



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
MONDAY 19 FEBRUARY 2018
1.00pm**

City of Launceston

COUNCIL AGENDA

Monday 19 February 2018

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: 19 February 2018

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.

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by several vertical and diagonal strokes.

Michael Stretton
General Manager

9 February 2018

Mr Michael Stretton
General Manager
City of Launceston
PO Box 396
LAUNCESTON TAS 7250

Dear Michael,

COUNCIL MEETING

In accordance with regulation 4 of the *Local Government (Meeting Regulations) 2015* which states:

4. *Convening meeting of council*
 - (1) *The mayor of a council may convene council meeting.*

I request that you make the necessary arrangements for the next Ordinary Meeting of Council to be convened on Monday, 19 February 2018 commencing at 1.00pm in the City of Launceston Council Chamber, Town Hall, St John Street, Launceston.

Yours sincerely



Alderman A M van Zetten
MAYOR

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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 5 February 2018 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 - 5 February 2018**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**DIRECTOR:** Leanne Hurst (Director Development Services)

QUESTIONS and RESPONSES:

The following questions were submitted in writing by Mr Basil Fitch on 5 February 2018 refer to Agenda Item 8.6 - Amendment 43 - Text Amendment to the Invermay/Inveresk Flood Inundation Area Code to Allow for a Museum in the Riveredge Industrial Precinct from the Council Meeting of 22 January 2018 and have been answered by Mrs Leanne Hurst (Director Development Services).

Questions (typed as received):

1. *Has Item 8.6 been advertised in local paper and under Land Use Planning Act 1993 and if so, when and if not why not?*

Response:

Under the *Land Use Planning and Approvals Act 1993* (the Act), the intention to seek an amendment to a planning scheme is not advertised prior to a formal decision of the relevant Planning Authority (Council) to initiate such an amendment.

2. *Whose authority to Produce and Proceed Item 8.6?*

Response:

The request to amend the Launceston Interim Planning Scheme 2015 (the Scheme) was made by the City of Launceston, under the authority of the General Manager.

3. *According to report 8.6 this item has been placed on agenda on behalf of LCC. Why? Why not owner of land?*

Response:

The rationale for the request is outlined in the Agenda Report.

7.1.1 Public Questions on Notice - Mr Basil Fitch - 5 February 2018 ...(Cont'd)

4. *Why is Director of Development Services asking for Dispensation of Public Exhibition of Decision of Planning Commissioner and or Authority?*

Response:

The recommendation requests that delegation be given to the Director of Development Services to prepare the requisite paperwork to give effect to the decision of the Planning Authority.

As outlined in the Agenda Report, the City of Launceston has sought from the Tasmanian Planning Commission that it exercise its powers under section 37(1) of the Act to dispense with the requirement to advertise the amendment, for the reason that it was seeking to address an unintended anomaly in the Scheme. Whether that request is granted or otherwise is at the discretion of the Tasmanian Planning Commission.

ATTACHMENTS:

1. Questions on Notice - Mr Basil Fitch - 5 February 2018
-

Attachment 1 - Questions on Notice - Mr Basil Fitch - 5 February 2018

FW: MERCURY: Talking Point: Give 'em two years to do it right - fitchbasil@gmail.com - Gmail Page 2 of:

Launceston City Council Meeting 6th Feb 2018
Questions from Meeting 22nd Jan 2018

- 1 Has Item 8.6 Been advertised in local paper under land use planning act 1993 and if so when? and if not why not?
- 2 whose authority to produce and proceed Item 8.6?
- 3 according to report 8.6 this item has been placed on agenda on behalf of 8.6. Why? why not owner of Land?
- 4 Why is Director of Development Services asking for dispensation of Public Exhibition of Decisions of Planning Commission and or Authority?

Basil Fitch
Unit #2/5 Waverley St
Lans

FILE No.	SF6745		
EO	OD	Box	
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
RCVD	05 FEB 2018	LOC	
Doc No.			
Action Officer	Noted	Replied	
A. Rooney			

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 69-71 Cimitiere Street, Launceston - Construction of Verge Hotel Complex and Associated Works

FILE NO: DA0672/2017

AUTHOR: John Ayers (Consultant 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:	Commercial Project Delivery
Property:	Part 69-71 Cimitiere Street, Launceston and adjoining land in the Tamar Street and Cimitiere Street road reservations
Zoning:	Urban Mixed Use and Utilities
Receipt Date:	15/12/2017
Validity Date:	3/01/2018
Further Information Request:	21/12/2017
Further Information Received:	4/01/2018
Deemed Approval	19/02/2018
Representations:	Three

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0672/2017 Visitor Accommodation – hotel, Food Services – café/restaurant, Business and Professional Services - office; construction of a building to accommodate a hotel with subservient uses, a café/restaurant and office tenancy; associated works including demolition, provision of landscaping, fences, access and parking; associated works in the adjoining road reservations including removal of four kerbside parking spaces for the

8.1 69-71 Cimitiere Street, Launceston - Construction of Verge Hotel Complex and Associated Works ...(Cont'd)

provision of vehicle crossings in Tamar Street and Cimitiere Street at Part 69-71 Cimitiere Street, Launceston (CT 206941/1, CT 206940/5, CT 67483/4, CT 46022/1, CT 46020/1 and Balance of Conveyance No. 4/3523) and adjoining land in the road reservations of Tamar Street and Cimitiere Street, in accordance with the endorsed plans and subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

The development and use must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Planning Authority except where modified by the other conditions of this permit.

- a. Plans prepared by Cumulus Studio Pty Ltd, New Construction of Hotel Verge, Project No. T16283, Rev. 1, Dated 14 December 2017 (Print Date), including the following drawings:
 - i. Cover Page, Drawing DA101.
 - ii. Location Plan, Drawing DA102.
 - iii. Site Demolition Plan, Drawing DA103.
 - iv. Site Plan, Drawing DA104.
 - v. Shadow Study, Drawing DA105.
 - vi. Ground Floor Plan, Drawing DA201.
 - vii. First Floor Plan, Drawing DA202.
 - viii. Second Floor Plan, Drawing DA203.
 - ix. Third Floor Plan, Drawing DA204.
 - x. Fourth Floor Plan, Drawing DA205.
 - xi. Fifth Floor Plan, Drawing DA206.
 - xii. Roof Plan, Drawing DA207.
 - xiii. Height Study, Drawing DA301.
 - xiv. North East Elevations, Drawing DA302.
 - xv. North West Elevations, Drawing DA303.
 - xvi. South East Elevations, Drawing DA304.
 - xvii. South West Elevations, Drawing DA305.
 - xviii. Street Elevations, Drawing DA306.
 - xix. Section AA, Drawing DA401.
 - xx. Room Type (Type 1), Drawing DA501.
 - xxi. Room Type (Type 2), Drawing DA502.
 - xii. Room Type (Type 3), Drawing DA503.
 - xiii. Room Type (Type 4), Drawing DA504.
 - b. Landscape Plan, Prepared by Lindsay Campbell Landscape Services, The Verge Hotel, Dated December 2017.
 - c. Hydraulic Services – Preliminary Site Services Concept for TasWater, Prepared by Johnstone McGee & Gandy Pty Ltd, Hotel Verge, 69 Cimitiere Street, Project No. J172238CL, Drawing SKH01, Rev. P1.
 - d. Verge Hotel Sewer Flow Calculations.
 - e. Verge Hotel PSD Water Calculations.
-

8.1 69-71 Cimitiere Street, Launceston - Construction of Verge Hotel Complex and Associated Works ...(Cont'd)

- f. CPD Planning Application, Prepared by Commercial Project Delivery, Hotel Verge – Part of 69-71 Cimitiere Street, Launceston, Rev. 2, Dated 4 January 2018.
- g. Site Investigation, Prepared by Environmental Service & Design, 69-71 Cimitiere Street and 44-50 Tamar Street, Launceston, Dated 15 December 2017.
- h. Traffic Impact Assessment, Prepared by Milan Prodanovic, Proposed Hotel Verge Development, 69-71 Cimitiere Street, Launceston, Dated December 2017.

2. TASWATER

The development must be undertaken in accordance with the conditions included on the TasWater Submission to Planning Authority Notice TWDA 2017/02011-LCC which forms part of this permit.

3. 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.

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. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Director Infrastructure Services for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - i. The construction of a new driveway from Tamar Street including any alterations to the existing bluestone kerbing to incorporate the new crossover.
 - ii. The Tamar Street driveway entrance is to provide a square entrance from Tamar Street to provide for right turn entry from Tamar Street and must include a height restriction signage and a flexible striker bar within the property boundary.
 - iii. A stormwater plan showing the collection of stormwater from all landscaped and paved areas and its conveyance to an approved point of discharge. (See TasWater conditions).
 - b. is prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
 - c. is prepared by a suitably qualified and experienced engineer or engineering consultancy.
 - d. is accompanied by:
 - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
-

8.1 69-71 Cimitiere Street, Launceston - Construction of Verge Hotel Complex and Associated Works ...(Cont'd)

- ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion and Final inspections.

6. WORKS WITHIN ROAD RESERVES

All works within the road reserves and those portions the council car park are to be undertaken in accordance with Council standards. Prior to commencing any works the applicant must prepare a detailed Traffic Management Plan specifying the following:

- The nature and the duration of the occupation and may include the placement of skips, building materials or scaffolding in the road reserve and time restrictions of the works
- The traffic management works that are to be employed to provide for the continued safe use of the road reserve by pedestrians and vehicles
- Any temporary works required to maintain the serviceability of the road or footpath
- Any remedial works required to repair damage to the road reserve or car park resulting from the occupation

The Traffic Management Plan must be prepared in accordance with the relevant Australian Standard, codes of practice and guidelines. A copy of the Traffic Management Plan must be maintained on the site. Where the works are undertaken in the Central Activities Area, on arterial roads or within shopping centre precinct the Traffic Management Plan is to be submitted to the Infrastructure Services Directorate for approval two weeks prior to the scheduled commencement of the works. No works shall commence until the Traffic Management Plan has been approved.

7. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Director Infrastructure Services. The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. Stormwater
Provision of a drainage system to drain all driveways, footpaths and land draining onto the road reserve
- b. Roads
 - i Construction of new access crossovers and driveways.
 - ii All necessary alterations to line marking, signage and other traffic control devices.All construction works must be undertaken in accordance with the relevant Australian standards and the LGAT-IPWEA Standard Drawings where applicable.

These documents specify:

- a. Construction requirements,
 - b. Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
-

8.1 69-71 Cimitiere Street, Launceston - Construction of Verge Hotel Complex and Associated Works ...(Cont'd)

- c. Construction Audit inspections,
- d. Practical Completion and after a 12 months defects liability period the Final Inspection and Hand-Over.

8. CONSTRUCTION DOCUMENTATION

At the time of practical completion for the public works, the developer must provide Council with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure Services Directorate.
- b. A Closed Circuit Television inspection report for all sewers or drains constructed or incorporated in the works.
- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

9. COMPLETION OF WORKS

All works must be carried out to Council standards and to the satisfaction of the Director Infrastructure Services and under the direct supervision of a civil engineer engaged by the owner and approved by the Council. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council standards will be required prior to issue of the Certificate of Practical Completion.

10. SITE LANDSCAPING

The landscaping must be:

- a. Installed in accordance with the endorsed plan; and
- b. Completed prior to the use commencing; and
- c. Maintained as part of non-residential development. It must not be removed, destroyed or lopped without the written consent of the Council.

11. NON REFLECTIVE EXTERIOR FINISH

All external cladding and roofing of the building must be of a non-reflective nature and must be finished in muted colours to the satisfaction to the Council.

12. PARKING AREAS

Areas set aside for vehicle parking and access on site as shown on the endorsed plans shall be designed to comply with the following:

- a. AS2890.1, Off-street car parking.
 - b. AS 2890.3 – Bicycle parking facilities.
 - c. AS2890.6 – Off-street parking for people with disabilities.
 - d. Table 2.3 of AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.
-

8.1 69-71 Cimitiere Street, Launceston - Construction of Verge Hotel Complex and Associated Works ...(Cont'd)

13. DELIVERY HOURS

Deliveries to and from the site by commercial vehicles (including trade waste collection) must only occur between 6.00am and 10.00pm.

