



CITY OF HOBART

MINUTES

Special City Planning Committee Meeting

Open Portion

Monday, 22 March 2021 at 4:15 pm

ORDER OF BUSINESS

APOLOGIES AND LEAVE OF ABSENCE

1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY 3
2. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST 4
PLANNING AUTHORITY ITEMS – CONSIDERATION OF ITEMS WITH DEPUTATIONS4
3. COMMITTEE ACTING AS PLANNING AUTHORITY 5
 - 3.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 19975
 - 3.1.1 51/1 Collins Street, Hobart and Common Land of Parent Title - Change of Use to Visitor Accommodation.....5

Special City Planning Committee Meeting (Open Portion) held on Monday, 22 March 2021 at 4.15 pm in the Council Chamber, Town Hall.

This special meeting of the City Planning Committee is held in accordance with a Notice issued by the Premier on 3 April 2020 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.

COMMITTEE MEMBERS

Deputy Lord Mayor Burnet (Chairman)
Briscoe
Harvey
Behrakis
Dutta
Coats

NON-MEMBERS

Lord Mayor Reynolds
Zucco
Sexton
Thomas
Ewin
Sherlock

PRESENT: The Deputy Lord Mayor Councillor H Burnet (Chairman), Alderman J R Briscoe, Councillor W F Harvey, Alderman S Behrakis, Councillors M Dutta, W Coats, the Lord Mayor Councillor A M Reynolds, Aldermen M Zucco, D C Thomas, Councillors J Ewin and Dr Z Sherlock.

APOLOGIES: Nil.

LEAVE OF ABSENCE: Nil.

Alderman Behrakis arrived at the meeting at 4.17 pm and was not present for items 1 to 2.

The Lord Mayor arrived at the meeting at 4.52 pm and was not present for items 1 to 2.

Alderman Zucco arrived at the meeting at 4.58 pm and was not present for items 1 to 2.

Alderman Thomas arrived at the meeting at 4.58 pm and was not present for items 1 to 2.

Councillor Ewin arrived at the meeting at 4.55 pm and was not present for items 1 to 2.

Councillor Sherlock arrived at the meeting at 4.58 pm and was not present for items 1 to 2.

1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY

No Elected Members were co-opted to the Committee.

2. 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.

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 General Manager 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.

BRISCOE

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

Deputy Lord Mayor Burnet
Briscoe
Harvey
Dutta
Coats

NOES

3. 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 General Manager 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.

3.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997

Mr Richard Fowler (Representor) and Mr Simon Roubustelli (Applicant) addressed the Committee in relation to item 3.1.1.

3.1.1 51/1 Collins Street, Hobart and Common Land of Parent Title - Change of Use to Visitor Accommodation PLN-21-63 - File Ref: F21/23121

BRISCOE

That the recommendation contained in the report of the Development Appraisal Planner and the Senior Statutory Planner of 9 March 2021, be adopted as amended by the inclusion of an addition condition PLN s1 and PART B:

“PLN s1

The use may be carried out for a maximum of two years from the commencement of the use and after that date, the use must cease.

Reason for condition

To limit the time of operation of the permit, primarily in order to understand the impacts of Visitor Accommodation on other residents of the property.

PART B

That correspondence be sent to the body corporate suggesting a 6 monthly report on problems experienced with / impacts of visitor accommodation and to provide contact of our enforcement team for matters where Council action is required.”

MOTION CARRIED

VOTING RECORD

AYES

Briscoe
Behrakis
Dutta
Coats

NOES

Deputy Lord Mayor Burnet
Harvey

COMMITTEE RESOLUTION:

That pursuant to the *Sullivans Cove Planning Scheme 1997*, the Council approve the application for change of use to visitor accommodation at 51/1 Collins Street, Hobart for the reasons outlined in the officer's report attached to item 3.1.1 of the Special Open City Planning Committee agenda of 22 March 2021 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-21-63 - 51 1 COLLINS STREET 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, to the satisfaction of the Council's Director City Planning. 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 behavioural issues caused as a result of the visitor accommodation.
3. To maintain the security of the building where the visitor accommodation would be located, including managing and/or limiting access to shared areas and facilities.
4. To specify the maximum permitted occupancy of the visitor

accommodation.

5. To provide a contact number in the case of issues that require resolution.

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. In the event that the property is sold, the management plan must be updated within 14 days of the transfer of ownership.

Reason for condition

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

PLN s1

The use may be carried out for a maximum of two years from the commencement of the use and after that date, the use must cease.

Reason for condition

To limit the time of operation of the permit, primarily in order to understand the impacts of Visitor Accommodation on other residents of the property.

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.

BUILDING PERMIT

You may need building approval in accordance with the *Building Act 2016*. Click [here](#) for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

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 2715.

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 2715.

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.

PART B

That correspondence be sent to the body corporate suggesting a 6 monthly report on problems experienced with / impacts of visitor accommodation and to provide contact of our enforcement team for matters where Council action is required.

Delegation: Council

There being no further business the meeting closed at 4.59 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
29TH DAY OF MARCH 2021.

CHAIRMAN