



City of **HOBART**

## APPLICATION UNDER SULLIVANS COVE PLANNING SCHEME 1997

Type of Report: Committee  
Council: 6 August 2018  
Expiry Date: 5 September 2018  
Application No: PLN-18-368  
Address: 1 - 3 ELIZABETH STREET , HOBART  
3 MORRISON STREET , HOBART  
Applicant: (JMG Engineers and Planners)  
117 Harrington Street  
Proposal: Signage  
Representations: Nil  
Performance criteria: Signs Schedule

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### 1. Executive Summary

- 1.1 Planning approval is sought for signage at 1-3 Elizabeth Street and 3 Morrison Street, Hobart.
- 1.2 More specifically the proposal includes:
- An interpretive sign located on the walkway along side Mawsons Hut, beside the wall of the adjoining building.
  - The sign would have a maximum height of 1.5m which is comprised of a 1.2m high sign on a 0.3m high stand and a maximum length of 20m.
  - The sign would contain details of Hobart's links with Antarctica.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
- 1.3.1 Signs Schedule
- 1.4 No representations were received during the statutory advertising period between 25 June 2018 and 9 July 2018.
- 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 subject site is a lot bordered by Argyle Street to the north-east, Davey Street to the north-west, Elizabeth Street to the south-west and Morrison Street to the south-east. The site contains a number of existing tenancies including the Tasmanian Travel and Information Centre, shops and cafe/restaurants. The proposed development is associated with Mawson's Hut which has temporary approval to occupy the grassed area in the eastern corner of the lot.



*Figure 1: Location of the subject site at 1-3 Elizabeth Street (highlighted in yellow).*



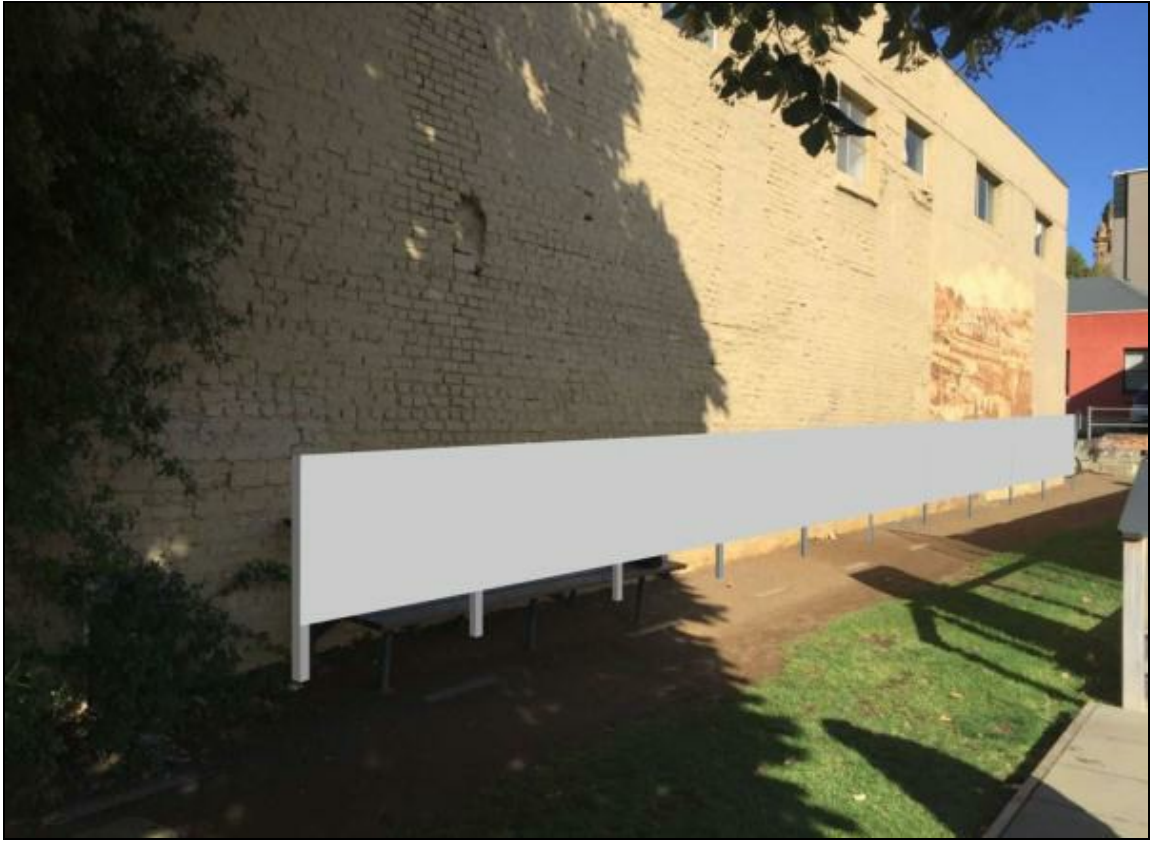
Figure 2: The subject site at 1-3 Elizabeth Street (outlined in blue). The location of the proposed sign is indicated by the yellow circle.

