

# **SPECIAL COUNCIL MEETING AGENDA**

**WEDNESDAY 8 APRIL 2015**

**3.00PM**

# City of Launceston

**SPECIAL COUNCIL MEETING AGENDA**

**Wednesday 8 April 2015**

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Notice is hereby given that the Special Council Meeting of the Launceston City Council will be held at the Launceston City Council Chambers, Town Hall on Wednesday 8 April 2015 commencing at 3.00pm.

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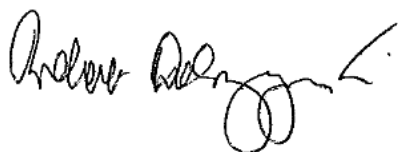
## **Section 65 Certificate of Qualified Advice**

### **Background**

Section 65 of the *Local Government Act 1993* requires the General Manager to certify that any advice, information or recommendation given to Council is provided by a person with appropriate qualifications or experience.

### **Declaration**

I certify that persons with appropriate qualifications and experience have provided the advice, information and recommendations given to Council in the agenda items for this meeting.



**Robert Dobrzynski**  
**General Manager**

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## ORDER OF BUSINESS

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**1 OPENING OF MEETING - IN ATTENDANCE AND APOLOGIES**

**2 DECLARATION OF PECUNIARY INTERESTS**

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to Item 3.1.

### **3 PLANNING AUTHORITY**

#### **3.1 86-96 Gleadow Street, Invermay - Sports and recreation - gymnasium and fitness centre; change of use to part of property and associated signage**

**FILE NO:** DA0023/2015, SF2346

**AUTHOR:** Leon Murray (Development Planner)

**DIRECTOR:** Leanne Hurst (Director Development Services)

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#### **DECISION STATEMENT:**

To consider and determine a development application pursuant to the *Land Use Planning and Approvals Act 1993*.

#### **PLANNING APPLICATION INFORMATION:**

Applicant:	Thomas Lionel Baird
Property:	86-96 Gleadow Street, Invermay
Zoning:	General Industrial
Receipt Date:	23/01/2015
Validity Date:	23/01/2015
Further Information Request:	29/01/2015
Further Information Received:	10/02/2015
Deemed Approval:	17/03/2015
Extension of Time granted:	3/04/2015 (next business day 8 April 2015)
Representations:	3

#### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

#### **RECOMMENDATION:**

It is recommended that in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2012, a permit be granted, for DA0023/2015 Sports and Recreation; change of use to gym and signage at 86-96 Gleadow Street, Invermay in accordance with the endorsed plans and subject to the following conditions.

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**1. ENDORSED PLANS & DOCUMENTS**

The use and development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Council unless modified by a condition of the permit:

- a. Floor plan, page 4 of 6, prepared by T Baird, project name 86-96 Gleadow Street, Invermay dated 11/03/2015;
- b. Elevations plan, page 5 of 6, prepared by T Baird, project name 86-96 Gleadow Street, Invermay dated 11/03/2015;
- c. Photomontages plan, prepared by T Baird, project name 86-96 Gleadow Street, Invermay, dated 11/03/2015;
- d. Heritage impact statement for 96 Gleadow Street, Invermay, prepared by David Denman & Associates, dated March 2015;
- e. Traffic impact assessment (rev. b) for 96 Gleadow Street, Invermay, prepared by RJK Consulting Engineers, dated March 2015.

**2. TASMANIAN HERITAGE COUNCIL REQUIREMENTS**

The use and development must be undertaken in accordance with the requirements of the Tasmanian Heritage Council's Notice of Heritage Decision (attached) dated 5 March 2015.

**3. LEGAL TITLE**

All development and use associated with the proposal must be confined to the legal title of the subject land except construction of access from the street.

**4. LAPSING OF PERMIT**

This permit lapses after a period of two years from the date of granting of this permit if the use or development has not substantially commenced within that period.

**5. HOURS OF CONSTRUCTION**

Construction works must only be carried out between the hours of 7am to 6pm Monday to Friday and 8am to 5pm Saturday and no works on Sunday or Public Holidays.

**6. TASWATER**

The use and development must be in accordance with the Submission to Planning Authority Notice issued by TasWater TWDA No. 2015/00143 - LCC (attached).

**7. SITE LANDSCAPING**

The landscaping must be:

- a. Installed in accordance with the endorsed plan (as amended);
  - b. Completed within 3 months of the use commencing;
  - c. Maintained as part of non-residential development. It must not be removed, destroyed or lopped without the written consent of the Council.
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## **8. DRIVEWAY CONSTRUCTION**

Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must:

- a. Be designed to comply with the following suite of Australian Standards: AS 2890.1 Off-street car parking, AS 2890.3 Bicycle parking facilities and AS 2890.6 Off-street parking for people with disabilities;
- b. Be properly constructed to such levels that they can be used in accordance with the plans;
- c. Be surfaced with a fully sealed, debris free surface of concrete, asphalt or square edged pavers from the edge of the road pavement;
- d. Be drained to Councils requirements;
- e. Be line-marked or otherwise delineated to indicate each car space and access lanes;
- f. Be provided with a concrete kerb of a minimum height of 150mm or such other form of barrier as the Planning Authority may approve, of sufficient height to prevent the passage of vehicles other than from approved crossovers, and to prevent vehicles causing damage to landscape areas;
- g. Have exterior lights that are installed in such positions as to effectively illuminate all pathways, car parking areas and porch areas. Such lighting must be controlled by a time clock or sensor unit and shielded to prevent direct light being emitted outside the site.

Parking areas and access lanes must be kept available for these purposes at all times.

## **9. AMENDED PLANS REQUIRED**

Before the use and or development commences, the plans marked 'amended plans required' must be amended to show the following requirements:

- a. Construction of a new vehicular crossing and driveway located to be aligned with the aisle of the car park and the removal of the existing angled driveway;
- b. Parking bays designated as being for persons with a disability (accessible bays) are to comply with the dimensions set out in Australian Standard AS2890.6 2009;
- c. Relocation of the parking bays 9-17 to the north to maximise the width of the entry and exit lanes;
- d. Correct orientation of the wheelchair symbol within the accessible parking bays;
- e. Installation of the bollard and line marking associated with shared space for the accessible parking bays in accordance with the requirements of AS2890.6 2009.

The amended plans must be drawn to scale with dimensions and four copies must be provided. When approved by the Manager Development Planning the plans will be endorsed and will then form part of the permit.

## **10. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with damage to Council infrastructure resulting from non-compliance with the conditions of the planning permit and any bylaw or legislation relevant to the development activity on the site. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, bylaws and legislation relevant to the development activity on the site.

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**11. VEHICULAR CROSSINGS**

Before the commencement of the use, a new vehicular crossover shall be provided to service this development. An application for such work must be lodged on the approved form. All unused crossovers and driveways must be removed prior to the occupation of the development and the area reinstated to match the adjacent nature strip.

No work must be undertaken to construct the new vehicular crossing or to remove the existing driveway outside the property boundary without the prior approval of the works by the Council's Roads and Hydraulics Department.

The new crossing must be constructed to Council standards by a contractor to perform such work. The work must include all necessary alterations to other services including lowering/raising pit levels and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg TasWater, Telstra, and Aurora etc). The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

**12. EXTERIOR LIGHTING**

Exterior Lighting and Security Lighting must comply with AS4282-1997 "Control of the obtrusive effects of outdoor lighting".

**13. NOISE NUISANCE**

No sound is to be emitted from any device or from any source or activity on the land so as to become an environmental nuisance to the occupiers or properties nearby.

