



CITY OF HOBART

# **AGENDA**

## **Special City Planning Committee Meeting**

### **Open Portion**

**Monday, 22 February 2021**

**at 4:40 pm**

**Council Chamber, Town Hall**

## THE MISSION

**Working together to make Hobart a better place for the community.**

## THE VALUES

**The Council is:**

<b>People</b>	We care about people – our community, our customers and colleagues.
<b>Teamwork</b>	We collaborate both within the organisation and with external stakeholders drawing on skills and expertise for the benefit of our community.
<b>Focus and Direction</b>	We have clear goals and plans to achieve sustainable social, environmental and economic outcomes for the Hobart community.
<b>Creativity and Innovation</b>	We embrace new approaches and continuously improve to achieve better outcomes for our community.
<b>Accountability</b>	We are transparent, work to high ethical and professional standards and are accountable for delivering outcomes for our community.

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## ORDER OF BUSINESS

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Business listed on the agenda is to be conducted in the order in which it is set out, unless the committee by simple majority determines otherwise.

### APOLOGIES AND LEAVE OF ABSENCE

1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY ..... 4
2. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST ..... 4
3. COMMITTEE ACTING AS PLANNING AUTHORITY ..... 5
  - 3.1 APPLICATIONS UNDER THE CITY OF HOBART PLANNING SCHEME ..... 6
    - 3.1.1 14 Goulburn Street, Hobart - Signage and Fencing - PLN-20-717 ..... 6

**Special City Planning Committee Meeting (Open Portion) held Monday, 22 February 2021 at 4:40 pm in the Council Chamber, Town Hall.**

**This meeting of the City Planning Committee is held in accordance with a Notice issued by the Premier on 3 April 2020 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.**

**COMMITTEE MEMBERS**

Deputy Lord Mayor Burnet (Chairman)  
Briscoe  
Harvey  
Behrakis  
Dutta  
Coats

**Apologies:**

**Leave of Absence:** Nil.

**NON-MEMBERS**

Lord Mayor Reynolds  
Zucco  
Sexton  
Thomas  
Ewin  
Sherlock

**1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY**

**2. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

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Ref: Part 2, Regulation 8(7) of the *Local Government (Meeting Procedures) Regulations 2015*.

Members of the committee are requested to indicate where they may have any pecuniary or conflict of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the committee has resolved to deal with.

### **3. COMMITTEE 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 Committee 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 Committee will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Committee 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.

### **3.1 APPLICATIONS UNDER THE CITY OF HOBART PLANNING SCHEME**

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#### **3.1.1 14 Goulburn Street, Hobart - Signage and Fencing - PLN-20-717 File Ref: F21/14529**

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Memorandum of the Acting Director City Planning of 19 February 2021 and attachments.

Delegation: Council



City of **HOBART**

## MEMORANDUM: CITY PLANNING COMMITTEE

### **14 Goulburn Street, Hobart - Signage and Fencing - PLN-20-717**

Elected Members will recall that this matter was deferred from the City Planning Committee meeting on 15 February 2021, to allow for consideration of an email provided by the applicant.

The email had an attachment, which is **attached** to this memo. The main points raised are:

1. the sign is in place of an existing sign approved in 1987;
2. the fence provides for a safe pathway and for disabled access to the new unit at the rear of the property and the existing lower level;
3. no change to the length, size or location of the car parks is proposed. The two approved car parks are identical to the proposal with the fence. The proposal does not shorten the existing approved carparks;
4. the layout identically matches the conjoined property. If it was refused Council would have to take action against 16 Goulburn Street; and
5. refusal would not improve the carparks, would create a dangerous situation and would remove disabled and all access to the two lower units including that recently approved by Council.

A response to each of those points follows.

#### **The sign is in place of an existing sign approved in 1987**

The current sign (which is the subject of this application) was erected without planning approval. In response to the applicant's assertion that it already had approval, an inspection was carried out. It was concluded that the sign differed significantly from the approved sign, including due to the dimensions and minimum height clearance.

Regardless, the sign was part of the application and must therefore be considered.

The sign itself is supported by both planning and heritage officers. This application is recommended for refusal on other grounds. The recommendation for refusal of this application, including the signage, was made following legal advice that if part of an

application is recommended for refusal then the whole application must be recommended for refusal.

**The fence provides for a safe pathway and for disabled access to the new unit at the rear of the property and the existing lower level**

This is not disputed. Regardless, an assessment against the Scheme provisions is still required.

**No change to the length, size or location of the car parks is proposed. The two approved car parks are identical to the proposal with the fence. The proposal does not shorten the existing approved carparks.**

The fences and garden beds narrow the space which is available for parking vehicles, and will mean that angular parking is no longer available on the site. This prompts an assessment under the Parking and Access Code and any earlier approval cannot be relied upon. The Senior Development Engineer is not satisfied that the Code is complied with and for that reason, has recommended refusal.

**The layout identically matches the conjoined property. If it was refused Council would have to take action against 16 Goulburn Street.**

The assessment under the Scheme does not allow for comparison with adjacent properties.

The assessment of the current application includes an application under the Parking and Access Code and, as stated above, it is assessed as non-compliant.

It is worth noting that the current application does not include the footpath as the land which forms part of the application ie "14 Goulburn Street and adjacent road reservation". If it did so, then General Manager Consent would have been required and the Roads division would have had an opportunity to make a recommendation to the General Manager about whether or not that consent should be granted. Since the application did not do so, then the activity which is currently being assessed (including parking) should be limited to the boundaries of the site.

**Refusal would not improve the carparks, would create a dangerous situation and would remove disabled and all access to the two lower units including that recently approved by Council.**

Again, at officer level, this application cannot be supported since it is found to be non-compliant with the applicable Code. The factors listed are not listed in the Scheme as being factors which can be taken into account to over-ride the other requirements.



## Conclusion

The application continues to be recommended for refusal. The assessment in the original planning report (a copy of which is **attached**) is not altered by the contents of the email and attachment from the applicant.

## RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for Signage and Fencing, at 14 Goulburn Street, Hobart for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.7.5 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the layout of car parking spaces, access aisles, circulation roadways and ramps is not safe and does not ensure ease of access, egress and manoeuvring onsite.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A5 or P5 of the *Hobart Interim Planning Scheme 2015* because the new front fences are not sympathetic in design to the style, period and characteristics of the building to which they belong.


*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.*





Karen Abey

**ACTING DIRECTOR CITY PLANNING**

Date: 19 February 2021  
File Reference: F21/14529

Attachment A: Additional Information provided by the Applicant, forwarded to Elected Members ↓ 

Attachment B: PLN-20-717 - 14 GOULBURN STREET HOBART TAS 7000 - Planning Committee or Delegated Report ↓ 

Attachment C: PLN-20-717 - 14 GOULBURN STREET HOBART TAS 7000 - CPC Agenda Documents ↓ 

Attachment D: PLN-20-717 - 14 GOULBURN STREET HOBART TAS 7000 -  
Planning Referral Officer Development Engineering Report ↓ 

Attachment E: PLN-20-717 - 14 GOULBURN STREET HOBART TAS 7000 -  
Planning Referral Officer Cultural Heritage Report ↓ 

## 14 GOULBURN STREET FENCE AND SIGN

### BACKGROUND

14 Goulburn Street is now an outstanding example of a magnificently renovated heritage listed building. When it was purchased a few years ago by Abwoon Properties Pty Ltd, Mr West's SMSF, it was totally rundown and derelict. It was neglected falling apart and heritage features deteriorating.

The building has been painstakingly renovated. Internal heritage features have preserved. The renovation has created a five star apartment called The Celestial Suite. A new state of the art modern Studio apartment has been constructed in the backyard as an outstanding example of infill use of inner city land.

The entire property is now perhaps Hobart's most beautifully renovated inner city heritage buildings.

### REPRESENTATIONS

Following the advertising period there were no objections at all from the public to the fence or sign.

### FENCE

#### *Safety*

The fence provides a safe secure pathway to the two lower units by separating the pathway from the driveway. The fence creates a safe passageway from the public roadside walkway to the existing and the new unit approved by Council. Prior to the fence being constructed cars would sometimes dangerously park over the pathway to the lower units to try to fit three cars in the two parks. Not only is this dangerous for pedestrians it made it impossible for anyone in a wheelchair to access the lower units. The fence clearly separates the pathway from the car parks.

#### *Disabled Access*

As part of the fence works the new pathway provides BCA standard disable access to the two units at the rear of property for clients. One of the units is the new unit recently approved by Council and the other is the existing unit in the basement of the main building. There is a small wall below the fence to provide for the level change necessary between the car park and the pathway on BCA grade. Prior to construction of the pathway there was no disabled access which was by way of a number of steps.

#### *The New Unit*

The new unit in the rear yard was constructed at the time as the fence and pathway. The pathway and fence was necessary to provide safe and disabled access to the new Council approved unit. It doesn't make sense that Council would be saying the pathway should be removed.

#### *Painting Construction Neighbour on Left*

The fence on the left side of the property is beautifully designed to blend with the existing urban environment. The neighbour on this side is the storage site for a painting company Tattnel's. The wall on the side extends out past the fence and is some 8 metres 3 stories high. The wall totally dwarfs the fence. The fence is hardly noticeable against the back drop of the wall.

#### *Co-Joined Property on Right*

The property is part of a dual co-joined three storey property. The two properties are identical and can be seen as one matching whole.

The central fence replaced a falling down ugly lattice fence of the same height and location. It was done with the full approval and endorsement of the neighbour at the time. The property has since been sold.

Both properties have two identical carparks in front for the last 100 years or so. Both properties have a pathway into the upper levels. Both properties now have a graded pathway to the lower level. The neighbour does not have unit in the rear backyard.

The two properties match each other improving their heritage values.

#### **Parking**

The two car parks meet all requirements in terms of width. The new fence has not reduced the width of the carparks below Australian Standards. The length of the carpark remains below Australian standards but this is in no way changed. This matches the two car parks of the conjoined property. Refusal would not increase the length of the car parks so makes no sense. It would not effect the neighbours property.

The carparks are directly and perfectly in line with the existing Council gutter double cross over for two car parks. To access the car parks you simply drive directly into the car parks. This is identical to the neighbour. There is no issue at all with access the to two car parks. It is perfectly safe and remains unchanged.

Council installed the double cross over showing that they are existing approved carparks. It is nonsensical for Council to approve two car parks and install the cross over to then recommend refusal.

Previously the carpark were at a slope and not level.

In verbal discussions Council planning officers suggested that they would agree to one car park. This makes no sense at all. There are two existing car parks. The neighbour has two car parks. The Council gutter crossover is for two car parks. One car park does not make it longer.

