

To Launceston City Council and Luke Rogers,

This letter in response to the 4 representations that have been made to object our proposed Tattoo Studio (DA0570/2018) 50 Bathurst Street, Launceston, Tasmania 7250.

The majority of the objections have been negative preconceptions regarding the apparent “taboo of a tattoo studio”. We understand and are quite aware of the negative outlooks that tattoo studios have unfortunately attracted in the past. Not only are we aware, we understand as we are constantly judged, scrutinised and discriminated against unfairly because we choose to have artwork on our bodies. Tattoos have come a long way in the last couple of decades as they are becoming a lot more socially acceptable these days. More people are tattooed than you know. Not everyone that chooses to be tattooed has an alcohol/drug problem, is a part of a motorcycle club or has a history of criminal activity. People from all walks of life choose to get tattooed for a variety of reasons. Some of the reasons we receive clients include memorialising a loved one, celebrating a memory or just generally loving a piece of artwork that one of our tattoo artists has created. I’m sure you all know a friend or even a family member that has a tattoo and we would like to think that the majority of them are socially acceptable members of the public and like us are taxpayers as well.

However we would like to dispute the apparent “taboo” of tattoo studios and the negative preconceptions. Whether made by past experiences and/or what society “understands” due to what the media and social platforms choose to broadcast or depict, most of which is generally in a negative manner. Unfortunately, it seems as though this is perhaps a very classic case of “judging a book by its cover”. In addition, I would like to add that these negative outlooks and “taboo” preconceptions are a form of social origin discrimination that come under the Australian Human Rights Commission Act 1986 and read as follows;

“Discrimination on the basis of race, colour, sex, religion, political opinion, national extraction, social origin, age, medical record, criminal record, marital or relationship status, impairment, mental, intellectual or psychiatric disability, physical disability, nationality, sexual orientation, and trade union activity.” “Social origin includes social class, socio-occupational category and caste. Social origin may not be used to deny certain groups of people access to various categories of jobs or limit them to certain types of activities.

A caste is a hereditary social group, consisting of people who generally marry within that group, and who have customs or conventions which distinguish it from other such groups. Social origin includes factors other than country of birth. It refers to elements that a person adopts from the surrounding culture. These include, but are not limited to, language or mother tongue/s, life cycle customs such as initiation into a religious community, affirmation of adulthood, and such things as diverse as dress and diet. What determines social origin is not merely self-defined, but also depends upon the way in which a person is recognised by the dominant or majority group in the community in which that person socialises, lives or works. Consequently a person may have one social origin in one circumstance and a different one in another.”

All of the representations have the preconceived understanding that having a tattoo studio in the immediate area will impact negatively on the community, because of and I state, “bikers, alcohol, criminal activity and drug use” often associated with tattoo studio/industry. I’d like to address all of these concerns separately. No tattoo artist in our establishment will tattoo any persons under the age of 18 as stated by law. All clients will have to provide a government issued valid photo ID as well as their completed consent form prior to being tattooed. All piercings will require the same identification and consent checks as stated above. Minors that are under the age of 18 that are wishing to be pierced will also be asked to provide a valid ID and in addition are required to have a parent/guardian accompanying them as we require that the said parent/guardian fill out the consent form on the minors behalf. As stated on the Launceston City Council website, the tattoo studio also will have to comply with the Public Health Act 1997. As stated in our proposal we fully intend to comply with this act.

“Licensing” The Director of Public Health under Public Health Act 1997 requires both the premises where tattooing is conducted and each individual tattooist to be licensed.

“Premises Licence” An application for Licence To Carry Out a Public Health Risk Activity is to be submitted to City of Launceston at least 14 days before the proposed start date of operation.

“Smoking” In regards to the concern of smoking we are aware of the Tasmanian legislation on public smoking and we will be enforcing this and complying as stated previously by complying with the “Public Health Act 1997”.

15.7.7 Tasmanian Legislation

In Tasmania all indoor public places and workplaces must be smoke free under the Public Health Act 1997

(Tas). The smoke free legislation was extended to include all licensed premises from 1 January 2006. Further restrictions apply to serviced outdoor areas of licensed premises, entry points to public buildings and outdoor dining areas. Tasmania, the Australian Capital Territory and South Australia are the only Australian jurisdictions to have completely banned smoking within all enclosed areas of casinos. Other states and territories provide exemptions from indoor smoking bans for high-roller rooms.

