



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
MONDAY 8 MAY 2017
1.00pm**

City of Launceston

COUNCIL AGENDA

Monday 8 May 2017

Notice is hereby given that the Ordinary Meeting of the City of Launceston Council will be held at the Council Chambers, Town Hall, St John Street, Launceston:

Date: 8 May 2017

Time: 1.00pm

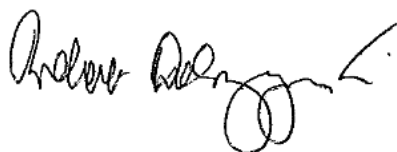
Section 65 Certificate of Qualified Advice

Background

Section 65 of the *Local Government Act 1993* requires the General Manager to certify that any advice, information or recommendation given to Council is provided by a person with appropriate qualifications or experience.

Declaration

I certify that persons with appropriate qualifications and experience have provided the advice, information and recommendations given to Council in the Agenda Items for this Meeting.



Robert Dobrzynski
General Manager

ORDER OF BUSINESS

Item No	Item	Page No
1	OPENING OF MEETING - ATTENDANCE AND APOLOGIES	1
2	DECLARATIONS OF INTEREST	1
3	CONFIRMATION OF MINUTES	1
4	DEPUTATIONS	1
	No Deputations have been identified as part of this Agenda	
5	PETITIONS	1
	No Petitions have been identified as part of this Agenda	
6	COMMUNITY REPORTS	2
	No Community Reports have been registered with Council as part of this Agenda	
7	PUBLIC QUESTION TIME	2
7.1	Public Questions on Notice	2
7.1.1	Public Questions on Notice - Mr Basil Fitch - Council Meeting - 24 April 2017	3
7.2	Public Questions without Notice	4
8	PLANNING AUTHORITY	5
8.1	52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction of Extensions to Existing Food Store (Amended Application)	5
9	ANNOUNCEMENTS BY THE MAYOR	37
9.1	Mayor's Announcements	37

Item No	Item	Page No
10	ALDERMEN'S REPORTS	38
11	QUESTIONS BY ALDERMEN	38
11.1	Questions on Notice	38
	No Aldermen's Questions on Notice have been identified as part of this Agenda	
11.2	Questions without Notice	38
12	COMMITTEE REPORTS	38
	No Committee Reports have been identified as part of this Agenda	
13	COUNCIL WORKSHOPS	38
14	NOTICES OF MOTION	39
	No Notices of Motion have been identified as part of this Agenda	
15	DEVELOPMENT SERVICES DIRECTORATE ITEMS	39
	No Items have been identified as part of this Agenda	
16	FACILITIES MANAGEMENT DIRECTORATE ITEMS	40
16.1	Junction Arts - Lease Renewal	40
17	QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS	48
	No Items have been identified as part of this Agenda	
18	INFRASTRUCTURE SERVICES DIRECTORATE ITEMS	49
18.1	Proposed Feature Name - Rock Fissure in Punchbowl Reserve	49
18.2	Silo Hotel Easement Exchange	66

City of Launceston

COUNCIL AGENDA

Monday 8 May 2017

Item No	Item	Page No
19	MAJOR PROJECTS DIRECTORATE ITEMS	73
	No Items have been identified as part of this Agenda	
20	CORPORATE SERVICES DIRECTORATE ITEMS	73
	No Items have been identified as part of this Agenda	
21	GENERAL MANAGER'S DIRECTORATE ITEMS	73
	No Items have been identified as part of this Agenda	
22	URGENT BUSINESS	73
23	CLOSED COUNCIL	73
23.1	Confirmation of the Minutes	73
23.2	Silo Hotel Easement Exchange - Information Provided	74
23.3	Junction Arts - Lease Renewal - Information Provided	74
24	MEETING CLOSURE	74

1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2 DECLARATIONS OF INTEREST

Local Government Act 1993 - Section 48

(A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences.)

3 CONFIRMATION OF MINUTES

Local Government (Meeting Procedures) Regulations 2015 - Regulation 35(1)(b)

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 24 April 2017 be confirmed as a true and correct record.

4 DEPUTATIONS

No Deputations have been identified as part of this Agenda

5 PETITIONS

Local Government Act 1993 - Sections 57 and 58

No Petitions have been identified as part of this Agenda

6 COMMUNITY REPORTS

(Community Reports allow an opportunity for Community Groups to provide Council with a three minute verbal presentation detailing activities of the group. This report is not intended to be used as the time to speak on Agenda Items; that opportunity exists when that Agenda Item is about to be considered. Speakers are not to request funding or ask questions of Council. Printed documentation may be left for Aldermen.)

No Community Reports have been registered with Council as part of this Agenda

7 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

7.1 Public Questions on Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(1)

(Questions on Notice must be in writing and should be received by the General Manager at least seven days before the relevant Council Meeting. Questions on Notice will be researched by Council Officers and both the Question on Notice (as received) and the response will be provided at the Council Meeting and a reply in writing will also be provided.)

7.1.1 Public Questions on Notice - Mr Basil Fitch - Council Meeting - 24 April 2017**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

QUESTION and RESPONSE:

The following question was asked at the Council Meeting of 24 April 2017 by Mr Basil Fitch and has been Taken on Notice.

1. How many closed Council Meetings have been held over the last 12 months and how many items were discussed in those Meetings?

Response:*Robert Dobrzynski (General Manager)*

Published Council Agendas and Minutes for each Council Meeting, which detail the Agenda Items discussed in Closed Council Meetings are available on the Council website and are freely available to members of the public. Over the last 12 months - from the period April 2016 to April 2017 - there have been 12 Closed Council Meetings which have dealt with a total of 66 Closed Agenda Items comprising the following:

- | | |
|---|-----------------|
| 1. Minutes of Previous Meeting | 12 Agenda Items |
| 2. Agenda Items relating to decisions taken in Open Council | 9 Agenda Items |
| 3. Aldermanic requests for Leave | 2 Agenda Items |
| 4. Items relating to Rate Debt and Remissions | 33 Agenda Items |
| 5. Other Items for Discussion | 10 Agenda Items |
-

7.2 Public Questions without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(2)(b)

(Members of the public who ask Questions without Notice at a meeting will have both the question and any answer provided recorded in the Minutes. Council Officers will endeavour to answer the question asked at the meeting, however, that is not always possible and more research may be required. If an answer cannot be provided at the Meeting, the question will be treated as a Question on Notice. A response will be provided at the next Council Meeting.)

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 8 - Planning Authority.

8 PLANNING AUTHORITY

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction of Extensions to Existing Food Store (Amended Application)

FILE NO: DA0058/2017

AUTHOR: Catherine Mainsbridge (Senior Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider and determine a development application pursuant to the *Land Use Planning and Approvals Act 1993*.

PLANNING APPLICATION INFORMATION:

Applicant:	Alps and Amici Pty Ltd
Property:	52 Abbott Street, East Launceston
Zoning:	Local Business
Receipt Date:	14/02/2017
Validity Date:	14/02/2017
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	8/5/2017 (Extension of time granted by applicant)
Representations:	Three

PREVIOUS COUNCIL CONSIDERATION:

DA0513/2016 - General Retail and Hire - change of use of 38 Arthur Street from dwelling to an extension to existing deli/supermarket at 52 Abbott Street, construction of alterations to existing building and building fascia sign at 38 Arthur Street.

DA0058/2017 - General Retail and Hire - demolition of existing dwelling and construction of extensions to existing food store (amended application).

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

RECOMMENDATION:

That, in accordance with section 51 and section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted, for DA0058/2017 General Retail and Hire and Food Services - demolition of existing dwelling and construction of extensions to existing food store for additional display area and service of food (amended application) at 52 Abbott Street, East Launceston subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

The use and development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Council unless modified by a condition of the Permit:

- a. Site Plan, Prepared by Philp Lighton Architects, Drawing No. DA01, Scale: 1:1000 and 1:200, Dated 10/2/2017.
- b. Existing Floor Plan, Prepared by Philp Lighton Architects, Drawing No. DA02, Scale: 1:100, Dated 10/2/2017.
- c. Demolition Plan, Prepared by Philp Lighton Architects, Drawing No. DA03, Scale: 1:100, Dated 10/2/2017.
- d. Existing Floor Plan, Prepared by Philp Lighton Architects, Drawing No. DA03, Scale: 1:100, Dated 10/2/2017.
- e. Proposed Floor Plan, Prepared by Philp Lighton Architects, Drawing No. DA04, Scale: 1:100, Dated 10/2/2017.
- f. Elevations 1, Prepared by Philp Lighton Architects, Drawing No. DA05, Scale: 1:100, Dated 10/2/2017.
- g. Elevations 2, Prepared by Philp Lighton Architects, Drawing No. DA06, Scale: 1:100, Dated 10/2/2017.
- h. Sections, Prepared by Philp Lighton Architects, Drawing No. DA07, Scale: 1:100, Dated 10/2/2017.
- i. Landscape plan, Prepared by Philp Lighton Architects, Drawing No. DA08, Scale: 1:100, Dated 10/2/2017.

2. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land except construction of access from the street.

3. USE LIMITATION

This permit allows the use for General retail and hire and Food Services as defined in the Launceston Interim Planning Scheme 2015.

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

4. HOURS OF CONSTRUCTION

Construction works must only be carried out between the hours of 7.00am to 6.00pm Monday to Friday and 8.00am to 5.00pm Saturday and no works on Sunday or Public Holidays.

5. NON-REFLECTIVE EXTERIOR FINISH

All external cladding and roofing of the building(s) must be of a non-reflective nature and must be finished in muted colours to the satisfaction of the Manager Planning Services.

6. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/00202-LCC) (attached).

7. BUSINESS HOURS

The operation of the use is confined to 7.30am to 10.00pm seven days a week.

Commercial vehicles must only operate between 6.00am and 10.00pm Monday to Friday and 7:00am to 5:00pm Saturday and Sunday.

8. SITE LANDSCAPING

The landscaping must be:

- (a) Installed in accordance with the endorsed plan; and
- (b) Completed prior to the use commencing or at such time as agreed to by the Manager Planning Services; and
- (c) Maintained as part of non-residential development. It must not be removed, destroyed or lopped without the written consent of the Council.

9. SIGNAGE CONTENT

Content of the sign may be updated or changed without separate approval of Council, subject to:

- (a) The structure, location and size of the signage not changing.
- (b) The content of the signage relating to the site.
- (c) Compliance with the requirements of the planning scheme.

10. SIGN MAINTENANCE

The sign must be constructed and maintained in good condition to the satisfaction of the Council.

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

11. DRIVEWAY CONSTRUCTION

Before the use commences, areas set aside for parking vehicles as shown on the endorsed plans must:

- (a) provide two car spaces;
- (b) be properly constructed to such levels that they can be used in accordance with the plans,
- (c) be surfaced with an impervious all weather seal,
- (d) be adequately drained to prevent stormwater being discharged to neighbouring property,
- (e) be line-marked or otherwise delineated to indicate each car space and access lanes.

Parking areas must be kept available for these purposes at all times.

12. DAMAGE TO COUNCIL INFRASTRUCTURE

The developer is liable for all costs associated with damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any bylaw or legislation relevant to the development activity on the site. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, bylaws and legislation relevant to the development activity on the site.

13. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of Technical Services is required prior to undertaking works where the works:

- (a) require a road or lane closure;
- (b) require occupation of the road reserve for more than one week at a particular location;
- (c) are in nominated high traffic locations; or
- (d) involve opening or breaking trafficable surfaces.

Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works shall form the explicit approval.

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

14. SOIL AND WATER MANAGEMENT PLAN

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites. No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant. The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

15. AMENITY - COMMERCIAL/INDUSTRIAL USE

The construction phase and on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the works or materials; the emission of noise, artificial light, vibration, odour, smoke, dust, waste water, waste products, oil or any other source of nuisance.

16. NO BURNING OF WASTE

No burning of any waste materials generated by the construction process, to be undertaken on-site. Any such waste materials to be removed to a licensed refuse disposal facility (eg. Launceston Waste Centre).

17. DEMOLITION

The Developer must:

- (a) protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary;
- (b) not undertake any burning of waste materials on site;
- (c) remove all rubbish from the site for disposal at a licensed refuse disposal site;
- (d) dispose of any asbestos found during demolition in accordance with the Worksafe Tasmania *'How to Safely Remove Asbestos' Code of Practice 2012* or any subsequent versions of the document.

18. NOISE - COMMERCIAL/INDUSTRIAL

The use must not cause unreasonable noise or interference to adjoining sensitive uses. Precautions must be taken to avoid nuisance to neighbouring residential areas, particularly, intruder alarms, compressors, heat pumps and any equipment that may emit noise.

Noise generated by a site on the site must not exceed a time average A-weighted sound pressure level (L_{Aeq}) of 5 dB(A) above background during operating hours when measured at the boundary of an existing sensitive use adjoining or immediately opposite the site.

