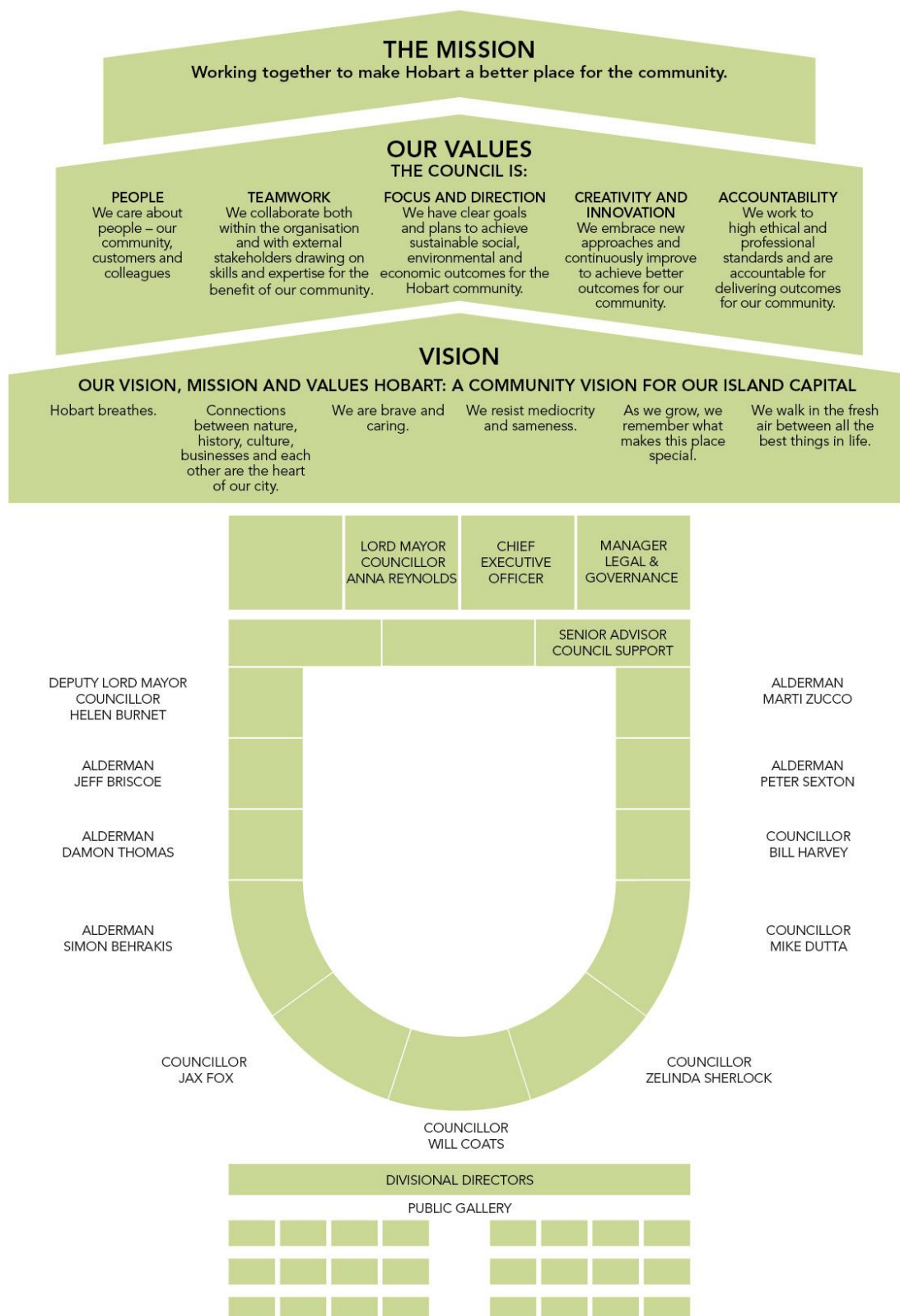




CITY OF HOBART

AGENDA
OPEN PORTION OF THE COUNCIL MEETING
MONDAY, 15 AUGUST 2022
AT 5:00 PM





ORDER OF BUSINESS

APOLOGIES AND LEAVE OF ABSENCE

1. CONFIRMATION OF MINUTES.....	4
2. TRANSFER OF AGENDA ITEMS.....	4
3. COMMUNICATION FROM THE CHAIRMAN	4
4. NOTIFICATION OF COUNCIL WORKSHOPS	5
5. PUBLIC QUESTION TIME	5
6. PETITIONS	5
7. CONSIDERATION OF SUPPLEMENTARY ITEMS	5
8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST	5
REPORTS OF COMMITTEES	6

CITY PLANNING COMMITTEE

9. COUNCIL ACTING AS PLANNING AUTHORITY	6
9.1 2/31 Poets Road, West Hobart and Common Land of Parent Title - Change of Use to Visitor Accommodation	6
10. Monthly Building Statistics - 1 June - 30 June 2022	33
11. Monthly Planning Statistics - 1 June - 30 June 2022	34
12. Fees for Residential Planning Applications.....	35

CITY INFRASTRUCTURE COMMITTEE

13. Deputy Municipal Emergency Management Coordinator	36
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COMMUNITY, CULTURE AND EVENTS COMMITTEE

14. Crowther Reinterpreted: A Permanent Response	37
15. Request for Financial Delegation for Sponsorship Program 2022-23.....	37
16. CLOSED PORTION OF THE MEETING.....	38

A MEETING OF THE OPEN PORTION OF THE COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL ON MONDAY, 15 AUGUST 2022 AT 5:00 PM.

