



CITY OF HOBART

# **AGENDA**

## **City Planning Committee Meeting**

### **Open Portion**

**Monday, 19 July 2021**

**at 5:00 pm**

**Council Chamber, Town Hall**

### **SUPPLEMENTARY ITEM**

#### **ORDER OF BUSINESS**

**COMMITTEE ACTING AS PLANNING AUTHORITY ..... 3**

#### **APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015**

13. 646A Sandy Bay Road, Sandy Bay - Partial Demolition, Alterations,  
and Partial Change of Use to Food Services ..... 4

**The Chief Executive Officer reports:**

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

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

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

## **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 Chief Executive Officer 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.

**13. 646A SANDY BAY ROAD, SANDY BAY - PARTIAL DEMOLITION, ALTERATIONS, AND PARTIAL CHANGE OF USE TO FOOD SERVICES  
PLN-21-368 - FILE REF: F21/69383**

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Address: 646A Sandy Bay Road, Sandy Bay

Proposal: Partial Demolition, Alterations and Partial Change of Use to Food Services

Expiry Date: 31 August 2021

Extension of Time: Not applicable

Author: Richard Bacon

**RECOMMENDATION**

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and partial change of use to food services at 646A Sandy Bay Road Sandy Bay TAS 7005 for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

**GEN**

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-368 - 646A SANDY BAY ROAD SANDY BAY TAS 7005 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

**TW**

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/00901-HCC dated 9th June 2021 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

**ENG 1**

Any damage to council infrastructure resulting from the implementation of this permit, must, at the discretion of the Council:

1. Be met by the owner by way of reimbursement (cost of repair and reinstatement to be paid by the owner to the Council); or
2. Be repaired and reinstated by the owner to the satisfaction of the Council.

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

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

#### Reason for condition

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

#### ENG s1

Prior to commencement of use, any proposed bollards are to be provided and installed in accordance with Australian Standard AS/NZS 2890.1:2004 and Tasmania Standard Drawings TSD-R31-v3 or TSD-R32-v3 or a Council approved alternative.

#### Reason for condition

To ensure pedestrian safety and compliance with the standards. The bollards are to be located such that vehicles manoeuvring within the adjacent public car park will be prevented from encroaching into pedestrian ways.

#### HER 9

The proposed changes to the north/east (entry) and the north/west (coffee servery) as shown on drawings Floor Plan 21.04\_DA02, dated 29/04/21 and Elevations 21.04\_DA03, dated 29/04/21 are not approved. Revised drawings must be submitted to include the following:

- Hardwood vertical board panelling to match the existing,
- The reuse of the existing metal framed screens (either fixed or hinged)
- The north/east (entry) must have 3 equal vertical divisions above the vertical board panelling
- The north/west (coffee servery) must have 2 equal divisions above the

- vertical board panelling
- The external colours of the frames and panelling, must be differentiated and reflect the original contrasting colour scheme from the 1960s.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement in accordance with the above requirements.

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

*Advice:*

*This condition requires further information to be submitted as Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.*

*The drawing submitted on 12 July 2021 and described as: Elevations - Revised, 21.04\_DA03, dated 09/07/21, reflects an outcome that would satisfy this condition.*

*Works to the refurbishment of the sliding door on the north-east elevation should occur prior to the kiosk works.*

Reason for condition

To ensure that demolition and new work at a heritage place does not result in the loss of historic cultural heritage values.

## **ADVICE**

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

Prior to any commencement of work on the site or commencement of use the following additional permits/approval may be required from the Hobart City Council.

## BUILDING PERMIT

You may need building approval in accordance with the *Building Act 2016*. Click [here](#) for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

## PLUMBING PERMIT




You may need plumbing approval in accordance with the *Building Act 2016*, *Building Regulations 2016* and the National Construction Code. Click [here](#) for more information.

## FEES AND CHARGES

Click [here](#) for information on the Council's fees and charges.

## DIAL BEFORE YOU DIG

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

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|---------------|---|
| Attachment A: | PLN-21-368 - 646A SANDY BAY ROAD SANDY BAY TAS<br>7005 - Planning Committee or Delegated Report ↓              |
| Attachment B: | PLN-21-368 - 646A SANDY BAY ROAD SANDY BAY TAS<br>7005 - CPC Agenda Documents ↓                                 |
| Attachment C: | PLN-21-368 - 646A SANDY BAY ROAD SANDY BAY TAS<br>7005 - Planning Referral Officer Cultural Heritage Report ↓  |

**APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee  
Council: 26 July 2021  
Expiry Date: 31 August 2021  
Application No: PLN-21-368  
Address: 646 A SANDY BAY ROAD , SANDY BAY  
Applicant: Philip Cox  
1 / 7 Wayne Avenue  
Proposal: Partial Demolition, Alterations, and Partial Change of Use to Food Service:  
Representations: Six  
Performance criteria: Open Space Zone Use Standards, and Historic Heritage Code

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**1. Executive Summary**

- 1.1 Planning approval is sought for a partial demolition, alterations and partial change of use to food services at 646A Sandy Bay Road Sandy Bay TAS 7005.
- 1.2 More specifically the proposal includes:
  - works and proposed use at the northwestern end of the existing surf lifesaving club building (also known as the Long Beach Bathing Pavilion);
  - it would involve minor alteration for new kitchen, storage and serving area, with new windows and doors.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
  - 1.3.1 Open Space Zone - Operating Hours and Discretionary Use
  - 1.3.2 Historic Heritage Code - Heritage Place
- 1.4 Six representations objecting to the proposal were received within the statutory advertising period between the 16th and 30th June 2021.
- 1.5 The proposal is recommended for approval.
- 1.6 The final decision is delegated to the Council, because the proposal involves a Council owned site and because in excess of three representations have been received.



## 2. Site Detail

- 2.1 The site is 646A Sandy Bay Road, and contains the Long Beach Bathing Pavilion. The site is Council owned. A brief history of the Pavilion is provided in section 6 of this report. The site is set within the Long Beach Reserve, and surrounded by a mix of residential, commercial, and recreational uses.
- 2.2 The site was visited dated the 20th January 2021.

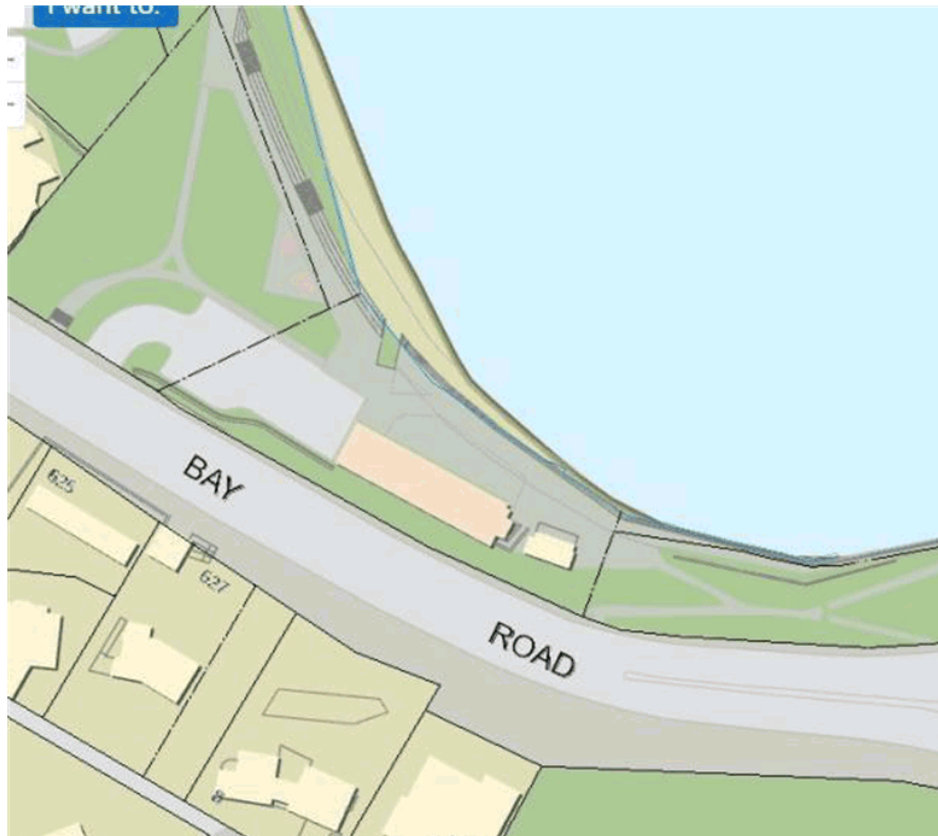


Figure 1 above: proposal site is in centre of image. Source: Council GIS.



Figure 2 above: aerial photograph with site and subject building in centre of image. Source: Council GIS.



Figure 3 above: view from carpark toward the north west facing end of the subject building. Source: Google Streetview.



Figure 4 above: further view from carpark toward the north west facing end of the subject building. Source: Google Streetview.

### 3. Proposal

- 3.1 Planning approval is sought for a partial demolition, alterations and partial change of use to food services at 646A Sandy Bay Road Sandy Bay TAS 7005.
- 3.2 More specifically the proposal is for:
- works and proposed use at the northwestern end of the existing surf lifesaving club building;
  - it would involve minor alteration for new kitchen, storage and serving area, with new windows and doors.

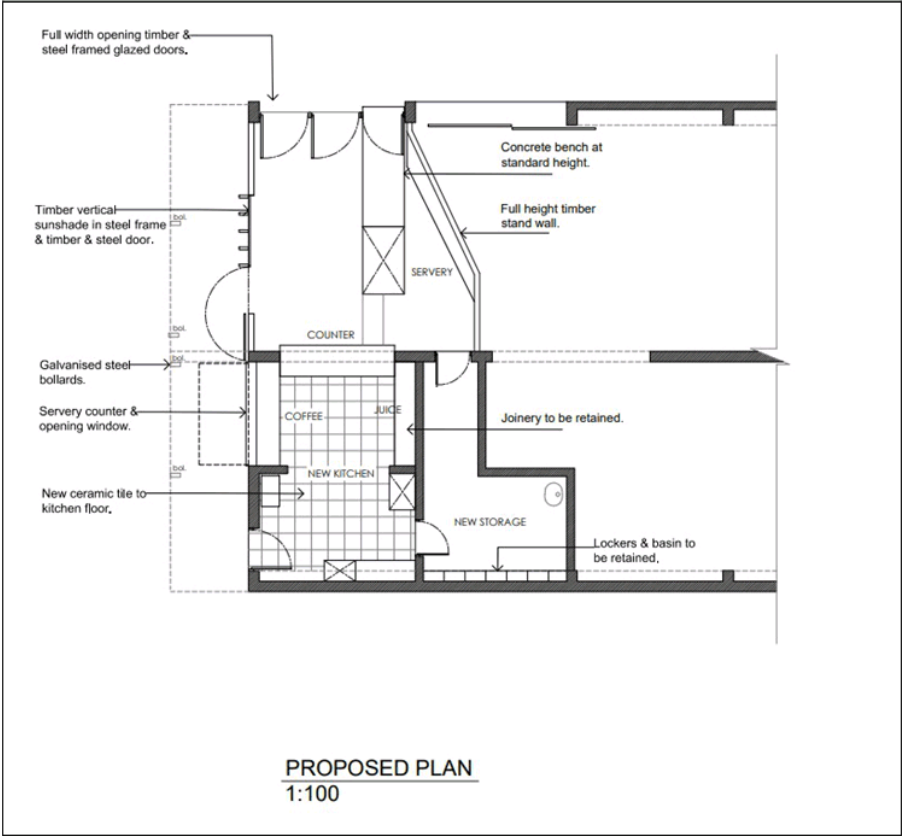


Figure 5: The proposed floor plan.



Figure 6: A render of the proposal.

#### **4. Background**

- 4.1 A previous similar application under PLN-21-32 was withdrawn dated the 28th April 2021, on the request of the applicant after discussions with Council's Cultural Heritage Officer. The current application is similar, although the design is by a different architect.

- 4.2 An application for a partial change of use to restaurant/take away food shop, outdoor seating, alterations and signage under PLN-11-00997-01 was previously approved by Council dated the 28th November 2011, pre-dating the current planning scheme.

A total of eight representations were received to the previous application, raising concern with regard to use, access, amenity, and impact on then current uses of the building (then, as now, mainly boat related use and storage).

The proposal was described in the Council report as the following:

*A 'coffee cart' would be 'parked' within the building facing the beach through the current doorway, and items sold would include 'light refreshments, coffee and muffins'. There would be temporary outside seating during daytime primarily morning operating hours.*

The sole external physical changes were signage, a canopy and seating. The proposal was described as affecting minimal and reversible physical change.

## 5. Concerns raised by representors

- 5.1 Six representations objecting to the proposal were received within the statutory advertising period between the 16th and 30th June 2021.
- 5.2 The following table outlines the concerns raised in the representations received. Those concerns which relate to a discretion invoked by the proposal are addressed in Section 6 of this report.

Use
-The letter accompanying the application states that "With no adjoining residential zone, the Development Standards for the Open Space zone are not applicable". 19.3.1 A1 and P1 refer to "a use within 50 m of a residential zone". The Long Beach Bathing Pavilion is within 50m of land zoned as residential. The Use Standards therefore must apply;
-The proposed hours of operation stated in the application (0600-1700 daily) are outside of the hours listed in A1. The proposal does not comply with the Acceptable Solution. No evidence is provided within the application as to how P1 may be met;
-No evidence is provided as to whether the proposal will meet the requirements of 19.3.2 (Noise) external lighting (19.3.3) or Commercial Vehicle Movements (19.3.4);



-No statement has been made against 19.3.5 P1 (Discretionary Use). Generalised statements in the applicant's letter (e.g. "The proposed works provide for the refurbishment of the original kiosk for a cafe open to the public" are opinion only. Recent works near the pavilion, including a kayak wash-down facility may be at odds with the operation of a café given spray and water runoff typically a result of this cleaning activity;

-There are many options for those that wish to purchase food and drinks in the area;

-The Development Application New Café Fit Out Long Beach Bathing Pavilion 646a Sandy Bay Road Sandy Bay prepared by Paul Johnston Architects dated 5 May 2021 contains the following statements:

- Page 1 - The proposed works are predominantly within the existing structure with only bollards proposed beyond the building envelope. No landscaping or fencing is included in this proposal.

