

Hobart City Council



Sandy Bay Shopping Centre

Statutory Review 1999

Development and Environmental Services Division
August 2000

As approved by Council on 24th July 2000 for release for public comment

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1. SUMMARY OF ISSUES AND RECOMMENDATIONS

A summary of the issues and recommendations from the review are set out below. A detailed discussion of the issues and rationale for the recommendations is contained in Section 4. See **Figure 1** for location of issues.

1.1 Battery Point Planning Scheme 1979 Issues

1.1.1 Boundary/Zoning Issues

ZB1 Zone 1 Residential to Local Service: Sandy Bay Road (from No. 140 Shell Service Station to no. 108 - 112 on corner of Quayle Street). [refer to Figure 1 for 'issues' location]

Recommendation ZB1

The properties fronting Sandy Bay Road between 140 Shell Service Station to no. 108-112 on corner of Quayle Street should remain within Zone 1 Residential of the Battery Point Planning Scheme

ZB2 Zone 1 Residential to Local Service: McDonald's/Coles.

Recommendation ZB2

Those parts of the Coles and McDonald's properties within Zone 1 Residential of the Battery Point Planning Scheme should remain with that zone.

ZB3 Introduce a "Green" buffer at 2, Russell Crescent - Veterinary Clinic

Recommendation ZB3

The property at 2 Russell Crescent retain its commercial zoning and be incorporated within an enlarged Precinct 28 under the City of Hobart Planning Scheme for the whole Centre.

ZB4 Eastern extent of Centre

Recommendation ZB4

That no eastward extension be made to the zone boundary between commercial centre and residential development, from Mayfair to the Sandy Bay Rivulet, [as currently represented by boundary of the Suburban Shopping Zone and Zone 1 Residential under the Battery Point Planning Scheme].

1.2 City of Hobart Planning Scheme 1982 Issues

1.2.1 Boundary/Zoning Issues

ZB5 Reduce Local Service zone near 'Chicken Feed' store (Church properties and residential dwellings be zoned Residential instead of Local Service)

Recommendation ZB5

- 1. That a note to Table A1 of Use Schedule A be introduced that limits the permitted use status of 'a shop' (Use Group X) in respect of 267-275 Sandy Bay Road to one which is ancillary to or associated with the church.***
- 2. That a note to Table A1 of Use Schedule A be introduced that specifies a 'bank' and 'take away food shop' (Use Group IX) in respect of 267-275 Sandy Bay Road as discretionary.***
- 3. That a note to Table A1 of Use Schedule A be introduced that specifies a 'local shop' (Use Group XVI) in respect of 267-275 Sandy Bay Road as discretionary.***

ZB6 Boundary along Flinders Lane

Recommendation ZB6

That the boundary of Precinct 28 with Precinct 27 at the rear of the properties at 251 - 265 Sandy Bay Road remain in its current location

ZB7 Boundary of Local Service Zone on the north side of King Street

Recommendation ZB7

That no changes to the boundary of Precinct 28 with Precinct 27A under the City of Hobart Planning Scheme 1982 for properties that may be in part residential use.

ZB8 Boundaries that run through titles of the properties 123 -139 Sandy Bay Road

(Woolmers Inn - Dr. Syntax Hotel)

Recommendation ZB8

- 1. That the zone boundary of Precinct 28 with Precinct 27A under the City of Hobart Planning Scheme where it affects 123 Sandy Bay Road be modified to include all of the site into Precinct 28.***

- 2. That the zone boundary of Precinct 28 with Precinct 27A under the City of Hobart Planning Scheme be altered so that it incorporates the whole of the Dr. Syntax hotel site, subject to the introduction of more appropriate boundary provisions for new development in Precinct 28 where it abuts Precinct 27 A and a specific provision that any change in the use or development of the existing Dr Syntax car park be predicated upon there being no vehicular access from the site overall to Queen Street between numbers 82 and 86 Queen Street.***

- 3. That the zone boundary of Precinct 28 with Precinct 27A under the City of Hobart Planning Scheme where it affects 131 Sandy Bay Road be modified to include all of the site into Precinct 28, subject to there being a provision for no access to the property from Jersey Street when there is any change of use or new development for use not permitted in Precinct 27.***

ZB9 117 Sandy Ray Road/4A Byron Street

Recommendation ZB9

That the boundary of Precinct 28 and 27A be modified to include the property at 4A Byron Street in Precinct 27a

ZB10 King Street south side

Recommendation ZB10

That no adjustment be made to the zone boundary of Precinct 28 with Precinct 27A under the City of Hobart Planning Scheme in the vicinity of the Purity car parking King Street.

1.2.2 Gregory Street

ZB11 Gregory Street

Recommendation ZB11

That the basis of the proposals contained in the original draft 'L' Series amendment to the City of Hobart Planning Scheme - bringing into line the Local Service Zone Boundary with the Residential Zone 1 and associated civic works be incorporated into any formal draft statutory provisions for the centre.

1.2.3 'K' Series Amendments

ZB12 Review of 'K' series amendments 82-86 Queen Street and 59-65 Queen Street.

Recommendation ZB12

That no adjustment be made to the zone boundary of Precinct 28 with Precinct 27A under the City of Hobart Planning Scheme 1982 in the vicinity of the 82 - 86 and 59 - 65 Queen Street.

1.2.4 Use and Developments Controls

Recommendation U1 [Supermarkets]

That 'supermarket' be defined and identified as a 'discretionary' use in an expanded Precinct 28 to cover all the Sandy Bay Shopping Centre (and in other Local Service Zone Precincts).

Recommendation U2 [Warehousing Stores, Service Industries]

- 1. That the uses in Use Group XIII be retained as 'discretionary' in an expanded Precinct 28 to cover all the Sandy Bay Shopping Centre.*
- 2. That the uses in Use Groups XIV be retained as 'prohibited' in an expanded Precinct 28 to cover all the Sandy Bay Shopping Centre.*
- 3. That a new Statement of Desired Future Character for the Centre clearly specify that any discretionary uses in Use Group XIII will have regard to the quantum of floor space or outdoor storage and not have any more impact on pedestrian, shopper or residential amenity compared with that of a 'permitted' use.*
- 4. That the definition of a 'shop' in the City of Hobart Planning Scheme 1982 be supplemented by a reference to a retail and/or self service laundry, together with any other modifications desirable to clarify the scope of 'shop'.*

Recommendation U3 [Take away food including 'Drive -thru' facilities & Restaurants].

- 1. That 'take-away food' shops be a 'permitted' use in the Sandy Bay Shopping Centre.*
- 2. That 'restaurants' be a 'permitted' use in the Sandy Bay Shopping Centre.*

- 3. That a new definition be introduced into the City of Hobart Planning Scheme that separately identifies 'drive thru' and other car based 'restaurant' and 'take away' and controls them through appropriate criteria related to such matters as site suitability/streetscape, , access, parking and neighbour amenity.*
- 4. That applications involving only changes in use of existing buildings for use as 'local shops' and 'shops', where no 'development' involving additional floor space and /or the provision/layout of car parking is involved, be exempt from requiring planning approval.*

Recommendation U4 [Adult Only Shops].

That the new Statement of Desired Future Character for the Sandy Bay Shopping Centre include a specific policy provision that presumes against the approval of any retail outlet which prevents access by minors such as one selling 'adult' only books or a 'sex shop'.

Recommendation U5 [number of licensed premises].

- 1. That 'hotels' be a discretionary use in the Sandy Bay Centre*
- 2. That the new Statement of Desired Future Character for the Sandy Bay Shopping Centre include a specific policy provision that indicates that the approval of 'hotel' development will generally be limited to minor floor space extensions to existing hotels and the provision of ancillary facilities such as storage or accommodation, and that any development should respect the character and ambience of the shopping centre and the amenity of surrounding residential development with further new activities involving the provision of late night entertainment anywhere in the centre would generally not be considered appropriate.*

Recommendation U6 [Markets].

That no explicit planning scheme provisions in relation to market stalls or markets be introduced in relation to the Sandy Bay Centre.

1.2.5 Parking Issues Recommendations

Recommendation P11 [Parking].

- 1. That the concept of cash-in-lieu of the provision of car parking not be retained for the Sandy Bay Centre.***
- 2. That the planning scheme include a provision that on site parking is not a necessary requirement in the Centre and will only be approved where it is part of an approved redevelopment that can demonstrate adverse traffic, and pedestrian amenity impacts .***
- 3. That the planning scheme provisions for the Centre include (in Schedule E E.9.6 and/or the Statement of Desired Future Character) a presumption against the creation of additional vehicular access points along Sandy Bay Road.***
- 4. That Council consider what further action it wishes to take to expend the money held in lieu of parking for developments in Sandy Bay.***
- 5. That the City Services Division consider the range of ‘traffic engineering’ matters raised during the initial consultation process.***

1.2.6 Building Form Recommendations

Recommendation BF11 [Building Form].

- 1. That the permitted height of building development in the Sandy Bay Centre overall be 4.8 metres. (to topmost habitable Floor).***

- 2. That the following plot ratio controls - basic 1.0 and maximum 1.5 - be applied to the Sandy Bay Centre overall.*
- 3. That the subdivision controls applying to Precinct 28 -ie. minimum lot area of 270 square metres , minimum frontage and inscribed circle of 9m - be applied to the Sandy Bay Centre overall.*
- 4. That the rear and side boundary setback provisions for the Local Service Zone under the City of Hobart Planning Scheme be applied to the development in the Sandy Bay Centre overall.*
- 5. That there be no front setback requirements for the Sandy Bay Shopping Centre.*

1.2.7 Signage Recommendations

Recommendation S1 [Advertising Signs]

That the signs provisions for Precinct 28 Local Service Zone under Schedule G of the City of Hobart Planning Scheme be applied to the whole of the Sandy Bay Centre.

1.2.8 Amenity Issues

Recommendation A1 [Amenity]

- 1. That the further streetscape improvements in the Sandy Bay Centre , apart from Gregory Street be aimed at ensuring a cohesive image for public areas.*
- 2. That Council give consideration to the various issues of seating, ease of wheelchair access, public toilets etc in the Centre as items for future capital expenditure.*
- 3. That the City Services Division prepare a report on of the impact of closing off the Sandy Bay Road access to the Purity Car Park with a view to converting the front part of the Purity car park off Sandy Bay Road to a pedestrian way /small park.*

1.2.9 Revised Statement of Desired Future

Recommendation SDFC

The following revised Statement of Desired Future Character be endorsed as a draft for the 'new' expanded Sandy Bay Shopping Centre Precinct.

"The Sandy Bay Village Precinct should continue to function as the main shopping and commercial focus for the southern suburbs of the city, including the residential area comprising the 'District' of Battery Point. Any expansion of the existing major Coles or Purity supermarkets likely to generate additional trade or additional vehicular traffic would need to demonstrate that the resultant development would result in an enhanced physical environment, an improvement in the management and impact of traffic on pedestrian safety and amenity and no adverse effects on the amenity of the residential streets immediately surrounding the centre.

Shopping outlets such as 'adult only' bookshops and 'sex shops', which preclude access by minors will not be approved. Tote outlets are not precluded.

The Centre's predominantly retail and associated service functions should be reinforced by local offices and other activities providing services to the community it serves, ideally above ground floor level. Residential use above ground floor level of buildings fronting onto public streets or at the rear of sites and abutting other residential uses and zones are encouraged. Changes of use to 'service industry', 'showrooms' or other similar uses or the extension of those that may be existing uses will only be approved having regard to the quantum of floorspace and outdoor storage and where pedestrian, shopper and residential amenity will not be affected and where there will be no adverse impact on the operation of uses permitted in the Centre.

New 'hotels' or other late night entertainment uses are generally not considered appropriate. Any expansion of the floor area of existing hotels should preferably be linked to ancillary facilities, such as storage, and additional 'accommodation'. The expansion and further development of existing hotel uses will only be approved where they respect the character and ambience of the shopping centre and the amenity of surrounding residential development .

Restaurants, cafes and take - away food shops will continue to be appropriate, preferably interspersed with shops along or close to Sandy Bay Road. However, 'drive thru' or other car based fast food 'chain' outlets will only be approved where they meet key criteria, including, the creation of no additional vehicle gutter crossings, the use of residential streets as access routes into and out of the site, no demonstrable effect on the amenity of the surrounding residential areas and low key signs appropriate to the ambience and character of the Centre.

The current environmental image of the centre, derived from continuous development of generally two storey or equivalent height along Sandy Bay Road with no or minimal front setbacks should be reinforced. On the streets leading from Sandy Bay Road the height, layout and design of any new development should be more reflective of their transition to the adjacent residential areas and with an emphasis on adaptation of formerly residential buildings.

Where appropriate development should seek to up grade the pedestrian amenity and amenities of the precinct, through the creation of passive recreation spaces and further improvements to pedestrian network of the sort now surrounding the Bay Village. The civic works associated with the Gregory Street Local Area Plan should be complimented by works on private land when the opportunity arises. Elsewhere in the Centre, street furniture and hard and soft landscaping should be coordinated to give cohesion and identity to the Precinct.

Signs and graphics should be bright but generally located at below awning level. Free standing uses with their own vehicular accesses and customer car parking may be expected to provide other low key signs to identify their presence appropriate to the desired image of the centre.

Generally, new developments or changes of use will not be required to provide on site parking and it will only be approved where it is part of an approved redevelopment that can demonstrate no adverse impact on traffic management, pedestrian and residential amenity. Proposals for on - site parking and servicing, not in accordance with the Council's standards for layout and dimensions and which accordingly are likely to generate vehicular traffic that will create traffic management or parking problems, or conflict with pedestrian movement will not be approved.

Any development on the site of the Dr Syntax Hotel car park must not involve the use of Queen Street for vehicular ingress or egress. Access from or onto Jersey Street from new or expanded uses or development in the Precinct is considered inappropriate.

1.3 Battery Point Advisory Committee

Recommendation

That any amendment to the Battery Point Planning Scheme 1979 arising from the excision of Zone 3 Suburban Shopping from the Battery Point Planning Scheme 1979 include a provision for discretionary planning applications on properties in the Centre that abut Zone 1 Residential of the scheme being referred to the Battery Point Advisory Committee.

2. INTRODUCTION

The Sandy Bay Shopping Centre is the local convenience centre for the southern suburbs of the city - South Hobart, Dynnyrne, Battery Point, Sandy Bay, Mt Nelson and also parts of Tarooma.

It is considered that to have two 'sides' of the Sandy Bay shopping centre subject to different planning schemes is both illogical and may not be conducive to either consistent decision making or appropriate outcomes. Accordingly, the Zone 3 Suburban Shopping Zone has been excluded from the current Battery Point Planning Scheme review process.

It is presently intended that the land falling within the that Zone 3 be incorporated into an expanded Sandy Bay Village Precinct under the City of Hobart Planning Scheme. This needs to be done in parallel with the progression of a revised Battery Point Planning Scheme.

The Sandy Bay Village Precinct itself has been the subject of some review in recent years, with the focus being on the Gregory Street area. The resultant Gregory Street Local Area Plan came into effect in June 1996. The LAP did not get approval in the form intended by the Council, in that the proposal to 'align' the boundaries of the Local Service Zone on the two sides of Gregory Street were not accepted by the then Land Use Planning Review Panel.

This document contains a formal review of the statutory provisions for the two parts of the centre within the respective planning schemes. It outlines a basis for a new consolidated planning framework for the Sandy Bay shopping centre through an expansion of Precinct 28 of the City of Hobart Planning Scheme 1982 with a modified set of 'planning provisions'.

2.1 Community Input

The 'in-house' process of a review of planning application decisions, documenting land use trends and a 'review' of the scope and nature of the actual respective planning scheme provisions for the centre is not a sufficient means of issue identification.

Obviously, users of the Centre also have a vital interest in the functioning and quality of the Centre. However, the Review is intended to primarily address issues arising from the *operation* of two planning schemes in the Centre, rather than a 'strategic' exercise examining the role and facilities provided by the Centre.

For this initial stage of the Review the main effort was put into seeking to elicit the views of those most directly affected by the operation of the planning schemes ie. the operators of businesses/owners of properties in the Centre and the residents in the surrounding area.

This was done through the holding of meetings which people were invited to attend with a view to raising issues for consideration. Three separate meetings were held primarily for the following groups:-

- the residents living in Precincts 27A and B of the City of Hobart Planning Scheme 1982;
- the residents living in Zone 1 of the Battery Point Planning Scheme in the area abutting the south-eastern side of the Centre; and
- business operators and the owners of business premises in the Centre.

Two meetings were held in the Sea Scouts Hall at Marieville Esplanade and another at the St. Peters Church Hall (corner Lord and Grosvenor Street).

The invitations were provided by a letter box drop which contained the following:-

- a covering invitation letter;
- a 2 page summary paper of the land use trends, possible boundary issues, an analysis of the two planning scheme provisions;
- sets of 'possible' zone boundary modifications arising from the 'merging' of the two zones covering the Centre and planning issues;
- a comparison of the planning controls in the two schemes;
- Comments /Response sheet for those unable to attend the meetings as well as for those who did; and
- a map of the Review area and the relevant zoning.

The invitation was intended to generate debate rather than turn the meetings into presentations.

A consultant planner - John Hepper of Hepper Marriot - was commissioned to run the sessions, with a view to avoiding a 'the Council' and 'us' scenario and to ensure each participant was able and seen to have the opportunity to express his or her views. It was structured to cover a range of possible issues.

The meetings were also publicised through the usual Council public notice in "The Mercury" as the extent of the letter box drop in the surrounding residential areas was inevitably arbitrary (traffic routes were chosen as the simplest 'determinant').

The notice also meant that anyone with an interest in the Centre had some opportunity of being informed of the process. Despite the absence of any current controversial development proposal and meetings falling on particularly cold nights the attendances were:-

- 26 from the Marieville Esplanade/Battery Point Area;
- 15 from the Sandy Bay area south of Sandy Bay Road;
- 9 from the Sandy Bay Shopping Centre Traders.

Each person attending the meetings was subsequently sent a summary of the issues raised as transposed directly from what the consultant wrote up on 'butchers' paper at each of the meetings. Appendix 3 contains copies of the relevant documentation including the summary of issues raised at the meetings.

A total of 11 separate written submissions was also received by Council both from people who did, and also those who did not, attend one of the meetings. The community concerns are incorporated into in the next section of this document the - Stage 2 Outcomes which provide a preliminary report on the appropriate future planning parameters and provisions for the Sandy Bay Shopping Centre.

It should be noted that the Marieville Residents Association has maintained its opposition to the principle of a consolidated zone/precinct for the centre. The Association also indicated a desire to be involved in the discussion of possible changes in the various planning controls. This was followed up with the Association on a number of occasions but it was not pursued by them.

This document provides the opportunity for further input into the process of preparing a revised planning framework for the centre. The question of the how Battery Point and Marieville residents can have input into the determination of planning applications was identified by both the Marieville Residents Group and the Battery Point Progress Association. It is addressed later in this report.

2.2 Battery Point Planning Scheme Review

The draft revised Battery Point Planning Scheme has excluded Zone 3 (Suburban Shopping) for three main reasons:

- The removal of Zone 3 from the scheme as well as Zone 4 (Salamanca Place & surrounds) creates boundaries for the Scheme that more accurately reflect the thrust of the current Scheme which focuses on Zone 1 and its residential development and amenity;
- Battery Point as a residential village has its own centre (Zone 2) which will be retained. The Sandy Bay shopping centre is an entity servicing a much wider area than Battery Point and planning provisions should reflect this; and
- The Model Planning Scheme, which is still currently being considered by the State Government, suggests that a consolidated approach to planning controls for the centre is required and best achieved through one 'Zone' rather than two zones in two different planning schemes.

2.3 Recent Studies

Two main studies have been done in the past decade:

- Sandy Bay Shopping Centre Study 1990
- Sandy Bay Car Parking Investigation 1993

Sandy Bay Shopping Centre Study 1990

The aim of this study was to create a basis for a development strategy of the centre. The need for the study arose from these perceived planning problems:

- major unsuccessful redevelopment proposals for a supermarket (Purity) and associated uses, since resolved;
- the perceived failure at the time of the Mayfair new shopping complex;
- conflicts between business developments and residential amenity;
- traffic and parking problems; and
- an apparent lack of public amenities.

The study incorporated the following items:

- background 1977 study, public consultation;
- the study area - shopping centre, areas of influence, catchments;
- existing physical conditions, planning controls;
- retail analysis and forecasts;
- urban design appraisal;
- traffic, parking & engineering services, pedestrians;
- options for future development, evaluation of options; and
- preferred development strategy and implementation.

A preferred development strategy was identified from four options which centred upon the commencement and completion of the Purity development and the consolidation of supporting commercial and residential uses with recommended public works and traffic management works (eg: traffic lights at Russell Crescent) to be implemented by Council.

Importantly, it was further identified that the division of the centre within two planning schemes should be rectified as the Battery Point Planning Scheme 1979 was not designed to address main street suburban shopping development and either an overall scheme amendment or amendments to scheme details would be required. The development control requirements should be uniform for the whole centre with a building height of two storeys and a maximum plot ratio of 0.8.

Sandy Bay Car Parking Investigation 1993

This document was undertaken to establish whether parking within the centre was difficult and to recommend ways of overcoming any difficulties.

It investigated the existing supply and demand for parking facilities, Council's cash in lieu of parking policy, the attitudes of traders and public and the possibilities for parking improvement in the immediate, medium and long term.

Recommendations of the investigation were similar to the previous Sandy Bay Shopping Centre study in regard to traffic management works for both vehicles and pedestrians. Potential sites for the provision of off street public parking were identified: 57 Queen St & 48 King St (Kingsway Motors and associated house fronting Queen St); 159 Sandy Bay Rd (Commonwealth Bank). An alternative parking demand rate was investigated based on a shared demand with other uses rather than the numeric standard required by the planning scheme which would reduce the cash in lieu requirement.

The overall findings of the study were that parking provision was at a satisfactory level, however, there were areas with parking shortfalls: Magnet Court, Purity front car park and the area around the 'Vermeij' block.

Significant traffic management works within the centre since then include the provision of right turn lanes at the Sandy Bay Road/King Street intersection, traffic lights at Sandy Bay Road/Russell Crescent, a right turn lane and traffic island opposite the entrance to McDonald's.

Commercial Centres Strategy Document 1997

This document describes and comments on the operation of the commercial centres of the city with the aim of providing a foundation document for the development of a commercial centres strategy. The findings for the Sandy Bay Centre were:

- it has only 16% of the turnover or 15% of the floor area of the CBD but has the purchasing power to attract shops and services of the CBD standard.
- there is an expected increase in occupied floor area of about 15% over the next decade. Moderate expansion of the centre is consistent with the expected growth in demand for retail and services in the area in the long term.

Possible initiatives identified in relation to the centre:

- define the level of function of the centre and a vision statement for the future;
- establish appropriate zones and a statement of desired future character;
- rezone existing commercial uses in the residential zones and establish a boundary to the extent of commercial development and planning provisions to protect residential amenity in the surrounding residential area;
- parking and access should address the desired level of function;
- protect the unique streetscape qualities; and
- incorporate the recommendations of the Gregory Street LAP.

The study did *not* extend to the employment of any quantitative analysis techniques to identify catchment purchasing power/potential expenditure and the associated likely optimum floor space for the centre.

In its own right the document provides no firm basis for any significant redefinition of the role of the centre, its position in the shopping hierarchy or any rationale for an expansion or contraction of the commercial zoning provided for

the centre in either of the current City of Hobart Planning or Battery Point Planning Schemes.

2.4 Key Outcomes

The key outcomes required by the brief are as follows :-

Stage 1 - A review of the current situation in the centre

1. *A documentation and evaluation of the current situation in respect of the planning framework for the Sandy Bay Shopping Centre including:-*

i) a documented review of the current provisions of Zone 3 Suburban Shopping Centre of the Battery Point Planning Scheme and an assessment of their operational performance in relation to the Centre and surrounding Precincts;

ii) a documented review of the current provisions for the Sandy Bay Village Precinct 28 of the City of Hobart Planning Scheme and an assessment of their operational performance in relation to the Centre and surrounding Precincts;

iii) a documentation of the differences between the planning controls operating under the two planning schemes affecting the centre and the issues that need resolution, including those intrinsic to the centre and those relating to the boundary issues with the current adjacent residential zones of both the Battery Point and City of Hobart Planning Schemes.

Stage 2 - Preliminary Report on future provisions

2. *A Draft Statement of Desired Future Character for the Centre.*
3. *A provisional set of 'use 'and 'development' controls for the Centre that:-*
 - i) *- has regard to issues in respect of the function and capacity of the centre and the road network servicing it;*
 - ii) *- reflects the current policy provisions of both the Draft Revised Battery Point Planning Scheme and the City of Hobart Planning Scheme 1982;*
 - iii) *- have regard to the 'direction' of the Model Planning Scheme.*
4. *Any proposed 'boundary' adjustments arising from the statutory review process.*
5. *A presentation and evaluation of the options for implementing the revised planning framework provided by outcomes 3 and 4.*

Stage 3 - Formal Draft Provisions

6. *The presentation of a set of comprehensive draft written scheme amendments to the City of Hobart Planning Scheme 1982, and if necessary additional provisions for the Draft Revised Battery Point Planning Scheme including:-*
 - i) *- "Statement of desired future character" for the Sandy Bay Shopping Centre;*
 - ii) *- appropriate standards and performance criteria in respect of the 'use' and/or 'development' of land including those for the density, height and*

siting of buildings, signs, subdivision, demolition ,other works, tree preservation (significant trees);

iii) - any 'uses' and 'development' exempt from requiring an application for a permit under LUPAA and the 'performance' basis for any 'exemptions' which are considered appropriate.

