



CITY OF HOBART

MINUTES

CITY PLANNING COMMITTEE MEETING (OPEN PORTION OF THE MEETING) MEETING HELD MONDAY, 4 APRIL 2016 AT 5.00 PM

PRESENT: Alderman J R Briscoe (Chairman), Aldermen E R Ruzicka,
H C Burnet, T M Denison and A M Reynolds.

Alderman Reynolds was co-opted to the meeting.

Alderman Ruzicka retired from the meeting at 6.45 pm, and was not present for items 6.2.1 - 12.

Alderman Reynolds retired from the meeting at 7.13 pm, and was not present for item 12.

APOLOGIES: Nil.

LEAVE OF ABSENCE: Nil.

**CITY PLANNING COMMITTEE
(OPEN PORTION OF THE MEETING)
MINUTES 2
4/4/2016**

DENISON

That Alderman Reynolds be co-opted to the meeting.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Ruzicka	
Burnet	
Denison	

1. MINUTES OF THE OPEN PORTION OF THE CITY PLANNING COMMITTEE MEETING HELD ON TUESDAY, 15 MARCH 2016

DENISON	That the minutes be signed as a true and correct record.
---------	--

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Ruzicka	
Burnet	
Denison	
Reynolds	

The minutes were signed.

2. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

RUZICKA	That the recommendation as contained at item 2 on the agenda, as detailed below, be adopted.
---------	--

“That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the provisions of the Local Government (Meeting Procedures) Regulations 2015.”

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Ruzicka	
Burnet	
Denison	
Reynolds	

CITY PLANNING COMMITTEE
(OPEN PORTION OF THE MEETING)
MINUTES 3
4/4/2016

3. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

No pecuniary or conflicts of interest were indicated.

4. TRANSFER OF AGENDA ITEMS

BURNET

That item 4.1 on the Closed agenda be transferred to the Open portion of the meeting.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Ruzicka	
Burnet	
Denison	
Reynolds	

Item 4.1 was transferred from the Closed agenda to the Open portion of the meeting, and is minuted as item 10.2.

5. PLANNING AUTHORITY ITEMS – CONSIDERATION OF ITEMS WITH DEPUTATIONS

RUZICKA

RECOMMENDATION

That in accordance with Regulation 8 (4) of the Local Government (Meeting Procedures) Regulations 2015, the Committee resolve to deal with any items which have deputations by members of the public regarding any planning matter listed on the agenda, to be taken out of sequence in order to deal with deputations at the beginning of the meeting.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Ruzicka	
Burnet	
Denison	
Reynolds	

6. COMMITTEE ACTING AS PLANNING AUTHORITY

6.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

Ms Olivia Porter addressed the Committee in relation to item 6.1.1.

6.1.1 283 DAVEY STREET, SOUTH HOBART - PARTIAL DEMOLITION AND NEW FRONT FENCING - PLN-16-00145-01 - FILE REF: 7519702 & P/283/437

RUZICKA

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for a partial demolition and new front fencing at 283 Davey Street, South Hobart as it is considered to comply with the performance criteria of the scheme, and a permit containing the following conditions be issued:

GEN The use and/or development must be substantially in accordance with the documents and drawings that comprise the Planning Application No. PLN-16-00145-01 outlined in attachment A to this permit except where modified below.

Reason for condition

To clarify the scope of the permit.

PLANNING

PLN 8 The front fencing along both boundaries must be reduced in height to be no more than 1.5m above natural ground level and be no less than 30% transparent.

Reason for condition

To maintain the streetscape.

ENVIRONMENTAL

ENV1 Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site. Sediment controls must be maintained until all areas of disturbance have been stabilized or revegetated.

cont.../

CITY PLANNING COMMITTEE
(OPEN PORTION OF THE MEETING)
MINUTES 5
4/4/2016

Item No. 6.1.1 continued

Advice: For further guidance in preparing Soil and Water Management Plans in accordance with Fact Sheet 3 Derwent Estuary Program go to www.hobartcity.com.au development engineering standards and guidelines.

Reason for condition

To avoid the sedimentation of roads, drains, natural watercourses, Council land that could be caused by erosion and runoff from the development, and to comply with relevant State Legislation.