The application implies there will not be any deployment of portable outdoor furniture during café opening hours.

Also, it is not clear from the submitted plans where 'the bollards proposed beyond the building envelope' will be located or what their purpose will be. The steel RHS bollard in drawing 21.04\_DA03 appears to be an existing bollard.

- Page 2 - The SLSC no longer use the pavilion to store rowing boats, so the opportunity now exists for the kiosk to be renovated.

This statement is misleading in that it implies inactivity. The pavilion is home to an active kayaking fraternity and currently provides storage to 40 racing kayaks all of which are in regular use;

-concern at excessive length of operating hours;

-concern at oversupply of such uses in the vicinity;

-'This new venue, and it is a whole new venue, not "just a tiny little coffee only cart" - I know of the future plans, a cafe later on- and even if it was, how is council taking this seriously, having ALREADY FIVE COFFEE shops in the space of 500 meters. In lower Sandy Bay, in a world wide pandemic. Now you would like SIX? SIX cafes in this very small area? I can't explain through sadness, rage and beaten down emotion how much this will sadly impact all of our business'.

*Planners note: the applicant submission received dated the 8th June 2021 advises noise emissions would not exceed permitted levels, no new lighting is proposed, and there would be one small vehicle delivery per day during permitted operating hours.*

#### Parking and Access

-I am writing to express my opposition to this proposed development. At present this area is utilised for parking and the delivery of recreation activities to various peoples and this development will decrease area available in what is already a very tight space.

Taking local school groups (Fahn, Hutchins, Mount Carmel), birthday groups, private groups and community members attending Long Beach Regatta Stand Up Paddle at the southern end of Long Beach boarding requires parking a four wheel drive and trailer in the carpark at the site of proposed development, and access to boat ramp, and the space to carry bulky equipment around at the site Long Beach Bathing Pavilion.

Parking my four wheel drive & surf school trailer close to the boat ramp is vitally important to efficiently deliver clinics.

-At present parking occurs at location marked 1 on the attached map.

-At present access to the boat ramp with trailer attached occurs at map marking 2.

-At present turning, backing and parking of trailer occurs at map marking 2.

Up to 19 Very large Stand Up Paddle boards 2.5m long are carried to and from the beach past the entrance of proposed cafe down the boat ramp. As well at a lot of other equipment, paddles, safety tub, flags wetsuit tops. much gear also needs to be washed off at the tap located at marking 2 on attached map.

I request that careful thought and planning be given to enable ease of use of this area for Surf School operations and other recreation deliverers which may include

-zoning carparks at map marking 1 'Loading Zones' for commercial traffic;

- easy access for cars towing trailers to access the boat ramp to unload equipment and turn around;

-access to wash off area with sufficient space to avoid over spraying of water onto cafe patrons;

-access to turn cars towing trailers;

-The addition of another Cafe in the area will bring more traffic into an area where parking is already extremely difficult to find.

#### Impact on existing uses

-concern at where will all the kayakers go as there will not be enough room for them to be stored within the building;

-concern at inadequate space for the Surf Lifesaving Club during holidays and special events.



**Access on site**

-Should a café be developed as proposed then it is important to understand that access to the kayak storage section of the pavilion (drawing 21.04\_DA05) will be via the existing sliding door (drawing 21.04\_DA06) which will be immediately adjacent to proposed café's beachside frontage of full width opening timber & steel framed glazed doors (drawing 21.04\_DA02);

-This juxtaposition will create foreseeable foot traffic collision issues and contested use of area problems.

There will need to be separation of café patrons and kayakers in the area of the pavilion forecourt to ensure café patron safety and to allow kayakers carrying craft of typically 7 metres in length unimpeded access to the wash down area in front of the pavilion and clear ingress and egress to/from the kayak storage section of the pavilion.

This separation could be achieved by:

(a) Limiting patron access to the café to its northwest facing entrance (car park side- drawing 21.04\_DA03);

(b) The use of mobile barriers (similar to those used in the outdoor dining areas at Salamanca) to create physical separation during café opening hours. The barriers would be removed and stored in the café when it is closed.

**Noise (internal and external)**

-The proposed full height timber stand wall (drawing 21.04\_DA02) to be built to separate the café from the rescue craft / kayak storage sections of the pavilion is inadequate from a noise attenuation perspective. This wall will need to be more substantial e.g. a concrete block masonry wall;

-concern at early morning noise to nearby residential use.

**Landscaping and works**

-The applicant's letter states that "No landscaping or fencing is included in this proposal", even though the planning scheme includes the objective to "ensure that a safe and attractive landscaping treatment enhances the appearance of the site..." (19.4.3);

-it is not clear from the submitted plans where 'the bollards proposed beyond the building envelope' will be located or what their purpose will be. The steel RHS bollard in drawing 21.04\_DA03 appears to be an existing bollard;

-The deployment of outdoor furniture by the café particularly on the beach side of the pavilion needs to be explicitly prohibited to prevent encroachment on high use public space and to mitigate foreseeable risks to the safety of persons moving between the nearby carpark and the pavilion forecourt and to that of kayakers traversing the forecourt area.

**Heritage**

-In response to the pavilion's heritage status, I note that the application does not mention any involvement with Heritage Tasmania, or the Tasmanian Heritage Council;

-concern at any demolition, including internal structures, at heritage listed site;

-concern at heritage impact as site is in need of renovation and is a significant part of world wide architecture and importance;

-concern at heritage impact on the work of architect Dirk Bolt.

**Planners note.**

*The Tasmanian Heritage Council in its response dated the 4th June 2021 under THC Works Reference 6583, states the authority has no interest in the application.*

**Concern at condition of existing sliding door**

-The council's attention is also drawn to the condition of the existing sliding door. This door has not been used for more than two decades. The door is not operable in its current condition and nor can its overhead support brackets and sliding mechanism be relied upon to keep the door in place should its use recommence. As indicated in drawing 21.04\_DA06 the door will need to be refurbished / replaced by the Council.

<p>Rubbish</p> <p>-It will have a negative environmental effect. Whilst many people are responsible and will dispose of their rubbish in allocated bins there will always be some that will not and instead leave rubbish and food in the area.</p>
<p>Other Codes under the Planning Scheme</p> <p>-The land parcel on which the pavilion sits is within the following Tasmanian Interim Planning Scheme Overlays:</p> <ul style="list-style-type: none"> <li>• Coastal Erosion Hazard Area</li> <li>• Coastal Inundation Hazard Area</li> <li>• Landslide Hazard Area</li> </ul> <p>The application fails to address how this proposal may be affected by these overlays.</p> <p><i>Planners note.</i></p> <p><i>The application has been internally referred to Council's Environmental Development Planner with regard to the above Codes. No concern is raised.</i></p>
<p>Accuracy of documentation</p> <p>-While not related to the Hobart Interim Planning Scheme 2015, I also have concerns regarding the accuracy and reliability of the application. I would suggest that the applicant may wish to more carefully proofread an application which will be on public record.</p>
<p>Council notification</p> <p>-concern at inadequacy of Council notification of the proposal;</p> <p>-'There HAS NOT been any signage erected on the proposed sight as per usual'.</p>

<p>Council consultation</p> <p>- 'There HAS NOT been any signage erected on the proposed sight as per usual</p> <p>There HAS NOT been any ACTUAL LEGAL PROPER TENDER that has been issued</p> <p>There HAS NOT been proper advertisement of the changes suggested or loosely proposed. No drop ins, no letters, no calls';</p> <p>- 'I am appalled at the lack of care or foresight given to our business in this time, and sincerely hope this gets looked at with fresh eyes, and with the understand that many, many people care about this area, and perhaps, if you went through the right channels, you'd know that this IS NOT WANTED. HAS NOT BEEN WANTED, and as you already know, is up again for alteration.'</p>
<p>Council support</p> <p>- concern at impact on existing local business;</p> <p>- 'After everything we have all been through after the past year, how about if nothing but a helping hand, perhaps not a kick in the guts?';</p> <p>- 'could you instead support local traders?'</p>
<p>Other</p> <p>- concern at lack of Council maintenance of structure.</p>
<p>Other comment</p> <p>Although not in direct reference to the Hobart Interim Planning Scheme 2015, I also wish to state that:</p> <ul style="list-style-type: none"> <li>• The pavilion is a public building, designed and constructed to support water based recreational activities. The applicant states that "The SLSC no longer use the pavilion to store rowing boats so the opportunity now exists for the kiosk to be renovated." This proposal would interfere with the ability for any future users of this building to access the majority of the building, for the purposes for which it was originally designed</li> <li>• Reference is made to panels which have been painted over and are "no longer operable". It would be possible to restore these panels so they could be opened again.</li> <li>• The applicant's letter states that the door openings "allow the display and advertising of goods", even though the applicant has answered "No" to the application question "Does the application include signage". This also contradicts the applicant's statement that "there is no signage included in this application".</li> </ul>

For the proposed café and kayaking activities to be compatible from the perspective of ensuring minimal safety risk and adequate user amenity three changes to the plans that were submitted with the development application are requested:

1. The deployment of outdoor furniture by the café particularly on the beach side of the pavilion needs to be explicitly prohibited to prevent encroachment on high use public space and to mitigate foreseeable risks to the safety of persons moving between the nearby carpark and the pavilion forecourt and to that of kayakers traversing the forecourt area.

2. Should a café be developed as proposed then it is important to understand that access to the kayak storage section of the pavilion (drawing 21.04\_DA05) will be via the existing sliding door (drawing 21.04\_DA06) which will be immediately adjacent to proposed café's beachside frontage of full width opening timber & steel framed glazed doors (drawing 21.04\_DA02).

This juxtaposition will create foreseeable foot traffic collision issues and contested use of area problems.

There will need to be separation of café patrons and kayakers in the area of the pavilion forecourt to ensure café patron safety and to allow kayakers carrying craft of typically 7 metres in length unimpeded access to the wash down area in front of the pavilion and clear ingress and egress to/from the kayak storage section of the pavilion.

This separation could be achieved by:

(a) Limiting patron access to the café to its northwest facing entrance (car park side – drawing 21.04\_DA03).

(b) The use of mobile barriers (similar to those used in the outdoor dining areas at Salamanca) to create physical separation during café opening hours. The barriers would be removed and stored in the café when it is closed.

3. The proposed full height timber stand wall (drawing 21.04\_DA02) to be built to separate the café from the rescue craft / kayak storage sections of the pavilion is inadequate from a noise attenuation perspective. This wall will need to be more substantial e.g. a concrete block masonry wall.

## 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 Open Space Zone of the *Hobart Interim Planning Scheme 2015*.

6.3 The existing use is a surf lifesaving club shed. The proposed use is a partial change to food services. The existing use is a permitted use in the zone. The proposed use is a discretionary use in the zone.

6.4 The proposal has been assessed against:

6.4.1 Part D - 19 - Open Space Zone

6.4.2 E6.0 Parking and Access Code

6.4.3 E13.0 Historic Heritage Code

6.4.4 E3.0 Landslide Code

6.4.5 E11.0 Waterway and Coastal Protection Code

6.4.6 E15.0 Inundation Prone Areas Code

6.4.7 E16.0 Coastal Erosion Hazard Code

6.5 The proposal relies on the following performance criteria to comply with the applicable standards:

6.5.1 Open Space Zone

*Hours of Operation - Part D 19.3.1 P1*

*Discretionary Use – Part D 19.3.5 P1*

6.5.2 Historic Heritage Code:

*Building and Works on a Listed Place - E13.7.1 P1, E13.7.2 P1, P2, P3*

6.6 Each performance criterion is assessed below.

6.7 Discretionary Use and Hours of Operation Part D 19.3.1 P1 and 19.3.5 P1

6.7.1 The acceptable solution for hours of operation are 8am to 6pm, Mondays

to Saturdays, and 10am to 4pm Sundays and Public Holidays. In addition, the proposed use is identified in the use table at clause 19.2 as being 'discretionary', and there is no acceptable solution for discretionary uses at clause 19.3.5 A1.

6.7.2 The proposal includes a partial change of use, with operating hours of 6am-5pm 7 days per week.

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

6.7.4 The performance criterion at clause E19.3.5 P1 provides as follows:

*Discretionary use must complement and enhance the use of the land for recreational purposes by providing for facilities and services that augment and support Permitted use or No Permit Required use.*

The performance criterion at clause 19.3.1 P1 provides as follows.

*Hours of operation of a use within 50m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.*

6.7.5 Assessment of the performance criterion follows.

*19.1.1 Zone Purpose Statements*

*19.1.1.1*

*To provide land for open space purposes including for passive recreation and natural or landscape amenity.*

*19.1.1.2*

*To encourage open space networks that are linked through the provision of walking and cycle trails.*

*19.1.1.3*

*To encourage passive recreational opportunities, and allow for tourist operation uses, which are consistent with the protection of bushland and foreshore values.*

*19.1.2 Local Area Objectives*

*There are no Local Area Objectives for this Zone.*

*19.1.3 Desired Future Character Statements*

*There are no Desired Future Character Statements for this Zone.*

In terms of use, the existing building of around 300 square metres in floor area has a longstanding use as a public facility serving the surrounding beachside reserve. The proposed use would occupy 40 square metres of the western end of the building. The main floor area of the building amounting to around 260 square metres in area would remain unchanged and would remain in its current use.

