



CITY OF HOBART

# AGENDA

## Council Meeting

### Open Portion

Monday, 23 March 2020

at 5:00 pm

Council Chamber, Town Hall

## SUPPLEMENTARY ITEM

### ORDER OF BUSINESS

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**The General Manager reports:**

“That in accordance with the provisions of Part 2 Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*, these supplementary matters are submitted for the consideration of the Council.

Pursuant to Regulation 8(6), I report that:

- (a) information in relation to the matter was provided subsequent to the distribution of the agenda;
- (b) the matter is regarded as urgent; and
- (c) advice is provided pursuant to Section 65 of the Act.”

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## REPORTS OF COMMITTEE

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<b>CITY PLANNING COMMITTEE</b>
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### COUNCIL ACTING AS PLANNING AUTHORITY

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In accordance with the provisions of Part 2 Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the intention of the Council 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 Council will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Council 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.

**9.7 109-113 Liverpool Street, Hobart - Partial Demolition, Alterations and Signage  
PLN-19-909 - File Ref: F20/31791**

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Application Expiry Date: 27 March 2020

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for partial demolition, alterations and signage at 109-113 Liverpool Street, Hobart for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.1 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because proposed demolition would result in the loss of fabric of significance that contributes to the historic heritage significance of the place, and it has not been demonstrated that:
  - a. there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;
  - b. there are no prudent and feasible alternatives; and
  - c. important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained.

2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A1 or P1 (a) and (b) of the *Hobart Interim Planning Scheme 2015* because the it is for an incompatible design through height, siting, form and materials and will result in the loss of significant streetscape elements in the form of awnings and flagpoles.
3. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A2 or P2 (a), (c) and (d) of the *Hobart Interim Planning Scheme 2015* because the awning is not subservient or complementary to the facade of the listed place due to its built form, scale, siting and materials with respect to a listed building.
4. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A3 or P3 (a) of the *Hobart Interim Planning Scheme 2015* because the materials and built form do not respond to the heritage characteristics of the place.
5. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E17.7.2 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because the sign located above the awning is of a size, design, location, is fixed, and is illuminated in a manner that does not complement the heritage character of the place.

Attachment A: PLN-19-909 - 109-113 LIVERPOOL STREET HOBART TAS 7000 - Officer Report  
Attachment B: DA-20-14958 PLN-19-909 - 109-113 LIVERPOOL STREET HOBART TAS 7000 - Agenda Documents  
Attachment C: PLN-19-909 - 109-113 LIVERPOOL STREET HOBART TAS 7000 - Planning Referral Officer Cultural Heritage Report

City of **HOBART****APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee  
Council: 23 March 2020  
Expiry Date: 31 January 2020 (Extension of Time requested)  
Application No: PLN-19-909  
Address: 109 - 113 LIVERPOOL STREET , HOBART  
Applicant: Gianni Da Rui (MeyerShircore Associates Architects)  
SUITE 2  
437 ROBERTS ROAD  
Proposal: Partial Demolition, Alterations and Signage  
Representations: Zero  
Performance criteria: Historic Heritage Code; Signs Code

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**1. Executive Summary**

- 1.1 Planning approval is sought for Partial Demolition, Alterations and Signage, at 109-113 Liverpool St, Hobart.

- 1.2 More specifically the proposal includes:
- Wall and highlight windows removed for higher shopfront.
  - Remove plaster, paint and redundant fixings from facade.
  - Remove paint from rendered architraves and entablatures to windows.
  - Removal of existing awning above Liverpool Street footpath and Mathers Lane entrance.
  - Reinstate Dawson's decorative frieze.
  - Removal of existing flagpoles.
  - Installation of new awning above Liverpool Street footpath and Mathers Lane entrance
  - Installation of four signs, including:
    - Illuminated wall sign on Liverpool Street frontage (1200mm (l) x 1200mm (h)).
    - Illuminated vertical projecting wall sign on upper floor of Liverpool Street frontage (900mm (l) x 900mm (h) x 356mm (w)).
    - Illuminated Transom sign on Liverpool Street frontage (2630mm (l) x 450mm (h)).
    - Illuminated horizontal projecting wall sign on Liverpool Street frontage (1600mm (l) x 400mm (h)).
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
- 1.3.1 Signs Code - Standards for Signs
  - 1.3.2 Historic Heritage Code - Listed Place
- 1.4 No representations were received during the statutory advertising period between 24/02/20 - 12/03/2020.
- 1.5 The proposal is recommended for refusal.
- 1.6 The final decision is delegated to the Council.

## 2. Site Detail

- 2.1 The subject site is located at 109-113 Liverpool Street and comprises a large single title lot approximately 1038m<sup>2</sup> in size. The site presently comprises an established two storey commercial and retail building, also known as the Les Lees Building, which covers the entirety of the lot. The site is bounded by Liverpool Street on the eastern frontage, Mathers Lane on the southern frontage and Mathers Place and Criterion Lane on the western frontage. The site is located in the Hobart CBD and the surrounding area is characterised by similar retail, commercial, food services and office uses. The building presently includes an arcade connecting Liverpool Street and Criterion Lane that runs the length of the building and provides access to several internal tenancies.

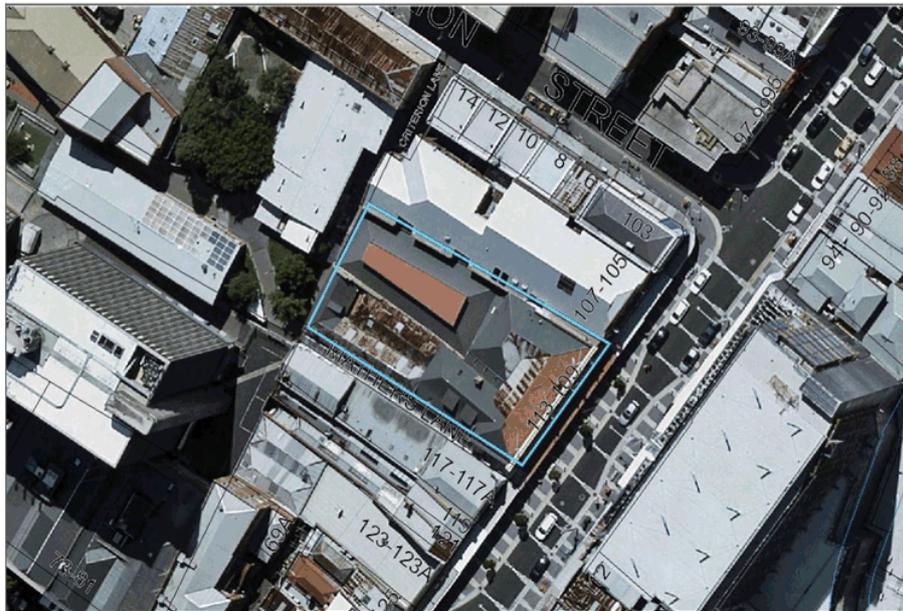


Figure 1: Aerial image of the subject site (bordered in blue) and surrounding area.

## 3. Proposal

- 3.1 Planning approval is sought for Partial Demolition, Alterations and Signage, at 109-113 Liverpool Street Hobart

3.2 More specifically the proposal is for:

- Wall and highlight windows removed for higher shopfront.
- Remove plaster, paint and redundant fixings from facade.
- Remove paint from rendered architraves and entablatures to windows.
- Removal of existing awning above Liverpool Street footpath and Mathers Lane entrance.
- Reinstate Dawson's decorative frieze.
- Removal of existing flagpoles.
- Installation of new awning above Liverpool Street footpath and Mathers Lane entrance.
- Installation of four signs, including:
  - Illuminated wall sign on Liverpool Street frontage (1200mm (l) x 1200mm (h)).
  - Illuminated vertical projecting wall sign on upper floor of Liverpool Street frontage (900mm (l) x 900mm (h) x 356mm (w)).
  - Illuminated Transom sign on Liverpool Street frontage (2630mm (l) x 450mm (h)).
  - Illuminated horizontal projecting wall sign on Liverpool Street frontage (1600mm (l) x 400mm (h)).



Figure 2: Existing Liverpool Street elevation

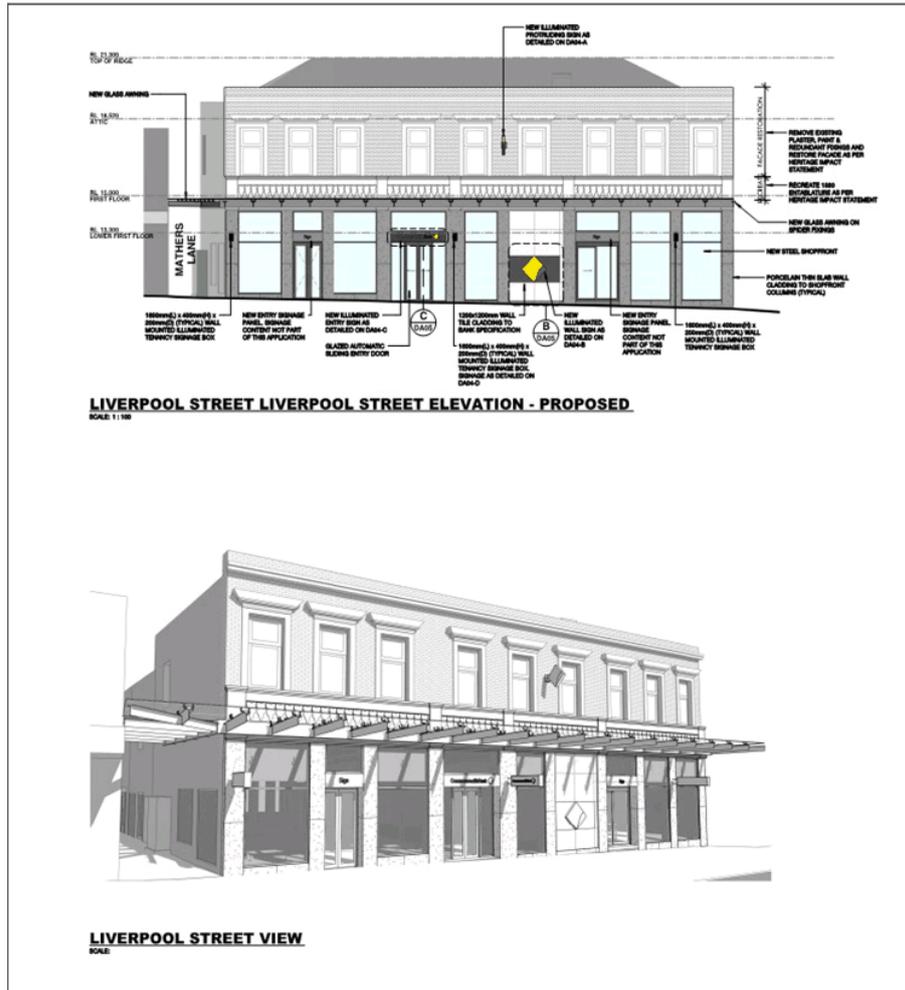


Figure 3: Proposed Liverpool Street elevation and streetview illustrating alterations and signage.

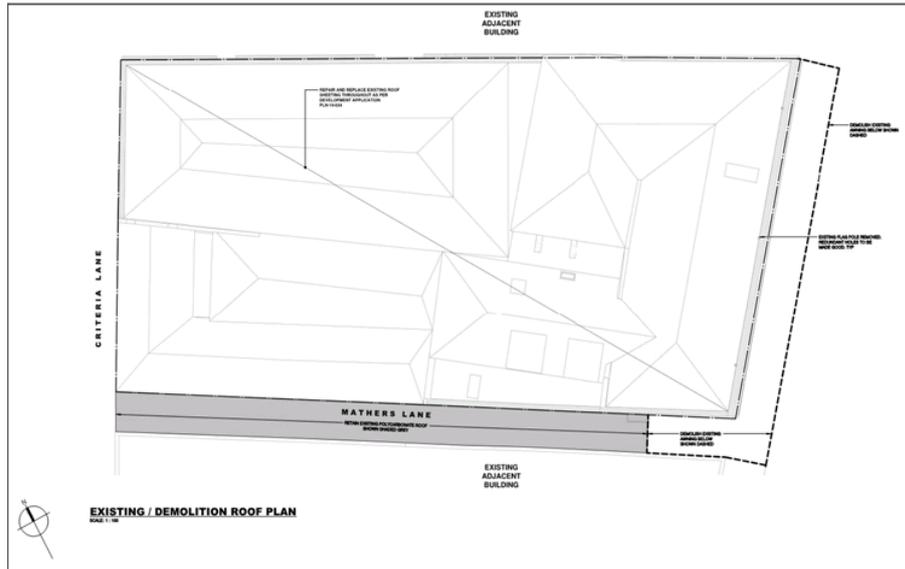


Figure 4: Roof plan illustrating proposed demolition

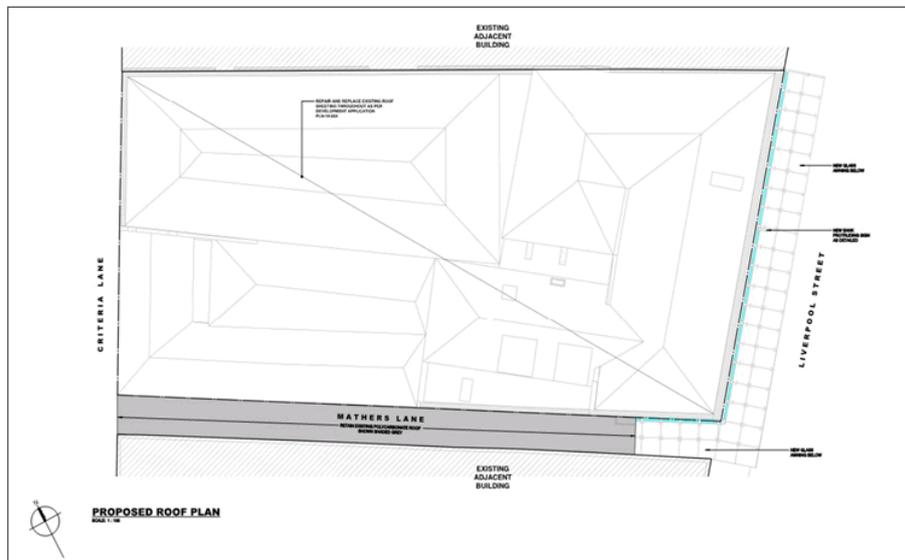


Figure 5: Roof plan illustrating proposed alterations.

4. Background

- 4.1 The subject site has had a number development applications approved over the past twenty years including signage, extension and alterations, change of use, and mural artworks. The most recent approval was in January 2020 for Partial Demolition and Alterations and Change of Use for Business and Professional Services, Food Services, and General Retail and Hire (PLN-19-654).

