



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 25 July 2022 at 5:39pm

ORDER OF BUSINESS

APOLOGIES AND LEAVE OF ABSENCE

1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY	4
2. CONFIRMATION OF MINUTES.....	4
3. CONSIDERATION OF SUPPLEMENTARY ITEMS	5
4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST	5
5. TRANSFER OF AGENDA ITEMS.....	6
6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS	6
7. COMMITTEE ACTING AS PLANNING AUTHORITY	8
7.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997	8
7.1.1 25 Salamanca Place, 39 Salamanca Place, 41 Salamanca Place and Adjacent Road Reserve - Alterations (External Lighting)	8
7.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015	8
7.2.1 36 Federal Street, North Hobart - Dwelling	8
7.2.2 1 Ellerslie Road, Battery Point - Alterations	17
7.2.3 1/2-4 Flinders Lane, Sandy Bay and Common Land of Parent Title - Change of Use to Visitor Accommodation	21
7.2.4 8 - 10 Downie Street, South Hobart - Change of Use to Visitor Accommodation	23
7.2.5 1/35 Valley Street, West Hobart & Common Land of Parent Title & 37 Valley Street & Lot 0/40 Valley Street, West Hobart - Change of Use to Visitor Accommodation.....	24
8. REPORTS	26
8.1 State Planning Provisions Review - Feedback on Scoping Paper	26
8.2 City Planning - Advertising Report.....	26
8.3 Delegated Decision Report (Planning)	27
9. COMMITTEE ACTION STATUS REPORT	27
9.1 Committee Actions - Status Report.....	27

10. RESPONSES TO QUESTIONS WITHOUT NOTICE.....	28
11. QUESTIONS WITHOUT NOTICE	30
12. CLOSED PORTION OF THE MEETING.....	30
SUPPLEMENTARY ITEMS	31
APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015	
13 1 Knopwood Street, Battery Point and Adjacent Road Reserve - Demolition and New Building for 26 Multiple Dwellings and Food Services and works within Council Road Reservation	31

City Planning Committee Meeting (Open Portion) held on Monday, 25 July 2022 at 5:39 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 31 March 2022 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.

The title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant s.61 of the *Local Government Act 1993* (Tas).

COMMITTEE MEMBERS

Deputy Lord Mayor Councillor H Burnet
(Chairman)
Alderman J R Briscoe
Councillor W F Harvey
Alderman S Behrakis
Councillor M Dutta
Councillor W Coats

NON-MEMBERS

Lord Mayor Councillor A M Reynolds
Alderman M Zucco
Alderman Dr P T Sexton
Alderman D C Thomas
Councillor J Fox
Councillor Dr Z Sherlock

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

Alderman Briscoe retired from the meeting at 6.29pm and was not present for items 7.1.1 to 12 inclusive.

APOLOGIES:

Councillor W Coats

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

DUTTA

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 4 July 2022](#) and the Special City Planning Committee meeting held on [Monday, 11 July 2022](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

DUTTA

That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the Chief Executive Officer.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	

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 Chief Executive Officer 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.

HARVEY

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

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta

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 Chief Executive Officer 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.

Supplementary item 13 was then taken.

7.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997

Alderman Behrakis declared an interest in item 7.1.1

M Evan Boardman and Mr Peter Shires addressed the Committee in relation to item 7.1.1.

7.1.1 25 Salamanca Place, 39 Salamanca Place, 41 Salamanca Place and Adjacent Road Reserve - Alterations (External Lighting) PLN-21-530 - File Ref: F22/70685

That pursuant to regulation 11 of the *Local Government (Meeting Procedures) Regulations 2015* the motion lapsed due to the lack of a quorum and the Director City Life noted that the item will be listed on an agenda for a Special meeting of the City Planning Committee to be held on 1 August 2022.

7.2 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

7.2.1 36 Federal Street, North Hobart - Dwelling PLN-21-661 - File Ref: F22/71559

BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Officer and the Senior Statutory Planner of 15 July 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Harvey
Behrakis
Dutta

NOES

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for dwelling at 36 Federal Street, North Hobart 7000, for the reasons outlined in the officer's report attached to item 7.2.1 of the Open City Planning Committee agenda of 25 July 2022 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-21-661 - 36 FEDERAL STREET NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 19

Cranes or other temporary structures used in the construction of the approved development must not create an obstruction or hazard for the operation of aircraft.