Kelly Grigsby
Chief Executive Officer

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).

This meeting of the Council 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.

ELECTED MEMBERS:

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

APOLOGIES:

LEAVE OF ABSENCE: Nil.

1. CONFIRMATION OF MINUTES

The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 1 August 2022](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

2. TRANSFER OF AGENDA ITEMS

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*?

3. COMMUNICATION FROM THE CHAIRMAN

4. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the General Manager reports that no Council workshops have been conducted since the last ordinary meeting of the Council.

5. PUBLIC QUESTION TIME

Regulation 31 *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 16/119-001

5.1 Public Questions

6. PETITIONS

7. CONSIDERATION OF SUPPLEMENTARY ITEMS

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*.

8. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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 conflict 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.

REPORTS OF COMMITTEES

CITY PLANNING COMMITTEE

9. COUNCIL 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 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 2/31 Poets Road, West Hobart and Common Land of Parent Title - Change of Use to Visitor Accommodation PLN-22-351 - File Ref: F22/77376

Ref: Open [CPC 7.1.3](#), 8/08/2022
Application Expiry Date: 17 August 2022

In the absence of a decision from the City Planning Committee the item is referred to the Council for determination.

Attachment A: Original Report - CPC 8 August 2022 - Item 7.1.3 - 2/31 Poets Road

**7.1.3 2/31 POETS ROAD, WEST HOBART AND COMMON LAND OF
PARENT TITLE - CHANGE OF USE TO VISITOR ACCOMMODATION
PLN-22-351 - FILE REF: F22/77376**

Address:	2/31 Poets Road, West Hobart and Common Land of Parent Title
Proposal:	Change of Use to Visitor Accommodation
Expiry Date:	17 August 2022
Extension of Time:	Not applicable
Author:	Mark O'Brien

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for change of use to visitor accommodation, at 2/31 Poets Road, West Hobart 7000, 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-22-351 - 2/31 POETS ROAD WEST HOBART TAS 7000 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 18

Prior to the commencement of the approved use, a management plan for the operation of the visitor accommodation must be submitted and approved as a Condition Endorsement, to the satisfaction of the Council's Director City Life. The management plan must include measures to limit, manage and mitigate unreasonable impacts upon the amenity of long term residents. These measures must include, but are not limited to, the following requirements:

1. To limit, manage, and mitigate noise generated as a result of the visitor accommodation.
2. To limit, manage, and mitigate behaviour issues caused as a

result of the visitor accommodation.

3. To restrict guests from accommodating pets.
4. To maintain the privacy and security of the building, include directions that clarify which areas of property can and can't be accessed by guests.
5. To specify the maximum permitted occupancy of the visitor accommodation.
6. To specify that guests must utilise the site for the parking of vehicles, that the maximum number of vehicles to be parked on the site is (1), and detail where the parking spaces are located and how the spaces are to be accessed. Additionally, at the booking stage, guests should be discouraged from bringing more than 1 vehicle and the parking of any additional vehicles in nearby streets should also be discouraged.
7. To provide a name and contact phone number of a person who will respond to any complaints regarding behaviour of guests. If the property is sold the Visitor Accommodation Management Plan (VAMP) must be updated with new contact details.

Once approved, the management plan must be implemented prior to the commencement of the approved use and must be maintained for as long as the visitor accommodation is in operation. The VAMP must be provided to adjacent property owners and occupiers within 14 days of being approved. If the property is sold, the updated VAMP (in accordance with 6. above) must be provided to adjacent property owners and occupiers within 10 business days of settlement.

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 visitor accommodation does not cause an unreasonable loss of residential amenity.

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](#).

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

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.

VISITOR ACCOMMODATION

More information on visitor accommodation, including when building approval is required, can be found [here](#).

In all cases, check with your insurance company that you have adequate cover.


If you are in a bushfire prone area there may be a need to create/review the Bushfire


Management Hazard Plan for your property.

If you have a spa or a pool at your property then you are required to test for microbiological quality and chemical parameters on a monthly basis, under the *Public Health Act 1997*. If you have any questions about this then please call our Environmental Health team on 6238 2711.

If you are providing food for consumption on the property, you may require a food business registration in accordance with the *Food Act 2003*. Click [here](#) for more information, or call our Environmental Health team on 6238 2711.

Visitor accommodation is also considered to be a commercial use and also not eligible to residential parking permits. Under the current policy for the issuing of residential parking permits, the proposed change of use to visitor accommodation would not entitle the property to a residential parking permit, or a transferable "bed and breakfast" parking permit.