### 3. Proposal

3.1 Planning approval is sought for signage at 1-3 Elizabeth Street and 3 Morrison Street, Hobart.

3.2 More specifically the proposal is for:

- An interpretive sign located on the walkway along side Mawsons Hut, beside the wall of the adjoining building.
- The sign would have a have a maximum height of 1.5m which is comprised of a 1.2m high sign on a 0.3m high stand and a maximum length of 20m.
- The sign would contain details of Hobart's links with Antarctica.



*Figure 3: the proposed sign at 1-3 Elizabeth Street.*

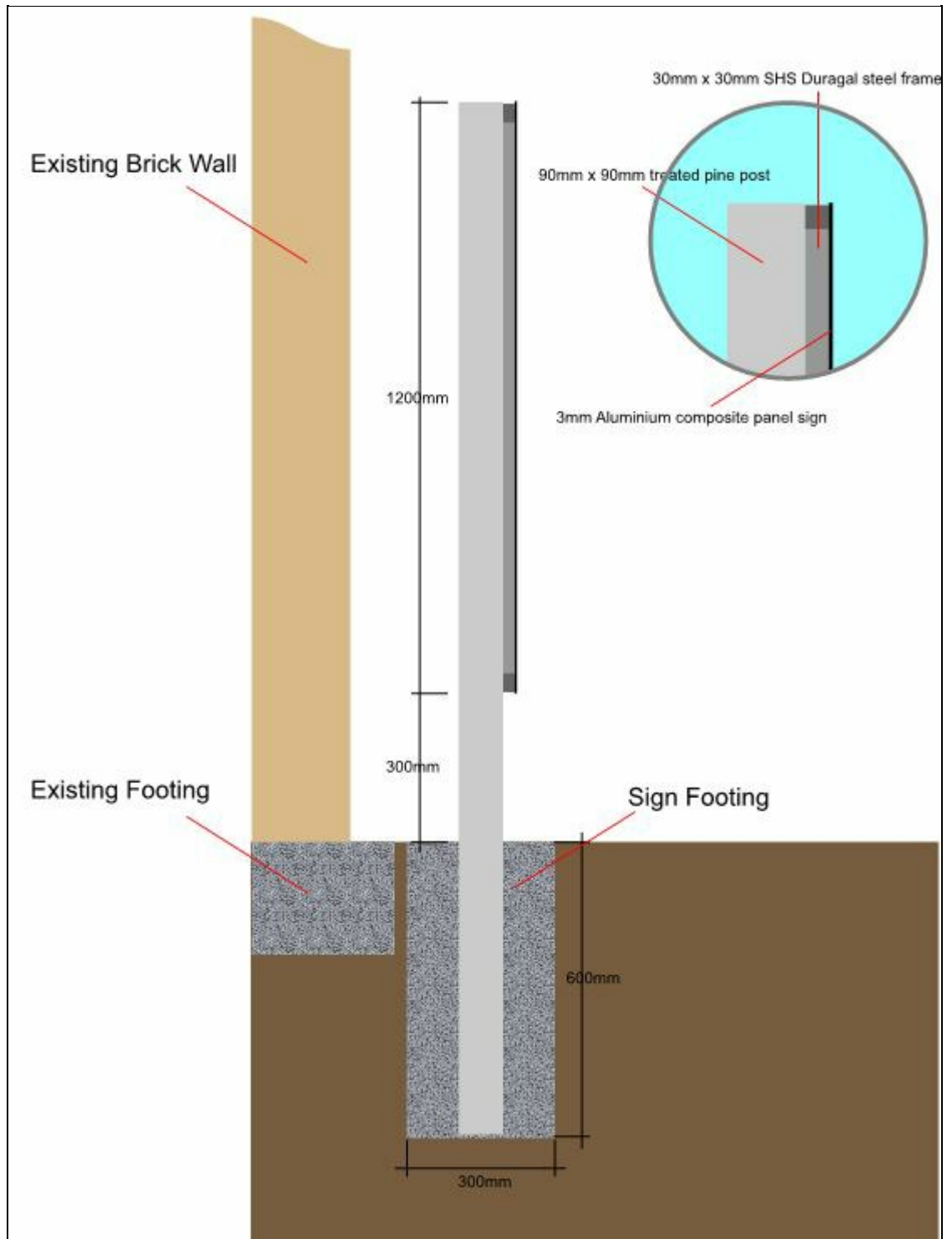


Figure 4: the proposed sign at 1-3 Elizabeth Street.

#### 4. Background

- 4.1 On 9 September 2013 approval was granted by the Council under PLN-13-00696-01 for the temporary installation and use of the site for the Mawson's Hut Replica Museum. This approval expired on 7 January 2015.

- 4.2 On 22 September 2014, approval was granted by the Council under PLN-14-00889-01 for the continued temporary use of the site for the Mawson's Hut Replica Museum. This approval expired on 7 January 2017.
- 4.3 On 5 December 2016, approval was granted by the Council under PLN-16-1065 for the continued temporary use of the site for the Mawson's Hut Replica Museum. This approval expires 28 February 2019, and the developer has three months from that time to remove the structure and make good the site.
- 4.4 Various signage applications have been submitted and approved in association with this use and development whilst it has been in situ.

## **5. Concerns raised by representors**

- 5.1 No representations were received during the statutory advertising period between 25 June 2018 and 9 July 2018.

## **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 Mixed Use Activity Area of the *Sullivans Cove Planning Scheme 1997*.
- 6.3 The proposed sign would be ancillary to Mawson's Hut which falls within the Arts and Cultural Centre use group. This use is a permitted use in the activity area. The proposed development would not change or intensify this existing use.
- 6.4 The proposal has been assessed against:
- 6.4.1 Parts A and B – Strategic Framework

- 6.4.2 Part D – Clause 16.2 – Mixed Use Activity Area Controls
- 6.4.3 Part E – Schedule 1 – Conservation of Cultural Heritage Values
- 6.4.4 Part E – Schedule 4 – Signs
- 6.4.5 Part F – Key Sites
