

HOBART CITY COUNCIL

BATTERY POINT FORESHORE PUBLIC ACCESS COMMUNITY CONSULTATION – Reference No. 1488C

CONSULTANT'S REPORT



prepared by:



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Introduction

The Hobart City Council commissioned Corporate Communications to conduct a community consultation program to advise on public access to the Battery Point foreshore.

Council developed a number of design concepts for a potential walkway development and a program of community consultation to determine community views.

Specifically, Council resolved that the design concepts *be used as the basis for a public consultation process to determine community views on options to access Battery Point foreshore.*

Battery Point is an historic and sensitive area, and at the outset, it was anticipated that some stakeholders would hold firm views on any proposed development. Because of the importance of and interest in the area, it was accepted that stakeholder interest would extend beyond the immediate Battery Point confines and include residents of greater Hobart and wider interests.

The objective was to engage the wider community and key stakeholders through a formal, structured and comprehensive communication and consultation process. The aim of the consultation program was to identify community perceptions about the appropriateness of options to access the Battery Point foreshore.

In response, the consultancy developed a broad and open consultation program designed to encourage the widest possible interest to provide Council with a valid appreciation of the public view. The program included the development of a public display, information flyer and other information material, media publicity and advertising, community information sessions, meetings with individual stakeholders and interest groups, public polling, receipt of submissions in writing directly and via post and email and telephone comment.

Executive Summary

In essence, the response to the consultation can be divided into two distinct categories:

- Those primarily Battery Point residents living on or close to the waterfront, who are strongly opposed to any significant development or upgrading of access to the foreshore; and
- People from outside the immediate area (although several Battery Point residents did express support for improved access), who hold the view that the foreshore belongs to the entire community and upgraded public access, in the form of a walkway, should be provided.

It must be noted that a significant number of respondents to the consultation expressed support for the development of access, more extensive and universal than that proposed in any of the three presented options, to provide for bicycles, wheelchairs, prams and the like.

While more written submissions were received opposing any development than those received in favour of some development, this was more than balanced by the large majority of comments, representations and emails, as well as the telephone poll result, supporting the provision of improved access. The majority of supporting comments, submissions and representations favoured the development of an elevated boardwalk.

A telephone survey of Hobart City residents indicated a strong in-principle support for the Battery Point foreshore access development, with 80 per cent of respondents selecting some form of access track. Of the options presented, 55 per cent of respondents favoured an elevated boardwalk, 17 per cent supported a path on a rock revetment, eight per cent a scramble track and two per cent were opposed to any development. 19 per cent were unsure.

Opponents of any development and those favouring only 'low key, low impact' upgrading of access referred to current State Government policy, the Battery Point Planning Scheme and the State heritage Register to support their opposition to any walkway development.

Council now needs to take into account the wishes, interests and views of the majority of citizens as expressed in the consultation, the prevailing legislative and regulatory environment and the views, rights and amenity of the ratepayers living along the Battery Point foreshore.

Consultation Activities

A comprehensive consultation plan was developed designed to encourage a wide level of public input and ensure that key stakeholders were able to have input. Consultation activities included:

- Media announcements
- Press advertising
- *Capital City News* publicity
- Stakeholder and interest group meetings
- Information sessions
- Comment forms
- Display material
- Council display
- Website information
- Flyer publication and distribution
- Telephone hotline
- Email comments
- Freepost facility
- Written submissions
- Public survey (telephone poll)

Media announcements

A media announcement was prepared and distributed to all Tasmanian media outlets, advising of the consultation activities and timelines. Background and update information was provided to media organisations on request.

Press advertising

Advertisements were placed in *The Mercury* newspaper advising of the public information sessions and the contacts for information, comments and submissions.

***Capital City News* publicity**

An article on the consultation and the options to be presented was placed in the Hobart City Council's publication *Capital City News* and distributed to all ratepayer addresses.

