



CITY OF HOBART

# MINUTES ATTACHMENTS

## COUNCIL MEETING

### OPEN PORTION OF THE MEETING

MONDAY, 23 MARCH 2020

AT 5:00 PM

VENUE: COUNCIL CHAMBER, TOWN HALL

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Hobart Wheelers-Dirt Devils Inc  
GPO Box 1888  
HOBART TAS 7001

18 March 2020

Attention:

Councillors/Alderman and General Manager

#### LETTER OF SUPPORT FOR THE DRAFT MOUNTAIN BIKE NETWORK PLAN

Hobart Wheelers/Dirt Devils Incorporated strongly supports that the Draft Mountain Bike Network Plan be adopted by Council as a Formal Plan.

We are Hobart's largest cycling club, with a long history organising and running a range of mountain biking events. Our club supports the development of additional cycling infrastructure that facilitates healthy activity and enclose an electronic member petition in support of the Council initiative.

In 2019 through partnership with **Mountain Biking Australia** we delivered a trail workshop. Assisting a range of stakeholders in understanding the requirements of sustainable trail development in the Kunanyi/Mt Wellington Lower Foothills. This workshop was hosted by Hobart City Council to assist in the planning and construction of future works.

We have been working with Council already to encourage club members to attend the excellent track-care events that have helped deliver the new and refurbished trails as part of the Councils Missing Link Project.

The club have been closely consulted by Council officers and Dirt Art in the formation of the draft plan and are appreciative of the opportunity to be involved.

As a club we believe that developing a connected network of trails as those proposed under Hobart City Councils **Draft Mountain Bike Network Plan** will establish and identify the **Hobart Lower Foothills** as a dedicated mountain destination.

The plan is an opportunity to create a unique experience for local and visiting riders and community groups. It also provides an opportunity to fill a gap in the evolving cycling market that is being capitalised on by regional cycling developments.

Mountain biking is a growing sport that caters for both recreational and competitive riders. The Hobart Lower Foothills plan if progressed will, through good design, increase access and opportunities for recreational riders. This will see more Hobartians take up mountain biking – and reap the numerous rewards of better health and wellbeing that cycling offers.

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The Draft Plan aligns with several priorities contemplated under the 2017 Tasmanian Cycle Tourism Strategy and matures the concepts considered in the Greater Hobart Mountain Bike Master plan. In addition, it provides continuity with the Glenorchy Mountain Bike Park. Currently the Glenorchy Council is developing a Masterplan to ensure the Park retains relevancy for mountain bike riders and the broader Glenorchy community. It will also form a cornerstone of the Wellington Trust's Visitor and Recreation Strategy, also under development.

Further information on our key initiatives is available on the **Advocacy** page of our website.

In conclusion, we commend the Draft Mountain Bike Network Plan for adoption as a Formal Plan by Council.

Yours faithfully,



**Adam Christopher**  
President  
Hobart Wheelers / Dirt Devils Inc.  
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[www.hobartwheelers.com.au](http://www.hobartwheelers.com.au)  
[www.dirtdevilsmtb.com](http://www.dirtdevilsmtb.com)

### Petition (electronic)

Date: 18 March 2020

To the Lord Mayor, Aldermen and the General Manager of the Hobart City Council, the petition of the undersigned is submitted for your attention.

State the subject matter:

**Hobart City Councils Draft Mountain Bike Network Plan**

State the action sought by the petitioners:

**Hobart Wheelers/Dirt Devils Incorporated and its members strongly supports that the Draft Mountain Bike Network Plan be adopted by Council as a Formal Plan.**

Total number of signatories to the petition **179**

Please Note: To be a valid petition:

The full printed name, address and signature of the person lodging the petition must be provided.

Name: ..... *Adam Christopher* .....

Postal address: ..... *8 Bournville Crescent Claremont Tasmania* .....

Signature: 

Full Name	Address	By selecting Yes you are agreeing to sign this petition
Mark Grzinic	7 Schouten Street Warrane, Tas 7018	Yes
Mark Johnston	34 Montagu St Lenah Valley TAS 7008	Yes
Stuart Wiggins	22 Suncoast Drive Blackmans Bay TAS 7052	Yes
Russell Tatlow	6/124 Mary's Hope Road Rosetta 7010	Yes
Jeff Thomas	47 old farm road South Hobart	Yes
Duncan Elliott	12 Fielder Lane, Howrah	Yes
Sam Newton	88 Tabor Road, Acton Park 7170	Yes
Todd Stanton	14 Myuna road Blackmans bay Tas 7052	Yes
Mark Hayes	6/65-69 Letitia Street North Hobart 7000	Yes

Darryl Griffiths	6 Hatchery Court West Hobart 7000	Yes
Grant Munting	65 Cornwall St Rose Bay TAS	Yes
Jonathan Fair	4 Mercer st New Town 7008	Yes
Grant Allen	146 Summerleas Rd, Kingston, Tas, 7050	Yes
Carl Haynes	12 James ave Kingston Beach	Yes
Anthony Coe	84 Diamond Drive Blackmans Bay 7052	Yes
Peter Crowe	90 Lindhill Ave, Geilston Bay, Tasmania 7015	Yes
Rob Bearham	53 Black Snake Road, Granton 7030	Yes
Maree Tomes	21 Seven Mile Beach Road, Seven Mile Beach, 7170	Yes
James Klousia	91 Brookston Dr Mornington 7018	Yes
Ralph Newton	69 Kellow Place Sandford	Yes
Matt Skalicky	60 York St Sandy Bay Tas 7005	Yes
Su Sprott	16 Windsor St Kingston Beach tas 7050	Yes
Joanne Grzinic	7 Schouten Street Warrane 7018	Yes
John Laughlin	172 Flagstaff Gully Road, Lindisfarne, 7015	Yes
Andrew Shields	8A Romilly Street, South Hobart 7004	Yes
Christopher Blom	4/5 Wells Parade, Blackmans Bay, 7052	Yes
Leigh Wighton	38 Riverway Road Montrose TAS 7010	Yes
Jed Thurley	1-16 Illawarra rd Glenorchy 7010	Yes
James Martyn	106 Bowen Road Lutana 7009	Yes
Lindsay Ashlin	5 Bay Rd, Lindisfarne 7015	Yes
Nathan Chilcott	2b Syme Street, South Hobart	Yes
Mat Hunnibell	43 Arthur Street West Hobart	Yes
Gill Course	30 Clutha Place Sth Hobart	Yes
Cameron smith	6 keynsham rd claremont 7011	Yes
Marc Mumford	9 rowlands crt kingston 7050	Yes
Nick Hutchinson	6 Baragoon Street Howrah	Yes