**5. Concerns raised by representors**

- 5.1 No representations were received during the statutory advertising period between 26/02/20 - 12/03/20.

**6. Assessment**

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located within the Central Business Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is General Retail and Hire, Food Services, and Business and Professional Services. There is no proposed change of use. The existing use is a permitted use in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 D22.0 Central Business Zone
  - 6.4.2 E2.0 Potentially Contaminated Land Code
  - 6.4.3 E6.0 Parking and Access Code
  - 6.4.4 E7.0 Stormwater Management Code
  - 6.4.5 E13.0 Historic Heritage Code
- 6.5 The proposal relies on the following performance criteria to comply with the

applicable standards:

6.5.1 E13.0 Historic Heritage Code:-

*Demolition on a Listed Place - E13.7.1 P1*

*Building and Works on a Listed Place - E13.7.2 P1, P2 and P3*

6.5.2 E17.0 Signs Code:-

*Standards for Signs - E17.7.1 P1*

*Standards for Signs on a Listed Place - E17.7.2 P1*

6.6 Each performance criterion is assessed below.

6.7 Heritage:-

Demolition, Buildings and Works on a Listed Place - E13.7.1 P1, and E13.7.2 P1, P2 and P3

Signs on a Listed Place - E17.7.2 P1

6.7.1 The subject site is a Listed Place, and the proposal includes demolition, building and signage to that Listed Place. As such, the application was referred to Council's Acting Senior Cultural Heritage Officer who had provided the following assessment:

#### **Background and Proposal**

This is an application for works to the subject property and follows on from the assessment and issue of a permit for application PLN-19-654 at the same address. That application was for internal and external works associated with new tenancy uses in the building with a frontage to Liverpool Street and the small commercial tenancies along Mathers Lane.

This application is for:

- the removal of the three flagpoles on top of the front Liverpool Street elevation,
- demolition of the existing pressed metal awning on Liverpool Street and the section of the matching pressed metal awning that returns and covers Mathers Lane,
- the construction of a new glazed awning on Liverpool St and part of Mathers Lane,
- reconstruction of decorative facade detailing, involving removal of the wall and highlight windows
- removal of plaster to the front facade,
- three (3) new signs on the front facade including one above the new

awning, all for the Commonwealth Bank, plus one extra sign which was approved as part of PLN-19-654 but without any details.



Subject property of 109-113 Liverpool Street: Source Council image

This property is heritage listed in Table E13.1 of the Historic Heritage Code of the Scheme.

This application is supported by a Heritage Impact Statement (Stage 2 Facade Works) (HIS) December 2019 by Griffith Architects of Subiaco, Western Australia.

Given the complexity of the site, a Conservation Management Plan (CMP) was requested by Council and submitted with the application PLN-19-654. The Heritage Impact Statement (HIS) refers to the CM. Both address the significance of elements on the subject site and make assessment, conclusions and recommendations.

In summary, a CMP is a document that:

1. gathers and records information about the place in order to understand significance
2. assesses the significance of a place
3. develops policy and strategies in accordance with the policy.

The CMP and HIA make a number of recommendations. These recommendations are summarised in relation to each part of the proposed works below.

The proposed demolition and works must be assessed against E13.7.1 P1, E13.7.2 P1, E13.7.2 P2, E13.7.2 P3 of the Historic Heritage Code.

The new sign must be assessed against E17.7.2 P1 Standards for signs on Heritage Places subject to the Heritage Code.

No representations were received during the advertised period.

### **History**

Understanding the history of the building, particularly its social history is critical to understanding the historic cultural significance of the building, as required under the provisions of the Historic Heritage Code of the Scheme.

In summary, the current building was constructed in 1848 as separate buildings, with evidence suggesting the basement may be from previous buildings. The architect was Alexander Dawson, senior clerk of works with the Office of the Ordnance, from 1844 to 1856 for Henry Brock, a baker. In 1849, it became home to one of the longest running and successful Hobart drapery store run by successive generations of the Mather family from 1849 to 1972. The Mather family were well known as business family, but also as Quakers. Extensive alterations and extensions were undertaken to 113 Liverpool Street (shop closest to Mathers Lane in 1896 and then to the whole group of buildings in 1919. Further alterations were made to the shop front in 1973 when the building was taken over by J T Soundy Pty Ltd and then again in 1989. Mathers was one of the largest department store in Hobart with over 20 departments including mens and womens fashion, beauty salon and a workroom for clothing alterations. Mathers had traded there for 123 years.

The alterations in 1896 altered the plate glass windows combining shops into a single drapery shop, giving it additional displays of manchester, drapery and millinery. In 1919, the shop underwent major restoration with the complete remodelling of the facade from below the second storey windows to include a new awning linking the entire facade together. At ground level, the shop frontage has only small amounts of original heritage fabric particularly as the 1919 alteration resulted in the removal of the original shop fronts and the insertion of large Rolled Steel Joist (RSJ) beams with new high light windows and shop front windows designed by notable local architect Alan Cameron Walker in partnership with Archibald Johnston.

### **Significance**

The CMP concludes:

*"Built in numerous phases, the 109 Liverpool Street contains elements of its earliest period of construction, a large portion of the 1849 major*

*period of construction and all subsequent phases.*

*The place has some rarity as representative of a long running and very successful Mathers family business that was for a long time one of the most prestigious shops in Hobart.*

*While the 1849 building group designed by Alexander Dawson was a building of high aesthetic value, it is quite compromised and the successive changes having adversely impacted on the building.*

*Finally, it has some rarity value of a place that is representative on many of years of Hobart's retail history, through its many stages of ownership and development, to the present."*

### **Awnings**

In 1990, Hobart City Council by way of a series of resolutions began preparing a Strategy Plan for the City Centre. A Heritage Topic Report was compiled and prepared a list of street features for inclusion on the Heritage Schedule. This included the awnings for properties from 105-107 Liverpool Street to 127 Liverpool Street (inclusive of 109-113 Liverpool Street and the return into Mathers Lane. The following images show the awnings of heritage significance.



Awning 1 - 105-107 Liverpool Street, Source: Council image



Awning 2 - the subject property of 109-113 Liverpool Street, Source: Council image



Awning 3 - the subject property of 109-113 Liverpool Street, Source: Council image



Awning 4 - Mathers Lane between 109-113 Liverpool Street and 117-117a Liverpool Street, Source: Council image



Awning 5 - 117-117a and 119 Liverpool Street, Source: Council image



Awning 5 - 121 Liverpool Street, (recently repaired and repainted)

Source: Council image

The HIA identifies the primary cultural heritage significance of the building and it is as follows:

*"Its capacity to demonstrate the history and development of a commercial and residential premises, at least in part from the 1830s, and more substantially from 1849 to the present;*

*Its long association with the Mather family drapery business (1849-1971) and its ability to demonstrate how the business has evolved over time. It was an important commercial landmark in the Hobart CBD for generations, being once described as the largest, most important drapery business in Hobart;*

*It contributes significantly to the CBD streetscape which contains many early to late nineteenth century double storey shops, many with a high degree of detailing and finishing, exemplifying the economic boom of the early to mid-nineteenth century; and,*

*It provides a complex history of the retail story, changing pattern of life of retailers, a long history of construction methods, and the kind of evolution that has taken place in retailing to accommodate changing needs and trends."*

In summary, the building, especially the facade and awning as it is today, reflects the statements of significance outlined in the CMP, particularly as a business that evolved over time to become the largest and most important drapery business in Hobart and the changing pattern of

retailing. In fact the awning equates to 100 years of retailing on this site and is significant in its association with other retail buildings along the length of Liverpool Street.

The proposed demolition of the awning must be assessed against E13.7.2 P1.

*E13.7.1 P1*

*Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied;*

- (a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;*
- (b) there are no prudent and feasible alternatives;*
- (c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained;*
- (d) significant fabric is documented before demolition.*

The CMP identifies the awning as "significant" and identifies that there will be "some impact" associated with the removal of the 1919 awning. This awning and the awnings next door at 117, 117a and 119 Liverpool Street are all similar, having been constructed at the same time, all having a vaulted ceiling form. As such, the awning of 109-113 Liverpool Street does not sit in isolation and is contiguous with the awnings of the same age, character and detailing on adjacent buildings along Liverpool Street and along Mathers Lane. The above photos demonstrate all awnings in this grouping. The demolition of this awning will destroy the continuity and integrity of all the Liverpool Street awnings and will result in a gap in the awning streetscape. Currently, all awnings are functional and can continue to be reused and retained with minimal repair and be brought up to the standard of the awning of 121 Liverpool Street which has been recently repaired and renovated.

The rationale provided by the applicant for the demolition of the awning and replacement with a glazed awning is to allow the reinstated facade to be viewed. However, it must be noted that the value of the Dawson facade is not regarded by the author of the CMP as being of such significance that it warrants such work, through policy statements: "When the refurbishment and or replacement of the street treatments is considered, the significance of 109 Liverpool Street should be front of mind and treatments designed to enhance the presentation of the place." This very policy is stating that the building has evolved over time and that therefore

building works should reflect that evolution. Alongside this, the HIA describes the new work as "Remove the existing 1919 era pressed metal awning (significant) and highlight windows (significant) above and replace with high level glazed shopfronts and a new glass and steel awning", a statement that in its self points to the very removal of significant fabric. On the other hand the HIA overstates the benefits of the awning removal and the reinstatement of the Dawson decorative detailing. The HIA also states that the glass awning will provide amenity, however, the existing awning already does this as well as contribute to the historic character of the building and street.

As such, there is a significant gulf between the significance of the place and the formulation of the works, not based on good conservation practice and principles, in particular the "do as much as necessary, but as little as possible" approach that is the foundation of the Burra Charter, but arriving at a predetermined outcome, a desire to return the facade, not in entirety, but in a hypothetical manner to an earlier form. It is a heavy handed approach that ultimately portrays a false impression of the history of the building, does not respect the significance of the property, its evolution and introduces new materials in the form of a new glass awning that bears no relationship to the original building. It is not good conservation practice, result sin the loss of significant fabric and does not reflect the character and history of Hobart. When such a proposal is considered in terms of Burra Charter principles, the reinstatement of complex decorative detailing is not clear, as well as in what materials the Dawson facade will be created. Given the complexity of the original stone design, it is unclear how and by whom such work can be achieved.

Therefore the demolition of the 1919 awning of heritage significance does not satisfy E13.7.1 P1.

#### **The flagpoles**

There are three flagpoles on the front facade. They are timber and the historical research indicates they were installed in 1954 for the Royal visit of the Queen and Duke of Edinburgh, however a photograph dated to the 1920s after the 1919 renovation show at least two flag poles on the parapet.



Three flagpoles above the parapet dating to 1954. Source: Council image.

The photograph below demonstrates the civic pride of the time and the enthusiasm with which people adorned their buildings and streets. Even buildings that were not part of the Royal travel route embraced the Royal fervour of the time.



Shop facade decorated for the visit of Queen Elizabeth, 1954 (UTAS M19/286), Source: Applicant supporting documentation, CMP, p.36

The CMP has the following references regarding the flagpoles:  
 (p.98) - the flagpoles have some significance,  
 (p.112) - "Medium Term Works carry out between two to three years (3)  
 - Conserve flagpoles if they are to be retained."

(p.121) - "Flag poles relate to the queens visit in 1954 and could remain."

The removal of the flagpoles must be assessed against the E13.7.1 P1 Demolition which states:

*E13.7.1 P1*

*Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied;*

- (a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;*
- (b) there are no prudent and feasible alternatives;*
- (c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained;*
- (d) significant fabric is documented before demolition.*

Complete sets of flagpoles from this era are becoming rare in Hobart and those that are left are not used for their original purpose, however, there is a compelling case for the retention of flagpoles on the basis that they represent a period of Hobart's history that is no longer celebrated in the same way, a period where the demonstration of civic pride and wide appeal of the monarchy. It is worth noting that flag poles are rarely installed on buildings today, and are dismissed as archaic or unfashionable. However, flagpoles are documents of our history and can continue to fulfill number of other functions, other than their original purpose, such as the celebration of a wide range of events or remain on a building with limited imposition. As described in the CMP, the flagpoles require conservation or repair and carry out works at regular intervals. As such the CMP indicates that their removal is not critical to the proposed use of the building and could remain. In this respect, the proposal does not satisfy E13.7.1 P1.

**Previous approvals**

In addition to the above assessment, the previous planning application (PLN-19-654) was issued by Council with the following condition:

**HER 12**

***The existing flagpoles on the Liverpool Street facade must remain in situ and be conserved and repaired. Prior to the issue of any approval under the Building Act 2016, documentation must be submitted and approved showing the flagpoles in accordance with the above requirement.***

***All work required by this condition must be undertaken in accordance with the approved documentation.***

*Reason for condition*

*To ensure that development at a heritage place does not result in the loss of historic cultural heritage significance.*

Therefore, the proposed works to demolish the flagpoles would be inconsistent with the recent permit for the site which requires them to be kept in situ, conserved and repaired.

**HER 5**

***All below awning signs must be anchored to the front facade and not hang from the street awning. The existing awning must be repaired and conserved in situ prior to occupation by the bank.***

***Prior to the issue of any approval under the Building Act 2016, revised plans must be submitted and approved showing details for the installation of the sign and all repairs to the awning in accordance with the above requirement.***

***All work required by this condition must be undertaken in accordance with the approved revised plans.***

*Reason for condition*

*To ensure works do not result in the loss of cultural heritage significance.*

The demolition of the significant awning would be inconsistent with the permit for the site which requires the awning to be repaired and conserved in situ.

**New works**

The new awning and works to the entrance of the Commonwealth Bank including the facade must be assessed against E13.7.2 Buildings and Works other than Demolition.

The objective is:

*To ensure that development at a heritage place is:*

- (a) undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance; and*
- (b) designed to be subservient to the historic cultural heritage values of the place and responsive to its dominant characteristics.*

Clause E13.7.2 P1 states:

*Development must not result in any of the following:*

- (a) loss of historic cultural heritage significance to the place through incompatible design, including in height, scale, bulk, form, fenestration, siting, materials, colours and finishes;*
- (b) substantial diminution of the historic cultural heritage significance of the place through loss of significant streetscape elements including plants, trees, fences, walls, paths, outbuildings and other items that contribute to the significance of the place.*

The removal of the awning and flagpoles will result in the substantial diminution of the significance of the place through the loss of significant streetscape elements and the new glazed awning is incompatible in its design, materials, siting and height (ie not in alignment with the existing awnings on adjoining properties). The new works to the facade to 'restore' the facade are unnecessary and inconsistent with the local historic values of the place, its evolution as a department store having gone through major phases of change. The proposal does not satisfy E13.7.2 P1.

