

Council Meeting - Agenda Item 9.1 -Attachment 2 - Amendment 66
Representations - 23 September 2021

From: [REDACTED]
Sent: Tue, 6 Jul 2021 10:46:37 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: proposed building Ref.SF7233 Amendment 66 Planning Scheme

Dear Madam/Sir,

This is a submission about the proposed Gorge Hotel proposal.

I strongly advise that as a local farmer who walks in Launceston, I do not consider that inappropriate

buildings for Launceston are necessary.

Buildings that are 2 to 3 times higher than those in surrounding areas are not good.

Surely we need to keep Launceston as a sensible and harmonious place for living & tourists as possible? Please note the recommendations of Peter Davis (Nov. 2018) that building heights must be no more than 9

metres.

Regards, [REDACTED]

From: [REDACTED]
Sent: Mon, 5 Jul 2021 19:46:17 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I am adding my voice to object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons:

- The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43mt.
- The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.
- The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.
- The proposed site for the Specific Area Plan is too close to an environmentally sensitive area and Launceston's greatest natural asset; the Cataract Gorge
- RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that *"51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."*
- The proponent would like Amendment 66 to: *"Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape."* In respect of a Landmark building the Tribunal concluded: *"52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performances criteria P1 (b)."*
- Implementation of Amendment 66 could result in a significantly larger building, both in height and bulk, being constructed on the **entire** site and would set a precedent for the entire Margaret St precinct without proper community consultation and consent.
- Consultant Paul Davies in his recent 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: *"Retain an acceptable height solution and reduce it to 9 metres consistently across the study area."*
- Mr Davies also recommended in the Report that Launceston should: *"Introduce an absolute maximum height limit of 24 metres across the city area."* It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments.

Given all of the above proposed Amendment 66 should not be implemented.

Further, I foreshadow my objection to the proposal, in relation to the competency of the planning authority (Councillors) and/or the quality of advice from your Planning Department to guide the planning authority.

That will be sent under separate cover following the course outlined in the Council's Code of Conduct for Councillors.



Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

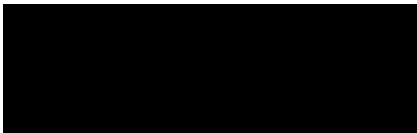
REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

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Given all of the above proposed Amendment 66 should not be implemented.

Regards,



From: [REDACTED]
Sent: Mon, 5 Jul 2021 16:39:48 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons: but firstly I would like to point out as a ratepayer of Launceston for 22 years, I have concerns that short term solutions are being put forward without a long term vision for the City of Launceston.

Councillors in their statements on the City of Launceston website, talk about ***"Launceston - a great place to raise a family...building a vibrant dynamic inclusive and connected community..... a commitment to improving community health and wellbeing.....committed to road safety.....dealing with traffic problems and finding solutions, (e.g.) more cycle tracks, a fair tender process and ensuring Council is transparent and fair in all its processes."***

The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43mt.

I can not believe that a proposed Gorge Hotel at a height of 43 metres is going to be a value added construction to our city. We have unique architecture that sets Launceston apart from all other tourism destinations. Surely we do not seek to be a carbon copy of other "high-rise" cities, but celebrate our uniqueness and build in accordance with our wonderful natural environmental features. I cannot also believe that it is line with Councillors' values as stated above, as they will be voting on the Planning Amendment SF7233.

- The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.
- The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.
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and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots.”

- The proponent would like Amendment 66 to: “Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape.” In respect of a Landmark building the Tribunal concluded: “52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performances criteria P1 (b).”
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- Mr Davies also recommended in the Report that Launceston should: “Introduce an absolute maximum height limit of 24 metres across the city area.” It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments.

Given all of the above proposed Amendment 66 should not be implemented. As a very concerned ratepayer for 22 years, I feel very strongly that we must protect our wonderful city, that by its heritage architecture and old buildings attracts people here, not enter into a glitzy theme-park mentality thinking that that is the be all and the end all to being a tourism destination.

Yours sincerely,

[Redacted signature block]

From: [REDACTED]
Sent: Mon, 5 Jul 2021 16:06:46 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Representation for Amendment 66 Planning Scheme - Ref SF7233
Attachments: Untitled 35.pdf

5-7-21

To The Chief Executive Officer
Michael Stretton
Launceston City

Dear Mr Stretton

Well here we go again.

I do not normally respond to matters regarding developments in the LCC precinct. However I feel enough is enough.

How many bites of the same cherry do the JAC consortium need:- surely Council Regulations and Restrictions apply to ALL people and once a development has been knocked on the head - for valid reasons - proponents of these developments should just bow their heads and thank all for listening.

But no: they have high priced Lawyers and Designers and can afford to Appeal Decisions made by the bodies (Elected BY the people and FOR the people).

A good proportion of the populace is too busy earning a living, raising families etc to know what is going on in their back yard and the remainder that do know what is going on and state their minds are NOT being listened to.

If our Council chooses to pass this SAP amendment they should all hang their heads in shame and RESIGN because as a rate payer won't be voting for ANY of them.

I say all this because, nearly ten years ago my wife and I relocated to Tasmania for its beautiful scenery, we purposely chose Launceston as the area to live in because of its Heritage buildings and now developers and council are trying to take it all away, to become just like all the other cities Sydney, Brisbane, Perth, Hobart even places like Surfers, Gold Coast etc with multiple High-rise building, all trying to get the views one above the other.

Launceston does NOT need large (eyesore) Hotels and Conference Centres when they can't fill what they have now.

Can Launceston Council as a whole learn from previous councils mistakes? Also, Can Launceston Council as a whole manage to retain what Heritage remains?

After all Launceston Regional City could be the ONLY remaining City in Australia with early history/heritage buildings intact, of which the LCC should be very proud of. To protect for future generations and tourist to Tasmania.....DON'T KILL THE GOLDEN GOOSE!!!!

The PDF below contains, just 10 photos of 27 to 30 Historical Building DEMOLISHED in the 70's by LCC, the photos were taken from the Book 'Around the Block' Launceston, Tasmania, 1966 to 1978, by Local Photographer L. George Webb, his works published and updated (ones demolished since the photos were taken) in 2014. This book still available at Petrachs book store.

The book contains 98 photos. Other books of this nature are by DG Wherrett 'around every corner' and Volume two 'around another corner' both these books are of Launceston, in the 1940's.

Goodness knows what remains of the building these days.

I strongly oppose the LCC application Planning Scheme Amendment application under Section 38 of the Land Use Planning and Approvals Act 1993.



(Submission sent by shared email address)

Sent from my iPad

Around THE BLOCK

Launceston, Tasmania - 1966 to 1978

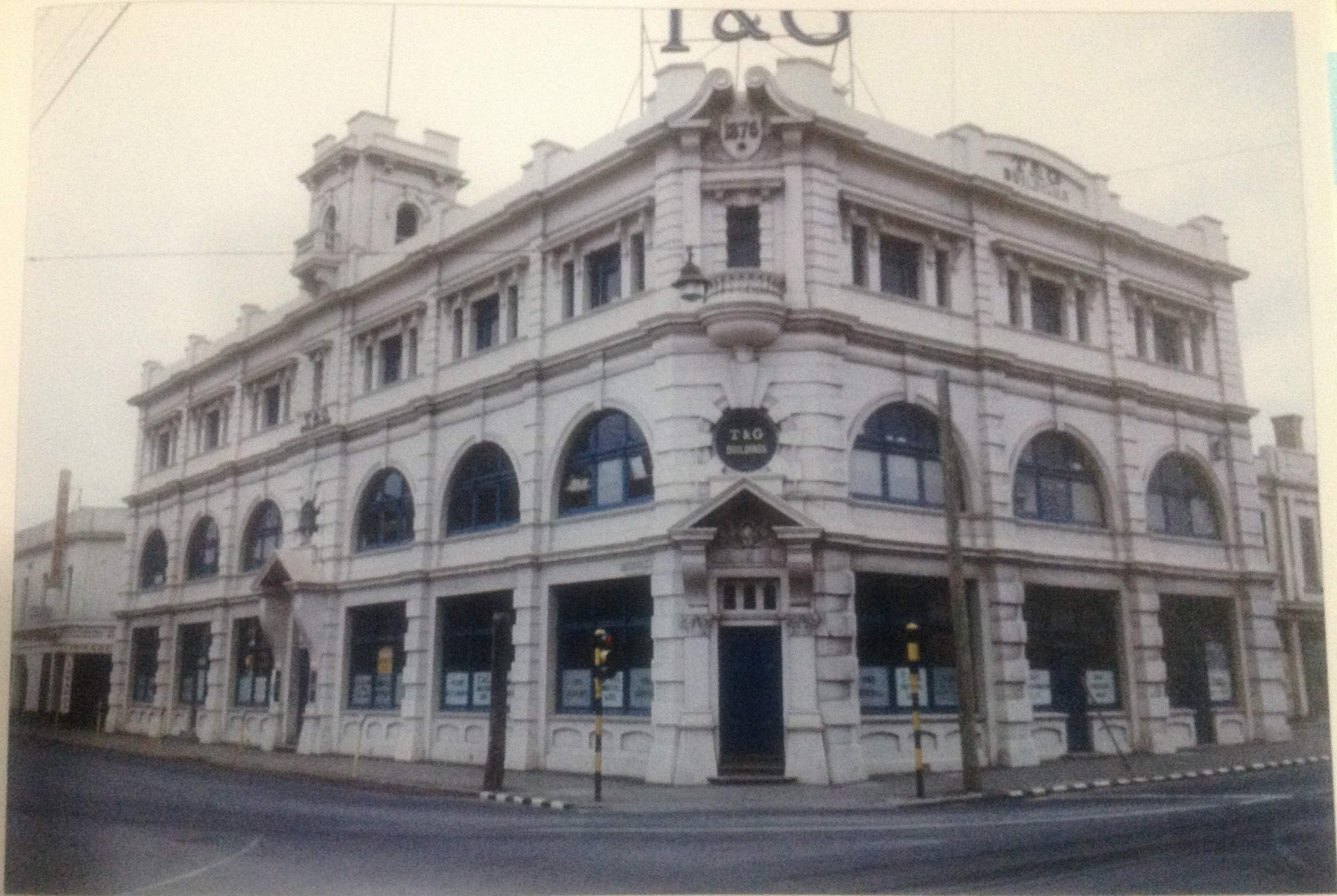


A Photographic Journey with
Local Photographer L. George Webb



SW Corner Cameron Street and St John Streets
Launceston Public Library

Date: **August 1969**
Demolished: **December 1972**



NW Corner Charles and Paterson Streets

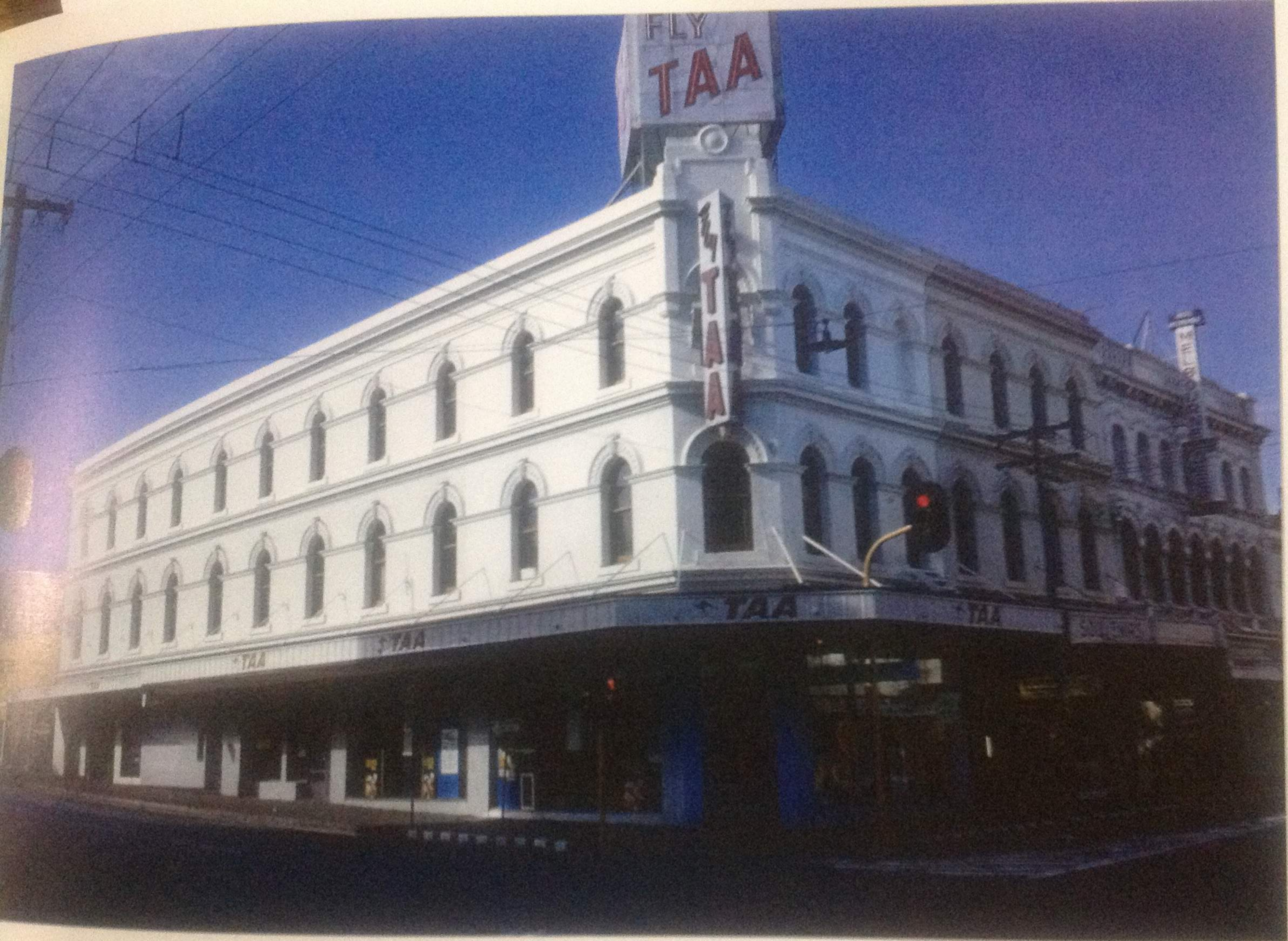
Date: 30th October 1966
Demolished: 1967



71-77 Paterson Street
(left) London Hotel

The London Hotel and Courier Building Demolished: **September 1973**

Date: **11th July 1970**



Corner George and Brisbane Street

Date: **16th November 1974**
Demolished: **August 1978**



73-75 Brisbane Street
Metropole Hotel

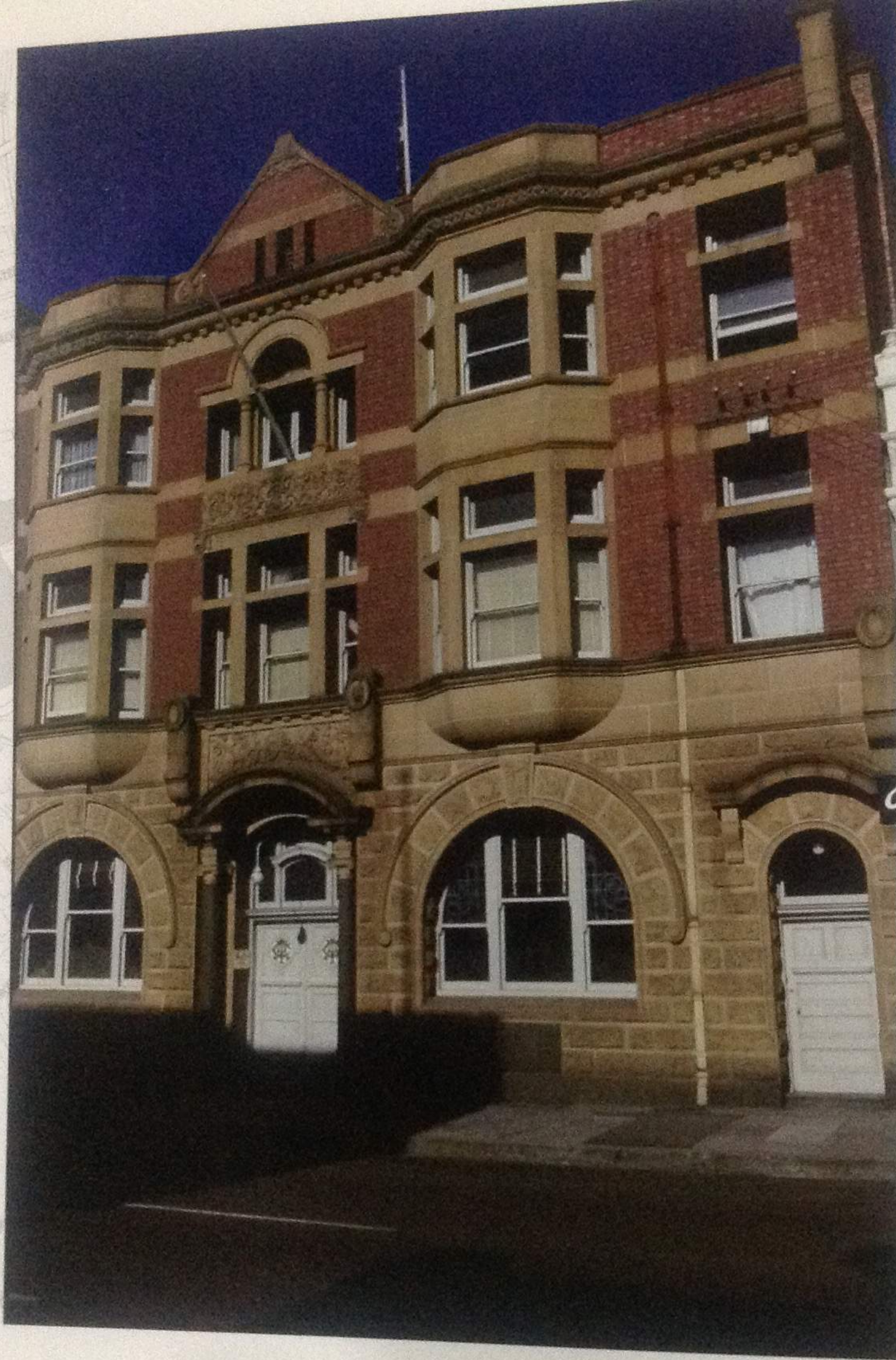
Date: 5th October 1975



15 York Street
Russell & Son

Date: 7th July 1968
Demolished: August 1968

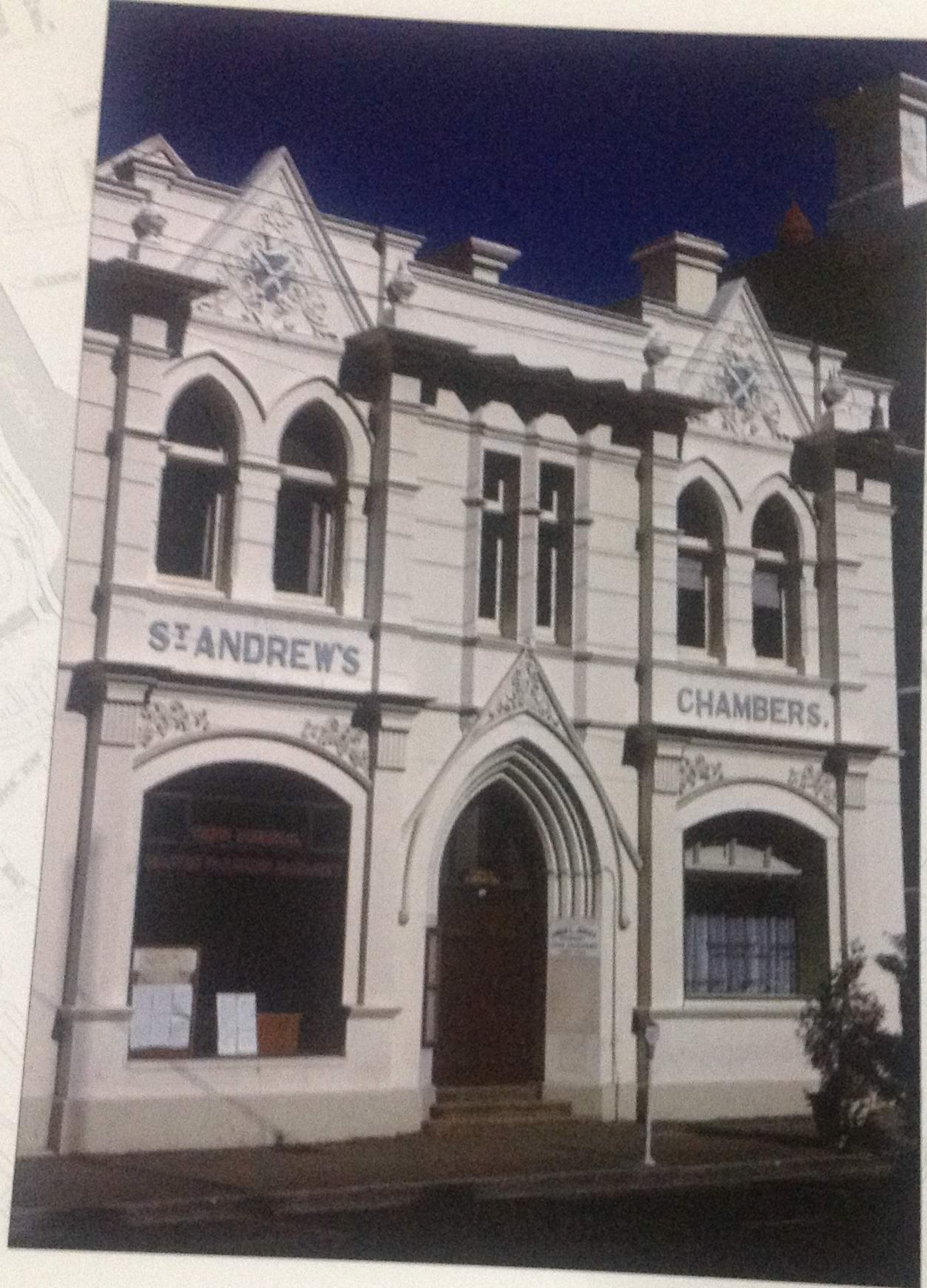
81



78 Charles Street

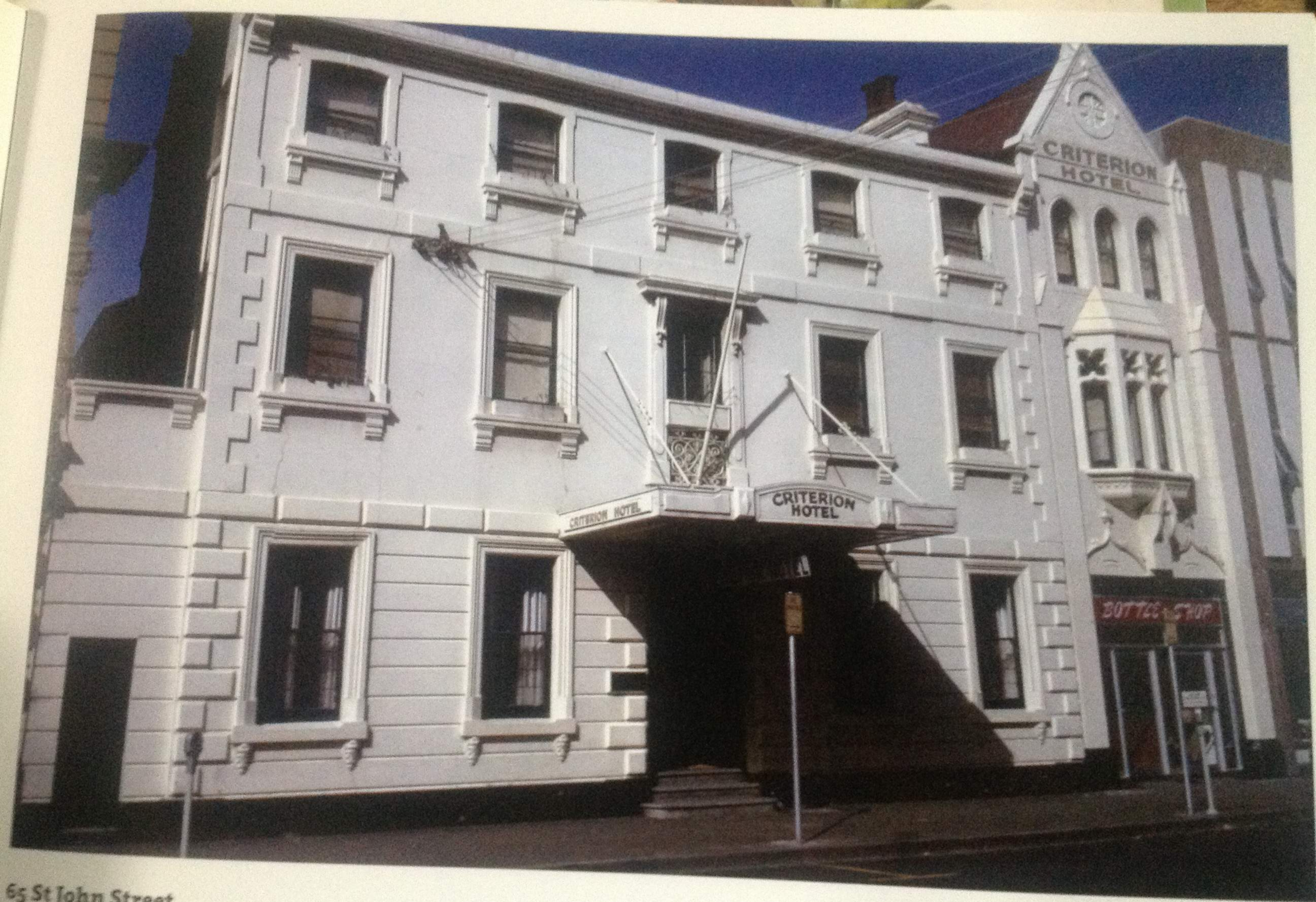
Commercial Travellers' Association Club

Date: **12th September 1971**
Demolished: **October 1975**



St John Street

Date: 25th Nov. 1970
Demolished: July 1973



65 St John Street

Date: 17th February 1968
Demolished: November 1971



82-84 Cameron Street

(left) Health Department (right) Alfred Harrap & Sons

Date: **19th January 1971**
Demolished: **September 1976**

From: [REDACTED]
Sent: Mon, 5 Jul 2021 16:11:04 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: City of Launceston Planning Scheme Amendment Ref. SF7233

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I have concerns about the Specific Area Plan F110 ie Gorge Hotel Specific Area Plan and I object to the proposed building for the following reasons:

- * Height concerns - would be 2-3 times higher than anything near it - a great visual concern and totally inappropriate for that area. The height of the proposed building for that site cannot in any way be compared with the height or location of the silos, which already existed (some distance away) and since enclosed in a structure which is now 'Peppers Silo'.
- * The proposed building with its jagged, chunky, boxy, metallic design is not aesthetically pleasing, not compatible, in harmony with or in any way suitable for the character or streetscape of the city or surrounding areas.
- * With climate change, we must seriously take into account more frequent flooding than a 1 in 100 year flood.
- * The Hotel takes up a large section of land as marked on the aerial views - income from tourism is important, but little of the income from building in the city seems to benefit the needs of the greater community, especially the housing crisis, support services, subsidy for lowest income people who can't afford winter heating, etc and importantly closing the gap between the rich and the poor, not widening it. Income from any building proposal would create building and other jobs, then some ongoing employment - but income MUST flow back to where it is most needed to improve lower socio-economic needs, because in this way, the whole community benefits and lives can be improved.

For the reasons I have stated above, I believe that the proposed Amendment 66 should not be approved.

Submission from:

[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Mon, 5 Jul 2021 15:52:51 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Ref: SF7233 - Amendment 66 Planning Scheme

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

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123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

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Given all of the above proposed Amendment 66 should not be implemented. I do see it as Council's role to preserve and enhance the beauty of Launceston both for present residents and for future generations. The proposed amendment seems only too clearly to have no regard for beauty and heritage, and only considers "development". This is not acceptable.

From: "LHNH Launceston Heritage Not High Rise"
[REDACTED]
Sent: Mon, 5 Jul 2021 15:43:38 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Representation to SF7233 Amendment 66
Attachments: Ref SF7233 LHNH Representation.pdf

Please find attached a representation to SF7233 Amendment 66

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

1. 123, 125-133 PATTERSON STREET & 270 BRISBANE STREET,
LAUNCESTON

2. Specific Area Plan F11.0 Gorge Hotel Special Area Plan



5 July 2021

General Manager
City of Launceston
PO BOX 396 LAUNCESTON, TAS, 7250
By email: contactus@launceston.tas.gov.au
Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
1. 123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON
2. Specific Area Plan F11.0 Gorge Hotel Special Area Plan

██████████ endorse and support the representation submitted by Irene Duckett on behalf of Susie Cai and do so with their approval and request that amendment be refused.

██████████ was established to support Susie Cai in the original 2019 appeal against the council's approval of the Gorge Hotel development. It then went on to raise significant funds from a broad base of supporters to run the appeal against the Fragrance Hotel on the same grounds - too high and out of character with the local surrounds.

Objective of the LUPPA:

“to encourage public involvement in resource management and planning.”

The complexity and the process of this amendment has been difficult to comprehend and we received requests for help and information. To ensure that these voices can be heard pro-forma information was provided to assist what is difficult for ordinary people not familiar with planning matters.

LHNH has never been anti development and considers there is ample opportunity for developments to be added to the fabric of Launceston CBD. The Paul Davies report must not be kept in the shadows by the Launceston City Council to be brought out only when it can be cherry picked to support a building higher than the report itself ever put forward.

██████████ supporters believe this current amendment is not appropriate.

Email ██████████

From: [REDACTED]
Sent: Mon, 5 Jul 2021 15:25:32 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
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[REDACTED]
CEO

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

5 July 2021

General Manager
City of Launceston
PO BOX 396 LAUNCESTON, TAS, 7250
By email: contactus@launceston.tas.gov.au

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

1. 123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON
2. Specific Area Plan F11.0 Gorge Hotel Special Area Plan

A floodgate, up-zone amendment proposing ‘landmark’ by stealth.

I write to object to the proposed Draft Amendment to the *Launceston Interim Planning Scheme 2015* as being non-compliant with the *Land Use Planning and Approvals Act 1993*; the 2019 findings of the *Resource Management and Planning Appeals Tribunal* in the Gorge Hotel development appeal (DA0127/2019); and *Northern Tasmanian Regional Land Use Strategy (Direction G2.3)*.

This amendment relies on the proponent’s own belief that in 2019 the Tribunal got it wrong, and that a building of this bulk and height is appropriate for the area. This amendment would enable a building to dominate and overwhelm the area as well as block the beautiful vista of Launceston from the West Tamar northern gateway approach.

It is my belief that an erection of this size is in effect the **privatisation of precious city vistas**. There is opportunity to construct a viable hotel within the height constraints that currently exist in the planning scheme (LIPS 2015). The disappearance last month of a statement on the JAC website (attached) must be queried in the context that only a hotel of the height allowed in the amendment could be used as a launch site for a gondola. The amendment appears to allow this future development option.

Publicity, when the amendment application was announced, included numerous design pictures and plans from the original 2018/2019 development. However, the proponent has chosen not to include that DA with the amendment as is allowed under LUPA 1993 *Division 2A - Combined permit and amendment process*. If this amendment is successful a development larger than that implied in the publicity would be admissible. **Are we being misled?**

An objective of the LUPPA is: *to encourage public involvement in resource management and planning.* The recent promotion of the previous development application, and the amendment’s provision to allow a larger development, could be construed as **deliberately misleading**. As is the attempt to discredit the outcome of the 2019 RMPAT appeal initiated through public concern and action. **If there is to be a ‘landmark’ (also called iconic in original DA) building on this site there must be far more stringent and extensive exhibition process than what has occurred with this amendment.**

In addition this SAP claims to **influence an area wider** than the proposed building envelope it addresses and this must be clarified. [From Amendment 66 Ref: SF&233](#)

“... as well as commencing a transitioning arrangement to the Margaret Street corridor.

...

The establishment of a larger permitted building envelope will allow greater clarity and assurance to future applications wanting to invest and establish greater accommodation yields to support economic growth.”

3D Modelling: A failing with the extensive collection of 3D modelling provided with the amendment application is that there is not one from the new bridge (only one from the Kings Bridge). The proposed height and bulk will obliterate the delightful vista of Launceston that is laid out to the observer as they travel across [REDACTED] appears in the misleading previous form presented in support of this SAP.



(1.) Screenshot from [REDACTED] website 27 May 2021 - removed since that date.

[REDACTED] -gorge-hotel 2021

THE GORGE HOTEL

The Gorge Hotel is an exciting proposal for a new tourist development in Launceston, Tasmania. The project offers magnificent waterfront views with up to 160 rooms, 500+ delegate conference centre, restaurant, gym and day spa.

Located on the edge of the CBD, Penny Royal and Cataract Gorge, **there is also scope to include a cableway link to the Cataract Gorge First Basin** (subject to planning approval).

From: [REDACTED]
Sent: Mon, 5 Jul 2021 14:24:42 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: For Launceston City Council CEO Michael Stretton
Attachments: Jim Collier's SAP Amendment 66 Representation.pdf

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr. Stretton,

Attached is my Representation in respect of the proposed change to the Launceston Interim Planning Scheme 2015, Specific Area Plan F110 - Gorge Hotel Specific Area Plan, Amendment 66.

Kind regards

[REDACTED]

SAP REPRESENTATION - Ref SF7233



City of
LAUNCESTON

TA5725660

Planning Scheme Amendment

Notification of application under Section 38 of the *Land Use Planning and Approvals Act 1993*

Ref: SF7233 - Amendment 66

Planning Scheme Draft Amendment 66 proposes the following:

1. Insert a Specific Area Plan over the properties known as 123 Paterson Street, 125-133 Paterson Street, and 270 Brisbane Street, Launceston (also known as 16 Margaret Street) which are respectively described in Certificate of Title references CT151150/3, CT151150/2 and CT175274/1;
2. Insert into the Launceston Interim Planning Scheme 2015, Specific Area Plan F11.0 - Gorge Hotel Specific Area Plan.

Documents describing the proposal can be inspected at our Customer Service Centre, Monday to Friday from 8.30am to 5.00pm or on our website at <https://onlineservice.launceston.tas.gov.au> **until Monday 5 July 2021.**

Written representations in relation to the draft amendment may be submitted during the above inspection time period, being representations in relation to the draft amendment in accordance with section 39(1). The submissions should be addressed to the Chief Executive Officer at PO Box 396, LAUNCESTON TAS 7250, or by email to contactus@launceston.tas.gov.au. The full content of your submission may be included in the report (noting this may make it available for public access) if the application is presented at a public Council meeting for consideration. It is therefore the responsibility of the author to address matters arising out of the proposal in a way that is factual, fair and reasonable and not defamatory against any person.

Please provide phone and/or email contact details with representations. For further information please call 03 6323 3382.

Michael Stretton

CHIEF EXECUTIVE OFFICER

www.launceston.tas.gov.au

It is an unfortunate choice of title/identification for the above proposed change to the current Launceston Interim Planning Scheme 2015 entitled 'Specific Area Plan F110 - Gorge Hotel Specific Area Plan'.

It is unfortunate because it will lead to confusion for many Representatives who may mistakenly, but understandably, draft their Representations as if they were objecting, or supporting, a Development Application for another Gorge Hotel and **NOT** an actual change to the Launceston Interim Planning Scheme 2015; ...this is most complexing, confusing and indeed frustrating.

The above Public Notice, published in The Examiner newspaper on 5th June 2021, refers to Launceston City Council's intention to insert into the Launceston Interim Planning Scheme 2015 Amendment 66 to be known as *Specific Area Plan F110 - Gorge Hotel Specific Area Plan*.

With the insertion of 'Gorge Hotel' into the title of the Specific Area Plan this leaves little doubt Amendment 66 is being introduced purely and specifically to facilitate another Gorge Hotel proposal simply because the proponent (the JAC Group) and Launceston City Council are unable to accept a fair, just and legal decision handed down by the Resource Planning and Management Tribunal in reversing Launceston City Council's approval of an earlier Development Application by the JAC Group to build the previously proposed Gorge Hotel (RMPAT Appeal No 58/19P, 7 November 2019).

The JAC Group and Launceston City Council are aggrieved that the RMPAT subsequently approved another Development Application to construct a high rise hotel (the GP {Fragrance} Hotel) appearing unable, or unwilling, to recognise the proposed GP {Fragrance} Hotel is to be constructed in an entirely different area of Launceston (as the Tribunal says in '51 *...those buildings are well removed from the site ...*') and one that is nowhere near as sensitive as the proposed site for the Gorge Hotel which is located virtually at the entrance to Launceston's most valued natural asset;**THE CATARACT GORGE!**

Planning Scheme Amendment 66 appears to be a devious and deceitful move that would, if successful, allow for a significantly bulkier building than the previously submitted Gorge Hotel proposal; ...possibly one with a height of up to 43 metres to be constructed over the '**entire**' site.

IF Amendment 66 is successful it will affect the apparent viability and credibility of the Resource Management and Planning Appeal Tribunal bringing it into disrepute regarding any future decisions handed down by them as it would appear any decision they make could simply be changed 'willy nilly' by local councils through introducing Specific Area Plans whenever they considered it necessary.

It will also reduce the credibility of the Resource Management and Planning Appeal Tribunal in the eyes of the community who will no longer have faith

and confidence in an Appeal system which sees decisions of the Tribunal so easily overturned by a local council.

The only way a decision of the RMPAT should be reversed is through a legitimate Appeal to the Supreme Court.

The JAC Group, proponents of the original Gorge Hotel Development Application, had the option to take this course of action but failed to do so.

RESOURCE PLANNING AND MANAGEMENT APPEAL TRIBUNAL DECISION (RMPAT APPEAL NO 58/19P, 7 November 2019)

In handing down its decision in respect of the Gorge Hotel the Tribunal noted:

51. The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining and adjacent lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1(b) as those buildings are well removed from the site and the adjoining and adjacent lots.

*52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. **it is not compatible**, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. **Therefore, the proposed development does not meet the performances criteria P1(b).***

The Tribunal also noted in respect of the bulk and form of the previous proposed Gorge Hotel:

*63. The bulk and form of the proposed tower element is out of character with the bulk and form of existing buildings so markedly that even with the diverse streetscape and the eclectic character of the surrounding area it is not in harmony or broads correspondence with either. **Consequently the proposal fails the Performance Criteria P1 (c).***

The Tribunal concluded:

79. for the reasons set out above in respect to the failure of the proposed development to satisfy the criteria in P1 (b), (c) and (d) the building height is

not compatible with the streetscape and character of the surrounding area. The second ground of appeal is made out.

Absolutely nothing has changed since the Resource Management and Planning Approval handed down this decision.

This move by Launceston City Council to change the Launceston Interim Planning Scheme 2015, apparently working hand in glove with the developer, 'appears' to be nothing more than a cynical, and I think devious, move and a complete waste of everyones time and Ratepayers funds.