Hans Dadson	62 morrisby street Rokeby 7019	Yes
Annie McDonagh	13/213A Tolosa Street, Glenorchy, 7010	Yes
Matthew Rickards	190 Carella Street Howrah 7018	Yes
Byron Wallis	40 Incana rd, Margate, Tas 7054	Yes
Anthony Tracey	3 Ginseng Court, Kingston TAS 7050	Yes
John Darcey	70 Collins Street. Hobart. 7000.	Yes
Daniel Beaumont	3 Walton Street West Launceston 7250	Yes
Ben Stewart	56 begonia st lindisfarne 7015	Yes
Josh McDonald	4 hillborough Rd south Hobart 7004	Yes
Alex Head	25 Percy St Richmond TAS	Yes
Evan Peacock	403 Rifle Range Road Sandford	Yes
Ewen Davey	18 bonnett place, Mornington, 7018	Yes
Tim Jarman	16 monash avenue Lenah Valley 7008	Yes
Andrew Percy	13 Montgomery avenue Seven Mile Beach 7170	Yes
Rob Carlisle	29 Pottery Road, Lenah Valley, 7008	Yes
Kris clauson	30 taroona crescent taroona	Yes
Steve Flynn	147 Derwent Ave, Lindisfarne 7015	Yes
Ben Gardner	55 Cascade Rd Sth Hobart 7004	Yes
Andrew Terhorst	5 Atunga Street Taroona TAS 7053	Yes
Troy Grundy	40 Eurobbin Street Geilston Bay	Yes
Jeremy Adams	27 Apsley St, South Hobart 7004	Yes
Luke Roberts	2/251 Bathurst st west Hobart	Yes
Grant Rowbottom	9 Kirval Court West Hobart 7000	Yes
Damon Jackson	51a seven mile beach road. Seven Mile Beach tas 7170	Yes
Darryl Smith	39 King St, Bellerive, 7018	Yes
Lucas Smith	9 Derwent Avenue Geilston bay	Yes

Andrew Cathcart	6 New World Avenue Trevallyn Tasmania 7250	Yes
Julian Russell	4 McGuinness Cr, Lenah Valley, Tas, 7008	Yes
Mark Ireland	70 ocean esplanade BLACKMANS bay	Yes
Mike Austin	3 Jennings Street, New Town, 7008	Yes
Jodie Willett	172 Flagstaff Gully Rd, Lindisfarne 7015	Yes
Tony Ross	P.O. Box 530 Glenorchy	Yes
Luke Hammond	13 Mayne Street, Invermay 7248	Yes
Elton Judd	40 Proctors Rd, Dynnryne 7005	Yes
Max Mennitz	18a Curtis Avenue South Hobart	Yes
David Dare	5 Nightingale ave Taroona	Yes
Russell Guest	199 Macquarie Street hobart	Yes
Neil Richards	103 Strickland Ave South Hobart 7004	Yes
Chris fysh	15 bayview court sorell	Yes
David McQuillen	16 utiekah drive, Taroona 7053	Yes
Ben Van Dam	10 Ashley court Blackmans bay 7052	Yes
Lokesh Sangarya	403 Huon Road, South Hobart TAS 7004	Yes
Sean Mennitz	18a Curtis Avenue South Hobart	Yes
Leon Ashlin	99 Corinth Street, Howrah	Yes
Aidan Lewis	18 Bluestone Rise Lenah Valley 7008	Yes
Richard goodsell	8 hiern rd blackmans bay	Yes
Sam Brooks	142 Blackstone Rd Blackstone heights 7250	Yes
James Cole	14 Camden Cres Moonah 7009	Yes
Barry Fleming	234 Lewisham Scenic Drive, Lewisham 7173	Yes
Ross heather	50 Schmidt road mountain river 7109	Yes
James Charlton	24 Broadwaters Parade Sandy Bay 7005	Yes
Linda Breaden	7 Aragoon Street, Lauderdale 7021	Yes
Will Whittington	Glebe 7000	Yes

Simon Townsend	12 nursery court Lenah valley Tas 7008	Yes
Daniel Hassett	26 Berega Street Howrah	Yes
Chris Finlay	14 Willow Lane Prospect Vale 7250	Yes
charmaine stanton	2/14 Myuna Road Blackmans Bay	Yes
Michael Eastwood	10 Restdown Drive Otago	Yes
Ian Henderson	174 Forest Road West Hobart 7000	Yes
Will Hobbs	4/8a Roomily Street, South Hobart, 7004	Yes
Murray Root	40 Channel Highway, TAROONA, 7053	Yes
Leo Thomas	47 Old Farm Road, South Hobart	Yes
Alex Cole	19 Danina Street Chigwell	Yes
Keith Hayes	20 Anglesea Street South Hobart 7004	Yes
Nichola Wood	42 Hill Street Bellerive Tas 7018	Yes
William Stephenson	50 Montpelier Retreat, Battery Point, TAS 7004	Yes
Ned Worledge	4 Zenith Court Howrah 7018	Yes
Joshua Banks	2 Singapore St, Midway Point, TAS 7171	Yes
Katy Thomas	47 Old Farm Road South Hobart 7004	Yes
Thomas Booth	4 Culbara Road, Electrona	Yes
james beach	anneandjames.b@gmail.com	Yes
Gabriel Yannarakis	21 Waterloo Cres, Battery Point 7004	Yes
Aaron Stewart	11 Hurst St, Queenstown TAS 7467	Yes
Nadine Nichols	4 Culbara Road, Electrona Tas	Yes
Steve Yannarakis	21 Waterloo Crescent, Battery Point	Yes
Howard Mitchell	68 Hill St, West Hobart, TAS, 7000	Yes
Dimos Yannarakis	21 Waterloo Crescent, Battery Point	Yes
Graham Humphries	75 Direction Drive, Otago, 7017	Yes
Graham Scott	35 Raymont Terrace, Mount Stuart 7000	Yes

