

# Application Referral Cultural Heritage - Response

<b>From:</b>	Sarah Waight
<b>Recommendation:</b>	Proposal is acceptable subject to conditions.
<b>Date Completed:</b>	
<b>Address:</b>	95 HAMPDEN ROAD, BATTERY POINT
<b>Proposal:</b>	Intensification of Previously Approved Use (Food Services), Partial Demolition, Alterations and Signage
<b>Application No:</b>	PLN-19-794
<b>Assessment Officer:</b>	Liz Wilson,

## Referral Officer comments:

This place is heritage listed in table E13.1 of the Historic Heritage Code of the *Hobart Interim Planning Scheme 2015*. It is also located in the Battery Point 1 Heritage Precinct. This proposal follow on from numerous applications for modifications and alterations to the property that prior to a change of ownership, operated for a long period of time as a small local shop and was well known as a local sweet shop.

This application is for signage, works to the interior for new ducting from the kitchen to the exterior. The ducting is to be through the property to the exterior on the side of the building adjacent to 97 Hampden Road such that it is on the side of the building that is for side access. The proposal is to accommodate a new take away pizza shop and to change the existing Bahr's sign with a pizza sign.

Nine (9) representations were received during the advertising period. The following heritage issues were raised:

- Please keep the sign its current size and do not permit it to be illuminated. The current Bahrs chocolate bar sign has a small amount of illumination but it is of a vintage character. A bigger, internally illuminated, new orange pizza sign will look garish rather than vintage.
- It represents the destruction of history and amenity.
- The last business, a coffee shop, was required by Council, to leave the Bahr's Milk Bar sign. The Bahr's Milk Bar sign is of historic significance.
- The development affects the historical context of the property at 95 Hampden Road and every nearby property including Narryna.
- Not in keeping with the historical significance of the Battery Point precinct.
- Heritage Tasmania records the Bahr family as long-term owners of the building from 1920s, maybe earlier, until at least 1949, and the building continued to operate as a chocolate shop and milk bar until very recently. This shop and sign are a longstanding landmark in the area. Everyone knows "the chocolate shop on Hampden Rd" and it is part of the area's/city's cultural heritage not to be tampered with. Whilst it currently needs repair it is completely salvageable at this stage. Even if approval for its removal was granted with the proposal of hanging it in the interior of the shop or attached dwelling there is no guarantee once removed that it will remain there and intact.

The exact date of the Bahr's chocolate shop/milk bar sign is not known, however Charles and Esther Bahr owned the building from the 1920s and was still owned by their confectioner daughter Winifred at the time of her death in 1976. Stylistically, the sign is from the c.1950s with its curved neon writing and pictures of an icecream and sundae.



Image: Sign from the Bahr's shop (estimated to be c.1950). Council image

The following condition was included in the permit issued for PLN-16-00334 and also for PLN-17-165. This position has been held firmly based on the heritage values of the sign. The most recent condition was not appealed and remains current.

#### **HER s2**

**The Bahr's shop sign on the front façade is to be retained in situ, conserved and repaired as necessary during works and subsequent uses.**

#### Reason for condition

To ensure that demolition in whole or part of a heritage place does not result in the loss of historic cultural heritage significance.

The proposed works and signage must be assessed against E13.7.1 P1 and E13.8.1 Demolition, E13.7.2 P1, E13.7.2 P2, E13.8.2 P1, new work, and E17.7.2 standards for signs in Heritage Places subject to the Heritage Code or within Heritage Precincts.

The removal of the sign remains problematic and it is the firm view of Council's heritage officer that the removal of the sign for relocation internally is problematic. The representations raise concerns about the loss of the sign and raise the fact that the sign was required to be retained as part of the previous conversion of the shop to a cafe. As an aside, the above condition has not been complied with as no conservation or repair work has been undertaken as part of previous planning permits. When assessed against E17.7.2, the proposed pizza sign will obscure and be of a size and design that will impact on the heritage values of the place and does not satisfy all of the sub clauses of E17.7.2 P1 (a) to (i), particularly (a), (c) and (e). It is recommended that the same condition be included in any permit issued.

Alternative signage solutions are recommended.

The proposed demolition is for the removal of the sign and works associated with the installation of the exhaust flue.

Demolition is defined in the Scheme and "means the intentional damaging, destruction or removal of any building or works in whole or in part."

The historic Bahr's sign is an external sign and is integral to the building and can be classified as a significant sign with external detailing, finishes and materials that demonstrate the Battery Point character as an historically self contained suburb. Therefore, the removal of the sign

results in the loss of heritage values of the place and precinct and does not satisfy E13.7.1 P1. A permit of condition retaining the sign with alternative sign solutions would result in an acceptable outcome.

The demolition associated with a new exhaust system is acceptable and satisfies E13.7.1 P1 and E13.8.1 P1.

The new works associated with the exhaust system and the kitchen fitout is also acceptable for the place and precinct and satisfies E13.7.2 P1 and P2 and E13.8.2 P1.

With a condition of permit the proposal satisfies the relevant provisions of the Historic Heritage Code of the Scheme.

Sarah Waight  
Acting Senior Cultural Heritage Officer  
20 December 2019