

Planning Submission

254 Charles Street, Launceston

Food Services - Restaurant



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Appendix A – Certificate of Title

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Cover: Figure 1 Existing building

1. Introduction

This submission is prepared in support of an application for Food Services at 254 Charles Street, Launceston.

The property has recently been sold. The site has for many years been used to sell power tools.

The restaurant is to be called Kosaten and is an eat in Japanese Restaurant, featuring a mini bullet train servery, a private dining room and a self-serve take-away area. The operating hours are proposed to be 11am-3pm and 5pm till 10pm.

A Kosaten restaurant is operating at Salamanca. The trading pattern of this restaurant is a slow lunch period and a busier dinner period.

Metier Planning and Development have been engaged by Cumulus Studios and the owners of the land to make this application on their behalf. This development application is made pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993*.

2. Site Description

The subject site is contained in one parcel of land, Certificate of Title 29311/1. A copy of the title is provided at Appendix A of this submission.

The site is zoned Local Business. The subject site also listed as a heritage item by the Planning Scheme. The site is not included on the Tasmanian Heritage Register. On the western boundary of the site is a residential dwelling

At a Glance

Site: 254 Charles Street
Launceston

Proposal: Food Services –
Restaurant

Zone: Local Business

Overlay: Heritage

Use: Food Services -
Restaurant

Zone Provisions:

Relevant Code:

E6.0 Car Parking

E6.5.1 Car parking numbers
P1.1

E13.0 Heritage

E13.6.9 Wall materials P1

E13.6.13 Signage P2

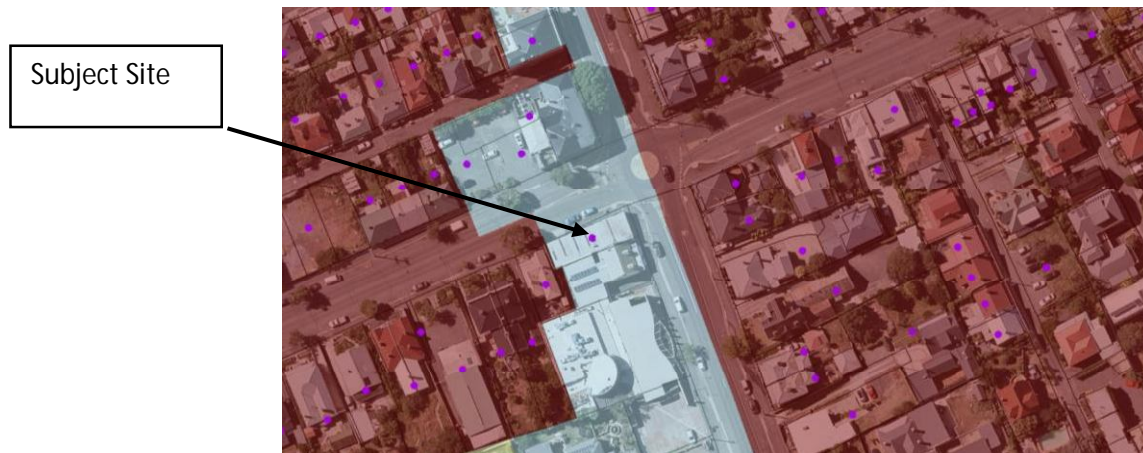


Figure 2: Zoning Map

The existing building fully occupies the site, hence no car parking provision is possible. This area of Charles Street is a vibrant dining area and a new restaurant operating at night will be great addition.

3. Proposal

The proposal is for the change of use from General Retail and Hire to Food Services - Restaurant. The proposed development includes:

- The internal modifications, removal of existing signage:
- Replacement of the Charles Street door and cladding the wall above the door extending to the parapet with timber, painted black;
- Replacement of the Balfour Street roller door with a sliding door of wood painted black;
- Two new signs affixed to the door on each elevation. Each sign has a diameter of .91m and an area of .66m²; and
- No provision of carparking.



