



City of **HOBART**

MEMORANDUM: CITY PLANNING COMMITTEE

Visitor Accommodation - Proposed Interim Planning Directive

Attached is the latest information (Fact Sheet – June 2017) from the State Government on the proposed changes to the status of visitor accommodation.

It is proposed that an Interim Planning Directive will come into effect on 1 July 2017 which will provide an exemption from requiring a planning permit for visitor accommodation if:

(a) the dwelling is used by the owner or occupier as their main place of residence, and only let while the owner or occupier is on vacation; or

(b) the dwelling is used by the owner or occupier as their main place of residence, and visitors are accommodated in not more than 4 bedrooms.

The Directive will make other forms of visitor accommodation permitted in all of the residential zones subject to a maximum size of 300m².

It is intended that all planning schemes in the State will be amended on the 1st July by the Interim Planning Directive which will then go through an exhibition and hearing process with the Tasmanian Planning Commission (TPC).

This means from 1 July 2017 self-contained visitor accommodation will become permitted in the Inner Residential Zone in Battery Point Heritage Area BP1. This will be a reversal of the long standing position of Council to prohibit self-contained visitor accommodation in Battery Point.

The 'ban' on self-contained visitor accommodation in Battery Point has been in place since the introduction of the Battery Point Planning Scheme in 1979.

It was the intent of the Battery Point Planning Scheme to ensure that in the Residential Zone private residential use is given first priority whilst providing for uses which serve local residents or ensure the retention of existing buildings incapable or unsuited to residential usage.

To allow conversion of existing private residences to visitor accommodation was considered inconsistent with the tenor of the Scheme as over time it may result in a significant change to the residential character of Battery Point.

Given the character of Battery Point and its proximity to Sullivans Cove and other tourist attractions, Battery Point is a very attractive location for tourists to stay.

The demand for tourist accommodation in Battery Point is likely to be high and this factor combined with the financial return available from providing visitor accommodation, may lead to a concentration of visitor accommodation uses in Battery Point to the extent that the residential function, character and amenity is diminished.

The character afforded to a residential area from long term residents is different to that from an area where there are large numbers of short term visitors. An area primarily occupied by long term residents will have a greater sense of community and neighbourly character than an area where you are likely to have a new neighbour every night. Battery Point residents had an expectation under the Battery Point Planning Scheme that Battery Point will remain a suburb primarily for long term residents as the Scheme gives "*private residential use first priority*".

The City of Hobart Planning Scheme 1982 was amended in September 2000 to make self-contained visitor accommodation a discretionary use in the Residential Zones. Council supported this amendment as it considered that it was unlikely that it would result in a concentration of visitor accommodation uses in any particular area and this has proved to be the case. In Battery Point however the opposite is likely to be the case.

There is also the amenity issue of mixing of long term and short term residents in dwelling complexes. This was a significant issue with the Sullivans Cove Planning Scheme 1997 and was addressed by the prohibition of visitor accommodation in dwelling complexes unless all dwellings were to be used for visitor accommodation.

Council has been consistent in its approach to the issue of Visitor Accommodation (Use Class 5) in Battery Point and has refused the vast majority of applications. (Note - it has been possible to have bed and breakfast style accommodation in Battery Point.)

The Hobart Interim Planning Scheme 2015 continued the prohibition on self-contained visitor accommodation in Battery Point but allowed the use to be permitted in other residential areas of the city subject to standards limiting the scale.

Given the significant implications for Battery Point it is recommended that the Lord Mayor write to the Minister for Planning and Local Government drawing attention to the issue of making self-contained visitor accommodation permitted in Battery Point and request that the proposed Interim Planning Directive not apply to Battery Point Heritage Area BP1 under the Hobart Interim Planning Scheme 2015.

RECOMMENDATION

That:

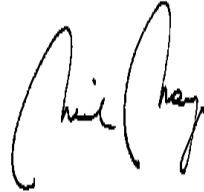
- 1. That the information be received and noted.***
- 2. The Lord Mayor write to the Minister for Planning and Local***

Government drawing attention to the implications of making self-contained visitor accommodation permitted in Battery Point and request that the proposed Interim Planning Directive not apply to Battery Point Heritage Area BP1 under the Hobart Interim Planning Scheme 2015.

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.



James McIlhenny
**MANAGER PLANNING POLICY AND
HERITAGE**



Neil Noye
DIRECTOR CITY PLANNING

Date: 7 June 2017
File Reference: F17/59256; S32-013-04

Attachment A: Visitor Accommodation Fact Sheet