Scott Macdonald	21 Devonshire Square West Hobart 7000	Yes
James Goodsell	8 Hiern Road, Blackmans Bay, 7052	Yes
Sam Howarth	19 Suncrest Ave, Lenah Valley, 7008	Yes
Fiona Nichols	183 Tabors Road Margate 7054	Yes
Paul Hutchins	5 Arlunya Street, Tranmere 7018	Yes
David Jolly	30 Fletcher Avenue	Yes
Jackson Cracknell	31 Daman Court, Cremorne, 7024	Yes
Chris Shelverton	65 Talbots Road, Sandfly 7150 TASMANIA	Yes
David Palmer	10 Ashbolt Crescent, Lutana, 7009	Yes
Reuben Shelverton	65 Talbots Road, Sandfly 7150 TASMANIA	Yes
Gustavo Fiuza	10 Ocean Esplanade Blackmans Bay 7052	Yes
Cory Griffiths	17 Keith White Crescent Mount Stuart 7000	Yes
Justin Hulls	39 Mather Place Sandford 7020	Yes
Matt Davis	408 Liverpool Street, West Hobart TAS 7000	Yes
Jonathan Elliot	413 Liverpool Street	Yes
Thomas Giblin	33 Red Chapel Ave, Sandy Bya, TAS, 7005	Yes
Richard Sampson	50 Hall St, Ridgeway TAS 7054	Yes
Martin Stephenson	8 Montgomery Court sandy bay	Yes
Deane Hayes	65 Hance Rd Howrah 7018	Yes
Andrew Hanigan	329 Lyell Hwy Granton Tas 7030	Yes
Jeff Sward	3 Monaco Place Howrah Tasmania 7018	Yes
Peter George	51 Glebe Hill RD Howrah 7018	Yes
John Kingston	19 Ridgeway Road, Ridgeway	Yes
Tim harmsen	32 Willowdene Ave Sandy bay 7005	Yes
Andrea Heron	9 Sunways Ave Seven Mile Beach 7170	Yes
Peter Cheesman	193 Axiom way Acton Park TAS 7170	Yes
Goonjoon Kim	2/33 Sharps Road, Lenah valley 7008	Yes

Ian Smith	211 Grahams Road Mt Rumney Tasmania 7170	Yes
Adam Christopher	8 Bournville Crescent CLAREMONT	Yes
Nicole Holloway	47 Hylands Rd Bagdad Tasmania 7030	Yes
Nathan Earle	17 Elliott Road Glenorchy 7010	Yes
William Brodribb	7 park Rd Lindisfarne 7015	Yes
Philip Grainger	26Nicholas Drive Kingston Beach TAS 7050	Yes
Andrew Daly	1 Lowrie Place Glenorchy	Yes
Deborah Terry	37 hillborough road south hobart	Yes
Claire Unwin	9 Ellington rd Sandy bay 7005	Yes
Jimmy Dodd	9/31 South St Bellerive 7018	Yes
Sam Jesney	2 Crown St, Bellerive 7018	Yes
Alex legg	22 Nolan Crescent 7050	Yes
Sussan Riley	124 Elziabeth street Hobart	Yes
Craig Wiggins	19 Bentley Road, Lenah Valley 7008	Yes
Tina Charlton	19 Bentley Rd Lenah Valley 7008	Yes
Tom Chapman	21/38 Waterworks Road, Dynnyrne TAS 7005	Yes
Ben Kershaw	10 Kirra road roches beach	Yes
Justin Walls	16 Grange Av Taroona	Yes
Marc Hand	3 Cremorne ave Cremorne 7024	Yes
Peter Wilson	1/2 Davey Pl South Hobart 7004	Yes
Anna Johnston	34 Montagu st	Yes
Jim Macbeth	43 Swan Street, Bagdad, 7030	Yes
Sandrine Harris	36 Washington st , South Hobart 7004	Yes
Alex Foley	231 Dayman St, Torquay 4655	Yes
Emma rosengren	Centennial Colorado USA 80112	Yes
Mark Leis	2/1 McDevitt Ave Dynnyrne Tas 7005	Yes
David Riseley	48 Hinman dr Kingston Tasmania	Yes

Anita oakley	53 strickland avenua south hobart 7004	Yes
Chris Jenkins	13 Fairfax Rd, Glenorchy 7010	Yes
James Potter	4 duncan st Montrose	Yes
Jonas Shelverton	65 Talbots Rd, Sandfly, Tasmania, 7150	Yes
Glenn Hyland	682 Summerleas Road, Kingston TAS 7050	Yes
Ashley Carr	46 Eurobin St Geilston Bay	Yes
Sophie Le Roux	442 Howden Rd, Howden 7054	Yes
Dan Booker	2400 Gordon river road National Park	Yes
Kate Laffer	7 Hannah Cl, Eggs and Bacon Bay, 7112	Yes
Richard Walker	129 Tranmere Road, Howrah 7018	Yes

## Declaration:

I, Adam Christopher..... certify that the statement of the subject matter and the action requested, as set out at the beginning of the petition, has not been changed.

Date: 18/03/2020

Signature: 

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**REPORTS OF COMMITTEE**

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**CITY PLANNING COMMITTEE**

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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.

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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

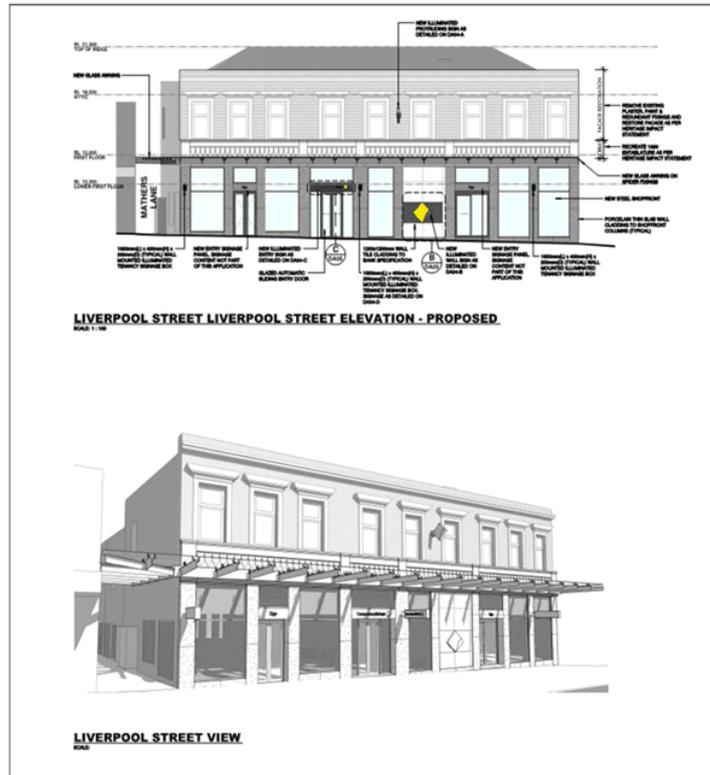


Figure 3: Proposed Liverpool Street elevation and streetview illustrating alterations and signage.