Council officers verbally also suggested that cars should park at an angle not at right angles to the building including parking over the pathway to the lower level. Again this makes no sense and would create a dangerous situation. Cars would have to drive in and out at an angle. Cars could hit a client or pedestrian entering the premises below. It would stop disabled access and impinge access to the new unit Council had just approved. The two conjoined buildings would not match effecting heritage values. The two carparks are absolutely essential to the commercial and residential tenants successful and viable operation of their business.

Refusing the application does not change the car parks. The two existing car parks would be in the exact same location and exact same size. The refusal recommendation does not make sense. Nothing would change by refusing the application. Council has not provided an alternative.

The current layout is safe, well designed and very aesthetically pleasing.

#### **SIGN**

The sign was originally approved some 33 years ago in 1987. The approval is on record in the State Library archives. The sign post and structure have been in place since it was originally erected. It has never been removed. The original sign board was removed some times ago. The sign structure is clearly seen in Council photos.

Prior to installing the new sign board I rang Council Planning Officers to confirm there was no issues with putting the new board up. I explained it had existing approval in place. The Officer confirmed I did not need approval.

Some time after it was installed I received the enforcement order from Council. I replied to confirm the sign had existing approval and the sign had never been removed only the sign board. Council replied in writing to say no such approval for the sign existed and they had checked all records. I subsequently went back to State archives and copied all the approvals and forward it to Council. Council then said the approval had lapsed! Approval attached.

The existing approved sign has never been removed. Only the sign board was removed and later replaced. The original sign board was illuminated whereas the new sign board is not. The proposal

meets current signage standards. The sign is modest and aesthetically pleasing. The new sign board is not illuminated so less obtrusive.

#### **THE COUNCIL REPORT**

The Council Report to the Planning Committee contains a number of incorrect statements.

It states the sign application is for a new sign. As previously stated this is incorrect. The sign was originally approved in 1987 by Hobart City Council. See attached. The sign has never been removed only the sign board. The application amends the existing sign to meet current regulations including raising the minimum height where regulations have changed over the last 33 years since it was first erected.

The Report highlights that there are an additional two signs on the property. These are merely small signs to designate the parking spaces! See attached.

The report states the fence is on the south side is higher. The fence is the exact same height as the previous treated pine lattice fence that has been there for decades. It is also the same density as the lattice fence. The lattice fence was modern and ugly whereas the new fence is in keeping and very aesthetically pleasing. The report suggests a cast iron fence which is ridiculous.

The Report fails to address that the pathway and fence was constructed as part of the new unit fully approved by Council in the rear to provide safe and disabled access to the new unit and the existing lower level tenancy.

The Report states that the fence and sign were constructed without any consultation with Council. This is incorrect. I spoke to Council officers and received the advice as stated above that I could put the new sign board if there was an existing approval and the fence could be replaced.

The report highlights there is existing approval for the two car parks. It says the location of the car parks is not defined. This is incorrect as the location is directly in front of Council gutter double crossover, directly in front of the building and matching and identical to the neighbours car parks. The report fails to even mention that the car parks identically match the neighbours car parks.

The report mentions removal of a tiled pathway. I am very surprised to see in the report as the agreement with Council officers was it would not be included.

The Report stated that the car park has been modified to change the levels. This is only partially correct. The work was done to remove steps to the lower tenancies to provide disabled access and to clearly define the pathway from the car parks to ensure safe separation. This required the carpark and pathway to be on different levels with the small wall identical to the neighbours property. See attached.

The Engineers Report highlights that any loss of car parking on site would make worse the already very bad parking situation in the area. The Report also highlight the fences are not out of keeping or size with the surrounding streetscape.

The DE highlights that the existing car parks are shorter than required. This is as they have been for five decades or more. No change is proposed to the length of the car parks. They are not shortened in any way. Most importantly refusing the application will not lengthen the car parks in any way. They will be identical to how they are now. And identical to the neighbours. The neighbours would also not be changed by a refusal of this proposal. The property can essentially be considered one property. See letter from JMG.

The Council Report does not provide an alternative other than to restore to how it was. This would have the effect of:

- removing the pathway access to the lower tenancies
- removing disabled access to the lower tenancies
- making it dangerous with car parking not defined from pathways.

There is no prudent safe alternative to the current proposal.

**THE APPLICANT**

The Applicant Rod West is arguable Hobart's most respected restorer of some of our communities most prized and outstanding examples of heritage restoration.

He has been responsible for upgrading and restoring to the higher possible standards a number of major heritage buildings in Hobart which were previously derelict including:

- 100 Elizabeth Street
- 6 Victoria Street
- 14 Goulburn Street

These buildings have included major works to bring them up to current safety and fire standards with fully complaint services and facilities. More importantly these have required painstaking work without the short cuts often found with others.

The Applicant has now began works on restoring another of Hobart's heritage gems at 201 Liverpool Street - the old Flamingos night club. This will be another outstanding gift to the Hobart community when complete.

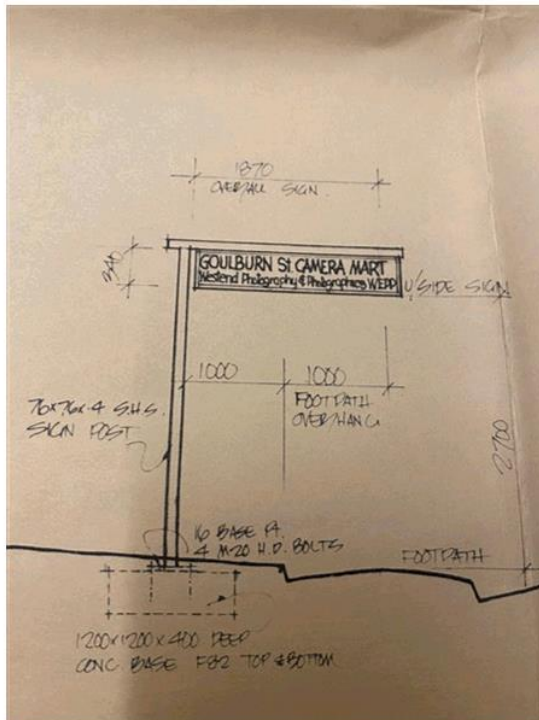
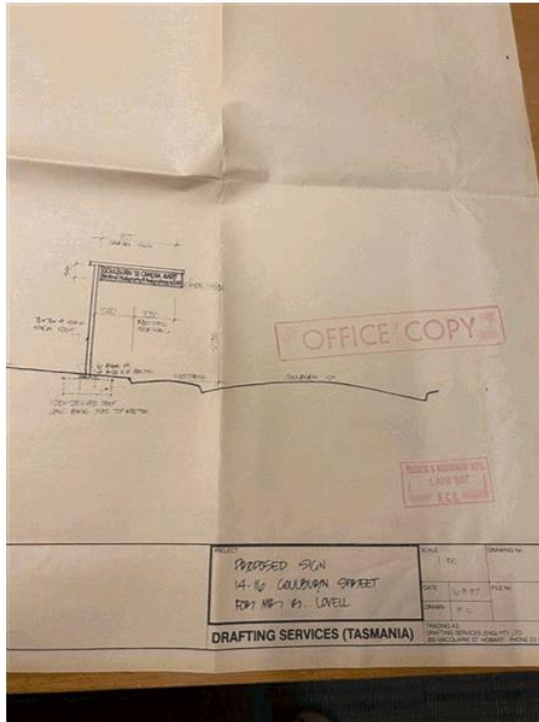
No one else in Hobart has this track record with heritage buildings taking on and delivering these outstanding examples. All were derelict. They are all now the best examples of heritage buildings in Hobart and are a major asset to the fabric of Hobart and to the life of the citizens of Hobart. Truly absolute gems for Hobart.

Taking on these buildings takes an incredible amount of time, passionate and money. That's why no one else touches them or when they do they do a half job cutting corners. Making it more difficult will only deter anyone from taking on restoring these buildings.

It is incumbent upon the Hobart City Council to support developers who are willing to commit the time and money necessary to restore our beautiful buildings.

## PHOTOS

## Original Signage Approval



*Pathway & Disabled Access to Two Lower Tenancies*



*Co-joined Neighbours Identical Access Pathway*





**14 Goulburn Street Beautifully Restored Showing Two Carparks and Fences  
Note: Council Double Gutter Crossover Lines Up Exactly with Carparks**



**16 Goulburn Street Showing Identical Car Parks**



*Small Carpark Signs*



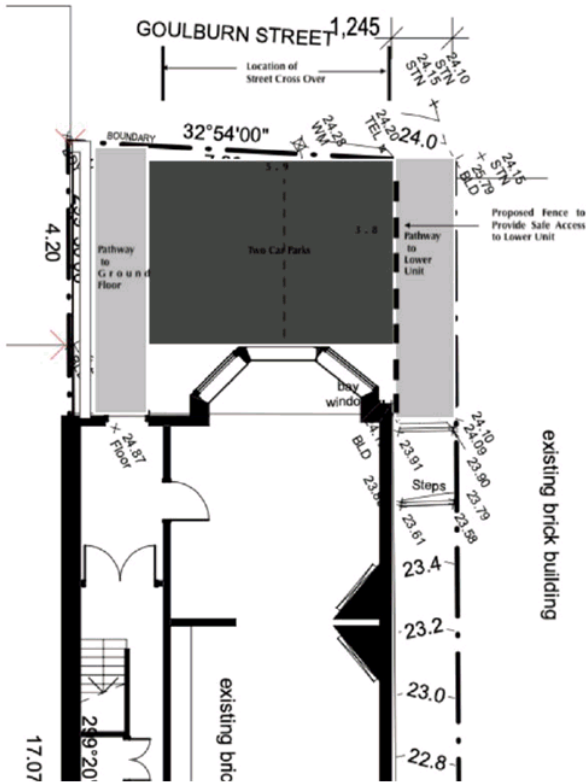
*Car Park and Side Fence Dwarfed By Wall*