Notes*Building Permit Required*

*Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.*

*Occupancy Permit Required*

*Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to s93 of the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor.*

*Plumbing Permit Required*

*Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.*

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## General

*This permit was issued based on the proposal documents submitted for DA0023/2015. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on (03 6323 3000).*

*This permit takes effect after:*

- a. The 14 day appeal period expires; or*
- b. Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or*
- c. Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. Any other required approvals under this or any other Act are granted.*

*This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.*

## Restrictive Covenants

*The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquires as to whether the proposed development is effected, restricted or prohibited by any such covenant.*

*If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.*

## Access for People with a Disability

*This permit does not ensure compliance with the Disability Discrimination Act, furthermore the developer may be liable to complaints under the said Act. The developer is directed to Australian Standard 1428 Parts 1 - 4 for technical direction on how to cater for people with disabilities.*

## Appeal Provisions

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.*

*A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant.*

*For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au) <<http://www.rmpat.tas.gov.au>>*

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### Permit Commencement.

*If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.*

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## **REPORT:**

### **1. THE PROPOSAL**

The applicant seeks Council approval for a change of use at 86-96 Gleadow Street, Invermay. The proposal is described as follows:

#### Change of use

The applicant seeks approval for a change of use to sports and recreation. The 664m<sup>2</sup> tenancy would be used for gym classes, weight training etc. The applicant has stated their hours of operation would be 5:45am - 8:00pm Monday to Friday and 8:00am - 12:00pm Saturdays and Sundays. To service the gym use it is proposed to provide 17 car parking spaces, two motorcycle spaces and six bicycle spaces on-site and an access ramp at the rear of the building. The parking spaces would be located beside the main building and behind the existing outbuilding that has been built to the frontage. The submitted plans indicate the car parking layout would lie partially outside the part of the site that is fenced. The applicant contends that a survey has been conducted which identifies the 'site' actually lies outside the fenced area and the part of the land outside the fenced area would be relied upon for car parking and disabled access. By virtue of E13.5.1 P1 of the Heritage Code, a prohibited use in the zone, may be considered as a discretionary use if it can be demonstrated the use will not adversely impact on a heritage place, the amenity impacts for the users and surrounding area are acceptable and the use is necessary for conservation of the building or there is an overriding public benefit.

#### Signage

The applicant intends to paint the outside of the building with a light colour and install wall signage on the building. Two signs would be located on the wall facing the street with a sign on the parapet on the western side of the building.

It must be noted that at the time the application was lodged planning officers were unaware that the use had started. Therefore, the application has not been described as being retrospective. It has come to light that during the application process the use has commenced without planning permission and is subject of separate enforcement action and must not be considered a relevant factor in determining the application.

### **2. LOCATION AND NEIGHBOURHOOD CHARACTER**

The site is located on the northern side of Gleadow Street, Invermay.

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The heritage listed building is located on the western side of the title with the car parking area located adjacent to the building and abutting the western property boundary. An outbuilding is located in front of the parking area and this is considered to have heritage value similar to the main building (an illegal extension to the outbuilding has recently been removed but this had no heritage value). The area is characterised by industrial/commercial uses on the northern side of the street with the southern side of the street characterised by vacant land. In the wider context the site is 1.3km to the north-east of the city centre.

### **3. PLANNING SCHEME REQUIREMENTS**

#### **3.1 Zone Purpose**

##### **25 - General Industrial Zone**

- 25.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on neighbouring uses.
- 25.1.2 To focus industrial use and development into appropriate areas suitable for its needs.
- 25.1.3 To provide for 'non-industrial' uses that either support, supply or facilitate industrial development.
- 25.1.4 To ensure that environmental impacts of development are avoided, reduced or mitigated to reasonable levels.

##### **Consistent**

The proposed use has been considered in terms of its consistency with the zone purpose due to clause E13.3.1 of the scheme. Whilst the proposed use does not strictly meet the zone purpose, it does not conflict with it to the extent that the application should be refused. This is because the use itself creates noise and other impacts that would be consistent with the General Industrial zone. The use of itself would not compromise the functionality of the zone or fetter existing industrial uses in the zone. On this basis, the zone purpose is met.

##### **25.3 Use Standards**

**Objective**  
To ensure that emissions to air, land and water are reduced to the greatest extent practicable in consideration of proximity to sensitive uses.

##### **Consistent**

The acceptable solutions are met or are not applicable.

A1 Use or development not listed in Clause E12.6.2 or E12.6.3 must be set back from sensitive uses a minimum distance of 100.0m.

##### **Complies**

The proposal would be in excess of 100m from the nearest sensitive use (e.g. residential uses).

**25.4 Development Standards**

**E 4 - Road and Railway Assets Code**

E4.1.1 The purpose of this provision is to:

- a) ensure that use or development on or adjacent to a road or railway will not compromise the safety and efficiency of the road or rail network; and
- b) maintain opportunities for future development of road and rail infrastructure; and
- c) reduce amenity conflicts between roads and railways and other use or development.

**Consistent**

The applicant has submitted a traffic impact assessment (TIA) that has been deemed adequate by the road authority to demonstrate compliance with the applicable standards of the code. Therefore, the code purpose is met.

**E4.6 Use Standards**

**E4.6.1 Use of road or rail infrastructure**

**Objective**

To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.

**Consistent**

The standards are not applicable or the performance criterion is met.

A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day

**Relies on Performance Criteria**

Vehicle trips per day to and from the site would exceed 40.

P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.

**Complies**

The applicant's TIA has demonstrated that the access would be adequate to maintain an acceptable level of safety for all road users, including pedestrians and cyclists.

**E4.7 Development Standards**

E4.7.2 Management of Road Accesses and Junctions

<p>Objective</p> <p>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>
<p><b>Consistent</b></p> <p>The acceptable solution is met or the standard is not applicable.</p>
<p>A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</p>
<p><b>Complies</b></p> <p>One access would provide both entry and exit.</p>

E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings

<p>Objective</p> <p>To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</p>
<p><b>Consistent</b></p> <p>The acceptable solution is met.</p>
<p>A1 Sight distances at</p> <ul style="list-style-type: none"> <li>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</li> <li>b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia; or</li> <li>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</li> </ul>
<p><b>Complies</b></p> <p>The applicant's TIA demonstrates the safe sight distances are met.</p>

E6 - Car Parking and Sustainable Transport Code

- E6.1.1 The purpose of this provision is to:
- a) ensure that an appropriate level of car parking facilities are provided to service new land use and development having regard to the operations on the land and the nature of the locality; and
    - i) ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas; and
    - ii) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; and
    - iii) ensure that parking does not adversely impact on the amenity of a locality and achieves high standards of urban design; and
    - iv) ensure that the design of car and bicycle parking space and access meet appropriate design standards; and
    - v) provide for the implementation of parking precinct plans.

**Consistent**

The relevant acceptable solutions or performance criteria are met. Therefore, the code purpose is met.

**E6.6 Use Standards**

E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.

**Consistent**

The performance criterion is met.

A1 The number of car parking spaces:

- a) will not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or
- b) will not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater (except for dwellings in the General Residential Zone); or
- c) will be in accordance with an acceptable solution contained within a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone); or
- d) If for dwellings in the General Residential Zone, not less than 100% of the requirements of Table E6.1.

**Relies on Performance Criteria**

The number of on-site parking spaces proposed does not meet Table E6.1.

- P1 The number of car parking spaces provided must have regard to:
- a) the provisions of any relevant location specific car parking plan; and
  - b) the availability of public car parking spaces within reasonable walking distance; and
  - c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and
  - d) the availability and frequency of public transport within reasonable walking distance of the site; and
  - e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and
  - f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and
  - g) an empirical assessment of the car parking demand; and
  - h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and
  - i) the recommendations of a traffic impact assessment prepared for the proposal; and
  - j) any heritage values of the site; and
  - k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:
    - i) the size of the dwelling and the number of bedrooms; and
    - ii) the pattern of parking in the locality; and
    - iii) any existing structure on the land; and
  - l) The performance criteria contained within a relevant parking precinct plan.
-

**Complies**

The number of on-site parking spaces is adequate to service the proposed use. This is because the number of gym patrons at the gym at any one time could park on-site or on the street where there is sufficient capacity to absorb any vehicles that could not park on the site. Moreover, due to the nature and location of the use and the facilities inside, it is likely that patrons would also walk or use a bicycle to travel or they would be from the surrounding industrial uses that would park at their place of employment or walk to the gym at lunch or before/after work. On this basis, the number of parking spaces is sufficient to service the use with on-street parking catering for any shortfall on-site. On this basis the performance criterion is met.