As previously mentioned, if the proponent/developer was unhappy with the RMPAT decision in respect of their original Gorge Hotel Development Application they did have the opportunity to lodge an Appeal with the Supreme Court; ...the fact that they didn't preferring to endeavour for a satisfactory outcome via this route raises serious questions about the credibility and integrity of all concerned.

Consequently Amendment 66 should be rejected.

BUILDING ENVELOPE:

If Amendment 66 is successful it could ultimately result in a building which, with the vertical and horizontal masses integrated, could not only be considerably larger than current buildings adjoining the site but also significantly larger than most other commercial buildings in the area.

In other words it appears that another Development Application for a Gorge Hotel could result, if successful, in a significantly larger building, in both height and bulk, on the same site to the one originally proposed ...this is most concerning!

GORGE HOTEL CABLEWAY?

Although recently removed initial Publicity on the JAC website for the original Gorge Hotel indicated that the building could, subject to Planning Permission provide:

scope to include a cableway link to the Cataract Gorge First Basin

There is no doubt such a project remains the ultimate intention of the Proponents and this is seriously disturbing; ...cable cars and gondolas are not popular in the Tasmanian community.

See Appendix A

LANDMARK BUILDINGS:

The Proponents state one purpose of Amendment 66 is to *Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape.*

In relation to Landmark building it is worth repeating here the Tribunals opinion in respect to the Gorge Hotel as a 'Landmark'.

*52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. **it is not compatible**, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore, the proposed development does not meet the performances criteria P1(b).*

The Tribunal did say in respect of the tower of the proposed Gorge Hotel *76. Clearly the tower would, by virtue of its height, be a landmark that would locate the existing tourism precinct within which it would be situated.*

However the Tribunal also stated:

77. However, the evidence did not establish how it might be so markedly unique, peculiar or recognisable as to present an identity symbolic of Launceston or as an expression of its location in that city or of some cultural, religious or heritage significance.

The Tribunal further stated:

78. There is nothing in the Scheme that recognises or regulates the nature or value of a landmark building or an iconic building or provides either with any particular status exempting them from compliance with the express performance criteria relevant to the assessment of a development. A landmark or iconic building would still need to conform with the objective in Clause 15.4.1 and, if it did not meet the acceptable solution in A1, be compatible with the streetscape and character of the surrounding area pursuant to the performance criteria in P1. Even if the criteria in P1 are not the only matters that the Tribunal can have regard to in considering the objective of the Clause, it must still have regard to the criteria. Absent any provision in the Scheme that permits departure from the development standards, the Tribunal is not able to read down or ignore the express development standard in the Scheme even though the building may be a landmark, and even if it were an iconic building.

It is also worth repeating here the Tribunal concluded:

79. for the reasons set out above in respect to the failure of the proposed development to satisfy the criteria in P1 (b), (c) and (d) the building height is not compatible with the streetscape and character of the surrounding area.

Making it abundantly clear the Tribunal considered the original Gorge Hotel proposal was ‘not compatible with the **streetscape and character** of the surrounding area’ and ...NOTHING HAS CHANGED SINCE THE TRIBUNAL CAME TO THAT CONCLUSION (my emphasis)!

ACCEPTABLE BUILDING HEIGHTS - LAUNCESTON CBD BUILDING HEIGHT AND MASSING STUDY:

In his 2018 ‘Launceston CBD Building Height and Massing Study’, subsequently endorsed by Launceston City Council (but now apparently quietly forgotten) Paul Davies suggested the maximum permitted height for the site of this Specific Area Plan should be 15 metres with absolute recommended maximum as 30 Metres.

Paul Davies states in the study:

*“4. While there were understandably divergent views on the use of an absolute height control between the general community and the small number of developers who made submissions, **we remain convinced that it is necessary to establish height controls to manage the future character of the city.***

The general community view was for heights to be lower than recommended, but a maximum height of around 15 metres (as a number of submissions suggested) is an effective height of 4 storeys which we believe would be unduly restrictive in terms of development potential. There is a need for balance between height, character and encouraging investment in the city that offers scope for development. Design controls can provide council with the management tools necessary to retain the character of the city.”

(my emphasis)

Amendment 66 seeks to change the acceptable solution to permit an additional 9.1 metres above the absolute maximum height recommended, more than double the permitted height recommended by Paul Davies!

Launceston City Council’s failure to act as an appropriate Planning Authority.

As the records will show I attended the Launceston City Council meeting on 20th May 2021 where, supposedly acting as a Planning Authority, the agenda indicated Council were to discuss, assess and subsequently approve, or reject, the insertion of Amendment 66 (Gorge Hotel - Specific Area Plan) into the Launceston Interim Planning Scheme 2015.

At no time did I hear any discussions from around the Council Table as to validity or appropriateness of Amendment 66 in respect of the Launceston Interim Planning Scheme 2015; ..I was dismayed at this finding it appalling and a sad reflection on those Councillors present.

What I did hear though was plenty of general comments from the Mayor and Councillors as to the need for more hotel accomodation in Launceston, how the Gorge Hotel would create more jobs and other similar comments but absolutely nothing in relation to how the proposed amendment would affect the building envelope for the site, the surrounding area, Landmark Buildings, the planning or performance criteria or Acceptable Solutions of the Interim Planning Scheme 2015 etc etc.

This was a significant failure on behalf of those Councillors attending; ...they were supposed to be addressing the matter as a proposed change to their Planning Scheme and ...*not as a Development Application!*

Amendment 66 should be rejected on these grounds alone as it was not properly or adequately assessed by Launceston City Council.

Submitted by

[REDACTED]

of

[REDACTED]

[REDACTED]

5th July 2021

Appendix A



JOSEF CHROMY WINES PENNY ROYAL TRC HOTEL THE GORGE HOTEL PAST PROJECTS
PROPERTY DEVELOPMENTS JOSEF CHROMY LET'S COLLABORATE



THE GORGE HOTEL

The Gorge Hotel is an exciting proposal for a new tourist development in Launceston, Tasmania. The project offers magnificent waterfront views with up to 160 rooms, 500+ delegate conference centre, restaurant, gym and day spa.

Located on the edge of the CBD, Penny Royal and Cataract Gorge, there is also scope to include a cableway link to the Cataract Gorge First Basin (subject to planning approval).

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council
Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons:

- **The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43m tall.**
- **Considerations and actions that I feel need to be addressed before any decisions are made about new buildings in Launceston, are the following:**
 - Researching properly (by a non-invested body) the actual qualities that draw tourism to Launceston from a holistic perspective.
 - Are the designs and materials sustainable and do they set out reduce the carbon footprint at all levels? (eg; using the proven “green cement”, now on the market? Or locally grown plantation timber designed for structural support that significantly reduces the use of steel - the manufacturing & transporting of, a major contributor to global warming.)
 - Does the design genuinely prioritise the social, emotional and economic factors equally?
 - Changing mind-sets from “bigger & better” and “more profit” to sustainable and slowing down the “runaway train”. We don’t need so much choice and material gain.

Interestingly, published on the LCC website are these words:

- *Launceston Mayor Albert van Zetten said the scale of the development boom across Launceston was unprecedented.*
- *"Despite the global pandemic, or perhaps in part because of it, investor confidence in Launceston is at an all-time high," Mayor van Zetten said.*

(Is the Fragrance Hotel, the kind of “investment” and all the little boutique industries that follow on and contribute to more waste & addiction to not facing the responsibilities we have for sustainability for future generations, what we really want?)

- Keeping the integrity and character of “unique” Launceston in tact.
- Huge modern structures only dwarf and undermine the smaller more charming buildings. Launceston is only a town. It’s not a city. We have our own unique drawcards that provide sanctuary to local people, (many who have deliberately chosen to live here) and to its visitors, because of what it offers.

The following points address statements & questions for your consideration:



Perth or Hobart? Do we want Launceston to head this way too?

- The **original proposal for a Gorge Hotel was rejected** by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019 for very valid reasons that took many things into account. **Where is the legal fairness & democracy when the goal posts get moved to suit a particular vested interest?**
- The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which **raises many questions as to why.**
- Have appropriate investigations from **top quality (non-invested) engineering advice** gone into the fact that a building of this weight will be situated on top of a natural underground river? Could it stand the test of time **and not sink or collapse**, given we don't know how global warming and changed weather patterns will pan out?
- The proposed site for the Specific Area Plan is **too close to an environmentally sensitive area** and Launceston's greatest natural and protected asset; the Cataract Gorge which no other large town can boast having on its doorstep.
- RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, that ***"51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots"***. This height is not acceptable.
- The proponent would like Amendment 66 to: ***"Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses, in a manner that does not impact on the surrounding streetscape."***

In respect of a Landmark building the Tribunal concluded: ***"52. The characterisation of the building as a landmark building is to an extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performances criteria P1 (b)."***
- Implementation of Amendment 66 could result in a significantly larger building, both in height and bulk, being constructed on the entire site and **could set a precedent for the entire Margaret St precinct and further, without proper community consultation and consent.**

- Consultant Paul Davies in his recent ‘Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) **recommended that Launceston should: “Retain an acceptable height solution and reduce it to 9 metres consistently across the study area...and Introduce an absolute maximum height limit of 24 metres across the city area.”**
- **It is notable that the Report, after consultation, appears to have disappeared from actual policy** and only appears in cherry-picked form to suit large developments.

Given all of the above, I feel the proposed Amendment 66 should not be implemented.
Thank you for taking the time to read this.

Yours sincerely,

[Redacted signature]

[Redacted contact information]

From: [REDACTED]
Sent: Mon, 5 Jul 2021 14:12:45 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Ref: SF7233 - amendment 66 planning scheme 123,125-133 Paterson & 270
Brisbane

Mr Michael Stretton, Chief Executive Office, Launceston City Council

Dear Sir,

I object to this proposal as it appears, and is intended to be highly permissive of discordant development in a site close to the city's premier natural attraction. The proposal is intended to permit a relatively high building that will impair the sightlines to the mouth of the Cataract Gorge from many parts of the city. The extent of the site would permit a low-rise development of comparable capacity without such damage to the amenity of the area. The proposed building should be designed with the recognition that it will be overlooked from relatively close quarters from public and private spaces on Cataract Hill, so every attention should be paid to roof-forms and functional appendages, as well as to its bulk and the appearance of it from ground level. Essentially, the published proposal will give fine views to some transient visitors while permanently impairing the view of the permanent citizens.

The area under consideration should remain within existing planning guidelines especially because of its proximity to Cataract Hill and the Gorge.

Yours sincerely,

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Mon, 5 Jul 2021 13:58:27 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Planning Scheme Amendment. Special Area Plan, draft amendment66, 123,125-133 Paterson Street and 270 Brisbane Street Launceston

I am lodging an objection to the draft amendment to the Launceston Interim Planning Scheme for this site. A planning application was lodged for this site in 2019 for a hotel and ancillary uses. This application was refused in the Resource Management and Planning Appeals Tribunal. The reasons including the building height was not compatible with the streetscape and the character of the surrounding area. The height of the previous development put forward was 34 -39 metres above natural ground level, nine levels high.

A study regarding building heights by Paul Davies in 2019 and endorsed by the Council allowed for a maximum height of 15 metres for the subject site. The draft amendment is trying to provide an acceptable solution to the developer, a height much greater than is currently allowed.

A tall overbearing building, this or similar proposals will be detrimental to the nearby residents in Brisbane, Paterson, Margaret, Middle and Babington Streets and will effect other people in Launceston including West Launceston. The building will effect wind in the area, cause shadowing and is completely unsuitable for this area.

I strongly object to the amendment of the planning Scheme. It would have been polite for the developer to lodge their new application for this site at the same time as the amendment. It seems deceptive.

[REDACTED]
[REDACTED]
Sent from my iPad

From: [REDACTED]
Sent: Mon, 5 Jul 2021 13:57:36 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Objection to Gorge Hotel Proposal: SF233-amendment 66 planning scheme

To the General Manager,

- > Launceston is now famous for its unique qualities, not least of which are the striking views of the tree topped inner valley of the Tamar including views across to the opening of the cataract gorge available from many parts of our walkable town. I include just two photographs of just one priceless view that will be lost, taken at dusk last week from the St Johns Church grounds, which humbly conjure up much the mystery and beauty of our vistas, which can only be impaired by this particular proposed development.
- > Nothing should be allowed to mar the basic integrity of our unique place so that such important existing gems for tourists and locals alike should remain intact and continue to attract the attention we desire, or if development is indeed found to be necessary, these types of unique assets that nurture much of our desired success should not be replaced with anything less than world class, which this proposal is patently not.
- > The enjoyment of nearly all who find themselves in launceston and live in Tasmania should not be sacrificed for the enjoyment of a highly privileged few who might inhabit the best rooms at the "Gorge Hotel".
- > This proposal should be denied and any further plans to exceed the current skyline of buildings in Launceston should be restricted to across the North Eask to the area of the silos.

> Sincere regards,

[REDACTED]
[REDACTED]





From: [REDACTED]
Sent: Mon, 5 Jul 2021 14:13:55 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons:

The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43mt.

The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.

The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.

The proposed site for the Specific Area Plan is too close to an environmentally sensitive area and Launceston's greatest natural asset; the Cataract Gorge

RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that "51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."

The proponent would like Amendment 66 to: "Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape." In respect of a Landmark building the Tribunal concluded: "52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performances criteria P1 (b)."

Implementation of Amendment 66 could result in a significantly larger building, both in height and bulk, being constructed on the entire site and would set a precedent for the entire Margaret St

precinct without proper community consultation and consent.

Consultant Paul Davies in his recent 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: "Retain an acceptable height solution and reduce it to 9 metres consistently across the study area."

Mr Davies also recommended in the Report that Launceston should: "Introduce an absolute maximum height limit of 24 metres across the city area." It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments.

Given all of the above proposed Amendment 66 should not be implemented.

[REDACTED]

[REDACTED]

[REDACTED]



1 July 2021

Mr. Michael Stretton
General Manager
City of Launceston Council
Town Hall
St John Street
LAUNCESTON TAS 7250

By email to: Michael.stretton@launceston.tas.gov.au
contactus@launceston.tas.gov.au

Dear Sir,

Ref: SF7233 – Draft Amendment 66 – Launceston Interim Planning Scheme 2015

Draft Amendment 66 proposes the following:

1. Insert a Specific Area Plan over the properties known as 123 Paterson Street, 125-133 Paterson Street, and 270 Brisbane Street, Launceston (also known as 16 Margaret Street) which are respectively described in Certificate of Title references CT151150/3, CT151150/2 and CT175274/1;
2. Insert into the Launceston Interim Planning Scheme 2015, Specific Area Plan F11.0 - Gorge Hotel Specific Area Plan

In making this representation we refer to the advertisement in the Examiner Newspaper, which invites representations to be lodged by 5.00pm on Monday 5 July 2021.

It is timely to remind CoL Councillors of the background to the failed Development Proposal for a 43m high building on this land for a Gorge Hotel (Ref. RMPAT 58/19P) :

*79. For the reasons set out above in respect to the failure of the proposed development to satisfy the criteria in P3 (b), (c) and (d) **the building height is not compatible with the streetscape and the character of the surrounding area.** The second ground of appeal is made out.*

It is our opinion, should City of Launceston Council approve this application to enable a tall building to be constructed on this site to a height nearing 43m, then it is an example of where a proponent is able to circumvent the proper and lawful determination of the independent Tribunal in its Decision 59/19P, and accordingly it is against the interests of the community.

RMPAT also considered other evidence during Hearing 58/91P, regarding **visual impacts, assessment of character of the area and, whether such a proposed building 43M high could be excused or justified as being a landmark or even an iconic building**, recording that:

“The Appellant contends that the relevant surrounding area must be considered in the context of the visual impact of the development beyond the site, such that the relevant surrounding area for analysis of character is that from which the development will be visible and likely to impact upon character. That is, potentially, an extremely large area. The landscape and visual impact assessment included the plan below showing an area in red from which the development would potentially be visible, disregarding the mitigating effects of vegetation, buildings and other structures: 15 Figure 3.1 – proof of evidence of Durwan Dharmaraj, 23 August 2019.

Clearly, the zone of theoretical visibility is too large to be an applicable surrounding area for the purposes of Clause 15.4.1. In his response proof, Mr Brownlie provided photographs of the Launceston cityscape, looking towards the development site, across the CBD and also from a point south west of the development site, looking towards the CBD. Once again, the area shown in the photographs is simply too large to realistically be considered as the surrounding area of the development, when considering the distinctive qualities and identity of the area surrounding the development site such as to enable an assessment of character.”

“Landmark or iconic building.

The Developer and the Council contend that the proposal would be an iconic or a landmark building. It is apparent that there is a difference between the two. A landmark building, as pointed out in the Developer’s submissions, is an object or feature in a landscape or town that is easily seen and recognised from a distance, especially one that enables the viewer to establish their location. Mr More referred to the proposal as a landmark in his report to the Council regarding the development application. Ms Duckett considered that height alone made the building a landmark building. Clearly, the tower would, by virtue of its height, be a landmark that would locate the existing tourism precinct within which it would be situated.

Whether the proposal is an iconic design is another matter. The design response prepared by the architects of the proposal is included in the development application. It says that the development has been designed to be an iconic building that will provide a connection between the Launceston CBD and the surrounding natural beauty of greater Launceston. It does not explain why the proposal will constitute an iconic building. Generally, an iconic building will be one which is symbolic of the concept, culture, heritage, religion and so forth of a place. Its location may, or may not, be an important contributing element. The height of the proposal and its design would undoubtedly cause the tower to stand out from its surroundings and differentiate it from other Launceston buildings. However, the evidence did not establish how it might be so markedly unique, peculiar or recognisable as to present an identity symbolic of Launceston or as an expression of its location in that city or of some cultural, religious or heritage significance.”

“There is nothing in the Scheme that recognises or regulates the nature or value of a landmark building or an iconic building or provides either with any particular status exempting them from compliance with the express performance criteria relevant to the

assessment of a development. A landmark or iconic building would still need to conform with the objective in Clause 15.4.1 and, if it did not meet the acceptable solution in A1, be compatible with the streetscape and character of the surrounding area pursuant to the performance criteria in P1. Even if the criteria in P1 are not the only matters that the Tribunal can have regard to in considering the objective of the Clause, it must still have regard to the criteria. Absent any provision in the Scheme that permits departure from the development standards, the Tribunal is not able to read down or ignore the express development standards in the Scheme even though the building may be a landmark, and even if it were an iconic building.”

We repeat the decision of the Tribunal :

79. For the reasons set out above in respect to the failure of the proposed development to satisfy the criteria in P3 (b), (c) and (d) the building height is not compatible with the streetscape and the character of the surrounding area. The second ground of appeal is made out.

Perceived bias and Request for Recusal

The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against it with the Supreme Court, but apparently decided not to take this route which raises many questions as to why.

We note that the issue of perceived bias has been referred to by past representors in relation to the Gorge Hotel Project given the admitted involvement of Councillors who were directly involved in assessing concept designs from architects in the limited competition process sponsored by JAC Group, then these councillors later acted in the capacity of the Planning Authority in approving the development application resulting from the design competition.

Local Government (Model Code of Conduct) Order 2016

SCHEDULE 1 - Model Code of Conduct

[Clause 4](#)

PART 1 - Decision making

- 1.** A councillor must bring an open and unprejudiced mind to all matters being decided upon in the course of his or her duties, including when making planning decisions as part of the Council's role as a Planning Authority.
- 2.** A councillor must make decisions free from personal bias or prejudgement.
- 3.** In making decisions, a councillor must give genuine and impartial consideration to all relevant information known to him or her, or of which he or she should have reasonably been aware.
- 4.** A councillor must make decisions solely on merit and must not take irrelevant matters or circumstances into account when making decisions.

PART 2 - Conflict of interests that are not pecuniary

1. When carrying out his or her public duty, a councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have.
2. A councillor must act openly and honestly in the public interest.
3. A councillor must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of the Council and at any workshop or any meeting of a body to which the councillor is appointed or nominated by the Council.
4. A councillor must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest.
5. A councillor must avoid, and remove himself or herself from, positions of conflict of interest as far as reasonably possible.
6. A councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must –
 - (a) declare the conflict of interest and the nature of the interest before discussion of the matter begins; and
 - (b) act in good faith and exercise reasonable judgement to determine whether a reasonable person would consider that the conflict of interest requires the councillor to remove himself or herself physically from any Council discussion and remain out of the room until the matter is decided by the Council.
7. This Part does not apply in relation to a pecuniary interest.

Following the Planning Appeal Hearing by RMPAT finding against CoL Council's Development Approval, The EXAMINER Newspaper NOVEMBER 15 2019 - 9:55AM reported details of a debate at a meeting of Council as follows:

Gorge Hotel appeal outcome questioned by councillors



The outcome of the Gorge Hotel appeal has come under fire at the City of Launceston council meeting.

During councillor question time, Tim Walker asked a series of questions about the Resource Management Planning Appeal Tribunal's finding, which went against the council's approval.

Cr Walker questioned the process leading the hotel being recommended for approval. He also questioned mayor Albert van Zetten saying he was disappointed the RMPAT hearing did not favour the hotel being built, and the general manager for suggesting the council would continue to work with the hotel's developers to see the plan progress.

Other councillors around the table were visibly uncomfortable with Cr Walker's questions, which insinuated improper behaviour had taken place when the hotel was first approved by the council.

The hotel is proposed to be built on the corner of Paterson and Margaret streets, with neighbour Susie Cai lodging an appeal against the council's approval in July.

Last week, the tribunal decided in favour of Ms Cai's appeal.

The City of Launceston Council currently comprises the following Councillors:

Mayor Albert van Zetten

Deputy Mayor Danny Gibson

Councillor Andrea Dawkins

Councillor Nick Daking

Councillor Hugh McKenzie

Councillor Karina Stojansek

Councillor Rob Soward

Councillor Paul Spencer

Councillor Jim Cox

Councillor Alan Harris

Councillor Tim Walker

*Councillor Krista Preece

*Councillor Preece had not been elected to Council in 2019, or when more recently Council determined to allow SF7233 Amendment 66 to proceed.

We remain concerned that City of Launceston Council is compromised in now considering the present application before it and accordingly argue that Councillors who have been compromised consider recusal in relation to this and future applications before council.

We refer you to the *Land Use Planning and Approvals Act 1993*:

48. Enforcement of observance of planning schemes

Where a planning scheme is in force, the planning authority must, within the ambit of its power, observe, and enforce the observance of, that planning Scheme in respect of all use or development under-taken within the area to which the planning scheme relates, whether by authority or by any other person.

Planning is concerned with the public good, not private interests. Planning schemes are developed to reflect community aspirations for the future of their municipal area.

Website: Premier of Tasmania, RH. Peter Gutwein

Why does a modern 12-storey building suddenly collapse – pancake ?



Photo courtesy AFP, Joe Raedle

On June 24, 2021, at about 1.30am EDT, Champlain Towers South, a 12-storey beachfront condominium in the Miami Florida USA, partially collapsed. [ABC reports that as at 1 June, 18 people are confirmed dead and the number of residents still unaccounted for stands at 147 people].

It will be some time before experts can access the site and investigate why this building suddenly collapsed and **pancaked**.

“There’s no reason for this building to go down like that,” Surfside Mayor Charles Burkett told reporters “Unless someone literally pulls the supports from underneath, or they get washed out, or there’s a sinkhole or something like that because it just went down.”

Surfside lies on a stretch of coast where severe tropical storms form, so Florida has some of the strictest building codes in the USA. Because of the marine exposure, additionally, local authorities require buildings more than 40 years old to undergo mandatory structural testing, and that process was underway. But there are concerns that these inspections do not take sufficient account of subterranean damage caused by rising sea levels and the state of the bedrock. Reports say that the building was built on reclaimed wetlands which were native to the area prior to development.

Authorities say that it could be months, maybe years before they have the answers.

Could this happen in Launceston, where the subject site is on a former wetlands where seismic action has caused a very deep hole to form at least 2 rift valleys 150m – 230m deep, and later be filled by soft silts and alluvial clays?

The subject land is on a tidal flood plain and is subject to certain seismic activity risks. Not only does the seismic risk endanger the safety of any infrastructure that may exist or is proposed to be constructed there, but it also endangers the stability and durability of the Flood Levee system which allegedly is intended to make-safe from inundation, the land area in question.

Seismic microzonation in Australia

Jensen, V, Seismic microzonation in Australia, Journal of Asian Earth Sciences, 18, (1) pp. 3-15. ISSN 1367-9120 (2000) [Refereed Article]

DOI: [doi:10.1016/S1367-9120\(99\)00048-6](https://doi.org/10.1016/S1367-9120(99)00048-6)

Abstract

Since the 1980s seismic microzonation studies have been undertaken in Australia to assess the likely effects of earthquakes on urban centres built on unconsolidated sediments. Presently the Nakamura method is used for processing data. So far parts of Perth, Adelaide, Cairns, Gladstone, Rockhampton, Newcastle, Sydney and Launceston have been zoned. The Launceston, Tasmania, study was the pilot study for many of these as it refined the methodology used and the data obtained were incorporated into a GIS database. Building heights and site factor zoning maps were produced for the Launceston City Council. One of the major activities, of the new initiative by the Australian Geological Survey Organisation (AGSO), popularly known as the 'Cities Project', is coordinating seismic microzonation throughout Australia. Microzonation data have been included in AGSO's geohazards GIS database. This is helping local councils zone land for seismic hazards. State Emergency Services use the information to plan for emergencies resulting from the effects of earthquakes. These practical applications of seismic microzonation data will help mitigate the destructive effects of any future large earthquakes occurring near major urban centres. In the Launceston case it was found that there is a variable risk dependant on epicentral distance and the nature of relatively unconsolidated sediments in various parts of the city. Disastrous amplification could occur at some sites.

Following scientific study, measuring and assessment, the Launceston microtremor analysis does not hold to the conventional assumption of a 1-dimensional homogeneous geology. In scientific hypothecation of Launceston's geology, due to the presence of the Tamar Rift Valley, amplification of seismic waves is thought to occur due to patterns of earthquake damage that occurred in the past during historic earthquakes. This results in a suspicion that 2-dimensional effects occur on this site.

Earthquake Engineering in Australia, Canberra 24-26 November 2006
[169-Claprod-Asten.pdf](#)

Use of microtremors for site hazard studies in the 2D Tamar rift valley, Launceston, Tasmania

Maxime Claprood and Michael W. Asten
Monash University

Abstract

Analysis of microtremor for risk zonation is conventionally interpreted in terms of sub-horizontal layered geology. This assumption not being valid in some cases, there is a need to take into account the impact of 2D/3D geology for analysis of more complicated models. Bard and Bouchon (1980a, 1980b, 1985) intensively studied SH, SV and P waves motions in sediment-filled valleys. Identification of 2D and 3D effects has been analyzed by Field (1996), Steimen et al (2003), and Roten et al (2006) using spectral amplification and phase behavior. Modeling and interpretation of 2D microtremor data is the next challenge, and several methods have been developed to do so. A finite difference code was developed by Moczo and Kristek (2002) within the European SESAME project. Tessmer et al (1992) and Faccioli et al (1997) present the basis of a pseudo spectral approach combined to domain decomposition techniques for modeling of propagating waves. The research group led by Komatitsch and Tromp developed a spectral element code for 2D and 3D seismic wave propagation (Tromp3D), using a combination of finite-elements method with spectral analysis. Assessment of the different methods available for detecting, modeling and interpreting 2D and 3D effects is the main objective of this project, using both H/V and SPAC data. Modeling methods will be compared with microtremor data acquired over a 2D rift valley (the Tamar Valley in Launceston, Tasmania) where there is a history of earthquake damage associated with site effects.

Introduction

Figure 1 shows the location of Launceston in Tasmania, south of the Australian mainland. Even if Launceston is not located in a very seismically active zone, damage has occurred in the past from earthquakes. Epicenters of earthquakes are located in two seismic zones:

- West Tasman Sea Zone,
- Western Tasmanian Zone.

Earthquake damage in Launceston is thought to be caused by site amplification response due to 2D geology effects. Figure 2 presents the results of the microzonation project at Launceston (Michael-Leiba, 1995). Profiles are obtained from a gravity survey (Leaman, 1994). Bedrock is Jurassic dolerite, which presents low seismic risk when outcropping. The survey outlines the presence of at least 2 deep NNW-SSE trending valleys filled with Tertiary and Quaternary sediments:

- along Tamar Valley axis, maximum sediment thickness of 250m,
- along North Esk Valley (floodplain), maximum sediment thickness of 130m.

Microtremor survey has previously been done in Launceston, using the H/V spectrum ratio (Nakamura, 1989) to estimate the natural site period of site amplification at 56

sites, and to create zoning maps of Launceston. Periods calculated present a large range of values from 0.1 to 1.5 sec. These variations in the calculated periods over the 56 sites do not appear to fit known geological depth; hence they may be explained by 2D effects generated by the presence of deep and narrow valleys. More data will be obtained with SPAC processing of array data as well as H/V data, with the aim being to identify and model 2D effects in the Tamar rift valley.

Figure 1. [see link [169-Claprod-Asten.pdf](#)]

Location of Launceston, Tasmania. Epicenters of earthquakes with Richter magnitudes of 4.0 or more around Tasmania from 1884-1994 (from Michael-Leiba, 1995)

Figure 2. [see link [169-Claprod-Asten.pdf](#)]

Microzonation of Launceston (Michael-Leiba, 1995). Sites where microtremor data have been obtained with H/V spectrum ratio. Geological profiles obtained from a gravity survey (Leaman, 1994)

Review of the problem

Interpretation of single-station H/V microtremor data has traditionally used the hypothesis of a layered geology, where waves of fundamental modes are assumed to dominate the signal. From Nakamura's technique, natural period of a layered site is calculated as:

$$T = 4H/V,$$

where H is the layer thickness and V is the shear wave velocity in the layer. Developments have been made analyzing variations of H/V spectral ratios and reference site method (RSM) along a profile over a valley to detect and analyze 2D effects.

The SPAC method measures the covariance at different frequencies between the signals observed at different stations. Phase velocities are determined by averaging signal coherency between the different points of observation in an array of receivers. Depending on the components of the signal analyzed, Rayleigh and Love waves can be analyzed to determine a 1D shear velocity depth profile.

Bard and Bouchon (1980a, 1980b and 1985) studied the variation in spectral amplitude of SH, SV and P waves along a profile over 2D geology. Trying to extend the H/V spectrum ratio technique to more complex geology, Field (1996) found that the method did not fit the sediment to bedrock ratio over a 2D geology. He recognized that H/V spectral ratio could be used to detect 2D effects. He observed shifting in the peak frequency along a profile over a valley. Data obtained with SPAC method in Launceston will be of interest to see if the use of H/V ratio and SPAC data simultaneously is of interest to better detect and analyze 2D effects in microtremor data.

Working hypotheses

Measurement of Vs depth profile using array methods will provide quantitative shear velocities to use in models.

H/V spectral ratios are an efficient tool to detect and analyze 2D effect in microtremor data.

Array methods (SPAC) applied over a basin edge will give perturbed microtremor phase velocities; these types of perturbations can be studied using 2D or 3D models.

Information deduced from SPAC data will help improve the detection and interpretation of 2D effects in microtremor data.

Methodology

The first step is to obtain H/V spectral ratio and SPAC microtremor measurements on a profile crossing the Tamar Valley in Launceston. H/V spectral ratio data should then be analyzed using 2D effect developed by Bard and Bouchon (1985) and Roten et al (2006). Modeling should then be used to represent Launceston area, using both 1D and 2D geology models. Comparison between SPAC data modeled from 1D and 2D geology would better assess the type of data recorded at Launceston. Recognition of 2D effects from SPAC data is the final step in the project, using both modeled and field data. Few programs can be used to model complex geology. Two approaches will be assessed in this study; the spectral element method, and the joint mode-summation and finite difference method.

Spectral Element Method (SEM)

- Work with Tromp3D program using SEM method (Komatitsch and Tromp, 1999)
- Weak formulation: integral formulation of seismic equations of motion. The weak formulation naturally satisfies the stress-free surface boundary condition.
- Hexahedra elements (quadrangles in 2D)
- Lagrange high-order polynomial representation of elements
- Gauss-Lobatto-Legendre approximation used for integration of equations of motion
- Mass matrix diagonal by construction in SEM: reduces cost of calculations. Mode-summation and finite-difference modeling
- 3D fourth-order staggered grid finite-difference for modeling seismic motion and seismic wave propagation (Moczo et al, 2002)
- Mode-summation method is used to model wave propagation from source position to local 2D/3D irregularity. Path from source to irregularity is assumed to be flat, homogeneous layers.
- Finite-difference method is used in the laterally heterogeneous part of the model (Tamar rift valley). Spurious effects might be created due to the need to impose artificial boundaries to the model to save on CPU time and memory.

Conclusion

Analysis of microtremor data conventionally assumes a 1D homogeneous geology. This hypothesis does not hold in Launceston, Tasmania, due to the presence of the Tamar rift valley. Amplification of seismic waves is thought to occur at Launceston due to patterns of earthquake damage in historic quakes. 2D site effects are suspected.

The expected pattern in H/V spectrum ratio can be used to identify these 2D effects in the Launceston area. SPAC measurements will be used to complete the study.

Microtremor data acquired over Launceston will be used to assess modelling over 2D and 3D effects, using the SEM method and the joint mode-summation and finite-difference method.

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Michael L. Turnbull, publishing in *Journal of Earth System Science*, May 2009, supports the methodology of site responsiveness to earthquakes with a adaptation of

the *Nakamura horizontal to vertical spectral ratio method*, and gives credit to such work as was done by Michael-Leiba M and Jensen V 1999 **Seismic Microzonation of Launceston, Tasmania**.

Turnbull says *“The resulting microzonation maps indicate the relative seismic shaking vulnerability for built structures of different height categories within adjacent zones, with a resolution of approximately 1 km.”*

Combining HVSR microtremor observations with the SPAC method for site resonance study of the Tamar Valley in Launceston (Tasmania, Australia)

[M. Claprod](#), [M. W. Asten](#), [J. Kristek](#)

[Author Notes](#)

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01 November 2012

Summary

The presence of the deep and narrow Tamar Valley in the City of Launceston (Tasmania, Australia), in-filled with soft sediments above hard dolerite bedrock, induces a complex pattern of resonance across the city. Horizontal to vertical spectrum ratio (HVSR) microtremor observations are combined with 1-D shear wave velocity (SWV) profiles evaluated from spatially averaged coherency spectra (SPAC) observations of the vertical component of the microtremor wavefield to complete a site resonance study in a valley environment such as the Tamar Valley. Using the methodology developed in a previous paper, 1-D SWV profiles are interpreted from observed coherency spectra (axial-COH) above the deepest point of the Tamar Valley, using pairs of sensors spatially separated parallel to the valley axis. The 1-D SWV profiles interpreted at five sites suggest the depth to bedrock

interface varies from approximately $z= 25$ m north of the city, to $z= 250$ m above the deepest point of the valley. Numerical simulations of the propagation of surface waves in a 2-D model representation of the Tamar Valley compare well with HVSR observations recorded on two profiles transverse to the valley axis. HVSR observations can identify the in-plane shear (SV) frequency of resonance above the deepest part of the valley on two separate profiles transverse to the valley axis. By computing the ellipticity curves from the preferred SWV profiles interpreted by the SPAC method, the antiplane shear (SH) modes of resonance expected to develop in the Tamar Valley are identified; modes which HVSR observations alone fail to locate with precision. HVSR observations suggest a complex mix of 1-D and 2-D patterns of resonance develops across the valley. The results from this paper suggest that HVSR microtremor observations can be combined with SPAC microtremor method to characterize the geology and the pattern of resonance in a 2-D narrow structure such as the Tamar Valley.

[Numerical solutions, Surface waves and free oscillations, Site effects, Wave propagation, Australia](#)

Issue Section:

[Seismology](#)

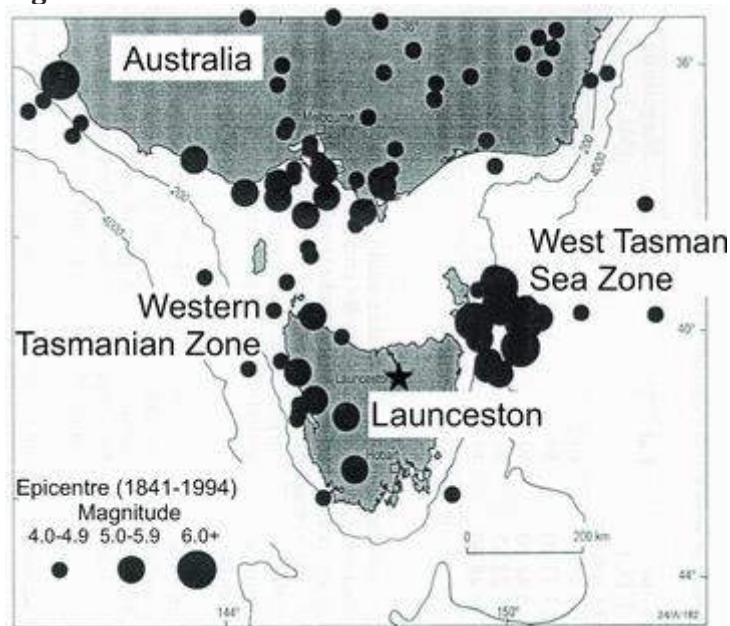
1 Introduction

The presence of low velocity sediments slows down the propagation of seismic waves generated by earthquake. It also induces amplification of the surface motion at a frequency of resonance proportional to the velocity and thickness of soft sediments above hard bedrock. Abrupt lateral variations of geology further amplify the surface motion and shift the frequency of resonance, generating a different pattern of resonance than expected above a layered earth. These local geology effects have significant importance when evaluating seismic hazard and seismic risk at specific sites ([Horike 1985](#)).

The situation of the City of Launceston (Tasmania, Australia) is an interesting example where such local geology effects are observed. While Launceston is not located in highly seismically active region ([Fig. 1](#)), damage has occurred to some buildings in the city from past earthquakes, which epicentres were located at more than 200 km from the city

centre. Several hypotheses may explain the damages, including high vulnerability of the structure and complex pattern of resonance generated by abrupt changes in the near surface geology across the City of Launceston. While we do not discard the hypothesis of structure vulnerability, our study investigates the site resonance pattern expected to develop in the Tamar Valley.

Figure 1



Location of Launceston in Tasmania, Australia. Epicentres of earthquakes with Richter magnitude of 4.0+ around Tasmania from 1884–1994 (modified from Michael-Leiba 1995).

The recording of ambient ground vibrations, or microtremors, has proven to provide a good estimation of the frequency of resonance and shear wave velocity (SWV) structure to complete such hazard zonation studies ([Horike 1985](#); [Field 1996](#); [Kudo et al. 2002](#)). For the purpose of this study, we use the term microtremor for ambient vibrations of any sources, from low frequency natural phenomena to high frequency human activities.

Single station microtremor methods, such as the horizontal to vertical spectrum ratio (HVSr) and the standard spectral ratio (SSR), are commonly used to estimate the frequency of resonance of layered earth geology, and to generate earthquake hazard or expected ground motion zonation maps ([Ibs-von Seht & Wohlenberg 1999](#); [Parolai et al. 2002](#); [Fäh et al. 2003](#); [Mirzaoglu & Dýkmen 2003](#); [Tanimoto & Alvizuri 2006](#)). The efficiency and low cost of HVSr field survey make that method a popular choice for

resonance and microzonation studies ([Lachet & Bard 1994](#)). The interpretation of HVSR observations gives an accurate estimate of the fundamental frequency of resonance of soft sediments over hard bedrock ([Field & Jacob 1995](#)).