14. DEDICATED LOADING/UNLOADING BAY

The loading bays shown on the endorsed plan must be kept unobstructed at all times.

15. 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; and
- (c) remove all rubbish from the site for disposal at a licensed refuse disposal site.

16. COMMERCIAL 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.

17. EXTERIOR AND SECURITY LIGHTING

Exterior Lighting and Security lighting to comply with the Australian Standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.

18. CONTAMINATED LAND

The applicant must comply with the Environmental Site Assessment Report prepared by Environmental Service & Design (Rodney Cooper) dated 15 December 2017. Excavation near the old underground petroleum storage system (UPSS) site must be undertaken in accordance with the required protection measures in relation to dermal contact of soil specified in the Environmental Site Assessment.

Any new information which comes to light during demolition or construction works, which has the potential to alter previous conclusions about site contamination, must be notified to Council and (Environmental Protection Authority if relevant) immediately upon discovery.

19. WASTE MATERIALS

All waste materials generated by the activity are to be disposed of at an approved refuse disposal facility or reclaimed/recycled if possible.

20. SIGN MAINTENANCE

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

8.1 69-71 Cimitiere Street, Launceston - Construction of Verge Hotel Complex and Associated Works ...(Cont'd)

21. 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.

22. NO SIGN ILLUMINATION

The sign must not be floodlit or internally illuminated.

Notes**A. Food Premises**

All Food Businesses must be registered with council in accordance with the Food Act 2003. Food Premises must comply with the National Construction Code Tas Part H102

B. General

This permit was issued based on the proposal documents submitted for DA0672/2017. You should contact Council's Planning Department with any other use or developments, as they may require separate approval. Council's Planning staff can be contacted on 6323 3000.

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 other approvals required 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.

C. 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>>.

8.1 69-71 Cimitiere Street, Launceston - Construction of Verge Hotel Complex and Associated Works ...(Cont'd)

D. 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.

E. 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. A copy of this planning permit should be given to your Building Surveyor.

F. 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.

G. Food Premises

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

REPORT:

In accordance with Council Policy the assessment of this application has been outsourced to an independent consultant planner because it relates to Council owned land.

1. THE PROPOSAL

The planning application seeks approval for the development of a six storey residential hotel incorporating 86 rooms, a hotel restaurant and future office tenancy. The typical hotel suites will be located on levels 1-5 with one premium large suite located on each level. The first storey will include a guest gym a function room with capacity for 100 persons, breakout space and boardroom. The ground floor will include a café/restaurant with seating capacity for 80 including an outdoor dining area located along the Tamar Street frontage within the street setback.

The building is oriented to achieve active street frontages on both Tamar and Cimitiere Streets with entry to the hotel lobby and reception via the drop off area on the south-eastern side of the building from Tamar Street.

One way ingress is achieved via a new access point from Tamar Street with egress via Cimitiere Street.

8.1 69-71 Cimitiere Street, Launceston - Construction of Verge Hotel Complex and Associated Works ...(Cont'd)

The overall height of the building measured to the top of the plant room located on the roof is 23.2m whilst the apparent height will be approximately 21.7m for the main tower.

Further details of the development

Demolition

- Concrete kerbs and trees associated with the existing car park including the established trees along the Tamar Street frontage are to be removed. The existing *Fraxinus excelsior* at the eastern end of the site will be retained.
- Two on-street car spaces on Cimitiere Street and two on Tamar Street will be removed to allow for installation of the new crossovers.

Hotel

- Building footprints proposed are: ground floor 673.60m²; Level 1 – 1081.95m²; and the upper floors of the tower block having areas of 818.5m².

Building setbacks:

- 12.4m excluding the entry portico from Tamar Street;
- zero from the building to the Cimitiere Street boundary for the upper levels;
- 11.1m and 15.26m from the southeast boundary;
- 2.9m from the north-western boundary for the hotel tower; and
- The electrical substation will extend to the boundary.

Overall height of the building will be 23.2m to the top of the plant room with the maximum height of the building being 21.7m excluding the plant room.

Floor areas:

- Premium hotel suites (1) – 29m² with one of each on floors 1-5
- Premium hotel suites (2) – 40.5m² including separate bedroom, lounge and ensuite with one of each on floors 1-5
- Typical hotel suite - 30m² with separate ensuite
- DDA suites (4) – 40.5m² located on levels 2-5
- Conference function room – 116.15m² with adjoining breakout space 46.3m²
- Restaurant – 104.9m² and seating capacity for 80 persons
- Bar located adjacent the function room on the first floor – 14.45m²
- Future office/ retail space on ground floor (Cimitiere Street frontage) – 38.25m².

Fencing

- A 2.1m high chain mesh fence is proposed along the north west boundary to separate the site from the balance of the adjacent car park. Subject to agreement with Council, a gate may be installed between the two car parks within the fence line. Landscaping is proposed in the form of an evergreen climber along the length of the fence.
-

8.1 69-71 Cimitiere Street, Launceston - Construction of Verge Hotel Complex and Associated Works ...(Cont'd)

- Existing fences along the southwest and southeast boundaries will be retained.
- A 1.8m high fence/screen will be erected on the eastern end of the Cimitiere Street boundary.

Landscaping

- A courtyard for outdoor dining will be created between the Tamar Street frontage and the proposed hotel.
- Feature *Eucalyptus* trees are proposed along the Tamar Street frontage and forecourt area, together with corten steel sculptures, will create a unique feature frontage to the building.
- A secondary courtyard area adjacent the North West quadrant of the building extending to Cimitiere Street with Snow pea and low level shrubs planted to enclose the garden courtyard.
- Climbing evergreens will cover the southeast and southwest perimeter fences.
- The area south of the Cimitiere Street access driveway will be landscaped and aesthetic paving treatments introduced.

Access and parking

- A new 3m wide ingress constructed at the southeast corner of the Tamar Street frontage and 3m wide egress onto Cimitiere Street with sensor garage door.
- A total of 35 car spaces provided at the rear of the hotel at ground level under the tower including one accessible space and two motorcycle spaces.
- A taxi drop off area will be located on the southeast façade adjacent the entrance.
- Car space dimensions are 5.4m x 2.65m, three of which will be dedicated staff parking.
- Deliveries are proposed via the north-west side of the building adjacent the rear of house, with a second smaller bay located within the car park. The site will be serviced by smaller commercial vehicles for the delivery of goods and collection of garbage.
- Dedicated bus access and parking will not be provided as there are existing parking bus bays to the north in Tamar Street and outside the Albert Hall in Cimitiere Street.

Signage

A single blade sign is proposed on the Tamar Street frontage dimensions – 3m high and 600mm wide.

Matters excluded from the application

- Title consolidation and infrastructure works.
The consolidation of existing titles will be undertaken through a separate process by the City of Launceston as owners of the land. Subsequent to the granting of a planning permit, the applicant will purchase the property as a single title. All infrastructure augmentation will then be undertaken.
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8.1 69-71 Cimitiere Street, Launceston - Construction of Verge Hotel Complex and Associated Works ...(Cont'd)

2. LOCATION AND NEIGHBOURHOOD CHARACTER

2.1 Subject Site

The site is located at 69-71 Cimitiere Street, Launceston comprising an area of 2,427m² and is a part of the City of Launceston's existing car park used also on weekends by the Harvest Market. The site has frontage to Cimitiere Street (35m) and Tamar Street (31m). The title consists of five titles and a balance title described as Balance of Conveyance 4/3523.

2.2 Surrounding Area

A row of two storey office buildings are located along Tamar Street to the north, and to the south a row of former terrace houses converted for office use. Additional titles incorporating the existing Cimitiere car park are located west of the site. The Clarion Hotel is located on the opposite side of Cimitiere Street with the Albert Hall opposite the development site adjacent to City Park.

3. PLANNING SCHEME REQUIREMENTS

15.0 Urban Mixed Use Zone

15.1.1 Zone Purpose Statements

15.1.1.1 To provide for integration of residential, retail, community services and commercial activities in urban locations.

15.1.1.2 To provide for a diverse range of urban uses and increased intensity of development including residential densities that supports the role of activity centres.

15.1.1.3 To encourage residential, visitor accommodation and tourist operation uses as a means of increasing activity outside normal business hours.

15.1.1.4 To create:

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

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

Consistent

The development of a hotel at this location, on the edge of the CBD precincts, will add to the life of the centre by achieving greater visitor stays leading to increased patronage of the centre, its facilities and attractions both within and outside business hours. The development of this site for an 86 room hotel adds significantly to the accommodation offering for the city's CBD, increasing both the range and intensity of appropriate development supporting the main activity centre. The proposed use is consistent with the zone purpose.

15.3 Use Standards

In accordance with Table 15.3, the use standards in Clauses 15.3.1 to 15.3.4 are applicable to the proposed café/restaurant only.

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15.3.1 Hours of operation

Objective: To ensure that non-residential uses do not cause unreasonable loss of amenity to nearby sensitive uses.
Consistent The acceptable solution is satisfied.
A1 Commercial vehicles must only operate between 6.00am and 10.00pm.
Complies The proposal states that commercial vehicles associated with the restaurant will operate only between 6:00am and 10:00pm in accordance with the acceptable solution. A permit condition is included in the recommendation to ensure compliance.

15.3.2 Mechanical plant and equipment

Objective: To ensure that the use of mechanical plant and equipment does not cause an unreasonable loss of amenity to sensitive uses.
Consistent The acceptable solution is satisfied.
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.
Relies on Performance Criteria The proposal includes mechanical plant and equipment. There are also sensitive uses adjoining or immediately opposite the site located at 63-67 Cimitiere Street (dwelling) and 22 Tamar Street (Clarion Hotel).
P1 Noise, odours, fumes or vibration generated must not cause unreasonable loss of amenity to adjoining or immediately opposite sensitive uses, having regard to: (a) the characteristics and frequency of any emissions generated; (b) the nature of the proposed use; (c) the topography of the site; (d) the landscaping of the site; and (e) any mitigation measures proposed.
Complies with P1 The residence at 63-67 Cimitiere Street sits above an existing restaurant and is approximately 13m from the restaurant kitchen and over 35m from the proposed hotel. On that basis it is highly unlikely that emissions from the commercial kitchen located within the hotel complex would generate a nuisance impacting upon this residence. In terms of the Clarion Hotel, the guest accommodation will not be impacted by the proposed development, noting that the accommodation is buffered in any case by the Clarion's car park and conference facility. The development complies with the performance criteria.

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15.3.3 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 acceptable solution is satisfied.
A1 The use must: (a) not include permanent, fixed floodlighting where the zone adjoins the boundary of the General Residential, Inner Residential, and Low Density Residential zones; and (b) contain direct light from external light sources within the boundaries of the site.
Complies The subject site does not adjoin a boundary with the General Residential, Inner Residential or Low Density Residential zones. Direct light from external sources is capable of being contained within the boundaries of the site. A permit condition requiring compliance with the Australian Standard AS4282-1997 "Control of the obtrusive effects of outdoor lighting" is recommended.

15.3.4 Noise level

Objective: To ensure that noise levels from uses do not unreasonably impact on the amenity of nearby sensitive uses.
Consistent Noise levels are a capable of being controlled to minimise their impact on the amenity of nearby sensitive uses.
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 Environmental Protection Notice issued by the Director of the Environmental Protection Authority.
Relies on Performance Criteria The application has not confirmed whether the proposal meets the noise limit detailed in the acceptable solution. There is no relevant permit or Environmental Protection Notice issued by the Environment Protection Authority.
P1 Noise levels generated by a use on the site must not unreasonably impact on the amenity of nearby sensitive uses, having regard to: (a) the nature and intensity of the use; (b) the characteristics of the noise emitted; (c) background noise levels; (d) any mitigation measures proposed; (e) the topography of the site; and (f) the character of the surrounding area.

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Complies with P1

The nature and intensity of the use is such that the noise generated is not expected to be at a level which is intrusive or necessarily obvious. The relevant sensitive uses located at 63-67 Cimitiere Street and visitor accommodation at the Clarion Hotel opposite are sufficiently removed from the noise source allowing the conclusion that an unreasonable loss of amenity to these nearby sensitive uses is highly unlikely, and that compliance with the performance criteria is achieved.