The proposed use would be setback 29 metres from the General Residential Zone on the other side of Sandy Bay Road. The closest dwelling within that Zone (at No.625 Sandy Bay Road) is some 38 metres distant. The multiple dwelling apartment block at No.646 Sandy Bay Road (within the Local Business Zone) is 73 metres distant from the proposed use.

The proposed use would be of small size in terms of floor area and physically isolated from nearby uses apart from open space and recreation. It is noted that similar uses exist in the general vicinity further west within the Local Business Zone centred on Beach Road. Those uses range in distance from 100 to 150 metres to the west of the proposal site. It is arguable that the proposed use would complement and enhance the use of the land for recreational purposes, by providing for an additional facility and service at the eastern end of the beach. As stated, the use of the bulk of the surf lifesaving club building would remain unchanged.

It is understood that the existing use of the building as a base for surf lifesaving and kayaking activities would continue side by side with the proposed food services use. There appears no reason to suggest the uses are incompatible, subject to the management of the adjacent open space to minimise any conflict between cafe patrons and boat movements to and from the water.

In terms of operating hours, there remains some potential for impact on the character and amenity of surrounding uses. On the other hand, the proposal is considered likely to be reasonably complimentary to its open space beachside setting. Neighbouring residential uses maintain a considerable setback from the site, and buffered by either the adjacent reserve and/or Sandy Bay Road.

On balance, impact on the character and amenity of the precinct and on nearby uses in neighbouring precincts is considered unlikely to be



excessive.

Approval is recommended.

6.7.6 The proposal complies with the performance criterion.

6.8 Heritage Part E 13.7.1 P1, E13.7.2 P1, P2, P3

6.8.1 There is no acceptable solution for demolition, building and new works to a heritage listed place, under clauses E13.7.1 P1, or E13.7.2 P1, P2 or P3.

6.8.2 The proposal includes demolition and new works at a heritage listed site.

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

6.8.4 The performance criteria at clauses E13.7.1 P1, and E13.7.2 P1, P2 and P3 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 P1**

*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.*

## E13.7.2 P2

*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.*

## E13.7.2 P3

*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.*

6.8.5 Assessment of the performance criteria by Council's Cultural Heritage Officer follows.

This is a second report (dated 15 July 2021) following the receipt of revised and additional plans which address concerns raised by Council's Heritage Officers. The earlier proposal was recommended for refusal (report dated 5/6 July 2021). This second report assesses the proposal based on the revised drawings and concludes that the proposal can now be approved. These drawings are referred to in a condition of permit.

**Assessment**

The Sandy Bay Bathing Pavilion is a unique work of concrete brutalist architecture. The building has a Conservation Management Plan which was commissioned in 2015 by Hobart City Council (as property owners) and prepared by Paul Johnston architect in collaboration with historian Melinda Clarke.

Paul Johnston has prepared the design which forms the current development application.

The building was designed with an orthogonal, elongated and rational plan with toilets at one end and a kiosk at the other, forming bookends to change rooms for bathers. The change rooms were accessed by turnstiles.

Within the north western end of the building, original drawings show a central freestanding core from which a single person operated the kiosk which was not entered by patrons.

The kiosk design featured a bank of operable panels that enabled goods such as ice-cream and pies to be handed out and payment to be made.

These panels ran across two facades in a simple consistent horizontal band. The base of the operable panels was vertical timber infill panelling.

In the 1970s, the building was modified following the closure of the kiosk. A roller door and infill full-height timber panelling were built and the pavilion has been in continuous use since then for the storage of watercraft in the form change rooms. The roller door has been a functional item but is not considered to be a sympathetic modification nor a good cultural heritage outcome. It would not be approvable under the current Planning Scheme, for example.

### **Proposal**

#### **Kiosk**

This application involves modifications to the north western end of the building to enable a kiosk to be operated in the location proposed in the original drawings.

The applicant is proposing to demolish elements on two facades and open up the end of the pavilion which currently interfaces a car park. Steel framed shutters, sections of timber panelling and a roller door will be removed. New apertures, a servery and kitchen would be built. Patrons would enter and exit the kiosk via different doors.

#### **Boats**

The area where kiosk works are proposed currently provides access for users of watercraft to store boats. The applicant is proposing to place a full height wall across the pavilion. This wall would be on an angle but is the approximate location and configuration shown in the original plans. This wall and the restored kiosk would preclude access for small boats via the short end of the building. Doors on the seaward facing elevation are currently inoperable and do not form part of this application. These doors will need to be refurbished to provide broad access to the former change rooms/ boat storage area, prior to works to the kiosk.

### **Conservation Management Plan**

The CMP contains 36 Policies which are intended to guide the conservation of the Pavilion. The 36 policies can be found on page 77-83. Many of these recommendations relate to cleaning, sealing, paint removal, drainage and repair of block and concrete. As a bespoke reinforced concrete structure from the mid-century, located in a corrosive maritime environment, the pavilion is a vulnerable structure in terms of corrosion. Council has been implementing a program of maintenance and repair.

The following are considered particularly pertinent to the current development application:

"...the existing use of the redundant change rooms for watercraft storage is appropriate to the Pavilions significance as a place associated with beach activity. The CMP advises that the use of the obsolete kiosk area for a retail outlets, serving beach patrons should be encouraged...." Policy 6

"New openings in the existing building shall be restricted to the existing openings or openings originally provided" Policy 23

"Change to the interior of the Pavilion should be restricted to allow proper functioning of current and new uses. Alternations should be minimised to maintain original fabric. New uses should utilise the original layout of facilities and rooms" Policy 24

Presumably the operation of a kiosk under some form of lease arrangement will generate an income to Council which can be used to fund maintenance and repair of the Bathing Pavilion as recommended in the CMP.

#### **Heritage Code**

The following provisions of the Historic Heritage Code of the Scheme apply

E13.7.1 P1 - Demolition - heritage listed place

E13.7.2 P1, P2, P3 - New work - heritage listed place

#### **Demolition**

The application drawings indicate that both original and non-original fabric is proposed to be demolished at the north/western end of the pavilion.

The roller door and steel doors are non-original fabric and are considered to be unsympathetic modifications. Their removal does not constitute the loss of significant cultural heritage values and is considered acceptable.

The shutters/windows have original painted motif/logos signs dating to at least 1962. The applicant has indicated that these elements are to be retained and can be incorporated into the proposed works.

Internally the proposal involves demolition of small sections of masonry walls which are to be original. The demolition of small sections of the internal masonry to create a doorway is not problematic from a cultural heritage perspective.

The loss of significant cultural heritage fabric/values is not anticipated and the proposal satisfies E 13.7.1 P1 of the Historic Heritage Code.

**Works**

The applicant is proposing to insert new doors and windows on two elevations.

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

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.

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.

**Assessment of new work**

The proposed works reinstate a kiosk in the location of the original kiosk.

The revised drawings show that the division of the north/east elevation facing the water (portion only) into threes, reflects the existing building. The architecture is respected and understood.

On the north/western elevation, a section on non-original full height panelling and the non-original roller door would be replaced by vertical fins, glazing, and a solid door.

The Kiosk would have 4 doors in total. The plan configuration would divide the space into halves with one side being kitchen the other side holding a servery.

This is different to the original plan of the kiosk which saw a full width symmetrical configuration with an internal service core. The original plans show a storage core in the centre of the kiosk.

The proposed storage would be located along the rear wall. The applicant is proposing to place a full height timber stud wall and concrete bench in plan between the proposed kiosk and the existing boat storage area.

The proposed works are in the approximate location of the original plans – but are slightly different which allows them to be understood as new work.

The architecture is one component of this listed place's significance. A second part of significance relates to its association for water based activities. The proposed siting of a servery and wall would be an obstacle to the current movement of small boats such as kayaks in and out of the building.

Discussions with the applicant indicated that consultation with the Surf Life Saving Club had occurred and that alternative access was possible via the river facing doors. It is noted the roller door is a very unsympathetic alteration to the original building.

The removal of the roller door and the reinstatement of the kiosk is considered a good cultural heritage outcome.

The c1960 plans show a kiosk occupying the full width of the end of the building and a horizontal band of windows with timber panelling below. The pavilion was designed with the bands of horizontal articulation: long narrow clerestory glazing, square metal windows and a rectangle of timber panels adjacent the ground. The proposed articulation of the façade that has been shown in the revised drawings continues this vocabulary with a more vertical emphasis for those areas where demolition occurred in the 1970s. This is compatible with the dominant characteristics of the place and tells the story of the pavilion successfully. In summary, the proposed works satisfy E 13.7.2 P1 of the Historic Heritage Code.

### **Representations**

Council received 6 representation and all are objections to the proposed development. In terms of demolition one representor asked: "Reference is made to panels which have been painted over and are "no longer operable". It would be possible to restore these panels so they

could be opened again."

Discussions with the applicant indicate that the panels in question will be carefully retained and re-purposed as part of the works. It is possible to place a condition to ensure the panels are reused in their original location and fulfilling their original function.

#### **Conclusion**

The proposed demolition and works satisfy the Historic Heritage Code E13.7.2 P1 and E13.7.1 P1 subject to a condition to retention, reuse of the square metal panels and frames, including those featuring graphics from the 1960s.

- 6.8.6 The proposal does not comply with the performance criterion.

## **7. Discussion**

- 7.1 Planning approval is sought for a partial demolition, alterations and partial change of use to food services at 646A Sandy Bay Road Sandy Bay TAS 7005.

- 7.2 The application was advertised and received six representations. The representations raised concerns including use, traffic, heritage, parking and access, internal access with regard to the proposed and existing use of the building, negative environmental effect in terms of rubbish, concern at accuracy of the information provided and concern at inadequacy of the Council notification. Where the concerns raised related to discretions invoked (i.e. operating hours, use, and heritage), these have been addressed by the assessment in section 6 of this report. In relation to other concerns raised it is noted that:
- The planning scheme doesn't set a numerical limit on the number of food services uses that can be proposed and ultimately approved in this area.
  - The planning scheme does not require additional parking to provided for a food services use of this size and scale (less than 100sqm floor area and no indoor seating proposed).
  - The proposal is indicated to comply with the planning scheme's noise standards. This can be enforced through the GEN condition recommended.
  - The level of ongoing maintenance of the existing building is noted, and will be brought to the attention of the relevant part of Council, but it is not a planning consideration.
  - The documentation submitted is considered to be accurate, and has allowed an accurate assessment of the proposal against the relevant provisions in the planning scheme.
  - Council's statutory obligations with respect to public notification have been met in relation to this application. That is, adjoining neighbours were notified by letter (note that consistent with recent legal decisions, adjoining includes on the other side of a road but not properties that are separated from a subject site by another property or properties), a notice was placed in the Mercury on 16 June 2021, and five site notices were erected.
- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer, Cultural Heritage Officer, and Environmental Development Planner. The Council's Development Engineer and Environmental Development Planner have raised no objection to the proposal, subject to conditions. The Council's Cultural Heritage Officer recommends approval, subject to conditions.
- 7.5 The proposal is recommended for approval.

## **8. Conclusion**



- 8.1 The proposed partial demolition, alterations and partial change of use to food services at 646A Sandy Bay Road Sandy Bay TAS 7005 satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.

**9. Recommendations**

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations and partial change of use to food services at 646A Sandy Bay Road Sandy Bay TAS 7005 for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

**GEN**

**The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-21-368 - 646A SANDY BAY ROAD SANDY BAY TAS 7005 - Final Planning Documents except where modified below.**

Reason for condition

To clarify the scope of the permit.

**TW**

**The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2021/00901-HCC dated 9th June 2021 as attached to the permit.**

Reason for condition

To clarify the scope of the permit.

**ENG 1**

**Any damage to council infrastructure resulting from the implementation of this permit, must, at the discretion of the Council:**

1. **Be met by the owner by way of reimbursement (cost of repair and reinstatement to be paid by the owner to the Council); or**
2. **Be repaired and reinstated by the owner to the satisfaction of the Council.**

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

**A photographic record of the Council's infrastructure (e.g. existing property**

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

Reason for condition

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

#### **ENG s1**

Prior to commencement of use, any proposed bollards are to be provided and installed in accordance with Australian Standard AS/NZS 2890.1:2004 and Tasmania Standard Drawings TSD-R31-v3 or TSD-R32-v3 or a Council approved alternative.

Reason for condition

To ensure pedestrian safety and compliance with the standards. The bollards are to be located such that vehicles manoeuvring within the adjacent public car park will be prevented from encroaching into pedestrian ways.

#### **HER 9**

The proposed changes to the north/east (entry) and the north/west (coffee servery) as shown on drawings Floor Plan 21.04\_DA02, dated 29/04/21 and Elevations 21.04\_DA03, dated 29/04/21 are not approved. Revised drawings must be submitted to include the following:

- Hardwood vertical board panelling to match the existing,
- The reuse of the existing metal framed screens (either fixed or hinged)
- The north/east (entry) must have 3 equal vertical divisions above the vertical board panelling
- The north/west (coffee servery) must have 2 equal divisions above the vertical board panelling
- The external colours of the frames and panelling , must be differentiated and reflect the original contrasting colour scheme from the 1960s.

Prior to the issue of any approval under the *Building Act 2016*, revised plans must be submitted and approved as a Condition Endorsement in accordance with the above requirements.

