



28 October 2022

Tasmanian Housing Strategy
Department of Communities Tasmania
GPO Box 65
Hobart Tasmania 7001

via email: tasmanianhousingstrategy@communities.tas.gov.au

To the Tasmanian Housing Strategy Project Team,
Re: Tasmanian Housing Strategy Discussion Paper

The Tenants' Union of Tasmania welcomes the opportunity to provide feedback to the *Tasmanian Housing Strategy Discussion Paper* ('the Strategy') and its goal of improving housing outcomes for all Tasmanians.¹

The Tenants' Union of Tasmania is a not-for-profit community organisation providing information, advice and representation to more than 57,000 residential tenants living throughout Tasmania. We also offer community legal education and training and advocate for the improvement of residential tenants' rights.

We welcome the State Government's commitment to building or acquiring 10,000 new social and affordable homes by 2032. However, increasing supply over the next decade must be complemented by a range of actions that will improve housing outcomes for Tasmanians in the short and medium term. Our submission begins by providing a brief overview of the rental market with a particular focus on residential tenants and the homeless. We then recommend the implementation of three policies that will reduce the social housing waiting list, put downward pressure on rents and ensure safe, secure and affordable housing for all Tasmanians.

An overview of the rental market in Tasmania

According to data collated by the Real Estate Institute of Tasmania and set out in the Strategy, median house prices have increased by 115 per cent over the last decade. Ten years ago, the median house in Tasmania sold for \$290,000. Today, the same house will sell for \$626,000.²

With home ownership becoming increasingly unattainable, it is unsurprising that residential tenants are increasingly diverse in terms of age, income and stage in life as the Australian Housing and Urban Research Institute has observed:³

¹ We would like to acknowledge those persons and organisations who gave freely of their time in assisting with our submission.

² Tasmanian Housing Strategy, *Discussion Paper* (September 2022) at 13.

³ Kath Hulse, Sharon Parkinson and Chris Martin, *Inquiry into the future of the private rental sector* (Australian Housing and Urban Research Institute, Final Report No. 303: August 2018) at 8-9. As found at https://www.ahuri.edu.au/sites/default/files/migration/documents/AHURI_Final_report_303_Inquiry_into_the_future_of_the_private_rental_sector.pdf (accessed 28 October 2022).

Once seen as a transitional housing tenure for young people between leaving the family home and becoming home owners, there are more private renters at mid-life and more private renters with children (40% of private rental sector households). Importantly, there has been an increase in both lower and middle/higher income households in the private rental sector. Australians are renting for longer periods — a third of private renters have been renting for 10 or more years.

- **Skyrocketing rents**

At the same time as there are a growing number of Tasmanian households renting for longer, the lack of affordable housing stock has resulted in skyrocketing rents. Over the last five years median rents have increased by 50 per cent as the following table demonstrates.

Weighted median rent for 3-bedroom properties in Tasmanian regions

Region	Rent June 2017	Rent June 2022	% Increase
Greater Burnie	\$250.00	\$360.00	44%
Central Coast	\$268.00	\$390.00	45%
Greater Devonport	\$270.00	\$370.00	37%
Rural North West	\$275.00	\$365.00	33%
West Coast	\$160.00	\$270.00	69%
Inner Launceston	\$300.00	\$465.00	55%
Outer Launceston	\$285.00	\$440.00	54%
North East	\$240.00	\$368.00	53%
Central North	\$280.00	\$420.00	50%
Central South	\$275.00	\$428.00	56%
South East	\$310.00	\$460.00	48%
Eastern Shore	\$340.00	\$530.00	56%
Hobart City	\$450.00	\$600.00	33%
Kingston Area	\$380.00	\$550.00	44%
Glenorchy City	\$340.00	\$500.00	47%
Far South	\$320.00	\$450.00	41%
Tas. average	\$300.00	\$450.00	50%

Source: *Tasmanian Rents* June 2017; *Tasmanian Rents* June 2022. As found at <http://tutas.org.au/publications/tasmanian-rents/> (accessed 28 October 2022).

According to the *Rental Affordability Index* (RAI), a study published bi-annually by National Shelter and SGS Economics & Planning, Greater Hobart is Australia’s least affordable metropolitan area relative to income.⁴ The RAI found that tenants in Greater Hobart spend around 34 per cent of their income on rent – placing the median tenant in rental stress.⁵ Outside Hobart, the report noted that whilst tenants spend around 29 per cent of their income on rent “affordability has worsened in most parts of regional Tasmania”.⁶

⁴ National Shelter and SGS Economics & Planning, *Rental Affordability Index* (November 2021) at 46. As found at <https://www.sgsep.com.au/assets/main/SGS-Economics-and-Planning-Rental-Affordability-Index-2021.pdf> (accessed 28 October 2022).

⁵ Ibid at 46.

⁶ Ibid at 71.

- **Housing stress**

Since 2007, Anglicare Tasmania has published an annual snapshot of the Tasmanian private rental market to assess whether it is possible for people living on low incomes to afford to rent a home. As part of the research, all properties listed for rent are reviewed on one weekend each year and then assessed as to whether each property is affordable and appropriate for 14 types of households on low incomes. The *Rental Affordability Snapshot Tasmania 2021* found that the average state-wide rental price of \$425.00 per week was unaffordable for anyone in sole receipt of Government income support⁷ leading the authors to conclude:⁸

All stakeholders, and all sides of government, agree that affordable housing is one of the most important, and most intractable, issues currently facing Tasmania. To date the State Government has been unable to address the consistent trend seen in the Rental Affordability Snapshot over the past nine years. Without serious action on this topic, we will see more hardship in our community as families struggle to avoid homelessness, and more homelessness itself.

- **Waitlist for social housing leading to overcrowding**

Skyrocketing rental prices and the concomitant increase in housing stress has in turn placed a significant strain on Tasmania's social housing system. Over the last decade the waitlist for social housing has increased by 81 per cent from 2465 applicants in 2013/14 to 4455 applicants in August 2022.⁹ Over the same timeframe, the average wait time has more than doubled from 35 weeks to 73 weeks.¹⁰

Unsurprisingly, the lack of social housing has put further strain on social housing households with the most recent Commonwealth Government data reporting that overcrowding in Tasmanian public housing is higher than the national average,¹¹ and the rate of overcrowding in community housing is the highest of any State or Territory in Australia with the largest increase over the last five years.¹²

- **Homelessness**

The lack of affordable rental properties in the private rental market and inadequate social housing has resulted in increased homelessness, with a 2019 report recording a 20 per cent increase in the rate of homelessness in Tasmania between 2001 – 2016, including a 54 per cent jump in Hobart.¹³ The report noted that Hobart is one of three Australian

⁷ Anglicare Tasmania, *Rental Affordability Snapshot Tasmania 2021* (April 2021) at 5. As found at <https://www.anglicare-tas.org.au/research/anglicare-tasmania-rental-affordability-snapshot-2021/> (accessed 28 October 2022).