Stakeholder and interest group meetings

Meetings and discussions were offered and arranged with various stakeholder interest groups and one-on-one meetings were held with Battery Point foreshore residents. A consultant also addressed a meeting of the Friends of the Foreshore group to provide advice and receive comments.

Public information sessions

A total of three public information sessions were conducted to provide the opportunity to view photographic montages and information on the foreshore upgrading options. The sessions were held at the Battery Point Community Hall on 19 April, the Sea Scout hall, Marieville Esplanade on 22 April and the Mawson Place Pavilion on 24 May.

Comment forms

Comment forms were prepared to assist members of the public to provide views on the access options and to make additional comments.

Display material

Display material was developed including a photo montage of the Battery Point material illustrating development options, information on the options and details of track standards.

Council display

A 'permanent' display was mounted in the Hobart City Council Customer Service Centre and information flyers and comment forms provided for the public.

Website information

Information on the consultation program and the access options being discussed was placed on the Hobart City Council website, with contacts for providing comments and submissions.

Information flyer

An information flyer was published and distributed widely to Battery Point residents and other interested parties.

Telephone hotline

A special telephone hotline was established to receive comments and the number promoted in the flyer, advertising, media publicity and comment forms.

Email comments

A dedicated email address was established to receive comments from the public.

Freepost facility

A freepost facility was established to receive submissions and completed comment forms.

Written submissions

Key stakeholders were encouraged to provide written submissions and these were received by email, freepost and via personal presentation.

Telephone survey

A telephone opinion survey of a representative 400 people in the Hobart City Council rating area was conducted where respondents were asked to comment on the three proposed options and invited to provide additional comments.

Consultation Results and Outcome

Undoubtedly, the consultation attracted keen interest, particularly from the residents of Battery Point, but also from other stakeholders either keen to see significantly improved access to the foreshore and others more intent on preserving the status quo on environmental or heritage grounds.

While the overwhelming majority of submissions and comments received were from Hobart, the consultation also attracted responses from interstate (Victoria, Queensland, New South Wales) and overseas (Singapore, India, Japan, Hong Kong and China).

Respondents essentially divided into two clear categories:

- The majority wanting improved waterfront access; and
- Those people, generally living closest to the Battery Point waterfront who did not want to see any change to the current level of foreshore access.

Indeed, of those expressing the opinion that improved access should be provided, many expressed the view that development should extend beyond the options put forward in the consultation and facilitate more universal access for cyclists, people in wheel chairs, those with prams and similar.

The question generally posed is what weighting should Council give to those foreshore residents who strongly believe that any development will impact adversely on their property and way of life and amenity, and the views of the majority who want to see improved access based on the belief that the foreshore belongs to all citizens and the facility should be provided for all to enjoy it.

Local consultation

The direct consultative process commenced on Wednesday 25 March 2009 and involved the distribution of the information flyer canvassing the idea of access to the foreshore by way of letterboxing in excess of 1000 residences and businesses in the Battery Point / Sandy Bay area.

In addition all residents with foreshore access as well as those living immediately opposite those residents were offered a 'one-on-one' interview with a consultant to discuss foreshore access.

A number of community groups and organisations were also provided with the flyer. These included the Tourism Council of Tasmania, the Battery Point and Sullivans Cove Community Association, the Premier's Physical Activity Council, Bicycle Tasmania, Cycling South, Tasmanians with Disability, Association of Children with a Disability, the Royal Yacht Club of Tasmania and local child care facilities. All groups requested further information and discussion. Brochures were also provided to hotels, shops and other commercial outlets for the information of patrons.

Consultant discussions

From direct discussions with Battery Point residents and interest groups, it became obvious that apart from waterfront residents, the majority were in favour of access to the foreshore in the form of either an elevated boardwalk or a path on top of a rock revetment. The so-called scramble track was viewed as nothing more than that currently existing and did little to encourage 'improved access' to the foreshore. A number of people expressed the view that the flyer was short on detail with small photographs and did not fairly represent a 'no development' option.