Attachment A: PLN-22-351 - 2/31 POETS ROAD WEST HOBART
TAS 7000 - Planning Committee or Delegated
Report 

Attachment B: PLN-22-351 - 2/31 POETS ROAD WEST HOBART
TAS 7000 - CPC Agenda documents 



City of HOBART

APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report: Committee
 Council: 15 August 2022
 Expiry Date: 17 August 2022
 Application No: PLN-22-351
 Address: 2 / 31 POETS ROAD , WEST HOBART
 COMMON LAND OF PARENT TITLE
 Applicant: Madeleine Roberts
 2/31 Poets Road
 Proposal: Change of Use to Visitor Accommodation
 Representations: Four
 Performance criteria: Planning Directive No.6

1. Executive Summary

- 1.1 Planning approval is sought for Change of Use to Visitor Accommodation, at 2/31 Poets Road, West Hobart.
- 1.2 More specifically the proposal includes:
 - Change of use from residential to visitor accommodation for a two bedroom, 87m² unit in a strata complex of two units.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
 - 1.3.1 Planning Directive 6 - Strata unit
- 1.4 Four (4) representations objecting to the proposal were received within the statutory advertising period between 19 July 2022 and 2 August 2022.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Council because the application is of a category of applications called in by an Elected Member.

2. Site Detail

- 2.1 The site is at 2/31 Poets Road, West Hobart. The site forms part of a strata complex containing two units. The site contains a two bedroom dwelling with private open space and one onsite car parking space. The strata complex contains units that are used for residential purposes. The site is in an established residential neighbourhood that contains residential and visitor accommodation use.



Figure 1: Aerial image of site (blue outline) strata complex (orange outline) and surrounding area (source: listmap, accessed 2 June 2022)



Figure 2: View of site (yellow outline) looking south from Poets Road (source: realestate.com, accessed 2 June 2022)



Figure 3: View of site (yellow outline) looking north from backyard (source: realestate.com, accessed 2 June 2022)

3. Proposal

- 3.1 Planning approval is sought for Change of Use to Visitor Accommodation, at 2/31 Poets Road, West Hobart.
- 3.2 More specifically the proposal is for:
- Change of use from residential to visitor accommodation for a two bedroom, 87m² unit in a strata complex of two units.

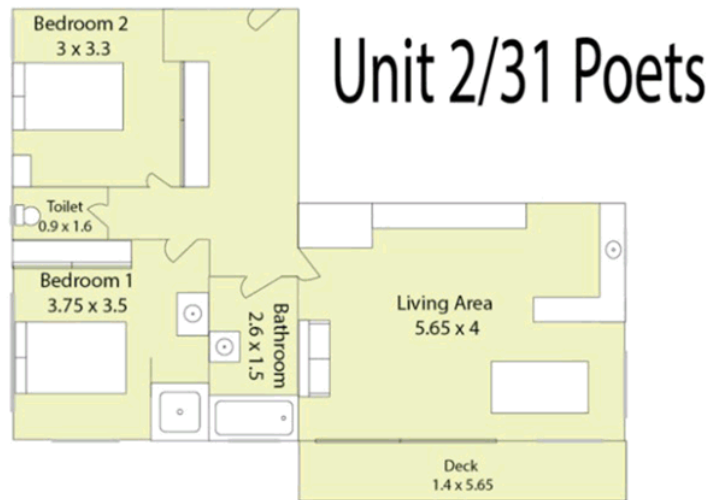


Figure 4: Floor plan (source: applicant)

4. Background

- 4.1 There is no relevant background for this application.

5. Concerns raised by representors

- 5.1 Four (4) representations objecting to the proposal were received within the statutory advertising period between 19 July 2022 and 2 August 2022.

- 5.2 The following table outlines the concerns raised in the representations received. Those concerns which relate to a discretion invoked by the proposal are addressed in Section 6 of this report.

Please do not allow pets on the property in consideration of the wildlife.
There are wallabies on the property and there should be something that prohibits pets being allowed. This is also written in the lease agreement for tenants at 1/31 Poets Road.
There will be a loss of privacy for neighbours.
There will be an increase in noise for neighbours.
This is a residential area and visitor accommodation use is not compatible with this.
The safety and efficiency of the local road network will be compromised by the proposal.
There is a housing crisis in Hobart and this proposal exacerbates that issue.

6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located within the General Residential Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is Residential. The proposed use is Visitor Accommodation. The existing and proposed use are permitted in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 Part D - 10 General Residential Zone / Planning Directive No.6 Exemption and Standards for Visitor Accommodation in Planning Scheme
- 6.4.2 E6.0 Parking and Access Code

- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Planning Directive No.6 - Exemption and Standards for Visitor Accommodation in Planning Schemes:
- Strata – 3.1(e) P2*
- 6.6 Each performance criterion is assessed below.
- 6.7 Planning Directive No.6 - Exemption and Standards for Visitor Accommodation in Planning Scheme - 3.1(e) P2
- 6.7.1 The acceptable solution at clause 3.1(e) A2 requires visitor accommodation use to not be located in a strata complex where another lot is used for residential use.
- 6.7.2 The proposal includes visitor accommodation use in a strata complex where another lot is used for residential use.
- 6.7.3 The proposal does not comply with the acceptable solution; therefore, assessment against the performance criterion is relied on.
- 6.7.4 The performance criterion at clause 3.1(e) P2 provides as follows:
- Visitor Accommodation within a strata scheme must not cause an unreasonable loss of residential amenity to long term residents occupying other lots within the strata scheme, having regard to:*
- (a) the privacy of residents;*
- (b) any likely increase in noise;*
- (c) the residential function of the strata scheme;*
- (d) the location and layout of the lots;*
- (e) the extent and nature of any other nonresidential uses; and*
- (f) any impact on shared access and common property*
- 6.7.5 The site that is the subject of this change of use application contains a dwelling that is located in a strata scheme of two dwellings. The site is in

an established residential neighbourhood, which is broadly characterised by housing on sloping topography with sweeping views overlooking the city. Although the use of the area is predominantly characterised as residential, limited non-residential use does exist, including visitor accommodation. For example, a hotel exists within 100m of the site with 32 visitor accommodation units.