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

*Advice: This condition requires further information to be submitted as Condition Endorsement. Refer to the Condition Endorsement advice at the end of this permit.*

*The drawing submitted on 12 July 2021 and described as: Elevations - Revised, 21.04\_DA03, dated 09/07/21, reflects an outcome that would satisfy this condition.*

*Works to the refurbishment of the sliding door on the north-east elevation should occur prior to the kiosk works.*

Reason for condition

To ensure that demolition and new work at a heritage place does not result in the loss of historic cultural heritage values.

#### **ADVICE**

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

Prior to any commencement of work on the site or commencement of use the following additional permits/approval may be required from the Hobart City Council.

#### **BUILDING PERMIT**

You may need building approval in accordance with the *Building Act 2016*. Click [here](#) for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

#### **PLUMBING PERMIT**

You may need plumbing approval in accordance with the *Building Act 2016*, *Building Regulations 2016* and the National Construction Code. Click [here](#) for more information.

**FEES AND CHARGES**

Click [here](#) for information on the Council's fees and charges.

**DIAL BEFORE YOU DIG**

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



(Richard Bacon)

*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: 8 July 2021

**Attachment(s):**

Attachment B - CPC Agenda Documents

Attachment C - Planning Referral Officer Cultural Heritage Report

**PAUL JOHNSTON**  
ARCHITECTS

upper level City Hall market place Hobart

GPO Box 521 Hobart 7001

p. 03 6231 1541 (int +61 3 6231 1541)

f. 03 6231 1541

m. 0402 908 751

paul@pauljohnstonarchitects.com

Development Application

New Cafe Fitout

**Long Beach Bathing Pavilion****646a Sandy Bay Road Sasmndy Bay**

05 May 2021

Please find attached a Certificate of Title, owners consent and architectural drawings outlining the proposed works to the Long Beach Bathing Pavilion.

The Long Beach Bathing Pavilion is a structure located within the 19.0 Open Space Zone of the *Hobart Interim Planning Scheme 2015* (HIPS).

It is an existing single storey structure in the ownership of the Hobart City Council.

The proposed works reinstate the original kiosk designed for the structure but has not been in use for several decades.



fig 1.aerial view of the Long Beach Bathing Pavilion showing the title boundaries from ListMap.

The proposed works are predominantly within the existing structure with only bollards proposed beyond the building envelope. No landscaping or fencing is included in this proposal.

With no adjoining residential zone, the Development Standards for the Open Space Zone are not applicable.

The place is listed as a heritage place on the HIPS and is therefore subject to the provisions of E13.0 Historic Heritage Code.  
The place is also listed on the Tasmanian Heritage Register and subject to the provisions of the *Historic Cultural Heritage Act 1995*.  
The Hobart City Council commissioned a Conservation Plan for the place in 2015. Produced by this office, Paul Johnston Architects, this Conservation Plan will form the reference to a Heritage Impact Statement for the place. This report makes reference to the Policies in that Conservation Plan.

#### **Historical Background to the Kiosk**

The pavilion was largely redundant just a few years after its completion. The pavilion was altered to allow for its partial use by the Surf Life Saving Club of Australia (SLSC) with the toilets and some change rooms remaining for public use. This area has decreased over the years. The kiosk has remained unused and this area was utilised by the SLSC with the installation of a roller door in 1971. The changes for this work have been adhoc though minor, with remnants of early fixtures evidenced in the concrete floor, walls and ceiling. The refurbishment of the toilets in 2005 at the time of the foreshore redevelopment saw sympathetic design elements to the southern and opposite end of the pavilion. The SLSC no longer use the pavilion to store rowing boats so the opportunity now exists for the kiosk to be renovated.

#### **Proposed Works to the Pavilion**

##### **Generally**

The proposed works provide for the refurbishment of the original kiosk for a café open to the public. This involves the removal of building fabric and its replacement with new elements that are designed specifically to allow the public to enter the Pavilion and also to re-present the Pavilion to the public.

##### **Proposed Removal of Fabric**

The proposal includes the removal of building fabric that is both original to the structure or early fabric, as well as more recent fabric.

The roller door to be removed was installed originally installed in 1971 by the SLSCA and replaced in 1986.

*The roller door is not considered heritage fabric.*

The steel sheet and framed panels that formed the original opening to each side of the kiosk are proposed for removal. The timber cladding to the lower panel will be removed on the north east elevation and retained on the north west elevation. The glazed highlight panels to both elevations are proposed to be removed to allow clearance for door openings.

The panels to be removed are original to the structure. The panels are not in good condition, and have been painted over. Subsequently they are no longer operable. The intention of the new café is to widen the openings to allow patrons to enter the pavilion. Originally, the panels provided a servery counter only and the panels in the open position advertised the kiosk. This function was a direct result of the dual operation of change room attendant and kiosk by the same person.

It is recognised that to allow patrons to be served within the pavilion is a benefit to the operation of the café. The door openings are designed to allow variable enclosure providing some weather protection when necessary. It also allows the display and advertising of goods to be on walls within the structure rather than to the exterior. While advertising the opportunity for refreshments was part of the original operation, it is preferred that this be managed in a manner sympathetic to the pavilion. There is no signage included in this application as it is anticipated that the refurbishment works will provide the required advertisement for the café.



The proposal also includes the removal of internal concrete masonry walling. This will allow for more useful space for preparation as well as access to the adjacent store. No fittings or equipment are proposed for removal.

*In accordance with Policy 23, the new openings are contained within the existing framed infill panels. No structural elements are proposed for removal.*

*The removal of original fabric will allow for the proper operation of the café that is sympathetic to the heritage values of the place.*

*In accordance with Policy 13 and 10, the signage panels are to be retained on site and incorporated into the interior as part of an interpretation of the place.*

*In accordance with Policy 24, the internal removal of fabric is minimised to allow for the proper functioning of the café.*

#### **Proposed New Built Fabric**

The original openings are replaced with opening elements. These allow for full width openings of panels framed in timber and steel that follow the setout of the original panels. These are partly glazed and/or clad in galvanised sheet with steel framed timber vertical sun shading fins to the north western wall. All steel is galvanised finish and all timber clear finished to maintain the character of the Pavilion. Existing timber cladding maintains its original muted paint finish.

The framing follows the original three panel setout with a concrete panel forming the end of a concrete bench. The concrete panel provides the opportunity for a simple relief that reflects the origins of the pavilion and acknowledging the work of architect and artist. Internally, a simple stud framed wall provides this separation. The café is fitted out with new counter benchtops for serving and the preparation of goods.

*New Built Fabric is sympathetic to the heritage values of the Pavilion while providing for a new operation of the kiosk. The design elements enhance the significance of the Pavilion by providing elements that reference the structure and materials of the Pavilion and provide a visually attractive presentation of the Pavilion to the public areas.*

#### **Assessment against the Historic Heritage Code E13.7**

##### **E13.7.1 Demolition**

A1 The redevelopment of the Pavilion will require the removal of some original fabric. The change to the function of the place requires new entry openings and minor changes to the interior. These have been designed to not impact on the heritage values of the place, but enhance the visual presentation of the Pavilion.

The original signage will be retained on site and utilised in the interior to provide an interpretation of the history of the place.

*The removal of original fabric will not result in a loss of cultural heritage significance.*

##### **E13.7.2 Buildings and Works other than Demolition**

###### **P1/P2/P3**

The proposed design elements reference the material characteristics of the place, and respect the structural ordering of openings.

*The design elements will enhance the visual presentation of the Pavilion.*

P4 No extensions are proposed.

A4 No fencing is included in this proposal.

A5 No landscaping is included in this proposal.

##### **E13.7.3 No subdivision is proposed.**

**Heritage Impact Statement**

The proposal for a café within the original kiosk area of the Pavilion returns the place to its original use of providing refreshments to public visiting Long Beach.

The original kiosk closed in 1968 along with the bathing change rooms, only 6 years after it was opened.

The redevelopment requires the removal of original building fabric no longer in an operable condition. The servery window panels are largely obsolete given the original kiosk was designed to be run by the bathing changerooms attendant.

The provision of the café in the Pavilion will reinvigorate the place and allow for a re-appreciation of the cultural heritage of the Pavilion and its artwork, with the acknowledgement of the architect and artist of the Pavilion.

The new work allows a new presentation of the Pavilion to the public and is designed in reference to the material characteristics of the place so that the cultural values of the place are enhanced through the new engagement with the public.

It is recommended that the existing Pavilion sliding doors are refurbished or rebuilt so that the visual appearance of the Pavilion façade is maintained.



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

27 May 2021

Philip Cox  
PO Box 356  
SANDY BAY TAS 7005

mailto: pccoxy22@gmail.com

Dear Sir/Madam

**646 A SANDY BAY ROAD, SANDY BAY - WORKS ON COUNCIL LAND NOTICE OF  
LAND OWNER CONSENT TO LODGE A PLANNING APPLICATION - GMC-21-31**

**Site Address:**

646A Sandy Bay Road, Sandy Bay

**Description of Proposal:**

Long Beach Pavilion Cafe

**Applicant Name:**

Philip Cox

**PLN (if applicable):**

N/A

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.

This consent does not constitute an approval to undertake any works and does not authorise

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

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

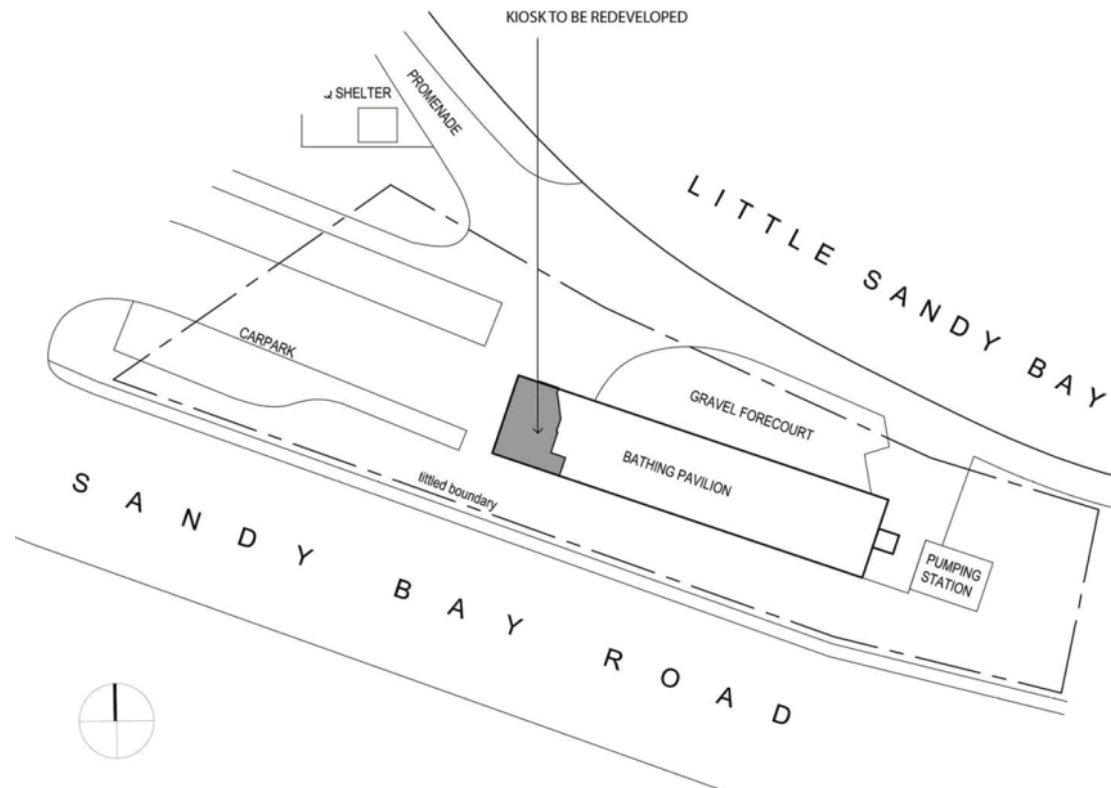


(Kelly Grigsby)

**Chief Executive Officer being the General Manager as appointed by Council pursuant to section 61 of the Local Government Act 1993 (Tas)**

Relevant documents/plans:

Plans - Paul Johnston Architects - 21.04\_DA01, 02, 03

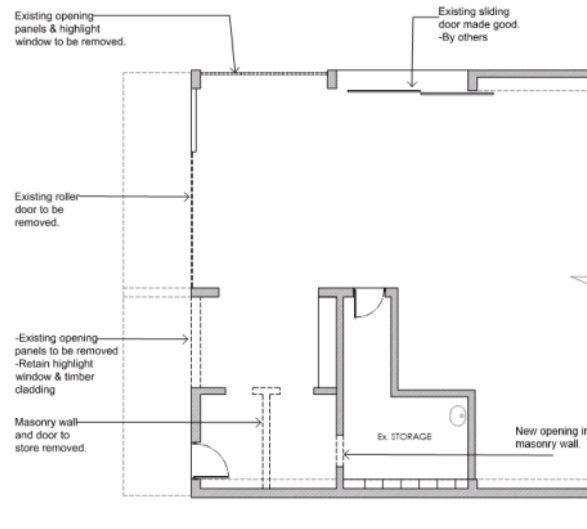


PROPOSED SITE PLAN  
1:500 APPROX

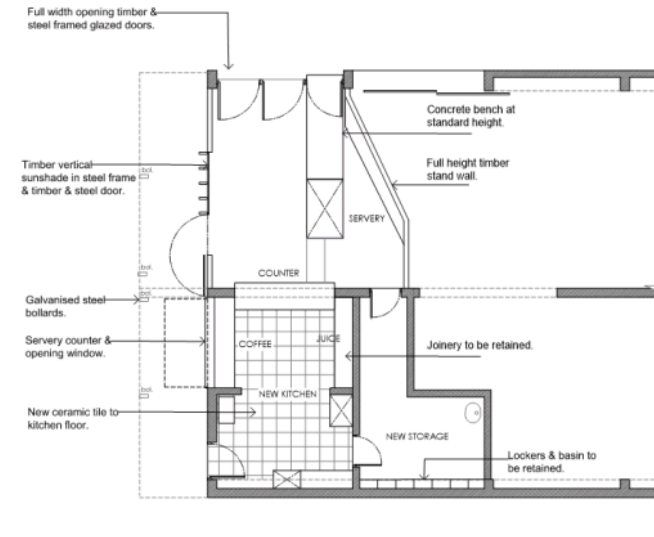


PERSPECTIVE PROPOSAL FROM THE NORTH

REV.	AMENDMENT	DATE	This drawing is to be read in conjunction with the other contract documents including the project specification and any instructions issued during the course of the contract. Contractors must verify all dimensions on site before commencing any work. Do not scale any dimensions from drawings. Confirm with architect all discrepancies in documents. These drawings and designs are subject to copyright laws.	PROJECT: <b>Long Beach Pavilion Kiosk</b>  646a, Sandy Bay Rd, Sandy Bay for Philip Cox	PAUL JOHNSTON ARCHITECTS  upper level market place Hobart Tasmania 7001 p. 03 6231 1541 (int. +61 3 6231 1541) m. 0402 908 751 paul@pauljohnstonarchitects.com	DRAWING: SITE PLAN		DRAWING # 21.04_DA01	
						DATE: 29/04/2021	ISSUE: DA	SCALE: as shown @ A3	REVISION #



