



# CITY OF HOBART

## MINUTES

OPEN PORTION  
MONDAY, 30 MAY 2022  
AT 5:00 PM  
COUNCIL CHAMBER, TOWN HALL

This meeting of the Council was conducted 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*.



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## ORDER OF BUSINESS

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**PRESENT:**

The Lord Mayor Councillor A M Reynolds, the Deputy Lord Mayor Councillor H Burnet, Aldermen M Zucco, J Briscoe, Dr P T Sexton, D C Thomas, Councillor W F Harvey, Alderman S Behrakis, Councillors M S C Dutta, J Fox, Dr Z E Sherlock and W N S Coats.

**APOLOGIES:**

Nil.

**LEAVE OF ABSENCE:**

Nil.

Councillor Coats joined the meeting at 5.01pm.

Councillor Sherlock left the meeting at 5.16pm after declaring an interest in items 14 and 15, returning at 5.24pm.

Alderman Zucco left the meeting at 6.06pm and was not present for items 9.4 to 13 inclusive and items 16 and 17.

Alderman Behrakis left the meeting at 6.23pm, returning at 6.24pm.

Councillor Sherlock left the meeting at 6.33pm, returning at 6.34pm.

Councillor Fox left the meeting at 6.45pm and was not present for items 11 to 13 inclusive and items 16 and 17.

**1. CONFIRMATION OF MINUTES**

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The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 16 May 2022](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

BEHRAKIS  
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Zucco
Deputy Lord Mayor Burnet	
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Fox	
Sherlock	
Coats	

The minutes were signed.

**2. TRANSFER OF AGENDA ITEMS**

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Are there any items, which the meeting believes, should be transferred from this agenda to the closed agenda or from the closed agenda to the open agenda, in accordance with the procedures allowed under Section 15 of the *Local Government (Meeting Procedures) Regulations 2015*?

No items were transferred.

ZUCCO  
BRISCOE

That item 15 be taken after item 8.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Deputy Lord Mayor Burnet
Zucco	Harvey
Briscoe	Dutta
Sexton	
Thomas	
Behrakis	
Fox	
Sherlock	
Coats	

BURNET  
ZUCCO

That item 14 be taken after item 15.

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Dutta  
Fox  
Sherlock  
Coats

NOES

### **3. COMMUNICATION FROM THE CHAIRMAN**

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#### **3.1 City of Hobart PIA Award**

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The Lord Mayor reported that the City of Hobart was recently awarded the Planning Institute of Australia's National Award for Technology and Digital Innovation for its Digital Bus Shelter Design Competition.

This award acknowledges the contemporary approach taken by the City to deliver on the community need for better shelters at city bus stops.

#### **4. NOTIFICATION OF COUNCIL WORKSHOPS**

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In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the Chief Executive Officer reports that the following Council workshops have been conducted since the last ordinary meeting of the Council.

Date: 26 May 2022  
Purpose: Draft Budget Estimates

#### **5. PUBLIC QUESTION TIME**

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No public questions were received.

#### **6. PETITIONS**

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No petitions were received.

#### **7. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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

##### **RECOMMENDATION**

That the Council resolve to deal with any supplementary items not appearing on the agenda, as reported by the Chief Executive Officer in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.

No supplementary items were received.

## **8. 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*.

Elected members 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 Council has resolved to deal with.

The following interest was indicated:

1. Councillor Sherlock – items 14 and 15

Item 15 was then taken.

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## **REPORTS OF COMMITTEES**

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<b>CITY PLANNING COMMITTEE</b>
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## **9. COUNCIL 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 Council 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 Council will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Council 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.

### **9.1 4 Mitah Crescent, Sandy Bay - Change of Use to Visitor Accommodation PLN-22-200 PLN-22-200 - File Ref: F22/44596**

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Ref: Open [CPC 7.1.1](#), 23/05/2022  
Application Expiry Date: 30 May 2022

That the item be referred to the Council without recommendation.

BEHRAKIS  
THOMAS

That the recommendation contained in the officer's report, marked as item 7.1.1 of the Open City Planning Committee Agenda of 23 May 2022, be adopted.