The following areas must be smoke free in Tasmania:

- enclosed public places and enclosed public workplaces
- outdoor dining areas (including within three metres of an outdoor dining area, unless the area is surrounded by an impervious screen or barrier which is at least 2.1 metres high)
- outdoor areas of licensed premises such as bars, clubs and nightclubs except for designated 'outdoor smoking areas' (discussed further below)
- any area not within private premises that has been designated by the occupier as a smoke free area
- public swimming pools

- between the flags at patrolled beaches
- within 10 metres of play equipment at a children's playground located in a public place
- within three metres of an entrance or exit from a non-domestic or multiple-use building (exceptions to the three metre rule apply to some outdoor smoking areas and outdoor dining areas)
- within 10 metres of any air intake for ventilation equipment in a non-domestic or multiple-use building
- a public street declared by regulation to be a 'bus mall'
- within three metres of a bus shelter
- a public street declared by regulation to be a 'pedestrian mall'
- work vehicles while being used during the course of employment if another person is present.

Our business has a designated smoking area which is situated outside, in the back, where no one can be seen by the public. This will also include the tenant that is situated upstairs, clients/customers and employees. Smoking in the building is STRICTLY PROHIBITED and we intend to keep it that way for the health, safety and wellbeing of not only ourselves but also our clientele. This will be signed also within our business.

"Drug Use"

The perceived notion of drug use being a possibility at our proposed establishment is something we strongly disagree against. As stated previously in the paragraph about alcohol, we have a ZERO TOLERANCE of drug use and any client exhibiting symptoms of drug use will be asked to leave the premises. Our artists do not tattoo clients under the influence of drugs and this is also the case with our piercer. Not only that but we have a ZERO TOLERANCE of drug use with our employees as well. It will be stated in our employee contracts that there is ZERO TOLERANCE for drug usage and at any given time we can conduct a drug test. If said employee does not comply with our contract that employee will be terminated and asked to leave the premises IMMEDIATELY. Our business does not condone the use of drug use and or alcohol consumption. This will be signed throughout our business.

"Bikers and Criminal Activity"

Another preconception that has been brought forward is the concerned safety of the general public and tenants due to possible "bikers/motorcycle clubs and associated criminal activity". None of the business owners and/or employees are affiliated with any motorcycle clubs. Also for insurance reasons we are required to sign a waiver/document/declaration stating that we have no affiliations with motorcycle clubs. The insurance company that insures tattoo studios in Tasmania has a legal requirement that we have no association/affiliation with any social motorcycle clubs in Australia. Also in the artist/piercer contracts it is statutory to sign a declaration that states that they ARE NOT associated/affiliated with any social motorcycle club in Australia as we have certain "house rules" and regulations ourselves. Our rules and regulations are set to go above and beyond the basic tattoo studio requirements as we like to maintain a high standard of health and safety for everyone in the

community. We have a ZERO TOLERANCE policy on any criminal activity and it WILL NOT be tolerated in and around our premises or immediate surroundings/community. Any criminal activity will be reported to the police.

“Parking”

The allocated parking spot in the back of the property will be for the tenant upstairs. We will be directing our customers to an area where suitable parking is situated. We do not wish to use any of the tenant parking personally and would advise our customers to also comply with this. As stated below, the Bathurst street car park has plenty of public car parking availability. To my belief, the Bathurst street car park is also a council owned car park and in turn our business will help pour more money into our local council to help the community. The majority of the artists use public transport as a means to get to work as they live locally. There is more than enough parking available in the immediate area, to accommodate our business, clients and surrounding tenants. Not only that but tattoos are generally a high priced piece of artwork. If clients are willing to pay for a tattoo that's worth a couple of hundred of dollars then I'm confident that four dollars for parking isn't going to be an issue.

