

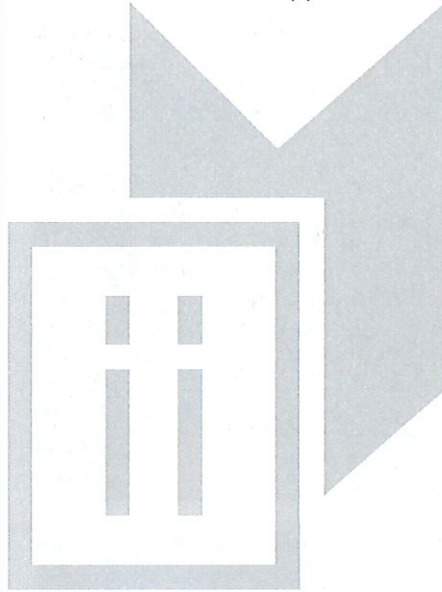
Summary of principle objections:

- 23 Objections primarily based on Height and to a lesser extent Traffic & Seismic issues
- 3 Objections only based on Seismic Risk
- 1 Objection based solely on Lack of Advertising Time
- 3 Supporting letters based on Tourism & Aesthetics
- Many of the representations were duplicate proforma letters as follows:
 - o 1 representation x 2
 - o 1 representation x 4
- Further, 4 of the representations simply listed non compliance with Clause 15.4.1 P1 as the only issue.

Issue	Response
<p><i>Height/Character -</i> Fails to comply with Clause 15.4.1 P1</p>	<p>A very detailed response to each matter to be considered under Clause 15.4.1 P1 is provided on pages 51-63 of the GHD Planning Report accompanying the application. This response seeks to demonstrate that the proposal complies with Clause 15.4.1 P1 with the use of renders from a number of key vantage points, an assessment undertaken by a Landscape Architect, and responses by experienced planners to each of the performance criteria.</p>
<p>Hotel is a stunning concept but totally out of character with the area and will detract from the natural backdrop of the Gorge. Use of glass and concrete as building materials is out of character with the surrounds</p>	<p>The planning assessment report provides extensive assessment of the surrounding streetscape and character in relation to the height of the building (pgs 51-55) and again on pages 64-67 in relation to setbacks.</p>
<p>The height will block views from the City over Kings Park, Stillwater, Penny Royal, the bridges and cliffs surrounding the Gorge.</p>	<p>Firstly, it is noted that the matters to be considered under Clause 15.4.1, P1 in determining an appropriate discretion on height do not include the consideration and/or retention of views from any vantage points.</p> <p>However, given the proposed height, the proponents engaged GHD to undertake a Landscape and Visual Impact Assessment which looked at the impact of views from 15 locations around the City. A summary of findings is provided at pages 26-30 of the GHD Planning Report and a full copy of the LVIA report is included as Appendix I to the Planning Report.</p>
<p>A three-storey building would be appropriate for the site</p>	<p>The construct of the current Planning Scheme is such that a building up to 12 metres is permitted and beyond that any height is to be considered under a discretionary application. As stated in the material accompanying the application, the subject site is ideally situated to be developed with a tall building given its low elevation and relatively disparate surrounding streetscape. The</p>