The majority of residents in favouring the elevated boardwalk felt that if Council was going to develop such a facility then it was worthwhile providing universal access for all including handicapped and disabled people in wheelchairs, parents with children in prams, bicycle riders and athletes, as well as the 'walking' public.

A common comment was:

“The foreshore belongs to everyone and should not be locked away for the privileged few”

With regard to interviews conducted with foreshore residents, the reaction was one of total rejection of any walkway development. They could only support continued access in the form of a scramble track with both boardwalk options totally rejected. Most foreshore residents felt that the brochure was biased in that it should have had a fourth option suggesting ***“the status quo remain”***. Most also felt the brochure could have provided more information with larger illustrations.

Their main reasons for objection related to ownership of the foreshore – the State Government and not Council, the provisions of the Battery Point Planning Scheme and the Tasmanian Heritage Register, the cost of such proposals, the effect on existing jetties (15) and boat ramps/slipways (7), vehicle access for maintenance and emergencies, along with parking for the general public while accessing the foreshore, lighting, security/policing, abuse in the form of alcohol, drugs, graffiti, home security and vandalism. Perhaps the strongest concerns related to residents' loss of amenity and privacy, the potential devaluation of their properties the need for compensation and the view that any structure would be an aesthetic eyesore for residents.

Reference was also made to potential future high water marks as a consequence of rising sea levels and a possible future increase in sea driven erosion. The view was expressed that Council appeared to be overlooking the amenity of foreshore residents to enjoy the privacy of their own properties, despite the fact that they paid significant rates to Council. Many residents indicated that should such a proposal eventuate it would lead to fences being erected to prevent walkers from looking into homes, backyards and extensive entertainment areas. A common comment was that any walkway construction would forever change the look of the Battery Point foreshore from its historic maritime slipways and jetties, to that of a monstrous structure backgrounded by enormous fences. These residents said they considered that eventually it would be a decision for the State Government and not the Council, and even if the State Government were to give its approval there was a very strong appeal process available to residents through the Battery Point Planning Scheme and the Tasmanian Heritage Register.

However, it is worth noting the comments of the foreshore's oldest resident, Mrs Rae Balfe who has lived her 93 years on the Battery Point waterfront. She said:

“It's not a matter of who's right, but what's right for the Battery Point foreshore”.

Community information sessions

As a component of the overall community consultation program, three information display sessions were conducted, with all well attended by local residents and Hobart citizens.

Photographic images and other information were displayed, information flyers distributed and comment forms provided to enable people to record their preferences and make general comments. Consultants from Corporate Communications and the Hobart City Council's Director Parks and Customer Service were available to discuss the display and assist community input.

The material was similar to that displayed at the Hobart City Council's Customer Service Centre in Elizabeth Street.

Information displays:

Battery Point Hall, 2 pm – 4pm, Sunday 19 April

As estimated 115 people attended the display over the two-hour session, the majority of which were residents of Battery Point, but a number of people from other Hobart suburbs also participated. More than 70 comment forms were completed with 15 people stating opposition to any walkway development around the Battery Point foreshore, four respondents were unsure and 56 supported improved access through the construction of a walkway.

The majority of those indicating support for a development favoured options A and B, either an elevated boardwalk or rock revetment. Indeed, a significant number of supporters favoured a more extensive walkway, capable of catering for bicycles, prams and wheelchairs.

Opposition was mainly based on security considerations, cost, loss of residents' amenity and claims that the consultation lacked a real choice for people to say no to any development.

Sea Scout Hall Marieville Esplanade, 7pm – 8.30pm, Wednesday 22 April

This information session was attended by approximately 40 residents, the majority of whom were from Battery Point and the nearby Sandy Bay area. A total of 25 comment forms were completed – 23 in favour of a walkway development and two opposed.

Again, many of those in support favoured a development that catered for cyclists, wheelchairs etc as well as pedestrians. The two comments opposed expressed a preference for a scramble track, in the event that a development was approved.

