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12.01.2017

The General Manager  
Launceston City Council  
St. John Street  
LAUNCESTON. 7250

E COPY TO 8 WHITE

Dear Sir/Madam

Re: DA0558/2017 Food Services - restaurant.  
254 Charles Street,  
Launceston. 7250.

I am writing to object, most strongly, to this proposal.

The area is already well served with eating facilities and is continually under stress from traffic congestion and parking problems plus anti-social behaviour, which will all be compounded by this development.

As the council is supposedly supportive of inner city living surely this development will be denied.

As a resident off Charles Street I am already subjected to seeing my property used as a litter bin, urinal and a vandalism target. Also I have to listen to foul mouthed, smoking persons at all hours of the night as they meander down the street after visiting the various facilities already available in the area.

As a responsible council surely you will deny the development no matter how much the applicant declares there will be no social problems - just ask the police about the increasing problems already in this part of the city.

Yours most sincerely

Mary Stary

MARY STARY

**From:** Annabel Richards  
**Sent:** 20 Jan 2018 23:09:05 +1100  
**To:** Contact Us  
**Subject:** DA0558/2017

In reference to Metier Planning and Development at 254 Charles Street Launceston we are concerned that the restaurant fans and/or food odours will affect the adjacent flat and shop at 256 Charles street. We are also concerned about possible damage to the party wall during alterations.

Please inform us as to what measures will be taken to mitigate both problems.

Kind regards  
R and A Richards

**From:** Ricky Young  
**Sent:** 12 Jan 2018 13:54:18 +1100  
**To:** Contact Us  
**Subject:** DA 0558/2017 - 254 Charles Street, Launceston Tas 7250

Below is a copy of a letter regarding DA 0558/2017 - 254 Charles Street, Launceston Tas 7250 which has been mailed to LCC General Manager today.

Regards,

Ricky Young

Ricky and Fiona Young

12 January 2018

General Manager  
Launceston City Council  
PO Box 396  
Launceston Tas 7250

Dear Sir,

**Re: Development Application DA 0558/2017  
254 Charles Street, Launceston Tas 7250**

We were notified by mail by way of a Notice of application for a Planning Permit for 254 Charles St on Friday 5 January 2018.

We have examined the Development Application as advertised on Launceston City Council (LCC) website and now refer to the Planning Submission prepared by Metier Planning & Development (Metier) dated 1 November 2017 and make the following comments and observations:

### **Section 1 Introduction**

*"The site has for many years been used to sell power tools"*

This statement is incorrect as we believe this business S & A Dawkins Power Tool Specialists (Dawkins) also repaired power tools and we understand that this was the main part of their business.

The Introduction also has not mentioned the fact that Dawkins operated Monday to Thursday 6.00am – 6.00pm and Friday 6.00 am – 12noon. We believe this to be extremely relevant when comparing these operating hours to the Kosaten’s proposed operating hours for the new restaurant. We had a good relationship with Dawkins and never had any issues.

## **Section 4 Launceston Interim Planning Scheme 2015**

### **20.3.2 Mechanical Plant and Equipment**

#### **Assessment states:**

*“The vent for the extraction fan will be located on the boundary between the site and Windmill Toys, away from Residential uses,”*

#### **Comment**

We understand that there is a flat in the loft of Windmill Toys building next door to Kosaten at 256 Charles St which may be impacted by the proposed vertical exhaust fan. We are unsure whether this flat is currently occupied but has been regularly in the past. The existence of this residence (flat) has not been shown in Taakari Engineering’s (TE) 254 Charles St environmental noise and odour impact assessment dated 21 December 2017 at either Figure 3 – Noise sensitive receiver locations and source location or Table 1 – Predicted noise emission levels.

This residence would be the closest to the proposed vertical exhaust fan.

#### **Codes E6.5.1**

##### **Assessment states:**

*“It is noted that none of the restaurants and cafes, with 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.”*

##### **Comment**

This statement is not factual.

Car parking in Balfour St between Charles St and Wellington St is challenging whether it be day or evening. We have have firsthand knowledge of the challenges faced by residents or their friends/family in finding a free car space, let alone visitors to other Charles St businesses including but not limited to The Eye Hospital, and Launceston General Hospital (LGH).

I met on site with LCC’s Nigel Coates – Engineering Officer Traffic on 11 April 2016 at 3.30pm to discuss the fact that four – six vehicles were being parked in Balfour Street between Ethel St and Charles St for several months without moving by a CBD businessman who is not a resident of Balfour Street.

Nigel Coates informed me that as the vehicles were all registered that there was nothing the LCC could legally do to address our concerns. This situation exacerbates the car parking issue for businesses and more importantly residents, their families and friends.

Currently there are four vehicles parked in Balfour St between Ethel St and Charles St which we believe belong to the CBD businessman previously mentioned. Three of the vehicles have been parked in the same position for at least seven months. One of the vehicles received an infringement notice from

Tasmanian Police just prior to Christmas for being unregistered which we believe has now been rectified.

Limited time parking in adjacent and surrounding streets, combined with demands for parking for working individuals and those wishing to access nearby businesses continues to increase parking demands in Balfour St. We have previously proposed implementing 2 hour limited time parking for all parking spaces in Balfour St between Charles St and Wellington St. We believe this would increase parking availability for customers of businesses, LGH visitors and also residents who are entitled to access residential parking permits. We met with LCC's Nigel Coates – Engineering Officer Traffic on 8 November 2012 at 12.30pm to discuss this issue and others. This was not supported by LCC although precedence has been set in surrounding streets. LCC did however implement four 2 hour parking spaces adjacent to the Sporties Hotel (Sporties) (one of these car parking spaces has since been removed and a yellow no parking line installed for safety reasons for vehicles leaving Sporties carpark I assume).