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.2 Signs – clauses 25.13 and 25.14
- 6.6 Each performance criterion is assessed below.
- 6.7 Schedule 4 - Signs
- 6.7.1 There is no acceptable solution for an interpretive sign under Clause 25.14 of the *Sullivans Cove Planning Scheme 1997*.
- 6.7.1 The proposal includes an interpretive sign on the walkway beside Mawson's Hut.
- 6.7.2 The alternative performance criterion at table 25.1 of clause 25.14 provides as follows:
- *Must be capable of forming an integral part of the streetscape without appearing dominant*
  - *Must not detract from the cultural or archaeological significance or amenity of a place or building.*
- 6.7.3 The proposed sign would extend along the length of the building beside the walkway beside Mawson's Hut. It is considered that this would not appear dominant on the streetscape as it would be partially obscured by Mawson's Hut and would blend in with the wall of the building behind. The Council's Cultural Heritage Officer has assessed the impact of the sign on the cultural significance of the place under clause 6.7.6 of this report below.
- 6.7.4 Clause 25.13 requires that 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 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 or 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 displayed and the scale of the 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 signs colour, brightness and location;*
- *The effect of the sign on pedestrian movement and safety;*
- *Compliance with objectives of this Schedule.*

6.7.5 There are a number of existing signs on the site associated with Mawson's Hut. As such, there is the potential for the site to become cluttered with signs. However it is considered that the size, type and location of the proposed sign, would not create unreasonable clutter of signage or visual disorder. This is because the sign would appear to merge with the wall of the building behind and would be partially hidden by Mawson's Hut. The sign would not impact on the safety or security of the premises and as the walkway would remain usable to the public, would not be detrimental to pedestrian movement or safety. The sign would not be beside the road and because of the one-way direction of traffic, would generally not be visible to vehicles on the road, as such it is considered that there would be no detrimental impact on the safety of the road.