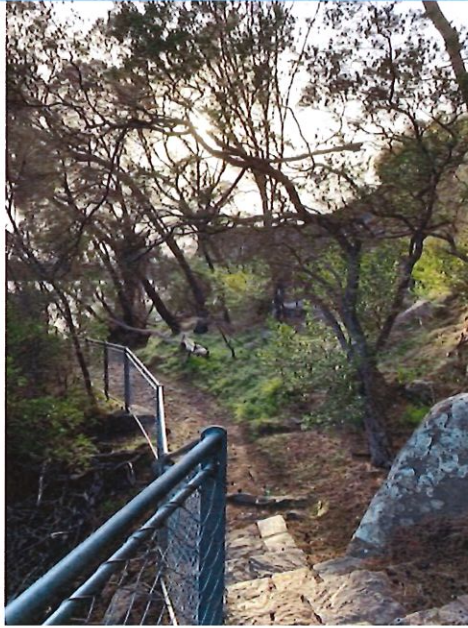
	<p>podium level has been designed to be consistent with the height of the surrounding buildings.</p>
<p>Impact of overshadowing of the building. Specific reference to overshadowing impacts to Margaret and Middle Streets. Reference to number of hours properties in Middle Street have access to sunlight for.</p>	<p>The impact of overshadowing is addressed on pages 61 -63 of the GHD planning report and detailed plans are provided as Appendix G to that report.</p> <p>The criteria under P1 of Clause 15.4.1 in respect of overshadowing does not include any reference to the number of hours of sunlight it is appropriate for a property to receive. However, the provisions under the General Residential Zone, within which most of the residential properties to the south impacted by overshadowing from the proposed hotel are located, require a minimum of 3 hours of sunlight both to windows and private open space. Hence this figure was used in the assessment of overshadowing as being an appropriate base case. The three hours is a permitted amount with the ability to reduce being afforded as a discretion.</p> <p>It is further noted that the permitted standard for impacts to private open space for dwellings under Clause 15.4.7 (not applicable to this DA) provide some reference in terms of a minimum of 4 hours on 21 June being permissible. There is the ability to vary that provision as a discretion and it is conceivable that variation of an hour would be allowable/appropriate noting that many of these properties that will be impacted are already overshadowed at some point during the day.</p> <p>Any shadows cast by the podium alone cannot be considered discretionary as it is within the 12m height permitted height limit under the Planning Scheme. The setback of the tower from the boundaries reduces its impacts in terms of overshadowing.</p>
<p>The scale height and proximity of the hotel will negatively impact on the Gorge</p>	<p>It is noted that the Cataract Gorge Management Area Code does not apply to the application.</p> <p>The Landscape and visual impact assessment prepared by GHD has demonstrated that the hotel would not inhibit views of the Gorge from the viewpoints that were assessed. This included three 'Prime viewpoints' as identified in the Cataract Gorge Management Area, namely:</p> <ul style="list-style-type: none"> • Viewpoint 3 – Kings Bridge • Viewpoint 8 – Tamar Yacht Club • Viewpoint 11 – Cimitiere St <p>Other viewpoints also demonstrated that views toward the Gorge would not be impacted, including:</p> <ul style="list-style-type: none"> • Viewpoint 6 – Paterson Street • Viewpoint 7 – Kings Park • Viewpoint 9 – Home Point Cruise Terminal • Viewpoint 10– Kings Wharf Road • Viewpoint 12– Windmill Hill Reserve <p>Further, it is submitted that the hotel will not impede views into the Gorge from any entry locations. For people travelling north along Margaret Street there is currently no view of the Gorge entry and for people travelling west along Paterson Street, the</p>

setback of the tower means there will be no impact of views into the Gorge. In fact, the greatest impediment of views into the Gorge is the Paterson Street bridge as shown in the image below which is taken opposite Stillwater:

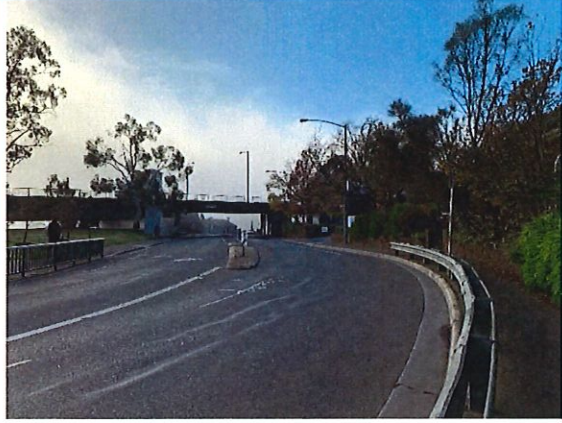


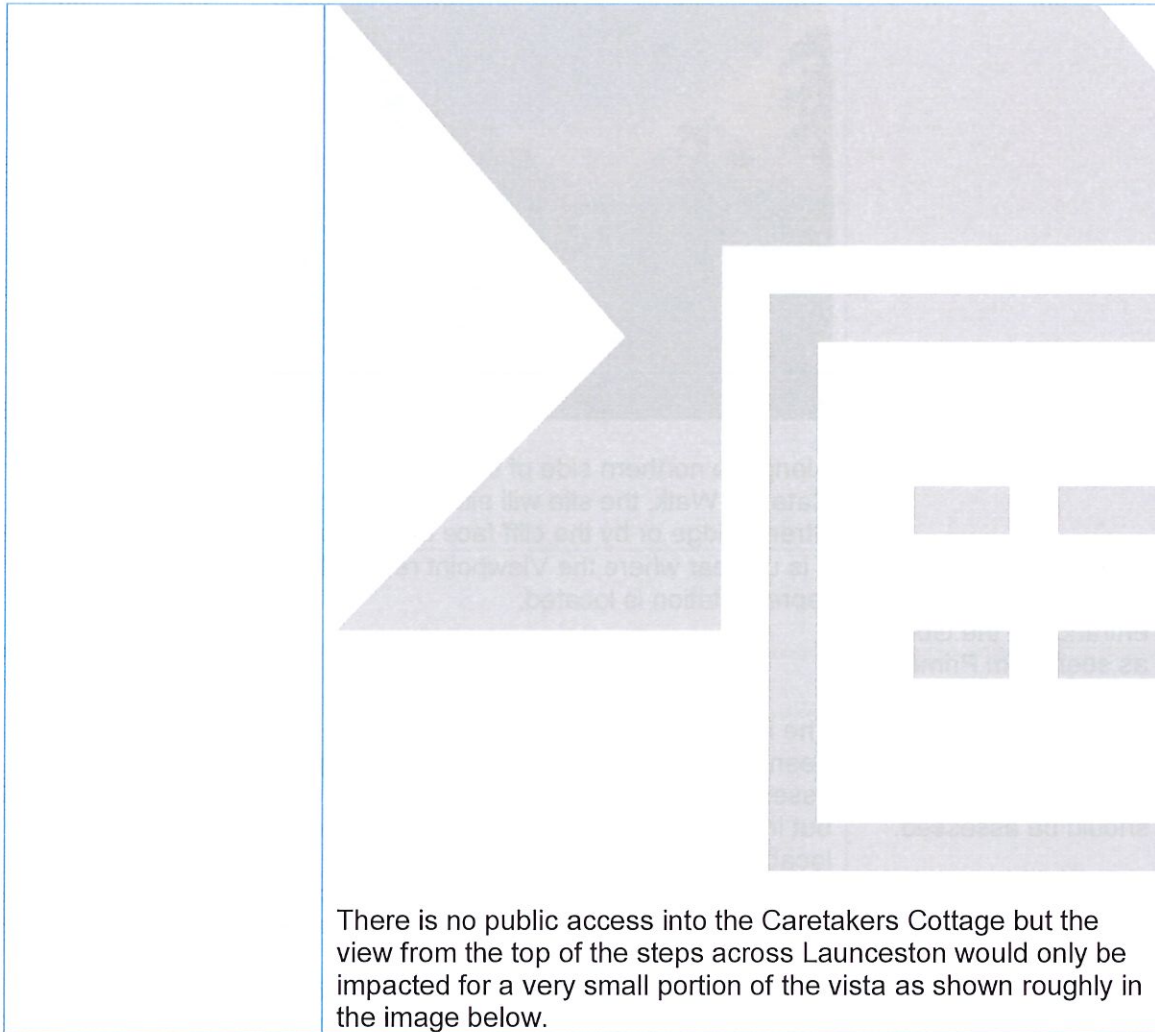
There are currently no views of the subject site from within the First Basin and surrounds and the elevation of the cliff along the southern side of the South Esk River is such that even the top of the tower will not be visible from within the First Basin (i.e the maximum elevation is 115m AHD at the line of sight through to the subject site whilst the proposed hotel will have a maximum height of 41.6m AHD).