15.3.5 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.

Not applicable

In accordance with Table 15.3, the standard applies to the bulky goods sales and general retail and hire use classes only.

15.4 Development Standards

15.4.1 Building height, setback 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

A1 Building height must be no greater than:

- (a) 12m; or
- (b) 1m greater than the average of the building heights on the site or adjoining lots; whichever is higher.

Relies on Performance Criteria

The proposed building height is 23.2m from natural ground level to the plant room and 21.7m to the roof over the building overall.

P1 Building height must be compatible with the streetscape and character of the surrounding area, having regard to:

- (a) the topography of the site;
- (b) the height of buildings on the site, adjoining lots and adjacent lots;
- (c) the bulk and form of existing and proposed buildings;
- (d) the apparent height when viewed from roads and public places; and
- (e) any overshadowing of adjoining lots or public places.

Complies with P1

The applicant draws upon the relationship of the height of the development and its function in providing accommodation within a confined area of the CBD, highlighting the relative comparison with the Hotel Grand Chancellor and the Telstra Tower in the city. The standard requires that the height of the building be compatible with the streetscape and character of the surrounding area having regards to (a) to (e). Whilst the height of

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the building exceeds that of the buildings immediately adjacent, the design, which steps the building back from Tamar Street, locates the lower 2-storey element within the space between the existing buildings in Tamar Street. The stepping of the building from Tamar Street at this point allows the introduction of a structure that is similar in scale to that of the existing adjacent buildings.

The topography of the site does not influence the overall height of the building. The setback of the main tower building, a distance of 32.2m from Tamar Street, allows the introduction of a building element incorporating the restaurant and function centre at 8.1m in height, which is in keeping with the height of the existing buildings on the adjoining lots. The existing building to the north has a height of 8m and to the south, a height of 9.5m. The building form at this point when viewed from Tamar Street becomes less intrusive and more homogenous with the existing streetscape. The increased setback to the main tower block also reduces the relative impact when viewed in the context of the Albert Hall building. The height of the main tower relative to the Albert Hall is similar in terms of overall height, but the separation achieved with the proposed building setback on the site assists in reducing the impact and the compatibility of the new structure. The building constructed to the Cimitiere Street frontage will be higher than other buildings in the immediate area but in context with its surroundings. Development on adjacent lots the Grand Chancellor and Albert Hall, or looking southwest to the Telstra tower, is comparable in scale. The height of the new structure from street level will be less apparent, whilst activating the frontage will promote interaction and amenity required by the standard.

The bulk and form of the new building, whilst differing from those immediately adjoining the site, is not so incompatible with the character and streetscape of the surrounding area. The taller building form whilst more noticeable from Cimitiere Street, nevertheless maintains much of the existing built form in the city which is narrow to the street and deeper into the block. The architect's design response seeks to articulate the brick skin of the building reducing its overall scale. The windows are further articulated providing relief to the building façade.

The height of the proposed building exceeds the acceptable solution of 12m by some 11.2m. Notwithstanding the extent of this variation, the impact of the increased height has been mitigated with the setback of the building, its design and configuration. The apparent height of the building when viewed from roads and public places is not so significant as to suggest incompatibility with the streetscape and surrounding area. Views from public places include those from which the context of the city and its building configuration is evident in the broader sense, and whilst a larger structure, the new development is not out of place when considered in terms of the variation in building heights and massing. For example, views to the site from hillside locations from south, east and west Launceston will be reduced in the context of the broader view field, noting also the variation in relative site levels. As noted, the building treatment will assist in reducing the scale of the building when viewed particularly at street level.

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<p>In addition, the shadow study which, compares the impact of a building at the permissible height and that of the proposed building, demonstrates a negligible impact in terms of overshadowing upon existing properties to the north and south along Tamar Street. Minor shadowing will affect the City Park Grand Conference Centre, reducing to zero by 12.00pm. Whilst the buildings located along Cimitiere Street will be impacted by overshadowing in the morning their northern orientation means that the northern sunlight will be unaffected. The applicant points out that if the balance of the existing car park area was developed, then overshadowing will still impact these properties.</p>
<p>A2 Setback from a frontage: (a) must be built to the frontage at ground level; or (b) be setback a distance that is not more or less than the maximum and minimum setbacks of the buildings on adjoining lots.</p>
<p>Relies on Performance Criteria The building will be set back 10.1m from the Tamar Street boundary and must be assessed against the performance criteria.</p>
<p>P2 Buildings must be sited to be compatible with the streetscape and character of the surrounding area, having regard to: (a) the level of public interaction and amenity, and pedestrian activity; (b) the topography of the site; (c) the setbacks of surrounding building; (d) the height bulk and form of existing and proposed buildings; (e) the appearance when viewed from roads and public places; (f) the retention of vegetation; (g) the existing or proposed landscaping; and (h) the safety of road users.</p>
<p>Complies with P2 The purpose of setting the building back from the Tamar Street boundary is to reduce the overall impact of the building's height and to introduce outdoor dining and landscaping between the restaurant and the street.</p> <p>Introducing outdoor dining and landscaping will activate the space encouraging public interaction. Landscaping the space and the street frontage will enhance the streetscape and provide relief in terms of the overall structure and add to the human scale of the development and its relationship to the street. Topography does not influence the frontage.</p> <p>The setbacks along the Tamar Street frontage relevant to the new development are a mix, with some built to the street boundary, and others such as the Terrace offices, achieving a small setback. It is considered that the increased setback as proposed will not adversely impact adjoining properties but ultimately add to the streetscape and its activation and appearance.</p> <p>The proposed setback enables an increased setback of the main building tower thereby reducing the impact upon existing buildings including Albert Hall. In so doing the</p>

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<p>increased setback enables greater compatibility of the development with the existing streetscape and the character of the surrounding area.</p> <p>The introduction of landscape plantings within the development’s frontage provides an attractive relief and inviting space when viewed from Tamar Street and nearby public places such as the Albert Hall park site. The development within this space has the potential to add significantly to the streetscape and the sites relationship to the surrounding area.</p> <p>Existing plantings are to be replaced with further plantings.</p> <p>The proposed landscaping will reflect similar treatments within the Albert Hall precinct opposite the site and add to the ambience of the precinct.</p> <p>The setback to the street will not affect the safety of road users, but is likely to assist in identification of the arrival point from Tamar Street.</p>
<p>A3 Setback from a side boundary:</p> <ul style="list-style-type: none"> (a) must be built to the side boundaries at ground level; or (b) be setback a distance that is not more or less than the maximum and minimum setbacks of the buildings on adjoining lots.
<p>Relies on Performance Criteria</p> <p>The proposed building is setback a minimum of 11.1m from the southern boundary and 2.8m from the northeast boundary requiring assessment against the performance criteria.</p>
<p>P3 Buildings must be sited such that there is no unreasonable loss of amenity to the occupiers of adjoining lots, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape, and orientation of the site; (c) the setbacks of surrounding building; (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>Complies with P3</p> <p>The setback to the east boundary is proposed to enable vehicle access to the site from Tamar Street and achieve an increase in space and separation from adjoining properties on the southern side. Whilst in many circumstances a zero setback is to be encouraged, from the point of view of streetscape and spatial management, the development as proposed will not generate unreasonable loss of amenity to adjoining properties. Neither (a) topography nor (b) the size, shape and orientation of the site are determining factors in this instance.</p> <ul style="list-style-type: none"> (c) There are buildings along Tamar and Cimitiere Streets, which have been developed

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<p>with car parks, or access drives within side setbacks, and to that extent, the streetscape is not absolutely uniform.</p> <p>(d) The setbacks proposed seek to reduce the potential impact upon existing adjoining and nearby properties and it can be argued contribute in this regard.</p> <p>(e) Not applicable.</p> <p>(f) The increased setbacks proposed will have no impact upon the privacy of adjoining buildings, which have been developed as office spaces.</p> <p>(g) The increase in setbacks will assist with the provision of sunlight to the rear windows of adjoining properties. There are no private open spaces to residential properties impacted.</p> <p>(h) The increase in setbacks to the northern boundary in particular enables the introduction of landscape screening between the site and adjoining properties to the north.</p> <p>(i) The character of the area will not be impacted as there are examples where there are setbacks between existing buildings and the side boundary of the property.</p>

15.4.2 Location of car parking

<p>Objective: To ensure that car parking:</p> <p>(a) does not detract from the streetscape; and (b) provides for vehicle and pedestrian safety.</p>
<p>Consistent Complies with A1 All car parking is located behind the proposed building when viewed from Tamar and Cimitiere Streets. The acceptable solution is satisfied.</p>
<p>A1 Car parking must be located:</p> <p>(a) within the building structure; or (b) behind the building.</p>
<p>Complies All parking is provided behind the building.</p>

15.4.3 Active ground floors

<p>Objective: To ensure that building facades promote and maintain high levels of pedestrian interaction and amenity.</p>
<p>Consistent The development complies with A1 (b), (c) and (d).</p>
<p>A1 New buildings with non-residential uses on ground floors must:</p> <p>(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</p>

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<p>(d) not have blank walls, signage panels or blocked out windows, wider than 2m on ground floor facades to roads, malls, laneways or arcades.</p>
<p>Relies on Performance Criteria As the ground floor of the Tamar Street frontage does not have 80% glazing it must be assessed against P1.</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 grills 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 with P1 The Cimitiere and Tamar Street building facades include floor to ceiling glazing albeit less than that required by the standard. Notwithstanding, the Cimitiere and Tamar Street frontages both provide access at ground level to the building enabling interaction with pedestrians.</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>Not applicable</p>
<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 building is oriented to both street frontages and provides access for pedestrians from the street at both Cimitiere and Tamar Street frontages.</p>
<p>A4 The total width of the door or doors on a garage facing a frontage must be no wider than 6m.</p>
<p>Not applicable No garages are proposed.</p>

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E2.0 Potentially Contaminated Land Code

E2.1 The purpose of this provision is to:

- (a) ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.

Consistent

The applicant has provided a report from Environmental Service and Design, which advises that there is no evidence to support a conclusion that the site has been impacted by contaminants discharged to site soils or groundwater as a result of the present or former business activities, workshop or the previous uses of the sites.

The application is therefore exempt in accordance with Clause E2.4.3 of the planning scheme.

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:

- (a) protect the safety and efficiency of the road and railway networks; and
- (b) reduce conflicts between sensitive uses and major roads and the rail network.

Consistent

The TIA submitted with the application has demonstrated that the existing capacity of both Tamar and Cimitiere Streets and the estimates of traffic generated by the proposed use is well within the capacity of both roads and that the design of the access points do not present any operational concerns.

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

Objective:

To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.

Consistent

The TIA demonstrates that the application will not reduce the safety and efficiency of the surrounding road network.

A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.

Not applicable

The application does not include access a category 1 or 2 road.

A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.

Not applicable

The application does not involve land in an area subject to a speed limit of more than 60km/h.

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<p>A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.</p>
<p>Relies on Performance Criteria The application includes a Traffic Impact Assessment (TIA) which indicates that the proposed use and development is expected to generate up to 130 vehicle movements per day. Assessment against the performance criteria is, therefore, required.</p>
<p>P3 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature and efficiency of the access or the junction; (d) the nature and category of the road; (e) the speed limit and traffic flow of the road; (f) any alternative access to a road; (g) the need for the use; (h) any traffic impact assessment; and (i) any written advice received from the road authority.
<p>Complies The hotel accommodation is expected to generate 84 vehicles per day with hotel activity generating 10 vehicles per hour. In terms of the conference area and meeting room, it is expected traffic generation would be approximately 30 vehicles per hour. The TIA concludes that allowing for future growth in passing traffic volumes, the additional traffic to and from the hotel will not create operational issues for traffic in the network. The TIA demonstrates compliance with this standard.</p>

E4.6 Development Standards
 E4.6.2 Road accesses and junctions

<p>Objective: To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.</p>
<p>Consistent The TIA demonstrates that the proposed access arrangements will not reduce the safety and efficiency of the surrounding road network.</p>
<p>A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h.</p>
<p>Not applicable The application does not involve land in an area subject to a speed limit of more than 60km/h.</p>
<p>A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</p>

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Complies
The development will provide one ingress point from Tamar Street and one egress point from Cimitiere Street.