There are approximately four - six residences in Balfour St between Wellington St and Charles St who do not have driveways of which we are one of them.

Contrary to the comment from Metier, a vacant car space cannot be always found close by and this can be demonstrated when I return from work some afternoons around 4.30pm and have to drive around the block a number of times prior to locating a vacant car space or have to park on Wellington St which is extremely frustrating.

All available car spaces are taken by 6.45am Monday – Friday and consist of mainly Eye Hospital, Animal Medical Clinic and LGH employees who in the main, park their cars and do not remove them for eight - nine hours.

Also Sporties has continuing problems with customers of other Charles St businesses including but not limited to The Eye Hospital and LGH parking in their small carpark when not being customers and effectively trespassing.

We note that Table E6.1 of application requires Food Services to provide 1 space per 15m<sup>2</sup> of gross floor space of 195m<sup>2</sup>. This amounts to thirteen car parking spaces, and 90% is twelve spaces, and this cannot be achieved as the existing building occupies the entire site.

#### **Assessment States**

*“Car parking during the evening and night time is not as pressured in this area as in day time.”*

#### **Comment**

This statement by Metier is incorrect, particularly in summer. On Monday evenings Sporties has \$15 Parma and Pint night. After 6.00pm there is not a parking space available in Balfour St between Charles St and Wellington St. This same situation applies on Thursday, Friday and Saturday evenings.

The removal of angle parking by LCC in Frankland St some years ago has also decreased available parking in adjoining streets and has also put pressure on car parking in Balfour St.

#### **Table A**

#### **Car parking arrangements in Balfour Street between Wellington St and Charles St**

<b>Northern Side of Balfour Street between Ethel St and Wellington Street</b>
9 parking spots – Area F – 2 Hours parking limit Mon – Fri between 8.00am – 6.00pm
<b>Northern Side of Balfour St between Ethel St and Charles St</b>
3 parking spots – 2 hours between 8.00am – 6.00pm (adjacent to Sporties)
2 parking spots – 15 minutes parking limit between 7.30am – 5.30pm
8 parking spaces untimed
<b>Southern Side of Balfour Street between Charles Street</b>
2 parking spots – 15 minutes parking limit Mon – Fri between 8.00am – 6.00pm ( <b>adjacent to Kosaten</b> )
14 parking spaces untimed
<b>Total Parking spots between Wellington St and Charles St</b>
3 parking spots – 2 hours parking limit Mon - Fri between 8.00am – 6.00pm
4 parking spots – 15 minutes parking limit between 8.00am – 6.00pm
9 parking spots – Area F – 2 Hours parking limit between 8.00am – 6.00pm
22 parking spaces untimed
<b>38 Total available parking spots</b>

We do not believe the Acceptable Solution and Performance Criteria regarding car parking in Balfour St in particular have been met satisfactorily.

## Noise

One of our biggest concerns with this Development Application is with the positioning of the Private Dining Room and Booths located at the rear of the premises.

We note that there are at least 15 seats shown in the plan of the Private Dining Room and Booths are very close to the Kosaten's west boundary wall.

We assume that the Private Dining Room will host birthday parties, anniversaries *inter alia*.

We note that a Liquor Licence has not been applied for as at 8 January 2018 (reference <http://www.treasury.tas.gov.au/liquor-and-gaming/about-us/commissioner-for-licensing/applications-with-commissioner>) but we also note that Kosaten's Hobart restaurant in Battery Point has a Liquor Licence and serves alcohol.

We believe if a Liquor Licence was applied for and granted to Kosaten this would no doubt increase noise levels. Although this may not be a requirement to disclose this in the Development Application we believe it should have been disclosed as we believe it is very relevant.

There is already significant noise generated by Sporties particularly on Friday and Saturday nights and particularly when they have music/bands playing or hold functions. The Sporties marquee which is basically a piece of canvas has no sound proofing and particularly in summer when the marquee door is left open and marquee window flaps are up significant noise is generated impacting on our health and wellbeing. Combine this noise with any significant noise made by the proposed development and it will further negatively impact residents' health and wellbeing.

## Note:

TE Environmental Noise and Odour Impact Assessment dated 21 December 2017 mentions background noise but no background measurements appear to have been performed (predicated data is given for the final facility but no baseline). If the noise levels are now elevated during the proposed operating times as detailed by the applicant then there may well be exceedances should the application go to operation. The Environmental Noise and Odour Impact Assessment also does not appear to take into account any site rehabilitation and potential environmental emissions that may result including noise during the re-fabrication period.

We believe significant sound proofing of the internal South West, West and North West internal wall would be an essential non-negotiable part of this development.

Also the potential of customers congregating in groups and talking or skylarking in Balfour St after getting takeaways or dining in Kosaten restaurant is of concern to us also. We already have similar issues with customers of Sporties mainly on Friday and Saturday evenings when leaving the hotel via the marquee between 9.00pm and 12 midnight and sometimes later.

### **Summary**

We have no objection in principle with the Kosaten development but have significant concerns regarding the impact on resident car parking and noise.

We would also like further information on:

- whether a liquor licence will be applied for by Kosaten
- management of fish and other food waste storage and disposal
- management of vermin and flies
- management of parking for tradespeople's work vehicles during the development if approved by LCC

We are relaxed with the opening hours proposed in 20.3.1 Operation hours A2 of 11.00am – 3.00pm and 5.00pm to 10.00pm 6 days per week but ideally would prefer Kosaten did not open on Sunday evenings if DA is successful.

Yours faithfully,

Ricky Young and  
Fiona Young