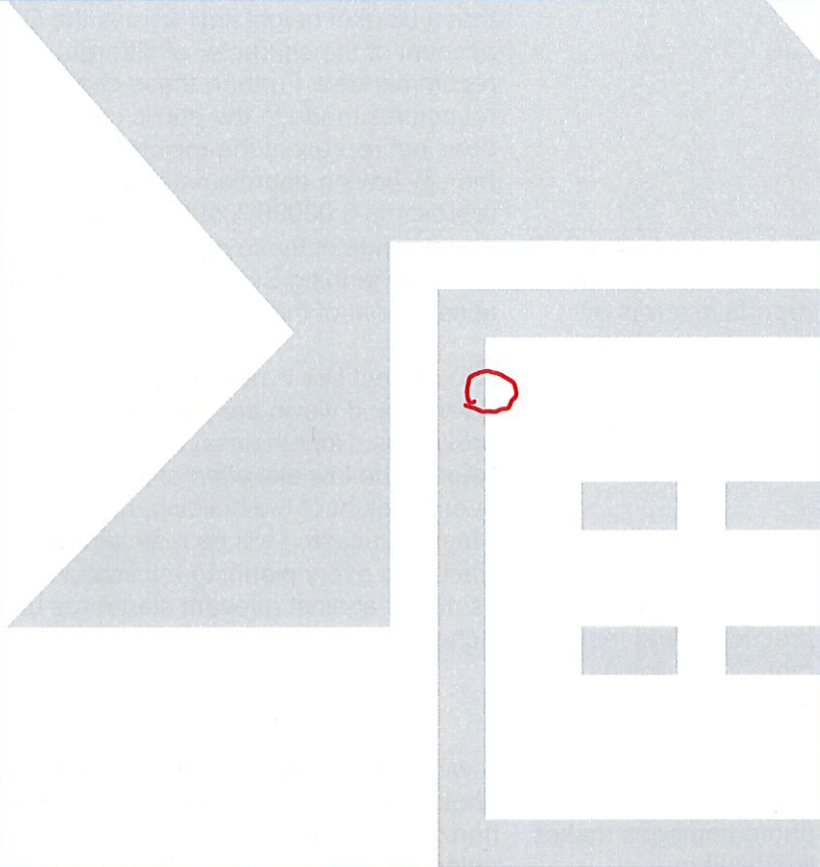
The Hotel will not be visible for pedestrians walking along the zig zag track. Both the existence of vegetation and the elevation of the cliff face is such that there is no line of sight through to the subject site as demonstrated by the images below:



Even at road level, the view of the site from the base of the zig zag track is obscured by the Paterson Street Bridge as shown in the image below:

	 <p data-bbox="539 678 1342 772">Along the northern side of the South Esk River along the Cataract Walk, the site will either be obscured by the Paterson Street bridge or by the cliff face on the southern side of the river</p>
<p data-bbox="220 779 513 936">The hotel will dwarf the natural and simple entrance to the Gorge as seen from Prime Viewpoint R</p>	<p data-bbox="539 779 1241 842">It is unclear where the Viewpoint referred to as 'R' in the representation is located.</p>
<p data-bbox="220 943 513 1070">The impact on the Prime Viewpoint at the end of Park Street should be assessed.</p>	<p data-bbox="539 943 1342 1099">The impact of the Prime Viewpoint at the end of Park Street has been assessed in the LVIA (refer to viewpoint 8 in that assessment – pg 57). It is assessed as having a medium impact but importantly will not impact any views of the Gorge from that location.</p>
<p data-bbox="220 1106 513 1234">Views of Launceston from Gorge Caretakers Cottage will be blocked</p>	<p data-bbox="539 1106 1342 1169">The view from the Caretakers Cottage across Launceston is not a view protected under the Planning Scheme.</p> <p data-bbox="539 1200 1334 1294">In any case, the view across the City from the public walkway below the Caretakers Cottage is largely obscured by Kings and Paterson Bridges (refer image below).</p>