MOTION LOST

VOTING RECORD

AYES

Zucco  
Briscoe  
Sexton  
Thomas  
Behrakis  
Coats

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Harvey  
Dutta  
Fox  
Sherlock

BURNET  
FOX

That the Council refuse the application for a change of use to visitor accommodation at 4 Mitah Crescent, Sandy Bay 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 200m<sup>2</sup>, 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 E6.6.1, A1 or P1 due to the parking which the proposal will require.

MOTION LOST

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Zucco
Deputy Lord Mayor Burnet	Briscoe
Harvey	Sexton
Dutta	Thomas
Fox	Behrakis
Sherlock	Coats

**COUNCIL RESOLUTION:**

In the absence of a decision from the Council, this application will be determined by the Director City Life pursuant to a delegation under section 6(3) of the *Land Use Planning and Approvals Act 1993*, as set out below:

To exercise the power of the Council as planning authority pursuant to Section 59 (7) of the *Land Use Planning and Approvals Act 1993* to determine applications where no request to make a decision has been lodged with the Resource Management and Appeal Tribunal.

**9.2 78 Alexander Street, 12 French Street, Sandy Bay and Adjacent Road Reserve - Partial Demolition, Alterations, Two Multiple Dwellings (One Existing, One New) and Associated Hydraulic Infrastructure  
PLN-21-763 - File Ref: F22/44948**

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Ref: Open [CPC 7.1.5](#), 23/05/2022  
Application Expiry Date: 11 June 2022

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extension, two multiple dwellings (one existing, one new), associated hydraulic infrastructure in Council Reserve, at 78 Alexander Street, 12 French Street, Sandy Bay 7005 and adjacent road reserve, for the reasons outlined in the officer's report 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-21-763 78 ALEXANDER STREET SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Amended Submission to Planning Authority Notice, Reference No. TWDA 2022/00114-HCC dated 18/2/2022 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

ENG sw1

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 prior to first occupation or commencement of use (whichever occurs first).

*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.

SW 6

The new stormwater infrastructure must be designed and constructed prior to occupancy or the commencement of the approved use (whichever occurs first).

The new stormwater connection within the French St Reserve / Proctors Rivulet riparian zone must be extended to a new headwall with adequate erosion control. These works must be designed and constructed prior to the commencement of the approved use or issue of any completion (whichever occurs first).

Prior to the issuing of any approval under the *Building Act 2016* or commencement of works (whichever occurs first), detailed engineering

drawings of the infrastructure must be submitted and approved as a Condition Endorsement. The detailed engineering drawings must be certified by a suitably qualified and experienced civil engineer and must:

1. be substantially in accordance with the Local Government Association of Tasmania: Tasmanian Municipal Standard Drawings (December 2020), as varied by the City of Hobart's published departures from those Drawings;
2. the size and design of the connection such that it is appropriate to safely service the development:
3. long-sections of the proposed connection clearly showing clearances from any nearby services, cover, size, material and delineation of public and private infrastructure (Plan C05 shows infrastructure on public land as private);
4. include a long section of the pipe and headwall
5. detail adequate erosion and scour protection at the drainage outfall point, including measures to ensure the outfall complements the natural values of the rivulet.

All work required by this condition must be undertaken in accordance with the approved detailed engineering drawings.

*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.*

*The construction of the stormwater connection from the rear boundary to the headwall will require a permit from the open space planning team. Please contact them for details via 6238 2711.*

ENG 2a

Prior to first occupation or commencement of use (whichever occurs first), vehicular barriers compliant with the Australian Standard AS/NZS 1170.1:2002 must be installed to prevent vehicles running off the edge of an access driveway or parking module (parking spaces, aisles and manoeuvring area) where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops (kerb) must be installed for drops between 150mm and 600mm. Barriers must not limit the width of

the driveway access or parking and turning areas approved under the permit.

*Advice:*

*The Council does not consider a slope greater than 1 in 4 to constitute a lower level as described in AS/NZS 2890.1:2004 Section 2.4.5.3. Slopes greater than 1 in 4 will require a vehicular barrier or wheel stop.*

*Designers are advised to consult the [National Construction Code 2016](#) to determine if pedestrian handrails or safety barriers compliant with the Code are also required in the parking module this area may be considered as a path of access to a building.*

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the standard.

ENG 2b

Further detailed designs are required for vehicle barriers in the following locations:

1. Driveway
2. Parking areas (where required)

This documentation must be submitted and approved as a condition endorsement, prior to the issuing of any approval under the *Building Act 2016*.