E6.6.2 Bicycle Parking Numbers

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.

**Consistent**

The acceptable solution is met.

A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or

A1.2 The number of spaces must be in accordance with a parking precinct plan that has been incorporated into the planning scheme for a particular area.

**Complies**

Bicycle parking would be provided within the outbuilding with overflow parking inside the gym.

E6.6.4 Motorbike Parking Provisions

Objective: To ensure that motorbikes are adequately provided for in parking considerations.

**Consistent**

The acceptable solution is met.

A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.

**Complies**

Two motorcycle parking spaces would be provided.



**E6.7 Development Standards**

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.

**Consistent**

The acceptable solution can be met by condition.

A1 All car parking, access strips manoeuvring and circulation spaces must be:

- a) formed to an adequate level and drained; and
- b) except for a single dwelling, provided with an impervious all weather seal; and
- c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.

**Complies**

The parking area is already concreted and drained. The standard condition for car parking construction would ensure the spaces would be line marked.

E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.

**Consistent**

The performance criteria are met.

A1.1 Where providing for 4 or more spaces, parking areas (other than for dwellings in the General Residential Zone) must be located behind the building line; and

**Relies on Performance Criteria**

Car parking would be located mainly behind the outbuilding but some spaces would be located beside the main building.

P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:

- a) the layout of the site and the location of existing buildings; and
- b) views into the site from the road and adjoining public spaces; and
- c) the ability to access the site and the rear of buildings; and
- d) the layout of car parking in the vicinity; and
- e) the level of landscaping proposed for the car parking.

**Complies**

As the proposal is to utilise an existing vacant building the location of car parking spaces would be similar to what already exists. Further, as the site is located in the General Industrial zone a lower standard (in terms of impact on the streetscape) can be provided as opposed to residential zones. On this basis the parking at the side of the building has regard to the industrial nature of the locality and the views of car parking on the site would not have a detrimental impact on the streetscape. On this basis, the performance criterion is met.

A2.1 Car parking and manoeuvring space must:

- a) have a gradient of 10% or less; and
- b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and
- c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and
- d) have a combined width of access and manoeuvring space adjacent to parking spaces not less than as prescribed in Table E6.3 where any of the following apply:
  - i) there are three or more car parking spaces; and
  - ii) where parking is more than 30m driving distance from the road; or
  - iii) where the sole vehicle access is to a category I, II, III or IV road; and

A2.2 The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.

**Relies on Performance Criteria**

The access width would be wider than specified in the acceptable solution.

P2 Car parking and manoeuvring space must:

- a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and
- b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.

**Complies**

The car parking and manoeuvring space has been designed to meet the relevant Australian Standards (although amended plans are required for parking alterations) and could safely cater for the number and type of vehicles frequenting the site. There is sufficient area to enter and leave the site in a safe manner. On this basis, the performance criterion is met.

**E6.7.3 Car Parking Access, Safety and Security**

Objective: To ensure adequate access, safety and security for car parking and for deliveries.

**Consistent**

The acceptable solution can be met.

A1 Car parking areas with greater than 20 parking spaces must be:

- a) secured and lit so that unauthorised persons cannot enter or;
- b) lit and visible from buildings on or adjacent to the site during the times when parking occurs.

**Complies**

The acceptable solution can be met by condition.

**E6.8 Provisions for Sustainable Transport**

**E6.8.2 Bicycle Parking Access, Safety and Security**

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.

**Consistent**

The acceptable solution is met.

A1.1 Bicycle parking spaces for customers and visitors must:

- a) be accessible from a road, footpath or cycle track; and
- b) include a rail or hoop to lock a bicycle to that meets Australian Standard AS 2890.3 1993; and
- c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and
- d) be available and adequately lit in accordance with Australian Standard AS/NZS 1158 2005 Lighting Category C2 during the times they will be used; and

A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.

**Complies**

Bicycle spaces would be provided to meet all requirements of the acceptable solution.

A2 Bicycle parking spaces must have:

- a) minimum dimensions of:
  - i) 1.7m in length; and
  - ii) 1.2m in height; and
  - iii) 0.7m in width at the handlebars; and
- b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.

**Complies**

Bicycle parking would be provided to meet these requirements.

**E6.8.5 Pedestrian Walkways**

Objective: To ensure pedestrian safety is considered in development.

**Consistent**

The performance criterion is met.

A1 Pedestrian access must be provided for in accordance with Table E6.5.

**Relies on Performance Criteria**

More than 11 parking spaces would be provided but no separate pedestrian access would be provided.

P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.

**Complies**

Due to the slow speed of vehicles entering and leaving the site, separate pedestrian access would not be required to provide safe pedestrian access between the building and the road.

**E13 - Local Historic Heritage Code**

E13.1.1 The purpose of this provision is to:

- a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts; and
- b) encourage and facilitate the continued use of these items for beneficial purposes; and
- c) discourage the deterioration, demolition or removal of buildings and items of assessed heritage significance; and
- d) ensure that new use and development is undertaken in a manner that is sympathetic to, and does not detract from, the cultural significance of the land, buildings and items and their settings; and
- e) conserve specifically identified heritage places by allowing a use that otherwise may be prohibited if this will demonstratively assist in conserving that place

**Consistent**

The relevant performance criteria are met.

**E13.5 Use Standards**

E13.5.1 Alternative Use of heritage buildings

Objective

To ensure that the use of heritage buildings provides for their conservation.

**Consistent**

The performance criterion is met.

A1 No acceptable solution

**Relies on Performance Criteria**

P1 Notwithstanding Clause 8.9, a permit may be granted subject to clause 8.8 for any use of a locally listed heritage place where:

- a) it can be demonstrated that the proposed use will not adversely impact on the significance of a heritage place; and
- b) the amenity impacts of both the proposed use on the surrounding areas and from the surrounding area on the proposed use are considered acceptable; and
- c) a report by heritage professional states that it is necessary for conservation purposes or the continued maintenance of the building or where there is an overriding public benefit.

**Complies**

This standard allows a prohibited use to be considered as a discretionary use if it can be demonstrated that the performance criterion is met. The applicant's heritage report and the report of Council's Heritage Planner both state that, in the Launceston context, the building's relatively long term vacancy leaves it in danger of longer term decline and the proposed use would ensure the building's long term viability. Moreover, the nature of the use would have less impact on the heritage fabric of the building and would constitute a use that would complement the existing uses in the area and the employees or patrons of the gym would not be detrimentally impacted by surrounding uses. On this basis, the performance criterion is met.

**E13.6 Development Standards**

E13.6.4 Height and Bulk of Buildings

Objective
To ensure that the height and bulk of buildings are consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.
<b>Consistent</b> The performance criterion is met.
A1 New building must be in accordance with the acceptable development criteria for heights of buildings or structures within a precinct identified in TableE13.1: Heritage Precincts, if any.
<b>Relies on Performance Criteria</b>
P1.1 The height and bulk of any proposed buildings must not adversely affect the importance, character and appearance of the building or place, and the appearance of adjacent buildings; and
P1.2 Extensions proposed to the front or sides of an existing building must not detract from the heritage significance of the building; and
P1.3 The height and bulk of any proposed buildings must not detract from meeting the management objectives of an precinct identified in TableE13.1: Heritage Precincts, if any.
<b>Complies</b> The proposed access ramp has been assessed by Council's Heritage Planner as meeting the performance criterion (see Council's Heritage Planner report).

E13.6.5 Fences

Objective
To ensure that fences are designed to be sympathetic to, and not detract from the historic heritage significance of, local heritage places and the ability to achieve management objectives within identified heritage precincts.
<b>Consistent</b>
A1 New fences must be in accordance with the acceptable development criteria for fence type and materials within a precinct identified in TableE13.1: Heritage Precincts, if any.
<b>Relies on Performance Criteria</b>

- P1 New fences must:
- a) be designed to be complementary to the architectural style of the dominant buildings on the site or
  - b) be consistent with the dominant fencing style in the heritage precinct; and
  - c) not detract from meeting the management objectives of an precinct identified in TableE13.1: Heritage Precincts, if any.