The Pavilion, Mawson Place, 2 pm – 3.30 pm, Sunday 24 May

This information session was attended by 56 people with 28 people filling in comment forms. Of these, 23 people expressed support for improved access, mainly in the form of an elevated boardwalk (option A), but upgraded to accommodate bicycles, wheelchairs and people with prams. Four people made comments opposing any development and one was unsure.

Meeting with Friends of the Foreshore Group

A meeting was held with the Friends of the Foreshore Group on the evening of 28 April 2009. It was attended by approximately 20 Battery Point residents all strongly opposed to any walkway development along the foreshore.

It was explained that the consultation was being undertaken to assess community views on providing improved foreshore access. Whether any development took place would be a decision of Council. All residents expressed varying degrees of concern and frustration that the Hobart City Council would again attempt to develop a walkway when they believed previous Council and State Government decisions had precluded this. A number of residents expressed their anger that this issue appeared to be raised every four or five years and believed it was an unfair attack on their residential amenity.

Opposition and concerns expressed covered the weighting to be given to the views of ratepayers most impacted and opposed to any development, safety impacts, vandalism, anti-social activity, breach of planning and heritage provisions, conflict with announced State Government policy, cost to ratepayers and loss of amenity.

Telephone hotline

The telephone hotline attracted 26 calls, with the majority supporting the elevated boardwalk option (option A). Again, a number of callers expressed support for increased and more universal access. A few callers requested interviews with a consultant and these were followed up. Only three callers expressed opposition to a boardwalk or revetment-style development.

A summary of calls received is provided as an appendix to this report.

Email submissions

In excess of 300 comments and submissions were received by email at the dedicated address established for the consultation. While a number were confirmation of written submissions, 209 emails expressed support for some form of improved access (the majority of these favoured an elevated walkway or rock revetment) and 95 opposed any change to the status quo.

A significant number of comments favouring improved access also expressed support for a wider walkway catering for cyclists, wheelchairs and people with prams.

Copies of all emails are provided as an appendix to this report.

Comments by post

A total of 35 comment forms were returned via the freepost facility. Of these, 19 supported improved access, while 16 respondents opposed any development.

The common view of those opposed to any development was: *“leave the foreshore alone”*. Of those in support, more than half favoured a path constructed along a rock revetment. A common view was that a walkway would be an asset to the city and encourage walking to improve community health.

All comment forms received at the information sessions and by post are provided as an appendix to this report.

Written submissions

A total of 80 written submissions and letters were received during the consultation. These ranged from brief comments either supporting or opposing any development, to detailed submissions including photographs and video representations.

Some 49 submissions opposed any development, with many of them citing detailed reasons for objection. A further five (several with reservations) supported the scramble track option, while 26 favoured the development of an elevated boardwalk with many proposing a wider facility with universal access, particularly for cyclists and handicapped people.

Extracts from submissions

Following are extracts from some of the submissions received. All submissions are provided as an appendix to this report.

Opposed:

The plans would destroy forever the uniqueness of Battery Point. Contrary to State Coastal Policy there would be serious and irreversible damage to the foreshore environment. The walkway would be a visual eyesore, is not sensitive to the local area and community, would be costly and impact on existing slipways, boatsheds and jetties.

We believe a walkway of any sort is not necessary and is undesirable. If there was one, it would provide a gross intrusion to the properties alongside the waterfront, and would moreover, offer an easy access to any intruders.

My family and myself are totally against any sort of concrete structure on our precious foreshore.

Leave the foreshore in its natural state. Don't trivialise the magnificent and unique entrance to the city of Hobart with a costly project that detracts from the existing harbour.

We are disturbed that Council would try and push through a development that is clearly in breach of the Battery Point Planning Scheme, not supported by State Government, and pays no heed to the Tasmanian Heritage Register.

I am opposed to the addition of a walking track because it will corrupt the natural aspect of the foreshore, degrade heritage values, be an eyesore and have no regard for the privacy and security for current waterfront ratepayers.

We believe if this boardwalk proceeded it would invite more vandalism in this area and that it could not be policed.

