



CITY OF HOBART

AGENDA

Special City Planning Committee Meeting

Open Portion

Tuesday, 9 February 2021

at 4:40pm

Council Chamber, Town Hall

THE MISSION

Working together to make Hobart a better place for the community.

THE VALUES

The Council is:

People	We care about people – our community, our customers and colleagues.
Teamwork	We collaborate both within the organisation and with external stakeholders drawing on skills and expertise for the benefit of our community.
Focus and Direction	We have clear goals and plans to achieve sustainable social, environmental and economic outcomes for the Hobart community.
Creativity and Innovation	We embrace new approaches and continuously improve to achieve better outcomes for our community.
Accountability	We are transparent, work to high ethical and professional standards and are accountable for delivering outcomes for our community.

ORDER OF BUSINESS

Business listed on the agenda is to be conducted in the order in which it is set out, unless the committee by simple majority determines otherwise.

APOLOGIES AND LEAVE OF ABSENCE

- 1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY 4**
- 2. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST 4**
- 3. COMMITTEE ACTING AS PLANNING AUTHORITY 5**
 - 3.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 19976**
 - 3.1.1 53/1 Collins Street, Hobart and Common Land of Parent Title - Change of Use to Visitor Accommodation.....6**

Special City Planning Committee Meeting (Open Portion) held Tuesday, 9 February 2021 at 4:40pm in the Council Chamber, Town Hall.

This 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

Apologies:

Leave of Absence: Nil.

NON-MEMBERS

Lord Mayor Reynolds
Zucco
Sexton
Thomas
Ewin
Sherlock

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

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 conflict 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.

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.

The General Manager reports:

This matter was considered by the City Planning Committee at its meeting on 1 February 2021.

Subsequent to that, an additional representation has been identified, which was not considered as part of the officer's report considered at the meeting.

As a consequence this special meeting of the City Planning Committee has been convened to enable the Committee to consider an updated report and recommendation.

3.1 APPLICATIONS UNDER THE SULLIVANS COVE PLANNING SCHEME 1997

3.1.1 53/1 COLLINS STREET, HOBART AND COMMON LAND OF PARENT TITLE - CHANGE OF USE TO VISITOR ACCOMMODATION PLN-20-762 - FILE REF: F21/9532

Address:	53/1 Collins Street, Hobart and Common Land of Parent Title
Proposal:	Change of Use to Visitor Accommodation
Expiry Date:	25 February 2021
Extension of Time:	Not applicable
Author:	Helen Ayers

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for change of use to visitor accommodation, at 53/1 Collins Street, Hobart for the reasons outlined in the officer's report 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-20-762 - 53/1 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.**

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.

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.

You are encouraged to have in place a management plan for the operation of the visitor accommodation. The management plan should include measures to limit, manage and mitigate unreasonable impacts upon the amenity of permanent residents, including addressing issues like noise, waste management, customer behaviour, security, and maximum occupancy.

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.

Attachment A: PLN-20-762 - 53/1 COLLINS STREET HOBART
TAS 7000 - Planning Committee or Delegated
Report DATED 4.2.21 ↓ 

Attachment B: PLN-20-762 - 53/1 COLLINS STREET HOBART
TAS 7000 - CPC Agenda Documents ↓ 

**APPLICATION UNDER SULLIVANS COVE PLANNING SCHEME 1997**

Type of Report: Committee
Council: 9 February 2021
Expiry Date: 25 February 2021
Application No: PLN-20-762
Address: 53 / 1 COLLINS STREET , HOBART
COMMON LAND OF PARENT TITLE
Applicant: David Michael (Tazkeys)
5 Brushy Creek Road
Proposal: Change of Use to Visitor Accommodation
Representations: Eleven (11)
Performance criteria: Planning Directive No. 6 - Exemption and Standards for Visitor
Accommodation in Planning Schemes - Clause 3.3 (e)

1. Executive Summary

- 1.1 Planning approval is sought for Change of use to Visitor Accommodation, at 53/1 Collins Street, Hobart.
- 1.2 More specifically the proposal includes the complete change of the use of the unit from long term residential to short term visitor accommodation.
- 1.3 The proposal relies on performance criteria to satisfy the following Planning Directive provision:
 - 1.3.1 Planning Directive No. 6 - Exemption and Standards for Visitor Accommodation in Planning Schemes - Clause 3.3 (e)
- 1.4 Eleven (11) representations objecting to the proposal were received within the statutory advertising period between 11 December 2020 and 4 January 2021.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Council, because eleven (11) representations were received.

2. Site Detail

- 2.1 The application site is one of 65 lots on the strata title for 1 Collins Street, Hobart, on the corner of Collins Street and Brooker Avenue. Of these lots there is one commercial lot, four visitor accommodation lots, and the remainder are residential. The subject dwelling has 2-3 bedrooms (two bedrooms and a study), an open kitchen dining living area, and a balcony for private open space. Access to the dwelling is via a common lobby and corridor area, with car parking provided in a shared, secure parking area at ground level.
- 2.2 The application site is predominantly residential, with the applicant advising that there are currently 3 other dwellings used for visitor accommodation.
- 2.3 A visit to the site was undertaken, however, due to security doors, this was only in the form of a walk around the perimeter of the complex, not an internal inspection of the dwelling and shared spaces.



Figure 1: The location of the application site is highlighted in yellow



Figure 2: The specific unit that is the subject of this application is in the location shown above on the fifth floor of the building

3. Proposal

- 3.1 Planning approval is sought for Change of use to Visitor Accommodation, at 53/1 Collins Street, Hobart.
- 3.2 More specifically the proposal is for the complete change of the use of unit 53, 1 Collins Street from a long term accommodation multiple dwelling to a short term visitor accommodation unit. No development is proposed as part of this change of use application.

4. Background

- 4.1 Council has issued planning permits for visitor accommodation to operate within several other apartments on the property.

- 4.2 Three of these apartments are those at 8, 9, and 29 / 1 Collins Street (PLN-17-541, PLN-17-963, and PLN-18-250 respectively). All of these approvals were permitted and issued in accordance with section 58 of the Land Use Planning and Approvals Act 1993 when the previous Interim Planning Directive No. 2 - Exemption and Standards for Visitor Accommodation in Planning Schemes was in effect.
- 4.3 Council has also issued an approval for visitor accommodation to operate from 37 / 1 Collins Street (PLN-19-30). This approval was discretionary and issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993* under the current *Planning Directive 6 - Exemption and Standards for Visitor Accommodation in Planning Schemes*.
- 4.4 A further application to change the use of 35/1 Collins Street (PLN-18-513) remains on hold with Council subject to the provision of additional information from the applicant.

5. Concerns raised by representors

- 5.1 Eleven (11) representations objecting to the proposal were received within the statutory advertising period between 11 December 2020 and 4 January 2021.
- 5.2 The following table outlines the concerns raised in the representations received. Those concerns which relate to a discretion invoked by the proposal are addressed in Section 6 of this report.

Noise:
Representors are concerned that visitor accommodation guests are not on site for long enough to show consideration for long term residents in their movements through the building, or in the noise they generate whilst in the dwelling itself. the residents have suggested that the likely noise disturbance is unacceptable to their residential amenity.
Representors are concerned that there will be loud music and noise from parties disturbing the residential amenity of the complex.
Garbage Disposal:
Several representors have expressed concern that visitor accommodation guests will not dispose of their rubbish in the appropriate location on site, with the potential for rubbish to be left in common areas on the site.

Representors are concerned that rubbish will be disposed of in incorrect bins, resulting in residents and cleaners having to clean up after the guests to enable council collection of rubbish.
Security:
One representor has expressed concerns with not feeling safe in their residence when there are multiple short term tenants of another residence in the building.
Representors are concerned that short stay guests do not adequately respect the security of the complex. The representors suggest that security gates are left open to allow for loading and unloading of luggage, or not closed properly when leaving the complex, potentially exposing all residents of the complex to theft and vandalism inside the secure unit complex.
Representors have indicated that the decision to purchase their property was made based on it being a secure residential complex. They have indicated a belief that the approval of visitor accommodation erodes the secure residential environment unacceptably.
Residents are concerned that there is no concierge at the entrances to the building to ensure that security is maintained by visitor accommodation guests.
Residential Character:
One representor has indicated that there is evidence of residents feeling forced to leave such complexes when the visitor accommodation present changes the character of the unit complex from residential to short stay given the behaviours of the visitor accommodation guests.
Representors are concerned that visitor accommodation guests will alter the character of the complex, eroding the residential amenity currently enjoyed by residents.
Housing Availability:
One representor has indicated that the shift from long term to short term accommodation is not a desirable outcome given the housing shortage in Greater Hobart.
Several representors have suggested that the location of this complex is more suited to city workers, such as arts, medical and emergency services workers, and as such the housing stock is too valuable to convert to short term visitor accommodation.

Car Parking:
Representors are concerned that visitor accommodation guests will not respect the car parking allocations and will park in inappropriate places within the strata complex.
One representor is concerned that visitors under previous visitor accommodation approvals have driven the wrong way in one way streets, and used the wrong doors to enter and exit the garage, causing traffic safety concerns whilst entering and exiting car parking. The representor is concerned that this issue will be exacerbated by further approvals.
Body Corporate:
Representors are concerned that visitor accommodation guests will ignore the body corporate by-laws, which limit the use of on-site facilities (such as the pool and gym area) to long term residents only. The representors are concerned that the guests will use the facilities and not follow the required cleaning protocols.
Representors are concerned that visitor accommodation guests will not respect the speed limits imposed on common land.
Representors are concerned that visitors do not respect the common land in general, and will damage common property, such as walls and gates, and will potential leave the common areas untidy or dirty with spills and litter that a long term resident is more likely to clean up or rectify.
One representor has indicated that water usage for the complex is paid for by all owners, and is not based on the usage of the individual dwellings. They suggest that visitors are less concerned with water usage than residents so will cause an increased cost for all residents.
Precedent:
Representors are concerned that this application will set a precedent and encourage other owners to change the use of their units to visitor accommodation, thus altering the residential nature of the use of the units.
COVID-19:

One representor is concerned that the unit complex is not designed or equipped to cater to the potential quarantine requirements presented by the current Covid-19 pandemic. The representor is concerned that allowing short term visitors to the site will expose all long term residents to potential infection and associated health risks.
Previous Decisions:
Several representors have suggested that there was previous advice that the unit complex is now at capacity for visitor accommodation units. As such the representors do not support any further changes of use to visitor accommodation within the complex.
One representor has suggested that previous visitor accommodation approvals had required operators to ensure visitors comply with Body Corporate rules for the complex. The representor suggests that this has not occurred previously, so they are concerned that such a condition is not adequate for future applications.