Figure 3: Existing Charles Street Elevation

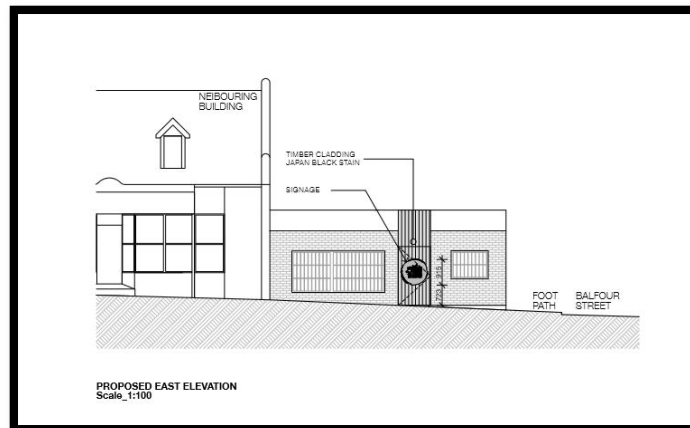


Figure 4: Proposed Charles Street Elevation



Figure 5: Existing Balfour Street Elevation

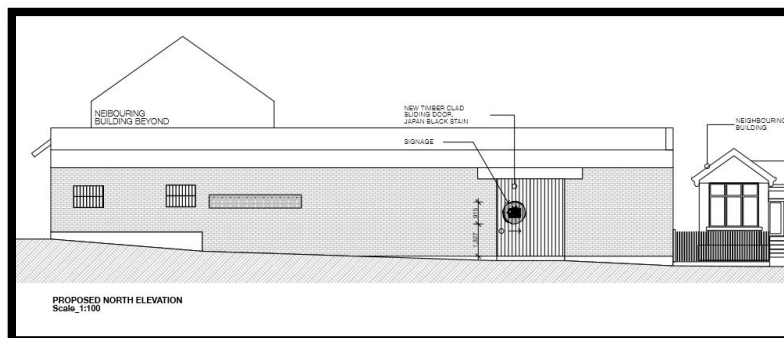


Figure 6: Proposed Balfour Street Elevation

Please refer to the site plan, floor plan and elevations prepared by Cumulus Studios contained in Appendix B.

4. Launceston Interim Planning Scheme 2015

The application is made in accordance with the provisions of the Scheme set out below:

20 Local Business

20.1 Zone Purpose

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.

Response

Food Services is a permitted use within the Local Business Zone. This area of Charles Street is known as a strip of cafes and restaurants, the proposal strengthens this character.

20.1.2 Local Area Objectives

There are no local area objectives

20.1.3 Desired Future Character Statements

There are no desired future character statements

20.2 Use Table

Food services is permitted.

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.		
Acceptable Solutions	Performance Criteria	Assessment
A1 Commercial vehicles must only operate between 6.00am and 10.00pm Monday to Friday and 7:00am to 5:00pm Saturday and Sunday	Not required for this application	The proposal complies with A1. No Commercial vehicles are associated with use. Delivery vehicles will not service the site until after 10am during the day and not after 3pm.
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.	Not required for this application	The proposal complies with A2. The site is adjacent to the Inner Residential Zone to the west. The operating hours are proposed to be 11am – 3pm, 5pm – 10pm 7 days per week. It is likely that the restaurant will not be open 7 days per week but customer demand will drive this.

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.		
Acceptable Solution	Performance Criteria	Assessment
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.	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;	The proposal complies with A1. Heating and cooling will be provided by a heat pump. The external compressor unit is of the same scale as a residential model. No external plant is required for the refrigeration units.

	<p>(c) the topography of the site;</p> <p>(d) the landscaping of the site; and</p> <p>(e) any mitigation measures proposed.</p>	<p>The vent for the extraction fan will be located on the boundary between the site and Windmill Toys, away from residential uses.</p>
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20.3.3 Light spill and illumination