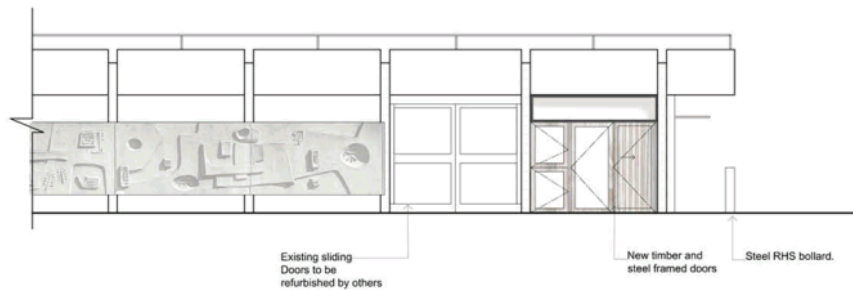
DEMOLITION PLAN  
1:100



PROPOSED PLAN  
1:100



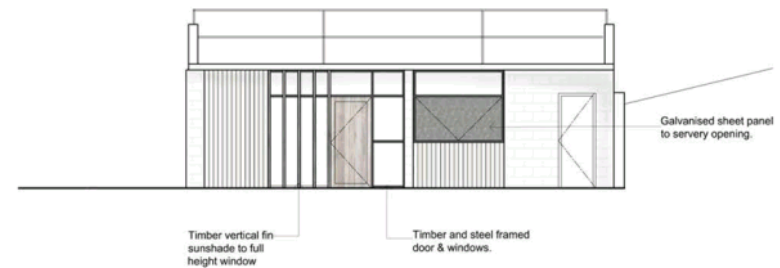
REV.	AMENDMENT	DATE	This drawing is to be read in conjunction with the other contract documents including the project specification and any instructions issued during the course of the contract. Contractors must verify all dimensions on site before commencing any work. Do not scale any dimensions from drawings. Confirm with architect all discrepancies in documents. These drawings and designs are subject to copyright laws.	PROJECT: <b>Long Beach Pavilion Kiosk</b>  646a, Sandy Bay Rd, Sandy Bay for Philip Cox	<b>PAUL JOHNSTON ARCHITECTS</b>  upper level market place Hobart Tasmania 7001 p. 03 6231 1541 (int. +61 3 6231 1541) m. 0402 908 751 paul@pauljohnstonarchitects.com	DRAWING: <b>FLOOR PLAN</b>		DRAWING # <b>21.04_DA02</b>	
						DATE: 29/04/2021	ISSUE: <b>DA</b>	SCALE: as shown @ A3	REVISION #



NOTE:

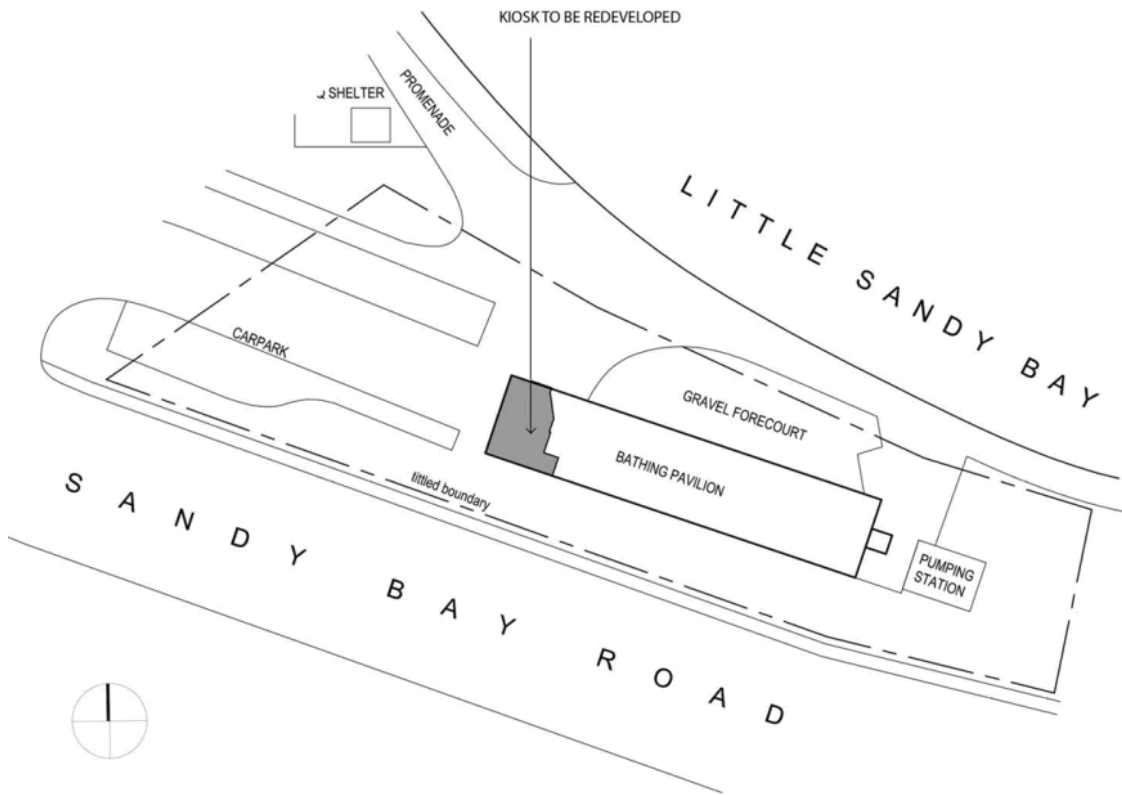
- All steel to be galvanised.
- All timber to be natural clear finished.

NORTH-EAST ELEVATION  
1:100



NORTH- WEST ELEVATION  
1:100

			<p>This drawing is to be read in conjunction with the other contract documents including the project specification and any instructions issued during the course of the contract. Contractors must verify all dimensions on site before commencing any work. Do not scale any dimensions from drawings. Confirm with architect all discrepancies in documents. These drawings and designs are subject to copyright laws.</p>	<p>PROJECT: <b>Long Beach Pavilion Kiosk</b></p> <p>646a, Sandy Bay Rd, Sandy Bay for Philip Cox</p>	<p><b>PAUL JOHNSTON ARCHITECTS</b></p> <p>upper level market place Hobart Tasmania 7001 p: 03 6231 1541 (int. +61 3 6231 1541) m: 0432 908 751 paul@pauljohnstonarchitects.com</p>	<p>DRAWING: <b>ELEVATIONS</b></p>		<p>DRAWING # <b>21.04_DA03</b></p>	
REV.	AMENDMENT	DATE				DATE:	29/04/2021	ISSUE:	DA
								as shown @ A3	



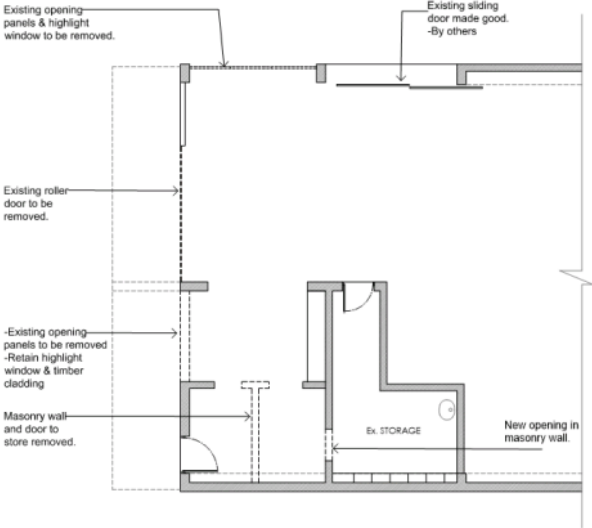
PROPOSED SITE PLAN  
1:500 APPROX



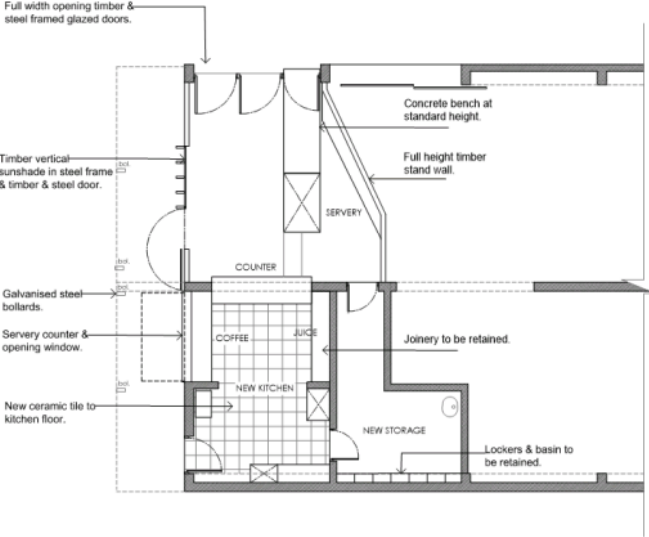
PERSPECTIVE PROPOSAL FROM THE NORTH

REV.	AMENDMENT	DATE	This drawing is to be read in conjunction with the other contract documents including the project specification and any instructions issued during the course of the contract. Contractors must verify all dimensions on site before commencing any work. Confirm with architect all discrepancies in documents. These drawings and designs are subject to copyright laws.	PROJECT: <b>Long Beach Pavilion Kiosk</b>  646a, Sandy Bay Rd, Sandy Bay for Philip Cox	<b>PAUL JOHNSTON</b> ARCHITECTS  upper level market place Hobart Tasmania 7001 p. 03 6231 1541 (int. +61 3 6231 1541) m. 0402 908 751 paul@pauljohnstonarchitects.com	DRAWING: SITE PLAN		DRAWING # 21.04_DA01	
						DATE: 29/04/2021	ISSUE: DA	SCALE : as shown @ A3	REVISION #





DEMOLITION PLAN  
1:100

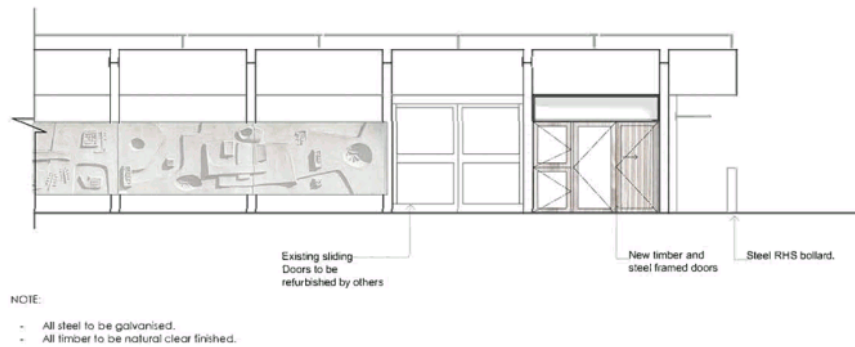
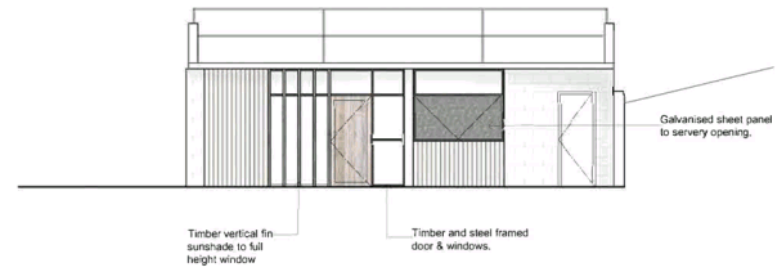


PROPOSED PLAN  
1:100



			PROJECT: <b>Long Beach Pavilion Kiosk</b>		<b>PAUL JOHNSTON</b> ARCHITECTS		DRAWING: FLOOR PLAN		DRAWING # 21.04_DA02	
			646a, Sandy Bay Rd, Sandy Bay for Philip Cox		upper level market place Hobart Tasmania 7001 p. 03 6231 1541 (int. +61 3 6231 1541) m. 0402 908 751 paul@pauljohnstonarchitects.com		DATE: 29/04/2021		ISSUE: DA	
									SCALE : as shown @ A3	
									REVISION #	