Bathurst Street 36-42 Bathurst Street, Launceston

\$2.00 per two hours

\$4.00 per day

Monday to Friday from 8am to 5.30pm;

Saturday from 8am to 4pm

FREE parking: Sunday

Parking spaces: 250 public, 2 accessible, 25 private bays and two motorbike bays

“Other Businesses”

In relation to having a sense of community amongst the surrounding tenants, by saying that a tattoo studio would tarnish your sense of community is yet again another form of social origin discrimination. Everyone wants to belong to a community or group/network of people and we are more than willing to help expand the current community and be a part of that. We believe that holding negative preconceptions of our proposed tattoo studio and of the industry/business in general, doesn't seem very communal at all. Talking about having “community loyalty and neighbourhood positivity” with the objections made in regards to our proposed business seems very contradictory, especially when we have such great ideas in store that would benefit the community. We have plans of doing flash day sales where money will be raised for charities and various other fundraising to help stop the preconceived ideas and “taboos” that the tattoo industry can't shake. By harbouring a negative outlook, we aren't given a chance to be a part of the said “neighbourhood positivity”, even though we wish to be a part of the community and do positive things for the community as well.

The type of business a tattoo studio is, is considered a retail business in the terms of the council and doesn't have to be in an industrial area. Our business does provide another retail aspects apart from

the artwork and piercings themselves; such as clothing, aftercare products, music, future event tickets and body jewellery. In the Launceston CBD there are 4 tattoo studios currently operating not including our proposed business. Some businesses forget to shut down their websites and are still found online.

The last business that operated out of 50 Bathurst Street, Recycled Relix, was actually an illegally run business as they did not have the proper documentation and/or permits to run a legal retail business. We are proposing and providing all the correct documentation/planning /permits/environment health guidelines that are required by the council and law to start a legal tattoo studio/business. We are trying to do everything legally and comply with all acts and legislations that come with our proposed business.

In regards to the family day care business that's run from inside a neighbouring tenant; We as the business owners and also all of our employees are parents ourselves. When reading about

the small and neighbouring business we were all delighted and surprised at how close possible childcare could be to our business for ourselves and our employees. Ourselves and employees all vary as well, as stated in a previous statement. We range from older citizens, to young, to working people, to young families with small children too. As well as our clients/customers. The perceptions that have arisen about the negative impact on the community, the neighbouring childcare business and neighbourhood school children is preposterous. We as a family owned, small, hopefully soon to business care and seek safety for all members of the community, especially young children.

Another of the concerns voiced by various representatives states that there could be loss and/or lack of business because of our proposed business as well as loss of potential tourists seeking nearby accommodation. With the said loss of business being a concern, I ask, "How?". Is it perhaps that the representatives believe this because of the negative preconceptions, the "taboo" and general lack of knowledge from the general public about this particular industry? There is already a potential loss of business by having a negative outlook on the proposal. Including a potential loss from our business, as we are all parents ourselves and so are all of our employees. Our business will generate foot traffic which we believe will, in turn, gain more advertising and/or potential business for surrounding businesses.

As for potential tourists not feeling safe because of our tattoo studio, a large majority of tattoo studios have their own fair share of tourists seeking tattoos as a memento to their travels as a way of preserving memories from said travel. "Business Hours" Finally, I'd like to address the trading hours of our proposed business as they were already put forth to the council via our planning documentation and permit paperwork. We have set trading hours through the working week and are as follows.

Monday – CLOSED

Tuesday – 10am – 5pm

Wednesday 10am – 5pm

Thursday 10am – 8pm

Fridays 10m – 8pm

Saturday 10am – 5pm

Sunday – CLOSED

The late night trading hours on Thursday and Friday between the hours 5pm and 8pm will be open only by appointment and NOT for “walk ins” from the general public. The reason behind this is because not all of our clients are able to come between the general trading hours due to work or travelling to get tattooed by a particular artist. There will be no outside lighting or neon lighting as stated in the council cover letter. There will be no additional signage added either as the original signs that are on the building will be used/recycled for our business. There will be no offensive language signed in/or outside of the business.

In summary, we would like you to all please reconsider your objections against our potential tattoo studio, 50 Bathurst Street, Launceston, Tasmania 7250 (DA0570/2018). We, like many others, are trying to follow our dreams of being a small business owner in an industry we love.

We will strive to pave the way for a different outlook rather than the one society has on this very misunderstood industry. Not only that but to provide a future for our children and grandchildren to come.

Thank you all for your time and concerns on the application of tattoo studio, 50 Bathurst Street, Launceston, Tasmania 7250 (DA0570/2018) we look forward to meeting with you all on 22nd November 2018.

Regards,

Adam Perri and Romany Sharman.