



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 15 May 2017 at 5:00 pm

ORDER OF BUSINESS

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**City Planning Committee Meeting (Open Portion) held on Monday, 15 May 2017
at 5.00 pm in the Lady Osborne Room, Town Hall.**

COMMITTEE MEMBERS

Briscoe (Chairman)
Ruzicka
Burnet
Denison

PRESENT: Alderman J R Briscoe
(Chairman), Alderman E R Ruzicka,
P S Cocker, A M Reynolds and
W F Harvey.

APOLOGIES: Nil.

LEAVE OF ABSENCE:

Alderman H C Burnet.
Alderman T M Denison.

ALDERMEN

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

Alderman Ruzicka retired at 6:55pm
during the discussion of item 8.2 and was
present for items 1 to 8.1.

Alderman Cocker was an ex-officio
member of the Committee.

Aldermen Reynolds and Harvey were co-
opted to the Committee.

**1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A
VACANCY**

RUZICKA

That both Alderman Reynolds and Alderman Harvey be co-opted to the
Committee.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Cocker

2. CONFIRMATION OF MINUTES

RUZICKA

The minutes of the Open Portion of the City Planning Committee meeting held
on [Monday, 1 May 2017](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Briscoe		
Ruzicka		
Cocker		
Reynolds		
Harvey		

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

Ref: Part 2, Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*.

Recommendation

That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the General Manager.

No supplementary items were received.

4. 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

5. TRANSFER OF AGENDA ITEMS

Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

A committee may close a part of a meeting to the public where a matter to be discussed falls within 15(2) of the above regulations.

In the event that the committee transfer an item to the closed portion, the reasons for doing so should be stated.

Are there any items which should be transferred from this agenda to the closed portion of the agenda, or from the closed to the open portion of the agenda?

No items were transferred.

6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS

In accordance with the requirements of Part 2 Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the General Manager is to arrange the agenda so that the planning authority items are sequential.

In accordance with Part 2 Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee by simple majority may change the order of any of the items listed on the agenda, but in the case of planning items they must still be considered sequentially – in other words they still have to be dealt with as a single group on the agenda.

Where deputations are to be received in respect to planning items, past practice has been to move consideration of these items to the beginning of the meeting.

RUZICKA

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
Cocker
Reynolds
Harvey

7. COMMITTEE ACTING AS PLANNING AUTHORITY

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.

7.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

Mr Gerard Flack and Mr Stephen Geason (Director) from Cykel Architecture addressed the Committee in relation to item 7.1.1.

7.1.1 4 Garth Avenue, Sandy Bay - Partial Demolition, Alterations and Extensions PLN-17-212 - File Ref: F17/45150

PROCEDURAL MOTION

REYNOLDS

That the matter be deferred to a subsequent City Planning Committee meeting to enable the applicant time to discuss the proposal further with Council officers and neighbouring property owners and to consider amending the proposal and in response to the currently recommended reasons of refusal.

PROCEDURAL MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Cocker
Reynolds
Harvey

COMMITTEE RESOLUTION:

That the matter be deferred to a subsequent City Planning Committee meeting to enable the applicant time to discuss the proposal further with Council officers and neighbouring property owners and to consider amending the proposal and in response to the currently recommended reasons of refusal.

Delegation: Committee

Item 7.1.3 was then taken.

Mr Cameron McKenzie and Ms Anita Gowers addressed the Committee in relation to item 7.1.2.

**7.1.2 11 Waterworks Road, Dynnryne - Fencing
PLN-17-166 - File Ref: F17/45203**

RUZICKA

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for fencing at 11 Waterworks Road, Dynnryne 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 PLN-17-166 - 11 WATERWORKS ROAD DYNRYNE TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG 1

The cost of repair of any damage to the Council infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development or as otherwise determined by the Council.

A photographic record of the Council 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 strips, 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 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 infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

ENV 1

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 re-vegetated.

Advice: For further guidance in preparing a Soil and Water Management Plan – in accordance with Fact sheet 3 Derwent Estuary Program [click here](#).

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.

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 the Council's website 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.

BUILDING PERMIT

Building permit in accordance with the Building Act 2016. [Click here](#) for more information.