**Complies**

As the proposed car parking area would necessitate the removal of the rear fence, it is recommended that any new fencing is similar to what already exists e.g. wire fencing. This would ensure the impacts of fencing would be no more detrimental than what already exists (see marked up plans attached to the report).

E13.6.8 Siting of Buildings and Structures

Objective

To ensure that the siting of buildings, does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

**Consistent**

The performance criterion is met.

A1.1 New buildings and structures must be in accordance with the acceptable development criteria for setbacks of buildings and structures to the road within a precinct identified in TableE13.1: Heritage Precincts, if any.

**Relies on Performance Criteria**

P1 The front setback for new buildings or structure must:

- a) be consistent with the setback of surrounding buildings; and
- b) be set at a distance that does not detract from the historic heritage significance of the place; and
- c) not detract from meeting the management objectives of a precinct identified in TableE13.1: Heritage Precincts, if any.

**Complies**

The front setback would not be changing. Therefore, the front setback of the new access ramp would be consistent with the setback of surrounding buildings.

E13.6.10 Access Strips and Parking

Objective

To ensure that access and parking does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

**Consistent**

The performance criterion is met.

A1 Car parking areas for non-residential purposes must be:

- a) located behind the primary buildings on the site; or
- b) in accordance with the acceptable development criteria for access and parking as within a precinct identified in Table 1: Heritage Precincts, if any.

**Relies on Performance Criteria**

Car parking would be located partially behind the outbuilding on the site but would also be located beside the main building.

P1 Car parking areas for non-residential purposes must not:

- a) result in the loss of building fabric or the removal of gardens or vegetated areas where this would be detrimental to the setting of a building or its historic heritage significance; and
- b) detract from meeting the management objectives of an precinct identified in TableE13.1: Heritage Precincts, if any.

**Complies**

Whilst the car parking area and crossover would be altered in terms of its layout, the location of the car parking would be no different to what has existed for some time and the crossover would be an extension to what already exists. The location of the parking areas would not result in the loss of building fabric or the loss of gardens etc. as the area is already sealed and has the characteristics of a car parking area. On this basis, the performance criterion is met.

E13.6.13 Signage

Objective

To ensure that signage is appropriate to conserve the historic heritage significance of local heritage places and precincts.



<p><b>Consistent</b> The performance criterion is met.</p>
<p>A1 Must be a sign identifying the number, use, heritage significance, name or occupation of the owners of the property not greater than 0.2m<sup>2</sup>.</p>
<p><b>Relies on Performance Criteria</b> Signage would exceed 0.2m<sup>2</sup>.</p>
<p>P1 New signs must be of a size and location to ensure that:</p> <ul style="list-style-type: none"> <li>a) period details, windows, doors and other architectural details are not covered or removed; and</li> <li>b) heritage fabric is not removed or destroyed through attaching signage; and</li> <li>c) the signage does not detract from the setting of a heritage place or does not unreasonably impact on the view of the place from public viewpoints; and</li> <li>d) signage does not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</li> </ul>
<p><b>Complies</b> The proposed signage would be of an appropriate size in the context of the building's size, their location would not obstruct any period details such as windows, doors etc. and no other architectural details would be removed or destroyed. Further, the signage has been designed so it would not detract from the heritage setting of the place and would not unreasonably impact on the view of the place from public viewpoints. Point d) is not applicable. On these bases, the performance criterion is met.</p>

E18 - Signs Code

<p>E18.1.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> <li>a) provide opportunities for appropriate business advertising and information essential to support and encourage business activity;             <ul style="list-style-type: none"> <li>i) promote the use of well designed signs that complement and enhance the streetscape and the City and do not contribute to visual clutter and detract from the visual amenity of the locality;</li> <li>ii) ensure signs on places of cultural significance are responsive to the cultural heritage values and the significance of the building or place, both in terms of impact and by means of attachment, by protecting and enhancing those values; and</li> <li>iii) ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.</li> </ul> </li> </ul>
---

**Consistent**

Whilst the signage code applies, the standard of the Heritage Code relating to signage prevails over this code and the standards are not applicable.

**4. REFERRALS**

<b>REFERRAL</b>	<b>COMMENTS</b>
<b>INTERNAL</b>	
Infrastructure Assets	Conditional consent provided. Conditions recommended in relation to: <ul style="list-style-type: none"> <li>• Damage to Council Infrastructure</li> <li>• Amended Plans Required</li> <li>• Car Parking Construction</li> <li>• Urban - Vehicular Crossings</li> </ul>
Environmental Health	Conditional consent provided. Conditions recommended relating to: <ul style="list-style-type: none"> <li>• Noise Nuisance</li> <li>• Exterior Lighting</li> </ul>
Parks and Recreation	N/A
Heritage/Urban Design	Council's Heritage Planner has provided a heritage report outlining why E13.5.1 P3 is met (see Attachment 5). In essence, the report outlines the significance of the building, how the proposed gymnasium would not have a detrimental impact on surrounding properties and vice versa. It also provides commentary consistent with the applicant's heritage report describing how the building has been vacant for a number of years and industrial uses would have a more detrimental impact on the building through their use as opposed to a gym. Due to the risk of neglect through the building remaining vacant in the future and the relatively benign nature of the use, Council's Heritage Planner is supportive of the proposal.
Building and Plumbing	Noted building and plumbing permits would be required.

<b>EXTERNAL</b>	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA2015/00143 - LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	The Tasmanian Heritage Council issued a Notice of Heritage Decision on 5 March 2015. The Notice contained one condition to minimise the number of fixings for the proposed signage and for the fixings to be non-ferrous to minimise damage to the building's fabric. An exemption was later issued on 12 March 2015 for the amended application that included removal of the illegal section of the outbuilding and amendments to the car parking and access.
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

## 5. REPRESENTATIONS

Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 14 February to 2 March 2015 and three representations were received. The application was re-advertised from 14 March 2015 to 27 March 2015 to advertise amended plans and a more comprehensive heritage report. Three representations were received during the second advertising period. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

<b>ISSUE</b>	<b>COMMENTS</b>
The proposed use does not have a taxi bay. It is a requirement of the scheme.	It is considered a taxi bay is not required. The standard requires a taxi bay 'for every 50 spaces required by Table E6.1 or part thereof'. It is considered that 50 parking spaces would require one taxi space and for every part thereof above 50 (e.g. 51-99) would require one extra taxi bay. If the relevant standard is interpreted in the alternative, a permit could be conditioned to require one taxi space in place of one normal parking space. The loss of one normal parking space would not have a detrimental impact on on-street parking area and E6.6.1 P1 would still be met.

ISSUE	COMMENTS
The Invermay/Inveresk Flood Code has not been addressed.	The Invermay/Inveresk Flood Code has standards that restrict certain uses in the flood area. Standards are also in the code that restrict residential uses in certain areas and the code also applies to development (i.e. for new buildings). As the floor level of the existing building is not changing and there are no standards to restrict the gym use in the flood area, none of the standards of the Flood Code are applicable.
DDA requirements would have an impact on the heritage fabric of the building.	The submitted plans indicate a ramp for disabled access. The Tasmanian Heritage Council has approved the works and Council's Heritage Planner has also assessed the proposed ramps and determined they meet the relevant standards of the Heritage Code.
Fencing of the property will fetter the use of the industrial properties that adjoin the site as the land is currently used by other parties and have for a long time.	The submitted plans have been reviewed in light of the title for the subject site and the surrounding titles. Whilst part of the subject site may have been used by other parties in the past there are no easements on the title to demonstrate persons have a formal right to use part of 86-96 Gleadow Street. Advice from Council's Property Co-ordinator states that "110 Gleadow Street has a right of way across the rear of the other Gleadow Street properties (98-100, 102-106, 108 Gleadow) but it does not extend over any part of 86-96 Gleadow Street. If 86-96 fences to their boundary it will leave a right of way approximately 5m wide. My understanding is that failure by owners to secure the property in its entirety leaving an open boundary is more likely to favour that the title boundary is unaffected. Any claim by 110 for an easement by possession can only be determined by the Recorder of Titles."
Objection to a gymnasium operating under any circumstances.	The planning scheme allows the gym use to be considered as a discretionary use in the zone if it meets the requirements of E13.5.1 P3. It has been determined that this standard has been met and the proposal can be recommended for approval.

