

MINUTES OF A PLANNING AUTHORITY COMMITTEE MEETING OF THE DEVONPORT CITY COUNCIL HELD IN IN THE ABERDEEN ROOM, PARANAPLE CENTRE ON MONDAY, 10 SEPTEMBER 2018 COMMENCING AT 5:15PM

PRESENT: Ald A L Rockliff (Acting Mayor) in the Chair
Ald C D Emmerton
Ald T M Milne
Ald L M Perry

Aldermen in Attendance

Ald L M Laycock

Council Officers:

General Manager, P West
Deputy General Manager, M Atkins
Executive Manager Corporate Services, J Griffith
Acting Manager Development and Health Services, K Lunson
Planning Coordinator, S Warren

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

The following apologies were received for the meeting.

Ald G F Goodwin	Apology
Ald J F Matthews	Leave of Absence

2.0 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3.0 DELEGATED APPROVALS

3.1 PLANNING APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY 1 AUGUST 2018 - 31 AUGUST 2018 (D542740)

PAC 09/18 RESOLUTION

MOVED: Ald Perry
SECONDED: Ald Emmerton

That the list of delegated approvals be received.

	For	Against		For	Against
Ald Rockliff	✓		Ald Milne	✓	
Ald Emmerton	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

4.0 DEVELOPMENT REPORTS

4.1 PA2018.0124 RESIDENTIAL (MULTIPLE DWELLINGS) - ASSESSMENT AGAINST PERFORMANCE CRITERIA FOR RAIL LINE SETBACK FOR SENSITIVE USE - 65 JAMES STREET DEVONPORT (D542543)

PAC 10/18 RESOLUTION

MOVED: Ald Perry

SECONDED: Ald Milne

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 PA2018.0124 and grant a Permit to use and develop land identified as 65 James Street, Devonport for the following purposes:

- Residential (multiple dwellings) - assessment against performance criteria for rail line setback for sensitive use

Subject to the following conditions:

1. Unless requiring modification by subsequent conditions of this permit, the use and development is to proceed generally in accordance with the submitted plans referenced as Proposed Unit Development at 65 James Street, Project P18055, dated 29.06.18 by n + b, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. The developer is to obtain appropriate advice from a suitably qualified person to ensure noise and vibration measures are applied to all proposed units. All materials required, and relevant installation techniques are to be incorporated into the building construction specification to enable subsequent installation certification prior to occupancy.
3. The developer is to enter into a Part 5 Agreement under Section 71 of the *Land Use Planning and Approvals Act 1993* with Council to acknowledge:
 - a. the proximity of the TasRail line and the potential effects on amenity that may occur from vibration and noise; and
 - b. prohibition and access limitations into and onto the rail corridor including stormwater discharge (see note below).
4. 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*.
5. The developer is to take all reasonable steps during 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.
6. The developer is to construct the proposed driveway generally in accordance with Tasmanian Standard Drawing TSD-R09v1. The existing

driveway is to be demolished and the new driveway constructed to suit the proposed development in accordance with this standard.

7. The developer is to provide an onsite stormwater detention system (OSD) to manage the stormwater discharge. This 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 the design the hydraulic engineer is to limit discharge from the development site to that equivalent to only 50% of the existing lot being impervious. All design calculations are to be submitted as part of the building and plumbing permit application.
8. The developer is to provide a new 150mm dia stormwater service connection to the existing stormwater main in James Street, generally in accordance with the relevant Tasmanian Standard Drawings.

EXPLANATORY NOTES

The development is to comply with the requirements of the current National Construction Code. The developer is to obtain the necessary building & plumbing approvals & provide the required notifications in accordance with the *Building Act 2016* prior to commencing building or plumbing work.

In regard to condition 3 the developer is to acknowledge that:

- a. The dwellings will be sited at a setback distance that is significantly less than the recommended 50 metre attenuation zone, exposing the buildings and inhabitants to vibration and noise;
- b. TasRail's Train Horn is a safety device that is required to be sounded in accordance with operating procedures and at any time the train driver perceives a risk;
- c. In addition to amenity factors the developer and future occupants are not permitted to obstruct the railway land for any purpose including vegetation/trees, structures, drainage, water pipes, electrical or service infrastructure; and
- d. TasRail does not give authorisation for any stormwater or other form of discharge to enter the rail corridor or to connect into the rail drainage system.

In regard to condition 4 the developer should contact TasWater – Ph 136 992 with any enquiries.

In regard to condition 5 this includes ensuring that noise emitted from portable apparatus and hours of operation are within the scope indicated by the *Environmental Management and Pollution Control (Noise) Regulations 2016*.

In regard to conditions 6, 7 & 8 the developer should contact Council's City Infrastructure Department – Ph 6424 0511 with any enquiries.

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

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

In regard to condition 8 the developer is to note that the existing stormwater main is located under the road pavement in James Street and not the nature

strip as shown on the submitted drawings. All connection costs, including reinstatement, is at the developer's expense.

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

	For	Against		For	Against
Ald Rockliff	✓		Ald Milne	✓	
Ald Emmerton	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

With no further business on the agenda the Chairman declared the meeting closed at 5:20pm.

Confirmed

Chairman