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

19. PROTECTION OF EXISTING TREES

Existing street trees in the Arthur Street nature strip are to be protected from damage during the demolition of the existing dwelling and the construction of the new building extension. The trees must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with *Australian Standard 4970 Protection of Trees on Development Sites to Protect Existing Trees*.

Fourteen days prior to the commencement of any onsite works, including but not limited to the demolition of the existing dwelling, the contractor must contact Council's Manager Operations to arrange an authorised vegetation contractor to undertake pruning works to facilitate access to the site due to the proximity of the power lines.

The trees shall not be pruned or lopped without the express written permission of the Council.

Notes

A. Building Permit Required

Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2016. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.

B. Occupancy Permit Required

Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2016 section 225. A copy of this planning permit should be given to your Building Surveyor.

C. Plumbing Permit Required

Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2016. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.

D. General

This permit was issued based on the proposal documents submitted for DA0058/2017. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 6323 3000.

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

This permit takes effect after:

- a. *The 14 day appeal period expires; or*
- b. *Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.*
- c. *Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. *Any other required approvals under this or any other Act are granted.*

This permit is valid for two years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.

E. Access for People with a Disability

This permit does not ensure compliance with the Disability Discrimination Act, furthermore the developer may be liable to complaints under the said Act. The developer is directed to Australian Standard 1428 Parts 1 - 4 for technical direction on how to cater for people with disabilities.

F. Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.

A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant.

For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au <<http://www.rmpat.tas.gov.au>>.

G. Permit Commencement.

If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

H. Food Premises

New Food Premises including extensions/alterations must comply with the National Construction Code TAS Part H102. All Food Businesses must be registered with council in accordance with the Food Act 2003.

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

I. Gutter guards to be installed

The roof and guttering of the building are to be designed to discourage the collection of leaves and debris from the street trees located in Arthur Street. Measures should include gutter guards and other products (gutter brushes, gutter mesh).

REPORT:

1. THE PROPOSAL

This proposal was presented to Council for consideration on 10 April 2017. Clarification was sought of the use class that had been applied to the assessment of the application as the number of seats proposed in the dining area was considered to be too high to be 'ancillary' to the primary use. As a result, an extension of time was agreed to by the applicant for the application to be readvertised to include the use class of Food Services.

The application proposes removal of the existing dwelling and shed to allow the extension of the existing deli/supermarket at 52 Abbott Street known as Alps and Amici. The intent of the L-shaped 132.83m² development is to extend the existing functions of the premises over the greater floor area particularly an increase in the extent of in-house dining. It will be clad in cement sheet and painted to match the existing building. Windows are proposed in the southern wall overlooking the proposed 8m wide x 7.5m deep cottage garden in front of the building. A new tree is proposed in the centre of the garden. Landscaping is proposed around the boundaries.

The extension will be provided with a second access off Arthur Street by a set of concrete stairs. Accessible access remains via the existing main entry on the front corner of the building. Two car spaces are proposed along the western side boundary adjacent to the extension and over an existing crossover in Arthur Street.

The application is an alternative to an approval granted last year - *DA0513/2016 - General Retail and Hire - change of use of 38 Arthur Street from dwelling to an extension to existing deli/supermarket at 52 Abbott Street, construction of alterations to existing building and building fascia sign at 38 Arthur Street*. The issued permit included a condition for the two properties to be adhered. This has been undertaken. Following approval of the first application, professional advice recommended that the cost and construction requirements, to redevelop the site and incorporate the cottage into the existing commercial business, were considered too high. Development of a new similar sized building was recommended and is the basis of the current design.

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

2. LOCATION AND NEIGHBOURHOOD CHARACTER

Site location

The property is located on the north western corner of Abbott and Arthur Streets in East Launceston. The area is predominantly an older established residential area that is approximately 20 minute walk east of the central city. Development in the area includes both single, part two storey and two storey dwellings. A real estate office and cafe are located on the southern side of Arthur Street just to the west of the intersection.

Site description

The site includes 38 Arthur Street (subject of a condition of the previous permit - DA0513/2016 52 Abbott Street and 38 Arthur Street have been adhered). The existing building on the historic property of 52 Abbott Street occupies the total site. The portion of the site that was 38 Arthur Street has a rear yard, typical of a residential property, with a driveway along the western side of the building. Both properties are relatively square in shape, and have a combined area of 654m².

Location of existing access to the site

The combined property has direct frontage to two streets with vehicular access off Arthur Street.

Slope

The area is relatively undulating, with the site in a valley type area between Windmill Hill and Berean Street.

Vegetation

The rear of what was 38 Arthur Street has a garden and this is to be retained and will include herbs and plants to be used in food preparation.

Site Services

Both sites are fully serviced.

-
- 8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)
-

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

20.0 Local Business Zone

20.1.1 Zone Purpose Statements

20.1.1.1 To provide for business, professional and retail services which meet the convenience needs of a local area.

20.1.1.2 To ensure that the primary purpose of the zone is maintained and use and development does not distort the activity centre hierarchy.

20.1.1.3 To maintain or improve the function, appearance and distinctive qualities of neighbourhood centres.

20.1.1.4 to create:

(a) activity at pedestrian levels, with active road frontages offering interest and engagement to shoppers; and

(b) appropriate provision for car parking, pedestrian access and traffic circulation.

20.1.1.5 To encourage a diversity of residential developments, including shop-top housing and tourist accommodation, which support the functions of neighbourhood centres.

Consistent

The proposal is consistent with the zone intent by enhancing the existing delicatessen type grocery store to benefit the surrounding residential area. Along with grocery items, it offers local produce, both as produce and as prepared meals. The proposal intends to enlarge the existing opportunity to consume coffee and prepared meals on site especially for nearby residents who are able to walk to the site. The extension will also assist the running of occasional cooking classes. The intention of the proposed dining area is operate at a level ancillary to the general retail and hire use. The number of seats proposed requires the application to include the use class of Food Services.

While the current residential use of the site is being removed, the extension of the current Alps and Amici store onto this site will have a lesser impact on the area as opposed to the opening of a new unrelated use. It therefore is considered to be consistent with the zone intent.

20.3 Use Standards

20.3.1 Hours of operation

Objective:

To ensure that uses do not cause unreasonable loss of amenity to nearby sensitive uses.

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

<p>Consistent The proposed extension to the existing use and development is not considered likely to cause any significant increase in impact to the amenity of the neighbourhood. The hours of operation are only proposed to be extended on an intermittent basis for special events but within the limits of the acceptable solutions.</p> <p>The existing kitchen is to remain in its current location and produce similar products.</p> <p>A1 Commercial vehicles must only operate between 6.00am and 10.00pm Monday to Friday and 7:00am to 5:00pm Saturday and Sunday.</p>
<p>Complies The business proposes to generally operate the same hours as currently. The existing hours of operation are 7.00am to 6.30pm Monday to Friday, 8.00am to 2.00pm Saturdays, and is closed Sundays and public holidays. On occasion, as bookings require, the business is proposed to cater for tastings, cooking classes and dinners. These would not extend beyond 10.00pm.</p> <p>Commercial vehicles will not operate up to 10.00pm, the only vehicles being staff leaving the site a later time on an intermittent basis. It is unlikely that any associated vehicles would operate after around 5.00pm as other businesses that may do deliveries and such are unlikely to be operating.</p>
<p>A2 Operating hours, except for office and administrative tasks, must be between: (a) 6.00am and 10.00pm, where adjacent to the boundary of the General Residential, Inner Residential, Low Density Residential and Urban Mixed Use zones; or (b) 6.00am to midnight otherwise.</p>
<p>Complies The property adjoins land joined Inner Residential and the use is not proposed to extend beyond 10.00pm on any day.</p>

20.3.2 Mechanical plant and equipment

<p>Objective: To ensure that the use of mechanical plant and equipment does not cause an unreasonable loss of amenity to sensitive uses.</p>
<p>Consistent The level of plant and equipment currently in use is not to increase and therefore should not cause any unreasonable loss of amenity to the residential area.</p>
<p>A1 Air conditioning, air extraction, heating or refrigeration systems or compressors must be designed, located, baffled or insulated to prevent noise, odours, fumes or vibration from being received by adjoining or immediately opposite sensitive uses.</p>

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

Complies

The level of plant and equipment is not to increase beyond that existing. Cooking and food preparation will still be undertaken in the existing building's kitchen which appears to not cause public nuisance. The proposal should therefore not cause any change or unreasonable loss of amenity to the residential area and complies with the acceptable solution.

20.3.3 Light spill and illumination

Objective:

To ensure that light spill and levels of illumination from external lighting does not cause unreasonable loss of amenity to sensitive uses.

Consistent

The extension to the use will not cause any nuisance by excessive light spill.

A1 The use must:

- (a) not include permanent, fixed floodlighting where the zone adjoins the boundary of the General Residential, Inner Residential, Low Density Residential, Urban Mixed Use and Village zones; and
- (b) contain direct light from external light sources within the boundaries of the site.

Complies

The site adjoins the Inner Residential zone. Lighting will be installed for the new entry but this will be recommended to be contained within the site and to have a minimal level.

As this proposal is to contain toilets within the building rather than at the rear of the building in the previously approved application, there will be minimal external lighting issues at the rear of the site.

20.3.4 Noise levels

Objective:

To ensure that noise levels from uses do not unreasonably impact on the amenity of nearby sensitive uses.

Consistent

The nature of the use should not generate excessive noise levels

A1 Noise generated by a use on the site must:

- (a) not exceed a time average A-weighted sound pressure level (L_{Aeq}) of 5 dB(a) above background during operating hours when measured at the boundary of an existing sensitive use adjoining or immediately opposite the site; or
- (b) be in accordance with any permit conditions required by the Environment Protection Authority or an environment protection notice issued by the Director of the Environment Protection Authority.

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

Complies

The use of the premises for sale and consumption of food should not generate noise above the recommended levels. As a precautionary measure point (a) is to be recommended as a condition if a permit is issued.

20.3.5 Retail impact

Objective:

To ensure that the economic, social and environmental impact of significant new retail use and development is consistent with the activity centre hierarchy.

Consistent

The proposed extension of existing premises within the Local Business zone is not considered to impact on the retail hierarchy. The land is zoned to facilitate such a use that offers services to the local residential area and therefore minimises the requirement to travel by vehicle.

A1 If for no permit required or permitted use class.

Relies on Performance Criteria

The use of General Retail and Hire has a 'no permit required' status in the zone up to a floor area of 250m² beyond which the use becomes Discretionary. In this case the floor area will be approximately 452m² and will have a Discretionary status. Assessment against the performance requirements is required.

The use of Food Services has a Permitted status in the zone.

P1 Uses must have acceptable impacts on the viability of the activity centre hierarchy, having regard to the extent that the proposed use:

- (a) improves and broadens the commercial or retail choice within the area;
- (b) improves the urban design outcome for an activity centre, including its amenity;
- (c) contributes to an attractive environment for pedestrians;
- (d) contributes to loss of investment, blight or disinvestment for a particular centre;
- (e) includes environmentally sustainable design principles; and
- (f) is accessible by public transport.

Complies

Uses must have acceptable impacts on the viability of the activity centre hierarchy, having regard to the extent that the proposed use:

- (a) improves and broadens the commercial or retail choice within the area;*
The proposal utilises the opportunities of the existing Local business zone and offers an additional ancillary dining experience and intermittent night time use opportunity. The garden is considered to enhance the area.
- (b) improves the urban design outcome for an activity centre, including its amenity;*

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

(c) contributes to an attractive environment for pedestrians;

The proposal, with its vegetated courtyard, is considered to be appropriate for residents of the area and visitors to the site.

(d) contributes to loss of investment, blight or disinvestment for a particular centre;

The proposal is considered to have a positive impact on the commercial intent of the local business zone.

(e) includes environmentally sustainable design principles; and

The application of landscaping and gardens to the site minimises the impervious surfaces that could otherwise be developed on the site.

(f) is accessible by public transport.

The area is well served by public transport.

20.4 Development Standards

20.4.1 Building height, setbacks and siting

Objective:

To ensure that building bulk and form, and siting:

- (a) is compatible with the streetscape and character of the surrounding area;
- (b) protects the amenity of adjoining lots; and
- (c) promotes and maintains high levels of public interaction and amenity.

Consistent

The proposed extension will be no higher than the existing commercial building but will have a greater height given the western fall of the site. It is therefore considered to be in general character with the area especially the other commercial sites on the opposite side of Arthur Street. The overall height is also less than the maximum height of the existing dwelling.

The courtyard proposed for the south eastern corner of the site provides a suitable setting for the extension and maintains a low intensity type appearance for the extended commercial premises.

A1 Building height must be no greater than:

- (a) 7m; or
- (b) 1m greater than the average of the building heights on the site or adjoining lots; whichever is higher.