**6. CONCLUSION**

Subject to the recommended conditions, it is considered that the proposal complies with the Scheme and it is appropriate to recommend for approval.

**ECONOMIC IMPACT:**

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.

**ENVIRONMENTAL IMPACT:**

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.

**SOCIAL IMPACT:**

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such social impacts have been considered.

**STRATEGIC DOCUMENT REFERENCE:**

Launceston Interim Planning Scheme 2012.


**BUDGET & FINANCIAL ASPECTS:**

N/A

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Leanne Hurst: Director Development Services**

**ATTACHMENTS:**

1. Locality Map
  2. Amended Plans
  3. Plans for Endorsement (circulated separately)
  4. Representations
  5. Heritage Planner's Report
-

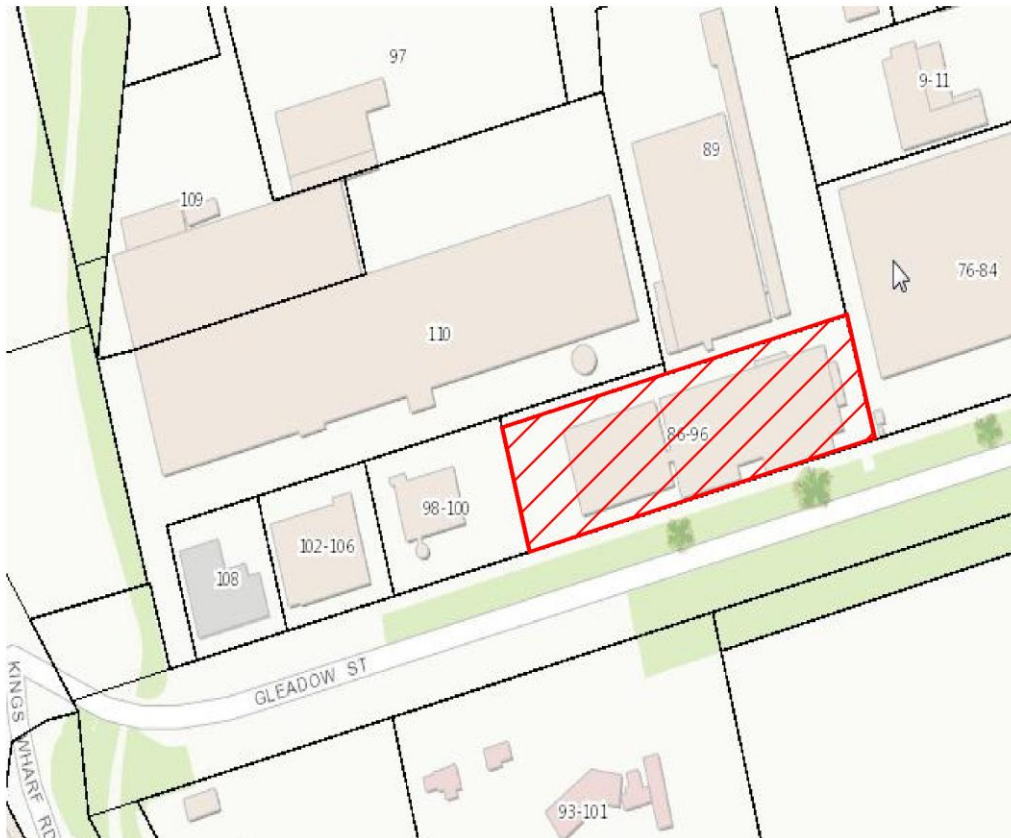
Attachment 1 86-96 Gleadow Street Invermay  
Locality Map (Pages = 1)



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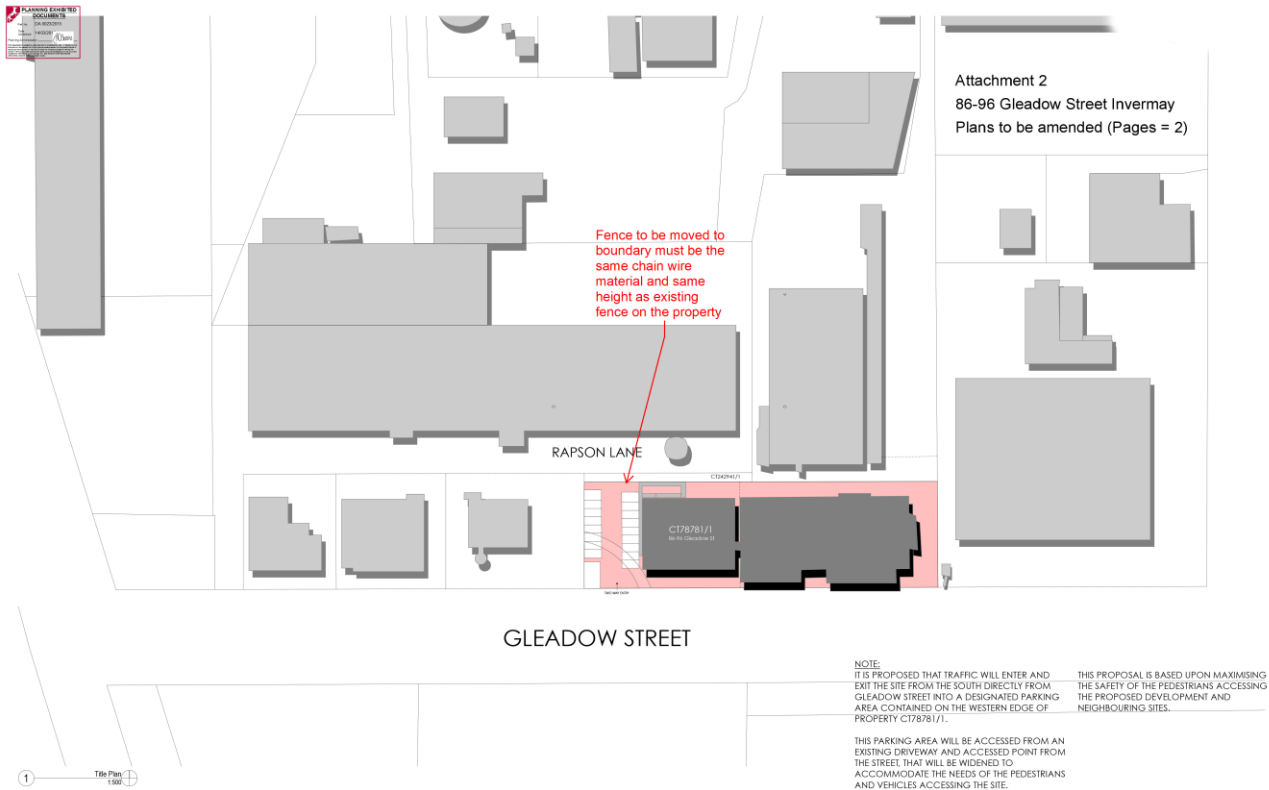


## LOCALITY MAP - DA0023/2015 86-96 Gleadow Street, Invermay



### Locality Map

Scale: This Map Is Not to Scale



Attachment 2  
86-96 Gleadow Street Invermay  
Plans to be amended (Pages = 2)

Fence to be moved to boundary must be the same chain wire material and same height as existing fence on the property