This document is effectively the Stage 2 Report though it could be said to have gone slightly further. Council will only proceed to Stage 3 and the drafting of any formal amendments after consultation on this review document and its associated recommendations.

3. QUANTITATIVE AND QUALITATIVE (PERFORMANCE) SCHEME PROVISIONS

3.1 City of Hobart Planning Scheme 1982 - Local Service Zone, Precinct 28

The planning scheme provides the following key qualitative aims for the Precinct 28:-
Zone Objective

“The Objective of the Local Service Zone is to provide for local social, community and shopping facilities for nearby residential Precincts, with predominant retail and service functions supported by local offices and small scale places of entertainment.”

Statement of Desired Future Character (SDFC):

“The Precinct should sensitively evolve as a social, community and shopping focus for the surrounding and southern residential Precincts. Its predominantly retail and service functions should be reinforced by local offices providing service to the community and small scale entertainment activities. Any redevelopment should lend support to a range and diversity of smaller specialty shops and services.

The current environmental image of the Precinct, derived from continuous development on Sandy Bay Road, supported by the adaptation of formerly residential development behind, should be maintained and further developed.

Pedestrian amenity should be upgraded as part of the development of the Precinct, through the creation of passive recreation spaces and both pedestrian malls and an improved pedestrian network.

Street furniture, hard and soft landscaping, signage and graphics should all be coordinated to give cohesion to the Precinct as a unique identity.”

Both of these relate to the intended functionality (preferred uses), character and amenity of the Local Service Zone and the Precinct. The amenity of existing residential uses *within* the Precinct including matters of height & scale of development is not mentioned; nor are ‘interface’ issues with the surrounding Residential 1 Zone, Precincts 27A and 27B. The Zone Objective for the Residential 1 Zone, though does specify ‘minimum intrusion or further development of non residential uses not necessary to serve local residents’.

This was a major issue in the applications and appeals leading to the eventual approval and development of the Purity Supermarket.

By way of contrast, the Statement of Desired Future Character for Precinct 9 (Central Service) requires that preferred uses such as wholesaling, light industry and automotive businesses should be encouraged to diversify, ‘whilst not detracting from the amenity of existing residential development’ - though it doesn’t prevent its replacement.

3.1.1 Use

The use provisions in the scheme are set out in its Schedule A . The status of the various uses is detailed in **Appendix 4**.

The only permitted Use Groups in the precinct are ix (shop, takeaway food shop and a bank), xvi (local shop) and xvii (passive recreation). Note (i) to the Table makes it clear that a change of use within one use group to another ie. shop to take away food shop requires an approval. (Having a ‘permitted’ use status however means that Council is limited to conditioning any application) Residential uses are all discretionary, with the only prohibited uses industry ,warehousing and saleyards etc. A range of commercial uses - offices and showrooms for

example - are discretionary reflecting the intention for the Precinct to be a 'local' shopping centre.

Use control is also governed by Principles 1 - 4. In particular, these address the issue of the continuance of existing use rights, the use ladder concept of changing to an (otherwise prohibited) use *more* in conformity with the SDFC of the relevant Precinct, and the 'heritage' grounds for approving uses.

The Zone Objectives and the Statements of Desired Future Character for Precincts 28, 27A and 27B also set out their respective functional roles. The role of Precinct 28 as a centre not only for the immediate locality but 'southern residential precincts' is clearly enunciated. For the Residential 1 Zone, however, there is by implication scope for '*necessary*' local businesses to be established. The Zone Objective refers to "...minimal intrusion of further development of non-residential uses not necessary to serve local residents."

The Gregory Street Local Area Plan (L Series amendments), however, specifically addresses the issue of 'commercial creep'. This was the result of concerns about the de facto 'erosion' of the zone boundary and the associated residential functionality. It states in part :- "The land use objective in this area is to ensure that no further expansion or establishment of commercial activity occurs within the 'Residential 1 Zone'".

3.1.2 Density

The Density Principles 7 & 8 allow Council to exercise discretion (subject to compliance with certain criteria) in permitting development to exceed the basic plot ratio of 0.9 (90%) but not the maximum of 12 (120%) for the Precinct. These numeric standards are the same for all Precincts in the Local Service Zone and the North Hobart Precinct 15B of the Service and Light Industry Zone, the Elizabeth Street 8B, Macquarie - Davey 11B, Barrack 12B, Elizabeth Street North

Precinct 16B and Elizabeth New Town Precinct 18 of the Commercial and Residential Zone and the Wrest Point 31 Precinct of Special Use Zone 3.

The Dwelling Unit Factor standard is also the same for these precincts at 120 square metres, except for Precinct 16B where it is 160 square metres. The Local Service Zone has its own subdivision lot size standards of 270 square metres minimum lot area, 9m minimum frontage and 9m minimum inscribed circle. There are limited sites available for 'new' subdivision other than the creation of internal lots which are unlikely to comply with the minimum frontage and inscribed circle standards. Without an indication of the intended use or development of a newly subdivided lot, it is difficult to determine the suitability of the minimum lot dimensions under Schedule B, ie: is there sufficient width to accommodate the desired building and access/drive through requirements?

More importantly, perhaps, for a centre such as Sandy Bay is the absence of any maximum lot size or other standard with the implication (if only notional) that any large scale redevelopment is appropriate.

So far as the protection of the residential amenity of the adjoining residential zone the plot ratio standard of 0.9 City of Hobart Planning Scheme is arguably more appropriate than the relative standard (2.0), under the Battery Point Planning Scheme. This is particularly so as the setback standards for the Residential 1 Zone under the Hobart Scheme apply for any development in Precinct 28 that is adjacent to a residential use in the adjoining Residential 1 Zone.

3.1.3 Height

The permitted quantitative height standard for Precinct 28 of the Local Service Zone (see Schedule C) is the same as that for all Residential Zones under the

City of Hobart Planning Scheme, 4.80m measured from natural ground level to the highest habitable floor level (effectively three levels).

The main qualitative height performance provision of the Scheme is Principle 11. This Principle states that 'Permitted height limits have been established for the various Precincts, having regard to the nature of preferred development for the Precinct in question.' The maximum height is not one that must be approved however. The Principle also provides Council with the ability to control the height of any building or structure within the permitted height limit, having regard to the *'relevant Zone Objective, the desired future character of the relevant Precinct, and considerations of streetscape, townscape and amenity.'*

The current Zone Objective and Statement of Desired Future Character for the Local Service Zone in themselves do not really contain provisions that constitute the basis for the invocation of Principle 11 a reduction in height of a development to protect an adjoining residential property.

As such Principle 11, in relation to Precinct 28, Precincts 27A and 27B is effectively a stand alone provision in respect of considerations of 'streetscape, townscape and amenity'.

3.1.4 Traffic Access and Parking

Principle 14 provides the criteria by which development will only be permitted in relation to traffic, access and parking. This includes the need for adequate provision for pedestrian movement to be made as part of any development.

The content of Principle 14 makes it clear that unless a proposal can demonstrate it will not result in adverse effects on safety and amenity (including and not limited to parking, access, traffic, pedestrians, public transport), it should

not be approved. This Principle is generally considered to provide an adequate performance criterion for any development proposal to satisfy in the Centre. The 'Traffic, Access and Parking Policy' for the Local Service Zone (part E.9.6 of the planning scheme) addresses both issues of private development and also the civil engineering role of Council in the Centre.

It states:-

“Traffic volumes are high along the major arterial route of Sandy Bay Road. Road, design should achieve a smooth transition to those parts of the zone intended for slower moving traffic intended to commercial and recreation areas. Landscaped off-street parking for cars and bicycles is encouraged in Precinct 28.”

There are no specific provisions in the scheme that seek to prevent or limit the creation of access to and from Sandy Bay Road within Precinct 28. Similarly, the scheme does not specifically address the issue of traffic generation by development in the centre.

In respect of provision for parking, Precinct 28 is identified in Appendix 1 to Schedule E as one where cash-in lieu of on site provision can be 'charged'. This compliments the intent of E.9.6. However the practical utility of this cash in lieu provision for the Precinct is questionable. [Council's Traffic Engineering section has advised that should parking be provided by Council in the future, the budget involved in purchasing a site and undertaking construction is not reflected in the cash in lieu contribution currently 'approved' by Council - \$2500 per space. Ideally, a figure of \$15000 per space in the Centre].

Council records indicate a current cash in lieu fund of \$245,000 in the Sandy Bay Shopping Centre. A list of decisions in relation to cash in lieu is set out in Appendix 2.

3.1.5 Townscape Amenity and Environment

Principle 16 provides the head power to require front boundary or 'street alignment' setbacks not to be less "than that prevailing in the vicinity".

The Statement of Desired Future Character for Precinct makes no specific provisions in this regard nor does the Siting Schedule D. Schedule D does, however, recognise residential uses in the adjoining Residential 1 Zone and the numeric side and rear boundary standards applicable to Residential and Rural Zones shall apply for development in that situation.

Principles 17 is provides a general power for Council to impose conditions on a new use or development in relation to its effects upon 'energy consumption, microclimate, or the prevention of environmental pollution by waste matter or noise'.

Principle 19 requires that Council shall exercise control over new development in regard to various facets of pedestrian movement. This 'ties in' with the Statement of Desired Future Character which states that pedestrian amenity should be upgraded as part of the development of the Precinct.

The Gregory Street Local Area Plan also touches on this. It is important that any new Statement of Desired Future Character for the Centre includes a reference to the provision and upgrading of pedestrian movement and amenity.

3.1.6 Signs

There is currently no Principle solely relating to Signs control.

Schedule G provides detailed numeric sign standards in G.7, in contrast with the lack of these in the Battery Point Planning Scheme. They may be considered unnecessary. However, their removal would really need to be part of an overall review of the Signs Schedule, not just for Precinct 28. The qualitative standards

relating to the different Table A, B & C signs in addition to those for Heritage properties provide the necessary assessment provisions. The sign diagram 1 (G.1.1) assists in identifying types of signs for the various Tables.

The percentage of existing signs that may not have Council approval is difficult to determine given that signs erected prior to 1991 have existing use rights. Also, unlike the construction of buildings once a planning approval is issued, there is no building permit required for most signs to ensure compliance with the approved plans.

3.2 Battery Point Planning Scheme 1979 - Suburban Shopping Zone 3

In comparison to the Zone Objective and Statement of Desired Future Character of the City of Hobart Planning Scheme, this Scheme has a more 'balanced' objective (6.1 & Goals 2.3f) for the Suburban Shopping Zone in so far as the protection of amenity of nearby houses and character is a requirement for commercial and other non residential development.

This is also reflected in the Siting and Appearance Codes which are applicable to all development.

3.2.1 Use

The 'Principles', 'Intent' and 'Goals' of the Scheme provide the overall qualitative guidance for use control, with the emphasis strongly on residential evolution. The intent for non residential zones is very much a 'secondary' feature and their use is expected to ensure the maintenance and enhancement of their physical character.

Section 3.1 provides succinct statement of intent for both the Suburban Shopping Zone and the Residential Zone, which 'reinforce those provided by the 'Principles', 'Intent' and 'Goals'.

Interestingly, the Building Requirements for Zone 3 address the issue of commercial creep through the need for new building development to:- "ensure that future change occurs mainly through infill and redevelopment within the existing centre, rather than by further growth into residential areas or along Sandy Bay Road".

There is also a provision that seeks to: - "protect the amenity of nearby house and to allow for replacement of housing lost to commercial development". This

particular provision does not appear to have been invoked, which is probably indicative of the nature of land use in the zone and the sort of redevelopment that has taken place. Residential uses are also discretionary in the zone. Table 1 of the scheme sets out the matrix of use controls with 10 'generic' Use Classes listed. The most notable feature of the table is the absence of prohibited ('X') uses. There is an 'other' use category to which a range of performance criteria apply (Sections 3.5 and 3.6 of the scheme). Unlike the equivalent table in the City of Hobart Planning Scheme, the Table does not provide a clear indication that a change of use is required from one use to another within the same use class. This is explicit for Use Class 7 (Specialist Services), though, from the provisions of Section 3.5. This provides an evaluation framework for applications involving changes of use within that Use Class where it has an 'other' status.

The Scheme is similar in its delineation of use classes and their respective status to the City of Hobart Planning Scheme 1982 in so far as the permitted classes, 3 and 7, contain many use types which are also permitted in the Local Service Zone. The Suburban Shopping Zone affords more "protection" to neighbouring residential streets than the Local Service Zone in respect of supermarkets and take away food services which are permitted within the latter and discretionary in the former. Alternatively, agents, professional practitioners and teachers offices, eating places and museums are permitted in the former and discretionary in the latter. Interestingly, a motor vehicle dealer is a discretionary use in the Suburban Shopping Zone but a combination of discretionary (showroom) and prohibited (saleyard) in the Local Service Zone.

3.2.2 Density

The 'Principles', 'Intent' and 'Goals' (the tenor of the scheme) emphasise 'residential evolution and intensification', and generally they are geared towards the Residential Zone. [The reference to 'redevelopment' is that it shall be 'in the form of single or attached houses'.]

The plot ratio standard at 200% (2.0), however, could potentially have a greater impact on adjoining residential use when compared to the equivalent standard in the Local Service Zone under the City of Hobart Planning Scheme 1982. The Mayfair development has been the most intense redevelopment that has required this standard and the tenor of the Scheme regarding the protection of residential amenity in the adjoining Residential Zone to be reconciled.

The minimum lot area created by subdivision is currently set at 250 square metres for the whole of the 'District' of Battery Point. Again though Section 11 of the scheme on 'Subdivision' very much reflects the fact that the 'District' of the Scheme is dominated by the Residential Zone. Dimensions for lots are not specified but to be to the satisfaction of Council. This minimum area is similar to the Local Service Zone standard under the City of Hobart Planning Scheme of 270 square metres.

The scheme, as with the City of Hobart Planning Scheme 1982, does not specify any maximum lot size. The explicit plot ratio control - 50% (0.5) for lots with existing buildings obviously does not apply to the Suburban Shopping Zone.

3.2.3 Height

The maximum height of buildings in the Zone is "three storeys and less if required under any code". There are no specific provisions in any of the codes to a lower height requirement for the Zone. (A 'storey' does not include an 'attic' or a 'basement' both of which are also defined in the scheme)

3.2.4 Traffic, Access and Parking

Goal 2.(d) seeks "to restrict the generation of traffic in residential zones". Otherwise traffic, access and parking matters including parking standards are dealt with in the Traffic Code.

Most of the code is directed to towards residential development in the residential zones. It does specifically allow both off site parking (tied) and the acceptance of cash in lieu of on site provision 'in order to keep the centre compact and to provide for centralised parking and first floor pedestrian links'.

There is no set down standard for either of the two use classes permitted in the Zone - Specialist Service or Local Service. Rather the specification is that current standards apply. In fact the provisions of the Hobart Scheme are generally applied. The provision for a "private residence" is lower than the Hobart scheme at 1 space per dwelling-again reflecting the intent to protect the fabric, character and amenity of the residential component of Battery Point.

There is no provision in the parking standards for employees vehicles for any Use Class, unlike the City of Hobart Planning Scheme 1982.

Parking numbers for the Coles, McDonald's and Mayfair developments were not contested or queried at either of the planning appeals. The numbers proposed by the applicants were seemingly based on their experience with existing operations, however, the Transportation Group of the City Services Division advises what is currently appropriate. Certain applications in the Zone which are not able to provide sufficient parking numbers have had the necessary provision waived by the present availability of spaces in Mayfair (v) Townscape, Environment and Amenity

As indicated, the 'Principles', 'Intent' and 'Goals' of the Scheme are focussed maintaining the character and amenity of the 'District' of Battery Point. In particular, Goal 2(b) seeks to ensure that development is 'subservient to the preservation of historic townscape and architectural elements'. This is reflected in the building requirements for Zone 3 - which refer to the need to 'minimise any adverse impacts on surrounding residential area'.

A number of Codes deal with various matters of townscape, environment and amenity. First of all there is the Siting Code. This is mainly focussed on residential development in the Residential Zone 1. For Zone 3 the Code specifies the provision for first floor pedestrian links across boundaries where practicable and that the siting and layout of buildings on the boundary of the Zone shall 'minimise their impact on 'nearby lots' (not more than 12 meters apart) in 'Zone 1'.

The Appearance Code also reflects the predominance of the Residential Zone in the 'District' of the scheme. For Zone 3 the requirement is that :-

"the elevations of commercial buildings on the boundariesshall not unreasonably diminish the amenity of nearby residential lots".

The Listed Building Code and Demolition provisions of the scheme obviously also relate to the quality of townscape and streetscape, as do Signs (see below).

3.2.5 Signs

The BPPS by comparison to the CHPS has a relatively simplistic approach with no signs types, definitions or standards. However, the 'District' is dominated by Residential Zone 1. The Signs Code contained detailed provisions for Zone 4 - now within the Sullivans Cove Planning Scheme 1997. There are no specific provisions for signs in within the Suburban Shopping Zone.

This effectively makes every application for a sign in the Zone discretionary and with no real guidance other than the tenor of the scheme overall

The traffic code does, however, permit the provision of tied to the site parking and a cash in lieu contribution to a present or future parking facility in order to keep the shopping centre compact and to provide centralised parking.

4. EVALUATION OF ISSUES AND RECOMMENDATIONS

4.1 Evaluation of Issues

The provisional set of 'development controls' for the centre and their evaluation including an 'evaluation' of boundary issues and options are set out below.

[Refer to figure 1 for the location of the boundary issues considered.]

Future large scale development in the centre, including but not limited to the Coles site, Dr Syntax and a major drive-through on the corner of Queen/Sandy Bay Road, would need to be preceded by an Environmental Impact Study as part of a submission of a development application to Council. The EIS would need to deal with traffic (internal and through traffic), parking, streetscape and peripheral amenity issues such as noise and impact upon nearby residences. The level of development that has occurred in the centre combined with existing traffic movement and management issues dictates a comprehensive analysis to be undertaken by a proponent.

The documentation sent out with the invitation to attend the public meetings postulated a number of possible zonal boundary adjustments that might be raised as a result of seeking to bring the two sides of the Centre into one planning scheme.

The community input exercise elicited comments on these as well as raising some others.

4.2 Boundary with Zone 1 Residential of Battery Point Planning Scheme

ZB1 - Zone 1 (BPPS) Residential to Local Service (CHPS): Sandy Bay Road (from No. 140 Shell Service Station to no. 108-112 on corner of Quayle Street).

There are twelve properties which front this section of Sandy Bay Road. They might be considered have the potential to be zoned Local Service within an expanded Precinct 28 that consolidates both sides of the shopping Centre into the City of Hobart Planning Scheme 1982. Of the twelve, nine are currently residences, two are retail shops ('Casa Monde' Lighting & 'Hang - Ups' curtain fabrics etc) and the remainder of the land is the public park on the corner of Osbourne Street. It would be expected that under such a zoning these sites would progressively be converted to specialist retail and service uses in a similar way to those in Gregory Street .

They have strong streetscape qualities and make a positive contribution to the building stock of the area, albeit residential.

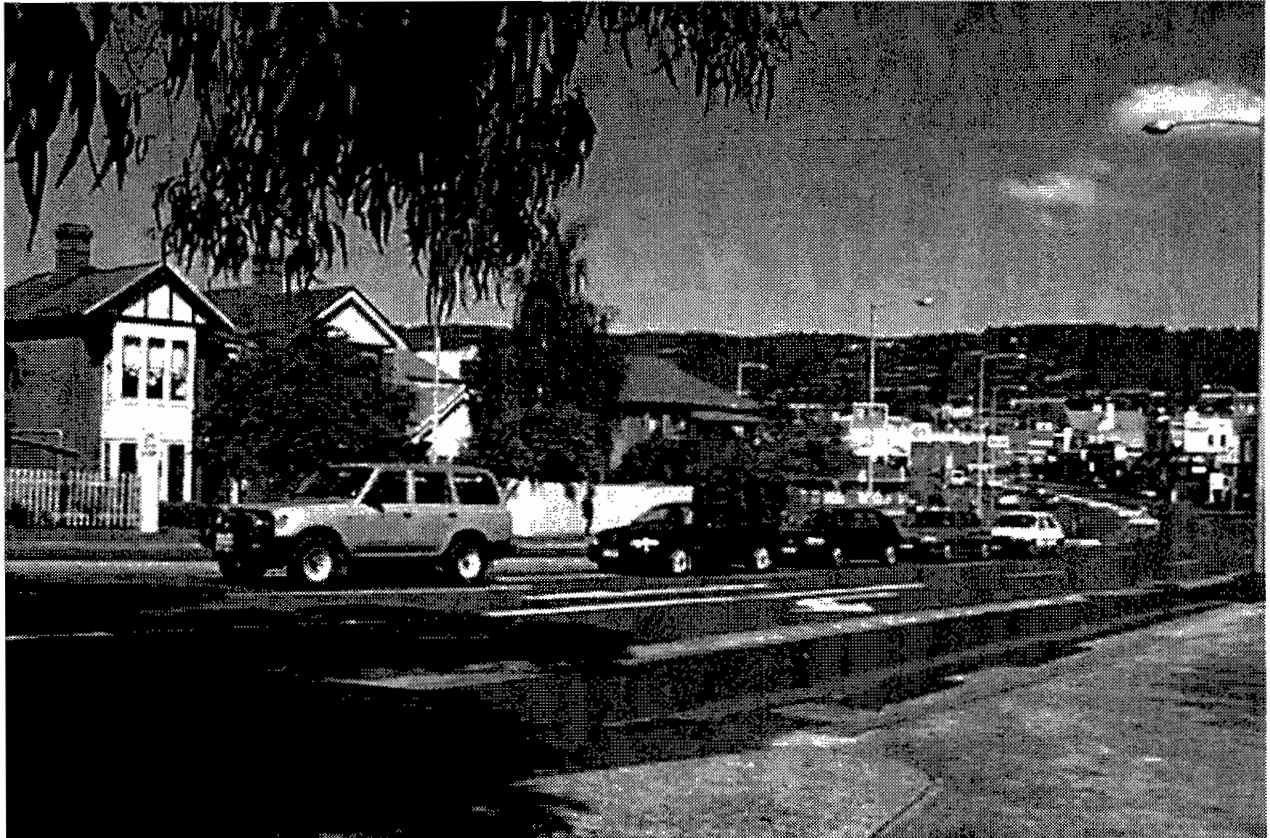
Public Comments

None of the three public meetings elicited support for such an option; no written submissions were received in support of this.

Planning Assessment

The concerns with such a rezoning exercise are: -

- the removal of good quality residential building stock;
- edge effects to neighbouring residences from commercial uses at their rear boundaries;
- lack of on site and on street parking and spillage onto the primarily residential Osborne Street;
- position of on street parking relative to intersection of Byron/Sandy Bay Road and effects of the commercial uses (visitors) upon vehicle flows and movements;
- lack of demonstrable need to provide additional commercially zoned properties; and



Issue ZB1 - The properties fronting Sandy Bay Road from the 'rivulet' to Quayle Street is currently in Zone 1 Residential of the Battery Point Planning Scheme 1979

- unwarranted 'ribboning' of commercial development and potential conflict with any measures to provide more off street parking and a more compact pedestrian friendly Centre.

Policy Options

No range of options is needed for this area.

Recommendation ZB1 - [Zone 1 (BPPS) Residential to Local Service (CHPS): Sandy Bay Road (from No. 140 Shell Service Station to no. 108-112 on corner of Quayle Street)].

The properties fronting Sandy Bay Road between 140 Shell Service Station to no. 108-112 on corner of Quayle Street should remain within Zone 1 Residential of the Battery Point Planning Scheme.

ZB2 - Zone 1 Residential (BPPS) to Local Service (CHPS): McDonald's/Coles.

The existing zone boundary goes through the southern end of the McDonald's site which means the main car park of McDonald's is located within the Zone 1 Residential, as is the Coles car park adjoining 1 Russell Crescent. The landscaped area of the McDonald's site fronting Ashfield Street and the adjacent doctors surgery/consulting rooms are also within Zone 1. The issue arises as to whether or not the zone boundary should be moved to include any or all of the above properties within a commercial zoning, so that the boundary would then be adjacent to three residential properties. The implications of this scenario are similar to the Gregory Street rezoning which previously was not supported by the then Land Use Planning Review Panel [see below].

Public Comments

None of the three public meetings elicited support for such an option and no written submissions were received in support of expansion of the zone.

Conversely comments made at the public meeting held for Battery Point

Residents identified the following options as more desirable:-

- The Coles car park next to 1 Russell Crescent should stay within the Residential One Zone as a buffer and constraint on any possible commercial development over it.
- That part of the McDonald's site within the Residential One should stay within it as a buffer and constraint on any possible commercial development on it.
- Reduce size of shopping centre zoning (near bowling greens area and within the Coles Car Park -two level) by including it within the Residential Zone.

Planning Assessment

There is no overriding case to amend the present zone boundary arrangement in relation to the McDonald's site or the Cole's site. McDonald's and the land fronting Ashfield Street, in particular, provides something of a buffer to the residential properties on the other side of the street. In the case of the Coles car park adjacent 1 Russell Crescent the Residential Zoning means that any redevelopment of the Coles site to provide and improved parking would be very much driven by the zonal status of that land.

