
From: [REDACTED]
Sent: Monday, 29 June 2026 3:11 PM
To: TPC Enquiry
Subject: Kangaroo Bay Major project proposal

Chairperson,
Ms Pam Allen
Development Assessment Panel
Tasmanian Planning Commission
Dear Ms Allen,

Thank you for the opportunity to make this representation regarding the proposed Kangaroo Bay Hotel Major Project.

This proposal should not be approved as it will have a detrimental impact on Bellerive village and the wider community.

We live directly over the road at [REDACTED], Bellerive in a single storey home and everything the developer says will be good for the hotel and guests will be features stolen from nearby residents and while they say neighbouring properties will not be affected the complete opposite is the truth.

Hopefully I can provide sufficient factual information to give you due cause to reject the request for approval of this development but first I will provide some subjective thoughts.

You are no doubt aware of the history of this proposal: Will Hodgman, former Premier of Tasmania, approved the concept and sale of this prime waterfront land during the Chinese Premier's visit to Tasmania in 2014 for a hotel AND hospitality school. The developers could not obtain a partner to oversee and manage the hospitality school so that part of the original intention for this previously public land has been dropped and is now just an oversized hotel on a small area of land.

In line with the Chinese government way of land reclamation in the South China Sea, to make the site bigger, part of Kangaroo Bay has been filled and the developers are now looking to build further out in Kangaroo Bay to provide for a public viewing platform noted on page 39. Besides the viewing platform, the boardwalk shown on the proposed plans show a width of 3 metres whereas the requirement is for a 4 metre boardwalk to be provided around the development. Will the developers reduce the size of the hotel or build further into the Bay to provide this extra land?

The true height of this development at 21.4 metres will create a wall along the foreshore and is in contravention of the Kangaroo Bay Urban Design Strategy and Concept Plan (the Kangaroo Bay UDS). This document was prepared in 2008 by a firm named "Inspiring Place" with assistance from Leigh Woolley, Urban Enterprise and Arup.

This document involved community and stakeholder consultation and sought to provide the strategic foundation for the future development of Kangaroo Bay and the intent of the document and the principles it sets out, remain relevant to the use and development proposed by the major project with the provision that any development should have **view lines along and from Cambridge Road which this project does NOT provide.**

While the developers have claimed there are buildings with a similar height in the area, the two buildings mentioned are a set of units (only four storeys) and an office building (also four storeys) in Bellerive Village. These are nowhere close to this proposed building and do not affect neighbouring properties' sight lines or else they have substantial parking space around them. **At five storeys, right on the water edge this proposed development will dominate this historical area.**

The company have sought to minimize the impact on Cambridge Road residents by showing 3D imagery of the size of the development by hiding it behind houses and taken from 300 metres up Cambridge Rd. This downplays the significant impact the development will have on residents directly behind the site. **Who knows what impact having a plant room 20 metres from your property will have until it is built? Can anyone guarantee the noise will be limited to the site?**

The Council is right to have issued a Supreme Court writ to repurchase the site as the company has abused the contract of sale conditions and continues to delay finalisation of the court outcome. Similar to when the Port of Darwin was leased to a private Chinese owned company for 99 years in 2015, the authorities are now actively pursuing efforts to return the Port of Darwin to Australian control and so it is in Kangaroo Bay.

An important change mooted for the original project was the closure of the current entry to the Bellerive Yacht Club on Cambridge Road resulting in all traffic to the yacht club and the public car park will need access via the right of way over the subject property. This will entail delivery trucks and cars passing through this development continually during the day. **The proposed plans for the hotel building from Floor 1 and above show as being built over this right of way.**

Of major concern is the lack of parking the development provides for the oversized hotel. The number of proposed guests with cars is subjective however the impact of staff and guests using cars at the site and the impact on local streets are already straining from the users of the Bellerive ferry parking in Kangaroo Bay. **Paying a fee for non-provision of a parking space does not mitigate the impact on local residents especially with two schools in the immediate vicinity.**

Many questions should be asked of this drawn out development –

- Why couldn't a provider be found for the proposed Hospitality School?
- Has a manager for the Hotel been nominated and confirmed?
- Why did the Minister of the day, Michael Ferguson, refuse the original request for the development being nominated for Major Project status? - Is a Hotel worthy of Major Project status?
- Why does the development need to be oversized for the position? The community were promised a boutique hotel.
- Why do the developers have no regard to the neighbouring properties?
- Council sought to repurchase the land because the developers have not abided by a legal sale and development agreement. Why do the Chinese developers not respect the agreed terms in the contract of sale?
- What experience does this top 300 business in China have to run a Hotel?
- What do the developers propose to do with the site if the Hotel fails? Will the Tasmanian Planning Panel be asked to rezone the site and approve a change of use from hotel to apartments? Current zoning is non-residential.
- What will the devaluation of neighbouring properties be with their views and privacy taken away by having four floors of hotel rooms looking directly into our bedrooms?
- What will be the noise from the plant works less than 20 metres away for a five storey hotel be?