Clause E13.7.2 P2 states:

*Development must be designed to be subservient and complementary to the place through characteristics including:*

- (a) scale and bulk, materials, built form and fenestration;*
- (b) setback from frontage;*
- (c) siting with respect to buildings, structures and listed elements;*
- (d) using less dominant materials and colours*

The new awning does not complement the place as it is too high, of the wrong materials and will be highly contrasted in form and detail to the existing plain facade. Subservient means "serving or acting in a subordinate capacity", while the word complementary means: "something that completes or makes perfect, in harmony with" or "making up a harmonious whole", see *S Solvyns v Hobart City Council & Ors* [2017] TASRMPAT 8. The proposed awning does not achieve this, is discordant and visually intrusive and introduces incompatible design to the place. Being on the front elevation of the building, there is a requirement that the design complements the original structure. The existing awning does this. The new awning does not. The proposal does not satisfy E13.7.2 P2.

Clause E13.7.2 P3 states:

*Materials, built form and fenestration must respond to the dominant heritage characteristics of the place, but any new fabric should be readily identifiable as such.*

The glazed form does not respond in the sense of it holding a balanced answer or response. The highly dominant metal fins and sheet glazing does not reflect the heritage values of the now plain Victorian Georgian facade. It is important to note that the clause clearly states that materials, built form and fenestration **must** respond, but any new fabric **should** be readily identifiable. Clearly the word **must** is a clear directive while the word **should** is advice. The new awning does not satisfy E13.7.2 P3.

The remaining provisions of E13.7.2 do not apply or are not relevant in this instance.

The proposed signage has two components - an illuminated sign above the awning and signage below. All signage must be assessed against E17.7.2.

Clause E17.7.2 P1 states:

*A sign on a Heritage Place listed in the Historic Heritage Code or within a Heritage Precinct or Cultural Landscape Precinct must satisfy all of the following:*

- (a) be located in a manner that minimises impact on cultural heritage significance of the place or precinct;*
- (b) be placed so as to allow the architectural details of the building to remain prominent;*
- (c) be of a size and design that will not substantially diminish the cultural heritage significance of the place or precinct;*
- (d) be placed in a location on the building that would traditionally have been used as an advertising area if possible;*
- (e) not dominate or obscure any historic signs forming an integral part of a building's architectural detailing or cultural heritage values;*
- (f) have fixtures that do not damage historic building fabric, including but not restricted to attachments to masonry and wood, such as to using non-corrosive fixings inserted in mortar joints;*
- (g) not project above an historic parapet or roof line if such a projection impacts on the cultural heritage significance of the building;*
- (h) be of a graphic design that minimises modern trademark or proprietary logos not sympathetic to heritage character;*
- (i) not use internal illumination in a sign on a Heritage Place unless it is demonstrated that such illumination will not detract from the character and cultural heritage values of the building.*

The proposed signage below the awning is not problematic as it is anchored to the facade that has been heavily modified and is of the size and design that is consistent with below awning signage in the street. The

sign above on the facade is problematic as it is illuminated, is fixed directly into historic building fabric, is of a graphic design, size and design and located in a place that does not contribute to the significance of the place. Clause E13.7.2 P1 requires the proposal to satisfy all of the sub-clauses (a) to (i) and in this instance the proposed above awning sign does not satisfy E13.7.2 P1.

### **Conclusions**

The awning is identified in the CMP and the HIA as 'significant'. The provisions within the Historic Heritage Code for demolition in part of a heritage place state clearly that demolition must not result in the loss of significant fabric. The demolition of the awning will result in the loss of heritage fabric and does not satisfy E13.7.1 P1.

The reinstatement of the 1849 decorative facade element is problematic and while some parts of the original facade remain, the structure has been significantly altered and original fabric lost to such an extent that its retention on the ground of cultural significance would be unjustified.

As the proposal is supported by a CMP and a HIA, the concept of the significance of the awning must be considered. The CMP and the HIA both identify the awning as significant. Its demolition is clearly contrary to the provisions E13.7.1 P1, P2, and P3. In addition, the work is contrary to the Burra Charter principal of doing as much as necessary, but as little as possible, retaining all parts of its history and not distorting the history of a place by presenting a false picture of the history or design of the place, ensuring that places remain authentic.

The author of the CMP, by their own admission, states that the facade as an example of Alexander Dawson's architectural work is compromised. As such, 'the moment has passed' for this building to fully tell the story as an example of the work of Dawson and that the significance of the building rests with its heritage value as a place associated with the long running and successful Mathers family business and as an example of the evolving nature of retail history in Hobart. As such, each period of the building's evolution has value and that there would be no benefit in the partial reinstatement of the Dawson facade a the loss of the Mather's store history, especially given the building would evolve into a incongruous and contradictory hybrid of the current and valid historical example of a retail store.

In summary, the demolition of the awning and the flagpoles will result in the loss of significant heritage fabric and must be refused. The proposed

new glazed awning is incompatible, is not subservient and results in the loss of significant streetscape elements. The proposed sign on the facade above the awning is problematic and must be refused.

The proposal does not satisfy the following provisions:

E13.7.1 P1, E13.7.2 P1, P2 and P3, and E17.7.2 P1

The grounds for refusal are:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.1 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because proposed demolition would result in the loss of fabric of significance that contributes to the historic heritage significance of the place, and it has not been demonstrated that:
  - (a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;
  - (b) there are no prudent and feasible alternatives;
  - (c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A1 or P1 (a) and (b) of the *Hobart Interim Planning Scheme 2015* because the design is an incompatible design through height, siting, form and materials and results in the loss of significant streetscape elements in the form of awnings and flagpoles.
3. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A2 or P2 (a), (c) and (d) of the *Hobart Interim Planning Scheme 2015* because the awning is not subservient or complementary to the facade of the listed place due to its built form, scale, siting and materials with respect to a listed building.
4. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A3 or P3 (a) of the *Hobart Interim Planning Scheme 2015* because the materials, built form do not respond to the heritage characteristics of the place.
5. The proposal does not meet the acceptable solution of the performance criterion with respect to clause E17.7.2 P1 of the *Hobart Interim Planning*

*Scheme 2015* because the above awning sign is of a size, design, location, has fixings and is illuminated in a manner that does not complement the heritage character of the place.

Sarah Waight  
Acting Senior Cultural Heritage Officer  
18 March 2020

- 6.7.2 The officer's full report is provided at Attachment C to this report.
- 6.7.3 The proposal does not comply with the performance criterion.
- 6.8 Standards for Signs - Part E 17.7.1 P1
- 6.8.1 The acceptable solution at clause 17.7.1 A1 requires that a sign must comply with the standards listed in Table E17.2 and be a permitted sign in Table E17.3
- 6.8.2 The proposal include four new signs, all of which are permitted sign under Table E17.3, although one sign, a vertical projecting wall sign, does not comply with the standards for width under Table E17.2.
- 6.8.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.8.4 The performance criterion at clause 17.7.1 P1 provides as follows:
- A sign not complying with the standards in Table E17.2 or has discretionary status in Table E17.3 must satisfy all of the following:*
- (a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape;*
  - (b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;*
  - (c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;*
  - (d) not result in loss of amenity to neighbouring properties;*
  - (e) not involve the repetition of messages or information on the same street frontage;*
  - (f) not contribute to or exacerbate visual clutter;*
  - (g) not cause a safety hazard.*

- 6.8.5 The proposed vertical projecting wall sign will be located on the upper floor of the Liverpool Street facade. The sign will be the logo of the Commonwealth Bank and will be approximately 900mm x 900mm in size and have a width of 356mm. The assessment of the Acting Senior Cultural Heritage Officer is that the sign:

*...is problematic as it is illuminated, is fixed directly into historic building fabric, is of a graphic design, size and design and located in a place that does not contribute to the significance of the place.*

That position is supported.

However it is considered that the sign won't dominate the existing building or the streetscape, that the materials of the proposed sign will be able to be maintained in a satisfactory manner at all times, and will not result in a loss of amenity to neighbouring properties. There will be no repetition of messages on the same frontage and the sign will not contribute to or exacerbate visual clutter. The sign will be located on the upper floor and not represent a safety hazard.

- 6.8.6 The proposal complies with the performance criterion.

## 7. Discussion

- 7.1 Planning approval is sought for Partial Demolition, Alterations and Signage, at 109-113 Liverpool St 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 not perform well with respect to demolition, building, works and signage on a heritage listed place.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer, who is supportive of the proposal subject to conditions, and the Cultural Heritage Officer, who is not supportive.
- 7.5 The proposal has been assessed by the Tasmanian Heritage Council, who has approved it subject to conditions, including that the sign above the awning is not approved. The THC's decision is contained in the CPC Agenda Documents at Attachment B to this report.

7.6 The proposal is recommended for refusal on heritage grounds.

**8. Conclusion**

8.1 The proposed Partial Demolition, Alterations and Signage at 109-113 Liverpool Street, Hobart does not satisfy the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for refusal.

## 9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for Partial Demolition, Alterations and Signage at 109-113 Liverpool Street, Hobart for the following reasons:

- 1 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.1 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because proposed demolition would result in the loss of fabric of significance that contributes to the historic heritage significance of the place, and it has not been demonstrated that:
  - (a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;
  - (b) there are no prudent and feasible alternatives; and
  - (c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A1 or P1 (a) and (b) of the *Hobart Interim Planning Scheme 2015* because the it is for an incompatible design through height, siting, form and materials and will result in the loss of significant streetscape elements in the form of awnings and flagpoles.
- 3 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A2 or P2 (a), (c) and (d) of the *Hobart Interim Planning Scheme 2015* because the awning is not subservient or complementary to the facade of the listed place due to its built form, scale, siting and materials with respect to a listed building.
- 4 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A3 or P3 (a) of the *Hobart Interim Planning Scheme 2015* because the materials and built form do not respond to the heritage characteristics of the place.
- 5 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E17.7.2 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because the sign located above the awning is of a size, design, location, is fixed, and is illuminated in a manner that does not complement the heritage character of the place.





(Michael McClenahan)  
**Assistant 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: 19 March 2020

**Attachment(s):**

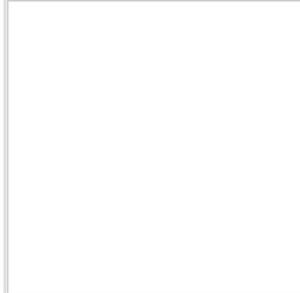
Attachment B - CPC Agenda Documents

Attachment C - Planning Referral Officer Cultural Heritage Report

Planning: #194742

**Property**

109-113 LIVERPOOL STREET HOBART TAS 7000



**People**

Applicant  
\*  
MeyerShircore Associates Architects  
Gianni Da Rui  
SUITE 2  
437 ROBERTS ROAD  
SUBIACO WA 6008  
0893818511  
gianni@meyershircore.com.au

Owner  
\*  
Silverleaf Investments Pty Ltd  
Gerard O'Connell  
Level 2  
25 Cononment Street  
FREMANTLE WA 6160  
0893355492  
gerard@silverleaf.net.au

Entered By  
DOREEN DING  
0893818511  
doreen@meyershircore.com.au

**Use**

Commercial

**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.

No

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)?

\*

Commercial

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

\*

Refurbishment

Estimated cost of development

\*

100000.00

Existing floor area (m2)

Proposed floor area (m2)

Site area (m2)

**Carparking on Site**

N/A

Total parking spaces

Existing parking spaces

Other (no selection chosen)

**Other Details**

Does the application include signage?

\*

Yes

*\* Please be advised that you are required to lodge plans of the sign. The plans should show: dimensions, location, colours, wording, method of illumination, does it flash, method of fixing to wall, etc.*

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

\*

4

**Tasmania Heritage Register**

Is this property on the Tasmanian Heritage Register?

- Yes

**Documents**

**Required Documents**

Title (Folio text and Plan and Schedule of Easements)

\*

109-113 LIVERPOOL STREET - CERTIFICATE OF TITLE.pdf

Plans (proposed, existing)

\*

109-113 LIVERPOOL STREET - SKETCH PLANS SK019 LP - SHEET DA01-DA05.pdf

Covering Letter

109-113 LIVERPOOL STREET - COVER LETTER.pdf

**Supporting Documents**

Heritage Report

109-113 LIVERPOOL STREET - HIS (STAGE 2).pdf



## RESULT OF SEARCH

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



## SEARCH OF TORRENS TITLE

VOLUME 148680	FOLIO 1
EDITION 2	DATE OF ISSUE 13-Feb-2018

SEARCH DATE : 14-Aug-2019

SEARCH TIME : 01.54 PM

DESCRIPTION OF LAND

City of HOBART  
 Lot 1 on Plan 148680  
 Derivation : Whole of 38.1/2Ps Granted to J.T. Collicott  
 Prior CT 136029/1

SCHEDULE 1

M672100 TRANSFER to GOODSIDE HOLDINGS PTY LTD Registered  
 13-Feb-2018 at 12.01 PM

SCHEDULE 2

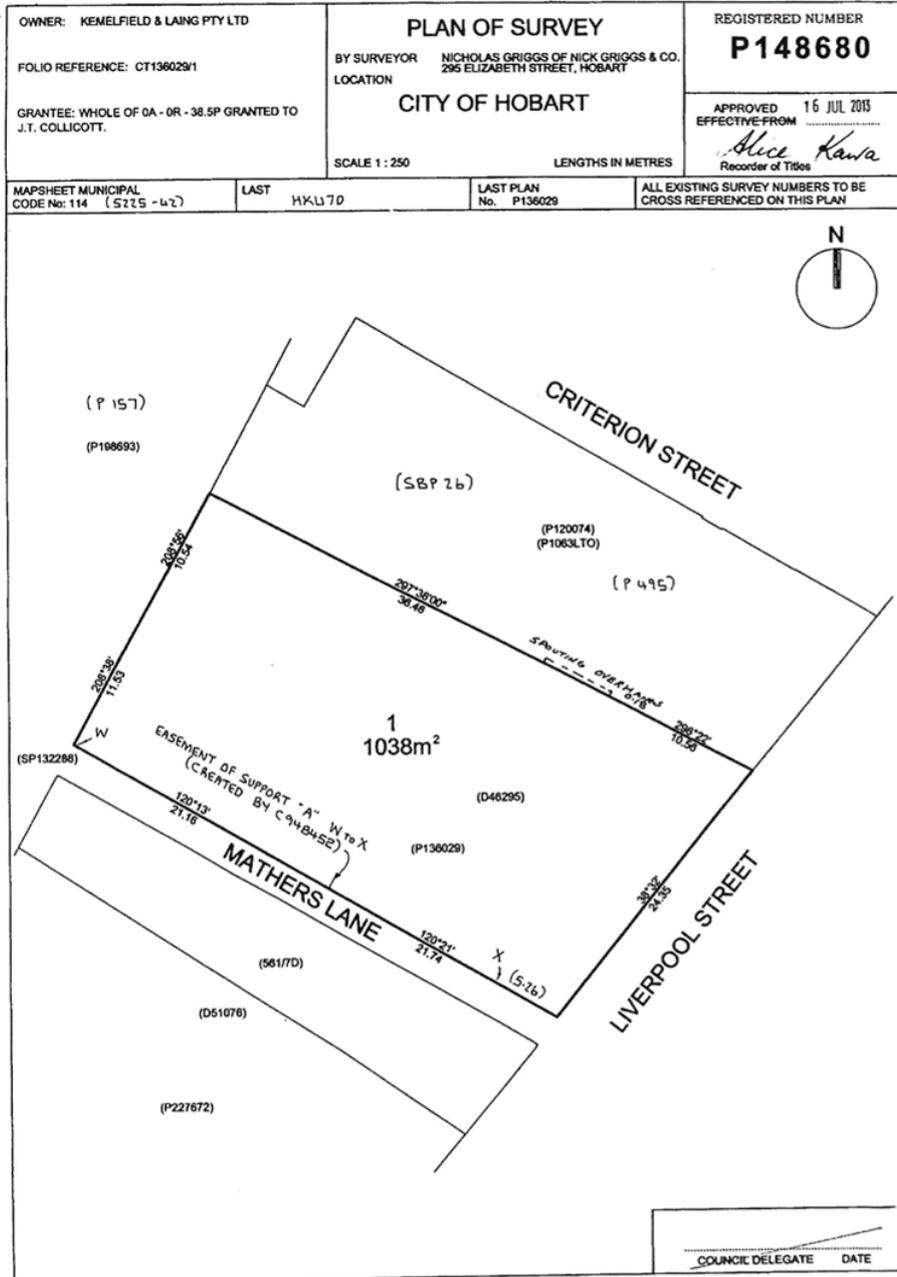
Reservations and conditions in the Crown Grant if any  
 C948452 BURDENING EASEMENT: A Right of Support in favour of  
 Hobart City Council over the Easement of Support "A"  
 marked WX on Plan 148680 Registered 16-Feb-2011 at  
 noon  
 E122531 MORTGAGE to Commonwealth Bank of Australia  
 Registered 13-Feb-2018 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