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 Inner City Residential (Wapping) Activity Area of the *Sullivans Cove Planning Scheme 1997*.
- 6.3 The existing use is Residential (Multiple Dwelling). The proposed use is Visitor Accommodation. The existing use is a permitted use in the Activity Area. The proposed use is a discretionary use in the Activity Area.
- 6.4 The proposal has been assessed against:
- 6.4.1 Planning Directive No. 6 - Exemption and Standards for Visitor

Accommodation in Planning Schemes

- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Planning Directive No. 6 - Exemption and Standards for Visitor Accommodation in Planning Schemes - Clause 3.3 (e)
- 6.6 Each performance criterion is assessed below.
- 6.7 Planning Directive No. 6 - Exemption and Standards for Visitor Accommodation in Planning Schemes - Clause 3.3 (e)
- 6.7.1 The permitted standard at clause 3.3(d) allows a total of 200sqm of visitor accommodation use per parent strata lot.
- 6.7.2 The proposal includes the change of use of a 160sqm unit in Activity Area 1 of the *Sullivans Cove Planning Scheme* from Residential to Visitor Accommodation. There are three other units already operating as visitor accommodation use, and four approved, as such the floor area in use for visitor accommodation exceeds 200sqm.
- 6.7.3 The proposal does not comply with the permitted standard, and therefore assessment against the performance criterion is relied on.
- 6.7.4 The performance criterion at clause 3.3 (e) provides as follows:
- Unless 3.3(a) applies, Bed and Breakfast Establishment and Visitor Accommodation that does not comply with the provisions in 3.3(d) is 'Discretionary' in Activity Area 1.0 Inner City Residential (Wapping) subject to the following conditions:*
- Bed and Breakfast Establishment and Visitor Accommodation must:*
- (i) not cause an unreasonable loss of privacy to adjoining properties;*
 - (ii) not likely to cause an unreasonable increase in noise;*
 - (iii) be of a scale that respects the character and use of the area;*
 - (iv) not adversely impact the safety and efficiency of the local road network;*
 - (v) not unreasonably disadvantage owners and users of rights of way;*

(vi) not be located on the same site as a dwelling providing long term residential accommodation, unless:

- a. it has a separate ground level pedestrian access to a road; or*
- b. there is an existing mix of uses on the site;*

and the impact on the amenity of the long term residents within the site is not unreasonable.

- 6.7.5 Clause 3.3(a) of PD6 does not apply as the dwelling in question is not used by the owner as their main place of residence. The proposal does not comply with clause 3.3(d) as the proposal would result in there being a floor area used for visitor accommodation greater than 200m² on the lot. Therefore, the proposed visitor accommodation is discretionary and requires justification against the above conditions.
- 6.7.6 The proposed visitor accommodation would be contained within an existing apartment. No additional features that may affect privacy such as windows or elevated decks are proposed. Therefore, the proposal is considered unlikely to cause a loss of privacy. It is noted that the proposal may have an impact upon areas on the site such as lifts, corridors, and entry spaces. However, these spaces are already shared spaces that are not considered to provide privacy.
- 6.7.7 While it is recognised that some guests may use visitor accommodation in a manner that generates unreasonable noise, it is also considered that the use is fundamentally similar to a permanent residential use. Visitor accommodation provides for sleeping and occupancy in a similar manner as a permanent residence, albeit on a short term basis. It is also recognised that a permanent residence can also be used in a manner that generates unreasonable noise. Therefore, provided that arrangements are put in place to manage what are likely to be limited instances of increased noise, the proposed visitor accommodation is not considered likely to cause an overall unreasonable increase in noise. Notwithstanding this, given the representor concerns and the potential for impact upon long term residents, it is considered appropriate to require that a visitor accommodation management plan be implemented, providing contact details for residents should there be any issues arising from visitor accommodation guests.
- 6.7.8 There are 65 lots on the strata title for the site. Of these lots there is one commercial lot, four visitor accommodation lots, and the remainder are residential. Given this breakdown of the uses on the parent site, it is considered that the overall scale of visitor accommodation use on the site

respects the residential character and use of the site. More broadly, there is a mixture of commercial residential, professional and visitor accommodation use in the surrounding area. As such, the scale of the proposed use is considered to respect the character and use of the area.

6.7.9 The building is existing, along with car parking allocated for the use of the individual residences. As such, there is limited scope for vehicles associated with the proposed visitor accommodation use. Given the vehicles associated with the existing approved residential use of the site, it is considered that there will be little or no impact on the safety and efficiency of the road networks resulting from the proposed change of use.

6.7.10 There are no rights of way relied upon to facilitate access to the site.

6.7.11 There is an existing mix of uses on the site, such that separate ground floor access is not required for the unit to facilitate its proposed change of use.

6.7.12 The proposal complies with the performance criterion.

7. Discussion

7.1 Planning approval is sought for Change of use to Visitor Accommodation, at 53/1 Collins Street, Hobart.

7.2 The application was advertised and received eleven (11) representations. The representations raised concerns including Noise, Garbage Disposal, Security, Residential Character, Housing Availability, Car Parking, Body Corporate, Precedent, COVID-19, and Previous Decisions.

7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.

7.4 The proposal has not been assessed by other Council officers.

7.5 The proposal is recommended for approval.

8. Conclusion

- 8.1 The proposed Change of use to Visitor Accommodation, at 53/1 Collins Street, Hobart satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.

9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for Change of use to Visitor Accommodation, at 53/1 Collins Street, Hobart for the reasons outlined in the officer's report 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-20-762 - 53/1 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:

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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.**
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Reason for condition

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

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More information on visitor accommodation, including when building approval is required, can be found [here](#).

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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.

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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.



(Helen Ayers)

Development Appraisal Planner

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.



(Ben Ikin)

Senior Statutory Planner

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: 4 February 2021

Attachment(s):

Attachment B - CPC Agenda Documents

Planning: #217142

Property

53/1 COLLINS STREET HOBART TAS 7000

PeopleApplicant
=Tazkeys
David Michael
5 Brushy Creek Road
LENAH VALLEY TAS 7008
0478 229 229
artfuliron@bigpond.comApplicant
=Tazkeys
David Michael
5 Brushy Creek Road
LENAH VALLEY TAS 7008
0478 229 229
artfuliron@bigpond.comOwner
=Robert Easther
1646 Forsyth st
Wagga Wagga Nsw 2650
0439476158
robert.easther@gmail.comEntered By
DAVID CHARLES MICHAEL
0478 229 229
tazkeys@bigpond.com**Use**

Visitor accomodation

Details

Have you obtained pre application advice?

☒ - No

If YES please provide the pre application advice number eg PAE-17-xx

Are you applying for permitted visitor accommodation as defined by the State Government Visitor Accommodation Standards? Click on help information button for definition. If you are not the owner of the property you MUST include signed confirmation from the owner that they are aware of this application.

☒ Yes

Is the application for SIGNAGE ONLY? If yes, please enter \$0 in the cost of development, and you must enter the number of signs under Other Details below.

☐ No

If this application is related to an enforcement action please enter Enforcement Number

Details

What is the current approved use of the land / building(s)?

Residential

Please provide a full description of the proposed use or development (i.e. demolition and new dwelling, swimming pool and garage)

Short term visitor accommodation

Estimated cost of development

100.00

Existing floor area (m2)	Proposed floor area (m2)	Site area (m2)
100.00	100.00	100

Carparking on Site

Total parking spaces Existing parking spaces ☐ Other (no selection chosen)

1 1

Other Details

Does the application include signage?

☐ No

How many signs, please enter 0 if there are none involved in this application?

0

Tasmania Heritage Register

Is this property on the Tasmanian Heritage Register?

☒ No

Documents

Required Documents

Title (Folio text and Plan and Schedule of Easements)

FolioText-143029-53.pdf

Plans (proposed, existing)

FolioPlan-143029-53.pdf

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 143029	FOLIO 0
EDITION 3	DATE OF ISSUE 29-Aug-2005

SEARCH DATE : 30-Oct-2020

SEARCH TIME : 11.50 AM

DESCRIPTION OF LAND

City of HOBART

The Common Property for Strata Scheme 143029

Derivation : For grantees see Sealed Plan No. 142611

Prior CT 142611/1

SCHEDULE 1

STRATA CORPORATION NUMBER 143029, ONE COLLINS

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 143029 FIRST BY-LAWS lodged with the strata plan
 SP 142611 EASEMENTS in Schedule of Easements
 SP 142611 COVENANTS in Schedule of Easements
 A164683 FENCING CONDITION in Transfer
 C579899 FENCING CONDITION in Transfer
 C606279 DECLARATION pursuant to Section 75CA of the
 Conveyancing and Law of Property Act 1884 Registered
 04-Jan-2005 at noon
 C559634 APPLICATION by body corporate to amend strata plan
 Registered 01-Mar-2005 at noon
 C617228 DECLARATION pursuant to Section 75CA of the
 Conveyancing and Law of Property Act 1884 Registered
 01-Mar-2005 at noon
 C628834 BURDENING EASEMENT: Pipeline Easement for the Hobart
 City Council over the Pipeline Easement shown on
 Strata Plan No.143029 Registered 29-Aug-2005 at noon
 C866786 APPLICATION by owners to amend strata plan 143029 by
 deleting area of Lot 100 and increasing area of Lot
 23 Registered 06-Aug-2009 at 12.01 PM
 C947677 APPLICATION by owners to amend strata plan 143029 by
 amending Lots 31 & 33 by exchanging car parks
 Registered 09-Jun-2010 at noon
 C987724 APPLICATION for registration of change of by-laws
 Registered 01-Nov-2010 at noon
 C949798 APPLICATION by owners to amend strata plan 143029 by
 decreasing area of Lot 100 & increasing areas of Lots