E4.6.4 Sight distance at accesses, junctions and level crossings

Objective:
To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

Consistent
The acceptable solution is satisfied.

A1 Sight distances at:
(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and
(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.

Complies
The sight distance for both ingress and egress points is 80m in accordance with Table E4.6.4.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:
(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.

Consistent
The proposed use and development will be provided with an appropriate amount of parking which, subject to relevant conditions, will be appropriately designed.

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:
To ensure that an appropriate level of car parking is provided to meet the needs of the use.

Consistent
The subject site is located in the Launceston Central Business District Parking Precinct Plan area and the application is exempt from the provision of on-site parking.

A1 The number of car parking spaces must:
(a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the

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<p>General Residential Zone); or</p> <p>(b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or</p> <p>(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</p> <p>(d) be in accordance with an acceptable solution contained within a parking precinct plan.</p>
<p>Relies on Performance Criteria</p> <p>Acceptable Solution A1(d) is relevant because the subject site is within a parking precinct plan area. The application does not comply with the acceptable solution for the parking precinct plan because on-site car parking will be provided for the proposed uses. Assessment of the performance criteria is therefore required.</p>
<p>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:</p> <p>(a) the availability of off-road public car parking spaces within reasonable walking distance;</p> <p>(b) the ability of multiple users to share spaces because of:</p> <p>(i) variations in car parking demand over time; or</p> <p>(ii) efficiencies gained by consolidation of car parking spaces;</p> <p>(c) the availability and frequency of public transport within reasonable walking distance of the site;</p> <p>(d) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(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;</p> <p>(f) an assessment of the actual car parking demand determined in light of the nature of the use and development;</p> <p>(g) the effect on streetscape; and</p> <p>(h) the recommendations of any traffic impact assessment prepared for the proposal; or</p> <p>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:</p> <p>(a) the intensity of the use and car parking required;</p> <p>(b) the size of the dwelling and the number of bedrooms; and</p> <p>(c) the pattern of parking in the locality; or</p> <p>P1.3 The number of car parking spaces complies with any relevant parking precinct plan.</p>
<p>Complies</p> <p>Performance Criteria P1.3 is relevant because the subject site is within the Launceston Central Business District Parking Precinct Plan area. See assessment of Clause E6.7.1.3 Performance Criteria P1 below, which demonstrates compliance with the parking precinct plan requirements.</p>
<p>A2 The number of accessible car parking spaces for use by persons with a disability for uses that require six or more parking spaces must be in accordance with Part D3 of the National Construction Code 2014, as amended from time to time.</p>

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<p>Complies The use requires the provision of one accessible car parking spaces for use by persons with a disability in accordance with Part D3 of the National Construction Code 2014 (as amended). The application includes the provision of one accessible car parking space.</p>
<p>E6.5.2 Bicycle parking numbers</p>
<p>Objective: To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.</p>
<p>Complies The acceptable solution is satisfied.</p>
<p>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.</p>
<p>Complies Table E6.1 does not set bicycle requirements for visitor accommodation. The restaurant as a stand-alone use must provide car parking at the rate of 1:75m² for Food Services. The restaurant has a floor area of 172.75m² requiring three spaces which are provided.</p>

E6.5.3 Taxi Spaces

<p>Objective: To ensure that access for taxis is provided to meet the needs of the use.</p>
<p>Consistent The acceptable solution is satisfied.</p>
<p>A1 Except for dwellings in the General Residential zone, uses that require greater than 50 car spaces by Table E6.1 must provide one parking space for a taxi on site, with one additional taxi parking space provided for each additional 50 car parking spaces required.</p>
<p>Complies The development provides for a total of 35 car parking spaces and whilst there is no requirement for the provision of taxi spaces, the development provides for four parking bays outside the hotel lobby/ reception area for use by taxis and private vehicles.</p>

E6.5.4 Motorcycle parking

<p>Objective: To ensure that motorcycle parking is provided to meet the needs of the use.</p>
<p>Consistent The acceptable solution is satisfied.</p>
<p>A1 Except for dwellings in the General Residential zone, uses that require greater than 20 car parking spaces by Table E6.1 must provide one motorcycle parking space on site with one additional motorcycle parking space on site for each additional 20 car parking spaces required.</p>
<p>Complies The development provides for two motor cycle spaces within the hotel car park.</p>

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E6.5.5 Loading Bays

Objective: To ensure adequate access for goods delivery and collection, and to prevent loss of amenity and adverse impacts on traffic flows
Consistent The acceptable solution is satisfied.
A1 A loading bay must be provided for uses with a gross floor area greater than 1000m ² in a single occupancy.
Complies The development provides for a loading bay adjacent the rear of the building on the ground floor.

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective: To ensure that parking areas are constructed to an appropriate standard
Consistent The acceptable solution capable of being satisfied
A1 All parking, access ways, manoeuvring and circulation spaces must: <ul style="list-style-type: none"> (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 proposed parking areas will have a gradient less than 10% and will be formed and sealed. Recommended permit conditions will ensure the requirements of the acceptable solution are complied with.

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 The proposal complies with P1, A1.2, A1.3 and A1.4
A1.1 Car parking, access ways, manoeuvring and circulation spaces must: <ul style="list-style-type: none"> (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;

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<p>(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</p> <p>(e) have a vertical clearance of not less than 2.1m above the parking surface level.</p> <p>A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.</p> <p>A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.</p> <p>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>Relies on Performance Criteria Does not comply with A1.1 (b) and A1.1 (d) only.</p>
<p>P1 Car parking, access ways, manoeuvring and circulation spaces must be convenient, safe and efficient to use, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the proposed slope, dimensions and layout;</p> <p>(c) vehicle and pedestrian traffic safety;</p> <p>(d) the nature and use of the development;</p> <p>(e) the expected number and type of vehicles;</p> <p>(e) the nature of traffic in the surrounding area; and</p> <p>(e) the provisions of Australian Standards AS 2890.1 - Parking Facilities, Part 1: Off Road Car Parking and AS2890.2 Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.</p>
<p>Complies with P1 The TIA confirms that the proposed width of parking bays at 2.5m complies with the AS 2890, meeting the performance criteria.</p>

E6.6.3 Pedestrian access

<p>Objective: To ensure pedestrian access is provided in a safe and convenient manner.</p>
<p>Consistent The acceptable solution is satisfied in relation to A1.2.</p>
<p>A1.1 Uses that require 10 or more parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, except where crossing access ways or parking aisles, by:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and</p> <p>A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a minimum width of 1.5m and a gradient not exceeding 1</p>

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<p>in 14 is required from those spaces to the main entry point to the building.</p>
<p>Relies on Performance Criteria A separate pedestrian footpath is not provided between the customer car park and the building entrance in accordance with A1.1.</p>
<p>P1 Safe pedestrian access must be provided within car parks, having regard to: (a) the characteristics of the site; (b) the nature of the use; (c) the number of parking spaces; (d) the frequency of vehicle movements; (e) the needs of persons with a disability; (f) the location and number of footpath crossings; (g) vehicle and pedestrian traffic safety; (h) the location of any access ways or parking aisles; and (i) any protective devices proposed for pedestrian safety.</p>
<p>Complies with P1 The TIA determines that safe pedestrian access is provided to the entrance of the hotel from the car park given the aisle width at 5.8m and the relatively short distance between the car parks positioned in the south west area and the hotel entry point</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 The access for delivery vehicles using the proposed loading bay will be satisfactory</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>Relies on Performance Criteria The service vehicle parking dimension is less than the standard and must be assessed against the performance criteria.</p>
<p>P1 Loading bays must have area and dimensions suitable for the use, having regard to: (a) the types of vehicles likely to use the site; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; and (e) the location of the site and nature of traffic.</p>
<p>Complies The TIA assessment determines that the site layout providing for service vehicle deliveries directly opposite the back of house area is satisfactory. It allows for small rigid vehicles in accordance with AS2890.2.</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</p>

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2: Parking facilities - Off-street commercial vehicle facilities.
<p>Complies</p> <p>The TIA notes that the passage of other vehicles or entry and exit manoeuvres for the parking bays except bays 28-29, where reverse entry into these bays will still be possible while the truck is in the loading bay. In a private car park this arrangement is considered appropriate. The minimum height clearance will allow small rigid vehicles to drive through the site and access the loading area</p>

E6.6.5 Bicycle facilities

Objective: To ensure that cyclists are provided with adequate facilities.
A1 Uses that require five or more bicycle spaces by Table E6.1 must provide one shower and change room facility on site, with one additional shower and change room on site for each 10 additional bicycles spaces required.
<p>Not applicable</p> <p>The use does not require more than five bicycle spaces.</p>

E6.6.6 Bicycle parking and storage facilities

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.
<p>Consistent</p> <p>A1 Bicycle parking and storage facilities for uses that require five or more bicycle spaces by Table E6.1 must:</p> <ul style="list-style-type: none"> (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from the main entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.
<p>Not applicable</p> <p>A2 Bicycle parking spaces must:</p> <ul style="list-style-type: none"> (a) have minimum dimensions of: <ul style="list-style-type: none"> (i) 1.7m in length; and (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of at least 2m and a gradient of no more 5% from a road, cycle path, bicycle lane, shared path or access way; and (c) include a rail or hoop to lock a bicycle to that meets AS 2890.3 1993 Parking facilities - Bicycle parking facilities.
<p>Complies</p> <p>A permit condition is included in the recommendation to ensure that bicycle parking spaces are provided in accordance with above requirements.</p>

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E6.7 Parking Precinct Plans

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

E6.7.1.3 Local Area Provisions

Objective: To limit on-site parking within the Launceston Central Business District Parking Exemption Area.
Consistent
A1 On-site car parking is: (a) not provided; or (b) not increased above existing parking numbers.
Relies on Performance Criteria On-site car parking is proposed which will increase existing parking numbers.
P1 On-site car parking must demonstrate: (a) that it is necessary for the operation of the use; and (b) parking must not exceed the minimum provision required by Table E6.1.
Complies with P1 Onsite parking for the use as a hotel is considered necessary and appropriate given the location of the development, the general availability of parking and that with the lack of public transport, the mode of transport for tourists and visitors is private vehicle or hire car. In terms of the provision of car parking, Table E6.1 requires provision of one space per four beds, requiring 22 spaces for the hotel use. The requirement for the restaurant with 80 seats, is 12. Office requirements are one space per employee and one space per 50m ² gross floor area. The total car space requirement is 36 of which 35 are provided. The minimum provision is not exceeded.

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.

E18.5 Development Standards

E18.5.1 Unacceptable signage

Objective: To prevent unacceptable signage.
Consistent The acceptable solution is satisfied.
A1 Signage must not be for the following sign types: (a) an above awning sign; (b) bunting (flag and decorative elements);

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(c) a flashing lights sign; (d) a roof sign; (e) a sky sign; or (f) a third party sign.
P1 No performance criteria.
Complies with A1 The proposed sign is not an unacceptable sign type.

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 (b) ensure that the design and siting of signs achieves the purpose of this code.
Consistent Complies with the acceptable solution.
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 with A1. The proposed blade sign is a type permitted within the Urban Mixed Use Zone. The dimensions of the sign – maximum vertical dimension of 3m, and horizontal dimension of 600mm, meets the requirements specified in Table E18.6.
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 with A2 There are none of the listed zones with a boundary to the development lot.
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
Complies with A3 There is only one blade sign proposed.
A4 A sign must not be illuminated
Complies with A4 The proposed sign will not be illuminated.

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5. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Assets	Independent infrastructure assessment was undertaken by 6ty ^o Consultants, with conditional consent provided. Conditions recommended in reference to: <ul style="list-style-type: none"> • Submission and approval of plans • Works within road reserves • Construction works • Construction documentation • Completion of works
Environmental Health	Conditional consent provided. Conditions recommended in relation to: <ul style="list-style-type: none"> • Demolition • Amenity – commercial use • Exterior and security lighting • Contaminated Land • Waste materials
Parks and Recreation	N/A
Heritage/Urban Design	N/A
Building and Plumbing	Pursuant to the Building Act
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2017/01228-LCC.
State Growth	N/A
TasFire	N/A
Tasmanian Heritage Council (THC)	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

6. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 13 January – 29 January 2018. Three representations were received.