ENGINEERING

ENG1 The cost of repair of any damage to the Council's infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development.

A photographic record of the Council's infrastructure adjacent to the subject site must be provided to the Council prior to any commencement of works.

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and nature strip, including if any, pre existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

Reason for condition

To ensure that any of the Council's infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

ENG s1 The footings of the proposed front fence must be contained wholly within the property boundary.

Reason for condition

To ensure the protection of the Council's hydraulic and road infrastructure.

cont.../

**CITY PLANNING COMMITTEE
(OPEN PORTION OF THE MEETING)
MINUTES 6
4/4/2016**

Item No. 6.1.1 continued

ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit www.hobartcity.com.au for further information.

Prior to any commencement of work on the site or commencement of use the following additional permits/approval may be required from the Hobart City Council:

- Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve)

http://www.hobartcity.com.au/Transport/Lighting_Roads_Footpaths_and_Street_Cleaning/Roads_and_Footpaths

- Permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc)

http://www.hobartcity.com.au/Transport/Permits/Construction_Activities_Special_Events_in_the_Road_Reservation

- Temporary parking permits for construction vehicles i.e. residential or meter parking/loading zones.

http://www.hobartcity.com.au/Transport/Permits/Parking_Permits

A grated drain is located within the Davey Street footpath adjacent to 283 Davey Street boundary. Extreme care must be taken in order to prevent any damage to the drain, please refer to condition ENG1.

Please note that the agreement of the Council's Manager Road & Environmental Engineering is required to adjust footpath levels to suit the design of any proposed development prior to the issue of any building consent, building permit (including demolition) pursuant to the Building Act 2000 or the commencement of works on site (whichever occurs first).

Pedestrian and vehicle access must be maintained along the footpaths and road(s) on the frontage of the site during construction and until the development is completed.

Please note development must be in accordance with the Hobart City Council's Highways By-law

<http://www.hobartcity.com.au/Council/Legislation>

Waste disposal -Top ten tips

http://www.hobartcity.com.au/Environment/Recycling_and_Waste

cont.../

CITY PLANNING COMMITTEE
(OPEN PORTION OF THE MEETING)
MINUTES 7
4/4/2016

Item No. 6.1.1 continued

Fees and charges

http://www.hobartcity.com.au/Council/Fees_and_Charges

Dial before you dig

www.dialbeforeyoudig.com.au

If you do not have access to the Council's electronic web page, please phone the Council (City Planning) on 62382715 for assistance.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe

Ruzicka

Burnet

Denison

Reynolds

SUPPLEMENTARY ITEMS

Mr Simon Stephens addressed the Committee in relation to supplementary item 6.1.2.

Mr Chris Cooper addressed the Committee in relation to supplementary item 6.1.2.

Ms Kate Loveday and Mr Robert Morris-Nunn addressed the Committee in relation to supplementary item 6.1.2, on behalf of the applicant.

6.1.2 40-44 MONTPELIER RETREAT, ADJACENT ROAD RESERVATION, BATTERY POINT - DEMOLITION AND REDEVELOPMENT FOR 31 DWELLINGS - PLN-15-00971-01 – FILE REF: 5669846 & P/40-44/683

BURNET

That the recommendation for refusal be adopted for the reasons outlined in the Officer's report attached to supplementary item 6.1.2 of the agenda of 4 April 2016, with the addition of the following advice clause:

“The Applicant may wish to consider submitting the portion of the application relating to James Street as a separate application.”

cont.../

CITY PLANNING COMMITTEE
(OPEN PORTION OF THE MEETING)
MINUTES 8
4/4/2016

Supp. Item No. 6.1.2 continued

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Ruzicka	
Burnet	
Denison	
Reynolds	

6.2 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997

Ms Irene Duckett (Ireneinc. Planning) and Mr Evio Brianese (Liminal Architecture) responded to questions of the Committee in relation to supplementary item 6.2.1, on behalf of the applicant.

