



CITY OF HOBART

MINUTES

PLANNING AUTHORITY COMMITTEE MEETING

OPEN PORTION

WEDNESDAY, 20 NOVEMBER 2024 AT 4.00 PM



City of **HOBART**

ORDER OF BUSINESS

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Planning Authority Committee Meeting (Open Portion) held on Wednesday, 20 November 2024 at 4.00 pm in the Council Chamber, Town Hall.

APPOINTED MEMBERS

Councillor M Dutta (Chairperson)
Lord Mayor Councillor A M Reynolds
Deputy Lord Mayor Cr Dr Z Sherlock
Councillor W F Harvey
Councillor R Posselt
Councillor B Lohberger
Councillor G Kitsos

NOMINEE MEMBERS

Alderman M Zucco
Councillor J Kelly
Councillor L Elliot
Alderman L Bloomfield
Councillor W Coat

PRESENT:

Councillor M Dutta (Chairperson),
Councillors W F Harvey, R Posselt,
B Lohberger, G Kitsos and Alderman
M Zucco.

APOLOGIES:

The Lord Mayor Councillor A M Reynolds, Deputy Lord Mayor Dr Z Sherlock, and Ald L Bloomfield.

LEAVE OF ABSENCE: Nil.

Alderman Zucco arrived at the meeting at 4.09pm and was not present for items 1 to 6.

In accordance with clause 4.6 of the terms of reference the Chief Executive Officer appointed Alderman Zucco as an Appointed Member to the Committee.

Alderman Zucco left the meeting at 4.30pm, returning at 4.32pm and was not present for items 8 to 11.

1. ACKNOWLEDGEMENT OF COUNTRY

The Chairperson provided an acknowledgment of country.

2. CONFIRMATION OF MINUTES

LOHBERGER

The minutes of the Open Portion of the Planning Authority Committee meeting held on [Wednesday, 9 October 2024](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

Dutta
Harvey
Posselt
Lohberger
Kitsos

NOES

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

Recommendation

That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the Chief Executive Officer.

No supplementary items were received.

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

Ref: Part 2, Regulation 8(7) of the *Local Government (Meeting Procedures) Regulations 2015*.

Members of the Committee are requested to indicate where they may have any pecuniary or conflicts of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Committee has resolved to deal with.

No interest was indicated.

5. TRANSFER OF AGENDA ITEMS

Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

A Committee may close a part of a meeting to the public where a matter to be discussed falls within 15(2) of the above regulations.

In the event that the Committee transfer an item to the closed portion, the reasons for doing so should be stated.

Are there any items which should be transferred from this agenda to the closed portion of the agenda, or from the closed to the open portion of the agenda?

No items were transferred.

6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS

In accordance with the requirements of Part 2 Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chief Executive Officer is to arrange the agenda so that the planning authority items are sequential.

In accordance with Part 2 Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee by simple majority may change the order of any of the items listed on the agenda, but in the case of planning

items they must still be considered sequentially – in other words they still have to be dealt with as a single group on the agenda.

Where deputations are to be received in respect to planning items, past practice has been to move consideration of these items to the beginning of the meeting.

HARVEY

That in accordance with Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee resolve to deal with any items which have deputations by members of the public regarding any planning matter listed on the agenda, to be taken out of sequence in order to deal with deputations at the beginning of the meeting.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta
Harvey
Posselt
Lohberger
Kitsos

7. COMMITTEE ACTING AS PLANNING AUTHORITY

In accordance with the provisions of Part 2 Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the intention of the Committee to act as a planning authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted.

In accordance with Regulation 25, the Committee will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Committee is reminded that in order to comply with Regulation 25(2), the Chief Executive Officer is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

7.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

Kevin Arkless (Representor) and Geoff Hutchinson (Applicant) addressed the Committee in relation to item 7.1.1

7.1.1 1-5 Ryde Street, North Hobart - Partial Change of Use to Community Meeting and Entertainment PLN-HOB-2023-0497 - File Ref: F24/100171

PROCEDURAL MOTION

HARVEY

That the matter be deferred to the next Planning Authority Committee meeting to allow mediation between the applicant and representors.