⁸ Ibid at 17.

⁹ Department of Health and Human Services, *Annual Report 2013/14* at 21; Department of Communities Tasmania, *Housing Dashboard August 2022* at 14.

¹⁰ Ibid at 15.

¹¹ According to the Productivity Commission, overcrowding in public housing was 5.1 per cent whilst the national average was 4.2 per cent in 2021. As found at Productivity Commission, *Report on Government Services 2022*, Table 18A.25.

¹² According to the Productivity Commission, overcrowding in community housing increased from 1.6 per cent in 2017 to 6.5 per cent in 2021. As found at Productivity Commission, *Report on Government Services 2022*, Table 18A.27.

¹³ Sharon Parkinson, Deb Batterham, Margaret Reynolds and Gavin Wood, *The changing geography of homelessness: a spatial analysis from 2001 to 2016* (Australian Housing and Urban Research Institute, Final Report No. 313: May 2019). As found at

cities in which “the connection between declining rental affordability and growth in homelessness rates appears to be most striking...”.¹⁴ More recently, it was reported that 46 requests for homelessness assistance went unmet each day in Tasmania and the main reasons for seeking assistance being:¹⁵

- The housing crisis (48 per cent in Tasmania compared with 34 per cent nationally); and
- Housing affordability stress (41 per cent in Tasmania compared with 29 per cent nationally); and
- Inadequate or inappropriate dwelling conditions (40 per cent in Tasmania compared with 27 per cent nationally).

As the overview above has highlighted and the Strategy itself summarises “there are more Tasmanians than ever experiencing housing stress, growing demand for social housing and increasing rates of homelessness”.¹⁶ As well as increasing new supply by building more social and affordable housing, there are reforms that the Government can implement in the short and medium term that will reduce the social housing waiting list, put downward pressure on rents and ensure safe, secure and affordable housing.

Strengthen the Residential Tenancy Act 1997 (Tas)

There are more than 57,000 Tasmanian households who live in rental accommodation and are subject to the *Residential Tenancy Act 1997* (Tas) (“the Act”). However, as the Australian Housing and Urban Research Institute has recently observed “it is increasingly recognised that Australia’s private rental sector is not “fit for purpose” for a changing and expanding role, being grounded in its historical role as a transitional sector where people move on from rental housing to home ownership”.¹⁷ It has been observed that Australian tenants are amongst the least secure when compared with tenants in like jurisdictions.¹⁸

The last significant review of the Act was more than a decade ago.¹⁹ In the period since, other Australian jurisdictions have modernised their Acts, leaving Tasmania behind. Areas of reform should include security of tenure, rent control, pets and strengthening minimum standards.

<https://www.ahuri.edu.au/sites/default/files/migration/documents/AHURI-Final-Report-313-The-changing-geography-of-homelessness-a-spatial-analysis-from-2001-to-2016.pdf> (accessed 26 October 2022).

¹⁴ Ibid at 339.

¹⁵ Australian Government, *Specialist homelessness services 2020-21: Tasmania* (Australian Institute of Health and Welfare: 2019) at 1. As found at https://www.aihw.gov.au/getmedia/c6e374d2-f9b6-4c69-a491-2a9e9857b441/TAS_factsheet.pdf.aspx (accessed 28 October 2022).

¹⁶ Tasmanian Housing Strategy, *Discussion Paper* (September 2022) at 5.

¹⁷ Australian Housing and Urban Research Institute, *AHURI submission to the Productivity Commission Review of the National Housing and Homelessness Agreement* (NHHA) (March 2022) at 25.

¹⁸ Kath Hulse, Vivienne Milligan and Hazel Easthorpe, *Secure occupancy in rental housing: conceptual foundations and comparative perspectives*, (Australian Housing and Urban Research Institute, Final Report No. 170: July 2011).

¹⁹ The last review of the Residential Tenancy Act was announced in November 2009 by the then Minister for Corrections and Consumer Protection Lisa Singh. As found at [https://stors.tas.gov.au/au-7-0095-06077\\$stream](https://stors.tas.gov.au/au-7-0095-06077$stream) (accessed 28 October 2022).

In February 2020, the House of Assembly Select Committee on Housing Affordability handed down its recommendations after receiving 37 submissions and hearing from 54 witnesses over five days of public hearings. Relevantly, the Inquiry recommended a comprehensive review of the *Residential Tenancy Act 1997* (Tas):²⁰

50. The Committee recommends the Tasmanian Government conduct a full review of the Residential Tenancy Act 1997 and reform it to take into consideration the changes in the current market with specific reference to the provisions relating to minimum standards and their enforcement, energy efficiency standards, security of tenure for tenants, rent controls, standard leases and applications, and pets.

1. Security of Tenure

➤ Repeal no reason end of lease evictions

With one-third of residential tenants having rented for ten years or more,²¹ it is important that they are provided with stability and certainty. Tenants with security of tenure are able to remain embedded in their local area and provides continuity in work, schooling and community engagement as well as ensuring that disadvantaged groups avoid further social exclusion. Tenants with security of tenure are also able to assert their rights without fear of eviction. Currently, this is not the case, with a number of reports published by CHOICE finding:²²

- around half of all tenants worry they will be blacklisted from future tenancies; and
- 44 percent of tenants are concerned that a request for repairs could result in eviction; and
- 14 per cent of tenants refuse to stand up for their rights because of the possibility of landlord recrimination.

²⁰ House of Assembly Select Committee on Housing Affordability, *Inquiry into Housing Affordability* (February 2020) at 11. As found at

<https://www.parliament.tas.gov.au/ctee/House/Reports/HA%20Select%20Committee%20on%20Housing%20Affordability%20-%20FINAL%20REPORT.pdf> (accessed 28 October 2022).

²¹ Kath Hulse, Sharon Parkinson and Chris Martin, *Inquiry into the future of the private rental sector* (Australian Housing and Urban Research Institute, Final Report No. 303: August 2018) at 8-9.

²² CHOICE, National Shelter and the National Association of Tenant Organisations, *Unsettled: Life in Australia's private rental market* (February 2017). The report can be accessed at <https://www.choice.com.au/money/property/renting/articles/choice-rental-market-report> (accessed 22 October 2022). See also CHOICE, National Shelter and the National Association of Tenant Organisations, *Disrupted: The consumer experience of renting in Australia* (December 2018). As found at <https://www.choice.com.au/money/property/renting/articles/choice-rental-rights-report-dec-2018> (accessed 28 October 2022).