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NORTH-EAST ELEVATION  
1:100NORTH- WEST ELEVATION  
1:100

			This drawing is to be read in conjunction with the other contract documents including the project specification and any instructions issued during the course of the contract. Contractors must verify all dimensions on site before commencing any work. Do not scale any dimensions from drawings. Confirm with architect all discrepancies in documents. These drawings and designs are subject to copyright laws.	PROJECT:  <b>Long Beach Pavilion Kiosk</b>  646a, Sandy Bay Rd, Sandy Bay for Philip Cox	<b>PAUL JOHNSTON ARCHITECTS</b>  upper level market place Hobart Tasmania 7001 p. 03 6231 1541 (int. +61 3 6231 1541) m. 0402 908 751 paul@pauljohnstonarchitects.com	DRAWING:  ELEVATIONS		DRAWING #  21.04_DA03	
REV.	AMENDMENT	DATE				DATE: 29/04/2021	ISSUE: DA	SCALE :  as shown @ A3	REVISION #



## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<b>OWNER</b> THE CROWN ✓  <b>FOLIO REFERENCE</b> (15/26 CT) S27A (LTA 1980) APPLICATION C 932337  <b>GRANTEE</b> Whole of Lot 1000, 2023m <sup>2</sup> , Granted to the Crown PART OF 41-2-D GTD. TO GEORGE CARTWRIGHT AND ROBERT FITZPATRICK		<b>PLAN OF TITLE</b>  <b>LOCATION</b> <b>CITY OF HOBART</b>  <b>FIRST SURVEY PLAN No.</b> 37R/5 LO <b>COMPILED BY:</b> HOBART CITY COUNCIL <b>SCALE</b> 1:750 <b>LENGTHS IN METRES</b>		<b>REGISTERED NUMBER</b> <b>P157661</b>  <b>APPROVED</b> 21 JAN 2020 <i>Alice Kawa</i> Recorder of Titles
<b>MAPSHEET MUNICIPAL CODE No</b> 114 (5214-13)	<b>LAST UPI No</b>	<b>LAST PLAN No.</b> 37R/5 LO	<b>ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN</b>	

**COMPILED PLAN**

NOT EXAMINED

**NOTE: Compiled from 37R/5 LO**

**RESULT OF SEARCH**

RECORDER OF TITLES

*Issued Pursuant to the Land Titles Act 1980*

## SEARCH OF TORRENS TITLE

VOLUME 157661	FOLIO 1000
EDITION 1	DATE OF ISSUE 28-Jan-2010

SEARCH DATE : 31-May-2021

SEARCH TIME : 07.20 PM

DESCRIPTION OF LAND

Lot 1000 on Plan 157661 (Section 27A of the Land Titles Act.)  
Derivation : Whole of Lot 1000 on Plan 157661 Gtd. to The Crown

SCHEDULE 1

C866867 TRANSFER to HOBART CITY COUNCIL Registered  
28-Jan-2010 at 12.01 PM

SCHEDULE 2

C932337 Land is limited in depth to 15 metres, excludes  
minerals and is subject to reservations relating to  
drains sewers and waterways in favour of the Crown  
C866867 FENCING PROVISION in Transfer  
C866867 REVERSIONARY CONDITIONS set forth in Transfer

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**PAUL JOHNSTON**  
ARCHITECTS

upper level City Hall market place Hobart  
GPO Box 521 Hobart 7001  
p. 03 6231 1541 (int +61 3 6231 1541)  
f. 03 6231 1541  
m. 0402 908 751  
paul@pauljohnstonarchitects.com

Development Application PLN-21-368  
Request for Additional Information

**New Cafe Fitout   Long Beach Bathing Pavilion**  
646a Sandy Bay Road Sandy Bay

08 Jun 2021

We refer to the request for Additional Information dated June 1 and 3.

1.  
The noise emissions created by the proposal will not exceed the levels required by clause 19.3.2 of the Hobart Interim Planning Scheme 2015.
2.  
No new lighting is proposed. The adjacent carpark and promenade already has sufficient external lighting for the public spaces.
3.  
The proposal will involve 1 small vehicle for delivery and garbage removal once per day during the hours required by clause 19.4 of the Hobart Interim Planning Scheme 2015.
4.  
No parking is provided with this application.  
The adjacent carpark contains 20 spaces for use of the public.

HER Fi

1

Drawings of existing and demolition plans and elevations are attached to this submission. Proposed plans and elevations are included in the original application.

HER Fi

2

Extant photographs of parts of the Pavilion that will change are included in the demolition drawing.

TasWater

1.a

A site services drawing is attached to this submission.

1.b

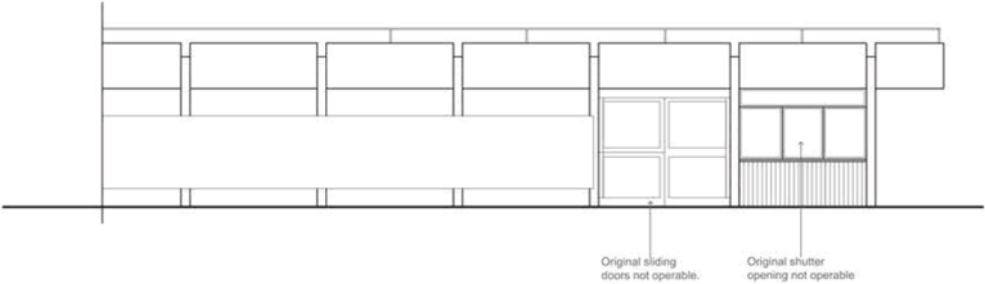
No extensions to the water or sewer mains are proposed.

1.c

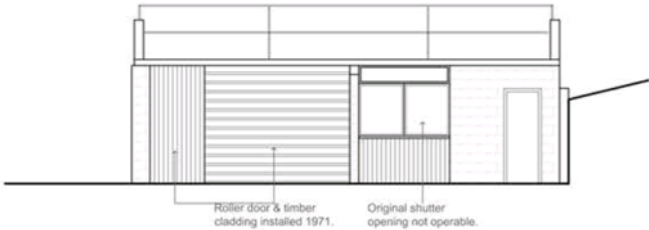
No Taswater easements are encroached in this application.

1.d

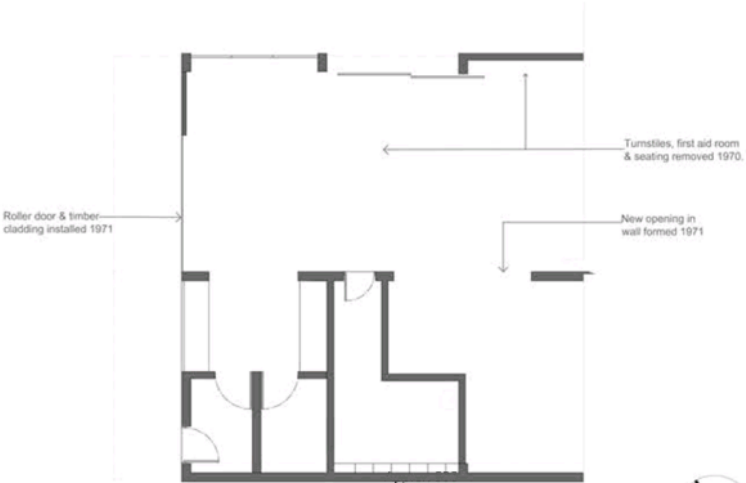
No new water or sewer connections are proposed.



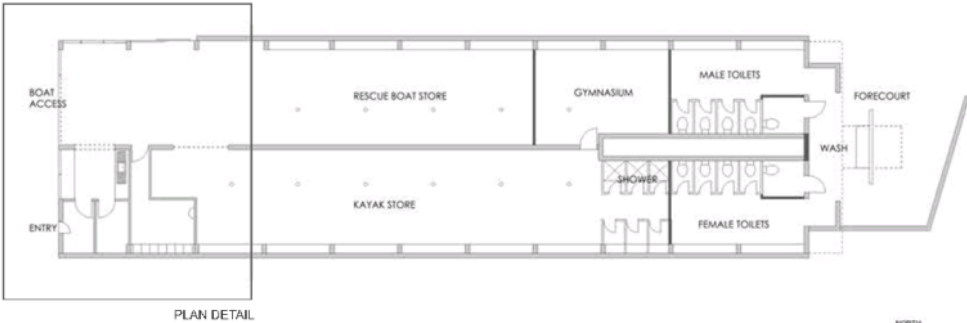
EXISTING NORTH-EAST ELEVATION  
1:100



EXISTING NORTH- WEST ELEVATION  
1:100

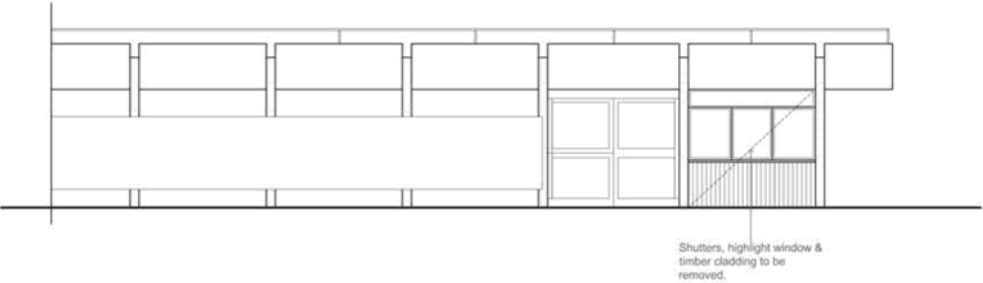


EXISTING FLOOR PLAN DETAIL  
1:100

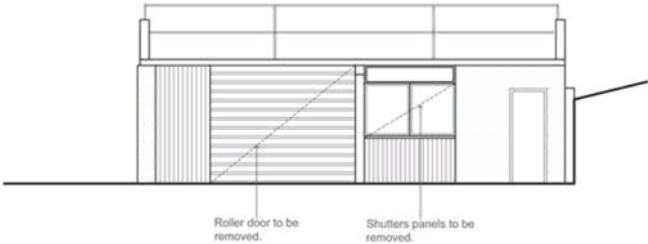


EXISTING BUILDING

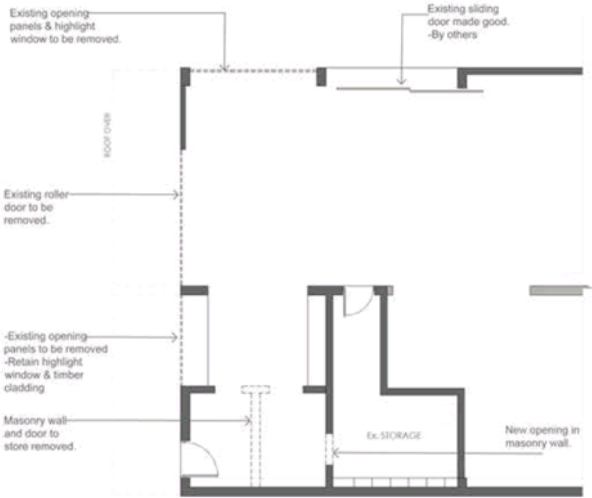
			<p>This drawing is to be read in conjunction with the other contract documents including the project specification and any instructions issued during the course of the contract. Contractors must verify all dimensions on site before commencing any work.</p> <p>Do not scale any dimensions from drawings.</p> <p>Confirm with architect all discrepancies in documents.</p> <p>These drawings and designs are subject to copyright laws.</p>	<p>PROJECT: <b>Long Beach Pavilion Kiosk</b></p> <p>646a, Sandy Bay Rd, Sandy Bay for Philip Cox</p>	<p><b>PAUL JOHNSTON</b> ARCHITECTS</p> <p>upper level market place Hobart Tasmania 7001 p: 03 9231 1541 (ext. +61 3 6231 1541) m: 0402 908 751 paul@pauljohnstonarchitects.com</p>	<p>DRAWING: <b>EXISTING FLOOR PLAN &amp; ELEVATIONS</b></p>		<p>DRAWING # 21.04_DA05</p>	
REV.	AMENDMENT	DATE				<p>SCALE : as shown @ A3</p>		<p>REVISION #</p>	



