



CITY OF HOBART

MINUTES

Special City Planning Committee Meeting

Open Portion

Monday, 1 July 2019 at 4:30 pm

ORDER OF BUSINESS

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Special City Planning Committee Meeting (Open Portion) held on Monday, 1 July 2019 at 4.30 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, Aldermen
J R Briscoe, T M Denison, Councillor W F
Harvey, Alderman S Behrakis, the Lord
Mayor Councillor A M Reynolds and
Councillor M Dutta.

Lord Mayor Councillor A M Reynolds
was present for items 1 to 3 and retired
from the meeting at 5.11pm during the
discussion of item 3.1.1.

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.

The Chairman reminded elected members present of their obligations under the *Local Government Act 1993* and read from Section 49 of the Act: 'a councillor or member has an interest in a matter if the councillor or member or a close associate would, if the matter were decided in a particular manner, receive, have an expectation of receiving or be likely to receive a pecuniary benefit or pecuniary detriment.'

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 HOBART INTERIM PLANNING SCHEME 2015

Mr Brian Corr (Representor) addressed the Committee in relation to item 3.1.1.

Mr Peter Black (Representor) addressed the Committee in relation to item 3.1.1.

Ms Margaret Taylor (Representor) addressed the Committee in relation to item 3.1.1.

Mr Paul Carstairs of the Hexa Group (Applicant), Ms Irene Duckett, Mr Paul Davies and Ms Stephanie Poole addressed the Committee in relation to item 3.1.1.

3.1.1 58 Harrington Street, 59 Davey Street, 61 Davey Street Hobart and Adjacent Road Reserve - Demolition, Alterations, New Building for 52 Multiple Dwellings, Food Services, General Retail and Hire and associated Car Parking, Subdivision (Lot Consolidation), and associated works, including works within Road Reserve PLN-18-853 - File Ref: F19/82264

BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner of 24 June 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Denison
Briscoe	Behrakis
Harvey	

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for demolition, alterations, new building for 52 multiple dwellings, food services, general retail and hire and associated car parking, subdivision (lot consolidation), and associated works, including works within road reserve at 59 Davey Street, 61 Davey Street, and 58 Harrington Street, Hobart, for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 22.4.1 A1 and P1.2(f) of the *Hobart Interim Planning Scheme 2015* because it will not make a positive contribution to the streetscape and townscape, because the historic cultural heritage values of places and precincts in the Central Business Zone will not be protected and enhanced (clause 22.1.3.1(d)), and the building will be an individually prominent building in street elevation by virtue of its height and bulk (clause 22.1.3.2(d)).
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.1 A1 or P1 of the *Hobart Interim Planning Scheme 2015*, because proposed demolition would result in the loss of original 19th century historic fabric that contributes to the historic cultural heritage significance of the place, and it has not been demonstrated that:
 - a) there are environmental, social, economic, or safety reasons of greater value to the community than the historic cultural heritage values of the place,
 - b) there are no prudent and feasible alternatives, and,
 - c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained.

3. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A1 P1 (a) of the *Hobart Interim Planning Scheme 2015*, because it is an incompatible design through height, scale, bulk, form, fenestration, siting, and materials being adjacent to a two storey heritage listed building.
4. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A1 or P2 (a), (b) and (c) of the *Hobart Interim Planning Scheme 2015*, because it will not be subservient and complementary to the listed place due to its bulk, scale, and siting with respect to a listed building
5. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.1 A1 or P1 of the *Hobart Interim Planning Scheme 2015*, because proposed demolition would result in the loss of a building and an historic wall that contributes to the historic cultural heritage significance of the precinct, and it has not been demonstrated that:
 - a) there are environmental, social, economic, or safety reasons of greater value to the community than the historic cultural heritage values of the place, and,
 - b) there are no prudent and feasible alternatives, and,
 - c) the replacement building will be more complimentary to the heritage values of the precinct.
6. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.1 A1 or P1 of the *Hobart Interim Planning Scheme 2015*, because the design and siting of the proposal results in detriment to the historic cultural heritage significance of the precinct through its siting, bulk, height, and scale treatment.
7. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 22.4.1 A1 or P5 of the *Hobart Interim Planning Scheme 2015*, because the height of the proposed building unreasonably dominates and has a materially adverse impact on existing buildings of cultural heritage significance.

Attachments

A Tabled: Welcome Stranger Project - Flyer and Booklet ⇒ 

Delegation: Council

There being no further business the meeting closed at 6.10 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
15TH DAY OF JULY 2019.

CHAIRMAN