Evictions also significantly impact tenant well-being.²³ Residential tenants are more likely to report poor mental²⁴ and physical²⁵ health than non-tenants. Children subject to regular forced moves often have disrupted schooling, and as a result are more likely to exhibit anti-social behaviour in later life.²⁶ Finally, it is expensive, with each move costing a residential tenant on average \$4,000.00.²⁷

The ability of landlords to evict residential tenants for no other reason than 'end of lease' does not mean that they do not have a reason for terminating the agreement. It simply means that the landlord does not need to disclose the reasons to the tenant. It opens up tenants to the threat of retaliatory eviction (whether actual or implied), it potentially facilitates unlawful discrimination, and it operates to dissuade tenants from enforcing their ostensible rights under the Act.

We strongly believe that if there is no change to the use of the property, residential tenants should be able to maintain their tenure unless the landlord can prove that they have breached their residential tenancy agreement. Of Australian jurisdictions, Victoria has recently moved towards this position.²⁸ Elsewhere, among many other examples from similar countries, in Japan all residential tenants can exercise a unilateral option to renew their fixed term lease, and it can be very difficult for a landlord to evict a tenant.²⁹ And in the United Kingdom, the Conservative government has announced plans to abolish 'no grounds' evictions.³⁰ In justifying those changes, the government's report states:³¹

[No grounds evictions] causes tenants to feel insecure, unable to plan for the future or call where they live a home. Many tenants are reluctant to challenge poor standards because they worry that their landlord will evict them rather than deal with their complaints. After eviction, tenants cannot always find suitable housing nearby,

²³ Rachel Ong Viforj, Ranjodh Singh, Emma Baker, Rebecca Bentley and Jack Hewton, *Precarious housing and wellbeing: a multi-dimensional investigation* (Australian Housing and Urban Research Institute, Final Report No. 373: February 2022). As found at

<https://www.ahuri.edu.au/sites/default/files/documents/2022-02/AHURI-Final-Report-373-Precarious-housing-and-wellbeing-a-multi-dimensional-investigation.pdf> (accessed 28 October 2022).

²⁴ John Cairney and Michael Boyle, Home ownership, mortgages and psychological distress, *Housing Studies* (2004) 19(2) 161-174.

²⁵ Australian Housing and Urban Research Institute, *Do housing conditions make a difference to our health?* (AHURI Research and Policy Bulletin, No. 6: April 2002). As found at

https://www.ahuri.edu.au/sites/default/files/migration/documents/AHURI_RAP_Issue_6_Do_housing_conditions_make_a_difference_to_our_health.pdf (accessed 28 October 2022).

²⁶ Roger Webb, Carsten Pedersen, Pearl Mok, Adverse outcomes to early middle age linked with childhood residential mobility, *American Journal of Preventive Medicine* (2016) 51(3) 291-300.

²⁷ Tenants' Union of NSW, *Eviction, Hardship and the Housing Crisis* (February 2022). As found at <https://files.tenants.org.au/policy/2022-Eviction-Hardship-and-the-Housing-Crisis-TUNSW.pdf> (accessed 28 October 2022).

²⁸ Section 91ZZD of the *Residential Tenancies Act 1997* (Vic).

²⁹ Japan Property Central, *Landlords: Ending a Lease is Not Easy* (8 November 2017). As found at <https://japanpropertycentral.com/2017/11/landlords-ending-a-lease-is-not-easy/> (accessed 28 October 2022).

³⁰ United Kingdom Government, *A new deal for renting: government response* (Consultation Outcome: 16 June 2022). As found at <https://www.gov.uk/government/consultations/a-new-deal-for-renting-resetting-the-balance-of-rights-and-responsibilities-between-landlords-and-tenants/outcome/a-new-deal-for-renting-government-response#annex-a-grounds-for-possession> (accessed 28 October 2022).

³¹ United Kingdom Government, 'A new deal for renting: government response' (Consultation Outcome: 16 June 2022).

interrupting their employment and children's education. Unexpected moves are expensive meaning tenants have less money available for a deposit when buying a home or to put towards other essentials such as food or heating.

These reasons apply equally to Tasmanian tenants, and should result in similar changes.

2. Rent Controls

- ***Limit the amount of the rent increase to CPI and/or a fixed percentage.***

Tasmania's rent control laws are amongst the weakest in Australia. Currently, the Act provides that a landlord can increase the rent as long as the last increase was at least twelve months prior and the tenant has been provided with 60 days' notice. The only protection against excessive rent increases is that a tenant may apply to the Residential Tenancy Commissioner to determine whether the rent increase is 'unreasonable'. In assessing the reasonableness of the increase, the Residential Tenancy Commissioner must take into account "the general level of rents for comparable residential premises in the locality" and "any other relevant matter".³² With median rents across Tasmania having increased by fifty percent over the last five years, a landlord can justify a rent increase of this amount for no other reason than that it is market rent.

It is clear that market mechanisms are not working efficiently in the Tasmanian housing market. We strongly believe that rent increases occurring during a tenancy agreement should be subject to controls as is the case in the Australian Capital Territory. In the ACT rent increases are limited to a rate based on inflation. The onus on contesting the rent increase is dependent upon the quantum. If the proposed increase is above the proscribed rate the owner has the onus of establishing that the increase is justified, and if below, the tenant must demonstrate that the increase is excessive.³³

3. Pets

- ***Allow unless landlord has good reason for their exclusion***
- ***Include 'assistance animal' in list of exceptions***

Whilst 60 per cent of Australian households have a pet,³⁴ the Act currently provides that a tenant is not allowed to have a pet without the landlord's permission.³⁵ In practice, very few landlords are willing to consider pets. Of the 620 listings for rental properties in Tasmania on realestate.com.au on 26 October 2022, only 91 state that the landlord will even "consider" a pet. As a result, many tenants with pets are forced to look for rental

³² Section 23(2) of the *Residential Tenancy Act 1997* (Tas).

³³ Section 68(3) of the *Residential Tenancies Act 1997* (ACT) sets out the factors that are taken into account including: (a) the rental rate before the proposed increase; (b) outgoings or costs of the landlord in relation to the premises; (c) services provided by the landlord to the tenant; (d) the value of fixtures and goods supplied by the landlord as part of the tenancy; (e) the state of repair of the premises; (f) rental rates for comparable premises; (g) the value of any work performed or improvements carried out by the tenant with the lessor's consent; and (h) any other matter the ACT Civil and Administrative Tribunal considers relevant.