Complies

The proposed L-shaped extension will have a skillion roof form with both sections sloped towards the courtyard space between the building and the street. Both sections will be no higher than the existing building. As the site has a slight fall to the west, and the existing building height is 3.89m at the street corner, the 1.5m high masonry foundation wall of the extension results in a maximum height of 5.39m. The acceptable solution is met.

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

<p>A2 Setback from a frontage must be:</p> <ul style="list-style-type: none"> (a) built to the frontage at ground level; or (b) no more or less than the maximum and minimum setbacks of the buildings on adjoining lots.
<p>Relies on Performance Criteria</p> <p>The existing building is constructed up to the street frontage of both Arthur and Abbott Streets. The proposed extension is constructed 'square' to the existing building therefore as the site narrows the setback varies. The closest point is 232mm off the boundary. The L-shaped return has a minimum setback to the street of 7.5m. As the dwelling next door is setback a minimum of 3m, the application does not meet the acceptable solution and therefore the setback must be considered against the performance requirements.</p>
<p>P2 Buildings must be sited to be compatible with the streetscape and character of the surrounding area, having regard to:</p> <ul style="list-style-type: none"> (a) the level of public interaction and amenity, and pedestrian activity; (b) the topography of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the appearance when viewed from roads and public places; (f) the existing or proposed landscaping; and (g) the safety of road users.
<p>Complies</p> <p>The application is considered appropriate within the predominantly residential area particularly as it is single storey in scale and proposes ample landscaping to blend in with the established garden character of the area. Setting back of that part of the building to create the garden area will also provide a high level of ambience for customers and employees of the business.</p>
<p>A3 Setback from a side boundary must be:</p> <ul style="list-style-type: none"> (a) built to the side boundaries at ground level; or (b) no more or less than the maximum and minimum setbacks of the buildings on adjoining lots.
<p>Relies on Performance Criteria</p> <p>Given the adhesion of the lots and corner characteristics of 52 Abbott Street, both the northern and western boundaries are considered as side boundaries. The northern facing wall of the existing building is constructed to the boundary with the extension setback a minimum of 3m which is similar to that of the existing dwelling. Along the western side the building is setback a minimum of 5.025m, the existing building having a setback of 4m. The setbacks are less than the existing building and greater than development on both lots adjoining the side boundaries. Consideration must be given to the performance requirements.</p>
<p>P3 Buildings must be sited so that there is no unreasonable loss of amenity to the occupiers of adjoining lots, having regard to:</p>

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

<p>(a) the topography of the site; (b) the size, shape, and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space areas on the site; (f) the privacy to private open space and windows of habitable rooms on adjoining lots; (g) sunlight to private open space and windows of habitable rooms on adjoining lots; (h) any existing screening or the ability to implement screening; and (i) the character of the surrounding area.</p>
<p>Complies As the setbacks of the proposed extension are greater than that of adjoining dwellings and buildings there will be minimal impacts of the development on those lots. Neither neighbour will be overshadowed nor imposed with large building on the boundary. The northern elevation will have windows but these have high sill levels at approximately 1.8m and will not cause any overlooking into adjoining properties even though the north western corner of the building will have a raised floor level. Garden space will be created adjacent to each adjoining residential property with no direct public access from either elevation onto adjoining private space areas. The proposal is therefore considered a low key extension to a commercial building. The development is considered able to meet the performance requirements. In addition, the proposed setbacks, while greater, do comply with clause D20.4.1.A4 below.</p>
<p>A4 Where the site is located on the boundary of the General Residential and Inner Residential zones, new buildings or alterations to existing buildings, must: (a) be set back a horizontal distance of no less than 3m from the zone boundary; and (b) have a solid fence no less than 1.8m high on the zone boundary.</p>
<p>Complies The extension will be at least 3m away from both the north and western side boundaries.</p>
<p>A5 The facade and entrance of the primary building, must be clearly visible, and accessible from a road, for pedestrians and persons with a disability.</p>
<p>Complies The premises will retain its access for persons with a disability via the main entrance off the Abbott/Arthur Street corner.</p>

20.4.2 Location of car parking

<p>Objective: To ensure that car parking: (a) does not detract from the streetscape; and (b) provides for vehicle and pedestrian safety.</p>
<p>Consistent Car parking will have a minimal impact on the streetscape and safety. The proposed two car spaces are located in tandem to the side of the building and the existing crossover. This replicates the location of parking that currently exists for the dwelling.</p>

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

<p>A1 Car parking must be located:</p> <ul style="list-style-type: none"> (a) within the building structure; or (b) behind the building.
<p>Relies on Performance Criteria</p> <p>Two car spaces are proposed along the southern side boundary in what is the existing driveway space.</p>
<p>P1 Car parking must be located to minimise its visibility from a road, mall, laneway or arcade, having regard to:</p> <ul style="list-style-type: none"> (a) the existing streetscape; (b) the location of the car parking; (c) vehicle and pedestrian traffic safety; (d) measures to screen parking; and (e) any landscaping proposed.
<p>Complies</p> <p>There is limited opportunity for parking given the design of the building and front courtyard. Currently, the existing premises, operates purely from on-street parking and nearby residents walking to the shop. The provision of two spaces, in the location where parking has been provided for the dwelling that occupies the site, is considered to be satisfactory. The development of landscaping either side of the driveway and in the front setback will visually offset the impact from the spaces not being at the rear of the site.</p> <p>The car parking spaces will most likely be used by employees who will be aware of the site which should minimise any safety concerns of vehicles reversing onto the street.</p>

20.4.3 Active ground floors

<p>Objective:</p> <p>To ensure that building facades promote and maintain high levels of pedestrian interaction and amenity.</p>
<p>Consistent</p> <p>The proposed extension contains a pedestrian link and visual interaction with the street with windows opening onto the courtyard off the Arthur Street frontage. The existing premises has windows along both elevations, though some are partially blocked by shelving along the Abbott Street frontage.</p>
<p>A1 New buildings with non-residential uses on ground floors must:</p> <ul style="list-style-type: none"> (a) have clear glazing, display windows or glass doorways for a minimum of 80% of all ground floor facades to, roads, malls, laneways or arcades; (b) not have security grilles or screens that obscure the ground floor facades to roads, malls, laneways or arcades; (c) not have mechanical plant or equipment, such as air conditioning units or heat pumps located on the facade; and (d) not have blank walls, signage panels or blocked out windows, wider than 2m on ground floor facades to roads, malls, laneways or arcades.

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

<p>Relies on Performance Criteria The L-shaped extension effectively has three walls, one 5.95m section aligning Arthur Street, a 7.5m section with perpendicular to the street fronting the eastern side of the courtyard and a section facing the street on the northern side of the courtyard of 9m. The section of wall constructed up to Arthur Street has a 900mm wide fixed window and a 2m wide signage panel both within a 900mm deep band on the elevation. While the sign complies the total length of windows to the Arthur Street facade is 12m over a length of 22m and therefore requires assessment against the performance requirements. The western elevation to the courtyard contains windows with a sill height of 1.2m and glass doors which is under 80% and requires further assessment. With a southern outlook over the courtyard the remaining wall has full length windows over 5m of the 9m length of wall to also require assessment.</p>
<p>P1 New buildings must be designed to maximise interaction between the use of the building and pedestrians, having regard to:</p> <ul style="list-style-type: none"> (a) an adequate level of glazing, openness and transparency on the ground floor facades to roads, malls, laneways or arcades; (b) the potential for security grilles or screens to reduce the amenity of the building or reduce levels of interaction with the public; (c) screening or obscuring all mechanical plant or equipment such as air conditioning units or heat pumps so they are not recognisable or visible from ground level public view points; and (d) minimising the area of all blank walls, signage panels or blocked out windows on ground floor facades to roads, malls, laneways or arcades.
<p>Complies While the proposal does not meet the percentage requirements for the extent of recommended glazing, the premises is considered to have ample interaction with the street. Where the extension proposes a section of blank wall along Arthur Street it shields views of staff lockers and a 'washing up' area. The existing frontage directly to Arthur Street has windows with views in to the street. There will be no further screening by plant or similar equipment or signage.</p>
<p>A2 Alterations to ground floor facades of non-residential buildings must not:</p> <ul style="list-style-type: none"> (a) reduce the level of glazing on a facade to a road, mall, laneway or arcade that is present prior to alterations; (b) have security grilles or screens that obscure the ground floor facade; (c) introduce new or additional mechanical plant or equipment such as air-conditioning units or heat pumps located on the facade; and (d) increase blank walls, signage panels or blocked out windows, wider than 2m on ground floor facades to roads, malls, laneways or arcades.
<p>Complies The extension is not reducing the extent of glazing of the existing building.</p>

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

<p>A3 The building must:</p> <ul style="list-style-type: none"> (a) provide a direct access for pedestrians from the road or publicly accessible areas; and (b) be orientated to face a road, mall, laneway or arcade, except where the development is not visible from these locations.
<p>Complies The existing entry to the building remains and a stair entry off Arthur Street is also proposed.</p>

<p>E6.0 Parking and Sustainable Transport Code</p> <p>E6.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) ensure that an appropriate level of parking facilities are provided to service use and development; (b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas; (c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; (d) ensure that parking does not adversely impact on the amenity of a locality; (e) ensure that parking spaces and accesses meet appropriate standards; and (f) provide for the implementation of parking precinct plans.
<p>Consistent The proposal is considered to meet the purpose of the code. While it intensifies an existing business that currently does not have any parking, the use serves the daily needs of the local residential population. An enlarged area for dining allows for local residents to access such a use without having to drive to a location further away. The occasions when the use extends beyond normal operating hours is proposed to only be occasionally and will be when the other businesses in Arthur Street are closed.</p> <p>Abbott Street is well served by metro buses.</p>

<p>E6.5 Use Standards</p> <p>E6.5.1 Car parking numbers</p> <p>Objective: To ensure that an appropriate level of car parking is provided to meet the needs of the use.</p>
<p>Consistent Parking facilities are considered appropriate.</p>
<p>A1 The number of car parking spaces must:</p> <ul style="list-style-type: none"> (a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or (b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

- (c) not exceed the requirements of Table E6.1 by more than two spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or
- (d) be in accordance with an acceptable solution contained within a parking precinct plan.

Relies on Performance Criteria

A shop, under the use class of General Retail and Hire, requires parking at a rate of: *one car space per 30m² of gross floor area; one bicycle space per 100m² of gross floor area.*

The use class of Food services requires one space per 15m² of gross floor area plus one bicycle per 75m² of gross floor area. The additional floor area is approximately 132m². Approximately 60m² of this space will be occupied by dining tables and is subject to the higher parking requirement.

Therefore, approximately 72m² is considered under the use class of General retail and hire which would require three car spaces and four space required for the Food services component to total seven car spaces. Only two spaces are proposed. An assessment against the performance criteria is necessary.

Two bicycle spaces could be provided on site and there is a public bicycle park space in Abbott Street adjacent to the corner.

P1.1 The number of car parking spaces for other than residential uses, must be provided to meet the reasonable needs of the use, having regard to:

- (a) the availability of off-road public car parking spaces within reasonable walking distance;
- (b) the ability of multiple users to share spaces because of:
 - (i) variations in car parking demand over time; or
 - (ii) efficiencies gained by consolidation of car parking spaces;
- (c) the availability and frequency of public transport within reasonable walking distance of the site;
- (d) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;
- (e) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;
- (f) an assessment of the actual car parking demand determined in light of the nature of the use and development;
- (g) the effect on streetscape; and
- (h) the recommendations of any traffic impact assessment prepared for the proposal; or

P1.2 The number of car parking spaces for residential uses must be provided to meet the reasonable needs of the use, having regard to:

- (a) the intensity of the use and car parking required;
- (b) the size of the dwelling and the number of bedrooms; and

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

(c) the pattern of parking in the locality; or
 P1.3 The number of car parking spaces complies with any relevant parking precinct plan.

Complies

The relevant criteria is addressed below:

(a) *the availability of off-road public car parking spaces within reasonable walking distance;*

The application proposes two onsite car parking spaces along the western side boundary of the site and will most likely be used by staff. There is a private carpark for the commercial use of the site used as real estate and café on the southern and opposite side of Arthur Street.

Parking for the existing premises and the two nearby business otherwise occupies the neighbouring streets.

(b) *the ability of multiple users to share spaces because of:*
 (i) *variations in car parking demand over time; or*
 (ii) *efficiencies gained by consolidation of car parking spaces;*

Customers of one of the three businesses around the Abbott/Arthur Street junction have the ability to share street spaces given the nature of the area and the proximity of the businesses.

(c) *the availability and frequency of public transport within reasonable walking distance of the site;*

Metro buses serve the area, Abbot Street being a well serviced route.