	
<p>The Reimagining the Cataract Gorge White Paper noted that any adjacent accommodation would need to be low impact and sensitive to the environment</p>	<p>Any findings of this report that have not been incorporated into the Planning Scheme as provisions are not relevant to the assessment of this application.</p>
<p>Concern around timing and process of the DA in relation to the Height and Massing Study recently undertaken by Council and resulting recommendations with respect to regulation of building height across the City.</p>	<p>Any findings of this report that have not been incorporated into the Planning Scheme as provisions are not relevant to the assessment of this application.</p> <p>It is noted that the Gorge Hotel project has been in the pipeline long before the Building Height and Massing Study was being contemplated by the City of Launceston.</p> <p>The Council is required to assess any valid application lodged and would not have grounds to delay an assessment to enable recommendations regarding amendments to planning schemes to be adopted prior to consideration of said DA.</p>
<p>References to the recommendations in the Height and Massing Study by Paul Davies to limiting the height to 15 metres on the subject site.</p>	<p>Any findings of this report that have not been incorporated into the Planning Scheme as provisions are not relevant to the assessment of this application.</p> <p>It is noted that the first publicly released version of the report determined that this site given its location and lack of heritage constraints had the capacity to absorb buildings in the order of 30 metres. It was only in response to community consultation</p>

	that a blanket height limit across the City that did not take account of the character of different precincts was recommended. Further, these changes were made following 76 responses made to the public consultation. This sample size does not represent the majority of Launceston residents. With the city having approximately 80,000 residents, this sample size represents 0.00095% of the population only.
References to the GLP and Gehl Architects reports in terms of vision for the City	Any findings of these reports that have not been incorporated into the Planning Scheme as provisions are not relevant to the assessment of this application.
The hotel will block views of the West Launceston hillside.	The subject site is not situated within a Scenic Protection Overlay and views are not protected under the Planning Scheme provisions. Nonetheless, as stated on P55 of the GHD Planning Report, the low elevation of the site means that even with the overall height of the building, much of the views to and from West Launceston will be maintained.
Approval of a 39 metre building will form a precedent and result in more tall buildings being approved in the City.	Each and every planning application needs to be assessed on its merits against relevant standards under the Planning Scheme.
The use of a wide angled lens for photomontages makes it difficult to understand the true impact of the hotel in the landscape. Figures 13 and 20 are contradictory in terms of how they depict the hotel height in relation to Launceston College.	<p>A wide angled lens was not used for the photomontages. The photomontages were made up of four photos arranged horizontally and taken with a 70mm lens, which would show objects more conservatively, i.e. bigger, than the 50mm lens that is typically used for visual impact assessment. Although the images appear wide, they are not wide angled photos. An explanation has been provided in sections 2.2.1 and 2.2.2 of the Landscape and Visual Impact Assessment.</p> <p>The apparent height of the proposed hotel when viewed from the corner of Paterson and Margaret Street is similar to Launceston College because the tower of the hotel is well setback from Paterson Street as compared to Launceston College which is in the foreground.</p>
Representor's like Launceston for its low-scale architecture	As stated in the GHD planning report, it is considered that the subject site is uniquely situated to cater for a taller building given its low elevation and location in an area with a disparate character and few heritage properties.
<i>Seismic/Flood/Structural risk</i>	
Notes that the site is within an area identified as having seismic risk and that the current planning scheme does not deal with this risk. Concerned the developer is not aware of the risk. The development poses a	<p>Geotechnical engineers have been engaged to review the ground conditions taking sample cores to determine the required structural system to support the hotel. This will be developed further in detailed design. However, it is noted that the hotel has been designed on a pile raft system for the footings which have been found to perform best during seismic events for tall buildings.</p> <p>In any case, these issues are not relevantly considered under the Planning Scheme and will be dealt with during detailed design and building approval. This position is confirmed by</p>

structural risk no only to itself but also to surrounding buildings.