Different patterns of resonance develop above complex geologies such as 2-D and 3-D valleys in-filled with soft sediments. Several studies were completed to analyse the generation and propagation of the different components of surface waves induced in valleys of various dimensions ([Bard & Bouchon 1980a,b, 1985](#); [Kawase & Aki 1989](#); [Frischknecht & Wagner 2004](#)).

Many authors have demonstrated the potential of single station microtremor methods to detect a 2-D pattern of resonance, and to identify the frequencies of resonance expected to develop in a valley environment. [Steimen *et al.* \(2003\)](#) used the SSR method to analyse the resonance effects from the St Jakob-Tüllingen and Vetroz valleys in Switzerland. Results from the Vetroz Valley were studied in further detail by [Roten *et al.* \(2006\)](#) to better distinguish between laterally propagating surface waves induced by a 1-D pattern of resonance and vertically propagating standing waves generated by a 2-D pattern of resonance. [Uebayashi \(2003\)](#) used HVSR observations to constrain the modelling of 3-D basin structures; comparing modelled HVSR, observed HVSR and theoretical Rayleigh wave ellipticity curves to analyse the complex geology across the Osaka Basin (Japan). [Hinzen *et al.* \(2004\)](#) used HVSR observations to map the changes in sediments thickness across the normal fault Lower Rhine Embayment (Germany). [Cara *et al.* \(2008\)](#) noted significant variations in HVSR measurements from 90 sites above alluvial sediments in riverbeds in the city of Palermo (Italy). Recently, [Lenti *et al.* \(2009\)](#) analysed 2-D site amplification in the Nera River alluvial valley (Italy), using SSR and HVSR observations from microtremor and earthquake weak ground motion. [Barnaba *et al.* \(2010\)](#) used HVSR observations to estimate sediment thickness (assuming 1-D geology) in irregular shape valley in the Friuli region (Italy), comparing with gravity interpretation and seismic refraction velocity profiles.

We record HVSR observations in Launceston to analyse the frequencies of resonance in and around the Tamar Valley in Launceston. The choice of the HVSR method rather than SSR was justified on the basis that HVSR observations do not require the use of a reference station on hard bedrock, whereas the distant location for a reference station

relative to the other stations can violate the hypothesis of spatial stationarity of the microtremor wavefield.

Single station microtremor observations do not provide good estimates of the SWV structure of a soil ([Asten et al. 2002](#); [Chávez-García et al. 2007](#)), an important parameter to evaluate for site hazard study. Several authors demonstrated that the reliability of site resonance studies is greatly improved by combining array based and single station microtremor observations to evaluate the SWV structure and the pattern of resonance. For example, [Satoh et al. \(2001\)](#) used HVSr observations at 48 sites to constrain SWV profiles evaluated by array based FK method at four sites in the Taichung Basin (Taiwan). [Scherbaum et al. \(2003\)](#) used the FK method to evaluate dispersion curves to constrain the velocity to depth dependence, and HVSr observations to constrain the layer thickness in the Lower Rhine Embayment (Germany). [Parolai et al. \(2005\)](#) proposed a joint inversion of HVSr and velocity dispersion curves, using fundamental and higher modes of propagation to determine the SWV structure by a genetic algorithm at a test site in the Cologne area (Germany). Similarly, using microtremor observations at four sites in the cities of Kushiro, Odawara, and Tokyo (Japan), [Arai & Tokimatsu \(2005\)](#) demonstrated that a joint iterative non-linear inversion of HVSr spectra and array derived velocity dispersion curves gives better results at evaluating SWV profiles than using velocity dispersion curves alone. [Di Giulio et al. \(2006\)](#) combined HVSr and FK observations in the Colfiorito Basin (Italy) to derive SWV profiles. [Chávez-García et al. \(2007\)](#) conducted a microzonation study of the city of Colima (Mexico) by combining HVSr observations at 315 sites with array based ReMi and spatially averaged coherency spectra (SPAC) microtremor methods at eight sites for improved resolution. [Roten & Fäh \(2007\)](#) concluded that the combined inversion of velocity dispersion curves obtained from the FK method, with 2-D frequencies of resonance evaluated from SSR observations, was a reliable method to evaluate SWV profile to bedrock interface in the Rhône Valley.

Several authors have analysed the use of array based microtremor methods in complex geology. For example, [Cornou et al. \(2003a,b\)](#) used the MUSIC algorithm with HVSr observations to identify the wavefield associated with site amplification in the Grenoble Valley (France), using an extensive array of 29 three-component seismometers with a total array aperture of 1 km. [Hartzell et al. \(2003\)](#) used the FK and MUSIC methods to

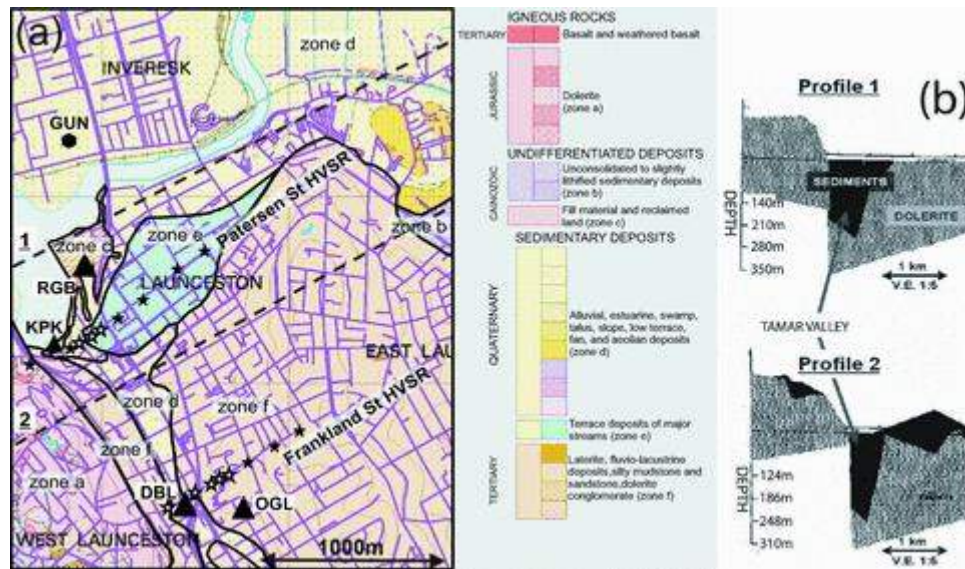
detect edge generated surface waves with a dense array of 52 sensors in the Santa Clara Valley (USA), using site response spectra from earthquake generated motion to evaluate the SWV profile. [Roten et al. \(2006, 2008\)](#) used the FK method to identify the modes of resonance expected to develop in the Rhône Valley (Switzerland). Seismic noise tomography was used by [Picozzi et al. \(2009\)](#) to image shallow structural heterogeneities with an array of 21 geophones at the Nauen test site in Germany.

In this study, we present the results of a site resonance study conducted in and at the edge of the Tamar Valley in Launceston, combining the results obtained from HVSR and SPAC observations at separate sites. Until recently, the use of SPAC method was restricted to regions where the geology could be approximated by a layered earth geology. A methodology was developed in [Claprod et al. \(2011\)](#), paper subsequently referred to as CAK1, to permit the use of temporally averaged coherency spectra observations to evaluate SWV profile above the deepest point of a valley. Building on the results obtained in CAK1 at two sites DBL and RGB, we complete the site resonance study in Launceston by analysing SPAC observations at three additional sites (GUN, OGL, and KPK) to evaluate 1-D SWV profiles in and outside the valley. HVSR observations at all five sites are analysed to constrain SPAC observations and to evaluate the frequencies of resonance at separate sites in Launceston. Additional HVSR observations are recorded on two profiles transverse to the valley axis to identify the different modes of resonance which develop in the Tamar Valley.

2 Geophysical Settings

While other causes such as structure vulnerability are not excluded, we investigate the possibility that site amplification response due to local geology effects could induce the earthquake damages observed in Launceston. Information on the geology of Launceston is available from unpublished maps from Mineral Resources Tasmania, borehole logs held by the Launceston City Council, and a gravity survey completed by [Leaman \(1994\)](#). The geological map of Launceston presented in [Fig. 2](#) outlines the rapid changes in surface geology in the Central Business District of Launceston, with the geological interpretation of two gravity profiles recorded across the valley.

Figure 2



(a) Map of surface geology of Launceston (modified from Mineral Resources Tasmania), divided into six zones by thick black lines. Triangles and hexagons are location of SPAC microtremor observations at sites GUN, RGE, KPK, DBL and OGL. Black stars: stations for HVSr profiles. White stars: projected stations for HVSr profiles. Dashed lines: location of two gravity profiles from Leaman (1994) which geological interpretation is presented on panel (b).

The area covered by this survey is topographically flat. The bedrock comprises dense, fractured and weathered Jurassic dolerite; which provides reduced seismic risk and excellent foundation conditions (Leaman 1994). It is covered by poorly consolidated materials, i.e. clays, sands, conglomerates, silts and fills which can be compressible, water saturated, plastic, and of low density. Quaternary alluvial sediments (silts, gravels, fills) were deposited in valleys floor and other marshy areas near sea level. These sediments have poor cohesion, negligible strength, and may be thixotropic. The ancient valley systems beneath Launceston are Tertiary rift valleys, filled with low density Tertiary sands and clays. A gravity interpretation (Leaman 1994) identified two palaeo-valley systems, i.e. the Trevallyn-Tamar lineament referred as the Tamar Valley in this paper, and the North Esk Palaeovalley, both trending in a NNW-SSE direction. The Tamar Valley is the focus of our research for it is more continuous and better defined than the North Esk Valley. Interpretation of the gravity survey indicates that the Tamar Valley has a width of 700 to 1000 m and an approximate maximum depth of 250 m.

Borehole logs, located at proximity to site DBL and in the northern part of Launceston (Inveresk, Fig. 2), are drilled to a maximum depth of 20 m, hitting hard dolerite bedrock

in Inveresk only. The boreholes drilled at site DBL were terminated, for unknown reason, at depth less than 10 m in silty sand, interpreted to be the interface between Quaternary and Tertiary sediments. The interpretation of borehole logs gives little information about the geology inside the Tamar Valley. While the interpretation of the gravity survey from [Leaman \(1994\)](#) provides some knowledge about the extent of the soft sediments filling the Tamar Valley, it adds little information about the shear wave velocity inside the valley.

3 Geophysics Surveys

Prior to the first microtremor field survey completed in October 2006, some geophysical surveys have been completed to characterize the geology and to identify the frequency of resonance at several sites in Launceston. We briefly present the main conclusions interpreted from a gravity survey ([Leaman 1994](#)) and a microzonation project ([Michael-Leiba 1995](#)), which results suggested the need of acquiring additional microtremor observations in Launceston.

3.1 Gravity survey

The geological interpretation of two gravity profiles recorded across the city is presented in [Fig. 2\(b\)](#). The survey provided some evaluation of the geometry of the valley systems, and outlined the importance to complete a microzonation study in the city of Launceston to evaluate the frequency of resonance at separate sites in the city. We use this interpretation to constrain some SWV profiles recorded in Launceston, and to constrain the geometry of the Tamar Valley during the numerical simulations.

3.2 Microzonation project

The microzonation study was completed by [Michael-Leiba \(1995\)](#), by recording HVSR observations to estimate the natural period of resonance at 56 sites in Launceston. The observations were used to create two zoning maps of the city, depicting site soil factors and building height groups which may be affected by resonance.

The periods of resonance evaluated during this microzonation project present a large range of values (0.1–1.5 s), variations which do not always appear to fit the interpreted bedrock interface from gravity data ([Leaman 1994](#)). The hypothesis of multiple layering of sediments, non-uniformity of the layer with respect to shear-wave velocity, or departure from simplified layered earth geology were advanced by [Michael-Leiba \(1995\)](#) to explain these disagreements. We further investigate the hypothesis that 2-D

effects generated by the presence of soft sediments in the Tamar Valley could explain some of these contradictory observations.

4 Site Resonance Study

We recorded array based SPAC and single station HVSR microtremor observations in and around the Tamar Valley to increase our knowledge of the pattern of resonance which develops in Launceston.

Two HVSR profiles transverse to the valley axis are used to identify the frequencies of resonance which are induced in the Tamar Valley. The SPAC method is used to evaluate the SWV structure above the deepest point of the valley, which is used to compute the Rayleigh wave ellipticity curve. The peak of the ellipticity curve is an estimation of the expected frequency of resonance f_h when assuming a layered earth geology. Using a model developed by [Bard & Bouchon \(1985\)](#), we compute the frequencies of all expected modes of resonance in the Tamar Valley using the SWV information from SPAC interpretation and the frequencies of resonance observed from the HVSR profiles. Both sets of observations (SPAC and HVSR) are needed to complete the site resonance study of the Tamar Valley because: (1) HVSR observations can not resolve for all modes of resonance, and (2) the modes of resonance computed from the SWV determined by the SPAC method need validation from HVSR profiles at different points across the valley. Numerical simulations of the propagation of surface waves in a 2-D model representation of the Tamar Valley are completed to confirm the interpretation of microtremor observations recorded in Launceston, and to better define the geometry, geology, and modes of resonance of the valley.

4.1 SPAC method

The SPAC method was introduced by [Aki \(1957\)](#) under the name spatial autocorrelation method. Assuming the spatial and temporal stationarity of microtremors, coherency spectra are evaluated between all pairs of sensors in an array. The spatially averaged coherency spectrum $C(f)$ is computed for multiple inter-station separations as:

1

where J_0 is the Bessel function of first kind and zero order, k is the spatial wavenumber at frequency f , r is the interstation separation, and $V(f)$ is the S -wave velocity dispersion function of a layered earth model, which SWV profile is evaluated ([Aki 1957](#); [Okada 2003](#); [Asten 2006a](#)). While [Aki \(1957\)](#), [Fäh *et al.* \(2007\)](#), and [Köhler *et al.* \(2007\)](#) demonstrated the potential of using vertical and horizontal components of the microtremor wavefield (method referred as the 3cSPAC), the vertical component alone is used in this project for its simpler processing. Observed coherency spectra are directly fit to theoretical coherency spectrum (COH) by least-square optimization ([Herrmann 2002](#)) to evaluate the SWV to depth profile, as proposed by [Asten *et al.* \(2004\)](#). The domain of validity of the frequency interval to interpret SPAC observations with an array of sensors is still debated in the literature ([Henstridge 1979](#); [Okada 2006](#); [Asten 2006a,b](#); [Ekström *et al.* 2009](#)). We select the interval of valid frequencies on a case-by-case scenario from the analysis of the microtremor wavefield. The valid frequency range is identified on each selected sites on the coherency spectra.

When the hypothesis of a layered earth is not valid, suggesting the presence of 2-D effects from the valley, we use the methodology developed in CAK1 to identify the patterns of resonance and evaluate 1-D SWV profiles from microtremor observations recorded in a valley environment. The coherency spectra observed with pairs of sensors with separation parallel to the valley (axial-COH) of the vertical component alone is fit to the theoretical coherency spectrum to evaluate the depth to bedrock interface above the deepest point of the valley. The use of single pair of sensors to evaluate the coherency spectrum, replacing the spatial averaging by temporal averaging and increasing the length of the microtremor time series, has been validated by different studies ([Aki 1957](#); [Capon 1973](#); [Morikawa et al. 2004](#); [Chávez-García et al. 2005](#); [Claprood & Asten 2010](#)).

4.2 HVSR method

The HVSR, introduced by [Nogoshi & Igarashi \(1971\)](#) and popularized by [Nakamura \(1989\)](#), provides a good estimate of the natural frequency of resonance of soft sediments over hard bedrock (fh). In a layered earth geology, the HVSR peak is empirically found to be a reliable estimation of the Rayleigh wave ellipticity R_0 ([Lachet & Bard 1994](#); [Tokimatsu 1997](#); [Scherbaum et al. 2003](#)), where the shape of the elliptical motion is determined by the shear wave frequency of resonance in particular, and more generally by the elastic parameters of the earth. In a typical interpretation sequence, Rayleigh wave ellipticity curves are computed from the SWV profiles evaluated by the SPAC method. At the shear wave frequency of resonance of an assumed layered earth, the Rayleigh wave's elliptical motion tends to degenerate into a dominantly horizontal motion ([Asten et al. 2002](#)), showing a peak on the ellipticity curve.

An intricate pattern of resonance develops across a valley in-filled with low velocity sediments. Surface waves bounce back and forth from the edges of the valley, creating interference and inducing a pattern of resonance different than that expected over a layered geology. A 2-D pattern of resonance develops in deep and narrow valleys. A critical shape ratio was expressed by [Bard & Bouchon \(1985\)](#) to better define the conditions of formation of 1-D and 2-D patterns of resonance with respect to the dimensions of the valley. The shape ratio of a valley is defined as the ratio between the maximum thickness of sediments H to the half-width w of the basin (the length over which the local sediments thickness is greater than half the maximum thickness H).

Different modes of resonance develop in a valley, shifting the frequency of resonance to higher frequencies when compared to its equivalent layered geology. [Bard & Bouchon \(1985\)](#) recognized the SH mode of resonance excited by the axial component of horizontal motion (parallel to the valley axis), and the SV and P modes of resonance excited by the transverse component of horizontal motion (perpendicular to the valley axis) and the vertical component of motion. The theoretical SH and SV modes of resonance are expected at frequencies:

where f_h is the frequency of resonance of an equivalent layered earth, m and n are the number of nodes in the vertical and horizontal standing modes, respectively. By decomposing the horizontal microtremor time series into its axial and transverse components of motion relative to the valley axis, we seek to detect these theoretical frequencies of resonance on HVSr observations recorded in the Tamar Valley in Launceston. At a qualitative level, a difference in observed HVSr frequency maxima for axial and transverse components of motion can be an indicator of 2-D effects in the geology. Where the different frequency maxima are resolvable, we are able to make quantitative conclusions on the nature of a 2-D valley.

5 Microtremor Observations

Microtremor observations were recorded in October 2006 and 2007 in the city centre of Launceston. We used seven vertical component Mark L28—4.5 Hz cut-off frequency sensors to record SPAC observations; and one three-component Mark L4C—1 Hz cut-off frequency geophone to record HVSr observations at the centre of each array during the 2006 field survey. Two 5 min time series were recorded at each site. To gain sensitivity at depth, we used four three-component Guralp CMG-3ESP—30 and 60 s period geophones to record SPAC and HVSr observations in 2007. Observations were recorded with time series of 20 to 30 min, sufficient to ensure reliability in the observed coherency spectra computed with a limited number of sensors ([Chávez-García & Rogríguez 2007](#); [Chávez-García *et al.* 2007](#); [Claprod & Asten 2010](#)) and to significantly reduce the statistical variability of microtremor observations ([Picozzi *et al.* 2005](#)).

The time series are divided into 80-s time segments, with 50 per cent overlap, weighted with a Hanning bell, and fast-Fourier transformed in the frequency domain to obtain the raw spectra $S_i(f)$ of microtremor energy at every sensor i . HVSr or SPAC processing were then computed on every time segment, from which the temporal average over all time segments was evaluated.

The SPAC results for sites DBL and RGB have been used in CAK1 to develop the methodology permitting the use of the SPAC method in valley environment. We now include three additional sites (KPK, GUN, OGL), integrating HVSr data with the SPAC data for identifying perturbations attributable to the 2-D geology. The location of the

sites GUN, RGB, KPK, DBL and OGL is presented in [Fig. 2\(a\)](#). Two HVSR profiles are also recorded transverse the Tamar Valley along Paterson and Frankland Streets to analyse the frequencies of resonance across the valley.

5.1 SPAC observations

The complex coherency spectrum $C_{ij}(f)$ between each pair of sensors (i, j) is computed using the equation:

$$4$$

where * denotes complex conjugate. Complex coherency spectra are averaged over all time segments to yield the temporally averaged coherency spectrum at each pair of sensors. The abbreviation COH is used for coherency spectrum throughout this paper. SPAC are computed by averaging over azimuth for all interstation separations possible from the array geometry. We used centred hexagonal arrays of $n=6$ sensors during the 2006 field survey and centred triangular arrays of $n=3$ sensors during the 2007 field survey. The geometry of both arrays is presented in [Fig. 3](#).

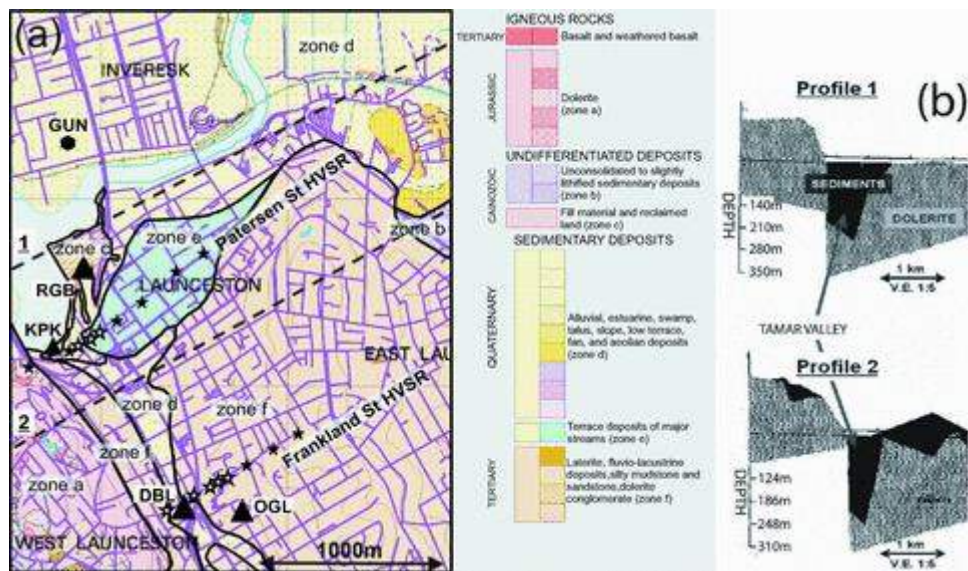
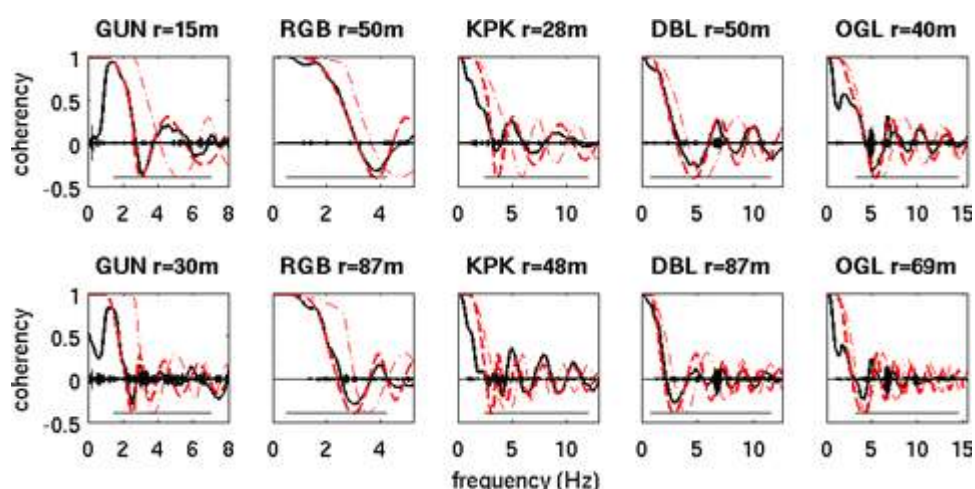


Figure 3

Common SPAC array geometries. (a) Centred hexagonal array of six stations with four interstation separations r_1, r_2, r_3 and r_4 . (b) Centred triangular array of three stations with two interstation separations r_1, r_2 .

The coherency spectra observed at all five sites in Launceston are presented in [Fig. 4](#) for all pairs of sensors of selected interstation separations, along with the spatially averaged coherency spectra recorded at five sites in Launceston and the theoretical coherency spectrum computed from the preferred SWV profile at each site.

Figure 4



Best-fit coherency models at five sites for selected interstation separations. Hexagonal arrays used at sites GUN and KPK, sum of two triangle arrays with pair of sensors XA oriented axial and transverse to valley axis used at sites RGB, DBL and OGL. Thick black curve is real component of observed spatially averaged coherency spectrum (COH). Bars are roughened imaginary component of observed COH. Thick dashed red curve is the theoretical COH for the fundamental mode Rayleigh wave, for the preferred SWV layered earth model. Dash-dotted red curve is the theoretical COH for the 1st higher mode Rayleigh wave. Straight line at bottom of each graph shows the frequency interval over which the theoretical COH is fitted to the observed COH.

Coherency spectra were recorded with two centred hexagonal arrays of 15 and 30 m radius at site GUN. The SWV profile was evaluated by fitting the theoretical coherency spectra to the observed SPAC for frequencies $1.5 \leq f \leq 7.0$ Hz. The observed SPAC agree well with the theoretical coherency spectra, and the SWV profile evaluated compares well with the borehole logs obtained from the Launceston City Council.

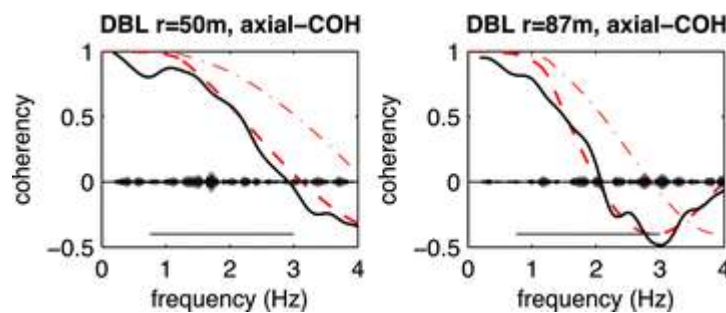
The site RGB is located above the eastern flank of the Tamar Valley. Previous analysis of SPAC observations at site RGB in CAK1 suggested a directionality of the microtremor wavefield ([Claprood & Asten 2010](#)), which was not induced by 2-D resonance from the Tamar Valley (CAK1).

The site KPK is assumed to be located above the deepest point of the valley ([Leaman 1994](#)). Observed coherency spectra at site KPK are analysed over an extended frequency interval ($2.5 \leq f \leq 12.0$ Hz) with a 28 m radius centred hexagonal array in 2006 and two 28 m radius centred triangular arrays in 2007. The bedrock interface is not detected

with SPAC observations alone due to the small array size; HVSR and gravity interpretation were used as constraints to fix the depth to bedrock interface at site KPK.

The site DBL is assumed to be located above the deepest point of the Tamar Valley at approximately 1 km southeast of site KPK. A 20 m radius centred hexagonal array was used in 2006 to resolve the shallow layers ([Claprod & Asten 2008a](#)). This site was revisited in 2007 with two 50 m radius centred triangular arrays for improved resolution at depth. As outlined in CAK1, different behaviours were detected on the coherency spectra observed at low frequencies with the 50 m radius array with respect to azimuth. Following the methodology developed in CAK1 concerning the use of the SPAC method in a valley environment, only the axial-COH was used to evaluate the depth to bedrock interface at site DBL. The coherency spectra observed on other pairs of sensors are affected by the 2-D resonance pattern, and could not be used to interpret a 1-D SWV profile at site DBL. [Fig. 5](#) presents the fit between the theoretical coherency spectra and observed axial-COH at site DBL for interstation separations $r_1 = 50$ m and $r_2 = 87$ m on the frequency interval $0.75 \leq f \leq 3.0$ Hz.

Figure 5

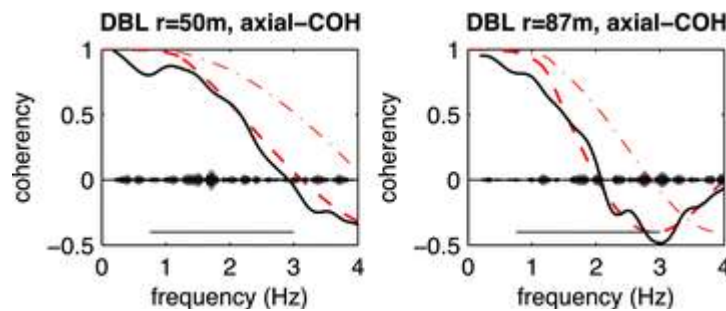


Best-fit coherency model at site DBL between theoretical coherency spectrum (thick dashed red curve for fundamental mode, dash-dotted red curve for 1st higher mode) and observed axial-COH (thick black curve) for interstation separations $r_1 = 50$ m and $r_2 = 87$ m on frequency interval $0.75 \leq f \leq 3.0$ Hz.

Observed coherency spectra at site OGL, located on the eastern flank of the Tamar Valley, show poor resolution at low frequency, and were used in combination with HVSR observations to resolve the bedrock interface at this site. The depth to bedrock of the SWV profile was adjusted so the peak of the ellipticity curve, computed from SPAC observations, would match the frequency of resonance observed on HVSR data.

Conversely to [Di Giulio et al. \(2012\)](#) who explored the whole model space by ranking the best classes of models for the inversion of surface-wave dispersion inversion, we only present the preferred SWV profiles (thick lines) and the 20 per cent lower and upper bounds in sediments thickness (dashed lines) evaluated at all five sites ([Fig. 6](#)). We believe our approach is sufficient to analyse and differentiate the impact of the complex geology such as the Tamar Valley on SPAC and HVSR observations. [Fig. 6](#) outlines the variability in the shear wave velocity structures interpreted at different locations within the city of Launceston. The bedrock interface is interpreted to be at $z \approx 25$ m at site GUN, and deeper than 200 m at sites KPK and DBL ([Fig. 6](#)). This explains the large range of periods of resonance recorded by [Michael-Leiba \(1995\)](#) over the city. The interpreted 1-D SWV profiles are used to compute the expected frequencies of resonance at these five separate sites in Launceston.

Figure 6



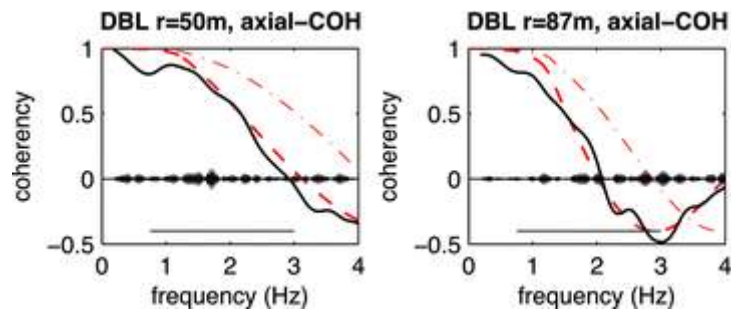
Thick lines: preferred SWV profiles evaluated at at sites GUN, RGB, KPK, DBL and OGL from SPAC observations. Dashed lines: lower and upper bounds on sediment thickness of preferred SWV profiles by adjusting layers thickness by ± 20 per cent.

5.2 HVSR observations

Horizontal to vertical spectrum ratios are computed to estimate the frequency of resonance at separate sites in Launceston. The sensors are oriented to record the horizontal components parallel and perpendicular to the valley axis to identify the and frequencies of resonance which develop in a valley ([Bard & Bouchon 1985](#); [Steimen et al. 2003](#); [Roten et al. 2006](#)). We use the term axial-HVSR for HVSR computed with the axial horizontal component to the valley axis, and to the term transverse-HVSR for HVSR computed with the transverse horizontal component. For the example of a valley striking north-south, we compute HVSR as: where is the north-south (axial in Launceston) component of horizontal power spectrum, is the east-west (transverse in Launceston) component of horizontal power spectrum, and is the vertical microtremor power spectrum.

We present HVSR observations recorded at the centre sensor of all SPAC arrays in [Fig. 7](#). HVSR observations are compared to the Rayleigh wave ellipticity computed from the 1-D SWV profiles evaluated at all sites ([Fig. 6](#)).

Figure 7



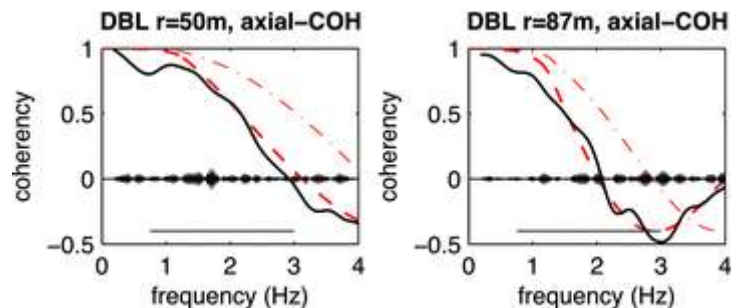
HVSR observations at all five sites. Thick black solid line is conventional HVSR; blue line is axial-HVSR; green line is transverse-HVSR; thick red and yellow lines are Rayleigh wave ellipticity curve of fundamental mode R_0 and first higher mode R_1 from the preferred SWV profile at each site; thin red and yellow lines are R_0 and R_1 from the lower and upper bounds of SWV profiles.

Different behaviours are observed on the HVSR curves depending on the site analysed. Conventional, axial and transverse-HVSR all agree well with the Rayleigh wave ellipticity curves computed at sites GUN, RGB and OGL. A sharp peak is recognized on HVSR observations at $fh= 1.18$ Hz at site GUN, and at $fh= 1.31$ Hz at site RGB. It is interesting to note the frequency of resonance is lower at site GUN than at site RGB, despite a much shallower bedrock interface (SWV profiles, [Fig. 6](#)). Sediments of very low velocity at site GUN are thought to be the main cause of such a low frequency of resonance. The frequency of resonance is estimated at $fh= 0.87$ Hz from HVSR observations at site OGL.

Despite the fact that the sites RGB and OGL are assumed to be located within the Tamar Valley, they do not show 2-D frequencies of resonance. We propose the hypothesis that the east flank of the valley is dipping at such low angle that the geology can be approximated by a layered earth for microtremor studies at these sites. This hypothesis of a layered earth does not hold true above the deepest point of the valley, where a separation of the modes of resonance is observed at sites KPK and DBL. At both sites, the peaks are located at different frequencies on axial-HVSR and transverse-HVSR; at higher frequency than the expected frequency of resonance fh computed from the ellipticity curve from SPAC observations by considering a layered earth. [Fig. 8](#) better expresses

that difference by zooming on the HVSR curves at sites KPK and DBL around their frequencies of resonance.

Figure 8



HVSR observations at sites KPK and DBL around the frequencies of resonance. Same legend as [Fig. 7](#).

The difference in behaviour observed on the axial and transverse-HVSR is typical of the separation of modes of resonance expected in deep and narrow valleys. The frequencies of resonance on the axial-HVSR and Hz on the transverse-HVSR at site KPK; and Hz and Hz on the axial-HVSR, and Hz on the transverse-HVSR at site DBL were identified in [Claprod & Asten \(2008b\)](#).

We observe that the uncertainty in the 1-D SWV profiles can not explain the discrepancy observed between the ellipticity curves and HVSR observations at sites KPK and DBL. A significant change in the sediment thickness can not explain the separation in the frequency of resonance regarding to the orientation of the horizontal components. Similar analysis is also true concerning the higher modes of propagation, which affect both horizontal components by the same amount. This is not observed on HVSR curves, where the horizontal components are shifted differently depending on their orientation.

6 Tamar Valley Characterization

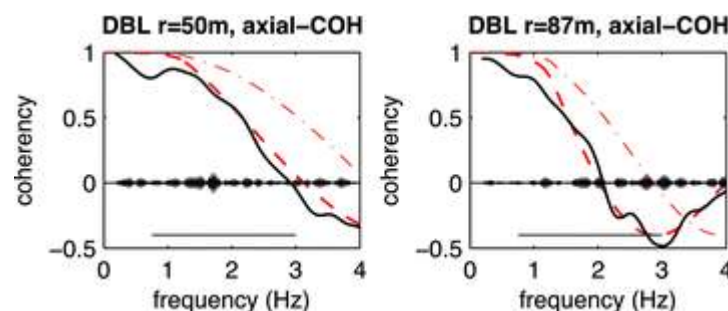
Building on the SPAC and HVSR results obtained at five separate sites, we complete the site characterization study of the Tamar Valley by recording two HVSR profiles transverse to the valley axis. The first profile runs along Paterson Street, at proximity to the sites KPK and RGB, while the second profile runs along Frankland Street at proximity to the sites DBL and OGL ([Fig. 2a](#)).

Axial- and transverse-HVSR profiles are constructed by presenting the observed HVSR curves side by side with respect to the distance from the western edge of the valley. A grey tone contour map is generated from the traditional HVSR observations. Each HVSR curve is normalized so its peak is fixed to a value of 1. This normalization was completed to present a smoother map of HVSR observations, and to better observe the variations in the pattern of resonance across the Tamar Valley. It is commonly accepted that, while HVSR observations are reliable to evaluate the frequency of resonance, their amplitude does not give an accurate estimation of the actual site amplification ([Lachet & Bard 1994](#); [Dravinski et al. 1996](#)), which justifies the normalization process.

6.1 Paterson Street HVSR profile

The Paterson Street profile is formed from HVSR observations recorded at different sensors at site KPK and additional stations along Paterson Street. The axial-HVSR and transverse-HVSR profiles on Paterson Street are presented in [Figs 9](#) and [10](#).

Figure 9



Observed axial-HVSR profile recorded across the Tamar Valley along Paterson Street. The contour map shows amplitude of HVSR (white is maximum) as a function of position and frequency. Expected frequencies of resonance fh from Rayleigh wave ellipticity at site KPK, and , , and computed from Bard and Bouchon's model (eq. [2](#)) are shown as vertical dashed lines. Circles on the right are the location of HVSR observations along the profile. Left: model representation of the Tamar Valley along Paterson Street used in the numerical simulations.

Observed transverse-HVSR profile recorded across the Tamar Valley along Paterson Street. Expected frequencies of resonance fh from Rayleigh wave ellipticity at site KPK, and computed from Bard and Bouchon's model (eq. [3](#)) are presented. Left: model representation of the Tamar Valley along Paterson Street used in the numerical simulations.

Combining all geophysical information (gravity interpretation, SPAC and HVSR), we evaluate the geometry of the valley along Paterson Street profile. The maximum depth to the bedrock interface is fixed at $H= 230$ m from gravity interpretation ([Leaman 1994](#)). The width at half-depth is evaluated at $w= 500$ m to match most observed HVSR peaks to the expected frequencies of resonance of modes SH and SV. These expected frequencies of resonance are computed by the Bard and Bouchon's model using the ellipticity curve from SPAC observations. A shape ratio of $SR= 0.46$ is computed for the Tamar Valley along Paterson Street. The expected frequencies of resonance of modes SH and SV are annotated on [Figs 9](#) and [10](#).