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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
Concern for protection of underground assets and need for Dial Before You Dig searches prior to the commencement of construction.	The submission is an advisory from TasNetworks the asset owner.
Concern at potential impacts during the construction phase including from emissions including dust, vibration, noise; traffic management and resultant impacts upon staff of adjoining business.	Conditions of permit will require that appropriate steps be taken during construction to ensure that emissions do not create nuisance and that damage to adjoining or adjacent properties is avoided.
Concern in relation to the structural integrity of the existing building as a result of construction of the new development.	This is a matter which the applicant will address as a part of any construction and environmental management plan to minimise the potential for impact, but addressed also as a part of detailed design which includes addressing matters of structural engineering and site stability.
Reduction in natural light as a result of the new construction	The application provides an assessment of over shadowing as a result of the new building. The results of the analysis indicate that the overshadowing will be minimal in terms of the adjoining properties and that compliance with the planning scheme is achieved.
The shadow diagrams do not accurately depict the full shadow impacting the Albert Hall after 5 pm.	The shadow diagrams prepared adequately demonstrate compliance with the planning scheme.
The height of the building will impinge the architectural and historic value of existing and adjoining buildings including Albert Hall.	The height of the new structure has been assessed against the provisions of the planning scheme and whilst higher than a number of adjoining buildings and others within the surrounding area, the stepping of the building allowing an increased setback of the main tower in particular assists in achieving compliance with the planning scheme standards.

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7. 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.

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

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ATTACHMENTS:

1. Locality Plan (distributed electronically)
 2. Certificates of Title (distributed electronically)
 3. Plans of the Proposal (Prepared by Cumulus Studio Pty Ltd) (distributed electronically)
 4. Planning Submission (Prepared by CPD Consultants) (distributed electronically)
 5. Traffic Impact Assessment (Prepared by Milan Prodanovic) (distributed electronically)
 6. Contaminated Site Assessment (Prepared by Environmental Service and Design) (distributed electronically)
 7. Representations (distributed electronically)
 8. TasWater SPAN (distributed electronically)
-

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage**FILE NO:** DA0558/2017**AUTHOR:** Brian White (Graduate 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:	Metier Planning and Development
Property:	254 Charles Street, Launceston
Zoning:	Local Business
Receipt Date:	30/10/2017
Validity Date:	1/11/2017
Further Information Request:	08/11/2017
Further Information Received:	07/02/2018
Deemed Approval:	19/02/2018
Representations:	Three

RECOMMENDATION:

That in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0558/2017 - Food Services - restaurant; change of use; signage at 254 Charles Street, Launceston subject to the following conditions:

1. AMENDED PLANS REQUIRED

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Manager Planning Services to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show:

- a. Elevations showing the proposed vertical exhaust fan which demonstrates that the structure is compatible with the historic cultural heritage significance of local heritage places and their settings in regard to roof form and materials.
-

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2. MAINTENANCE AND REPAIR OF A HERITAGE BUILDING

Any maintenance and repair associated with the removal of the existing signage must choose materials and finishes that match or are similar to the materials and finishes that are being replaced.

3. EXHAUST FAN AND VENTILIATION SYSTEM

The exhaust fan and ventilation system must be installed and maintained to an acceptable level to prevent noise and odour emissions affecting occupiers of adjoining sensitive uses.

4. EXTERIOR AND SECURITY LIGHTING

Exterior and security lighting must be designed, baffled and located so that no direct light is emitted outside the property boundaries.

5. COMMERCIAL VEHICLES

Commercial vehicles must only operate between:
6:00am and 10:00pm Monday to Friday;
7:00am to 5:00pm Saturday and Sunday.

6. 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.

7. EXTERNAL FINISHES

All external materials, finishes and colours must be in accordance with the endorsed Schedule of Materials/Colours.

8. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/01733-LCC) (attached).

9. BUSINESS HOURS

The operation of the use, except for office and administration must be confined to:
a. 6:00am and 10:00pm Monday to Sunday.

The exhaust fan and ventilation system must not be operated outside of those hours.

10. NO SIGN ILLUMINATION

The signs must not be floodlit or otherwise internally illuminated.

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

11. REMOVAL OF EXISTING SIGNS

Prior to the erection or display of the signs approved by this permit, all other signs on the subject land must be removed.

12. SIGN MAINTENANCE

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

13. ENDORSED PLANS AND DOCUMENTS

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

- a. Planning Submission, Prepared by Metier Planning and Development.
- b. Site Plan, Prepared by Cumulus Studio, Drawing No. T17351-da02, Dated 23/10/2017.
- c. Existing Ground Floor Plan, Prepared by Cumulus Studio, Drawing No. T17351-da03, Dated 23/10/2017.
- d. Demolition Plan, Prepared by Cumulus Studio, Drawing No. T17351-da04, Dated 23/10/2017.
- e. Proposed Ground Floor Plan, Prepared by Cumulus Studio, Drawing No. T17351-da05, Dated 23/10/2017.
- f. East Elevation_ Existing + Proposed, Prepared by Cumulus Studio, Drawing No. T17351-da05, Dated 23/10/2017, (Amended Plans Required).
- g. North Elevation_ Existing + Proposed, Prepared by Cumulus Studio, Drawing No. T17351-da07, Dated 23/10/2017, (Amended Plans Required).
- h. Noise and Odour Impact Assessment, Prepared by Tarkarri Engineering, Dated 21/12/2017.
- i. Addendum to Noise and Odour Impact Assessment, Prepared by Tarkarri Engineering, Dated 2/1/2018.

14. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land.

15. 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.

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

16. 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.

17. 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.

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.

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

D. General

This permit was issued based on the proposal documents submitted for DA0558/2017. 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.

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. Restrictive Covenants

The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquires as to whether the proposed development is effected, restricted or prohibited by any such covenant.

If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.

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

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

H. Food Premises

All Food Businesses must be registered with council in accordance with the Food Act 2003. Food Premises must comply with the National Construction Code Tas Part H102.

REPORT:**1. THE PROPOSAL**

The applicant is seeking planning approval for the change of use and associated works to an existing building at 254 Charles Street, Launceston to allow for a Japanese restaurant to operate.

The Use

The proposed use is to be for food services, defined in the scheme as:

*use of land for preparing or selling food or drink for consumption on or off the premises. Examples include a cafe, **restaurant** and take-away food premises.*

The restaurant will be called Kosaten. It will provide a sit down dining experience to customers based primarily around a sushi 'train'. There will also be a mini buffet and booths for customers, a private function room and a self-serve takeaway area. The restaurant has seats for approximately 30 customers.

The hours of operation area proposed to be 11.00am-3.00pm and 5.00pm till 10.00pm, seven days per week.

No car parking is provided to accommodate the use.

The Previous Use

The previous service industry use on the site was approved in 1986 (D272/86) for appliance sales and repairs. This use has recently ceased operating.

The Development

The proposed development includes:

- Internal fit out;
 - Minor external modifications including:
 - the replacement of the Charles Street door and cladding the wall above the door which extends to the parapet with timber to be painted 'Japan' black;
-

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

- Replacement of the Balfour Street roller door with a wooden sliding door painted 'Japan' black;
- Minor works to the roof including the development of an exhaust fan; and
- The removal of the existing signage along the parapet.
- Two non-illuminated signs attached to the door on each elevation with areas of 0.66m².

2. LOCATION AND NEIGHBOURHOOD CHARACTER**Site Location**

The site is located on the corner of Charles and Balfour Streets. It is located approximately 170m to the north of the Launceston General Hospital and is opposite the Sportsman's Hall Hotel on the north eastern corner of Charles and Balfour Street.

Surrounds

The immediately surrounding properties have a mixed use character.

North of the site, along Charles Street, there are a combination of residential, food services, general retail and hire and business and professional uses. This part of Charles Street is a popular café strip.

South of the site, along Charles Street, there a combination of residential, hospital services, food industry and business and professional services uses. The hospital and 'The Charles' complex are the predominant uses along this part of Charles Street.

In the immediately surrounding area to the west and east the predominant land use is medium density residential.

Site Description

The site is rectangular shape with an area of 238m². The site has frontages to Charles and Balfour Street. Access to the site is via an existing vehicular crossover from Balfour Street.

Slope

The site is relatively flat.

Location of any existing buildings on the site and surrounding

Currently the site is developed with a brick clad building which appears to have been used for a service industry use since the late 1980s. There is an existing dwelling abutting the site at 63 Balfour Street and a toy shop at 1/256 Charles Street.

Services

The site is connected to all reticulated services.

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(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.

Not Applicable

The Planning Authority is not required to take into account the zone purpose statements for a permitted use pursuant to clause 8.10.2 of the Interim Scheme for a permitted use (as upheld by the Tribunal in *CJ & JE Margetts v Burnie City Council [2015] TASRMPAT 21*). Nonetheless, the proposal is for a food services use in a location which is highly suitable for such a use.

Local Area Objectives - There are no local area objectives

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.

Consistent

The proposal complies with the acceptable solution.

A1 Commercial vehicles must only operate between 6.00am and 10.00pm Monday to Friday and 7:00am to 5:00pm Saturday and Sunday.

Complies

Compliant by condition.

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.

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

Complies

The applicant has stated that the operating hours are to be 11.00am - 3.00pm, 5.00pm - 10.00pm, seven days per week subject to customer demand. A condition has been recommended to secure this option.

20.3.2 Mechanical plant and equipment

Objective:

To ensure that the use of mechanical plant and equipment does not cause an unreasonable loss of amenity to sensitive uses.

Consistent

The proposal has commissioned a report by an environmental consultant who has assessed the potential impacts of the use of the mechanical plant and equipment on the amenity of nearby sensitive uses. It has been found that the proposal will not cause an unreasonable loss of amenity to sensitive uses and that the acceptable solutions have been met.

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.

Complies

The proposal has commissioned a report by an environmental consultant who has assessed the potential impacts of the use of the mechanical plant and equipment on the amenity of nearby sensitive uses. It has been found that the proposal will not cause an unreasonable loss of amenity to sensitive uses.

The proposed restaurant is required to utilise a grill and deep fryer, with associated range hood. The extraction fan associated with the ventilation system is to be located on the roof with a discharge point to be approximately 5m above ground height. This equates to being around 1.5m above the roof line. The discharge point is to be located along the southern boundary of the building adjacent to the existing building at 256 Charles (Windmill Educational Supplies).

It has come to Council's attention during the advertising period that the upstairs room of 256 Charles Street has historically been used as a residence. This has been confirmed through an investigation of previous planning permits for the site. In 1981 an application was made to Council to use the property for the purpose of a shop. The application form stated that the existing use of the property was for 'shop and dwelling'. The applicant was notified of this and a covering letter was prepared by the environmental consultant to address the issue.

Noise

The supplied consultant report has stated the proposed air extraction (exhaust fan) has the potential to generate environmental noise emissions to surrounding areas from the discharge.

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)



Figure 1 Noise sensitive receiver locations

The report found that predicted noise levels would not exceed 38 dBA at any of those locations. It was also stated that 40dBA represents a typical evening noise (up until 10.00pm) emission limit for a green-field commercial/ industrial site in Tasmania. The report recommends that a 10.00pm closing time is appropriate otherwise noise attenuation options may need to be considered.

Although there is an adjoining residential use on the upper level of the Windmill Toys building there is a solid brick wall in between the exhaust fan and the dwelling. The submitted report also states that the exhaust fan is also to be pointed away from the neighbouring structure.

The report has not directly addressed the potential for noise emissions to cause amenity issues to the flat above the shop at 256 Charles Street. This was raised by a representor. Further assessment has been requested to address this concern. The addendum provided to the initial report notes that minimal noise should be created to impact on the residential especially given the solid construction of the building.

It is therefore considered that the air extraction system is designed and located in a manner which will prevent noise from being received by adjoining or immediately opposite sensitive uses.