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





12<sup>th</sup> December 2019

City of Hobart  
GPO Box 503  
HOBART TAS 7001

Attention: Planning Department

Dear Sir/Madam,

**RE: PROPOSED RETAIL REFURBISHMENT – STAGE 2 FAÇADE WORKS  
109-113 LIVERPOOL STREET HOBART  
MSA PROJECT REF N° 8306 – 3.01**

This development application is connected to the development application PLN-19-654. We wish to put in a new development application for the additional changes. Enclosed please find for the purposes of obtaining Planning Approval the following:

1. One copy of Sketch Plans, Project N° 8306, SK019-LP
2. One copy of the Certificate of Title
3. Heritage Impact Statement

The proposed works are as follow:

- A. Walls and highlight windows removed for higher shopfront.
- B. Remove plaster, paint and redundant fixings from façade as per the Heritage Impact Statement (HIS).
- C. Remove paint from rendered architraves and entablatures to windows as shown on drawings and as per the HIS.
- D. Reinstate Dawson's decorative frieze as shown on drawings and as per the HIS.
- E. Existing awning removed and replaced with new glass awning as shown on drawings and as per the HIS.
- F. Remove existing gates to Mathers Lane. The lane will remain open for fire escape.
- G. 4x signage as shown on drawings.
- H. Flagpoles removed.

We trust the abovementioned new works will attain the approval from council. Should you have any queries, please do not hesitate to contact the undersigned.

Yours faithfully, .

A handwritten signature in blue ink, appearing to read 'Doreen Ding', is written over a light blue horizontal line.

**DOREEN DING**

**Partners**

Stephen Shircore  
Malcolm Jones  
T. Mark Baker  
Marc Bishop  
Jarrad Nightingale

Suite 2, 437 Roberts Road  
Subiaco WA 6008

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**meyershircore.com.au**



ACN 115 189 216 | ABN 32 872 749 643 | ATF Meyer Shircore Unit Trust | T/A Meyer Shircore & Associates

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MEYER SHIRCORE ARCHITECTS



**Partners**

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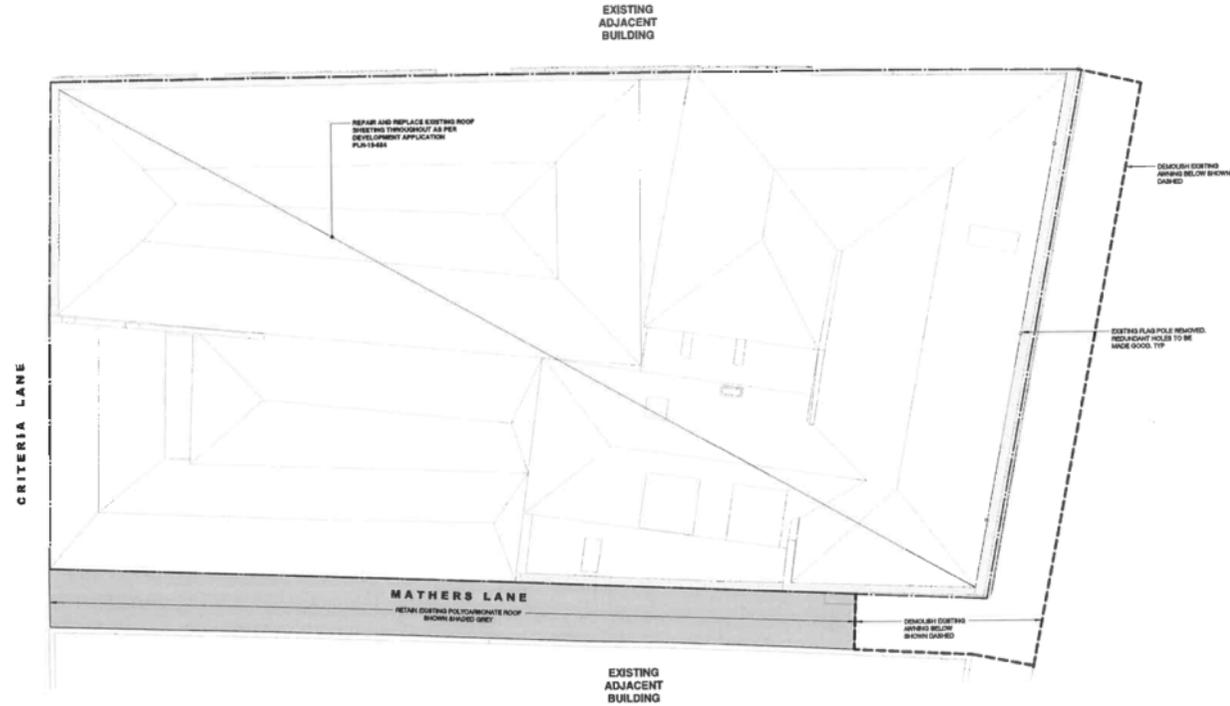
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ACN 115 189 216 | ABN 32 872 749 643 | ATF Meyer Shircore Unit Trust | T/A Meyer Shircore & Associates

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**EXISTING / DEMOLITION ROOF PLAN**  
SCALE: 1:100

**REFURBISHMENT AND ALTERATIONS TO EXISTING BUILDING**  
LOCATION: 109-113 LIVERPOOL STREET, HOBART  
FOR: SILVERLEAF INVESTMENTS

SK019-1P  
DEC 2019  
DAGD  
1:100 @ A3

8306

**meyer 55**  
ARCHITECTS  
1963/2018



© Meyer Shirkov & Associates ACN 213 149 218  
Suite 2, Ground Floor, 41A Ambrose Road, Subiaco, WA 6008  
70 Rue Tourn Subiaco WA 6008  
t: 08 9381 8325 e: info@meyshircore.com.au



**PROPOSED ROOF PLAN**  
SCALE: 1:125



REFURBISHMENT AND ALTERATIONS TO EXISTING BUILDING  
 LOCATION: 109-113 LIVERPOOL STREET, HOBART  
 FOR: SILVERLEAF INVESTMENTS

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 DEC 2019  
 0401  
 1:100 REF A1

8306

meyer 55 architects 1983/2018

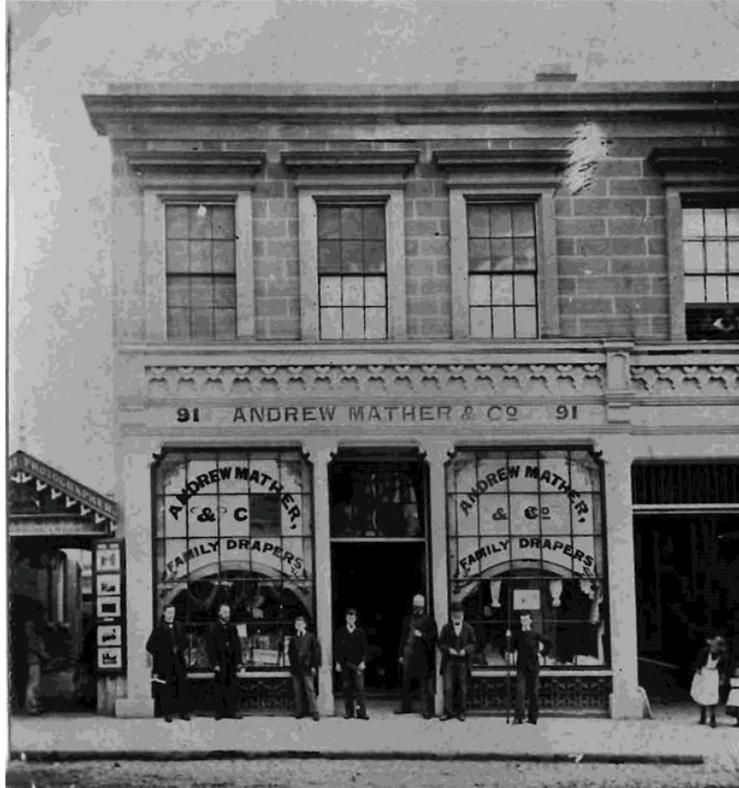


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 PO Box 1294 Suva, WA 6004  
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Job No. 19178



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109 LIVERPOOL STREET  
HOBART

(STAGE 2 FACADE WORKS)

### Heritage Impact Statement

Prepared for:  
Silverleaf Investments

December 2019

Griffiths Architects



## Griffiths Architects



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[mail@griffithsarchitects.com.au](mailto:mail@griffithsarchitects.com.au)[www.griffithsarchitects.com.au](http://www.griffithsarchitects.com.au)

Griffiths Architects is a leading architectural firm in Perth, Australia. Griffiths Architects was born out of a practice of which Philip Griffiths was a co-director for over 20 years.

The company emerged from a desire to diversify the range of work covered by the practice, and to take a fresh approach to design.

The practice undertakes commissions in architecture, heritage, urban, interior design, interpretation and heritage assessments. Griffiths Architects provides professional advice on a range of issues related to these areas of our discipline.

The practice has won architectural, planning, and heritage awards for a wide range of projects located throughout the state.

Griffiths Architects has a great depth of experience across numerous project types and delivers innovative solutions that embrace environmental responsibility with elegant and simple solutions. The projects are the product of working closely with clients, carefully assessing their expectations, and delivering high quality results.

Cover: Andrew Mather & Co. Family Draper at 91 Liverpool Street, n.d. *University of Tasmania*. This shows the building façade in its earliest form as Mathers.

**Revision History**

Date of this revision: 12/12/2019

Document	Version	Author	Status	Date	Distribution
HIS	01	Griffiths Architects	Draft	06/12/2019	Silverleaf Investments Meyer Shircore Architects
HIS	02	Griffiths Architects	Final	12/12/2019	Silverleaf Investments Meyer Shircore Architects

Griffiths Architects



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## Introduction

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This Heritage Impact Statement (HIS) was prepared by Griffiths Architects and accompanies a Development Application made to the City of Hobart, which outlines stage 2 facade works to *109 Liverpool Street*, Hobart. These works have been documented by Meyer Shircore Architects on behalf of the property owners, Silverleaf Investments, and are attached with the development application. Stage 1 works, a separate application, is already submitted to the City of Hobart.

*109 Liverpool Street* is a commercial and retail building located in one of the busiest parts of the Hobart CBD. The building assemblage which would appear to have been commenced in the 1830s, with significant developments occurring in 1849 and 1919, and was purchased in 2017 by Silverleaf Investments, who are proposing to redevelop and refurbish the building for new tenants including a primary ground floor tenancy leased to the Commonwealth Bank of Australia and other retail tenancies, while maintaining its heritage values.

A Conservation Management Plan (CMP) for *109 Liverpool Street* has recently been completed by Griffiths Architects, and establishes its significance while providing guidance on recommended conservation policies to assist with conservation, adaptation and development approvals. This CMP has been lodged with the City of Hobart and Heritage Tasmania for reference.

This HIS considers the heritage values as described in the Statement of Significance outlined in the Conservation Management Plan, and any likely impacts of the works on the stated values.

Commenced in 1849, the façade of the building was highly decorative in its presentation and a fine example of the Victorian Regency style. Major refurbishments in 1919 saw the addition of the awning over the pavement and a consequential loss of much of the fine detailing.

The removal of the present awning does impact on the cumulative heritage of the place, but the construction of the awning was in itself destructive and 'dumbed down' a fine façade.

In aggregate, the scope of works proposed has a positive impact on heritage fabric by reinstating parts of the original building façade and removing intrusive finishes. The new awning is light weight construction and preserves street level amenity, while allowing the façade's high aesthetic value to be revealed. Seen in its entirety, the proposed scope of works will revive and activate the place and sustain its heritage values.



## Location

The HIS covers the whole site and buildings associated with 109 Liverpool Street, Hobart. The place is described as the whole of the Lot 1 on Plan 148680.

Areas that are not included within the site boundary but still have association with the place include Mathers Lane, a gazetted road, and Criterion Lane on the south west and north west boundaries of the site.