The objectives of the visitor accommodation provisions are to ensure that visitor accommodation is compatible with the character and use of the area, that it does not cause an unreasonable loss of residential amenity, and that it does not impact on the safety and efficiency of local roads or rights of way. The performance criterion at P2 is also a specific test against the impacts of the proposed change of use on the residential amenity of the other dwelling in the strata scheme.

With respect to compatibility with the character and use in the area, compatibility exists if the proposal is in harmony or broad correspondence with the existing uses that characterise the area. As there is existing visitor accommodation use in the area, and given that the nature of visitor accommodation use is not dissimilar to that of residential use, the proposed use is considered to be compatible with the character and use of the area.

With respect to loss of residential amenity, it is not only important to consider the broad nature of visitor accommodation use, but that which is specific to the site. That is, the site is a two bedroom unit with a private pedestrian entrance, private off-street parking space, and no shared common facilities with the other unit in the strata scheme (there is a single shared crossover but no body corporate in place for this strata scheme). It is also likely that most bookings would occur for two to four persons. Subject to implementation of a visitor accommodation management plan regulating noise, behaviour, access and visitor numbers, the proposed change of use would not generate an unreasonable loss of residential amenity. Although there is potential for the private balcony on the site to overlook the private open space of the unit below, this is not unique to this proposal as it already occurs on the site as part of the residential use, and is typical outcome for a multi-storey unit complex.

With respect to impacts on the safety and efficiency of the local road network, the single on-site parking space available to guests is provided in accordance with the acceptable solution requirements of the Parking and Access Code. This is less parking demand than the existing residential use on the site. As such, the proposal will not have an adverse

impact on the safety and efficiency of the local road network.

Several representations were received during the advertising period objecting to the proposal. In addition to concerns that have been addressed above, specific concerns have been raised regarding housing availability and affordability issues. Whilst it is acknowledged that this is an important issue, these concerns cannot be considered as part of this planning assessment as Planning Directive No.6 does not include the matter as a relevant assessment criteria.

6.7.6 The proposal complies with the performance criterion.

7. Discussion

- 7.1 Planning approval is sought for Change of Use to Visitor Accommodation, at 2/31 Poets Road, West Hobart.
- 7.2 The application was advertised and received four representations. The representations raised concerns including the proposals perceived impact on wildlife, privacy, noise, character, traffic and housing availability.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.
- 7.4 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed Change of Use to Visitor Accommodation, at 2/31 Poets Road, West Hobart, satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.

9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Change of Use to Visitor Accommodation, at 2/31 Poets Road, West Hobart, 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-22-351 - 2/31 POETS ROAD WEST HOBART TAS 7000 - Final Planning Documents, except where modified below.

Reason for condition

To clarify the scope of the permit.

PLN 18

Prior to the commencement of the approved use, a management plan for the operation of the visitor accommodation must be submitted and approved as a Condition Endorsement, to the satisfaction of the Council's Director City Life. The management plan must include measures to limit, manage and mitigate unreasonable impacts upon the amenity of long term residents. These measures must include, but are not limited to, the following requirements:

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3. To restrict guests from accommodating pets.
4. To maintain the privacy and security of the building, include directions that clarify which areas of property can and can't be accessed by guests.
5. To specify the maximum permitted occupancy of the visitor accommodation.
6. To specify that guests must utilise the site for the parking of vehicles, that the maximum number of vehicles to be parked on the site is (1), and detail where the parking spaces are located and how the spaces are to be accessed. Additionally, at the booking stage, guests should be discouraged from bringing more than 1 vehicle and the parking of any

additional vehicles in nearby streets should also be discouraged.

7. To provide a name and contact phone number of a person who will respond to any complaints regarding behaviour of guests. If the property is sold the Visitor Accommodation Management Plan (VAMP) must be updated with new contact details.

Once approved, the management plan must be implemented prior to the commencement of the approved use and must be maintained for as long as the visitor accommodation is in operation. The VAMP must be provided to adjacent property owners and occupiers within 14 days of being approved. If the property is sold, the updated VAMP (in accordance with 6. above) must be provided to adjacent property owners and occupiers within 10 business days of settlement.

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 visitor accommodation does not cause an unreasonable loss of residential amenity.

ADVICE

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Once approved, the Council will respond to you via email that the condition has been

endorsed (satisfied).

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FEES AND CHARGES

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VISITOR ACCOMMODATION

More information on visitor accommodation, including when building approval is required, can be found [here](#).

In all cases, check with your insurance company that you have adequate cover.

