



City of **HOBART**

APPLICATION UNDER SULLIVANS COVE PLANNING SCHEME 1997

Type of Report: Committee
Council: 28 January 2020
Expiry Date: 23 February 2020
Application No: PLN-19-780
Address: 24 SALAMANCA SQUARE , BATTERY POINT
ADJACENT ROAD RESERVE
Applicant: DESIGN EAST PTY LTD
153 DAVEY STREET
Proposal: Signage
Representations: Nil
Performance criteria: Signage

1. Executive Summary

- 1.1 Planning approval is sought for signage.
- 1.2 More specifically the proposal includes:
 - A total of 4 signs to be positioned on the outdoor dining structure which was previously approved under Planning Permit PLN-19-114 dated the 8th July 2019.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
 - 1.3.1 Signage Clause 25.14 Table 25.1
- 1.4 No representations were received during the statutory advertising period between the 5th and 19th December 2019.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Council.

2. Site Detail

- 2.1 The site is the existing outdoor dining area within Salamanca Square adjacent to 24 Salamanca Square, which is occupied by Botanica Bar.



Above: full Salamanca Square site with No.24 central to the image.



Above: aerial photograph showing existing outdoor dining area to the rear of No.24 Salamanca Square.

3. Proposal

- 3.1 Planning approval is sought for signage adjacent to 24 Salamanca Square, which is currently occupied by Botanica Bar.
- 3.2 More specifically the proposal is for:
 - A total of 4 signs to be positioned on the outdoor dining structure which was previously approved under Planning Permit PLN-19-114 dated the 8th July 2019.

4. Background

- 4.1 The proposed 4 signs would be positioned on the outdoor dining structure which was previously approved under PLN-19-114 dated the 8th July 2019.

5. Concerns raised by representors

- 5.1 No representations were received during the statutory advertising period between the 5th and 19th December 2019.

6. Assessment

- 6.1 The *Sullivans Cove Planning Scheme 1997* is a performance based planning scheme. This approach recognises that there are in many cases a number of ways in which a proposal can satisfy desired environmental, social and economic standards. In some cases a proposal will be 'permitted' subject to specific 'deemed to comply' provisions being satisfied. Performance criteria are established to provide a means by which the objectives of the planning scheme may be satisfactorily met by a proposal. Where a proposal relies on performance criteria, the Council's ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located in the Sullivans Cove Mixed Use 2.0 Activity Area of the *Sullivans Cove Planning Scheme 1997*.
- 6.3 The existing use is as an outdoor dining area associated with a bar. The existing use is a permitted use in the Activity Area and the proposed signs are ancillary to this use.
- 6.4 The proposal has been assessed against:
- 6.4.1 Parts A and B – Strategic Framework
 - 6.4.2 Part D – Clause 16.3.1 – Activity Area Controls
 - 6.4.3 Part E – Schedule 1 – Conservation of Cultural Heritage Values
 - Part E – Schedule 4 – Signs
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Signs – Clauses 25.11, 25.13 and 25.14, and Table 25.1
- 6.6 Each performance criterion is assessed below.
- 6.7 Signs - Clause 25.13, 25.14 and Table 25.1
- 6.7.1 The acceptable solution at clause 25.14 Table 25.1 is for a single wall

sign per building.

6.7.2 The proposal includes a total of 4 wall signs.

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 25.14 Table 25.1 provides as follows:

- *Maximum vertical dimension 500mm or 5% of height of building wall, whichever is greater.*
 - *Maximum horizontal dimension 4000mm.*
- or*
- *On a contemporary building, or an extension on a place of cultural significance that is not itself of cultural significance, a maximum area of all wall, window and banner signs of 7% of the area of the facade.*

Clause 25.13 Matters to be Considered states as follows.

In addition to meeting the relevant Alternative Performance Criteria in Table 25.1 of clause 25.14 of this Schedule, the following matters must be taken into account when considering an application:

- *The individual or cumulative effect of the sign or signs on the amenity of the area including the need to avoid visual disorder or clutter of signs.*
- *The individual or cumulative effect of the sign or signs on the building and/or surrounding area, considering its effect and means of attachment on places of cultural significance.*
- *The cumulative effect of the sign or signs on existing or approved signs, including signs on buildings and outdoor uses that constitute a sign.*
- *The size and likely impact of the sign having regard to the size of the premises on which it is to be displayed and the scale of surrounding buildings.*
- *The effect of the sign on the safety and security of premises and the area.*
- *The effect of the sign on the appearance, efficiency and safety of a road, railway, waterway or other public way, having particular regard to the sign's colour, brightness and location.*
- *The effect of the sign on pedestrian movement and safety.*
- *Compliance with objectives of this Schedule.*

6.7.5 Assessment of the performance criterion follows:

The proposed four signs would be identical, and would each state 'Botanica'. The signs would measure 0.9 of a metre (900mm) in length by 0.3 of a metre (300mm) in height. They would be 'backlit'.