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

	39 & 58 Registered 25-May-2011 at noon
D110502	ORDER FOR RELIEF by the Recorder of Titles Registered 10-Jan-2014 at noon
D160965	APPLICATION for registration of change of by-laws Registered 14-Apr-2015 at noon
M526718	APPLICATION by owners to amend strata plan 143029 by transferring car park space from Lot 23 to Lot 25 Registered 01-Dec-2015 at noon
E81379	ORDER of the Recorder of Titles under Part 9 Strata Titles Act 1998 Registered 12-Apr-2017 at noon
C628684	APPLICATION to amend strata by adding new lots 20 to 59 Registered 29-Aug-2005 at noon
C630415	APPLICATION by lot owners to amend strata plan by amending Lot 100 and adding Lots 68, 71 & 6970 Registered 13-Jan-2006 at noon
C728338	APPLICATION by body corporate to amend strata plan by amending Lot 100, adding Lots 72 & 73 and increasing common property Registered 06-Mar-2007 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 143029	FOLIO 53
EDITION 4	DATE OF ISSUE 14-Jul-2017

SEARCH DATE : 25-Aug-2020

SEARCH TIME : 04.21 PM

DESCRIPTION OF LAND

City of HOBART

Lot 53 on Strata Plan 143029 and a general unit entitlement
operating for all purposes of the Strata Scheme being a 579
undivided 1/37910 interest

Derived from Strata Plan 143029

Derivation : For grantees see Sealed Plan No. 142611

SCHEDULE 1E97176 TRANSFER to MICHAEL JOHN GOSS Registered
14-Jul-2017 at 12.01 PMSCHEDULE 2Reservations and conditions in the Crown Grant if any
The registered proprietor holds the lot and unit entitlement
subject to any interest noted on common property
Folio of the Register volume 143029 folio 0

SP 142611 EASEMENTS in Schedule of Easements

SP 142611 COVENANTS in Schedule of Easements

A164683 FENCING CONDITION in Transfer

C579899 FENCING CONDITION in Transfer

E97111 MORTGAGE to Commonwealth Bank of Australia
Registered 14-Jul-2017 at 12.02 PMUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 143029	FOLIO 0
EDITION 3	DATE OF ISSUE 29-Aug-2005

SEARCH DATE : 25-Aug-2020

SEARCH TIME : 04.21 PM

DESCRIPTION OF LAND

City of HOBART
The Common Property for Strata Scheme 143029
Derivation : For grantees see Sealed Plan No. 142611
Prior CT 142611/1

SCHEDULE 1

STRATA CORPORATION NUMBER 143029, ONE COLLINS

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
143029 FIRST BY-LAWS lodged with the strata plan
SP 142611 EASEMENTS in Schedule of Easements
SP 142611 COVENANTS in Schedule of Easements
A164683 FENCING CONDITION in Transfer
C579899 FENCING CONDITION in Transfer
C606279 DECLARATION pursuant to Section 75CA of the
Conveyancing and Law of Property Act 1884 Registered
04-Jan-2005 at noon
C559634 APPLICATION by body corporate to amend strata plan
Registered 01-Mar-2005 at noon
C617228 DECLARATION pursuant to Section 75CA of the
Conveyancing and Law of Property Act 1884 Registered
01-Mar-2005 at noon
C628834 BURDENING EASEMENT: Pipeline Easement for the Hobart
City Council over the Pipeline Easement shown on
Strata Plan No.143029 Registered 29-Aug-2005 at noon
C866786 APPLICATION by owners to amend strata plan 143029 by
deleting area of Lot 100 and increasing area of Lot
23 Registered 06-Aug-2009 at 12.01 PM
C947677 APPLICATION by owners to amend strata plan 143029 by
amending Lots 31 & 33 by exchanging car parks
Registered 09-Jun-2010 at noon
C987724 APPLICATION for registration of change of by-laws
Registered 01-Nov-2010 at noon
C949798 APPLICATION by owners to amend strata plan 143029 by
decreasing area of Lot 100 & increasing areas of Lots

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

39 & 58 Registered 25-May-2011 at noon
D110502 ORDER FOR RELIEF by the Recorder of Titles
Registered 10-Jan-2014 at noon
D160965 APPLICATION for registration of change of by-laws
Registered 14-Apr-2015 at noon
M526718 APPLICATION by owners to amend strata plan 143029 by
transferring car park space from Lot 23 to Lot 25
Registered 01-Dec-2015 at noon
E81379 ORDER of the Recorder of Titles under Part 9 Strata
Titles Act 1998 Registered 12-Apr-2017 at noon
C628684 APPLICATION to amend strata by adding new lots 20 to
59 Registered 29-Aug-2005 at noon
C630415 APPLICATION by lot owners to amend strata plan by
amending Lot 100 and adding Lots 68, 71 & 6970
Registered 13-Jan-2006 at noon
C728338 APPLICATION by body corporate to amend strata plan by
amending Lot 100, adding Lots 72 & 73 and increasing
common property Registered 06-Mar-2007 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



CITY/TOWN HOBART SUBURB/LOCALITY HOBART FOLIO REFERENCE C.T.142611/1 SITE COMPRISES THE WHOLE OF LOT 1 ON PLAN No. S.P.142611		STRATA PLAN NEW SHEET 1 OF 16		Registered Number 143029
NAME OF STRATA SCHEME ONECOLLINS		STRATA TITLES ACT 1998 REGISTERED 14 JAN 2005 <i>Miss Kawa</i> Recorder of Titles.		
MAPSHEET MUNICIPAL CODE No. 114 (5225-42)	LAST UPD No.	SCALE 1: 500	LENGTHS IN METRES	

SITE PLAN

NOTES: (i) ALL BUILDINGS ON THE SITE TO BE SHOWN ON SHEET 1.
(ii) BUILDING TO SITE BOUNDARY OFFSETS OF LESS THAN 2.00 METRES TO BE SHOWN ON SHEET 1.

STAGED/COMMUNITY DEVELOPMENT. SCHEME No. (IF APPLICABLE)	 Council Delegate 19/8/2005 Date	 Registered Land Surveyor 04/08/05 Date
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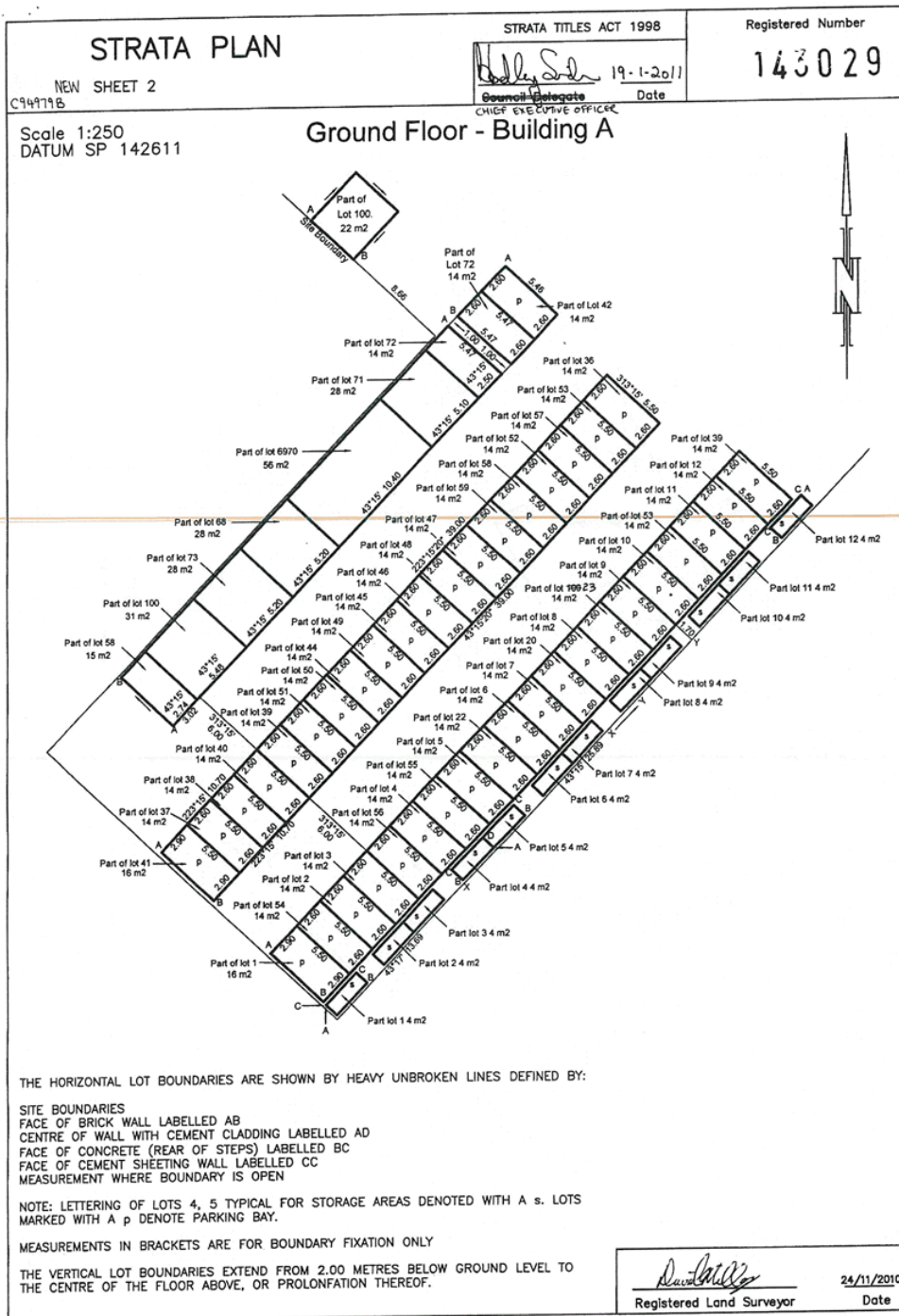
LODGED BY : Wong, McDermott & White