If you are in a bushfire prone area there may be a need to create/review the Bushfire Management Hazard Plan for your property.

If you have a spa or a pool at your property then you are required to test for microbiological quality and chemical parameters on a monthly basis, under the *Public Health Act 1997*. If you have any questions about this then please call our Environmental Health team on 6238 2711.

If you are providing food for consumption on the property, you may require a food business registration in accordance with the *Food Act 2003*. Click [here](#) for more information, or call our Environmental Health team on 6238 2711.

Visitor accommodation is also considered to be a commercial use and also not eligible to residential parking permits. Under the current policy for the issuing of residential parking permits, the proposed change of use to visitor accommodation would not entitle the property to a residential parking permit, or a transferable "bed and breakfast" parking permit.



(Mark O'Brien)

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.



(Mark O'Brien)

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

Date of Report: 3 August 2022

Attachment(s):

Attachment B - CPC Agenda Documents

Planning: #254042

Property

2/31 POETS ROAD WEST HOBART TAS 7000

People**Applicant ***Madeleine Roberts
2/31 Poets Road
WEST HOBART TAS 7000
0423 636 698
madeleine.v.roberts@gmail.com**Owner ***Madeleine Roberts
2/31 Poets Road
WEST HOBART TAS 7000
0423 636 698
madeleine.v.roberts@gmail.com**Entered By**MADELEINE ROBERTS
2 / 31 POETS ROAD
WEST HOBART TAS 7000
0423 636 698
madeleine.v.roberts@gmail.com**Use**

Visitor accomodation

Details

Have you obtained pre application advice?

☒ No

If YES please provide the pre application advice number eg PAE-17-xx

Are you applying for permitted visitor accommodation as defined by the State Government Visitor Accommodation Standards? Click on help information button for definition. If you are not the owner of the property you MUST include signed confirmation from the owner that they are aware of this application. *

☒ Yes

Is the application for SIGNAGE ONLY? If yes, please enter \$0 in the cost of development, and you must enter the number of signs under Other Details below. *

☒ No

If this application is related to an enforcement action please enter Enforcement Number

Details		
What is the current approved use of the land / building(s)? *		
residential		
Please provide a full description of the proposed use or development (i.e. demolition and new dwelling, swimming pool and garage) *		
airbnb accommodation		
Estimated cost of development *		
0.00		
Existing floor area (m2)	Proposed floor area (m2)	
87.00	87.00	
Site area (m2)		
365		
Carparking on Site		
Total parking spaces	Existing parking spaces	N/A
1	1	<input checked="" type="checkbox"/> Other (no selection chosen)
Other Details		
Does the application include signage? *		
<input checked="" type="radio"/> No		
How many signs, please enter 0 if there are none involved in this application? *		
0		
Tasmania Heritage Register		
Is this property on the Tasmanian Heritage Register? <input checked="" type="radio"/> No		
Documents		
Required Documents		
Title (Folio text and Plan and 210387 - FolioPlan-57970-2 updated.pdf Schedule of Easements) *		
Plans (proposed, existing) * 31 poets road.pdf		
Other	210387 - FolioText-57970-2 updated .pdf	
Other	210387 - FolioTextCommonLot-57970-2 updated.pdf	
Additional information	Additional Information_2_31 Poets Rd.pdf	

I am proposing listing my unit (2/31 Poets Road West Hobart) on the short term rental accommodation market (Airbnb) when I relocate to London later in the year.

My unit is one of 2 units in a strata complex at 31 Poets Road. They are essentially townhouses rather than units, with one shared wall.

There is no active body corporate in place for this complex, nor is there any zoning or strata -related reason that short term rental accommodation for this unit should not be approved.

I have spoken to the owners of unit number 1 and they are happy with my proposed accommodation use. Currently, unit 1 is occupied by 2 x tenants.

Separate entrances, separate parking and separate outdoor areas means that there is no inconvenience to unit number 1 based on the use of my unit (whether rented on a short or long term basis).

There is plenty of on-street parking for additional cars, should it be required.

The nature of my apartment renovation means that the unit would not be used for low-cost or affordable rental should it be placed on the long-term rental market. I will be requesting no children stay if it is approved as short term accommodation.

There is holiday accommodation on Poets Road and it would not be inconsistent with the zoning of the area.

Telstra #StaySafe 4G 12:01 pm

2/31 Poets Road 15 of 15

Unit 2/31 Poets Road

The floorplan shows a rectangular unit with the following rooms and dimensions:

- Bedroom 2: 3 x 3.3
- Bedroom 1: 3.75 x 3.5
- Bathroom: 2.6 x 1.5
- Living Area: 5.65 x 4
- Deck: 1.4 x 5.65
- Toilet: 0.9 x 1.6

Disclaimer: Whilst every effort has been made to ensure the accuracy of the floor plan contained hereon, the floor plan is for illustrative purposes only and should not be used as a basis for any purchase or lease. The floor plan is for illustrative purposes only and should not be used as a basis for any purchase or lease. The floor plan is for illustrative purposes only and should not be used as a basis for any purchase or lease.