On the question of the other area of land that accommodates the Coles lower and upper decked car park, there is no real case for making this 'Private Open Space' (the lower level abuts the bowling green so zoned) or 'Zone 1 Residential'. The site capacity issue already related to the supermarket constituting an effective 'brake' on any floor space extension. The Doctor's Consulting Rooms are an appropriate buffer use between McDonald's and the residential function of Ashfield Street. To include that site in the commercial zone would introduce the right to establish a whole range of commercial and retail uses into Ashfield Street.

Policy Options

There are only two realistic options, these being to either retain the extent of the current Residential Zone 1 boundary or zone the land to reflect the ownership and use by Coles and McDonald's respectively.

The status quo would appear the most restrictive and protective of the Residential Zone in that any development proposed by the land owner's would have to be considered in the light of the Residential Zoning provisions. This may appear unduly harsh and rule out any possible redevelopment. On the other hand it acts as very good starting point should any proposal for further development be mooted. It would not disadvantage the Doctors Surgery as it has functioned under the current zoning.

The opportunity now exists under Section 43 A of the *Land Use Planning and Approvals Act 1993* for proponents to submit combined scheme amendment and development proposals. In this situation the onus would be on the proponent to demonstrate that any proposal was acceptable in terms of building envelopes landscaping and access parking arrangements, not only from a perspective of residential amenity but shopper and centre user comfort and convenience as well.

However, there is no case for extending the boundary of the Private Open Space Zone, which accommodates the bowling greens.

The other option is for Council to try to set some guidelines and standards for the land in question as part of a bringing together the zone boundaries with land ownership. This would mean Council anticipating future possible needs of (at present - as at October 1999) two major Corporations and seeking to drive through a change in the planning framework effectively on their behalf. There is no real case for doing this either in terms of commercial floor space deficiency, demand from the land owners or the efficient use of Council resources. In

addition Council has no control over the real estate market and attempts to match planning boundaries with land ownership at any point in time will generally mean the planning scheme can perpetually be out of date. Encouragement should be given to Coles Myer to better screen fence and or/landscape as appropriate the boundaries of their car parking areas.

***Recommendation ZB2 - [Zone 1 Residential (BPPS) to Local Service (CHPS):
McDonald's/Coles].***

Those parts of the Coles and Mcdonald's properties within Zone 1 Residential of the Battery Point Planning Scheme should remain with that zone.

ZB3 Introduce a “Green” buffer at 2, Russell Crescent - Veterinary Clinic

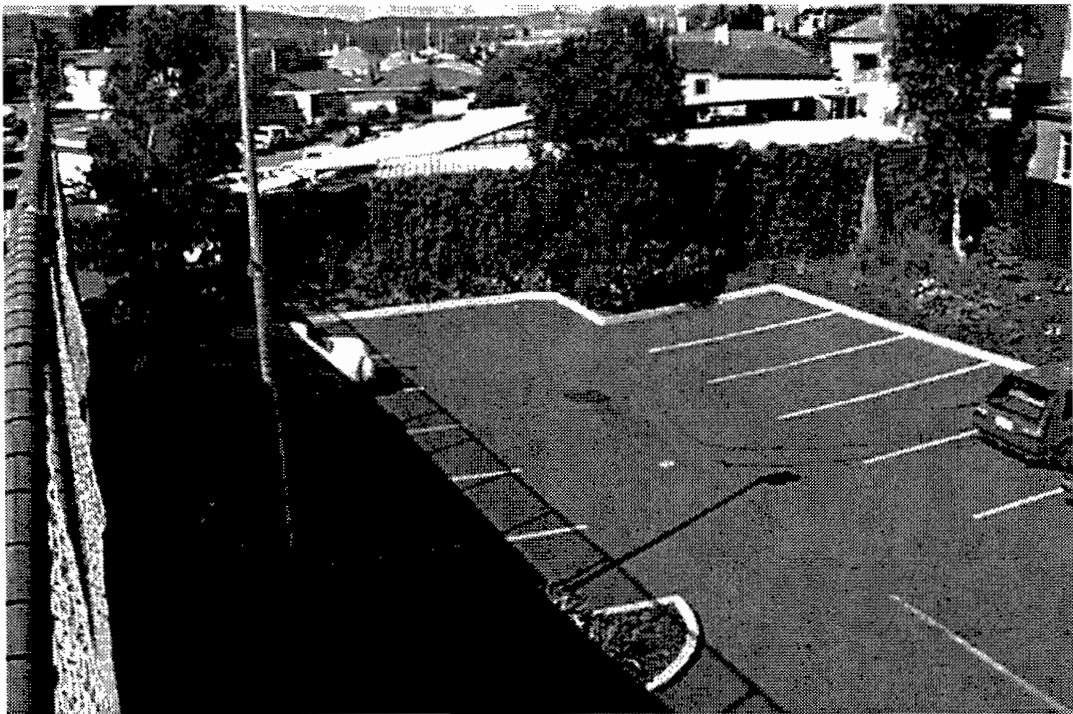
The Russell Crescent Veterinary Clinic is the property forming the edge of the Suburban Shopping Zone on the north western side of the crescent diagonally opposite the Coles Car park. It is in two titles as a result of a subdivision application in 1994. One of these abuts the rear boundaries of the properties at 31 - 35 King Street. The title abutting the rear boundaries of the properties 31 - 35 King Street is an undeveloped piece of land 510 metres square in area and is the balance of the 1994 subdivision. It forms a buffer strip of vacant land between the Veterinary Clinic and the rear boundaries of 31 - 35 King Street.

Public Comments

It was suggested at the meeting of Marieville residents that this be precluded from any more intensive - retail/entertainment - use and that the vets in the existing house next to one of the Mayfair car park entries would be an appropriate buffer use. [The occupying veterinary surgeon supported this.]



Issue ZB2 - Coles Car Park: Section currently within Zone 1 Residential of the Battery Point Planning Scheme 1979



Issue ZB2 - McDonalds Car Park currently mostly within Zone 1 Residential of the Battery Point Planning Scheme 1979

Planning Assessment

The property's current Suburban Shopping zoning does mean that more intensive commercial uses would be 'permitted' if the current use controls were carried forward into a single centre precinct under the City of Hobart Planning Scheme 1982.

The indicators suggest there is no excess demand for retail floor space in the centre - in fact probably the reverse (see Appendix 5.)

Any reduction of the intensity and impact of use at the edge of the centre would be consistent with the current 'Use standards' and 'General Requirements' for Building in Zone 3.

Policy Options

There are four options to address this.

- Firstly, there is the status quo which would not prevent a retail or take away food shop from being approved - there would not likely be an additional parking requirement generated by such a change. [The approval of the Veterinary Surgery included a provision for on site parking on the vacant land at the side - which is the separate lot; any change in the zoning would not in itself have any effect on the requirements of that permit.]
- Second, the property could remain within the zone but some specific provision could be introduced to try to guarantee a lower density of use on this site. This would be potentially cumbersome and the argument could be applied to other properties at the interface with Zone 1, but with more restrictive implications.
- A third option would be to create a sliver of some other sort of zoning - most logically a public open space reservation on the land between the

building and the rear boundaries of the (three) relevant King Street properties. There is a strong perception that there is shortage of space for siting and relaxing *within* the centre. However, this site is at the 'edge' of the centre and there are already seats on the area of actual open space within the road reservation along the side of 31 King Street fronting Russell Crescent. There is also the facility provided by Mayfair. In addition, there may be issues for the residential properties (and consequentially for Council) of such a space at the edge of the centre. There would be a cost to the Council with this option through the compensation payable.

- The final option would be to alter the boundary so that the vacant lot component of this could be included within Zone 1 Residential and the zone boundary would then be opposite that on the other side of Russell Crescent. The existing use as a Veterinary Surgery would be protected, and, given it could be said to provide a local service (though not exclusively and is not classed as such under the Battery Point Planning Scheme), it would not result in the creation of a wholly non conforming use and would mean the current theoretical plot ratio of 200% and the three storey height limit could not be realised. The building on the site was obviously a house and in this respect there is merit. On balance, this is the preferred option, though marginally so over the third option.

The Council considers that there is no overriding merit in the arguments to justify departing from the status quo in terms of the commercial zoning of the property .

Recommendation ZB3- [Introduce a "Green" buffer at 2, Russell Crescent - Veterinary Clinic]

The property at 2 Russell Crescent retain its commercial zoning and be incorporated within an enlarged Precinct 28 under the City of Hobart Planning Scheme for the whole Centre.



**Issue ZB3 -Vacant lot adjacent number 2 Russell Crescent, currently
Zone 3 Suburban Shopping**

ZB4 Eastern extent of Centre

Although specific 'boundary' issues have been identified in the vicinity of Coles and McDonald's (see ZB2) generally the current Suburban Shopping Zone boundary has been fairly tightly drawn along the limits of commercial developments.

Public Comments

Both the traders and 'Marieville' residents feel that there should be no expansion of the centre boundary eastwards into the current residential areas.

Planning Assessment

The nature of the building fabric alone, as well as the issue of further traffic generation in King, Queen and Princes Street militate strongly against any expansion of the centre beyond the properties - which apart from Kingsway Motors all front Sandy Bay Road.

Policy Options

There are no practical or logical options other than the status quo in terms of the eastern commercial/residential boundary of the centre from Mayfair to the Sandy Bay Rivulet.

Recommendation ZB4 - [Eastern extent of Centre]

That no eastward extension be made to the zone boundary between commercial centre and residential development, from Mayfair to the Sandy Bay Rivulet, [as currently represented by boundary of the Suburban Shopping Zone and Zone 1 Residential under the Battery Point Planning Scheme].



Issue ZB4 - the Sandy bay Rivulet and topographical change marks the boundary of Zones 1 and 3 under the current Battery Point Planning Scheme 1979



Issue ZB4 - Magnet Court one side of King Street; houses on the other provide the boundary of Zones 1 and 3 under the current Battery Point Planning Scheme 1979

4.3 Boundary of Precinct 28 and 27 under the City of Hobart Planning Scheme 1982

ZB5 Reduce Local Service zone near 'Chicken Feed store (Church properties and residential dwellings be zoned Residential instead of Local Service).

The southern boundaries of the centre are not aligned. The Local Service Zone under the City of Hobart Planning Scheme extends to Duke Street, whereas the current Suburban Retail Zone does not extend as far as Ashfield Street (the McDonald's Development 'protrudes' into Residential Zone 1).

Public Comments

Comments were made at both the meeting for Marieville residents and that for those of Sandy Bay/Dynnyrne to the fact that 'Chickenfeed' was the boundary of the shopping centre and that retailing should not be allowed to extend to the Duke Street frontage.

The Catholic Parish wrote in and expressed its opposition to any re-zoning of their properties at 271-275 Sandy Bay Road.

Planning Assessment

The setting of zonal boundaries should have regard to a number of factors - not simply drafting symmetry. Factors should include those as the nature of the land use and the building design or its original purpose, natural boundaries (watercourses, etc) and the geographic relationship of land uses and their property boundaries. Boundaries along the centre of a road (especially residential zones opposite more intense zones) are often avoided because of the incompatibility of the uses (especially traffic and amenity).

This situation is one of overlap however - not one that relates to the whole of a zone edge.

Of the three properties involved, one is the church on the corner of Duke Street. This is unlikely to be affected in practical terms whatever the zoning - though under its current Local Service zoning it is permitted, whereas in a Residential 1 it would be discretionary, which would mean even a minor extension would invoke a discretion. The plot ratio allowable - at 0.5 - would also be less than the 0.9 it currently enjoys. Though in reality no major extension is likely to be proposed or approved - given the issue of car parking; there should be no impediment to minor ancillary floor space for such an established community facility.

The adjoining property at 271 Sandy Bay Road is also owned by the Church - the O'Donnell Centre - apparently used as meeting rooms.

Number 267 Sandy Bay Road is a privately owned house.

The rear of the properties abut residential properties in the Residential 1 Zone. This mid block zoning is an appropriate configuration so far as this end the western side of the centre is concerned.

Policy Options

There are four options the status quo - Local Service Zone, rezoning to Residential 1 under the City of Hobart Planning Scheme, a special use zoning, or, some modification to the current Precinct control to provide for the properties to be less intensely used and developed than would be allowable under the current zoning.

The status quo does provide the theoretical potential for re-development pressure in the future, though, car parking would almost certainly be an issue. This was not the case with Chickenfeed as it enjoyed the benefit of the former supermarket car park. For reasons of streetscape and avoiding increases in

slowing and turning traffic movements and their effects this may not be the best approach.

Rezoning to residential could be argued along the same lines as the property in Russell Crescent ie. buffering within the residential zone. However the circumstances are not the same. There are three properties one of which is a purpose built church, and they front a sub-arterial road. The case is not compelling.

A third option is the creation of some sort of special use zoning. This would have to be based on church and institutional uses. The concept has some merit but is not consistent with the approach of the scheme overall. There are numerous of churches and church halls through the City to which the same arguments could apply.

The fourth option would be some qualification to the Zone controls as applying to Precinct 28. The only two use groups that might result in outcomes that would be an inappropriate commercialisation of the properties and reduction in the compactness of the Centre as retail centre are Use group IX - shop take away food shop and an a bank, and Use Group XVI - Local Shop.

However, the desire of the Church to utilise 271 Sandy Bay Road as a 'charity shop' type operation is quite reasonable. As such, the introduction of a note to Schedule A of the Scheme in relation to those properties to reflect this limitation on the permitted status of 'a shop', with a 'local shop' becoming discretionary is recommended. The extensive range of other discretionary uses (including restaurants) would retain that status.

Recommendation ZB5 - [Reduce Local Service zone near 'Chicken Feed store (Church properties and residential dwellings be zoned Residential instead of Local Service)].

- 1. That a note to Table A1 of Use Schedule A be introduced that limits the permitted use status of 'a shop' (Use Group IX) in respect of 267-275 Sandy Bay Road to one which is ancillary to or associated with the church).***
- 2. That a note to Table A1 of Use Schedule A be introduced that specifies a 'bank' and 'take away food shop' (Use Group IX) in respect of 267-275 Sandy Bay Road as discretionary.***
- 3. That a note to Table A1 of Use Schedule A be introduced that specifies a 'local shop' (Use Group XVI) in respect of 267-275 Sandy Bay Road as discretionary.***

ZB6 Boundary along Flinders Lane

The boundary between Precinct 28 and (the residential) Precinct runs along the middle of Flinders Lane from its junction with Princes Street to a point up to and including the whole of the Chickenfeed site. The rear of the Chickenfeed site is car parking with access into the narrow one way Flinders Lane. The two adjacent properties at 259 and 251 Sandy Bay Road both have extensive under utilised land at the rear of the buildings fronting Sandy Bay Road.

Public Comments

No specific public comments have been made about these properties.

Planning Assessment

The matter (ZB5 above) of the location of the southern boundary of the centre extending to Duke Street identified the mid block location of the commercial/residential zone boundary for the properties fronting Sandy Bay Road and Flinders Lane as appropriate. The Chickenfeed store is serviced by commercial traffic - including trucks - which relies on access into Flinders Lane.



Issue ZB5 - 271-275 Sandy Bay Road beyond Chicken Feed store zoned Local Service under City of Hobart Planning Scheme 1982



Issue ZB5 - Corner of Sandy Bay Road and Duke Street; Catholic Church site number 275 currently zoned Local Service



Issue ZB5 -rear of properties 271-275 Sandy Bay Road

The car park has 30 marked spaces and space for trucks to deliver at the rear of the store. Under the planning scheme it requires 16 car parking spaces. No detailed counts have been made of their use but casual observation suggests that the car park is rarely, if ever, full. There is some potential for the rear portion of this and other adjoining sites to be further developed. The two properties at 251 and 259 could have portions fronting Flinders Lane developed and still retain enough land for rear access to the existing commercial buildings and the minimum parking needs - not for customers/clients.

Policy Options

There are three options that have been identified.

- Firstly, to retain the status quo which would retain the actual and potential use of Flinders Lane as a 'service road'. It would also allow for some further development of under-utilised properties, including the Chicken Feed store.
- A second option is to extend the zone boundary that runs along the rear of the properties comprising 267 - 275 Sandy Bay Road to a point along as far as and including the boundary of the developed frontages of 1 - 3 Flinders Lane/ rear of 247 - 249 Sandy Bay Road. This would provide the scope to 'reinforce' the 'residential' function of Flinders Lane, whilst retaining the commercial function of the Sandy Bay Road frontage.
- A third option would be to 'dog leg' around the Chickenfeed site in recognition of its function. This would simply be redrafting zone boundaries to reflect an existing use rather than 'planning' ahead.

The preferred option is the first as the others would be unduly restrictive on existing commercial properties.

Recommendation ZB6 - [Boundary along Flinders Lane]

That the boundary of Precinct 28 with precinct 27 at the rear of the properties at 251 - 265 Sandy Bay Road remain in its current location.

ZB7 Boundary of Local Service Zone on the north side of King Street

54 & 56 King Street are located immediately adjacent to the Zone boundary with the Residential 1 Zone under the City of Hobart Planning Scheme 1982.

Public Comments

No specific public comments have been made about these properties.

Planning Assessment

The introduction of residential uses onto these properties could be considered as suitable 'buffer' uses to the adjoining residential zone.

Alternatively, translating the development of residences in the Local Service Zone into a boundary change could be seen as an inappropriate limitation on the commercial potential of the commercial Zone. If suitably zoned properties are not available, the demand could be shifted to the surrounding residential area.

While there is nothing to suggest this expected to occur in the immediate future for retail operations it is a possibility for office/service businesses which do not require the immediate exposure and proximity to the higher level of vehicular or pedestrian traffic provided by Sandy Bay Road. Even though there remain vacancies within Mayfair for example the purchase or rental of existing and converted residential properties within the centre may be more attractive to some investors and businesses (as is suggested by Gregory Street).



Issue ZB6 - Part of the eastern side of Flinders Lane between residential properties is zoned Local Service



Issue ZB6 - Land at rear of 'Chicken Feed' Store and other properties with commercial frontage to Sandy Bay Road

There are other residential uses on the edges of the Local Service Zone (235 - 237 Sandy Bay Road first floor, 251 - 255 & 267 Sandy Bay Road, 1 - 3 Flinders Lane, 11 Princess Street, and 59 - 65 Queen Street) and Suburban Shopping Zone (150-168 first floor Sandy Bay Road, 48 first floor King Street,). These uses are mainly at first floor level.

Policy Options

There are essentially three options. The first is to seek to bring the zonal boundary into line with the introduction of residential uses. This may be neater in terms of reflecting current uses, but is probably not sensible when considering matters such as the joint use of access ways. It also raises the issue of precedents for bringing a scheme into line with land use at any one time. This is not necessary and is focusing not on outcomes but on post development tidiness. The Hobart scheme recognises 'boundary' issue and the introduction of residential uses into the zone may help in the transition of land use. Such a transition in use should properly be in the commercial zone rather than through any form of commercial creep, such as 'nominal' domestic businesses'.

Maintenance of the status quo is reasonable as both the Hobart Scheme and the Battery Point Scheme provide for residential development as discretionary.

The third option is not one of boundary adjustment. Rather, it involves reviewing the status of residential uses and whether or not they should receive more encouragement within the boundary of the commercial centre itself -.

Recommendation ZB7 - [Boundary of Local Service Zone on the north side of King Street].

That no changes to the boundary of Precinct 28 with Precinct 27A under the City of Hobart Planning Scheme 1982 for properties that may be in part residential use.

ZB8 Boundaries that run through titles of the properties 123 -139 Sandy Bay Road

(Woolmers Inn - Dr. Syntax Hotel)

The boundary of the Local Service Zone precinct 28 and the Residential 1 Zone Precinct 27a cuts across the site of Woolmers Inn and the Dr Syntax Hotel. That part of Woolmers Inn with its rear boundary fronting onto Jersey Street is zoned Residential 1, but no access onto it due to the level changes. The boundary then follows the right of way at the rear of 129 and 135 Sandy Bay Road to the Sandy Bay Rivulet. 131 Sandy Bay Road (Bay Hire), relies on this for access to Sandy Bay Road. It has a doorway fronting directly onto Jersey Street.

The boundary then cuts across the car park of the Dr. Syntax Hotel and runs between numbers 78/80 and 82 Queen Street .

Public Comments

This was raised at the meeting with the Traders expressing concern that the boundary was not consistent with the use of that property. It was also raised at the Sandy Bay/Dynnyrne residents meeting - especially the matter of the access onto Queen Street from the Dr Syntax car park.

Planning Assessment

The zone boundary follows the principle of mid - block alignment, reflecting the dramatically different nature and functions of Sandy Bay Road and Jersey Streets. However, the use of the portion of Woolmers Inn in Precinct 27A for, in effect, a separate use consistent with its residential use appears impractical and unlikely given the overall access and parking arrangements. Also, the Woolmers Inn development - carried out since the scheme was first drafted - arguably represents the sort of outcome sought by the scheme, given the approval of the use, despite it 'crossing' the zone 'boundary'. Affording the current Woolmer's Inn use permitted use status on all of the property would be reasonable, subject to the right 'development' controls.



Issue ZB7 - properties on northern side of King Street and fronting Grosvenor Street are in Precinct 27

So far as 131 Sandy Bay Road is concerned, the approved (1973) 'Bay Hire' use is as a 'hire service centre and retail outlet for power tools'. This probably falls within the definition of a 'shop' and would therefore be a permitted use in Precinct 28. Presently it has vehicular access off Sandy Bay Road to its yard and workshop area. The building has a 'doorway' which fronts directly onto Jersey Street, a public road which is deficient in terms of width for access and turning at its 'head', and beyond which is close to the property. Any future change in use or development should be more in keeping with the Residential Precinct 27A, with the ('commercial') residential use of Woolmers Inn on one side and the residential property of number 1 Jersey Street. Certainly any new use which relies on or intensifies commercial visitation along its right of way access (between 129 and 135 Sandy Bay Road) should not be encouraged. Any redevelopment with access off Jersey street would need to fully provide for off street turning.

So far as the Doctor Syntax hotel site is concerned, the location of the zone boundary through the car park acts as a 'brake' on further commercial development at the rear of the Hotel. The problems relating to the car park, and more particularly the access between 82 and 86 Queen Street, were the driving factor in the 'K' series amendments which allows for Use Group VIII (offices) to be discretionary for those two properties, notwithstanding their location within Precinct 27A in Residential Zone 1.

Policy Options

The options are:-

- Firstly the status quo as means of ensuring a buffer between the commercial frontage to Sandy Bay Road and the 'residential' function of Jersey Street, which is unsuited to all but limited traffic movement. This would retain what may be seen as non conforming uses on parts of their titles, for both the owners of Woolmers Inn and Dr Syntax. Certainly the use of the relevant portions of their properties for

'residential' development (ie 'houses' or 'flats') is unlikely to be attained, due to access constraints alone.

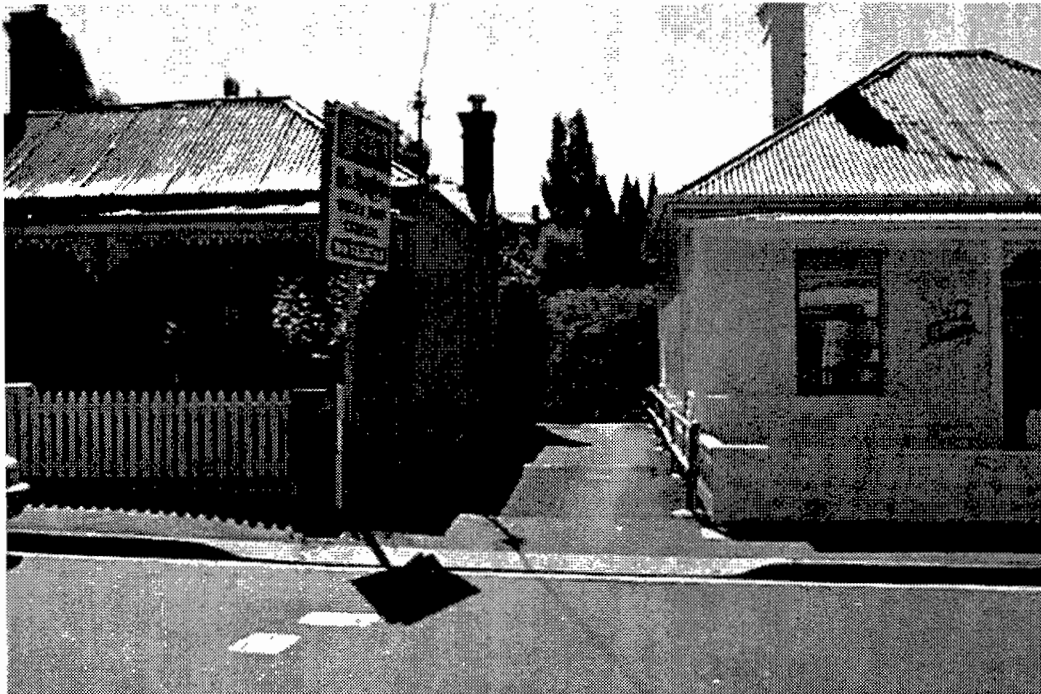
- The second option of simply moving the zone boundary, is reasonable for Woolmers Inn but there remain concerns with the Bay Hire property being re-zoned (as was the case when the scheme was first prepared). An unqualified rezoning now would mean that the range of permitted uses and the associated potential increases in density, would be brought closer to residential properties and a residential street. The preferred option in relation to Bay Hire and Woolmers Inn is to modify the boundary to include both 123 and 131 Sandy Bay Road into the Centre Precinct, subject to the proviso that for any new development or new uses not permitted in Precinct 27 no access to 131 Sandy Bay Road from Jersey Street be allowed.