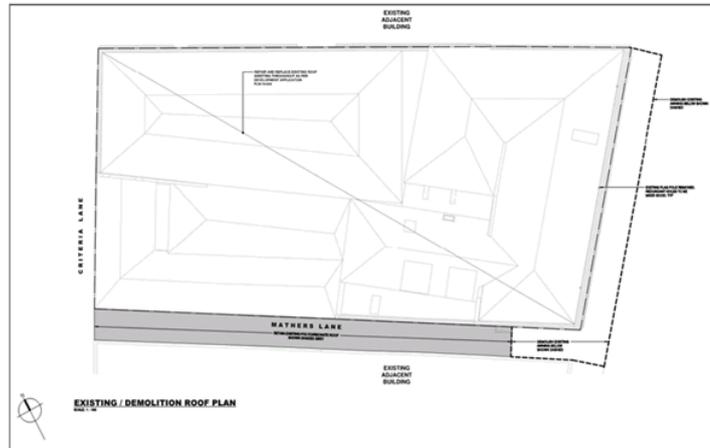


Figure 4: Roof plan illustrating proposed demolition

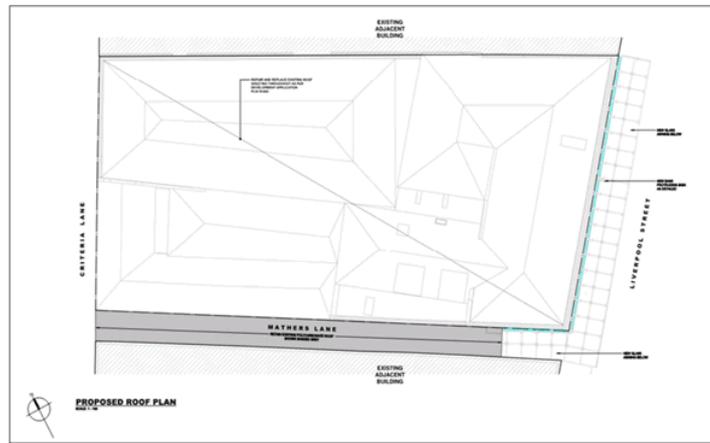


Figure 5: Roof plan illustrating proposed alterations.

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 and 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 in 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 awing 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 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'&quot;Brien 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? <input type="radio"/> No
If YES please provide the pre application advice number eg PAE-17-xx <input type="text"/>
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. *
<input type="radio"/> 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**

Total parking spaces	Existing parking spaces	Other (no selection chosen)
		N/A

**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

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**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

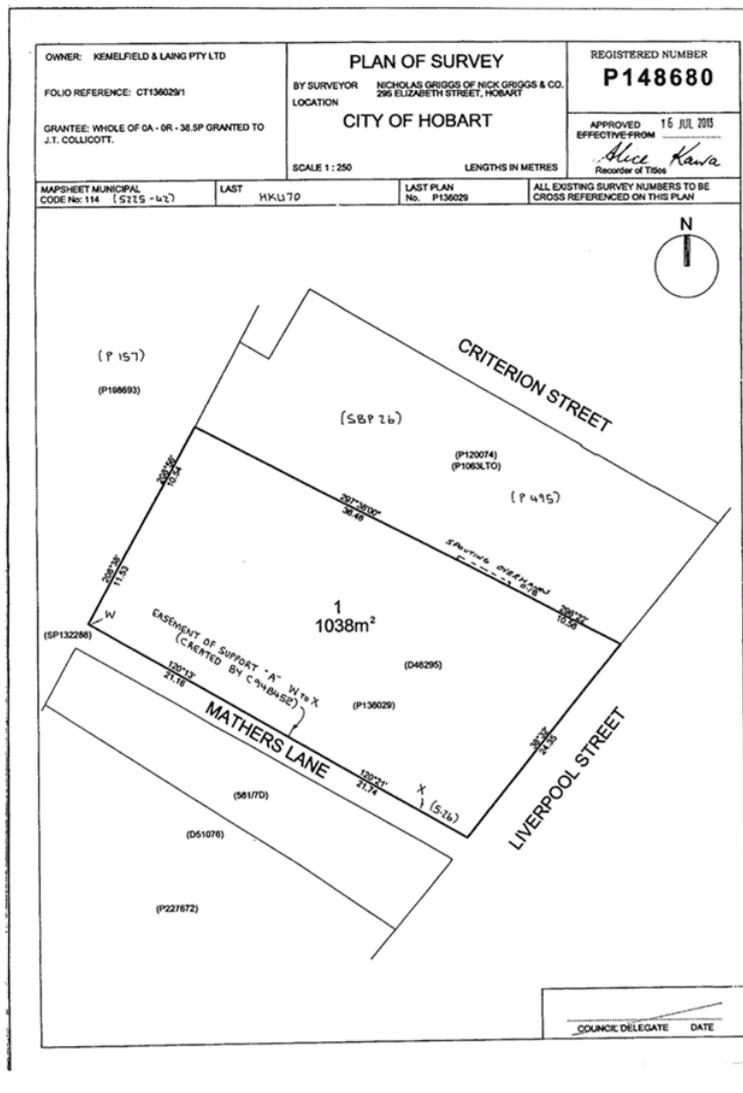
Reservations and conditions in the Crown Grant if any  
C948452 BURDENING EASEMENT: A Right of Support in favour of  
Hobart City Council over the Easement of Support "A"  
marked WX on Plan 148680 Registered 16-Feb-2011 at  
noon  
E122531 MORTGAGE to Commonwealth Bank of Australia  
Registered 13-Feb-2018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

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

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

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

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

**LEGEND**  
DEMOLISHED

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

DATE: 1-10-20 @ A3

8306 **shircore 55**

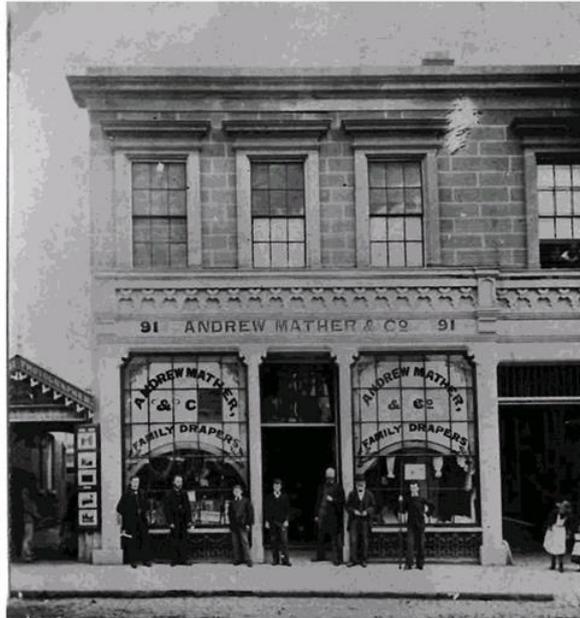
meyer 55

ARCHITECTS

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Job No. 19178



---

109 LIVERPOOL STREET  
HOBART

(STAGE 2 FACADE WORKS)

Heritage Impact Statement

Prepared for:  
Silverleaf Investments

December 2019

Griffiths Architects



## Griffiths Architects



ABN 91 277 671 706

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Western Australia 6008

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Facsimile 08 9381 1566

[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

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Griffiths Architects



## Introduction

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.