DIAL BEFORE YOU DIG

[Click here](#) for dial before you dig information.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Cocker
Reynolds
Harvey

COMMITTEE RESOLUTION:

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for fencing at 11 Waterworks Road, Dynnyrne 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 PLN-17-166 - 11 WATERWORKS ROAD DYNNYRNE TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG 1

The cost of repair of any damage to the Council infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development or as otherwise determined by the Council.

A photographic record of the Council 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 strips, 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 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 infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

ENV 1

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 re-vegetated.

Advice: For further guidance in preparing a Soil and Water Management Plan – in accordance with Fact sheet 3 Derwent Estuary Program [click here](#).

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.

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 the Council's website 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.

BUILDING PERMIT

Building permit in accordance with the Building Act 2016. [Click here](#) for more information.

DIAL BEFORE YOU DIG

[Click here](#) for dial before you dig information

Delegation: Council

Item 7.1.4 was then taken.

7.1.3 24 Quayle Street, Sandy Bay - Alterations and Extension PLN-17-229 - File Ref: F17/45660

PROCEDURAL MOTION

RUZICKA

That the matter be deferred to a subsequent City Planning Committee meeting to enable the applicant time to consider amending the proposal and in response to the currently recommended reasons of refusal.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Cocker
Reynolds
Harvey

COMMITTEE RESOLUTION:

That the matter be deferred to a subsequent City Planning Committee meeting to enable the applicant time to consider amending the proposal and in response to the currently recommended reasons of refusal.

Delegation: Committee

Item 7.1.2 was then taken.

Mr James Morris and Mrs Suzanne Morris, Mr Dermot Crean, Dr Pauline Enright, Mr Mark Drury and Ms Kate Loveday addressed the Committee in relation to item 7.1.4.

Mr Benn Turner and Mr Daniel Lane from Preston Lane together with Ms Jacqui Blowfield from Ireneinc addressed the Committee in relation to item 7.1.4, on behalf of the applicant.

**7.1.4 3-4 Montgomery Court, Sandy Bay - Multiple Dwellings
PLN-16-1243 - File Ref: F17/46783**

RUZICKA

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for multiple dwellings at 3-4 Montgomery Court, Sandy Bay for the following reasons:

1. The proposal does not meet the acceptable solutions or the performance criteria with respect to clause 11.4.1 of the Hobart Interim Planning Scheme 2015 in that the proposal does not contribute to a range of dwelling types and sizes appropriate to the locality.
2. The proposal does not meet the acceptable solutions or the performance criteria with respect to clause 11.4.2 P3 of the Hobart Interim Planning Scheme 2015 in that the siting and scale of the proposal causes an unreasonable loss of amenity by:

- (i). Resulting in a reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot;
 - (ii). Resulting in overshadowing of the private open space of a dwelling on an adjoining lot;
 - (iii). Resulting in visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot;
 - (iv). Not providing separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.
3. The proposal does not meet the acceptable solutions or the performance criteria with respect to clauses 11.4.3 P1 and P2 of the Hobart Interim Planning Scheme 2015 in that the dwellings will not have private open spaces that:
- (i). Are of a size and dimensions that are appropriate for the size of the dwellings;
 - (ii). Are able to accommodate outdoor recreational space consistent with the projected requirements of the occupants and operational needs, such as clothes drying and storage;
 - (iii). Incorporate reasonable space for the planting of gardens and landscaping;
 - (iv). Include areas that are capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play that are conveniently located in relation to a living area of the dwelling and orientated to take advantage of sunlight.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Ruzicka
Cocker
Reynolds
Harvey

COMMITTEE RESOLUTION:

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for multiple dwellings at 3-4 Montgomery Court, Sandy Bay for the following reasons:

1. The proposal does not meet the acceptable solutions or the performance criteria with respect to clause 11.4.1 of the Hobart Interim Planning Scheme 2015 in that the proposal does not contribute to a range of dwelling types and sizes appropriate to the locality.