- Where will excess cars be parked taking into account staff, dining and café guests and hotel guests be provided? What is the real shortfall in parking?
- What amount of assistance have the developers be given through the Department of State Growth and is there any monetary consideration or bonus to an employee involved if the development receives approval?
- Why is there so much community anger against the proposed development if the asset would be good for the area? Bellerive Village already has over 25 eateries - is another café/restaurant a necessity? Would a hotel on the Eastern Shore succeed when tourists want to be in the city?
- What impact will an “outdoor event space” have on neighbouring properties?
- Why would the Liberal Government once again want to support a company which has not abided by legal contracts and appears to now be trying to sidestep normal Council planning channels, as well as legal action in the Supreme Court?

All of these questions are not valid reasons for your consideration of the project however it is noted in the Panel’s notes – **"Why are many of the assessment criteria subjective? Generally, the assessment criteria have been drafted to provide an outline of a topic and a test to determine if the major project achieves an acceptable outcome in relation to that topic. The Panel is then required to judge whether the major project satisfies the test in relation to each topic. Consequently, most assessment criteria are subjective.**

Now to address the Assessment Criteria as listed -

1.0 Use and development

As detailed in the Major Project Declaration, a hotel (in the visitor accommodation use class) is the primary use proposed, and a number of subservient uses are included within that primary use, including a restaurant (food services use class), a bar (hotel industry use class), a function/conference centre (community meeting and entertainment use class), and an outdoor event space (passive recreation use class). As the primary use as a hotel is a discretionary use in the Particular Purpose Zone CLA-P2.0 Kangaroo Bay (the Kangaroo Bay PPZ) any of the subservient uses should be considered to be uses in their own right, they are all discretionary with the exception of a restaurant which is a permitted use in the zone.

Criterion: While the proposed use: (a) is compatible with existing and potential use of land on and adjacent to the project site; (b) provides for the activation of publicly accessible spaces on the project site; and (c) avoids or minimises significant adverse effects on the amenity of nearby land and water, including public open space; to an acceptable level.

Comment - Heavily impacts on nearby residences especially having a plant room at 5.2 FFL adjacent to Cambridge Road and less than 20 metres from residential housing.

1. The noise levels generated by the major project, including their timing, duration and extent.

- The level of external illumination in proximity to habitable rooms.

Comment - Heavily impacts on nearby residences less than 20 metres away.

1.2 Context and landscape

Criterion: The proposed development is to: (a) be of a design that responds and contributes to its context and the surrounding landscape through articulation, siting, materials, and colours; (b) be sited to give effect to the design principles of the Kangaroo Bay UDS having lower and lightweight/visually permeable structures closer to the waterfront; and (c) provide physically and visually clear pedestrian connections

between Kangaroo Bay Drive and the Village, consistent with the intent of the Kangaroo Bay UDS; to an acceptable level.

In considering the criterion, the Panel may have regard to the extent to which the major project: • complements the context of Kangaroo Bay and the existing forms via the articulation, architectural expression, pattern of design details, materials and colours; • **treats the Kangaroo Bay waterfront as a continuous public space with an emphasis on safe, legible pedestrian movement and community access to the waterfront**; • reinforces the physical contact and visual experience with water; and • responds to any advice received from a state agency or council.

Comment – Only provides a 3 metre wide walkway rather than the stipulated 4 metres.

1.3 Built form and architectural design

This criterion addresses **the impact of the scale and height of the proposed development on the character of the surrounding area and the architectural responses to the local built form and landscape character. The scale, height and architectural design of the proposed development are to be appropriate for the project site and responsive to the surrounding area.**

Criterion: The design of the proposed development is to achieve a scale and height appropriate to the existing or desired future character of the surrounding area and landscape setting. The scale, height and architectural design of the proposed development is to: (a) allow for a visual connection with the timtumili minanya/River Derwent and kunanyi/Mount Wellington; and (b) respond and relate to the waterside location and maritime activities, being reflected in the colours and materials of the built and spatial form; to an acceptable level. In considering the criteria, the panel may have regard to the extent to which the proposed development: • **has a compatible height, form and scale with the existing spatial and built form of the surrounding area**; • provides built forms that are of contemporary design and cognisant of the high visibility of the project site; • provides a built form that allows **for visual transparency** and permeability; • is orientated towards the waterfront; and • responds to any advice received from a state agency or council.

Comment - Heavily impacts on nearby residences less than 20 metres away and does not provide view lines through the site from Cambridge Road.

If approved, will windows be slanted to avoid glare from four storeys of windows to neighbouring properties?

2.0 Parking, access, traffic, and transport. Improving access and circulation while not compromising pedestrian movement in the area, as well as providing for a vehicular access link to the Marina from Kangaroo Bay, are key strategic goals.

Criterion - Car parking and access is: (a) provided to meet the needs of the proposed uses, including adequate access for goods delivery and collection; (b) designed and constructed to be convenient, safe, and efficient, including associated areas for access, manoeuvring and circulation; (c) designed and sited to not have a significant adverse impact on the streetscape; and (d) designed to achieve public vehicular access and connectivity between the Marina and Kangaroo Bay Drive, within the project site; to an acceptable level.