In the case of the Dr. Syntax Hotel the quid pro quo to any zone boundary adjustment to provide for the reasonable use of the whole of the Dr Syntax Hotel site, should be the physical preclusion in any new development of vehicular access along the narrow laneway between the properties at 82 and 86 Queen Street

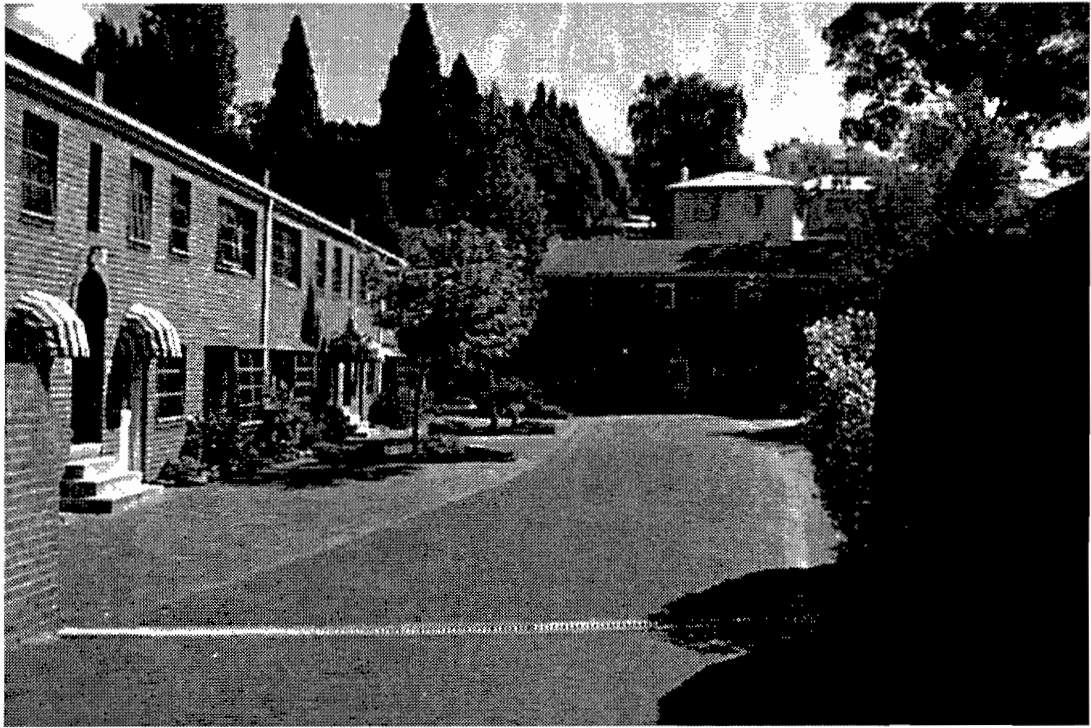
- A third option would be qualifications to the residential zoning of 123 and 131 Sandy Bay Road. These would need to be aimed at providing satisfactory outcomes, ie. the reasonable use by Woolmers Inn of part of their title, and ensuring that just *any* commercial use could not be established at 131 Sandy Bay Road, given it is a 'rear' lot with its actual frontage to Jersey Street. The Woolmers Inn site does not readily lend itself to this however.



Issue ZB8 - Entrance to Dr Syntax Hotel; boundary of Local Service Zone and Residential Zone - Precinct 27 goes through the middle of the car park



Issue ZB8 - Queen Street Access to Dr Syntax Hotel



Issue ZB8 - Entrance to Woolmer's Inn; note the building along the rear falls within the Local Service Zone under the City of Hobart Planning Scheme 1982



Issue ZB8 - Access to Bay Hire which along with visible part of Woolmer's Inn is within the residential Precinct 27, under the City of Hobart Planning Scheme 1982



Issue ZB8 -View over Woolmer's Inn from Star Street



Issue ZB8 - Rear of Woolmer's Inn abutting Jersey Street with loading/unloading access to Bay Hire on right edge of picture

Recommendation ZB8 [Boundaries that run through titles of the properties 123 -139 Sandy Bay Road (Woolmers Inn - Dr. Syntax Hotel)]

- 1. That the zone boundary of Precinct 28 with Precinct 27A under the City of Hobart Planning Scheme where it affects 123 Sandy Bay Road be modified to include all of the site into Precinct 28.***

- 2. That the zone boundary of Precinct 28 with Precinct 27A under the City of Hobart Planning Scheme be altered so that it incorporates the whole of the Dr. Syntax hotel site, subject to the introduction of more appropriate boundary provisions for new development in Precinct 28 where it abuts Precinct 27 A and a specific provision that any change in the use or development of the existing Dr Syntax car park be predicated upon there being no vehicular access from the site overall to Queen Street between numbers 82 and 86 Queen Street.***

- 3. That the zone boundary of Precinct 28 with Precinct 27A under the City of Hobart Planning Scheme where it affects 131 Sandy Bay Road be modified to include all of the site into Precinct 28, subject to there being a provision for no access to the property from Jersey Street when there is any change of use or new development for use not permitted in Precinct 27.***

ZB9 117 Sandy Bay Road/4A Byron Street

At present the 2 flats at 4A Byron Street and a 'house' accessed to the rear of 117 Sandy Bay Road are located in Precinct 28.

Public Comment

No public comment has been forthcoming on this matter.

Planning Assessment

4A Byron Street is exclusively in residential use. It is the only property which fronts Byron Street that is within Precinct 28. There is little to commend its

'encouragement' to the range of permitted uses allowed for in the centre, with the attendant issues of 'trip' attraction and parking. Other properties fronting Byron Street are residential and Council recently approved an 'infill' house just along the road at 16 Byron Street.

Policy Options

The options are either the status quo or a boundary adjustment to include the property in Residential 1 Zone Precinct 27A. The latter is recommended.

Recommendation ZB 9 - [117 Sandy Ray Road/4A Byron Street]

That the boundary of Precinct 28 and 27A be modified to include the property at 4A Byron Street in Precinct 27A.

ZB 10 King Street south side

77 - 81 King Street (nearest the Purity entrance) are all within the Residential Zone 1 as are all properties fronting the intersecting Grosvenor Street. The zone boundary leaves the western most section of the Purity car park at the rear of these lots is also within the Residential 1 Zone.

Public Comments

The traders had a perception there had been commercial creep and the Sandy Bay/Dynnyrne residents expressed concern about the use of the properties at 77 - 81 King Street.

Planning Assessment

The question of the appropriate zone boundary in the vicinity of the Purity supermarket was a key factor in the 'evolution' of the Purity Supermarket. It was seen as important for Grosvenor Street to retain its residential function, with the trio of identical house comprising 77 - 81 King Street reinforcing that. The Purity



**Issue ZB9 - 4A Byron Street - residential property currently within
Local Service Zone under City of Hobart Planning Scheme 1982**

car par does not 'suffer' from being in the residential zone. Two 'flats' were required to be built at the rear of the car par park fronting Grosvenor Street to enhance the residential function and streetscape essentially as a trade - off for the car park's 'incursion' into the zone. The location of the zone boundary should not now be an argument for shifting it to reflect this 'incursion'; rather the basis should be desired land use outcomes. There are no other new or compelling arguments for considering rezoning.

Policy Options

Theoretically there is an option to consider expanding the Local Service Zone, but for the reasons indicated above there is no real basis for pursuing this and there is no evidence of community support for it either. The status quo is appropriate.

Recommendation ZB10 - [King Street south side].

That no adjustment be made to the zone boundary of Precinct 28 with Precinct 27A under the City of Hobart Planning Scheme in the vicinity of the Purity car parking King Street.

ZB11 Gregory Street

The outcome of the 'L' series amendments to (primarily) extend the Local Service Zone to include 7 - 19 Gregory Street was that the proposal was rejected by the then Land Use Planning Review Panel (29/4/96).

The scheme amendment principally set out to increase the size of the Local Service Zone to include properties 7 - 19 Gregory Street and to introduce a local area plan dealing with urban design principles and development control provisions.

The Panel Comment's & Decision were summarised as follows:-

- “.....existing change of use decisions in Gregory Street have not been well executed in regard to preventing commercial creep into the Residential 1 Zone (R1);
- the R1 zoning provisions have not provided protection for existing residential uses;
- the proposed permitted uses for the rezoning (primarily commercial) could greatly alter the structure of Gregory Street which is essentially intact and able to revert to residential use;
- the amendment does nothing for amenity at the Zone boundary with R1;
- no case has been established in terms of need, existing commercial uses will provide the interface and transition of use and peg the zone boundary at Gregory Street rather than the respective properties back fences;
- R1 still allows modifications and changes of use for existing commercial buildings and provides greater protection of the separate buildings and streetscape than the Local Service Zone; and
- the request to make ‘consulting rooms’ and ‘domestic business’ a prohibited use for 17 - 21 & 23 - 28 Gregory Street & 18 - 22a Princess Street was adopted.....”

Public Comments

The question of Gregory Street was not specifically discussed at any of the meetings, though the situation vis-a -vis the “L” Series was explained. However, the traders expressed support for the concept of a ‘Mall’ of some form whereas residents from the Dynnyrne side of the centre do not favour an expansion of the centre, despite possible potential spin-off benefit to the residential function and amenity of Grosvenor Street.



Issue ZB 10 - Cottages at the rear of the Purity Car Park fronting onto Grosvenor Street within the residential Precinct 27 under the City of Hobart Planning Scheme 1982



Issue ZB10 - Purity Car Park and Grosvenor Street 'buffer' cottages

Planning Assessment

No quantitative work in 'need' has been carried out since the 'L' series amendments. However the Commercial Centre Study recommends pursuing the concept again. At present the Local Service and Residential Zone 1 boundary is somewhat anomalous given that most of the properties on the other side of the road from the Local Service Zone are in retail/commercial use and include a shopper car park at the rear of numbers 13-15. It is acknowledged, though, that number 17 Gregory Street has been refurbished as a residence

Also, if 'civic' improvements and specifically a better shopper pedestrian/shopper environment [as sought by residents from the surrounding areas and the traders alike] are to be attained in the centre, then Gregory Street is the most obvious 'candidate. There would also be a potential spin-off benefit to the residential function and amenity of Grosvenor Street.

Policy Options

The two options are to seek to incorporate the 'L' series amendments into any new statutory provisions for the centre or to pursue again the extension of the Local Service Zoning along Gregory Street including the provisions for streetscape improvements contained in the current Local Area Plan and works that delineate the entry point to Gregory Street as a shopping area. The latter is preferred as the decision of the then Panel left a large part of one side of Gregory Street in Residential zoning, notwithstanding the nature of the land uses.

Recommendation ZB11 - [Gregory Street].

That the basis of the proposals contained in the original draft 'L' Series amendment to the City of Hobart Planning Scheme 1982 - bringing into line the Local Service Zone Boundary with the Residential Zone 1 and associated civic works be incorporated into any formal draft statutory provisions for the centre.

ZB12 Review of 'K' series amendments 82 - 86 Queen Street and 59 - 65 Queen Street.

These properties at 59 - 65 are residential and located within the Local Service Zone. There is no history (within Council) of them being used for commercial purposes. Those at 82 - 86 Queen Street are within the Residential 1 Zone. The 'K' Series amendments addressed the issue of these properties being a buffer of transitional uses between Sandy Bay Road and the properties closer to Grosvenor Street. [59-65 have limited commercial uses with 'P' status, and 82 - 86 have offices assigned as a "discretionary" use.]

Public Comments

The question of the boundary at 82 - 86 was raised at the meeting of the residents of Sandy Bay/Dynnyrne.

Planning Assessment

As indicated above the 'K' series of amendments has already addressed the issue in part. The boundary matter raised in ZB6 directly addresses the Dr. Syntax car park question.

Reducing the number of commercially zoned properties which are suitable for such a conversion (low key non-residential uses) may result in the demand being shifted to similar properties within the Residential 1 zone.

Policy Options

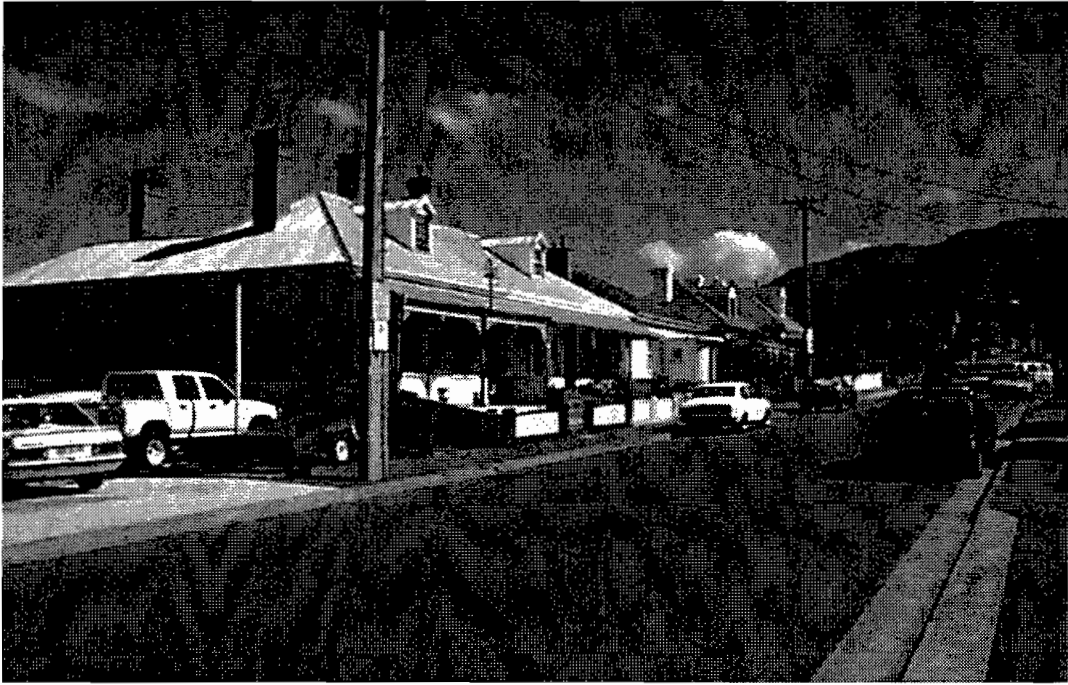
Apart from the status quo there is little basis for seeking to identify further policy options, especially in the light of the specific intent of the K series of amendments that focussed entirely on the boundary issue in this street.

Recommendation ZB12 - [Review of 'K' series amendments 82 - 86 Queen Street and 59 - 65 Queen Street].

That no adjustment be made to the zone boundary of Precinct 28 with Precinct 27A under the City of Hobart Planning Scheme 1982 in the vicinity of the 82 - 86 and 59 - 65 Queen Street.



Issue ZB11 - Gregory Street from Grosvenor Street



Issue ZB12 - 59-65 Queen Street is located within the Local Service Zone under the City of Hobart Planning Scheme *



Issue ZB12 - 82-86 Queen Street is located within the Local Service Zone under the City of Hobart Planning Scheme #

Note : * Note (n) to the use table in Schedule A states 'For properties 59-65 Queen Street, use Groups IX, X (with the exception of holiday unit) , XII and XIII shall be prohibited.

Note (m) to the use table in Schedule A states For properties 82-86 Queen Street, Use group VIII shall be discretionary.

4.3.1 Use and Development Controls

The role of the Sandy Bay Shopping Centre is and should remain as a 'convenience' shopping and service centre for the southern suburbs of Hobart. A profile of the current land use in the Centre is set out in Appendix 1 it is presented in relation on a storey basis.

In consolidating the use provisions for the centre, the following uses merit attention, as a result of both a general planning review and because of issues raised through the consultation processes, especially the three public meetings.

Supermarkets

There is no separate definition or mention of 'Supermarket' in the City of Hobart Planning Scheme 1982. The use is subsumed within the definition of a shop - Use Group IX - which is a permitted use in Precinct 28. In the Battery Point Planning Scheme 1979a Supermarket is not defined but listed as an activity under General Service-Use Class 8 - and is discretionary in the Suburban Shopping Centre Zone.

Public Comment

Further new supermarkets were considered inappropriate by both 'sets' of residents attending the public meetings.

There was also concern expressed at any possible pressure for new retailing that demanded large floor space - such as Chicken Feed outlet and/or sought or relied on site car parking. This matter is better dealt with under the headings of 'Built form' and parking.

Planning Assessment

Whilst any proposal for a new supermarket is extremely unlikely there is also the question of any expansion of the existing supermarkets. Whether a new definition

is required or whether the definition of a shop is simply supplemented by reference to a supermarket is a matter for discussion with the Resource Planning and Development Commission.

A discretionary use status for supermarkets would be appropriate for the centre, whether as a separate use or as qualification to an expanded definition of 'a shop'. A new Statement of Desired Future Character should also indicate that no new supermarket facility would be considered appropriate.

A permitted *use* status accompanied by a reliance on *development* controls for a use with such a potential impact is inadequate. It presumes that a new supermarket is not only acceptable but desirable subject to 'compliance' with a range of development standards. It sends an inappropriate message.

Policy Options

For the reasons indicated above supermarket development should be a discretionary use. Any proposed expansion or intensification of the existing facilities can and should be subject to the optimum assessment with a full integrated Environmental, Economic and Social Impact Statement for any significant development.

Recommendation U1 [Supermarkets]

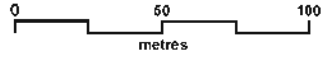
1. That 'supermarket' be defined and identified as a 'discretionary' use in an expanded Precinct 28 to cover all the Sandy Bay Shopping Centre (and in other Local Service Zone Precincts).

Warehousing Stores, Service Industries

At present Use Group XIV (warehousing, light industry and saleyard are prohibited in Precinct 28. Use Group XIII (service industry, showroom and car



Sandy Bay Shopping Centre Statutory Review



- Study area boundary
- Issue reference
- Outline of issue area
- Rezone to 'Local Service' zone
- Rezone to 'Residential' zone

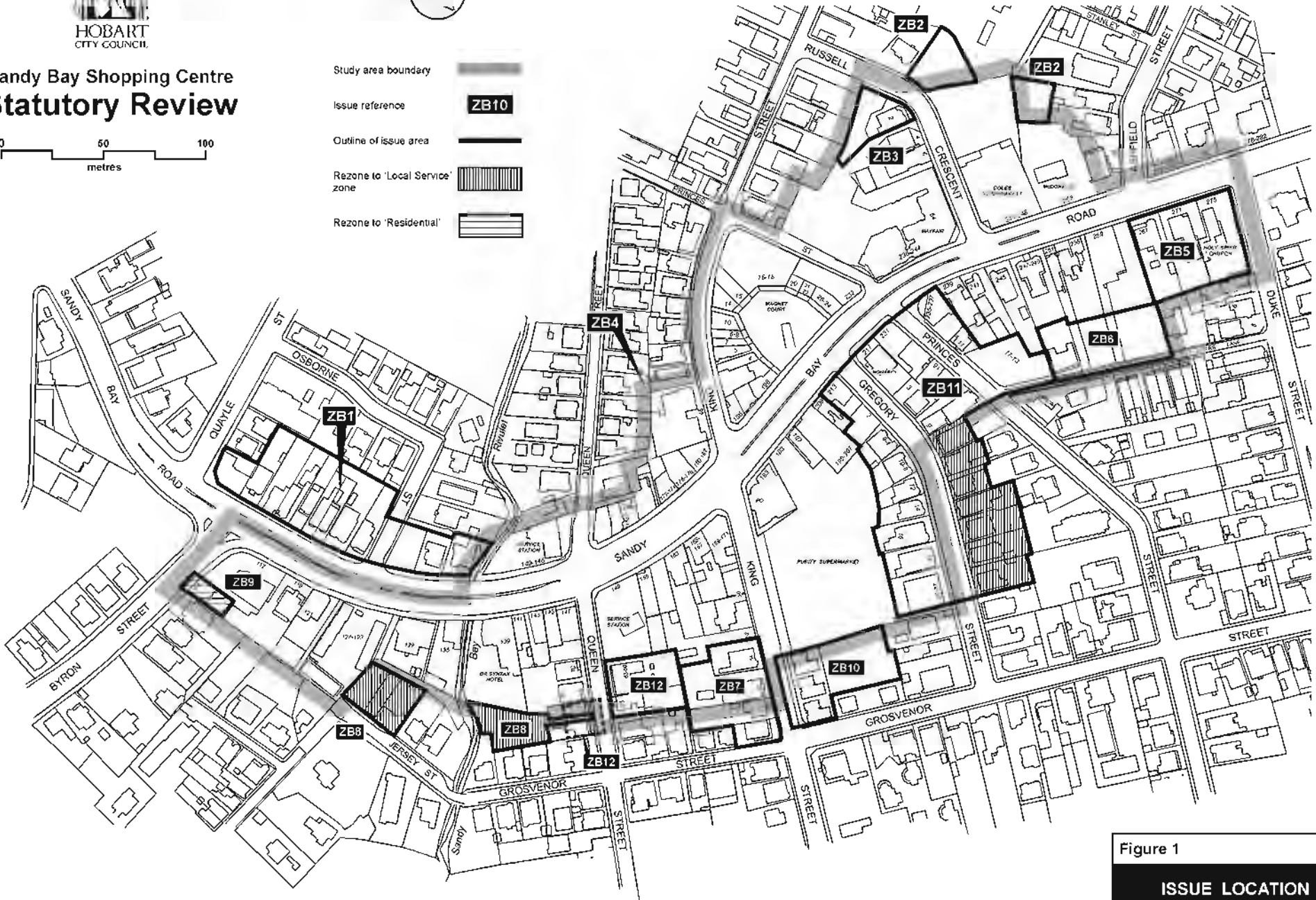


Figure 1
ISSUE LOCATION PLAN

hire premises) are discretionary, except for 59-65 Queen Street where they are already prohibited by virtue of the 'K' Series of amendments.

In the Suburban Shopping Centre Zone these sorts of activities fall within the discretionary Use Class 8 (General Service) and Light Industry.

Public Comment

The traders were the ones who expressed particular concern at these sort of uses, though given the uses in question it may be that the residents assume that such uses are not capable of or likely to be approved anyway.

Planning Assessment

The issues relating to traffic, pedestrian amenity, environmental improvement and 'village character' suggests that that the current provisions of the Hobart Scheme are appropriately more restrictive than the Battery Point Scheme, as well as being more realistic in its reflection of the nature of the centre and the economics of land use.

The question is whether or not the controls for Precinct 28 are adequate. Should any of the uses listed in Use Group XIII be encouraged in any way? A small showroom may be appropriate where direct retail use is not able to be sustained. However, a Car hire premises or Service Industry - if proposed at all, would be likely to involve the use of the rear land of premises with possible implications for the amenity of the adjacent residential zone. Small service industries may be acceptable.

Policy Options

The options are either to better reflect the current Battery Point Planning Scheme provisions for these sorts of uses in any revised centre controls ie. totally discretionary, or, to retain the more restrictive current Precinct 28 controls.

The latter is favoured as more appropriate over a range of criteria.

It might be desirable to incorporate references to a retail or self service laundry as part of the definition a 'shop' to clarify their status; they are treated as General Service in the Battery Point Scheme.

The Statement of Desired Future Character should allude to the fact that discretion will only be exercised having regard to the quantum of floor space and or outdoor storage and its impact on pedestrian, shopper or residential amenity compared with that of a permitted use. This will reflect the qualitative intent of the Battery Point provisions (see definition of Light Industry) and section 3.1 (a).

Recommendation U2 [Warehousing Stores, Service Industries]

- 1. That the uses in Use Group XIII be retained as 'discretionary' in an expanded Precinct 28 to cover all the Sandy Bay Shopping Centre.***
- 2. That the uses in Use Group XIV be retained as 'prohibited' in an expanded Precinct 28 to cover all the Sandy Bay Shopping Centre.***
- 3. That a new Statement of Desired Future Character for the Centre clearly specify that any discretionary uses in Use Group XIII should have regard to the quantum of floor space or outdoor storage and its impact on pedestrian, shopper or residential amenity than compared with that of a 'permitted' use.***
- 4. That the definition of a 'shop' in the City of Hobart Planning Scheme 1982 be supplemented by a reference to a retail and/or self service laundry, together with any other modifications desirable to clarify the scope of 'shop'.***

Take away food including 'Drive-thru' facilities & Restaurants

The City of Hobart Planning Scheme identifies 'Take away food shop' as a discrete use within use Group IX, so planning approval is required for a change of use from a 'shop' or 'local shop' to a 'take away food shop'. The Battery Point Scheme includes a range of different shops, as well as 'eating places' and 'coffee

shops' within Specialist Service Use Class 7. These are 'permitted' within the Suburban Shopping Centre Zone. Shops not nominated in Use Class 7 - or other use classes - fall within Use Class 8 (General Service), as do 'take away food services'. These uses are discretionary. Neither planning scheme has *explicitly* 'caught-up' with the 'drive thru' facility concept for retailing - in particular fast food outlets such as the McDonald's in Sandy Bay.

Public Comment

The traders meeting revealed opposition to more 'drive thru' facilities as did the meeting of Marievile Residents which identified car based retailing as inappropriate for the centre.