Sign



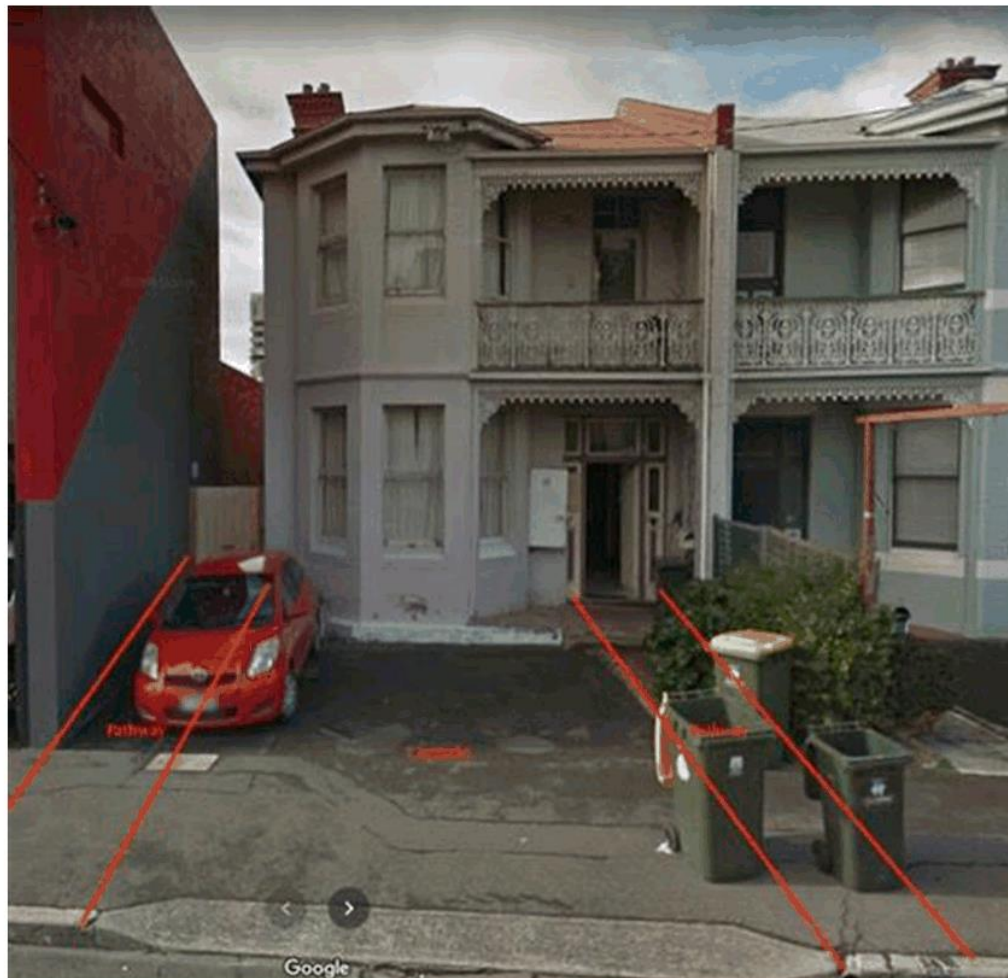
Layout of Carparks and Pathways





*Original Layout Prior to Restoration*

- Car Parked Dangerously Over Pathway To Try To Fit 3 Cars Across
- Council Double Cross Over Lines Up With 2 Existing Carpark



*The Celestial Suite*





JMG Ref: 193054PH

4<sup>th</sup> December 2020

Hobart City Council  
GPO Box 503  
Hobart TAS 7001  
Via email - coh@hobartcity.com.au

Attention: Ben Ikin

Dear Ben,

**14 GOULBURN STREET, HOBART - SIGNAGE AND FENCING PLN-20-717**

Further to your letter of the 28<sup>th</sup> October 2020, we act on behalf of Abwoon Properties Pty Ltd.

We respond to the request for further information as follows:

**Parking and Access.**

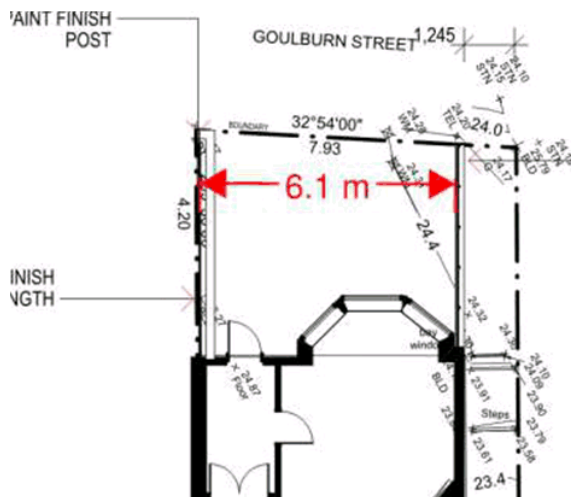
The proposal is for fencing and signage, not the car parking which was approved under DA19-14346. In case there is concern regarding decreased width created by the installation over the fence on the northern side of the car park, this distance is 6.1m and is greater than the 5.4m required under AS2890. Thus whilst the Parking and Access Code applies (to all development) the only provision relevant in this instance is E6.7.5 with respect to the fence and as per above the fence is compliant with A1 of this provision.

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as trustee for Johnstone  
McGee & Gandy  
Unit Trust

[www.jmg.net.au](http://www.jmg.net.au)





The layout of the car parking and certification by an engineer of access and manoeuvring is not required for a fence or signage development.

If further information or clarification is required with respect to this request, please contact me on 6231 2555 or at [mclark@jmg.net.au](mailto:mclark@jmg.net.au).

Yours faithfully

JOHNSTONE MCGEE & GANDY PTY LTD

Mat Clark  
PRINCIPAL



**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee  
Council: 1 February 2021  
Expiry Date: 27 February 2021  
Application No: PLN-20-717  
Address: 14 GOULBURN STREET , HOBART  
Applicant: Rod West  
12 Turnip Fields Road  
Proposal: Signage and Fencing  
Representations: None  
Performance criteria: Zone Development Standards - Fencing 22.4.7 (a)  
Parking and Access Code

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**1. Executive Summary**

- 1.1 Planning approval is sought for Signage and Fencing, at 14 Goulburn Street, Hobart.
- 1.2 More specifically the proposal includes the construction of a new sign, two new fences, a raised garden bed, and the resultant changes to the car parking for the site.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
  - 1.3.1 Central Business Zone - Fencing
  - 1.3.2 Parking and Access Code - Layout of Parking Areas
  - 1.3.3 Historic Heritage Code - Heritage Place
  - 1.3.4 Signage Code - Standards for Signs, Standards for Signs on Heritage Places
- 1.4 No representations were received during the statutory advertising period between 6 and 20 January 2021.
- 1.5 The proposal is recommended for refusal.



- 1.6 The final decision is delegated to the Council, because the application is not supported by officers.

## 2. Site Detail

- 2.1 The application site is a regularly shaped 278m<sup>2</sup> lot on the south eastern side of Goulburn Street. There is an existing three storey building on the site which includes visitor accommodation on the first floor, and a dwelling and possibly a massage parlour (approval status unclear) on the ground and basement levels. There is also a second dwelling in the rear yard. There is historically approval for car parking for two vehicles within the front of the property, though there was never any defined location for these vehicles to be parked.
- 2.2 The site is surrounded by a variety of uses and developments, including residential, commercial, offices, restaurants and cafes, and beauty services.



Figure 1: The location of the application site is highlighted in yellow

## 3. Proposal

- 3.1 Planning approval is sought for Signage and Fencing, at 14 Goulburn Street, Hobart.

3.2 More specifically the proposal is for:

- The construction of a new pole sign on the south western boundary. Whilst there is inconsistency within the drawings, the applicant has confirmed that the sign does not extend beyond the front boundary, and as such the 'north fence elevation' is taken to show the correct location of the sign. The sign is 1.22m wide, 0.5m high, and has a maximum height of 2.7m above the natural ground level, with a clearance of 2.2m beneath it.
- The construction of a new side boundary fence on the south western boundary between the road and the building. The fence is constructed on a newly raised garden bed, and has a maximum height of 1.79m above the natural ground level.
- The construction of a new fence 1.25m from the north eastern side boundary between the road and the building. The fence has a maximum height of 1.93m above the natural ground level.
- The car parking at the front of the property is altered as a result of the proposed fencing.

#### **4. Background**

- 4.1 The new fences, Sign and raised garden bed were installed without any consultation with or approval from Council. The works associated with this also included the removal of a mosaic tile pathway to the front door, the removal of a portion of the sandstone front step, and resurfacing of the remaining front step. Council became aware of the works and has subsequently commenced compliance action to ensure that all appropriate approvals are sought for the works, and if not obtained, the site is restored to it's original condition.
- 4.2 Review of all available information (including Council photographs and Streetview images) shows that the car parking area has been modified. The parking area used to slope down gradually to the left, with no drop off to delineate the alleged pathway. Now there is a step down to the created pathway, with the area which is being relied upon for car parking having been levelled up to the house. The new fence on the left side has been constructed on the car parking side of the this level change. This change of grades of the car parking area constitutes works to the car parking area and as such further triggers the need for the car parking as constructed to be assessed under the current planning scheme provisions when assessing this application.

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

- 5.1 No representations were received during the statutory advertising period between 6 and 20 January 2021.

## 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 There is no change proposed to the existing use of the site. The application is made only for the (development) construction of the new fence and sign, and resulting changes to the car parking configuration for the site.
- 6.4 The proposal has been assessed against:
- 6.4.1 Part D - 22.0 Central Business Zone
  - 6.4.2 Part E - E6.0 Parking and Access Code
  - 6.4.3 Part E - E13.0 Historic Heritage Code
  - 6.4.4 Part E - E17.0 Signs Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:
- 6.5.1 Central Business Zone:  
*Fencing – Part D 122.4.7 P1*
  - 6.5.2 Parking and Access Code:  
*Layout of Parking Areas - E6.7.5 P1*
  - 6.5.3 Historic Heritage Code:

*Demolition - E13.7.1 P1*

*Building and Works other than Demolition - E13.7.2 P5 and P6*

6.5.4 Signs Code:

*Standards for Signs - E17.7.1*

*Standards for signs on Heritage Places subject to the Heritage Code or within Heritage Precincts or Cultural Landscape Precincts - E17.7.2*

6.6 Each performance criterion is assessed below.

6.7 Fencing - Part D 22.4.7 P1

6.7.1 The acceptable solution at clause 22.4.7 A1 requires fences within 1.5m of the front boundary to have a maximum height of 1.5m.