Tribunal Decision J No. 199-2005 relating to the CH Smith building. The Tribunal found that 'the evidence establishes appropriate geotechnical surveys will be required at the building approval stage; and it is unnecessary to require their provision at the planning stage. A good reason why provision should not be required until the later stage, is that such an assessment and certification may well relate to specific details of construction which will not be settled until and as a result of geotechnical assessment and general engineering detail resolution.;

The proponent sought a response from Dr Wayne Grifeon in relation to the issues raised which is provided in full below. It is note that Dr Grifeon has undertaken all the geotechnical assessments on site to inform the preliminary structural design.

Faults are a common feature of the geological environment and occur widely in Tasmania in rocks of all ages at all scales.

Launceston is situated in a basin known as the Tamar Graben, one of several basins formed during the breakup of Australia and Antarctica, particularly during the Cretaceous period. The Tamar Graben is a narrow, north-west trending basin containing predominantly non-marine sediments and basalt, to a maximum thickness of about 400m, overlying a basement of faulted Jurassic dolerite. The two faults referred to in the representations appeared and were active during this basin formation.

In the vicinity of Launceston, there are at least six significant faults associated with the Tamar Graben, not just two. The formation of the basin was mostly between about 65 and 75 million years ago. The basalts that were erupted into the basin came more recently, and are associated with pre-existing faults; the basalts are dated at between about 25 and 47 million years old.

Most geologists would be reluctant to describe faults as 'dead', because it is possible for tectonic activity to reactivate pre-existing faults. However, it would be fair to describe the Tamar Graben faults as dormant, since the known period of activity was mostly around 70 million years ago, and no significant seismicity has been associated with any of them in recorded history. Therefore, the probability of seismic activity associated with the mapped faults is assessed to be low, and therefore does not require specific consideration. We note that of the two faults referred to in the representations, one is mapped over at least 9km of length, and the other over about 4km of length. They are both likely to be longer.

The Neotectonic Database is maintained by Geoscience Australia (GA), and contains information on currently active faults. There are 6 entries in this database for Tasmania, two of which are considered 'definite' features, one which is considered 'probable' and three of which are considered as 'possible' features. None of these features are located near Launceston, with the closest being at Poatina. Thus,

	<p>the faults referred to in the representations are not in the Neotectonic Database, and therefore not of interest to GA in the context of seismic hazard assessment.</p> <p>The second set of comments in the representations relating to earthquake risk refer to work performed by Dr Owen Ingles and Dr Marion Michael-Leiba on seismic microzonation in Launceston. This work was instigated by the Australian Geological Survey Organisation (AGSO, now GA) 'Cities' Projects designed to assist local government in planning for natural hazards including earthquakes. Work commenced in 1990 in the wake of the Newcastle earthquake.</p> <p>Jim Henshelwood, on behalf of the Launceston City Council, asked AGSO to prepare a zoning map of Launceston with zones related to the requirements of Australian Standard AS1170.4-1993. It was this study that was conducted and reported on by Dr Michael-Leiba, and various zoning maps were provided to the Council at the time.</p> <p>AS1170.4 was revised and re-issued in 2007, and various changes were made to the way in which structural design related to earthquake actions. As a result the work by Ingles and Michael-Leiba no longer reflects the current standard. We understand the development will be required to be compliant with the current edition of AS1170.4.</p>
<p>Comments on GHD report by Alaa Ahmed Zeki</p>	<p>It is unclear what this representation references. There were no GHD reports authored by Alaa Ahmed Zeki included in the application material.</p>
<p>Site is on flood prone land. Inadequate investigation has been provided into the risk of the Paterson St earth levee being breached by rising sea and silt levels.</p>	<p>The Flood Study included as Appendix F to the GHD Planning Report does consider the extent of flooding across the site in a 1:100 year event if the levee failed. The way the Flood Code Prone Areas Code requires the assessment to be undertaken is via a risk assessment. The risk of the levees failing is considered unlikely.</p>
<i>Traffic Issues</i>	
<p>Impact of increased traffic in area</p>	<p>The TIA included as Appendix D to the GHD Planning Report provides an assessment of the additional traffic volumes to the site and ability of the surrounding road network to safely and efficiently cater for it.</p> <p>The traffic generation expected by the development in both stages 1 and 2 is included on pages 12-13 of the TIA with the traffic impacts of that increase in traffic discussed in section 6 of the report.</p> <p>The consolidation of access and egress points on the site will improve safety for vehicles users and pedestrians.</p>
<p>Representor would like to see more than 4 bicycle hoops provided.</p>	<p>There are 8 bicycle spaces for public use with the staff having access to a separate area for bicycle parking. The application is relying on discretion in relation to provision of bicycle parking with a shortfall of 7 spaces. Given the use of the site primarily as a hotel it is submitted that demand for bicycle parking would be limited. If it proved over time that more bicycle parking spaces</p>