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

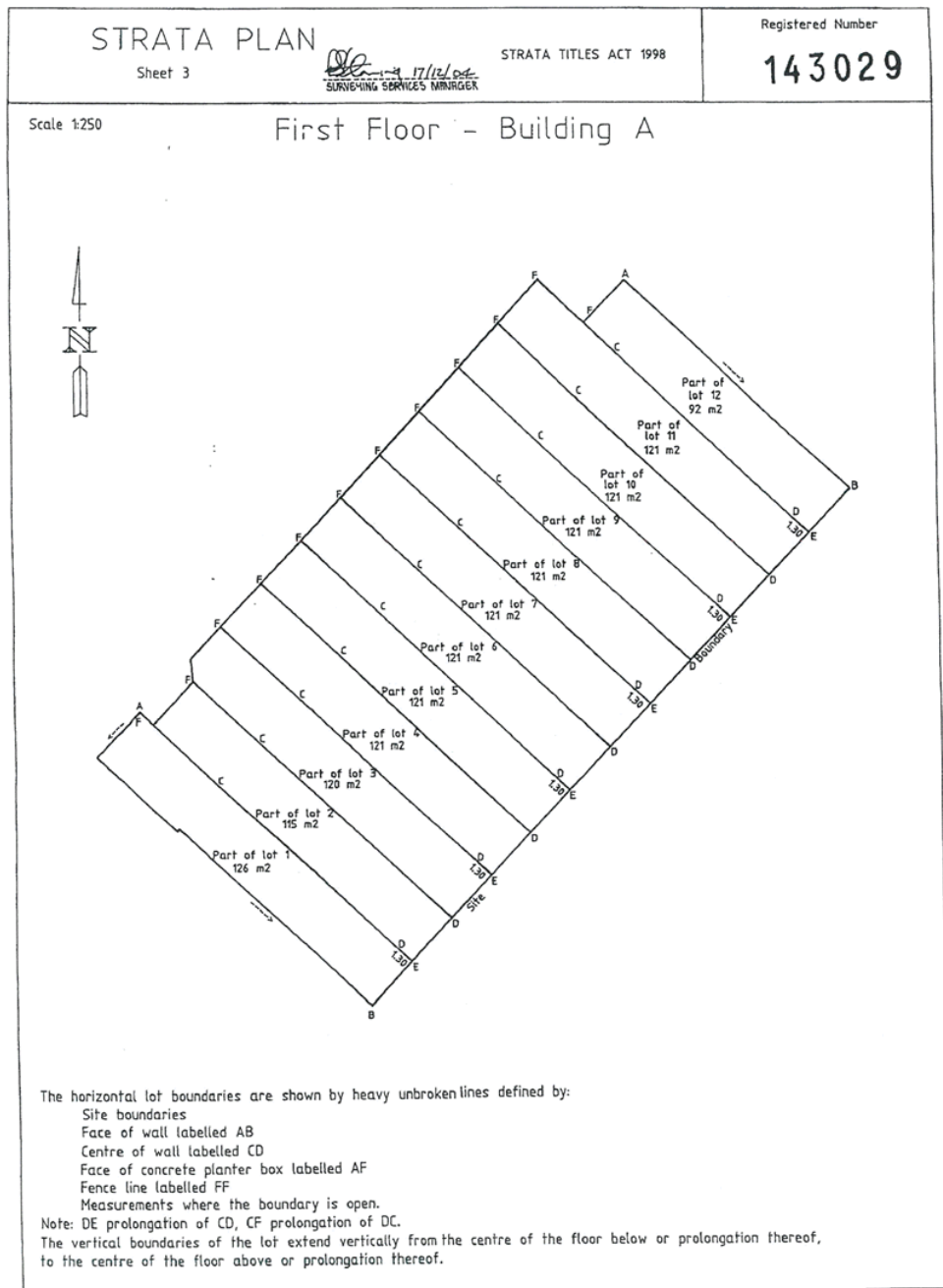




FOLIO PLAN

RECORDER OF TITLES

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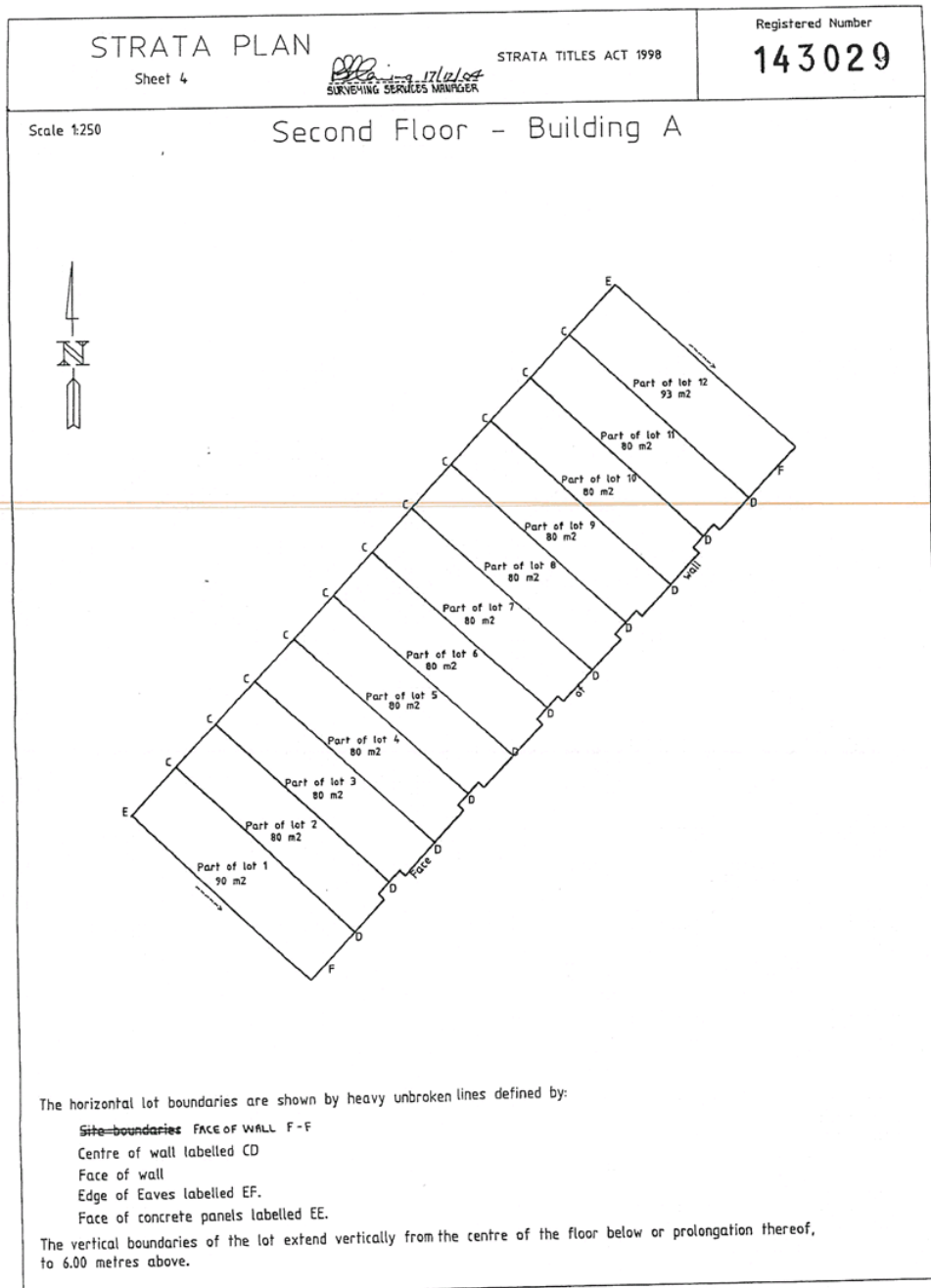




FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

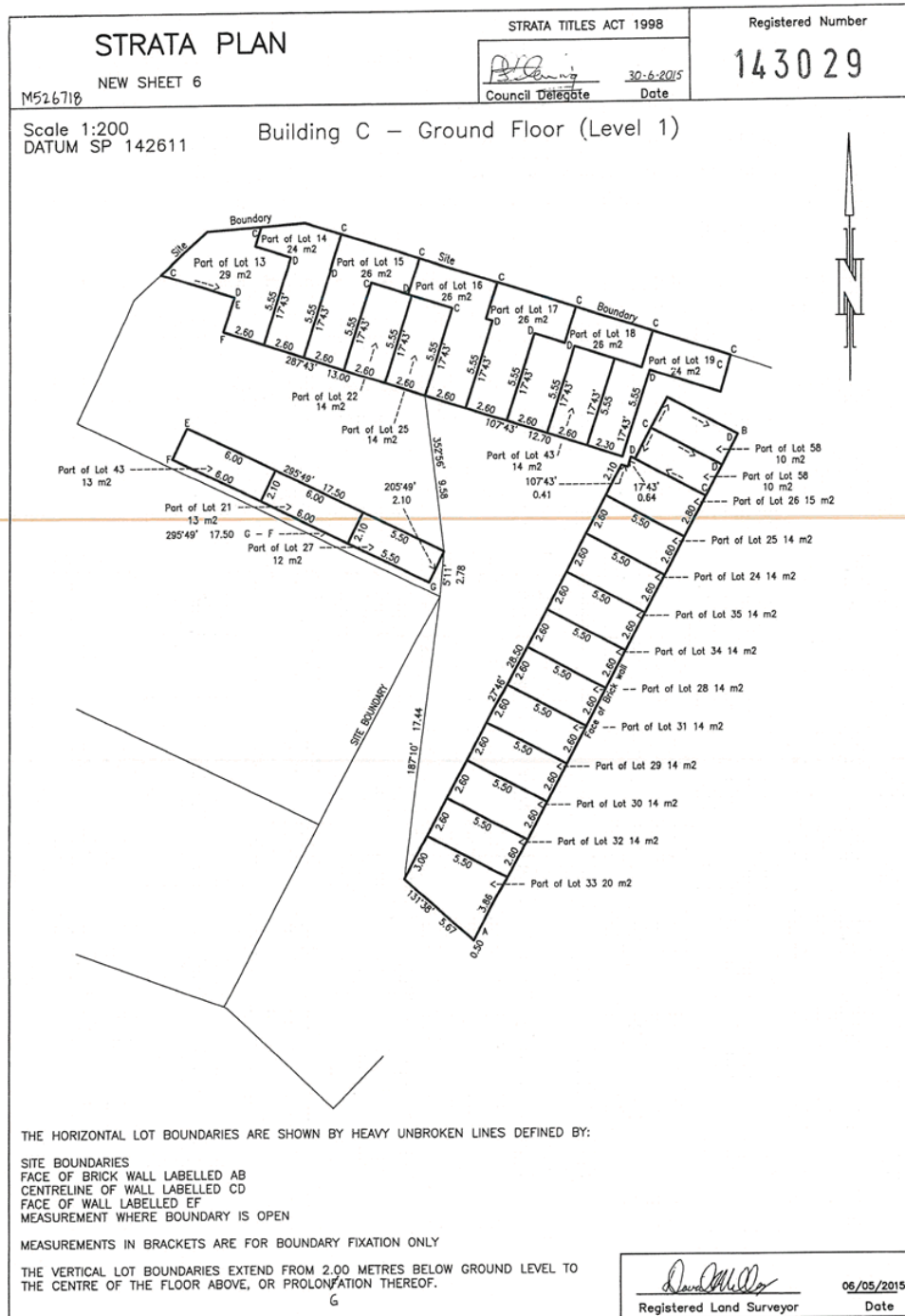


STRATA PLAN NEW SHEET 5 C72833B		STRATA TITLES ACT 1998		Registered Number 143029			
NAME OF BODY CORPORATE: ONECOLLINS, STRATA CORPORATION No. 143029 ADDRESS FOR THE SERVICE OF NOTICES: * The Body Corporate SP-143029 C/- Tas Strata & Property Group Pty Ltd Level 2/29 Salamanca Place Battery Point TAS 7004				* The Body Corporate, Strata Plan No. 143029 C/- Tas Strata & Property Group Pty Ltd Level 2/29 Salamanca Place Battery Point TAS 7004			
SURVEYORS CERTIFICATE I, <u>Anthony Owen Carrick</u> of <u>Hobart</u> a surveyor registered under the Land Surveyors Act 1909 certify that the building erected on the site and drawn on sheet 1 of this plan is within the external boundaries of the folio stated on sheet 1.			Council Certificate I certify that the <u>Sullivan Cove Water Port Authority</u> has: (a) approved the lots shown in this plan and (b) issued this certificate of approval in accordance with section 31 of the Strata Titles Act 1998.				
<u>Ray Bowick</u> 21/06/06 04244 Registered Land Surveyor Date Ref No.			<u>[Signature]</u> 21.07.06 date ref no CHIEF EXECUTIVE				
GENERAL UNIT ENTITLEMENTS							
LOT	UNIT ENTITLEMENT	LOT	UNIT ENTITLEMENT	LOT	UNIT ENTITLEMENT	LOT	UNIT ENTITLEMENT
1.	480	18	469	35	379	52	496
2.	479	19	489	36	499	53	579
3	479	20	519	37	495	54	585
4	479	21	499	38	489	55	599
5	450	22	509	39	509	56	589
6	450	23	499	40	529	57	529
7	450	24	509	41	489	58	509
8	450	25	499	42	479	59	535
9	450	26	519	43	519		
10	450	27	395	44	489	68	1450
11	450	28	499	45	509	6970	2845
12	475	29	449	46	529	71	1495
13	389	30	459	47	539	72	1474
14	489	31	489	48	529	73	1598
15	469	32	499	49	519	100	2
16	469	33	509	50	489		
17	469	34	499	51	499		
TOTAL ENTITLEMENTS FOR STRATA PLAN = 37910							

**FOLIO PLAN**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



STRATA PLAN SHEET 7	STRATA TITLES ACT 1998 <i>David Mills</i> Council Delegate	Registered Number 143029
Scale 1:200 Building C - First Floor (Level 2)		
<p>The horizontal lot boundaries are shown by heavy unbroken lines defined by:</p> <ul style="list-style-type: none"> Site Boundaries Outside face of wall labelled AB Centreline of wall labelled CD Fence line labelled BE CF is the prolongation of DC <p>Measurements where the boundary is open.</p> <p>The vertical boundaries of the lot extend vertically from the centre of the ceiling below or prolongation thereof to the centre of the ceiling above or the prolongation thereof</p> <p>Measurements in brackets are for boundary fixation only.</p>		
<i>Lyn Barwick</i> Registered Land Surveyor		12/01/05 Date



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



STRATA PLAN SHEET 8	STRATA TITLES ACT 1998 Council Delegate	Registered Number 143029
Scale 1:200 Building C - Second Floor (Level 3)		
<p>The horizontal lot boundaries are shown by heavy unbroken lines defined by:</p> <ul style="list-style-type: none"> Face of wall Centreline of wall labelled CD Face of deck labelled DD <p>Measurements where the boundary is open.</p> <p>The vertical boundaries of the lot extend vertically from the centre of the ceiling below or prolongation thereof to the centre of the ceiling above or the prolongation thereof</p> <p>Measurements in brackets are for boundary fixation only.</p>		
 Registered Land Surveyor		12/01/05 Date



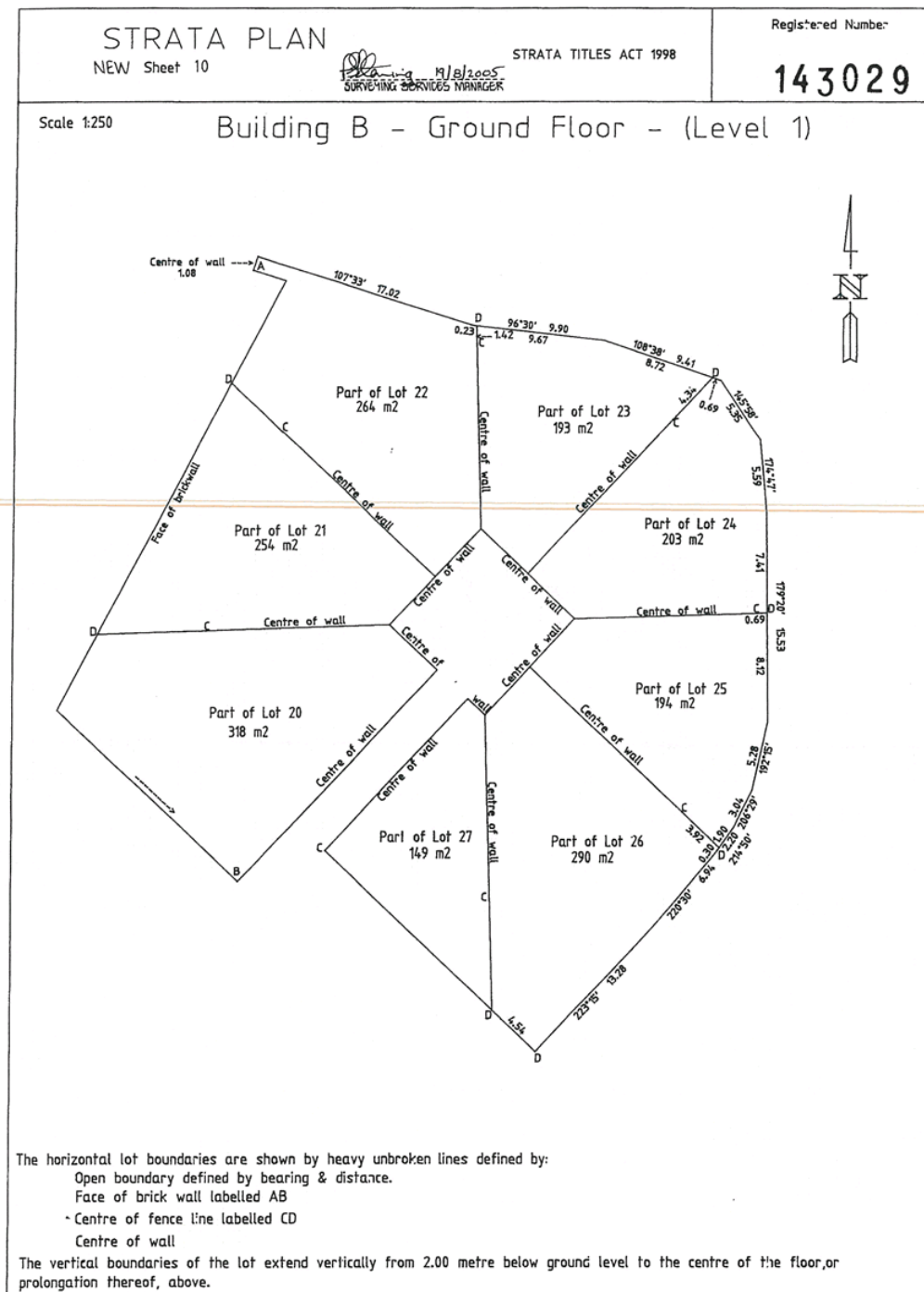
FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



STRATA PLAN SHEET 9	STRATA TITLES ACT 1998 <div style="display: flex; justify-content: space-between;"> <div> <i>[Signature]</i> Council Delegate </div> <div> 8/2/2005 Date </div> </div>	Registered Number <div style="font-size: 1.5em; font-weight: bold;">143029</div>
<div style="display: flex; justify-content: space-between;"> Scale 1:200 Building C - Third Floor (Level 4) </div> <div style="text-align: right; margin-top: 20px;"> </div> <div style="text-align: center; margin-top: 100px;"> </div> <div style="margin-top: 20px;"> <p>The horizontal lot boundaries are shown by heavy unbroken lines defined by: Face of wall Centreline of wall Measurements where the boundary is open.</p> <p>The vertical boundaries of the lot extend vertically from the centre of the ceiling below or prolongation thereof to 6.00 metres above.</p> <p>Measurements in brackets are for boundary fixation only.</p> </div> <div style="text-align: right; margin-top: 20px;"> <div style="display: flex; justify-content: space-between;"> <div> <i>[Signature]</i> Registered Land Surveyor </div> <div> 12/01/05 Date </div> </div> </div>		