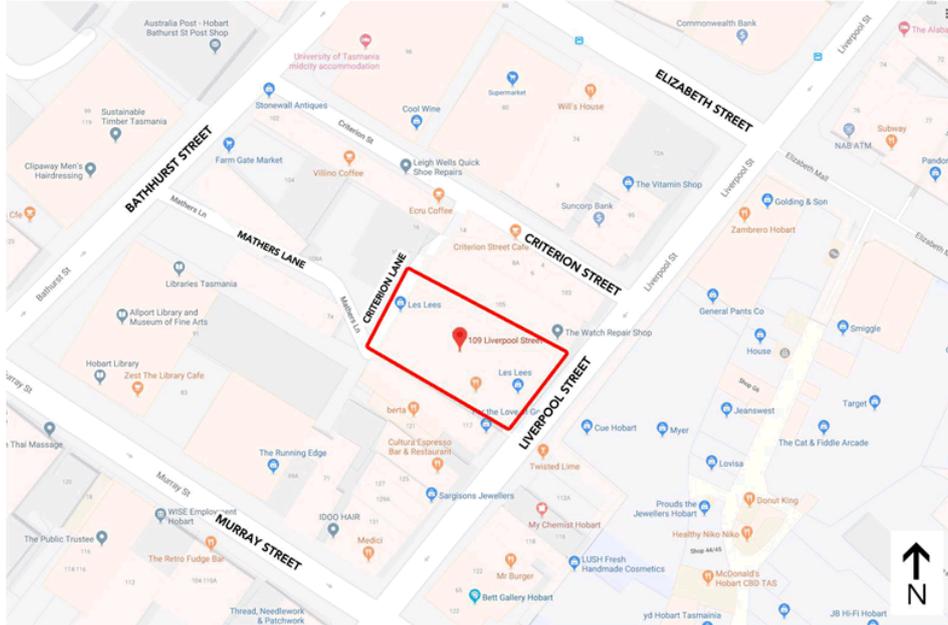


Figure 1: 109 Liverpool Street Hobart, Location Plan - Google Maps, accessed September 2019.

Griffiths Architects



## Heritage Listings

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The place is listed on the following:

- Tasmanian Heritage Register, ID number 2401.
- City of Hobart List of Heritage Places, reference number 1755.

## Contributors

---

Philip Griffiths, FRAIA, RIBA, M. ICOMOS - Griffiths Architects.

Rosie Douglas, RAIA - Griffiths Architects.

Dr Kathryn Evans - Historian.



## Background

---

The following historic overview is taken from the Conservation Management Plan and was prepared by Dr Kathryn Evans.

109-113 Liverpool Street has been a well-known and successful business premises in Hobart since 1849, and prior to that was the site of an auction mart. The current building was constructed in c1849 by Henry Brock, a baker who acquired the land in 1848, though it seems probable that the southern basement might be a surviving element from prior to this time and may be a remnant of Postmaster J. T. Collicott's dwelling.<sup>1</sup> Previously the land had been granted to Collicott who had constructed a number of buildings on the allotment. One was a dwelling house of brick or masonry and setback from the road frontage.<sup>2</sup> It's likely that at least part of this early building was incorporated into the present building as discussed in the physical evidence, and also may retain subsurface archaeological remains.

The group of three three-storey shops and residences above became known as 'Brock's Buildings'.<sup>3</sup> The architect for the building was Alexander Dawson, who arrived in Tasmania in 1844 to take the post of senior clerk of works in the Office of the Ordnance, Hobart, a position which he held until 1856. He went on to serve as Colonial Architect to New South Wales from 1856 to 1862. One of Dawson's best known Tasmanian works is Domain House, Hobart (1848), a more substantial building.<sup>4</sup>

The construction of Brock's Building was of brick with a sandstone facade in a Victorian Regency style. A narrow cart lane ran between two of the shops to the rear of the property and the building also abutted a gazetted road which came to be known as 'Mather's Lane'. The building assemblage became home to one of the longest running and successful Hobart drapery stores run by successive generations of the Mather family from 1849 to 1972. The Mather family were Quakers and well-known for their involvement with religious affairs. Extensive alterations and extensions were undertaken to 113 Liverpool Street (the shop closest to Mather's Lane) in 1896, and to the group of buildings as a whole in 1919.<sup>5</sup> The works from 1919 was in many ways detrimental to the original and early stages of development. Further alterations were made to the shop front in 1973 after the building was taken over by J.T. Soundy Pty Ltd the previous year.<sup>6</sup> Again in 1989 shop front and internal alterations were undertaken.<sup>7</sup>

<sup>1</sup> Land Titles Office con3/3939.

<sup>2</sup> Hobart Town chart; Sprent survey 1841 AF393/1/71(TAHO).

<sup>3</sup> Colonial Times 13 July 1849, p. 3.

<sup>4</sup> Freeman P, Walker P and Johnston P, 'Domain House: The University of Tasmania Returns to the Queens Domain' University of Tasmania 2015, p.19; 13-21.

<sup>5</sup> Mercury 11/4/1896, p. 3; Critic 19 December 1919, p. 3.

<sup>6</sup> AE417/5/2688 (TAHO).

<sup>7</sup> AE417/10/3258; AE417/10/2748 (TAHO).

Griffiths Architects

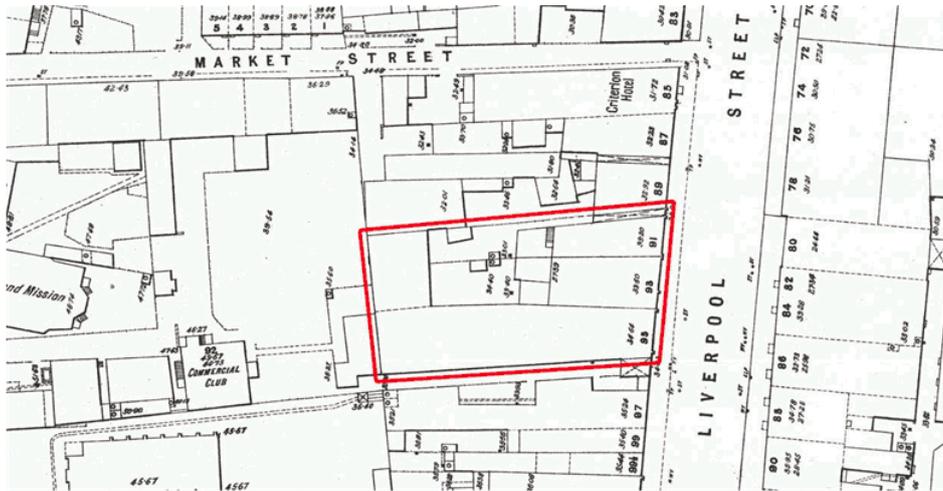
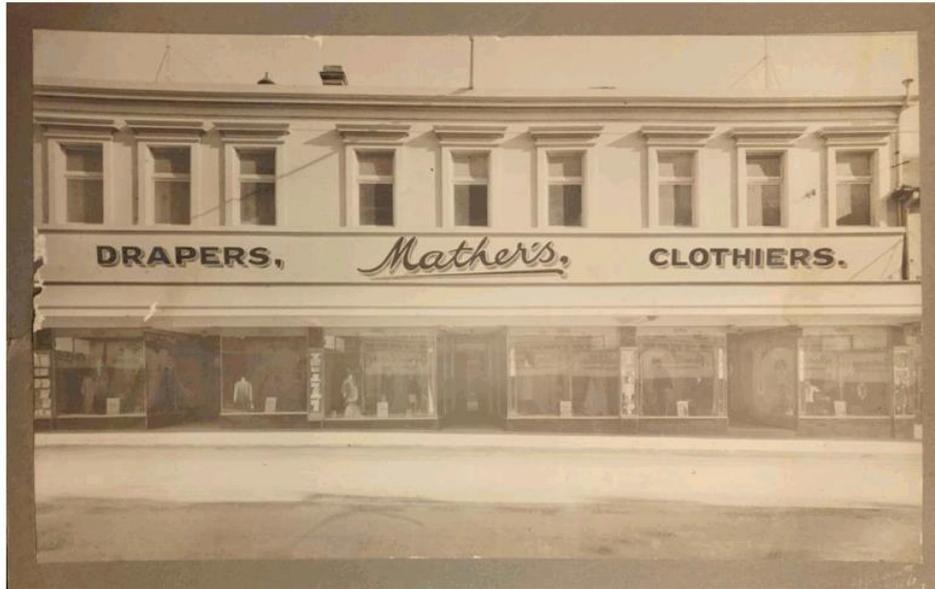


Figure 2: Metropolitan Drainage Plan c1900 (Tasmanian Archives and Heritage Office). The plan indicates a full depth of building to the south and part depth construction to the middle and northern blocks, a passage to the north, structures to the western boundary and earth closets and other outbuildings in the yards.



Photograph 1: Mather's Building at 91 Liverpool Street, c. 1880 (PH30/1/3997 Libraries Tasmania). Note that the brick side wall was limewashed, and the decorative frieze over the small pane shopfront windows. The fine detail of the frieze was lost when the present awning was constructed in 1919.

Griffiths Architects



Photograph 2: Shop exterior 1927 following renovations (UTAS M19/285). The shopfronts have been completely re-modelled, an awning added, the lower frieze removed with the introduction of an RSJ to allow the shop windows to span freely and the small pane double hung sashes at first floor replaced with simpler windows; fixed lights and centre pivots. The stone appears to have been painted at this time.



Photograph 3: Shop exterior taken by Robert Mather, 1972. This photograph was taken around the time of the sale of the property to J. T. Soundy as a 'Soundy's' sign can be seen hanging above the entry door (Christopher B. Mather).

Griffiths Architects



Photograph 4: Soundy's Liverpool Street 1983 (NS3773/1/37 TAHO).



Photograph 5: 109 Liverpool Street Hobart, 2019 (Meyer Shircore Architects).



## Statement of Significance

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Below is the Statement of Significance taken from the Conservation Management Plan.

*109 Liverpool Street Hobart*, a basement and three storey stone and brick building, with a corrugated sheet steel roof, designed in the Victorian Regency and later styles, has historic cultural significance for the following reasons:

### Primary Significance

Its capacity to demonstrate the history and development of a commercial and residential premises, at least in part from the 1830s, and more substantially from 1849 to the present;

Its long association with the Mather family drapery business (1849-1971) and its ability to demonstrate how the business has evolved over time. It was an important commercial landmark in the Hobart CBD for generations, being once described as the largest, most important drapery business in Hobart;

It contributes significantly to the CBD streetscape which contains many early to late nineteenth century double storey shops, many with a high degree of detailing and finishing, exemplifying the economic boom of the early to mid-nineteenth century; and,

It provides a complex history of the retail story, changing pattern of life of retailers, a long history of construction methods, and the kind of evolution that has taken place in retailing to accommodate changing needs and trends.

### Secondary Significance

Though somewhat compromised it is a rare example of the architect Alexander Dawson's work in Tasmania.



## Conservation Policies

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The Conservation Management Plan for *109 Liverpool Street* provides a practical guide for the conservation of the heritage significance of the place and provides policy for heritage significance, structural condition, condition of the fabric, the setting and the prospect of further development.

The conservation policy recommends the conservation of significant fabric of the place and that further change, re-construction and enhancement of presentation are acceptable, and sympathetic adaptation is capable of underpinning long-term sustainability.

Some of the relevant policies relating to the future use of the place and specifically the Liverpool Street facade include:

*10. When the refurbishment and or replacement of the street treatments is considered, the significance of 109 Liverpool Street should be front of mind and treatments designed to enhance the presentation of the place.*

*33. Adaptation works that allow significance to be revealed and for the reconstruction of significant features should be positively considered.*

*34. Any approved new structures should be readily visually distinguishable from the significant existing structures, be sympathetic to the place and the link between the new and old sensitive to the heritage values of the place.*

*39. Recovering the details of Dawson's façade would be beneficial to the aesthetic values of the place. Recovery would include conservation of the render and sandstone masonry detailing above canopy level. It might also include the reintroduction of small pane double hung sash windows to match the documentary evidence and the model window provided in the south façade at first floor level. Further, the removal of the awning should be explored, and the reconstruction of Dawson's frieze undertaken. The 1919 removal work left two containing mouldings in place to guide reconstruction, in addition to the documentary evidence. This action would require some redesign of shopfronts and design of a new canopy, if desired, to suit the new arrangement. Walker's awning over Mather's Lane might be retained as a memory of the design. The same awning was used on the building to the south.*

*55. Remove brackets and fixings and paint from sandstone on Liverpool Street façade and conserve stone.*



## New and Conservation Works

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In addition to stage 1 works which propose to refurbish the shopfronts on the ground floor, stage 2 works propose to remove and replace the existing 1919 awning and add a glass awning that will provide amenity and allow Dawson's design to be fully revealed above canopy level. The upper levels of the façade will be conserved and reconstructed according to Dawson's original design.

Works will include:

- On the upper levels, remove paint and redundant fixings from the façade to reveal existing ashlar sandstone (considerable significance). Re-point and repair sandstone upon assessment of its condition after paint removal.
- Remove paint from the upper cornice (considerable significance) and upon assessment of its condition, patch repair and retain the rendered finish or re-coat with a lime or silicate paint to match the existing render colour.
- Remove paint from rendered architraves and entablatures to windows (considerable significance), and upon assessment of its condition, patch repair and retain the rendered finish or re-coat with a lime or silicate paint to match the existing render colour.
- Reinststate Dawson's decorative frieze above the canopy based on archival photographic evidence. The finish will match the rendered window surrounds for consistency. The rendered metal lath to the existing plain frieze will need to be removed, and the structure of the frieze assessed and repaired as required. The remnant top moulding (considerable significance) will be retained as a guide for the location of the frieze. The moulding to the bottom will need be removed for installation of the new awning.
- Remove the existing 1919 era pressed metal awning (significant) and highlight windows (significant) above and replace with high level glazed shopfronts and a new glass and steel awning. Note: Ground level shopfronts are the subject of the stage 1 application.
- Remove gates at the east and west boundaries of Mather's Lane (intrusive).
- New signage is to include:
  - one illuminated semaphore sign for the Commonwealth Bank (tenancy 2) to the first floor between existing windows;
  - one illuminated wall sign on the ground floor to the cladded portion of the tenancy 2 shopfront;
  - one illuminated semaphore sign on the ground floor attached to one of the cladded shopfront pillars; and
  - one illuminated wall panel sign integrated into the shopfront window.
- The flagpoles (1954) on the roof are to be removed under the previous (stage 1) development application.



## Impacts and Mitigation

In this assessment, the proposals are measured against the heritage values as per the Statement of Significance outlined in the Conservation Management Plan.

### Statement of Significance

Heritage Values (primary)	Potential Impact Analysis	Mitigation
Its capacity to demonstrate the history and development of a commercial and residential premises, at least in part from the 1830s, and more substantially from 1849 to the present;	Low impact: the façade will be more representative of Dawson's 1849 fine Victorian Regency design and the building will be re-activated for commercial use.	Impacts from the loss of the 1919 awning will be mitigated by the conservation works to the façade to the earlier design, recreating Dawson's intent.
Its long association with the Mather family drapery business (1849-1971) and its ability to demonstrate how the business has evolved over time. It was an important commercial landmark in the Hobart CBD for generations, being once described as the largest, most important drapery business in Hobart;	Low impact: although the Mather family ceased trading in the early 1970s, the building will be revived as an important commercial landmark in the Hobart CBD.	No mitigation required.
It contributes significantly to the CBD streetscape which contains many early to late nineteenth century double storey shops, many with a high degree of detailing and finishing, exemplifying the economic boom of the early to mid-nineteenth century;	Low Impact: the façade will become more representative of the original Victorian Regency design and will authentically contribute to the historic Liverpool streetscape.	Impacts from the loss of early twentieth century fabric will be mitigated by conservation and restoration of earlier very fine façade detailing.
It provides a complex history of the retail story, changing pattern of life of retailers, a long history of construction methods, and the kind of evolution that has taken place in retailing to accommodate changing needs and trends.	Some impact: there will be some impact from the loss of the 1919 awning which represents one element of the changing pattern of retailer stores in Hobart, however overall the conservation outcomes are positive.	Impacts from the loss of early twentieth century fabric will be mitigated by conservation and restoration of earlier façade detailing.
Heritage Values (secondary)	Potential Impact Analysis	Mitigation
Though somewhat compromised it is a rare example of the architect Alexander Dawson's work in Tasmania.	Positive impact - the upper level of Dawson's façade will be faithfully reconstructed using documentary and physical evidence.	No mitigation required

Griffiths Architects



### Impact Analysis

Although the 1919 awning to be removed has considerable significance, the CMP states that its removal can be considered if conservation and reconstruction of Dawson's pre-1919 façade can be implemented.