6.2.1 19-27 CAMPBELL STREET, 29 CAMPBELL STREET, 19 COLLINS STREET, CT.198531/2, ADJACENT ROAD RESERVATIONS, HOBART - PARTIAL DEMOLITION, ALTERATIONS AND EXTENSIONS TO EXISTING BUILDINGS AND NEW DEVELOPMENT FOR EDUCATION CENTRE AND ARTS AND CULTURAL CENTRE, INCLUDING STUDIO THEATRE, RECITAL HALL WITH KIOSK/BAR, SALON, TEACHING AND LEARNING SPACES, ROOF DECKS, ROOF TERRACES AND MINOR ROAD WORKS - PLN-16-00135-01 - FILE REF: 5659170/08 & P/29/388

BURNET

That the recommendation for approval be adopted for the reasons outlined in the Officer's report attached to supplementary item 6.2.1 of the agenda of 4 April 2016, with condition Part 5 1 amended to read as follows:

“Part 5 1 Prior to the commencement of work, the owner(s) of the property must enter into an agreement with the Council pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 with respect to:

cont.../

**CITY PLANNING COMMITTEE
(OPEN PORTION OF THE MEETING)
MINUTES 9
4/4/2016**

Supp. Item No. 6.2.1 continued

1. Building within 1 metre of Council's storm water infrastructure (the Hobart Rivulet). The owner must agree to:
 - (a) not perform any future works to the structure within 1m of the Rivulet, including replacement of footings or additional overhang, without written permission from the Council; and
 - (b) remove any minor structures (such as awnings or signs) over the Rivulet chambers at the owner's cost at the Council's request to provide access to Council's infrastructure.

2. Works within the identified 1% AEP at 2100 flood extent affecting the land. The owner must agree to:
 - (a) Maintain all flood mitigation measures and control systems specified in the Flood Management Report.

3. The excavation and retaining walls adjacent to the Sun Street, Campbell Street and Sackville Street highway reservations. The owner must agree to not undertake any works at any time (including building and excavation) that will have any effect on the integrity of any retaining structure adjacent to Sun Street, Campbell Street and Sackville Street, or the road formations themselves or undermine the structural integrity of the highway reservations of Sun Street, Campbell Street and Sackville Street.

All costs for the preparation and registration of the Part 5 Agreement must be met by the owner.

The owner must comply with the Part 5 Agreement which will be placed on the property title.

Note: Further information with respect to the preparation of a part 5 agreement can be found

http://www.hobartcity.com.au/Development/Planning/Part_5_agreements

Reason for condition

To ensure that Council's infrastructure is accessible and protected and that flood risks are mitigated, and to ensure that support for the highway reservation and its infrastructure are retained."

cont.../

CITY PLANNING COMMITTEE
(OPEN PORTION OF THE MEETING)
MINUTES 10
4/4/2016

Supp. Item No. 6.2.1 continued

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Burnet	
Denison	
Reynolds	

BURNET

That the Council explore options for increasing pedestrian and bicycle access in the vicinity of the UTAS Creative Industries and Performing Arts Development at 19-27 Campbell Street and 19 Collins Street, Hobart in conjunction with the redevelopment of the site.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Burnet	
Denison	
Reynolds	

6.2.2 99 SALAMANCA PLACE (ALSO KNOWN AS PRINCES PARK), BATTERY POINT - PUBLIC TOILETS - PLN-16-00085-01 – FILE REF: 1832167 & P/90/889

BURNET

That the recommendation for approval be adopted for the reasons outlined in the Officer's report attached to supplementary item 6.2.2 of the agenda of 4 April 2016.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Burnet	
Denison	
Reynolds	

6.3 GENERAL

6.3.1 HOBART INTERIM PLANNING SCHEME 2015 – PLANNING SCHEME AMENDMENT AND S43A PERMIT APPLICATION – STEVENS FARM DRIVE, WEST HOBART – 5/2016 AMENDMENT – FILE REF: 16/18

DENISON That the recommendation contained in the report of the Director City Planning and the Development Planner of 22 March 2016, as detailed below, be adopted.