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### 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.

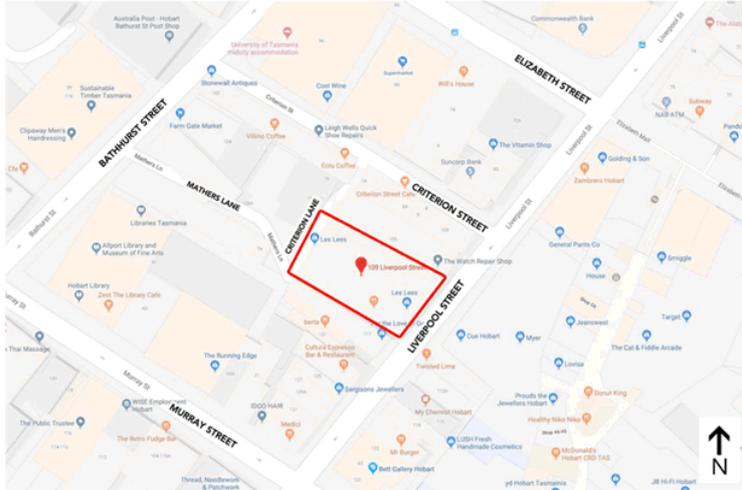


Figure 1: *109 Liverpool Street Hobart*, Location Plan - Google Maps, accessed September 2019.

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## 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> Mercury11/4/1896, 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).

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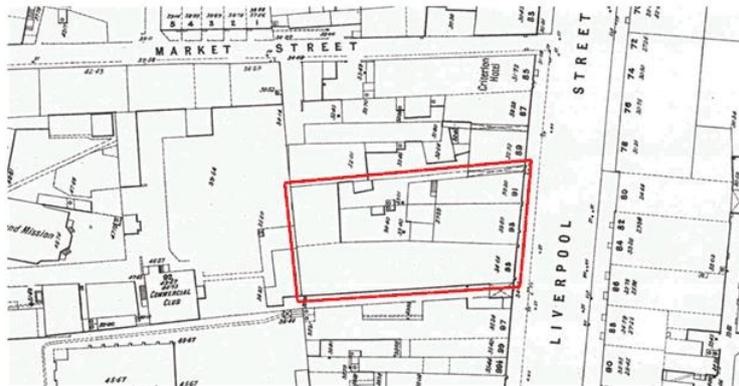
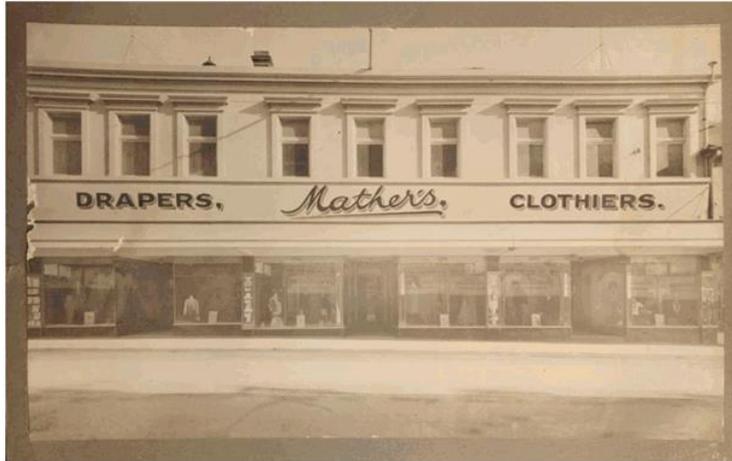


Figure 2: Metropolitan Drainage Plan c.1900 (Tasmanian Archives and Heritage Office). The plan indicates a full depth of building to the south and part depth construction to the middle and northern blocks, a passage to the north, structures to the western boundary and earth closets and other outbuildings 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's 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

---

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.
- Reinstate 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 to 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

20 January 2020

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

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  
W 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  
[DMC-19-40]  
20/11/2020

**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

**LEGEND**  
[Symbol] DEMOLISHED

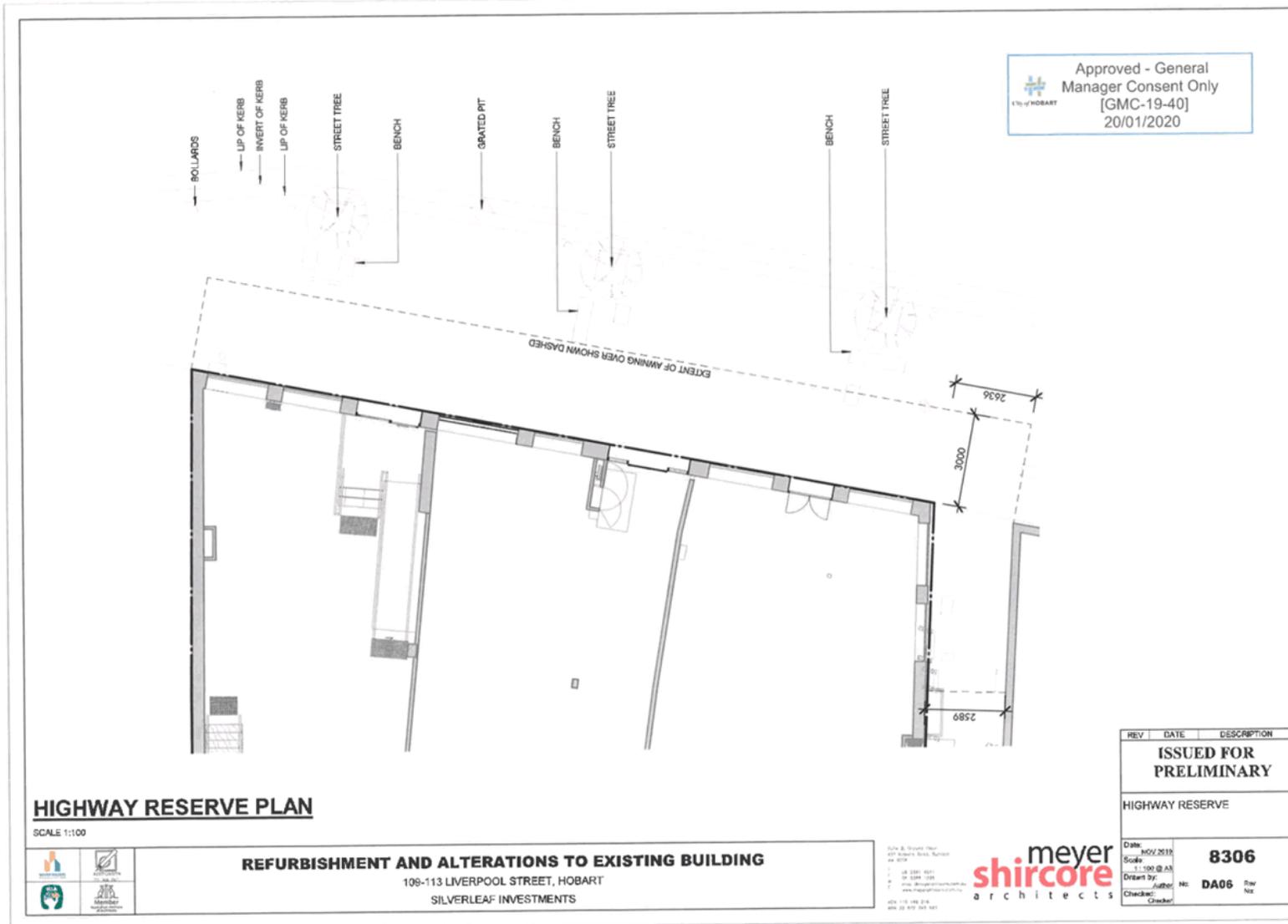
**REFURBISHMENT AND ALTERATIONS TO EXISTING BUILDING**  
LOCATION: 109-113 LIVERPOOL STREET, HOBART  
FOR: SILVERLEAF INVESTMENTS