Comment – Pitt&Sherry have been paid by the developer and as such give a fairy tale outline of parking needs and in some instances have not had the time to do all that is required and therefore have been negligent in their duties. To say the development can comply and operate with a shortfall of 167 parking spaces is nothing short of scandalous.

They have finished the report with the standard disclaimer and obviously realise the development is over sized with not enough parking being provided –

“If such events or changes occurred after the date that the report was prepared render the Report inaccurate, in whole or in part, Pitt&Sherry accepts no responsibility, and disclaims any liability

whatsoever for any injury, loss or damage suffered by anyone arising from or in connection with their use of, reliance upon, or decisions or actions based on the Report, in whole or in part, for whatever purpose.”

2.2 Traffic and transport.

Criterion - The proposed use and development: (a) generates traffic that avoids or minimises significant adverse effects on the safety and efficiency of the road network nearby the project site; and (b) encourages the use of alternative modes of transport to access the project site by the public, guests, and employees; to an acceptable level. In considering the criterion, the Panel may have regard to: • The Kangaroo Bay PPZ local area objective CLA-P2.2.3 (j). • The intent of the Kangaroo Bay UDS. • The nature of the traffic generated, and the increase in traffic caused, by the major project. • The nature of the roads nearby the project site, including their speed limits and traffic flows. • The amount of on-site car parking, motorbike parking, and bicycle parking proposed. • The amount and type of end-of-trip bicycle facilities proposed. • The proximity to, and availability, frequency, and likely use of, public transport, and other modes of transport. • The extent to which the major project proposes, allows for, or constrains, the provision of future ferry transport infrastructure and services, and private boat infrastructure. • The level of pedestrian amenity provided, and any impacts on the amenity of land nearby the project site. • The extent to which the major project proposes, allows for, or constrains, the provision of active transport infrastructure and connectivity through the project.

Comment – right of way through the site to public car park and Bellerive Yacht Club will have anything up to 200 vehicle movements per day including delivery/garbage removal trucks.

There are currently 74 vehicles parked each day by ferry commuters in the area surrounding the hotel site that Pitt&Sherry say will be changed from all day parking to timed parking. The MPIS says Hotel employees will police this use. Presumably hotel guests would be immune from prosecution or be told not to move their vehicles. In addition the Bellerive Yacht Club has 69 vehicle spaces with the majority occupied each day which will also access the Club via the access road.

Criteria - The visual impact on people residing in the surrounding area; • view shed analysis showing areas where the proposed use and development is visible, and the range and number of people that may be affected; and • key sequential and static viewpoints and the overall significance of visual effects. The plans will be guided by the processes and principles outlined in Guidelines for Landscape and Visual Assessment, third edition, 2013. Show, illustrate and describe, how the proposed development: • responds and contributes to its context and the surrounding landscape through such means as articulation, siting, materials, and colours; • reinforces the physical contact and visual experience with water; • treats the Kangaroo Bay waterfront as a continuous public space with an emphasis on safe, legible pedestrian movement and community access to the waterfront; • has a compatible height, form and scale with the existing spatial and built form of the surrounding area; • provides a built form that allows for visual transparency and permeability; • allows for a visual connection with the timtumili minanya/River Derwent and kunanyi/Mount Wellington from the surrounding area; • provides a considered design approach, sensitive to its waterside location and the maritime activities, being reflected in the colours and materials of the built and spatial form; • provides any ‘secondary spaces’ on the project site that contribute to pedestrian usability and public benefit; • provides frontages to the street and pedestrian areas that are active and legible in the wider streetscape; • incorporates Crime Prevention through Environmental Design and prevents the creation of concealment and entrapment spaces; and • clearly defines the public spaces and pedestrian access ways.

Comment

Homeowners within 50 metres of a proposed commercial hotel in Tasmania have valid grounds for objection to building height, setbacks, overshadowing, loss of privacy (e.g., hotel room windows/balconies looking into your bedrooms/backyard), traffic congestion, noise levels, and heritage impacts.

If the development is approved and proceeds to construction, nearby residents have rights regarding the structural integrity of their property and hence, the developer must issue a Director's Guideline - Protection Work and have the right to agree, disagree, or request more information or modifications to the proposed protection measures (such as underpinning your foundations or managing earth pressures).

In addition they have the right to a livable environment and once the hotel is built and operating, nearby homeowners have ongoing common-law and statutory rights regarding how the commercial premises operates.

They will also have the right to a quiet enjoyment of their home. If the hotel creates unreasonable or excessive noise (e.g., late-night deliveries, loud mechanical plant equipment, or noisy guest areas), they can escalate noise complaints to the council and the EPA.

The hotel must operate strictly in accordance with the conditions of its planning permit. If they violate these conditions (e.g., exceeding approved operating hours or hosting unapproved outdoor events), they can report a breach of permit to the council.

Affected residents can be eligible for loss of property value or loss of amenity.

Will all of these rights still be valid if the development is approved for construction and who is responsible for these rights to be maintained?

Thank you for reading this submission.

Michael and Anne Geard

,
Bellerive Tas 7018