2. The proposal does not meet the acceptable solutions or the performance criteria with respect to clause 11.4.2 P3 of the Hobart Interim Planning Scheme 2015 in that the siting and scale of the proposal causes an unreasonable loss of amenity by:
 - (i). Resulting in a reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot;
 - (ii). Resulting in overshadowing of the private open space of a dwelling on an adjoining lot;
 - (iii). Resulting in visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot;
 - (iv). Not providing separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

3. The proposal does not meet the acceptable solutions or the performance criteria with respect to clauses 11.4.3 P1 and P2 of the Hobart Interim Planning Scheme 2015 in that the dwellings will not have private open spaces that:
 - (i). Are of a size and dimensions that are appropriate for the size of the dwellings;
 - (ii). Are able to accommodate outdoor recreational space consistent with the projected requirements of the occupants and operational needs, such as clothes drying and storage;
 - (iii). Incorporate reasonable space for the planting of gardens and landscaping;
 - (iv). Include areas that are capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play that are conveniently located in relation to a living area of the dwelling and orientated to take advantage of sunlight.

Delegation: Council

8 REPORTS

8.1 Glenorchy to Hobart Public Transit Corridor Project - Implementation File Ref: F17/44276; 36-20-1

REYNOLDS

That the recommendation contained in the report of the Manager Planning Policy and Heritage of 10 May 2017, be adopted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Briscoe		
Ruzicka		
Cocker		
Reynolds		
Harvey		

COMMITTEE RESOLUTION:

- That: 1. The Council endorse the Glenorchy to Hobart Transit Corridor Steering Committee be comprised of the following members:
- (a) Lord Mayor (Chair);
 - (b) HCC Alderman Thomas and Reynolds;
 - (c) HCC General Manager (N.D. Heath);
 - (d) GCC Acting General Manager, (T. McMullen);
 - (e) Allan Garcia (Infrastructure Tasmania).
2. Subject to Glenorchy City Council agreeing to contribute \$20,000, a suitably qualified consultant with specialist expertise in implementation of urban renewal and transit oriented development projects be commissioned to assist in and provide advice in relation to project implementation with a brief being prepared for endorsement by the Steering Committee and expressions of interest called.

Delegation: Council

8.2 Heritage Precincts Review - Progress Report
File Ref: F17/46062; 32-13-4

HARVEY

That the recommendation contained in the report of the Senior Cultural Heritage Officer of 10 May 2017, be adopted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Briscoe		
Cocker		
Reynolds		
Harvey		

COMMITTEE RESOLUTION:

That the information be received and noted.

Delegation: Committee

8.3 Delegated Decisions Report (Planning)
File Ref: F17/45708; 16/117

HARVEY

That the recommendation contained in the report of the Director City Planning of 10 May 2017, be adopted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Briscoe		
Cocker		
Reynolds		
Harvey		

COMMITTEE RESOLUTION:

That the information be received and noted.

Delegation: Committee

8.4 City Planning - Advertising List
File Ref: F17/46328; 16/117

HARVEY

That the recommendation contained in the report of the Director City Planning of 10 May 2017, be adopted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Briscoe		
Cocker		
Reynolds		
Harvey		

COMMITTEE RESOLUTION:

That the information be received and noted.

Delegation: Committee

9 COMMITTEE ACTION STATUS REPORT

9.1 Committee Actions - Status Report
File Ref: F17/46375

HARVEY

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Briscoe		
Cocker		
Reynolds		
Harvey		

Delegation: Committee

10. QUESTIONS WITHOUT NOTICE

Section 29 of the *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 13-1-10

No questions were asked at the meeting.

11. CLOSED PORTION OF THE MEETING

The following items were discussed:-

- | | |
|------------|--|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Council Meeting |
| Item No. 2 | Consideration of supplementary items to the agenda |
| Item No. 3 | Indications of pecuniary and conflicts of interest |
| Item No. 4 | Planning Authority Items – Consideration of Items with Deputations |
| Item No. 5 | City Acting as Planning Authority |
| Item No. 6 | Questions Without Notice |

HARVEY

That the items be noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Briscoe
Cocker
Reynolds
Harvey

The Chairman adjourned the meeting at 7:08 pm to conduct the closed portion of the meeting.

The meeting reconvened at 7:09 pm.

Item 11 was then taken.

There being no further business the meeting closed at 7:09 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
29TH DAY OF MAY 2017.

CHAIRMAN