Although it provides some amenity to the building and public domain, the existing awning detracts aesthetically from Dawson's original design and blocks views to the upper levels and decorative elements. By removing the awning and constructing a new glazed awning at a higher level, the taller shopfronts can be revived and the building re-activated for contemporary commercial use.

The new glass and steel canopy is consistent with conservation policy 34 by being easily distinguishable from the original materials. The glazing will allow views to the upper façade from the street and its simple form will not compete with the other decorative façade elements.

The existing façade contains some remnants of Dawson's work including the upper cornice, window architraves and entablatures, the ashlar sandstone to the upper levels, and the containing (top and bottom) moulds to the frieze although the frieze itself has been removed. Along with the documentary evidence, there remains enough physical evidence to reconstruct a faithful representation of the upper levels of the 1849 facade. Removing the paint will reveal the original sandstone and rendered finishes, with contingency to apply a lime or silicate paint in a matching colour to the rendered elements if they are found to be in poor condition. Impacts of the removal of the awning will be mitigated by the conservation works, which will have a positive impact on the aesthetic values of the place.

At the ground floor new illuminated signage will be adapted to suit the Commonwealth Bank (tenancy 2), including a panel sign integrated into the shopfront glazing, a semaphore sign on one of the shopfront pillars, and a wall sign to the portion of tile clad shopfront. At the first floor one illuminated semaphore sign is proposed above the awning between first floor windows.

Building signage has historically been relocated to suit the building during successive refurbishments. The documentary evidence shows that signage to shopfronts was common from 1849, with the introduction of signage to the awning front from 1919 and illuminated vertical semaphore signs to the upper level from the mid-twentieth century. Hanging signs below the awning were introduced in the mid-twentieth century.

The new signs will be easily distinguishable from earlier building fabric, however there will be impacts from the inclusion of the semaphore sign to ground floor as this type of signage is unfamiliar to the place. The conservation plan recommends removing signage below the canopy assuming the canopy is to remain, however under canopy signs are now the norm along Liverpool Street. Signage will assist in re-activation of the building as an important commercial landmark, and will provide wayfinding which is an important commercial consideration.

Griffiths Architects



## Conclusion

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In this assessment, the proposals are measured against the heritage values presented in the Conservation Management Plan. The stated heritage values will be retained as the buildings will be re-activated and restored as a commercial landmark in the Hobart CBD, and will ensure its long term sustainability.

The outcomes from the façade works will have an overall positive impact on the heritage values by reinstating the earlier 1849 detailing from Dawson's original Victorian Regency design using remnant physical evidence and documentary evidence described in the CMP.

The removal of the 1919 awning will have some impact on demonstrating the evolution of the building, however the awning was in itself destructive to the façade, and its removal will have some positive impacts from the described conservation works to take place in re-instating the earlier design.

The new lightweight awning will retain the important street amenity of the building while reviving and activating the place, and the building's heritage values and particularly aesthetic values will be retained and restored.

Griffiths Architects



## References

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Griffiths Architects, *109 Liverpool Street Conservation Management Plan*, 2019.

Heritage Tasmania, *Datasheet for 109 Liverpool Street*, 2019.

Libraries Tasmania, *Photograph of Mather's Building at 91 Liverpool Street PH30/1/3997*, c. 1880.

Mather, Christopher Benson, *Photograph of Shop Exterior Taken by Robert Mather*, 1972.

Meyer Shircore Architects, *109 Liverpool Street Hobart*, 2019.

Tasmanian Archives and Heritage Office, *Metropolitan Drainage Plan*, c1900.

Tasmanian Archives and Heritage Office, *Photograph of Soundy's Liverpool Street NS3773/1/37*, 1983.

University of Tasmania, *Photograph of Shop Exterior M19/285*, 1927.



Enquiries to: City Planning  
Phone: (03) 6238 2715  
Email: [coh@hobartcity.com.au](mailto:coh@hobartcity.com.au)

20 January 2020

Gianni Da Rui (Meyer Shircore Architects)  
Suite 2, 437 Roberts Road  
SUBIACO WA 6008

[mailto: gianni@meyershircore.com.au](mailto:gianni@meyershircore.com.au)

Dear Sir/Madam

**109 - 113 LIVERPOOL STREET, HOBART - WORKS IN ROAD RESERVE NOTICE OF  
LAND OWNER CONSENT TO LODGE A PLANNING APPLICATION - GMC-19-40**

**Site Address:**

109-113 Liverpool Street

**Description of Proposal:**

Awnings within the road reservation

**Applicant Name:**

Gianni Da Rui  
Meyer Shircore Architects

**PLN (if applicable):**

PLN-19-909

I write to advise that pursuant to Section 52 of the *Land Use Planning and Approvals Act 1993*, I grant my consent on behalf of the Hobart City Council as the owner/administrator of the above land for you to make application to the City for a planning permit for the development described above and as per the attached documents.

Please note that the granting of the consent is only for the making of the application and in no way should such consent be seen as prejudicing any decision the Council is required to make as the statutory planning authority.

Hobart Town Hall  
50 Macquarie Street  
Hobart TAS 7000

Hobart Council Centre  
16 Elizabeth Street  
Hobart TAS 7000

City of Hobart  
GPO Box 503  
Hobart TAS 7001

T 03 6238 2711  
F 03 6234 7109  
E [coh@hobartcity.com.au](mailto:coh@hobartcity.com.au)  
W [hobartcity.com.au](http://hobartcity.com.au)

 [CityofHobartOfficial](#)  
ABN 39 055 343 428  
Hobart City Council

This consent does not constitute an approval to undertake any works and does not authorise the owner, developer or their agents any right to enter or conduct works on any Council managed land whether subject to this consent or not.

If planning approval is granted by the planning authority, you will be required to seek approvals and permits from the City as both landlord, land manager, or under other statutory powers (such as other legislation or City By-Laws) that are not granted with the issue of a planning permit under a planning scheme. This includes the requirement for you to reapply for a permit to occupy a public space under the City's Public Spaces By-law if the proposal relates to such an area.

Accordingly, I encourage you to continue to engage with the City about these potential requirements.

Yours faithfully



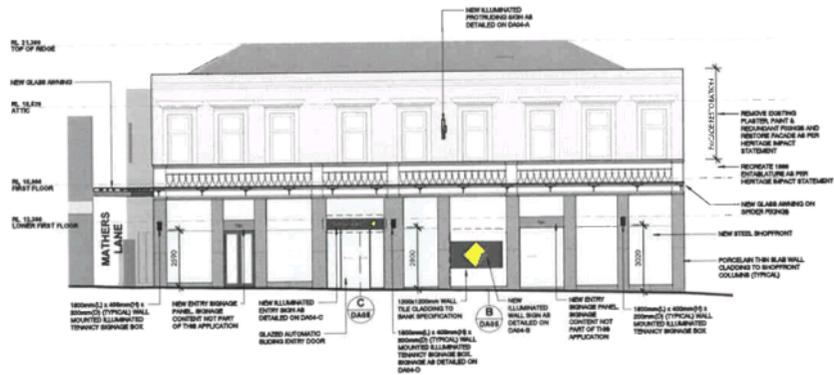
(N D Heath)

**GENERAL MANAGER**

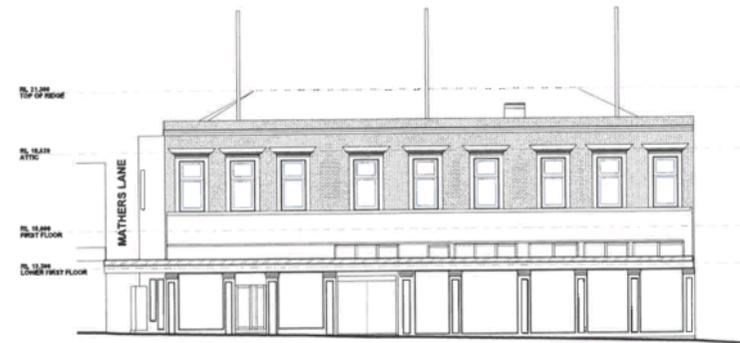
Relevant documents/plans:

Plans DA04 and DA06 - Meyer Shircore Architects

Approved - General  
Manager Consent Only  
[GMC-19-40]  
20/01/2020



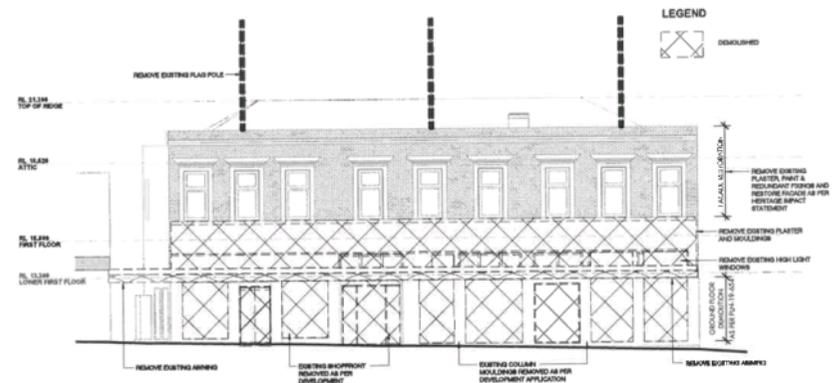
**LIVERPOOL STREET LIVERPOOL STREET ELEVATION - PROPOSED**  
SCALE: 1:100



**LIVERPOOL STREET ELEVATION - EXISTING**  
SCALE: 1:100



**LIVERPOOL STREET VIEW**  
SCALE: 1:100



**LIVERPOOL STREET ELEVATION - DEMOLITION**  
SCALE: 1:100

REFURBISHMENT AND ALTERATIONS TO EXISTING BUILDING  
LOCATION: 109-113 LIVERPOOL STREET, HOBART  
FOR: SILVERLEAF INVESTMENTS

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DEC 2019  
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meYer 55 YEARS  
ARCHITECTS 1963-2018  
© Meyer Shircore & Associates ACN 111 189 218  
Suite 2, Ground Floor, 437 RUSSELL ROAD, SUDBURY WA 6108  
PO Box 1206 Subiaco WA 6008  
t: 08 9381 8511 f: info@meyershircore.com.au



Approved - General  
Manager Consent Only  
[GMC-19-40]  
20/01/2020



**HIGHWAY RESERVE PLAN**

SCALE 1:100



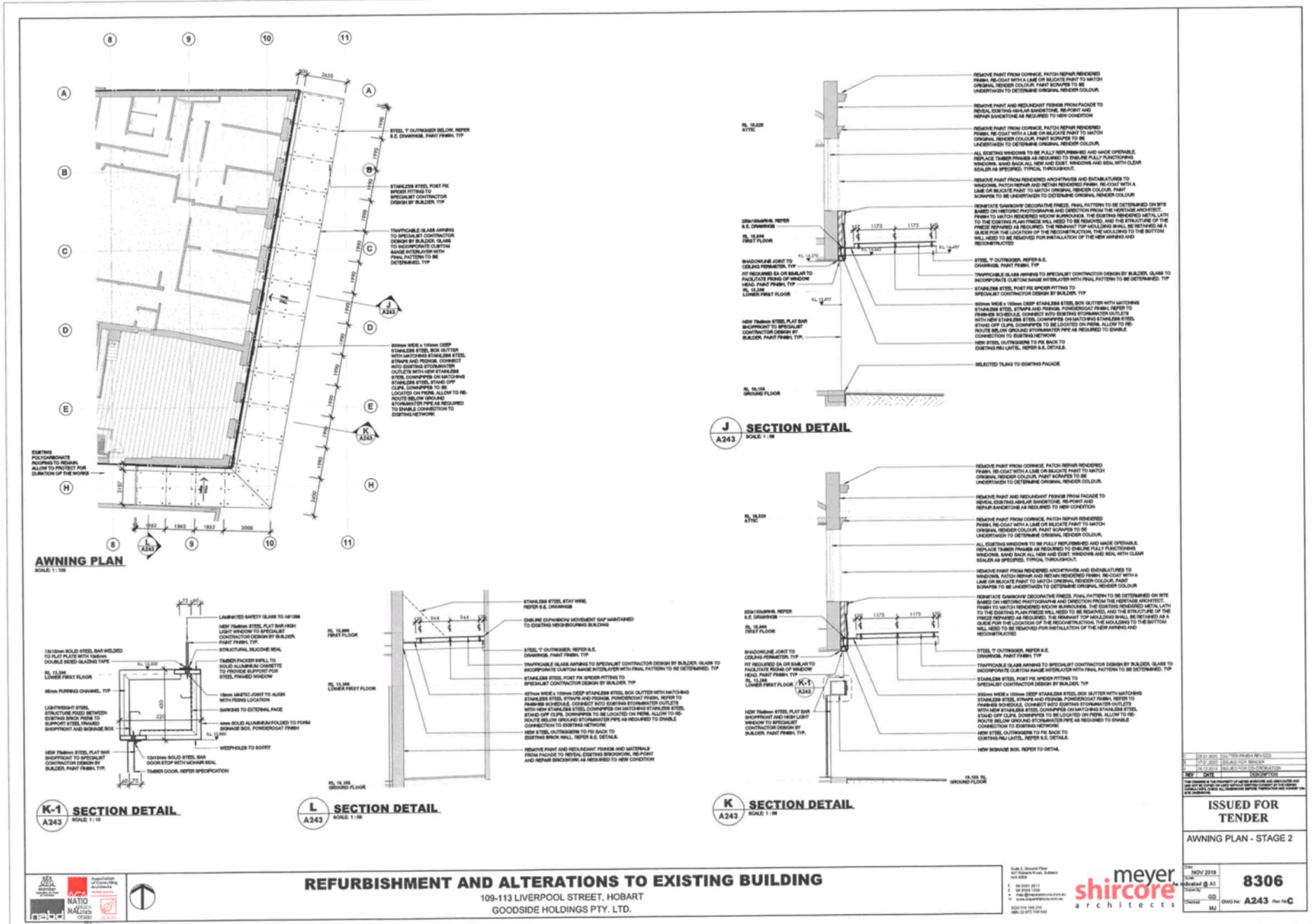
**REFURBISHMENT AND ALTERATIONS TO EXISTING BUILDING**

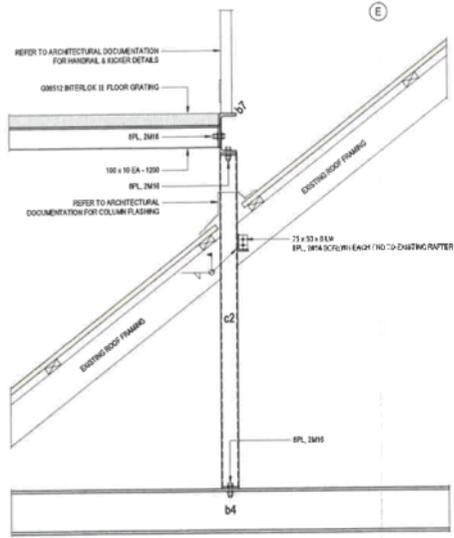
109-113 LIVERPOOL STREET, HOBART  
SILVERLEAF INVESTMENTS