Advice:

Further advice about whether the development will or will not create an obstruction or hazard can be obtained by contacting the Civil Aviation Safety Authority, the Department of Health and Human Services

(rhhfmeadmin@ths.tas.gov.au, (03) 6166 8832) and the helipad/helicopter operator (Rotorlift, chiefpilot@rotorlift.com.au, (03) 6248 4117

Please be aware of the possibility of downdraft conditions in the Royal Hobart Hospital Heli Airspace / flightpath area from operating helicopters on any crane lifts when any crane operation is taking place and consider this in Job Safety Analysis / Safe Work Method Statements.

Please consider the use of boom illumination or warning lights when operating in the Royal Hobart Hospital Heli Airspace / flightpath area as part of Job Safety Analysis / Safe Work Method Statements.

Reason for condition

To ensure that buildings do not interfere with safe aircraft operations in the vicinity of the Royal Hobart Hospital helipad.

PLN s1

Additional private open space must be provided for the sole use of the dwelling. It must be located on the ground level with a minimum area of 10m² and is to be sited between 'bedroom 2' (as per the Final Planning Documents) and the rear wall of the existing building on the site.

Reason for condition

To ensure the dwelling has sufficient private open space

ENG sw1

Prior to first occupation or commencement of use (whichever occurs first), all stormwater from the proposed development (including but not limited to, roofed areas, ag drains, retaining wall ag drains, and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure.

Any private or private shared stormwater system passing through third-party land must have sufficient receiving capacity.

Advice:

Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.

Reason for condition

To ensure that stormwater from the site will be discharged to a suitable Council approved outlet.

ENG 3b

Detailed designs of the parking area must be submitted and approved via a Condition Endorsement, prior to the issue of any approval under the *Building Act 2016* or commencement of works (whichever occurs first). The detailed designs submitted must:

1. be prepared and certified by a suitably qualified engineer,
2. be in general accordance with the Australian Standard AS/NZS 2890.1:2004,
3. must demonstrate that the design will provide a safe and efficient access, and enable safe, easy and efficient use, where the design deviates from AS/NZS 2890.1:2004, and
4. show typical sections, dimensions, levels, any gradients & transitions, and other details as Council deem necessary to satisfy the above requirement.

Prior to first occupation or commencement of use (whichever occurs first), the parking area must be constructed in accordance with the approved detailed designs.

Reason for condition

To ensure the safe and efficient use of the approved parking area, and compliance with the relevant the Australian Standards.

ENG 3c

Prior to first occupation or commencement of use (whichever occurs first), a suitably qualified engineer must certify that the parking area has been constructed in accordance with detailed designs approved under Condition ENG 3b.

Advice:

An example certificate is available on our [website](#).

Reason for condition

To ensure the safe and efficient use of the approved parking area, and compliance with the relevant the Australian Standards.

ENG 4

Prior to first occupation or commencement of use (whichever occurs first), the parking area approved by this permit must be constructed to a sealed standard (spray seal, asphalt/bitumen, concrete, pavers, or equivalent Council approved) and surface drained to the Council's stormwater infrastructure.

Reason for condition

To ensure the safety of users of the driveway, turning areas, spaces etc., and that it does not detract from the amenity of users, adjoining occupiers, or the environment by preventing dust, mud, and sediment transport.

ENG 5

The number of (off-street) car parking spaces approved for use on site by this permit is Two (2).

Reason for condition

To ensure the provision of parking for the use is safe and efficient, and explicit clarification of the parking provisions approved.

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.

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, and 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.

HER 17a

The colour of the proposed garage door must not contrast with the proposed face brick EF-02 (as shown on drawing DA-26, Rev A, dated 9/9/21). It must be of a similar light colour tone as the proposed face brick.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement showing the proposed colour in accordance with the above requirement.

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

approved plans.