(d) *any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;*

The portion of the overall site to be redeveloped is relatively small and while the proposed extension occupies less than half of the vacant land, there is limited room to provide car parking without imposing on the visual qualities of the site and streetscape.

The design of the proposal allows for landscaping within the frontage which is considered more appropriate than the utilisation of the space as sealed area for cars to park.

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

(e) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;

There is on street parking throughout the area adjacent residential streets. The residential streets have a 50kph speed limit so provide some control on vehicle movements. Abbott Street is wider just south of the intersection with parking streets clear of the path of vehicles. On-street parking is considered a satisfactory option.

Council has budgeted for a roundabout to be constructed at the intersection with works anticipated to undertaken later 2017/early 2018. This matter was determined prior to this application being lodged.

(f) an assessment of the actual car parking demand determined in light of the nature of the use and development;

The existing use of 52 Abbott Street operates without any onsite parking. The extension requires seven spaces with only two spaces proposed to be provided. The application emphasizes that both use components are integrated and not two stand-alone entities that might otherwise have a greater impact.

The two spaces are considered to be sufficient given the residential character of the development. As the applicants have nominated in their submission, the property is in a general area (St Georges Square, Relish in Arthur St, Maple Café in Abbott Street and the Tower Café in the ex QV hospital in High Street) that contains a number of eating places and that local residents use alternate types of transport to access existing premises. The uses are between homes of local residents and the central city, which is within a 15 minute walk of the subject site. The property is also en-route to a number of schools that parents walk their children to and then 'call in' to on their way home. The combination of the boarder café uses, in addition to the more concentrated nature of the Abbott/Arthur Street intersection, provides vibrant inner city living opportunities to serve the local and broader community of the city. Such local areas allow meeting of people and provide safer and more social neighbourhoods. Charles Street between the CBD and the hospital has as a similar character where a number of food premises are present in a residential area and rely on, and succeed with on street parking.

While hours are to be extended on occasions/special events, it should not cause too great a change to the area. It is acknowledged that the area can be busy, given the nearby cafe and real estate office over the road. The nearby cafe closes around 4.00pm, and the real estate office around 6.00pm which reduces the traffic loading on the area. The occasional extended hours, as previously noted, would offer a local evening dining/tasting opportunity to residents where they can walk rather than use a vehicle to access this opportunity and should only have limited and intermittent impact

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

on the area.
 (g) *the effect on streetscape; and*

As noted above in point (d) the proposal, where landscaping is proposed in the front of the property is considered a positive a more positive solution to streetscape rather than converting of this space to hard standing.

(h) *the recommendations of any traffic impact assessment prepared for the proposal;*

A traffic impact assessment was not considered necessary.
 The proposed variation of five on site car spaces is considered an appropriate cost to benefit the character of the area and nearby residents who have the opportunity to more easily access functions offered elsewhere in the City.

E6.5.2 Bicycle parking numbers

Objective:
 To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.

Consistent
 Bicycle parking can be provided.

A1 The number of bicycle parking spaces must be provided on either the site or within 50m of the site in accordance with the requirements of Table E6.1.

Complies
 Informal parking for staff can be provided on site with public bicycle parking located adjacent the corner in Abbott Street.

E6.5.3 Taxi spaces

Objective:
 To ensure that access for taxis is provided to meet the needs of the use.

Consistent
 Taxis can access the site.

E6.5.4 Motorcycle parking

Objective:
 To ensure that motorcycle parking is provided to meet the needs of the use.

Consistent
 Motorcycles can park out the front of the property if required.

E6.5.5 Loading bays

Objective:
 To ensure adequate access for goods delivery and collection, and to prevent loss of

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

amenity and adverse impacts on traffic flows.
Consistent Facilities are available for loading/unloading.
A1 A loading bay must be provided for uses with a gross floor area greater than 1,000m ² in a single occupancy.
Complies A loading bay is located adjacent the corner in Arthur Street.

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective: To ensure that parking areas are constructed to an appropriate standard.
Consistent To ensure that parking areas are constructed to an appropriate standard.
A1 All parking, access ways, manoeuvring and circulation spaces must: (a) have a gradient of 10% or less; (b) be formed and paved; (c) be drained to the public stormwater system, or contain stormwater on the site; (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.
Complies The two spaces will be located on land that has a gradient less than 1:10, which will be appropriately sealed and drained.

E6.6.2 Design and layout of parking areas

Objective: To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.
Consistent It is considered that the objective is met.
A1.1 Car parking, access ways, manoeuvring and circulation spaces must: (a) provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces; (b) have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10% greater than the requirements in Table E6.2; (c) have parking space dimensions in accordance with the requirements in Table E6.3; (d) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table E6.3 where there are three or more car parking spaces; and

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

<p>(e) have a vertical clearance of not less than 2.1m above the parking surface level. A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building. A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more. A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.</p>
<p>Complies There is a distance of 5m between the side boundary and the building with a small garden bed along each side and a clear width of at least 3.5m wide for two tandem spaces to comply with clauses (b) and (c). The car spaces are not enclosed to meet clause (e). The other clauses are not relevant to this application.</p>

E6.6.3 Pedestrian access

<p>Objective: To ensure pedestrian access is provided in a safe and convenient manner.</p>
<p>Consistent Safe pedestrian access is available.</p>

E6.6.4 Loading bays

<p>Objective: To ensure adequate access for goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.</p>
<p>Consistent Goods delivery is provided for.</p>
<p>A1 The area and dimensions of loading bays and access way areas must be designed in accordance with AS2890.2 - 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.</p>
<p>Complies No change to the existing situation is proposed.</p>
<p>A2 It must be demonstrated that the type of vehicles likely to use the site can enter, park and exit the site in a forward direction, without impact or conflicting with areas set aside for parking or landscaping, in accordance with AS2890.2 - 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.</p>
<p>Complies No change to the existing situation is proposed.</p>

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

E6.7.1 Precinct 1 - Launceston Central Business District Parking Exemption Area

E6.7.1.3 Local area provisions

Objective:

To limit on-site car parking within the Launceston Central Business District Parking Exemption Area.

Consistent

The site is not in the car parking exemption area.

E18.0 Signs Code

E18.1 The purpose of this provision is to:

- (a) provide opportunities for appropriate business advertising and information essential to support and encourage business activity;
- (b) promote the use of well-designed signs that complement and enhance the streetscape and the City and do not contribute to visual clutter and detract from the visual amenity of the locality; and
- (c) ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.

Consistent

The proposed building fascia sign is minimalistic and is considered appropriate for the building and streetscape and will not impact on public safety.

E18.5 Development Standards

E18.5.1 Unacceptable signage

Objective:

To prevent unacceptable signage.

Consistent

A building fascia sign is considered to be an acceptable sign type.

A1 Signage must not be for the following sign types:

- (a) an above awning sign;
- (b) bunting (flag and decorative elements);
- (c) a flashing lights sign;
- (d) a roof sign;
- (e) a sky sign; or
- (f) a third party sign.

Complies

The application is for a building fascia sign and meets the acceptable solution.

E18.5.2 Design and siting of signage

Objective:

To:

- (a) provide for appropriate signage and to ensure the visual scale and impact of signage is managed; and

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

(b) ensure that the design and siting of signs achieves the purpose of this code.
Consistent The proposed sign is considered to be of an appropriate scale and in an appropriate location to meet the code purpose.
A1 A sign must: (a) be located within the applicable zone for the relevant sign type set out in Table 1 of E18.6; and (b) meet the requirements for the relevant sign type set out in Table 1 of E.18.6.
Complies A building fascia sign is a relevant sign type in the Local Business zone, is 900mm deep and does not protrude from the fascia, to meet the acceptable solution.
A2 A sign must be a minimum distance of 2m from the boundary of any lot in the General Residential, Inner Residential, Low Density Residential, Rural Living, Environmental Living or Village zones.
Complies The adjoining property at 36 Arthur Street is zoned Inner residential but is the sign is approximately 14.5m from the boundary and more than the necessary 2m away to meet the acceptable solution.
A3 A building or tenancy must have: (a) a maximum of one of each sign type per building or tenancy, unless otherwise stated in Table 1 of E18.6; and (b) no more than three individual signs in total.
Relies on Performance Criteria Each facade of the building has the words 'Food store & kitchen' with the name 'Alps and Amici' over the truncated corner entry. Therefore, the building will have four building fascia signs to therefore require consideration of the performance requirements.
P3 Visual clutter must be reduced where multiple signs of the same type are proposed, having regard to: (a) the number of signs; (b) replacement of existing signs with fewer, more effective signs; and (c) duplication of messages or information on the same frontage.
Complies The additional 'Alps and Amici' sign will be located approximately 15m away from the existing sign. Both will not be able to be seen at the time other than from the opposite street corner or southwards along Abbott Street. The signs are limited in content, are not considered to cause visual clutter and meet the relevant criteria.
A4 A sign must not be illuminated.
Complies The sign is not to be illuminated.

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent (TWDA No. 2017/00202-LCC).

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 8 April to 26 April 2017. Representations were received from three parties. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised, it should be read in conjunction with the representations received which are attached to this report.

ISSUE	COMMENTS
Oppose the demolition of 38 Arthur Street.	<p>The building is not heritage listed and Council has limited control of its removal. The demolition is proposed as part of the redevelopment of the site and therefore must be addressed against the provisions of the site's zoning. The Local Business zone does not contain any necessary considerations in respect of demolition as such. The intent includes the requirement to maintain or improve the function, appearance and qualities of a neighbourhood centre and to provide active road frontages and engagement with shoppers. The proposal is a relatively small extension that does not dominate the streetscape and is proposed with suitable landscaping to blend in with landscaped character of the area. The proposal is considered to meet the requirements of the zone.</p> <p>Council records state the age of the building as being 1900.</p>

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

ISSUE	COMMENTS
<p>It appears that Alps and Amici no longer find a residential area suitable to the business as it has grown but have decided the area should change instead of seeking a more suitable and less residential area.</p>	<p>The dwelling, known as 38 Arthur Street is zoned Local Business. The zone allows for uses that serve the local residents. Given that the dwelling is not heritage listed, the planning scheme provides for the proposed development and use of the land.</p>
<p>Have the applicants genuinely considered all of the development options (other than demolition) available to them? The extension to the property could be undertaken with the façade of the building maintained.</p>	<p>A previous approval had been granted to redevelop the existing building, this having a lesser impact on the streetscape but this was later discounted by the applicants due to the cost of doing such. Each application made to Council has to be assessed on its own merits against the planning scheme and so the removal of the dwelling and redevelopment of the site is currently the necessary consideration.</p>
<p>Too many businesses are trying to reduce their costs by redeveloping residential properties at the cost of destroying our heritage. Gorgeous cottages are a drawcard for tourists, in preference of places such as Melbourne or Disneyland.</p>	<p>Concerns of the loss of such buildings is appreciated and acknowledged. Each application does have to be considered against its merits. The request for demolition has been assessed as able to be approved.</p>
<p>The proposal will remove the quaint appeal of the streetscape, the dull replacement building being more suited to another area.</p>	<p>The proposed extension has been assessed against the development standards of the zone and is considered to be appropriate. The garden is considered as a buffer between the commercial use and adjoining residential property. Under the zone provisions the building could extend to the front setback and 3m in from the western boundary, have a height of 7m and not have any garden.</p>
<p>Lack of car parking is also a concern. The argument provided is not convincing, especially as the business is expanding.</p>	<p>The current use operates without any parking and, while the floor area is increasing, the intent is to allow customers to consume product on site rather than take it home. As the proposal does note, more people are seeking alternate means of transport including undertaking multi-purpose trips and utilising varied forms of transport. For example parents walking their children to school and stopping for coffee and food during the same trip.</p>

8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)

ISSUE	COMMENTS
	Any increase in hours is for intermittent functions and during such hours as when the nearby café is closed. Providing services nearby allows for locals to enjoy additional food options without having to drive out of the area and therefore reduces passing traffic in the area.
Please advise on how a place can be entered on the local heritage schedule. Can this be by a member of the public? Can the current process be placed on the public record?	There has been no formal process for entering properties since the current list was developed for the Launceston Planning Scheme 1996.
The submission does not assess the heritage values of the place or the loss of streetscape to the area.	There is no specific requirement in the planning scheme for the values of the dwelling to be addressed. The proposed garden seeks to address streetscape values.
Was the place listed in the Paul Davies Launceston Heritage Study? When will such reports be public? Other lists are public so why hasn't Launceston done this is this in the 1830s archaeological overlay?	<p>38 Arthur Street was recommended as place of local significance by Paul Davies as part of the Launceston Heritage Study 2007.</p> <p>38 Arthur Street is also part of the High Street Precinct proposed by Paul Davies as part of the Launceston Heritage Study 2007, and which has been further developed by Council officers and officers of Heritage Tasmania as a smaller precinct named after Lyttleton Street. These precincts are still being developed and due to the scale do not yet form a part of the Planning Scheme.</p>
Will the intersection be affected by increased traffic given poor site lines and lack of parking?	<p>A roundabout upgrade has been approved in the 2017/2018 budget.</p> <p>The application intends for the use of the property to be enhanced. A variation to the parking numbers is sought. Given the objectives of the site's Local Business zone of providing for immediate residential area, and the residential nature of the area, residents are easily within walking distance of the property.</p>

- 8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)**
-

6. CONCLUSION

Subject to the recommended conditions, it is considered that the proposal complies with the Scheme and it is appropriate to recommend for approval.