Planning Assessment

The Hobart Scheme is clearer and less complex than the Battery Point Scheme in its presentation of uses for a centre of this nature over land use in the Village Centre and throughout the 'District' of Battery Point (though the Battery Point approach may be appropriate for the finer grain control). There are two main issues in relation to 'take away food' and 'cafes'. The first is the question of '**drive thru' facilities**'. There is known community concern about the McDonald's development (in particular its incursion into Zone 1, the question of signs impact and traffic generation). However, the issue is one facing the whole of the City not just Sandy Bay - as has been evidenced through the proposal for a similar facility in New Town. The type of facility is evidently successful as a means of servicing customers. If such a facility is not to be located in Local Centres where are they to be located?

The issue may be precisely where and how they are provided. Important criteria for their acceptability will need to include the ability to gain ingress and egress without generating traffic movements into residential streets, traffic and pedestrian safety, no interruption to the continuity of the streetscape and 'traditional' retail frontages, suitable identification signage - not that which is

simply unnecessary advertising - and siting so that residential amenity will not be adversely affected through the likely operating hours. Only a few sites in the Centre could even be given consideration using these criteria - service stations and the Mayfair hotel.

The other issue is whether or not there is any need to control the incidence of **food outlets/restaurants** as opposed to shops and other services falling within the definition of 'a shop'. At present, under the Battery Point Planning Scheme 'coffee shops' and 'eating places' are 'permitted' uses in the centre, but 'Take away food services' are 'discretionary', whereas in Precinct 28 the opposite is the case!

It is very much a policy matter for Council as to the extent of discretion desired. If either or both 'take away food shops' or 'restaurants' are to be 'discretionary' uses in the centre, then there really needs to be some 'guidelines' as to how discretion will be exercised.

The Council may consider there is merit in identifying which part or parts of the centre are better suited to 'take away food shops' from the point of view of trying to retain a retail core. Some 'local shops' and 'shops' have a take away component which would mean introducing a discretion for an otherwise permitted application for a 'take away' and/or 'cafe/restaurant' outside any preferred location, should such a 'policy' be introduced as a 'control' in the scheme. The simpler solution would be to make the uses all 'permitted' and the uses in the centre evolve in response to consumer demand. The centre retains a butcher's, pharmacists and has three baker's (though all are not exclusively 'local shops' but have 'cafe' components). This suggest they are not being squeezed out by 'cafe/restaurants' or 'take away food shops'. There is no need for any ground floor premises to have to seek planning approval; for the use as a 'shop' or 'local shop', as there are generally no 'amenity' issues involved with such preferred 'local centre' uses.

Policy Options

There are a number of policy options. The current differences in control on the two 'sides' of the centre need resolution. The simplest option is to make 'take away food shops' and 'restaurants' 'permitted' throughout the centre. Making them 'discretionary' would necessitate a set of policy guidelines - locational, 'frontage rationing' or some other criteria, if ad hoc decisions are to be avoided.

For the reasons set out above, the former is preferred.

In relation to 'drive-thru' or other car based 'restaurant/ 'take aways' that 'demand' on site parking then a new use needs introduction into the scheme, along with a set of criteria for it to satisfy as a 'minimum' pre-requisite for gaining planning approval. At the same time 'local shops' and 'shops' should not require planning approval in the centre.

Recommendation U3[Take away food including 'Drive-thru' facilities & Restaurants].

- 1. That 'take-away food' shops be a 'permitted' use in the Sandy Bay Shopping Centre.***
- 2. That 'restaurants' be a 'permitted' use in the Sandy Bay Shopping Centre.***
- 3. That a new definition be introduced into the City of Hobart Planning Scheme that separately identifies 'drive thru' and other car based 'restaurant' and 'take away' and controls them through appropriate criteria related to such matters as site suitability/streetscape, access, parking and neighbour amenity.***
- 4. That applications involving only changes in use of existing buildings for use as 'local shops' and 'shops', where no 'development' involving additional floor space and/or the provision/ layout of car parking is involved, be exempt from requiring planning approval.***

Adult Only Shops

Under the City of Hobart Planning Scheme, Adult Only ('sex') shops are currently precluded from being considered as 'a shop' by virtue of the definitional provision incorporating '...unrestricted access to the general public (including minors)...' as a requirement. As an unlisted use, it is 'discretionary' throughout the 'Planning Area'.

Under the Battery Point Planning Scheme, their lack of specific 'listing' means they fall under Use Class 8 - General Service which is a 'discretionary' or 'other' use everywhere in Battery Point.

Public Comment

The need to preclude these from the centre was raised at the Traders meeting, with their possible impact on any adjacent outlets being a concern.

Planning Assessment

The approach in the Hobart Scheme seems to have operated well since the issue of the change of use of the 'Black Rose' premises in Harrington Street in the early 1980's.

To ensure that Council is not solely reliant on the 'general' provisions of the scheme to support any desire to prevent such a facility being able to gain a planning approval, an appropriate provision would be needed in a new Statement of Desired Future Character for the Centre.

It should not preclude a TOTE being established.

Recommendation U4 [Adult Only Shops].

1. That the new Statement of Desired Future Character for the Sandy Bay Shopping Centre include a specific policy provision that presumes against the approval of any retail outlet which prevents access by minors, such as one selling 'adult' only books or a 'sex shop'.

No increase in the number of licensed premises

Under the Battery Point Planning Scheme 'Hotel Industry' (Use Class 6) uses are 'discretionary' in the Suburban Shopping Zone 3. Similarly, Use Group X, which includes hotels, is discretionary in Precinct 28.

Public Comment

The 'proposition' that no additional licensed premises be allowed in the Centre was raised at the meeting of Sandy Bay /Dynnyrne residents. The issue is very much related to comments about late night/early morning nuisance arising from loutish pedestrians who have been walking (or staggering) from or through the centre. The extent to which, if any, the 'problems' emanate from either of the two licensed hotels in the Centre as opposed to other 'pubs' has not been comprehensively documented or established.

Planning Assessment

Other than the redevelopment of the former Clarendon Hotel as part of the 'Mayfair' development, there has been no 'pressure' for any additional hotels. It seems unlikely that any completely new hotels of the 'traditional' nature are likely to be proposed or licensed. Nevertheless, the existence of undeveloped land at the Dr Syntax Hotel and the theoretical possibility of the Mayfair Tavern seeking to expand into other Mayfair complex floor space does raise the issue of the expansion or intensification of the use of those existing premises. The Dr Syntax Hotel was addressed above in relation to zone boundary matters.

In addition, a 'discotheque' is already listed as a separate use in the City of Hobart Planning Scheme (The Mayfair Tavern, may be able to establish existing use rights for such an activity). Prohibiting 'hotel' uses in the centre - the status they have in residential zones - has little merit. Firstly, it would do nothing to 'solve' what may be perceived as current problems - the nature of which in any event could be said to be a matter of Commissioner for Licensing responsibility - especially that of the hours of opening. Second, it would render the current hotels non - conforming uses in a commercial zone. This would make any extension of the use, however minor, reliant on the limited scope of Principle 4 of the City of Hobart Planning Scheme to gain planning approval.

Nevertheless, given that Sandy Bay is intended to be a local/district centre not the CBD in terms of its function, there is a case for some policy qualification to the continuance of the current 'discretionary' use status. Again, the necessary provision could be incorporated into a revised Statement of Desired Future Character.

Policy Options

The options are, firstly, to continue with 'hotels' having a discretionary use status in the centre subject to providing a policy statement that indicates that any extension of the existing uses would preferably to be minor in terms of bar space or the like, with more encouragement for activity associated with the use to be in the sphere of accommodation. The principal consideration would be that any development should respect the character and ambience of the shopping centre and the amenity of surrounding residential development.

This is preferred to the other option of making the current hotels 'non - conforming' prohibited uses.

Recommendation U5 [number of licensed premises].

1. That 'hotels' be a discretionary use in the Sandy Bay Centre.

2. That the new Statement of Desired Future Character for the Sandy Bay Shopping Centre include a specific policy provision that indicates that the approval of 'hotel' development will generally be limited to minor floor space extensions to existing hotels and the provision of ancillary facilities, such as storage, or the provision of accommodation, and that any development should respect the character and ambience of the shopping centre and the amenity of surrounding residential development. Further new activities involving the provision of late night entertainment anywhere else in the centre would generally not be considered appropriate.

Markets

Markets are not listed as a separate use in either the City of Hobart or Battery Point Planning Schemes; they are in the new Sullivans Cove Planning Scheme 1997. Under the former they would be unlisted; in the Battery Point Planning Scheme however, a 'market' could be said to fall within Use Class 8 (General Service). In either case the use is discretionary.

Public Comment

At the Traders meeting opposition to the introduction of market stalls or 'markets' was voiced. Reasons were not elaborated on.

Planning Assessment

A number of issues can be identified with the introduction of either one or two permanent stalls or a larger occasional market.

Whether or not the holding of an occasional market - say on a Sunday once a fortnight or month - constitutes a change in the use of the land in question is uncertain. A permanent stall facility in a particular location would though be reasonably considered to do so, in the same way as the permanent 'al fresco' dining activity in Salamanca is considered to be. Trying to identify places that

may or may not be suitable for either use in Sandy Bay is not really necessary. Should anyone come up with the idea then it would obviously have to be considered on its merits, though parking would undoubtedly be an issue with residents living around the centre. Other issues would likely be those of 'fair competition'/more business, litter, and traffic. The effect on permanent traders through loss of parking spaces could be an issue if any of the existing parking areas were identified as a market venue.

Policy Options

There are two basic options. One is to simply not to explicitly introduce the concept of 'markets' into the scheme, as there has been no suggestion of either any permanent market stalls - such as the 'flower barrow' in the Mall - or an occasional 'market'. This is the preferred option.

The other is to make explicit reference to both and either indicate they would be considered inappropriate or provide some guidance as to the criteria they would need to satisfy.

Recommendation U6 [Markets].

1. That no explicit planning scheme provisions in relation to market stalls or markets be introduced in relation to the Sandy Bay Centre.

Gregory Street Local Area Plan

Comment was also made at the Sandy Bay Residents meeting of the need to ensure the provisions of the Gregory Street Local Area Plan were complied with and that no 'home occupations' be allowed to become 'domestic businesses' ie. no policy issue rather one of enforcement.

Parking

Parking clearly remains a major issue for the Centre. This has implications for the planning scheme but more so for Council as a provider and manager of off street

parking, given that any *current* operational problems cannot be resolved through requirements on *future* planning approvals for use or development.

The question of Council's role as a facilitator or provider of off-street public parking also needs to be addressed.

1993 Car Parking Investigation

The last major investigation of car parking in the Centre was carried out in 1993. Critical findings from that work in terms of the extent of the problem include the following:- 81% traders (from 135/177 who responded to a survey) considered more parking was needed, 41% of traders considered the most appropriate method of providing more car parking was through General Rates with cash in lieu (18%), User pays (12%) and an area levy (8%) well 'behind'.

60% of 'customers' believed more parking was needed.

Overall maximum demand was recorded as 11.00 am Friday when 64% off street spaces were occupied and 78% of on street spaces (85% is considered to be capacity). 'Hot spots' were the Magnet Court and Purity Car parks and the on-street parking available in Sandy Bay Road near to the King Street intersection. The study made a number of recommendations covering 'improved pedestrian amenity' (vis -a -vis vehicles), 'improved parking management' and additional on and off-street parking. It also recommended a retention of a cash-in-lieu of parking provided by developments payment system but one related to the type of land use for determining the quantum paid.

Current Situation

Since that time various on street works involving changes to traffic management and on street parking have been carried out. Currently, Council does not own or 'manage' any off street parking in the Centre. However, it does 'police' the Magnet Court (ground not basement level), Purity, Coles and Mayfair (part) car

parks, effectively making them public car parks. The other main off street facilities are provided at Chicken Feed and Dr. Syntax Hotel. These are all intended for the customers/patrons of the particular use. However, the Purity and Coles car parks evidently continue to be used as general car parks by shoppers. The Dr Syntax Hotel apparently leases out some spaces for long term parking. (The car parking management regime is set out in **Figure 3.**)

Public Comment

The comments received from the public, including those from the three public meetings raised a number of parking issues. Some of those identified under the heading of 'pedestrian amenity are clearly related to matters of pedestrian/vehicular conflict. The concerns raised were:-

- lack of enforcement of parking time limits/inadequate mix of limits (Traders meeting);
- parking is a problem (for many but not all) in the streets around the centre (both residents meetings);
- inadequate car parking for both shoppers/customers and employees (Traders);
- Magnet Court is a problem in terms of congestion, queuing for both traffic and pedestrians, 'run down' (all meetings and written submissions);
- Purity Car Park accesses off King Street are unsafe (Traders);
- Council should provide more parking for traders/employees (Traders);
- Council should purchase and manage Magnet Court car parking area (Marieville residents);
- oppose parking meters/vouchers (Traders);
- no more traffic lights should be provided (Traders);
- some accesses (gutter crossings) along Sandy Bay Road are dangerous for pedestrians and/or have a tendency to be obstructed by parked vehicles (Traders and Marieville Residents);

- Sandy Bay Road itself is a major problem in terms of traffic volumes and the problems it poses for pedestrians (all meetings and written submissions); and
- the adequacy of the clearway between Duke Street and King Streets (Committee).

Many of comments on the 'problems' can be confirmed as accurate through simple observation and the known characteristics of the Centre eg. the problems at Magnet Court and the role of Sandy Bay Road as a sub-arterial road with high traffic volumes.

Many of the concerns are not matters which can be directly addressed through the provisions of the planning scheme. Whether there is any more scope in the Centre for traffic management measures to further 'improve' the situation is a matter 'outside' the scope of this review.

A range of suggestions - some conflicting - were put forward at the public meetings and in written submission. These should be noted and given consideration as part of Council's traffic engineering responsibilities. They included:-

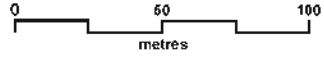
- provide better median strip for improved pedestrian safety (Traders meeting);
- don't provide any more median islands (Sandy Bay /Dydneyne Residents); and
- introduce areas with no time limits for parking (Traders meeting).

Role of the Planning Scheme

In respect of statutory planning, the question is what role can the planning scheme play in providing for improving parking and reducing pedestrian vehicular conflict?



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- 15 minute parking
- 30 minute parking
- 60 minute parking
- 120 minute parking
- 120 minute parking (Residents excepted)
- All day parking
- Clearway 4.00-6.00 pm
- Clearway 7.00-9.00 am
- 60 minute parking (Residents excepted)
- 30 minute parking (Residents excepted)
- Number of on-street parking spaces
- Number of off-street parking spaces
- Bus zone

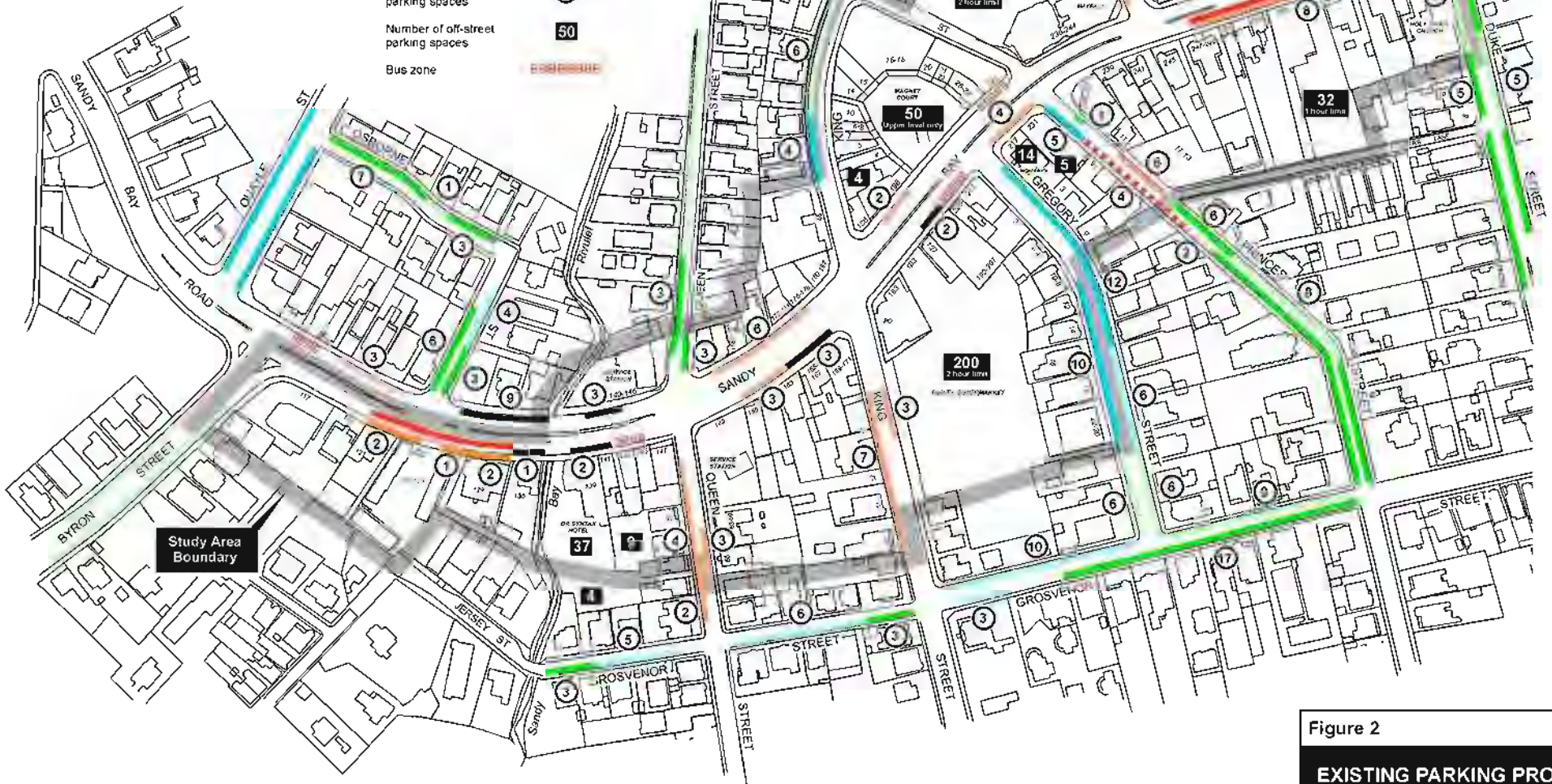


Figure 2
EXISTING PARKING PROVISIONS

At present, any change of use or development is expected to provide for any additional parking it generates, on site. However, under the City of Hobart Planning Scheme cash-in-lieu is required to be paid where it cannot or for 'environmental, streetscape or safety reasons' it should not be provided. Currently the rate charged is \$2,500 per car parking space. The decision of the Tribunal's case concerning 364 Elizabeth Street (10/1/92) in respect of cash in lieu means that the requirement cannot simply be waived excepting where the site is listed in the Heritage Schedule of the planning scheme or located in a Heritage Area. The current price for a car parking space has been costed by the Finance Section of the Council at \$15,000 each. The amount levied for a cash in lieu parking space is at the Council's discretion.

Under the Battery Point Planning Scheme 1979, the cash in lieu provision is in the Traffic Code, which is not technically part of the Scheme. In any event, Section 13.8 of the scheme provides a blanket for varying the provisions of the scheme, but so as to maintain conformity with it.

Cash in-lieu has the fundamental weakness of relying on new development to provide the finance, so is uncertain as a source of funds. It is also inequitable, with many existing uses not having any parking nor ever having had to contribute to a 'fund'.

In addition, streetscape and amenity (neighbour and avoidance of pedestrian/vehicular conflict) factors - all seen as important in the public consultation process to date - militate against the retention of a *requirement* for off street parking. Rather, where a user seeks to provide it then it should have to be in a manner that is acceptable in environmental and amenity terms, as well from the point of view of safety. This also applies to service access and parking. Importantly, the identified lack of scope or capacity for significant new development in the Centre suggests it is an inappropriate tool for the Sandy Bay

centre context. [It is more appropriate where there is both pressure for additional development and/or (an) identifiable site(s) for the development of public car parks on either vacant land or land suitable for redevelopment.] The additional car parking provided by Purity was as much driven by the needs of the supermarket. Many of its problems are operational ones arising from the split location of the parking, as much as one of 'quantum' deficiency.

Other recommendations contained in this document, including the need for a traffic and parking study for any significant development, if agreed, would 'cover' that particular issue. Traffic and parking generation is a factor in the consideration of an appropriate level of development potential endowed by the scheme (height and plot ratio) below.

A further consideration is the fact that if cash-in-lieu is to be collected, then Council needs to be committed to purchasing land/developing additional off street parking. That commitment has not been demonstrated as is evident by the lack of any such development since the scheme commenced as an interim order 15 years ago (21 years in the case of the Battery Point Planning Scheme). This is due in no small part to the extremely limited options and their perceived lack of attractiveness from the point of view variously of zoning, streetscape, residential amenity, pedestrian amenity/safety. The questionable likely success as car parks of some sites has also been a factor, as has the issue of owner agreement.

Four sites were identified in the 1993 study and the Dr. Syntax Hotel site considered since that time.

At the public meetings the 'option' of seeking to put another deck on the Purity car park - as a central location - was discussed but with mixed opinions. This would raise streetscape and visual impact issues especially in relation to the residential streets to the west, particularly in light of the fact that the number of applications it took for the Purity development to be approved related very much

to the issue of scale. The matter has not been broached with Purity or considered in terms of traffic access.

The existing cash in lieu funds could be supplemented by other Council funds if any additional facility is to be developed by Council.

Recommendation P1[Parking]

- 1. That the concept of cash-in-lieu of the provision of car parking not be retained for the Sandy Bay Centre.***

- 2. That the planning scheme include a provision that on site parking is not a necessary requirement in the Centre and will only be approved where it is part of an approved redevelopment that can demonstrate no adverse traffic, and pedestrian amenity impacts .***

- 3. That the planning scheme provisions for the Centre include (in Schedule E E.9.6 and/or the Statement of desired Future Character) a presumption against the creation of additional vehicular access points along Sandy Bay Road.***

- 4. That Council consider what further action it wishes to take to expend the money held in lieu of parking for developments in Sandy Bay.***

- 5. That the City Services Division consider the range of ‘traffic engineering’ matters raised during the initial consultation process.***

Building Form

The two principle determinants of building form in the Sandy Bay Centre are the height and plot ratio controls. The differences between the controls in the two schemes currently operating have been identified and detailed below.

<i>Control</i>	<i>Battery Point Planning Scheme 1979(BPPS)</i>	<i>City of Hobart Planning Scheme 1982 (CHPS)</i>
<i>Height</i>	<i>Clause 6.5 Height and Form (a) A building shall not contain more than three 'storeys' and less if required under any 'code';</i>	<i>The maximum permitted height to the topmost habitable floor is 4.8 metres. There is a limit on the height of masts, flag poles etc of two metres above roof of building.</i>
<i>Setbacks</i>	<i>Part 6.6 (a) Any building must be setback from Sandy Bay Road a minimum of 1.5m at ground floor level.</i>	<i>No specific setbacks are required.</i>
<i>Plot Ratio</i>	<i>The maximum permissible plot ratio is 200%.</i>	<i>The basic plot ratio is 90%. The maximum plot ratio is 120%.</i>

There are no quantitative side or rear boundary setbacks set out for development in Zone 3 under the Battery Point Planning Scheme, though qualitative 'Requirements' apply ie. 'minimise any adverse impacts on surrounding residential areas' and 'protect the amenity of nearby houses'. There is a 1.5 m front boundary set back for development at ground floor level from Sandy Bay Road. In Precinct 28 there is no front boundary setback specified. However, the setback requirements for development in Residential Zones applies to any development in the Local Service Zone which abuts 'a residential site in an adjoining 'Residential Zone' and the scheme provides that 'buffer landscaping' will be required'.

Public Comment

None of the public meetings or written submissions specifically raised these two 'technical' provisions of the scheme. The Marieville Residents meeting elicited a

comment about the height of the Mayfair development and were generally concerned at the possible impact of development in the Centre at the interface with the adjacent residential area, with development setback seen as being important. The 'imagery' presented by Magnet Court and its condition was perceived as an adverse factor and the newer McDonald's and Chickenfeed developments were criticised for their aesthetics.

The Sandy Bay/Dynnyrne residents meeting brought out positive comments about the Chickenfeed store, but with both the Post Office being identified as being out of character as well as the 'Mykonos' take away. At the Traders meeting the improvement in the ambience of the Western side of Sandy Bay Road arising from the Purity development was noted. The general need for urban design building design guidelines and colour controls was expressed, but no specific ideas proffered. Magnet Court also attracted criticism from the Traders as it did in written submissions.

Planning Assessment

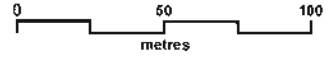
Height and Plot Ratio

The Hobart scheme provides for a lower density - using both the measures of height and plot ratio - than is allowed for under the Battery Point Planning Scheme. The permitted height limit of 4.8m on the western side of the centre is effectively two storeys compared with the three storeys specified in Zone 3 Suburban Shopping. This figure of 4.8m is more in with the keeping with ensuring a transition with the adjacent residential areas, which under both schemes have 2 storeys as the effective maximum permissible height in their residential zones.