Any of the three options will reduce the quiet enjoyment of the land by current residents. They will detract from the unique nature of the foreshore.

I am vehemently opposed to the proposal in any of its forms.

The consultation process is defective. In view of the fundamental defects in the consultation document, it is not possible to respond to it. We express no view as to whether access to the foreshore should be improved and if so how that should be achieved.

I support the State Government position, which is justified on the grounds of better planning outcomes, heritage listing and the amenity of Battery Point residents.

Any walkway would be a visual eyesore, compromise the security of residents and cause them to suffer a loss of residential amenity.

A walkway giving unfettered public access to the foreshore would look totally out of place, destroy the amenity of the foreshore and lead to the construction of high, ugly fences.

We support the status quo. Should there be a development, we support the Government's position. That is, the Government would be prepared to consider a low-key project that increased public access to the foreshore, which was low impact and enjoyed strong local support.

We strongly oppose the construction of any sort of walkway along the foreshore of Battery Point.

The benefits of building anything other than the most low-key of walkways are not justified by the adverse impacts.

The Association supports low key access improvements while opposing the construction of any significant infrastructure on the foreshore.

Any pathway would result in considerable loss of residential amenity. The Battery Point Planning Scheme is the key planning document for our suburb. Rights to enjoy amenity, privacy and importantly security are essential elements of the scheme. As was demonstrated by the St Ives night club case these issues are of critical and paramount concern.

It is important to note the biased and deceptive nature of the pamphlet circulated by the Hobart City Council. It fails to mention the listed places on the Tasmanian Heritage Register and the crime potential with the walkway. We have no objection to a scramble track.

It is not consistent with the Battery Point Planning Scheme.

We oppose any change to the current foreshore access.

Supportive:

As residents of Battery Point, we regularly walk the Sullivans Cove precinct. This walkway appears ideal, safe and visually pleasing.

My young family and I find it frustrating that we need to travel along main roads to access the bike track starting at the Cenotaph. I would be very pleased if public access was available along the foreshore, not only for locals but for the wider community.

I think an option that could allow for cycle usage should also be considered.

I prefer the elevated boardwalk option.

I have read your brochure carefully. I am on the record as an advocate for the development of a scramble track, but with the passage of time, I have changed my mind. I now support an elevated boardwalk (option 1).

A raised boardwalk or a path on a rock revetment would be equally suitable and I suspect the final construction will be a combination of both.

I support improved access and implore the Council to explore every conceivable possibility of ensuring the design provides universal access at the outset.

A wider (for example four metres) shared use trail has the potential to be a truly outstanding project that will not only enhance the Battery Point foreshore, but also meet the recreation trail needs identified by the community and be a major attraction to the area.

The Committee believes that providing access around Battery Point is a project of enormous significance that will open up walking opportunities on the western shore. A boardwalk of at least four metres in width is desirable.

Council should bite the bullet and get on with the job. Option one should be extended to include the provision of a shared cycleway.

We write as a group of nursing, medical, engineering and paramedic students and professionals supporting foreshore access around Battery Point that includes provision for bicycles.

It is the interests of our group and other cyclists that the Battery Point foreshore pathway accommodates both walkers and cyclists.

Our group of 65 cyclists is very supportive of opening up this route. A safe non-car route from Sandy Bay would cause a drop in the number of cars passing through Battery Point to the CSIRO.

Why has it taken over 200 years for a walkway to be established?

Bicycle Tasmania supports increased access around the Battery Point foreshore, but it needs to take into account the needs of cyclists as well as walkers.

Access around Battery Point is the crucial missing link in Hobart's bicycle network. The Battery Point foreshore is one of Hobart's great assets and it is time the broader community is given the opportunity to enjoy and experience the Derwent foreshore in one of the more historical and interesting parts of Hobart while also strategically linking residents of Sandy Bay to waterfront attractions.

I think the path of choice should be an elevated boardwalk as it will be an impermanent structure and not damage the shoreline.

