



## Council heritage zoning an abuse of power, says Lower Sandy Bay property developer

**ABC Radio Hobart** By Carol Rääbus

Posted Tue 4 Oct 2016, 12:06pm

**Developer Troy Harper says his rights as a property owner in Lower Sandy Bay have been taken away by City of Hobart Council.**

Large sections of the area have been zoned as heritage in the council's planning scheme following a review.

Mr Harper said this happened without proper consultation or notification.

"I think this is one of the greatest abuses of the public process we've seen in Tasmania in recent years," he told Ryk Goddard on 936 ABC Hobart.

"I now only have the right to buy or sell my property. I have no other rights to do anything on my property.



**PHOTO:** Much of Lower Sandy Bay has been zoned as heritage in Hobart's 2015 planning scheme. (WikiCommons: Frances76)

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"There are hundreds of other property owners that have had their rights trampled."

Mr Harper said he had wanted to subdivide and develop his block but did not know until recently his property had been heritage listed.

"I can't renovate it without Heritage Council approval, which is a significantly higher requirement," he said.

"My insurance costs have more than doubled ... I can no longer subdivide my property."

He said he believed the heritage listing was for council control rather than historical value.

## Protecting the heritage of Hobart

Alderman Jeff Briscoe, chairman of the city planning committee, said council "usually goes overboard with consulting individual owners" regarding heritage listings.

"As a result of the findings of [a 2002] review we undertook an extensive public consultation with the introduction of the interim planning scheme over and above the council's statutory notification process," he said.

"Ultimately the owners of those new properties and precincts that are now in heritage areas have the right to object to the listing.

"One hundred and one objections were made in the whole of Hobart and are currently before the Tasmanian Planning Commission."

Mr Briscoe said though heritage listing did put restrictions on what could be done with a property, the restrictions were not as severe as Mr Harper claimed.



**PHOTO:** Terrace houses on Nixon Street in upper Sandy Bay are on the heritage list. (ABC Open: Jen Holdsworth)

"You've always got to follow the planning rules to do any development on your property; that hasn't changed," he said.

"I live in a heritage-listed property and I've had changes to that. There is a process you go through.

"There are issues with people who wish to change dramatically their heritage-listed properties but I'm sure Hobartians want us to protect the heritage of our city."

## 'It's not about heritage'

Mr Harper said although he received a letter eight years ago saying his property was being considered for heritage listing, he was never told it had gone through.

He said many property owners would have no idea their property was protected by the council's planning scheme.

"There's a whole range of people in Hobart who are going to try to do something with their property in coming years and find they no longer have the rights they thought they did," he said.

"This isn't about heritage ... this is about Hobart City Council circumventing the heritage process, trampling on people's rights and putting properties on a list that they didn't want to inform people on.

"Putting a notice in the newspaper saying the incoming planning scheme is here, you have seven days to comment, is not sufficient notice to list someone's house."

You can search the Hobart Interim Planning Scheme 2015 zoning online to see if your property has been listed.