ECONOMIC IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.

ENVIRONMENTAL IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.

SOCIAL IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such social impacts have been considered.

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

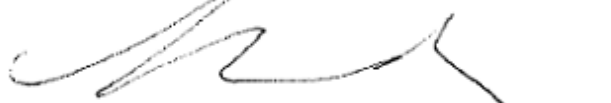
Not considered relevant to this report.

- 8.1 52 Abbott Street, East Launceston - General Retail and Hire - Demolition of Existing Dwelling and Construction Of Extensions To Existing Food Store (Amended Application) ...(Cont'd)
-

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Locality Plan (electronically distributed)
 2. Plans of Proposal (electronically distributed)
 3. TasWater SPAN (electronically distributed)
 4. Representations (electronically distributed)
-

9 ANNOUNCEMENTS BY THE MAYOR**9.1 Mayor's Announcements****FILE NO:** SF2375

Tuesday 25 April 2017

- Officiated at the Launceston ANZAC Day march and service
- Attended the ANZAC luncheon at the Launceston RSL
- Attended the St Patrick's River Association's ANZAC Day service at the Nunamara Hall

Friday 28 April 2017

- Officiated at a Civic function to welcome national and international visitors for the Supreme Grand Royal Arch Chapter of Tasmania Grand Installation to Launceston at the Town Hall

Saturday 29 April 2017

- Attended the pre-game President's luncheon at UTAS Stadium
- Attended the Hawthorn versus St Kilda game at UTAS Stadium
- Attended the 2017 Esther's House Inaugural Gala Dinner at the Tramshed's Function Centre

Tuesday 2 May 2017

- Delivered a presentation to students at the Launceston Christian School for Grade 2

Wednesday 3 May 2017

- Attended Candle Lighting Vigil for members who have suffered from domestic and family violence in the Princes Square

Friday 5 May 2017

- Attended the Moulin Rouge Charity Ball at the Hotel Grand Chancellor

Saturday 6 May 2017

- Officiated at the Sierra Leone Association of Northern Tasmania 56th Independence Anniversary Event at the Windmill Hill Hall
-

10 ALDERMEN'S REPORTS

(This item provides an opportunity for Aldermen to briefly report on the activities that have been undertaken in their capacity as a representative of the Council. It is not necessary to list social functions that have been attended.)

11 QUESTIONS BY ALDERMEN

11.1 Questions on Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

(A councillor, at least seven days before an ordinary Council Meeting or a Council Committee Meeting, may give written notice to the General Manager of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be in writing.)

No Aldermen's Questions on Notice have been identified as part of this Agenda

11.2 Questions without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

(Questions without Notice, and any answers to those questions, are not required to be recorded in the Minutes of the Meeting.)

12 COMMITTEE REPORTS

No Committee Reports have been identified as part of this Agenda

13 COUNCIL WORKSHOPS

Council Workshops conducted on 1 and 8 May were:

- Planning Scheme
 - Vodafone Lease
 - Business Events Tasmania
 - UTAS Master Plan
 - Regional Tennis Centre
 - Benefit Illustration for Tasmania - Telstra
 - TasWater - Proposed State Government Take Over
-

14 NOTICES OF MOTION

Local Government (Meeting Procedures) Regulations 2015 - Regulation 16(5)

No Notices of Motion have been identified as part of this Agenda

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

16 FACILITIES MANAGEMENT DIRECTORATE ITEMS

16.1 Junction Arts - Lease Renewal

FILE NO: SF0369

AUTHOR: Matthew Skirving (Manager Architectural Services)

DIRECTOR: Rod Sweetnam (Director Facilities Management)

DECISION STATEMENT:

To consider a request from Junction Arts Inc. to be granted a new three year lease over the Western Vestibule of the Albert Hall, on the same terms and conditions as their current agreement with Council.

PREVIOUS COUNCIL CONSIDERATION:

Council - 15 April 2013 - Agenda Item 15.1 - Junction Arts Festival - Lease of Albert Hall Western Vestibule

Council - 12 September 2016 - Agenda Item 16.1 - Deed of Variation - Junction Arts

Council - 28 November 2016 - Agenda Item 15.2 - Signature Events 2017/2018

RECOMMENDATION:

Pursuant to section 177 of the *Local Government Act 1993*:

1. Council approves the lease of the Western Vestibule of the Albert Hall, 45a Tamar Street, Launceston, to Junction Arts Festival Inc. for a period of three years, on the same terms and conditions as their previous agreement with Council, including full remission of the rental value of the premises as per the proposed lease schedule.
-

16.1 Junction Arts - Lease Renewal ...(Cont'd)

Lease Agreement - Albert Hall – Western Vestibule - Schedules

Schedule 1: Agreement Details

1. **Name Of Landlord:**

LAUNCESTON CITY COUNCIL A.B.N. 73 149 070 625

2. **Present Address Of Landlord:**

Town Hall, 18-28 St John Street, Launceston in Tasmania.St John Street,
Launceston

3. **Name Of Tenant:**

JUNCTION ARTS FESTIVAL INC ABN 36 414 918 339.

4. **Present Address Of Tenant:**

P O Box 898
Launceston TAS 7250

5. **Premises:**

Part of the building known as Albert Hall (including Ground Floor Foyer, adjacent Barbara Payne Office, Lobby, Samuel Sutton Office, Stairwell, Female Toilets, Male Toilets, South Esk Room, North Esk Room and Tower Room) situated at 45A Tamar Street, Launceston in Tasmania, and more particularly that part as outlined on the Plan annexed hereto.

The Premises do not include the outside of any external walls of Albert Hall. See Clause 2.1 of the Lease Agreement.

6. **Term:**

3 years Fixed term from the commencement date.

7. **Lease Option:**

N/A

8. **Extension of Lease Term:**

N/A

9. **Commencing Date:**

16.1 Junction Arts - Lease Renewal ...(Cont'd)

Lease Agreement - Albert Hall – Western Vestibule - Schedules

/ / 2017

10. Rental:

The rental is \$21,000.00 per annum inclusive of GST . This rental will **not be payable**, but will be made up from in kind support from the Landlord

Purpose For Which Premises Are To Be Used:

The premises are to be occupied by **JUNCTION ARTS FESTIVAL INC.** No assignment of the lease or sub-lease to a different organisation is permitted.

Chattels:

See schedule 2.

11. Interest Rate:

N/A

Trading Hours Of The Premises:

The tenant shall trade consistent with normal office business hours

12. Inventory

Both at the commencement of this lease and at termination, the Landlord and Tenant together will conduct an inventory of all fixtures, fittings and chattels detailed in Schedule 2 to confirm such items are in place and to establish their condition.

13. Date Of This Lease

This Lease is made on the day of 2017.

Lease Agreement - Albert Hall – Western Vestibule - Schedules



16.1 Junction Arts - Lease Renewal ...(Cont'd)

2. That the General Manager be authorised to release, where appropriate, to agents of Council and/or to the public relevant information that relates to the consideration and determination of this matter.
-

REPORT:

At the Council Meeting of 15 April 2013, Council approved a lease agreement with Junction Arts Festival Inc. (JAF) for the use of the Western Vestibule at the Albert Hall, Launceston. The Festival staff and committee utilise the space as office accommodation in association with the annual Junction Arts Festival, which receives Signature Event sponsorship support from Council.

In September 2016, the principal lease agreement term was extended via a Deed of Variation through until 31 January 2017, at which time JAF proposed to vacate the premises.

At the Council meeting of 28 November 2016, JAF were selected as being eligible for Signature Event Funding for a three year period. Following discussions with the General Manager in late 2016, JAF have now requested a new three year lease be provided, on the same terms and conditions as their current agreement. Their current agreement with Council provides a full remission of the rental value of the premises provided. It is noted that JAF are not able to apply for in-kind accommodation support as part of their event sponsorship funding agreement with Council, and any future remission will constitute additional support over and above event sponsorship funding.

Council Officers met with Mr Steve Henty (General Manager, Junction Arts Festival) to discuss their proposal in further detail. Correspondence from Mr Henty confirming their proposal is included with this report (Attachment 1).

Details of the valuation report have been provided to Aldermen as part of a Closed Council process.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

16.1 Junction Arts - Lease Renewal ...(Cont'd)

SOCIAL IMPACT:

Council has invested significantly in the Arts in order to enhance the social capital of the City.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 1 - A creative and innovative city
Ten-year goal - To foster creative and innovative people and industries
Key Direction -
6. To contribute towards artistic, cultural and heritage outcomes

Priority Area 7 - A city that stimulates economic activity and vibrancy
Ten-year goal - To develop a strategic and dedicated approach to securing economic investment in Launceston
Key Directions -
3. To promote tourism and a quality Launceston tourism offering
4. To promote and attract national and international events and support the sector to ensure a diverse annual events calendar

BUDGET & FINANCIAL ASPECTS:


A recent rental valuation of the Western Vestibule at the Albert Hall, Launceston has been assessed as \$21,000 per annum.

Any remission of rental value offered under a new lease agreement will constitute additional funding support to Junction Arts Festival Inc., in addition to the funding support provided by Council under the Signature Events Funding.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.


Rod Sweetnam: Director Facilities Management

16.1 Junction Arts - Lease Renewal ...(Cont'd)

ATTACHMENT:

1. Email from Junction Arts Festival dated 13/01/2017 - Request for New Lease Agreement
-

***Attachment 1 - Email from Junction Arts Festival dated 13/01/2017
- Request for new Lease Agreement***

Matthew Skirving

From: Steve Henty [REDACTED]
Sent: Friday, 13 January 2017 12:41 PM
To: Matthew Skirving
Subject: Albert Hall Lease

Hi Matt

Thanks again to yourself and Rod for meeting me today.

As of the City of Launceston council meeting on 28th of Nov, 2016, Junction Arts Festival has been accepted to apply for funding under the Signature Events Program. As such, it would be fantastic if we could look to extend our lease here in the western vestibule of the Albert Hall.

In terms of lease period, it would be ideal to extend the lease for five years, however, it may be more appropriate to align with the three-year Signature Events funding period.

We also see an opportunity to facilitate access to office space for other organisations on a short-term basis during off-peak staff periods for Junction. This not only aligns with Junction's goals of collaboration within the events community, growing a cultural hub and being a skills incubator for events and festivals, but could also help new, up-and-coming, or smaller not-for-profit events get a foot-hold with support from the City of Launceston, as the CoL has done for Junction.

If appropriate, we would be more than happy to meet with Alderman or council staff to identify exactly what types of organisations would fit this assistance, but prima-facie we see it for not-for-profits, smaller events that the CoL are supporting or other non-commercial community organisations.

Thanks again for your time today and many thanks for your support and assistance over the past number of years.

Regards

STEVE HENTY | GENERAL MANAGER
JUNCTION ARTS FESTIVAL | 6-10 SEPTEMBER 2017

[REDACTED]
[REDACTED]

.....
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17 QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS

18.1 Proposed Feature Name - Rock Fissure in Punchbowl Reserve

FILE NO: SF0865/SF0621

AUTHOR: Dannielle Denning (Parks Planner)

DIRECTOR: Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider provide support to a proposal to officially name the rock fissure within Punchbowl Reserve.

PREVIOUS COUNCIL CONSIDERATION:

SPPC - 1 May - Agenda Item 4.2 - Proposed Feature Name - Rock Fissure in Punchbowl Reserve

RECOMMENDATION:

That Council resolves to provide support for the submission to the Nomenclature Board made by the Tasmanian Aboriginal Centre Inc. to name the rock fissure within Punchbowl Reserve; 'luyni mungalina' pronounced as (loy nee) (mu ngah lee nah) which translates as 'raining rock'.

REPORT:

The ephemeral waterfall associated with the rock fissure on the Kings Meadows Rivulet located within Punchbowl Reserve does not currently have a name registered with Placenames Tasmania. A photograph of the rock fissure at Punchbowl Reserve is attached ([Attachment 1](#)).

The rock fissure is a natural attraction that can be viewed from a small footbridge across the rivulet accessed via a gravel path heading south from the main central carpark which is sign posted 'Natural Rock Fissure' ([Attachment 2](#)). The Punchbowl Reserve Bushland Management Plan 1997 refers to the feature as 'Rock Fissure'. This reference appears to be merely a description rather than a name.