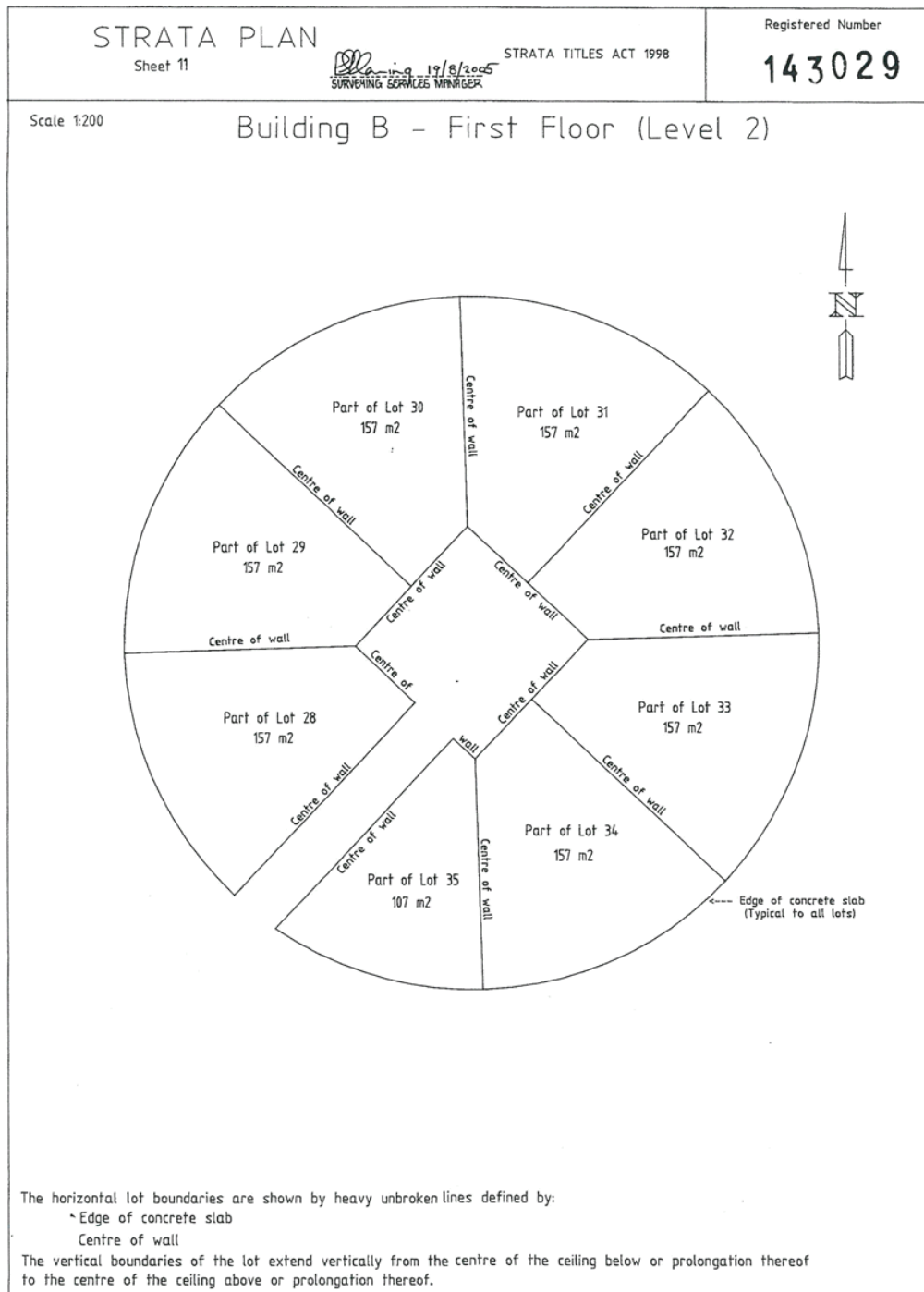




FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

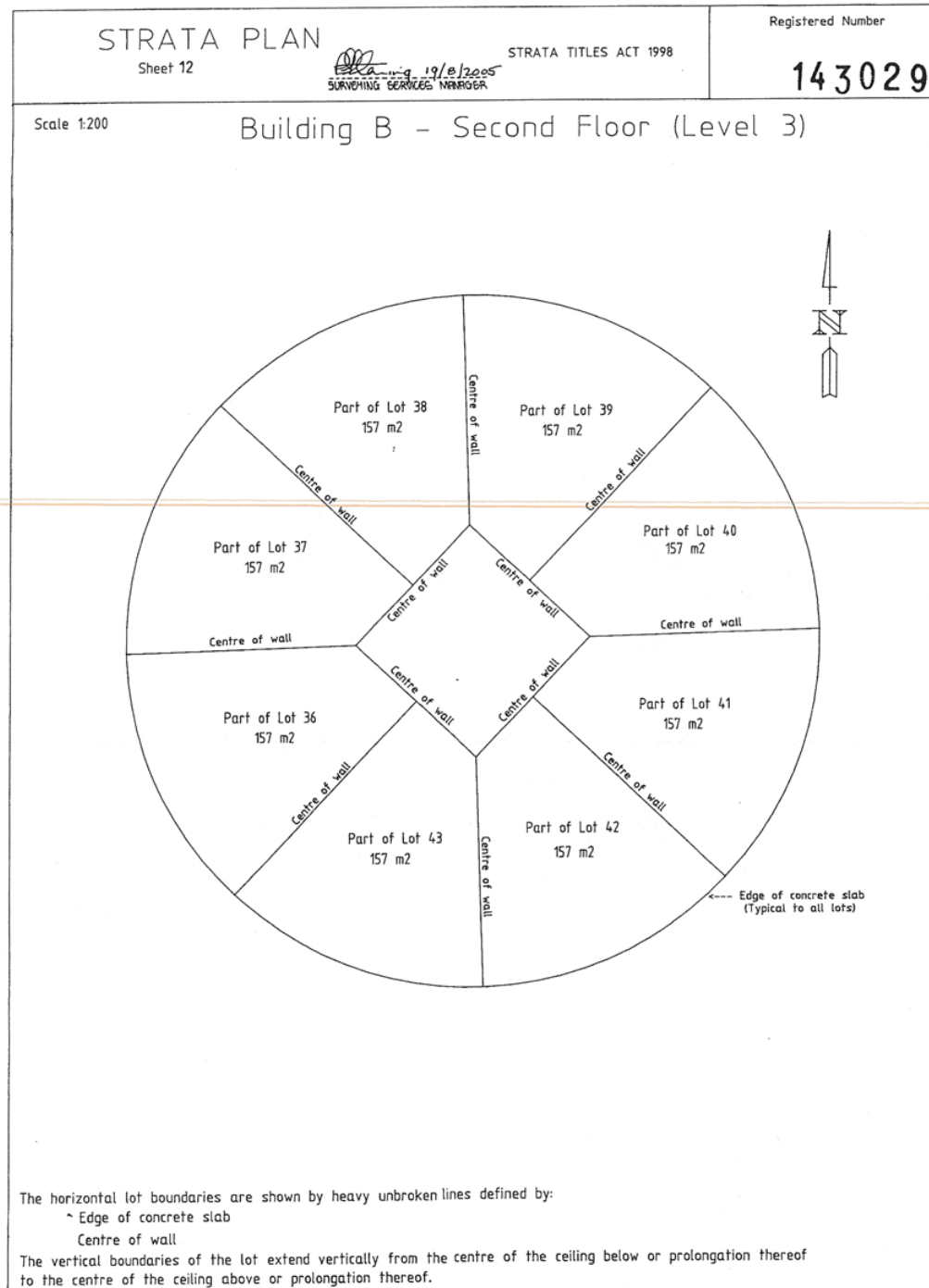




FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

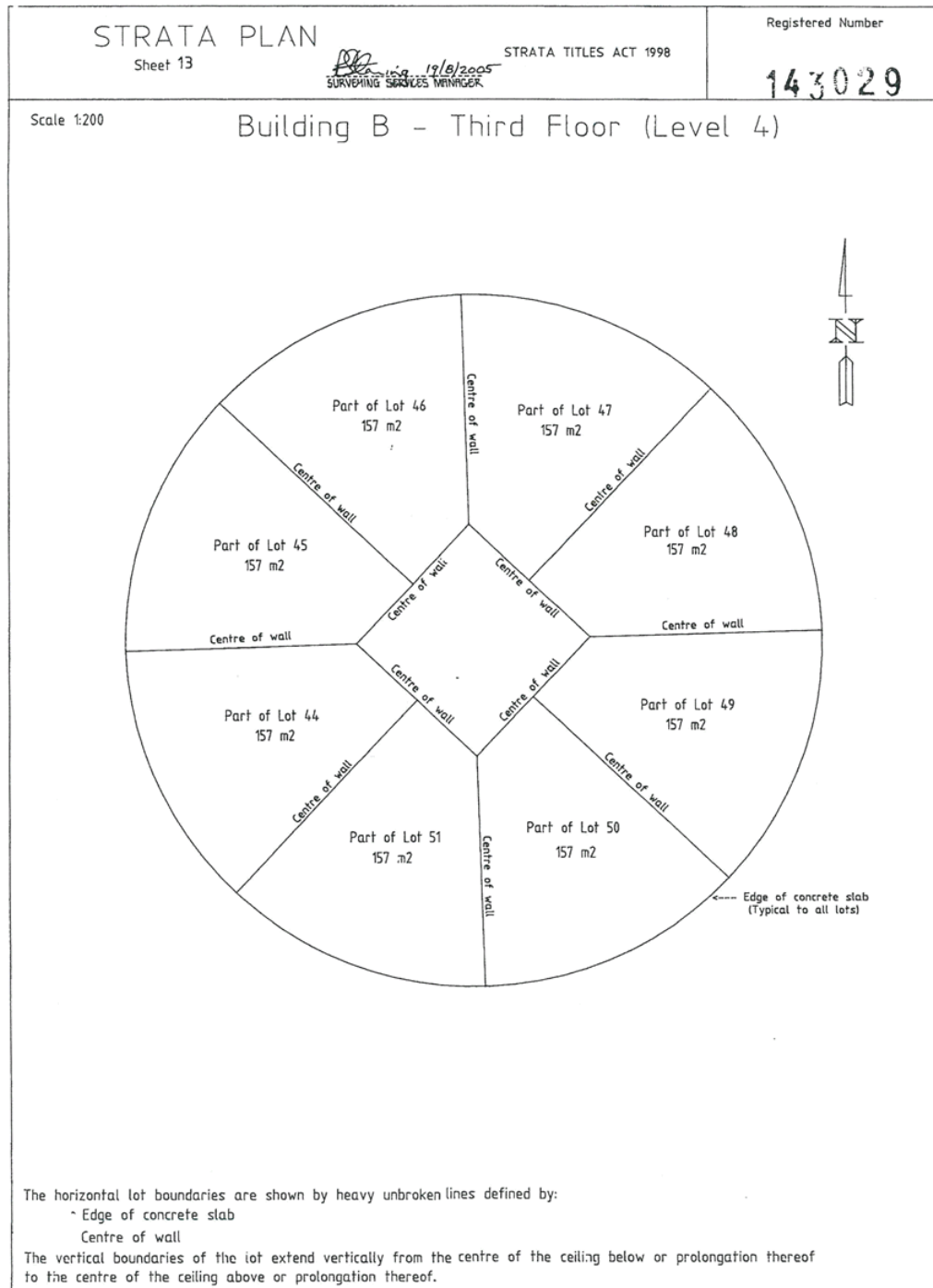




FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



STRATA PLAN

Sheet 14

19/08/2005
SOLICITOR GENERAL

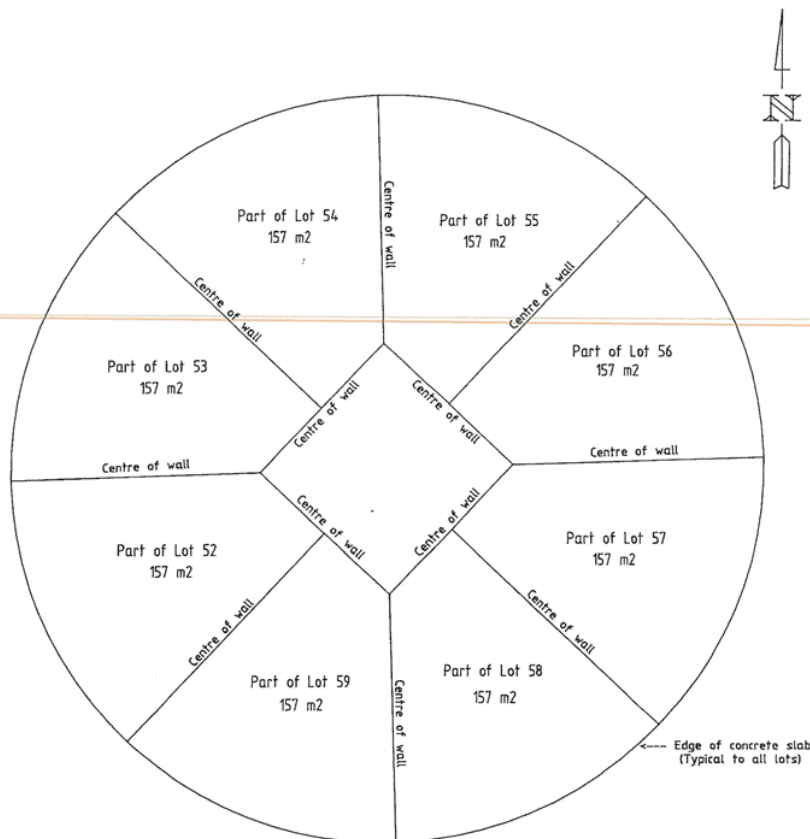
STRATA TITLES ACT 1998

Registered Number

143029

Scale 1:200

Building B - Fourth Floor (Level 5)



The horizontal lot boundaries are shown by heavy unbroken lines defined by:

~Edge of concrete slab

Centre of wall

The vertical boundaries of the lot extend vertically from the centre of the ceiling below or prolongation thereof to the centre of the ceiling above or prolongation thereof.



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



STRATA PLAN

NEW SHEET 15

C 728338

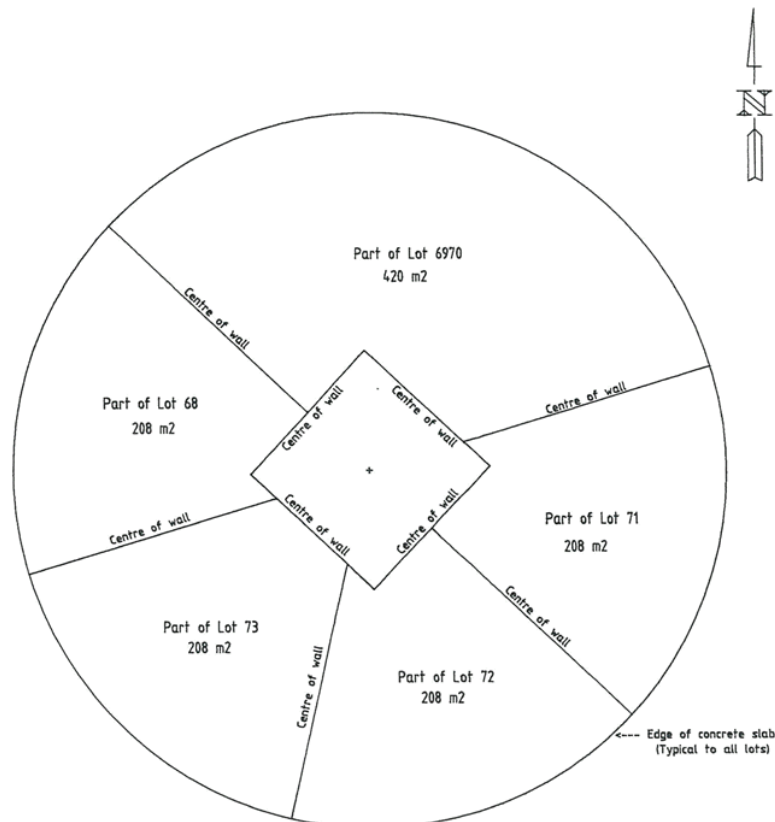
Registered Number

143029

STRATA TITLES ACT 1998
[Signature] 31.07.21
 SCWA DELEGATE DATE

Scale 1:200

Building B - Fifth Floor (Level 6)



The horizontal lot boundaries are shown by heavy unbroken lines defined by:
 Edge of concrete slab
 Centre of wall

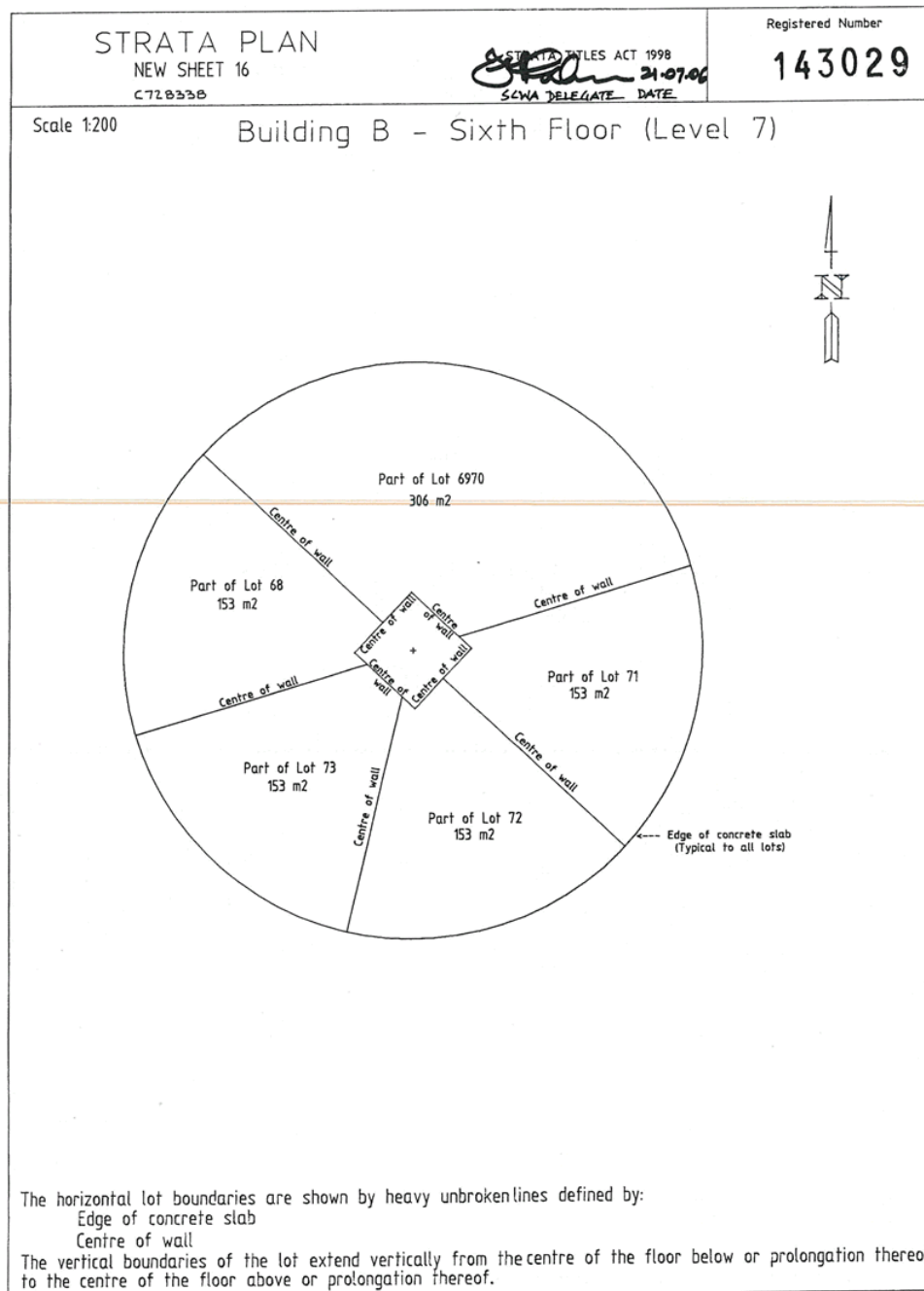
The vertical boundaries of the lot extend vertically from the centre of the floor below or prolongation thereof to the centre of the floor above or prolongation thereof.



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS		Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.		SP 142611
		PAGE 1 of 2 PAGE/S
