 as revised dated 10 December 2018.
  - Weeda Drafting and Building Consultants Pty Ltd, designers, Project 16618 dated 21 December 2018.
  - Pitt and Sherry, Land Stability Assessment, Reference DV18177L001 as revised 18 January 2019.
  - Sustainable Environment Assessment & Management (SEAM), stormwater and wastewater design, Reference 18079, dated 19 November 2018 and 12 October 2018 respectively.
- 2 The developer is to provide an amended plan that indicates a minimum 11 parking spaces for cars and 1 for a small rigid truck. This is to be submitted prior to or at the time of the building and plumbing permit application that confirms the number of spaces, the final location and any alteration to site drainage as a result of the permitted change.
- 3 The developer is to submit a floor plan of the 5 pods for consideration prior to or at the time of the building and plumbing permit application.
- 4 The developer is to take all reasonable steps during site works and construction to minimise off site environmental effects occurring that might result in a nuisance. This includes air, noise and water pollution and does not allow for burning of any waste materials on the site.
- 5 The developer is to apply for the relevant food business approval prior to opening the premises if any food products are to be supplied, prepared and/or cooked for guests.
- 6 The developer is to obtain approval prior to opening the premises if the property is to source water for human consumption from a private supply (as defined under the Public Health Act 1997).
- 7 The developer is to cease work immediately if during site works and construction the discovery of any cultural artefacts is uncovered or observed and is to immediately contact the Aboriginal Heritage Tasmania section of the Department of Primary Industries, Parks, Water and Environment for their advice.
- 8 The developer is to cease work immediately if during site works and construction any community of threatened species is discovered or observed and is to immediately contact the Marine Conservation Branch of the Department of Primary Industries, Parks, Water and Environment for their advice.
- 9 The development is to comply with the requirements of the current National Construction Code and obtain the necessary building and plumbing approvals and provide the required notifications in accordance with the *Building Act 2016* prior to commencing building or plumbing work.

**Secondly:**

That the Planning Authority, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals*

Act 1993, refuse the proposed Community meeting and entertainment (function centre) use and development due to the following reasons:

- 1 The application has not satisfactorily demonstrated that the proposed 'Community meeting and entertainment' use (function centre) is consistent with the Local Area Objectives to prove it must be developed on land currently used for primary industry.
- 2 The application has not satisfactorily demonstrated that the proposed 'Community meeting and entertainment' use (function centre) is consistent with the Desired Future Character statements.
- 3 The application has not satisfactorily demonstrated that the proposed 'Community meeting and entertainment' use (function centre) is required to locate on rural resource land for operational efficiency.
- 4 The application has not satisfactorily demonstrated why the significantly lessor number of parking spaces required under clause E9.5.1 of the Scheme is reasonable and necessary due to the anticipated requirement for the type, scale and intensity of the use, the likely needs and requirements of site users and the likely type, number, frequency and duration of parking demand.

**Explanatory Notes:**

Reason 1 – the land has agricultural potential and applying an 'Agritourism' label to a function centre does not constitute a favourable reason to exercise discretion.

Reason 2 – the proposed use of building materials that 'blend' into the landscape hasn't been proven to mitigate visual amenity.

Reason 3 – location and outlook are not naturally occurring resources that can be applied to the site to satisfy the Performance Criteria.

Reason 4 – The application has miscalculated the quantum.

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Cr Rockliff	✓		Cr Milbourne	✓	
Cr Alexiou	✓		Cr Murphy	✓	
Cr Hollister	✓		Cr Perry	✓	

CARRIED UNANIMOUSLY

**With no further business on the agenda the Chairperson declared the meeting closed at 5:25pm.**

Confirmed

Chairperson