18.1 Proposed Feature Name - Rock Fissure in Punchbowl Reserve ...(Cont'd)

Punchbowl Reserve was purchased by the Launceston City Council in 1938 for £450 from the estate of a Mr Lawrence. Prior to this, the area was a popular picnic destination for the people of Launceston and was part of an area known as "The Sanctuary" which included the Launceston Golf Club and Carr Villa Memorial Park. Originally known as the 'Devil's Punchbowl', the name was shortened in the early 1900s to Punchbowl.

In October 2016, Mr Craig Doumouras, the administrator for a website and Facebook page promoting waterfalls across Tasmania, requested the Council to support an application to the Nomenclature Board naming the feature 'Punchbowl Falls'. In support of the application, Mr Doumouras also provided a number of references including photographs with references to 'Devil's Punchbowl' ([Attachment 3](#)).

The Nomenclature Board of Tasmania referred the proposal to the Tasmanian Aboriginal Centre (TAC) in accordance with the Aboriginal and Dual Naming Policy ([Attachment 4](#)).

In March 2017, a request from the TAC for the Council to support naming the feature using only the palawa kani name 'luyni mungalina', pronounced as (loy nee) (mu ngah lee nah). The translation for luyni mungalina is 'raining rock' as the falls only run after heavy rain ([Attachment 5](#)). TAC has undertaken consultation with the Aboriginal community and intends to undertake further consultation inviting feedback on the name through the TAC's Facebook page and website.

When considering any naming proposal, the Nomenclature Board of Tasmania abides by the Aboriginal and Dual Naming policy which gives the preference to Aboriginal place names for any geographic feature or place that does not already have an existing official name (Principle 2.1). This means that dual naming is not required and the palawa kani name will most likely become the official name of the falls.

While the Council has the power to allocate official street names within the municipality, it does not have the authority to allocate official names to other features.

That *Survey Co-ordination Act 1914* provides a power for the Nomenclature Board to name "places" within the State of Tasmania. Section 50D of that Act provides that a:

"place includes any town, township, mining district, area of land, locality, mountain, hill, peak, pass, glen, valley, forest, river, stream, creek, ford, lake, lagoon, marsh, bay, harbour, cape, promontory, railway station, standard permanent mark, or other topographical feature, but does not include a street in a city or town."

18.1 Proposed Feature Name - Rock Fissure in Punchbowl Reserve ...(Cont'd)

The recommendation is that the Council resolves to provide support for the submission to the Nomenclature Board made by the Tasmanian Aboriginal Centre Inc. to name the rock fissure within Punchbowl Reserve; 'luyni mungalina' pronounced as (loy nee) (mu ngah lee nah) which translates as 'raining rock'.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

The decision to officially name a natural feature within one of our reserves will support the Aboriginal community in gaining acknowledgement in the Launceston area; will potentially attract more visitors by registering the feature on maps and provide an opportunity to improve interpretation and education.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 4 - A diverse and welcoming city
Ten-year goal - To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities
Key Direction -
3. To define and communicate our role in promoting social inclusion and equity

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

18.1 Proposed Feature Name - Rock Fissure in Punchbowl Reserve ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



Shane Eberhardt: Director Infrastructure Services

ATTACHMENTS:

1. Photograph Rock Fissure at Punchbowl Reserve
 2. Location plan
 3. Waterfalls of Tasmania - Support for naming request
 4. Aboriginal and Dual Naming Policy
 5. Support for naming request - Tasmanian Aboriginal Centre Inc
-

Attachment 1



Photo 1: Rock Fissure at Punchbowl Reserve



Printed: 21/03/2017

Punchbowl Reserve

NOTE:
While all reasonable care has been taken to ensure the accuracy of the information portrayed on this plan, the information provided may contain errors or omissions. Please note that this info is draft only. This note forms an integral part of this plan. © Launceston City Council 2012

Scale at A4 1:2,500
0 15 30 60 90 m



Attachment 3**Email from Waterfalls of Tasmania - Wednesday 7 October 2015 (ECM Doc #3598727)**

Good morning Andrew,

My name is Craig Doumouras, and I run a website called waterfallsoftasmania.com.au, as well as administrate the Facebook Page, and Facebook Group both called Waterfalls of Tasmania.

Recently I submitted a proposal to the Nomenclature Board Tasmania regarding the waterfall that flows through Punchbowl Reserve, to get it officially registered (The submission Form is attached). If registered, 'Punchbowl Falls' will be featured on all future editions of Tasmaps and Topographic maps. The Nomenclature Board has advised me that I need to request the permission of the Launceston City Council that I then need to send to the Nomenclature Board, hence this email to you.

If possible, could you respond with Launceston City Council's stance on this submission, and if you agree, please attach a letter stating your recommendation for the registration of Punchbowl Falls.

I look forward to your response.

Kind Regards,

Craig Doumouras
Waterfalls of Tasmania

Schedule I – Information to support a place-name application

Tasmanian Place-Name Proposal Form



Contact Details

Title	Given Name	Surname	Date
Mr	Craig	Doumouras	24 August 2015
Organisation (if applicable)		If application made under delegated authority provide details	
Street Address	Number	Street Name	Street Type
7 Bayview Drive			
Suburb	State	Postcode	Telephone
Blackstone Heights	Tas	7250	0417 146 522
Email			
craig@waterfallsotasma.com.au			

Name Proposal

Feature Type	Falls	See Schedule 2 of Rules for Place Names in Tasmania
Description	A waterfall of approximately 4 - 6 metres in height, that flows along the Kings Meadows Rivulet, through Punchbowl Reserve.	A description of the feature (not the name)
Background	The name is derived from the region the waterfall is situated. 'Devils Punchbowl' is the traditional name, with the area and the suburb now called 'Punchbowl'. The waterfall is situated in Punchbowl Reserve.	Where the name came from
Reason	Unofficially it has been known by locals as Punchbowl Falls. The waterfall is situated within a Natural Rock Fissure. We believe the waterfall has enough history and enough character to warrant an official name.	The reason for proposing the name
Map or Location		Location of the place to be named – attach marked-up maps/plans as appropriate
Proposed Name	Punchbowl Falls	For generics: Schedule 3 & 4 and composition: Part 2 Division 3 of the Rules
Coordinates	Easting	Northing
Mid-point	-41.458127 Latitude 513972E TheList	147.167515 Longitude 5410367N TheList
Start		Carriageway/Feature start coordinate
End		Carriageway/Feature end coordinate

Note: If you have questions about completing this form, telephone (03) 6233 2554. Where required, please attach supporting documentation.

Mail: Nomenclature Office, GPO Box 44, Hobart 7001 **Fax:** 03 6233 6775
Email: Nomenclature.Office@dppjwe.tas.gov.au

Personal information will be managed in accordance with the *Personal Information Protection Act 2004* and may be accessed by the individual to whom it relates on request to the Nomenclature Board of Tasmania. Information provided to the Nomenclature Board of Tasmania may also be subject to claims under the *Right to Information Act 2009*.

Email from Waterfalls of Tasmania - Friday 3 March 2017 (ECM Doc #4020848)

Good morning Danielle,

Thank you for your phone call regarding the proposal from the Aboriginal Council for the naming for Punchbowl Falls. I personally like their name and I find the meaning of the word beautiful.

My feelings for the naming of Punchbowl Falls is it should be one that has significance in history. I believe if the Aboriginal Community does have traditional heritage in the Punchbowl region then their name should be used. Otherwise, the Punchbowl region, including the waterfall has been documented for well over 100 years, with the term 'punch bowl' being the significant theme. Given the length of time the word 'punchbowl' has been used, I believe it also has significant heritage.

Here are a few references for Punchbowl Falls dating back to circa. 1870:

[https://lincas.ent.sirsidynix.net.au/client/en_AU/tas/search/detailnonmodal/ent:\\$002f\\$002fARCH_HIVES_DIGITISED\\$002f0\\$002fARCH_DIGITISED:55655/one](https://lincas.ent.sirsidynix.net.au/client/en_AU/tas/search/detailnonmodal/ent:$002f$002fARCH_HIVES_DIGITISED$002f0$002fARCH_DIGITISED:55655/one)

[https://lincas.ent.sirsidynix.net.au/client/en_AU/library/search/detailnonmodal/ent:\\$002f\\$002fSD_ILS\\$002f0\\$002fSD_ILS:682729/one](https://lincas.ent.sirsidynix.net.au/client/en_AU/library/search/detailnonmodal/ent:$002f$002fSD_ILS$002f0$002fSD_ILS:682729/one)

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<http://trove.nla.gov.au/newspaper/article/39557431>

Kind Regards,

Craig Doumouras
Waterfalls of Tasmania

Attachment 4

ABORIGINAL AND DUAL NAMING POLICY

A policy for the naming of Tasmanian geographic features

ABORIGINAL AND DUAL NAMING POLICY

Preamble

Geographic features in the Tasmanian landscape, on both land and sea, had Aboriginal names until they were supplanted by Europeans in the 19th century. The names formed complex interlinked networks in which place, their names and attributes, reflected the relationship between the people and the land. The names were not arbitrary but integral to the places to which they were attached, and derived from the activities of ancestral beings that formed the landscape as they moved through it.

The Committee for Geographical Names of Australasia, a working group of the Intergovernmental Committee on Surveying and Mapping (ICSM), recognises that "The relationship between Aboriginal people and the land is still as prevalent today as it was more than 400 centuries ago – it is fitting then, to acknowledge Aboriginal footprints in the sands of time." The ICSM *Guidelines for the Consistent Use of Place Names in Australia* has, since 1992, encouraged naming authorities in all Australian states and territories to acknowledge the continuing importance of the original Aboriginal place names, and to adopt more frequent official use of these names, from both languages still spoken and languages no longer spoken.

Other States and Territories have Aboriginal and Dual Naming policies.

The Aboriginal and Dual Naming Policy has been developed to provide a framework for decision making for Aboriginal naming of geographic features and places.

This Policy is about giving preference to the Aboriginal names for geographic features or places that do not already have an official or assigned name. Aboriginal names could be used for towns and rural districts and infrastructure if it was considered appropriate.

A dual naming system enables the assignment of an additional name to a feature that already has an official name. It can be used for naming features when an official name is widely accepted and in long use and when a name change is not possible or acceptable. The Policy proposes that dual naming will be used to enable an Aboriginal name and an introduced name to be used together as the official name. Dual names would not be adopted for constructed features such as roads, highways, bridges or communication towers.

Dual naming is not considered preferable to one Aboriginal name. It is preferable that each dual naming proposal is first investigated to establish if the Aboriginal name would have enough community support to replace the introduced officially recognised name, instead of adopting a dual name. If so, transitional naming, or a period of temporary dual naming would be used to assist in changing from the introduced name to the new official Aboriginal name. This would provide an opportunity for public education and promotion of both the Aboriginal and Dual Naming Policy and the specific name change.

It is acknowledged that Aboriginal names which may appear at first to be complex in spelling and/or pronunciation will, over time, become familiar and easy to use within the Tasmanian community.

The Policy includes an implementation process.

The Policy will be given effect by incorporation into appropriate administrative mechanisms such as the Rules for Place Names in Tasmania.

The Policy will be reviewed, as required, and revised accordingly.

1. Purpose

To provide clear direction for Government agencies, Local Government Authorities and the Nomenclature Board about the use of Aboriginal names for naming Tasmanian features.

2. Principles

The Tasmanian Government acknowledges that places in Tasmania were named by Aborigines long before the arrival of Europeans. The Tasmanian Government acknowledges prior Aboriginal ownership and is committed to preserving Aboriginal heritage and language by ensuring that Aboriginal place names can be restored to Tasmanian geographic features and places.

- 2.1 That preference is given to Aboriginal place names for any geographic feature or place that does not already have an existing official name.
 - 2.2 That a dual naming system be adopted by which Aboriginal names can be applied to geographic features and places that already bear registered names and when a name change is not possible or acceptable. Both will be registered names, and both names will be used together in the future and appear together on all official documents and maps. It is expected that some Aboriginal names will replace the introduced name over time. The dual naming process gives the community time to adjust to the Aboriginal name.
-

- 2.3 That consideration is to be given to using an Aboriginal name for a natural geographic feature or locality where an existing introduced name has weak community support (e.g. in this way, "narawntapu National Park" was chosen to replace Asbestos Range National Park in 2000) .
- 2.4 That where a traditional place name is not known as a consequence of the disruption of Aboriginal occupation and language, the use of another Aboriginal name as a place name is also acceptable where the meaning of the word is appropriate for its intended use.
- 2.5 That consideration will be given to renaming places or features where the existing name is considered offensive to the Tasmanian Aboriginal community.
- 2.6 That where Aboriginal names have previously been registered as official names but with incorrect spelling or form, these names may be amended to ensure that they are recognisably consistent with authentic Aboriginal names which will be assigned in the future.
- 2.7 That where alternative non-Aboriginal place names have been used for long periods by Aborigines as part of community and cultural tradition, consideration will be given to renaming those features (e.g. Big Dog Island in place of Great Dog Island; Hummocky Island in place of Chappell Island etc).
- 2.8 That Aboriginal names will be advised to the Tasmanian Government by the Tasmanian Aboriginal Centre (TAC) as the recognised representative Aboriginal language organisation. The TAC will also advise on correct spelling and form of previously registered Aboriginal names.
- 2.9 That the Aboriginal and Dual Naming Policy will be implemented in accordance with the procedures developed with the Tasmanian Aboriginal community (through the TAC) and the Nomenclature Board.
- 2.10 That any proposal to the Nomenclature Board (e.g. from local Government) for the use of Aboriginal names for Tasmanian features and places will be referred to the TAC by the proponent.
- 2.11 That the TAC will consult with the Tasmanian Aboriginal community to confirm that each Aboriginal name is generally accepted by the community.

