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Parliamentary Standing Committee on Public Works

REPORT

relating to the proposed construction of the

COMMONWEALTH LAW COURTS

Hobart,
Tasmania

(FIFTH REPORT OF 1980)

1980

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS

R E P O R T

relating to the proposed construction of the

COMMONWEALTH LAW
COURTS

Hobart,
Tasmania

(Fifth Report of 1980)

MEMBERS OF THE PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS

(Twenty-fifth Committee)

Melville Harold Bungey, Esq., M.P. (Chairman)

Leonard Keith Johnson, Esq., M.P. (Vice-Chairman)

Senate

House of Representatives

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Kilgariff

Stephen Edward Calder, Esq.,
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Senator Jean Isabel Melzer

Benjamin Charles Humphreys, Esq.,
M.P.

Senator Harold William Young

Albert William James, Esq., M.P.
Murray Evan Sainsbury, Esq., M.P.

EXTRACT FROM

THE VOTES AND PROCEEDINGS OF THE HOUSE OF REPRESENTATIVES,
NO. 162 DATED 15 APRIL 1980

11. PUBLIC WORKS COMMITTEE - REFERENCE OF WORK - COMMONWEALTH LAW COURTS, HOBART, TAS.: Mr. Groom (Minister for Housing and Construction), pursuant to notice, moved - That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Construction of Commonwealth Law Courts, Hobart, Tas.

Mr. Groom presented plans in connection with the proposed work.

Debate ensued.

Question - put and passed.

WITNESSES

- Baskett, P.E., Esq., Assistant Secretary,
Operations Branch, Attorney-General's
Department, Hinkler Building,
25 Kings Avenue, Canberra, Australian
Capital Territory
- Bickerstaff, I.S., Esq., Associate Director,
Department of Housing & Construction,
Tivoli Court, 239-241 Bourke Street,
Melbourne, Victoria
- Coe, G.M., Esq., Acting Chief Property Officer,
Department of Administrative Services,
G.P.O. Box 519E, Hobart, Tasmania
- Court, M.R.J., Esq., Honorary Architect, National
Trust of Australia (Tasmania), Kirksway
Place, Hobart, Tasmania
- Crawford, B.H., Esq., Treasurer, Law Society of
Tasmania, Public Buildings, Franklin Square,
Hobart, Tasmania
- Edney, F.L., Esq., Chief Inspector, Australian
Federal Police, Magnet Court, Sandy Bay,
Tasmania
- Glare, L.G., Esq., First Assistant Secretary,
Management and Special Services Branch,
Attorney-General's Department,
Administrative Building, Parkes,
Australian Capital Territory
- Haigh, D.C., Esq., Acting Executive Officer
(Planning and Review), Department of
Administrative Services, G.P.O. Box 519E,
Hobart, Tasmania
- Hanrahan, K., Esq., Director, Buildings and
Property Division, Attorney-General's
Department, Hinkler Building, 25 Kings
Avenue, Canberra, Australian Capital
Territory
- Hodgman, W.M., Esq., M.P., Member for Denison,
Commonwealth Parliament Offices, Marine
Board Building, 1 Franklin Wharf, Hobart,
Tasmania
- Hurburgh, T.P., Esq., Architect, Bates, Smart
& McCutcheon Pty Ltd, 366 St Kilda Road,
Melbourne, Victoria

Jennings, R.C., Esq., Vice President, Hobart
Tennis Club, 45 Davey Street, Hobart,
Tasmania

Knox, B.J., Esq., President, Family Law
Practitioners' Association of Tasmania,
59 Harrington Street, Hobart, Tasmania

Leong, H. C-H, Esq., Creative Architect,
Department of Housing & Construction,
Tivoli Court, 239-241 Bourke Street,
Melbourne, Victoria

McKenzie, A.J.H., Esq., Controller, Department
of Housing & Construction, 162 Macquarie
Street, Hobart, Tasmania

Nixon, K.J., Esq., Principal Registrar, Family
Court of Australia, Attorney-General's
Department, La Salle Building, 70 Castlereagh
Street, Sydney, New South Wales

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PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS

COMMONWEALTH LAW COURTS,
HOBART, TASMANIA

R E P O R T

By resolution on 15 April 1980 the House of Representatives referred to the Parliamentary Standing Committee on Public Works for investigation and report the proposal to construct a Commonwealth Law Courts Building at Hobart.