EASEMENTS AND PROFITS Each lot on the plan is together with:- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and (2) any easements or profits a prendre described hereunder. Each lot on the plan is subject to:- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lots as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and (2) any easements or profits a prendre described hereunder. The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.		
EASEMENTS Lot 1 on the plan is Subject To a Right of Footway (appurtenant to the land in Strata Plan No.132308) over the Right of Way (Private) 2.50 wide shown on the plan. Lot 1 on the Plan is		
SUBJECT to the right of carriageway over the Right of Way (Private) shown on the plan.		
COVENANT The Owner or owners of each lot on the plan covenant with the Hobart City Council to the intent that the burden of this covenant may run with and bind the covenantor's lots and any part thereof and the benefit shall be in favour of the Hobart City Council, to observe the following stipulation: Not without the written consent of the Hobart City Council to carry out any work or activity below natural surface level within the area shown on the plan, that may in any way compromise the structural integrity of the Hobart Rivulet chambers. <div style="text-align: center;">MARKED ABCDE</div>		
(USE ANNEXURE PAGES FOR CONTINUATION)		
SUBDIVIDER: Giameos Constructions & Developments Pty. Ltd. Hobart City Council FOLIO REF: C/T's 118416/1, 140132/1, 225610/1, 140876/1, 140311/3, 223349/1 SOLICITOR Wong McDermott & White & REFERENCE: (Aloysius Wong, Solicitor)		PLAN SEALED BY: HOBART CITY COUNCIL DATE: 7TH DECEMBER 2004 <div style="text-align: center;">5600200</div> <div style="text-align: center;">REF NO.</div> <div style="text-align: right;"> Council Delegate <small>SURVEYING SERVICES MANAGER</small> </div>
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.		