3. Application of the Policy

- 3.1 The Policy will apply to all applications to name Tasmanian features in accordance with the *Survey Coordination Act 1944*.
 - 3.2 The Policy will not apply to names assigned through legislation other than the *Survey Coordination Act 1944* (e.g. Commonwealth Agencies).
 - 3.3 The terms used in the Policy are defined in appendix I.
 - 3.4 The Policy is consistent with current legislation for nomenclature under the *Survey Coordination Act 1944*.
-

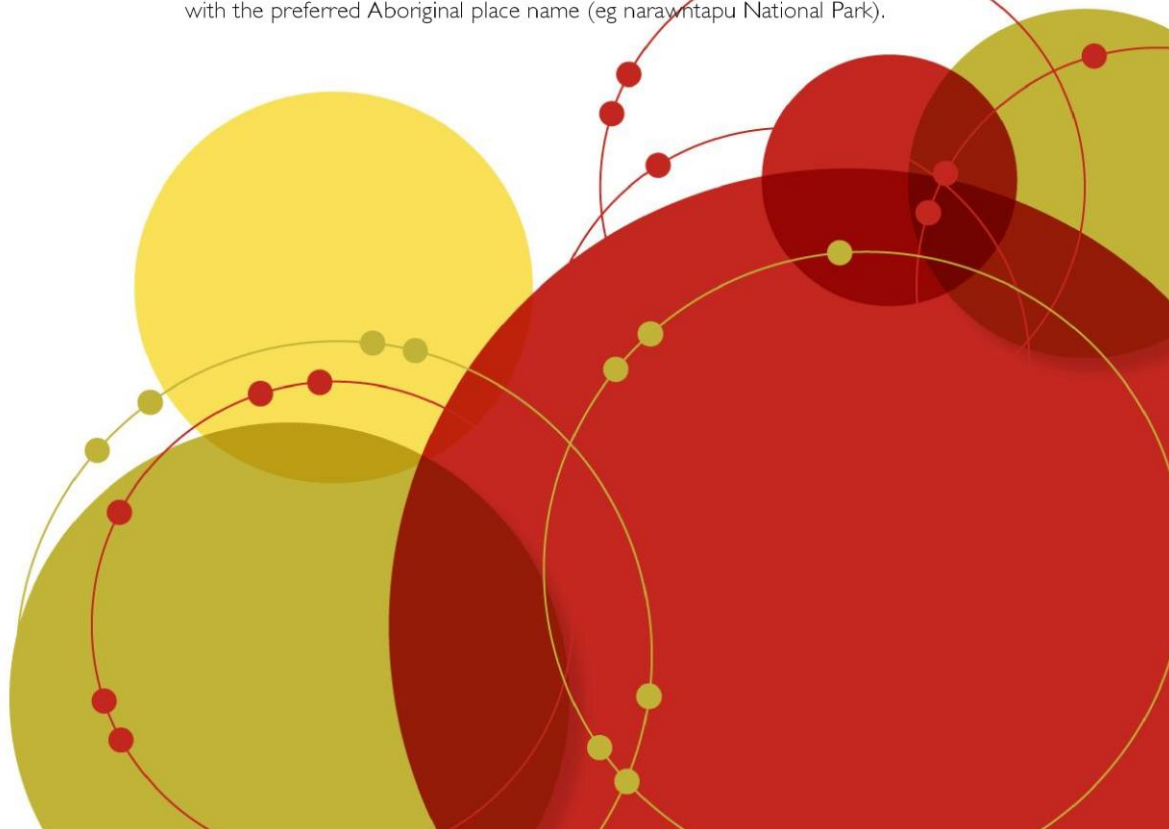
- 3.5 The Policy is also consistent with national standards as outlined in the International Committee on Survey and Mapping (ICSM) Guidelines for the Consistent Use of Place Names.

http://www.icsm.gov.au/icsm/publications/cgna/consistent_place_names_guidelines.pdf

4. The Process for implementing the Policy

- 4.1 Publication of the Aboriginal and Dual Naming Policy.
- 4.2 The Aboriginal and Dual Naming Policy will be incorporated into the Rules for Places Names in Tasmania.
- 4.3 The rules are published on the nomenclature website:
<http://www.dpipwe.gas.gov.au/inter.nsf/ThemeNodes/JGAY-53N55M?open>.
- 4.4 The Government will inform naming and signing authorities about the Policy.
- 4.5 The Government, in conjunction with the TAC, will implement an education program / prepare and disseminate communications materials about the implementation of the Policy.
- 4.6 The TAC identifies features for Aboriginal naming.
- 4.7 The TAC consults with the Aboriginal community and confirms community acceptance of the names.
- 4.8 The Nomenclature Board consults with the TAC on any applications for names of geographic features (as per Principle 2.1).
- 4.9 The TAC provides names to the Government (via the Nomenclature Board).
- 4.10 The Board publishes the names in accordance with the *Survey Coordination Act 1944* and the Rules for Place Names in Tasmania.
- 4.11 The current legislation will continue to provide for objections to proposed names. Under S20(G) of the *Survey Coordination Act 1944*, the Nomenclature Board receives objections (for 1 month from Gazettal). The process as it currently stands is that the Board disposes of all objections, reports its decision on the objections to the Minister and provides a recommendation. The Minister may confirm, modify or reverse the Board's decision.
- 4.12 Where an Aboriginal name is gazetted, the Aboriginal name shall be gazetted separately with a notation regarding the non-Aboriginal name.
-

- 4.13 Both parts of the dual name are to be shown on all official signage, directories, maps and all official documents and publications without any distinction between the two, other than the sequence. The Aboriginal name will appear first.
- 4.14 Official signage, maps and other information products will be updated incrementally as maintenance budgets for signage allow, or as new editions of maps and tourist information publications are released.
- 4.15 Implementation of the Geographical Names Portal will be in accord with the Aboriginal and Dual Naming Policy.
- 4.16 The use of Aboriginal generic terms:
- The Aboriginal generic term for the type of geographic feature designated eg river, bay, mountain etc shall be used where it is known, rather than the generic term in English (e.g. "timumili minanya" for Derwent River, not "timumili River").
 - Where an Aboriginal generic word is not known, or does not form part of the Aboriginal place name, the Aboriginal word may be used without a generic term. The generic term may accompany the introduced place name in a dual name (e.g. kunanyi / Mount Wellington).
 - Where the generic term does not exist in Aboriginal language, and there is agreement it is needed for clear identification of the location, the English generic term may be used with the preferred Aboriginal place name (eg narawintapu National Park).





Attachment 5

TASMANIAN ABORIGINAL CENTRE INC.

ABN 48 212 321 102

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1 March 2017

Mayor Albert van Zetten
Launceston City Council
PO Box 396
LAUNCESTON TAS 7250
council@launceston.tas.gov.au

Dear Mayor

We write again to request your support for the official adoption of an Aboriginal name for a place in the Launceston area.

The support given by the Launceston City Council in 2013 for the dual naming of kanamaluka/River Tamar was an important factor in the Nomenclature Board's decision to gazette that name. We have since seen the dual name embraced enthusiastically by the Launceston community, in such initiatives as NRM's interpretation panels for their estuary project on the river, the Scenic Trail at George Town on the river's mouth and the new kanamaluka residential estate at Legana.

This time we are seeking to name an unnamed waterfall in Punchbowl Reserve. This will establish another authentic Aboriginal name in the Launceston area, as an important acknowledgment of prior Aboriginal ownership and occupation.

Under the Tasmanian government's Aboriginal and Dual Naming Policy for the Naming of Tasmanian Geographic Features, an Aboriginal name is given preference for any unnamed feature (Principle 2.1). The Policy requires all Aboriginal and dual names to be in the *palawa kani* alphabet, for consistency and authenticity (Principle 2.8).

At present this waterfall is known locally as Punchbowl Falls although that name has not been officially gazetted; it is not signed on any of the tracks. Signs from the main Punchbowl Reserve carpark direct walkers to a 'Natural Rock Fissure'. The waterfall is fed by water from the Kings Meadows Rivulet and only flows in wet weather through a fissure in an outcrop of rock.

In November 2015 the Nomenclature Board advised us they expected a proposal to make the Punchbowl Falls name official; we let them know we would propose an Aboriginal name. To our knowledge, the 'Punchbowl Falls' name proposal has not yet been made.

No Aboriginal name is known for this waterfall. To provide for this not uncommon situation, Principle 2.4 of the state's Aboriginal Naming Policy allows 'That where a traditional place name is not known as a

consequence of the disruption of Aboriginal occupation and language, the use of another Aboriginal name as a place name is also acceptable where the meaning of the word is appropriate for its intended use.'

Since October 2016 we have held consultations with the Aboriginal community on possible names for the waterfall. Several groups have visited the falls, especially during the big rains of last winter. Two meetings were held with the Elders Council in Launceston to endorse the names. About 120 people, including children from the TAC's Youth, Language and Dance groups, gave their preferences. We now intend to complete the consultation process by inviting feedback on the chosen name from the general public through the TAC's Face Book page and website.

Before doing so however we wish to notify Council of our intentions and request Council's support for the naming of the waterfall. We are aware that the Punchbowl Reserve in which the falls are located is a conservation area managed by the Council.

The name selected is **luyni mungalina**, said as (loy nee) (mu ngah lee nah). This translates as Raining Rock [Waterfall] referring to the fact that the falls only run after heavy rain. (It is literally - 'rock raining' - as the word order is the reverse of English.)

Only the *palawa kani* name would be used; this is not a dual name like kanamaluka/River Tamar, with the English name attached. We attach an audio file to assist with pronunciation, as some of the sounds are not in English.

We look forward to your reply.

Yours sincerely



Heather Sculthorpe
Chief Executive Officer

18.2 Silo Hotel Easement Exchange**FILE NO:** 112800/SF3068**AUTHOR:** Robert Holmes (Senior Property Advisor)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider a request to exchange easements to facilitate the construction of the Silo Hotel complex.