³⁴ Wendy Stone, Emma Power, Selina Tually, Amity James, Debbie Faulkner, Zoe Goodall and Caitlin Buckle, *Housing and housing assistance pathways with companion animals: risks, costs, benefits and opportunities* (Australian Housing and Urban Research Institute, Final Report No. 350 at 20). As found at <https://www.ahuri.edu.au/sites/default/files/migration/documents/AHURI-Final-Report-350-Housing-and-housing-assistance-pathways-with-companion-animals.pdf> (accessed 28 October 2022).

³⁵ Section 64B of the *Residential Tenancy Act 1997* (Tas).

accommodation in more rural areas, where services may be less accessible, or to surrender their pet, with a recent report finding that about 15-25 per cent of all surrenders are because their owner cannot find an accommodating rental property.³⁶

We strongly believe that the Act should be amended so that all tenants have the ability to have a pet unless the landlord has reasonable grounds for their exclusion.³⁷ This is already the law in the Australian Capital Territory, Victoria, Queensland and the Northern Territory.³⁸

It should also be noted that the current exclusion of pets from rental properties does not apply to guide dogs.³⁹ In our opinion, this should be broadened to include 'assistance animals' which would make the Act consistent with the *Anti-Discrimination Act 1998* (Tas) and the *Disability Discrimination Act* (Cth). The failure to expressly include 'assistance animals' creates uncertainty with many landlords unaware that a failure to consent to assistance animals is a breach of anti-discrimination law. On a number of occasions, we have had to file complaints with Equal Opportunity Tasmania on behalf of tenants who have required such animals for their medical conditions.⁴⁰

4. Sustainable Homes

➤ Strengthen minimum standards and energy efficiency standards

All residential tenants have a right to live in a safe, secure and healthy home with an affordable supply of energy. Sadly, many residential tenants do not live in healthy homes. Every year cold weather in Australia kills at least 2,600 Australians.⁴¹

Earlier this year a report entitled *Cold and Costly – Winter Researchers' Experiences of Winter 2022* tracked temperatures and humidity in rental properties across Australia.⁴² The report found that Australia's housing stock "is not built to cope with winter cold... [contributing to] higher energy costs, poorer respiratory and cardiovascular health and adverse mental health impacts".⁴³ The report noted that the World Health Organisation

³⁶ Wendy Stone, Emma Power, Selina Tually, Amity James, Debbie Faulkner, Zoe Goodall and Caitlin Buckle, *Housing and housing assistance pathways with companion animals: risks, costs, benefits and opportunities* (Australian Housing and Urban Research Institute, Final Report No. 350 at 20).

³⁷ Examples could include council regulations that excluded backyard chickens or the rules of a body corporate.

³⁸ Sections 71AE and 71AF of the *Residential Tenancies Act 1997* (ACT); Section 65A of the *Residential Tenancies Act 1999* (NT); Division 5B of the *Residential Tenancies Act 1997* (Vic). In Queensland, the inclusion of sections 221A, 221B and 221C into the *Residential Tenancies and Rooming Accommodation Act 2008* will commence on 1 October 2022.

³⁹ Section 64B(2) of the *Residential Tenancy Act 1997* (Tas).

⁴⁰ As defined in section 9(2) of the *Disability Discrimination Act* (Cth). Examples include a dog trained to predict when its owner was likely to have an epileptic seizure, a cat who reduced our client's Post Traumatic Stress Disorder and a pet bird who alleviated the side effects of its owner's mental illness.

⁴¹ Antonio Gasparrini, Yuming Guo, Masahiro Hashizume, Eric Lavigne, Antonella Zanobetti, Joel Schwartz et al, Mortality risk attributable to high and low ambient temperature: a multicountry observational study, *The Lancet* Volume 386 Issue 9991. As found at [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(14\)62114-0/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(14)62114-0/fulltext) (accessed 28 October 2022).

⁴² Joel Dignam and Bernadette Barrett, *Cold and costly: Renter Researchers' Experiences of Winter 22* (Better Renting, Canberra: August 2022). As found at https://www.betterrenting.org.au/renter_researchers_winter_22 (accessed 28 October 2022).

⁴³ *Ibid* at 1.

recommends 18°C as the minimum healthy indoor temperature and yet in Tasmania, rental properties were below the WHO recommendation 21 hours of the day.⁴⁴ Finally, research undertaken by the Australian Council of Social Services and the Brotherhood of St Laurence indicates that low-income households spend 6.4 percent of their income on energy, compared to high income households paying an average of 1.5 percent.⁴⁵

Tasmania was the first jurisdiction in Australia to introduce minimum standards for residential tenants. Nevertheless, the standards are basic and should be strengthened. Whilst residential tenants in the private rental market must have curtains or blinds in any room used as a living room or a bedroom, social housing properties are excluded.⁴⁶ Further, although there is a requirement that a 'heating device' be installed in the main living area,⁴⁷ there is no requirement that the heating device must meet a certain standard of quality, both in respects of heat output or energy efficiency. This leads to a situation where many tenants decline to make use of the heating provided with their rental properties because it is too expensive, ineffective, or both.

We strongly believe that Tasmanian rental properties should meet basic energy efficiency standards which minimises the amount of energy required to heat or cool a home. Minimum energy standards for rental homes will ensure that residential tenants in Tasmania benefit from healthier homes and lower power bills.

In Victoria, following recent reforms, all appliances, fittings or fixtures which supply water, electricity or gas must meet minimum efficiency ratings.⁴⁸ The ACT Government intends to implement a requirement that all rental properties be fitted with ceiling insulation.⁴⁹ In New Zealand, landlords must install floor, wall and ceiling insulation, where it is reasonably practical to do so.⁵⁰

In summary, the Tasmanian Housing Strategy must recognise that all Tasmanians including residential tenants have the right to safe, secure and affordable housing. For the 57,000 residential tenant households who rent, these rights will be better protected by modernising the Act and introducing legislation that is clear, cohesive and contemporary.

Recommendation: That the *Residential Tenancy Act 1997* (Tas) is modernised to better protect the right to safe, secure and affordable housing.

⁴⁴ Ibid at 2.

⁴⁵ Australian Council of Social Services, Brotherhood of St Laurence and the Australian National University, *Energy stressed in Australia* (October 2018). As found at <https://www.acoss.org.au/wp-content/uploads/2018/10/Energy-Stressed-in-Australia.pdf> (accessed 28 October 2022).

⁴⁶ Section 36N of the *Residential Tenancy Act 1997* (Tas).

