

Mount Stuart house owner fined \$225k for demolishing heritage home, creating 'clouds of asbestos'

By [Emily Street](#)

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Photo: As well as being heritage listed, the house contained asbestos. (ABC News: Elise Fantin)

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A Tasmanian man, who deliberately demolished his heritage-listed house, has been fined \$225,000 and ordered to pay legal costs to the *Hobart City Council*.

Darko Krajinovic, 32, demolished the heritage-listed Mount Stuart house and outbuildings at No. 55, which contained asbestos, without a permit. He also cut down two trees – a bay tree and a yew tree – listed on the HCC's Significant Tree Register to develop four townhouses on the land. In the Hobart Magistrates Court, he was convicted of nine separate offences and ordered to pay the fine, which is significantly less than the maximum penalty of \$353,000.

Magistrate Simon Cooper said Krajinovic displayed "spectacular disregard" for planning laws and the safety of his neighbours when he demolished the house and outbuildings.

"I'm told that clouds of asbestos floated across to neighbouring properties," he said. "Your actions were a flagrant and deliberate disregard of the law and you knew it."



Photo: Krajinovic wants to develop the land at 55 Mount Stuart Road where the house once stood. (Supplied: realestate.com.au)

The court heard Krajinovic was visited several times on the day of the demolition by council officers. The officers and police had been alerted by neighbours that he was cutting down the trees and using an excavator to demolish the outbuildings.

Krajinovic told a neighbour:

"I'm sick of everyone around here telling me what to do. It's my place and I can do what I want."

Mr. Cooper took into account Krajinovic's early guilty plea, but said that the penalty needed to reflect that he had committed a "very serious offence indeed".

Penalty sends strong warning, Council says.

The Council's General Manager, Nick Heath, said the HCC was satisfied with the penalty and the case should serve as a "strong warning" and deterrent.

"Mr Krajinovic's actions in destroying his property and removing heritage-listed trees are unacceptable and were an act of blatant destruction with no regard for the safety of others," he said.



Photo: Darko Krajinovic was convicted of nine separate offences. (Facebook: Darko Krajinovic)

"We are aware that this matter caused severe distress to many in the community which is understandable, and one of the reasons why the council vigorously pursued this matter."

In 2015, the State Government removed the option to ban reckless developers from continuing with any work for ten (10) years. Mr Heath said the Council would lobby to have that power reinstated.

"There's a report that's been asked for by the Council to look at what penalties besides just monetary penalties ought to be imposed on developers," he said. "Unfortunately, at the moment, the way the law is it's only monetary penalties that are available, but going forward I think we'll have some strong discussions with the Government to make it even harder on developers, who blatantly breach the law around development and demolition in the city."

In the meantime there is an application before the Council to continue the demolition of the house. Mr. Heath said the planning authority would work with Krajinovic to ensure some of the site's original significance was restored.

Krajinovic's neighbour, Geoff Wylie, said he wanted the land cleaned up as soon as possible.

"If there's not something done shortly, it's going to become an eyesore. It's going to become a fire hazard," he said.



Photo: Neighbours raised concerns about asbestos at the house during demolition. (ABC News: Rhiannon Shine)