Floorplan Email agent



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Conveyancing and Law of Property Act 1884

STRATUM PLAN

REGISTERED NUMBER

No. 919
Sheet 1 of 4 Sheets

City or Town HOBART

57970

Locality WEST HOBART

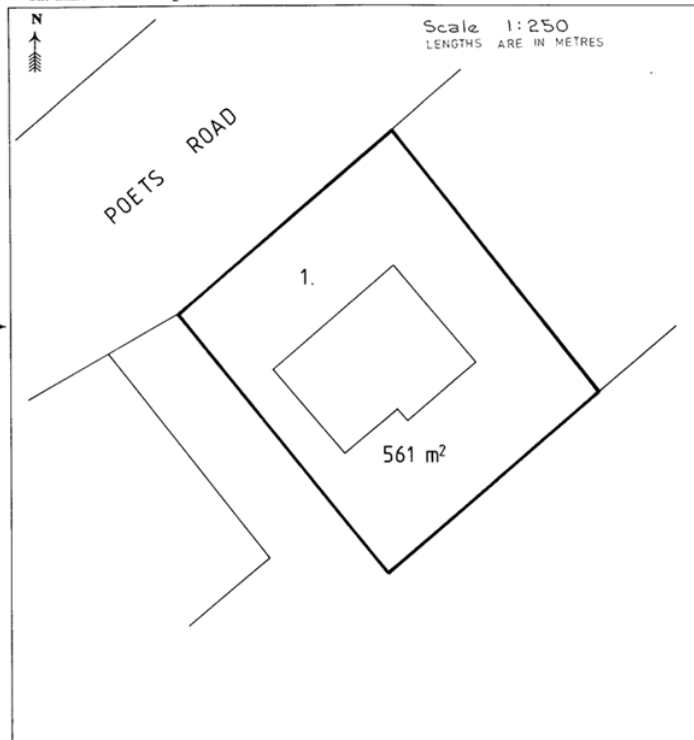
Reference to Title C.T. 3654-25

Site comprises the whole portion of Lot 1 on Plan Diagram No. D.10080 in the

Lands Titles Office

The name of the building is No. 31 Poets Road, West Hobart

External
surface
boundaries of
the site and
the location of
the building
in relation
thereto to
be delineated
in this space



REGISTERED this 25th day of June 1999, No. 919

This plan is lodged for registration by SIMMONS WOLFHAGEN

Recorder of Titles



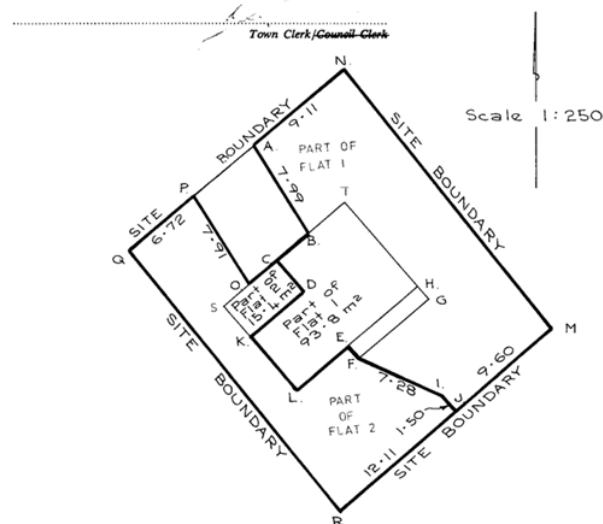
FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Sheet 2 of 4 Sheets



GROUND FLOOR.

HORIZONTAL BOUNDARIES ARE SHOWN BY HEAVY BLACK LINES

The common boundary of a flat with another flat or with common property is the centre of the wall floor or ceiling as the case may be or as otherwise described.

Flat 1 comprises the building which occupies the whole of the area marked *ABCKLEFIJMN* north-east of the line marked *ABCKLEFIJ* (hereinafter called the boundary) and no part of the said building is common property.

Flat 2 comprises the building which occupies the whole of the area marked *POCKLEFIJRO* south-west of the boundary and no part of the said building is common property.

The whole of the site which is surrounded by a heavy unbroken line is common property.

The boundary where not defined by walls is identified by measurements.

Whilst the buildings exist :-

1. The occupier of Flat 1 has the right to the exclusive enjoyment of that part of the site north-east of the boundary.
2. The occupier of Flat 2 has the right to the exclusive enjoyment of that part of the site south-west of the boundary.

The portion marked *EHKF* is a verandah and is defined horizontally by the outer edge of the concrete floor below and extends vertically from the ^{ground level} ~~the floor~~ below to the prolongation of the centreline of the ceiling of the ground floor portion of the flat above.

Portion of Flat 1 marked *ABTHGFIJMN* is an open space and is defined horizontally by the centre of the walls site boundaries and for undefined boundaries by measurement and is a portion of the site and extends vertically from ground level to the prolongation of the centre of the ceiling of the ground floor portion of the Flat above.

Portion of Flat 2 marked *POSKLEFIJRO* is an open space and is defined horizontally by the centre of the walls site boundaries and for undefined boundaries by measurement and is a portion of the site and extends vertically from ground level to the prolongation of the centre of the ceiling of the ground floor portion of the Flat above.