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To ensure that development at a heritage place/precinct is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

HER 17c

The external colours, materials and finishes of the approved development must be substantially in accordance with the approved plans. Any substantial change in the colours, materials and finishes requires further approval.

Reason for condition

To ensure that development at a heritage place/precinct is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

HER 21a

The new driveway immediately adjacent to the heritage listed masonry house must be constructed to the following standards:

- There must be a permeable, but trafficable surface treatment immediately adjacent to and along the full length of the heritage building's side wall, no less than 150mm wide,
- The depth of the permeable surface must be equal to the depth of the new driveway and subgrade beneath,
- The new driveway surface must be sloped/ graded to channel surface water away from the listed building, and
- The level of the permeable surface treatment and driveway must be

lower than sub-floor vents (if any) and internal floor levels.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement showing levels, depth, setback from the house wall, and type and colour of the permeable surface treatment.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.

Reason for condition

To avoid the creation of conditions conducive to rising damp in the heritage building and to ensure the visual character of the driveway is in keeping with the historic character of the place.

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.

CONDITION ENDORSEMENT

If any condition requires that further documents are submitted and approved, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's [online services e-planning](#)

[portal](#). Detailed instructions can be found [here](#).

A fee of 2% of the value of the works for new public assets (stormwater infrastructure, roads and related assets) will apply for the condition endorsement application.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied).

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

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.

STORMWATER

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's Infrastructure By law. Click [here](#) for more information.

NOISE REGULATIONS

Click [here](#) for information with respect to noise nuisances in residential areas.

FEES AND CHARGES

Click [here](#) for information on the Council's fees and charges.

DIAL BEFORE YOU DIG

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

Delegation: Committee

7.2.2 1 Ellerslie Road, Battery Point - Alterations PLN-22-322 - File Ref: F22/71001

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 18 July 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Harvey
Behrakis
Dutta

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for alterations at 1 Ellerslie Road, Battery Point 7004, for the reasons outlined in the officer's report attached to item 7.2.2 of the Open City Planning Committee agenda of 25 July 2022 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-22-322 - 1 ELLERSLIE ROAD BATTERY POINT TAS 7004 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

ENG sw1

Prior to first occupation or commencement of use (whichever occurs first), all stormwater from the proposed development (including but not limited to; roofed areas, ag drains, retaining wall ag drains, and impervious surfaces, such as driveways and paved areas) must be drained to the Council's stormwater infrastructure.

Advice:

Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.

Reason for condition

To ensure that stormwater from the site will be discharged to a suitable Council approved outlet.

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.

HER 6

All onsite excavation and disturbance must be monitored. Should any features or deposits of an archaeological nature be discovered on the site during excavation or disturbance:

1. All excavation and/or disturbance must stop immediately; and
2. A qualified archaeologist must be engaged to attend the site and provide advice and assessment of the features and/or deposits discovered and make recommendations on further excavation and/or disturbance; and
3. All and any recommendations made by the archaeologist engaged in accordance with 2. above must be complied with in full; and
4. All features and/or deposits discovered must be reported to the Council with 3 days of the discovery; and
5. A copy of the archaeologist's advice, assessment and recommendations obtained in accordance with 2. above must be provided to Council within 30 days of receipt of the advice, assessment and recommendations.

Excavation and/or disturbance must not recommence unless and until approval is granted from the Council.

Reason for condition

To ensure that work is planned and implemented in a manner that seeks to understand, retain, protect, preserve and manage significant archaeological evidence.

HER 17a

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved to demonstrate that the palette of exterior colours, materials and finishes reflect the palette of colours, materials and finishes within the place.

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

Advice:

This condition requires further information to be submitted as a Condition Endorsement. Refer to the Condition Endorsement advice at the end of

this permit. For additional advice regarding appropriate colours, materials and finishes, contact Council's Cultural Heritage Officer by calling 6238 2715.

Reason for condition

To ensure that development at a heritage place is undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance.

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.

CONDITION ENDORSEMENT

If any condition requires that further documents are submitted and approved, you will need to submit the relevant documentation to satisfy the condition via the Condition Endorsement Submission on Council's [online services e-planning portal](#). Detailed instructions can be found [here](#).