<p>Objective: To ensure that light spill and levels of illumination from external lighting does not cause unreasonable loss of amenity to sensitive uses.</p>		
Acceptable Solution	Performance Criteria	Assessment
<p>A1 The use must:</p> <p>(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</p> <p>(b) contain direct light from external light sources within the boundaries of the site.</p>	<p>P1 Floodlighting or other external lighting used on the site must not cause an unreasonable loss of amenity to nearby sensitive uses, having regard to:</p> <p>(a) the number of light sources and their intensity;</p> <p>(b) the proximity of the proposed light sources to nearby sensitive uses;</p> <p>(c) the topography of the site;</p> <p>(d) the landscaping of the site;</p> <p>(e) the degree of screening between the light source and the sensitive uses; and</p> <p>(f) existing light sources nearby.</p>	<p>The proposal complies with A1. No flood lighting or direct lighting is proposed.</p> <p>It is also noted that the customer entry is located on Charles Street, the furthers distance away from the Balfour Street residential property.</p>

20.3.4 Noise levels

<p>Objective: To ensure that noise levels from uses do not unreasonably impact on the amenity of nearby sensitive uses.</p>		
Acceptable Solution	Performance Criteria	Assessment
<p>A1 Noise generated by a use on the site must:</p> <p>(a) not exceed a time average A-weighted sound pressure level (LAeq) of 5 dB(A) above background during operating hours when measured at the</p>	<p>P1 Noise levels generated by a use on the site must not unreasonably impact on the amenity of nearby sensitive uses, having regard to:</p> <p>(a) the nature and intensity of the use;</p>	<p>The proposal complies with A1.</p> <p>No major plant and equipment will be located outside.</p>

<p><i>boundary of an existing sensitive use adjoining or immediately opposite the site; or</i></p> <p><i>(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.</i></p>	<p><i>(b) the characteristics of the noise emitted;</i></p> <p><i>(c) background noise levels;</i></p> <p><i>(d) any mitigation measures proposed;</i></p> <p><i>(e) the topography of the site; and</i></p> <p><i>(f) the character of the surrounding area.</i></p>	<p>The area is subject to significant back ground noise from traffic and the operation of various businesses to the north of the subject site.</p>
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20.3.5 Retail impact

<p><i>Objective:</i> <i>To ensure that the economic, social and environmental impact of significant new retail use and development is consistent with the activity centre hierarchy.</i></p>		
Acceptable Solution	Performance Criteria	Assessment
<p>A1 <i>If for no permit required or permitted use class.</i></p>	<p>P1 <i>Uses must have acceptable impacts on the viability of the activity centre hierarchy, having regard to the extent that the proposed use:</i></p> <p><i>(a) improves and broadens the commercial or retail choice within the area;</i></p> <p><i>(b) improves the urban design outcome for an activity centre, including its amenity;</i></p> <p><i>(c) contributes to an attractive environment for pedestrians;</i></p> <p><i>(d) contributes to loss of investment, blight or disinvestment for a particular centre;</i></p> <p><i>(e) includes environmentally sustainable design principles; and</i></p> <p><i>(f) is accessible by public transport.</i></p>	<p>The proposal complies with A1. The use is permitted.</p>

20.4 Development Standards

20.4.1 *Building height, setbacks and siting* – Not applicable, no changes are proposed to the building height or setback.

20.4.2 *Location of car parking* – Not applicable, no carparking is possible.

20.4.3 Active ground floors

<p>Objective: To ensure that building facades promote and maintain high levels of pedestrian interaction and amenity.</p>		
Acceptable Solution	Performance Criteria	Assessment
<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;</p> <p>(b) not have security grilles or screens that obscure the ground floor facades to roads, malls, laneways or arcades;</p> <p>(c) not have mechanical plant or equipment, such as air conditioning units or heat pumps located on the facade; and</p> <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>P1 New buildings must be designed to maximise interaction between the use of the building and pedestrians, having regard to:</p> <p>(a) an adequate level of glazing, openness and transparency on the ground floor facades to roads, malls, laneways or arcades;</p> <p>(b) the potential for security grilles or screens to reduce the amenity of the building or reduce levels of interaction with the public;</p> <p>(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</p> <p>(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>	<p>A1 is not applicable.</p>
<p>A2 Alterations to ground floor facades of non-residential buildings must not:</p> <p>(a) reduce the level of glazing on a facade to a</p>	<p>P2 Alterations to ground floor facades of non-residential buildings must be designed to maximise interaction between the use of the</p>	<p>The proposal complies with A2. No modifications are proposed to existing glazing.</p>