6.7.6 The Council's Cultural Heritage Officer has assessed the proposed sign and provided the following comments:

The proposed interpretive sign will provide information about Hobart's Antarctic heritage and connections, and is suitably placed adjacent to the temporary replica museum structure. The site has a number of other signs and paraphernalia and care should be taken to minimise this clutter in the longer term.



The applicant has consulted with Council officers regarding the sign content, and was advised that the text should concentrate on Antarctic connections rather than attempting to address broader cultural and historical themes.

The proposal is considered to comply with the relevant heritage provisions of the Signs Schedule.

The consultant report submitted with the application states:

*With respect to impacts on items of cultural significance, character and appearance, it must first be noted that the sign would be a temporary display that involves no modification of existing buildings.*

*In the time that the sign is onsite it is unlikely to detract from the adjoining heritage buildings.*

*In a broader context, the sign would have limited visibility within Sullivans Cove. Where it is visible, it would appear as a component of the temporary Mawson's Huts exhibit as opposed to a singular, unrelated element.*

*The abovementioned factors indicate that the temporary installation of a sign would have little impact on heritage values.*

These observations are supported, and the proposal is considered acceptable.

6.7.7 The objectives of the Signs Schedule are reflected in the performance criteria above in that it requires signs to not be detrimental to the visual amenity of the area, to be complementary to the heritage characteristics and character of Sullivans Cove and to not generate signage clutter or safety concerns. It is considered that in accordance with the above assessment, the proposal would not conflict with the performance criteria and as such would be consistent with the objectives of the Signs Schedule.

6.7.8 The proposal complies with the performance criterion.

## **7. Discussion**

7.1 Planning approval is sought for signage at 1-3 Elizabeth Street and 3 Morrison Street, Hobart.

- 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 to perform well.
- 7.4 The proposal has been assessed by other Council officers, including the Cultural Heritage Officer. The officers have raised no objection to the proposal.
- 7.5 The proposal is recommended for approval.

## **8. Conclusion**

- 8.1 The proposed signage at 1-3 Elizabeth Street and 3 Morrison Street, Hobart 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 1-3 Elizabeth Street and 3 Morrison 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-18-368 - 1-3 ELIZABETH STREET AND 3 MORRISON STREET HOBART TAS 7000 - Final Planning Documents except where modified below.**

Reason for condition

To clarify the scope of the permit.

### **THC**

**The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 5627 dated 19 June 2018, as attached to the permit.**

Reason for condition

To clarify the scope of the permit.

### **PLN s1**

**The sign is only approved while the Mawson's Hut Replica Museum use is in operation. The sign must be removed within three months of that use ceasing to operate.**

*Advice:*

*The Mawson's Hut Replica Museum has planning approval until 28 February 2019 pursuant to PLN-16-1065.*

*The intent of this condition is to ensure that the sign is removed at the same time that the Mawson's Hut Replica Museum is removed, when that use ceases to operate.*

Reason for condition

To ensure that the temporary structure is removed at the expiration of the permit and the site restored to its original condition.

### **ENG 1**

**The cost of repair of any damage to the Council's infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development or as otherwise determined by the Council.**

**A photographic record of the Council's infrastructure adjacent to the subject site must be provided to the Council prior to any commencement of works.**

**A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and nature strips, including if any, pre-existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.**

Reason for condition

To ensure that any of the Council's infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

### **ENV 1**

**Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site, and maintained until all areas of disturbance have been stabilized or re-vegetated.**

*Advice: For further guidance in preparing a Soil and Water Management Plan – in accordance with Fact sheet 3 Derwent Estuary Program click [here](#).*

Reason for condition

To avoid the sedimentation of roads, drains, natural watercourses, Council land that could be caused by erosion and runoff from the development, and to comply with relevant State legislation.

## **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*.

## **DIAL BEFORE YOU DIG**

Click [here](#) for dial before you dig information.



(Michaela Nolan)

**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: 13 July 2018

**Attachment(s):**

Attachment B - CPC Agenda Documents

Attachment C - Planning Referral Officer Cultural Heritage Report