The detailed designs must:

1. be prepared and certified by a suitably qualified engineer;
2. be in accordance with the Australian Standard AS/NZS 1170.1:2002, if possible;
3. show [dimensions, levels, gradients and transitions], and other details as Council deem necessary to satisfy the above requirement; and
4. show the extent of proposed vehicle safety barriers, where required to satisfy AS/NZS 2890.1:2004 Section 2.4.5.3, clearly specifying heights of drops from the driveway / parking area to lower levels where vehicle safety barriers and/or wheelstops are not required.

The vehicle barriers must be installed in accordance with the approved detailed designs prior to first occupation / commencement of use.

*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 the safety of users of the access driveway and parking module and compliance with the standard.

ENG 2c

Prior to the first occupation, a suitably qualified engineer must certify that the vehicle barriers have been installed in accordance design drawings approved by Condition ENG 2b.

*Advice:*

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

Reason for condition

To ensure the safety of users of the access driveway and parking module and compliance with the relevant standards.

ENG 3b

The following aspects of the access driveway and parking areas require further detailed designs:

1. Plan view and long section along the proposed driveway centreline and inside wheel paths from the highway reservation to each parking space, showing the gradient and elevation finished surface level and existing natural surface level; including transitions at change of grades, where required to comply with AS/NZS 2890.1:2004 Section 2.5.3(d);
2. Plan view showing standard single turn B85 swept paths (including

300mm manoeuvring clearance) into and out of all the proposed car parking space(s), ensuring swept paths do not conflict with adjacent parking spaces, structures or fixed objects (e.g. retaining walls / vehicular barriers);

3. Plan view showing the extent of proposed vehicle safety barriers, where required to satisfy AS/NZS 2890.1:2004 Section 2.4.5.3, clearly specifying heights of drops from the driveway / parking area to lower levels where vehicle safety barriers and/or wheelstops are not required; and
4. Plan view showing car parking space widths abutting walls or obstructions indicating a further 300 mm clearance for door opening.

This documentation must be submitted and approved as a condition endorsement, prior to the issuing of any approval under the *Building Act 2016*.

The detailed designs must:

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

The access driveway and parking area must be constructed in accordance with the approved detailed designs prior to first occupation.

Reason for condition

To ensure the safety of users of the access and parking module, and compliance with the relevant Australian Standard.

ENG 3c

Prior to the first occupation / commencement of use, a suitably qualified engineer must certify that the access driveway and parking areas have been constructed in accordance with design drawings approved by Condition ENG

3b.

*Advice:*

*We strongly encourage you to speak to your engineer before works begin so that you can discuss the number and nature of the inspections they will need to do during the works in order to provide this certification. It may be necessary for a surveyor to also be engaged to ensure that the driveway will be constructed as approved.*

*The reason this condition has been imposed as part of your planning permit is that the driveway is outside the Australian Standard gradients or design parameters. If the driveway is not constructed as it has been approved then this may mean that the driveway will either be unsafe or will not function properly.*

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

Reason for condition

To ensure the safety of users of the access and parking module, and compliance with the relevant Australian Standard.

ENG 4

The access driveway and parking module (car parking spaces, aisle and manoeuvring areas) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the first occupation / commencement of use.

Reason for condition

To ensure the safety of users of the access driveway and parking module, 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 car parking spaces approved to be used on the site is four (4).

Reason for condition

To ensure the provision of parking for the use is safe and efficient.

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 8

All recommended risk mitigation measures in the landslide risk assessment by Geo-Environmental Solutions dated March 2022 must be implemented including:

- All cuts must be retained with suitably engineered and drained retaining walls with topography and neighbouring properties taken into consideration. Foundations of retaining walls should extend into the underlying natural materials with bearing capacities in exceedance of 100kPa. This must be checked by a geotechnical

engineer, engineering geologist or the site engineer at the time of construction.

- All retaining walls must account for upslope drainage above the walls and a grate drain immediately below the walls must be constructed to avoid saturation of site soils below the wall foundations.
- Use of fill must be limited at the site.
- All earthworks on site must comply with *AS3798-2007 Guidelines on earthworks for commercial and residential developments* and a sediment and erosion control plan must be implemented on site during and after construction.
- The proposed development must be constructed generally in accordance with the Australian Geomechanics Society (2007) *Guidelines for Good Hillside Construction Practices* and must be founded within/adequately anchored to the underlying weathered dolerite rock. Stormwater from both the existing and proposed new dwellings must be connected to reticulated systems, and connected as soon as possible during construction.