⁴⁷ Section 36M of the *Residential Tenancy Act 1997* (Tas).

⁴⁸ Consumer Affairs Victoria, *Efficiency standards for replacement appliances and fixtures*. As found at <https://www.consumer.vic.gov.au/housing/renting/repairs-alterations-safety-and-pets/gas-electrical-and-water-safety-standards/efficiency-standards-for-replacement-appliances-and-fixtures> (accessed 28 October 2022).

⁴⁹ ACT Government, *Minimum energy efficiency standards in rental homes*. As found at <https://yoursayconversations.act.gov.au/minimum-energy-standards> (accessed 28 October 2022).

⁵⁰ New Zealand Government Tenancy Services, *Insulation in rental properties*. As found at <https://www.tenancy.govt.nz/maintenance-and-inspections/insulation-in-rental-properties/> (accessed 28 October 2022).

Regulation of the Short-Stay Accommodation Sector

In February 2017 the State Government announced that it would de-regulate the short stay accommodation sector in order to “support continued growth in the tourism and hospitality sectors by embracing the sharing economy”.⁵¹

In June 2018 Tasmania’s Department of Treasury and Finance published a paper entitled *Housing rental market trends in Tasmania – analysis of recent trends and assessment of data quality*.⁵² The report observed that “there are currently limited data on properties listed as short-stay accommodation in Hobart and Tasmania generally” and that the Government was working on initiatives that would provide the necessary data, including:⁵³

... enable the Tasmanian Government to undertake analysis on the amount of housing being used in Tasmania for short-stay accommodation and to assess what effect, if any, the growth in short-stay accommodation is having on the longer-term rental housing market in Tasmania.

In June 2019, the *Short Stay Accommodation Act 2019* came into effect. The then Minister for Housing and Planning noted that the Act had a number of aims including relevantly:⁵⁴

... provide information to Government that will lead to a better understanding of the impact of short stay accommodation on the broader housing market, particularly the extent of conversion of entire houses in residential areas to short stay accommodation.

Later that same year, a Legislative Council Select Committee released its *Report on Short Stay Accommodation in Tasmania*.⁵⁵ Unsurprisingly, the Report found that “further research and data collection in relation to short stay accommodation and housing stock is required”.⁵⁶

Over the last three years, the State Government’s *Consumer, Building and Occupational Services* has collected data on the number of entire properties being used as short stay accommodation. To the best of our knowledge the Government has not undertaken any analysis of the data. Nevertheless, a number of independent reports have been published outlining the impact of short stay accommodation on the long-term rental market.

⁵¹ Will Hodgman Premier of Tasmania and Peter Gutwein Minister for Planning and Local Government, *Embracing the sharing economy*, 3 February 2017. As found at https://www.premier.tas.gov.au/releases/embracing_the_sharing_economy (accessed 28 October 2022).

⁵² Department of Treasury and Finance, *Housing rental market trends in Tasmania – analysis of recent trends and assessment of data quality* (June 2018). As found at <https://www.treasury.tas.gov.au/Documents/Housing%20Rental%20Market%20Trends%20-%20Information%20Paper.pdf> (accessed 28 October 2022).

⁵³ *Ibid* at 9.

⁵⁴ Roger Jaensch MP, Short Stay Accommodation Bill 2019, Second Reading Speech, *Hansard* 11 April 2019. As found at <https://www.parliament.tas.gov.au/ParliamentSearch/isysquery/b8048607-3d27-4c44-90d9-081702023082/datetime/sort/> (accessed 28 October 2022).

⁵⁵ Legislative Council Select Committee, *Report on Short Stay Accommodation in Tasmania* (October 2019). As found at <https://www.parliament.tas.gov.au/ctee/Council/Reports/Short%20Stay/SSA%20REPORT%20FINAL.pdf> (accessed 28 October 2022).

⁵⁶ *Ibid* at 3.

- **Marginal Housing during Covid-19**

In December 2020 the Australian Housing and Urban Research Institute released a peer-reviewed report entitled *Marginal Housing during Covid-19*.⁵⁷ The report focused on the impact of the Covid-19 pandemic on marginal, informal and short stay accommodation in a number of Australian cities including Hobart. The report found that around 6 per cent of Greater Hobart’s rental market was available as short stay accommodation including 12 per cent of the Hobart City Council municipality. Importantly, the report found that following the State Government’s Covid-19 enforced border closure, the return of 112 short stay accommodation properties to the long-term rental market in the Hobart City Council municipality had led to higher vacancy rates and rent reductions of 9 per cent.⁵⁸ As the authors concluded:⁵⁹

... even a modest reduction in Airbnb listings (about 17%) is associated with a significant reduction in rents. In rental markets it is clear that small changes in supply can make a significant difference for long-term renters. This analysis helps explain the great differences in Hobart rental increases and vacancy rates before and after Airbnb became a feature of Hobart real estate markets.

- **Monitoring the impact of short-term rentals on Tasmanian housing markets**

More recently, an independently funded report prepared for Shelter Tasmania was published entitled *Monitoring the impact of short-term rentals on Tasmanian housing markets*.⁶⁰ The report found that a majority of properties listed as short stay accommodation in the Hobart City Council municipality had previously been listed as long-term rentals.⁶¹ The report also found that Hobart short stay accommodation as a proportion of its total private long-term rental market is much higher than in other Australian capital cities:

Comparing the penetration of Airbnb in Hobart, Melbourne and Sydney – December 2021 estimate

Location	Airbnb Density
Greater Sydney	0.83%
Sydney LGA	2.08%
Greater Melbourne	1.25%
Melbourne LGA	3.82%
Greater Hobart	5.65%
Hobart City LGA	9.33%

Source: *Monitoring the impact of short-term rentals on Tasmanian housing markets* (June 2022), Table 6.

⁵⁷ Caitlin Buckle, Nicole Gurran, Peter Phibbs, Patrick Harris, Tess Lea and Rashi Shrivastava, *Marginal Housing during Covid-19* (Australian Housing and Urban Research Institute, Final Report No. 348). As found at <https://www.ahuri.edu.au/sites/default/files/migration/documents/AHURI-Final-Report-348-Marginal-housing-during-COVID-19.pdf> (accessed 28 October 2022).

⁵⁸ Ibid at 40.

⁵⁹ Ibid at 40.

⁶⁰ Shelter Tasmania, *Monitoring the impact of short-term rentals on Tasmanian housing markets* (June 2022). As found at <https://shelbertas.org.au/wp-content/uploads/2022/01/STR-Baseline-Report-June-2022-FINAL-combined-files.pdf> (accessed 28 October 2022).