6.7.2 The proposal includes a 1.53m high fence within 1.5m of the front boundary.

6.7.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

6.7.4 The performance criterion at clause 22.4.7 P1 provides as follows:

*Fencing must contribute positively to the streetscape and not have an unreasonable adverse impact upon the amenity of land in a residential zone which lies opposite or shares a common boundary with a site, having regard to all of the following:*

*(a) the height of the fence;*

*(b) the degree of transparency of the fence;*

*(c) the location and extent of the fence;*

*(d) the design of the fence;*

*(e) the fence materials and construction;*

*(f) the nature of the use;*

*(g) the characteristics of the site, the streetscape and the locality, including fences;*

*(h) any Desired Future Character Statements provided for the area.*

- 6.7.5 The application site is not adjacent to or opposite any residentially zoned land. As such, there can be no negative impact to the amenity of residences within such a zone.
- 6.7.6 The street is largely characterised by development either adjacent to or close to the street front property boundary. Typically, the buildings to the south west are one to two storeys in height, with the building immediately adjacent to the north east a three storey commercial building. As such, whilst the fences are not replicated nearby in the street, the scale of the fences is not out of character with the surrounding streetscape, particularly as the fences, whilst within the front setback, function as side fences, so are less prominent from the street.
- 6.7.7 The proposal complies with the performance criterion.
- 6.8 Layout of Parking Areas - E6.7.5 P1
- 6.8.1 The acceptable solution at clause E6.7.5 A1 requires the layout of car parking spaces to comply with the relevant Australian Standard.
- 6.8.2 The proposal includes alterations to the car parking area which result in new car parking spaces that do not comply with the relevant Australian Standard.
- 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 E6.7.5 P1 provides as follows:
- The layout of car parking spaces, access aisles, circulation roadways and ramps must be safe and must ensure ease of access, egress and manoeuvring on-site.*
- 6.8.5 The application has been assessed by Council's Development Engineer, who has provided the following comment:
- The layout of car parking spaces, access aisles, circulation roadways and ramps must be safe and must ensure ease of access, egress and manoeuvring on-site.- Car parks exceed the property boundary and are deemed unsafe to pedestrians. The*

*parking spaces are not considered to enable safe use. The proposal does not meet the performance criteria.*

*The two proposed parking spaces are 1.6 m shorter than the required minimum length and will clearly place any B85 vehicle outside the property boundary and into the road reservation (SEE FIGURE 1).*

*The car park plans provided 15/12/2021 show a width of 5.9 m wide x 3.8 m long. Minimum size requirements for a standard 90 degree parking space, user class 1 (general/all day parking) according to AS 2890.1 is 2.4 m wide x 5.4 m long (SEE FIGURE 2). Figure 3 shows an aerial view of the vehicles extending from the property boundary.*

6.8.6 The proposal does not comply with the performance criterion.

6.9 Historic Heritage Code - Works to Heritage Places - Part E E13.7.1 P1 and E13.7.2 P5 and P5

6.9.1 There are no acceptable solutions for E13.7.1 A1 or E13.7.2 P5 and P6.

6.9.2 The proposal includes demolition of the existing fence and sign, and the construction of two new fences and a new pole sign.

6.9.3 There are no acceptable solutions; therefore assessment against the performance criterion is relied on.

6.9.4 The performance criterion at clauses E13.7.1 P1 and E13.7.2 P5 and P6 provide as follows:

**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.*

#### **E13.7.2**

*P5 - New front fences and gates must be sympathetic in design, (including height, form, scale and materials), to the style, period and characteristics of the building to which they belong.*

*P6 - The removal of areas of landscaping between a dwelling and the street must not result in the loss of elements of landscaping that contribute to the historic cultural significance of the place.*

- 6.9.5 The application has been assessed by Council's Cultural Heritage Officer. Whilst assessing the application, Council's Cultural Heritage Officer has identified works beyond the scope of the application that have occurred on site as part of the works that are part of the application. These additional works include the demolition of a mosaic tile front path and its sandstone boarder, demolition (removal) if a front sandstone step, alterations to the front side garden bed, and alterations to the car parking and how the associated hardstand meets the dwelling. The Cultural Heritage Officer Comments on all of the works identified as as follows:

#### **Demolition**

*The applicant is proposing the demolition of 19th century sandstone and tessellated tile landscape elements. Tessellated tiles with edging is typical of 19th century houses and gardens. The pathway, evident in photographs attached to this report, show a typical late Victorian design, featuring a diagonal two-tone design motif. The pathway is original to the house and demonstrates the extent of the former garden and is considered to be significant. The applicant has not provided, as part of this application, any environmental, social, economic or safety reasons of greater values to the community than the historic heritage values of the place (a). A prudent and feasible alternative would be to refurbish the tessellated tile pathway (c) and the pathway was not documented prior to demolition (d). The proposed demolition of the tessellated tile pathway with edging fails to satisfy E 13.7.2 P1 (a) (c) and (d) and therefore the proposed demolition is recommended for refusal.*



**Works**

*The applicant is proposing two new sections of front fencing which are over 1.5m in height. The fences feature horizontal timber slats and vertical steel posts. The proposed front fence does not demarcate the street edge, rather only boundaries perpendicular to the street are manifested. This is not the typical arrangement for a front fence of an late Victorian house. Typically an late Victorian house would have a fence at the street edge. Metropolitan Drainage Board Plans, held by Council, show just such an arrangement was present in the 1940s. It is likely this house originally had either a timber or wrought iron front fence. The proposed front fence has been designed to facilitate vehicles crossing into the space in front of the building, and parking in the former front garden. This is considered an incompatible design in terms of siting. The space in front of an late Victorian house is typically a modest, fenced front garden. The applicant appears to have removed an area of tessellated tile paving with sandstone margin and this equates to the loss of elements of landscaping which are of historic cultural heritage significance. The proposed front fence is not of a height, form, scale or material related to the style, period and characteristics of the building to which it belongs. Landscape elements are proposed to be removed which are considered significant. The proposed works fail to satisfy E 13.7.2 P5 and P6 and the proposed works are recommended for refusal.*

- 6.9.6 Whilst some of the identified works are found to be unsupportable, these works do not all form part of the current application. Notwithstanding this, the proposed fencing is not supported in the above assessment.
- 6.9.7 The proposal does not comply with the performance criterion.
- 6.10 Standards for Signs - Part E E 17.7.1 P1
  - 6.10.1 The acceptable solution at clause E17.7.1 A1 requires pole signs to have a minimum 2.4m clearance above the natural ground level.
  - 6.10.2 The proposal includes a pole sign with a 2.2m clearance above the natural ground level..
  - 6.10.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

6.10.4 The performance criterion at clause E17.7.1 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.*

6.10.5 The proposed sign replaces a similar sign for the property. Given the size, scale, and location, it is considered to integrate will onto the site.

6.10.6 As there are no other approved signs for the building there is no repetition of message, or visual clutter created or exacerbated by the proposed sign.

6.10.7 Whilst the elevations are not consistent, the applicant has clarified that the sign is proposed to be contained wholly within the property boundary. As such, it will not pose a safety hazard to footpath or road users.

6.10.8 The proposal complies with the performance criterion.

6.11 Standards for signs on Heritage Places subject to the Heritage Code or within Heritage Precincts or Cultural Landscape Precincts - Part E E17.7.2 P1

6.11.1 There is no acceptable solution for E17.7.2 A1.

6.11.2 The proposal includes a new pole sign at the front of the property.

6.11.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.

6.11.4 The performance criterion at clause E17.7.2 P1 provides as follows:

*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.*

6.11.5 The application has been assessed by Council's Cultural Heritage Officer. In assessing the application, the officer has identified a further

two signs that do not appear to have previous approval which are affixed to the building. The officer has provided no objection to the pole sign that is the subject of the current application.

6.11.6 The proposal complies with the performance criterion.

## 7. Discussion

- 7.1 Planning approval is sought for Signage and Fencing, at 14 Goulburn Street, Hobart.
- 7.2 The application was advertised and no representations were received.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to not perform well.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer and Cultural Heritage Officer. The Development Engineer has raised objection to the proposal.
- 7.5 The proposal is recommended for refusal.

## 8. Conclusion

- 8.1 The proposed Signage and Fencing, at 14 Goulburn 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 Signage and Fencing, at 14 Goulburn Street, Hobart for the following reasons:

- 1 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.7.5 A1 and P1 of the *Hobart Interim Planning Scheme 2015* because the layout of car parking spaces, access aisles, circulation roadways and ramps is not safe and does not ensure ease of access, egress and manoeuvring on-site.
- 2 The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.7.2 A5 or P5 of the *Hobart Interim Planning Scheme 2015* because the new front fences are not sympathetic in design to the style, period and characteristics of the building to which they belong.



(Helen Ayers)

**Development Appraisal Planner**

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*



(Karen Abey)

**Manager Development Appraisal**

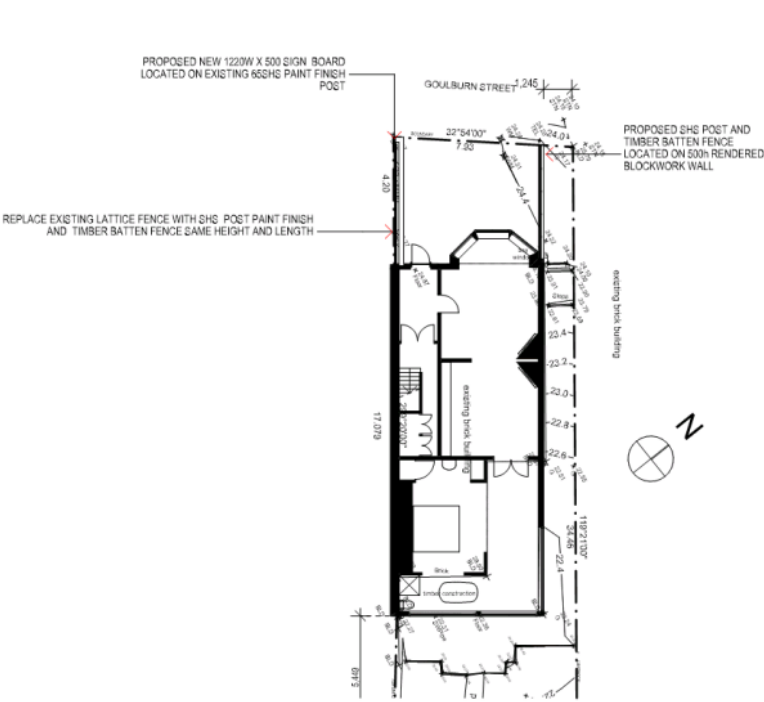
*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*

Date of Report: 2 February 2021

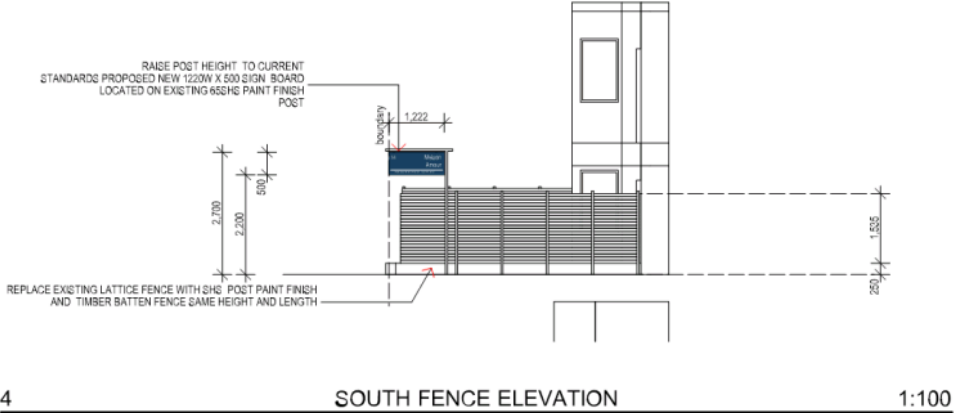
**Attachment(s):**

Attachment B - CPC Agenda Documents (use for committee reports)