The peak on the axial-HVSR profile on Paterson Street is located at $f= 0.90$ Hz. This is significantly higher than the expected frequency of resonance for an equivalent layered earth ($fh= 0.74$ Hz), and is located between the expected Hz and Hz frequencies of resonance. A double peak feature is observed at $f= 1.27$ Hz on axial-HVSR and on the transverse-HVSR profile ([Fig. 10](#)). We suggest this peak corresponds to a 1-D frequency of resonance above the flank of the valley. A 1-D frequency of resonance was identified at $fh= 1.31$ Hz from HVSR observations at site RGB which is located at similar distance to the edge of the valley, supporting this hypothesis. Such complex spectral resonance in a valley environment, including a mix of 1-D and 2-D patterns of resonance, has been recognized by [Lenti et al. \(2009\)](#). The peak located at $f= 1.16$ Hz above the deepest point of the valley at $x= 250-300$ m on the transverse-HVSR profile on Paterson Street ([Fig. 10](#)) agrees well with the expected Hz computed from Bard and Bouchon's model.

6.2 Frankland Street HVSR profile

HVSR observations recorded at selected sensors from the SPAC arrays at sites DBL and OGL and additional stations are used to construct this HVSR profile across the Tamar Valley, located approximately 1 km southeast of the Paterson Street profile. The HVSR stations from the site OGL are projected parallel to the valley axis to correctly evaluate the distance from each station perpendicular to the edge of the valley. The profile contains a total of ten stations, unequally spaced. [Figs 11](#) and [12](#) present the Frankland Street axial-HVSR and transverse-HVSR profiles. An expected 1-D frequency of resonance of $fh= 0.61$ Hz is evaluated on the ellipticity curve computed from SPAC observations at site DBL. The peaks identified on HVSR profiles in [Figs 11](#) and [12](#) are clearly located at higher frequencies.

Observed axial-HVSR profile recorded across the Tamar Valley along Frankland Street. Left: model representation of the Tamar Valley used in numerical simulations.

Combining the SWV profiles obtained by the SPAC method and observed frequencies of resonance observed on HVSR data is necessary to evaluate the geometry of the valley along this profile. The maximum sediments thickness is evaluated at $H= 250$ m from axial-COH interpretation at site DBL while the numerical simulations of the valley presented in the [Section 6.3](#) allows to determine the width at half-depth ($w= 421$ m) by fitting the expected and observed frequencies of resonance from HVSR profiles.

We observe a peak at $f= 0.90$ Hz on the axial-HVSR profile above the deepest point of the valley in [Fig. 11](#). This frequency approximately equals that of the computed H_z SH modes of resonance of higher order could not be detected on the axial-HVSR profile.

On the transverse-HVSR profile ([Fig. 12](#)), a clear peak is identified at frequency $f= 1.18$ Hz above the deepest point of the valley, which corresponds to the expected frequency of resonance H_z . This peak, along with the peak observed on axial-HVSR at $f= 0.90$ Hz ([Fig. 11](#)), suggests the presence of a 2-D pattern of resonance above the deepest part of the Tamar Valley.

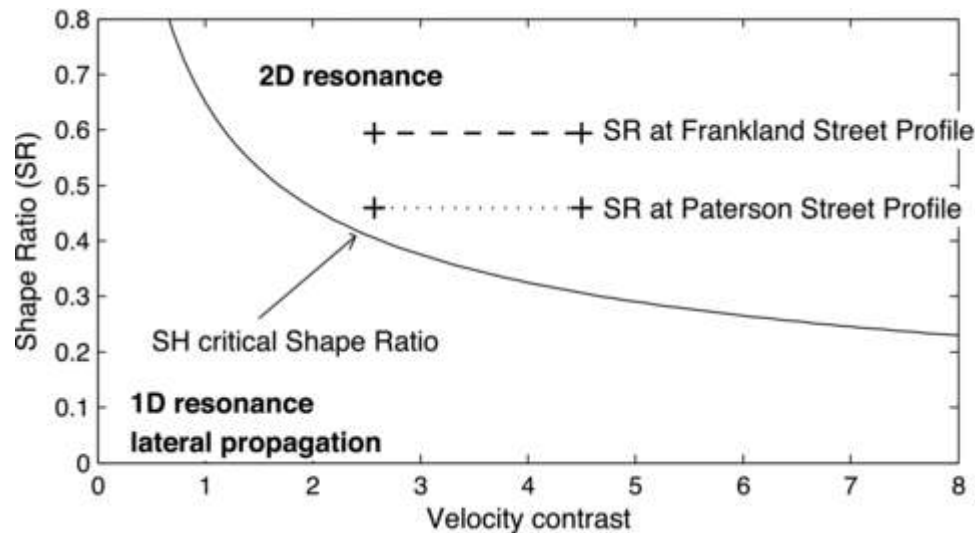
A peak is also identified at location $x= 450$ m above the gently dipping flank of the valley, which location corresponds to the site OGL. A 1-D frequency of resonance was previously identified at $f_h= 0.87$ Hz on HVSR observations and the ellipticity curve computed from the preferred SWV profile at site OGL. This suggests the resonance behaviour above this side of the valley reacts as a layered earth geology; in a similar pattern than was previously observed on the HVSR profile along Paterson Street.

We note a significant change in the pattern and frequencies of resonance on the axial- and transverse-HVSR profiles at $x\approx 500$ m. HVSR data show a peak at constant frequency $f\approx 3.5$ Hz on both profiles for $x > 550$ m. This suggests the geology east of the Tamar Valley can be approximated by a layered earth.

[Fig. 13](#) presents the shape ratio of the valley computed along Paterson and Frankland Street profiles. The shape ratios computed on both profiles are plotted against the critical shape ratio of the SH mode of resonance in [Fig. 13](#). It shows that a 2-D pattern of resonance is expected to develop in the Tamar Valley along both profiles when

considering the SH mode of resonance, which confirms the results obtained with HVSR observations. The velocity contrast was computed for a dolerite bedrock shear wave velocity estimated at 1800 m s^{-1} , and Tertiary sediments shear wave velocity of 400 to 700 m s^{-1} , evaluated on the 1-D SWV profiles at sites KPK and DBL.

Figure 13



Shape ratio (SR) computed for the Tamar Valley in function of velocity contrast along Frankland Street Profile (dashed line with crosses, $H= 250 \text{ m}$, $w= 421 \text{ m}$, for $SR= 0.59$), and along Paterson Street Profile (dotted line with crosses, $H= 230 \text{ m}$, $w= 500 \text{ m}$, for $SR= 0.46$). Velocity contrast is computed between bedrock velocity (1800 m s^{-1}) and minimum (400 m s^{-1}) and maximum (700 m s^{-1}) Tertiary sediments velocity from the SWV profiles evaluated at site DBL and KPK. Solid curve is the critical shape ratio of SH mode of resonance in function of velocity contrast (from [Bard & Bouchon 1985](#)).

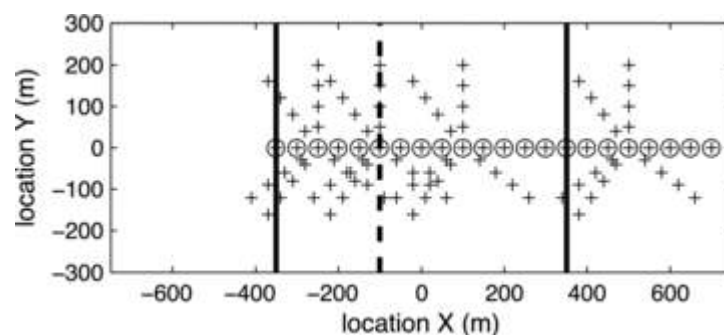
6.3 Numerical simulations

We simulate the propagation of surface waves in complex geology to constrain the geometry and geology of the Tamar Valley. We use the program package NOISE developed within the European 5FP project 'Site Effects Assessment using Ambient Excitations (SESAME)' to complete the numerical simulations ([Moczo & Kristek 2002](#)). NOISE is designed to compute the propagation of seismic noise (microtremors) in 3-D heterogeneous geological structures with a planar free surface, from surface and near-surface random sources ([Moczo & Kristek 2002](#)). The package is divided in two main programs: Ransource for the random space-time generation of microtremor point sources and Fdsim for the computation of seismic wavefields in 3-D heterogeneous

geological structures based on the finite-difference method ([Moczo et al. 2002](#); [Kristek et al. 2002, 2006](#); [Moczo et al. 2007](#)).

The 2-D model representation of the Tamar Valley is described in CAK1, to which the reader is referred to for additional information concerning the initial parameters used in the numerical simulations. We only model the Frankland Street profile because SPAC observations recorded above the deepest point of the valley along the Paterson Street profile (site KPK) do not offer adequate resolution of the depth to bedrock interface, an important constraint in the numerical simulations. Simulated three-component microtremor time series are recorded at a series of receivers positioned at 50 m spacing to construct a HVSR profile across the model representation of the valley (circles in [Fig. 14](#)). Additional simulated receivers were also positioned to record simulated SPAC data used in CAK1 (crosses in [Fig. 14](#)).

Figure 14

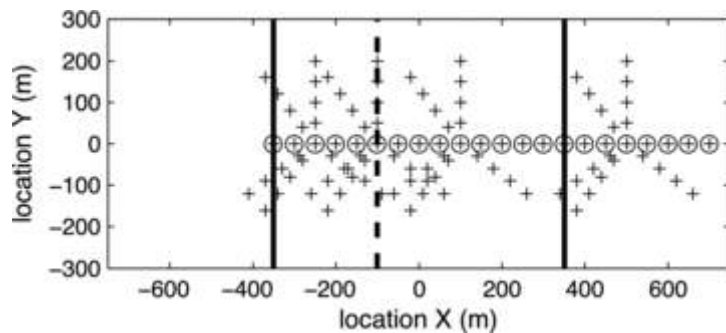


Location of all simulated receivers across the Tamar Valley. Crosses: receivers forming SPAC arrays. Circles: receivers for HVSR profile across the valley. Thick vertical solid lines are the edges of the valley. Thick vertical dashed line is the axis of the valley, at its deepest point.

The parameters of the model representation of the Tamar Valley are determined to fit HVSR and SPAC microtremor observations recorded along the Frankland Street profile. The SWV profile used in the simulations above the deepest point of the valley is an approximation of the SWV profile evaluated by the axial-COH method at site DBL ([Fig. 15b](#)). The geometry of the right flank of the valley is constrained by simulating HVSR measurements over a layered earth model, varying the depth to bedrock interface to fit SPAC and HVSR observations at site OGL, and HVSR observations at different stations on the Frankland Street profile. The SWV profile interpreted at site OGL, and its

approximation used in the numerical simulations are presented in [Fig. 15\(c\)](#). The assumption of a layered earth on this flank of the valley is postulated by the behaviour of HVSR observations presented in [Section 6.2](#).

Figure 15



(a) Bedrock interface of model representation of the Tamar Valley (vertical exaggeration of 2). Circles are locations of HVSR receivers. Dash-dotted line is bedrock interface interpreted from gravity survey by Leaman (1994) ([Fig. 2b](#), Profile #2). Dashed lines are the location of SWV profiles presented in (b) for site DBL, and (c) for site OGL. Solid lines on SWV profiles are preferred SWV profiles from SPAC observations; dashed lines are SWV approximation used for the numerical simulations of the Tamar Valley.

The 2-D model representation of the valley ([Fig. 15a](#)) is simulated by an exponential analytical expression inspired from [Paolucci \(1999\)](#), which parameters are described in [CAK1](#). A layered earth with depth to bedrock $z=25$ m is interpreted right of the valley from the HVSR profiles presented in [Figs 11](#) and [12](#). The propagation of surface waves in a layered earth geology using the SWV profile above the deepest point of the Tamar Valley model ([Fig. 15b](#)) is also simulated to better understand the differences between HVSR observations in a layered earth and in a 2-D valley.

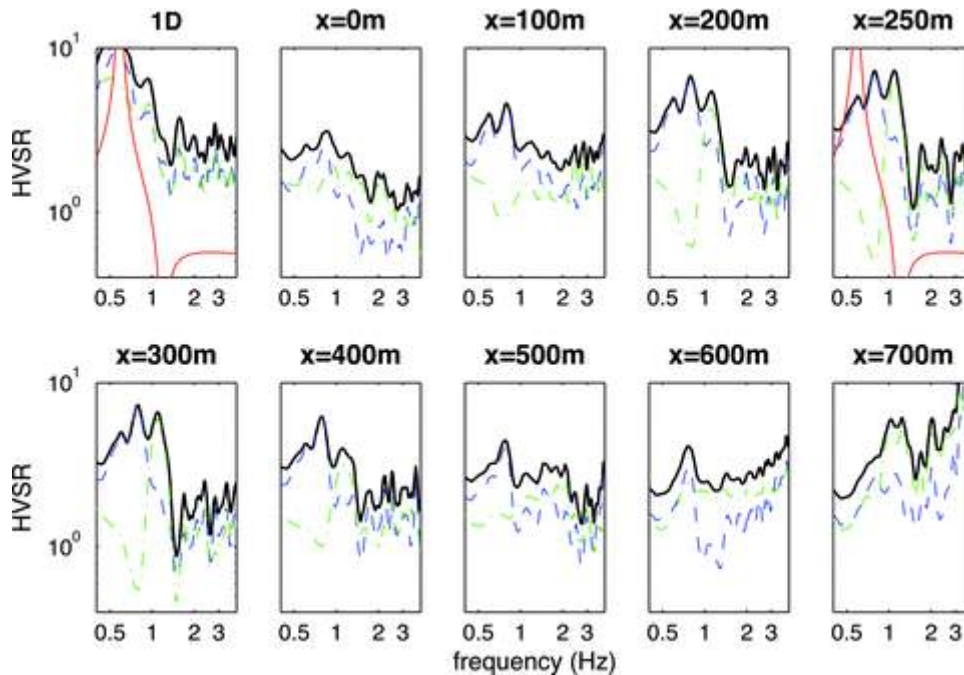
6.4 Simulated HVSR

Simulated HVSR curves are computed at all points across the valley. These are used to validate the frequencies of resonance which develop within the valley, and the variations of HVSR observations along the Frankland Street profile.

HVSR simulated at ten receivers are presented in [Fig. 16](#). The top left panel presents the HVSR curves simulated for the equivalent layered earth, with the Rayleigh wave ellipticity curve computed from the SWV profile of [Fig. 15\(b\)](#). HVSR simulated at

different locations across the valley are presented in the other panels with respect to the distance x to the left edge of the valley. The deepest point of the valley is located at $x=250$ m.

Figure 16



Simulated HVS above layered earth model (top left) of SWV profile from [Fig. 15\(b\)](#); and at distance x from the left edge of the 2-D model representation of the Tamar Valley. Thick solid black line is conventional HVS; dashed blue line is axial-HVS; dash-dotted green line is transverse-HVS. Solid red line is the Rayleigh wave ellipticity computed assuming a layered earth model of SWV profile from [Fig. 15\(b\)](#). Rayleigh wave ellipticity is presented for location where the depth to bedrock interface is simulated at $H=250$ m.

We observe some variability in the HVS curves simulated above a layered earth and those simulated at different locations across the 2-D model representation of the Tamar Valley. HVS peaks from all components (HVS, axial-HVS and transverse-HVS) agree well with the peak on the ellipticity curve above a layered earth ([Fig. 16](#), top left). We observe a separation of the peaks on simulated axial-HVS and transverse-HVS, indication of a 2-D pattern of resonance at distance $200 \leq x \leq 400$ m from the edge of the valley. The peaks on simulated HVS above the deepest point of the valley ([Fig. 16](#), top right) are shifted to higher frequencies when compared to the peak on the ellipticity curve computed for an equivalent layered earth. A change in the pattern of resonance,

similar to what was observed on the HVSR profiles recorded in Launceston, is observed between $x= 400$ m and $x= 500$ m, where the peak is unclear on simulated HVSR curves.

Simulated axial-HVSR and transverse-HVSR profiles are presented in [Figs 17](#) and [18](#) to better identify the pattern of resonance which develops in the 2-D model representation of the Tamar Valley. The expected 1-D frequency of resonance for the equivalent layered earth (SWV profile from [Fig. 15b](#)) is computed at $f_h= 0.59$ Hz. No peak is detected at this frequency on the simulated axial- or transverse-HVSR profiles. Using Bard and Bouchon's model with a shape ratio ' $SR = 0.59$ ($H= 250$ m, $w= 421$ m), we seek to identify 2-D frequencies of resonance on the simulated HVSR profiles.

Simulated axial-HVSR profile across a 2-D model representation of the Tamar Valley (left). Expected frequencies of resonance f_h from Rayleigh wave ellipticity from SWV profile presented in [Fig. 15\(b\)](#), and , and computed from Bard and Bouchon's model are presented. Circles on the right are the location of HVSR observations along the profile.

Simulated transverse-HVSR profile across a 2-D model representation of the Tamar Valley (left). Expected frequencies of resonance f_h from Rayleigh wave ellipticity from SWV profile in [Fig. 15\(b\)](#), and computed from Bard and Bouchon's model are presented. Circles on the right are location of HVSR observations along the profile.

A broad peak is observed on the axial-HVSR profile at frequency $f= 0.81$ Hz, between the expected frequencies of resonance and Hz. Similar difficulties in precisely separating the multiple SH modes of resonance were recognized on the Paterson and Frankland Streets HVSR profiles. While simulated HVSR data fails to provide accurate detection of the different SH modes of resonance, it is effective in the recognition of a 2-D pattern of resonance; the peak on the axial-HVSR is located at frequency significantly higher than that of the equivalent layered earth.

The fundamental SV mode of resonance is accurately identified on the simulated transverse-HVSR profile ([Fig. 18](#)). The peak is observed at $f= 1.11$ Hz, approximately equal to the computed SV frequency of resonance Hz (eq. [3](#)). This confirms the capability of the transverse-HVSR to identify the SV mode of resonance across a deep and narrow valley such as the Tamar Valley.

The peak on the transverse-HVSR is not well defined at locations $x\geq 450$ m, for which location the peak seems to follow more closely the shape of the valley. The results of the

numerical simulations agree well with SPAC and HVSR observations recorded across the Tamar Valley in Launceston, and confirm the results of [Lenti *et al.* \(2009\)](#) concerning the possibility of developing a mixture of 1-D and 2-D patterns of resonance in a valley environment such as the Tamar Valley.

6.5 Frequencies of resonance

The site resonance study of Launceston is summarized in [Table 1](#). The table lists the expected (from Bard and Bouchon's model), observed, and simulated frequencies of resonance at all five sites. The expected 1-D frequencies of resonance f_h are interpreted from the peaks in the Rayleigh wave ellipticity curves computed from the preferred SWV profiles evaluated by the SPAC method. The expected SH and SV frequencies of resonance are computed from the eqs (2) and (3) of Bard and Bouchon's model, using the shape ratios evaluated on Paterson Street and Frankland Street profiles. The frequencies of resonance identified on HVSR observations at all five sites in Launceston are indicated in brackets. The frequencies of resonance computed and identified from the numerical simulations of the Tamar Valley model are presented in the right column of the table.

Table 1

Mode	GUN	RGB	KPK	DBL	OGL	Tamar
f_h	1.16 (1.18)	1.24 (1.31)	0.74 (–)	0.61 (–)	0.95 (0.87)	0.59 (–)
SH ₀₀	–	–	0.83 (–)	0.71 (–)	–	0.68 (–)
SH ₀₁	–	–	1.01 (0.90)	0.94 (0.90)	–	0.91 (0.81)
SH ₀₂	–	–	1.27 (1.25?)	1.24 (1.20?)	–	1.20 (–)
SV _{fund}	–	–	1.24 (1.16)	1.21 (1.18)	–	1.17 (1.11)

Expected 1-D frequencies of resonance f_h computed on the Rayleigh wave ellipticity curves from the preferred SWV profiles, and SH and SV frequencies of resonance computed at separate sites in Launceston. Frequencies of resonance identified on HVSR observations at five sites in Launceston, and above the deepest part of model representation of the Tamar Valley are presented in brackets (frequency in Hz). The question mark '?' indicates these values are identified with low confidence on HVSR observations.

The site resonance study completed in Launceston verifies the existence of a complex pattern of resonance across the city of Launceston. A 1-D pattern of resonance is recognised at sites GUN, RGB and OGL where the peaks identified on HVSR observations agree well with the peaks on Rayleigh wave ellipticity curves. This result was expected at site GUN, which was assumed to be located above a layered earth, however it is a

surprising result at sites RGB and OGL which are located within the limits of the Tamar Valley. As initially expressed by [Bard & Bouchon \(1985\)](#) and later observed by [Lenti et al. \(2009\)](#), certain valleys simultaneously develop 1-D and 2-D patterns of resonance. We suggest this is the case in the Tamar Valley, where a 2-D pattern of resonance is clearly recognized at sites KPK and DBL, located above the deepest point of the valley.

We observe from [Table 1](#) that HVSR observations are adequate to identify the expected frequency of resonance in a layered earth, and the expected frequency of resonance in valley environment. Good fits are obtained between expected and observed at sites KPK and DBL above the deepest point of the valley. While HVSR observations can detect the shift in frequency induced by the SH mode of resonance, they fail to identify the expected SH frequencies with adequate precision. The frequencies of resonance of the SH mode can be estimated by using the peak of the ellipticity curve determined from SPAC observations, and computing the shifts to higher frequencies from Bard and Bouchon's model. Combining the results from SPAC and HVSR methods permits to get the complete picture of the site resonance study across the Tamar Valley.

7 Conclusions

We conducted a site resonance study at five separate sites in and around the deep and narrow Tamar Valley in the City of Launceston (Tasmania, Australia). We combine the use of the array based SPAC microtremor method to evaluate SWV profiles with single station HVSR microtremor observations to evaluate the frequency of all modes of resonance.

The SPAC method is conventionally applied to reliably evaluate the SWV profile at site GUN, located above an assumed layered earth. The frequency of resonance is identified at $f_h = 1.18$ Hz from HVSR observations; frequency which agrees well with the expected frequency of resonance above a layered earth from the Rayleigh wave ellipticity curve computed at site GUN.

The interpretation of SPAC observations at sites RGB and OGL provides credible SWV profiles at both sites. While the gravity survey from [Leaman \(1994\)](#) suggests these sites are located in an area having 2-D geology, the similar behaviour of the observed coherency spectra when comparing different orientations suggests the geology can be approximated by a layered earth at both sites. This is confirmed by HVSR observations which peaks, identified at the same frequency on the axial and transverse components,

agree well with the peaks on the Rayleigh wave ellipticity curves computed from the SWV profiles interpreted by SPAC method. HVSR measurements simulated in a 2-D model representation of the Tamar Valley confirm the presence of a 1-D pattern of resonance above the flank of the valley. The frequency of resonance identified on HVSR observations is estimated at $f_h = 1.31$ Hz at site RGB, and at $f_h = 0.87$ Hz at site OGL.

A 2-D pattern of resonance is detected above the deepest part of the Tamar Valley on two HVSR profiles recorded transverse to the valley axis along Paterson and Frankland Streets, as judged from the separation of SH and SV modes of resonance at sites KPK and DBL. The fundamental SV frequency of resonance is identified on the transverse-HVSR component at $f = 1.16$ Hz along Paterson Street profile and at $f = 1.18$ Hz along Frankland Street profile. While a shift to higher frequencies is clearly recognized on both axial-HVSR profiles, HVSR observations fail to identify with precision the SH frequencies of resonance expected to develop in the Tamar Valley.

SPAC observations recorded above the deepest point of the valley are used to constrain the SWV structure and geometry of the Tamar Valley, and to evaluate the different SH modes of resonance expected to develop in the valley. As originally proposed in CAK1, coherency spectra recorded with pairs of sensors oriented parallel to the valley axis (axial-COH) are used to evaluate the SWV profile above the deepest point of the valley at site DBL.

From Bard and Bouchon's model, we can evaluate the expected SH and SV frequencies of resonance in the Tamar Valley by computing the Rayleigh wave ellipticity curve from the SWV profile evaluated by axial-COH above the deepest point of the valley. The frequencies of resonance expected to develop across the Tamar Valley along Frankland Street are Hz, Hz, Hz and Hz.

We suggest the frequencies of resonance are shifted to slightly higher frequencies along the Paterson Street profile, but lack of resolution of the bedrock interface with SPAC observations limits the conclusions. Observations with larger SPAC arrays would be necessary to gain resolution at depth. Deployment of such arrays was made difficult by the layout of the streets of Launceston. The best estimates of the expected frequencies of resonance along Paterson Street profile are Hz, Hz, Hz and Hz.

The results demonstrate a successful application of combined SPAC and HVSR observations recorded at separate sites to conduct a site resonance study in a 2-D valley environment, where the use of both methods allows identification of the complex pattern of resonance (modes and frequencies of resonance) which develops in this narrow deep valley.

Acknowledgments

Maxime Claproud is supported by a Monash Graduate Scholarship, an International Postgraduate Research Scholarship, and a Québec's Funds for Nature and Technology Scholarship. Seismometers used in this project were loaned to Monash University by the Australian National Seismic Imaging Resource (ANSIR). We are grateful to the City Council of Launceston, for their assistance during field survey. Geological maps of Launceston were provided by Mineral Resources Tasmania. We would like to recognize the help of Miss Janett Steiner for her assistance during the field survey. Thanks are due to the editor Prof. Jean Virieux and Matteo Picozzi whose constructive suggestions helped improving the quality of the manuscript and our research in general.

NOTE : The test site denote KPK Figures 2 &3 is the are of the subject land Amendment 66.

Environmental hazards and constraints have not been properly identified nor addressed by the proponent. The proposed development site is situated on a narrow seismic plate between to seismic fault lines (one running parallel beside the abutments of Paterson Bridge, immediately on the east side of Ritchie's Mill along Bourke Street via Glen Dhu St and beyond the former Coates Paton's building, and the other passing midway between Park and Margaret Streets and extending beyond the junction of Melbourne and Leslie Street in South Launceston. These particular fault lines are two of quite a number of faults crossing the Launceston area and accurately displayed on the Geological Survey of Launceston (part of the survey of Tasmania) conducted by Department of Mines, Tasmania Ref. 8315 S1 1 & 111 Zone 7 Sheet No.39). This seismic plate has dropped approximately 300m from the adjoining Trevallyn plate, and then the next eastern plate has dropped approximately a further 300m. We interpret this as showing the development site being founded on a differing geological base of at least 300m compared to adjacent foundation and with well-documented evidence of building damage having occurred in recent times (geologically speaking) along the course of Margaret Street. A copy of this reference is readily available and can be found in Council's own files.

In 1965, as part of due diligence by engineers designing the Paterson Bridge, a Geophysical Survey of the bridge site was undertaken by the National Bureau of

Mineral Resources, Geology and Geophysics for the Commonwealth's Department of National Development (Ref Record No. 1965/153), pinpointing the location of the western-side fault line crossing the South Esk River at a point about 35m downstream of the old Kings Bridge. The decision was made to particularly position the new bridge abutments on just one side of the fault line, so as to attempt as much as possible to minimise the risk of a structural collapse.

In 1990 and with historical awareness from earlier studies and seismic events, the then LCC City Engineer commissioned Dr Owen Ingles to carry out a seismic risk assessment for the Launceston Municipality, his report being submitted in March 1991. Ingles considered four risk factors from potential earthquakes: fault displacement; landslide/landslip; sediment liquefaction; and fill settlement. The more recent 2006 GHD study notes the presence of fill and the potential for ongoing settlements" when undertaking an assessment of the stability of Launceston's flood levee system.

In December 1995, Dr Marion Leiba, Geologist, Geophysicist, Seismologist and much more, authored a report on behalf of Australian Geological Survey Organisation io Launceston City Council titled **Survey and Seismic Microzonation, Launceston Tasmania**. In this report, she pointed out that Launceston had been damaged by 5 earthquakes in the West Tasman Sea (18B4, 1885, 1992, 1929 and 1946). The damage was thought to be caused by amplified earthquake shaking because of sediments and possibly other aspects of geology and topography in certain parts of Launceston. Consequently, zoning maps were prepared using microtremor measurements at 53 sites, a soils map by Steve Forsyth of Mineral Resources Tasmania, a gravity interpretation by David- Leaman, and unpublished drillhole data.

These maps showed areas of Launceston where amplified earthquake shaking may occur because of the presence of underlying sediments. Also resonance effects may increase the destructiveness of the earthquake. She explains in relation to the period of vibration of the ground, if matching that of a building above it, to be like a person pushing a swing higher and higher by matching the push to the moving swing. This resonance effect increases the likelihood of a building being damaged by an earthquake. She advises that one can lessen the chance of Earthquake Damage by avoiding erecting a building with a certain resonant period on a site within the same period.

Three groups of buildings were considered for the map: low rise (1-3 storeys), medium rise (4-9 storeys) and high rise (10+ storeys). Certain soil characteristics can give a more sophisticated method for computing the "period" of the building (when the natural 'period' of the ground matches the period of the building, probable maximum damage to the building occurs.

Seven zones on the **building heights earthquake zoning map** are:

ZONE 0. No resonance, but for other geological reasons, a response would be unknown.

ZONE 1-3 Possible resonance for 1-3 storeys (low rise buildings).

ZONE 1-5 Possible resonance for .1-5 storey buildings (a narrow NNW -SSE trending zone along the eastern side of the Tamar axis valley.

ZONE 1-9 Possible resonance for 1-9 storeys (low and medium rise buildings (Small zones on Windmill Hill and near Coronation Park).

ZONE ALL Possible resonance all buildings. (Tertiary sediment areas and in particular NE part of the North Esk axis and floodplain.....

ZONE 4+ Possible resonance for 4 or more storeys (high rise) buildings - mainly deep sediment fill in the Tamar and North Esk axis valleys and the Norwood area. Also on shallow floodplain sediments, including most of the old railyards.....what a wonderful choice as the site for a new University....

ZONE 10+ Possible resonance for 10 or more stories (high rise) buildings - from gravity and soils map, to the east of the old rail yards.

The ongoing studies and assessments of various works and reports by Dr Ingles warned against building structures in Launceston higher than **4 storeys**.

It is our submission that the assessment of the environmental hazards and constraints for the proposed development site has not been adequately investigated nor has the associated risk of the Paterson St earth levee being breached by the combination of rising sea and silt levels (most recent advice to LCC is that even the newly reconstructed levees are now only 1:100 yr not 'l: 200 y. as proclaimed at the end of the reconstruction project in 2017) and the potential for a seismic event destabilising the levee as well as the proposed building, sufficient to potentially cause great public risk, notwithstanding potentially damaging the proposed structure itself.

The objectives of the LUPA Act includes for sustainable development whereby in Part 1 *sustainable development* is defined as managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while-

2(c) avoiding, remedying or mitigating any adverse effects of activities on the environment.

And in Part 2

(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation, and

(i) to provide a planning framework which fully considers land capability.

It is our general submission that CoL will fail its ratepayers, citizens and visitors to Tasmania should it allow this unstable, flood prone and undesirable land to be further developed with buildings constructed to a height of 43m, when prudent and feasible alternatives are available, elsewhere within the Central Launceston area, and land that does not suffer from an inability to be evacuated in the event of flooding, inundation by sea level rises or climate change or such dangers and risks being compounded by seismic activity.

MANAGEMENT OF RISK

“Hazard consideration at the strategic planning level is critical to determining whether the benefits of allowing consideration of development in certain areas subject, or likely to be subject, to a natural hazard outweigh the costs to the

community and individuals required to mitigate that hazard in the short, medium and long term. Other strategic planning issues need to be considered alongside the natural hazard issue to enable an informed judgement that is based on holistic planning and balancing social, economic and environmental benefits and costs. The strategic consideration of natural hazards could result in decisions about settlement planning, zoning, and the articulation of hazard layers through land use strategies. It can also provide an indication of the need to establish buffers, or areas of hazard expansion, over longer time frames than are expressed in planning schemes, which are generally focussed on a five to ten-year time frame. As the controls at this stage represent a 'first cut' of limitation on use and development, they can be seen as a trigger for more detailed assessment of the hazard risk, which can be more directly translated into use and development controls."

GUIDE TO CONSIDERING NATURAL HAZARD RISKS IN LAND USE
PLANNING AND BUILDING CONTROL – Aug 2013 TRIM Ref 12/11/11634
Department Premier and Cabinet, Tasmania



Guide_to_consideri
ng_natural_hazards.

The management of risk-

- probable flood events
- land stability/seismic risk

importantly must take a precautionary approach. Accordingly, the limitation on building heights for any constructions located within the land area of this LPS Scheme amendment Ref SF7233 Amendment 66 Planning Scheme, must take these risks into account, and accordingly the limitation on building height must not exceed 12-14M.

This present Specific Area Plan Application is not supported by [REDACTED]

The banner of RETREAT from building and retaining developments of flood plains that will be further impacted by climate change and rising sea levels and furthermore with seismic risks, could not be more solemn. The spectre of liability should this development be allowed to occur will be forever a dark cloud over the heads of Councillors and other Statutory Approval Authorities.

Accordingly, we implore that this Draft Amendment 66 to the Launceston Interim Planning Scheme 2015, be refused, and instead a development of a different kind be encouraged for this central site that is not impacted by floods or at risk because of collapsing flood levees, or at risk of structural collapse due to a seismic event.

Yours faithfully,

[REDACTED]



5th July 2021

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton,

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I wish to object to any amendment to Launceston's planning rules which will facilitate developers seeking to build the proposed Gorge Hotel in front of the entrance to Launceston's famous Cataract Gorge after the proposal was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.

I do not know if these developers will be successful in influencing the council in this matter, but if the hotel is ever built, and as a citizen, I want to have had my name on public record as having objected in the strongest terms - many people will lament and be curious as to who opposed and who facilitated or allowed this if they see it built.

The entrance to the Cataract Gorge is framed by two wooded hills each with traditionally sized houses among its trees and gardens, and if this hotel is erected it will, in my opinion, be a monument to selfishness, greed and stupidity. A few guests occupying the hotel's western rooms will enjoy the view while it is spoiled for countless others. There is more scope for tourist development and consequent employment if the city's unique character is not marred, and Launceston has designers capable of planning accommodation without ruining what tourists come to see and enjoy. Integral to Launceston's beauty is the fact that our building heights, apart from one or two tasteless mistakes in past decades, are in harmony with tree size so that foliage softens man-made lines. This proposal is bad enough but councillors will also know that this will be a precedent for more tall buildings.

Our councillors are elected to act wisely. The RMPAT decision was lengthy and considered, and if developers manage to lobby and influence councillors to change rules for them instead of appealing directly against the tribunal decision themselves it will undermine respect for the Launceston City Council and frustrate constructive citizenship in this city.

Yours faithfully,



Andrew D Alexander

From: [REDACTED]
[REDACTED] +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

EMAIL SUBJECT: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

For the following reasons I object the Launceston Interim Planning Scheme being amended to allow the 'Gorge Hotel' - as planned - to be built:

1. Such a course of action - **changing the planning scheme to accommodate the proposal after it has failed at the RMPAT**, is highly questionable and will be seen by many in the community as unethical, corrupt or another example of 'big money calling the shots'.

2. Further, it would mean that through your Council's actions and with the vote of compliant Councillors, **the home and small family business adjacent to the proposed development would be unfairly affected.**

3. I also object to the proposal which if allowed would enable the further obliteration/alteration of the **existing heritage skyline/views of the town**. The Council has already failed the community dismally down near the Albert Hall and over across the river with development associated with the university.

My view is that Council must once and for all knock this improper Gorge Hotel proposal on the head.

4. I also have read and agree with the substance of the representation by Jim Collier and Victoria Wilkinson (both of the group: ***Launceston Heritage Not High Rise***). I include below a copy of the points made by them.

Yours faithfully,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

The *Launceston Heritage Not High Rise* objections to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel

-The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43mt.

-The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.

-The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.

-The proposed site for the Specific Area Plan is too close to an environmentally sensitive area and Launceston's greatest natural asset; the Cataract Gorge RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that *"51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."*

-The proponent would like Amendment 66 to: *"Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape."* In respect of a Landmark building the Tribunal concluded: *"52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performances criteria P1 (b)."*

-Implementation of Amendment 66 could result in a significantly larger building, both in height and bulk, being constructed on the **entire** site and would set a precedent for the entire Margaret St precinct without proper community consultation and consent.

-Consultant Paul Davies in his recent 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: *"Retain an acceptable height solution and reduce it to 9 metres consistently across the study area."*

-Mr Davies also recommended in the Report that Launceston should: *"Introduce an absolute maximum height limit of 24 metres across the city area."* It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments.

From: [REDACTED]
Sent: Mon, 5 Jul 2021 13:47:28 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

The Launceston Cataract Gorge has suffered from a prolonged and enduring failure to develop in a way that is consistent with the natural environment. As each artificial development is added, the Gorge loses its natural value. The persistence of various developers and their political enablers has led to a paradox; believing that each development will bring us closer to an inspired vision of the gorge, when in fact each step on this path takes us further away.

The more that the gorge is developed, the more the gorge is lost.

I may not be a 'local' resident that resides in Launceston, but given that I work in the town, and am personally invested in the safety and heritage of the area, I do have a vested interest in protecting the area's natural assets.

More specifically, I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons:

- The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43mt.
- The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.
- The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.
- The proposed site for the Specific Area Plan is too close to an environmentally sensitive area and Launceston's greatest natural asset; the Cataract Gorge.
- RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that *"51 The height of the proposed building is two to three times higher than the height of buildings on site and adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."*
- The proponent would like Amendment 66 to: *"Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape."* In respect of a Landmark building the Tribunal concluded: *"52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performances criteria P1 (b)."*
- Implementation of Amendment 66 could result in a significantly larger building, both in height and bulk, being constructed on the **entire** site and would set a precedent for the entire Margaret St precinct without proper community consultation and consent.

- Consultant Paul Davies in his recent 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: *"Retain an acceptable height solution and reduce it to 9 metres consistently across the study area."*
- Mr Davies also recommended in the Report that Launceston should: *"Introduce an absolute maximum height limit of 24 metres across the city area."* It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments.

Given all of the above proposed Amendment 66 should not be implemented.

Name: Jack Davenport

[REDACTED]

[REDACTED]

Many Thanks

[REDACTED]

I acknowledge and pay respect to the palawa people as the traditional and original owners of lutruwita, and acknowledge Elders past and present. I recognise this is stolen land that has never been ceded, and that until a treaty is signed it will remain stolen land. This is Aboriginal land; always has been, always will be.

To Launceston City Council. For the attention of the Chief Executive Officer. Representation re. Specific Area Plan 111.0 Amendment 66.

“We don't like your planning laws. Change them”. Or words to that effect....Joseph Chromy Associates to Launceston City Council November 2019 when their application to build a hotel at a height of 44 metres, three times the recommended limit for the area and overlooking Kings Park was rejected by the Resource Management Appeals Tribunal in November 2019, after a lengthy and expensive court hearing and appeal, paid for by private citizens.

And sure enough here we go again. The Launceston City Council which holds stewardship over the civic amenity of 100,000 Tasmanians, is now asking our opinion on whether we, the citizens of Northern Tasmania, would mind if they break the planning regulations their qualified planning officers designed, and the citizens of Launceston have all agreed to live by. And why? In order to accommodate the rapacity of a single development consortium, JAC.

In the real world where legal findings are considered binding on all parties the judgement of the Planning Tribunal should have been the end of the matter. But this is not the real world. This is a dark corner of the real world where a developer skilled in the arts of persuasion has convinced the City Council not that the findings of the Planning Tribunal were wrong or unfair in law but that the planning laws which caused the proposed hotel to be rejected were outdated and irrelevant to hoisting a hideous and oversized building on the city, and prejudicial to JAC's ambition to cultivate a market for hundreds of thousands of overseas tourists.