SCHEDULE OF EASEMENTS

RECORDED OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS	Registered Number SP142611
PAGE 2 OF 2 PAGE/S	
SUBDIVIDOR: Giameos Constructions & Developments Pty. Ltd. Hobart City Council	
FOLIO REFERENCE: C.T.'s 118416/1, 140132/1, 225610/1, 140876/1, 140311/3, 223349/1	
<p>Executed by GIAMEOS CONSTRUCTIONS & DEVELOPMENTS PTY. LTD. (ACN 37 102 733 835) in accordance with Section 127(1) of the Corporations Act by George Giameos as Sole Director in the presence of:</p> <p>WITNESS: FULL NAME: Aloysius Wong ADDRESS: 149B Macquarie St Hobart OCCUPATION: Solicitor</p>	
The Common Seal of The HOBART CITY COUNCIL was hereunto affixed in the presence of	
 Lord Mayor Director Executive Manager	
Executed by BENDIGO BANK LIMITED (ACN 068 049 178) by being signed by its Attorneys	
Ian Stanley Rasmussen Diane Barbara Fry who certify that they are the Manager Retail Loan Services respectively for the time being of the Bank under the Power of Attorney dated 24/11/98 registered Number 7346121 and the said Attorneys declare that they have received no notice of revocation of the said power in the presence of -	
<p>WITNESS: Leisa Gai Young FULL NAME: Leisa Gai Young ADDRESS: 78 BRISBANE ST IPSWICH. OCCUPATION: BANK OFFICER.</p>	 Attorney Attorney
NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.	

From: David Michael info@tazkeys.com.au 
Subject: Notice to apply for permit to HCC for short term letting of 53/1 Collins Street Hobart.
Date: 10 November 2020 at 10:06 am
To: info@taspropertygroup.com.au



Dear Sir / Madam.

As is the requirement of the planning application I give notice to you of our intention to apply for a permit from Hobart City Council for the use of apartment 53 of 1 Collins street Hobart for short term letting.

Regards.
David Michael

0478 229 229
info@tazkeys.com.au



Flexible Airbnb Management Hobart, Tasmania

From: David Michael info@tazkeys.com.au 
Subject: Notice of intention to apply for permit for 53/1 Collins Street as short term accommodation.
Date: 10 November 2020 at 10:37 am
To: Robert Easter robert.easter@gmail.com



Hi Robert.

One of the councils requirements is for me to furnish them with proof that you are notified of my intention to apply on your behalf for a permit for short term accommodation of your apartment at 53/1 Collins Street, Hobart.

I declare to you that I am presently applying on your behalf for said permit for change of use of 53/1 Collins Street to short term accommodation.

Regards,
David Michael

0478 229 229
info@tazkeys.com.au



Flexible Airbnb Management Hobart, Tasmania

Application for 53/1 Collins Street to visitor accommodation PLN 20 760.

Total area to be used for visitor accommodation is 160 sqm.

There is no signage involved.

No portion of the building will be occupied for permanent residence.

No work is to be undertaken to enable the change of use.

1. Total area to be used by the visitor accommodation. It is noted that this refers to the whole of the building / strata complex, not just the individual strata lot you are seeking to change the use of. You may need to consult your body corporate if you are unclear what the current use of the other strata lots is as Council only have records of permits that have been granted, not of how the lots are currently being used.

There are 2 other apartments being used for visitor accommodation at 1 Collins Street Hobart. The 2 apartments in question numbers 9 and 37 are managed by Sullivan's Cove Apartments Hobart.

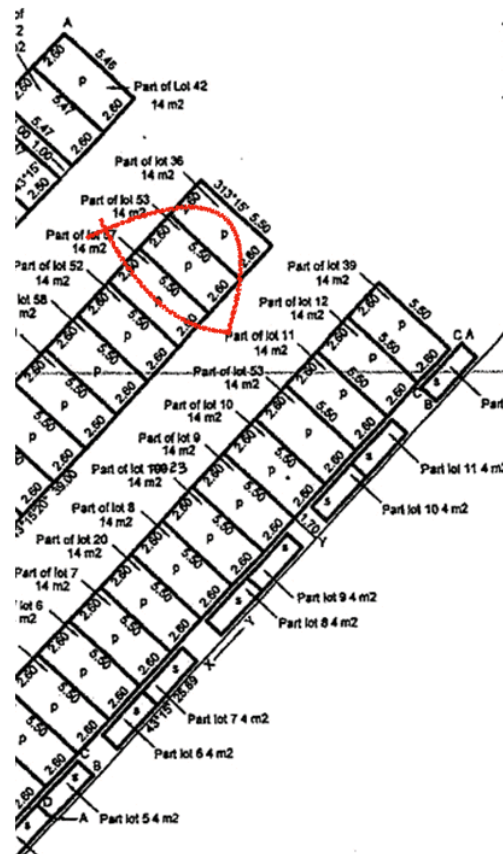
2. Will a portion of the building proposed as the visitor accommodation be occupied by permanent resident. It is noted that this refers to the whole of the building / strata complex, not just the individual strata lot you are seeking to change the use of. You may need to consult your body corporate if you are unclear what the current use of the other strata lots is.

The portion of the building proposed as the visitor accommodation will not be occupied by permanent resident

Dimensions of car park space for 53/1 Collins Street, Hobart.

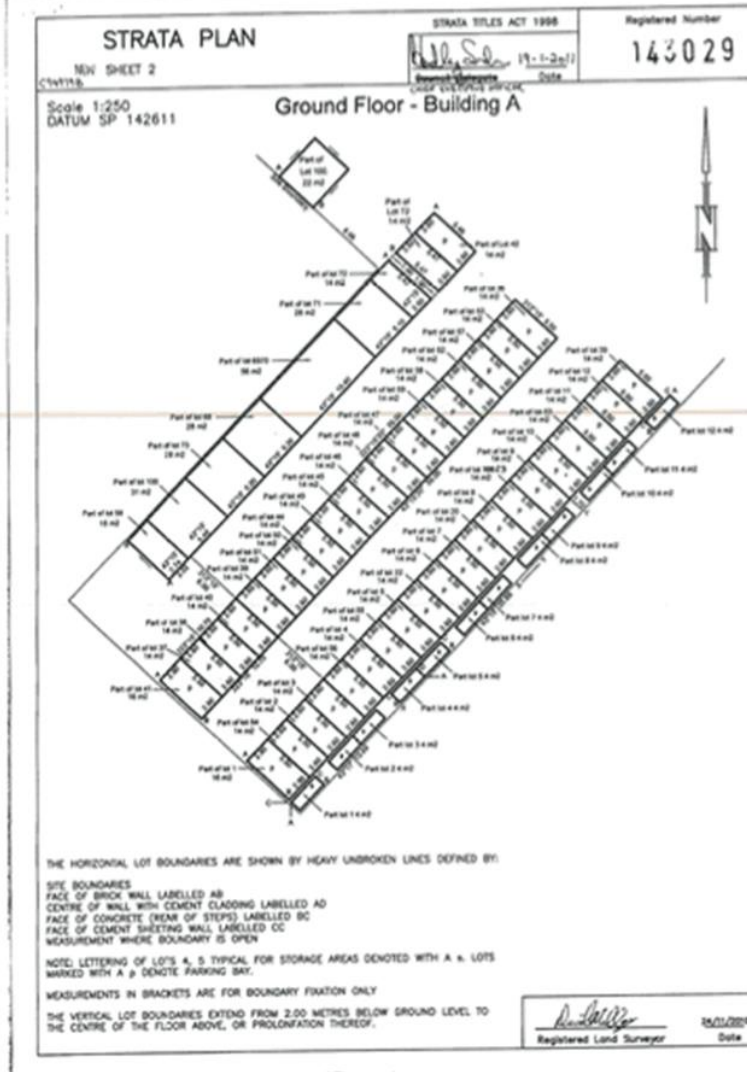
Size is. 5.5 x 2.6 metres.

- א יונונוס

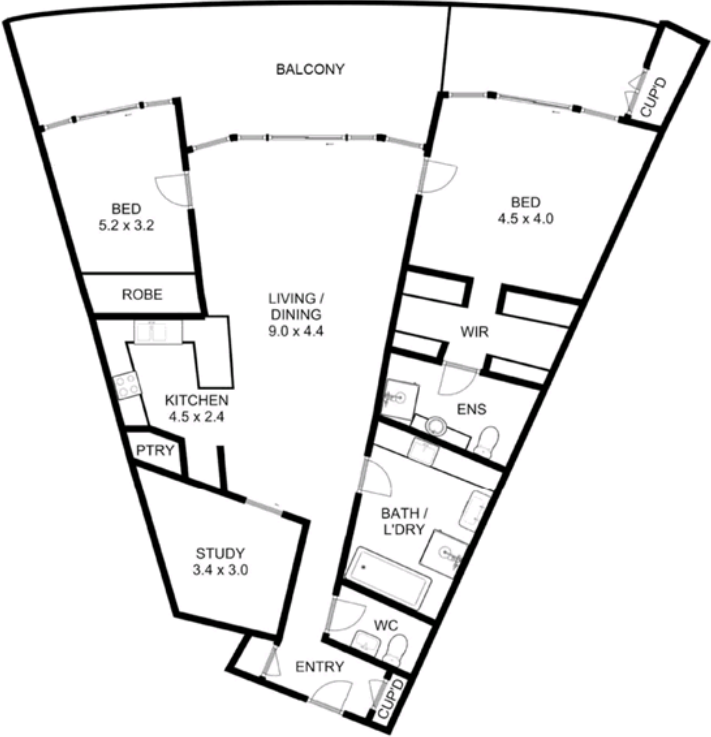




FOLIO PLAN
RECORDER OF TITLES
Issued Pursuant to the Land Titles Act 1980



53/1 COLLINS STREET
HOBART
Building Size: 160sqm



SCALE: 1:100 0 1 2 3 metres
IMPORTANT: Measurements area approximate
- interested parties need to verify