Attachment C - Referral Officer Report (Development Engineer and Cultural Heritage Officer)



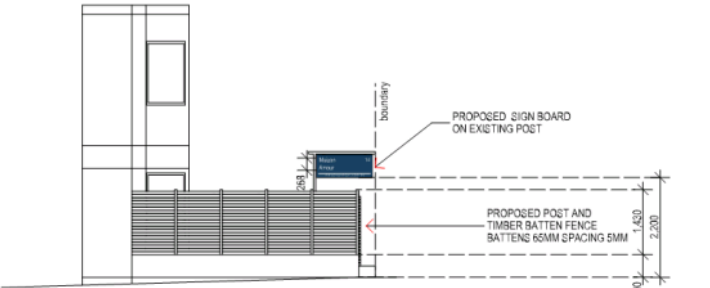
1 SITE PLAN 1:200



4 SOUTH FENCE ELEVATION 1:100



WEST FENCE ELEVATION 1:100



3 NORTH FENCE ELEVATION 1:100

CYKEL-180101 14 GOULBURN ST 12/10/2020 9:37 AM



CYKEL ARCHITECTURE

debut studio  
level 2, 49/51 Murrey st, hwy  
m: 0410054749  
e: stephen@cykelarchitecture.com.au  
www.cykelarchitecture.com.au

PROJECT:  
14 GOULBURN ST  
CLIENT:  
RW  
DRAWING:  
DA FENCE & SIGN

REV	DESCRIPTION	DATE APPLIED
DA-04		12/10/2020

DA APPLICATION

X

project no	date	scale
180101	12/10/2020	1:200, 1:100
revision	checked	drawing no
DA-04	SG	02.01

Roderick West  
12 Turnip Fields Road  
South Hobart  
Tasmania 7004

23 September 2020

Planning  
Hobart City Council  
Macquarie Street Hobart

**14 Goulburn Street Sign and Fencing - Enforcement No. ENF-20-175**

Dear Sir/Madam,

Further to the attached planning application:

**Signage**

The signage is as per the previous signage approved for the property except the previous signage was illuminated. The structure can be seen on Council photo records. I rang and spoke to a Council Planning Officer in regard to the signage to confirm that we could install replacement signage in line with the previous approval. I was told yes this was fine. We subsequently installed the signage. After a complaint Council contacted me and said there was no previous approval. I said there was, that we had spoken to a planning officer and they would find the previous approval in their files. Council again said there was no previous approval. I then went and again obtained the approval from archives and forwarded it to Council. Council then said the approval was not sufficient.

The signage is installed on the existing signage post and supports. To meet current requirements the post will be extended slightly to provide the current clearances below the sign.

**Fences**

The fence on the southern side replaces the existing fencing matching length and height. The new material is horizontal slats whereas the previous material was lattice. The new fence is significantly more aesthetically pleasing blending extremely well with the historic nature of the property.

The fence on the northern side is a fence of the same design as that on the southern side. The fence does not protrude as far as the building to the north. This building is built on the boundary and is only about 1m from the fence. The building is two stories high and extends to the property boundary. The new fence is unnoticeable given the height and bulk of the two story block building wall. This wall is quite ugly and includes large signage. The fence helps to break up the imposing monolithic nature of the wall which severely impacts the heritage nature of 14 Goulburn St. Approaching from the city side it is not possible to see the fence. The fence is important as it provides privacy for clients entering the unit down the side pathway. The materials of the pathway and fence blend very well and are a significant improvement enhancing the heritage values of the site and the street scape.

The construction of both the fence and signage is very high quality and expensive to build.

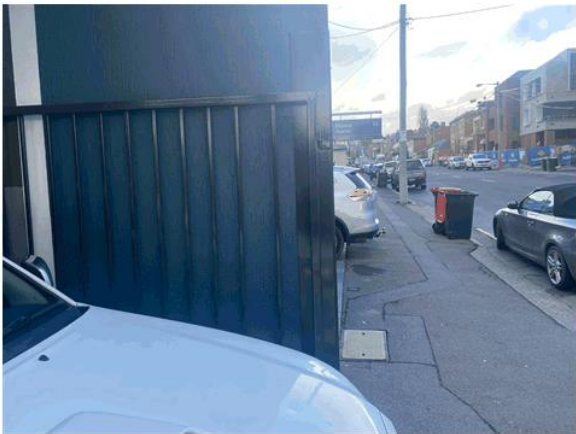
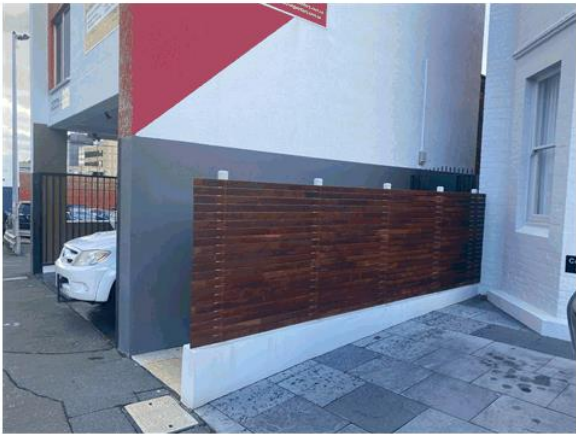
Photos attached.

Warm wishes,



Roderick West





## CERTIFICATE OF TITLE

LAND TITLES ACT 1980



TASMANIA

## TORRENS TITLE

VOLUME		FOLIO
90660		3
EDITION	DATE OF ISSUE	
2	06-Feb-2018	
Page 1		of 1

I certify that the person described in Schedule 1 is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries specified in Schedule 2 and to any additional entries in the Folio of the Register.

*Alice Kawa*

Recorder of Titles.

DESCRIPTION OF LAND

City of HOBART  
Lot 3 on Diagram 90660 (formerly being 22-28HOB)  
Derivation : Part of 2rds.11.1/10ps. Sec.Z. Gtd. to R.L.Murray  
Prior CT 2930/33

SCHEDULE 1

M674211 TRANSFER to ABWOON PROPERTIES PTY LTD Registered  
06-Feb-2018 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
M674986 MORTGAGE to Roderick West Registered 06-Feb-2018 at  
12.02 PM

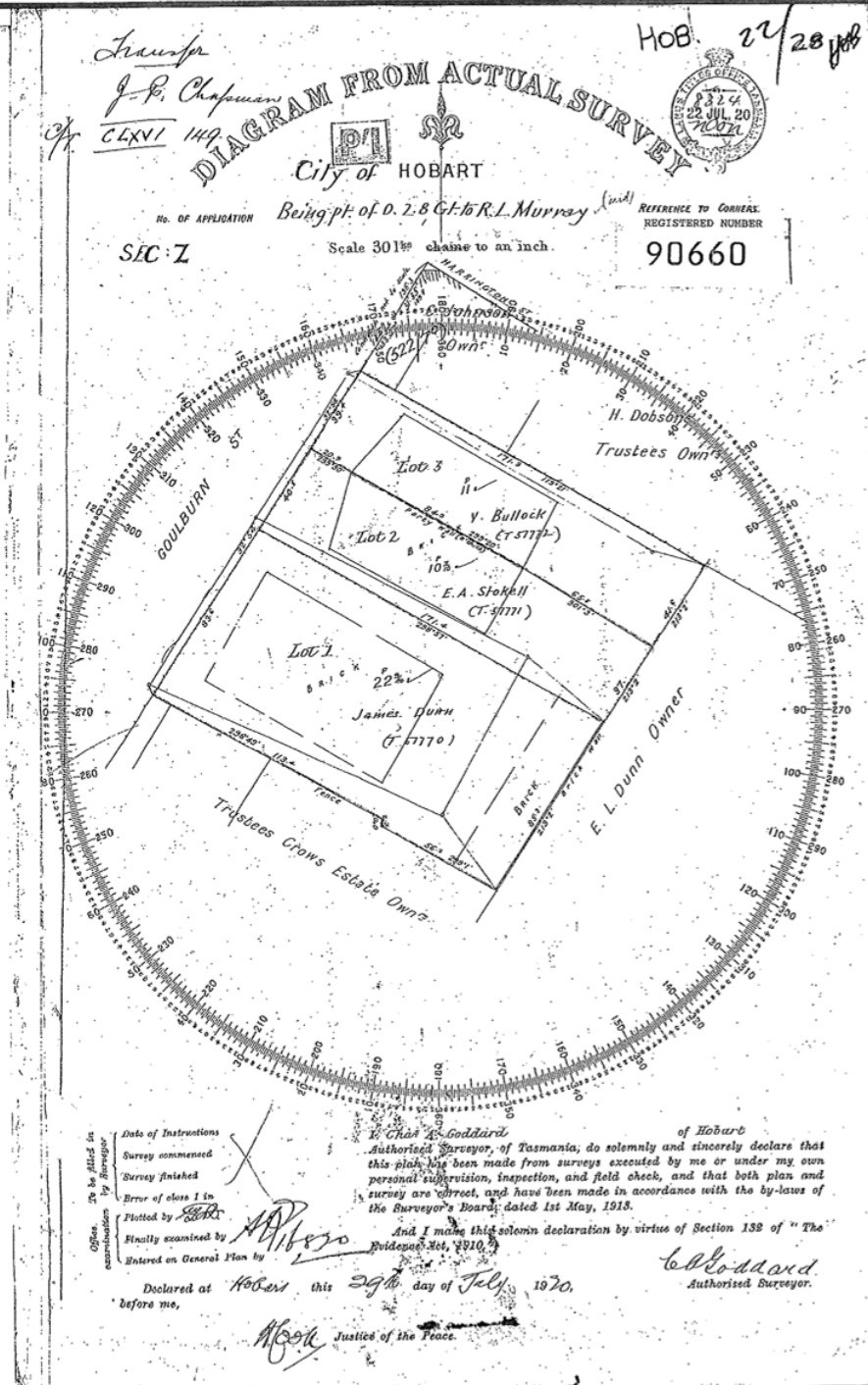
WARNING: BEFORE DEALING WITH THIS LAND SEARCH THE CURRENT FOLIO OF THE REGISTER

the List...

## FOLIO PLAN

RECORDED OF TITLES

*Issued Pursuant to the Land Titles Act 1980*



Planning: #215784

**Property**

14 GOULBURN STREET HOBART TAS 7000

**People**Applicant  
=Rod West  
12 Turnip Fields Road  
SOUTH HOBART TAS 7004  
0410 666 999  
rod@west.nameOwner  
=Abwoon  
Roderick West  
12 Turnip Fields Road  
SOUTH HOBART TAS 7004  
0410 666 999  
rod@west.nameEntered By  
RODERICK WEST  
0419 882 806  
roderickwest@me.com**Use**

Visitor accommodation

**Details**

Have you obtained pre application advice?