Dazzled by these promises, the lure of dollars, and empty threats by JAC to take their business elsewhere when in fact they have nowhere else to take their business, the City Council has buckled and agreed to break their own planning laws, and now they want a pat on the back and a blessing from their ratepayers, most of whom do not have a clue what they are up to, because the City Council hasn't told them. Where are the headline banners, the full page ads in the Examiner, and a clear exposition in everyone's letterbox of what these new laws will mean to the average punter? Nowhere to be seen, because the City Council doesn't want its ratepayers to know about them.

This will be less surprising once the people of Launceston find out that far from attempting to administer and defend its own laws the City Council's chief executive officer saved JAC the trouble and expense of appealing against the findings of the Resource Planning and Appeals tribunal (and almost certainly having their appeal thrown out by the Supreme Court) by offering to give them a 'Special Amendment' to the City's planning laws to allow the hotel to go ahead without having any serious height restrictions applied to it.

As the Chinese sage Confucius observed, “If you are going to be raped you may as well sit back and enjoy it”, although if he had foreseen this particular City Council, perhaps he would have added “and make sure your rapist knows where to find you”.

The issue of Stewardship is indissolubly bound to the exercise of good government. A local or a Federal Government is elected to do the will of its people, to protect their interests, to further their amenity, their health and their safety. This issue cannot be seen outside the performance of good, or bad stewardship by an elected body and is a moral and legal failure on the part of the Launceston City Council.

Rather than voting on it I believe the Launceston City Council should resign en bloc, and seek re-election on the issue of whether they can be trusted to administer their own laws and protect the interests of their ratepayers; but perhaps they prefer to bolt like frightened sheep when a business

interest looking to break the law in order to make a dollar clicks its fingers at them. The choice is theirs; let them exercise it and remember that history will be the best judge of their actions, and history is not kind to the dishonesty or cowardice of false stewards.

I do not believe of course that any of the Launceston Council members will resign over this issue. I expect that most of them, at least, feel they are doing the right thing by the City and genuinely believe that a monstrously tall and architecturally tacky and ineptly designed building will add lustre to the City and to their reputations as forward thinkers who are only looking to conserve the future of Launceston.

I appeal to their private conscience from my own viewpoint as an artist who loves the Tasmanian wild landscape, who has studied town planning, and lived in London, Cambridge, and France for 40 years before I came to live in Launceston forty years ago.

I found Launceston to be an unusually beautiful and amenable city with a rich and varied but consistent architectural vernacular which had survived wars, depressions and a bitch of a traffic system to remain a vibrant cultural and educational centre when many other small towns had surrendered to the demands of developers to tear down their classic facades and build an endless, stultifying succession of tower blocks.

When I lived in London in the 1960's I had watched this happen all along the Camberwell Road where I lived. Terrace after terrace of elegant Victorian townhouses were torn down by the Southwark Council overnight to make way for hideous and utterly impractical, 'system built' tower blocks which soon became centres of alienation, family breakdown, misery, and crime, and were later celebrated by the BBC as the hangouts for every variety of drug fuelled criminality imaginable, in several of their miniseries.

Other areas of London which preserved almost identical areas of housing, like Chelsea or Camden town for instance became in stark contrast, thriving areas of commerce, trade, creativity and good living and houses of the kind that the Southwark council demolished en masse in Camberwell now fetch 5 million pounds each in North London.

The Southwark Council in 1966 believed they were doing the right thing. I know, because I went along to them in that year and protested that the square mile of terraced housing they were about to demolish behind my flat in the Camberwell Road represented a vital social and economic resource, and should be left to develop in private hands, as it always had been until the Council compulsorily acquired it.

They refused to listen for exactly the same reason that the Launceston City Council refuses to listen to the protests of its own citizens who insist that the architectural fabric of a city and its social and financial fabric are indissoluble.

Look at the cities which thrive and have successful industries including culture, commerce, and tourism; look at Paris, London, Madrid, and many of the smaller regional centres in Europe and Australia. They have not bought the myth sold to them by developers and their own local Councils often acting in concert, that Highrise is the stairway to economic heaven, that big is better, that international tourists are a bottomless pit of wealth just waiting for new and hideous hotels to hang their flags to. These more mature and wiser cities have kept their stock of older housing which also, they realised, carries an aesthetic and historical capital, is a magnet for tourism, and frequently doubles as a place to work in and trade from, as well as to live in.

In the name of progress, the Launceston City Council is marching against history. In their willingness to appease and collude with a developer they are betraying not just their own planning laws but their own citizens trust in them to defend the heritage of a city they have been elected to protect

If this hotel development goes ahead it will be the end of the Launceston we know because a law once bent, stays bent forever and within a few years there will be tower blocks all along the river and the place will look like Miami beach. Perhaps the Launceston City Council wants that to happen? If they do they should fess up now, because I suspect a majority of the citizens of Launceston do not share their rose tinted view of sunsets reflected from ten thousand hotel windows overlooking the Cataract Gorge.

I suppose I feel especially strongly about this because I grew up in Cambridge where my father was a professor of Physics, and I saw how well and creatively science, the arts and conservation of the urban fabric can work together. Cambridge was a place where the way of the past continuously pointed a road to the future through the encouragement of intellectual achievement in science and the arts.

Launceston, which is about the same size as Cambridge was then, and is endowed with much more dramatic natural beauty than almost any city I know, should cherish that beauty, not bulldoze it. If it sincerely wants to look to the future, the Launceston City council should encourage and endow scholarships and export industries in science, music, and the arts; It should build opera houses, open air markets, and science centres, not encourage developers to impose their vision of a neo-brutalist casino architecture fronting the pristine magnificence of the Cataract gorge.



From: [REDACTED]
Sent: Mon, 5 Jul 2021 11:09:59 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Planning Matters representation proposed rezoning lower Paterson St precinct
Attachments: Representation re rezoning lower Paterson St .odt

Representation against rezoning for the lower Paterson St precinct.
Helen Tait [REDACTED]

*I am a librarian and community educator rather than a professional lawyer or planner. I therefore ask that this representation be translated by planning staff into the planning terminology that truly reflects this common citizen's view.
The specific concerns refer to sections in the planning scheme related to discretionary provisions and performance criteria mandated to protect against unreasonable imposition on the quality of life of common citizen stake holders.*

If you understand the presentation below you will appreciate how detrimental the impact of the rezoning would be to this city and its people in profound and fundamental ways

Representation:

The Gorge is a major part of what represents the 'heart and soul' of Launceston. The lower Patterson St precinct proposed by developers for rezoning is;

1. Visually and physically the entry to the remarkably mid-city South Esk River gorge.
2. Visually and physically significant as the approach to the city from the north.
3. It is at the confluence of three main waterways and geomorphologically the natural approach to the town from the Tamar Estuary, the rest of Australia, and the world to our North.

It is, from all three counts, fundamental to Launceston historically, culturally and socially. It is iconic and precious. It should thus have the most stringent protection for these unique values.

Rezoning to allow filling the face with tall buildings that define and diminish and limit what happens at, and behind, this interface would be an irreversible travesty.

Representation against rezoning for the lower Paterson St precinct.

I am a librarian and community educator rather than a professional lawyer or planner. I therefore ask that this representation be translated by planning staff into the planning terminology that truly reflects this common citizen's view.

The specific concerns refer to sections in the planning scheme related to discretionary provisions and performance criteria mandated to protect against unreasonable imposition on the quality of life of common citizen stake holders.

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Representation:

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It is, from all three counts, fundamental to Launceston historically, culturally and socially.

It is iconic and precious. It should thus have the most stringent protection for these unique values.

Rezoning to allow filling the face with tall buildings that define and diminish and limit what happens at, and behind, this interface would be an irreversible travesty.

21 June 2021

General Manager
City of Launceston
PO BOX 396
LAUNCESTON, TAS, 7250

By email: contactus@launceston.tas.gov.au

Dear Mr Stretton

**REPRESENTATION - DRAFT AMENDMENT 66
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON**

I am writing to make a representation in relation to the above Draft Amendment to the *Launceston Interim Planning Scheme 2015*, on behalf of Ms Susie Cai, owner of the property at 22-24 Margaret Street, Launceston which adjoins the site of the Draft Amendment.

The following details concerns with the draft amendment and addresses the relevant issues with respect to the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA).

BACKGROUND

As Council is aware, a planning application was lodged in 2019 for a hotel and ancillary uses (Ccl ref: DA0127/2019) on the subject site, which was subsequently refused in the Resource Management and Planning Appeals Tribunal on the following basis:

79. For the reasons set out above in respect to the failure of the proposed development to satisfy the criteria in P1 (b), (c) and (d) the building height is not compatible with the streetscape and the character of the surrounding area.

The height of the proposal refused by the Tribunal was 34-39m above natural ground level, with a basement and nine levels above ground. The building form was podium and tower.

DRAFT AMENDMENT - INTENT

The applicant has stated the purpose of the Draft Amendment is to 'remove uncertainty for the developers' around what is an acceptable building height on the subject site. In broad terms, the Draft Amendment proposes that the building form previously refused, be provided for by an additional Acceptable Solution.

However, in doing this the Draft Amendment will provide specifically for a building that has been found, by the independent Resource Management and Planning Appeals Tribunal to be not suitable at this location.

Contrary to the applicant's opinion, we consider that the Tribunal's decision has provided certainty with respect to this specific envelope, and it is therefore not appropriate at this site, with particular emphasis on the resulting impacts on the streetscape and the surrounding area.

As the Draft Amendment has not proposed any modification to the building envelope, as previously refused, it in no way has addressed the issues which had determining weight for the Tribunal. In its current form, the Draft Amendment does not meet the objectives of LUPAA, which include the fair and orderly use and development of land.

The Draft Amendment proposes the creation of the Gorge Hotel Specific Area Plan (the SAP), the Purpose of the SAP is:

Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape. (emphasis added)

The SAP includes an intent that it apply to the subject land and the only standard proposed is stated as being intended to be in addition to clause 15.4.1 Building height, setback and siting (a Development Standard for the Urban Mixed Use Zone). This additional standard is proposed as A2 (to the above Zone standard):

All development must be contained within the Building envelope at Figures F11.5.1 and F11.5.2 and be for the purposes of Visitor Accommodation, and ancillary uses including retail, food services community meeting and entertainment and hotel industry.

The building envelope/ in these figures provides for a building form that is the same as that previously refused.

the proposed building envelope/s contradict the Purpose of the SAP, as previously determined by the Tribunal as the proposed building envelope/s were found to negatively impact on the surrounding streetscape, as detailed below:

- The building envelope provides for a design of tower and plinth, with the tower setback from the site boundaries. This results in a likely building form and bulk which presents predominantly at 3 storeys at the street-level boundary, increasing to 12-13 storeys in the centre of the site, for the equivalent of the width of the Paterson Street frontage.
- The streetscape represents an existing transition pattern typically of reduced scale of height as distance from the CBD increases. The Launceston College building represents a scale of 3 storeys; however, the apparent scale is reduced by the articulation of the building and design features of the façade, reducing the apparent scale and bulk. Some of the highest elements sit close to Margaret Street and Brisbane Street, with other building elements fronting Paterson Street adopting a subservient scale of double-storey height and generous setbacks. This creates a consistency in height transitions along the streetscape.
- It is appropriate therefore to expect a scale that generally reduces in height from west to east along Paterson Street, as a transitional element, and from north to south, from Paterson Street to Brisbane Street. Scale is represented by more than just height, and where other elements of reduced scale are incorporated, such as breaking up of building mass, boundary treatment, or building detailing; greater height tolerance occurs. The draft amendment will permit an arbitrary height limit without the guarantee that other key urban design elements which inform height and height tolerance are satisfied.

The Draft Amendment seeks to vary the permitted height, whilst retaining the current performance criteria which the Tribunal determined had not been met.

In considering the *Launceston CBD Building Height and Massing Study* (Paul Davies 2018) which was endorsed by Council in May 2019, the maximum permitted height for the subject site is 15m, with the absolute maximum recommended as 30m.

The Draft Amendment seeks to provide as an acceptable solution an additional 9.1m above the absolute maximum recommended or 160% or more than double of the permitted height.

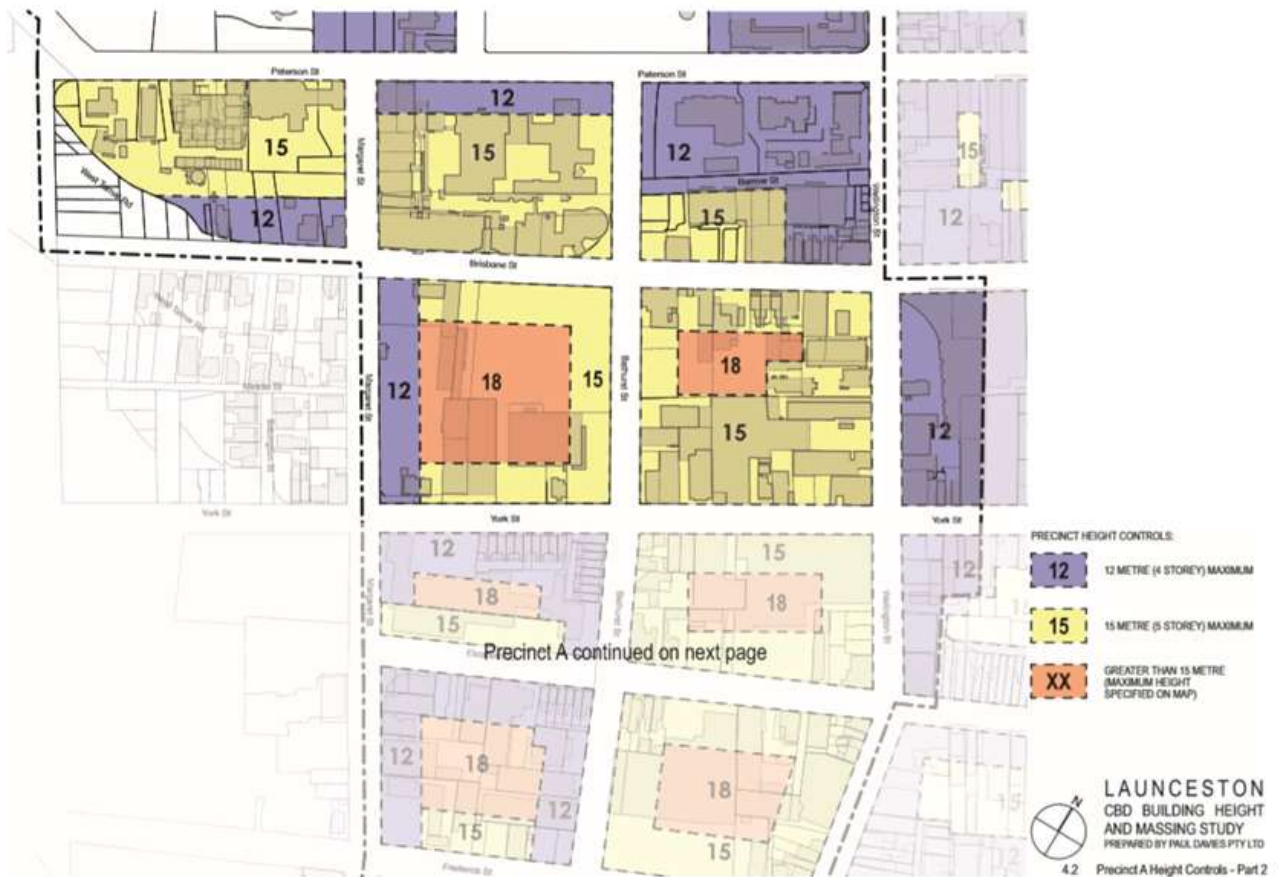


Figure 1: Attachment to Launceston CBD Height and Massing Study (Author: Paul Davies). The site subject to this proposal located top left of the graphic.

The building envelope proposed by the Draft Amendment would result in a large departure from typical heights of the area and is inconsistent with the modulation of height and character of streetscape represented in both Paterson and Margaret Street.

The following table provides some of the heights of the more prominent buildings in these streets:

Address	Building Height
22-24 Margaret Street	9.78m
Launceston College	21.39m
Windmill - 135-143 Paterson Street	26.39m
135-143 Paterson Street	14.12m

The relationship of the proposed building envelope to Margaret and Paterson Streets would have a significant impact, as the allowable building form does not to address the transition from larger commercial to smaller residential scale of buildings in these streetscapes.

The spacing and scale of the proposed envelope on the site is not respectfully designed relative to its context. It is instead overbearing and dominant in bulk and form. The proposal does not seek to create a gradation in height to lessen the overall massing, instead it seeks to create a new ‘landmark’ building.

F11.A2

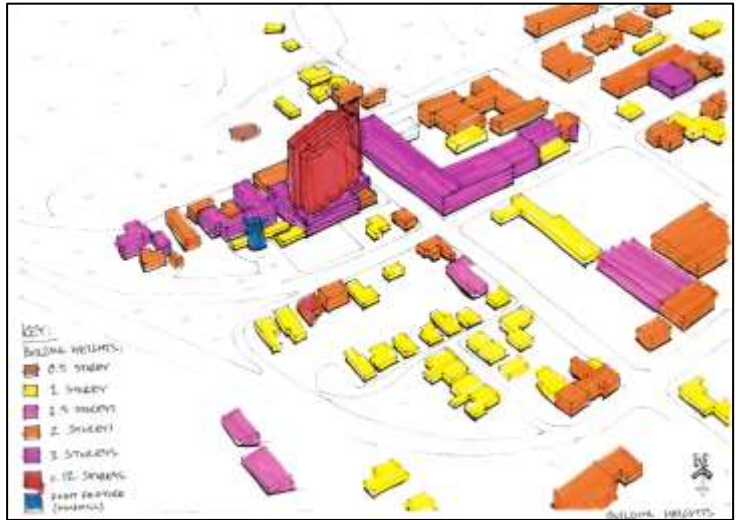
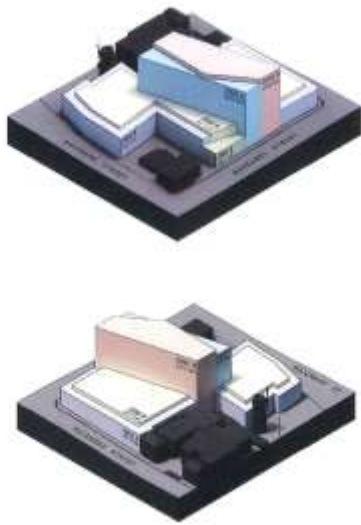


Figure 2: Proposed building envelope (LCC 2021) and Figure 2: Proposed building envelop in context of the surrounding area and building heights (Ireneinc Planning and Urban Design 2020).

The impact of the building envelope results from a combination of the proposed height, approximately triple that of the existing and permitted height limits, coupled with the potential for building mass overriding the spatial pattern within the street and is currently represented in the form of a plinth and tower.

Whilst the variation of one of these elements could be absorbed or accommodated by the streetscape as a transitional element to Paterson and Brisbane Street, the combination of both vertical and horizontal mass results in a building envelope that is not only significantly larger than the existing buildings adjoining the site but also larger in mass than many other commercial buildings in the surrounding area.

As demonstrated in the above discussion, the proposed additional Development Standard Acceptable Solution is not consistent with the SAP Purpose which contradicts Practice Note 8 (Tasmanian Planning Commission, 2017) which requires:

All standards must be consistent with the PPZ or SAP purpose

Furthermore, the purpose relies on the terminology ‘landmark’ building, however fails to provide any definition for the term landmark. *Landmark* is defined as:

1a. A conspicuous object in a district (Australian Concise Oxford Dictionary IV edition)

The proposal would facilitate a conspicuous building, and by its nature, something that is a landmark will impact the streetscape. The purpose and standard of the draft amendment do not define the parameters of impact on the streetscape nor has it provided sufficient testing criteria to demonstrate that it does not at minimum negatively impact the streetscape.

REQUIREMENTS OF LUPAA

As an amendment to an interim planning scheme, the Draft Amendment is required to meet the requirements of the previous provisions of LUPAA, including Section 32, which requires amongst other things that amendments:

- must, as far as practicable, avoid the potential for land-use conflicts with use and development permissible under the planning scheme applying to the adjacent area

- must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms
- seek to further the objectives set out in Schedule 1 within the area covered by the scheme including by: providing for the fair, orderly and sustainable use and development; and requiring sound strategic planning.

The negative impact of the building envelope contravenes the objectives and Section 32 of LUPPA where a Draft Amendment must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms. However, the objectives of LUPAA clearly state economic development must be facilitated in accordance with:

(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and

(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and

(c) to encourage public involvement in resource management and planning; and

The basis of the planning scheme amendment is that this particular building envelope will allow for a floor yield that is economically advantageous to the applicant, however, this is at the expense of the streetscape and character of the surrounding area. It is reiterated, the Draft Amendment is proposing a building envelope of a significantly greater height than what is currently permissible and what has been deemed appropriate for this site by RMPAT.

In proposing the building envelope as an Acceptable Solution with no associated development application there is also no certainty for Council or the community on what development could in the future be proposed.

OTHER DRAFTING MATTERS

Other drafting issues include Clause F11.2.1 is not explicit on how the amendment will operate. It should be made obvious in F11.2.1 the specific area plan only overrides 15.4.1 A1 and all other provisions of the Urban Mixed-Use Zone apply to the land designated as SAP11- Gorge Hotel Specific Area Plan. In addition, a corresponding performance criterion is required (A2/P2).

Furthermore, the proposed amendment A2 is not compliant with the construction of an acceptable solution and conflates use with development in that it proposes ancillary uses potentially introduces the scope of a range of ancillary uses if demonstrated they subservient to visitor accommodation. This is unclear and problematic as the draft amendment is not a Section 43a and is therefore not tied to a planning application. This amendment provides no assurance or certainty of the outcome.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Chief Executive Officer
Launceston City Council.

9/6/21

Ref. SF7233 Amendment 66 Planning Scheme

To whom it may concern,

I don't believe that the council should be allowed to change zones, areas or heights plans to suit developers to the detriment of the City of Launceston.

The ugly glass box that has been accepted by Council but refused by the planning dept should not be allowed to mar the skyline of our beautiful, historical city.

It appears that Council have not given any thought that this ugly sheet of glass, being so tall will spoil any view of the entrance to the Gorge. The entrance to the Gorge is a photo that tourists see on brochures and I'm sure it will look pretty hideous with a tall glass sheet obscuring our currently clear view. It will also spoil the view for West Launceston residents and spoil the view of the West Launceston hills from that side of the city.

I read somewhere that it has been said that Margaret St has no significant buildings — if that is the case it is because Council gave this same developer permission to demolish some very beautiful old houses for a car park.

Where are all the Councillors who were elected on their word that they would look after our heritage? It seems none of them can be trusted to keep their word.

Yours sincerely

From: [REDACTED]
Sent: Mon, 5 Jul 2021 08:32:50 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Representation Ref SF7233 Amendment 66 planning scheme

Attention of:

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons:

- The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43mt.
- The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.
- The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.
- The proposed site for the Specific Area Plan is too close to an environmentally sensitive area and Launceston's greatest natural asset the Cataract Gorge.
- RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that *"51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."*
- The proponent would like Amendment 66 to: *"Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape."* In respect of a Landmark building the Tribunal concluded: *"52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building"*
- Consultant Paul Davies in his recent 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: *"Retain an acceptable height solution and reduce it to 9 metres consistently across the study area."*
- Mr Davies also recommended in the Report that Launceston should: *"Introduce an absolute maximum height limit of 24 metres across the city area."* It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments.
- I object to there being no community consultation by council before the planning scheme amendment proposal was presented with building height extension. This amendment to alter the building scheme to more than double the height of surrounding structures in the city locale just to accommodate a single developers vision especially within the precinct of the Gorge should not be accepted. For COL council to consider one developer's vision to precipitate a process whereby the planning scheme can be amended is unacceptable. One developer should not be given the voice to speak for the community. Such a change should be based on a consultation process by survey or similar not by the needs of one.

Given all of the above proposed Amendment 66 should not be implemented.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From:

[REDACTED] 1000

To: "Contact Us" <contactus@launceston.tas.gov.au>

Subject: Representation - Ref. SF 7233- Amendment 66 Planning Scheme 123,125 -133
Patterson Street & 270 Brisbane Street, Launceston

Mr Michael Stretton
Chief Executive Officer
Launceston City Council

Dear Mr Stretton

I object to the proposed Amendment 66 Specific Area PPlan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons:

The proposed Gorge Hotel was rejected in November 2019 for valid reasons. It is still not compatible with the character of the surrounding area, the cliffs of the Cataract Gorge, Kings Bridge, the Windmill, the historic buildings and sites of Pennyroyal and if ever been erected would tower over all the already existing buildings by 30 meters or more. The dimensions of this enormous construction would be an eye sore in my view and image damaging.

Launceston is not a tourist magnet and certainly won't be when we cannot even protect our main tourist asset, our Cataract Gorge, against a monstrous architecture right next to it.

Large hotels will suffer dwindling tourist numbers due to the current pandemic consequences and conferences will be held online in the future as the preferred method of business travel.

I oppose this Gorge Hotel passionately and wholeheartedly and hope for no other outcome than a rejection of this proposal.

Regards

[REDACTED]

From: [REDACTED]
Sent: Mon, 5 Jul 2021 10:29:32 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton
Chief Executive Officer
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET,
LAUNCESTON

I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons:

The present economic climate does not warrant another huge hotel in Launceston. Apart from that, Launceston is not a big city, it does not have an endless number of tourist attractions. It has some small parks, nice river views (if seen when the tide is up) and Cataract Gorge. And yes, it is a beautiful area, but it's not another Grand Canyon or Niagara Falls. Don't ruin what we have.

In November 2019, this project was rejected. The reasons behind why it was rejected haven't changed. It is still not compatible with the character of the surrounding area, the cliffs of the Cataract Gorge, Kings Bridge, the Windmill, the historic buildings and sites of Pennyroyal. Times have changed, local or interstate companies will not be booking hotels for conferences, it will all be done online. And, the likelihood is that another huge hotel will damage the viability of all of the existing ones. I would like to think that for the above reasons this project will once again be rejected.

Regards

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Mon, 5 Jul 2021 17:53:38 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Gorge Hotel Devt Ref: SF7233

Submission to RMPAT arguing against the proposed "Gorge Hotel" SF7233.

I would like to register my disapproval of the tower proposed proposed for 123 Paterson St, 215 - 13 Paterson St and 270 Brisbane St.

The proposed building is not only way too high, but is probably in the worst possible place for something of its sheer bulk. To make matters worse, it is seemingly been designed to absolutely not blend in.

Cataract gorge is undoubtedly the city of Launceston's best asset. To have a huge mirrored tower built almost directly in front of it is creating an eye saw that will be regretted for decades to come. I cant see how anyone could argue that putting a Mirrored Tower in front of the historic West Launceston or the Cataract Gorge entrance will improve the area.

The view from all over the city at the moment is of the green vegetation & the dramatic entrance to OUR Cataract Gorge. If this goes ahead, the view from nearly all angles will be interrupted by the huge mirrored tower.

From West Launceston, residents & visitors who currently have uninterrupted views of the city, will be able to see straight into the windows of this tower. The amenity of the residents in West Launceston don't seem to have been taken into account with this development. The view (according to the developers own artists impressions) from Trevallyn will be even worse, indeed impossible to look past. There is no doubt this, if it goes ahead, will be the dominant "feature" of Launceston from pretty much all angles.

Ironically the developers "overview" of the current "Urban quality" of the area is described as "Relatively poor" because of, among other dot points, "Relatively low levels of heritage buildings". It is worth noting that this developer demolished 4 historic residential properties within the last few years on the property to make way for a "much needed" carpark. 2 properties (federation houses) in good condition were demolished on Margret Street, one art deco block of flats was demolished on Brisbane Street and one cottage dating back to the 1840s (once the residence of James Boag Jr) was also demolished on Brisbane Street. I would argue that the 1840s house was probably more valuable heritage wise than 264 Brisbane Street (which is only still there because it was lucky enough to be heritage listed). So for the developer to use lack of heritage buildings as an excuse to build something that would obviously be completely out of place is an insult to our intelligence.

Promo material on the architects website quotes Dean Cocker as saying "The hotel will become the gateway to the Cataract Gorge". Obviously he does understand the importance of this asset to the city - so why does he want to obscure the "gateway to the Gorge" by building the tallest tower in Launceston (covered in mirrors) right in front of it ?

I hope that RMPAT will uphold the planning scheme and reject the tower. Again.

Cheers,
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

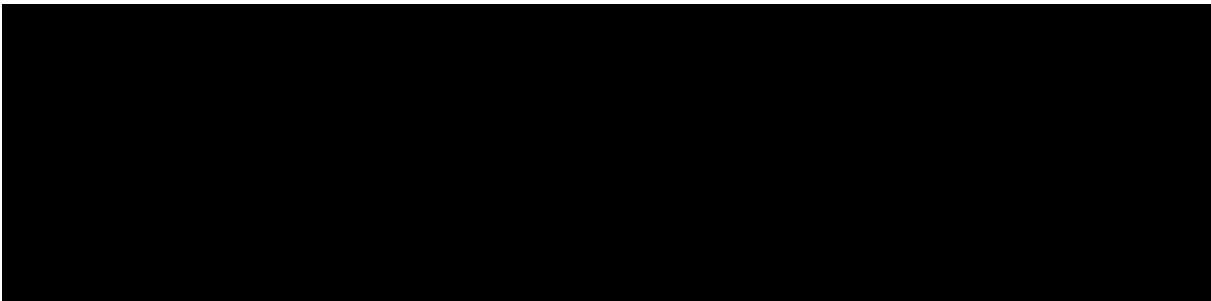
REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons:

- The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43mt.
- The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.
- ***The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal with the Supreme Court but decided not to take this route.***
- ***The proposed site for the large and tall Gorge Hotel is too close to an environmentally sensitive area and to Launceston's greatest natural asset; the Cataract Gorge.***
- RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that *"51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."*
- The proponent would like Amendment 66 to: *"Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape."* In respect of a Landmark building the Tribunal concluded: *"52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performances criteria P1 (b)."*
- Implementation of Amendment 66 could result in a significantly larger building, both in height and bulk, being constructed on the **entire** site and would set a precedent for the entire Margaret St precinct without proper community consultation and consent.
- Consultant Paul Davies in his recent 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: *"Retain an acceptable height solution and reduce it to 9 metres consistently across the study area."*
- Mr Davies also recommended in the Report that Launceston should: *"Introduce an absolute maximum height limit of 24 metres across the city area."* It is notable that the Report, after consultation, appears to have disappeared from actual policy.

Given the above the proposed Amendment 66 should not be approved.





Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council
contactus@launceston.tas.gov.au

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

Details of Representor:

Name: Launceston Cataract Gorge Protection Association Inc
Contact name: (President) Ms Anna Povey
Address: as above
Email: handsoffourgorge@gmail.com

Reason for Representing:

We object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted into the Launceston Interim Planning Scheme 2015 for the same reasons as we objected to the Gorge Hotel in the first place.

In addition, we object to the principle of a planning scheme being changed to suit a development, instead of the other way around.

RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that "51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."

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The building proposal has not changed, in fact it may even be bigger. The building will not be made compatible with the streetscape and character of the surrounding area. Instead, the planning scheme is to be changed to fit the building! This amendment proposal makes a mockery of the planning scheme and of the Tribunal findings.

There is no reason to believe that this is not the thin edge of the wedge. One by one, tall buildings will be allowed into Launceston, each claiming to be "iconic" and a "landmark", until our "fortunate city of a human scale" (Jan Gehl) will be dominated by these huge buildings.

Council surely does not want it to appear that ordinary people have to comply with the Acceptable Solutions of each zone, while influential developers get to play with the Performance Criteria, or, worse, get the council to actually change the scheme itself to suit them.

We do not want the planning scheme altered to allow a development so much out of keeping with the local area. We respectfully request that council rejects this amendment 66 to the planning scheme.

Yours sincerely



From: [REDACTED]
Sent: Mon, 5 Jul 2021 16:52:32 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Gorge Hotel

EMAIL SUBJECT: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

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- The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.
- The proposed site for the Specific Area Plan is too close to an environmentally sensitive area and Launceston's greatest natural asset; the Cataract Gorge
- RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that *"51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."*
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- Consultant Paul Davies in his recent 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: *"Retain an acceptable height solution and reduce it to 9 metres consistently across the study area."*

- Mr Davies also recommended in the Report that Launceston should: *“Introduce an absolute maximum height limit of 24 metres across the city area.”* It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments.

Given all of the above proposed Amendment 66 should not be implemented.

I have lived in Dilston, Launceston for two years and always gaze in awe at the beautiful buildings, when I'm in town, attempting to imagine how such amazing architecture was achieved such a long time ago, and my interest hasn't waned. I can't imagine wanting to gaze at glass filled buildings in quite the same way and would be saddened at the change this hotel will bring to Launceston.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5 July 2021

Mr. Michael Stretton
General Manager
Launceston City Council
Town Hall
St John Street

LAUNCESTON TAS 7250 By email to contactus@launceston.tas.gov.au

Dear Sir,

Ref: SF7233 – Draft Amendment 66 – Launceston Interim Planning Scheme 2015

Draft Amendment 66 proposes the following:

1. Insert a Specific Area Plan over the properties known as 123 Paterson Street, 125-133 Paterson Street, and 270 Brisbane Street, Launceston (also known as 16 Margaret Street) which are respectively described in Certificate of Title references CT151150/3, CT151150/2 and CT175274/1;
2. Insert into the Launceston Interim Planning Scheme 2015, Specific Area Plan F11.0 - Gorge Hotel Specific Area Plan

We refer to the advertisement in The Examiner Newspaper.

- The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43mt.
- The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.
- The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.
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- Mr Davies also recommended in the Report that Launceston should: *"Introduce an absolute maximum height limit of 24 metres across the city area."* It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments.

For quite some years now, there has been negative press comment in Launceston opposing tall buildings. Sample correspondence includes:

Richard Hill, The Examiner October 30 2018 said: **The last thing Launceston, needs is to become like Melbourne, Sydney or the other state capitals, where magnificent and historic buildings that are part of our heritage are overpowered and diminished by adjacent high rise office blocks, hotels etc. I think that maybe adding another floor or two (say a maximum of eight floors) at the most no more than the Myer building is more than enough.**

Jack Birrell, The Examiner August 9 2018 said: **Many cities compete on the world stage for which has the tallest edifice. High-rise tower height they think makes them look better off than the next place- In truth these cities all end up looking the same. Launceston city centre is unique because of the mix of excellent examples of low-rise Georgian, Arts and Craft, Art Deco and 20th Century modern buildings. Launceston has an intact skyline viewed from within the city- Cameron Street and Cimitiere Street align City Park, Civic Centre and Queen Victoria Museum and Art Gallery, draw the line and they are on an axis with the picturesque Cataract Gorge. Cities like Washington DC and Paris have similar alignments and consistent low-rise height. As landmark cities they are protected by height limits so that buildings cannot detract from their character. Launcestonians generally agree that Myer and Telecom edifice, at 21 metres high, are the tallest eyesores blighting our city. Launceston has a relatively uniform look and most people that live here, and visit love the city for its buildings. It's a standout landmark city characterised by low-rise architectural styles. Developers like Frangrance want 70-metre-high towers. These developments and heights are killing the golden egg that is Launceston. Come on Launceston, stand up and protect your unique city.**

The proponent has argued variously that the topography of the land somehow warrants a higher building that otherwise relative to surrounding (higher) land. The proponent also argues that prospective tenant/operators of the Hotel require a large building with 'outstanding river and city views'. Conversely, the proponent then argues that this proposed development will be almost invisible, alleging that glass and steel and textured concrete will render it so.

The Launceston City Council commissioned report Launceston CBD Building Height and Massing Study by Paul Davies Pty Ltd released in 2018, specifically studied this potential development site, and concluded that the major portion be limited to

constructions to a maximum height of 15m and the frontage to Brisbane Street be limited to 12m. This report was publicly presented at a Town Hall Public Information Session in 2018, and no-one in the audience gave any support that a maximum height beyond 14-15m be considered with the Launceston Central Study Area. Mr Davies presented copious evidence concerning the fact that there are very few "tall" buildings within Launceston that exceed 5 storeys in height, noting that through the central area and fringe commercial and warehousing areas, the predominant existing height is around 12 metres. Overall, he cites that within his study area there is a consistent height of built forms between 1 and 15 metres. Of the taller contemporary buildings such as The Telstra Building, the Myer Building and Grand Chancellor Hotel, he said these are NOT seen as desirable in terms of their contribution to the character of the city. He says "Launceston is not seen as a city of tall or large buildings but rather a unique collection of buildings of generally very consistent scale and form that sets Launceston apart from other cities in Australia. Scale and general homogeneity of form is one of Launceston's greatest assets that sets it apart from other cities and adds to its desirability as a place to live and work " Throughout his Report, he establishes without question the importance of views and vistas around the city, that are key to the character and liveability of the city, and draws attention to the deficiencies in the Planning Scheme for not protecting the extensive private views afforded by the siting of mainly residential developments on the hills that overlook the city. He particularly makes comment on how comparing one building height in one section of the city cannot be the means of setting a height limit that may in fact be appropriate in one location but would be less appropriate in another. Using a modus operandi that establishes the unique character of each quadrant or precinct of the city, he concluded on a particular recognition of the heritage and civic characters of Launceston in establishing his recommendations of particular height limitations for new building developments. He reported that the project brief given to him by Launceston City Council was their desire to both protect the quality and character of the city for its heritage and liveability values and to facilitate development. Mr Davies does not support the notion of the adopting of a stepped or pyramidal form stepping back beyond the formal setback line for a site, preferring the adoption of built forms that are consistent with the pattern of development within the locality. Accordingly, he advises that "where no setback is indicated that setback at a minimum of 15 metres so as to generally protect the scale and form of existing significant streetscapes so that any new built form in excess of 12 metres does not visually dominate views and vistas within streets and across the city". Interestingly, Mr Davies does not support the amalgamation of Lots without careful consideration of controlling and limiting changes in the pattern of developments because of the outcomes where larger buildings not respectful of heritage and visual streetscape values would eventuate. In summary, Mr Davies expresses a detailed understanding of the character of the city and how this important quality must be preserved and enhanced with evaluating new developments. Launceston City Council staff and Councillors will recall the privilege awarded the City by interest taken by international expert professor Gehl. It would be respectful and beneficial in the assessment of this development, for professor Gehl to be invited to comment on the merits of what is proposed. The height of the podium at 12 metres is in itself hostile to accepted dealing with human scale. The height of just the lift construction is one storey higher than necessary to serve the highest floor.

It is our submission that this proposed building is too high and that only because of the lower landform should it be permitted to be constructed to a maximum

height of say 12m-15m, an increase on the usual maximum height prescribed by the Planning Scheme. We do not accept the contrary arguments presented by the proponent which appear to be so contrary to the prevailing situation as to appear to be ,from another planet’, With great respect for the professional integrity of the consultants engaged by the proponent, it is very difficult to get beyond a feeling that these expert consultants are presenting ‘self-serving’ opinions and assessments to accord with their commissions to support this application, touted in the Examiner Newspaper in late 2019 as being designed to dominate the landscape.