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

Odours

The report also addresses potential odour issues that may arise from the exhaust fan. A number of 'odour receptor locations' were chosen to undertake the odour study. It was found that the odour levels will be far less than the assessment criteria provided in the Tasmanian Environmental Protection Policy (Air Quality) 2004. This sets an odour limit of two odour units. The report found that the concentration of odour at those selected locations would not exceed 0.131. This was recorded at the adjoining residential use to the west.

The report has not addressed the adjoining sensitive use to the south above Windmill Toys. This issue was raised in a representation and will be required to be addressed via further information from the consultant. The addendum provided to the initial report notes that minimal odour emissions from the grill and deep fryer, and associated ventilation system, is unlikely to generate excessive nuisance for the adjoining residence.

The addendum report was referred to Environmental Services. Subject to compliance with requirements of the report no objection is raised. This report forms part of the endorsed plans and documents that accompany issue of a permit.

It is therefore considered that the proposal complies with A1.

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 proposal complies with the acceptable solution via condition.

- 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
A condition will require that all direct light from external light sources must be contained within the boundaries 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.

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

<p>Consistent The proposal complies subject to conditions.</p>
<p>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.</p>
<p>Complies The Environmental noise and odour impact assessment submitted with the application prior to public exhibition did not include consideration of an upper level dwelling within the adjoining property. An addendum to the report has been provided. The report states: <i>"The predicted noise emission level on the eastern side of the roof where openable windows exist is well below existing ambient noise conditions and excessive impact is considered highly unlikely, even with an open window."</i> <i>"The predicted noise level on the western side of the roof is commensurate with existing ambient noise conditions. Additionally, the incidence of this noise is against a façade with no openings."</i></p> <p>A1 (a) is considered to be addressed.</p>

20.4 Development Standards

20.4.3 Active ground floors

<p>Objective: To ensure that building facades promote and maintain high levels of pedestrian interaction and amenity.</p>
<p>Consistent A2 Alterations to ground floor facades of non-residential buildings must not: (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>
<p>Complies There will be no change to the level of glazing of the building.</p>
<p>A3 The building must: (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>

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

Complies
The building will be directly accessible from Charles Street.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:
 (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.

Consistent
The site is not able to provide car parking but assessment against the performance criteria considers the proposed use to be appropriate.

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:
To ensure that an appropriate level of car parking is provided to meet the needs of the use.

Consistent

A1 The number of car parking spaces must:
 (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
 (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
The code of the Interim Scheme requires one parking space per 15m² of gross floor area for a food services use which equates to 13 spaces being required. The acceptable solution of the clause at A1 (a) requires that there must be no less than 90% of this requirement, which is 12. Therefore, the proposal cannot meet A1.1 (a).

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

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

- (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
 - (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

D272/86 - Service Industry

Under the *City of Launceston Planning Scheme 1983*, Off-Street Parking Policy Code, a service industry use required one space per 100m² gross floor area or one space per two employees (whichever is greater). The gross floor area of the building is approximately 195m² meaning that a shortfall of at least one space must have been approved by D272/86.

Charles Street

It must be noted at the outset that this part of Charles Street has historically been, and will continue to be, a mixed use precinct in which variations in car parking are common and which there is a high level of permeability and connectivity to nearby residential uses, the CBD and nearby parks.

Below are some examples of properties to the north of Balfour Street, along Charles Street which have being approved for similar use classes with parking shortfalls.

Address	Use Class	DA Number	Variation sought
226 Charles Street	Food services	DA0236/2013	One
228 Charles Street	General Retail	DA0282/2016	Two
243 Charles Street	Food Services	DA0115/2002	Six

It is also acknowledged that the streets in the area are undoubtedly used for car parking for the hospital.

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)**The Current Scheme**

The current parking code of the Interim Scheme requires one parking space per 15m² of gross floor area for a food services use which equates to 13 spaces being required to service the current use.

The acceptable solution of the clause at A1 (a) requires that there must be no less than 90% of this requirement, which is 12.

Therefore there is a difference of 10 spaces required by the originally approved use and the proposed food services use.

P1.1

The performance criteria will be addressed noting that it must be demonstrated that the level of parking must be provided to meet the *reasonable* needs of the use *having regard to* a number of factors as listed in P1.1 (a) - (h) of the clause.

The objective of the clause is "to ensure that an appropriate level of a car parking is provided to meet the needs of the use".

- (a) There are off-road public car parking spaces located within reasonable walking distance.

The National Heart Foundations publication, *Healthy by Design* (2009), has stated that distance of up to 800m can be called a 'close waking distance' depending on a person's fitness and topography.

The Healthy Spaces and Places publication (2009) has stated that 1.2km is a 'reasonable distance' depending on whether the walking conditions are favorable.

The Elizabeth Street public car park is located approximately 650m to the north east of the subject site. The topography of the site in between the subject site and this carpark is moderate. Additionally, the route includes walking through Prince's Square.

Therefore, it is considered that there are public car parks within reasonable walking distance of the site.

- (b) The busiest period for the restaurant is highly likely of being in the evenings whereas many of the businesses along Charles Street are closed during that time. This is especially the case for the Green Grocer, the Sushi Shop and the adjoining businesses south along Charles Street. Therefore the proposal meets (i).
- (c) There is a Metro stop approximately 20m to the south on Charles Street. Bus route 70 runs past the subject site into the City on a regular basis.
- (d) The site has historically operated as a service industry use with a parking shortfall. This is primarily due to the site coverage being approximately 85% which constrains

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

the ability of the site to provide onsite car parking.

(e) There is an existing pattern of development along Charles Street which operates under a parking shortfall. This is an inevitable part of inner city mixed use development which encourages alternative forms of transport and ultimately provides interesting places for people to live and greater amenity due to reduced traffic volumes.

There are ample on-road parking spaces along Charles Street which have, and will continue to, provide car parking for a variety of uses.

(f) Council's Infrastructure Department have not indicated a need for a parking study to be undertaken for the shortfall.

(g) See (e); and

(h) See (f).

It is therefore considered that the proposal complies with P1.1.

E6.5.2 Bicycle parking numbers

<p>Objective: To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.</p>
<p>Consistent The proposal complies with the performance criteria. There are adequate bicycle parking facilities in the surrounding area to service the use.</p>
<p>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.</p>
<p>Relies on Performance Criteria Table E6.1 requires one space per 75m² of gross floor area. No parking spaces are provided on site and the nearest bike rack is approximately 100m to the south.</p>
<p>P1 Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> (a) the likely number and characteristics of users of the site and their opportunities and likely need to travel by bicycle; (b) the location of the site and the likely distance a cyclist needs to travel to reach the site; and (c) the availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
<p>Complies A bike rack is located 100m to the south which is considered appropriate to service the use. Additionally, there are numerous opportunities to park bikes on Charles Street.</p>

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

E6.7.1 Precinct 1 - Launceston Central Business District Parking Exemption Area
E13.0 Local Historic Cultural Heritage Code

E13.1 The purpose of this provision is to:

- (a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts;
- (b) encourage and facilitate the continued use of these places;
- (c) encourage the maintenance and retention of buildings and places of assessed historic cultural heritage significance; and
- (d) ensure that development is undertaken in a manner that is sympathetic to, and does not detract from, the historic cultural heritage significance of the places and their settings.

Consistent

Historic cultural heritage significance is defined as in the code as:

means significance in relation to a local heritage place or heritage precinct, and its value in regard to:

- (a) *its role in, representation of, or potential for contributing to the understanding of:*
 - (i) *local history;*
 - (ii) *creative or technical achievements;*
 - (iii) *a class of building or place; or*
 - (iv) *aesthetic characteristics; or*
- (b) *its association with:*
 - (i) *a community or cultural group for social or spiritual reasons; or*
 - (ii) *the life or works of a person, or group of persons of importance in Launceston's history*

The site is located in the South Central Precinct, as identified by the Launceston Heritage Study (2007).

The area is described as being mixed use with the key features being Princes Square, the churches and the surrounding civic areas. It is said to have extremely high integrity and intactness with very few intrusive developments. Stone and brick are the predominant materials of the Precincts major development.

The significant of the Precinct is said to include the following:

- It demonstrates the range of housing from the late Victorian and Federation periods in intact group which is a key feature of housing development in Launceston;
- Brick and stone illustrates the relative wealth of owners which contrasts to timber construction in other parts of the city;
- It demonstrates key civic areas and structures which provide the city's core character.

It therefore appears that, in regard to the definition of the heritage significance, it not the actual building that is significant but rather it is the place and its setting that contributes to the understanding of a class of building and place and aesthetic characteristics.

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

It is considered that the minor works will not detract from this heritage significance as the works are only minor and will not detract from the significance of the streetscape. The minor works may actually improve its aesthetic qualities by removing the deteriorating signage along the top and upgrading parts of the cladding to be perhaps more sympathetic to colours in the surrounding area. Additionally, the actual building envelope is not to change so the changes will be largely unnoticeable when viewed from the streetscape. This view is confirmed by Council's heritage planner.

The proposal therefore:

- protects and enhances the historic cultural heritage significance of the South Central Precinct;
- encourages and facilitate the continued use of the building into a new and potentially appealing use;
- encourages the maintenance of the building by making its exterior potentially more appealing; and
- undertakes development which is sympathetic to, and does not detract from, the historic cultural heritage significance of the places and their settings (which has been attributed to being the wider South Central Precinct in contributing to a contributes to the understanding of a class of building and place and aesthetic characteristics).

E13.6 Development Standards

E13.6.2 Maintenance and repair

<p>Objective: To ensure that maintenance and repair of heritage buildings are constructed and undertaken to be sympathetic to, and not detract from the historic cultural heritage significance of local heritage places.</p>
<p>Consistent The proposal complies with the acceptable solution by condition.</p>
<p>A1 New materials and finishes match or are similar to the materials and finishes that are being replaced.</p>
<p>Complies The removal of the existing signage can be described as maintenance and repair. Conditions apply.</p>

E13.6.8 Roof form and materials

<p>Objective: To ensure that roof form and materials are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
<p>Consistent The proposal complies with the performance criteria via conditions. The proposed exhaust fan triggers consideration under the clause.</p>
<p>A1 No acceptable solution.</p>

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

<p>Relies on Performance Criteria</p> <p>P1 Roof form and materials are compatible with the historic cultural heritage significance of a place and its setting, having regard to:</p> <ul style="list-style-type: none"> (a) the cultural heritage values of the local heritage place and setting; (b) the design, period of construction and materials of the dominant building on the site; (c) the dominant roofing style and materials in the setting; and (d) the streetscape.
<p>Complies</p> <p>The proposal requires exhaust fans to be placed on the roof. It is considered that the structure will be minor and not detract from the heritage significance of the property. Conditions apply.</p>

E13.6.9 Wall materials

<p>Objective:</p> <p>To ensure that wall materials are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
<p>Consistent</p> <p>The proposal complies with the performance criteria. The proposed alteration to the cladding is limited to two existing doorways where timber, painted black will, infill openings. This is considered to be minor and to not detract from the heritage fabric of the building.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria</p> <p>P1 Wall material for buildings and structures must be compatible with the historic cultural heritage significance of a place and its setting, having regard to:</p> <ul style="list-style-type: none"> (a) the cultural heritage values of the local heritage place and setting; (b) the design, period of construction and materials of the dominant building on the site; (c) the dominant wall materials in the setting; and (d) the streetscape.
<p>Complies</p> <p>As has been stated, the heritage significance of the place is more about the precinct rather than the building itself. The predominant brick cladding of the building is to remain mostly unchanged. Those parts to be modified will result in a cladding which may be more in line with the dominant wall materials in the setting. The minor changes to the cladding will be negligible when considering the streetscape.</p> <p>It is therefore considered that the performance criteria is met subject to conditions</p>

E13.6.13 Signage

<p>Objective:</p> <p>To ensure that signage is compatible with the historic cultural heritage significance of local heritage places and their settings.</p>

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

Consistent

The proposal complies with the performance criteria. The proposed signage is to be relatively minor in contrast to what is on the site already and compared to other businesses along Charles Street. If anything, the proposal will reduce the visual clutter of the signage on the site and replace it with a more modern and more minimalist design.

A1 No more than one sign, not greater than 0.2m², identifying the use, heritage significance, and the name and occupation of the owners of the property.

