

**MINUTES OF A PLANNING AUTHORITY COMMITTEE MEETING OF THE DEVONPORT CITY
COUNCIL HELD IN THE COUNCIL CHAMBERS ON MONDAY, 18 SEPTEMBER 2017
COMMENCING AT 5:15PM**

PRESENT: Ald S L Martin (Mayor) in the Chair
Ald G F Goodwin
Ald J F Matthews
Ald T M Milne
Ald L M Perry

Aldermen in Attendance:

Ald L M Laycock
Ald A L Rockliff

Council Officers:

General Manager, P West
Deputy General Manager, M Atkins
Senior Town Planner, C Milnes
Planner, 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

The following apology was received for the meeting.

Ald C D Emmerton

Apology

2.0 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3.0 DELEGATED APPROVALS

3.1 PLANNING APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY 7 AUGUST 2017 - 7 SEPTEMBER 2017 (D491366)

PAC 26/17 RESOLUTION

MOVED: Ald Matthews

SECONDED: Ald Goodwin

That the list of delegated approvals be received.

	For	Against		For	Against
Ald Martin	✓		Ald Milne	✓	
Ald Goodwin	✓		Ald Perry	✓	
Ald Matthews	✓				

CARRIED UNANIMOUSLY

4.0 DEVELOPMENT REPORTS

4.1 PA2017.0114 RESIDENTIAL (OUTBUILDING) - ASSESSMENT AGAINST PERFORMANCE CRITERIA FOR SETBACKS AND BUILDING ENVELOPE - 17 LEARY AVENUE STONY RISE (D491484)

PAC 27/17 RESOLUTION

MOVED: Ald Goodwin

SECONDED: Ald Perry

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 PA2017.0114 and grant a Permit to use and retrospectively develop land identified as 17 Leary Avenue, Stony Rise for the following purposes:

- Residential (outbuilding) - assessment against performance criteria for setbacks and building envelope

Subject to the following conditions:

- The use and development is to proceed generally in accordance with the submitted plans referenced as Eloise Forth, 17 Leary Avenue dated 11 August 2017 copies of which are attached and endorsed as documents forming part of this Planning Permit.
- 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 doesn't allow for burning of any waste materials.
- The developer is to utilise the existing stormwater service connection and driveway and kerb crossover for the purposes of this development.

Note: The following is provided for information purposes.

- A This is not a building or plumbing permit. Prior to commencing any building or plumbing work the developer is to obtain the necessary building & plumbing approvals & provide the required notifications in accordance with the Building Act 2016.
- B In regard to condition 2 this includes ensuring that noise emitted from portable apparatus and hours of operation of those devices are within the scope indicated by the Environmental Management and Pollution Control (Noise) Regulations 2016.
- C In regard to condition 3 the applicant should contact Council's Engineering Department with any enquiries.
- D The permitted development is to be used only for activities associated with the General residential zoning of the land.

	For	Against		For	Against
Ald Martin	✓		Ald Milne	✓	
Ald Goodwin	✓		Ald Perry	✓	
Ald Matthews	✓				

CARRIED UNANIMOUSLY

4.2 AM2017.02 & PA2017.0101 REZONING FROM PORT AND MARINE ZONE TO LOCAL BUSINESS ZONE TO ALLOW THE DEVELOPMENT OF A RETAIL COMPLEX - 2-12 MURRAY STREET, EAST DEVONPORT (D492437)

PAC 28/17 RESOLUTION

MOVED: Ald Goodwin
SECONDED: Ald Matthews

That the Planning Authority under Section 43A of the *Land Use Planning and Approvals Act 1993*:

- A. Agree to certify amendment AM2017.02 under Section 35 to rezone land from Port and Marine to Local Business as meeting the requirements specified in Section 32; and
- B. Determine that permit application PA2017.0101 meets the requirements under Section 43C for the development of a Retail Complex and consolidation of land identified as 2 – 12 Murray Street, East Devonport subject to the following conditions:
 1. Unless requiring modification by subsequent conditions on this permit the use and development is to proceed and be undertaken generally in accordance with the submitted plans referenced as Project No 13.159 issue dated 22 August 2017 by 6ty Pty Ltd and the Traffic Impact Assessment by Midson Traffic Pty Ltd dated May 2017, copies of which are attached and endorsed as documents forming part of this Planning Permit.
 2. 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.
 3. The developer is to take all reasonable steps during demolition and construction to prevent environmental effects occurring that might result in a nuisance. This includes no immediate off-site storage of associated building equipment and materials on public land and the pollutant effects of noise and water as well as air pollution from the result of any burning of waste.
 4. The development will be required to limit stormwater discharge to that equivalent to 50% of the development site being impervious. Calculations and design drawings will need to be provided and approved to satisfy this before work commences. The on-site detention design can include surface storage in the carpark area.
 5. The developer is to install a single stormwater service connection only servicing the proposed development. Any redundant stormwater service connections are to be located and capped off in accordance with the industry standard.
 6. The development is to be located clear of the existing 'Gateway' tree, surround and road markings in Murray Street. In this regard the proposed entrance should be located slightly to the west.
 7. The developer is to provide details on their plans of the suitable treatments for the relocation and reinstatement of the existing streetscape features including exposed aggregate concrete, street trees, surrounds, street light standards, stamped concrete

footpath panels and road markings along the Murray Street frontage.

8. The developer is to design a suitable pit grate and surround to replace the existing stormwater side entry pit at the heavy vehicle entrance off Norton Way.

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 and provide the necessary building and plumbing approvals and notifications in accordance with the *Building Act 2016* prior to commencing building or plumbing work.

The developer is to obtain approval from Council's Environmental Health Department before any works commence on the food preparation/handling areas. As part of this a building surveyor is to submit a Form 42 and associated paperwork, details of the nature of the foods intended to be prepared, types of manufacturing and preparation intended to be undertaken on the premises, and any relevant drawings, specifications and documents that relate to that work.

There are no disabled parking spaces indicated in the proposed parking layout. This will need to be included.

It is not clear that the proposed heavy vehicle/RV exit onto Norton Way is wide enough for the required left-hand turn for the intended vehicle sizes. Consideration should be given to widening or aligning the access to suit the required turning paths.

The one-way connection between Murray Street and Norton Way is not on a road reserve and cannot be relied on.

The proposed Light/Heavy vehicle exit onto Murray Street appears to adversely impact the existing traffic management treatment enabling access into the Ferry terminal. The submitted TIA does not address this feature and it should be noted due to the existing use of this facility this traffic management feature is not relocatable without consent between the Road Authority and TasPorts.

	For	Against		For	Against
Ald Martin	✓		Ald Milne	✓	
Ald Goodwin	✓		Ald Perry	✓	
Ald Matthews	✓				

CARRIED UNANIMOUSLY

5.0 CLOSURE

With no further business on the agenda the Chairman declared the meeting closed at 5:29pm.

Confirmed

Chairman