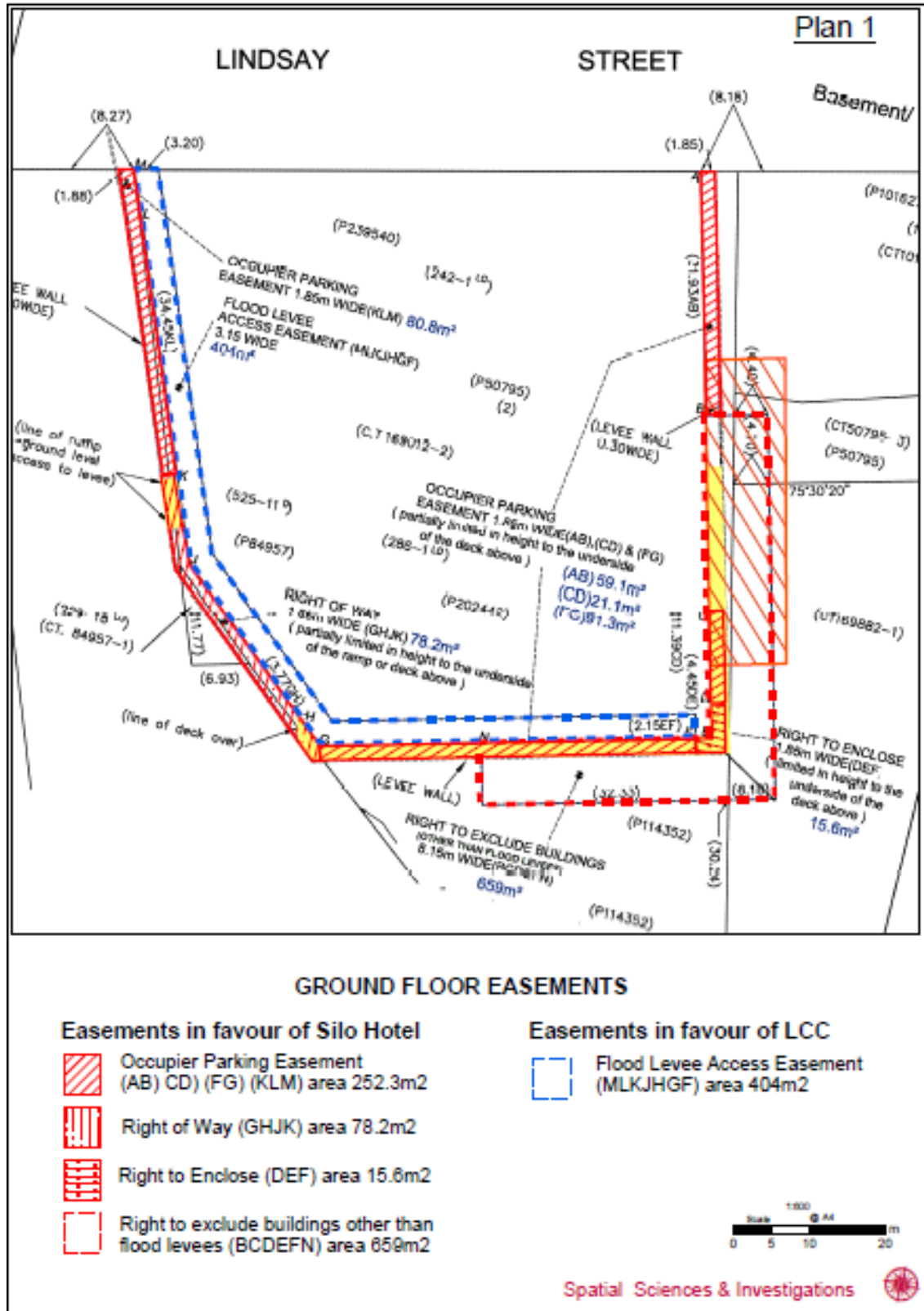
Section 178 of the Local Government Act 1993 requires a decision to sell land by an absolute majority of Council.

RECOMMENDATION:

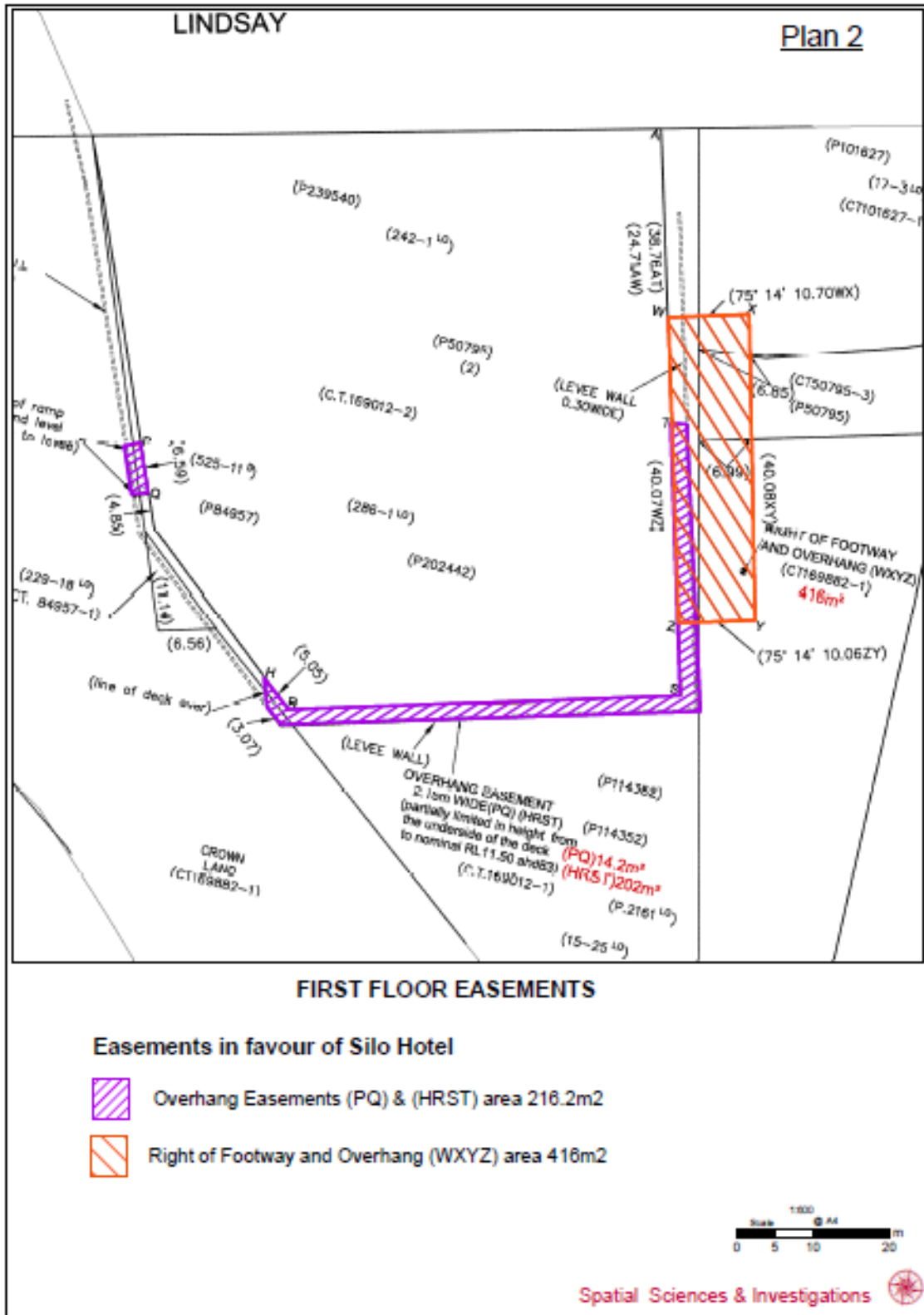
Pursuant to section 178 of the *Local Government Act 1993*:

1. That Council sell to Silos Hotel Pty Ltd the following easements indicated on the plans marked Plan 1 and Plan 2:
 - (a) An Overhang Easement 2.15m wide over the area (PQ) (HRST) partially limited in height to the underside of the deck above.
 - (b) A Right of Footway and Overhang Easement over the area (WXYZ).
 - (c) An Occupier Parking Easement 1.85m wide over the areas (KLM) and (AB) (CD) (FG) partially limited in height to the underside of the deck above.
 - (d) A Right of Way 1.85m wide over the area (GHJK) partially limited in height to the underside of the deck above.
 - (e) A Right to Enclose 1.85m wide over the area (DEF) partially limited in height to the underside of the deck above.
 - (f) A Right to Exclude Buildings 8.15m wide over the areas (BCDEFN).
 2. In exchange for the easements numbered (a) to (f) above Council also agrees to purchase from Silos Hotel Pty Ltd a Flood Levee Access Easement 3.15m wide over the area (MLKJFGH).
-

18.2 Silo Hotel Easement Exchange ... (Cont'd)



18.2 Silo Hotel Easement Exchange ...(Cont'd)



18.2 Silo Hotel Easement Exchange ...(Cont'd)

3. That the General Manager be authorised to negotiate the purchase price consistent with valuation and terms of the respective easements and to release, where appropriate, to agents of Council and/or to the public relevant information that relates to the consideration and determination of this matter.
-

REPORT:

As part of the Development Application DA0423/2014 for the Silo Hotel complex, the Launceston Flood Authority provided consent to allow the construction of the Silo Hotel complex in such manner which relied on an exchange of easements. A copy of that approval is marked [Attachment 1](#). The intent of the easements is to facilitate development of the site and improve the complexes relationship with the Council land adjacent to the North Bank site.

The Flood Authority Rules require that the Council deal with any issues associated with the acquisition or disposal of land and section 177 of the *Local Government Act 1993* states:

(2) Before a council sells, leases, donates, exchanges or otherwise disposes of any land, it is to obtain a valuation of the land from the Valuer-General or a person who is qualified to practise as a land valuer under section 4 of the Land Valuers Act 2001.

A valuation report has been obtained to determine the value of the respective easements to be exchanged. Details of the valuation report have been provided to Aldermen as part of a Closed Council process.

Section 178 of the *Local Government Act 1993* states:

(3) A resolution of the council to sell, lease, donate, exchange or otherwise dispose of public land is to be passed by an absolute majority.

In addition to the sale of easements to Silo Hotels Pty Ltd, it is appropriate that the Council also agrees to purchase from Silos Hotel Pty Ltd a Flood Levee Access Easement 3.15m wide over the area (MLKJFGH).

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

18.2 Silo Hotel Easement Exchange ...(Cont'd)

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 1 - A creative and innovative city
Ten-year goal - To foster creative and innovative people and industries
Key Directions -
3. To optimise the use and usability of our assets for different types of activities
4. To support and promote alternative uses of underutilised buildings

BUDGET & FINANCIAL ASPECTS:

Considered in report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



Shane Eberhardt: Director Infrastructure Services

ATTACHMENTS:

1. Launceston Flood Authority Approval
-



FILE NO: DA0423/2014

DATE: 25 September 2014

TO: Carolyn Wrankmore Development Planning

FROM Andrew Fullard General Manager

SUBJECT: LFA Response - DA0423/2014 - Silo Development

Thank you for seeking Launceston Flood Authority comment on the above Development Application.

The Flood Authority has been in discussion with the developer about this Application since near to the development's inception and has constructed the perimeter flood defence on behalf of the Council. The Flood Authority agrees in principle with the development as proposed.

Matters raised by the Application that impact the Flood Authority, which we ask to be considered, are as follows:

1. Title Boundary - It is the Flood Authority's understanding that the title boundary will align with the edge of the pad footings supporting the flood wall on the 'dry' side of the levee and not along the footing line, shown dashed on Dwg. A651/DA1. It is noted the Switchboard, booster pump etc. and tank are built over the title boundary as we understand it.
 2. Level 1 Podium Floor - The Flood Authority has no objection to the Level 1 podium floor extending over the title boundary to the inside face (dry side) of the levee wall.
 3. Fire Tunnel - The space is required for annual inspections of the levee structure and thus Flood Authority access will be required from time to time. Access will need to be available on an as needed basis by the Flood Authority.
 4. Eastern Access ramp - It is understood the ramp will utilise the Levee footings for support and thus have direct impact on the levee. This is acceptable provided the designs are similar to those of the raised walkway currently under construction in Inveresk. The ramp is outside the title of the Old Launceston Seaport (OLS) land and thus Council should oversee the ramp's construction with direct involvement of the Levee design engineer,
-



MEMORANDUM

- Engineering Edge Pty Ltd. Similarly to the raised walkway constructed in Inveresk, the ramp should provide a design life of 80 years. For ease of construction, the precast ramp sections should be cast flat and graded at 1:20, thus negating the need for landings required at a 1:14 gradient. The impact will be a longer ramp. Additionally, the sections of ramp supported by the levee structure will have a different settlement rate to the sections of ramp supported on the ground and thus will require an articulated connection between those sections.
5. Proposed Pontoon and Office - These structures will be impacted by high velocity flows during flood events and will require relocation by the business owner to a 'safe' location prior to floods. Discussions with OLS have occurred and these concerns have been addressed in the design by the use of detachable couplings to the structures. Management arrangements with OLS will need to ensure the buildings are relocated. It is recommended this be in writing noting responsible entities for providing notification and relocation.
 6. Existing Earth Flood Levee - The Flood Authority has consented to the existing earth levee on the western site boundary to be lowered to 5.2m AHD and for public to access the levee via stairs to the development.

A handwritten signature in black ink, appearing to read "A Fullard", written over a light blue horizontal line.

Andrew Fullard
General Manager

19 MAJOR PROJECTS DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

20 CORPORATE SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

21 GENERAL MANAGER'S DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

22 URGENT BUSINESS

Regulation 8(6) of the Local Government (Meeting Procedures) Regulations 2015, states that a council, by absolute majority at an ordinary council meeting, may decide to deal with a matter that is not on the Agenda.

23 CLOSED COUNCIL

Local Government (Meeting Procedures) Regulations 2015 - Regulation 15(2)

23.1 Confirmation of the Minutes**DECISION STATEMENT:**

Pursuant to the *Local Government (Meeting Procedures) Regulations 2015 - Regulation 34(6)* states that at the next closed meeting, the minutes of a closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.

23.2 Silo Hotel Easement Exchange

RECOMMENDATION:

That Agenda Item 23.2 - Silo Hotel Easement Exchange be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(f) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

15(2)(f) proposals for the council to acquire land or an interest in land or for the disposal of land.

23.3 Junction Arts - Lease Renewal

RECOMMENDATION:

That Agenda Item 23.3 - Junction Arts - Lease Renewal be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

15(2)(g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

24 MEETING CLOSURE