	were in demand, there is sufficient space on the site to provide for them
Insufficient parking – the planning scheme provisions are not met. There should be 1 parking space per bedroom.	As per page 85 of the GHD Planning Report, the number of parking spaces required under the Planning Scheme is exceeded for Stage 2, whilst for stage 1 there is a shortfall of 5 spaces to meet the permitted standard (acceptable solution) of the Planning Scheme. An empirical assessment of supply and demand shows that more than the required number of spaces from a demand perspective are proposed. It is also noted that many of the restaurant and bar patrons will also be hotel guests. Finally, it is noted that in accordance with Clause E6.5.1 A1 (c), the number of parking spaces required under the Planning Scheme cannot be exceeded by more than 5%. Therefore, provision of 1 space per bedroom would actually result in parking being discretionary for stage 2 whilst under the proposed arrangements it is permitted.
Insufficient access and egress for buses	Figure A2 of the TIA shows a swept path assessment for buses through the site. Buses will enter from Paterson Street and egress via Margaret Street.
The use of unrelated documents from other jurisdictions in assessing the parking and traffic requirements is admission that the application is inadequate in this regard.	In the context of assessing a proposal against performance criteria, it is important to understand what is considered 'safe', 'efficient' and 'convenient' by other jurisdictions and authorities in order to make an appropriate judgement on the adequacy of the proposal.
<i>Advertising/Consultation/Process</i>	
Representor states that the timing of advertising of the application just prior to a public holiday does little to gain public support and enthusiasm. Claims that the application was not advertised for the required period under LUPA Act given the number of public holidays during the advertising period.	The timing of the advertising was not a deliberate act on behalf of either the proponent or Council. The public has been aware of the proposal for some time via media stories about the proposal. In accordance Section 57 (5AA) of the Land Use Planning and Approvals Act: <i>(5AA) If the time period specified in subsection (5) includes any days on which the office of the planning authority is closed during normal business hours in that part of the State where the land subject to the application for a permit is situated, that period is to be extended by the number of those days.</i> Accordingly, the application was advertised for a period of 18 days (longer than the standard 14 days) to take account of the Easter period which included 4 days during which the Council offices were closed for business.
Lack of community consultation on development prior to formal advertising	The public had been made aware of the project via stories in the media following both the design competition and when the application was formally lodged in December 2018.