Given the concerns of the Marieville residents as to the impact of the interface of the centre with residential properties then this reinforces the view that the 4.8 m height limit is more appropriate, especially as the eastern (Battery Point) boundary of the centre is tightly drawn with existing development at minimal or nil setbacks from the zone boundary. Most of the existing development is two storey



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- Buildings with ground floor only
- Buildings with ground floor and first floor
- Buildings with basement and ground floor
- Buildings with basement, ground floor and first floor

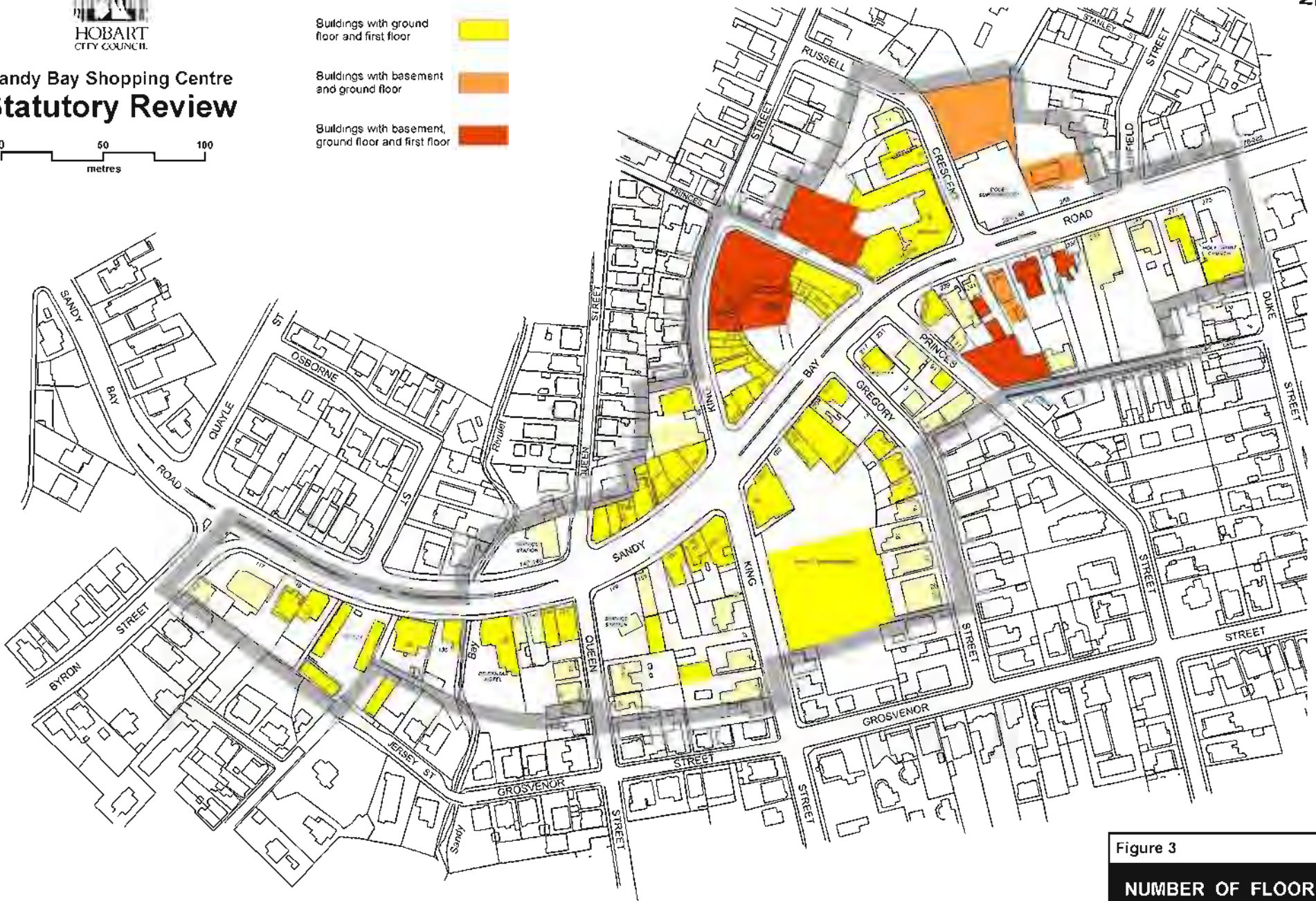
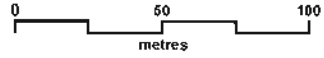


Figure 3
NUMBER OF FLOOR LEVELS



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- Use Classes I & II (House/Flat)
- Use Class V
- Use Class VII
- Use Class VIII
- Use Class IX
- Use Class X
- Mixture of Use Classes
- Vacant
- Unlisted Use
- Parking



Figure 4
LAND USES ADJOINING STUDY AREA
 By 'Use Classes' as defined in the
 City of Hobart Planning Scheme 1982

anyway [*see Figure 2*], but making this the height limit in the centre overall, will at least caution land owners against contemplating development which is likely to have an unacceptable impact on adjacent residential properties.

Equally, the plot ratio of 2.0 allowable on the Battery Point side contrasts dramatically with the 0.9 basic plot ratio allowable under the Hobart scheme. Together with the height limit it has the theoretical potential to add to the traffic related capacity problems of the centre. It is also unrealistic if a developer wants to include on site car parking. If a development was proposed to gain the full plot ratio then the maximum 3 storey height limit would need to be utilised if either any off-street parking (however problematic) or landscape buffering at the rear was to be achieved. By contrast provision of a basic plot ratio of 0.9 would theoretically allow a development that ranged between a single storey building covering 90% of a lot and a two storey building covering 45% of the lot. The maximum plot ratio of 1.2 would mean that a two storey building covering three fifths of a site could be developed.

The application of the rear and side boundary setback provisions currently applying to Precinct 28 to the centre overall would mean that in many cases [*see Figure 4 for land use of adjoining sites around the two zones*] the setback provisions of the City of Hobart Planning Scheme for development in residential areas would apply, and also a requirement for buffer landscaping. There are 13 commercial properties (not counting stratum titles at Magnet Court) out of 31 on the Battery Point side of the Centre that adjoin residential properties. Combined with the plot ratio controls there would be scope for 'development' demonstrating a physical 'performance' on a par with development in a residential zone, as well as the provisions of Principle 8 (that deals with Bonus Plot Ratio) re: possible 'facilities or features' for the benefit of the City in particular precincts. The most obvious of these might be providing a residential 'flat' (Use Group II) at first floor level, enforceable through part five agreements to ensure

other 'permitted' uses could not be introduced after the bonus plot ratio was used.

Subdivision is not really an issue in the Centre. The minimum lot size of 250 square metres in the Battery Point Planning Scheme applies through the 'District' of Battery Point, including the Suburban Shopping Zone 3. The application of the 270 square metres provision in Precinct 28, and the continuation of the current scope for exercising discretion is appropriate, until such time as the subdivision provisions of the scheme overall are reviewed. Both the Schemes at present incorporate the 9 metre lot frontage provisions of the Local Government (Building and Miscellaneous Provisions) Act 1993 for shopping areas.

Policy Options

There are three basic policy options available. The first is to maintain the differences in height and plot ratio controls between the two sides of the centre; the second is to raise the potential allowable under the City of Hobart Planning Scheme to match those under the Battery Point Scheme (meaning a quantification of the current three storey limit to 7.2 metres to topmost habitable floor). Third there is the option of bringing the Battery Point side into line with the City of Hobart Planning Scheme standard. Lastly, there is the option of providing a single standard that is closer to the provision currently operating in the City of Hobart Planning Scheme but that acknowledges the current higher plot ratio allowable under the Battery Point Planning Scheme.

For the reasons advanced above - ie. essentially from the perspective solely of the interface with residential development in Zone 1 Residential of the Battery Point Planning Scheme but also because of the need to recognise the greater development potential theoretically available to developers under the Battery Point Planning Scheme- the last option is favoured.

Several other reasons can be advanced. Firstly, from the point of view of centre imagery the predominantly two storey character would be reinforced as something it is desirable to perpetuate from the perspective of residents and traders.

Second, there is no obvious demand for additional development to be 'permitted' by statutory planning in this way; the continuing vacancy 'problems' faced by Mayfair is indicative of this. Any proposal for a development in excess of two storeys should be 'discretionary' and require to demonstrate there are benefits compared with a 'complying' development, through the layout configuration, design and elevational treatment (including fenestration and building form). The option of increasing the height and plot ratio under the Hobart scheme would likely meet resident objection and create redevelopment pressure that is not currently warranted - or sought from property owners. The Purity development represents the outcome of trying to ensure a scale and form of development consistent with that of the adjacent residential zone. To now increase the 'permitted' development potential after the redevelopment of the key site in the centre previously available for a modern Supermarket has no obvious logic.

In relation to rear and side boundary setbacks the 'residential zone' provisions currently applying to the Local Service Zone should logically be applied to the Battery Point side of the centre, when development abuts residential development in the Residential Zone. The formulation of separate standards for the interface of Precinct 28 with residential zones is not considered necessary, especially when there is scope for conditions to be imposed on permits. Equally, departures from set backs may be quite reasonable depending on factors such as lot orientation. There is no obvious case for the retention of the front boundary setback on the Battery Point side of the centre.

Recommendation BF1[Building Form]

- 1. That the permitted height of building development in the Sandy Bay Centre overall be 4.8 metres. (to topmost habitable Floor).***
- 2. That the following plot ratio controls - basic 1.0 and maximum 1.5 - be applied to the Sandy Bay Centre overall.***
- 3. That the subdivision controls applying to Precinct 28 - ie. minimum lot area of 270 square metres, minimum frontage and inscribed circle of 9m - be applied to the Sandy Bay Centre overall.***
- 4. That the rear and side boundary setback provisions for the Local Service Zone under the City of Hobart Planning Scheme be applied to the development in the Sandy Bay Centre overall.***
- 5. That there be no front setback requirements for the Sandy Bay Shopping Centre.***

Advertising Signs

The contrast between the Signs control provisions of the City of Hobart Planning Scheme 1982 for Precinct 28 and the Battery Point Planning Scheme for the Suburban Shopping Zone has already been alluded to.

The Battery Point Planning Scheme effectively makes every sign discretionary, whereas in Precinct 28 the Signs Schedule provides a detailed framework for commercial signs control.

Public Comment

The Traders meeting brought out opposition to Sky Signs, and a general desire for some limitation on signs, though the Centre was not perceived as suffering from either a proliferation or inappropriate signs. Notably, Sandwich Boards,

which are controlled by Council through its role as 'highway authority' and 'landlord' of public footpaths, were not seen as a problem in the Centre. Contrasting with this an opposite comment was made at the Sandy Bay/Dynnyrne meeting (the only one made on signs) and in the written submissions.

This comment was also made at the Marievilla Residents Meeting, as were a range of other comments ie. 'no illuminated signs', 'no flashing illuminated signs', 'limit of signs per business' and 'need a variation of signs'. It was also considered that new owners/occupiers should not leave or carelessly re-use old signs or signboards. The written submissions brought a comment about the need to eliminate signs as there were too many gaudy and intrusive ones at present.

Planning Assessment

Signs always tend to elicit different views. A number of critical comments were made at the Marievilla residents meeting, though these focussed more on the illumination factor.

In Precinct 28 Sky signs are already prohibited - a 'policy' position that seems to be supported by Traders and Residents. In relation to illumination, the definitions of the Sign Types in the City of Hobart Planning Scheme Signs Schedule, specifically address whether or not a sign 'may' or 'may not' be illuminated.

Flashing signs are not prohibited in the Local Service Zone (they are in the Residential and Rural Zones and the Commercial - Residential Zone). This is because 'centres' and 'exclusively' commercial zones have perhaps been considered to be able to accommodate them and be perceived as adding vitality and colour. Permits can be and are issued with conditions prohibiting signs from flashing signs. The only 'flashing' sign in the Sandy Bay Centre is the string of bulbs outside the Mykonos takeaway shop in Sandy Bay Road. The lights themselves are not defined as a sign under the Scheme but as they illuminate a

sign, under G.3 of the Scheme they are defined as a 'flashing sign'.

Whether or not Council wants to seek to prohibit them is dependent on the image desired for Sandy Bay Shopping Centre. For Council to prohibit such signs would require the addition of the Local Service Zone under G.5.1 (iii).

An analysis of the signs in the centre - using the sign types as defined in the City of Hobart Planning Scheme and applying it to both sides of the centre - produces the following profile (see Appendix 5 for the status of sign types incorporated into land use table).

Under the City of Hobart Scheme there are a whole range of city wide 'Exempt signs' (see G.4.1). In the Local Service Zone, specifically Below Awning, Horizontal Projecting Wall and Transom signs are all 'exempt' from planning approval (subject to there not already being other signs above the awning in the case of the first two sign types). These signs have this status to service primarily pedestrians who are already in the Centre.

Three sign types are permitted - Ground Base Sign, Pole/Pylon sign and Wall Sign. The first two are only likely to be proposed for stand alone facilities that have their own car access - Supermarkets, Service Stations, Hotels and 'Drive-thru' fast food outlets. There is no compelling case to make them discretionary or prohibit them. The scheme tries to prevent unnecessary proliferation and clutter and one pole sign might have less impact than a series of other smaller signs. Conditions reducing the height of pole signs can be imposed.

In the case of the McDonald's' signage (which brought some community reaction at the time) Council sought only to limit height of flag pole heights of McDonald's, all other signs were permitted with conditions regarding flashing, illumination etc. Council imposed a height limit on the flag poles of "no higher than adjacent Coles

fascia", but the Tribunal subsequently allowed a height of 7m a difference of 0.150m greater than the effect of the Council condition.

Other signs which are more prominent and aimed at the motorist are questionable not only from the point of view of visual impact and clutter but also because of the limited on street parking for drivers to utilise even if they wanted to park outside the relevant premises. Buildings which are stand alone and/or have their own parking on site, including those having 'drive thru' facilities have more of a case for the approval of discretionary signs, though whether any trade is truly passing/first time is most unlikely given the centre's characteristics.

Policy Options

One option is to make all signs discretionary as is the case of the current Battery Point Planning Scheme for Zone 3. This is not supported as it would simply be a matter of transferring a clear 'gap' in that scheme into the Hobart Scheme (the very evident focus of the Battery Point Scheme on the Residential Zone and residential amenity, is again reflected in the Signs Code for that scheme not having any provisions for Zone 3). A further option would be to simply apply the current provisions applying to Precinct 28 to the whole of the Centre. This is the simplest approach and there does not appear to be any environmental/aesthetic reasons for not both continuing and extending this regime.

Council may wish to consider making some adjustments to the present controls though, by amending the status of one or other of the sign types, from, say, Table B (Preferred Sign) to Table C (Discretionary Sign).

The third option is to seek to devise a separate set of signs provisions for the Centre. Realistically though this could not involve having a separate set of sign types just for the centre. If special provision were thought necessary they would need to focus on a combination of a change in the status of signs as mentioned in option 2, supported by a set of supplementary guidelines - inside or outside the scheme that codified what Council may desire from the point of view of matters

such as materials, colour palette and lettering size/type. There does not appear to be an adequate ground swell of support, or justification, for such 'additional' control or 'special' provisions for the centre.

Recommendation S1 [Advertising Signs]

1. That the signs provisions for Precinct 28 Local Service Zone under Schedule G of the City of Hobart Planning Scheme be applied to the whole of the Sandy Bay Centre.

Amenity

The amenity of the Centre - as for any other area - is a matter of good planning, but not only statutory planning. A planning scheme aimed primarily at use or development on private land is a necessary but not sufficient basis for producing a physical (and economic and social) environment that is in keeping with the aims of the State's planning legislation and also community expectations and aspirations.

Works carried out by Council make a significant contribution to the attainment of such outcomes. In the Sandy Bay Centre there have been a range of works carried out to that end including the palm trees along the median intended to reflect the 'bay side' character of the Centre. The recent footpath improvements in part of the centre and the changes to traffic management have also been done to upgrade the amenity and attractiveness of the Centre to shoppers.

Gregory Street

The Gregory Street Local Area is unique in the City of Hobart Planning Scheme in that it specifies desirable streetscape improvements in the 'public domain' in some detail. Unfortunately the zonal boundary changes that were really essential to the up grading of Gregory Street as an entity were not agreed to by the then Land Use Planning Review Panel at the time the Local Area Plan was approved as a scheme amendment. These provisions of the LAP should be retained

however as part of an attempt to seek the amendment of the Precinct 28 zone boundary as recommended in *Recommendation ZB9*.

General Amenity

The public input process revealed general comments and future hopes about improving the streetscape in the Centre. Specific suggestions were made for a public area and seating in Russell Crescent and for more landscaping and tree planting (of 'real' trees). Some complaints were also made about the condition of the footpaths. Litter was generally perceived as an increasing problem and linked to fast - food /take away outlets.

Concern was also expressed about the lack of public toilets, the need for better wheelchair access throughout the Centre and the quality of street lighting in and around the centre.

Some of these matters may be better addressed outside the planning scheme. Whilst it would be possible to draft a document like the Gregory Street Local Area Plan for inclusion in the scheme, improvements to the public streets in the rest of the Centre do not perhaps warrant the 'special' approach taken with Gregory Street and its former 'residential' buildings. It is more a matter of ensuring a continuity of civic works.

One particular suggestion emanating from the traders meeting was for the front access to the Purity car park off Sandy Bay Road being converted into a Mall or recreation area - a sort of small 'Village Green'. This concept may intuitively be an attractive one. However, the traffic and parking arrangements for Purity, though acknowledged as less than ideal, were approved by the then Planning Appeal Tribunal on hearing its third appeal on the site. Even so, the matter is worth investigating initially at least in terms of the traffic impact. Other issues with such a facility will be its design and after dark security etc. The cooperation of Purity would be needed.

Recommendation A1 [Amenity]

- 1. That the further streetscape improvements in the Sandy Bay Centre , apart from Gregory Street be aimed at ensuring a cohesive image for public areas.***
- 2. That Council give consideration to the various issues of seating, ease of wheelchair access, public toilets etc in the Centre as items for future capital expenditure.***
- 3. That the City Services Division prepare a report on the impact of closing off the Sandy Bay Road access to the Purity Car Park with a view to converting the front part of the Purity car park off Sandy Bay Road to a pedestrian way/small park.***

Statement of Desired Future Character

A range of important policy considerations have been identified, for inclusion in a revised Statement of Desired Future Character (a Key Outcome sought by the brief). These are as follows:-

- supermarket expansion;
- Use Group XIII (showrooms etc);
- 'drive thru' restaurants/take - aways;
- retail outlets for 'adults' only;
- new or expansion of Hotels and entertainment uses;
- vehicular crossings/ pedestrian safety and amenity;
- building heights of 1 - 2 storeys; and
- amenity at the zone boundary.

The draft revised Statement is worded as follows:-

“The Sandy Bay Village Precinct should continue to function as the main shopping and commercial focus for the southern suburbs of the city, including the residential area comprising the 'District' of Battery Point.

Any expansion of the existing major Coles or Purity supermarkets likely to generate additional trade or additional vehicular traffic would need to demonstrate that the resultant development would result in an enhanced physical environment, an improvement in the management and impact of traffic on pedestrian safety and amenity and no adverse effects on the amenity of the residential streets immediately surrounding the centre.

Shopping outlets such as 'adult only' bookshops and 'sex shops', which preclude access by minors will not be approved. TOTE outlets are not precluded.

The Centre's predominantly retail and associated service functions should be reinforced by local offices and other activities providing services to the community it serves, ideally above ground floor level. Residential use, either above ground floor level in buildings fronting onto public streets, or at the rear of sites and abutting other residential uses and zones, are encouraged.

Changes of use to 'service industry', 'showrooms' and other similar uses, or the extension of those existing will only be approved having regard to the quantum of floorspace and outdoor storage and where pedestrian, shopper and residential amenity will not be affected and where there will be no adverse impact on the operation of uses permitted in the Centre.

New 'hotels' or other late night entertainment uses are generally not considered appropriate. Any expansion of the floor area of existing hotels should preferably be linked to additional 'accommodation'. The expansion and further development of existing hotel uses will only be approved where they respect the character and ambience of the shopping centre and the amenity of surrounding residential development .

Restaurants, cafes and take - away food shops will continue to be appropriate, preferably interspersed with shops along or close to Sandy Bay Road. However, 'drive thru' or other car based fast food 'chain' outlets will only be approved where they meet key criteria, including the creation of no additional vehicle gutter crossings, not require the use of residential streets as access routes to or from the site, no demonstrable effect on the amenity of the surrounding residential areas and low key signs appropriate to the ambience and character of the Centre.

The current environmental image of the centre, derived from continuous development of generally two storey or equivalent height along Sandy Bay Road with no or minimal front setbacks, should be reinforced. On the streets leading from Sandy Bay Road the height, layout and design of any new development should be more reflective of their transition to the adjacent residential areas and with an emphasis on adaptation of formerly residential buildings.

Where appropriate development should seek to up grade the pedestrian amenity and amenities of the precinct, through the creation of passive recreation spaces and further improvements to pedestrian network of the sort now surrounding the 'Bay Village' complex. The civic works associated with the Gregory Street Local Area Plan should be complimented by works on private land when the opportunity arises. Elsewhere in the Centre, street furniture and hard and soft landscaping should be coordinated to give cohesion and identity to the Precinct.

Signs and graphics should be bright but generally located at below awning level. Single use sites and those with their own vehicular accesses and customer car parking may be expected to provide other low key signs to identify their presence appropriate to the desired image of the centre.

Generally, new developments or changes of use will not be required to provide on site parking and it will only be approved where it is part of an approved redevelopment that can demonstrate no adverse impact on traffic management, pedestrian and residential amenity. Proposals for on-site parking and servicing that are not in accordance with the Council's standards for layout or dimensions and which accordingly are likely to generate vehicular traffic movement that will create traffic management or parking problems, or conflict with pedestrian movement will not be approved.

Any development on the site of the Dr Syntax Hotel car park must not involve the use of Queen Street for vehicular ingress or egress. Access from or onto Jersey Street from new or expanded uses or development in the Precinct is considered inappropriate.

Recommendation SDFC

The above Statement of Desired Future Character be endorsed as a draft for the 'new' expanded Sandy Bay Shopping Centre Precinct.

4.4 Resource Management and Planning System of Tasmania

As well as reviewing the current provisions of the planning schemes in relation to the Centre, it is necessary to consider any additional implications of the legislation.

The suite of Acts, comprising the "Resource Management and Planning System of Tasmania" including the Land Use Planning and Approvals Act 1993 and the Environmental Management and Pollution Control Act 1994 has a series of objectives that need to be met.

The Objectives for the System and of the Land Use Planning and Approvals Act 1993 itself are as follows:-

1. The objectives of the resource management and planning system of Tasmania are -

(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and

(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and

(c) to encourage public involvement in resource management and planning; and

(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and

(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

2. In clause 1(a), "sustainable development" means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to

provide for their social, economic and cultural well-being and for their health and safety while -

(a) sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and

(c) avoiding, remedying or mitigating any adverse effects of activities on the environment.

PART 2 - OBJECTIVES OF THE PLANNING PROCESS ESTABLISHED BY THIS ACT

The objectives of the planning process established by this Act are, in support of the objectives set out in Part 1 of this Schedule -

(a) to require sound strategic planning and coordinated action by State and local government; and

(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and

(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and

(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and

(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and

(f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania; and

(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and

(h) to protect public infrastructure and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community; and

(i) to provide a planning framework which fully considers land capability.

The overall aim of the above Objectives is on planning for 'sustainable development'. The emphasis is very much on the natural environment, but not exclusively.

The Centre, being an already developed area, does not have any particular areas of land or characteristics that warrant special provisions being made in the sphere of impact on the natural environment. That is not to say issues such as the stormwater run-off or the Sandy Bay Rivulet are not important matters. Rather, they are not matters exclusive to the Centre that warrant consideration as part of the review of the particular planning controls applying specifically to the Centre and their contribution to its 'management' as an urban resource.

Even so the broader Objectives of the Land Use Planning and Approvals Act 1993 Part 2 of Schedule 1 have been addressed in this review in particular the lack of any identifiable strategic case for an expansion of the Centre and the importance of the centre and its surrounding area as a 'pleasant, efficient and safe working, living and recreational environment'.

This document also provides the basis for further public consultation in accordance with the Objectives of the System overall 'to encourage public involvement in resource management and planning'.

4.5 Model Planning Scheme

At the time the brief for this project was prepared, the prospect of a new 'Model Planning Scheme' being 'imposed' on Councils in Tasmania was still a very real one. Since the election of a new State Government this prospect has apparently receded. In addition, Council has not yet agreed to adopt the format of Local Area Plans for South Hobart and Lenah Valley for the future planning of those areas and which had been following the format of the 'Model Scheme'.

At this stage, therefore, there is no basis for seeking to introduce any elements of the 'Model' into revised provisions for the Sandy Bay Shopping Centre.

4.6 Battery Point Advisory Committee

The 'Marieville' community, both directly through its association and through the Battery Point Progress Association, to date has opposed the excision of Zone 3 from the Battery Point Planning Scheme. At root of this opposition is a fear of a weakening of the planning controls that are currently in place in the Battery Point Planning Scheme, that would be associated with 'incorporation' into the City of Hobart Planning Scheme. Apart from the rationale for having a single set of controls, the specific recommendations in this report - if accepted - will in fact *reduce* the development potential on the Battery Point side of the Centre, whilst bringing a 'consistency' of planning control to both sides of Sandy Bay Road.

A further concern, expressed at the meeting of Marieville Residents, has been the loss of input into the planning process afforded through the Battery Point Advisory Committee. Although there is nothing to stop individuals or associations making submissions to Council on applications, there is a case for any discretionary development on a property that abuts the "District" of Battery Point being referred to the Advisory Committee. This will enable it to continue to make recommendations on development that could affect the amenity of Zone 1 Residential.