A fee of 2% of the value of the works for new public assets (stormwater infrastructure, roads and related assets) will apply for the condition endorsement application.

Once approved, the Council will respond to you via email that the condition has been endorsed (satisfied).

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

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.

STORMWATER

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's Infrastructure By law. Click [here](#) for more information.

NOISE REGULATIONS

Click [here](#) for information with respect to noise nuisances in residential areas.

FEEES AND CHARGES

Click [here](#) for information on the Council's fees and charges.

DIAL BEFORE YOU DIG

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

Delegation: Council

7.2.3 1/2-4 Flinders Lane, Sandy Bay and Common Land of Parent Title - Change of Use to Visitor Accomodation PLN-22-382 - File Ref: F22/71008

BEHRAKIS

That the recommendation contained in the report of the development

Appraisal Planner and the Senior Statutory Planner of 18 July 2022, be adopted.

MOTION LOST

VOTING RECORD

AYES	NOES
Behrakis	Deputy Lord Mayor Burnet Harvey Dutta

DUTTA

That the City Planning Committee recommends that the Council refuse the application for a change of use to visitor accommodation at 1/2-4 Flinders Lane, Sandy Bay 7005 pursuant to the *Hobart Interim Planning Scheme 2015* and *Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*, for the following reason:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A2 or P2 of *Planning Directive No. 6* because the proposal is part of a strata scheme and the proposal would cause an unreasonable loss of residential amenity to long term residents occupying another lot within the strata scheme.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet Harvey Dutta	Behrakis

COMMITTEE RESOLUTION:

That the Council refuse the application for a change of use to visitor accommodation at 1/2-4 Flinders Lane, Sandy Bay 7005 pursuant to the *Hobart Interim Planning Scheme 2015* and *Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*, for the following reason:

1. The proposal does not meet the acceptable solution or the performance

criterion with respect to clause 3.1(e) A2 or P2 of *Planning Directive No. 6* because the proposal is part of a strata scheme and the proposal would cause an unreasonable loss of residential amenity to long term residents occupying another lot within the strata scheme.

Delegation: Council

**7.2.4 8 - 10 Downie Street, South Hobart - Change of Use to Visitor
Accommodation
PLN-22-329 - File Ref: F22/71493**

DUTTA

That the City Planning Committee recommends that the Council refuse the application for a change of use to visitor accommodation at 8–10 Downie Street, South Hobart pursuant to the *Hobart Interim Planning Scheme 2015* and *Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*, for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A1 or P1 of *Planning Directive No. 6* because the gross floor area is in excess of 200m², and the proposal is not compatible with the character and use of the area and would cause an unreasonable loss of residential amenity.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A2 or P2 of *Planning Directive No. 6* because the proposal is part of a strata scheme and the proposal would cause an unreasonable loss of residential amenity to long term residents occupying another lot within the strata scheme.
3. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 A1 or P1 because the lack of on-site parking will not meet the reasonable needs of users, having regard to the matters listed in (a) to (m) of P1.

MOTION CARRIED

VOTING RECORD

AYES
Deputy Lord Mayor Burnet
Harvey
Dutta

NOES
Behrakis

COMMITTEE RESOLUTION:

That the Council refuse the application for a change of use to visitor

accommodation at 8–10 Downie Street, South Hobart 7004 pursuant to the *Hobart Interim Planning Scheme 2015* and *Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*, for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A1 or P1 of Planning Directive No. 6 because the gross floor area is in excess of 200m², and the proposal is not compatible with the character and use of the area and would cause an unreasonable loss of residential amenity.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A2 or P2 of *Planning Directive No. 6* because the proposal is part of a strata scheme and the proposal would cause an unreasonable loss of residential amenity to long term residents occupying another lot within the strata scheme.
3. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 A1 or P1 because the lack of on-site parking will not meet the reasonable needs of users, having regard to the matters listed in (a) to (m) of P1.

Delegation: Council

**7.2.5 1/35 Valley Street, West Hobart & Common Land of Parent Title & 37 Valley Street & Lot 0/40 Valley Street, West Hobart - Change of Use to Visitor Accommodation
PLN-22-243 - File Ref: F22/71513**

BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the senior Statutory Planner of 14 July 2022, be adopted.