<p>road, mall, laneway or arcade that is present prior to alterations;</p> <p>(b) have security grilles or screens that obscure the ground floor facade;</p> <p>(c) introduce new or additional mechanical plant or equipment such as air-conditioning units or heat pumps located on the façade; and</p> <p>(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>building and pedestrians, having regard to:</p> <p>(a) the level of glazing, openness and transparency on the ground floor facades to roads, malls, laneways or arcades;</p> <p>(b) the potential for security grilles or screens to reduce the amenity of the building or reduce levels of interaction with the public;</p> <p>(c) screening or obscuring all mechanical plant or equipment such as air conditioning units or heat pumps so as they are not recognisable or visible from ground level public view points; and</p> <p>(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>	
<p>A3 The building must:</p> <p>(a) provide a direct access for pedestrians from the road or publicly accessible areas; and</p> <p>(b) be orientated to face a road, mall, laneway or arcade, except where the development is not visible from these locations.</p>	<p>P3 Buildings must be clearly visible from the road or publicly accessible areas, having regard to:</p> <p>(a) safety and convenience of pedestrians; and</p> <p>(b) the existing streetscape.</p>	<p>The proposal complies with A3. The existing direct access to Charles Street will be retained.</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>P4 Garage doors should not be a visually dominant element in the streetscape and must be designed, having regard to:</p> <p>(a) the location of existing buildings on the site;</p> <p>(b) the existing streetscape; and</p>	<p>This AS is not applicable.</p>

	(c) <i>the design and locations of garages in the surrounding area.</i>	
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Codes

E1.0 Bushfire-Prone Areas Code – Not applicable

E2.0 Potentially Contaminated Land Code – Not applicable

E3.0 Landslide Code – Not applicable

E4.0 Road and Railway Assets Code – Not applicable

E5.0 Flood Prone Areas Code – Not applicable

E6.0 Parking and Sustainable Transport Code

Table 6.1 to the code requires 1 parking space per 15m² of gross floor area. The gross floor area of the building is 195m², therefore 13 carparking spaces should be provide. As the building takes up the entire site none can be provided.

Day time trade is expected to come from pedestrian traffic, most notably hospital workers. Car parking during the evening and night time is not as pressured in this area as day time. It is expected that issues with carparking will limit trade rather than place additional pressure on the area.

E6.5 Use Standards

E6.5.1 Car parking numbers

<i>Objective:</i> <i>To ensure that an appropriate level of car parking is provided to meet the needs of the use.</i>		
Acceptable Solution	Performance Criteria	Assessment
<p>A1 <i>The number of car parking spaces must:</i> <i>(a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or</i> <i>(b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or</i></p>	<p>P1.1 <i>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:</i> <i>(a) the availability of off-road public car parking spaces within reasonable walking distance;</i></p>	<p>The proposal is consistent with the Performance Criteria.</p> <p>Table E6.1 requires Food Services to provide 1 space per 15m² of gross floor area. The restaurant has a gross floor area of 195m². This amounts to 13 spaces. 90% is 12 spaces.</p>

<p>(c) <i>not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or</i></p> <p>(d) <i>be in accordance with an acceptable solution contained within a parking precinct plan.</i></p>	<p>(b) <i>the ability of multiple users to share spaces because of:</i></p> <p>(i) <i>variations in car parking demand over time; or</i></p> <p>(ii) <i>efficiencies gained by consolidation of car parking spaces;</i></p> <p>(c) <i>the availability and frequency of public transport within reasonable walking distance of the site;</i></p> <p>(d) <i>any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</i></p> <p>(e) <i>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;</i></p> <p>(f) <i>an assessment of the actual car parking demand determined in light of the nature of the use and development;</i></p> <p>(g) <i>the effect on streetscape; and</i></p> <p>(h) <i>the recommendations of any traffic impact assessment prepared for the proposal; or</i></p> <p>P1.2 <i>The number of car parking spaces for residential uses must be provided to meet the reasonable needs of the use, having regard to:</i></p> <p>(a) <i>the intensity of the use and car parking required;</i></p> <p>(b) <i>the size of the dwelling and the number of bedrooms; and</i></p> <p>(c) <i>the pattern of parking in the locality; or</i></p> <p>P1.3</p>	<p>None can be provided, as the existing building takes up the entire site.</p> <p>It is noted that none of the restaurants and cafes, with the exception of Sporties, provide carparking in this area. On- street carparking is controlled with the use of various time limitations. Whilst an on-street carpark may not always be available outside the business one wants to attend, a car space close by can always be found.</p> <p>Significant pedestrian traffic from the surrounding businesses, medical facilities and residences exist in the area. Day time trade is expected to come from pedestrian traffic, most notably hospital workers. Car parking during the evening and night time is not as pressured in this area as day time.</p>
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	<i>The number of car parking spaces complies with any relevant parking precinct plan.</i>	
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E7.0 Scenic Management Code – Not applicable