Relies on Performance Criteria

Two signs are proposed, one on the Charles Street frontage and one on the Balfour Street Frontage. The signage panels will be located on the existing doors which are to be re-cladded with timber and restained (Japan Black). The two signs are to be circular and advertise the name of the restaurant. They are to have areas of approximately 915mm and are to have dark shading as shown below:

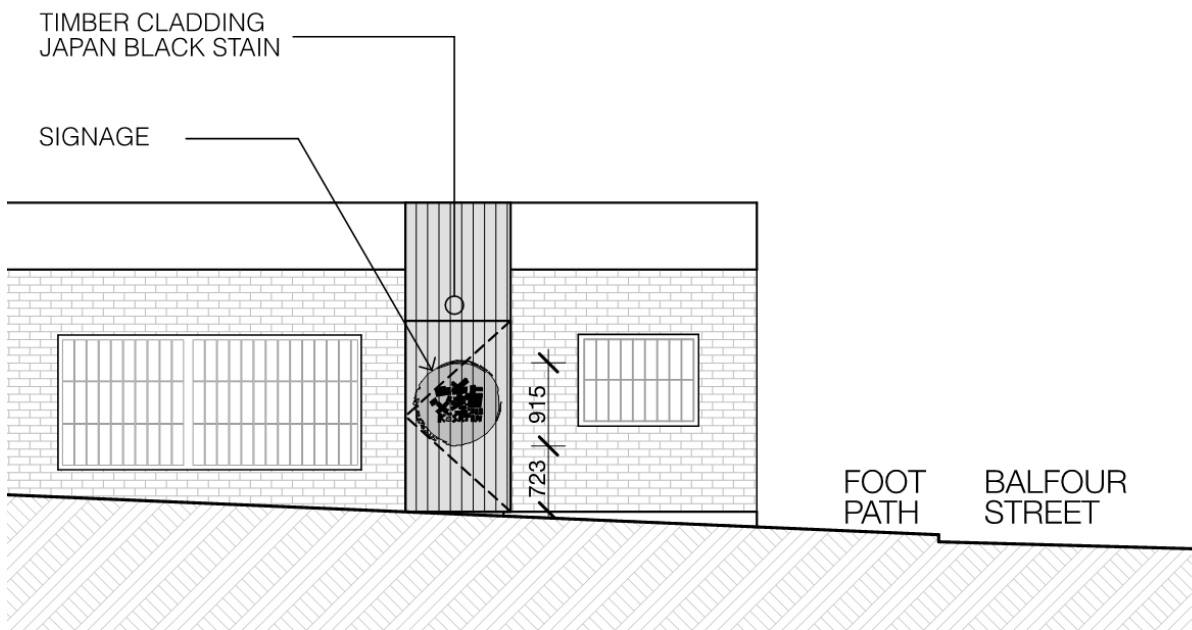


Figure 1 Charles Street frontage signage

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

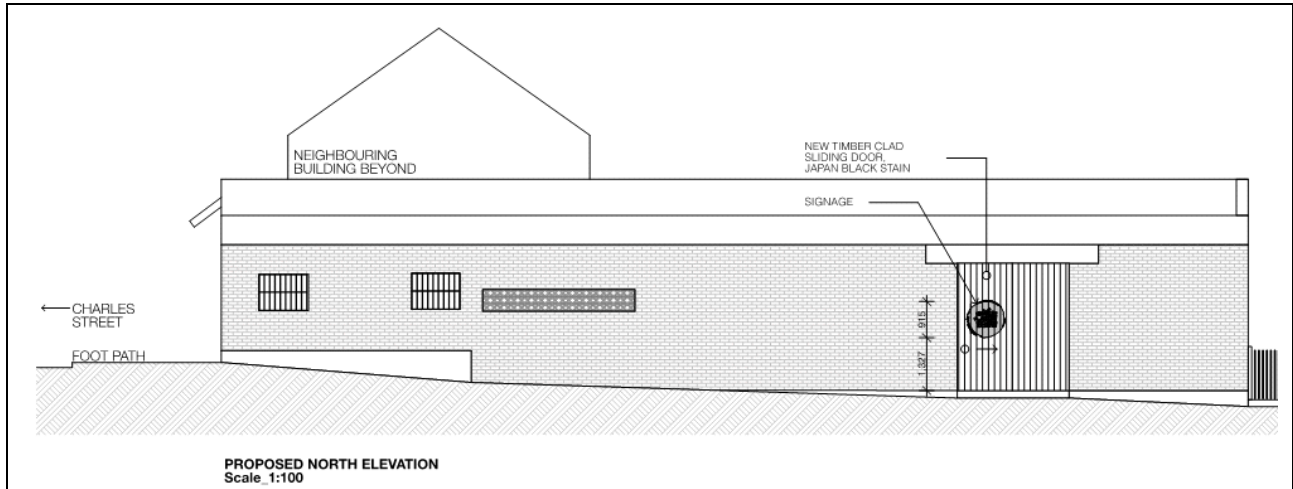


Figure 2 Balfour frontage signage

P1 New signs must be compatible with the historic cultural heritage of the local heritage place and its setting, having regard to:

- (a) the cultural heritage values of the local heritage place and setting;
- (b) the size and location of the proposed sign;
- (c) the area and location of existing signage on the site;
- (d) the period details, windows, doors and other architectural details of the building;
- (e) any destruction, removal or concealment of heritage fabric through attaching signage; and
- (f) the streetscape.

Complies

As has been discussed the heritage value of the property is more about the precinct (or setting) rather than the actual building. The signage will not detract from this heritage significance but may actually result in a better outcome for the streetscape with a more modern and minimalist design (as opposed to the signage from the 1980s which is existing).

The signage is relatively small in comparison with the amount of wall area available so has attempted to have a minimal impact on the streetscape.

The signage is also compatible with the existing, significant signage found along this part of Charles Street which is also within the heritage precinct identified in the 2007 Heritage Study.

It is therefore considered that the proposal complies with the performance criteria.

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided.
Environmental Health	An environmental report has been provided post public exhibition in response to the representations. Conditional consent has been provided which included review of the report.
Heritage/Urban Design	Council's heritage planner recommended conditions but voiced no concerns to the proposal on heritage grounds.
Building and Plumbing	Notes provided
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2017/01733-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

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 6 January to 22 January 2018. Two representations were received. 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	Response
Existing amenity concerns from Sporties Hotel	The property adjacent the subject site is not the subject of this application.

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

Issue	Response
<p>Antisocial behaviour from the restaurant after customers leaving the premises</p>	<p>The noise levels use standard of the zone deals with ensuring that the noise generated on a site must not exceed a <i>time average A-weighted sound pressure level (LAeq) 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</i>. The definition of site in the planning scheme <i>means the lot or lots on which a use or development is located or proposed to be located</i>. Therefore, the planning scheme does not provide the means of addressing such behaviour and it is a matter to be addressed by the police.</p>
<p>Traffic on Charles Street and residential amenity</p>	<p>This section of Charles Street is typical of a mixed use area within walking distances of residences and on street parking opportunities. It is considered that this part of Charles Street operates well in terms of traffic primarily due to there being differences in demand at different times of the day. It should be noted that the residential zoning of the neighbouring area is inner residential. Zone purpose 11.1.1.1 states: <i>To provide for a variety of residential uses and dwelling types close to services and facilities in inner urban and historically established areas</i>. Therefore, living in an inner residential zoned area means that people live close to a range of uses so must expect that this may result in higher and more irregular traffic flows than a general residential or greenfield development.</p>
<p>Lack of on street parking</p>	<p>Council is well aware that Charles Street is an area that accommodates many uses that operate with parking deficiencies. The proposal has been assessed as complying with the performance criteria of Clause E6.5.1 (P1.1) which deals with whether or not a reasonable level of car parking is provided to service the use. Council's infrastructure department have raised no</p>

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

	<p>issues with the parking shortfall. Council is well aware that Charles Street is an area that accommodates many uses that operate with parking deficiencies. However, this encourages alternate forms of transport in a highly permeable walking environment in the surrounding area.</p>
<p>Parking along Wellington and Charles Street</p>	<p>The proposal has been assessed as complying with the performance criteria of Clause E6.5.1 (P1.1) which deals with whether or not a reasonable level of car parking is provided to service the use. The performance criteria of the clause provide an alternative route to achieve the objectives of the clause and provide a more subjective test which Council can approve or refuse after having regard to a number of factors. The objectives test (the number) provided by the Table of the use standard is abandoned once the application relies on the performance standard. The performance standard requires that a reasonable level of car parking can be provided. It is considered that this is the case. It appears that these concerns are more focused around issues to do with hospital staff parking, Eye Hospital and the Animal Medical Clinic on the street, as well as previous instances involving cars being parked on the street for long durations. The car parking discretion involves looking at a number of factors and not just the strip of land referred to in the representation (such as public transport, difference in demand and walkability). If people arrive in cars and cannot find a park on this strip they will go elsewhere or park further away in the surrounding area and walk (or find an alternative method of transport to the area). Council's infrastructure department have not raised any concerns with the proposal on parking grounds.</p>

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

Issue	Response
No background levels provided for noise levels	The applicant has provided a subsequent response which concludes that the materials the building is constructed of should not allow a breakout of patron noise.
The noise and odour report does not address the existing dwelling above the toy store	This issue came to Council's attention during the advertising period. The applicant has provided a response which concludes that nuisance from odour emissions from the grill, deep fryer and ventilation is unlikely to generate excessive nuisance.
The applicant has not described the previous use or operating hours of the site properly	A totally accurate description of the previous use is not considered to be a matter that is relevant to the assessment. The previous hours of operation are also not considered to be relevant as the current application has met the acceptable solution for operating hours.
On nights when the Sporties have promotional events, parking is scarce.	Promotional nights are popular with many businesses. This is not considered to be a factor bearing much weight to the overall parking demand in the locality.
Noise from the use, in particular the private dining room and booths.	<p>The noise report prepared for the applicant has primarily focused on the noise emissions potentially caused by the canopy ventilation system. It has deemed that the noise emissions would not exceed 40dBA which is a typical evening (6.00pm to 10.00pm) noise emissions limit for a green-field commercial/ industrial site in Tasmania. The Queensland State Governments, Department of Environment and Heritage Protection (2016) have produced guidelines for planning for noise control. In this guideline, the typical background noise level for a residential area on a busy road or near an commercial area was to be approximately:</p> <ul style="list-style-type: none"> • 50 - during the day; • 45 - during the evening; and • 40 - at night. <p>The results from the consultant's study have found that at the selected receptor locations</p>

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

	<p>that the dba levels will not exceed 30dba when measured from the adjoining property. Background levels were determined of a Tuesday night when background levels are low so that the maximum impact can be assessed.</p>
<p>Liquor licence query</p>	<p>The food services use is a permitted use in the zone. The serving of alcohol is subservient to this use. Most restaurants open in the evenings on Charles Street serve alcohol. The environmental consultant has found that the noise levels of the proposal will not exceed a tolerable level. Therefore the planning authority cannot and should not constrain a permitted use that has been found to meet the relevant use standards of the zone.</p>

The representors were forwarded a copy of the report and applicant's comments in response to the representations (both documents will form attachments to this report). Comments have been provided by two of the parties who are unable to attend the Council meeting. Their comments are attached.

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.

8.2 254 Charles Street, Launceston - Food Services - Restaurant; Change of Use; Signage ...(Cont'd)

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.