The boardwalk proposal is consistent with the Tasmanian Physical Activity Plan 2005-2010 and the Hobart Economic Gateway Development Projects report of 1998.

Telephone survey

As part of the consultation process, randomly selected city of Hobart private residences were contacted and residents' views and comments on the issue and proposed development options recorded. A total of 400 responses were collected.

The objective of the telephone polling was to measure the level of general support for the concept of the provision of improved public access to the Battery Point foreshore, and from those in favour of improving access, determine the type of public access they prefer. The research also sought to elicit any general comments or concerns that respondents may have in relation to the proposed development, providing a snap-shot of residents views, issues and expectations.

A total of 78 per cent of all respondents supported improved public access to the Battery Point foreshore, with only four per cent opposed. 18 per cent were unsure. The number in opposition reduced to two per cent when they were informed of the track options that could be considered. Of the options, 55 per cent of respondents favoured an elevated boardwalk, 17 per cent supported a path on a rock revetment, eight per cent a scramble track and two per cent were opposed to any development. 19 per cent were unsure.

With 80 per cent of respondents selecting some form of access track, the telephone polling indicated a strong in principal support for the Battery Point foreshore access development. The comments collected indicate the public considers a range of key areas requiring careful review and consideration by the Hobart City Council. These include:

- The appropriate mix of transport options allowed on the track and how these are separated on the proposed track (a number of respondents supported access being provided for bicycles, wheelchairs and prams, while others favoured precluding bicycles and skateboards).
- A requirement for the development to be sensitive to residents' needs and concerns, including security.

- A requirement for the development to address environmental sensitivities.
- Considering appropriate infrastructure to assist and guide tourists as they use the access track.
- Ensuring a fiscally responsible approach to the track's development and construction is adhered to.

Based on the poll, if these aspects can be carefully balanced and managed the Hobart City Council can expect to achieve very satisfying results, with a broad level of acceptance across the community.

The full survey results are provided as an appendix to this report.

Ratings of Options

Of the options considered, the development of an elevated boardwalk is considered to be the favoured means of providing improved foreshore access by the majority of those citizens who participated in the process. The path on top of a rock revetment also attracted support, with the scramble track option the least favoured of the three options. There was limited to no opposition from any participants in the consultation, other than from those living in the immediate vicinity of the foreshore, to providing improved access as outlined in the consultation materials.

While more written submissions were received opposing any development than those in favour, this was more than balanced by the large majority of comments, representations and emails, as well as the telephone poll result, supporting the provision of improved access. Again, the majority of supporting comments, submissions and representations favoured the development of an elevated boardwalk.

A significant number of comments and submissions also suggested consideration of developing a wider boardwalk than that proposed, capable of provided universal access for bicyclists, disabled people in wheelchairs and people with prams.

Conclusion

It is fair to say that the residents of Battery Point including those fortunate enough to enjoy residency on the foreshore, together with the residents of the City of Hobart accept that access to the foreshore at Battery Point is essential and desirable. However the form and extent of that access remains the subject of debate.

It is obvious that the public comment and sentiment has fallen into two natural categories:

1. Those who would readily agree to a foreshore walking track because they are not residents of the foreshore and will not be directly affected by the construction or by the impact of any increased public foreshore access; and
2. Those who live along the proposed track route and will be adversely affected by such proposals and will not readily agree to them.

There are many more people falling into the first category than the second and the views in favour of some form of improved access far outnumber the views of those against.

Opponents of any development and those favouring only 'low key, low impact' upgrading of access referred to current State Government policy, the Battery Point Planning Scheme and the State Heritage Register to support their opposition to any walkway development.

Council will need to take into account the wishes interests and views of the majority of citizens, as expressed in the consultation process, the prevailing legislative and regulatory environment and the views, rights and amenity of the ratepayers living along the Battery Point foreshore.

Appendices

1. Media announcement
2. Press advertisements
3. *Capital City News*
4. Information flyer
5. Telephone log
6. Telephone survey results
7. Public submissions and letters
8. Public Comments
9. Email comments

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