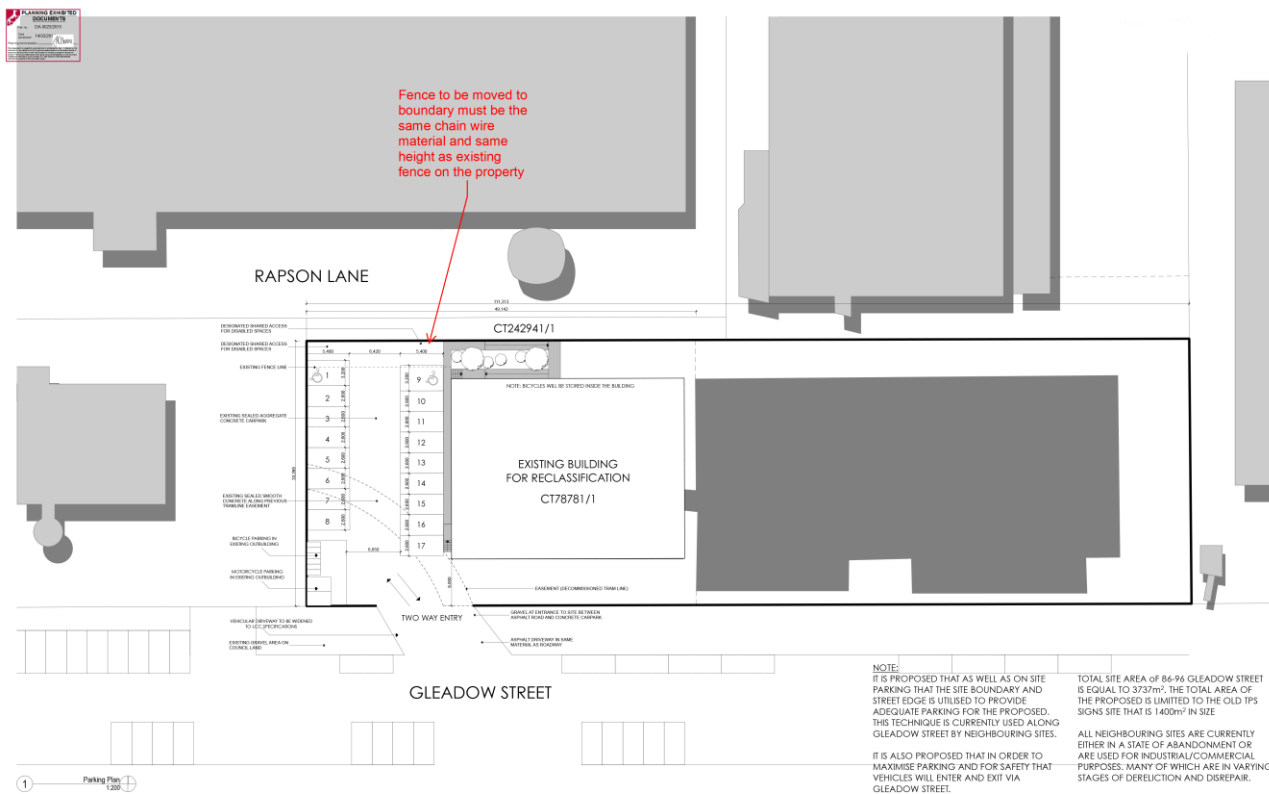
GLEADOW STREET

NOTE:  
IT IS PROPOSED THAT TRAFFIC WILL ENTER AND EXIT THE SITE FROM THE SOUTH DIRECTLY FROM GLEADOW STREET INTO A DESIGNATED PARKING AREA CONTAINED ON THE WESTERN EDGE OF PROPERTY CT178781/1.

THIS PROPOSAL IS BASED UPON MAXIMISING THE SAFETY OF THE PEDESTRIANS ACCESSING THE PROPOSED DEVELOPMENT AND NEIGHBOURING SITES.

THIS PARKING AREA WILL BE ACCESSED FROM AN EXISTING DRIVEWAY AND ACCESSED POINT FROM THE STREET, THAT WILL BE WIDENED TO ACCOMMODATE THE NEEDS OF THE PEDESTRIANS AND VEHICLES ACCESSING THE SITE.

	Project		Details			Drawing Title
	86-96 GLEADOW STREET, INVERMAY		DEVELOPMENT APPLICATION CHANGE OF USE			
	Revised 11 March, 2015	Drawn By THOMAS L BAIRD	Page 2 OF 6	Scale 1:500 @ A3		02 TITLE PLAN



Fence to be moved to boundary must be the same chain wire material and same height as existing fence on the property

RAPSON LANE

GLEADOW STREET

NOTE:  
IT IS PROPOSED THAT AS WELL AS ON SITE PARKING THAT THE SITE BOUNDARY AND STREET EDGE IS UTILISED TO PROVIDE ADEQUATE PARKING FOR THE PROPOSED. THIS TECHNIQUE IS CURRENTLY USED ALONG GLEADOW STREET BY NEIGHBOURING SITES.

IT IS ALSO PROPOSED THAT IN ORDER TO MAXIMISE PARKING AND FOR SAFETY THAT VEHICLES WILL ENTER AND EXIT VIA GLEADOW STREET.

TOTAL SITE AREA OF 86-96 GLEADOW STREET IS EQUAL TO 3737m<sup>2</sup>. THE TOTAL AREA OF THE PROPOSED IS LIMITED TO THE OLD IFS SIGNS SITE THAT IS 1400m<sup>2</sup> IN SIZE.

ALL NEIGHBOURING SITES ARE CURRENTLY EITHER IN A STATE OF ABANDONMENT OR ARE USED FOR INDUSTRIAL/COMMERCIAL PURPOSES, MANY OF WHICH ARE IN VARYING STAGES OF DERELICTION AND DISREPAIR.

	Project		Details			Drawing Title
	86-96 GLEADOW STREET, INVERMAY		DEVELOPMENT APPLICATION CHANGE OF USE			
	Revised 11 March, 2015	Drawn By THOMAS L BAIRD	Page 3 OF 6	Scale 1:200 @ A3		03 SITE PLAN

Attachment 4 86-96 Gleadow Street Invermay  
Representations (Pages = 7)

**Leon Murray**

---

**From:** Jim [REDACTED]  
**Sent:** Tuesday, 24 March 2015 9:37 AM  
**To:** records  
**Subject:** Representation 86-96 Gleadow St Invermay DA0023/2015

The General Manager,

This representation is to support the above Development Application.  
I see it as a sensitive development of one of a group of early 'industrial' buildings in an hostile environment. This could be an important first step in respecting and looking after an important precinct of Launceston's [ Invermay's ] industrial heritage.

Yours faithfully,  
Jim Dickenson.

[REDACTED]



### Leon Murray

---

**From:** Phoenix Trailers Tasmania [REDACTED]  
**Sent:** Friday, 27 March 2015 1:37 PM  
**To:** Council  
**Subject:** Fwd: FW: Comment on application DA0023/2015

Good afternoon Leon,

In response to your email (Wednesday 25th March / above),

We believe that any proposal for a fence on Rapson Lane will severely impact all businesses north of Rapson Lane and East of the proposed development.

We also believe that this will restrict the trade of businesses, access which has existed for the last 25 years.

With the proposed restricted access to this *Industrial* area, many of the businesses whom use Rapson Lane as right-a-way access, including ours may no longer be viable at their current location.

To conclude, this is an official objection to the current application (ref DA0023/2015)

Yours Sincerely,

**Phoenix Trailers Tasmania**

On Wed, Mar 25, 2015 at 1:28 PM, Leon Murray <[Leon.Murray@launceston.tas.gov.au](mailto:Leon.Murray@launceston.tas.gov.au)> wrote:

Hello Andrew

The plans show the concrete area outside the fenced area (i.e. at the rear of the property) that would be used to increase the parking bay area. The land has apparently been surveyed which shows the extent of the boundary outside the fenced area. You should be able to look at the concrete and see painted dots that show the extent of the title. The actual title plan appears to be consistent with what they're saying.