For some time, many residents of Launceston have been trying to reconcile high-rise development with protecting the amenity and heritage character of the central area. From our research of cities world-wide, in almost every city where Tall Building Policies have been implemented, such policies were introduced only as a consequence of public outrage sparked by the construction of an individual building popularly perceived as violating the character of the city. Since 1977, Launceston City Council has promoted restraint in the construction of tall buildings in the central area. The LCC'S Launceston National Estate Conservation Study promoted low level developments of 2-3 storeys, and when taller buildings were proposed, these were to have a 3-3.5 storey podium at the street alignment, with the upper 5-6 storeys of taller buildings set back below a 35degree line projected from the property boundary on the opposite side of the street.

The HPS(T)Inc. subscribes to the views and philosophies expressed in The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, where the Charter advocates a cautious approach to change : do as much to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.

Launceston is Australia's third oldest city, and an essential cornerstone of its cultural heritage significance is its limitation in the height of new developments. Tasmanian tourism authorities and including Launceston City Council itself, commonly describe Launceston as having the best-preserved cityscape and with a fascinating history traced in its beautiful old buildings and streetscapes. It has been a long established planning principle in Australian cities, that it is symbolic of poor planning-g when taller buildings are constructed along river and water frontages The principle of stepping down building heights towards these foreshore frontages is to be encouraged, however, in this instance, the contrary situation is evident.

To many people the understanding of Launceston as a place of cultural heritage significance, may be difficult to express in words and whilst remain important and essential to their sense of well-being, can remain somewhat elusive and difficult to readily define. In recent years, on 7th. April 2017, Historic England published a highly regarded and commendable research document [UNDERSTANDING PLACE content.historicengland.org.uk](https://content.historicengland.org.uk) that, we submit, may readily be applied to undertaking an historic area assessment here in Launceston.

Prior to the establishment of modern planning controls in Tasmania and Launceston in particular. from around the early 1960’s, a number of adverse developments have been allowed in Launceston. These buildings are regularly referred to by notable

visiting cultural experts, with the question put "How ever did you allow the construction of these buildings to occur ?,' The list of inappropriate developments include:

- The Telstra Building in St John Street, (constructed as the Telephone Exchange to half this height in 1960's and then doubled in height in the 1970's) so as to alternatively prevent the demolition of the historic Johnstone & Wilmot buildings next door, previously acquired by the Commonwealth Government as a site to expand the telephone exchange. It is an interesting note that during this period the Commonwealth Government was exempt from Local Government planning provisions.
- Grand Chancellor Hotel, Cameron Street, (constructed as Launceston International Hotel in 1984) but illegally constructed to an additional height 2m in excess of the permit conditions.
- 93 York Street (constructed as MLC Building IN 1958).
- Queen Victoria Maternity Hospital (constructed in the .1960's on a very restrictive site as a part of the older maternity hospital complex and limited by encircling residential development. .
- Henty House, Cameron Street Civic Square (constructed 1993 to a much reduced height following very widespread public objection and condemnation of the State Government's 1970's proposed office tower 12 storeys high). The present building was begrudgingly accepted by the public as a 'less damaging ' concept. .
- Quest Hotel 16 Paterson Street,(constructed as D W Murray, originally only 3 storeys, then significantly raised to 6 storeys due to commercial expansion of the Murray warehousing business early in the 20th. century.

Launceston is a low level city with only a handful of church spires, the post Office Centenary clock tower and the celebratory tower of Albert Hall punctuating the townscape. Some industrial chimney stacks at the Railyards, Launceston General Hospital, Paton's and Baldwin, (several now demolished), and industrial structures such as the Vertical Retort at the Gasworks, the Grain Silos at King's Wharf, and brewing equipment at Boags Brewery, remain and if not still in -operatron, are recycled for new and adventurous purposes.

The pressure for increased density for development in our current day cities does not always demand high rises. In enlightened communities. where the level of living and working amenity is not so highly respected or regulated, high-rise development spores a 'Geography of Nowhere'.

Paris, a much adored low-rise city referred to as **le ville lumiere** (city of light, where daylight and sunlight penetrates deeply into its apartments and workplaces right down to pavement level) has a well-researched benefit of a lower level of sufferers of depression, due to the positive influence of light on the wellbeing of Parisiennes. Paris outlawed tall buildings in the city centre in 1974, and in the Tsarist Russian capital of Saint Petersburg, (now identified by UNESCO) buildings could not be taller than the Winter Palace. In old Rome there cannot be a building higher than St Peter's Basilica. Even in the highly commercialised city of Bali, Indonesia, following the unpopular construction of the tall Bali Beach Hotel, nothing can now be built higher than a coconut tree at 12m!

There are spectacular views to be gained from low level developments on Launceston's surrounding hills, so unlike the 'flat' featureless terrains of many other cities, Launceston does not need to build up to gain elevation and outlooks. Please don't gamble with the 200-year old legacy that exhibits the cultural heritage of Launceston. The present height limit at around 12m for Launceston may be the single most powerful thing that has made our city so amazingly fulfilling. Once you make a change, in any place or regard, it is essentially irrevocable, and you have stepped on a slippery slope that makes other undesirable changes more likely.

The irreverent prize for Britain's worst building the Carbuncle Cup is awarded each year, with such places as the building dubbed the 'Walkie Talkie, because of its obvious likeness, being one of the notable recipients. In Launceston circles, the construction now completed for the highly-criticised Verge Hotel on Council's Cimitiere Streeel Car Park site fronting Tamar Street, and our much-valued Albert Hall, has already been dubbed the "Noodle Box". We are also concerned about another potential carbuncle again being considered for 4-6 Boland Street.

The proponent clearly expects that appeals against a permit will be inevitable, given the references to previous determinations by RMPAT, the 'Tribunal'. It may be a cynical view within the community, but it causes contemplation that Launceston City Council will not be seriously considering any representations it may receive, and 'hand ball' a final determination to the Commission, abrogating its duty under the LUPA Act and responsibility expected by its community to fairly deal with their concerns.

SUMMATION

This application does not address the impacts required by an amendment to the Planning Scheme, and accordingly is not suitable for assessment for approval.

Buildings of this height and that could cover the entire site, is too high and bulky for Launceston, and the application must be refused.

Yours faithfully,

[Redacted signature block]

From: [REDACTED]
Sent: Mon, 05 Jul 2021 16:26:15 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: GORGE HOTEL

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

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Given all of the above PROPOSED AMENDMENT 66 SHOULD NOT BE IMPLEMENTED.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

P.S.

To City Aldermen,

How dare you change the rules to suit Mr. Chromeys demands. He does not own this town. Launceston City Council has been good to this man, but it would appear that he would sacrifice our main Tourist Attraction to get his own way. This proves that he does not care about the people who feathered his nest or our city of Launceston, but only his greedy ego to be able to claim that "Mines bigger than yours".

To build the biggest eysore that L.C.C. has ever condoned, in the most inappropriate place that will destroy the atmosphere of OUR BEAUTIFUL GORGE, slap bang on top of reclaimed river land where water still runs and three underground petrol tanks exist It will dominate the whole heritage area, block the view of the river from the top end of Wellington Street and create traffic jams round the bridges. All this while people are suffering the retrictions on our state due the Corona Virus.

It would appear that you have one set of rules for the Ratepayers and another for the wealthy who can afford any costs to get his own way, while your costs are dumped on the people of Launceston and surrounding area. You should be ashamed of yourselves. It is discrimination.

May I remind you about the current disaster in Miami where a 12 story building has collapsed with tragic results because it was built on reclaimed wetlands, or the multi story buildings in Melbourne that have started to crack and sink because they were built on unstable land. Not to mention the buildings built on reclaimed swampland in Launceston, Including the beautiful Launceston Customs House that began to sink on completion and had to be reinforced. Our city is known for its low rise heritage buildings, not some ugly Phallic symbol dominating our City Skyline.

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Sun, 4 Jul 2021 20:01:25 +1000 (AEST)
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: DRAFT REPRESENTATION – DRAFT AMENDMENT 66 123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

4 July 2021

General Manager
City of Launceston
PO BOX 396
LAUNCESTON, TAS, 7250
contactus@launceston.tas.gov.au

Dear Mr Stretton

Re DRAFT REPRESENTATION – DRAFT AMENDMENT 66
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON
I am writing to make a representation in relation to the above Draft Amendment to the Launceston Interim Planning Scheme 2015.

There is concern with the draft amendment and issues with respect to the requirements of the Land Use Planning and Approvals Act 1993 (LUPAA).

Launceston character, still, has some appeal to both residents and visitors alike given that, as yet, it is not over run with the "Greed is Good" high rise tower blocks of entitlement that increasingly encroach upon, infest and degrade other cities.

- As one of many residents in and beside the overshadow area, the microclimate of my Babington Street property will be negatively altered.
- The ambiance of this historic precinct and streetscape will be negatively altered.
- The privacy of my property and that of others will be negatively altered.
- Surrounding regions of Launceston will have have their outlook negatively altered.
- These above issues will be to the detriment of the property values, directly and indirectly, in this and adjacent areas.

While the Council demonstrates the astonishing belief that tourists will come to look at new high rise hotels of mass accommodation, any bona fide study and stats demonstrate the long term tourist forecasting and activity of specifically avoiding mass hotel accommodation.

Any pretence of 'maintaining streetscape' is deceitful.

Already Launceston is ridiculed by visitors and tourists alike for the destruction of heritage buildings, the very streetscape ambiances that visitors expect to see.

It is deceitful to pretend "preserving" part of a buildings facade, and obliterating the actual building, is preserving or re purposing heritage.

This is a disingenuous strategy to bulldoze through, and destroy city character on the basis of "Greed is Good".

How sad Launceston Council has the track record and reputation of outdated thinking, merely copying outdated high rise thinking, that other tourist and visitor regions have long since moved on from, instead of creative and vibrant solutions that will attract and service tourists and business, employment; and where all stakeholders will be engaged and prosper.

I trust this outdated high rise concept will be promptly discarded, and the area reconsidered with the benefit of some forward thinking, intelligence and design.

Yours faithfully

A black rectangular redaction box covering the signature and name of the sender.

From: [REDACTED]
Sent: Sun, 4 Jul 2021 17:28:58 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Representation Objection – Ref: SF7233

Mr Michael Stretton
Chief Executive Officer,
Launceston City Council

Mr Stretton,

Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 Patterson Street & 270 Brisbane Street, Launceston

I object to the proposed Amendment 66 Specific Area Plan F110, that the Gorge Hotel Specific Area Plan be inserted in to the Launceston Interim Planning Scheme 2015 for each of the following key concerns;

- The title of Amendment 66 unjustly infers the Amendment is to solely facilitate another proposal, namely Gorge Hotel. In which an original proposal for said Gorge Hotel was rejected by the state, Resource Planning and Management Appeal Tribunal (RMPAT) in 2019.
- The proponent has had an opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but i find no records that this took place; yet the Proponent applies for a Planning Scheme Amendment specifically indicating the fore-mentioned non-complying hotel proposal.
- RMPAT in Appeal No 58/19P (7 Nov 2019) found they had credibility to reverse Launceston City Council's approval for the original Development Application for the Gorge Hotel on the grounds that *"51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots.*
- It somewhat remains contradictory the Proponent would like to place forward an amendment such as 66 that is directly against RMPAT precedence: *"Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape."* In respect of a Landmark building the Tribunal concluded: *"52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds*

with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performances criteria P1 (b)."

- Implementation of Amendment 66 unlocks the potential for larger buildings that previously would have been found non-compliant, to be approved without full community consultation and consent.
- Consultant Paul Davies in his study to Launceston Council 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: *"Retain an acceptable height solution and reduce it to 9 metres consistently across the study area."*
- Mr Davies also recommended in the report that Launceston should: *"Introduce an absolute maximum height limit of 24 metres across the city area."* Much of the detail regarding height limitations appears to have been disregarded from implementation into policy and parts of the Consultant's study that remotely favours large developments can be found subtly integrated.

Having outlined these many considerations above, the proposed Amendment 66 should be in all aspects rejected.



From: [REDACTED]
Sent: Sun, 4 Jul 2021 16:42:01 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Cc: [REDACTED]
<mary@tdcorp.com.au>
Subject: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme 123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons:

- The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at **possibly 43mt**.
- “We’re a city with high architectural value.. The General Manager at [City of Launceston Council](#), Michael Stretton, is more than pleased with the **transformation that’s been spurred by the City Deal.. [it is] a catalyst** for a significant level of development. When I arrived just after it was signed, there was a **high level of expectation for the Deal, and how they’re going to deliver it.**” -- So, in accordance with your comments [in full below] we would like for Amendment 66 to: *“Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape.”* “We’ve got an excellent airport – people use it and then visit other destinations. What we need to do is see Launceston transition to more of a destination in its own right.
- **Also** quoted by you, Mr Stretton – ‘**We have one of the best examples of a natural asset within walking distance of the city – the Cataract Gorge.**’ – so we ask you **to** continue working well with Launceston City Council in respect of retaining, in respect of height and bulk, Cataract Gorge as an asset in the city.
- In respect of a Landmark building the Tribunal concluded: *“52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performances criteria P1 (b).”*

- The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.
- The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why?
- As new ratepayers & residents of Launceston since 2019, the city's high architectural value also drew us as a 3 generation family to reside and Invest significant sums here in Launceston locale since our 14 hectares at Mango Hill 4509 was Taken compulsorily by the State of Queensland for a School, 2018.
- .. The proposed site for the Specific Area Plan, taking the proposed building height and bulk into consideration - i.e. soaring well above 'acceptable 9 meters' - is definitely too close to Launceston's greatest natural asset, -- i.e. the Cataract Gorge AND if the proposed Specific Area Plan (Amendment 66) is successful there is no doubt it will open the flood gates for high rise development in our beautiful historic low rise Launceston.
- RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that **"51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots.**
- *The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."*
- Implementation of Amendment 66 could result in a significantly larger building, both in height and bulk, being constructed on the **entire** site and would set a precedent for the entire Margaret St precinct without proper community consultation and consent.
- Mr Davies **also** recommended in the Report that Launceston should: **"Introduce an absolute maximum height limit of 24 metres across the city area."** It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments.
- Consultant Paul Davies in his recent 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: **"Retain an acceptable height solution and reduce it to 9 metres consistently.**
- **Re: Launceston should: "Introduce an absolute maximum height limit of 24 metres across the city area"** - Already, as former Queenslanders, our 3 generations now residing and building in Launceston have come to acknowledge Sun versus Shadow as a precious commodity for **all** buildings and neighbouring people, supplying warmth, wellbeing and light.

- Given all of the above, the proposed Amendment 66 should not be implemented.



Driving the Big Deal:

Michael Stretton

Tucked away at the head of the Tamar Valley, Launceston revels in its status as Tasmania's second city, bundling together a plethora of life's better things in a neat package in the island's north. With stunning scenery, wilderness experiences, vineyards and fresh produce, Launceston and its surrounds offer locals and tourists diverse lifestyle adventures.



The city has embarked on a series of major projects under the umbrella of the [Launceston City Deal](#). It is the first in Tasmania, and only the second in Australia, giving Launceston a distinct head start on the rest of the country in reviving and reinvigorating regional centres.

Signed in 2017, the Launceston City Deal ties all three levels of government to a protocol for invigorating the cultural, economic and social fabric of Launceston, to make it a more vibrant and liveable centre for locals and tourists alike. And it's working.

Initially a five-year plan, it was endorsed this year by the three levels of government to be extended for another five. Over 10 years, it is hoped the Deal will improve jobs and skills growth, economic and business development, and cultural and entertainment vibrancy, as well as achieve a healthier, cleaner Tamar River.

The General Manager at [City of Launceston Council](#), Michael Stretton, is more than pleased with the transformation that's been spurred by the City Deal. Only two years into its calendar, the Deal is paying dividends, he declares.

"Launceston is a really exciting place to be at present. We were only the second city in Australia to have a City Deal established, and it is a catalyst for a significant level of development. When I arrived just after it was signed, there was a high level of expectation for the Deal, and how they're going to deliver it. The Council has really responded as an organisation, and we're working very well together," says Michael.



Michael has a lifelong background in public service. His father was also in local government, so he feels as if he grew up in local government circles.

“I enjoy being able to understand communities and delivering what they need to improve people’s lives. You get a lot of satisfaction from seeing projects that are planned, initiated and then delivered, and to see the benefits they provide. For instance, we opened a new playground, Riverbend Park – probably the state’s leading playground – here in Launceston recently. I was here in the early stages of its planning, and then to see it delivered and several thousand people come out to experience it on its first day, is a real pleasure. So, I enjoy the public benefits that Council can deliver.”

Michael is confident the city’s cultural life will benefit from an injection of both funds and community interest. While Launceston is well known for its historic architecture, other sectors of the city’s artistic community could do with a boost, he says.

“It’s the first cultural strategy that this city has enjoyed,” he points out. “We’re a city with high architectural value. We’ve got the largest regional museum in Australia, and the Princess Theatre, a timber design centre, and Albert Hall – all facilities that we probably don’t do enough with. So, the cultural strategy is a real opportunity to take what is good about Launceston culturally and start to use it for greater benefits.

“We don’t really have a strong public art scene here. When you visit Hobart and Melbourne and other bigger centres, you’ll obviously see a large presence of interesting public art. So, our cultural strategy will start to drive a change in those public art spaces. That, to me, is one of the more exciting aspects of the Deal.”

The university is being relocated to the inner city and will have a big impact on the way the CBD operates in the future, says Michael, and will also help the sustainability of the university. Other public projects around the city heart include upgrading key public spaces and streets to modernise them, he adds. “It’s still exciting to have the combined commitment of the three levels to deliver it.”

Launceston at a glance

Launceston was first settled by Europeans in March 1806, making it one of Australia’s oldest cities. It was the first place in the Southern Hemisphere to use anaesthetic, the first city in Australia to be lit by hydroelectricity and the first with underground sewers.

Its picturesque location makes Launceston a natural choice for tourists to explore, although Michael feels the city can achieve a lot more. “Launceston at the moment probably acts more as a gateway,” he suggests.

“We’ve got an excellent airport – people use it and then visit other destinations. What we need to do is see Launceston transition to more of a destination in its own right. We have one of the best examples of a natural asset within walking distance of the city – the Cataract Gorge – as well as the Derby Mountain bike trails, and obviously the lavender fields. As an event destination, Launceston can boast that MONA FOMA, a subsidiary event from Hobart’s MONA, has now established itself for the next few years.”

He is an advocate of expanded accommodation facilities to bolster the city’s tourism opportunities, as well as redevelopment of St John Street to revitalise the city’s heart. Bringing all these projects to fruition requires a well-oiled machine in the form of Council staff.

“I think it’s the culture of an organisation that determines whether you are a high-performing, successful organisation that people enjoy working at.”

Michael is an advocate for lean management practices and has introduced new systems to streamline the Council’s operations, with some success. “We’re in the process of what we call a ‘cultural roadmap’ to create a positive and constructive environment for our employees. I think it’s the culture of an organisation that determines whether you are a high-performing, successful organisation that people enjoy working at. You’re at your job for such a significant amount of time; we really need to do our utmost to see that you’re enjoying your time here,” he says.

Michael promotes a flat leadership structure to make it an agile organisation, where the borders around departments and directors aren't constraints on the way they operate. "I'm also a big believer in self-empowering teams – having decision-making and operational leadership within those teams and allowing the executive and the senior management teams to be more focused on the strategic direction of the organisation," he adds.


"I'm also a big believer in self-empowering teams – having decision-making and operational leadership within those teams."

"In order to do that you need an empowered middle management layout. If councils can 'flex' depending upon what the needs are, that's an important element of where local government needs to be heading. We're exploring the notion of virtual teams that come together for particular purposes or outcomes; bring in the right people, in the right place, at the right time to deliver the projects we want. Once those projects are delivered, the virtual team would dissolve, and people go back to their usual roles."

Michael emphasises to his staff the importance of looking to identify waste in their areas of the council, finding streamlined ways to do tasks, and he is more than happy for staff to suggest alternative methods.

"We want them to learn new skills to help them continuously improve, so we've been rolling out education opportunities to work in groups and teams. We've rolled out lean tools across the workforce, and it's having significant successes. I think if you're involved in the decision, if you're empowered and part of the actual process, I think you're more motivated to be part of the solution."

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PUMP STATIONS - ROAD WORKS - PLANT HIRE

Zanetto Civil are proud to be part of the City of Launceston's Riverbend Park. We have been involved with the council over the past 20 years on an array of projects and it has been a pleasure to work with and be a part of this great council. Over this period Zanetto Civil and the City of Launceston have worked collaboratively to provide innovative and cost-effective solutions to a wide variety of challenging projects. Zanetto Civil look forward to continuing to work with the City of Launceston on future projects.

The image shows an aerial view of a large-scale construction site for Riverbend Park, featuring various structures, roads, and green spaces under development near a body of water.

From: [REDACTED]
Sent: Sun, 4 Jul 2021 14:43:04 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in the Launceston Interim Planning Scheme 2015 for the following reasons:

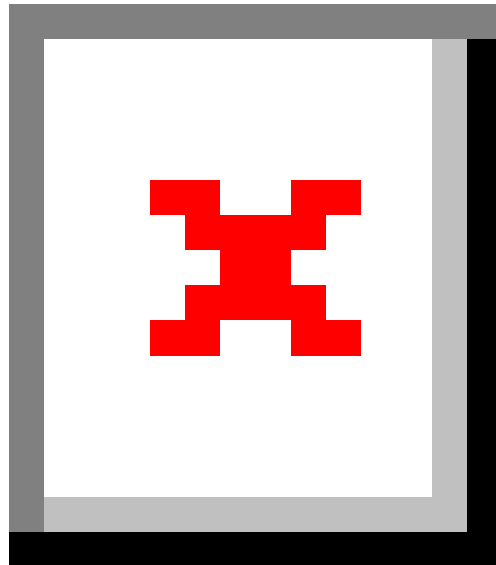
- The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43mt.
- The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.
- The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.
- The proposed site for the Specific Area Plan is too close to an environmentally sensitive area and Launceston's greatest natural asset; the Cataract Gorge
- RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that "*The height of the proposed building is two to three times higher than the height of buildings on site and adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots.*"
- The proponent would like Amendment 66 to: "*Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape.*" In respect of a Landmark building the Tribunal concluded: "*52. The characterisation of the building as a landmark building (as discussed below) is to a extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performance criteria P1 (b).*"
- Implementation of Amendment 66 could result in a significantly larger building, both in height and bulk, being constructed on the **entire** site and would set a precedent for the entire Margaret St precinct without proper community consultation and consent.
- Consultant Paul Davies in his recent 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: "*Retain an acceptable height solution and reduce it to 9 metres consistently across the study area.*"
- Mr Davies also recommended in the Report that Launceston should: "*Introduce an absolute maximum height limit of 24 metres across the city area.*" It is notable that the Report, after consultation, appears to

have disappeared from actual policy and only appears in cherry-picked form to suit large developments

Given all of the above proposed Amendment 66 should not be implemented.

[REDACTED]

Warmest regards,



Serve Guru well & live light
Embrace the light within You



FB Sound Immersion & Resonance on the Tamar

EMAIL SUBJECT: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

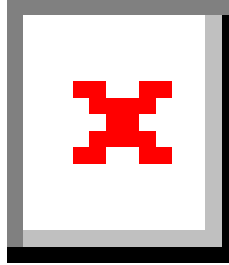
REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

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- The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43mt.
- The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.
- The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.
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- RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council’s approval for the original Development Application for the Gorge Hotel, that *“51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots.”*
- The proponent would like Amendment 66 to: *“Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape.”* In respect of a Landmark building the Tribunal concluded: *“52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performances criteria P1 (b).”*
- Implementation of Amendment 66 could result in a significantly larger building, both in height and bulk, being constructed on the **entire** site and would set a precedent for the entire Margaret St precinct without proper community consultation and consent.
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- Mr Davies also recommended in the Report that Launceston should: *“Introduce an absolute maximum height limit of 24 metres across the city area.”* It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments.

Given all of the above proposed Amendment 66 should not be implemented.

[REDACTED]



Gorge Hotel - Pro forma representation - Deadline - Monday 5th July.

2 Ju

Dear LHH Supporter,

Time is really close now to submit a SAP (Special Area Provision) Representation. We know it is really frustrating everyone to have go through it all again, especially with most of us being so busy. So whilst nothing beats a personally written Representation, we have prepared a pro forma type which you can use to submit a Representation by the business on Monday, 5th July.

It is absolutely essential we have as many as possible Representations submitted, ...REMEMBER they will not just be reviewed by Launceston City Council but eventually by the TASMANIAN PLANNING COMMISSION when the amendment is sent to them for the final decision.

By all means change the pro forma and use your own words but you can also just cut & paste and forward it to the council: email contactus@launceston.tas.gov.au PLEASE don't forget to submit, with your name, address and details at the bottom! As the cut-off time is 5pm on Monday 5th, if not emailing your representation it will have to be handed to the Customer Service Centre.

EMAIL SUBJECT: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted into the Launceston Interim Planning Scheme 2015 for the following reasons:

- The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel possibly 43mt.

From: "Linda Collier" [REDACTED]
Sent: Sun, 4 Jul 2021 16:54:56 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: For Chief Executive Officer Michael Stretton
Attachments: Linda Collier's SAP Representation.pdf

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton,

Attached is my Representation in respect of Planning Scheme Amendment Specific Area Plan F110 - Gorge Hotel specific Area Plan, Amendment 66.

Yours sincerely

Linda Collier

[REDACTED]

SAP REPRESENTATION - Ref SF7233



City of
LAUNCESTON

TA5725660

Planning Scheme Amendment

Notification of application under Section 38 of the *Land Use Planning and Approvals Act 1993*

Ref: SF7233 - Amendment 66

Planning Scheme Draft Amendment 66 proposes the following:

1. Insert a Specific Area Plan over the properties known as 123 Paterson Street, 125-133 Paterson Street, and 270 Brisbane Street, Launceston (also known as 16 Margaret Street) which are respectively described in Certificate of Title references CT151150/3, CT151150/2 and CT175274/1;
2. Insert into the Launceston Interim Planning Scheme 2015, Specific Area Plan F11.0 - Gorge Hotel Specific Area Plan.

Documents describing the proposal can be inspected at our Customer Service Centre, Monday to Friday from 8.30am to 5.00pm or on our website at <https://onlineservice.launceston.tas.gov.au> **until Monday 5 July 2021.**

Written representations in relation to the draft amendment may be submitted during the above inspection time period, being representations in relation to the draft amendment in accordance with section 39(1). The submissions should be addressed to the Chief Executive Officer at PO Box 396, LAUNCESTON TAS 7250, or by email to contactus@launceston.tas.gov.au. The full content of your submission may be included in the report (noting this may make it available for public access) if the application is presented at a public Council meeting for consideration. It is therefore the responsibility of the author to address matters arising out of the proposal in a way that is factual, fair and reasonable and not defamatory against any person.

Please provide phone and/or email contact details with representations. For further information please call 03 6323 3382.

Michael Stretton

CHIEF EXECUTIVE OFFICER

www.launceston.tas.gov.au

It is an unfortunate choice of title/identification for the above proposed change to the current Launceston Interim Planning Scheme 2015 entitled 'Specific Area Plan F110 - Gorge Hotel Specific Area Plan'.

It is unfortunate because it will lead to confusion for many Representatives who may mistakenly, but understandably, draft their Representations as if they were objecting, or supporting, a Development Application for another Gorge Hotel and **NOT** an actual change to the Launceston Interim Planning Scheme 2015; ...this is most complexing, confusing and indeed frustrating.

The above Public Notice, published in The Examiner newspaper on 5th June 2021, refers to Launceston City Council's intention to insert into the Launceston Interim Planning Scheme 2015 Amendment 66 to be known as *Specific Area Plan F110 - Gorge Hotel Specific Area Plan*.

With the insertion of 'Gorge Hotel' into the title of the Specific Area Plan this leaves little doubt Amendment 66 is being introduced purely and specifically to facilitate another Gorge Hotel proposal simply because the proponent (the JAC Group) and Launceston City Council are unable to accept a fair, just and legal decision handed down by the Resource Planning and Management Tribunal in reversing Launceston City Council's approval of an earlier Development Application by the JAC Group to build the previously proposed Gorge Hotel (RMPAT Appeal No 58/19P, 7 November 2019).

The JAC Group and Launceston City Council are aggrieved that the RMPAT subsequently approved another Development Application to construct a high rise hotel (the GP {Fragrance} Hotel) appearing unable, or unwilling, to recognise the proposed GP {Fragrance} Hotel is to be constructed in an entirely different area of Launceston (as the Tribunal says in '51 *...those buildings are well removed from the site ...*') and one that is nowhere near as sensitive as the proposed site for the Gorge Hotel which is located virtually at the entrance to Launceston's most valued natural asset;**THE CATARACT GORGE!**

Planning Scheme Amendment 66 appears to be a devious and deceitful move that would, if successful, allow for a significantly bulkier building than the previously submitted Gorge Hotel proposal; ...possibly one with a height of up to 43 metres to be constructed over the '**entire**' site.

IF Amendment 66 is successful it will affect the apparent viability and credibility of the Resource Management and Planning Appeal Tribunal bringing it into disrepute regarding any future decisions handed down by them as it would appear any decision they make could simply be changed 'willy nilly' by local councils through introducing Specific Area Plans whenever they considered it necessary.

It will also reduce the credibility of the Resource Management and Planning Appeal Tribunal in the eyes of the community who will no longer have faith

and confidence in an Appeal system which sees decisions of the Tribunal so easily overturned by a local council.

The only way a decision of the RMPAT should be reversed is through a legitimate Appeal to the Supreme Court.

The JAC Group, proponents of the original Gorge Hotel Development Application, had the option to take this course of action but failed to do so.

RESOURCE PLANNING AND MANAGEMENT APPEAL TRIBUNAL DECISION (RMPAT APPEAL NO 58/19P, 7 November 2019)

In handing down its decision in respect of the Gorge Hotel the Tribunal noted:

51. The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining and adjacent lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1(b) as those buildings are well removed from the site and the adjoining and adjacent lots.

*52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. **it is not compatible**, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. **Therefore, the proposed development does not meet the performances criteria P1(b).***

The Tribunal also noted in respect of the bulk and form of the previous proposed Gorge Hotel:

*63. The bulk and form of the proposed tower element is out of character with the bulk and form of existing buildings so markedly that even with the diverse streetscape and the eclectic character of the surrounding area it is not in harmony or broads correspondence with either. **Consequently the proposal fails the Performance Criteria P1 (c).***

The Tribunal concluded:

79. for the reasons set out above in respect to the failure of the proposed development to satisfy the criteria in P1 (b), (c) and (d) the building height is

not compatible with the streetscape and character of the surrounding area. The second ground of appeal is made out.

Absolutely nothing has changed since the Resource Management and Planning Approval handed down this decision.

This move by Launceston City Council to change the Launceston Interim Planning Scheme 2015, apparently working hand in glove with the developer, 'appears' to be nothing more than a cynical, and I think devious, move and a complete waste of everyones time and Ratepayers funds.

As previously mentioned, if the proponent/developer was unhappy with the RMPAT decision in respect of their original Gorge Hotel Development Application they did have the opportunity to lodge an Appeal with the Supreme Court; ...the fact that they didn't preferring to endeavour for a satisfactory outcome via this route raises serious questions about the credibility and integrity of all concerned.

Consequently Amendment 66 should be rejected.

BUILDING ENVELOPE:

If Amendment 66 is successful it could ultimately result in a building which, with the vertical and horizontal masses integrated, would not only be considerably larger than current buildings adjoining the site but also significantly larger than most other commercial buildings in the area.

In other words it appears that another Development Application for a Gorge Hotel could result, if successful, in a significantly larger building in height and bulk on the same site to the one initially proposed ...this is most concerning!

GORGE HOTEL CABLEWAY?

Although recently removed initial Publicity on the JAC website for the original Gorge Hotel indicated that the building could, subject to Planning Permission provide:

scope to include a cableway link to the Cataract Gorge First Basin

There is no doubt such a project remains the ultimate intention of the Proponents and this is seriously disturbing; ...cable cars and gondolas are not popular in the Tasmanian community.

See Appendix A

LANDMARK BUILDINGS:

The Proponents state one purpose of Amendment 66 is to *Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape.*

In relation to Landmark building it is worth repeating here the Tribunal's opinion in respect to the Gorge Hotel as a 'Landmark'.

*52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. **it is not compatible**, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore, the proposed development does not meet the performance criteria P1(b).*

The Tribunal did say in respect of the tower of the proposed Gorge Hotel 76. *Clearly the tower would, by virtue of its height, be a landmark that would locate the existing tourism precinct within which it would be situated.*

However the Tribunal also stated:

77. However, the evidence did not establish how it might be so markedly unique, peculiar or recognisable as to present an identity symbolic of Launceston or as an expression of its location in that city or of some cultural, religious or heritage significance.

The Tribunal further stated:

78. There is nothing in the Scheme that recognises or regulates the nature or value of a landmark building or an iconic building or provides either with any particular status exempting them from compliance with the express performance criteria relevant to the assessment of a development. A landmark or iconic building would still need to conform with the objective in Clause 15.4.1 and, if it did not meet the acceptable solution in A1, be compatible with the streetscape and character of the surrounding area pursuant to the performance criteria in P1. Even if the criteria in P1 are not the only matters that the Tribunal can have regard to in considering the objective of the Clause, it must still have regard to the criteria. Absent any provision in the Scheme that permits departure from the development standards, the Tribunal is not able to read down or ignore the express development standard in the Scheme even though the building may be a landmark, and even if it were an iconic building.

It is also worth repeating here the Tribunal concluded:

79. for the reasons set out above in respect to the failure of the proposed development to satisfy the criteria in P1 (b), (c) and (d) the building height is not compatible with the streetscape and character of the surrounding area.

Making it abundantly clear the Tribunal considered the original Gorge Hotel proposal was 'not compatible with the **streetscape and character** of the surrounding area' and ...NOTHING HAS CHANGED SINCE THE TRIBUNAL CAME TO THAT CONCLUSION (my emphasis)!

ACCEPTABLE BUILDING HEIGHTS - LAUNCESTON CBD BUILDING HEIGHT AND MASSING STUDY:

In his 2018 'Launceston CBD Building Height and Massing Study', subsequently endorsed by Launceston City Council (but now apparently quietly forgotten) Paul Davies suggested the maximum permitted height for the site of this Specific Area Plan should be 15 metres with absolute recommended maximum as 30 Metres.

Paul Davies states in the study:

*"4. While there were understandably divergent views on the use of an absolute height control between the general community and the small number of developers who made submissions, **we remain convinced that it is necessary to establish height controls to manage the future character of the city.***

The general community view was for heights to be lower than recommended, but a maximum height of around 15 metres (as a number of submissions suggested) is an effective height of 4 storeys which we believe would be unduly restrictive in terms of development potential. There is a need for balance between height, character and encouraging investment in the city that offers scope for development. Design controls can provide council with the management tools necessary to retain the character of the city.

(my emphasis)

Amendment 66 seeks to change the acceptable solution to permit an additional 9.1 metres above the absolute maximum height recommended, more than double the permitted height recommended by Paul Davies!

Launceston City Council's failure to act as an appropriate Planning Authority.

As the records will show I attended the Launceston City Council meeting on 20th May 2021 where, supposedly acting as a Planning Authority, the agenda indicated Council were to discuss, assess and subsequently approve, or reject, the insertion of Amendment 66 (Gorge Hotel - Specific Area Plan) into the Launceston Interim Planning Scheme 2015.

At no time did I hear any discussions from around the Council Table as to validity or appropriateness of Amendment 66 in respect of the Launceston Interim Planning Scheme 2015; ..I was dismayed at this finding it appalling and a sad reflection on those Councillors present.

What I did hear though was plenty of general comments from the Mayor and Councillors as to the need for more hotel accomodation in Launceston, how the Gorge Hotel would create more jobs and other similar comments but absolutely nothing in relation to how the proposed amendment would affect the building envelope for the site, the surrounding area, Landmark Buildings, the planning or performance criteria or Acceptable Solutions of the Interim Planning Scheme 2015 etc etc.

This was a significant failure on behalf of those Councillors attending; ...they were supposed to be addressing the matter as a proposed change to their Planning Scheme and ...*not as a Development Application!*

Amendment 66 should be rejected on these grounds alone as it was not properly or adequately assessed by Launceston City Council.

Submitted by

[REDACTED]

5th July 2021

Appendix A



JOSEF CHROMY WINES PENNY ROYAL TRC HOTEL THE GORGE HOTEL PAST PROJECTS
PROPERTY DEVELOPMENTS JOSEF CHROMY LET'S COLLABORATE



THE GORGE HOTEL

The Gorge Hotel is an exciting proposal for a new tourist development in Launceston, Tasmania. The project offers magnificent waterfront views with up to 160 rooms, 500+ delegate conference centre, restaurant, gym and day spa.

Located on the edge of the CBD, Penny Royal and Cataract Gorge, there is also scope to include a cableway link to the Cataract Gorge First Basin (subject to planning approval).

From: [REDACTED]
Sent: Sun, 4 Jul 2021 18:42:38 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: REPRESENTATION - Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton
Chief Executive Officer
Launceston City Council

Dear Mr Stretton,

REPRESENTATION - Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons:

- The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43mt.
- The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.
- The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.
- The proposed site for the Specific Area Plan is too close to an environmentally sensitive area and Launceston's greatest natural asset; the Cataract Gorge
- RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that *"51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."*
- The proponent would like Amendment 66 to: *"Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape."* In respect of a Landmark building the Tribunal concluded: *"52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performances criteria P1 (b)."*
- Implementation of Amendment 66 could result in a significantly larger building, both in height and bulk, being constructed on the **entire** site and would set a precedent for the entire Margaret St precinct without proper community consultation and consent.
- Consultant Paul Davies in his recent 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: *"Retain an acceptable height solution and reduce it to 9 metres consistently across the study area."*
- Mr Davies also recommended in the Report that Launceston should: *"Introduce an absolute maximum height limit of 24 metres across the city area."* It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments.

Given all of the above proposed Amendment 66 should not be implemented.

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Sun, 4 Jul 2021 17:43:50 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Representation - Ref: SF7233 - Amendment 66 Planning Scheme
Attachments: Ref SF7233 J Burnet_Representation..pdf

Sunday 4th July 2021

TO: Mr Michael Stretton
Chief Executive Officer
Launceston City Council

Representation - Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 Patterson Street and 270 Brisbane Street, Launceston,

Dear Mr Stretton,

I trust you will look at the attached PDF..... BEFORE passing it on to your planning department, as it is addressed to you, by request in the Examiner Newspaper Public Notice advertisement: City of Launceston: Planning Scheme Amendment. Notification of application under Section 38 of the Land Use Planning and Approvals Act 1993.

I am a resident and rate a payer of LCC and would appreciate confirmation that you have personally received and read my attached Representation.

