

Minutes of the Planning Authority Committee of the Devonport City Council held in the Aberdeen Room, Level 2, paranaple centre,137 Rooke Street, Devonport on Monday 16 November 2020 commencing at 5:00 PM

Present Cr A Rockliff (Mayor) in the Chair
Cr J Alexiou
Cr P Hollister
Cr L Murphy
Cr L Perry

Councillors in Attendance Cr A Jarman
Cr L Laycock

Council Officers: General Manager, M Atkins
Deputy General Manager, J Griffith
Development Services Manager, K Lunson
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 Digital Recording Policy. The digital recording of this meeting will be made available to the public on Council's website for a minimum period of six months.

1 APOLOGIES

The following apology was received for the meeting.

Cr Milbourne

2 DECLARATIONS OF INTEREST

The following Declarations of Interest were advised:

Councillor L Perry	4.2	Related to owner of property
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3 DELEGATED APPROVALS

3.1 PLANNING APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY 24 AUGUST 2020 - 31 OCTOBER 2020

PAC 20/10 RESOLUTION

MOVED: Cr Perry
SECONDED: Cr Hollister

That the list of delegated approvals be received.

FOR: Cr Alexiou, Cr Hollister, Cr Murphy, Cr Perry, Cr Rockliff
AGAINST: nil

CARRIED 5 / 0

4 DEVELOPMENT REPORTS

4.1 PA2020.0178 - 3 CHALMERS LANE DEVONPORT - RESIDENTIAL (SINGLE DWELLING)

PAC 20/11 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 PA2020.0178 and grant a Permit to use and develop land identified as

3 Chalmers Lane, Devonport for the following purposes:

- Residential (single dwelling)

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted documents and plans referenced as:
 - a. Letter by Layton Design dated 1/10/2020; and
 - b. New Home, Project No. 19.06, Dwg no.s A0-000, A1-001 to 004, A2-001 to 003, A3-001 to 044 and A4-001, by Layton Design, dated 1/10/2020;copies of which are attached and endorsed as documents forming part of this planning permit.
2. Concentrated stormwater is to be discharged in accordance with the National Construction Code.

3. The developer is to ensure that all stormwater run-off is managed in accordance with the Environment Protection Authority's recommendations "Soil & Water Management on Large Building & Construction Sites" (refer to notes).
4. The developer is to manage any asbestos found during demolition in accordance with the How to Safely Remove Asbestos Code of Practice issued by Safe Work Australia (October 2018).

Note: The following is provided for information purposes.

The development is to comply with the requirements of the current National Construction Code. The developer is to 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.

Hours of Construction shall be: Monday to Friday Between 7am - 6pm, Saturday between 9am -6pm and Sunday and statutory holidays 10am - 6pm.

During the construction or use of these facilities all measures are to be taken to prevent nuisance. Air, noise and water pollution matters are subject to provisions of the Building Regulations 2016 or the Environmental Management and Pollution Control Act 1994.

No burning of any waste materials (including cleared vegetation) is to be undertaken on site. Any waste material is to be removed and disposed of at a licensed refuse waste disposal facility.

In regard to condition 3, large building and construction sites are those with greater than 250m² of ground disturbance – refer to the following link

https://epa.tas.gov.au/Documents/Soil_and%20Water_Management_Fact%20Sheet_1.pdf

TasRail notes:

Where a building or other development is proposed to be located at a setback distance less than 50 metres from the boundary of the rail corridor, the occupants are likely to be exposed to train horn noise and vibration, noting that TasRail Freight Rail Services operate 24/7 and the configuration, frequency and time of these services is subject to change at any time. Landowners and prospective landowners should undertake appropriate due diligence to ensure they are aware of train noise and vibration, particularly train horn noise.

The train horn is a safety device that is required to be sounded twice per level crossing being on approach and on entry. The minimum duration of each train horn blow is one second. The train driver also has the discretion to sound the horn at any time he/she perceives a risk.

Stormwater or effluent is not permitted to be discharged onto rail land or into the rail drainage system. Should there be a requirement for a service or asset to be installed on rail land in order to connect into an authorised stormwater or other outlet, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting property@tasrail.com.au

No obstruction, installation or works of any kind are permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure, storage of materials, vegetation clearing, inspections etc.

No persons should enter rail land without formal authorisation.

Rail land is not for private use and should not be encroached for any purpose including for gardens, storage, keeping of animals etc. Dumping of rubbish including green waste into the rail corridor is not permitted.

As per the *Rail Infrastructure Act 2007*, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.

Using or creating an unauthorised railway crossing or stock crossing is unsafe and strictly prohibited.

All access and rail land enquiries should be directed to property@tasrail.com.au

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

Enquiries regarding other conditions can be directed to Council's Development Services Department – Ph 6424 0511.

FOR: Cr Alexiou, Cr Hollister, Cr Murphy, Cr Perry, Cr Rockliff
AGAINST: nil

CARRIED 5 / 0

Cr Perry left the meeting at 5:03 pm.

4.2 PA2020.0170 - 89 NORTH STREET DEVONPORT - RESIDENTIAL (SINGLE DWELLING ALTERATIONS AND ADDITIONS)

PAC 20/12 RESOLUTION

MOVED: Cr Hollister

SECONDED: Cr Alexiou

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 PA2020.0170 and grant a Permit to (use and develop or use) land identified as 89 North Street, Devonport for the following purposes:

- Residential (single dwelling alterations and additions)

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted plans reference as Alterations & Additions – Project No.00735 (Drawings – DA.01B, DA.02B, DA.03B, DA.04B, DA.05B, DA.06B, DA.07B, DA.08B, DA.09B, DA.10B, DA.11B, DA.12B, DA.13B, DA.14B, DA.15B, DA.16B, DA.17B) dated 05.10.2020 by andrew smith architects, a copy of which is attached and endorsed and documents forming part of this Planning Permit.
2. The owner must, at their expense, repair any Council services (eg pipes, drains) and any road, crossover, footpath or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council.

Note: The following is provided for information purposes.

The development is to comply with the requirements of the current National Construction Code. The developer is to 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.

Hours of Construction shall be: Monday to Friday Between 7am - 6pm, Saturday between 9am -6pm and Sunday and statutory holidays 10am - 6pm.

During the construction or use of these facilities all measures are to be taken to prevent nuisance. Air, noise and water pollution matters are subject to provisions of the *Building Regulations 2016* or the *Environmental Management and Pollution Control Act 1994*.

The owner must, at their expense, repair any Council services (eg pipes, drains) and any road, crossover, footpath or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council.

No burning of any waste materials (including cleared vegetation) is to be undertaken on site. Any such waste material is to be removed and disposed of at a licensed refuse waste disposal facility.

The developer is to manage any asbestos found during demolition in accordance with the *How to Safely Remove Asbestos Code of Practice* issued by Safe Work Australian (October 2018).

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

General enquiries regarding this permit can be directed to Council's Development Services Department – Ph 6424 0511.

FOR: Cr Alexiou, Cr Hollister, Cr Murphy, Cr Rockliff

AGAINST: nil

CARRIED 4 / 0

Cr Perry returned to the meeting at 5:11 pm.

5 CLOSURE

There being no further business on the agenda the Mayor declared the meeting closed at 5:11pm.

Confirmed

Chairperson