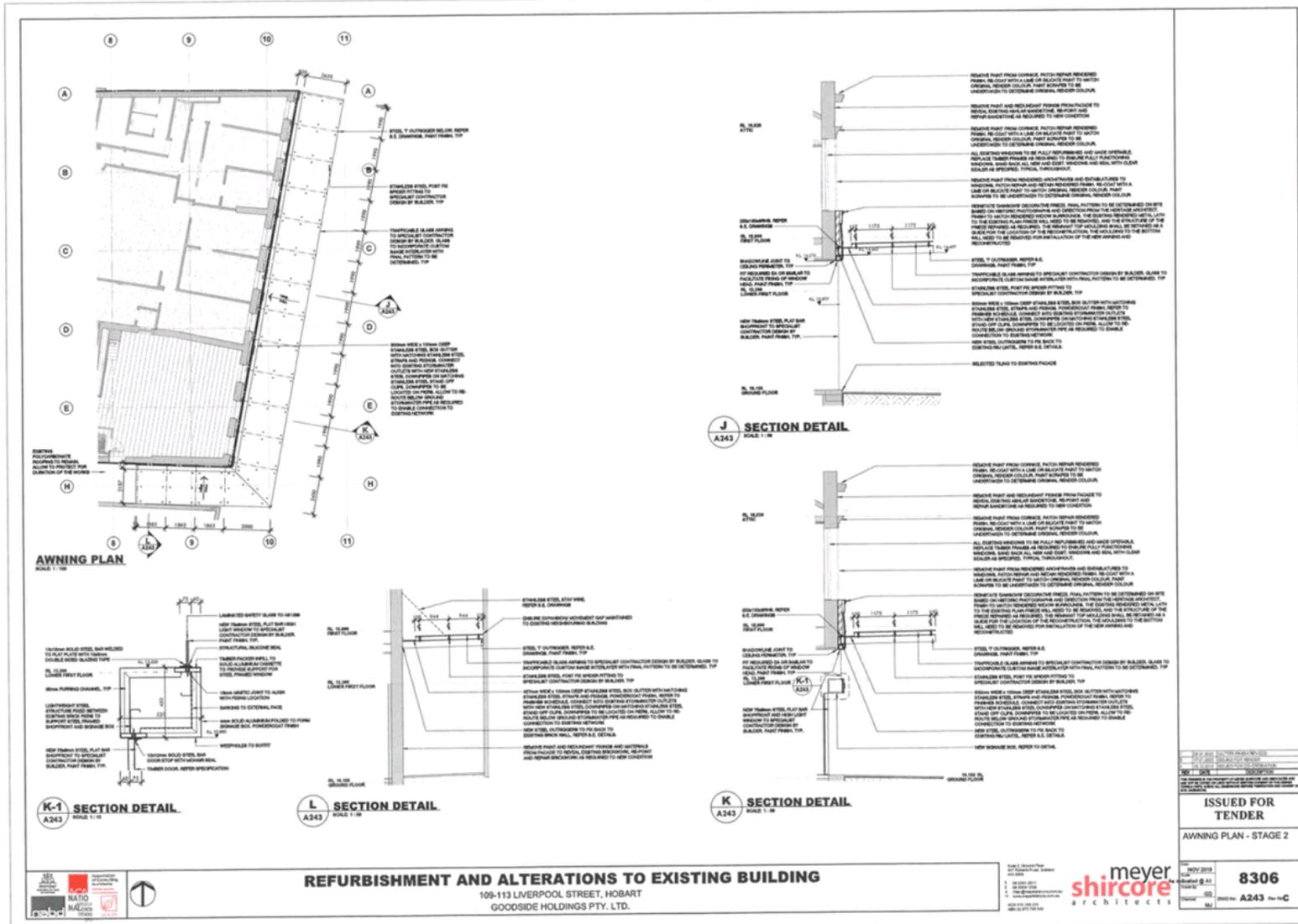
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DEC 2019  
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**8306** **shircore** **55** YEARS

100% LOCAL  
100% EMPLOYMENT  
100% INDEPENDENT  
100% INNOVATION

100% LOCAL  
100% EMPLOYMENT  
100% INDEPENDENT  
100% INNOVATION









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 and 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 in 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 awing 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

Item No. 13.4

Recommendation Under Separate Cover (Open Portion)  
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**SPECIAL REPORT OF THE GENERAL MANAGER**

**13.4 COVID-19 - City of Hobart Response**  
**File Ref: F20/31644; 13-1-09**

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Memorandum of the General Manager of 20 March 2020.

Delegation: Council

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City of **HOBART****MEMORANDUM: COUNCIL****COVID-19 - City of Hobart Response****OVERVIEW**

This report updates the Council on COVID-19. It outlines related impacts and responses by the City including issues raised in Notices of Motion on this agenda.

The COVID-19 situation is evolving rapidly. This report summarises the City's role in a pandemic, actions taken to date in response to the latest information, advice and directives from the Australian and Tasmanian Governments and a proposed community support package.

**THE CITY'S ROLE IN A PANDEMIC**

The Premier declared a State of Emergency yesterday. The lead agency responding to COVID-19 in Tasmania – known as the Response Management Authority – is the Tasmanian Department of Health (DoH).