Yours sincerely

[REDACTED]

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council
Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, [125-133 PATTERSON STREET](#) & [270 BRISBANE STREET](#), LAUNCESTON

I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons:

- The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43mt. ...
- ...Red balloons 2019, during the Original Gorge Hotel DA Exhibition period, Red Balloons flown to Properly indicate what the proposed height of 39mtrs looked like in-situ.



- The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.
- The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.
-This photo shows Holy Trinity Church, then in the middle you can see the top of The Verge Hotel 24mtrs. To fill the skyline above both of them will be The Fragrance Hotel, twice the height of the Verge Hotel, no longer will you be able to see the hills from the top of Patterson Street Council Car park. The proponents manager Dean Cocker indicated at the Public Council meeting, 'it is because the RMPAT did not reject the height' was the opening for The Gorge Hotel to re-apply it's DA.



- The proposed site for the Specific Area Plan is too close to an environmentally sensitive area and Launceston's greatest natural asset; the Cataract Gorge...
- RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that *"51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."...*
- *..... The two buildings in the skyline in this photo, 'Myers' and 'Telstra' (can barely see the clock tower) are the very buildings that the proponents compared heights to, to justify the height of the Gorge Hotel past or next DA? These two buildings are past mistakes by previous LCC, could be the right time now for the current LCC to correct things by NOT allowing this one or any more High Rise, especially not in keeping with Launceston Heritage Buildings, past councils have done too much damage already, unfortunately new developers get their ideas from these.*



- The proponent would like Amendment 66 to: *“Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape.”* In respect of a Landmark building the Tribunal concluded: *“52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performances criteria P1 (b).”*
- *... If Mr Chromy wants to leave a Legacy (Landmark), why not build a mini 'Opera House' something the public can enjoy next to his Penny Royal, in appropriate height according to the Planning Scheme on the advice of Mr Davies recommendations below.*
- *Note: the only Heritage Area of buildings saved in Sydney is 'The Rocks' area, very much a tourist destination. Did you know Launceston has the same appeal?*



- Implementation of Amendment 66 could result in a significantly larger building, both in height and bulk, being constructed on the **entire** site and would set a precedent for the entire Margaret St precinct without proper community consultation and consent...



- Larger buildings could look like this, the proposed Fragrance Hotel, see the roof of The Albert Hall, this beautiful building overlooking, The Verge and The Fragrance...what will follow is even taller buildings so they too can see over top of the others!! I believe this area is zoned Multi Purpose or Industrial, going by the Heritage Industrial shipping buildings, these new hotels are definitely not in keeping with the heritage industrial look of the area.



- Consultant Paul Davies in his recent 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: *"Retain an acceptable height solution and reduce it to 9 metres consistently across the study area."*
- Mr Davies also recommended in the Report that Launceston should: *"Introduce an absolute maximum height limit of 24 metres across the city area."* It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments....WHY? ..
- ...LCC leave themselves wide open for public criticism when, for one; they work with the developers to get their DA's passed, two; treat Public comments against the developments with no respect, invite us to public meetings on the projects which DO NOT get discussed because LCC Planners and the like recommend they be approved by our elected councillors before the public meetings, councillors already know in advance to approve or not, with no intention of listening to public objections. The meeting on 20th May did not have a FULL Council when approving The Planning Scheme Draft Amendment 66, in LCC public notice, it appears that by Inserting Specific Area a plan F11.0 is solely for the Gorge Hotel!! three; what confidence can we have with engineers/planners allowing to build at a great height over rivulets running underground (just in the news, collapsed apartments in Florida) I have heard the drilling to support such height has to reach the bottom 250 metres down. Question to LCC has proponent supplied all the engineering detail or just the design?
- To LCC stop treating objectors as the opposition, do you think we really want to be fighting all the time to keep our Launceston unique, if only you'd just listen, we are not against new buildings, we don't want Highrise or glass fronted building taking away from what the tourists come to see....after all it is all about the tourists, ask them why they come to Launceston if you don't believe us residents.

Given all of the above proposed Amendment 66 should not be implemented.

Can you see below, which way Launceston is heading with high rise? We don't want Launceston looking like Hobart!

just for your interest this photo shows the Architect trying to comply with the Heritage listed Coogan Hobart building, not a bad design in keeping with the Old Heritage style Windows and street height, although the extra height is not acceptable....last read that it looks like being rejected as not in keeping with the Heritage of the area, plus the removal of the original heritage listed building. The old Coogan building reminds me of the Launceston College which the proponents describe as 'modern plain brick' actually the Launceston college looks nicer.



Fragrance Hotel, Hobart, first proposal 2017 declined due to height. See what they do, make it ridiculously high, so when they reduce the height when still too high, it may get passed!



Fragrance Group Hobart latest re-design DA with HCC. The all glass look is totally not in keeping with the streetscape...see, it's like a disease, high rise spreading out of control, do we want this in Launceston...NO we don't! Have you heard about the Windows falling to the street as has happened in Sydney and Melbourne? How will the sun reflection affect other building, can the glare affect the pilots vision flying the planes above?



Please have the foresight to not make the mistakes made by Other Governments, not just Tasmania. People of Launceston still disgusted over the removal of The Mechanics Institute being demolished. Time to reconcile with the Launceston people to save what we have left, Paul Davies got it right.



Too late for Brisbane, they have lost the history along with many heritage buildings..

Bellevue Hotel, Brisbane

Language

Watch Edit

The **Bellevue Hotel** was a hotel on the western corner of [George](#) and [Alice Streets](#), [Brisbane](#), [Queensland](#), Australia. Once Brisbane's premier hotel, it was demolished in 1979 despite considerable public objection. In 2009 as part of the [Q150](#) celebrations, the demolition of the Bellevue Hotel was announced as one of the [Q150 Icons](#) of Queensland for its role as a "Defining Moment".^[1]



Bellevue Hotel, 1933

History

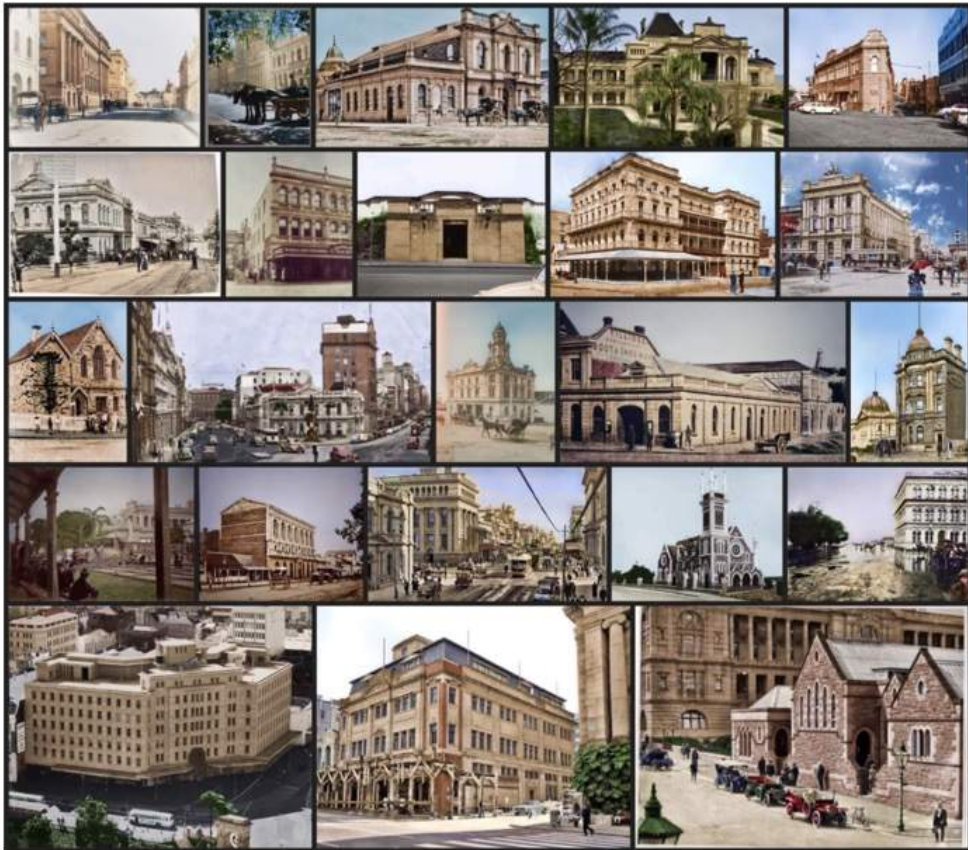
The Bellevue Hotel was built in 1885-6, and served for many years as Brisbane's premiere hotel. Being across the road from the [Queensland Parliament House](#), it was used by many politicians. In 1967, the [Queensland Government](#) purchased the hotel with a view to demolishing it to create modern buildings for the [Queensland Public Service](#), but there was considerable public objection, and the building stood abandoned for many years while its future was debated. In 1973, the [Builders Labourers Federation](#) placed a [green ban](#) on the site;^[2] despite this, the Queensland Government removed the verandas in 1974. Without any prior public announcement, the building was successfully demolished overnight on 20 April 1979 by the Deen Brothers, whose motto is "All we leave behind are the memories".^[3] The public outrage over the demolition eventually led to legislation to protect Queensland's heritage, enacted in 1992.^[4]

References

- [↑] Bligh, Anna (10 June 2009). "PREMIER UNVEILS QUEENSLAND'S 150 ICONS". Queensland Government. Archived from the original on 24 May 2017. Retrieved 24 May 2017.

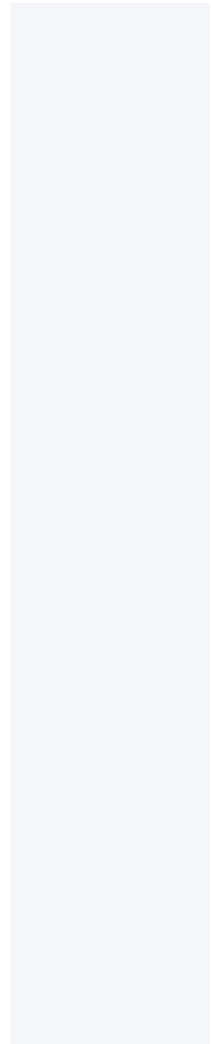


Building demolished Brisbane City



David Dart ▶ Old Brisbane Album 21 hrs · 🌐

Coloured images. Various Brisbane Architect Designed Stone Buildings that have been removed from the City. Source. My own images that I have coloured



Look at Brisbane city now, imagine in this photo below, the Lighthouse and bridge as a view from The Silos Hotel... Looking at the Tower in the photo as The Gorge Hotel!!



Best thing about this Brisbane City is the sky



Yours sincerely

June Burnet



The General Manager
Launceston City Council
GPO Box 396
Launceston TAS 7250

Dear Mr Stretton,

We wish to make the following representation in regard to Draft Amendment 66 to the *Launceston Interim Planning Scheme 2015*.

Summary

Draft Amendment 66 to the *Launceston Interim Planning Scheme 2015* (LIPS2015) should not be supported as it fails to achieve a strategic planning purpose.

It is a misuse of the planning scheme amendment process to put forward an amendment which is designed to permit a specific development, without justifying the amendment on the basis of achieving broader planning objectives. This proposal has clearly failed to do the latter.

The proposed amendment puts forward a Specific Area Plan (SAP) for the subject site. The purpose of an SAP is to either promote or defend a unique characteristic of the area to which it applies. The proponent has failed to demonstrate that there is any unique characteristic of the proposed development area that is promoted or protected by this proposed amendment.

They have also failed to demonstrate why the provision of the planning scheme under which the proposed hotel development was rejected—clause 15.4.1—should not apply in its current form to the subject site.

In our submission we will:

- Explain the importance of clause 15.4.1 to maintaining the streetscape and character of the surrounding area;
- Rebut the proponent’s argument that the Resource Management and Planning Appeals Tribunal (the Tribunal) has not been consistent in its findings in relation to clause 15.4.1;
- Explain that, even conceding that there is an inconsistency—which we don’t—the proposed amendment fails to resolve it; and
- Explain how the proposal fails to meet the legislative requirements for making a planning scheme amendment.

We also have some comments to make about the debate at the Council meeting of 20 May 2021, at which the proposed amendment was initiated, and how it reflects on councillors’ understanding of the role of Council as a planning authority.

The case against amending existing clause 15.4.1

Contrary to the proponent’s claims, the clause protects amenity

The arguments put forward by the proponent in their application overlook the importance and purpose of clause 15.4.1 of LIPS2015 in its current form.

The summary of the proponent’s application claims that:

“The Tribunal did not uphold any of the appeal grounds that related specifically to amenity impacts of the building envelope such as is proposed to be included in the SAP.”

This is incorrect. It is true that a number of appeal grounds related to amenity were not upheld, but the proponent is inferring that the appeal ground that was upheld in relation to streetscape and character was not related to amenity.

The objectives of clause 15.4.1 are stated as:

“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.”

Amenity is defined in OxfordLanguages as “a desirable or useful feature or facility of a building or place” or “the pleasantness or attractiveness of a place”.

In upholding the appeal ground in relation to clause 15.4.1, the Tribunal referred specifically to compatibility with the streetscape and character of the surrounding area. This begs the question, what is the purpose of the planning scheme seeking compatibility with the streetscape and character of the surrounding area if not to ensure that a building is “desirable”, “pleasant” or “attractive” in relation to its surroundings?

Just because the Tribunal did not specifically refer to the “amenity” of maintaining compatibility with the streetscape and character of the surrounding area does not mean that amenity would not be impacted negatively by an incompatible development.

[The Tribunal found that streetscape and character should be maintained, even if it is not well defined in the surrounding area](#)

The proponent also argued that there is a lack of a well-defined streetscape in the surrounding area, thereby implying that there was no streetscape to preserve, however this argument was specifically rejected by the Tribunal.

The proponent describes the surrounding streetscape as ‘eclectic’, noting the lack of a clear and coherent streetscape pattern. While the Tribunal accepted this description, they also noted:

“The fact that a streetscape or the character of a surrounding area may be eclectic does not relieve the Tribunal from the requirement to consider the compatibility of the proposed development with whatever the streetscape may be...”

Furthermore, in upholding the ground of appeal related to streetscape and character, the Tribunal found that:

“The bulk and form of the proposed tower element is out of character with the bulk and form of existing buildings so markedly that even with the diverse streetscape and the eclectic character of the surrounding area it is not in harmony or broad correspondence with either.”

In their proposed SAP, the proponent applies a new acceptable solution to the site for a tall and bulky building envelope.

Acceptable solutions generally define common building features or characteristics. The purpose of including acceptable solutions in planning schemes is to avoid the time and effort associated with assessing developments against the performance criteria if a fairly common design is put forward. The assumption underpinning acceptable solutions is that the performance criteria would usually be met if the development complies with the acceptable solution, which is why they are generally quite conservative.

The acceptable solution put forward in the proposed SAP allows a building design which is very uncommon in Launceston in terms of its height and bulk. It has already been found by the Tribunal that a proposed

development which fits within this envelope does not meet the relevant performance criteria. As such, the proposed acceptable solution of a tall, bulky building envelope is not justified.

Consistency of the Tribunal decisions

The proponent claims that there is an inconsistency in the Tribunal's interpretation of 'surrounding area' for the purposes of clause 15.4.1 of LIPS2015 between *S Cai versus Launceston City Council and TRC Multi Property Pty Ltd [2019] TASRMPAT 2* ('the Gorge Hotel decision') and *J Collier vs Launceston City Council and GP Hotel Launceston Pty Ltd [2020 TASRMPAT 31]* ('the GP Hotel decision').

In their application they compare the Tribunal's interpretation of 'surrounding area' in the Gorge Hotel decision being 100 metres from the site to the interpretation of 'surrounding area' in the GP Hotel decision being up to 900 metres from the site. They conclude that:

"a proponent cannot put forward a proposal for a taller building under the current scheme standards with any clear direction as to what the matters to be considered in determining the appropriateness of the height discretion are."

This finding is a simplistic interpretation of the Tribunal's decisions. Considering the sizes of the surrounding areas in the two Tribunal decisions there appears, on the face of it, to be an inconsistency, but examining the decisions in further detail reveals that the Tribunal has been entirely consistent in their interpretation of 'surrounding area'.

In the Gorge Hotel decision, the Tribunal stated that the definition offered by the respondent was:

"...simply too large to realistically be considered as the surrounding area of the development, *when considering the distinctive qualities and identity of the area* surrounding the development site such as to enable an assessment of character." (emphasis added)

In the GP Hotel decision, the Tribunal accepted the evidence of the respondents that:

"...the surrounding area is a distance within the surrounding streets where the proposal is able to be viewed in the context of those streets which *share similar distinctive qualities* with the subject site." (emphasis added)

The Tribunal determined in both cases that the surrounding area was to be defined by an area that shares similar distinctive qualities and character with the subject site. This resulted in a larger area being found to be the 'surrounding area' in the GP Hotel decision, but the way the Tribunal identified the area was clear, unambiguous and consistent between the two decisions.

Therefore, the proponent's suggestion that the decisions are inconsistent, and their argument that there is a lack of clarity for future proposals as to what constitutes the 'surrounding area', is wrong.

Proposal fails to resolve supposed inconsistency

Even accepting that there is an inconsistency between the interpretation of 'surrounding area' between the Gorge Hotel decision and the GP Hotel decision—which we do not concede—the proposal fails to resolve this supposed inconsistency for two reasons:

1. It only amends the planning scheme in respect to the subject site. As such, the existing provisions which rely on the interpretation of 'surrounding area' continue to apply to the remainder of the mixed use zone and the issue raised by the proponent would not be resolved beyond the subject site.
2. It amends acceptable solution 15.4.1. A1 even though the issue the proponent raises relates to the interpretation of performance criteria 15.4.1. P1. As such, instead of resolving the inconsistency it simply reduces the range of proposed developments subject to the provisions of 15.4.1. P1. The interpretation

issue raised by the proponent remains for any development which encroaches beyond the proposed building envelope.

While making this argument, we reiterate that we do not accept that there is any inconsistency in the way the Tribunal has interpreted the meaning of 'surrounding area' in the Gorge Hotel and GP Hotel decisions. However, if the argument that the Tribunal has been inconsistent is accepted, the proposed amendment does not offer a solution and therefore cannot be supported on this basis.

Planning scheme amendment requirements

According to the proponent's Strategic Planning Assessment, the *Land Use Planning and Approvals Act 1993* (LUPAA) requires the following to be considered in making an amendment:

- must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area;
- must not conflict with the requirements of section 300 of the Act (relating to consistency with the regional land use strategy);
- must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms;
- the provisions of section 20(2), (3), (4), (5), (6), (7), (8) and (9) apply to the amendment of a planning scheme in the same manner as they apply to planning schemes;
- seek to further the objectives set out in Schedule 1 within the area covered by the scheme;
- prepare the scheme in accordance with State Policies made under section 11 of the *State Policies and Projects Act 1993*;
- have regard to the strategic plan of a council referred to in Division 2 of Part 7 of the *Local Government Act 1993* as adopted by the council at the time the planning scheme is prepared; and
- have regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*.

The proposed amendment fails to meet the requirements in the following ways:

Conflict with Northern Tasmania Regional Land Use Strategy (NTRLUS)

The proponent argues that the proposed amendment is compatible with the economic development goals of the NTRLUS because it will help facilitate the Gorge Hotel proposal.

It is clear that the amendment permits a wider range of development than existing provisions, and is more likely to permit the proposed Gorge Hotel development, and that this will be economically advantageous. However, it is disingenuous to say this amendment is needed to achieve these economic goals with reference to a specific development.

The economic development provisions are general, not related to a specific development. The proponent therefore needs to demonstrate that the demand for visitor accommodation in Launceston, and the resultant economic benefits of developing such accommodation, cannot be met by the existing provisions of the scheme either on the subject site or other suitable sites throughout the city.

While the proponent's assessment focuses on economic issues, it overlooks NTRLUS's *Strategic Direction G2.3 Promote local character values*. The preservation of streetscape and character provided for in LIPS2015 supports the following strategies under this Strategic Direction:

"a) Promote the important role of local character on the economy and the sense of place."

"c) Promote local identification and protection of unique character."

In terms of preserving streetscape and character, the proposal is also incompatible with policy action ED-P11: Provide for the opportunity in planning schemes to identify, protect and enhance distinctive local characteristics and landscapes.

Social impact

A planning scheme amendment must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

The proposed amendment permits a development which the Tribunal has found not to be in keeping with the streetscape or character of the surrounding area. The height, bulk and form of permitted developments under the proposed amendment will have a negative impact on visual amenity by dominating the streetscape.

Maintaining streetscape and character is an important way to protect and enhance residents' and visitors' appreciation and enjoyment of the built environment in which they live, work and recreate. The existing planning scheme provisions were designed to defend these social outcomes and the proponent has not put forward a convincing case either that their amendment will not allow development which impinges on these social outcomes, or that it should.

Conflict with objectives in Schedule 1 of LUPAA

The amendment is in conflict with the following objectives of the Planning Process listed in Schedule 1 of LUPAA:

“(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land;”

In regards to economic effects, the proponent has clearly articulated the benefits of the proposed Gorge Hotel, but has failed to demonstrate that a similarly economically beneficial development could not be built under the existing provisions of the planning scheme. As we have mentioned earlier this amendment will allow developments with a negative social impact, but this impact will not be able to be assessed because of the highly permissive nature of the proposed acceptable solution.

“(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation;”

As we have explained earlier in this submission, a ‘pleasant environment’ is what the scheme aims to maintain through the preservation of streetscape and character. The Tribunal has already found that a development potentially permitted by this amendment is incompatible with the streetscape and character of the area surrounding the subject site.

Incompatibility with City of Launceston Strategic Plan 2014-2024

Included in the five principle outcomes of the City of Launceston Strategic Plan 2014-2024 (‘the Plan’) is:

“To facilitate a consistent approach to the implementation of planning and development policy and initiatives within the greater Launceston area.”

The amendment proposes a very different approach to planning for the subject site to the remainder of the mixed use zone without explaining what unique features of the subject site justify this divergence from the existing provisions. Unless it can be demonstrated that this site has some unique feature that needs to be promoted or protected, allowing this amendment would be inconsistent with the streetscape and character provisions of the planning scheme applicable to the remainder of the zone.

Strategic objective 2 of the Plan is “A city where people choose to live” and includes the key direction: “To contribute to enhanced public health and amenity to promote a safe and secure environment.” The

amendment allows developments which are, as the Tribunal found, “not in harmony or broad correspondence” with the streetscape and character of the surrounding area. Allowing developments in conflict with the streetscape and character will detract from, rather than enhance, amenity.

Concerns about Council misunderstanding its role as a planning authority

It is important that Launceston City Council, when deciding whether to support this amendment, do so on the basis of the relevant considerations in LUPAA.

In most circumstances it is up to councillors to determine what matters are relevant when making a decision on behalf of the community they represent, but when they sit as a planning authority these considerations are very clearly defined.

We are concerned from some of the statements made during the debate on whether to initiate this amendment that some councillors do not understand their responsibilities when deliberating as a planning authority. Some were treating the decision as a continuation of the decision to grant planning approval to the Gorge Hotel in 2019, or referring to other unrelated planning decisions:

Cr McKenzie: “I was comfortable in regards to the previous scheme before this amendment was put forward that this was a suitable development for the site (inaudible). Today, I see no reason not to continue to support that and if we have to do that through a Special Area Plan then I’m happy to do so.”

Cr Spencer: “I feel sorry for the lady next door but there’s nothing there about the sunlight. She’s going to get enough sunlight—three and a half hours of sun in the winter.” (this standard was considered in the Gorge Hotel decision but is not altered by the proposed SAP)

“The Fragrance got approved and I think this one should too.”

Cr Harris: “Two years ago, on the 13th of June, we approved this hotel and I would like to see us approve it once again.”

Cr Daking: “We’ve already made this decision—I hate wasting my time and the time of others, and money—and that was the decision made a couple of years ago 10-1.”

The idea that support for a particular development application should translate to support for this amendment is concerning. Development applications are assessed according to the provisions of the planning scheme, while a planning scheme amendment is assessed according to the requirements of LUPAA. They are entirely separate considerations. Anyone who suggests that support for one should in any way translate to support for the other misconstrues the responsibilities of Council sitting as a planning authority.

Several councillors also introduced arguments that are irrelevant to the requirements of LUPAA in considering the amendment, for example:

Availability of accommodation in Launceston

Cr Spencer: “I went to the football on Saturday and my decision was made there when I spoke to people from Melbourne that couldn’t get accommodation in Launceston over the weekend.”

The Mayor: “...so many times I’ve been confronted by people at conferences, at different games, at events—they found it extremely hard to get accommodation...”

Economic arguments for the Gorge Hotel

Cr Spencer: “This project will be great for Launceston. 300 trading jobs over a matter of a couple of years. We cannot say no to that. Five star motel, not many in Launceston and we definitely need one.”

Cr Harris: “The fact that it is going to be developed by a local developer, employing locals in construction but also long term is also to be applauded.”

Level of community support for, or opposition against, the development

Cr Daking: “Over the last few weeks the only three people I have heard negatives from have obviously been in this room today.”

As mentioned earlier in this submission, there are provisions of NTRLUS, LUPAA and the City of Launceston Strategic Plan which promote economic and tourism development. There is also no doubt that providing accommodation is important for Launceston’s visitor economy.

However, considering the benefits of a specific development is not sufficient to address these criteria. The economic question to address when considering this amendment is the extent to which it facilitates such developments throughout the city, not a specified development on a specified site.

The level of support in the community for, or opposition to, either the Gorge Hotel development or the proposed SAP is not addressed by any of the requirements of LUPAA.

Finally, Cr Harris promoted the same misunderstanding of the Tribunal’s findings in the Gorge Hotel and GP Hotel in relation to surrounding area, where he said:

“If they had used the same concerns or the same standard of 900 metres that they used for the Fragrance Group then those... clearly they would have found that there would have been taller buildings within it.”

This goes to the suggestion that there is an inconsistency in Tribunal decisions. If councillors are to properly assess this amendment, part of their duty as a planning authority is to understand the detailed reasons for the Tribunal’s decisions which, as we have outlined earlier in this submission, were consistent.

When Council’s support for this proposed amendment is considered by Council as a planning authority, it is important that they understand their role as a planning authority and the relevant provisions of LUPAA which they are to apply in assessing the application.

We appeal to Council to reflect on their statutory role and responsibilities when deciding, as a planning authority, whether to support the amendment. We hope that, in doing so, they will reach the same conclusion we have—that the proposed amendment is critically non-compliant with the requirements of LUPAA.

Yours sincerely,

[Redacted signature]

From: [REDACTED]
Sent: Sun, 4 Jul 2021 18:51:22 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: JAC proposed hotel, Patterson Street, objection.

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted into the Launceston Interim Planning Scheme 2015 for the following reasons:

- The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43mt.
- The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019. Surely their decision counts for something.
- The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.
- The proposed site for the Specific Area Plan is too close to an environmentally sensitive area and Launceston's greatest natural asset; the Cataract Gorge.
- RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that *"51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."*
- The proponent would like Amendment 66 to: *"Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape."* In respect of a Landmark building the Tribunal concluded: *"52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performance criteria P1 (b)."*

- Implementation of Amendment 66 could result in a significantly larger building, both in height and bulk, being constructed on the **entire** site and would set a precedent for the entire Margaret St precinct without proper community consultation and consent.
- Consultant Paul Davies in his recent 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: *"Retain an acceptable height solution and reduce it to 9 metres consistently across the study area."*
- Mr Davies also recommended in the Report that Launceston should: *"Introduce an absolute maximum height limit of 24 metres across the city area."* It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments.
- As a rate payer, it is my hope that the Launceston City Council respects and upholds RMPAT's decision. The average rate payer should not be overwhelmed when big business are able to "flex their muscle" to get what they want, even if decisions don't initially go their way.

Given all of the above proposed Amendment 66 should not be implemented.

I hope, in this case at least, fairness prevails.

[REDACTED]

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From: [REDACTED]
Sent: Sun, 4 Jul 2021 12:17:04 +1000
To: "Council" <Council@launceston.tas.gov.au>
Subject: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Please forward to all Councillors

and

To: Mr Stretton,
General Manager,
Launceston City Council,

**REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON**

I most strongly object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons:

The proposed site for the Specific Area Plan is too close to an environmentally sensitive area and Launceston's greatest natural asset; the Cataract Gorge and should not be allowed to contaminate the visual aspects of this treasure in any way. You have a duty of care to protect this unique and irreplaceable asset above and beyond any other plans or ideas for the area.

The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at a potential height of 43 metres.

The original proposal for a Gorge Hotel was rightly rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.

The proponent had ample opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.

At great cost, both financially and emotionally to the owner of The Golden Brumby Restaurant, RMPAT Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that "51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not in any accurate manner address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."

The proponent would like Amendment 66 to: "Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape." In respect of a Landmark building the Tribunal concluded: "52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its

surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development simply does not meet the performance criteria P1 (b).” One has to also raise the question as to who actually makes the judgement that this would be a "Landmark" building given that the seriously ugly and out of place "Verge Hotel" was previously approved by Council and that monster is in many people's opinion, a blight on the Launceston landscape.

Implementation of Amendment 66 could result in a significantly larger building, both in height and bulk, being constructed on the entire site and would set a precedent for the entire Margaret St precinct without proper or any real community consultation and consent. Do not forget that **all of you** in Council, are employed by us and have a duty of care to listen to and respect the wishes of the whole community, not just favoured developers.

Consultant Paul Davies in his recent 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: **“Retain an acceptable height solution and reduce it to 9 metres consistently across the study area.”** If such advice is not followed, piece by piece, as we notice happening more and more, Launceston will be hit by the ugly and inappropriate stick and will end up looking like everywhere else.

Mr Davies also recommended in the Report that Launceston should: **“Introduce an absolute maximum height limit of 24 metres across the city area.”** It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments. I believe that this is a dishonest representation of the truth and does not properly educate and advise the community.

Given all of the above proposed Amendment 66 should not be implemented.

Yours Sincerely

██████████

██████████

From: [REDACTED]
Sent: Sun, 4 Jul 2021 10:52:49 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons:

- The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43mt.
- The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.
- The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.
- The proposed site for the Specific Area Plan is too close to an environmentally sensitive area and Launceston's greatest natural asset; the Cataract Gorge
- RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that *"51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."*
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- Implementation of Amendment 66 could result in a significantly larger building, both in height and bulk, being constructed on the **entire** site and would set a precedent for the entire Margaret St precinct without proper community consultation and consent.
- Consultant Paul Davies in his recent 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: *"Retain an acceptable height solution and reduce it to 9 metres consistently across the study area."*
- Mr Davies also recommended in the Report that Launceston should: *"Introduce an absolute maximum height limit of 24 metres across the city area."* It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments.

Given all of the above proposed Amendment 66 should not be implemented.

--

From:

[REDACTED]

To: "Contact Us" <contactus@launceston.tas.gov.au>

Subject: Representation: Draft Amendment 66 to Planning Scheme : SAP

Attachments: Submission_LCC_The Cataract
Gorge_SAP_draft_amendment_JAC_development_July2021.pdf

For the attention of Mr Michael Stretton

Please find attached my representation in respect of the Draft Amendment 66 to Planning Scheme : Specific Area Plan over 123 & 125-133 Paterson Street, and 270 Brisbane Street (also known as 16 Margaret Street) Launceston

With thanks

[REDACTED]

Mr Michael Stretton
Chief Executive Officer
Launceston City Council
St John Street
LAUNCESTON 7250

4th July 2021

Draft Amendment 66 to Planning Scheme : Specific Area Plan over 123 & 125-133 Paterson Street, and 270 Brisbane Street (also known as 16 Margaret Street) Launceston

The Cataract Gorge and its surrounds fall under the Launceston City Council’s jurisdiction, so any potential developments likely to impact negatively on the Gorge experience must be scrutinised thoroughly if this iconic area for which it is steward, is to be managed and protected responsibly, and with sensitivity and respect for everyone who cares for and about an area.

Any proposed development in the vicinity of the Gorge must be considered very carefully by all levels of government so it is concerning to learn that the JAC Group - which sought to build a hotel that would certainly have impacted on the Gorge, but which was subsequently rejected by the Resource Management and Planning Appeals Tribunal - has chosen to lodge a Draft Amendment application on the site. This is a move that could be considered a deliberate attempt to have the planning goalposts shifted to facilitate approval for the Group’s hotel proposal for which no modifications or amendments appear to have been made.

The reason the project was rejected by RMPAT was due to its significant size and scale being incompatible with the character and existing streetscapes of Launceston. Big is not necessarily better, and RMPAT judged that a structure that would dominate, dwarf and over-shadow everything in proximity was inappropriate, both for the site itself and Launceston’s broader surroundings. Since the Draft Amendment does not indicate any concessions to height and size requirements have been made, and it has failed to adapt or modify a design previously ruled unacceptable by RMPAT, it should be rejected. It must still be considered unacceptable. The development exceeds building height regulations and will stick out like the proverbial sore thumb in Launceston’s low-rise built heritage, that is admired and appreciated by locals and visitors alike. *(Ref: RMPAT decision to Appeal No. 58/19P & Nov 2019 : 15.4.1 Compliance)*

As it stands therefore, I consider this Draft Amendment is flawed and as such it should be rejected.

Thank you for the opportunity to make this short representation.

[Redacted signature block]

From: [REDACTED]
Sent: Sun, 4 Jul 2021 10:15:59 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: ATTN: Mr Michael Stretton

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons:

The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43mt.

The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.

The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.

The proposed site for the Specific Area Plan is too close to an environmentally sensitive area and Launceston's greatest natural asset; the Cataract Gorge

RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that "51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."

The proponent would like Amendment 66 to: "Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape." In respect of a Landmark building the Tribunal concluded: "52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area,

having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performances criteria P1 (b).”

Implementation of Amendment 66 could result in a significantly larger building, both in height and bulk, being constructed on the entire site and would set a precedent for the entire Margaret St precinct without proper community consultation and consent.

Consultant Paul Davies in his recent ‘Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: “Retain an acceptable height solution and reduce it to 9 metres consistently across the study area.”

Mr Davies also recommended in the Report that Launceston should: “Introduce an absolute maximum height limit of 24 metres across the city area.” It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments.

Given all of the above proposed Amendment 66 should not be implemented.

Yours Faithfully



From:

[REDACTED] 00

To: "Contact Us" <contactus@launceston.tas.gov.au>

Subject: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,

Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

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- RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that *"51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."*
- The proponent would like Amendment 66 to: *"Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape."* In respect of a Landmark building the Tribunal concluded: *"52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performances criteria P1 (b)."*
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- Consultant Paul Davies in his recent 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: *"Retain an acceptable height solution and reduce it to 9 metres consistently across the study area."*
- Mr Davies also recommended in the Report that Launceston should: *"Introduce an absolute maximum height limit of 24 metres across the city area."* It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments.

Given all of the above proposed Amendment 66 should not be implemented.

Furthermore I see it as council's duty of care toward its constituents to protect the residents of Launceston from the destruction of character that is recognised worldwide. There's a time and a place for these buildings. Whilst I agree now is the time, it certainly isn't the place. 20m is a fantastic height limit. Other riverside communities and towns in Australia have seen height limits of 2 and 3 storeys imposed without negative effect. I fail to see any benefit to the residents as a result of this planning amendment proposal. As a previous business owner in the tourism industry, within the technology area, I was witness to many tourists who purposefully visited Launceston for its outstanding charm and character. A few who move to Launceston as a result have remained in touch and they are astounded that our local council would even entertain such a proposal. They even went so far as to ask is there a financial reason for this decision because they simply did not understand the purpose otherwise. I have assured them there certainly isn't any financial benefit to council, however they still remain dumbfounded.

I appreciate that we need to progress forward to increase accommodation capacities and conference facilities, however there are much better places with less impact to the wonderful skyline that is already Launceston and all the charm it affords.

Launceston has many 'firsts' to its name. Let's not make the ability to build ridiculously tall buildings on the entrance to our beautiful Gorge one of them.

Regards,

A large black rectangular redaction box covering the signature and name of the sender.

From: [REDACTED]
Sent: Sat, 3 Jul 2021 16:49:11 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Ref: SF7233 - Amendment 66 Planning Scheme
Attachments: Proposed ammendment.docx


Dear Sir/Madam

Please find attached my representation regarding the above proposal. I'd be grateful if you could pass it on to Mr Stretton

Thank you very much for your assistance.

Regards

[REDACTED]



Mr Michael Stretton
The Chief Executive Officer
City of Launceston Council
PO Box 396
Launceston TAS 7250

Re: Ref: SF7233 – Amendment 66
Insertion of a Specific Area Plan over the properties 123 and 125-133 Paterson St and 270
Brisbane St (also known as 16 Margaret St; and
Insertion into the Launceston Interim Planning Scheme (2015) a Specific Area Plan F110 –
Gorge Hotel Specific Area Plan.

Dear Sir

I wish to make a representation about the above proposed amendment to the Launceston Interim Planning Scheme (2015).

I would like to express my deep concern about the proposal as it seeks to ‘move the goalposts’ to circumvent a decision made by the Resource Management and Planning Appeals Tribunal (RMPAT). RMPAT upheld an appeal against the approval granted by Council for development application 0127/2019 (the proposed ‘Gorge hotel’). The appeal was taken to RMPAT in good faith by neighbouring resident and business owner, Ms Susie Cai, at significant cost. Will she be compensated if the rules are changed? Why is Council preferencing the business plans of a developer over the existing investments of Launceston residents and business owners? What faith in the planning system does this give other Launceston residents if the rules can be changed at the whim of Council? Such an amendment will further disenfranchise ordinary people from engagement in the shaping of future plans for and development of their city.

If people are to have respect for and faith in the operation of Launceston’s planning processes and regulations, and the administration of planning in Tasmania, the system must be fair, robust, accessible and not capable of being subverted to favour influential businesses or individuals.

The proposed amendment has been put forward to favour a single business entity. Granting it will fly in the face of the decision of RMPAT. It will also have a significant impact on this part of Launceston and its residents, reducing their right to appeal by modifying provisions of the planning scheme. The city’s planning scheme should protect against inappropriate development. RMPAT found that the proposed hotel development *was* inappropriate for the area. Changing the rules will not alter the reality of whether or not the proposal is appropriate.

The proposed amendment, while citing the previous development application, does not provide a guarantee that the former proposal will be the eventual outcome for the site, as the parameters of the changes sought exceed the original application. While Council frames its argument in terms of a '5 star' and 'boutique' accommodation complex with conference facilities, there is no certainty that this will be the outcome.

The Launceston Interim Planning Scheme (2015) as it currently exists does not preclude the development of a visitor accommodation complex on the site in question, it just limits such a development to something that would not adversely affect the area. For Council to seek to intervene in this matter gives the appearance of favouring a developer over ordinary ratepayers for the sole purpose of maximising economic return from the site for the developer's benefit. This is not the role of Council, nor should it be. The ratepayers of Launceston are entitled to expect that the Council will act fairly and implement the planning scheme in letter and spirit.

Council's arguments in favour of the amendment includes many subjective interpretations of Council policy, rather than objective assessment. Just because the site is regarded as underutilised does not mean that *any* development is inherently better, just as the argument that jobs will result does not prove that a proposed development is the only possibly job creator or the *best* outcome.

