



CITY OF HOBART

# **MINUTES**

## **City Planning Committee Meeting**

**Open Portion**

**Monday, 10 April 2017**

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**City Planning Committee Meeting (Open Portion) held on Monday, 10 April 2017  
at 5.00 pm in the Lady Osborne Room, Town Hall.**

**COMMITTEE MEMBERS**

Briscoe (Chairman)  
Ruzicka  
Burnet  
Denison

**APOLOGIES:** Nil

**LEAVE OF ABSENCE:**

Alderman Briscoe

**PRESENT:**

Aldermen E R Ruzicka, H C Burnet,  
T M Denison, M Zucco and W F Harvey.

**ALDERMEN**

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

In the absence of the Chairman,  
Alderman Denison chaired the meeting.

Alderman Harvey was co-opted to the  
Committee.

Alderman Zucco arrived at the meeting at  
5.02 pm, was co-opted to the meeting for  
item 7.1.2 and supplementary item 7.1.3,  
retired from the meeting at 5.55 pm and  
was not present for item 7.1.1, and items  
8-11.

RUZICKA

That Alderman Denison chair the meeting.

MOTION CARRIED

VOTING RECORD

AYES

Denison  
Ruzicka  
Burnet

NOES

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

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BURNET

That Alderman Harvey be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Denison	
Ruzicka	
Burnet	
Harvey	

**2. CONFIRMATION OF MINUTES**

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RUZICKA

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 27 March 2017](#), and the Special City Planning Committee meeting held on [Monday, 3 April 2017](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Denison	
Ruzicka	
Burnet	
Harvey	

The Minutes were signed.

**3. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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

RUZICKA

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

MOTION CARRIED

VOTING RECORD

AYES	NOES
Denison	
Ruzicka	
Burnet	
Harvey	

#### **4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

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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**

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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**

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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.

BURNET

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

Denison

Ruzicka

Burnet

Harvey

HARVEY

That Alderman Zucco be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison

Ruzicka

Burnet

Harvey

Item 7.1.2 was then taken.

## **7. COMMITTEE ACTING AS PLANNING AUTHORITY**

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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**

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#### **7.1.1 15 Marievile Esplanade, Sandy Bay - Partial Demolition, Alterations and Extension to Storage Lockers PLN-16-1199 - File Ref: F17/33455**

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BURNET

That the recommendation contained in the report of the Development Appraisal Planner and the Manager Development Appraisal of 30 March 2017, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES

NOES

Denison

Ruzicka

Burnet

Harvey

#### **COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and extension to storage lockers at 15 Marievile Esplanade, Sandy Bay for the reasons outlined in the officer's report attached to item 7.1.1 of the Open City Planning Committee agenda of 10 April 2017, 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-16-1199 - 15 MARIEVILLE ESPLANADE SANDY BAY 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 and maintained until such time as all disturbed area have been stabilised and/restored.

A soil and water management plan (SWMP) must be submitted and approved prior to the commencement of work. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008) and all work must be undertaken in accordance with this condition and the

approved soil and water management plan (SWMP).

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

*Once the soil and water management plan (SWMP) has been approved the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).*

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.

ENVHE 1

Recommendations in the report 'Environmental Site Assessment, Royal Yacht Club of Tasmania, 15 Maryville Esplanade Sandy Bay, February 2017' and the associated 'Contamination Management Plan, Royal Yacht Club of Tasmania, Sandy Bay, February 2017' prepared by Geo-Environmental Solutions P/L, 86 Queen St, Sandy Bay) must be implemented.

Reason for condition

To ensure that the risk to future occupants of the building remain low and acceptable.

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 [www.hobartcity.com.au](http://www.hobartcity.com.au) 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 2000*;

<http://www.hobartcity.com.au/Development/Building>

## PLUMBING PERMIT

Plumbing permit under the Tasmanian Plumbing Regulations 2014;

<http://www.hobartcity.com.au/Development/Plumbing>

### **Delegation: Council**

Mr Leon Bowman addressed the Committee in relation to item 7.1.2, on behalf of the applicant.

### **7.1.2 8 Hamilton Street, West Hobart - Partial Demolition, Extension and Alterations PLN-17-57 - File Ref: F17/33624**

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HARVEY

That the recommendation contained in the report of the Senior Statutory Planner and the Manager Development Appraisal of 31 March 2017, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES  
Ruzicka  
Burnet  
Harvey

NOES  
Denison  
Zucco

### **COMMITTEE RESOLUTION:**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for Partial Demolition, Extension and Alterations at 8 Hamilton Street, West Hobart for the following reason:

1. The proposed extensions, by reason of the degree to which they would build over the rear garden space and the subsequent removal of the gap between buildings provided by the garden space would have a detrimental impact upon those features which contribute to the historic cultural significance of the Inner West Hobart Heritage Precinct (WH2) as set out in table E.13.2 of the *Hobart Interim Planning Scheme 2015*, contrary to E13.8 Development Standards for Heritage Precincts, in particular E13.8.2 – 'Buildings and Works other than Demolition'.

**Delegation: Council**

Supplementary item 7.1.3 was then taken.

**SUPPLEMENTARY ITEM**

Mr Grant Ihlow addressed the Committee in relation to supplementary item 7.1.3, on behalf of the applicant.

**7.1.3 85 Cascade Road, South Hobart - Car Parking Deck  
PLN-16-1163 - File Ref: F17/34889**

**BURNET**

That the recommendation contained in the report of the Development Appraisal Planner and the Manager Development Appraisal of 28 March 2017, be adopted.

Procedural Motion

**ZUCCO**

That the matter be deferred to a later City Planning Committee meeting, to allow the applicant to participate in further discussions with planning officers regarding the proposal.

PROCEDURAL MOTION CARRIED

VOTING RECORD

**AYES**

Denison  
Ruzicka  
Zucco

**NOES**

Burnet  
Harvey

**COMMITTEE RESOLUTION:**

That the matter be deferred to a later City Planning Committee meeting, to allow the applicant to participate in further discussions with planning officers regarding the proposal.

**Delegation: Committee**

Item 7.1.1 was then taken.

## 8 REPORTS

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### 8.1 Smoke Free Intercity Shared Pathway File Ref: F17/23619

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BURNET

That the recommendation contained in the report of the Director City Planning of 5 April 2017, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES

NOES

Denison

Ruzicka

Burnet

Harvey

#### **COMMITTEE RESOLUTION:**

That the Council issue a formal letter of support to the Glenorchy City Council for lobbying the State Government to declare the Intercity Shared Pathway as a smoke free public area.

#### **Delegation: Council**

### 8.2 Delegated Decisions Report (Planning) File Ref: F17/33472; 16/117

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HARVEY

That the recommendation contained in the report of the Director City Planning of 5 April 2017, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES

NOES

Denison

Ruzicka

Burnet

Harvey

#### **COMMITTEE RESOLUTION:**

That the information be received and noted.

**8.3 City Planning - Advertising List**  
**File Ref: F17/33790; 16/117**

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RUZICKA

That the recommendation contained in the report of the Director City Planning of 3 April 2017, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Denison

Ruzicka

Burnet

Harvey

**COMMITTEE RESOLUTION:**

That the information be received and noted.

**Delegation: Committee**

**9. RESPONSES TO QUESTIONS WITHOUT NOTICE**

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

**The General Manager reports:-**

“In accordance with the procedures approved in respect to Questions Without Notice, the following responses to questions taken on notice are provided to the Committee for information.

The Committee is reminded that in accordance with Regulation 29(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairman is not to allow discussion or debate on either the question or the response.”

**9.1 UTAS Accommodation Subletting Arrangements**  
**File Ref: F17/29302; 13-1-10**

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Report of the Director City Planning of 10 April 2017.

**9.2 Light Aircraft Safety**  
**File Ref: F17/23035**

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Report of the Director City Planning of 10 April 2017.

Delegation: Committee

BURNET

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES  
Denison  
Ruzicka  
Burnet  
Harvey

NOES

## **10. QUESTIONS WITHOUT NOTICE**

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

### **10.1 Crown Hotel - Timeframe for Building Completion** **File Ref: 13-1-10**

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Alderman Burnet

What are the time parameters for the Crown Hotel - facing Liverpool St - to start building?

The Director City Planning advised that the building was currently under construction, and that the estimated completion date is the end of 2018.

### **10.2 Smoke from Hazard Reduction Burn Offs** **File Ref: 13-1-10**

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Alderman Burnet

In the interests of public health, what are the steps being taken to reduce the impact on residents from smoke from burn off?

Can there be a ban in burn offs over the entire Easter weekend?

The Director city Planning took the question on notice.

## **11. CLOSED PORTION OF THE MEETING**

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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 Responses to Questions Without Notice
- Item No. 6.1 Civic Square  
LG(MP)R 15(2)(f)
- Item No. 7 Reports
- Item No. 7.1 Planning Notices Issued Under Land Use Planning and Approvals Act 1993  
LG(MP)R 15(2)(i)
- Item No. 8 Questions without notice – File Ref: 13-1-10

RUZICKA

That the items be noted.

MOTION CARRIED

VOTING RECORD

AYES  
Denison  
Ruzicka  
Burnet  
Harvey

NOES

The Chairman adjourned the meeting at 6.12 pm to conduct the closed portion of the meeting.

The meeting reconvened at 6.20 pm.

Item 11 was then taken.

There being no further business the meeting closed at 6.21 pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
1<sup>ST</sup> DAY OF MAY 2017.

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**CHAIRMAN**