Reason for condition

To reduce the risk to life and property, and the cost to the community, caused by landslides.

ENV 2

Sediment and erosion control measures, in accordance with an approved soil and water management plan (SWMP), must be installed prior to the commencement of work and maintained until such time as all disturbed areas have been stabilised and/or restored or sealed to the Council's satisfaction.

A SWMP must be submitted as a Condition Endorsement prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available [here](#).

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

*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 pollution and sedimentation of roads, drains and natural watercourses that could be caused by erosion and runoff from the development.

#### 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.

#### OCCUPATION OF THE PUBLIC HIGHWAY

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

#### GENERAL EXEMPTION (TEMPORARY) PARKING PERMITS

You may qualify for a General Exemption permit for construction vehicles i.e. residential or meter parking/loading zones. Click [here](#) for more information.

#### DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

If a coloured or textured surface is used for the driveway access within the Highway Reservation, the Council or other service provider will not match this on any reinstatement of the driveway access within the Highway Reservation required in the future.

#### COUNCIL RESERVES

A Public Spaces By-law permit will be required for installation of the new stormwater outfall into French Street Reserve. Information about these permits, and the application form to undertake works in a public space, can be found [here](#).

#### 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.

## RESIDENTIAL PARKING PERMITS

Multiple dwelling use is not eligible to residential parking permits. Under the current policy for the issuing of residential parking permits, the proposed use would not entitle the property to a residential parking permit.

BEHRAKIS

BURNET

That the recommendation be adopted.

MOTION CARRIED

### VOTING RECORD

#### AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Dutta  
Fox  
Sherlock  
Coats

#### NOES

### 9.3 368 Macquarie Street, South Hobart - Change of Use to Visitor Accommodation

**PLN-22-216 - File Ref: F22/46315**

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Ref: Open [CPC 7.1.7](#), 23/05/2022

Application Expiry Date: 30 May 2022

That the item be referred to the Council without recommendation.

BEHRAKIS

COATS

That the recommendation contained in the officer's report, marked as item 7.1.7 of the Open City Planning Committee Agenda of 23 May 2022, be adopted.

MOTION LOST

VOTING RECORD

AYES

Zucco  
Briscoe  
Behrakis  
Coats

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Sexton  
Thomas  
Harvey  
Dutta  
Fox  
Sherlock

HARVEY  
DUTTA

That the Council refuse the application for a change of use to visitor accommodation at 368 Macquarie 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 reason:

1. 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

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Briscoe  
Sexton  
Thomas  
Harvey  
Dutta  
Fox  
Sherlock

NOES

Behrakis  
Coats

**COUNCIL RESOLUTION:**

That the Council refuse the application for a change of use to visitor accommodation at 368 Macquarie 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 reason:

1. 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.

**9.4 370 Macquarie Street. South Hobart - Change of Use to Visitor Accommodation  
PLN--22-217 - File Ref: F22/46210**

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Ref: Open [CPC 7.1.8](#), 23/05/2022

Application Expiry Date: 1 June 2022

That the item be referred to the Council without recommendation.

BEHRAKIS  
COATS

That the recommendation contained in the officer's report, marked as item 7.1.7 of the Open City Planning Committee Agenda of 23 May 2022, be adopted.

MOTION LOST

VOTING RECORD

AYES

Behrakis  
Coats

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Briscoe  
Sexton  
Thomas  
Harvey  
Dutta  
Fox  
Sherlock

BURNET  
HARVEY

That the Council refuse the application for a change of use to visitor accommodation at 370 Macquarie 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) 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

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Briscoe  
Sexton  
Thomas  
Harvey  
Dutta  
Fox  
Sherlock

NOES

Behrakis  
Coats

**COUNCIL RESOLUTION:**

That the Council refuse the application for a change of use to visitor accommodation at 370 Macquarie 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) 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.