The Committee has the honour to report as follows:

THE REFERENCE

1. The proposal referred to the Committee is for the construction of a Law Courts building comprising a basement, ground floor and four upper floors, designed to accommodate the following:

- The Federal Court of Australia;
- The Family Court of Australia including Counselling and Child Minding Facilities;
- The Australian Conciliation and Arbitration Commission;
- The Administrative Appeals Tribunal and Other Federal Tribunals;
- The Deputy Crown Solicitor;
- Conference and hearing rooms, chambers, library; and
- other support facilities.

2. The existing historic Trades Hall building on the site will be retained and integrated into the design to protect an historic and attractive streetscape. The estimated cost of the proposal when referred to the Committee was \$8.4 million.

THE COMMITTEE'S INVESTIGATION

3. The Committee received written submissions and drawings from the Attorney-General's Department and the Department of Housing and Construction and took evidence from their representatives at a public hearing in Hobart on 7 and 8 May 1980. Written submissions and evidence were received from Mr. W.M. Hodgman, M.P., Member for Denison, Mr. B.J. Knox, President of the Family Law Practitioners' Association of Tasmania, Mr. B.C. Crawford, Treasurer, Law Society of Tasmania, Mr. R.C. Jennings, Vice President of the Hobart Tennis Club and Mr. T.P. Hurburgh, Architect. Oral evidence was taken at the Committee's request from representatives of the Department of Administrative Services, Chief Inspector F.L. Edney, Australian Federal Police, and Mr. M.R.J. Court, Honorary Architect to the National Trust of Australia (Tasmania). A written submission was received from the honourable Mr. Justice R.C. Wood, Senior Judge, the Family Court of Australia, Hobart Registry.

4. Prior to the public hearing the Committee inspected the existing facilities, and the site for the proposed building. The Committee also inspected the Supreme Court and Criminal Court of Tasmania.

5. The Committee's proceedings will be printed as Minutes of Evidence.

BACKGROUND

6. The Attorney-General's Department is responsible for the provision of Law Courts accommodation for the Federal Court of Australia, the Family Court of Australia and the Administrative Appeals Tribunal. As a matter of general policy, it also provides accommodation for the Conciliation and Arbitration Commission and Trades Practices Tribunal. To discharge this responsibility and at the same time provide for the more efficient administration of justice in Tasmania it was decided to consolidate Commonwealth Courts and Tribunals in one location.

THE NEED

7. Existing Facilities The existing accommodation has been acquired on an 'ad hoc' basis over several years which has resulted in the Courts and Tribunals occupying generally inadequate facilities over a wide area of central Hobart.

8. None of these facilities are permanent and the result has been for short term moves to occur as leases expire or existing accommodation becomes inadequate. The Federal Court, the Conciliation and Arbitration Commission and other Tribunals currently use a small courtroom in the Commonwealth Government Centre. The Commission is in the process of moving to more adequate leased premises in the Commonwealth Banking Corporation Building in Murray Street.

9. The Federal Court has a small courtroom on the 11th floor of the Commonwealth Government Centre at 188 Collins Street, Hobart. The court has insufficient space to accommodate a Full Bench hearing of five or more Judges and there are no staff facilities. There is no possibility of expansion at this location. There are no conference facilities and when they are required must be borrowed from the Department of Administrative Services.

10. The Family Court is located in leased premises on the 2nd floor of the MLC Building with no scope for expansion or for holding Full Bench appeal hearings. There are no facilities for the resident Judge, who is not a member of the Full Bench, to hear his own cases when the Full Bench is meeting. Counselling is required under the Family Law Act but the facilities for this are separated from the Court and Registry by five floors of the building. The court has an overcrowded public area, no storage space for records and no parking facilities.

11. Although in the past there has been some leakage of Conciliation and Arbitration Commission cases to Melbourne and Sydney, it is anticipated that this should cease with the Commission's move to new leased facilities in the Commonwealth Banking Corporation Building in Murray Street. This solution cannot be regarded as permanent, although it will be adequate for current needs.

12. The Administrative Appeals Tribunal and The Deputy Registrar in Bankruptcy have no facilities of their own in which to conduct hearings. The former has in the past borrowed facilities from the State Wages Commission and the Hydro-Electric Commission while the latter uses the Federal Court accommodation in the Commonwealth Centre.

13. Future Requirements The population of Tasmania in 1978 was 413,500 with an annual growth rate of 0.9% while the population of Hobart was 166,520 with an annual growth rate of 1.3%. It is anticipated the population in Tasmania will reach 434,300 in 1985 and a figure of 496,600 in 2010.