⁶¹ Ibid at 26.

This led the authors to find that:⁶²

... both Greater Hobart and Hobart City have much greater Airbnb densities than Sydney and Melbourne. The densities for Greater Hobart are almost 7 times greater than Sydney and about 4.5 times greater than Melbourne.

Most relevantly however was the authors analysis of vacancy rates and the important role they play in setting rent levels. As the authors conclude:⁶³

This means that small changes in the number of available properties in a housing market can have a significant impact on rents in an area through changes in the vacancy rate. When proponents of STRs say that they could have no impact on rents, because they are only a small percentage of the total housing market, they are ignoring the market processes that change rents. In Greater Hobart (with a private rental market of about 19,500 dwellings) to move from a vacancy rate of 2 percent (where rent rises will be manageable) to 1% (where rent rises are likely to be double digit), would only need the withdrawal of 195 properties from the private rental market (or 0.2% of the total dwellings in Greater Hobart).

According to the most recent data from the Department of Justice's *Consumer, Building and Occupational Services* there are currently 585 short stay properties in Greater Hobart.⁶⁴ All of these 585 properties require a permit to operate meaning that they comprise investment properties exclusively.

In a rental market with a healthy vacancy rate, the density of short stay accommodation would have little impact on the long-term rental market, but in markets like Tasmania where the vacancy rate is less than 1 per cent and where median rents have increased by 50 per cent over the last five years, it is clear that the conversion of long-term rental accommodation to short stay accommodation has had a devastating impact.

It is critically important that the State Government act. Whilst councils are able to amend their planning scheme, a recent report found this to be "a slow and resource-intensive process".⁶⁵ For example, the Hobart City Council first considered a moratorium on short stay permits in December 2020 (see Annexure A timeline). With the Tasmanian Planning Commission likely to hear that application in late November 2022, it will be more than two years before the Hobart City Council is able to act – assuming the application is even successful. In the intervening period, short stay accommodation in the Hobart City Council municipality has increased by 18 per cent, from 293 in December 2020 to 345 in June 2022.⁶⁶

⁶² Ibid at 26.

⁶³ Ibid at 44.

⁶⁴ Consumer, Building and Occupational Services, *Report on data collection Quarter 1 2022*. As found at https://cbos.tas.gov.au/data/assets/pdf_file/0009/663777/Report-10-Quarter-1-Q1-2022-Short-Stay.pdf (accessed 28 October 2022).

⁶⁵ Shelter Tasmania, *Monitoring the impact of short-term rentals on Tasmanian housing markets* (June 2022) at 9.

⁶⁶ Consumer, Building and Occupational Services, *Report on data collection Quarter 4 2020 and Report on data collection Quarter 1 2022*.

Recommendation:

1. That the State Government implement policies that limit the use of entire homes as short stay accommodation.
2. That the State Government amend the Planning Directive so that councils have the discretion to take into account the local housing market conditions when considering a permit application.

Maximise the use of existing residential premises

At the commencement of the Strategy the Minister notes “our plan is to develop a 20-year Housing Strategy that informs what we need to build, where and what types of accommodation is built based on demand”.⁶⁷ We enthusiastically support the Government’s commitment to build new supply in the long-term. However, we are concerned that the focus of the Strategy remains on building homes when most of this much needed supply will not be available for at least another eight, nine or ten years.

There are currently thousands of residential premises across Tasmania that are empty which could be made available immediately. Maximising the use of existing residential premises will lead to higher vacancy rates and reduced rents. As we have previously noted, the return of just 112 short stay accommodation properties to the long-term rental market in the Hobart City Council municipality during COVID-19 resulted in a 9 per cent reduction in rents.⁶⁸

To better understand the magnitude of the problem, in 2021 we wrote to TasWater and asked how many residential properties in the Hobart, Glenorchy and Launceston City Council municipalities they estimated were empty between 2018-20. The data requested of TasWater sought to capture residential properties where consumption was less than ten per cent (19kL) of the annual average residential water consumption (193kL). The less than ten per cent figure was agreed to in order to also capture empty residential properties with dripping taps.

The TasWater response was that there were 192 residential properties across the Hobart City Council municipality that had been empty between 2018-20, 115 in the neighbouring Glenorchy City Council and 256 in Launceston City Council.

Empty Homes in Hobart, Glenorchy and Launceston 2018-20

Local Government Area (LGA)	Total number of residential dwellings*	Properties empty for 3 years**	Percentage of empty homes
Hobart	22,320	192	0.86%
Glenorchy	19,966	115	0.58%
Launceston	28,175	256	0.91%
TOTAL	70,461	563	0.71%

*Australian Bureau of Statistics 2016 Census **Source: TasWater

⁶⁷ Tasmanian Housing Strategy, *Discussion Paper* (September 2022) at 4.

⁶⁸ Caitlin Buckle, Nicole Gurrán, Peter Phibbs, Patrick Harris, Tess Lea and Rashi Shrivastava, *Marginal Housing during Covid-19* (Australian Housing and Urban Research Institute, Final Report No. 348) at 40.

The 563 residential properties that were empty in Hobart, Glenorchy and Launceston municipalities between 2018-20 is a conservative figure and the true number of empty properties is almost certainly higher. This is because the data only captured residential properties with three consecutive years of either none or minimal water usage. The data also failed to capture those apartment complexes which have a single water meter. Importantly, to ensure the accuracy of the data we intentionally requested data from the inner-city municipalities of Hobart, Glenorchy and Launceston, data which could not be dismissed on the basis that the empty homes were “shacks”.

Between these three inner-city councils, and the conservative model we adopted, there was a range of vacant homes of between 0.58% – 0.91% of all private dwellings, which if applied across Tasmania means that we estimate there were between 1486 and 1932 residential premises that were empty in 2020. Not shacks. Not short stay accommodation. Just empty. For three consecutive years.