• No

If YES please provide the pre application advice number eg PAE-17-xx

Are you applying for permitted visitor accommodation as defined by the State Government Visitor Accommodation Standards? Click on help information button for definition. If you are not the owner of the property you MUST include signed confirmation from the owner that they are aware of this application.

• No

Is the application for SIGNAGE ONLY? If yes, please enter \$0 in the cost of development, and you must enter the number of signs under Other Details below.

<input type="radio"/> No		
If this application is related to an enforcement action please enter Enforcement Number <input type="text" value="ENF-20-178"/>		
<b>Details</b>		
What is the current approved use of the land / building(s)? <input type="text" value="Residence, Visitor Accommodation, Studio"/>		
Please provide a full description of the proposed use or development (i.e. demolition and new dwelling, swimming pool and garage) <input type="text"/>		
Signage as previously approved, fence <input type="text"/>		
Estimated cost of development <input type="text" value="1000.00"/>		
Existing floor area (m2)	Proposed floor area (m2)	Site area (m2)
<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Carparking on Site</b>		
Total parking spaces <input type="text" value="2"/>		Existing parking spaces <input type="text" value="2"/>
		N/A <input type="checkbox"/> Other (no selection chosen)
<b>Other Details</b>		
Does the application include signage? <input type="radio"/> 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? <input type="text" value="1"/>		
<b>Tasmania Heritage Register</b> Is this property on the Tasmanian Heritage Register? <input checked="" type="radio"/> Yes		
<b>Documents</b>		
<b>Required Documents</b>		
Title (Folio text and Plan and Schedule of Easements) <input type="text" value="14 Goulburn Title Text and Plan.pdf"/>		
Plans (proposed, existing) <input type="text" value="14 GOULBURN ST FENCE &amp; SIGN DA DA -04.pdf"/>		
Covering Letter <input type="text" value="14 Goulburn Fence and Sign.pdf"/>		





JMG Ref: 193054PH

4<sup>th</sup> December 2020

Hobart City Council  
GPO Box 503  
Hobart TAS 7001  
Via email - coh@hobartcity.com.au

Attention: Ben Ikin

Dear Ben,

**14 GOULBURN STREET, HOBART - SIGNAGE AND FENCING PLN-20-717**

Further to your letter of the 28<sup>th</sup> October 2020, we act on behalf of Abwoon Properties Pty Ltd.

We respond to the request for further information as follows:

**Parking and Access.**

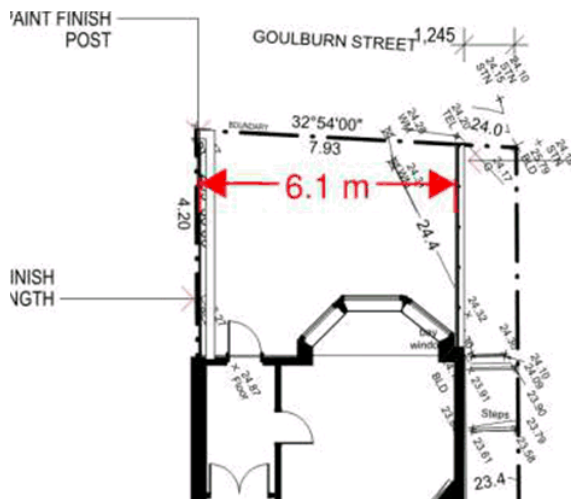
The proposal is for fencing and signage, not the car parking which was approved under DA19-14346. In case there is concern regarding decreased width created by the installation over the fence on the northern side of the car park, this distance is 6.1m and is greater than the 5.4m required under AS2890. Thus whilst the Parking and Access Code applies (to all development) the only provision relevant in this instance is E6.7.5 with respect to the fence and as per above the fence is compliant with A1 of this provision.

117 Harrington Street  
Hobart 7000  
Phone (03) 6231 2555  
Fax (03) 6231 1535  
infohbt@jmg.net.au

49-51 Elizabeth Street  
Launceston 7250  
Phone (03) 6334 5548  
Fax (03) 6331 2954  
infohbn@jmg.net.au

Johnstone McGee &  
Gandy Pty Ltd  
ABN 76 473 834 852  
ACN 009 547 139  
as trustee for Johnstone  
McGee & Gandy  
Unit Trust

[www.jmg.net.au](http://www.jmg.net.au)





The layout of the car parking and certification by an engineer of access and manoeuvring is not required for a fence or signage development.

If further information or clarification is required with respect to this request, please contact me on 6231 2555 or at [mclark@jmg.net.au](mailto:mclark@jmg.net.au).

Yours faithfully

JOHNSTONE MCGEE & GANDY PTY LTD

Mat Clark  
PRINCIPAL



ATTACHMENT A

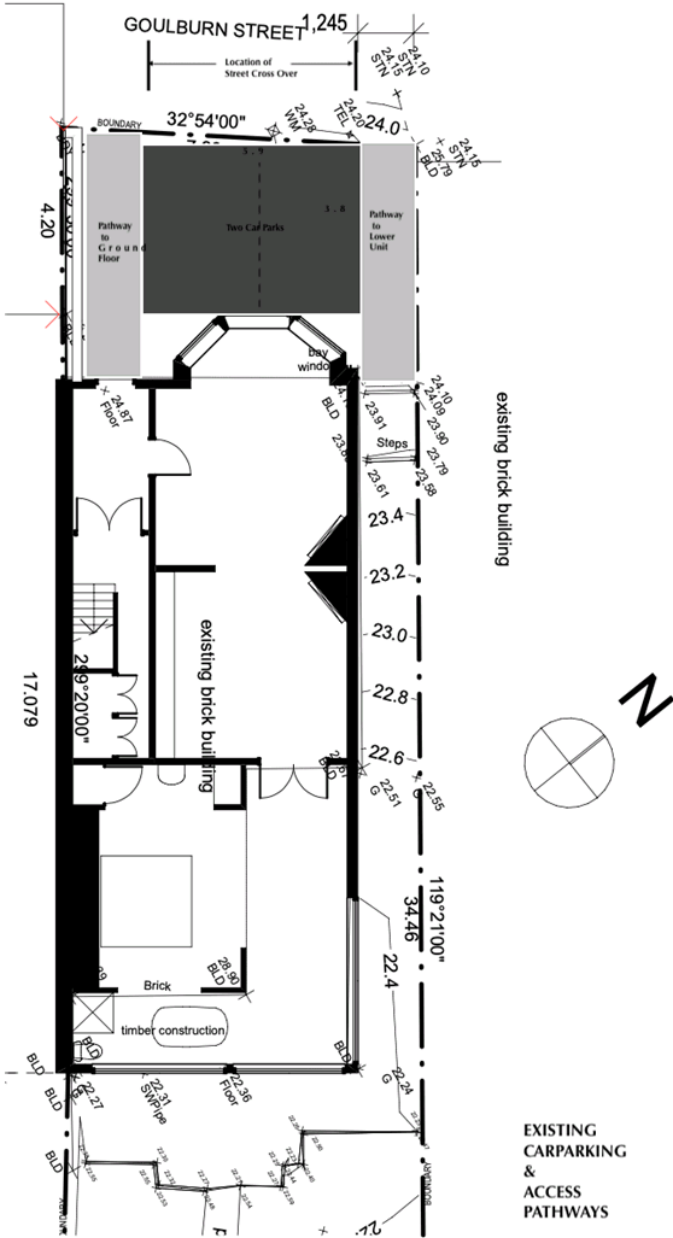
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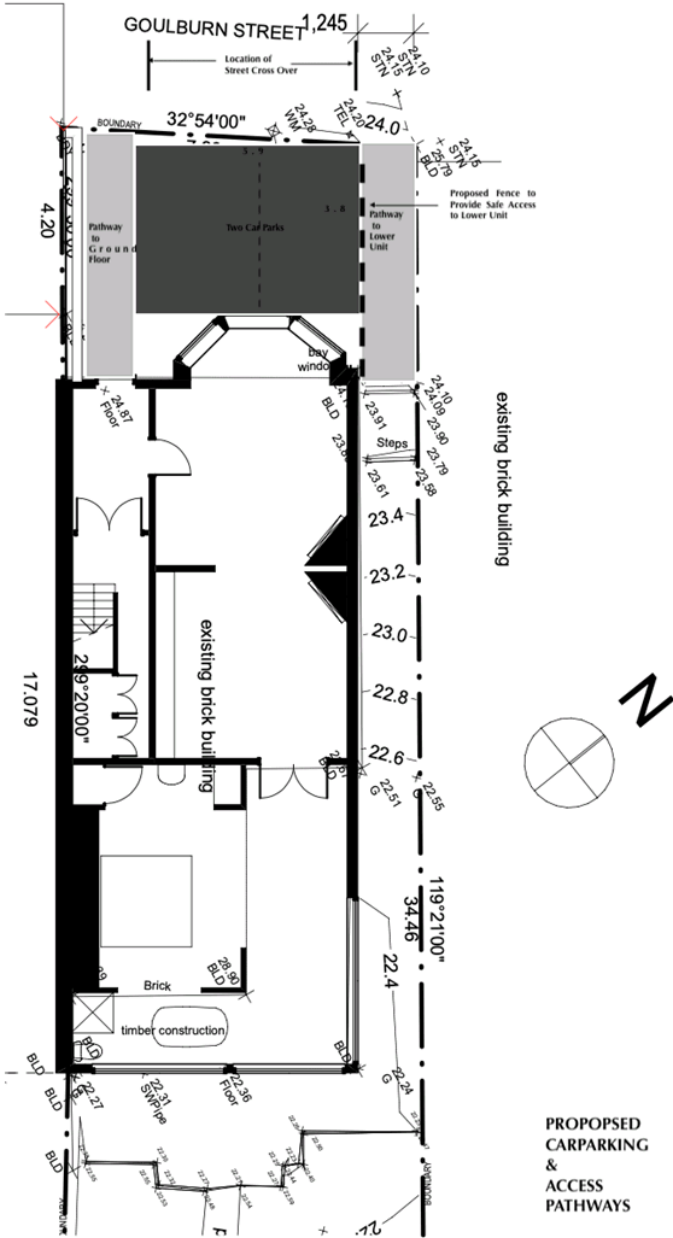