Recommendation

That any amendment to the Battery Point Planning Scheme 1979 arising from the excision of Zone 3 Suburban Shopping from the Battery Point Planning Scheme 1979 include a provision for discretionary planning applications on properties in the Centre that abut Zone 1 Residential of the scheme being referred to the Battery Point Advisory Committee.

5. APPENDIX 1 - REPORT OF SURVEY ON CURRENT POSITION IN THE CENTRE

5.1 Land Use Trends

A land use study was undertaken May 1998 and up-dated in August 1999. The land use for the ground and first floors of buildings is set out in **Figures 7 and 8** in Appendix Five. A comparative analysis with the land use survey completed in 1989 (as input for the Sandy Bay Shopping Centre Study), to identify any patterns of change, is difficult as this previous survey only identified broad use groups including retailing, commercial, residential, community facilities, parking and vacant retail. The obvious changes are set out below.

The above Study utilised a land use survey carried out in 1977 which identified a:

“concentration of retail and commercial activity around Magnet Court and the Bay Supermarket. The creep of retailing along side streets into the residential areas was also recognisable , involving the conversion of buildings from residential usage. Retail and commercial activity beyond the boundaries of Queen Street and Russell Crescent was noted as being of much lower intensity than that within the central area.”

The main changes that occurred between the time of the 1989 survey (*italics*) and that carried out in January/February 1998 are:-

- Purity supermarket with associated commercial & residential uses - *previously retail, vacant retail & parking;*
- first floor 198 Sandy Bay/office - *retail;*
- McDonald’s Restaurant - *parking;*
- Shell Service Station - *part residential;*

- 2 Russell Cres/vet - *residence*;
- two dental buildings at rear of 241 Sandy Bay Road - *parking*;
- 13 Princes/office - *retail*;
- 2 Gregory/office - *retail*;
- 12 Gregory/vacant - *retail*;
- 16 Gregory/hairdresser - *residence*;
- 54 King/restaurant & flat - *residence*;
- 171 Sandy Bay/vacant - *retail*;
- 167 Sandy Bay/vacant - *retail*;
- 145 Sandy Bay/office - *retail*;
- 121 Sandy Bay/vacant - *retail*;
- 119 Sandy Bay/office - *part community facility*;
- 117 Sandy Bay/vacant & office - *retail*.

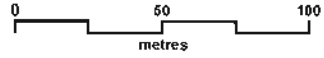
Despite the fact that the previous survey identified only use groups, in comparison to the use specific current survey, the above indicates a shift away from retail uses to non-retail uses - office, administration and vacant properties. This has occurred particularly in Gregory Street, Princes Street and Sandy Bay Road above Queen Street - areas outside from what might be considered the retail core of the Centre.

Previous residential properties at 16 Gregory, 2 Russell and 54 King Street have been converted to service businesses and a restaurant.

The most significant changes the Centre have been the Purity and McDonald's developments.



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Use Classes I & II
(House/Flat)



Use Class V



Use Class VIII



Use Class IX



Use Class X



Mixture of Use Classes



Vacant



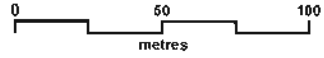
Unlisted Use



Figure 5
GROUND FLOOR LAND USE
By Use Class from City of Hobart Planning Scheme 1982



Sandy Bay Shopping Centre Statutory Review



Use Classes I & II
(House/Flat)



Use Class V



Use Class VIII



Use Class IX



Use Class X



Mixture of Use Classes



Vacant



Parking



Figure 6
FIRST FLOOR LAND USE
By Use Class from City of Hobart Planning Scheme 1982

The 1989 Shopping Centre study discussed Mayfair and the Shopping Centre's demand for retail floor area in the following terms.

“The failure of Mayfair is, however, not indicative of a lack of demand for additional retail space but rather a result of inappropriate layout, parking and access difficulties, as well as inappropriate tenant mix.

On the basis of existing space and catchment characteristics it is estimated that there is at present a demand for retail space at Sandy Bay of about 3500 square metres additional retail floor space.

As little fluctuation is expected to occur in the population numbers or characteristics within the catchment this figure can be regarded as fairly static, and a centre providing a total retail floor area of 15000 square metres is believed to be adequate to cater for the demands generated by the catchment.”

The retail floor space in the centre at 1989 was 9775 square metres with the Purity development increasing this by an additional 3000 square metres. The recent Chickenfeed development has resulted in a reduction of retail floor space on the site from 1043 square metres to 776 square metres. An independent shopping centre retail analysis undertaken in conjunction with the Study identified additional problems with Mayfair including;

“development of retail on two levels, a tenant mix that was too up market and had too much duplication and the lack of an anchor tenant to draw customers through it.”

As of June 2000, the vacancy rate in the Centre overall was 6.7% compared with 6.8% in August 1999 and 9% in May 1998 when this study commenced. For Mayfair, however, the tenancy vacancy rate as of June 2000 was 29.5% compared with August 1999 when was 20.4% - both an improvement on the 32%

of May 1998 [there are no (previous) occupancy rates available for Mayfair for other years since its completion].

Excluding Mayfair the vacancy rate in the Centre at June 27th was 6.7 % compared with 1st August 1999 when it was 1.9% and 3% in May 1998.

By comparison, Magnet Court, as for June 27th 2000 and in August 1999 recorded no ground floor vacancies, with a mixture of established office uses on the first floor; an upper floor tenancy was vacant in the most recent survey.

Information was obtained from the Property Council of Australia in regard to vacancy rates in the CBD for information purposes only. In October 1997 vacancy rates in the Hobart CBD for all property types were approximately 7%. In the Tasmanian context, 5% is considered a high vacancy rate for retail property and between 5% - 10% is considered a healthy vacancy rate for office accommodation.

The Property Council of Australia has advised that the CBD data was not a reliable comparison for the Sandy Bay Shopping Centre.

5.2 Rezoning Pressure

The application history since 1986 indicates that most applications have been for signs. There has been an overall reduction in the number of proposals for changes of use of residential properties in the commercial zones of the two planning schemes. This is particularly the case for retail uses as these are predominantly located on or adjacent to Sandy Bay Road. The changes of use which have occurred are orientated to specialist services such as veterinarians, hairdressers, food suppliers and offices from previous commercial uses.

Figure 5 sets out the number of applications within the centre. The details are not reproduced in this report as they do not reveal any particular issue, other than a tendency for sign applications generated by businesses seeking signs not falling within the 'exemption' provisions of the Scheme.

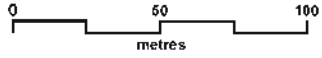
There are also examples of residential proposals and developments *within* the Local Service Zone of the City of Hobart Planning Scheme in the past two years, those relating to 56 & 54 King Street and 119 Sandy Bay Road. The latter two involved a residence at the rear of an existing commercial use - without displacing the Scheme's preferred - commercial - use types. The other property (56 King Street) has received approval (expires 9/10/98) for the partial demolition of the original front cottage (to be used as an office) and total demolition of the remaining buildings and the construction of four double storey units at the rear. The site is currently owned and operated by Bay City Taxis as an office and storage/servicing depot.

The existing residences within the two commercial zones are a mixture of detached houses. There are 5 'traditional detached' residential properties, in the study area with 2 being infill developments, some are rental accommodation and first floor residential tenancies above commercial uses. [**refer Figure 6 for residential property locations**]

There does not appear to be a demand for an increase in retail floor space based on either the studies carried out in 1989 or 1995, the evidence of changes in land use identified through the comparative current land use survey or the nature of planning applications.



Sandy Bay Shopping Centre Statutory Review



Number & Location of
Development Applications
Study Area Boundary

10

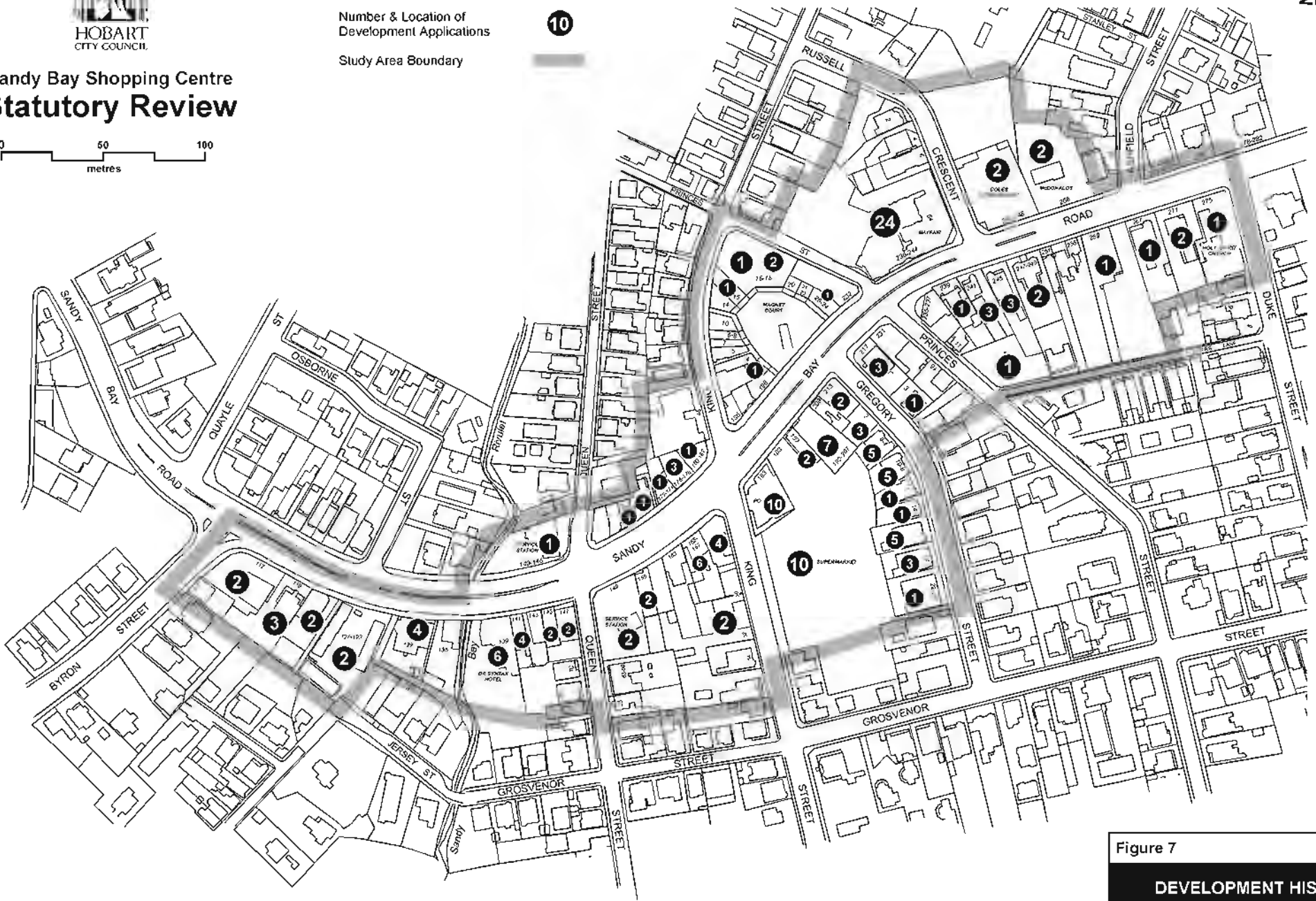
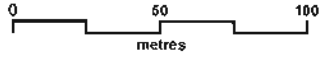


Figure 7
DEVELOPMENT HISTORY



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- Detached dwelling
- Infill housing
- Rental flat
- 'Shop top' flat
- Flat above workshop

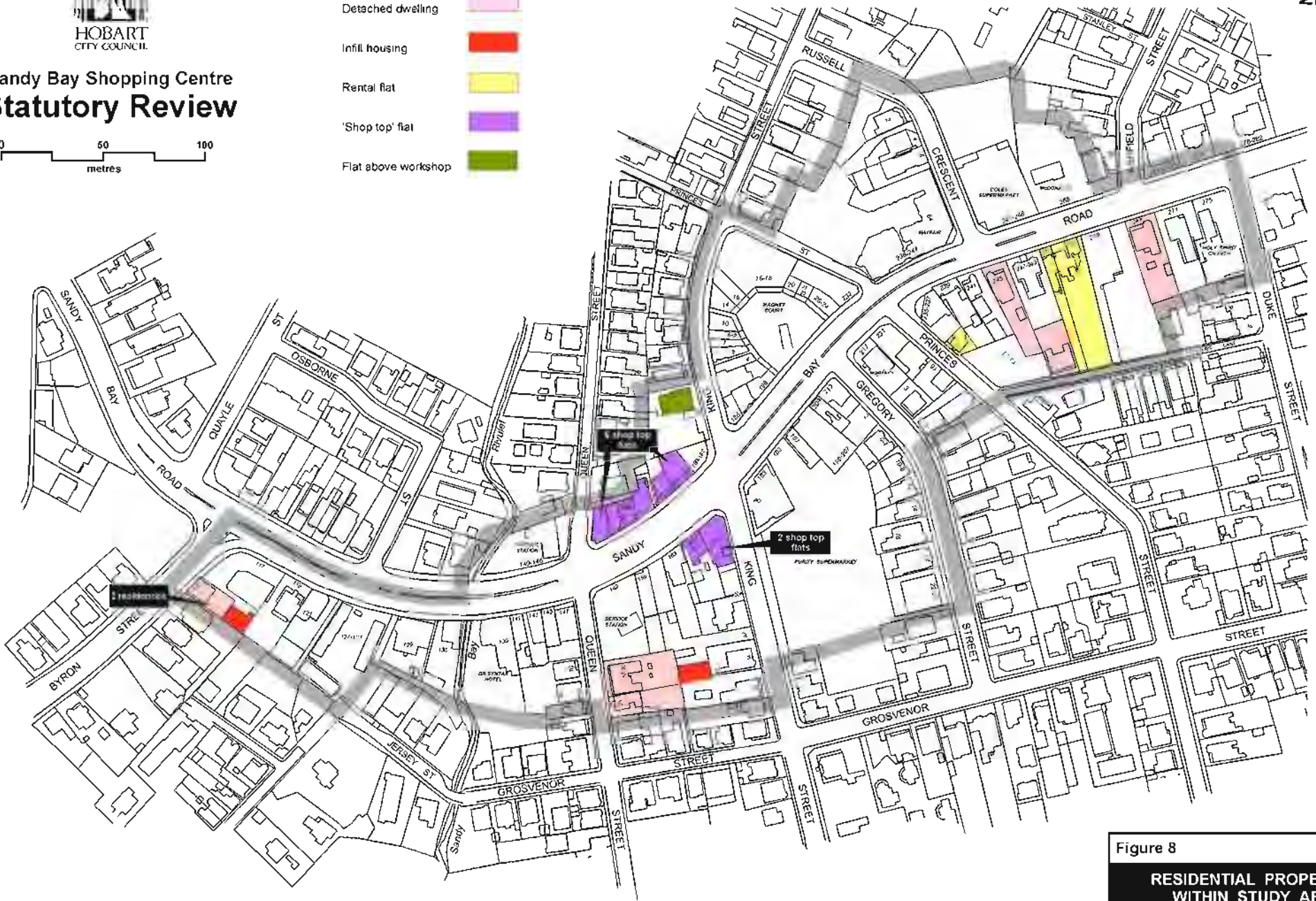


Figure 8
RESIDENTIAL PROPERTIES
WITHIN STUDY AREA

6. APPENDIX 2 - SUMMARY OF CASH IN LIEU PARKING REQUIREMENTS

Dr Syntax: 139 Sandy Bay Road, 1990 proposal required 48 car parking spaces - 44 provided. Cash in lieu of \$15000 per space to be paid prior to the issue of a building permit. Owner subsequently requested the parking requirement be reduced to 44 spaces which was approved.

Trust Bank: 213 Sandy Bay Road, 1988 proposal required 9 spaces, 0 provided and the application was refused by Council. Consent agreement undertaken at Tribunal for two spaces to be provided on site - no cash in lieu involved.

Commonwealth Bank: 159 Sandy Bay Road, 1991 proposal required 13 spaces with 0 provided. Approved on payment of cash-in-lieu of \$15000 per space - paid in full.

147 Sandy Bay Road, 1991 proposal for change of use required 10 spaces with 5 provided. Approved subject to cash in lieu of \$15000 per space reduced to \$4000. Parking spaces tied to the site from Dr Syntax provided by applicant to as an alternative to payment of cash in lieu.

169 Sandy Bay Road, 1993 proposal for change of use to beauty salon approved with 2 spaces required at \$2500 per space which was paid.

169 Sandy Bay Road, 1993 proposal for change of use to take away food shop approved with one space required at \$2500 or tied to the site parking from the nearby Sandy Bay Scout Hall. There is no evidence that either was done. However, 169 Sandy Bay Road in any event has now been changed to a 'shop' which did not generate this 'additional' requirement .

54 King Street, 1996 proposal for flat at rear of restaurant would displace three of eight previously approved parking spaces in 1995. Approval granted on payment of cash in lieu of one space at \$2500 and provision of two tied to the site spaces prior to issue of a final building permit. The required number of parking spaces were provided by the applicant and therefore the cash in lieu payment was not required to be paid to Council.

7. APPENDIX 3 SUMMARY OF ISSUES RAISED AT PUBLIC MEETINGS

7.1 Meeting with Sandy Bay Traders

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Public meeting notes

Meeting held with Sandy Bay Shopping Centre Traders

Meeting held: 7.30 PM 5th August 1998 Sea Scout Hall, Marieville Esplanade

Meeting chaired by Alderman L. Archer

Meeting facilitated by J. Hepper (Private Consultant)

Present

T. Trembath, S. Halliwell, C. Hues, P. Cripps, M. Loring, J. Campisi, P. Clark, M. Eland,
K. Branne.

R. Quinn, B. Holmes (Hobart City Council)

What trends have developed in the centre in the last ten years?

Adverse trends

- Skateboarding has increased particularly on the west side of Sandy Bay Road;
- Anti social behaviour has increased;
- Vandalism has increased;
- Stealing of plants is occurring;
- Early morning foot traffic from night clubs causes problems in area (ie. noise, litter, vandalism, vomiting on pavements);
- Poor lighting presently in Gregory Street;
- No public toilet facilities in centre;
- Decrease in car parking spaces;

- Decrease in traffic circulation in and around centre;
- Construction of buildings with designs which are not sympathetic to centre;
- Ad-hoc development;
- Signage (ie. number of signs, size);
- Decline of Magnet Court as a shopping centre, in both the aesthetic sense and function.

Positive trends

- Ambience of area has improved on Western Side of Sandy Bay Road around Purity complex, King/Gregory Street.

What are your expectations for the future of the commercial area of Sandy Bay Shopping Centre?

- An increase towards smaller professional businesses due to technological advances and office rental increases in the city business district;
- Need for more office space (sensitively developed);
- Mall type atmosphere;
- Adequate parking should be required/provided;
- Commercial creep will continue to occur.

What type of place should the Sandy Bay Shopping Centre be?

- Centre should reflect the premium suburb of Sandy Bay;
- Should be a up-market (boutique) shopping centre;
- Sandy Bay Shopping Centre is already a regional shopping centre;
- The centre should remain diverse;
- Should retain a shopping village atmosphere;
- Aim for quality designs of development;
- Respect and acknowledge the role of tourists in the centre.

Key Planning Issues

General

- Centre needs social mix and vibrant atmosphere;
- Balance is needed between commercial use and residential use;
- The issue of equity, is involved due to the commercially unsuccessful venture of Mayfair ie. because Mayfair has a high vacancy rate and no more commercial expansion is allowed until Mayfair is better utilised, which may not happen. Therefore further commercial development/expansion is halted due to a unsuccessful and inappropriate development.

Boundaries of centre

- Zones do not follow cadastral boundaries;
- Commercial creep has occurred, zone boundary has not prevented this;
- Commercial creep should not occur on eastern side of Sandy Bay Road, due to traffic concerns.

Uses (Inappropriate)

- Supermarkets;
- Uses which involve trucks;
- Warehouses/storerooms;
- No drive thru's (eg. fast food takeaway);
- Adult only shops;
- No open market stall type situation.

Uses (Appropriate)

- Gregory Street Mall;
- Residences could be built on top of Purity Car park.

Parking

- No enforcement of present parking controls;
- Not enough parking for both customers and employees;
- Magnet Court has traffic problems
 - ⇒ Lack of traffic flow
 - ⇒ Holds up traffic on Sandy Bay Road;
- Parking times need mix to reflect shop visit times (5 minutes – 2 hours);
- No parking meters or voucher parking to be installed;
- Increase yellow no parking lines near accesses;
- Requirement for Council to provide parking spaces for traders;
- Long term, all day parking.

Advertising Signs

- No billboards or sky signs;
- Sandwich boards are not a problem in the centre;
- A limit should be placed on the number of signs.

Pedestrian Safety/amenity

- Wheel chair access required throughout the Centre;
- Purity car park
 - ⇒ Safety concerns (access off King Street)
 - ⇒ Sandy Bay Road entrance car park could be turned into Mall/recreation area;
- Driveways need to be better defined (paving or marking);
- If no parking exists then traders survive by their own merits;
- Streetscape issues
 - ⇒ Increase planting of 'real trees'
 - ⇒ Provide a median strip for increased safety to pedestrians;
- No public toilets.

Future planning

- Centre needs a control over colour schemes ;
- A need exists for urban design/building form guidelines controls for centre;
- Need for passive recreation spaces;
- No time zones/limits for parking;
- Generally the City of Hobart Planning Scheme 1982 Statement of Desired Future Character Statement is acceptable and appropriate for the centre.

7.2 Meeting of Residents from Battery Point

Sandy Bay Shopping Centre Statutory Review

Public meeting notes

Meeting held with residents living nearby Sandy Bay Shopping Centre

Meeting held: 8.00 PM 13th August 1998 at Sea Scout Hall, Marieville Esplanade

Meeting chaired by Alderman L. Archer

Meeting facilitated by J. Hepper (Private Consultant)

Present

P. Kellar, L. Nassib, A. Barrenger, M. Foster, G. MCGarry, R. Richardson,
G. Richardson, M. Loring, D. Edwards, T. Jacobs, L. & C Trevena, P. Kimber, G Lynch,
M. Matsourm, G. Clarke, D. Barrow, S. Barrow, P. Bonham (Deputy Lord Mayor), B.
Jennings, R. Cridland, D. & M Thomson, M. Mackey, R. Michell, J. Jones.

R. Quinn, B. Holmes (Hobart City Council)

What trends have developed in the centre in the last ten years?

Adverse trends

- Macdonald's
 - ⇒ Litter/rubbish
 - ⇒ Smell
 - ⇒ Pedestrians
 - ⇒ Poor quality and intrusive signage
 - ⇒ Aesthetics

- ⇒ Traffic generation;
- Chickenfeed
 - ⇒ Traffic generation
 - ⇒ Aesthetics;
- Quality residential dwellings being converted into poor quality commercial premises;
- Reduction of parking spaces;
- Increase in traffic;
- All day parking;
- Delivery trucks into Coles supermarket;
- Battery Point Advisory Committee having excess control over development;
- Degradation of streetscape;
- Loss of village atmosphere;
- Back of Magnet Court has no character;
- Mayfair complex has two storeys which is out of character with centre;
- The 1990 Sandy Bay Shopping Centre Study which had residents views contained in it, has been largely ignored;
- High fence on Corner of Queen/Princes Streets;
- Increase in litter throughout centre;
- Loss of Bus Stop (near Macdonald's).

Positive trends

- Incremental change has not affected residential properties;
- Retention of public open space;
- Traffic lights at intersection of Russell Crescent/Sandy Bay Road;
- Superb palm trees;
- Introduction of speed humps;
- Limits in parking times, but unfortunately not enforced by Hobart City Council;
- Pavement upgrades;
- Waiting lanes for vehicles;

- Green arrow for right turn into King Street from Sandy Bay Road.

What are your expectations for the future of the commercial area of Sandy Bay Shopping Centre?

- A place which looks “good”;
- No over head cables;
- Environmentally friendly;
- A safe environment;
- Pedestrian friendly;
- No through traffic
 - ⇒ Block off streets
 - ⇒ Reduce traffic speeds
 - ⇒ Give streets back to public;
- A unique place (extension of Battery Point, streetscape, etc);
- Shopping centre to be attractive and comfortable;
- Area able to have pride in
 - ⇒ Shops
 - ⇒ Houses
 - ⇒ Streetscape;
- Increase in greenery;
- Increase in cleaning of streets and pavements;
- Same planning controls over commercial operations as residential dwellings.

Key Planning Issues

Boundaries of centre (Battery Point side)

- Reduce size of shopping centre (near bowling greens area);
- Coles car park should stay;
- Macdonald’s car park should stay;

- “Green” buffer at Russell Crescent Veterinary Clinic;
- Whole of Sandy Bay Shopping Centre should be in Battery Point Planning Scheme 1979;
- Reduce Local Service zone near Chickenfeed store (Church properties and residential dwellings be zoned Residential instead of Local Service).

Uses (Inappropriate)

- Supermarkets;
- Multi storey car parks;
- Chickenfeed stores;
- Open markets;
- Large developments;
- Through roads;
- Car based retailing;
- Hotels;
- Night clubs;
- Light industry.

Uses (Appropriate)

- Small speciality shops (cakes, Chinese food, etc);
- Mix of service stations and hotels.