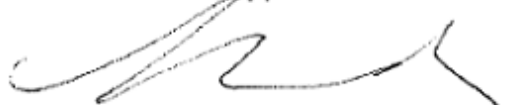
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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 Map (distributed electronically)
 2. Plans to be Endorsed (distributed electronically)
 3. Plans to be Amended (distributed electronically)
 4. Planning Report (distributed electronically)
 5. Noise and Odour Report (distributed electronically)
 6. Representations (distributed electronically)
 7. Environmental Noise and Odour Impact Assessment Addendum Report (distributed electronically)
 8. Applicant Response to Representations (distributed electronically)
 9. Additional Representor Comments (distributed electronically)
 10. TasWater - SPAN (distributed electronically)
-

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

Monday 5 February 2018

- Attended Farewell Reception for Professor Mike Calford at the Academy Gallery, School of Creative Arts, Inveresk Campus

Wednesday 7 February 2018

- Welcomed Baton Bearers for Queen's Baton Relay for the Gold Coast Commonwealth Games in the Civic Square
- Attended Launceston Church Grammar School's Commissioning of Mr Richard Ford, LCGS new Headmaster at St John's Church

Friday 9 February 2018

- Attended the New Horizon Club's Fundraiser at Boags Brewery

Sunday 11 February 2018

- Officiated at the Launceston International Tennis Singles Finals and luncheon at the Launceston Regional Tennis Centre
- Assisted with trophy presentations at the Henley Regatta at Royal Park

Tuesday 13 February 2018

- Attended the Launceston Alive 2018 Easter Vision Launch Breakfast for Christian Leaders at St John's Parish Centre
- Officiated at the launch of the Refugee Employment Pathways trial at the Northern Integrated Care Services

Friday 16 February 2018

- Attended the official opening of the Queen Victoria Museum and Art Gallery's new exhibition, Our Chinese Treasures: the Wong Collection at QVMAG
 - Attended Dinner to mark the opening of the Exhibition Our Chinese Treasures at MeWah Restaurant
-

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 12 February 2018 were:

- UTAS Update
 - Towards a Cultural Strategy for Launceston
 - Rural Living Zone Densities Project Briefing
 - Tamar River Open Space Zones Project Briefing
 - Industrial Zones Project Briefing
 - 2018 Workshop Planning
 - North Bank Naming Briefing
-

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

No Items have been identified as part of this Agenda

17 QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

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**21.1 2 Invermay Road - Transfer of Land to University of Tasmania****FILE NO:** 113640/SF2385/3364**AUTHOR:** Robert Holmes (Senior Property Advisor)**GENERAL MANAGER:** Michael Stretton (General Manager)

DECISION STATEMENT:

To confirm details of the transfer of land to the University of Tasmania at Inveresk. Such decision must be made by an absolute majority of Council.

PREVIOUS COUNCIL CONSIDERATION:

Council - 17 December 2012 - Agenda Item 5.1 - University of Tasmania Student Accommodation as the Inveresk Precinct

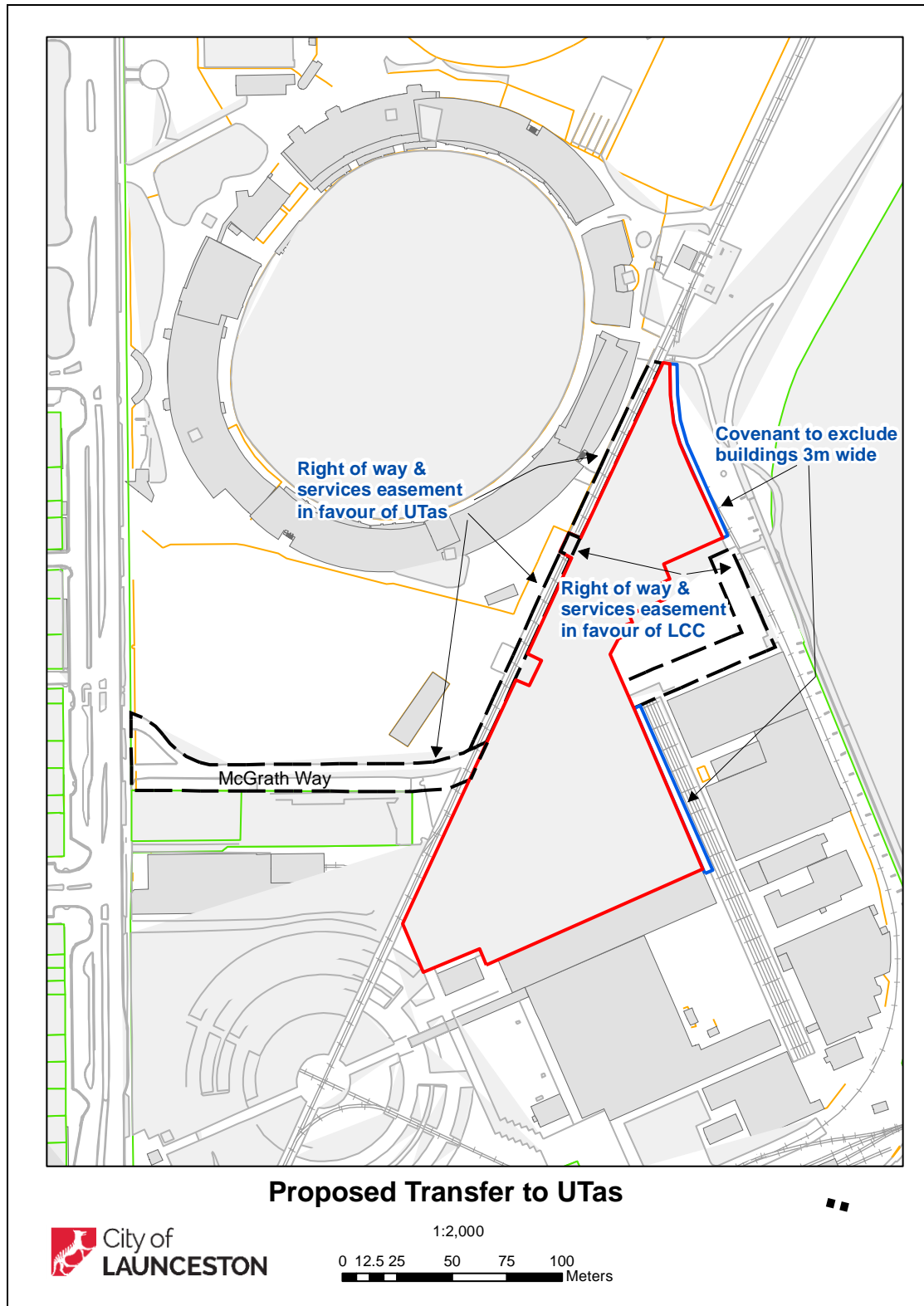
Council - 15 April 2013 - Agenda Item 19.1 - 2 Invermay Road - Transfer of Land to University of Tasmania

RECOMMENDATION(S):

That, Council:

1. in accordance with the requirements of Section 177 (2) of the *Local Government Act 1993*, notes the valuation advice presented in Closed Session of this Council Meeting; and
 2. authorises the transfer to the University of Tasmania for nominal consideration the areas of land outlined in red on the plan below together with the creation of the various rights of way, services easements and building exclusion covenants; and
 3. authorises the General Manager to enter into any Part 5 agreement required to facilitate approval of the subdivision and to protect Council's interests contained in the Memorandum of Understanding entered into with the University of Tasmania, and
 4. notes the proposal to name the section of the right of way that runs off Invermay Road beside the "old bike track lot". The proposed name is McGrath Way. The formal allocation of such name will be referred back to a future meeting of Council.
-

21.1 2 Invermay Road - Transfer of Land to University of Tasmania ...(Cont'd)



21.1 2 Invermay Road - Transfer of Land to University of Tasmania ...(Cont'd)

REPORT:

The decision of the Council Meeting held 17 December 2012 in relation to Agenda Item 5.1 was:

1. *That Council agree in principle to transfer for nominal consideration to the University of Tasmania (UTAS) freehold title to the land areas at Inveresk as indicated below and in Site Map 1 (Attachment 1) and Site Map 2 (Attachment 2), subject to the conditions detailed in 3, below:*
 - i. *Part of the Stone Building as indicated in the Site Map 1, ECM Document Number 2831519*
 - ii. *The Exhibition Building/School of Architecture as indicated in the Site Map 1, ECM Document Number 2831519*
 - iii. *Fine Furniture Building as indicated in the Site Map 1, ECM Document Number 2831519*
 - iv. *That portion of land for student accommodation as indicated in hatched form in Site Map 2, UTAS Inveresk Residences Site Plan, ECM Document Number 2832708.*

The plan forming part of this recommendation is generally in accord with the intent indicated by the plan contained in ECM document number 2832708. The recommendation is intended to clarify and refine some aspects of the plan including the creation of rights of way to ensure that both parties have the necessary access and the right to maintain existing infrastructure and or to install services to facilitate the forthcoming development.

It should be noted that the University of Tasmania (UTAS) developed the former rail buildings on the basis of there being a long term lease available at a nominal rental. The original leasehold arrangement resulted in existing services being shared between buildings occupied by Council and UTAS. Ordinarily a subdivision of this nature would require complete separation of services prior to the plan being sealed by Council. UTAS have suggested that separation of services should occur at the time of major development of the site and that Council's interests could be protected by way of UTAS entering into a Part 5 Agreement under the *Land Use Planning Approvals Act 1993*. In essence, the agreement will provide that UTAS is to meet the cost of installation of any new service required including remedial work to ensure that Council is not adversely affected by the change.

The nature of the existing development and sharing of services does create some technical challenges for the University in terms of achieving necessary compliance with subdivision requirements. In adopting the recommendation Council is not bound to determine any planning application relating to the land in any particular way. Council is bound as a matter of law to determine any planning application on its merits and in accordance with procedures specified in Part 3 Division 2A of the *Land Use Planning and Approval Act 1993*.

21.1 2 Invermay Road - Transfer of Land to University of Tasmania ...(Cont'd)

One other emerging issue is that the size of the Inveresk precinct site and the number of existing buildings currently presents some challenges in terms of addressing. This is because the whole site is simply known as 2 Invermay Road, Invermay. Numbers 4 and 6 Invermay Road are already allocated to properties that are not owned by Council. Number 10 Invermay Road is located on the corner of Forster Street. Allocating an additional alpha suffix (2a, 2b, 2c, 2d, etc) for the various buildings utilised by Council and UTAS is less than ideal. The current situation can be alleviated by allocating a name to the "right of way" next to the old bike track lot which will allow new addresses to be issued.

The name suggested is McGrath Way in association with the late Emeritus Professor Vincent McGrath who was Head of the School of Art and was instrumental in orchestrating the first part of the University Campus to move to the Inveresk site. The Vice-Chancellor's Division of the University of Tasmania has indicated support for the proposal to allocate this name to the right of way.

If Aldermen are content with the suggestion of McGrath Way the proposal will be circulated to adjoining municipalities with a further item to be presented to Council to formally approve the name.

ECONOMIC IMPACT:

Aldermen acknowledge that the decision will result in the transfer of an asset of significant value which will be offset by the economic return arising from Universities relocation to the Inveresk site.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 2 - A city where people choose to live

Ten-year goal - To promote Launceston as a unique place to live, work, study and play

21.1 2 Invermay Road - Transfer of Land to University of Tasmania ...(Cont'd)

Priority Area 6 - A city building its future

Ten-year goal - To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions

Key Direction -

1. To advocate and collaborate to address regionally significant infrastructure and transport solutions

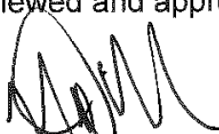
BUDGET & FINANCIAL ASPECTS:

The Northern Campus Inner City Project is expected to have a positive financial impact on the Council when completed.

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.



Michael Stretton: General Manager

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**23.2 Rate Debt Summary****23.3 Rate Debt 1****23.4 Rate Debt 2****23.5 Rate Debt 3****23.6 Rate Debt 4****23.7 Rate Debt 5****23.8 Rate Debt 6****23.9 Rate Debt 7****23.10 Rate Debt 8****23.11 Rate Debt 9****23.12 Rate Debt 10****23.13 Rate Debt 11****23.14 Rate Debt 12****23.15 2 Invermay Road - Transfer of Land to University of Tasmania**

RECOMMENDATION:

That, pursuant to the *Local Government (Meeting Procedures) Regulations 2015*, Council move into Closed Session to consider the following matters:

23.1 Confirmation of the Minutes

Regulation 34(6)

23.2 Rate Debt Summary

Regulation 15(2)(j) the personal hardship of any person who is resident in, or is a ratepayer in, the relevant municipal area.

23.3 - 23.14 - Rate Debt 1 - 12

Regulation 15(2)(j) the personal hardship of any person who is resident in, or is a ratepayer in, the relevant municipal area.

23.15 2 Invermay Road - Transfer of Land to University of Tasmania

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

24 MEETING CLOSURE

UNCLASSIFIED AGENDA ITEMS:
