



CITY OF HOBART

MINUTES

City Planning Committee Meeting

Open Portion

Monday, 7 March 2022 at 5:00pm

ORDER OF BUSINESS

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City Planning Committee Meeting (Open Portion) held on Monday, 7 March 2022 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*.

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, Alderman J R Briscoe, Councillor W F Harvey, Alderman S Behrakis, Councillors M Dutta and W Coats.

Councillor Coats arrived at the meeting at 5.01pm and was not present for item 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. CONFIRMATION OF MINUTES

BRISCOE

The minutes of the Open Portion of the City Planning Committee meeting held on [Monday, 21 February 2022](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
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 Chief Executive Officer.

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 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.

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.

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 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.

7.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

7.1.1 3/13 Wayne Avenue, Sandy Bay and Common Land Of Parent Title - Change of Use to Visitor Accommodation PLN-22-46 - File Ref: F22/19042

BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Manager Development Appraisal of 1 March 2022, be adopted.

MOTION LOST

VOTING RECORD

AYES	NOES
Briscoe	Deputy Lord Mayor Burnet
Behrakis	Harvey
Coats	Dutta

HARVEY

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, refuse the application for a change of use to visitor accommodation, at 3/13 Wayne Avenue, Sandy Bay 7005 on the basis that it is contrary to clause 3.1(e) P2 (a) to (f) of Planning Directive 6.

MOTION LOST

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Briscoe
Harvey	Behrakis
Dutta	Coats

COMMITTEE RESOLUTION:

That the item be referred to the Council without recommendation

Delegation: Council

**7.1.2 1/4 Sunvale Avenue, Sandy Bay and Common Land Of Parent Title
- Partial Change of Use to Visitor Accommodation
PLN-21-782 - File Ref: F22/19303**

BEHRAKIS

That the recommendation contained in the report of the Development Appraisal Planner and the Manager Development Appraisal of 2 March 2022, be adopted.

MOTION LOST

VOTING RECORD

AYES	NOES
Briscoe	Deputy Lord Mayor Burnet
Behrakis	Harvey
Coats	Dutta

HARVEY

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, refuse the application for a change of use to visitor accommodation, at 1/4 Sunvale Avenue, Sandy Bay 7005 on the basis that it is contrary to clause 3.1(e) P2 (a) to (f) of Planning Directive 6.

MOTION LOST

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Briscoe
Harvey	Behrakis
Dutta	Coats

COMMITTEE RESOLUTION:

That the item be referred to the Council without recommendation.

Delegation: Council

8. REPORTS

8.1 City Planning - Advertising Report
File Ref: F22/16965

BEHRAKIS

That the recommendation contained in the report of the Director City Life of 23 February 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

COMMITTEE RESOLUTION:

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

Delegation: Committee

8.2 Delegated Decision Report (Planning)
File Ref: F22/19170

BEHRAKIS

That the recommendation contained in the report of the Director City Life of 2 March 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

COMMITTEE RESOLUTION:

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

Delegation: Committee

9. RESPONSES TO QUESTIONS WITHOUT NOTICE

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

9.1 Hotel Rooms - Short Term Accommodation
File Ref: F22/13406; 13-1-10

Memorandum of the Director City Planning of 22 February 2022.

9.2 3 Greenlands Avenue - Heritage Officer Report
File Ref: F22/13410; 13-1-10

Memorandum of the Director City Planning of 16 February 2022.

BRISCOE

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Coats

NOES

Delegation: Committee

10. QUESTIONS WITHOUT NOTICE

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

10.1 Alderman Briscoe - Planning Scheme Amendment - UTAS
File Ref: 13-1-10

Question: Can the Acting Director advise further to the extra information request to UTAS, the indication is that the information would be provided by the 28 February, has that information been received? Do we have any indication on when the extra information will be provided? Is there any timeline for UTAS to provide the extra information?

Answer: The Acting Director City Life advised that the extra information has not yet been received, there is no indication on when it will be received and we are in the hands of UTAS as there is no short term timeframe in which the extra information is required to be provided.

10.2 Councillor Coats - Committee Decisions - Introduction at Council
File Ref: 13-1-10

Question: Can the Acting Director advise what is the protocol for an item to be introduced at a Council meeting when a decision has not been recommended by the Committee?

Answer: The Acting Director City Life took the question on notice.

11. CLOSED PORTION OF THE MEETING

COATS

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

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Coats	

Delegation: Committee

There being no further business the Open portion of the meeting closed at 5.47pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
21ST DAY OF MARCH 2022.

CHAIRMAN