FOLIO PLAN

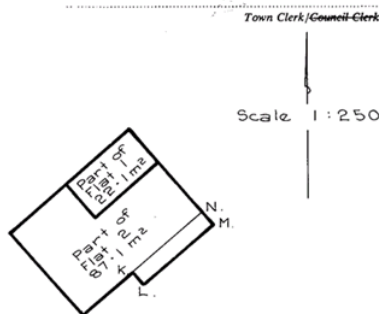
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



If further sheets are required to illustrate the flats, the sheets should be pinned here. Further sheets must be of paper supplied for the purpose by the Recorder of Titles and bearing his seal, and be numbered consecutively, commencing from sheet 4.

Sheet 3 of 4 Sheets

FIRST FLOOR.

The horizontal boundaries of each flat are shown by heavy unbroken lines.

The common boundary of a flat with another flat or with common property is the centre of the wall floor or ceiling as the case may be.

The portion marked KJMN is a verandah and is defined horizontally by the outer edge of the concrete floor below and extends vertically from the floor below to the prolongation of the centreline of the ceiling of the first floor flat.



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Sheet 1 of 1 Sheets

Town Clerk/Council Clerk		
The address for service of notices on the company is:—		
No 13 Poets Road West Hobart 7000		
UNIT ENTITLEMENTS		
Flat	Unit Entitlement	FOR OFFICE USE ONLY
1	1	3174 -21
2	1	22
TOTAL		2

SURVEYOR'S CERTIFICATE	
I, Geoffrey William Griggs, of 295 Elizabeth Street, a surveyor registered under the Land Surveyor's Act 1909, hereby certify that the building erected on the site described and delineated on sheet 1 of this plan is within the external boundaries of the title stated on sheet 1.	
Dated this 29th day of March 1979	Registered Surveyor
COUNCIL CLERK'S CERTIFICATE	
I certify that the subdivision shown in this plan has been approved by the Hobart City Council	
Dated this 29th day of March 1979	
Town Clerk/Council Clerk	
FOR OFFICE USE ONLY	



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME	FOLIO
57970	2
EDITION	DATE OF ISSUE
5	31-May-2021

SEARCH DATE : 02-Jun-2022

SEARCH TIME : 11.32 AM

DESCRIPTION OF LAND

City of HOBART
Lot 2 on Strata Plan 57970 (formerly being STR919) and a
general unit entitlement operating for all purposes of the
Strata Scheme being a 1 undivided 1/2 interest
Derived from Strata Plan 57970
Derivation : Part of 10A-2R-0Ps. Gtd. to W. Harris.
Prior CT 3774/22

SCHEDULE 1

M888282 TRANSFER to MADELEINE VICTORIA ROBERTS Registered
31-May-2021 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
The registered proprietor holds the lot and unit entitlement
subject to any interest noted on common property
Folio of the Register volume 57970 folio 0
E261410 MORTGAGE to Commonwealth Bank of Australia
Registered 31-May-2021 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME	FOLIO
57970	0
EDITION	DATE OF ISSUE
3	27-Jul-2001

SEARCH DATE : 02-Jun-2022

SEARCH TIME : 11.32 AM

DESCRIPTION OF LAND

City of HOBART
The Common Property for Strata Scheme 57970 (formerly being STR919)
Derivation : Part of 10A-2R-0Ps. Gtd. to W. Harris.
Prior CT 3654/25

SCHEDULE 1

STRATA CORPORATION NO. 57970, 31 POETS ROAD, HOBART

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

10. Monthly Building Statistics - 1 June - 30 June 2022
File Ref: F22/73945

Ref: Open [CPC 8.1](#), 8/08/2022

That the building statistical report of the Director City Life be received and noted:

During the period 1 June 2022 to 30 June 2022, 33 permits were issued to the value of \$18,394,881 which included:

- (i) 21 for extensions/alterations to dwellings to the value of \$13,651,176;
- (ii) 2 new dwellings to the value of \$749,430;
- (iii) 0 new multiple dwellings; and
- (iv) 1 major project:
 - a) 48 Liverpool Street Hobart - Commercial Internal Alterations - \$8,141,589

During the period 1 June 2021 to 30 June 2021, 77 permits were issued to the value of \$24,577,711 which included:

- (i) 42 for extensions/alterations to dwellings to the value of \$15,064,851;
- (ii) 7 new dwellings to the value of \$3,278,370;
- (iii) 4 new multiple dwellings to the value of \$2,000,000; and
- (iv) 2 major projects:
 - (a) 66 Burnett Street, North Hobart - Stage 2 - Structural only - \$9,000,000; and
 - (b) 1 Burnett Street, North Hobart - New commercial residential building x 4 - \$2,000,000.

In the twelve months ending June 2022, 521 permits were issued to the value of \$237,387,355; and

In the twelve months ending June 2021, 662 permits were issued to the value of \$198,957,830.