6/11/2019  
451-453  
www.meyer-shircore.com.au

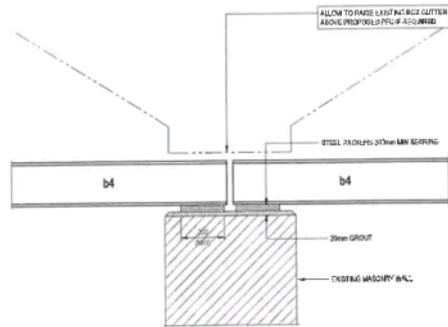


REV	DATE	DESCRIPTION
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HIGHWAY RESERVE		
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Drawn by:		
Author:	No: DA06	Rev No:
Checked:		

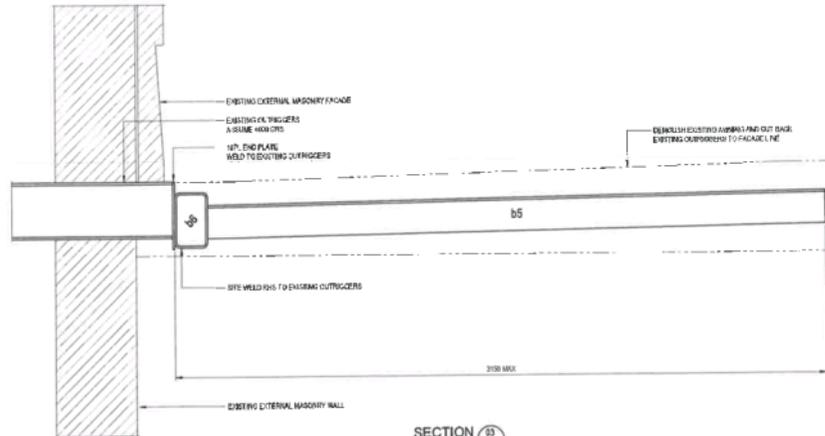




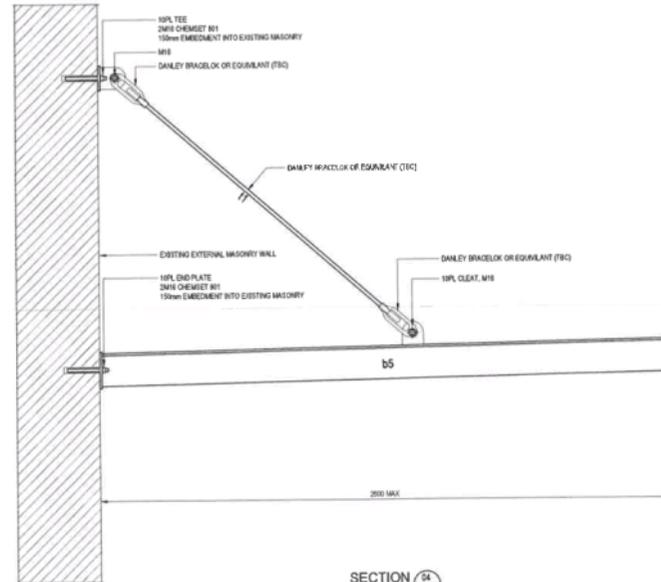
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DETAIL 02  
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SECTION 03  
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SECTION 04  
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REV	DESCRIPTION	APP'D	DATE
1	ISSUED FOR PERMIT	AR	23/03/2020
2	FOR CONSTRUCTION	AR	23/03/2020
3	FOR FINAL REVIEW	AR	23/03/2020

THIS DRAWING HAS NOT BEEN APPROVED FOR CONSTRUCTION

**GANDY and ROBERTS**  
CONSULTING ENGINEERS  
159 DAVEY ST., HOBBART TASMANIA, AUSTRALIA 7000  
www.gandyandroberts.com.au  
mail@gandyandroberts.com.au  
ph 03 6223 8877 fx 03 6223 7183

ALTERATIONS TO EXISTING BUILDING  
108-113 LIVERPOOL STREET  
HOBBART TAS 7000  
DRAWING TITLE  
FRAMING DETAILS 01

DESIGNED	DRAWN	CHECKED
AR	MR	AR
PROJECT	DRAWING	REVISION
19.0301	0601	1



Tasmanian Heritage Council  
GPO Box 618 Hobart Tasmania 7000  
Tel: 1300 850 332  
enquiries@heritage.tas.gov.au  
www.heritage.tas.gov.au

PLANNING REF: PLN-19-909  
THC WORKS REF: 6123  
REGISTERED PLACE NO: 2401  
FILE NO: 06-25-76THC  
APPLICANT: Gianna Da Rui, Meyer Shircore Architects  
DATE: 13 March 2020

## NOTICE OF HERITAGE DECISION

*(Historic Cultural Heritage Act 1995)*

The Place: 109-113 Liverpool Street, Hobart.  
Proposed Works: Partial demolition, alterations and reconstruction work to the Liverpool Street façade.  
Replacement of the existing awnings to the building and the Mather's Lane entrance with a new glazed awning.  
New illuminated signage to the façade.  
Removal of three c.1954 flagpoles mounted on the roof.

Under section 39(6)(b) of the *Historic Cultural Heritage Act 1995*, the Heritage Council gives notice that it consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application PLN-19-909, advertised on 26/02/2020, subject to the following conditions:

- I. **An extant record of the building frontage and the existing historic awnings must be completed in accordance with the Tasmanian Heritage Council's Practice Note No 3 (version 2, November 2014) "Procedure for Recording a Heritage Place" and provided to Heritage Tasmania in high resolution digital format, prior to the commencement of any works. This extant record must include:**
  - (i) **Measured drawings that clearly record the construction and details of the building elements in plan, elevation and section at a 1:50 scale for the plan, elevation and overall sections, and with details at 1:20 scale.**
  - (ii) **Photographs in high resolution that illustrate the form and detail of the building elements, with these images referenced to a plan of the structure in a manner that clearly shows the camera location/orientation for each image.**
  - (iii) **The extant record must be undertaken in three stages: prior to demolition work commencing, at reasonable stages during the demolition work, and following the demolition work. The first stage of the extant record must be submitted to Heritage Tasmania and must be to the satisfaction of the Works Manager prior to the commencement of demolition work.**

Reason for condition

To provide a record of these building elements prior to major works being undertaken, in accordance with the Tasmanian Heritage Council's current Practice Note 3 *PROCEDURE FOR RECORDING A HERITAGE PLACE*, and the appropriate outcomes described in Section 6.3 *Partial demolition of the Works Guidelines*.

2. **The construction drawings and specifications for the proposed development must be reviewed by a suitably qualified heritage consultant or architect who is familiar with the building and its heritage values.**
3. **The construction work must be overseen by a suitably qualified heritage consultant or architect who is familiar with the building and its heritage values, and this person must be duly consulted if any questions or issues arise about the heritage fabric or values of the place.**
4. (i) **All repairs to historic building fabric, must be like-for-like in detail and material and reconstruction work must closely replicate the building's historical details and materials.**  
(ii) **The repair and reconstruction work must be carried out by suitably qualified contractors with appropriate experience working with heritage buildings.**

Reason for conditions 2 to 4

To ensure that the work is designed, documented and carried out with due consideration for the historic cultural heritage values of the place, and by persons with the expertise necessary to achieve the proper conservation of the place's historic fabric.

5. (i) **The proposed section of tiled shopfront to Liverpool Street for Tenancy 2 is not approved. A glazed shopfront must be retained in this location, to closely coincide with the historical layout of the façade. The proposed 'wall sign front elevation' must be relocated to the rear of the glazed shopfront.**  
(ii) **Amended documentation demonstrating compliance with the requirements of this condition must be submitted to Heritage Tasmania and must be to the satisfaction of the Works Manager, prior to the commencement of works.**

Reason for condition

To ensure the new shopfronts are of a consistent character and transparency, which is sympathetic to the historic character of the place.

6. (i) **The proposed 'illuminated protruding sign' to the first floor is not approved; and, the three proposed 'wall mounted illuminated tenancy signage boxes' below awning level must be replaced with non-illuminated blade signs suspended below the awning.**  
(ii) **Amended documentation demonstrating compliance with the requirements of this condition must be submitted to Heritage**

**Tasmania and must be to the satisfaction of the Works Manager,  
prior to the commencement of works.**

Reason for condition

To mitigate impacts to the heritage character of the place and to ensure that new signage is consistent with the appropriate outcomes identified in Section 14.3 of the *Works Guidelines*.

Should you require clarification of any matters contained in this notice, please contact Deirdre Macdonald on 1300 850 332.



Ian Boersma

**Works Manager – Heritage Tasmania**

*Under delegation of the Tasmanian Heritage Council*

## Application Referral Cultural Heritage - Response

<b>From:</b>	Sarah Waight
<b>Recommendation:</b>	
<b>Date Completed:</b>	
<b>Address:</b>	109 - 113 LIVERPOOL STREET, HOBART
<b>Proposal:</b>	Partial Demolition, Alterations and Signage
<b>Application No:</b>	PLN-19-909
<b>Assessment Officer:</b>	Michael McClenahan,

### Referral Officer comments:

#### Background and Proposal

This is an application for works to the subject property and follows on from the assessment and issue of a permit for application PLN-19-654 at the same address. That application was for internal and external works associated with new tenancy uses in the building with a frontage to Liverpool Street and the small commercial tenancies along Mathers Lane.

This application is for:

- the removal of the three flagpoles on top of the front Liverpool Street elevation,
- demolition of the existing pressed metal awning on Liverpool Street and the section of the matching pressed metal awning that returns and covers Mathers Lane,
- the construction of a new glazed awning on Liverpool St and part of Mathers Lane,
- reconstruction of decorative facade detailing, involving removal of the wall and highlight windows
- removal of plaster to the front facade,
- three (3) new signs on the front facade including one above the new awning, all for the Commonwealth Bank, plus one extra sign which was approved as part of PLN-19-654 but without any details.



Subject property of 109-113 Liverpool Street: Source Council image

This property is heritage listed in Table E13.1 of the Historic Heritage Code of the Scheme.

This application is supported by a Heritage Impact Statement (Stage 2 Facade Works) (HIS) December 2019 by Griffith Architects of Subiaco, Western Australia.

Given the complexity of the site, a Conservation Management Plan (CMP) was requested by Council and submitted with the application PLN-19-654. The Heritage Impact Statement (HIS) refers to the CM. Both address the significance of elements on the subject site and make assessment, conclusions and recommendations.

In summary, a CMP is a document that:

1. gathers and records information about the place in order to understand significance
2. assesses the significance of a place
3. develops policy and strategies in accordance with the policy.

The CMP and HIA make a number of recommendations. These recommendations are summarised in relation to each part of the proposed works below.

The proposed demolition and works must be assessed against E13.7.1 P1, E13.7.2 P1, E13.7.2 P2, E13.7.2 P3 of the Historic Heritage Code. The new sign must be assessed against E17.7.2 P1 Standards for signs on Heritage Places subject to the Heritage Code.

No representations were received during the advertised period.

### History

Understanding the history of the building, particularly its social history is critical to understanding the historic cultural significance of the building, as required under the provisions of the Historic Heritage Code of the Scheme.

In summary, the current building was constructed in 1848 as separate buildings, with evidence suggesting the basement may be from previous buildings. The architect was Alexander Dawson, senior clerk of works with the Office of the Ordnance, from 1844 to 1856 for Henry Brock, a baker. In 1849, it became home to one of the longest running and successful Hobart drapery store run by successive generations of the Mather family from 1849 to 1972. The Mather family were well known as business family, but also as Quakers. Extensive alterations and extensions were undertaken to 113 Liverpool Street (shop closest to Mathers Lane in 1896 and then to the whole group of buildings in 1919. Further alterations were made to the shop front in 1973 when the building was taken over by J T Soundy Pty Ltd and then again in 1989. Mathers was one of the largest department store in Hobart with over 20 departments including mens and womens fashion, beauty salon and a workroom for clothing alterations. Mathers had traded there for 123 years.

The alterations in 1896 altered the plate glass windows combining shops into a single drapery shop, giving it additional displays of manchester, drapery and millinery. In 1919, the shop underwent major restoration with the complete remodelling of the facade from below the second storey windows to include a new awning linking the entire facade together. At ground level, the shop frontage has only small amounts of original heritage fabric particularly as the 1919 alteration resulted in the removal of the original shop fronts and the insertion of large Rolled Steel Joist (RSJ) beams with new high light windows and shop front windows designed by notable local architect Alan Cameron Walker in partnership with Archibald Johnston.

### Significance

The CMP concludes:

*"Built in numerous phases, the 109 Liverpool Street contains elements of its earliest period of construction, a large portion of the 1849 major period of construction and all subsequent phases.*

*The place has some rarity as representative of a long running and very successful Mathers family business that was for a long time one of the most prestigious shops in Hobart.*

*While the 1849 building group designed by Alexander Dawson was a building of high aesthetic value, it is quite compromised and the successive changes having adversely impacted on the building.*

*Finally, it has some rarity value of a place that is representative on many of years of Hobart's retail history, through its many stages of ownership and development, to the present."*

### **Awnings**

In 1990, Hobart City Council by way of a series of resolutions began preparing a Strategy Plan for the City Centre. A Heritage Topic Report was compiled and prepared a list of street features for inclusion on the Heritage Schedule. This included the awnings for properties from 105-107 Liverpool Street to 127 Liverpool Street (inclusive of 109-113 Liverpool Street and the return into Mathers Lane. The following images show the awnings of heritage significance.