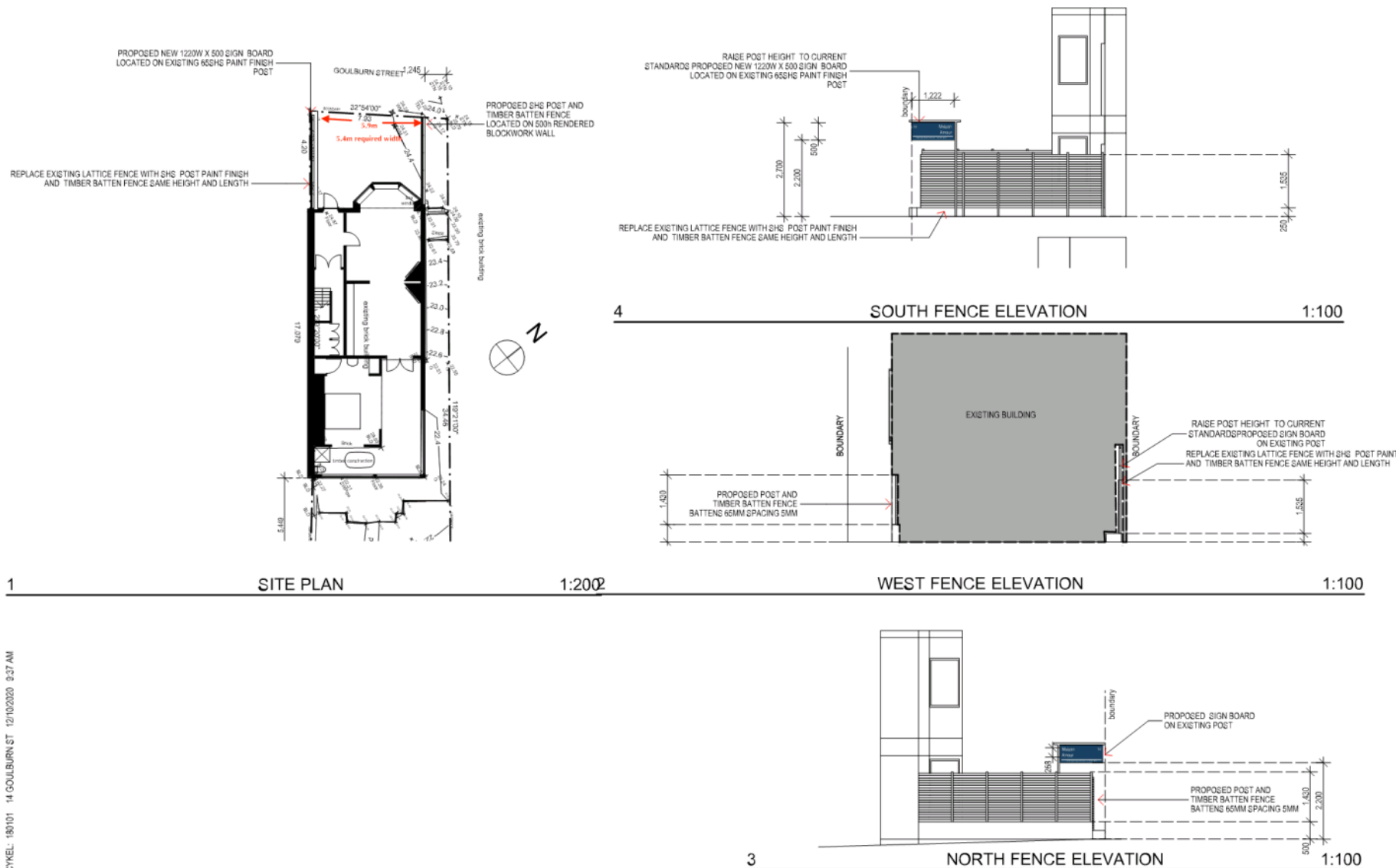


ATTACHMENT B

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CYKEL-180101 14 GOULBURN ST 12/10/2020 9:37 AM

 <b>CYKEL ARCHITECTURE</b> disbume studio level 2 - 49/51 Murrey st, tas m: 0410054749 e: stephen@cykelarchitecture.com.au www.cykelarchitecture.com.au	PROJECT: 14 GOULBURN ST		REV	DESCRIPTION	DATE APPLIED	<b>DA APPLICATION</b>  X	project no	date	scale
	CLIENT: RW		DA-04		12/10/2020		180101	12/10/2020	1:200, 1:100
	DRAWING: DA FENCE & SIGN						revision	checked	drawing no
							DA-04	SG	02.01

## Application Referral Development Engineering - Response

<b>From:</b>	David Morely reassigned from Stefan Gebka
<b>Recommendation:</b>	Proposal is unacceptable.
<b>Date Completed:</b>	
<b>Address:</b>	14 GOULBURN STREET, HOBART
<b>Proposal:</b>	Signage and Fencing
<b>Application No:</b>	PLN-20-717
<b>Assessment Officer:</b>	Helen Ayers,

### Referral Officer comments:

#### SUMMARY:

PLN-20-717 - 14 GOULBURN STREET  
Signage and Fencing

CODE E5 and E7 Not Triggered

Previously 2 car spaces were permitted at 14 Goulburn Street. The additional paths along the boundary have resulted in the car parking spaces proposed to become non compliant with the Australian Standards. While parking is not required to be provided in the central business zone off street parking in the area is limited. The removal of the properties car spaces will only increase the parking difficulties in the area.

Therefore **DE will not accept car park spaces shown on plans provided and will recommending refusal..**

#### DISTCRETIONS:

CODE E6.7.5 Parking and access

#### ACCEPTABLE SOLUTION - A1

The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.- **NOT MET**

#### PERFORMANCE CRITERIA - P2

The layout of car parking spaces, access aisles, circulation roadways and ramps must be safe and must ensure ease of access, egress and manoeuvring on-site.- Car parks exceed the property boundary and are deemed unsafe to pedestrians. The parking spaces are not considered to enable safe use. **The proposal does not meet the performance criteria.**

The two proposed parking spaces are 1.6 m shorter than the required minimum length and will clearly place any B85 vehicle outside the property boundary and into the road reservation (SEE FIGURE 1).

The car park plans provided 15/12/2021 show a width of 5.9 m wide x 3.8 m long. Minimum size requirements for a standard 90 degree parking space, user class 1 (general/all day parking) according to AS 2890.1 is 2.4 m wide x 5.4 m long (SEE FIGURE 2). Figure 3 shows and aerial view of the vehicles extending from the property boundary.

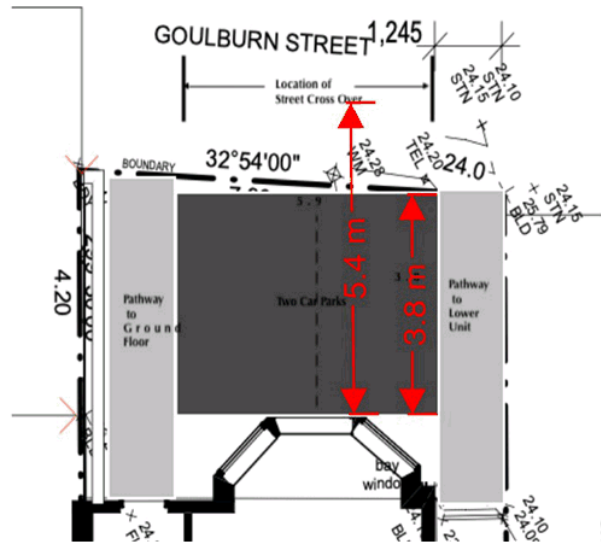


FIGURE 1: lengthway comparison of a car park that meets the Australian Standards and the proposed car park.

		3A	2.6	3.00	5.7	5.1	6.0	5.1
(c) Bays at 60°		4	(See Note 5)					
		User class (Note 1)	A (Note 3)	B	C <sub>1</sub>	C <sub>2</sub>	C <sub>3</sub>	Aisle width (Note 4)
(d) Bays at 90°		1	2.4	2.4	5.4	4.8	5.4	6.2
		1A	2.4	2.4	5.4	4.8	5.4	5.8
		2	2.5	2.5	5.4	4.8	5.4	5.8
		3	2.6	2.6	5.4	4.8	5.4	5.8
		3A	2.6	2.6	5.4	4.8	5.4	6.6
		3A	2.7	2.7	5.4	4.8	5.4	6.2
		4	(See Note 5)					

\*Dimension C is selected as follows (see Note 6):

C<sub>1</sub>—where parking is to a wall or high kerb not allowing any overhang.

C<sub>2</sub>—where parking is to a low kerb which allows 600 mm overhang in accordance with Clause 2.4.1(a)(i).

C<sub>3</sub>—where parking is controlled by wheelstops installed at right angles to the direction of parking, or where the ends of parking spaces form a sawtooth pattern, e.g. as shown in the upper half of Figure 2.4(b).

For Notes—see over.

DIMENSIONS IN METRES

FIGURE 2.2 LAYOUTS FOR ANGLE PARKING SPACES

FIGURE 2: Excerpt from AS 2890.1 detailing the required dimensions.

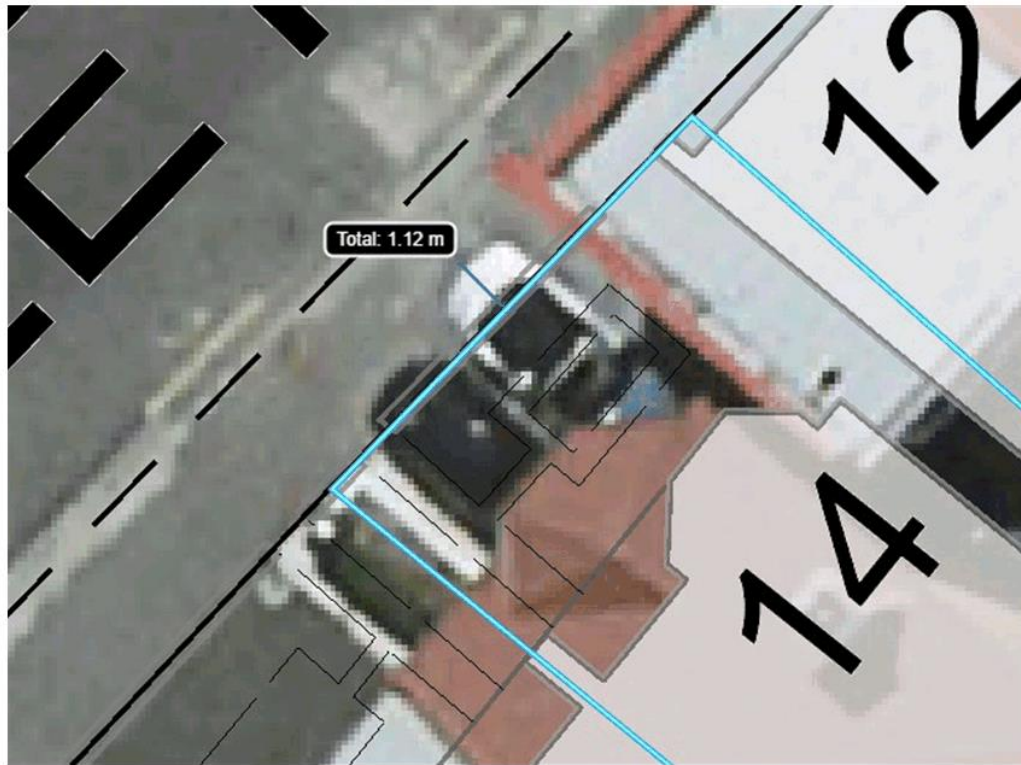


FIGURE 3: Right hand vehicle parked approximately 1.2 meters outside the boundary.