Parking/Traffic

- Mayfair/Coles parking is a problem;
- Parking is difficult in the centre;
- Walking distances are too great;
- Shopping centre is dissected by Sandy Bay Road;
- The centre does not need a Mall;
- The traffic flow on Sandy Bay Road is increasing over time;
- McDonald’s entrances are dangerous;

- Magnet Court access
 - ⇒ requires a turning/waiting lane into Magnet Court
 - ⇒ requires a speed bump in entrance
 - ⇒ Bus stop near Magnet Court is hazardous;
- Chickenfeed store access is dangerous;
- Lack of residential all day parking;
- Chickenfeed store parking is under utilised;
- Remove all cars and make centre pedestrian friendly;
- Centre requires bike racks;
- All day parking is not all bad as it appears that some one is at home and may discourage intruders.

Advertising Signs

- Sandwich boards need to be restricted, as there are too many;
- Sign provisions of planning scheme's need to be enforced;
- No illuminated signs;
- No flashing illuminated signs;
- Appropriate signage is required (not old left-over signs);
- Limit of signs per business;
- Need a variation of signs.

Pedestrian Safety/amenity

- Skate boards should be banned;
- Inherent danger due to bisection of centre;
- King Street/Sandy Bay Road intersection is dangerous/difficult;
- Pavement kerb bulge opposite Magnet Court is hazardous to pedestrians;
- Condition of pavement is dangerous (has depressions);
- No link between Magnet Court and Mayfair;
- Public toilet facilities are lacking in centre (McDonald's and Mayfair have toilets);

- Seats and public area needed in Russell Crescent.

Building Form

- Height restrictions are required in centre;
- Setbacks are required;
- Heritage look should be encouraged;
- Disappointed with present building form left feeling 'conned'.

Other Issues

- Reduce speed limit within centre;
- Road camber near Coles and McDonald's is dangerous;
- Same set of planning provisions on both sides of Sandy Bay Road for commercial development for equity issues (disagreement noted on this point).

7.3 Meeting with Residents Living South of Sandy Bay Road

Sandy Bay Shopping Centre Statutory Review

Public meeting notes

Meeting held with residents living nearby the Sandy Bay Shopping Centre

Meeting held: 7.30 PM 12th August 1998, St Peters Church Hall, Corner Lord/Grosvenor Streets

Meeting chaired by Alderman L. Archer

Meeting facilitated by J. Hepper (Private Consultant)

Present

R & S. Gillies, B. Hickinson, B. Bent, M. Prince, B. Spitzer, A. Davey, J & G Jackson, J. Speers, M. Amereek, J. Rushton, Pru. Bonham (Deputy Lord Mayor), R. & H. Holmes, R. Smith.

R. Quinn, B. Holmes (Hobart City Council)

What trends have developed in the centre in the last ten years?

Adverse trends

- Litter has increased from takeaway shops (McDonald's, Mykonos, Zorbas);
- Anti social behaviour has increased, louts in early morning, speeding cars;
- Vandalism has increased;
- Metro bus stop in King Street;
- No public toilet facilities in centre;
- Decrease in car parking spaces;

- No carparking for commercial traders employees, when day time employees finish work, after hours shelf stackers take parking spaces;
- Problems with parking in Magnet Court;
- Construction of buildings with designs which are not sympathetic to centre;
- Ad-hoc development, 'hotch potch' development, commercial creep has occurred;
- Commercial tenancy vacancies in centre;
- McDonald's has access/safety concerns;
- Heavy trucks making deliveries to Purity (ie. access onto King Street);
- Garbage trucks in and around Purity site;
- Council has ignored the planning scheme in some instances;
- Loss of landscaping and greenery around centre.

Positive trends

- Improvement in maintenance of residential houses around centre (Grosvenor Street);
- Marieville Esplanade play ground;
- Chickenfeed store;
- Palm trees;
- Increase in services to area/centre.

What are your expectations for the future of the area surrounding the Sandy Bay Shopping Centre?

- An increasing number of residents will move because of loss residential amenity (buffers are not working);
- More rental residential properties in area, which may result in the tenants having less pride in the rental properties;
- Fewer pedestrians in centre;

- Increase in the amount of cars in centre (the shopping centre will be come stagnant/decay due to a lack of access by cars);
- Would like to see certainty of zoning for the future;
- Crime in the centre will increase.

What type of place should the Sandy Bay Shopping Centre be?

- An aesthetically pleasing space/place for tourists and residents;
- No need for public transport due to close proximity to city;
- Centre which has adequate services;
- A safe and pleasant environment for families to grow up in;
- A place where traffic flow is not a problem or issue.

Key Planning Issues

Boundaries of centre

- Dr Syntax Hotel car park exit into Queen Street is a problem, also the car park is in two zones.
- Three lots on the corner of Sandy Bay Road and Duke Street should be rezoned from Local Service to Residential.

Uses (Inappropriate)

Commercial

- No increase in licensed premises;
- No extension of consulting rooms at boundaries of centre (keep commercial uses within boundary);
- Queen Street exit from Dr. Syntax Hotel car park;
- Gregory Street Bed And Breakfast enterprise (24 hour business, parking, number of beds).

Residential

- Home occupation which do not result in a commercial business;
- Gregory Street Bed And Breakfast enterprise (24 hour business, parking, number of beds);
- Unit development (layout and number of units, standard of construction).

Parking

- Council should purchase parking area and run as a commercial enterprise;
- There are problems with on street parking around the centre.

Advertising Signs

- There are too many sandwich boards in the centre.

Pedestrian Safety/amenity

- No more traffic lights are required in centre;
- No more mid-street traffic islands;
- Magnet Court
 - traffic flow
 - underground parking is inconvenient
 - unpleasant for pedestrians
 - area has become run down;
- No landscaping in area;
- Public toilets in area are a disgrace (Purity).

Building Form

- The design of the Post Office is not in keeping with the tone of the centre;
- Mykonos shop requires a facelift.

General Issues

- Status and use of three houses next to Purity in King Street
 - ⇒ Doctor surgery in one house
 - ⇒ Dress shop in one house
 - ⇒ Houses are in Residential Zone.

8. APPENDIX 4 - COMPARISON OF CONTROLS BETWEEN BATTERY POINT PLANNING SCHEME 1979 (ZONE 3) AND CITY OF HOBART PLANNING SCHEME 1982 (PRECINCT R28)

Control	Battery Point Planning Scheme 1979 (BPPS)	City of Hobart Planning Scheme 1982 (CHPS)
Height	Clause 6.5 Height and Form (a) A building shall not contain more than three 'storeys' and less if required under any 'code';	The maximum permitted height to the topmost habitable floor is 4.8 metres. There is a limit on the height of masts, flag poles etc of two metres above roof of building.
Setbacks	Part 6.6 (a) Any building must be setback from Sandy Bay Road a minimum of 1.5m at ground floor level.	No specific setbacks are required.
Plot Ratio	The maximum permissible plot ratio is 200%.	The basic plot ratio is 90%. The maximum plot ratio is 120%.
Dwelling Unit Factor	BPPS does not have dwelling unit factor.	There is a dwelling unit factor of 120.
Minimum Lot Area	No minimum lot area provided that 'development' on a 'lot' of less than 100 square metres shall be at the discretion of the 'Corporation'.	Minimum lot area of 270 square metres.

Control	Battery Point Planning Scheme 1979 (BPPS)	City of Hobart Planning Scheme 1982 (CHPS)
Minimum Inscribed Circle	None.	Minimum inscribed circle of 9 metres.
Signs	No signs types or dimensions.	CHPS attempts to define types of signs, sizes of signs and where they are situated. If a sign does not fit a definition, it is termed an unlisted sign and automatically becomes discretionary.
Heritage	One listed building in study area. (4 Russell Crescent)	Heritage issues dealt with under Schedule F.
Frontages (width)	None.	Minimum frontage of 9 metres.
Traffic, Access and Parking (cont)	No minimum access width requirements are specified. Minimum parking space dimensions specified. Number of parking spaces per use class requirements are specified (generally no requirement, but Corporation may require parking spaces). Cash in lieu provisions. Do not require parking on site.	Minimum access width requirements are specified. Parking space dimensions determined by Australian Standards. Number of parking space per use requirements are specified . Cash in lieu provisions. Visitor parking requirements for residences are specified. Parking spaces are to be provided on site.

Use	10 Use Classes	17 Use Groups
	Use class 1a: Private residence - Discretionary Use class 1b: home occupation - Discretionary	Use group I: House, ancillary flat, home occupation - Discretionary
		Use group II: Flat, elderly persons unit - Discretionary
	Use class 4: Multiple Accommodation - Discretionary	Use group III: Multiple dwelling - Discretionary
	Use class 2: Residential business - Discretionary	Use group IV: Domestic business - Discretionary
	Use class 7: Specialist service - Permitted	Use group V: Consulting rooms, community centre, place of worship - Permitted
		Use group VI: Hospital, welfare institution - Discretionary
		Use group VII: Educational institution - Discretionary
		Use group VIII: Office - Discretionary
	Use class 3: Local service - Permitted	Use group IX: Shop, takeaway food shop, bank - Permitted
	Use class 6: Hotel industry - Discretionary	Use group X: Holiday unit, hotel, motel, club, cinema, theatre, restaurant, discotheque, bed and breakfast - Discretionary
	Use class 5: Visitor accommodation - Discretionary	

	Use class 10: Recreation - Discretionary	Use group XI : Active Recreation- Discretionary
		Use group XII: Amusement machine centre, health studio - Discretionary
	Use class 8: General service - Discretionary	Use group XIII: Service industry, showroom, car hire premises - Discretionary
	Use class 9: Light industry - Discretionary	Use group XIV: Light industry, warehouse, saleyard - <i>Prohibited</i>
		Use group XV: Transport depot, timber yard, industry - <i>Prohibited</i>
		Use group XVI: Local shop - <u>Permitted</u>
		Use group XVII: Passive recreation - <u>Permitted</u>

9. APPENDIX 5 - LAND USE SURVEY DATA

Land Use Survey Sandy Bay Shopping Centre 28/5/98 Updated 1/8/99 and 26/6/2000 (except for signs)

(i) Sign Type Code CHPS 1982

1	Ground Base	12	Decorative Elements
2	Temporary	13	Flag
3	Wall	14	Portable
4	Transom	15	Pole or Pylon
5	Name Plate	16	Roof
6	Cabinet	17	Poster
7	Arcade	18	Projecting Wall (Vertical)
8	Banner	19	Sun blind
9	Sky	20	Awning Facia
10	Projecting Wall (Horizontal)	21	Below Awning
11	Wall	22	Above Awning

(ii) Sign Status

E - Exempt from planning approval

P - Permitted

D - Discretionary

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
Sandy Bay Road	112	Casa Monde	OO	Light fittings	151				
	114	Residential	OO		OO1				
	116	Vacant	OO		261	Out of study area			
	118-138	Residential			OO1				
	140-146	Shell Service Station			183	Unlisted	8	15 & 21 1 20 2	E P D
	150-152	Oriental Restaurant	OO	Restaurant	200	X	7	21 20 11	E D D
			10	Residence	O1	II	1A		
	154	Peche	OO	Clothes	121	IX		20	D

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
			10	Residence	O1	II	1A		
	156	Hair 156	OO	Hairdressing	203	IX	7	20 21	D E
			10	Residence	O1	II	1A		
	158A & B		10	Residence	O1	II	1A		
	160	Bay Leaf Bistro	OO	Restaurant	200	X	7	20 21	D E
			10	Residence	O1	II			
	164		10	Residence	O1	II	1A		
	166 - 168	Sandy Bay Bakery & Café	OO	Bakery	200	IX	7	21 20 22 14	E D P D

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
			10	Residence	O1	II	1A		
	172	La Bella Pizza & Pasta	OO	Pizza & Pasta shop	200	IX	7	20 21 11	D E D
	176	Amcal Chemist	OO	Chemist/ Doctor	154	IX & V	7	14 4 off, 20 21 2 off 5	D D E D
	180	Vermeys Quality Meats	OO	Butcher	101	IX	7	20 21 14 2 off	D E D
	180A	Residence	10		O1	II	1A		
	182	Food Stop in the Bay	OO	Takeaway	201	IX	7	20 21 Table and	D E

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
								chairs	
King Street	48	Kingsway Motors	OO	Car Sales/ Repair	250	XIII	8	3	
	46A		10	Residence	O1	II	1A		
Sandy Bay Road	186		OO	Vacant Office	262	VIII	7		
			10	Vacant Office	262	VIII	7		
	190	Principals	10	Real Estate	201	VIII	7	18 3	P P
	192	Maldinis	OO	Men's Clothes	120	IX	7	20	D
	194	Tootsies	OO	Shoe Shop	121	IX	7	3	D
		ANZ	OO	Bank	305	VIII	7	10 & 21	E

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
								11	D
			10	Office	301	VIII	7	3	P
Magnet Court	5	Don Camillo	OO	Restaurant	200	X	7	3 21	P E
		Bay Legal Practice	10	Office	318	VIII	7	3	P
		Walkway							
		Just the Thing	OO	Gift Shop	156	IX	7		
		Richard Barren	10	Photographer	205	IX	7	3	P
		Top Drawer	OO	Homeware	156	IX	3		
	9	Optometrists	OO		317	V	7	21	E
			10		317	V			
		Village Dry	OO	Dry Cleaners	204	IX	8	3	P

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
		Cleaners							
			10	Doctor	314	V	7	5	D
		Aristos Health and Beauty	10	Beauty Salon	203	V	7	3 5	P D
		Walkway							
		Soundy Menswear	OO	Men's Clothes & Fashion	120	IX	7	20 21	D E
		Conference Design	10	Office	301	III	7		
	15	Golden Tulip Patisserie	OO	Cafe	200	IX	7	21	E
		Peterswalds	10	Real estate	210	VIII	7	11 3	D P
		Sandy Bay Hi-Fi	OO	Shop	151	IX	7	3 14	P D
	17	Westpac	OO	Bank	230	VIII	7	21	E

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
								3	P
			10	Bank	230	VIII	7		
	19	Quality Dining Company	10	Office	301	VIII	7	3	P
		Stephen Gardiner	OO	Hairdresser	202	IX	7	3	P
		Peterswalds Property Management	10	Real Estate	201	VIII	7	4	P
		Geogettis	OO	Gift Shop	156	IX	7	3	P
	24	Touch of Class	OO	Gift Shop	156	IX	7	21	E
			10	Vacant	262	VIII	7		
		Magnet Court	OO		151	IX	7	14	D

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
		Chemist						21 20 9	E D D
			10	Doctor	314	V	7	3	p
		Touch of Asia	OO	Takeaway	200	IX	8	21 3 9	E P D
			10						
		Mayfair						11 14 4 off 18 6 off 20	D D P D
Russel Cres.								21 4 off 14 5 off 8 11 2 off 15	E D D D P
		Mayfair upper	27	Aus. Human	308				

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
		level		Resources Institute					
			28	Tas Beauty Supplies	401				
			29	Sandy Bay Slimtone Clinic	203				
			30	Newport & Wildman	308				
			31	French Lady	200				
			32	Vacant	261				
			34	Vacant	261				
			35	Vacant	261				
			36	Southern Physiotherapy Services	314				
			37	Vacant	261				
			38	Natural Nail & Beauty Centre	203				
			39	Lorenzo	203				

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(I)	Status of sign (ii)
			40	Lorenzo	203				
			41	Vacant	261				
			Suite 1	Centre management & Haverland Consultancy	308				
			Suite 2	Offices	308				
			Suite 3	Geoff Fader	308				
			Suite 4	Gov. Valuation Services	321				
			Suite 5	Computer Tecs	308				
			Suite 6	Tas. Advocacy Information Service	308				
			Suite 7	Classic Video	151				
		Mayfair lower	1	Mayfair	170				

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(I)	Status of sign (ii)
		level		Tavern & Bottle Shop					
			2	Vacant	261				
			3	Video City	151				
			4	Steve's Kebab House	200				
			5	Vacant	261				
			6	Bangkok Wok	200				
			7	Prime Fotofast	205				
			8	Vacant (SBR)	261				
			9	Vacant(SBR)	261				
			10	Vacant (SBR)	261				
			11	Choc-A-Bloc	104				
			12	Prime Fotofast	205				
			14	Optomeyes (Optometrist)	317				
			15 - 16	The Brezel Backerei	103				
			17	Optomeyes	317				

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
			18 - 20	Cafe Dolce Vita / Schmitz Cafe	200				
			21	Vacant	261				
			22	Vacant	261				
			23	Elizabeth Nannies	308				
			24	Aust. College of Social Service	308				
			25	Renata Boutique	121				
			26	Vacant	261				
Russel Cres.	2	Mayfair Veterinary Clinic	OO	Veterinary Clinic	316	V	7	15 21	P E
	4	Fiori	OO	Florist	161	IX	7	15	P

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
								14	D
								11	D
		Eat the Peach	OO	Restaurant	200	X	7	15	P
								14	D
	6	Wing and Co.	OO	Food Shop	105	IX	7	21	E
								14	D
			10	Storage	430	IX			
Sandy Bay Road	246 - 248	Coles Supermarket		Supermarket	110	IX	8	11 21 1 3 off	D E P
	268	Macdonald's Family Restaurant		Takeaway / Restaurant	200	IX & X	8	9 2 off 14 15 2 off 13 2 off 11	D D P D D
Ashfield	20	Sandy Bay	OO	Doctor	314				

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
Street		Clinic							
Sandy Bay Road	272-276	Residential			OO1	Out of study area			
	271 - 275	Catholic Church	OO		831	V			
			10		831	V			
	273	Private Residence			OO1	I			
	259	Chickenfeed Bargain Store	OO	Variety Shop		IX		20 21 11 9	D E D D
	255A	Flat	O1		O10	II			
	255B	Flats	OO		O10	II			

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
			10		O10	II			
	251A	Flats	O1		O10	II			
	251B	Flats	OO		O10	II			
	251D		10		O10	II			
	249	Creation's Choice	O1	Health Food shop	105	IX		15 14 11 3 off	P D D
		Professional & Linguist	10	Bookshop	153	IX		14	D
	247		OO	Vacant	261	IX			
		Harvey World Travel	10	Travel Agent	211	IX		15	P
	245	Private Residence	OO		OO1	I			
	241	Dental Clinic	OO	Dental Clinic	315	V		15	P

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(I)	Status of sign (ii)
								6	D
			10	Dental Clinic	315	V			
			20	Dental Clinic	315	V			
		Salsa Fashion Source	OO	Clothes	121	IX		15 3	P P
		Garden Path Embroidery	OO	Gifts	156	IX		14 3	D P
		Baptist Church			839	V		4	E
	237	G. Lindridge Hairdresser	OO	Hairdresser	203	IX		18 11	P D
	235	Status Drycleaners	OO	Drycleaner	204	IX		10 11	E D
Princes Street	11	Private Residence	OO		OO1	I			
	17 -	Digital /	OO	Offices	308	VIII		18	P

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
	13	Compaq						5	D
		Digital / Compaq	10	Offices	308	VIII			
		Nursing Board of Tasmania	OO	Offices	308	VIII			
		Sandy Bay Medical Centre & E.E. Natural Therapies	OO	Doctor	314	V		18	P
		MS	10	Offices	308	VIII		5 4 off	D
Flinders Lane		Private residence	OO		OO1	I			
Princes Street		Naturally Natural	10	Florist	161	IX		11	D
			OO		161				
		Tarantella	OO	Restaurant	200	X		10	E

Road	No	Name	Floor	Use	ABS Land Use Code	GHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
Sandy Bay Road	231	House of Herbs	OO	Gift Shop	156	IX		14 15 21 4 off	D P E
	217	Nickelby's	OO	Wine Bar	850	X		15 11	PD
	213	Colonial Trust Bank	OO	Bank	305	VIII		20 10 18 3 off 11	D E P D
			10		305	VIII			
Gregory Street	2	Roberts	OO	Real Estate	210	VIII		18 4 off 20	P D
			10	Real Estate	210	VIII			
	3	Gay Flowers	OO	Florist	161	IX		3	P

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
								14	D
	4	Raggedy Ann	OO	Clothes	121	IX		10 11	E D
			10	Clothes	121	IX			
	5		OO	Vacant	156 / 200				
	6	Dominex	OO			V		10	E
		Proud, N & P	10	Dentists	315	V		10 5 3 off	E D
	8	Botanical Resources	OO	Offices	308	VIII			
			10	Offices	308	VIII			
	10	My Goodness	OO	Health Foods	105	IX		14	D
			10	Health Foods	105				
	12	David	OO	Doctor	314	V		5	D

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
		Hemmings							
		Staley & Son	OO	Shop	261	IX		21	E
	14	Tas. Coffee Roasters	OO	Shop	105	IX		5	D
	16	Marie France	OO	Hairdresser	203	IX		14 2off	D
	16a	Cripps Davis & Assoc.	OO	Architects	308	VIII		6 5	D D
	18	Target media	OO	Offices	308	VIII			
	18a	The Creative Department	OO	Offices	308	VIII		6	D
		Global Online Marketing	OO	Offices	308	VIII		6	D
	20-22	True Value Hardware	OO		133	IX		14	D
Sandy	209	The Roost	OO	Takeaway	200	IX		20	D

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(I)	Status of sign (ii)
Bay Road								21 22	E P
	199-207	Bay Village Pharmacy	OO	Chemist	154	IX		20 14	D D
		Banjors	OO	Bakery	103	IX		14 18 2 off	D P
		Blockbuster Video	10	Video Store	151	IX		20 21	D E
	197	Sandy Bay / Nextra Newsagency	OO	Newsagency	153	IX		8	D
		Purity Entrance							
	183	Commonwealth Bank	OO	Bank	305	VIII		11 2 off 18	D P
		Commonwealth	10	Bank	305	VIII			

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
		Bank							
		Australia Post	OO		722	VIII		18 11	P D
		Australia Post	10		722	VIII			
King Street		Purity	OO	Supermarket	110	IX		3 14	P D
		Purity	10	Car park					
	56	Taxi Combined	OO	Taxi Service	215	VIII			
	54	Poseidons Cafe	OO		200	X		14 15	D P
	50C		OO	Vacant	261	IX			
	50B	Solo Pizza And Pasta	OO	Takeaway & Restaurant	200	IX			
	50A	Chinese	OO	Takeaway &	200	IX		18	P

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
		Takeaway		Restaurant					
		The Fish Bar	OO	Takeaway & Restaurant	200	IX		20 14	D D
		Kevin on King	OO	Hairdresser	203	IX		18	P
		Flirt on King	OO	Clothes	121	IX		21	E
Sandy Bay Road	171	Papergrass	OO	Women's Clothing	121	IX		20	D
	171A	Residence	10	Residence	O10	I			
	171B	Bombardieri Jewellers	OO	Jewellers	156	IX			
	169	Saatchi	OO	Clothes	121	IX		21 20	E D
	165	Hairum	OO	Hairdresser	203	IX		21	E

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
		Scarum							
			10	Residence	OO2	I			
	161	Mykonos	OO	Takeaway	200	IX		21 2 off 11 2 off 22 tables	E D P
	163	Body Stop in the Bay	OO	Beauty Salon	203	IX		21	E
			OO	Vacant	261				
		Bay Arcade Flats	10		O24	II		8 & 9 9 & 14 11 Large crown lager sign	D D D D
		The Wash House	OO	Laundrette		IX		14	D
	159	Yeltuor	OO	Women's	121	IX		9	D

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
				Clothes				21	E
			10		121				
		Mobil Service Station				UNLISTED		15 2 off	P
Queen Street	59 - 65	Private residences			OO1	I			
	80	Doctor's Surgery	OO	Doctor	314	V		5	D
	78	Snobs Hairdresser	OO	Hairdresser	203	IX		11	D
Sandy Bay Road	147		OO	Vacant	216/200	IX			
			OO	Vacant	216	IX			
		Corpsych	10	Psychologists	314	V		5	D

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
	145	TOTE	OO 10	TOTE Office Office		IX		19	P
	143	Mother Wouldn't Like It	OO	Antiques	152	IX		3	
	141	Dolphin in the Bay	OO	Takeaway	200	IX		20 21 22 14	D E P D
	139	Dr Syntax Hotel	OO	Hotel	170	X		10 5 off 18 22 3 8 off	E P P P
			10	Hotel	170				
	135	Sandy Bay	OO	Video Store	142	IX		10	E

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
		Video							
		Blueprint Portfolio Services	10	Offices	308	VIII			
		Drivetime Rental	OO	Car Hire	215	IX		15	P
	129	Harris Business Machines	OO	Offices	274	IX		3	P
	131	Bay Hire	OO		421	XIII		15	P
	123 - 127	Woolmers Inn	OO	Motel	O24	X		11 15	D P
			10		O24				
	121	Steve Walker Sails	OO	Shop		IX		14 15	D P

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
		Rhythm Hairdressers	OO	Hairdresser	203	IX		14 9	D D
		Chard Interior Classics	OO	Furniture Store		IX		11 14 20	D D D
	119	Tas. Office Equipment	OO		274	IX		17	D
		Residence	10						
	117		OO	Vacant	261	IX			
		Mr Pizza	OO	Pizza Shop	200	IX		15	P
		Tas. Fishing Industry Council	OO	Offices	308	VIII		11	D
Byron Street	4-6	Private residences	OO		OO1	I			

Road	No	Name	Floor	Use	ABS Land Use Code	CHPS Use Group	BPPS Use Class	Sign Type Code CHPS(i)	Status of sign (ii)
Vacancy rates as at 27/6/00		Overall vacancy rate 11.2%		Vacancy rate of Mayfair centre 29.5%					
				Vacancy rate of study area without Mayfair centre 6.7%					