



CITY OF HOBART

# **MINUTES**

## **Special City Planning Committee Meeting**

**Open Portion**

**Monday, 6 February 2017**

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## ORDER OF BUSINESS

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**Minutes of the Special City Planning Committee Meeting (Open Portion) held on Monday, 6 February 2017 at 4.20 pm in the Lady Osborne Room, Town Hall.**

**COMMITTEE MEMBERS**

Briscoe (Chairman)  
Ruzicka  
Burnet  
Denison

**ALDERMEN**

Lord Mayor Hickey  
Deputy Lord Mayor Christie  
Zucco  
Sexton  
Cocker  
Thomas  
Reynolds  
Harvey

**APOLOGIES:** Nil

**LEAVE OF ABSENCE:** Nil

**PRESENT:**

Alderman J R Briscoe (Chairman),  
Aldermen E R Ruzicka, H C Burnet,  
T M Denison, the Lord Mayor Alderman  
S L Hickey, Aldermen P S Cocker,  
D C Thomas, A M Reynolds and  
W F Harvey.

Alderman Cocker was co-opted to the  
Committee.

**BURNET**

That Alderman Cocker be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe  
Ruzicka  
Burnet  
Denison

**1. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

Ref: Part 2, Regulation 8(7) of the *Local Government (Meeting Procedures) Regulations 2015*.

Aldermen are requested to indicate where they may have any pecuniary or conflicts of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the committee has resolved to deal with.

No interest was indicated.

## **2. COMMITTEE ACTING AS PLANNING AUTHORITY**

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In accordance with the provisions of Part 2 Regulation 25 of the Local Government (Meeting Procedures) Regulations 2015, the intention of the Committee to act as a planning authority pursuant to the Land Use Planning and Approvals Act 1993 is to be noted.

In accordance with Regulation 25, the Committee will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Committee is reminded that in order to comply with Regulation 25(2), the General Manager is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

### **2.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015**

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#### **2.1.1 Hobart Interim Planning Scheme 2015 - Planning Scheme Amendment 6/2016 and S43A Permit Application - 191 & 199 New Town Road, New Town - Consideration of Representations File Ref: F16/140711**

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##### **BURNET**

That the recommendation contained in the report of the Manager Planning Policy and Heritage and Director City Planning of 6 February 2017, be adopted, with the inclusion of the following new condition:

##### **PLNs2**

The building must be set back a minimum of one (1) metre from the northeastern boundary.

##### **Reason for condition**

In the interests of minimising impacts upon neighbouring amenity.

**MOTION CARRIED**

##### **VOTING RECORD**

<b>AYES</b>	<b>NOES</b>
Briscoe	Denison
Ruzicka	
Burnet	
Cocker	

**COMMITTEE RESOLUTION:**

- That: 1. Pursuant to Section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council endorse the report attached to item 2.1.1 of the Open City Planning Committee agenda of 6 February 2017 as the formal statement of its opinion as to the merit of the representations received during the exhibition of the draft 6/2016 Amendment to the Hobart Interim Planning Scheme 2015 and S43A permit (PLN-16-00655-01).
2. Pursuant to Section 39(2) of the *Land Use Planning and Approvals Act 1993*, the Council recommend to the Tasmanian Planning Commission that the 6/2016 Amendment to the Hobart Interim Planning Scheme 2015 be approved as certified.
3. Pursuant to Section 39(2) of the *Land Use Planning and Approvals Act 1993*, the Council recommend to the Tasmanian Planning Commission that the S43A permit (PLN-16-00655-01) be amended by including the following condition and advice:

Condition

PLNs1

Noise generated by the operation of the bottle shop, use of the delivery bay and lockable trolley cages must not cause environmental harm when measured at the north-eastern boundary of the site.

Measures to reduce the potential for noise emanating from the delivery bay and trolley cage area at the north-eastern corner of the site towards adjacent properties to the north/north-east must be incorporated into the overall development. Such measures may incorporate acoustic screens or similar to achieve a reduced noise impact, particularly for deliveries occurring during the evening or early morning.

Design drawings and/or details of the chosen method of reducing noise impact, supported by evidence from a suitably qualified person, must be submitted and approved prior to the issue of building consent for the development, with all works required to be implemented prior to the first use of the new development.

All work required by this condition must be undertaken in accordance with the approved drawings.

Advice: Once the drawing has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Reason for condition

To ensure noise emissions do not cause environmental harm and do not have an unreasonable impact on residential amenity.

PLNs2

The building must be set back a minimum of one (1) metre from the northeastern boundary.

Reason for condition

In the interests of minimising impacts upon neighbouring amenity.

Advice

AMENITY IMPACT

Noise, dust, odour or other pollutants emitted from any activities associated with the development must not unreasonably cause any disturbance, annoyance or nuisance to owners/occupiers in the vicinity and shall comply with the Environmental Management and Pollution Control Act 1994 and subsequent regulations.

RIGHT OF WAY

The private right of way must not be reduced, restricted or impeded in any way, and all beneficiaries must have complete and unrestricted access at all times. If the proposed development requires alteration in order to meet this requirement, any such change should be discussed and if necessary approved by Council prior to the submission of any plans for building consent.

You should inform yourself as to your rights and responsibilities in respect to the private right of way particularly reducing, restricting or impeding the right during and after construction.

**Delegation: Council**

### **3. CLOSED PORTION OF THE MEETING**

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The following items were discussed:-

- Item No. 1      Indications of pecuniary and conflicts of interest
- Item No. 2      Planning Authority Items – Consideration of Items with Deputations
- Item No. 3      City Acting as Planning Authority
- Item No. 3.1    Applications under the Hobart Interim Planning Scheme 2015
- Item No. 3.1.1 Sandy Bay Road, Hobart and Adjacent Reserve  
                         LG(MP)R 15(4)(a) and (b)

BURNET

That the items be noted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Briscoe		
Ruzicka		
Burnet		
Denison		
Cocker		

The Chairman adjourned the meeting at 4.29 pm to conduct the closed portion of the meeting.

The meeting was reconvened at 5.09 pm.

Item 3 was then taken.

There being no further business the meeting closed at 5.10 pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
14<sup>TH</sup> DAY OF MARCH 2017.

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**CHAIRMAN**