11. Monthly Planning Statistics - 1 June - 30 June 2022
File Ref: F22/73962

Ref: Open [CPC 8.2](#), 8/08/2022

That the planning statistical report of the Director City Life be received and noted:

During the period 1 June 2022 to 30 June 2022, 57 permits were issued to the value of \$16,729,324 which included:

- (i) 1 new single dwelling to the value of \$950,000;
- (ii) 21 multiple dwellings to the value of \$7,270,000;
- (iii) 28 extensions/alterations to dwellings to the value of \$3,698,338;
- (iv) 9 extensions/alterations to commercial properties to the value of \$4,594,000;
- (v) 1 major project:
 - (a) 156 New Town Road, New Town - Demolition, Subdivision (Lot Consolidation), and New Building for 19 Multiple Dwellings and Fitness Centre (Sports and Recreation) - \$7,000,000

During the period 1 June 2021 to 30 June 2021, 68 permits were issued to the value of \$23,893,387 which included:

- (i) 5 new single dwellings to the value of \$2,340,000;
- (ii) 72 multiple dwellings to the value of \$15,950,000;
- (iii) 32 extensions/alterations to dwellings to the value of \$3,516,032;
- (iv) 14 extensions/alterations to commercial properties to the value of \$10,363,300;
- (v) 2 major projects:
 - (a) 199 Macquarie Street, Hobart - Partial Demolition, Alterations, Partial Change of Use to Office and Two Multiple Dwellings, New Building for 45 Multiple Dwellings, Signage and Associated Works - \$8,000,000;
 - (b) 98 Argyle Street - Hobart - Demolition and New Building for 20 Multiple Dwellings - \$6,500,000;

In the twelve months ending June 2022, 686 permits were issued to the value of \$305,415,701; and

In the twelve months ending June 2021, 839 permits were issued to the value of \$330,726,629

This report includes permits issued, exempt and no permit required decisions.

12. Fees for Residential Planning Applications

File Ref: F22/70031; 16/117

Ref: Open [CPC 8.3](#), 8/08/2022

That: 1. The fee for planning applications for a new dwelling or new ancillary dwellings which have a cost estimate of \$200,001 to \$600,000 is \$800.

2. The Council, pursuant to section 22 of the *Local Government Act 1993*, delegates to the Chief Executive Officer (being the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993*) the following power:

To waive fees or refund fees paid for a planning application (up to a maximum of 50% of the application fee otherwise payable) which meets the following criteria, based on satisfactory evidence provided by the applicant:

- (a) the proposal is for one or more new dwellings which are classified as “affordable housing”; that is, a household in the lower 40 per cent by income should not pay more than 30 per cent of their gross income on housing; and
 - (b) the dwelling or dwellings are owned or will be managed by either:
 - a not-for-profit community housing provider; or
 - a private person or organisation who is able to demonstrate that the dwelling or dwellings will remain as long term affordable housing stock.
3. The Council authorises the Chief Executive Officer to delegate the same power to the Director City Life pursuant to section 64 of the *Local Government Act 1993*.
4. Each fee waiver or refund be recorded in the ‘Grants, Assistance and Benefits Provided’ section of the City of Hobart’s Annual Report.
5. Any applications received which fall within clause 1, or have had fees reduced pursuant to the delegation referred to in clause 2, are reported to the City Planning Committee as part of an annual report.

CITY INFRASTRUCTURE COMMITTEE

13. Deputy Municipal Emergency Management Coordinator
File Ref: F22/64520

Ref: Open [CIC 6.1](#), 3/08/2022

- That:
1. The Council endorse the nomination of Mr John Fisher as the Deputy Municipal Emergency Management Coordinator for the City of Hobart.
 2. The Director State Emergency Service and the State Emergency Management Controller be so advised.

COMMUNITY, CULTURE AND EVENTS COMMITTEE

14. Crowther Reinterpreted: A Permanent Response
File Ref: F22/65830; 16/427-002-004

Ref: Open [CCEC 6.1](#), 4/08/2022

- That: 1. In recognition of the Council's 2020 Aboriginal Commitment and Action Plan and the submissions received in response to the Crowther Reinterpreted project, Council support the proposal for partial removal of the William Crowther statue from Franklin Square - the bronze component – to the City's Valuables Collection, pending further negotiations with local collecting institutions, for a permanent location for this element (Stage 3) as detailed in the report marked as item 6.1 of the Open Community Culture and Events Committee agenda of 4 August 2022.
- (i) This partial removal would be subject to receipt of planning approval by the Council and be paired with the instatement of temporary signage on the Franklin Square site, explaining the project.
2. Subsequently, that officers develop a detailed proposal, in consultation with relevant stakeholders, for commissioning new, permanent, interpretative and/or sculptural elements to be installed beside the Crowther plinth (Stage 4) as detailed in the report marked as item 6.1 of the Open Community Culture and Events Committee agenda of 4 August 2022. This would form the basis of a future report to the Council.
3. Following the completion of the Crowther Reinterpreted project, the Council support the development of a Monuments Policy to inform future additions or removals to the City's collection.

15. Request for Financial Delegation for Sponsorship Program 2022-23
File Ref: F22/73991; 19/18

Ref: Open [CCEC 6.2](#), 4/08/2022

That in light of upcoming Local Government elections and in the interests of good governance at this time, it is recommended that pursuant to Section 22 of the *Local Government Act 1993*, the Council delegate authority to the Chief Executive Officer to approve the recommendations of the assessment panel for the annual sponsorship program to levels as provided in the 2022-2023 Annual Plan.

16. CLOSED PORTION OF THE MEETING

RECOMMENDATION

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 and the closed portion of the meeting
- Leave of absence

The following items are listed for discussion:-

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