The signs would be on the three outward facing sides of the outdoor dining structure, with two of the signs positioned facing south-southwest into the Square. There is concern with regard to potential 'clutter' of signs, given that there would be viewing points within Salamanca Square where more than one sign would be visible. On the other hand, the respective signs are considered to be of small size and unobtrusive in their positioning. The likely degree of visual impact is not considered likely to be excessive.

Council's Cultural Heritage Officer, with regard to Clause 25.11 states as follows:

This is signage for the proposed new outdoor dining area that was previously approved as part of PLN-19-114. The proposal is for four (4) signs positioned on the external walls/planter boxes that enclose the outdoor dining/bar space. Each sign is 900mm of lettering on a 1.5 metres copper panel that is 300mm high. Within is a LED light strip that illuminates the lettering.

The site is adjacent to a place listed in Table 1: Places of Cultural Significance. Therefore the provisions of 25.11 within Schedule 4 of the Signs Code of the Sullivans Cove Planning Scheme 1997 apply.

- *A sign on or adjacent to or within a place of cultural significance (as listed in Table 1 of Schedule 1 of this planning scheme) is 'Discretionary'.*
- *A sign in the Cove area must not either by its size, design or content detract from the character and heritage value of buildings both individually and collectively including those groups or buildings comprising some which may not be of particular heritage value.*
- *For modern standardised trademark or propriety logo advertising, corporate image requirements such as specific colours must be adapted to suit the individual location and building.*
- *A sign to be affixed to any place of cultural significance included in Schedule 1 of the Planning Scheme must maintain or reinstate and not detract from its original architecture, heritage value or character.*

- *Signs must be placed to allow the architectural details of the building to remain prominent.*
- *Signs must be placed in locations on the building or item that would traditionally have been used as advertising areas. Historical documentation may be required to justify the placement of any new signs.*
- *No signs shall dominate or obscure any other signs and in particular an historic sign forming an integral part either of a building's architectural treatment of detailing, or its heritage.*
- *Fixtures must not damage historic building fabric, including but not restricted to attachments to masonry and wood. All signs and related fittings are to be fixed using appropriate non-corrosive fixings inserted in mortar joints.*
- *Signs that break an historic parapet or roof line will be prohibited.*
- *Use of side-walls to locate signs is prohibited if the wall does not form a street-frontage, or has not historically been used for signs.*
- *Strings of light bulbs are prohibited.*
- *Internally illuminated signs attached to a building of cultural significance (excluding contemporary buildings and extensions on a place of cultural significance that are not themselves of cultural significance) are prohibited.*

This proposal is not attached to a building of cultural significance. The copper face on the timber board walls will mean that the sign and background colour and materials will not be in stark contrast with each other and therefore result in an individually prominent or dominant set of signage. The light bulbs shown in the submitted renderings are however prohibited. A condition of permit is to be included that clarifies that the strings of bulbs are not approved.

As such, the proposed signs are acceptable when assessed against clause 25.11 of the Schedule 4 of the Scheme.

On balance, the proposed signage is considered acceptable in terms of the Performance Criteria and Matters to be Considered under the Sullivans Cove Planning Scheme 1997.

6.7.6 The proposal complies with the performance criterion.

7. Discussion

7.1 Planning approval is sought for signage.

- 7.2 The application was advertised and no representations were received.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered acceptable.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer and Cultural Heritage Officer. The officers have raised no objection to the proposal, subject to conditions.
- 7.5 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed signage at 24 Salamanca Square Battery Point TAS 7004 satisfies the relevant provisions of the *Sullivans Cove Planning Scheme 1997*, and as such is recommended for approval.

9. Recommendations

That: Pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for signage at 24 Salamanca Square Battery Point TAS 7004 for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

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The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-19-780 - 24 SALAMANCA SQUARE BATTERY POINT TAS 7004 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

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The strings of light bulbs hanging within the covered roof structure as shown in the 3D renderings within the submitted planning application are not approved as part of this permit.

Reason for condition

To clarify the scope of the permit and to ensure signage meets the standards of clause 25.11 which states that 'Strings of light bulbs are prohibited.' (p.137 clause 25.11 of the *Sullivans Cove Planning Scheme 1997*).

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.

OCCUPATION OF THE PUBLIC HIGHWAY

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

You may require an occupational licence for use of Hobart City Council highway reservation (e.g. outdoor seating, etc). Click [here](#) for more information.



(Richard Bacon)

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.



(Cameron Sherriff)

Acting Manager Development Appraisal

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: 7 January 2020

Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - Referral Officer Report (heritage)