MOTION LOST

VOTING RECORD

AYES

Behrakis

NOES

Deputy Lord Mayor Burnet
Harvey
Dutta

DUTTA

That the City Planning Committee recommends that the Council refuse the application for a change of use to visitor accommodation at 1/35 Valley Street, West Hobart 7000 pursuant to the *Hobart Interim Planning Scheme 2015* and *Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*, for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A2 or P2 of *Planning Directive No. 6* because the proposal is part of a strata scheme and the proposal would cause an unreasonable loss of residential amenity to long term residents occupying another lot within the strata scheme.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 A1 or P1 because the lack of on-site parking will not meet the reasonable needs of users, having regard to the matters listed in (a) to (m) of P1.

MOTION CARRIED

VOTING RECORD

AYES
Deputy Lord Mayor Burnet
Harvey
Dutta

NOES
Behrakis

COMMITTEE RESOLUTION:

That the Council refuse the application for a change of use to visitor accommodation at 1/35 Valley Street, West Hobart 7000 pursuant to the *Hobart Interim Planning Scheme 2015* and *Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*, for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A2 or P2 of *Planning Directive No. 6* because the proposal is part of a strata scheme and the proposal would cause an unreasonable loss of residential amenity to long term residents occupying another lot within the strata scheme.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 A1 or P1 because the lack of on-site parking will not meet the reasonable needs of users, having regard to the matters listed in (a) to (m) of P1.

Delegation: Council

8. REPORTS

8.1 State Planning Provisions Review - Feedback on Scoping Paper File Ref: F22/69146

PROCEDURAL MOTION

BEHRAKIS

That the item be deferred to enable the further consideration of issues for feedback to the State Government.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Harvey
Behrakis
Dutta

COMMITTEE RESOLUTION:

That the item be deferred to enable the further consideration of issues for feedback to the State Government.

Delegation: Committee

8.2 City Planning - Advertising Report File Ref: F22/66402

BEHRAKIS

That the recommendation contained in the memorandum of the Director City Life of 18 July 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet

Harvey
Behrakis
Dutta

COMMITTEE RESOLUTION:

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

Delegation: Committee

**8.3 Delegated Decision Report (Planning)
File Ref: F22/70734**

BEHRAKIS

That the recommendation contained in the memorandum of the Director City Life of 20 July 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Harvey	
Behrakis	
Dutta	

COMMITTEE RESOLUTION:

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

Delegation: Committee

9. COMMITTEE ACTION STATUS REPORT

**9.1 Committee Actions - Status Report
File Ref: F22/64621**

BEHRAKIS

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Harvey
Behrakis
Dutta

Delegation: Committee

10. RESPONSES TO QUESTIONS WITHOUT NOTICE

Regulation 29(3) *Local Government (Meeting Procedures) Regulations 2015.*
File Ref: 13-1-10

10.1 Short Stay Accommodation- Scheme Amendment
File Ref: F22/45040; 13-1-10

Memorandum of the Director City Life of 8 July 2022.

10.2 Short Stay Accommodation - Call In
File Ref: F22/45042; 13-1-10

Memorandum of the Director City Life of 15 July 2022.

10.3 Planning Process - Ethics
File Ref: F22/45034; 13-1-10

Memorandum of the Director City Life of 15 July 2022.

10.4 UTas Sandy Bay Rezoning - Request for Further Information
File Ref: F22/58615; 13-1-10

Memorandum of the Director City Life of 20 July 2022.

10.5 Social - Affordable Housing
File Ref: F22/58623; 13-1-10

Memorandum of the Director City Life of 20 July 2022.

10.6 Development Applications - Residential
File Ref: F22/68478; 13-1-10

Memorandum of the Director City Life of 18 July 2022.

10.7 Development Applications - Refusals Residential
File Ref: F22/68482; 13-1-10

Memorandum of the Director City Life of 20 July 2022.

10.8 Development Applications - Withdrawn
File Ref: F22/68488; 13-1-10

Memorandum of the Director City Life of 20 July 2022.