- That:*
1. *The report be received and noted.*

 2. *Pursuant to Section 34(1) (b) of the former provisions of the Land Use Planning and Approvals Act 1993, the Council resolve to initiate the following amendment to the Hobart Interim Planning Scheme 2015:*
 - 2.1. *Rezone part of the property at 25 Stevens Farm Drive, West Hobart from Environmental Living to Low Density Residential and Open Space as indicated on the rezoning/subdivision plans provided in Attachment A and also remove the Biodiversity Overlay from the area to be rezoned Low Density Residential.*

 3. *Pursuant to Section 35 of the former provisions of the Land Use Planning and Approvals Act 1993, Council certify that the 5/2016 Amendment to the Hobart Interim Planning Scheme 2015 meets the requirements of Section 32 of the former provisions of the Land Use Planning and Approvals Act 1993 and authorise the Lord Mayor and the General Manager to sign the Instrument of Certification (Attachment C).*

 4. *Pursuant to Section 38 of the former provisions of the Land Use Planning and Approvals Act 1993, the Council place the 5/2016 Amendment to the Hobart Interim Planning Scheme 2015 on public exhibition for a 28 day period following certification.*

 5. *Pursuant to Section 43A of the former provisions of the Land Use Planning and Approvals Act 1993, the Council grant a permit for subdivision at 25 Stevens Farm Drive, West Hobart and a permit containing the conditions specified in Attachment B be issued.*

cont.../

CITY PLANNING COMMITTEE
(OPEN PORTION OF THE MEETING)
MINUTES 12
4/4/2016

Supp. Item No. 6.3.1 continued

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	Reynolds
Burnet	
Denison	

7. REVIEW - CLIMATE CHANGE POLICY – FILE REF: 17-50-23

Procedural motion

REYNOLDS

That the item be deferred, for further consideration by Council officers.

PROCEDURAL MOTION LOST

VOTING RECORD

AYES	NOES
Reynolds	Briscoe
Burnet	Denison

DENISON

That the recommendation contained in the report of the Director City Planning and the Environment and Climate Change Officer of 9 March 2016, as detailed below, be adopted.

- That:*
- 1. The report be received and noted.*
 - 2. The Council Policy (Policy Number: 5.11.01) be amended to reflect the revised version contained in Attachment A and supported by documentation: 'Hobart climate change information for decision making' (Climate Information) and the related Climate Information evaluation. A copy of the Climate Information forms Attachment B of this report and a copy of the Climate Information evaluation forms Attachment C of this report.*

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	Reynolds
Burnet	
Denison	

CITY PLANNING COMMITTEE
(OPEN PORTION OF THE MEETING)
MINUTES 13
4/4/2016

8. APPLICATIONS APPROVED UNDER THE DELEGATED AUTHORITY OF THE DIRECTOR CITY PLANNING – FILE REF: 30-1-18

BURNET

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Burnet	
Denison	
Reynolds	

9. CITY PLANNING COMMITTEE – STATUS REPORT

DENISON

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Burnet	
Denison	
Reynolds	

10. RESPONSES TO QUESTIONS WITHOUT NOTICE – FILE REF: 13-1-10

10.1 UPDATES RE: ENVIRONMENTAL AND COMPLIANCE ISSUES

BURNET

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Burnet	
Denison	
Reynolds	

CITY PLANNING COMMITTEE
(OPEN PORTION OF THE MEETING)
MINUTES 14
4/4/2016

10.2 REQUESTS FOR INFORMATION FROM PLANNING CONSULTANTS

BURNET

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Burnet	
Denison	
Reynolds	

11. QUESTIONS WITHOUT NOTICE – FILE REF: 13-1-10

No questions were asked at the meeting.

12. CLOSED PORTION OF THE CITY PLANNING COMMITTEE MEETING

BURNET

That the items be noted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Briscoe	
Burnet	
Denison	

**CITY PLANNING COMMITTEE
(OPEN PORTION OF THE MEETING)
MINUTES 15
4/4/2016**

The Chairman adjourned the meeting at 7.13 pm to conduct the closed portion of the meeting.

The meeting reconvened at 7.19 pm.

Item 12 was then taken.

There being no further business the meeting closed at 7.20 pm.

TAKEN AS READ AND SIGNED AS A
CORRECT RECORD THIS 18TH DAY
OF APRIL 2016.

CHAIRMAN