Awning 1 - 105-107 Liverpool Street, Source: Council image



Awning 2 - the subject property of 109-113 Liverpool Street, Source: Council image



Awning 3 - the subject property of 109-113 Liverpool Street, Source: Council image



Awning 4 - Mathers Lane between 109-113 Liverpool Street and 117-117a Liverpool Street, Source: Council image



Awning 5 - 117-117a and 119 Liverpool Street, Source: Council image



Awning 5 - 121 Liverpool Street, (recently repaired and repainted) Source: Council image

The HIA identifies the primary cultural heritage significance of the building and it is as follows:

*"Its capacity to demonstrate the history and development of a commercial and residential premises, at least in part from the 1830s, and more substantially from 1849 to the present;*

*Its long association with the Mather family drapery business (1849-1971) and its ability to demonstrate how the business has evolved over time. It was an important commercial landmark in the Hobart CBD for generations, being once described as the largest, most important drapery business in Hobart;*

*It contributes significantly to the CBD streetscape which contains many early to late nineteenth century double storey shops, many with a high degree of detailing and finishing, exemplifying the economic boom of the early to mid-nineteenth century; and,*

*It provides a complex history of the retail story, changing pattern of life of retailers, a long history of construction methods, and the kind of evolution that has taken place in retailing to accommodate changing needs and trends."*

In summary, the building, especially the facade and awning as it is today, reflects the statements of significance outlined in the CMP, particularly as a business that evolved over time to become the largest and most important drapery business in Hobart and the changing pattern of retailing. In fact the awning equates to 100 years of retailing on this site and is significant in its association with other retail buildings along the length of Liverpool Street.

The proposed demolition of the awning must be assessed against E13.7.2 P1.

**E13.7.1 P1**

*Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied;*

- (a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;*
- (b) there are no prudent and feasible alternatives;*
- (c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained;*
- (d) significant fabric is documented before demolition.*

The CMP identifies the awning as "significant" and identifies that there will be "some impact" associated with the removal of the 1919 awning. This awning and the awnings next door at 117, 117a and 119 Liverpool Street are all similar, having been constructed at the same time, all having a vaulted ceiling form. As such, the awning of 109-113 Liverpool Street does not sit in isolation and is contiguous with the awnings of the same age, character and detailing on adjacent buildings along Liverpool Street and along Mathers Lane. The above photos demonstrate all awnings in this grouping. The demolition of this awning will destroy the continuity and integrity of all the Liverpool Street awnings and will result in a gap in the awning streetscape. Currently, all awnings are functional and can continue to be reused and retained with minimal repair and be brought up to the standard of the awning of 121 Liverpool Street which has been recently repaired and renovated.

The rationale provided by the applicant for the demolition of the awning and replacement with a glazed awning is to allow the reinstated facade to be viewed. However, it must be noted that the value of the Dawson facade is not regarded by the author of the CMP as being of such significance that it warrants such work, through policy statements: "When the refurbishment and or replacement of the street treatments is considered, the significance of 109 Liverpool Street should be front of mind and treatments designed to enhance the presentation of the place." This very policy is stating that the building has evolved over time and that therefore building works should reflect that evolution. Alongside this, the HIA describes the new work as "Remove the existing 1919 era pressed metal awning (significant) and highlight windows (significant) above and replace with high level glazed shopfronts and a new glass and steel awning", a statement that in its self points to the very removal of significant fabric. On the other hand the HIA overstates the benefits of the awning removal and the reinstatement of the Dawson decorative detailing. The HIA also states that the glass awning will provide amenity, however, the existing awning already does this as well as contribute to the historic character of the building and street.

As such, there is a significant gulf between the significance of the place and the formulation of the works, not based on good conservation practice and principles, in particular the "do as much as necessary, but as little as possible" approach that is the foundation of the Burra Charter, but arriving at a predetermined outcome, a desire to return the facade, not in entirety, but in a hypothetical manner to an earlier form. It is a heavy handed approach that ultimately portrays a false impression of the history of the building, does not respect the significance of the property, its evolution and introduces new materials in the form of a new glass awning that bears no relationship to the original building. It is not good conservation practice, result sin the loss of significant fabric and does not reflect the character and history of Hobart. When such a proposal is considered in terms of Burra Charter principles, the reinstatement of complex decorative detailing is not clear, as well as in what materials the Dawson facade will be created. Given the complexity of the original stone design, it is unclear how and by whom such work can be achieved.

Therefore the demolition of the 1919 awning of heritage significance does not satisfy E13.7.1 P1.

#### **The flagpoles**

There are three flagpoles on the front facade. They are timber and the historical research indicates they were installed in 1954 for the Royal visit of the Queen and Duke of Edinburgh, however a photograph dated to the 1920s after the 1919 renovation show at least two flag poles on the parapet.



Three flagpoles above the parapet dating to 1954. Source: Council image.

The photograph below demonstrates the civic pride of the time and the enthusiasm with which people adorned their buildings and streets. Even buildings that were not part of the Royal travel route embraced the Royal fervour of the time.



Shop facade decorated for the visit of Queen Elizabeth, 1954 (UTAS M19/286), Source: Applicant supporting documentation, CMP, p.36

The CMP has the following references regarding the flagpoles:

- (p.98) - the flagpoles have some significance,
- (p.112) - "Medium Term Works carry out between two to three years (3) - Conserve flagpoles if they are to be retained."
- (p.121) - "Flag poles relate to the queens visit in 1954 and could remain."

The removal of the flagpoles must be assessed against the E13.7.1 P1 Demolition which states:

**E13.7.1 P1**

*Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied;*

- (a) there are, environmental, social, economic or safety reasons of greater value to the

*community than the historic cultural heritage values of the place;*  
*(b) there are no prudent and feasible alternatives;*  
*(c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained;*  
*(d) significant fabric is documented before demolition.*

Complete sets of flagpoles from this era are becoming rare in Hobart and those that are left are not used for their original purpose, however, there is a compelling case for the retention of flagpoles on the basis that they represent a period of Hobart's history that is no longer celebrated in the same way, a period where the demonstration of civic pride and wide appeal of the monarchy. It is worth noting that flag poles are rarely installed on buildings today, and are dismissed as archaic or unfashionable. However, flagpoles are documents of our history and can continue to fulfill number of other functions, other than their original purpose, such as the celebration of a wide range of events or remain on a building with limited imposition. As described in the CMP, the flagpoles require conservation or repair and carry out works at regular intervals. As such the CMP indicates that their removal is not critical to the proposed use of the building and could remain. In this respect, the proposal does not satisfy E13.7.1 P1.

#### **Previous approvals**

In addition to the above assessment, the previous planning application (PLN-19-654) was issued by Council with the following condition:

#### **HER 12**

**The existing flagpoles on the Liverpool Street facade must remain in situ and be conserved and repaired. Prior to the issue of any approval under the *Building Act 2016*, documentation must be submitted and approved showing the flagpoles in accordance with the above requirement.**

**All work required by this condition must be undertaken in accordance with the approved documentation.**

#### Reason for condition

To ensure that development at a heritage place does not result in the loss of historic cultural heritage significance.

Therefore, the proposed works to demolish the flagpoles would be inconsistent with the recent permit for the site which requires them to be kept in situ, conserved and repaired.

#### **HER 5**

**All below awning signs must be anchored to the front facade and not hang from the street awning. The existing awning must be repaired and conserved in situ prior to occupation by the bank.**

**Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved showing details for the installation of the sign and all repairs to the awning in accordance with the above requirement.**

**All work required by this condition must be undertaken in accordance with the approved revised plans.**

#### Reason for condition

To ensure works do not result in the loss of cultural heritage significance.

The demolition of the significant awning would be inconsistent with the permit for the site which requires the awning to be repaired and conserved in situ.

#### **New works**

The new awning and works to the entrance of the Commonwealth Bank including the facade

must be assessed against E13.7.2 Buildings and Works other than Demolition.

The objective is:

*To ensure that development at a heritage place is:*

- (a) undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance; and*
- (b) designed to be subservient to the historic cultural heritage values of the place and responsive to its dominant characteristics.*

Clause E13.7.2 P1 states:

*Development must not result in any of the following:*

- (a) loss of historic cultural heritage significance to the place through incompatible design, including in height, scale, bulk, form, fenestration, siting, materials, colours and finishes;*
- (b) substantial diminution of the historic cultural heritage significance of the place through loss of significant streetscape elements including plants, trees, fences, walls, paths, outbuildings and other items that contribute to the significance of the place.*

The removal of the awning and flagpoles will result in the substantial diminution of the significance of the place through the loss of significant streetscape elements and the new glazed awning is incompatible in its design, materials, siting and height (ie not in alignment with the existing awnings on adjoining properties. The new works to the facade to 'restore' the facade are unnecessary and inconsistent with the local historic values of the place, its evolution as a department store having gone through major phases of change. The proposal does not satisfy E13.7.2 P1.

Clause E13.7.2 P2 states:

*Development must be designed to be subservient and complementary to the place through characteristics including:*

- (a) scale and bulk, materials, built form and fenestration;*
- (b) setback from frontage;*
- (c) siting with respect to buildings, structures and listed elements;*
- (d) using less dominant materials and colours*

The new awning does not complement the place as it is too high, of the wrong materials and will be highly contrasted in form and detail to the existing plain facade. Subservient means "serving or acting in a subordinate capacity", while the word complementary means: "something that completes or makes perfect, in harmony with" or "making up a harmonious whole", see *S Solvyns v Hobart City Council & Ors* [2017] TASRMPAT 8. The proposed awning does not achieve this, is discordant and visually intrusive and introduces incompatible design to the place. Being on the front elevation of the building, there is a requirement that the design complements the original structure. The existing awning does this. The new awning does not. The proposal does not satisfy E13.7.2 P2.

Clause E13.7.2 P3 states:

*Materials, built form and fenestration must respond to the dominant heritage characteristics of the place, but any new fabric should be readily identifiable as such.*

The glazed form does not respond in the sense of it holding a balanced answer or response. The highly dominant metal fins and sheet glazing does not reflect the heritage values of the now plain Victorian Georgian facade. It is important to note that the clause clearly states that materials, built form and fenestration **must** respond, but any new fabric **should** be readily identifiable. Clearly the word **must** is a clear directive while the word **should** is advice. The new awning does not satisfy E13.7.2 P3.

The remaining provisions of E13.7.2 do not apply or are not relevant in this instance.

The proposed signage has two components - an illuminated sign above the awning and signage below. All signage must be assessed against E17.7.2.

Clause E17.7.2 P1 states:

*A sign on a Heritage Place listed in the Historic Heritage Code or within a Heritage Precinct or Cultural Landscape Precinct must satisfy all of the following:*

- (a) be located in a manner that minimises impact on cultural heritage significance of the place or precinct;*
- (b) be placed so as to allow the architectural details of the building to remain prominent;*
- (c) be of a size and design that will not substantially diminish the cultural heritage significance of the place or precinct;*
- (d) be placed in a location on the building that would traditionally have been used as an advertising area if possible;*
- (e) not dominate or obscure any historic signs forming an integral part of a building's architectural detailing or cultural heritage values;*
- (f) have fixtures that do not damage historic building fabric, including but not restricted to attachments to masonry and wood, such as to using non-corrosive fixings inserted in mortar joints;*
- (g) not project above an historic parapet or roof line if such a projection impacts on the cultural heritage significance of the building;*
- (h) be of a graphic design that minimises modern trademark or proprietary logos not sympathetic to heritage character;*
- (i) not use internal illumination in a sign on a Heritage Place unless it is demonstrated that such illumination will not detract from the character and cultural heritage values of the building.*

The proposed signage below the awning is not problematic as it is anchored to the facade that has been heavily modified and is of the size and design that is consistent with below awning signage in the street. The sign above on the facade is problematic as it illuminated, is fixed directly into historic building fabric, is of a graphic design, size and design and located in a place that does not contribute to the significance of the place. Clause E13.7.2 P1 requires the proposal to satisfy all of the sub-clauses (a) to (i) and in this instance the proposed above awning sign does not satisfy E13.7.2 P1.

### **Conclusions**

The awning is identified in the CMP and the HIA as 'significant'. The provisions within the Historic Heritage Code for demolition in part of a heritage place state clearly that demolition must not result in the loss of significant fabric. The demolition of the awning will result in the loss of heritage fabric and does not satisfy E13.7.1 P1.

The reinstatement of the 1849 decorative facade element is problematic and while some parts of the original facade remain, the structure has been significantly altered and original fabric lost to such an extent that its retention on the ground of cultural significance would be unjustified.

As the proposal is supported by a CMP and a HIA, the concept of the significance of the awning must be considered. The CMP and the HIA both identify the awning as significant. Its demolition is clearly contrary to the provisions E13.7.1 P1, P2, and P3. In addition, the work is contrary to the Burra Charter principal of doing as much as necessary, but as little as possible, retaining all parts of its history and not distorting the history of a place by presenting a false picture of the history or design of the place, ensuring that places remain authentic.

The author of the CMP, by their own admission, states that the facade as an example of Alexander Dawson's architectural work is compromised. As such, 'the moment has passed' for this building to fully tell the story as an example of the work of Dawson and that the significance of the building rests with its heritage value as a place associated with the long running and successful Mathers family business and as an example of the evolving nature of retail history in

Hobart. As such, each period of the building's evolution has value and that there would be no benefit in the partial reinstatement of the Dawson facade a the loss of the Mather's store history, especially given the building would evolve into a incongruous and contradictory hybrid of the current and valid historical example of a retail store.

In summary, the demolition of the awning and the flagpoles will result in the loss of significant heritage fabric and must be refused. The proposed new glazed awning is incompatible, is not subservient and results in the loss of significant streetscape elements. The proposed sign on the facade above the awning is problematic and must be refused.

The proposal does not satisfy the following provisions:

E13.7.1 P1  
E13.7.2 P1  
E13.7.2 P2  
E13.7.2 P3  
E17.7.2 P1

The grounds for refusal are:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.1 A1 or P1 of the *Hobart Interim Planning Scheme 2015* because proposed demolition would result in the loss of fabric of significance that contributes to the historic heritage significance of the place, and it has not been demonstrated that:

- (a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;
- (b) there are no prudent and feasible alternatives;
- (c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained.

2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A1 or P1 (a) and (b) of the *Hobart Interim Planning Scheme 2015* because the design is a incompatible design through height, siting, form and materials and result in the loss of significant streetscape elements in the form of awnings and flagpoles.

3. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A2 or P2 (a), (c) and (d) of the *Hobart Interim Planning Scheme 2015* because the awning is not subservient or complementary to the facade of the listed place due to its built form, scale, siting and materials with respect to a listed building.

4.

The proposal does not meet the acceptable solution or the performance criterion with respect to

5. The proposal does not meet the acceptable solution of the performance criterion with respect to

Sarah Waight  
Acting Senior Cultural Heritage Officer  
18 March 2020