When the data was released publicly,⁶⁹ the State Government questioned the data on the basis that it may include “vacant lots, houses under construction or in the planning phase”.⁷⁰ After seeking clarification, TasWater responded that “the numbers were done on actual residential premises – that is – one valued as having a ‘Residential dwelling’ actually constructed and habitable by the Office of the Valuer General”.⁷¹

Vancouver, France, Ireland, Scotland and Melbourne all encourage owners to make their properties available to long-term tenants by imposing an empty homes tax.⁷² In Vancouver for example, the tax, which was originally set at 1 per cent of the property’s assessed value, is paid by owners who leave residential properties empty for at least six months a year.⁷³ Since the tax was introduced in 2017 there has been a 26 per cent drop in the number of empty homes and more than \$86M raised for affordable housing.⁷⁴ The tax is not intended to punish investors but rather to encourage them to make their investment properties available in the long-term rental market. Maximising the use of

⁶⁹ See for example, Rob Ingles, ‘Number of vacant homes in Hobart, Glenorchy, Launceston revealed in new data’, *The Mercury* 19 February 2022. As found at <https://www.themercury.com.au/news/tasmania/number-of-vacant-homes-in-hobart-glenorchy-launceston-revealed-in-new-data/news-story/2d8f2943a142e7874b7f292fffc7b6a0> (accessed 28 October 2022); Adam Holmes, ‘TasWater confirms data showing at least 560 long-term vacant homes in major cities, despite government disputing data’, *The Examiner* 22 February 2022. As found at <https://www.examiner.com.au/story/7630876/taswater-confirms-that-yes-more-than-560-city-homes-sit-empty/> (accessed 28 October 2022).

⁷⁰ Fiona Blackwood, ‘Thousands of homes left empty in Tasmania despite critical rental shortage’, *Australian Broadcasting Corporation*, 18 February 2022. As found at <https://www.abc.net.au/news/2022-02-18/taswater-data-shows-thousands-of-homes-left-empty-/100840790> (accessed 28 October 2022).

⁷¹ Letter to Michael Ferguson, Minister for State Development, Construction and Housing (dated 22 February 2022) enclosing response from TasWater (dated 21 February 2022). As found at <http://tutas.org.au/wp-content/uploads/2022/02/Fergusonletter220222.pdf> (accessed 28 October 2022).

⁷² Jonathan Barrett, Vacant property taxes and the human right to adequate housing (2018) 20(1) *Journal of Australian Taxation* 123.

⁷³ From 2017 to 2019, the tax rate was 1 per cent, in 2020 it increased to 1.25 per cent, and for the 2021 vacancy reference year the rate will increase to 3 per cent. As found at City of Vancouver, *Empty Homes Tax Annual Report 2020* at 1. As found at <https://vancouver.ca/files/cov/vancouver-2021-empty-homes-tax-annual-report.pdf> (accessed 28 October 2022).

⁷⁴ *Ibid* at 1.

existing residential premises is particularly important in the Tasmanian context at a time when vacancy rates are extremely low and rents have increased by 50 per cent across Tasmania.

Since the release of the empty homes data earlier this year, TasWater has provided data from 2021 for the same three inner-city municipalities of Hobart, Glenorchy and Launceston. The TasWater data highlights that in 2021 there were 409 residential properties that were empty over the last three years including 128 residential properties across the Hobart City Council municipality, 66 in Glenorchy City Council and 215 in Launceston City Council. Of the 409 properties identified, 80 per cent have been empty for at least four consecutive years.⁷⁵

Empty Homes in Hobart, Glenorchy and Launceston 2021

Local Government Areas (LGAs)	Total number of residential dwellings*	Properties empty for 3 years or more**	Percentage of empty homes
Hobart	23,777	128	0.54%
Glenorchy	21,049	66	0.31%
Launceston	30,044	215	0.72%
Total	74,870	409	0.55%

*Australian Bureau of Statistics 2021 Census **Source: TasWater

Based on the data collated above, it is estimated that between 0.31% - 0.72% of all residential dwellings in Tasmania were empty in 2021. Extrapolating the range of long-term empty homes to the remaining municipalities and then adding the data for the LGAs surveyed, we can assume that between 942 and 1,648 properties in Tasmania have been empty for three years or longer.

TasWater also provided 2021 data that included the number of properties in the Hobart, Glenorchy and Launceston municipalities that had been empty for at one year. This data more closely aligns with the policy adopted in the majority of cities and countries that have introduced an empty homes tax.

Homes empty for one year or more in Hobart, Glenorchy and Launceston 2021

Local Government Areas (LGAs)	Total number of residential dwellings*	Properties empty for 1 year or more**	Percentage of empty homes
Hobart	23,777	907	3.81%
Glenorchy	21,049	610	2.9%
Launceston	30,044	1,192	3.97%
Total	74,870	2,709	3.62%

*Australian Bureau of Statistics 2021 Census **Source: TasWater

⁷⁵ Of the 409 properties that have been empty for three years, 330 have been vacant for at least the last 4 years: 102 in Hobart City Council, 173 in Launceston City Council and 55 in Glenorchy City Council.

Extrapolating the range of long-term empty homes to the remaining municipalities and then adding the data for the three LGAs surveyed, it is estimated that there were between 7,700 and 9,541 residential properties in Tasmania that were empty for at least one year in 2021.

Estimated number of homes empty for 1 year or more in all Tasmanian LGAs

Local Government Areas (LGAs)	Total number of residential dwellings*	Low range of vacant for 1 year or more (2.9%)	High range of vacant for 1 year or more (3.97%)
Break O'Day	4,520	131	179
Brighton	7,213	209	286
Central Coast	9,968	289	396
Central Highlands	2,582	75	103
Circular Head	3,130	91	124
City of Burnie	8,856	257	352
City Of Clarence	25,076	727	996
City of Devonport	11,600	336	461
Derwent Valley	4,455	129	177
Dorset	3,710	108	147
Flinders	632	18	25
George Town	3,498	101	139
Glamorgan Spring Bay	4,443	129	176
Huon Valley	8,277	240	329
Kentish	2,709	79	108
King Island	812	24	32
Kingborough	16,763	486	665
Latrobe	5,576	162	221
Meander Valley	8,894	258	353
Northern Midlands	6,174	179	245
Sorell	7,746	225	308
Southern Midlands	2,804	81	111
Tasman	2,476	72	98
Waratah-Wynyard	6,558	190	260
West Coast	2,766	80	110
West Tamar	10,850	315	431
Total estimate	172,088	4,991	6,832
Hobart, Glenorchy & Launceston	74,870	2,709	2,709
Total	218,188	7,700	9,541

It is critical that we address the housing crisis by increasing new supply, but the current fixation on new builds to the exclusion of all else is inadequate. Building new dwellings, while welcome as a long-term solution, does not solve the current crisis. It is not enough to tell the thousands of Tasmanians that are currently in rental stress, homeless and waiting for social housing that there will be more properties available in seven or more years. Existing stock need to better utilised. Owners of dwellings need to be encouraged to use those properties for their intended purpose – as dwellings. Using the Vancouver

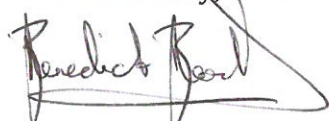
example of a 26 per drop in the number of empty homes after the empty homes tax was introduced there are an estimated 2340 residential premises in Tasmania that we estimate could be returned to the long-term rental market in the short-term. The Australian Government introduced an empty homes tax on foreign owners of residential premises in December 2017.⁷⁶ Melbourne introduced an empty homes tax in 2018.⁷⁷ We strongly recommend that the Tasmanian Government also introduce an empty homes tax.