## Application Referral Cultural Heritage - Response

<b>From:</b>	Megan Baynes&nbsp;
<b>Recommendation:</b>	Proposal is acceptable without conditions.
<b>Date Completed:</b>	
<b>Address:</b>	14 GOULBURN STREET, HOBART
<b>Proposal:</b>	Signage and Fencing
<b>Application No:</b>	PLN-20-717
<b>Assessment Officer:</b>	Helen Ayers,

### Referral Officer comments:

#### Background

This property is Heritage Listed in Table E 13.1 of the Hobart Interim Planning Scheme.

14 Goulburn Street is a double storey, masonry, Late Victorian era, conjoined terrace house. The house has bay windows and has been painted white. The house has intact timber apertures. Photographs held in Council's collection, and also Google street view, indicate that a terracotta tessellated pathway with sandstone margins extends, between the verandah, on the alignment of the front door, to the footpath. Parking is occurring in front of the building line, to the left, and the traditional front fence and garden was removed quite some time ago. The traditional spatial arrangements of a terrace house with a front fence and garden are not intact.

This application involves demolition including:

- removal of sandstone front step
- tessellated tile front path
- bitumen surface

Also works including:

- low garden edging
- sign and pole and two small signs on the front of the building 'Luxe' and 'Celestial Suite'
- two fences - 1.5m in height
- new front paving (dark grey pavers)
- new front verandah/porch surface and,
- new front path (sandstone coloured pavers)

The work has been undertaken. The applicant is applying for a permit retrospectively.

### Assessment against the Planning Scheme:

#### Demolition

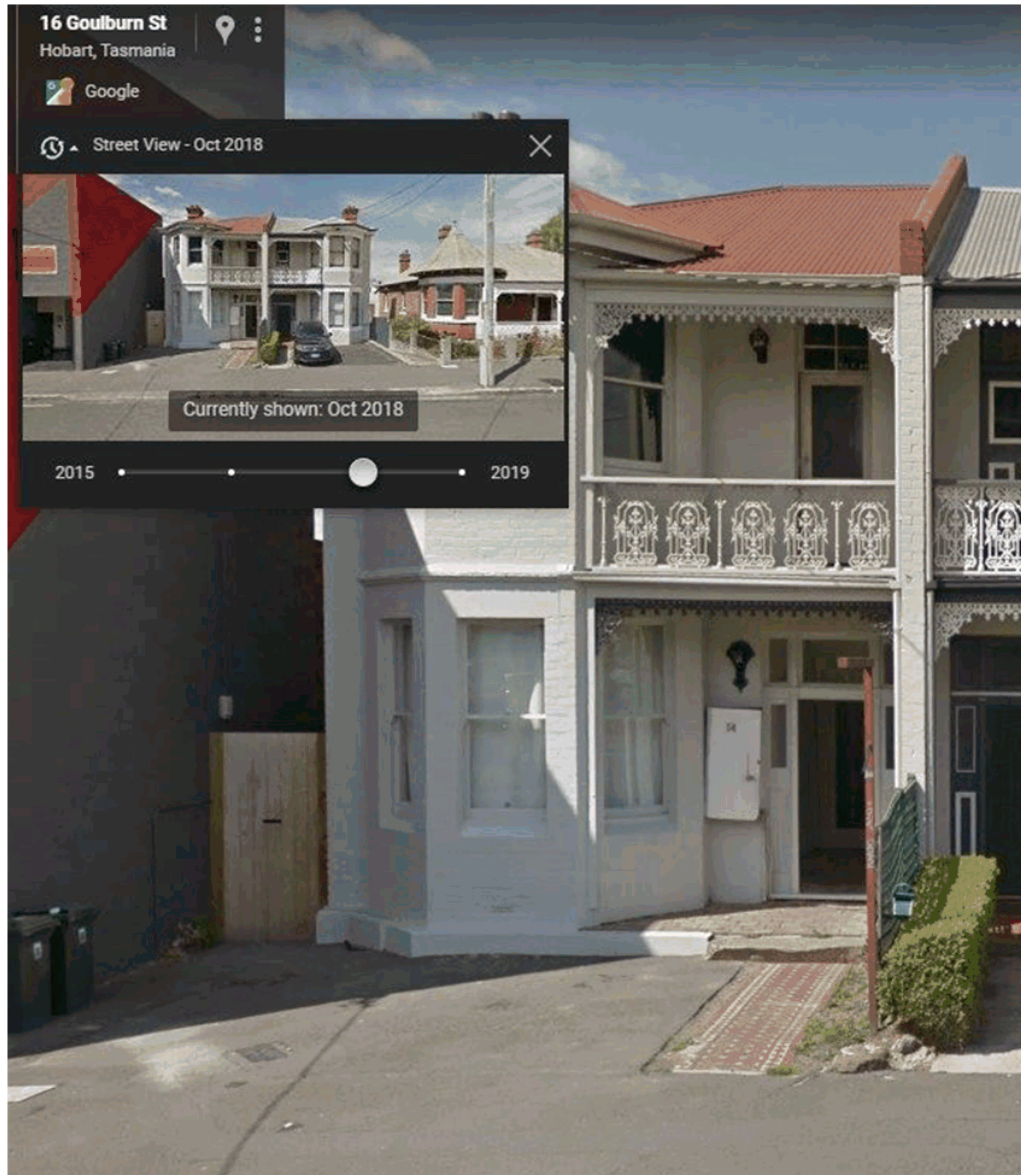
From the Historic Heritage Code of the Hobart Interim Planning Scheme (E 13.7.1 P1):

"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 applicant is 'proposing' the demolition of 19th century sandstone and tessellated tile landscape elements. Tessellated tiles with edging is typical of 19th century houses and gardens. The pathway, evident in photographs attached to this report, show a typical late Victorian design, featuring a diagonal two-tone design motif. The pathway is original to the house and demonstrates the extent of the former garden and is considered to be significant. The applicant has not provided, as part of this application, any environmental, social, economic or safety reasons of greater values to the community than the historic heritage values of the place (a). A prudent and feasible alternative would be to refurbish the tessellated tile pathway (c) and the pathway was not documented prior to demolition (d). The proposed demolition of

the tessellated tile pathway with edging fails to satisfy E 13.7.2 P1 (a) (c) and (d) and would be unacceptable.

**Works**

From the Planning Scheme (E 13.7.2):

*P5 New front fences and gates must be sympathetic in design, (including height, form, scale and materials), to the style, period and characteristics of the building to which they belong.*

*P6 The removal of areas of landscaping between a dwelling and the street must not result in the loss of elements of landscaping that contribute to the historic cultural significance of the place.*

The applicant is proposing two new sections of front fencing which are over 1.5m in height. The fences feature horizontal timber slats and vertical steel posts. The proposed front fence does not demarcate the street edge, rather only boundaries perpendicular to the street are manifested. This is not the typical arrangement for a front fence of an late Victorian house. Typically an late Victorian house would have a fence at the street edge. Metropolitan Drainage Board Plans, held by Council, show just such an arrangement was present in the 1940s. It is likely this house originally had either a timber or wrought iron front fence. The proposed front fence has been designed to facilitate vehicles crossing into the space in front of the building, and parking in the former front garden. This is considered an incompatible design in terms of siting. The space in front of an late Victorian house is typically a modest, fenced front garden. The applicant appears to have removed an area of tessellated tile paving with sandstone margin and this equates to the loss of elements of landscaping which are of historic cultural heritage significance. The proposed front fence is not of a height, form, scale or material related to the style, period and characteristics of the building to which it belongs. Landscape elements are proposed to be removed which are considered significant. The proposed works fail to satisfy E 13.7.2 P5 and P6 and would be unacceptable.

**Signs**

The applicant is seeking approval for signs. Two would be attached to the building facade whilst another is freestanding on a pole. The signs are proposed in traditional locations, adjacent the front door and at property boundaries. The signs need to be considered against E 17.7.2:

"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.”

**Assessment of signs**

- (a) Two of the signs, small plaques, would be located in a traditional manner, near the front door, in such a way that minimises impact on cultural heritage significance of the place. A third sign, would be on a pole and in the vicinity of the property boundary is located within the height of the first floor of the building. This is considered to be modest and traditional in design.
- (b) The signs would be placed so as to allow the architectural details of the building to remain prominent;
- (c) The signs would be of a size and design that will not substantially diminish the cultural heritage significance of the place;
- (d) The signs would be placed in a location on the building that would traditionally have been used as an advertising;
- (e) The signs would not dominate or obscure any historic signs forming an integral part of a building's architectural detailing or cultural heritage values;
- (f) There is no evidence to suggest that the fabric of the house would be damaged by the placement of small plaques on the masonry facade.
- (g) The signs would not project above an historic parapet or roof line if such a projection impacts on the cultural heritage significance of the building;
- (h) The signs would be of a graphic design that minimise modern trademark or proprietary logos not sympathetic to heritage character;
- (i) The signs would not be illuminated.

The signs are considered acceptable from a cultural heritage perspective. **E 17.7.2 is satisfied.**

**Archaeology**

14 Goulburn Street is located in a zone of archaeological potential. The applicant has repaved an area in front of, and to the side of the house. The application does not contain a report from a qualified Archaeologist, stating the likelihood or otherwise of significant deposits being anticipated. Given that repaving is a surface change, rather than deep excavation for footings for example, it is *unlikely* that significant archaeological deposits would have been impacted. Given that the area where surface disturbance occurred was previously disturbed (eg the front fence and garden had been removed some years ago), **E 13.10.1 P1 is considered satisfied.**

**Recommendation**

The application involves the loss of significant landscape elements including late Victorian era tessellated tile path with edging. This fails to satisfy E 13.7.1 P1 (demolition). The proposed front fence is considered incompatible design in terms of its height and siting, form and materials. The proposed works fails to satisfy E 13.7.2 P5 and P6 (works). **This application is recommended for refusal.**

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**Advice**

**It is possible to provide advice to the applicant that the reinstatement of a modest front garden and front fence of no more than 1.2m would be exempt from planning approval and a good conservation outcome for the listed place.**

**Image source:** Hobart City Council Collection, Metropolitan drainage Board Plans 1905-

1947. Plans show the House at No. 14 Goulburn Street with a front fence and path.