14. Given the nature of the work done by Courts and Tribunals, the fact that current arrangements are piecemeal and the impossibility of expanding any existing facilities to meet an increased workload it is considered that the proposed new complex should be able to cope with the increasing workload for at least twenty and up to thirty years with a minimum of internal alteration. Limitations imposed by the proposed site preclude consideration of expansion beyond thirty years without purchase of adjoining property.

15. The Attorney-General's Department has determined future Commonwealth Law requirements in Hobart to be:

- One Courtroom with Jury facilities and one hearing room, for the Federal Court;
- Two Courtrooms for use by the Family Court;
- Two Hearing rooms for use by the Conciliation and Arbitration Commission;
- One Registrars' and Tribunals' Courtroom; and
- One Hearing room for use by the other Tribunals.

16. Chamber accommodation has been determined on the basis of four resident Judges and one visiting Judge with two Conciliation and Arbitration Commissioners.

17. Office accommodation of sufficient area and flexible enough to take into account reasonable staff increases is required. Suitable space is also proposed for counselling rooms, rooms for mothers, child minding, first aid and recovery as well as common usage areas for a Library, Transcription Centre, Interview and Witnesses Rooms, Holding Cells, Conference facilities, Judges' Common Room, Staff amenities area and storage facilities. Although no areas, apart from holding cells, were designated for use by the Australian Federal Police, the Committee suggests the Attorney-General's Department give consideration to their requirement.

18. Committee's Conclusion The existing facilities provided for Commonwealth Courts and Tribunals in Hobart are inadequate and unsuitable. The Committee agrees that the location of all Commonwealth Courts and Tribunals in a new building will satisfactorily meet the current and future needs for administration of justice in Hobart.

THE PROPOSED WORKS

19. Planning and Design The building is proposed as a prestige air conditioned court complex for the Commonwealth Courts and Tribunals sitting in Hobart. Facilities are to include four court rooms (one with jury facilities), four hearing rooms, seven judges' or commissioners' chambers, five counselling rooms, registry areas, general office space and associated common usage facilities.

20. The plans have been developed to be consistent with the dignity and authority of the Courts while functionally satisfying the diverse needs of various users, including disabled persons. The design harmonises with the existing streetscape which has remained substantially intact since the 1870's.

21. The major activities requiring public access have been situated on the ground floor while secure parking, mechanical plant, storage areas and prisoners cells are located in the basement. A ramp will provide access for disabled persons to the ground floor from Davey Street with the main entrance by means of stairs and a less formal access being provided from Macquarie Street. The Family Court reception area, which is to be located in the 1840 building, will have a separate entrance from the main forecourt.

22. From the ground floor the public will be directed to the Courts and Hearing Rooms situated on the first and second floors of the building. The Judges' Chambers, Common Room and Library will be separately located on the Third Floor of the building with access being gained to the building from the Judges' private lobby at ground level on the pedestrian access and a private lift serving all but the fourth floor. Access for prisoners from the holding cells in the basement to the Jury Court on the Second Floor will be by means of a secure stairway.

23. The ground floor will cater for the Registries of the Courts and Tribunals except for the Australian Conciliation and Arbitration Commission which is located on the first floor. Facilities will also be provided for the Sheriff's staff, court attendants and the press. The first floor contains facilities for the Conciliation and Arbitration Commission, counselling, child minding, conference and courtrooms for the Family Court, public refreshments area as well as first aid and recovery rooms. On the second floor provision has been made for the main Jury Court, the Registrar's and Tribunals' Courtroom, an additional Conciliation and Arbitration Commission Hearing Room and associated rooms for use by police, witnesses and legal practitioners.

24. The whole of the third floor, which is smaller in area than those below it, is for the Judges' Chambers, library, work room, common room and conference room. Access will be through a reception foyer for the public or via the Judges' private lift to ensure the security of the area. The fourth floor comprises the office areas for the Court Reporting Service Transcription Centre, the Deputy Crown Solicitor and the Management Services Branch of the Attorney-General's Department.

25. Airconditioning plant and the lift motor room will be located in the basement while an electrical substation will be located on the ground floor at the rear of the building.

26. In written submissions to the Committee, Mr. Justice Wood and the Family Law Practitioners' Association expressed doubts as to the adequacy of the facilities presently allocated for the Family Court. The Committee believes that close consultation should have taken place with the professional bodies who have a clear interest in the allocation of space in the new building. The Committee recommends that the accommodation requirements for the Family Court be reviewed.

27. Committee's Conclusion The overall design of the proposed Commonwealth Law Courts is satisfactory but the accommodation requirement for the Family Court of Australia should be reviewed.