The City's responsibilities in responding to COVID-19 are in line with the Emergency Management Act and the Municipal Emergency Management Plan. Those responsibilities are to:

1. Distribute warnings and other relevant advice to the community, ensuring consistency of messaging with DoH and Tasmania Police.
2. Assist as requested and required by the State/Regional/ Emergency Operations Controller.
3. Provide regular information/situation reports to the State/Regional Controller if requested.
4. Provide liaison officers to the Emergency Operations Centre (EOC) as requested.
5. Maintain essential services to the community, as detailed in business continuity plans.

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**THE CITY'S RESPONSE TO CORONAVIRUS/ COVID-19****1. ORGANISATIONAL MATTERS****Emergency Incident Action Plan -**

The City of Hobart has established an Incident Management Team to support DoH. The Team is meeting frequently to implement actions and strategies as they arise and to keep the Council, its employees and the community informed.

The City is working closely with other agencies to prevent the spread of COVID-19 and has implemented its COVID-19 Incident Action Plan.

This Plan aims to:

1. Assist DoH, as the Response Management Authority.
2. Relay relevant information to the community.
3. Minimise the risk of transmission in the workplace.
4. Keep employees informed of developments and impacts on our organisation.
5. Ensure business continuity planning.
6. Manage People and Capability policies, specifically in relation to illness and support during quarantine.

**Business continuity planning -**

Directors and Managers are finalising their priorities and critical services for the organisation and the community. Detailed business continuity plans will be put in place for these services first.

**City Government Arrangements -**

The Council Meeting on 23 March is being held with changes to the layout of the Council Chamber in line with social distancing guidelines. The agenda includes only matters of urgency to limit the duration of the meeting.

Going forward, the State Government, through the Office of Local Government, has been urged to immediately amend the regulation that prevents the Council from **not** meeting in person. The aim is to allow alternative meeting formats which still meet the Local Government Act requirement to have at least one meeting per month.

We are looking to identify the best existing technical platform for on-line meetings in anticipation of this change

All Council (post 23 March 2020) and Council Committee meetings have been cancelled for the time being.

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As part of this report, I seek emergency delegations from the Council to enable the organisation to continue to function during this pandemic without the need to seek the Council's approval for operational matters. The delegation which is time-limited, would extend to the planning authority function and any other decisions required to ensure the continued undertaking of Council's operational responsibilities and business continuity during the COVID-19 pandemic.

**Social Distancing -**

Customer facing parts of the organisation are using the guidelines prepared by the Australian Government Department of Health at <https://www.health.gov.au/resources/publications/coronavirus-covid-19-information-on-social-distancing>. Appropriate signage is being placed in public areas. Guidelines are otherwise being observed to the extent that is possible.

Our regular cleaning regime has been increased at The Town Hall and Council Centre buildings.

Non-essential meetings are being deferred or conducted by video conferencing or other means wherever possible.

**Employee Leave and Working Arrangements -**

Employee communications and updates are being housed on the Intranet, addressing a range of relevant matters including arrangements around leave, business continuity planning, referrals and support.

Eligible employees have access to Personal Leave, as well as their Annual and Long Service Leave accruals. I also can provide ex-gratia personal leave in exceptional cases. The City has relaxed the requirement for a medical certificate. Depending on the circumstances, employees may be asked to provide a medical clearance before they return to work.

Employees required to take time off work to care for family members who are unwell as a result of Coronavirus, can access Carers Leave entitlements. They also need to comply with quarantine measures before returning to work.

Working from home is being promoted, subject to the nature of the work and if technology is available to support it.

In the first instance, we are working through priority functions for remote access to Council systems.

## 2. COMMUNITY MATTERS

### City Services and Events -

In line with the Council's business continuity planning, we are closely monitoring ongoing needs for the provision of critical services. Where circumstances change, consideration will be given to reallocating resources to best meet specific needs at any particular time.

The City of Hobart is following Australian Government requirements around services and events. This includes the suspension of Salamanca Market (advised to elected members by memo on 18 March 2020), together with changes for the following facilities:

- Doone Kennedy Hobart Aquatic Centre has been closed for at least two weeks as a precaution
- The Youth Arts and Recreation Centre and Mathers House have been closed until further notice
- The City is requiring regular hirers of sports facilities to provide hygiene plans and casual bookings are not being taken
- Community bake days at Legacy Park have been cancelled. Casual hires are going ahead with hirers being advised to take additional hygiene measures
- The Skill Centre facility has been closed for meetings.

### Cleaning -

The City's parking machines will be regularly cleaned and disinfected. We have also launched a campaign to encourage the public to move to contactless payment using the EasyPark parking app.

We have increased the frequency and service level of cleaning in public spaces, including public toilets.

### Community Support Package: Main Features -

Financial pressures are already being felt in our community and will continue to escalate. It is critical that relief is directed where it is needed most. Specific areas where the City of Hobart is involved through a Community Support Package include:

- Fees and charges for use of Council facilities
- Rents paid by tenants in Council premises
- Loan guarantees for community organisations
- Procurement / support to local businesses
- Capital works
- Rates

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The package proposals were discussed at a meeting with other Greater Hobart Councils today in order to ensure consistency of response.

#### Fees and Charges for use of Council Facilities

The City is adopting a supportive approach for organisations and individuals that need to cancel events and is refunding fees and charges on cancellations.

So far, we estimate that lost income for the City (including DKHAC, Salamanca Market, Parking and other facilities) will be in the order of \$171K per week. Should these reductions continue at this rate through to 30 June, total income foregone would be \$2.565M.

#### Rents paid by tenants in Council premises

While most leases for Council owned properties are on a 'peppercorn' basis, the City does have some commercial tenants as well as community groups on reduced rents. At least one tenant has approached the City seeking rent relief. The City could look to provide rental relief in the form of a grant for its tenants in financial hardship.

The total value of income from commercial rents is \$126K per month. If the Council included occupation licences, this would be an additional \$21K per month. A total of \$441K for three months to 30 June 2020.

#### Loan guarantees for community organisations

The City guarantees loans totalling \$6.3M for four community organisations. We have already received notice from one of these groups that they will not be able to make loan commitments beyond May. We will be working with these groups to renegotiate terms as best we can, and banks have indicated in the media a willingness to assist. At the end of the day the City will be liable for these loans.

#### Procurement / support to local businesses

The City recognises the importance of supporting local businesses. Our Code of Tenders and Contracts provides for engagement of the local market through actively seeking quotes from local business and industry. A significant proportion of our contract spend already goes to local businesses. We will continue to actively pursue this approach.

#### Capital works

The Council has approved a \$37M capital works program for 2020/21. This includes local retail precinct upgrades, stormwater reticulation, road renewals, parks and bushland infrastructure and public toilet redevelopments. This is a significant economic stimulus for the local economy as we come out of the pandemic.