**10. Proposal to amend the Southern Tasmania Regional Land Use Strategy by extending the Urban Growth Boundary at Droughty Point ('Skylands')  
File Ref: F22/41943**

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Ref: Open [CPC 8.1](#), 23/05/2022

That: 1. Council not support at this time the proposal for an amendment to the Southern Tasmania Regional Land Use Strategy 2010-2035 (STRLUS) to extend the Urban Growth Boundary to include approximately 58ha of land at Droughty Point. Rather, the Council support the consideration of this proposal as part of the 30-Year Greater Hobart Plan and ultimately a wider review of the STRLUS.

2. Should the Minister agree to determine the proposal at this time then the following considerations be taken into account:

- (i) Potential impacts of the proposal in light of the 30-Year Greater Hobart Plan;
- (ii) The wider potential impact of the proposal on traffic into other municipal areas, particularly the Hobart CBD; and
- (iii) The potential cumulative impacts of extensions to the Urban Growth Boundary.

3. Any future requests to provide feedback about amendments to the Southern Tasmania Regional Land Use Strategy 2010-2035 are delegated to the Chief Executive Officer to provide the following standard feedback:

Should the Minister for Planning determine the proposal prior to completion of the review of the Southern Tasmania Regional Land Use Strategy 2010-2035, then the following considerations be taken into account:

- (i) Potential impacts of the proposal in light of the 30-Year Greater Hobart Plan project;
- (ii) The wider potential impact of the proposal on traffic into other municipal areas, particularly the Hobart CBD; and
- (iii) The potential cumulative impacts of extensions to the Urban Growth Boundary.

BURNET  
THOMAS

That the recommendation be adopted.

The Lord Mayor then put each clause separately.

MOTION CARRIED  
(Clause 1)

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Lord Mayor Reynolds
Briscoe	Behrakis
Sexton	Coats
Thomas	
Harvey	
Dutta	
Sherlock	

MOTION CARRIED  
(Clause 2)

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Sherlock	
Coats	

MOTION CARRIED  
(Clause 3)

VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Dutta  
Sherlock  
Coats

NOES

**COUNCIL RESOLUTION:**

That: 1. Council not support at this time the proposal for an amendment to the Southern Tasmania Regional Land Use Strategy 2010-2035 (STRLUS) to extend the Urban Growth Boundary to include approximately 58ha of land at Droughty Point. Rather, the Council support the consideration of this proposal as part of the 30-Year Greater Hobart Plan and ultimately a wider review of the STRLUS.

2. Should the Minister agree to determine the proposal at this time then the following considerations be taken into account:
  - (i) Potential impacts of the proposal in light of the 30-Year Greater Hobart Plan;
  - (ii) The wider potential impact of the proposal on traffic into other municipal areas, particularly the Hobart CBD; and
  - (iii) The potential cumulative impacts of extensions to the Urban Growth Boundary.

3. Any future requests to provide feedback about amendments to the Southern Tasmania Regional Land Use Strategy 2010-2035 are delegated to the Chief Executive Officer to provide the following standard feedback:

Should the Minister for Planning determine the proposal prior to completion of the review of the Southern Tasmania Regional Land Use Strategy 2010-2035, then the following considerations be taken into account:

- (i) Potential impacts of the proposal in light of the 30-Year Greater Hobart Plan project;

- (ii) The wider potential impact of the proposal on traffic into other municipal areas, particularly the Hobart CBD; and
- (iii) The potential cumulative impacts of extensions to the Urban Growth Boundary.

**FINANCE AND GOVERNANCE COMMITTEE**

**11. Financial Report as at 31 March 2022**

**File Ref: F22/42730**

Ref: Open [FGC 6.1](#), 24/05/2022

- That: 1. The financial report for the nine month period ending 31 March 2022, marked as Item 6.1 of the Open Finance and Governance Committee agenda of 24 May 2022, be noted.
2. The changes to the Council's 2021-22 Estimates as detailed in the following tables be approved.

