

MINUTES OF A PLANNING AUTHORITY COMMITTEE MEETING OF THE DEVONPORT CITY COUNCIL HELD IN THE COUNCIL CHAMBERS, 17 FENTON WAY, DEVONPORT ON MONDAY, 10 OCTOBER 2016 COMMENCING AT 5:15PM

PRESENT: Ald S L Martin (Mayor) in the Chair
Ald C D Emmerton
Ald J F Matthews
Ald L M Perry

Aldermen in Attendance:

Ald A J Jarman
Ald L M Laycock
Ald T M Milne (from 5:19pm)
Ald A L Rockliff

Council Officers:

General Manager, P West
Deputy General Manager, M Atkins
Manager Development and Health Services, B May
Planning Officer, M McIver
Cadet 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 G F Goodwin	Apology
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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 2016 TO 30 SEPTEMBER 2016 (D441753)

PAC 11/16 RESOLUTION

MOVED: Ald Perry
SECONDED: Ald Matthews

That the list of delegated approvals be received.

	For	Against		For	Against
Ald Martin	✓		Ald Matthews	✓	
Ald Emmerton	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

4.0 DEVELOPMENT REPORTS

4.1 PA2016.0120 THREE STOREY MIXED USE DEVELOPMENT (GENERAL RETAIL & HIRE AND RESIDENTIAL) INCLUDING THE DEMOLITION OF EXISTING BUILDINGS; AND INCLUDING THE DISCRETIONS TO ALLOW:

- **BUILDING OUTSIDE OF THE PERMITTED BUILDING ENVELOPE (SETBACK AND HEIGHT);**
- **DEMOLITION OF BUILDING LISTED UNDER THE LOCAL HERITAGE CODE; AND**
- **LESSER THAN PERMITTED NUMBER OF PARKING SPACES REQUIRED UNDER THE TRAFFIC GENERATING USE AND PARKING CODE - 2, 4 & 6 OLDAKER STREET DEVONPORT (D441941)**

PAC 12/16 RESOLUTION

MOVED: Ald Emmerton

SECONDED: Ald Perry

That Council, 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 PA2016.0120 and grant a Permit to use and develop land identified as 2, 4 & 6 Oldaker Street, Devonport for the following purposes:

- Three storey mixed use development (General Retail & Hire and Residential) including the demolition of existing buildings; and
- Including the discretions to allow:
 - Building outside of the permitted building envelope (setback and height);
 - Demolition of building listed under the Local Heritage Code; and
 - Lesser than permitted number of parking spaces required under the Traffic Generating Use and Parking Code.

Subject to the following conditions:

1. Unless otherwise specified by a condition of this permit, the use and development is to proceed generally in accordance with the submitted plans referenced as Proposed Mixed Use Development – 2, 4 & 6 Oldaker Street prepared by DHK Architecture, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. The developer is to comply with the conditions specified 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. A copy of this Notice is attached.
3. The developer is to comply with the conditions specified in the *Roads and Stormwater – In Principle Agreement* with the Devonport City Council. A copy of this Agreement is attached.

Note: The following is provided for information purposes.

THIS IS NOT A BUILDING PERMIT.

You need to provide a copy of this planning permit to a registered Tasmanian Building Surveyor. WORK CANNOT COMMENCE UNTIL BUILDING AND PLUMBING PERMITS ARE ISSUED.

Prior to the lodgement of a building permit application, it is recommended that the developer consult with a registered Tasmanian building surveyor as to requirements for the consolidation of the land titles comprising 2, 4 & 6 Oldaker Street, Devonport so as to allow building to occur over these title boundaries. In this regard an Adhesion Order made under section 110 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* may be required.

In regard to condition(s) specified in the TasWater Submission to Planning Authority Notice, the applicant/developer should contact TasWater (Ph: 136 w992) with any enquiries.

In regard to condition 3 and matters contained within the *Roads and Stormwater – In Principle Agreement*, the applicant should contact Council's City Infrastructure Department – Ph: 6424 0511 with any enquiries.

Hours of construction (including demolition) must be: Monday to Friday 7am – 6pm; Saturday between 9am – 6pm; and Sunday/statutory public holidays 10am – 6pm.

During the construction and subsequent use of the building, all reasonable measures are to be taken to minimise off-site environmental effects that may result in a nuisance. This includes air, noise and water pollution with such matters subject to the provisions and requirements of the *Environmental Management and Pollution Control Act 1994* including Regulations made thereunder.

During the demolition of existing buildings on the site all reasonable measures are to be taken to:

- (a) protect property and services on and adjacent to the site from interference, damage or nuisance; and
- (b) minimise off-site environmental effects that may result in a nuisance;

Any asbestos found during the demolition is to be managed and disposed of in accordance with best practice guidelines and at a licensed refuse disposal facility.

No burning of waste is to be undertaken on site. Rubbish and waste materials are to be removed from site and disposed of at a licensed refuse disposal facility.

Prior to commencing any vegetation removal/modification works upon the Crown Land parcel adjoining 2 Oldaker Street – the developer must apply for and obtain consent from Crown Land Services for such works. A copy of this application form is attached and any enquiries should be directed to Crown Land Services Ph: (03) 6233 6413.

	For	Against		For	Against
Ald Martin	✓		Ald Matthews	✓	
Ald Emmerton	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

5.0 CLOSURE

With no further business on the agenda the Chairman declared the meeting closed at 5:27pm.

Confirmed

Chairman