DEMOLITION NORTH-EAST ELEVATION  
1:100



DEMOLITION NORTH- WEST ELEVATION  
1:100



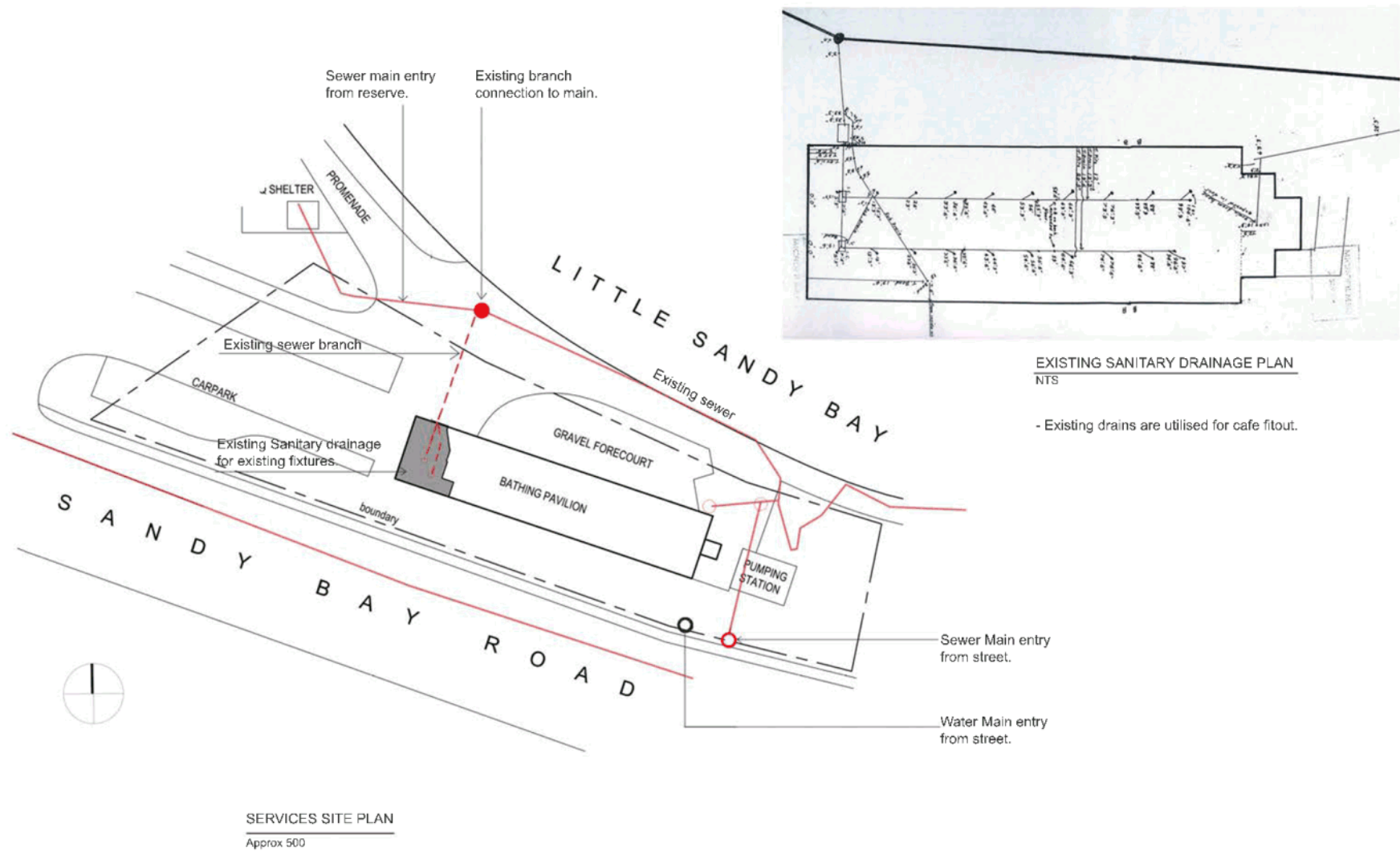
DEMOLITION PLAN  
1:100



EXTANT PHOTOGRAPHS

<p>REV. AMENDMENT DATE</p>			<p>PROJECT: <b>Long Beach Pavilion Kiosk</b></p> <p>646a, Sandy Bay Rd, Sandy Bay for Philip Cox</p>		<p><b>PAUL JOHNSTON</b> ARCHITECTS</p> <p>upper level market place Hobart Tasmania 7001 p: 03 6231 1541 (ext. +61 3 6231 1541) m: 0412 906 751 paul@pauljohnstonarchitects.com</p>		<p>DRAWING: <b>DEMOLITION FLOOR PLAN &amp; ELEVATIONS</b></p> <p>DATE: 04/06/2021 ISSUE: DA</p>		<p>DRAWING # <b>21.04_DA06</b></p> <p>SCALE : REVISION #</p> <p>as shown @ A3</p>	
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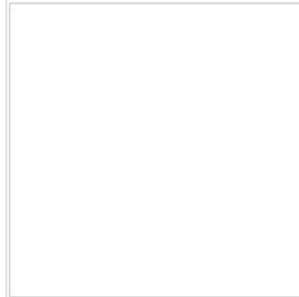
<div>This drawing is to be read in conjunction with the other contract documents including the project specification and any instructions issued during the course of the contract. Contractors must verify all dimensions on site before commencing any work. Do not scale any dimensions from drawings. Confirm with architect all discrepancies in documents. These drawings and designs are subject to copyright laws.</div>			PROJECT: <b>Long Beach Pavilion Kiosk</b>  646a, Sandy Bay Rd, Sandy Bay for Philip Cox		<b>PAUL JOHNSTON</b> ARCHITECTS  upper level market place Hobart Tasmania 7501 p. 03 6231 1541 (int. +61 3 6231 1541) m. 0402 908 751 paul@pauljohnstonarchitects.com		DRAWING: <b>SITE PLAN</b>		DRAWING # <b>21.04_DA04</b>	
REV.	AMENDMENT	DATE					DATE: 29/04/2021	ISSUE: DA	SCALE: as shown @ A3	REVISION #



Planning: #233348

**Property**

646A SANDY BAY ROAD SANDY BAY TAS 7005

**People**

Applicant

\*

Philip Cox  
1 / 7 Wayne Avenue  
SANDY BAY TAS 7005  
0418140926  
pccoxy22@gmail.com

Owner

\*

Hobart City Council  
  
16 Elizabeth Street  
HOBART TAS 7000  
6238 2715  
coh@hobartcity.com.au

Entered By

PAUL JOHNSTON  
0402 908 751  
paul@pauljohnstonarchitects.com

**Use**

Cafe

**Details**

Have you obtained pre application advice?

☒ No

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

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

\*

☒ No

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

\*

• ☐ No

If this application is related to an enforcement action please enter Enforcement Number

**Details**

What is the current approved use of the land / building(s)?

\* store and public toilets

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

\* cafe

Estimated cost of development

\* 45000.00

Existing floor area (m2)	Proposed floor area (m2)	Site area (m2)
80.00	40.00	2023

**Carparking on Site**

Total parking spaces Existing parking spaces N/A

20 20 ☐ Other (no selection chosen)

**Hours of Business**

Are the proposed hours of business different from the existing? • ☐ Yes

What days and hours of operation are proposed for the business?

Existing	Proposed	From	To
Monday to Friday	Monday to Friday	06:00	17:00
	Saturday		
	Saturday	06:00	17:00
	Sunday		
	Sunday	06:00	17:00

**Number of Employees**

List the total number of people who will be working on the site.

Proposed number of employees	Existing number of employees
4	0

**Goods Deliveries**

Will there be any commercial vehicles accessing the site? • ☐ Yes

Type of Vehicle	Trips per Week
Very Large (Semi trailer)	
Large	
Medium	
Small	1 - 2

**Outdoor storage / seating / number of beds**

Is outdoor storage proposed? • ☐ No

**Other Details**

Does the application include signage?

\*

☐ No

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

\*

**Tasmania Heritage Register**

Is this property on the Tasmanian Heritage Register?

• ☐ Yes**Documents****Required Documents**

Title (Folio text and Plan and Schedule of Easements)

\*

FolioText-157661-1000.pdf

Title (Folio text and Plan and Schedule of Easements)

\*

FolioPlan-157661-1000.pdf

Plans (proposed, existing)

\*

Long Beach Cafe 29.04.2021 2.pdf

GM or Crown consent

GMC-21-31 - 646A SANDY BAY ROAD SANDY BAY TAS 7005 - Notice of Land Owner Consent to Lodge a Planning Application (including documentation).PDF

Covering Letter

Long Beach Cafe DA letter .pdf

**Hobart City Council**  
16 Elizabeth Street, Hobart 7000

**Tax Invoice  
Official Receipt**

ABN: 39 055 343 428

31/05/2021

Receipt No: 14061575445

To: Philip Cox  
1 / 7 Wayne Avenue  
SANDY BAY TAS 7005

Description	Reference	Amount
Planning Permit Fee		\$ 350.00
Planning Permit Advertising Fee*		\$ 300.00
Tasmanian Heritage Property Fee		\$ 100.00
Transaction Total*:		\$ 750.00
Includes GST of:		\$ 27.27

Cheque payments subject to bank clearance

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

## PAYMENT SUMMARY

ABN: 39 055 343 428

**PLEASE NOTE:** Payments can **only** be made via Council's online development portal payment gateway or by calling Customer Services on (03) 6238 2190.

01/06/2021

YOUR REFERENCE ONLY: Long Beach Cafe

To: Philip Cox  
1 / 7 Wayne Avenue  
SANDY BAY TAS 7005

Description	Amount
Planning Permit Fee	\$ 350.00
Planning Permit Advertising Fee*	\$ 300.00
Tasmanian Heritage Property Fee	\$ 100.00
<b>Total*:</b>	<b>\$ 750.00</b>
<b>Includes GST of:</b>	<b>\$ 27.27</b>

Tax Receipt will be issued on payment.

---



## Submission to Planning Authority Notice

<b>Council Planning Permit No.</b>	PLN-21-368	<b>Council notice date</b>	01/06/2021
<b>TasWater details</b>			
<b>TasWater Reference No.</b>	TWDA 2021/00901-HCC	<b>Date of response</b>	09/06/2021
<b>TasWater Contact</b>	Jake Walley	<b>Phone No.</b>	0467 625 805
<b>Response issued to</b>			
<b>Council name</b>	CITY OF HOBART		
<b>Contact details</b>	coh@hobartcity.com.au		
<b>Development details</b>			
<b>Address</b>	646A SANDY BAY RD, SANDY BAY	<b>Property ID (PID)</b>	5641667
<b>Description of development</b>	Long Beach Pavilion Cafe (CT 157661/1000)		
<b>Schedule of drawings/documents</b>			
<b>Prepared by</b>	<b>Drawing/document No.</b>	<b>Revision No.</b>	<b>Date of Issue</b>
Paul Johnston Architects	Site Plan 21.04_DA04	--	29/04/2021
<b>Conditions</b>			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p><b>CONNECTIONS, METERING &amp; BACKFLOW</b></p> <ol style="list-style-type: none"> <li>1. A suitably sized water supply with metered connection and sewerage system and connection to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.</li> <li>2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.</li> <li>3. Prior to commencing construction/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.</li> </ol> <p><b>TRADE WASTE</b></p> <ol style="list-style-type: none"> <li>1. Prior to the commencement of operation the developer/property owner must obtain Consent to discharge Trade Waste from TasWater.</li> <li>2. The developer must install appropriately sized and suitable pre-treatment devices prior to gaining Consent to discharge.</li> <li>3. The Developer/property owner must comply with all TasWater conditions prescribed in the Trade Waste Consent.</li> </ol>			

**DEVELOPMENT ASSESSMENT FEES**

4. The applicant or landowner as the case may be, must pay a development assessment fee of \$211.63 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.

The payment is required within 30 days of the issue of an invoice by TasWater.

**Advice****General**

For information on TasWater development standards, please visit

<http://www.taswater.com.au/Development/Development-Standards>

For application forms please visit <http://www.taswater.com.au/Development/Forms>

**Service Locations**

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

- (a) A permit is required to work within TasWater's easements or in the vicinity of its infrastructure.  
Further information can be obtained from TasWater
- (b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit [www.taswater.com.au/Development/Service-location](http://www.taswater.com.au/Development/Service-location) for a list of companies
- (c) TasWater will locate residential water stop taps free of charge
- (d) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

**Trade Waste**

Prior to any Building and/or Plumbing work being undertaken, the applicant will need to make an application to TasWater for a Certificate for Certifiable Work (Building and/or Plumbing). The Certificate for Certifiable Work (Building and/or Plumbing) must accompany all documentation submitted to Council. Documentation must include a floor and site plan with:

Location of all pre-treatment devices i.e. grease arrestor;

Schematic drawings and specification (including the size and type) of any proposed pre-treatment device and drainage design; and

Location of an accessible sampling point in accordance with the TasWater Trade Waste Flow Meter and Sampling Specifications for sampling discharge.

Details of the proposed use of the premises, including the types of food that will be prepared and served; and


The estimated number of patrons and/or meals on a daily basis.

At the time of submitting the Certificate for Certifiable Work (Building and/or Plumbing) a Trade Waste Application form is also required.

If the nature of the business changes or the business is sold, TasWater is required to be informed in order to review the pre-treatment assessment.

The application forms are available at <http://www.taswater.com.au/Customers/Liquid-Trade-waste/Commercial>



<b>Declaration</b>			
The drawings/documents and conditions stated above constitute TasWater’s Submission to Planning Authority Notice.			
<b>Authorised by</b>  <b>Jason Taylor</b> Development Assessment Manager			
<b>TasWater Contact Details</b>			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au





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-21-368  
THC WORKS REF: 6583  
REGISTERED PLACE NO: 7480  
FILE NO: 10-77-37THC  
APPLICANT: P Cox  
DATE THC RECEIVED: 01 June 2021  
DATE OF THIS NOTICE: 04 June 2021

## NOTICE OF INTEREST

*(Historic Cultural Heritage Act 1995)*

The Place: Long Beach Bathing Pavilion, 646A Sandy Bay Road, Sandy Bay.  
Proposed Works: Partial demolition, alterations and partial change of use.

Under s36(3)(a) of the *Historic Cultural Heritage Act 1995* the Tasmanian Heritage Council provides notice that it has no interest in the discretionary permit.

Please contact Russell Dobie on 1300 850 332 if you would like to discuss any matters relating to this application or this notice.

A handwritten signature in blue ink, appearing to read 'RD'.

Russell Dobie  
**Regional Heritage Advisor – Heritage Tasmania**  
*Under delegation of the Tasmanian Heritage Council*

## Application Referral Cultural Heritage - Response

<b>From:</b>	Megan Baynes
<b>Recommendation:</b>	Proposal is unacceptable.
<b>Date Completed:</b>	
<b>Address:</b>	646 A SANDY BAY ROAD, SANDY BAY
<b>Proposal:</b>	Partial Demolition, Alterations, and Partial Change of Use to Food Services
<b>Application No:</b>	PLN-21-368
<b>Assessment Officer:</b>	Richard Bacon,

### Referral Officer comments:

This application is for demolition and works to a place heritage listed in Table E13.1 of the Historic Heritage Code of the Scheme. It is an important 20th century architectural design and the work of Dirk Bolt and includes a unique concrete artwork. It was designed as a Bathing Pavilion at Sandy Bay located in close proximity to the beach and water's edge.