- (i) Operational Budget reallocations and amendments:

Budget Increases		Budget Decreases	
Item	Amount	Item	Amount
		Materials & Services	\$0.051M
		Other Expenses	\$0.001M
TOTAL		TOTAL	\$0.052M
<b>NET EXPENDITURE REDUCTION</b>			<b>\$0.052m</b>
Rates and Charges	\$0.857M	Rents	\$0.005M
Other Fees and Charges	\$0.136M		
TOTAL	\$0.993M	TOTAL	\$0.005M
<b>NET REVENUE INCREASE</b>			<b>\$0.988M</b>
<b>CHANGE IN UNDERLYING RESULT</b>			<b>\$1.040M</b>

- (ii) Capital works program re-allocations and changes:

Capital Budget Increases		Capital Budget Decreases or Grant Funding	
Item	Amount	Item	Amount
Per tables in report:		Per tables in report:	
Expensed Projects	\$0.342M	Expensed Projects	
New capital works	\$0.367M	New capital works	\$0.870M
Renewal capital works	\$1.658M	Renewal capital works	\$1.571M
Upgrade capital works	\$0.418M	Upgrade capital works	
Capital revenue reduction	\$0.500M	Capital revenue increase	\$0.685M
TOTAL	\$3.285M	TOTAL	\$3.126M
<b>NET EXPENDITURE INCREASE</b>			<b>\$0.159M</b>

3. Capital Works, as detailed in the table included in section 4.9 of item 6.1 of the Open Finance and Governance Committee agenda

of 24 May 2022, and totalling \$19.083M, be deferred for completion in the 2022-23 financial year.

HARVEY  
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Sherlock	
Coats	

**PARKS AND RECREATION COMMITTEE**

**12. Nature Strip Policy**  
**File Ref: F22/18335**

Ref: Open [PRC 6.1](#), 19/05/2022

- That:
1. The Nature Strip Policy, marked as Attachment A to item 6.1 of the Open Parks and Recreation Committee agenda of 19 May 2022, be endorsed by the Council and implemented in January 2023.
  2. The Council endorse the development of a set of guidelines for Landscaping Nature strips and Food Gardens on Nature strips.
  3. A targeted community engagement strategy and comprehensive communication plan be developed and implemented with an additional \$10,000 to be allocated to the Parks and Reserves operations in the 2022-23 budget for the development of materials and advertising of the new policy.
  4. An additional \$30,000 be allocated to the Parks and Reserves operation budget for three years from 2022-23, for the upgrading of nature strips to assist residents to maintain them.
  5. An additional \$16,000 be allocated annually to the Hobart Regional Nursery Budget for additional plants to be grown to assist residents

establish landscaped nature strips.

BRISCOE  
BURNET

That the recommendation be adopted.

**AMENDMENT**

SHERLOCK  
DUTTA

That the words 'consultation and' be inserted after the word 'community' in clause 3.

**PROCEDURAL MOTION**

BEHRAKIS  
COATS

That the matter be deferred.

PROCEDURAL MOTION LOST

VOTING RECORD

AYES	NOES
Briscoe	Lord Mayor Reynolds
Sexton	Deputy Lord Mayor Burnet
Behrakis	Thomas
Dutta	Harvey
Coats	Sherlock

AMENDMENT LOST

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Deputy Lord Mayor Burnet
Briscoe	Sexton
Behrakis	Thomas
Dutta	Harvey
Sherlock	Coats

The Lord Mayor then put clauses 1, 2, 4 and 5 separately to clause 3 .

MOTION CARRIED  
(Clause 1,2,4,5)

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Behrakis
Deputy Lord Mayor Burnet	
Briscoe	
Sexton	
Thomas	
Harvey	
Dutta	
Sherlock	
Coats	

MOTION CARRIED  
(Clause 3)

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Briscoe
Deputy Lord Mayor Burnet	Behrakis
Sexton	Dutta
Thomas	Sherlock
Harvey	
Coats	

**COUNCIL RESOLUTION:**

- That:
1. The Nature Strip Policy, marked as Attachment A to item 6.1 of the Open Parks and Recreation Committee agenda of 19 May 2022, be endorsed by the Council and implemented in January 2023.
  2. The Council endorse the development of a set of guidelines for Landscaping Nature strips and Food Gardens on Nature strips.
  3. A targeted community engagement strategy and comprehensive communication plan be developed and implemented with an additional \$10,000 to be allocated to the Parks and Reserves operations in the 2022-23 budget for the development of materials and advertising of the new policy.

4. An additional \$30,000 be allocated to the Parks and Reserves operation budget for three years from 2022-23, for the upgrading of nature strips to assist residents to maintain them.
5. An additional \$16,000 be allocated annually to the Hobart Regional Nursery Budget for additional plants to be grown to assist residents establish landscaped nature strips.