MOTION CARRIED

VOTING RECORD

	AYES		NOES
Dutta		Posselt	
Harvey			
Lohberger			
Kitsos			
Zucco			

COMMITTEE RESOLUTION:

That the matter be deferred to the next Planning Authority Committee meeting to allow mediation between the applicant and representors.

Delegation: Committee

**7.1.2 322 Liverpool Street, West Hobart and Adjacent Road Reserve -
Partial Demolition, New Buildings for Education and Occasional
Care and Communal Residence, Carparking, Fencing and Tree
Removal
PLN-24-48 - File Ref: F24/100227**

PROCEDURAL MOTION

ZUCCO

That the matter be withdrawn from the agenda.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta
Harvey
Posselt
Lohberger
Kitsos
Zucco

COMMITTEE RESOLUTION:

That the matter be withdrawn from the agenda.

Delegation: Committee

8. REPORTS

**8.1 Planning Advertising Report
File Ref: F24/99731**

HARVEY

That the recommendation contained in the report of the Acting Director City
Life of 14 November 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta
Harvey
Posselt
Lohberger
Kitsos

COMMITTEE RESOLUTION:

The information contained 'Planning Advertised Report' be received and noted.

Delegation: Committee

**8.2 Delegated Decision Report (Planning)
File Ref: F24/99988**

POSSELT

That the recommendation contained in the report of the Acting Director City Life of 14 November 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta
Harvey
Posselt
Lohberger
Kitsos

COMMITTEE RESOLUTION:

That the information contained in the 'Delegated Decision Report (Planning)' be received and noted.

Delegation: Committee

9. RESPONSES TO QUESTIONS WITHOUT NOTICE

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

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 Chairperson is not to allow discussion or debate on either the question or the response.”

9.1 Sandy Bay / Mt Nelson Neighbourhood Plan
File Ref: F24/86715; 13-1-10

Memorandum of the Director City Futures of 7 November 2024.

9.2 Solar Panels on Heritage Properties
File Ref: F24/98130; 13-1-10

Memorandum of the Director City Futures of 7 November 2024.

HARVEY

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta
Harvey
Posselt
Lohberger
Kitsos

Delegation: Committee

10. QUESTIONS WITHOUT NOTICE

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

No questions were asked at the meeting.

11. CLOSED PORTION OF THE MEETING

HARVEY

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
- legal action involving the Council
- possible legal action involving the Council

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 | Committee Acting as Planning Authority |
| Item No. 5.1 | Applications under the Hobart Interim Planning Scheme 2015 |
| Item No. 5.1.1 | PLN-21-680 - 16 Pauldon Drive, Sandy Bay - Appeal - Supreme Court
LG(MP)R 15(4)(a) |
| Item No. 5.1.2 | PLN-22-282 – 73a New Town Road, New Town – Supreme Court Decision - TASCAT rehearing
LG(MP)R 15(4)(a) |
| Item No. 5.1.3 | PLN-23-203 - 132a Melville Street, Hobart - TASCAT Appeal - Mediation
LG(MP)R 15(4)(a) |
| Item No. 5.1.4 | PLN-23-295 2/563 Sandy Bay Road Sandy Bay – TASCAT Decision – Supreme Court Appeal
LG(MP)R 15(4)(a) |
| Item No. 5.2 | Committee Acting as Planning Authority |
| Item No. 5.2.1 | Planning Authority Decisions Subject to Appeal before the Tasmanian Civil and Administrative Tribunal - Update
LG(MP)R 15(4)(a) |
| Item No. 6 | Reports |
| Item No. 6.1 | Signage - Freedom of Political Communication and Planning Permission
LG(MP)R 15(4)(b) |
| Item No. 7 | Questions Without Notice |

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta
Harvey
Posselt
Lohberger
Kitsos

Delegation: Committee

There being no further business the Open portion of the meeting closed at 4.32pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
4TH DAY OF DECEMBER 2024.

CHAIRPERSON