### Long Beach Bathing Pavilion

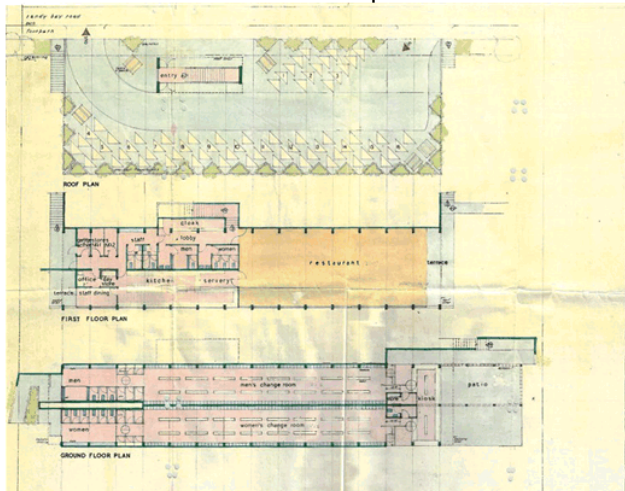
The Long Beach Bathing Pavilion has a Conservation Management Plan which was commissioned in 2015 by Hobart City Council and authored by Paul Johnston architect in collaboration with historian Melinda Clarke.

Paul Johnston architect has prepared the design which forms the current development application.

The Conservation Management Plan provides comprehensive information regarding the design and history of the Pavilion and provides an assessment of significance and a conservation strategy.

### A brief history of the Pavilion:

The Bathing Pavilion was designed in 1960 by architect Dirk Bolt - this design included a Kiosk at the north west end of the pavilion and envisioned an upper level to the building.



*Original plans for the Sandy Bay Bathing Pavilion, showing changing rooms, kiosk and*

*patio. Source: Conservation Management Plan*



*The Sandy Bay Bathing Pavilion c 1960 Photo Frank Bolt, showing grass and trees in front of building. Source: Conservation Management Plan*

The budget allowance fluctuated and in the end the building design was revised in order to reduce costs.

Long Beach Bathing Pavilion

Conservation Plan



fig.26  
photograph 1962: Miles Quartermain,  
source: Dirk Bolt

### 3.15 The Pavilion in Operation

Dirk Bolt has provided an account of the operation of the pavilion. The photo above shows the sliding doors. The door track sits behind the columns, not at the front of the columns. This enables the doors to slide out of the way into the First Aid Room next to the main entrance, which can be accessed without going through the turn stile. There are two sliding doors, which means that the storage space at the back of the first sculpted panel can be accessed from the First Aid Room without sliding a door back into main entrance.

The one-way turnstile was simple. The stiles swung underneath a counter inside an octagonal ticket booth, which was glazed above counter height and open at the rear for access by the attendant. At the booth men (entering left) and women (entering right), were issued with a token, which could be attached to bathers. There probably was a charge. The attendant then released a catch and the stile was turned 90°. After changing, bathers went through the full height turnstile at the rear of the change room. To come back, they showed their token, went through the stile, and (probably) left the key in the locker for collection by the attendant.



fig.27 photographs on completion of  
construction, photograph 1962: Dirk Bolt

'The attendant also related to the snack bar, the joint operation was possibly run as a Mom-and-Dad enterprise. The pictures show that the kiosk had a dado-lined counter, with obscure panels above it. As the building had to be rather vandal-proof, the panels could not be glass. The panels hinged out

*The Pavillion in 1962 with Kiosk intact. Source: Conservation Management Plan*

Photographs from 1962 show a kiosk at the north western end of the building. The kiosk features a horizontal band of windows between masonry columns and timber paneling below glazing. The building features a long concrete artwork on the north eastern elevation.

In 1968 Council called for public offers to rent the kiosk. In December a license was granted to the Surf Life Saving Club, to be renewed annually. The rooms which originally provided changing space for 400 bathers were converted for boat storage in 1971. In 2005 Council refurbished the toilets, showers and seating at ground floor.

The Surf Life Saving Club continues to use the former bathing changing rooms for boat storage. A roller door was inserted into the north western end of the pavilion (c1970s) to enable boats to be carried between vehicles in the carpark and the interior of the pavilion. This

movement of boats is perpendicular to the original entry arrangements (of people only) designed by the architects which saw the entry and exit of the building occur laterally from the long elevations. The kiosk was an 'bookend' with windows but only one service door. The current development application proposes to reinstate a kiosk at the north/western end of the Bathing Pavilion at ground floor but with a different floor plan that requires demolition and works. As a heritage listed place, the Historic Heritage Code applies.

The following provisions of the Historic Heritage Code of the Scheme apply

E13.7.1 P1 - Demolition - heritage listed place

E13.7.2 P1, P2, P3 - New work - heritage listed place

### **Representations**

Council has received 6 representation and all are objections to the proposed development. The following comments are raised regarding the impact on cultural heritage values:

- "The council advertised notice is only on Sandy Bay Road and NOT on the Bathing Pavilion where the majority of the community walk so many people who may have wanted to make a representation would not have been aware and given the Heritage Listing of this property I believe it should be re advertised due to its important history. I remind you that this building belongs to the people of Hobart and you are the caretakers and work for the people of Hobart..."
- "...I am attaching a history of Dirk Bolt who died in December 2020. Not only was he one of best architects of the modern era, he was to become one of the most significant worldwide proponents of sustainable urbanism...."
- "...I do not believe any internal structures should be demolished as it is a heritage building...."
- "...The council should be doing any repair work on this building and not a developer with input from the Heritage Council"
- "The pavilion is a public building, designed and constructed to support water based recreational activities. The applicant states that "The SLSC no longer use the pavilion to store rowing boats so the opportunity now exists for the kiosk to be renovated." This proposal would interfere with the ability for any future users of this building to access the majority of the building, for the purposes for which it was originally designed"
- "Reference is made to panels which have been painted over and are "no longer operable". It would be possible to restore these panels so they could be opened again."
- "The applicant's letter states that the door openings "allow the display and advertising of goods", even though the applicant has answered "No" to the application question "Does the application include signage". This also contradicts the applicant's statement that "there is no signage included in this application".

The heritage concerns are valid and reflect the social and community values ascribed to the place.

### **Assessment of Demolition**

The application drawings indicate that both original and non-original fabric is proposed to be demolished at the north/western end of the Bathing Pavilion. The roller door and steel doors are non-original fabric and are considered to be unsympathetic modifications. Their removal does not constitute the loss of significant cultural heritage values and is considered acceptable.





*Original square windows and timber paneling - and location of proposed kiosk. Source: Council image*



*Image of original windows and timber paneling - proposed to be demolished. Source: Council image*

The windows proposed to be removed have original painted motif/logos signs dating to at least 1962. The non-original and non-operational sliding door facing the water is proposed to be retained. Internally the proposal involves demolition of sections of masonry walls which do not appear to be original. The demolition of the internal masonry is not problematic from a cultural heritage perspective.

Clause E13.7.1 P1 states:

*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 proposed removal of windows and timber paneling, as shown in Figure 26 and 27 of the

Conservation Management Plan (see images above), involves the loss of original and significant fabric and this proposed demolition with no articulated environmental, social, economic or safety reasons of greater significance to the community. In addition, the applicant has not exhausted prudent and feasible alternatives (a) and (b). **Therefore, the proposal does not satisfy E 13.7.1 P1 of the Historic Heritage Code.**

### **Works**

The applicant is proposing to insert new doors and windows on two elevations.

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*

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.*

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.*

### **Assessment of new work**

The proposed works reinstate a kiosk in the location of the original kiosk. However the configuration is less elegant than the original design. The proposed works are not reinstating the original kiosk design and are an approximate and lesser version.

While the proposed division of the north/east elevation facing the water (portion only) into three, is respected and understood, the operable windows above fixed panels would be replaced with new timber and steel framed doors.

On the north/ western elevation, a section on non-original full height paneling and the non-original roller door would be replaced by vertical fins, glazing, and a solid door.

The Kiosk would have 4 doors in total. The plan configuration would divide the space into halves with one side being kitchen the other side holding a servery. This is different to the original plan of the kiosk which saw a full width symmetrical configuration with an internal service core. The original plans show a storage core in the centre of the kiosk.

The proposed storage would be located along the rear wall. The applicant is proposing to place a full height timber stud wall and concrete bench on an angle in plan between the proposed kiosk and the existing boat storage area. This area is currently unobstructed.

Specifically the siting of an internal wall, the form of a servery and fenestration with a vertical emphasis do not respond to the dominant heritage characteristics of the place. The proposed full height timber wall on an angle is incompatible with the strongly orthogonal c1960s floor plan and original design.

The architecture is one component of this listed place's significance. A second second part of

the significance relates to its use for water based activities. The proposed siting of a servery and wall would be an obstacle to the movement of small boats such as kayaks in and out of the building. The length and weight of the small boats requires pragmatic access arrangements. Whilst it is noted the roller door is a very unsympathetic alteration to the original building, the development application does not offer an feasible alternative for current users which have been active for more than 50 years.

The c.1960 plans show a kiosk occupying the full width of the end of the building and a horizontal band of windows with timber paneling below. The pavilion was designed with the bands of horizontal articulation: long narrow clerestory glazing, square windows and a rectangle of timber panels adjacent the ground. The proposed articulation of the façade introduces a new vocabulary with a more vertical emphasis. This is incompatible with the dominant characteristics of the place. **In summary, the proposed works fail to satisfy E 13.7.2 P1 of the Historic Heritage Code.**

**Consideration against the Conservation Management Plan, 2015:**

From the CMP (Refer page 77-83):

*"This Conservation Management Plan (CMP) shall be the primary document in the management of heritage values in relation to the future planning and management of Long Beach Bathing Pavilion."*

The CMP contains 36 policies and the following are considered pertinent to this application:

**Policy 6**

*"The use of the place shall be compatible with its significance. The current use as a public facility is synonymous with its significance and is to be encouraged... the existing use of the redundant change rooms for watercraft storage is appropriate to the Pavilions significance as a place associated with beach activity..... The use of the obsolete kiosk area for a a retail outlet, serving beach patrons should be encouraged."*

**Policy 7**

*Public access to the building is to be encouraged. The use of the redundant change rooms for public usage accessing watercraft and showers and gymnasium, should be further enhanced and the current lease arrangements that restrict public access and use should be reviewed"*

**Policy 13**

*...in any refurbishment or redevelopment, original items should be retained as representative of original function.*

**Policy 23**

*New openings in the existing building shall be restricted to the existing openings or opening originally provided.*

**Policy 24**

*Changes to the interior of the Pavilion should be restricted to allow the proper functioning of the current and new uses. Alterations should be minimized to maintain original fabric. New used should utilise the original layout of facilities and rooms.*

**Consideration**

While the CMP is not part of the application, this is a Council owned building with the CMP commissioned in 2015 to provide Council with good guidance, policy and practice for the conservation of this important heritage listed building. It is incumbent on Council to follow that advice and direction.



The drawings submitted as part of this development application indicate that demolition of original windows are proposed. **This contradicts CMP Policy 13.** The proposed concrete servery and full height timber stand wall is on an angle and is not consistent with the original plan of the Pavilion. The original design was extremely orthogonal. The proposed works are unacceptable because they result in the loss of social heritage values through incompatible design by making access to the former change rooms for the storage of watercraft more difficult. In this instance the use of the building is inextricable linked with the social significance of the listed place according to the CMP. The loss of significant cultural heritage values is anticipated. **The proposed works contradict Policy 6, 7, 23 and 24.**

### Conclusion

This development application proposes a kiosk on the north western end of the Bathing Pavilion. This part of the pavilion has been altered and is currently used to facilitate water based activities. The proposed kiosk would make access for water based activities more difficult but would reinstate the kiosk. Herein lies a paradox inherent in the CMP. The CMP for the Pavilion seeks to facilitate both kiosk and watercraft storage. These dual aims make the development of the Pavilion very challenging, requiring design synthesis of competing demands.

An assessment against the Historic Heritage Code raised concerns about the loss of significant cultural heritage values (architectural and social significance) and representations echo these concerns.

Demolition and works will have an unacceptable impact on the heritage values of a listed place. The proposed works fail to satisfy E 13.7.1 P1 and E 13.7.2 P1 and are inconsistent with policies 6,7, 13, 23 and 24 of the Conservation Management Plan. This development application is recommended for refusal.

### Grounds for refusal

The proposal does not meet the acceptable solution or the performance criteria with respect to clause E13.7.1 P1 (a) and (b) of the *Hobart Interim Planning Scheme 2015* because the proposed demolition would result in the loss of significant cultural heritage values at a listed place - eg original windows and timber paneling would be removed.

The proposal does not meet the acceptable solution or the performance criteria with respect to clause E13.7.2 P1 (a) of the *Hobart Interim Planning Scheme 2015* because the proposed works would be incompatible in design and result in the loss of significant cultural heritage values which make it difficult for the mix of uses to function.

### Advice:

*The facilitation of both a cafe and watercraft storage at/in the Long Beach Bathing Pavilion is the stated aim of the Conservation Management Plan. This is a challenging expectation for the listed place*

*Further design work, in consultation with community/user groups may be able to precipitate an arrangement where these compatible uses can concur.*

*It is recommend that the applicant commission further design work with a view to enabling the operation of a portion of the building as a cafe in such a manner that does not preclude convenient access to central rooms for watercraft storage.*

*The Cultural Heritage Unit would welcome a fresh application for the reinstatement of a kiosk which retains all original windows and timber paneling.*

**MB**  
**CHO**  
5 July 2021

Reviewed/edited  
Sarah Waight  
Senior Cultural Heritage Officer  
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