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Further information is being sought on the State Government offer to provide \$50M interest free loans to local government in order to establish whether those funds could be used for any of these capital works projects.

It is understood that the local government sector would prefer this funding to be in the form of grants and able to be used to assist with provision of essential services.

Our capacity to undertake more capital works is limited by both internal resourcing and contractor availability. We could bring some capital works forward by accelerating the design and planning process but this would require additional staffing at a time when our operational budget will be under considerable pressure from lost income.

Of course, we will continue to collaborate with the Australian and Tasmanian Governments and other councils on the list of 'funding ready' projects identified as part of the Australian Government's Stimulus Package.

#### Rates

The Council will set its rate for the 2020-21 financial year in the coming months. The draft budget is being put together now. This provides the opportunity for the impact of the Council's long-term financial sustainability to be modelled under various rate scenarios.

With regard to 2019-20, it is proposed that the Council consider some interim support measures through until 30 June 2020.

The fourth instalment of rates is due on 15 April 2020 and has a value of \$22M. A total of \$17.1M remains unpaid as at 19 March 2020. A total of 4734 of the City's ratepayers have already paid their rates in full for 2019-20.

The Council may wish to defer penalties and interest which would normally commence after 15 April through until 30 June for ratepayers in financial difficulty. Any reduction in rates revenue will necessitate approved borrowings of \$20M being taken up earlier, potentially in April, to cover the resulting cash flow shortage. In terms of overall cost to the Council of this action, income forgone on rates penalties and interest and interest from cash in the bank has been estimated at \$113K. Interest on earlier borrowing by the Council would be \$84K.

The Council could also look to amend its policy for rates postponement. Currently this 'hardship' provision (which allows for a proportion of the rates burden to be deferred and recouped when the property changes hands) is only available to pensioners. With appropriate eligibility criteria and caps, the Council's policy on this issue could be amended to provide a mechanism for other ratepayers in financial distress to apply for relief.

**Community Support Package: Other Potential Elements**

There are other potential elements to the Community Support Package.

Funding allocated to the 2020 Dark Mofo event (\$190K in cash assistance) could potentially be directed to initiatives which would assist local businesses and creative industries.

It is clear that major public events are not appropriate in the short-term. Any alternatives developed to fill the gap created by the cancellation of iconic events such as Dark Mofo could undermine the return of these events in the future. Any activation projects therefore need to be directed in other areas.

The timing of these initiatives is critical, and it is recommended that funding should be considered as part of a recovery phase rather than just the first response phase.

Suggestions include:

- 'Support local' collateral
- A directory of online stores
- Encouraging businesses to move to an online shopping portal
- Quick Response Business and Creative Industries Grants.

**'Support local' Collateral**

Officers have created online collateral to encourage people to support local retailers, services, and hospitality businesses. The messaging is balanced between encouraging people to support local businesses and organisations while also respecting the health and safety of the social distancing measures.

**A Directory of Online Stores**

Officers have used the existing Hello Hobart website ([hellohobart.com.au](http://hellohobart.com.au)) to house a number of resources for both customers and businesses/ organisations. This includes a directory promoting those businesses who offer online shopping.

**Encouraging Businesses to Move to an Online Shopping Portal**

The State Government, through Business Tasmania, is taking the lead in this area by increasing resources to small business and organisations to assist in moving to / improving performance in an online (e-commerce) world. This reflects the fact that shoppers are increasingly concerned about coming out in public.

In consultation with Business Tasmania officers have commenced initial research to provide funding for retail businesses (clothing, giftware etc) to help them move to online trading. Business Tasmania is supportive of this approach.

There is a possibility of a strong collaboration in this area, which could be extended to other Greater Hobart Councils. Funding could be made available for businesses to help them set-up an e-commerce website and money would be provided for subscription fees for a proposed minimum of 3-6 months.

An indicative cost of an e-commerce platform is approximately \$47 per month, per business. Therefore, if the City were to have 50 businesses undertake the offer for 6 months, the total cost would be \$14,100, equally if 100 business signed up it would be \$28,200.

#### Quick Response Business and Creative Industries Grants

In order to prepare for recovery, a budget allocation could be directed to establishing Quick Response Business and Creative Industries Grants, building on existing programs. These grants would be assessed on strict criteria by a panel of internal and external representatives. The aim of the grants would be to stimulate innovative thinking and entrepreneurship in our local business community.

It is suggested that the Quick Response Business Grants are made available in the recovery stage at an amount of between \$5,000 and \$10,000.

### **3. FINANCIAL IMPLICATIONS**

Anticipated costs of various initiatives have been outlined above.

The Council started the 2019-20 financial year with a very small surplus (\$553K). This had been reduced to \$408K in September, largely as a result of reductions in interest earnings and inclusion of carry forwards from the previous year.

As outlined in Budget workshop held earlier this month, significant increases in asset write-offs, recycling costs and workers compensation adjustments prompted ELT to review expenditure for the current year. A report is due to come back to Council proposing some \$1.8M in variations to offset these increases in an attempt to keep the Council in surplus.

While we will endeavour to reduce costs still further, clearly the impact of lost revenue from fees and charges outlined above will push the Council into a deficit position for 2019-20. Other measures outlined in this report will increase that deficit. We will keep the Council regularly updated on this situation.

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**RECOMMENDATION****That:**

1. ***The Council note the actions taken by the General Manager in responding to the COVID-19 emergency and authorise him to take all further actions necessary to continue to address this pandemic.***
2. ***The Council, pursuant to Section 6(3) of the Land Use Planning and Approvals Act 1993, delegate the General Manager and Director City Planning to determine all applications that would otherwise be determined by the City Planning Committee or the full Council unless they are called in by an Elected Member for the period from 24 March to 27 April inclusive.***
  - (i) ***Elected members would be kept informed of applications on advertising on a weekly basis to make them aware of matters they may wish to call in.***
3. ***Council provide rental relief in the form of a grant for the balance of the financial year for those of its tenants experiencing financial hardship.***
4. ***The Council defer application of penalties and interest for payment of the fourth instalment of 2019/20 rates until 30 June 2020.***
5. ***Officers pursue an amendment to the Council policy on Rates Postponement (which currently only applies to pensioners) to provide a mechanism for other ratepayers in financial distress to apply for relief, subject to appropriate eligibility criteria.***
6. ***Council endorse the initiatives outlined in this report to support local businesses and creative industries utilising funding allocated to this year's Dark Mofo event (\$190K in cash assistance).***
7. ***The Council continue to advocate for the State Government \$50M assistance package to local government to be provided as grants to assist with provision of essential services and for the delivery of 'funding ready' projects identified as part of the Australian Government Stimulus Package.***

*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.*



N D Heath  
**GENERAL MANAGER**

Date: 20 March 2020  
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