E8.0 Biodiversity Code – Not applicable

E9.0 Water Quality Code – Not applicable

E10.0 Open Space Code – Not applicable

E11.0 Environmental Impacts and Attenuation Code – Not applicable

E12.0 Airports Impact Management Code – Not applicable

E13.0 Local Historic Cultural Heritage Code

E13.1 Purpose of the Local Historic Cultural Heritage Code

E13.1.1

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.*

Response

The building itself does not appear to have any heritage values in its own right. It is understood that when heritage precincts were not included in the interim planning scheme that some properties within precincts were listed as heritage items in their own right.

The proposed alterations to the building are minimal and do not alter the structure of the building. The proposed use and development allows for the continued use of the existing building.

E13.5 Use Standards

E13.5.1 There are no use standards in this Code.

E13.6 Development Standards

E13.6.1 Demolition – Not applicable

E13.6.2 Maintenance and repair – Not applicable

E13.6.3 Lot size and dimensions and frontage – Not applicable

E13.6.4 Site coverage – Not applicable

E13.6.5 Height and bulk of buildings – Not applicable

E13.6.6 Site of buildings and structure – Not applicable

E13.6.7 Fences – Not applicable

E13.6.8 Roof form and materials – Not applicable

E13.6.9 Wall materials

<p><i>Objective:</i> To ensure that wall materials are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>		
Acceptable Solution	Performance Criteria	Assessment
<p>A1 No acceptable solution.</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: (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>	<p>The proposal is consistent with P1.</p> <p>A section of the wall above the door on the Charles Street elevation is proposed to be clad in timber. This section will not dominate the red brick façade but will enhance the legibility of the entrance.</p>

E13.6.10 Outbuildings and structures – Not applicable

E13.6.11 Driveways and parking – Not applicable

E13.6.12 Tree and vegetation removal – Not applicable

E13.6.13 Signage

<p><i>Objective:</i> To ensure that signage is compatible with the historic cultural heritage significance of local heritage places and their settings.</p>		
Acceptable Solutions	Performance Criteria	Assessment
<p>A1 No more than one sign, not greater than 0.2m²,</p>	<p>P1 New signs must be compatible with the historic</p>	<p>The proposal is consistent with P1.</p>

<p>identifying the use, heritage significance, and the name and occupation of the owners of the property.</p>	<p>cultural heritage of the local heritage 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 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. 	<p>Two signs are proposed.</p> <p>One on the Charles Street frontage and one on the Balfour Street frontage. One sign on each frontage is considered to be appropriate.</p> <p>Each sign is a circle with a diameter of 915mm, this is an area of .66m² each. The circle contains the name of the restaurant in Japanese characters and English. The writing will be black and the background is pink.</p> <p>The signs are located on doors and do not obscure any details of the building.</p>
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E14.0 Coastal Code – Not applicable

E15.0 Telecommunications Code – Not applicable

E16.0 Invermay/Inveresk Flood Inundation Area Code – Not applicable

E17.0 Cataract Gorge Management Area Code – Not applicable

E18.0 Signs Code – Not applicable, as Code 13.0 is applicable.

E19.0 Development Plan Code – Not applicable

5. Conclusion

The proposed development is a permitted use within the zone and demonstrates it meets the performance criteria of the planning scheme in relation to impact on sensitive uses, the provision of carparking and signage. The addition of the Kosaten Restaurant will add to the vibrancy of this part of Charles Street.



Appendix A: Certificate of Title



Appendix B: Site Plan & Elevations