given the scale of the development.	
A site-specific rezoning should occur prior to any development proceeding.	Given neither the proposed use or development is prohibited in the Urban Mixed Use Zone, the proponents were able to make an application under the existing zoning which relies on a number of discretions.
It was inappropriate for Councillors to be part of a process to select the design competition winners.	The Councillors were briefed on each of the submissions in the design competition and their feedback via general commentary sought during the briefing. This commonly occurs with developments in the City and enables Councillors to be made aware of upcoming projects prior to being in a position of making a determination on them acting as a planning authority.
Questions the transparency of the application process given the Council's online system states that the application was lodged on the 22 nd March 2019 when it was clearly at Council prior to that date.	<p>The application was originally lodged in December 2018 and Council undertook its preliminary assessment and requested additional information.</p> <p>Given the number of changes to the report required to address the RFI, the proponent decided to withdraw the application and resubmit a fresh application to avoid confusion around the additional information provided.</p> <p>The later date of lodgement and the timeframes under LUPA commencing actually enables Council a longer time to consider the application.</p>
<i>Heritage</i>	
The hotel will diminish the heritage character and value of private and public buildings in the area.	<p>The subject site is not listed on either the Tasmanian Heritage Register or Council's own list of properties with local heritage significance. There is only one Heritage listed property that is owned by the developer and immediately adjoins the site and it is submitted that the concentration of heritage listed properties within the immediate area is one of the lowest in Launceston.</p> <p>It is submitted that the proposal to construct a modern, architecturally designed building within an area of Launceston that has no distinct character and is very disjointed will help to improve the overall character and improve the urban fabric of the area. It will also likely result in additional investment and revitalisation of the area.</p> <p>Impact on valuations of buildings is not a relevant ground for refusal. That being said, the value of adjacent properties is likely to increase due to a five star hotel with restaurants being located within the area.</p>
<i>Environmental</i>	
The application does not address threats to wildlife, specifically birds given the large expanses of glass façade.	<p>The site is not included within the Priority Habitat Overlay under the Planning Scheme and therefore impacts to native wildlife are not a relevant consideration.</p> <p>The design which breaks up the glazing with tessellated panels is likely to be read as a solid building.</p>
Issue of climate change has not been addressed in the DA.	The Planning Scheme does not include any use or development provisions that require the impact of climate change to the

	addressed. The levee protecting Launceston is likely to address this issue at present and over time.
The height of the structure will create a micro-climate in the area which has not been considered.	The Planning Scheme does not require any changes to the micro-climate around a building to be considered. It is submitted that even a permissible building at 12 metres high and built to the boundaries would impact on available sunlight and overshadowing to immediately surrounding properties.
Concern about noise from outdoor restaurants and bars and noise and odour from cooking and air conditioning systems.	The acoustic report at Appendix K of the GHD Planning Report addresses noise and odour emissions and provides a number of recommendations which are expected to be included in the permit conditions. Demonstration of compliance with relevant Planning Scheme standards in relation to noise and odour emissions is included on pages 44-50 of the GHD Planning Report.
The continued operation of the Service Station presents a hazard to the Hotel development.	There are no scheme standards that preclude or prohibit the use and development of land adjacent to a service station for the purposes of a hotel. The service station is also located on a separate title adequate curtilage and circulation.
<i>Infrastructure</i>	
A full and independent assessment should be undertaken to determine if Launceston's sewage system can cope with the additional loading.	The Hydraulic Services report located included as Appendix H to the Planning Report includes calculations of the ET demand of the hotel on the sewer system. This information was provided to TasWater who have undertaken an assessment of the capacity of their services and determined it is satisfactory and issued their SPAN.
<i>Support/Queries – x 3 reps</i>	
Are there design provisions for future cableway?	All designs considered for the proposal allow for a future cableway including the winning design. The cableway, however is not part of this application.
<i>Subdivision/Easements</i>	
Unclear how the titles can be amalgamated in stages.	The staging of the consolidation of the titles is no different to staging of a subdivision.
It is unclear how practical or safe it is to build above Rights of Way or Easements.	The hotel has been designed to accommodate all Rights of Way and maintain access to the Cataract Apartments. It is not uncommon for Rights of Way to be built over. The Cataract Apartments own right of way is limited to 3.8m and therefore this height clearance has been incorporated into the design.