10.9 Development Applications - Withdrawn / Reasons
File Ref: F22/68497; 13-1-10

Memorandum of the Director City Life of 18 July 2022.

**10.10 Development Applications - Withdrawn / Subsequently
Approved**
File Ref: F22/68503; 13-1-10

Memorandum of the Director City Life of 18 July 2022.

10.11 Property Ownership - International Owners
File Ref: F22/68631; 13-1-10

Memorandum of the Director City Life of 20 July 2022.

10.12 Property Ownership - Interstate Owners
File Ref: F22/68645; 13-1-10

Memorandum of the Director City Life of 20 July 2022.

10.13 Short Stay Accommodation - Insurance
File Ref: F22/68650; 13-1-10

Memorandum of the Director City Life of 19 July 2022.

DUTTA

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES
Deputy Lord Mayor Burnet
Harvey
Behrakis
Dutta

NOES

Delegation: Committee

11. QUESTIONS WITHOUT NOTICE

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

11.1 Councillor Dutta - Proposed AFL Stadium File Ref: 13-1-10

Question: Can the Director advise that in regards to the proposed AFL Stadium has there been any chronology or historical discussions on planning for such a stadium?

Answer: The Director City Life took the question on notice

12. CLOSED PORTION OF THE MEETING

BEHRAKIS

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
- Planning Appeal - Mediation

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	Planning Authority Items – Consideration of Items with Deputations
Item No. 5	City Acting as Planning Authority
Item No. 6	Questions Without Notice
Item No. 7	PLN-22-217 - 370 Macquarie Street, South Hobart - Change of Use to Visitor Accommodation - Appeal LG(MP)R 15(4)(a)

MOTION CARRIED

VOTING RECORD

AYES
Deputy Lord Mayor Burnet
Harvey
Behrakis
Dutta

NOES

Delegation: Committee

SUPPLEMENTARY ITEM

APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

Mr Robert Rex (Representor), Mr Roger Curtis and Mr Phil Gartrell (Applicant) addressed the Committee in relation to supplementary item 13.

- 13 1 Knopwood Street, Battery Point and Adjacent Road Reserve - Demolition and New Building for 26 Multiple Dwellings and Food Services and works within Council Road Reservation
PLN-21-719 - File Ref: F22/71584**
-

PROCEDURAL MOTION

BRISCOE

That the item be deferred to allow further consultation between the applicant and representors.

MOTION LOST

VOTING RECORD

AYES	NOES
Briscoe	Deputy Lord Mayor Burnet
Behrakis	Harvey
	Dutta

HARVEY

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 19 July 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Briscoe
Harvey	Behrakis
Dutta	

COMMITTEE RESOLUTION:

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for a partial demolition and new building for 26 multiple dwellings and food services at 1 Knopwood Street Battery Point TAS 7004 for the following reasons:

- 1 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.2 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because the design and siting of the buildings results in detriment to the historic cultural heritage significance of the precinct as described in Table E13.2.
- 2 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.4 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because the site area per dwelling of the proposal detracts from the pattern of development that is a characteristic of the historic cultural heritage significance of the precinct in the vicinity of the site as described in Table E13.2.
- 3 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.4 A3 or P3 of the *Hobart Interim Planning Scheme 2015* because the building height is obtrusive in the streetscape and detracts from the pattern of development that is a characteristic of the precinct in the vicinity of the site as described in Table E13.2.
- 4 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.4 A6 or P6 of the *Hobart Interim Planning Scheme 2015* because the building detracts from the pattern of development that is a characteristic of the precinct in the vicinity of the site as described in Table E13.2.
- 5 The proposed cafe/wine bar is within the use class Food Services which is

prohibited in the use Table at clause 11.2 of the Hobart Interim Planning Scheme 2015, because it is not within an existing building.

Attachments

A 1 Knopwood Street - Deputation - Supporting Information ⇒ 

Delegation: Council

Item 7.1.1 was then taken.

There being no further business the Open portion of the meeting closed at 7.04pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
8TH DAY OF AUGUST 2022.

CHAIRMAN