Kind Regards

**Leon Murray** | Town Planner | Planning  
City of Launceston  
T 03 6323 3009 | [REDACTED] | [www.launceston.tas.gov.au](http://www.launceston.tas.gov.au)

**From:** Phoenix Trailers Tasmania [REDACTED]  
**Sent:** Wednesday, 25 March 2015 1:24 PM  
**To:** Leon Murray  
**Subject:** Re: FW: Comment on application DA0023/2015

Good Afternoon Leon,

Thank you for the information provided. We would like to clarify, in your last email you wrote about the concrete area outside the fenced area... We assume you are talking about the frontage of the property onto Gleadow Street and not the back fence onto Rapson lane?

Please confirm.

Regards,

Andrew

Phoenix Trailers Tas

On Tue, Mar 24, 2015 at 4:30 PM, Leon Murray <[Leon.Murray@launceston.tas.gov.au](mailto:Leon.Murray@launceston.tas.gov.au)> wrote:

To whom it may concern

Further to my previous email, the applicant's plans demonstrate parking outside the fenced area as the site has apparently been surveyed and part of the title 86-96 Gleadow Street lies outside the fence (there is paint on the cement outside the fenced area that currently identifies the parking area for the gym). On this basis, should the application be approved, the fencing would be moved out to the painted area on the concrete outside the current fence to facilitate parking and disabled access.

Regards

Leon Murray

---

**From:** Leon Murray  
**Sent:** Tuesday, 24 March 2015 4:05 PM  
**To:** [REDACTED]  
**Subject:** FW: Comment on application DA0023/2015

To whom it may concern

I am notifying all original representors that the application for the gym has been re-advertised. The application has removed access over Rapson Lane from the application and would be relying on access from Gleadow Street only. Can you please let me know if you want your original representation considered? Alternatively you can lodge another representation based on the amended application if you wish.

Regards

Leon Murray

---

**From:** PlanningAlerts [REDACTED] **On Behalf Of** Phoenix Trailers Tasmania  
**Sent:** Monday, 2 March 2015 3:49 PM  
**To:** Council  
**Subject:** Comment on application DA0023/2015

## **For the attention of the General Manager / Planning Manager / Planning Department**

Application DA0023/2015  
Address 86-96 Gleadow Street Invermay TAS 7248  
Description Sports and recreation - gymnasium and fitness centre; change of use to part of property and associated signage with access over CT242941/1, CT61499/1, CT61499/2, CT61499/3 and CT113340/2  
Name of commenter Phoenix Trailers Tasmania  
Address of commenter [REDACTED]  
Email of commenter [REDACTED]

### **Comment**

To Launceston City Council Planning Dept:

RE: DA0023/2015 – Sports & Recreation proposal; 86-96, 102, 108 & 110 Gleadow St, Invermay

As a tenant of the Waterfront Centre industrial complex, [REDACTED] Gleadow Street, Invermay, we would like to place our objection to the Launceston City Council Planning Department.

We have grave concerns with regards to a proposal for a gym (Sports & recreational) in Gleadow Street, Invermay, particularly the intention to exit gym traffic into the laneway of this industrial estate. This laneway is used for loading and unloading with forklifts of semi-trailer trucks and other heavy rigid vehicles. Deliveries of goods include; steel, containers, pallets, vehicles etc. The laneway traffic is of these large vehicles, which regularly have to reverse down the whole length of laneway.

The laneway is also used on a daily basis by large heavy rigid vehicles and trucks whom are clients of a diesel mechanic at Shed [REDACTED] Gleadow Street.

There is a blind corner on both ends of this laneway which is a danger to all traffic using it, especially to persons unfamiliar with the current traffic conditions.

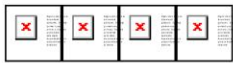
There is no place for non-industrial traffic in this industrial area and the potential for an accident is very real.

If the Launceston City Council approves the changes proposed, they will be taking responsibility for the risk of serious injury, accidents caused by gym traffic in this industrial laneway.

If this laneway proposal is approved, we will not hesitate to contact the appropriate persons at the Department of Infrastructure, Energy and Resources Tasmania.

---

This comment was submitted via PlanningAlerts, a free service run by [the OpenAustralia Foundation](#) for the public good. [View this application on PlanningAlerts](#)



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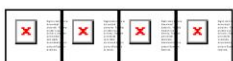
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Regards,

***Phoenix Trailers Tasmania***



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Regards,

*Phoenix Trailers Tasmania*

--

Regards,

*Phoenix Trailers Tasmania*

Launceston City Council

MR LEON MURRAY

Re DA 0023 2015

FILE No.	DA0023/2015		
EO	OD	Box	
		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
RCVD 27 MAR 2015		LCC	
Doc No.			
Action Officer	Noted	Replied	
C. Hemmings			

27/3/2015

copy L. Murray

The proposal to reposition the fence on the Northern boundary I believe would be contrary to the easments and conditions of the land titles.

This is an industrial area and all the businesses and title owners have been conducting business for over 30 years and using this private right of way. It has been understood and accepted by owners and tenants that this lane way "RAPSON'S LANE" is for the use of the Industrial businesses that require access to their property without any fences or structures.

For this industrial area to continue to operate, any restriction into the lane way would be detrimental to the current businesses.

A Gymnasium is not an appropriate business to be in an Industrial area and should not be permitted under any exceptions

I strongly object to a gymnasium operating in this zone.

Postal address.

Regards

Graeme Johnson

GJohn





Attachment 5 86-96 Gleadow Street Invermay - Heritage Planner Advice  
(Pages = 7)

**Heritage Planner Advice**

Date: 23/03/2015

**Address:** 86-96 Gleadow Street Invermay

DA 0023/2015

---

**Proposal**

Sports and recreation - gymnasium and fitness centre; change of use to part of property and associated signage.

**Significance**

The site is listed on the Tasmanian Heritage Register (THR), and in Table E13.2 of the Launceston Interim Planning Scheme 2012 (the Scheme).

The site is also included within the Inveresk Wharf Precinct of defined heritage character identified in the Launceston Heritage Study 2007 prepared by Paul Davies Heritage Architects (the Study). The Study includes a description and statement of significance for the City Industrial Precinct, as does the THR datasheet. The elements most relevant to this Application are outlined below.

**Tasmanian Heritage Register - 86-112 Gleadow Street****Description and History:**

*The property is described as 'A visually cohesive group of industrial buildings'.*

*Originally factory buildings for the Rapson Rubber Company. They were designed by Frank Heyward and built by W. E. Cooper.*

*The buildings are rendered brick with saw toothed roofs. There is a chimney and power house associated with the complex.*

**Statement of Significance**

*86-112 Gleadow Street is of historic cultural heritage significance due to the following:*

- because of its ability to demonstrate the principal characteristics of an Inter War Stripped Classical Industrial complex; and*
- as a place that has featured importantly in the development of the rubber industry in Launceston.*

**Launceston Heritage Study 2007 - Inveresk Wharf Precinct****Description:**

*The Inveresk Wharf precinct comprises the remnant wharfage elements, now largely in ruins, several concrete wharf buildings, the silos and former pump house and a series of industrial sheds used for wool storage. It is the largest industrial precinct remaining within the centre of Launceston and the last remnant of the former intense waterfront activity that dominated the river flats. The surviving elements vary in condition and construction but combine to create an evocative landscape of a similar character to the nearby railway workshops before their adaptation.*

*A large part of the precinct is located outside the levee bank which effectively makes its future use difficult for further building works, but the surviving fabric including the*

*fine wharf buildings, elements of wharf structures, tracks, pipelines and weighbridges create the foundation for public access areas through future redevelopment of the area. Given the proximity to the city and the large amount of currently unused land and buildings there is strong potential for the precinct to be redeveloped around the excellent heritage attributes that it contains.*

*The key character elements are:*

- the linear nature of the foreshore area defined by the levee bank*
- the remaining wharf buildings and elements*
- the dominant silos building*
- the rare surviving woolsheds.*
- the strong visual relationship between the river and the precinct and also the views to and from Trevallyn to the west.*

**Draft Statement of Significance:**

*The precinct is significant for a range of reasons:*

- It demonstrates the very significant wharf occupation of the riverfront and contains the only remaining elements, and provides an opportunity for that use to be seen and interpreted. The collective value of the elements from buildings to individual site elements is of paramount significance.*
- A number of the elements have high individual significance as fine examples of industrial development from a range of industrial and warehousing uses.*
- A number of the elements are rare surviving examples of industrial use and waterfront activity within Launceston and are relatively rare in Tasmania.*

**Policy recommendations**

The Study acknowledges that the city's buildings and streetscapes are of high heritage value and must be protected, conserved and enhanced wherever possible.