Recommendation:

That the State Government introduce a vacant property tax on properties empty for 1 year

If you have any queries, or would like to discuss our submission further, please do not hesitate to contact us.

Yours faithfully,



Benedict Bartl

Principal Solicitor

Tenants' Union of Tasmania

⁷⁶ The Australian Government requires foreign owners to pay a vacancy fee if the residential premises is not occupied or rented out for at least six months in a year. See for example, Australian Taxation Office, *Vacancy fee for foreign owners*. As found at <https://www.ato.gov.au/General/Foreign-investment-in-Australia/Vacancy-fee-for-foreign-owners/> (accessed 28 October 2022). Also see Jonathan Barrett, *Vacant property taxes and the human right to adequate housing* (2018) 20(1) *Journal of Australian Taxation* 123.

⁷⁷ Victorian Government, *Vacant residential land tax – frequently asked questions*. As found at <https://www.sro.vic.gov.au/vacant-residential-land-tax-faq> (accessed 28 October 2022).

Annexure A
Hobart City Council Timeline

Date	Meeting	Recommendation	Council Resolution
14 December 2020 ⁷⁸	City Planning Committee	That a report be prepared on the possible amendments, and their merits, to the planning regulations to more appropriately control the number of private properties being converted to short stay accommodation.	Passed 6-1
17 December 2020 ⁷⁹	Council	A report be prepared on the possible amendments, and their merits, to the planning regulations to more appropriately control the number of private properties being converted to whole home short stay accommodation.	Passed 6-3
16 August 2021 ⁸⁰	City Planning Committee	That Council pursue inserting one or more specific area plans into the Hobart Local Provisions Schedule that prohibit entire home short stay accommodation use (excluding for 'secondary residences');	Passed 4-2
23 August 2021 ⁸¹	Council	Council pursue inserting one or more specific area plans into the Hobart Local Provisions Schedule that prohibit entire home short stay accommodation use (excluding for 'secondary residences').	Passed 6-5
21 March 2022 ⁸²	City Planning Committee	Council endorse the draft amendment to the Use Table in each of the General Residential Zone, the Inner Residential Zone, and the Low Density Residential Zone for inclusion in the <i>Hobart Interim</i>	Passed 4-2

⁷⁸ City of Hobart, *City Planning Committee Minutes* Monday 14 December 2020 at 92-93. As found at http://hobart.infocouncil.biz/Open/2020/12/CPC_14122020_MIN_1389.PDF (accessed 22 October 2022).

⁷⁹ City of Hobart, *Council Minutes* Thursday 17 December 2020 at 35-39. As found at http://hobart.infocouncil.biz/Open/2020/12/CO_17122020_MIN_1390.PDF (accessed 22 October 2022).

⁸⁰ City of Hobart, *City Planning Committee Minutes* Monday 16 August 2021 at 21. As found at http://hobart.infocouncil.biz/Open/2021/08/CPC_16082021_MIN_1453.PDF (accessed 22 October 2022).

⁸¹ City of Hobart, *Council Minutes* Monday 23 August 2021 at 24. As found at http://hobart.infocouncil.biz/Open/2021/08/CO_23082021_MIN_1423.PDF (accessed 22 October 2022).

⁸² City of Hobart, *City Planning Committee Minutes* Monday 21 March 2022 at 19-20. As found at http://hobart.infocouncil.biz/Open/2022/03/CPC_21032022_MIN_1584.PDF (accessed 22 October 2022).

		<i>Planning Scheme 2015</i> to restrict entire home Visitor Accommodation use (excluding for 'ancillary dwellings') in specified zones of the <i>Hobart Interim Planning Scheme 2015</i> as detailed in Attachment A.	
28 March 2022 ⁸³	Council	Council endorse the draft amendment to the Use Table in each of the General Residential Zone, the Inner Residential Zone, and the Low Density Residential Zone for inclusion in the <i>Hobart Interim Planning Scheme 2015</i> to restrict entire home Visitor Accommodation use (excluding for 'ancillary dwellings') in specified zones of the Hobart Interim Planning Scheme 2015 as detailed in Attachment A to item 7.1.4 of the Open City Planning Committee agenda of 21 March 2022.	Passed 8-3
4 July 2022 ⁸⁴	City Planning Committee	<p>1. Pursuant to section 39 (2) of the former provisions of the <i>Land Use Planning and Approvals Act (LUPAA) 1993</i>, that Council endorse this report as the formal statement of its opinion as to the merit of the representations received during the public exhibition of the certified amendment PSA-22-1.</p> <p>2. Pursuant to section 39 (2) of the former provisions of the <i>Land Use Planning and Approvals Act (LUPAA) 1993</i>, that Council recommend to the Tasmanian Planning Commission that PSA-22-1 to the Hobart Interim Planning Scheme be approved as certified.</p>	Passed 4-2

⁸³ City of Hobart, *Council Minutes* Monday 28 March 2022 at 10. As found at http://hobart.infocouncil.biz/Open/2022/03/CO_28032022_MIN_1620.PDF (accessed 22 October 2022).

⁸⁴ City of Hobart, *City Planning Committee Minutes* Monday 4 July 2022 at 33. As found at http://hobart.infocouncil.biz/Open/2022/07/CPC_04072022_MIN_1591.PDF (accessed 22 October 2022).

11 July 2022 ⁸⁵	Council	<p>1. Pursuant to section 39 (2) of the former provisions of the <i>Land Use Planning and Approvals Act 1993</i>, that Council endorse the report marked as item 8.1 of the Open City Planning Committee agenda of 4 July 2022 as the formal statement of its opinion as to the merit of the representations received during the public exhibition of the certified amendment PSA-22-1.</p> <p>2. Pursuant to section 39 (2) of the former provisions of the <i>Land Use Planning and Approvals Act 1993</i>, the Council recommend to the Tasmanian Planning Commission that PSA-22-1 marked as Attachment A to item 7.1.4 of the Open City Planning Committee agenda of 21 March 2022 to the Hobart Interim Planning Scheme 2015 be approved as certified.</p>	Passed 6-2
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⁸⁵ City of Hobart, *Council Minutes* Monday 11 July 2022 at 11-12. As found at http://hobart.infocouncil.biz/Open/2022/07/CO_11072022_MIN_1645.PDF (accessed 22 October 2022).