Council's suggestion that the building allowed by the amendment will be a 'landmark' is irrelevant and potentially misleading. It either complies with the planning scheme or it doesn't. There is no guarantee provided by this amendment that the result will be a 'landmark', nor does Council provide a definition of what is meant by the term in this context. Rather, it suggests an inherent bias in favour of the developer's proposal.

Paul Davies recommended in his report for Council, *Launceston CBD Building Height and Massing Study* (2018) that Launceston should 'Introduce an absolute maximum height limit of 24m across the city area'. Why does Council's argument in favour of the amendment ignore this report and its expert advice?

Council's case for the amendment acknowledges the subject area is an important one, with its proximity to key public and natural assets and as an interface between the CBD and residential areas. Given this, development should be done very sensitively, surely? Where is the evidence of meaningful engagement with the people of Launceston?

I urge that the proposed amendment is not supported.



From: [REDACTED]
Sent: Sat, 3 Jul 2021 11:41:31 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: My submission re the revised plan for the Gorge Hotel
Importance: High

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

Tourists can see modern multi-storey hotels anywhere in the world, but they come to Launceston because we are different and because we have wonderful heritage buildings, parks and proximity to the gorge and the river environs and it would be a shame to denigrate that which draws them here.

I would have thought that it would also infringe on the city's building height regulations. It is also on a fault line and so could be at risk from an earthquake. The whole concept is completely out of character with the surrounding buildings.

I am therefore not in favour of the proposal and would urge that the plan be rejected.

Kind regards

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Fri, 2 Jul 2021 18:46:01 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons:

- The title of Amendment 66 clearly indicates the Amendment is to facilitate another proposal for a Gorge Hotel at possibly 43mt.
- The original proposal for a Gorge Hotel was rejected by the Resource Planning and Management Appeal Tribunal (RMPAT) in November 2019.
- The proponent had the opportunity to appeal against the RMPAT decision by lodging an Appeal against with the Supreme Court but decided not to take this route which raises many questions as to why.
- The proposed site for the Specific Area Plan is too close to an environmentally sensitive area and Launceston's greatest natural asset; the Cataract Gorge
- RMPAT in Appeal No 58/19P (7 Nov 2019) clearly indicated, in handing down their decision reversing Launceston City Council's approval for the original Development Application for the Gorge Hotel, that *"51 The height of the proposed building is two to three times higher than the height of buildings on site and on adjoining lots. The extensive evidence led by the Developer and the council comparing the proposal with other tall buildings in Launceston does not address the criterion in P1 (b) as those buildings are well removed from the site and the adjoining and adjacent lots."*
- The proponent would like Amendment 66 to: *"Provide for the opportunity for the development of a landmark building to provide for visitor accommodation and complementary supporting uses in a manner that does not impact on the surrounding streetscape."* In respect of a Landmark building the Tribunal concluded: *"52. The characterisation of the building as a landmark building (as discussed below) is to an extent at odds with it being compatible with its surrounds. It is not compatible, in the sense of being in harmony or broad correspondence, with the streetscape and character of the surrounding area, having regard to the height of building on the site, adjoining and adjacent lots. Therefore the proposed development does not meet the performances criteria P1 (b)."*
- Implementation of Amendment 66 could result in a significantly larger building, both in height and bulk, being constructed on the **entire** site and would set a precedent for the entire Margaret St precinct without proper community consultation and consent.
- Consultant Paul Davies in his recent 'Launceston CBD Building Height and Massing Study Report to Launceston City Council (7th November 2018) recommended that Launceston should: *"Retain an acceptable height solution and reduce it to 9 metres consistently across the study area."*
- Mr Davies also recommended in the Report that Launceston should: *"Introduce an absolute maximum height limit of 24 metres across the city area."* It is notable that the Report, after consultation, appears to have disappeared from actual policy and only appears in cherry-picked form to suit large developments.

Further to the above, I object to this Amendment as it appears to cater for the special economic interest of one person/organisation. A council should be representing the interests of its residents and not circumvent ordinary planning scheme regulations in order to cater to special interest groups. This is undemocratic and could be considered corruption.

Given all of the above proposed Amendment 66 should not be implemented.

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It's the effort we make
what keeps our love alive
We can't change people,
we can only hope we have a positive impact on them



From: [REDACTED]
Sent: Fri, 2 Jul 2021 17:13:58 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

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Given all of the above proposed Amendment 66 should not be implemented.

Name: [REDACTED]
[REDACTED]

From: [REDACTED] s [REDACTED]
Sent: Fri, 2 Jul 2021 13:42:53 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Representation to the Planning Scheme Draft Amendment 66


The proposed Specific Area Plan F11.O, is named as the Gorge Hotel Specific Area Plan demonstrating the Council's opposition to the RMPAT decision to disapprove the Gorge Hotel proposal and to represent it as novel.

However it will be noticed that the grounds by which RMPAT denied it, namely the height of the hotel and the error in calling it a 'landmark' building and its being out of character with its surrounds have not been challenged until now.

It would seem that the move to the Planning Scheme Amendment, if successful, will demonstrate to other councils a way to go to cancel out the effects of RMPAT decisions - the Mt Wellington cable car looms on the horizon with the 17,500 Representations against it.

Yours etc.

[REDACTED]



Your Ref: SF7233
Planning Scheme Draft
Amendment 66

The Chief Executive Officer
City of Launceston
PO Box 396
Launceston TAS 7250

Dear Sir or Madam,

Re: Proposed Draft Amendment 66 inserting a Specific Area Plan over properties known as 123, 125-133 Patterson Street & 270 Brisbane Street, Launceston

Please accept this submission in relation to the above Draft Amendment to the Launceston Interim Planning Scheme 2015.

We are concerned that this amendment provides a backdoor means of facilitating the proposed development of a hotel in an area close to the Cataract Gorge without the safeguards that the current Planning Scheme provides. A planning application for this development was lodged in 2019 (Ccl ref DA0127/2019) and subsequently lost a Resource Management and Planning Appeal Tribunal (RMPAT) as detailed:

79. For the reasons set out above in respect to the failure of the proposed development to satisfy the criteria in P1 (b), (c), and (d) the building height is not compatible with the streetscape and the character of the surrounding area.

The Draft Amendment proposes the creation of the Gorge Hotel Specific Area Plan (the SAP). This amendment will allow for a floor yield that is economically advantageous to the applicant at the expense of the streetscape and character of the surrounding area. The proposed envelope on the site would result in a large departure from typical heights of the area (approximately triple that of the existing and permitted height limits) and the combination of both vertical and horizontal mass results in a building envelope that is not only significantly larger than the existing buildings adjoining the site but also larger in mass than many other commercial buildings in the surrounding area. This is not only visually incompatible but also questionable as a safe practice given the geological constraints of the area.


The Draft Amendment appears to be a means of facilitating the development of a building that has already been found by the independent RMPAT to be unsuitable at this location.

We are not against development – but we are also aware of the importance of maintaining the integrity of the architectural landscape that we have in this historic city. To amend the Planning Scheme to permit a disputed development to go ahead with relaxed regulations is to us a backwards step for our city.

Yours Sincerely,



(copy forwarded by email 2 July 2021 to contactus@launceston.tas.gov.au)



Your Ref: SF7233
Planning Scheme Draft
Amendment 66

The Chief Executive Officer
City of Launceston
PO Box 396
Launceston TAS 7250

Dear Sir or Madam,

Re: Proposed Draft Amendment 66 inserting a Specific Area Plan over properties known as 123, 125-133 Patterson Street & 270 Brisbane Street, Launceston

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The Draft Amendment appears to be a means of facilitating the development of a building that has already been found by the independent RMPAT to be unsuitable at this location.

We are not against development – but we are also aware of the importance of maintaining the integrity of the architectural landscape that we have in this historic city. To amend the Planning Scheme to permit a disputed development to go ahead with relaxed regulations is to us a backwards step for our city.

Yours Sincerely,



(copy forwarded by email 2 July 2021 to contactus@launceston.tas.gov.au)

Lisa Kane

From: [REDACTED]
Sent: Thursday, 1 July 2021 7:55 PM
To: Contact Us
Subject: REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Categories: Lisa

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme

Mr Michael Stretton,
Chief Executive Officer,
Launceston City Council
Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I object to the proposed Amendment 66 Specific Area Plan F110 - Gorge Hotel Specific Area Plan being inserted in to the Launceston Interim Planning Scheme 2015 for the following reasons:

- The proposed site for the Specific Area Plan is too close to an environmentally sensitive area and Launceston's greatest natural asset; the Cataract Gorge
- Implementation of Amendment 66 could result in a large building, both in height and bulk, being constructed on the **entire** site and would set a precedent for the entire Margaret St precinct without proper community consultation and consent.

Given the above, proposed Amendment 66 should not be implemented.

[REDACTED]

Regards,

[REDACTED]

From: [redacted]@gmail.com
Subject: City of Launceston Planning Scheme Amendment Ref. SF7233 Amendment 66
Date: 1 July 2021 at 3:52 pm
To: Launceston City Council

Submission from
Mrs Patricia M.C.Adams

[redacted]

With reference to Specific Area Plan F110 i.e. Gorge Hotel Specific Area Plan I advise that Prudence is a word which is part of Launceston's City motto. Prudence means taking care of ones resources and according to the planning scheme amendment, it does not comply with the Resource Management and Appeal Tribunal, which categorically states that the bulk and form of the proposed tower elements, are out of character with the bulk and form of existing buildings, so markedly that even with the diverse streetscape and the eclectic character of the surrounding area it is not in harmony with either. Be prudent with progress and recognise that the proposed amendment does not take proper care of current resources.

Yours faithfully,

[redacted]

FILE No.	SF7233 / DA0127 / 2019		
EO	<input checked="" type="checkbox"/>	OD	Box <input checked="" type="checkbox"/>
RCVD 02 JUL 2021 COL			
Doc ID.			
Action Officer	Noted	Replied	
I. MORE			

The General Manager
Launceston City Council
GPO Box 396
Launceston TAS 7250

Dear Mr Stretton,

We wish to make the following representation in regard to Draft Amendment 66 to the *Launceston Interim Planning Scheme 2015*.

Summary

Draft Amendment 66 to the *Launceston Interim Planning Scheme 2015* (LIPS2015) should not be supported as it fails to achieve a strategic planning purpose.

It is a misuse of the planning scheme amendment process to put forward an amendment which is designed to permit a specific development, without justifying the amendment on the basis of achieving broader planning objectives. This proposal has clearly failed to do the latter.

The proposed amendment puts forward a Specific Area Plan (SAP) for the subject site. The purpose of an SAP is to either promote or defend a unique characteristic of the area to which it applies. The proponent has failed to demonstrate that there is any unique characteristic of the proposed development area that is promoted or protected by this proposed amendment.

They have also failed to demonstrate why the provision of the planning scheme under which the proposed hotel development was rejected—clause 15.4.1—should not apply in its current form to the subject site.

In our submission we will:

- Explain the importance of clause 15.4.1 to maintaining the streetscape and character of the surrounding area;
- Rebut the proponent’s argument that the Resource Management and Planning Appeals Tribunal (the Tribunal) has not been consistent in its findings in relation to clause 15.4.1;
- Explain that, even conceding that there is an inconsistency—which we don’t—the proposed amendment fails to resolve it; and
- Explain how the proposal fails to meet the legislative requirements for making a planning scheme amendment.

We also have some comments to make about the debate at the Council meeting of 20 May 2021, at which the proposed amendment was initiated, and how it reflects on councillors’ understanding of the role of Council as a planning authority.

The case against amending existing clause 15.4.1

Contrary to the proponent’s claims, the clause protects amenity

The arguments put forward by the proponent in their application overlook the importance and purpose of clause 15.4.1 of LIPS2015 in its current form.

The summary of the proponent’s application claims that:

“The Tribunal did not uphold any of the appeal grounds that related specifically to amenity impacts of the building envelope such as is proposed to be included in the SAP.”

This is incorrect. It is true that a number of appeal grounds related to amenity were not upheld, but the proponent is inferring that the appeal ground that was upheld in relation to streetscape and character was not related to amenity.

The objectives of clause 15.4.1 are stated as:

“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.”

Amenity is defined in OxfordLanguages as “a desirable or useful feature or facility of a building or place” or “the pleasantness or attractiveness of a place”.

In upholding the appeal ground in relation to clause 15.4.1, the Tribunal referred specifically to compatibility with the streetscape and character of the surrounding area. This begs the question, what is the purpose of the planning scheme seeking compatibility with the streetscape and character of the surrounding area if not to ensure that a building is “desirable”, “pleasant” or “attractive” in relation to its surroundings?

Just because the Tribunal did not specifically refer to the “amenity” of maintaining compatibility with the streetscape and character of the surrounding area does not mean that amenity would not be impacted negatively by an incompatible development.

[The Tribunal found that streetscape and character should be maintained, even if it is not well defined in the surrounding area](#)

The proponent also argued that there is a lack of a well-defined streetscape in the surrounding area, thereby implying that there was no streetscape to preserve, however this argument was specifically rejected by the Tribunal.

The proponent describes the surrounding streetscape as ‘eclectic’, noting the lack of a clear and coherent streetscape pattern. While the Tribunal accepted this description, they also noted:

“The fact that a streetscape or the character of a surrounding area may be eclectic does not relieve the Tribunal from the requirement to consider the compatibility of the proposed development with whatever the streetscape may be...”

Furthermore, in upholding the ground of appeal related to streetscape and character, the Tribunal found that:

“The bulk and form of the proposed tower element is out of character with the bulk and form of existing buildings so markedly that even with the diverse streetscape and the eclectic character of the surrounding area it is not in harmony or broad correspondence with either.”

In their proposed SAP, the proponent applies a new acceptable solution to the site for a tall and bulky building envelope.

Acceptable solutions generally define common building features or characteristics. The purpose of including acceptable solutions in planning schemes is to avoid the time and effort associated with assessing developments against the performance criteria if a fairly common design is put forward. The assumption underpinning acceptable solutions is that the performance criteria would usually be met if the development complies with the acceptable solution, which is why they are generally quite conservative.

The acceptable solution put forward in the proposed SAP allows a building design which is very uncommon in Launceston in terms of its height and bulk. It has already been found by the Tribunal that a proposed

development which fits within this envelope does not meet the relevant performance criteria. As such, the proposed acceptable solution of a tall, bulky building envelope is not justified.

Consistency of the Tribunal decisions

The proponent claims that there is an inconsistency in the Tribunal's interpretation of 'surrounding area' for the purposes of clause 15.4.1 of LIPS2015 between *S Cai versus Launceston City Council and TRC Multi Property Pty Ltd [2019] TASRMPAT 2* ('the Gorge Hotel decision') and *J Collier vs Launceston City Council and GP Hotel Launceston Pty Ltd [2020 TASRMPAT 31]* ('the GP Hotel decision').

In their application they compare the Tribunal's interpretation of 'surrounding area' in the Gorge Hotel decision being 100 metres from the site to the interpretation of 'surrounding area' in the GP Hotel decision being up to 900 metres from the site. They conclude that:

"a proponent cannot put forward a proposal for a taller building under the current scheme standards with any clear direction as to what the matters to be considered in determining the appropriateness of the height discretion are."

This finding is a simplistic interpretation of the Tribunal's decisions. Considering the sizes of the surrounding areas in the two Tribunal decisions there appears, on the face of it, to be an inconsistency, but examining the decisions in further detail reveals that the Tribunal has been entirely consistent in their interpretation of 'surrounding area'.

In the Gorge Hotel decision, the Tribunal stated that the definition offered by the respondent was:

"...simply too large to realistically be considered as the surrounding area of the development, *when considering the distinctive qualities and identity of the area* surrounding the development site such as to enable an assessment of character." (emphasis added)

In the GP Hotel decision, the Tribunal accepted the evidence of the respondents that:

"...the surrounding area is a distance within the surrounding streets where the proposal is able to be viewed in the context of those streets which *share similar distinctive qualities* with the subject site." (emphasis added)

The Tribunal determined in both cases that the surrounding area was to be defined by an area that shares similar distinctive qualities and character with the subject site. This resulted in a larger area being found to be the 'surrounding area' in the GP Hotel decision, but the way the Tribunal identified the area was clear, unambiguous and consistent between the two decisions.

Therefore, the proponent's suggestion that the decisions are inconsistent, and their argument that there is a lack of clarity for future proposals as to what constitutes the 'surrounding area', is wrong.

Proposal fails to resolve supposed inconsistency

Even accepting that there is an inconsistency between the interpretation of 'surrounding area' between the Gorge Hotel decision and the GP Hotel decision—which we do not concede—the proposal fails to resolve this supposed inconsistency for two reasons:

1. It only amends the planning scheme in respect to the subject site. As such, the existing provisions which rely on the interpretation of 'surrounding area' continue to apply to the remainder of the mixed use zone and the issue raised by the proponent would not be resolved beyond the subject site.
2. It amends acceptable solution 15.4.1. A1 even though the issue the proponent raises relates to the interpretation of performance criteria 15.4.1. P1. As such, instead of resolving the inconsistency it simply reduces the range of proposed developments subject to the provisions of 15.4.1. P1. The interpretation

issue raised by the proponent remains for any development which encroaches beyond the proposed building envelope.

While making this argument, we reiterate that we do not accept that there is any inconsistency in the way the Tribunal has interpreted the meaning of 'surrounding area' in the Gorge Hotel and GP Hotel decisions. However, if the argument that the Tribunal has been inconsistent is accepted, the proposed amendment does not offer a solution and therefore cannot be supported on this basis.

Planning scheme amendment requirements

According to the proponent's Strategic Planning Assessment, the *Land Use Planning and Approvals Act 1993* (LUPAA) requires the following to be considered in making an amendment:

- must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area;
- must not conflict with the requirements of section 300 of the Act (relating to consistency with the regional land use strategy);
- must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms;
- the provisions of section 20(2), (3), (4), (5), (6), (7), (8) and (9) apply to the amendment of a planning scheme in the same manner as they apply to planning schemes;
- seek to further the objectives set out in Schedule 1 within the area covered by the scheme;
- prepare the scheme in accordance with State Policies made under section 11 of the *State Policies and Projects Act 1993*;
- have regard to the strategic plan of a council referred to in Division 2 of Part 7 of the *Local Government Act 1993* as adopted by the council at the time the planning scheme is prepared; and
- have regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*.

The proposed amendment fails to meet the requirements in the following ways:

Conflict with Northern Tasmania Regional Land Use Strategy (NTRLUS)

The proponent argues that the proposed amendment is compatible with the economic development goals of the NTRLUS because it will help facilitate the Gorge Hotel proposal.

It is clear that the amendment permits a wider range of development than existing provisions, and is more likely to permit the proposed Gorge Hotel development, and that this will be economically advantageous. However, it is disingenuous to say this amendment is needed to achieve these economic goals with reference to a specific development.

The economic development provisions are general, not related to a specific development. The proponent therefore needs to demonstrate that the demand for visitor accommodation in Launceston, and the resultant economic benefits of developing such accommodation, cannot be met by the existing provisions of the scheme either on the subject site or other suitable sites throughout the city.

While the proponent's assessment focuses on economic issues, it overlooks NTRLUS's *Strategic Direction G2.3 Promote local character values*. The preservation of streetscape and character provided for in LIPS2015 supports the following strategies under this Strategic Direction:

"a) Promote the important role of local character on the economy and the sense of place."

"c) Promote local identification and protection of unique character."

In terms of preserving streetscape and character, the proposal is also incompatible with policy action ED-P11: Provide for the opportunity in planning schemes to identify, protect and enhance distinctive local characteristics and landscapes.

Social impact

A planning scheme amendment must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

The proposed amendment permits a development which the Tribunal has found not to be in keeping with the streetscape or character of the surrounding area. The height, bulk and form of permitted developments under the proposed amendment will have a negative impact on visual amenity by dominating the streetscape.

Maintaining streetscape and character is an important way to protect and enhance residents' and visitors' appreciation and enjoyment of the built environment in which they live, work and recreate. The existing planning scheme provisions were designed to defend these social outcomes and the proponent has not put forward a convincing case either that their amendment will not allow development which impinges on these social outcomes, or that it should.

Conflict with objectives in Schedule 1 of LUPAA

The amendment is in conflict with the following objectives of the Planning Process listed in Schedule 1 of LUPAA:

“(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land;”

In regards to economic effects, the proponent has clearly articulated the benefits of the proposed Gorge Hotel, but has failed to demonstrate that a similarly economically beneficial development could not be built under the existing provisions of the planning scheme. As we have mentioned earlier this amendment will allow developments with a negative social impact, but this impact will not be able to be assessed because of the highly permissive nature of the proposed acceptable solution.

“(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation;”

As we have explained earlier in this submission, a ‘pleasant environment’ is what the scheme aims to maintain through the preservation of streetscape and character. The Tribunal has already found that a development potentially permitted by this amendment is incompatible with the streetscape and character of the area surrounding the subject site.

Incompatibility with City of Launceston Strategic Plan 2014-2024

Included in the five principle outcomes of the City of Launceston Strategic Plan 2014-2024 (‘the Plan’) is:

“To facilitate a consistent approach to the implementation of planning and development policy and initiatives within the greater Launceston area.”

The amendment proposes a very different approach to planning for the subject site to the remainder of the mixed use zone without explaining what unique features of the subject site justify this divergence from the existing provisions. Unless it can be demonstrated that this site has some unique feature that needs to be promoted or protected, allowing this amendment would be inconsistent with the streetscape and character provisions of the planning scheme applicable to the remainder of the zone.

Strategic objective 2 of the Plan is “A city where people choose to live” and includes the key direction: “To contribute to enhanced public health and amenity to promote a safe and secure environment.” The

amendment allows developments which are, as the Tribunal found, “not in harmony or broad correspondence” with the streetscape and character of the surrounding area. Allowing developments in conflict with the streetscape and character will detract from, rather than enhance, amenity.

Concerns about Council misunderstanding its role as a planning authority

It is important that Launceston City Council, when deciding whether to support this amendment, do so on the basis of the relevant considerations in LUPAA.

In most circumstances it is up to councillors to determine what matters are relevant when making a decision on behalf of the community they represent, but when they sit as a planning authority these considerations are very clearly defined.

We are concerned from some of the statements made during the debate on whether to initiate this amendment that some councillors do not understand their responsibilities when deliberating as a planning authority. Some were treating the decision as a continuation of the decision to grant planning approval to the Gorge Hotel in 2019, or referring to other unrelated planning decisions:

Cr McKenzie: “I was comfortable in regards to the previous scheme before this amendment was put forward that this was a suitable development for the site (inaudible). Today, I see no reason not to continue to support that and if we have to do that through a Special Area Plan then I’m happy to do so.”

Cr Spencer: “I feel sorry for the lady next door but there’s nothing there about the sunlight. She’s going to get enough sunlight—three and a half hours of sun in the winter.” (this standard was considered in the Gorge Hotel decision but is not altered by the proposed SAP)

“The Fragrance got approved and I think this one should too.”

Cr Harris: “Two years ago, on the 13th of June, we approved this hotel and I would like to see us approve it once again.”

Cr Daking: “We’ve already made this decision—I hate wasting my time and the time of others, and money—and that was the decision made a couple of years ago 10-1.”

The idea that support for a particular development application should translate to support for this amendment is concerning. Development applications are assessed according to the provisions of the planning scheme, while a planning scheme amendment is assessed according to the requirements of LUPAA. They are entirely separate considerations. Anyone who suggests that support for one should in any way translate to support for the other misconstrues the responsibilities of Council sitting as a planning authority.

Several councillors also introduced arguments that are irrelevant to the requirements of LUPAA in considering the amendment, for example:

Availability of accommodation in Launceston

Cr Spencer: “I went to the football on Saturday and my decision was made there when I spoke to people from Melbourne that couldn’t get accommodation in Launceston over the weekend.”

The Mayor: “...so many times I’ve been confronted by people at conferences, at different games, at events—they found it extremely hard to get accommodation...”

Economic arguments for the Gorge Hotel

Cr Spencer: “This project will be great for Launceston. 300 trading jobs over a matter of a couple of years. We cannot say no to that. Five star motel, not many in Launceston and we definitely need one.”

Cr Harris: “The fact that it is going to be developed by a local developer, employing locals in construction but also long term is also to be applauded.”

Level of community support for, or opposition against, the development

Cr Daking: “Over the last few weeks the only three people I have heard negatives from have obviously been in this room today.”

As mentioned earlier in this submission, there are provisions of NTRLUS, LUPAA and the City of Launceston Strategic Plan which promote economic and tourism development. There is also no doubt that providing accommodation is important for Launceston’s visitor economy.

However, considering the benefits of a specific development is not sufficient to address these criteria. The economic question to address when considering this amendment is the extent to which it facilitates such developments throughout the city, not a specified development on a specified site.

The level of support in the community for, or opposition to, either the Gorge Hotel development or the proposed SAP is not addressed by any of the requirements of LUPAA.

Finally, Cr Harris promoted the same misunderstanding of the Tribunal’s findings in the Gorge Hotel and GP Hotel in relation to surrounding area, where he said:

“If they had used the same concerns or the same standard of 900 metres that they used for the Fragrance Group then those... clearly they would have found that there would have been taller buildings within it.”

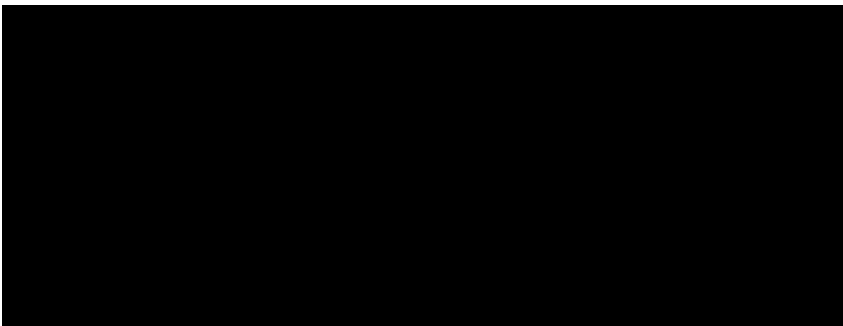
This goes to the suggestion that there is an inconsistency in Tribunal decisions. If councillors are to properly assess this amendment, part of their duty as a planning authority is to understand the detailed reasons for the Tribunal’s decisions which, as we have outlined earlier in this submission, were consistent.

When Council’s support for this proposed amendment is considered by Council as a planning authority, it is important that they understand their role as a planning authority and the relevant provisions of LUPAA which they are to apply in assessing the application.

We appeal to Council to reflect on their statutory role and responsibilities when deciding, as a planning authority, whether to support the amendment. we hope that, in doing so, they will reach the same conclusion we have—that the proposed amendment is critically non-compliant with the requirements of LUPAA.

Yours sincerely,

[Redacted signature]



Tuesday, 29 June 2021

The Chief Executive Officer
City of Launceston,
PO Box 396
LAUNCESTON TAS 7250

Dear Mr Stretton


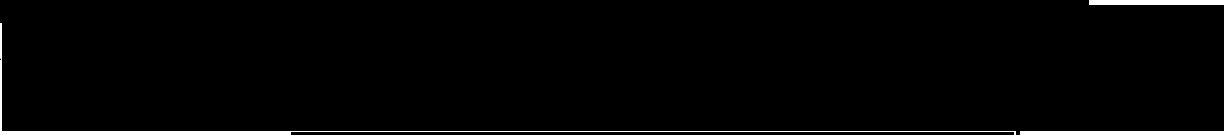
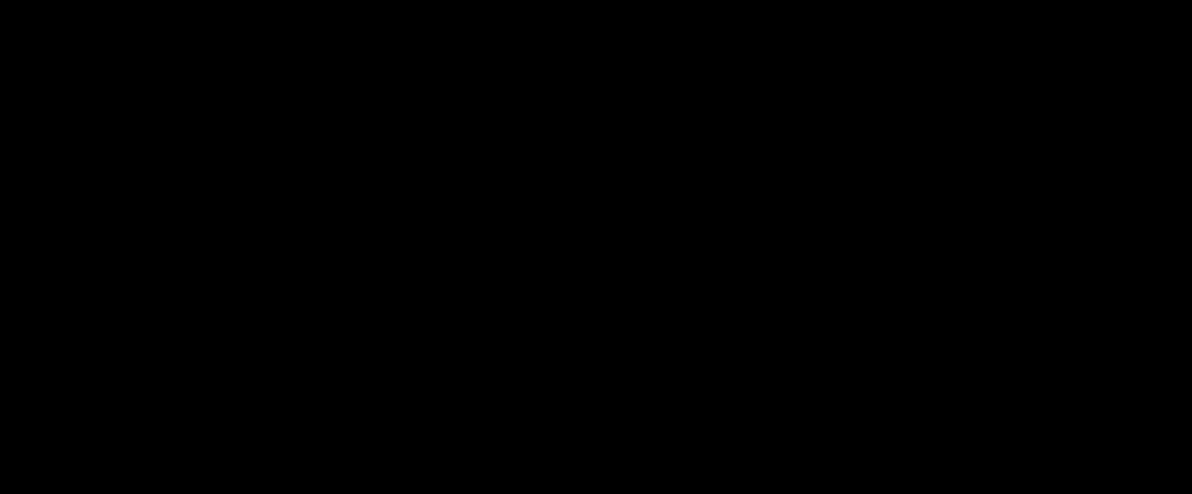
Re: Planning scheme Draft amendment SF7233 – Amendment 66

The Launceston Chamber of Commerce writes to support the planning scheme amendment SF7233 – Amendment 66, that provides for a Specific Area Plan to facilitate the proposed Gorge Hotel to be built.

This \$50 million dollar project will create an estimated 280 direct and indirect jobs which are very important for the local and regional economy. The city needs a five star hotel and its conference and events capacity of 500 will be a real asset for the attraction of conference and similar events to the city, which all have an economic multiplier as visitors explore the region. The restaurant and bar will be another gastronomic drawcard for the city and provide career pathways that locals can aspire to.

The main consequence of the development for Launceston however will be a prominent new building. The Chamber's view is that height is but one aspect of good design, and that good design should be the primary consideration behind whether a prominent new building is supported or otherwise. In this case, JAC selected the final design from five submissions by some of the nation's leading architecture firms. The Chamber believes that taller buildings, when designed well, can quite happily coexist with Launceston heritage streetscapes. In the end, this is the only way the central city can develop in a sustainable fashion. Quality of design has been paramount in the process run by JAC and the result will be a landmark building for Launceston that aims to respond to the natural features of the Gorge.

We support the Gorge Hotel wholeheartedly and we expect that the City of Launceston will determine in favour of the SAP to facilitate it through the planning process.



From: [REDACTED]
Sent: Tue, 29 Jun 2021 11:12:22 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Planning Scheme Amendment RE. SF7233 Amendment 66

The Chief Executive Officer.

Dear Sir/Madam

I wish to lodge an objection to Planning Scheme Amendment Re. SF7233 Amendment 66.

As I understand Tasmanian state planning legislation, among the considerations against which any application for a planning amendment is to be assessed are the following:

- The strategic basis of the change from existing provisions and objectives.
- The features of any the subject site currently considered be of cultural, historical, and environmental value.

The claimed strategic basis of the change from existing provisions and objectives

The proposed amendment specifies an objective to “remove uncertainty for the developers” in relation to allowable height for the subject site. This objective is puzzling. The recent decision by the independent Resource Management and Planning Appeals Tribunal found the same applicant’s earlier proposal for a development 34-39m to be too high to be compatible with the streetscape and character of the surrounding area. The developer was therefore provided with certainty that any proposal of this height, or greater, would certainly be regarded as too high. Yet it would appear that the Planning Amendment now proposed would not only resubmit the earlier Tribunal-rejected height but exceed it. This new

application is inescapably a move to circumscribe the Tribunal's refusal. As such it should be rejected/refused.

A further consideration for Council in assessment of the strategic basis of this new proposal is the nature of the intended development. Of very recent times, two new large hotel developments for the city of Launceston have gained planning approval; one has been constructed, the other has not. In addition, the Silo Hotel, yet another such development, must still be considered a recent addition to the number of hotels in Launceston. Given the now uncertain future of tourism in Launceston for the next decade at least, the prospect of empty and financially challenged new hotels, in addition to the considerable number already occupying the Launceston inner city, would surely suggest that on its strategic merits this proposal be rejected. While the commercial failure of a large hotel is devastating for the owners it is demoralising and depressing for the community and a financial impost on Council revenues. Launceston already has one such failure in the Quest Hotel in Paterson Street.

The proposal fails to demonstrate any the strategic advantages to the City of Launceston and its residential population and should thus be refused.

The features of the subject site currently considered be of cultural, historical, and environmental value

Nothing in the current proposed Planning Amendment addresses the requirement that any such change to the Planning Scheme must protect local identity by not allowing development that is insensitive to recognised local or traditional development patterns. Indeed, this proposal would appear to directly set out to change those patterns. It is out of scale and visually intrusive to the area, both to the immediate and to the wider community character. There is no acknowledgement of heritage values either of the existing streetscape, the immediate urban area or Launceston considered as a city characterised by its extensive and valuable historic streetscapes and significant buildings.

Furthermore, any consideration of this proposal would be remiss if it did not anticipate the encouragement its passage would provide for further similar developments and the effect such would have on the built form character of the city which its residents and the wider Australian populace value.

For all these reasons, the application should be refused.

[REDACTED]



25th June 2021

Mr. Michael Stretton,
General Manager,
City of Launceston,
P. O. Box 396,
LAUNCESTON, Tas. 7250

E; - Michael.Stretton@launceston.tas.gov.au

Dear Michael,

Subject: - Planning Scheme Draft Amendment 66
123,125 – 133 Paterson Street & 270 Brisbane Street Launceston

I submit the following representation in relation to the above Draft Amendment to the Launceston Interim Planning Scheme 2015.

The initial issue that must be addressed relates to Seismic Micro Zonation Studies that were commissioned by the City of Launceston by D. Leaman (1994) Assessment of Gravity Survey.

Further to this a Microtremor Survey was undertaken by Maxime Claprod and Michael W. Asten from the Centre for Environmental and Geotechnical Applications of Surface Waves, Monash University.

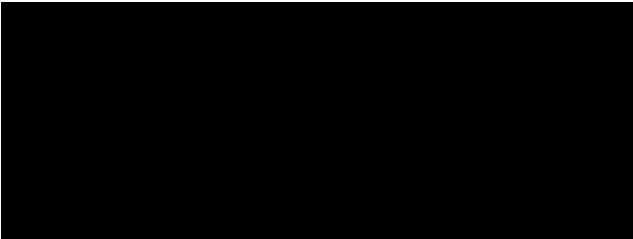
They indicated that in the proximity of the said site that the area was “in-filled with soft sediments that vary rapidly in thickness from 0 to 250 m over a few hundreds of meters”.

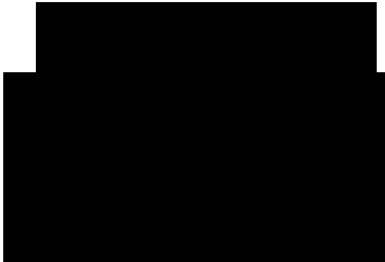
Having read the said document and knowing the concerns of the late Dr. Owen Ingles I suggest that the Council and the Commission should investigate the risks in the view that buildings in Australia have experience structural problems in recent years.

It is also critical that the proposed building envelope is not out of proportion with the adjoining area.

The community must have confidence in the process going forward and the issues raised must be addressed based on the best available professional advice within Australia.

Yours sincerely,





General Manager
City of Launceston
PO BOX 396 LAUNCESTON, TAS, 7250

By email: contactus@launceston.tas.gov.au

Dear Mr Stretton

REPRESENTATION – Ref: SF7233 - Amendment 66 Planning Scheme
123, 125-133 PATTERSON STREET & 270 BRISBANE STREET, LAUNCESTON

I intend to do a longer representation addressing the SAP itself but I would like to submit this as a stand alone proposal and hope that LCC and TPC can consider it a legitimate and essential way to properly garner public acceptance or rejection of this SAP. The consequences of this SAP, if successful, is of great significance; a so called 'landmark' and 'iconic' building must be fully presented to ensure its acceptance in the community is unquestionable. I note here that a development according to this SAP could end up bigger than the original DA for the Gorge Hotel which has been misleadingly used in the current publicity supporting this planning amendment.

PROPOSAL - Construction Profile.

I ask, that in the interests of sound strategic planning, the Launceston City Council request the Tasmanian Planning Commission to grant a longer period of exhibition and that during this time a 1:1 scale, in situ, appropriate construction be provided to ensure proper public awareness of the amendment provisions. If this is not possible then this proposal be included as a representation to the TPC for consideration during its hearing and assessment process.

I believe this proposal accords with Section 32 of LUPPA Objectives: *(c) to encourage public involvement in resource management and planning;*

In addition I suggest that as this SAP claims to influence an area wider than the proposed building envelope it addresses it is essential that it is fully understood by the residents and stakeholders of Launceston.

From Amendment 66 Ref: SF&233

"... as well as commencing a transitioning arrangement to the Margaret Street corridor.

...

The establishment of a larger permitted building envelope will allow greater clarity and assurance to future applications wanting to invest and establish greater accommodation yields to support economic growth."

I will let the quotes and attached pictures speak for themselves.

"Baugespann' visualizes future urban developments in scale 1:1 by an inflated balloon-structure. An array of helium filled balloons are tacked up along four inflated columns as pearls on a necklace. One balloon per floor outlines the envelop of the future volume - the structure visualizes the building right at its original location.

Baugespann is inspired by the Swiss original aluminium structure. The method of publishing future building plans in scale 1:1 on site exists in Switzerland already for a long time and is even part of the construction permit procedure. In the country of direct democracy, the inhabitants are early involved in the process and can directly express their opinion about building plans to the municipalities." 1.

"Our current planning system makes it very difficult for the public to actually see what is going to be built," says Fry, who represents the city's North ward. "You've got to navigate the website, track down the application and find the architects' drawings, which can often be hard to understand in context.

The difficulty of understanding architects' drawings, even for council planning officers, was all too evident in Oxford last year, when the disastrous Castle Mill student housing scheme was erected next to Port Meadow, plonking five-storey blocks right on the edge of the ancient protected landscape, blocking long-cherished views of the city's dreaming spires. An independent review criticised the council for inadequate consultation and said that the assessment of the visual impact of developments should be improved."

"When a frame is built in situ, you can see the precise location and scale of the proposal, and it's around long enough for people to think 'Gosh, there's actually something going on here. ... Whether it's house extensions or tower blocks, many residents are shocked when they see the actual scale of developments that have been approved on the basis of drawings," says Fry. "Anything that makes it easier to understand the reality of the proposal should only be encouraged." 2.

1. https://www.moreplatz.com/html/26_Baugespann/baugespann.html

2. <https://www.theguardian.com/artanddesign/2014/jan/22/building-profiles-spring-up-uk-planning-consultation-oxford>
<https://planerwissen2go.com/2017/01/21/baugespann/> CONSTRUCTION INFORMATION & EXAMPLES

FOOTNOTE: A failing with the extensive collection of 3D modelling provided is that there is not one from the new bridge (only one from the Kings Bridge). The proposed height and bulk will obliterate the delightful vista of Launceston that is laid out to the observer as they travel across the bridge into Launceston. All that will be seen is the proposed Gorge Hotel even as it appears in the misleading form presented in support of this SAP.

