



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 3 May 2021 at 5:00 pm

ORDER OF BUSINESS

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City Planning Committee Meeting (Open Portion) held on Monday, 3 May 2021 at 5:00 pm in the Council Chamber, Town Hall.

This meeting of the City Planning Committee is held in accordance with a Notice issued by the Premier on 3 April 2020 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.

COMMITTEE MEMBERS

Deputy Lord Mayor Burnet (Chairman)
Briscoe
Harvey
Behrakis
Dutta
Coats

NON-MEMBERS

Lord Mayor Reynolds
Zucco
Sexton
Thomas
Ewin
Sherlock

PRESENT: The Deputy Lord Mayor Councillor H Burnet (Chairman), Alderman J R Briscoe, Councillors W F Harvey, M Dutta and W Coats.

APOLOGIES: Alderman S Behrakis.

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. CONFIRMATION OF MINUTES

BRISCOE

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 19 April 2021](#) and the Special City Planning Committee meeting held on [Monday, 26 April 2021](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Dutta
Coats

NOES

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*.

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.

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.

No deputations were received.

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

7.1.1 76 Liverpool Street, Hobart - Partial Demolition, Alterations and Signage PLN-21-139 - File Ref: F21/35784

BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 22 April 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Dutta	
Coats	

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and signage at 76 Liverpool Street Hobart for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 3 May 2021 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-21-139 76 LIVERPOOL STREET HOBART TAS 7000 - Final Planning Application except where modified below.

Reason for condition

To clarify the scope of the permit.

THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 6506 dated 14 April 2021, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG 1

Any damage to council infrastructure resulting from the implementation of this permit, must, at the discretion of the Council:

1. Be met by the owner by way of reimbursement (cost of repair and reinstatement to be paid by the owner to the Council); or
2. Be repaired and reinstated by the owner to the satisfaction of the Council.

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 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'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.

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

You may need building approval in accordance with the Building Act 2016. [Click here for more information.](#)

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

PLUMBING PERMIT

You may need plumbing approval in accordance with the *Building Act 2016*, *Building Regulations 2016* and the National Construction Code. [Click here for more information.](#)

OCCUPATION OF THE PUBLIC HIGHWAY

You may require a permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc). [Click here for more information.](#)

You may require an occupational license for structures in the Hobart City Council highway reservation, in accordance with conditions to be established by the Council. [Click here for more information.](#)

You may require a road closure permit for construction or special event. [Click here for more information.](#)

You may require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). [Click here for more information.](#)

PERMIT FOR VEHICLE ACCESS TO ELIZABETH STREET MALL

You may require a permit for vehicle access to the Elizabeth Street mall. Please contact the Hobart City Council's Customer Services and Parking operations.

8. REPORTS

8.1 **Proposal to Amend the Southern Tasmania Regional Land Use Strategy by Extending the Urban Growth Boundary at 69 Brighton Road, Brighton** **File Ref: F21/27879**

HARVEY

That the recommendation contained in the report of the Development Planner of 28 April 2021, be adopted, as amended by an additional clause 3 to read as follows:

- “3. *Given the increased requests relating to the Urban Growth Boundary review and the demands for dwellings, the Council seek urgent action by the state government to fast track review of the Southern Tasmanian Regional Land Use Strategy Review.*”

BRISCOE

That clause 2 and the amendment clause 3 of the recommendation be voted on separately.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Dutta	
Coats	

BRISCOE

2. Should the Minister agree to determine the proposal at this time then following considerations be taken into account:
 - a. Potential impacts of the proposal in light of the MetroPlan project;
 - b. The wider potential impact of the proposal on traffic into other Municipal Areas, particularly the Hobart CBD;
 - c. The potential cumulative impacts of extensions to the Urban Growth Boundary in regional centres and the need for new social and physical infrastructure to accommodate that growth;
3. Given the increased requests relating to the Urban Growth Boundary review and the demands for dwellings, the Council seek urgent action by the state government to fast track review of the Southern Tasmanian Regional Land Use Strategy Review.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Dutta	
Coats	

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Briscoe
Harvey	Coats
Dutta	

COMMITTEE RESOLUTION:

- That: 1. The Council not support at this time the proposal for an amendment to the Southern Tasmania Regional Land Use Strategy 2010-2035 to extend the Urban Growth Boundary to include 11.27ha of land at 69 Brighton Road, Brighton progressing to assessment by the Minister for Planning. Rather the Council support the consideration of this proposal as part of a wider review of the Southern Tasmania Regional Land Use Strategy.
2. Should the Minister agree to determine the proposal at this time then following considerations be taken into account:
- Potential impacts of the proposal in light of the MetroPlan project;
 - The wider potential impact of the proposal on traffic into other Municipal Areas, particularly the Hobart CBD;
 - The potential cumulative impacts of extensions to the Urban Growth Boundary in regional centres and the need for new social and physical infrastructure to accommodate that growth;
3. Given the increased requests relating to the Urban Growth Boundary review and the demands for dwellings, the Council seek urgent action by the state government to fast track review of the Southern Tasmanian Regional Land Use Strategy Review.

Delegation: Council

8.2 Delegated Decision Report (Planning)
File Ref: F21/35416

HARVEY

That the recommendation contained in the memorandum of the Director City Planning of 26 April 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Dutta	
Coats	

COMMITTEE RESOLUTION:

That the information contained in the memorandum *Delegated Decision Report (Planning)* be received and noted.

Delegation: Committee

8.3 City Planning - Advertising Report
File Ref: F21/36035

DUTTA

That the recommendation contained in the memorandum of the Director City Planning of 27 April 2021, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Dutta	
Coats	

COMMITTEE RESOLUTION:

That the information contained in the memorandum *City Planning – Advertising Report* be received and noted.

Delegation: Committee

9. QUESTIONS WITHOUT NOTICE

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

9.1 Alderman Briscoe - City Planning - Agenda File Ref: 13-1-10

Question: Why was tonight's City Planning agenda light on for applications to determine?

Answer: The Director City Planning advised that in this instance there was only one application that was within the delegation of the Committee or the Council to determine.

10. CLOSED PORTION OF THE MEETING

That the Committee resolve by majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures) Regulations 2015* because the items included on the closed agenda contain the following matters:

- Confirm the minutes of the closed portion of the meeting
- Questions without notice in the closed portion

The following items were discussed:-

- | | |
|------------|--|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Committee Meeting |
| Item No. 2 | Consideration of supplementary items to the agenda |
| Item No. 3 | Indications of pecuniary and conflicts of interest |
| Item No. 4 | Questions Without Notice |

There being no further business the Open portion of the meeting closed at 5.25 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
17TH DAY OF MAY 2021.

CHAIRMAN