SITE

28. A site of 1829 m² was acquired for this purpose in 1974. It is located on the western side of Davey Street, opposite St. David's Park, is near the Tasmanian Supreme Court buildings and the majority of Hobart Law Practices.

29. At present the site is occupied by two buildings, one constructed around 1840 which is to be preserved and integrated into the new complex and the other, a single storey residence built in the 1920's is to be demolished along with some extensions made since 1925 to the 1840 building. Apart from the main entrance in Davey Street, pedestrian traffic has access from Macquarie Street by way of a ramp from the Lands Building. The Hobart City Council has requested the preservation of access by pedestrian traffic between Macquarie and Davey Streets.

30. A road easement exists between the 1840 building and the Hobart Tennis Club for a distance of 12.2 m from Davey Street providing rights of access to both properties.

31. The Committee was disturbed to learn that the Commonwealth paid \$425 000 for the site in 1974, and that it is currently valued at \$430 000. It is understood that procedures in the Department of Administrative Services have been changed to ensure that the Commonwealth pays realistic prices for sites acquired.

32. Evidence received from the Department of Administrative Services did not give the Committee confidence that adequate efforts are made by that Department to keep abreast of property value movements. The Committee feels that the Department should review its operations in this regard, if it is to effectively discharge its functions in relation to purchase, disposal and rental of land and premises.

33. Following submission of a "notice of intent", the Department of Science and the Environment approved the proposal on 16 August 1979.

34. The Trades Hall building was originally marked for demolition with the materials from it being incorporated in the exterior design of the new complex. Pre-purchase agreement to this action was given by the National Trust of Australia (Tasmania) in 1974, but this was rescinded in 1977 when preservation of the building was sought.

35. During the public hearing, the Committee sought clarification as to the reasons for the National Trust reversing its advice of 1974. Mr. Michael Court, representing the Trust told the Committee that there had been a change in emphasis rather than a reversal of decision. The Committee wishes to record its dissatisfaction with the National Trust's attitude to this

matter. Based on the initial agreement to demolition, the site was acquired with the intention of constructing a new building to utilise all the available land. Because of the change of attitude on the part of the Trust, the Australian Government modified its original plan to utilize the whole site. The present proposal has resulted in an 8-10% cost increase in order to preserve a building, currently recorded by the National Trust but not classified by the Heritage Commission. Moreover, should the Government wish to dispose of the site, its commercial value would be significantly reduced as a result of the reversal of the Trust's decision.

36. The Committee feels that while the Trust on the whole performs a vital function in the preservation of historic buildings, it should carefully consider the implications of its attitude in respect to a particular site when a preservation request has a significant monetary impact.

37. Committees Conclusion The site selected is suitable.

CONSTRUCTION

38. Structure The building will be constructed using reinforced concrete floor slabs supported by columns with reinforced concrete beams and walls being provided where necessary to carry vertical loads and act as wind bracing for the structure. Concrete caissons or pre-drilled concrete piles will be used as footings for columns and load-bearing walls. Special underpinning and excavation shoring will be used to avoid damage to surrounding buildings during basement excavation.

39. Materials These will be selected for their local availability, durability and their enhancement of the civic design and architectural quality of the building.

40. Exterior The exterior walls will be appropriate quality and colour reinforced concrete panels. Window and door frames will be anodised aluminium with tinted glazing to reduce glare. Roofing will be pre-coloured metal sheeting. Steps, ramp and forecourts will be of selected paving. Fenestration, wall colours and texture will be chosen to integrate with the masonry buildings adjacent to the site.

41. Interior Special attention will be given to ensure that the finishes provide the correct acoustic environment and separation of the appropriate areas such as courts, offices, interview rooms and public areas.

42. Mechanical Engineering Services These will comprise air conditioning, mechanical ventilation, hot water supply and sundry services including chilled drinking water units, sanitary disposal units, boiling water units and sump pumps.

43. Mechanical ventilation will be provided for the basement security area, carpark, kitchenette, and cleaner rooms with full air conditioning being provided to all other areas from the basement plant room. Adequate vibration insulation and removal of structural and airborne noise will be incorporated into the air conditioning system to ensure acoustic privacy.

44. Hot water heating will come from electric heat exchangers while domestic hot water services will be supplied to all basins, sinks and showers. Utilization of solar energy is technically and economically inappropriate for this project.

