



CITY OF HOBART

MINUTES

PLANNING COMMITTEE MEETING

OPEN PORTION

WEDNESDAY, 3 MAY 2023



City of **HOBART**

ORDER OF BUSINESS

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Planning Committee Meeting (Open Portion) held on Wednesday, 3 May 2023 at 5:00 pm in the Council Chamber, Town Hall.

COMMITTEE MEMBERS

Alderman S Behrakis (Chairman)
Lord Mayor Councillor A M Reynolds
Deputy Lord Mayor Councillor H Burnet
Alderman M Zucco
Councillor W F Harvey
Councillor M Dutta
Councillor Dr Z Sherlock
Councillor J Kelly
Councillor L Elliot
Alderman L Bloomfield
Councillor R Posselt
Councillor B Lohberger

PRESENT: Alderman S Behrakis (Chairman), the Lord Mayor Councillor A M Reynolds, Alderman M Zucco, Councillors W F Harvey, M Dutta, Dr Z Sherlock, L Elliot, R Posselt and B Lohberger.

APOLOGIES: Nil

LEAVE OF ABSENCE: Nil

1. CONFIRMATION OF MINUTES

The minutes of the Open Portion of the Planning Committee meeting held on [Wednesday, 19 April 2023](#), be confirmed as an accurate record.

HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Behrakis	
Lord Mayor Reynolds	
Zucco	
Harvey	
Dutta	
Sherlock	
Posselt	
Lohberger	

The minutes were signed.

2. 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.

3. 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.

4. 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.

5. 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.

RECOMMENDATION

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.

6. 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.

6.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

**6.1.1 43 Smith Street, 45 Smith Street, 47 Smith Street, 49 Smith Street, 51 Smith Street, 53 Smith Street, North Hobart and Common Land of Parent Title - Change of Use to Visitor Accommodation
PLN-22-830 - File Ref: F23/41486**

PROCEDURAL MOTION

ZUCCO

That at the request of the applicant, the matter be deferred.

PROCEDURAL MOTION
CARRIED

VOTING RECORD

AYES	NOES
Behrakis	
Lord Mayor Reynolds	
Zucco	
Harvey	
Dutta	
Sherlock	
Elliot	
Posselt	
Lohberger	

COMMITTEE RESOLUTION:

That at the request of the applicant, the matter be deferred.

Delegation: Committee

7. REPORTS

7.1 City Planning - Advertising Report File Ref: F23/38479

HARVEY

That the recommendation contained in the report of the Director City Life of 24 April 2023, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Behrakis	
Lord Mayor Reynolds	
Zucco	
Harvey	
Dutta	
Sherlock	
Elliot	
Posselt	
Lohberger	

COMMITTEE RESOLUTION:

That the City Planning – Advertising Report, be received and noted.

Delegation: Committee

7.2 Delegated Decision Report (Planning) File Ref: F23/42559

DUTTA

That the recommendation contained in the report of the Director City Life of 28 April 2023, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Behrakis
Lord Mayor Reynolds
Zucco
Harvey
Dutta
Sherlock
Elliot
Posselt
Lohberger

COMMITTEE RESOLUTION:

That the Delegated Decision Report (Planning), be received and noted.

Delegation: Committee

8. RESPONSES TO QUESTIONS WITHOUT NOTICE

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

The Chief Executive Officer reports:-

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

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

8.1 Land Tax
File Ref: F23/34080; 13-1-10

Report of the Manager Rates, Procurement and Risk of 3 May 2023.

HARVEY

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Behrakis	
Lord Mayor Reynolds	
Zucco	
Harvey	
Dutta	
Sherlock	
Elliot	
Posselt	
Lohberger	

Delegation: Committee

9. QUESTIONS WITHOUT NOTICE

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

9.1 Councillor Posselt - Short Stay Accommodation Statistics

Question: Can the Director advise if the Council tracks the number of short stay accommodation approvals that have been granted in multi dwelling buildings such as strata title properties and can these records be reported?

Answer: The Director took the question on notice.

9.2 Lord Mayor Councillor Anna Reynolds - Sunset Clause

Question: Are extensions of visitor stay accommodation applications advertised?

Answer: Yes, extensions are advertised on road frontages and immediate neighbours are advised in writing.

10. CLOSED PORTION OF THE MEETING

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:

- Minutes of a Closed Committee Meeting
- Closed Questions Without Notice

The following items were discussed:-

Item No. 1	Minutes of the last meeting of the Closed Portion of the Committee Meeting
Item No. 2	Consideration of supplementary items to the agenda
Item No. 3	Indications of pecuniary and conflicts of interest
Item No. 4	Planning Authority Items – Consideration of Items with Deputations
Item No. 5	Questions Without Notice

SHERLOCK That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Behrakis	
Lord Mayor Reynolds	
Zucco	
Harvey	
Dutta	
Sherlock	
Elliot	
Posselt	
Lohberger	

There being no further business the Open portion of the meeting closed at 5.08pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
17TH DAY OF MAY 2023.

CHAIRMAN