Further, it recognises that the historic character of the city must be retained, recovered and enhanced in development works. This statement is mirrored in both the Zone Purposes and the Objectives of the Scheme. The Study includes the following management advice.

*The following policy is proposed to conserve the significance and heritage values of the precinct, to provide for new development that is commensurate with that significance and to encourage the recovery of significance, particularly in streetscape elements and presentation of the whole area.*

- 1. The properties identified as heritage items should be retained and where possible future work should recover significance where it has been lost while allowing for adaptation to new uses.*
- 2. A comprehensive conservation management plan for the precinct is required prior to any future works or development to ascertain in detail the significance of the elements, how they can be retained, adapted, and/or incorporated into new works. No identified elements should be removed or have their significance lessened until this plan is in place.*
- 3. Elements that are currently structurally unsafe such as the wharf remnants need to be assessed, stabilised and incorporated into new works in the future.*
- 4. Owners of properties should be advised of the listing of the precinct and the possible consequences for future planning.*



5. *At-risk structures should be adequately secured against vandalism until their future is determined.*

**Scheme Requirements****Use**

As the use as a Gymnasium and Fitness Centre proposed by DA0023/2015 is prohibited in the General Industrial zone, this application is reliant on compliance with the following Use Standard from the Local Historic Heritage Code of the Scheme in order for the application to be considered for approval.

**E13.5.1 Alternative Use of heritage buildings****Objective**

*To ensure that the use of heritage buildings provides for their conservation.*

**Performance Criteria**

*Notwithstanding Clause 8.9, a permit may be granted subject to clause 8.8 for any use of a locally listed heritage place where:*

- a) *it can be demonstrated that the proposed use will not adversely impact on the significance of a heritage place; and*
- b) *the amenity impacts of both the proposed use on the surrounding areas and from the surrounding area on the proposed use are considered acceptable; and*
- c) *a report by heritage professional states that it is necessary for conservation purposes or the continued maintenance of the building or where there is an overriding public benefit.*

**Comments:**

- a) The proposal appears to be considerate of the fabric of the significant structure and not to interfere with the interpretation of architectural features or the perception of the scale or proportion of the space. The gymnasium use proposed allows for large open spaces which are open to the full roof height and thus it is considered that much of the story of the former rubber factory use will still be able to be told, and the quality of light from the clerestory style roof glazing which provides much of the architectural character of the building will still be appreciated if this use is approved and carried out.
- b) The proposed gym may produce some noise above that expected by a residential use due to music played during sessions and the impacts of bodies, weights and machines. The only other potential impacts on amenity could arise from a numbers of cars arriving for group classes at particular times. This potential noise may be considered and issue in a residential area, however the surrounding existing uses and the likely future uses in this former industrial area are highly unlikely to be affected by the noise impacts of a gymnasium and fitness centre. It is also unlikely that these surrounding uses would have any unacceptable impacts on the proposed use on the subject site.

In this case any potential *amenity impacts*, either to the proposed gym use or to surrounding uses are considered acceptable.

- c) The heritage report written by David Denman submitted as part of this application demonstrates that the subject building has been disused for some time, and that where the proposed use would clearly encourage care for and ongoing maintenance of the structure, finishes and grounds of the site in order to remain appealing to potential patrons, and thus a viable business venture, an industrial use allowed by the zone requirements of the Scheme would be unlikely to do this. It is also believed that any future industrial use would have the potential to be responsible for damage to the structure and finishes of the building, either by active destruction through impacts or vibrations, and/or by the kind of neglect that often befalls commercial and industrial sites. Therefore it can be considered that the proposed use *'is necessary for conservation purposes or the continued maintenance of the building'*.

In my opinion the three performance criteria are met and this proposal may be considered to be a positive re-use of a disused structure.

**Complies.**

#### ***E13.6.4 Height and Bulk of buildings***

##### ***Objective***

*To ensure that the height and bulk of buildings are consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.*

##### ***Performance Criteria***

*The height and bulk of any proposed buildings must not adversely affect the importance, character and appearance of the building or place, and the appearance of adjacent buildings; and*

*Extensions proposed to the front or sides of an existing building must not detract from the heritage significance of the building; and*

*The height and bulk of any proposed buildings must not detract from meeting the management objectives of an precinct identified in Table E13.1: Heritage Precincts, if any.*

##### **Comments:**

The proposed disabled access would only be high enough to provide access to the tenancy with a compliant hand rail being 1.0m above the ramp itself. The ramp would be unobtrusive in the context of the building and its size, it would not adversely affect the importance, character or appearance of the building as access (in the form of external stairs) already exists and the ramp would be an extension of the existing access arrangements and the materials used would not detract from the heritage fabric of the building.

**Complies**

**E13.6.5 Fences****Objective**

*To ensure that fences are designed to be sympathetic to, and not detract from the historic heritage significance of, local heritage places and the ability to achieve management objectives within identified heritage precincts.*

**Comments**

The existing fence is chain wire that is in poor condition. If the fence were to be moved to the property boundary and constructed of the same materials as the existing fence (common for industrial developments) the performance criterion is met.

**Complies.**

**Parking****E13.6.10 Access Strips and Parking****Objective**

*To ensure that access and parking does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.*

**Acceptable Solution**

*Car parking areas for non-residential purposes must be:*

- a) *located behind the primary buildings on the site; or*
- b) *in accordance with the acceptable development criteria for access and parking as within a precinct identified in Table E13.1: Heritage Precincts, if any.*

**Performance Criteria**

*Car parking areas for non-residential purposes must not:*

- a) *result in the loss of building fabric or the removal of gardens or vegetated areas where this would be detrimental to the setting of a building or its historic heritage significance; and*
- b) *detract from meeting the management objectives of an precinct identified in Table 1: Heritage Precincts, if any.*

**Comments:**

The proposed parking area is located alongside the building which is not ideal, however it will not 'result in the loss of building fabric or the removal of gardens or vegetated areas', or otherwise be 'detrimental to the setting of (the) building or its historic heritage significance'.

**Complies.**



**Signage****E13.6.13 Signage****Objective**

To ensure that signage is appropriate to conserve the historic heritage significance of local heritage places and precincts.

**Acceptable Solution**

*Must be a sign identifying the number, use, heritage significance, name or occupation of the owners of the property not greater than 0.2m<sup>2</sup>.*

**Performance Criteria**

*New signs must be of a size and location to ensure that:*

- c) period details, windows, doors and other architectural details are not covered or removed; and*
- d) heritage fabric is not removed or destroyed through attaching signage; and*
- e) the signage does not detract from the setting of a heritage place or does not unreasonably impact on the view of the place from public viewpoints; and*
- f) signage does not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.*

**Comments:**

The proposed signage replaces existing signage which does not *cover or remove architectural details* or damage *heritage fabric* by its attachment. It has been designed to complement the character of the building and the number, scale and type of signs is considered to be appropriate on this site due to the scale of the building and the robust character of the area and not to *detract from the setting of the heritage place or unreasonably impact on the view of the place from public viewpoints.*

**Complies.****Advice**

It is considered that the use and development proposed as part of DA0023/2015 meet the performance criteria set out in Clauses E13.5.1, E13.6.4, E13.6.5, E13.6.10 and E13.6.13 of the Local Historic Heritage Code of the Launceston Interim Planning Scheme 2012 and are considered appropriate for approval when assessed against the relevant development standards of the Code.

Fiona Ranson

**Urban Design and Heritage Planner**

**4 MEETING CLOSURE**

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