45. Electrical Services Light and power will be distributed from a substation constructed to the Tasmanian Hydro-Electric Commission's specifications with outlets being provided as necessary. All electrical installations in the existing 1840 building are to be replaced.

46. Lighting will comply with S.A.A. Standards and will be designed to meet both the functional and aesthetic requirements of each specific area. Exterior and facade lighting will be incorporated in the design as well as emergency evacuation lighting in accordance with newly issued S.A.A. Standard A.S.2293.

47. Wiring for a court reporting and recording system, telephone block wiring, clocks, signalling and security alarm systems will also be installed.

48. Civil engineering A paved vehicular driveway will provide access from Davey Street to the basement. Stormwater will be discharged into an existing stormwater drain in Davey Street.

49. The design incorporates landscaping to the main entry facing Davey street.

50. Fire Protection The proposed fire protection measures include an automatic sprinkler system throughout, manual fire alarm call points and an emergency warning and control system. The air handling plants will be inter-connected with the fire safety systems to provide smoke venting and control.

51. Fire hydrants, fire hose reels, portable extinguishers etc. will be provided as required. Adequate water pressure exists at the normal mains outlet to operate the fire fighting equipment. Two main sets of fire stairs extend throughout the height of the building with the northern set, for security reasons having controlled entry but unrestricted exit.

52. Furniture and Fittings All built-in furniture and fittings are included in the estimated cost of the project.

53. Car Parking The current proposals do not meet the Hobart City Council's Draft Planning Scheme which would have required provision of 110 spaces instead of the nineteen now put forward. However, the Committee notes that the current plans provide for the retention of the 1840 building, will ensure the new construction is compatible with the existing streetscape and provide pedestrian access through the site between Macquarie and Davey Streets.

54. Liaison with Authorities The building has been developed in close consultation between the Attorney-General's Department and the Department of Housing and Construction. Plans have been drawn up to comply with the requirements of the local authorities and the appropriate Tasmania building regulations. Except in regard to car parking the project complies with the requirements of the City of Hobart Draft Planning Scheme (March, 1976).

55. Committee's Conclusion The Committee recommends the construction of the work in this reference.

ESTIMATE OF COST

56. The estimated cost of the work when referred to the Committee is \$8.4 million at March 1980 prices made up as follows:

Building works	\$ 6 200 000
Engineering works	\$ 2 200 000

\$ 8 400 000

PROGRAM

57. Following approval for the work to proceed, it is estimated that documentation and the calling of tenders will require approximately eleven months. The calling of tenders for preliminary site works including demolition could be concluded within five months. The overall period envisaged for design and construction is approximately 3 1/2 years.

RECOMMENDATIONS AND CONCLUSIONS


58. The summary of recommendations and conclusions of the Committee is set out below. Alongside each is shown the paragraph in the report to which it refers.

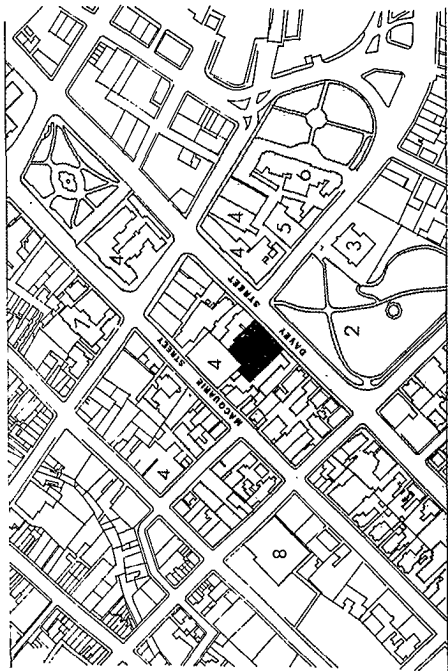
	<u>Paragraph</u>
1. THE EXISTING FACILITIES PROVIDED FOR COMMONWEALTH COURTS AND TRIBUNALS IN HOBART ARE INADEQUATE AND UNSUITABLE.	18
2. THE COMMITTEE AGREES THAT THE LOCATION OF ALL COMMONWEALTH COURTS AND TRIBUNALS IN A NEW BUILDING WILL SATISFACTORILY MEET THE CURRENT AND FUTURE NEEDS FOR ADMINISTRATION OF JUSTICE IN HOBART.	18
3. THE OVERALL DESIGN OF THE PROPOSED COMMONWEALTH LAW COURTS IS SATISFACTORY BUT THE ACCOMMODATION REQUIREMENT FOR THE FAMILY COURT OF AUSTRALIA SHOULD BE REVIEWED.	27
4. THE SITE SELECTED IS SUITABLE.	37

