



CITY OF HOBART

MINUTES

Special City Planning Committee Meeting

Open Portion

Monday, 15 April 2019 at 4:15 pm

ORDER OF BUSINESS

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**Special City Planning Committee Meeting (Open Portion) held on Monday,
15 April 2019 at 4:15 pm in the Lady Osborne Room, Town Hall.**

COMMITTEE MEMBERS

Deputy Lord Mayor Burnet (Chairman)
Briscoe
Denison
Harvey
Behrakis

NON-MEMBERS

Lord Mayor Reynolds
Zucco
Sexton
Thomas
Dutta
Ewin
Sherlock

PRESENT: The Deputy Lord Mayor
Councillor H Burnet, Alderman J R Briscoe,
T M Denison, Councillor W F Harvey,
Alderman S Behrakis, the Lord Mayor
Councillor A M Reynolds and Alderman
Dr P T Sexton.

Alderman Sexton retired from the
meeting at 4:40 pm.

APOLOGIES: Nil.

LEAVE OF ABSENCE: Nil.

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

No Elected Members were co-opted to the Committee.

2. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

Members of the Committee 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.

3. 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.

3.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997

2.1.1 9-11 Murray Street Hobart - Extension to Approved Operating Hours PLN-19-115 - File Ref: F19/39752

BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 11 April 2019, be adopted, as amended by an additional advice clause to read as follows:

“Advice

Contribution to Street Teams

The Applicant be strongly encouraged to contribute towards the cost of the Street Teams patrolling within the vicinity due to the extended operating hours.”

MOTION CARRIED

VOTING RECORD

AYES

Briscoe
Denison
Behrakis

NOES

Deputy Lord Mayor Burnet
Harvey

COMMITTEE RESOLUTION:

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for extension to approved operating hours at 9-11 Murray Street HOBART for the reasons outlined in the officer's report, marked as item 2.1.1 of the Special Open City Planning Committee agenda of 15 April 2019 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-19-115 - 9-11 MURRAY STREET HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 14

The noise generated by the use must not cause an environmental nuisance.

Reason for the condition

To ensure noise emissions do not cause environmental harm and do not have an unreasonable impact on the amenity of residential or visitor accommodation uses in the area.

PLN 6

The use must not be open to the public outside of the following hours:

- Monday 12 noon to 1am (inside) and 6pm to 1am (outside)
- Tuesday 12 noon to 1am (inside) and 6pm to 1am (outside)
- Wednesday 12 noon to 3am (inside) and 6pm to 3am (outside)
- Thursday 12 noon to 1am (inside) and 6pm to 1am (outside)
- Friday 12 noon to 5am (inside) and 6pm to 5am (outside)
- Saturday 12 noon to 5am (inside) and 6pm to 5am (outside)
- Sunday 12 noon to 1am (inside) and 6pm to 1am (outside)

Music must not be played outside after 10pm Monday to Sunday.

Reason for condition

To ensure that non-residential use does not unreasonably impact on residential amenity

PLN 7

The serving of alcohol outside is not approved.

Reason for condition

To reduce the likelihood of any unreasonable impact upon the amenity of the adjacent residential or visitor accommodation properties through noise emissions.

Advice

Contribution to Street Teams

The Applicant be strongly encouraged to contribute towards the cost of the Street Teams patrolling within the vicinity due to the extended operating hours.

Delegation: Committee

3. REPORTS

3.1 Proposed Central Hobart Precinct Plan File Ref: F19/41012

BEHRAKIS

That the recommendation contained in the memorandum of the Director City Planning of 12 April 2019, be adopted, with the addition of the following clause

- “3. The Council enquire with the Minister for Planning regarding the ability of the outcomes from the Precinct Plan work to be incorporated within the Local Provisions Schedule currently being considered by the Tasmanian Planning Commission.”

AMENDMENT

BRISCOE

That the words *including height restrictions* be inserted after the word *Commission* in Clause 3.

AMENDMENT CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Denison
Briscoe	
Harvey	
Behrakis	

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Denison	
Harvey	
Behrakis	

COMMITTEE RESOLUTION:

- That: 1. The Council agrees to work with the State Government to prepare a Terms of Reference and detailed work breakdown including a proposed allocation of tasks, funding and in-kind contribution for a Hobart Precinct Plan for the area of the city as outlined in Attachment B to item 3.1 of the Special Open City Planning Committee agenda of 15 April 2019.
2. That the draft Terms of Reference and work plan developed with the State Government be the subject of a subsequent report for consideration by the Council.
3. The Council enquire with the Minister for Planning regarding the ability of the outcomes from the Precinct Plan work to be incorporated within the Local Provisions Schedule currently being considered by the Tasmanian Planning Commission including height restrictions.

Delegation: Council

There being no further business the meeting closed at 5:10 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
29TH DAY OF APRIL 2019.

CHAIRMAN