**SPECIAL REPORT - LORD MAYOR**

**13. Elected Member Professional Development Plan - Deputy Lord Mayor  
Councillor Helen Burnet  
File Ref: F22/45746**

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SHERLOCK  
BEHRAKIS

That the recommendation contained in the Special Report of the Lord Mayor. marked as item 13 of the Open Council Agenda of 30 May be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Sherlock	
Coats	

**COUNCIL RESOLUTION:**

That the professional development plan for Deputy Lord Mayor Councillor Helen Burnet, as attached to the Open Council Agenda of 30 May 2022, be received and noted.

Item 16 was then taken.

**SPECIAL REPORT – CHIEF EXECUTIVE OFFICER**

Councillor Sherlock declared an interest in item 14 and was not present.

**14. Response to Notice of Motion - UTAS Move to the City**  
**File Ref: F22/36790**

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THOMAS  
BURNET

That the recommendation contained in the Special Report of the Chief Executive Officer, marked as item 14 of the Open Council Agenda of 30 May 2022, amended by the deletion of the words 'on this agenda' in clause 3, be adopted.

**PROCEDURAL MOTION**

DUTTA  
HARVEY

That the matter be referred to the appropriate committee.

PROCEDURAL MOTION  
CARRIED

**VOTING RECORD**

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Fox	
Sherlock	
Coats	

**COUNCIL RESOLUTION:**

That the matter be referred to the appropriate committee.

Item 9.1 was then taken.

Councillor Sherlock declared an interest in item 15 and left the meeting.

**15. Resolutions from Public Meeting in Response to Save UTas Petition**  
**File Ref: F22/47430; 16/119-0009**

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**PROCEDURAL MOTION**

ZUCCO

BRISCOE

That the matter be referred to the appropriate committee.

PROCEDURAL MOTION  
CARRIED

**VOTING RECORD**

**AYES**

Lord Mayor Reynolds  
Zucco  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Dutta  
Fox  
Sherlock  
Coats

**NOES**

Deputy Lord Mayor Burnet

**COUNCIL RESOLUTION:**

That the matter be referred to the appropriate committee.

Item 14 was then taken.

**16. Future of Local Government Review - Phase 1 Submission**  
**File Ref: F22/39016**

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BURNET  
SHERLOCK

That the recommendation contained in the Special Report of the Chief Executive Officer, marked as item 16 of the Open Council Agenda of 30 May 2022, be adopted.

**AMENDMENT**

DUTTA

That:

1. The Council support term limits being introduced for elected members.
2. Any amalgamation proposal ought be accompanied by an elector poll to gauge community feedback and a significant financial investment made in the state government budget to facilitate the significant additional costs of merging multiple organisations/councils.

The amendment lapsed for want of a seconder.

MOTION CARRIED

**VOTING RECORD**

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Briscoe  
Sexton  
Thomas  
Harvey  
Behrakis  
Dutta  
Sherlock  
Coats

**COUNCIL RESOLUTION:**

That the Council endorse the submission to the Local Government Board in response to the Future of Local Government Review, provided in Attachment A to item 16 of the Open Council Agenda of 30 May 2022.

## 17. CLOSED PORTION OF THE MEETING

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That the Council resolve by absolute 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 a closed portion of a meeting
- Leave of absence
- Lease agreement of Council property

The following items were discussed:-

Item No. 1	Minutes of the last meeting of the Closed Portion of the Council Meeting
Item No. 2	Communication from the Chairman
Item No. 3	Leave of Absence
Item No. 4	Consideration of supplementary Items to the agenda
Item No. 5	Indications of pecuniary and conflicts of interest
Item No. 6	Lease Agreement - Level 4 Council Centre Building - Enterprize Tasmania Ltd LG(MP)R 15(2)(c)(i), (c)(iii) and (d)

BURNET  
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED BY  
ABSOLUTE MAJORITY

### VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Briscoe	
Sexton	
Thomas	
Harvey	
Behrakis	
Dutta	
Sherlock	
Coats	

The Chairman adjourned the meeting at 7.24pm for a comfort break.

The meeting was reconvened at 7.29pm.

Item 13 was then taken.

There being no further business the Open portion of the meeting closed at 7.49pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
14<sup>TH</sup> DAY OF JUNE 2022.

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**CHAIRMAN**