	<u>Paragraph</u>
5. THE COMMITTEE RECOMMENDS THE CONSTRUCTION OF THE WORK IN THIS REFERENCE.	55
6. THE ESTIMATED COST OF THE WORK WHEN REFERRED TO THE COMMITTEE IS \$8.4 MILLION AT MARCH 1980 PRICES.	56

Parliamentary Standing Committee on
Public Works,
Parliament House,
CANBERRA ACT 2600

15 May 1980.

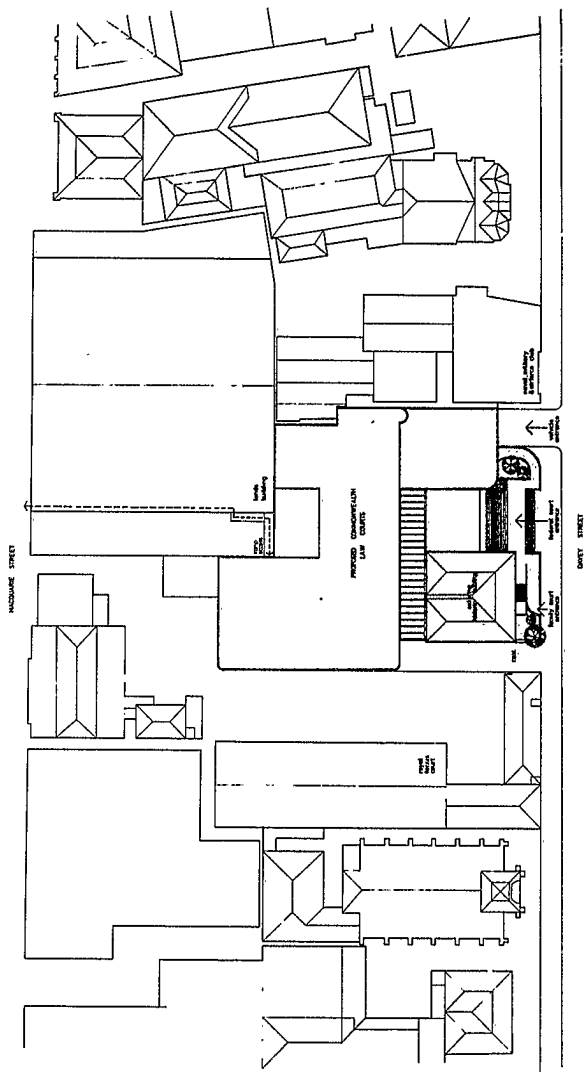

(M.H. Bungey)
Chairman



LEGEND

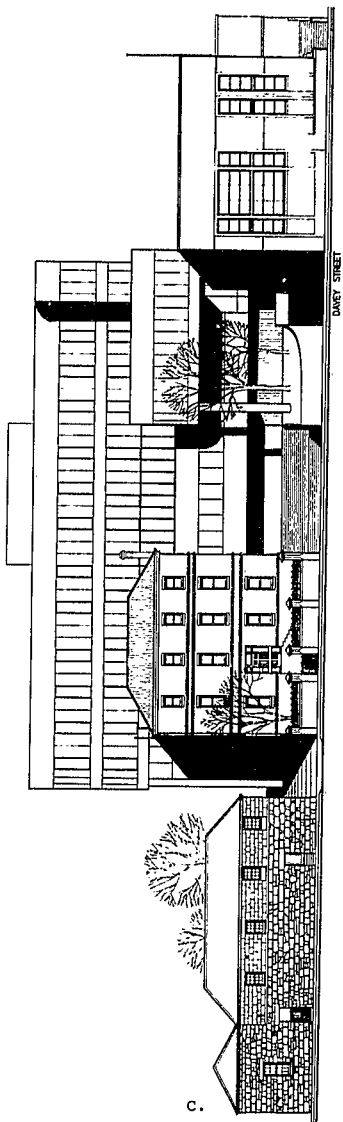
- 1 SITE
- 2 ST. DAVIDS PARK
- 3 STATE SUPREME COURTS
- 4 STATE OFFICES
- 5 GOVERNMENT FRONTIER
- 6 ST. DAVIDS CATHEDRAL
- 7 COMMONWEALTH OFFICES
- 8

CITY OF HOBART
 DRAFT PLANNING SCHEME (1978)
 SPECIAL PRECINCT N° 2.




B.

site plan
 1" = 20'



c.

elevation  0 5 10m