

## INDEPENDENT DECISION REVIEW PANEL REPORT

3 December 2021

<b>Development Application</b>	16204/2021/MCU
<b>Application Description</b>	Material Change of Use - Business Use Extension (Hotel)
<b>Street Address</b>	5 Union Place, and 8 Bell Street, IPSWICH QLD 4305
<b>Real Property Description</b>	Lot 1 RP 2677 & Lot 3 SP 307972
<b>Owner</b>	Ipswich City Council
<b>Applicant</b>	Ipswich City Council C/- Sinclair Planning Pty Ltd
<b>Reason for Referral</b>	Council Application other than for Local Government Infrastructure
<b>Panel Member(s)</b>	Craig Harte – Planning (Chairperson)

### KEY MATTERS IDENTIFIED BY COUNCIL STAFF

This is a report concerning a development application seeking approval for a material change of use for business use (extension to hotel), to be undertaken within an existing, refurbished building (i.e. utilisation of the recently refurbished Commonwealth Hotel building and the adjacent Bell Street Green site (corner of Bell Street and Bremer Street), which forms part of the Nicholas Street Precinct, this being land currently under redevelopment by Ipswich City Council and includes the new Ipswich Central Library, Administration Building, Tulumur Place and refurbished areas for entertainment, dining, retail and recreational type uses.

Notably, the Commonwealth Hotel building as it currently exists on the site has recently undergone extensive restoration and refurbishment to bring the building up to contemporary standards to enable its continued commercial use.

The proposal relates to works internal to the restored Commonwealth Hotel building, extensions external to the historic building at ground level, and extensions into the Bell Street Green site at both ground and basement levels. The proposed hours of operation are 24 hours a day, 7 days per week, though trading hours may vary.

The proposed hotel will have a total Gross Floor Area (GFA) of 1,768m<sup>2</sup>, which is an additional 854m<sup>2</sup> from that which existed when the building was known as 'Murphy's Pub' prior to major renovation and restoration works occurring from 2016. It is noted that the existing, refurbished historic building is to be left largely the same, and the new works are to occur outside of this footprint, to ensure it is fit for use by a commercial hotel operator.

The subject application requires determination by Full Council in accordance with the Framework for Development Applications and Related Activities Policy as the application has been made by Council and does not relate to the provision of standard local government infrastructure.

Further, the application is considered a Sensitive Development Matter and has therefore been reviewed by an Independent Decision Review Panel, but there was no public hearing.

## PANEL REVIEW

**1. CORE ISSUES**

The development application is code assessable and accordingly, must be carried out only against the assessment benchmarks in a categorizing instrument for the development and having regard to any matters prescribed by regulation for paragraph 45(3) of the *Planning Act 2016* (see paragraph 45(3) of the *Planning Act 2016*).

**2. COMMUNITY AND OTHER CONSULTATION**

The development application is code assessable and was therefore not required to follow the public notification process pursuant to the *Planning Act 2016*. Notwithstanding, all relevant application material is accessible via Council's ePathway Service. Council as assessment manager did not receive any written submissions in relation to the application.

**REFERRAL AGENCY**

The Queensland Government State Assessment Referral Agency (SARA) are a referral agency for the application, owing to be the site being located adjacent to a state transport corridor (Ipswich Railway Line). The department provided a response dated 17 November 2021 with no requirements in relation to this application (refer to Attachment 4).

**EXTERNAL CONSULTATION**

The development application is classified as a Sensitive Development Matter and therefore requires review by an Independent Decision Review Panel prior to being determined, in accordance with the Council policy titled Framework for Development Applications and Related Activities.

**3. DRAFT CONDITIONS (Amendment)**

Following review of the draft conditions provided, it is noted that Condition 17(f) appears incomplete (i.e. should reference related streetscape condition 14). Furthermore, to ensure consistency with other similar proposals (dealing with access related issues), and taking into account that the subject site contains multiple street frontages in this instance, it is recommended that the following wording amendments be considered for Condition 17 as follows;

<b>17.</b>	<b>Access, Parking and Manoeuvring Areas</b>	
(a)	The applicant must construct all parking, access and manoeuvring areas of concrete.	From the commencement of the use and at all times thereafter.
(b)	The applicant must restrict access to the development to 'left-in/left out' movements only <b>from the existing Bell Street frontage</b> , via the <b>installation of</b> suitable signage and line marking.	From the commencement of the use and at all times thereafter.

(c)	The applicant must line-mark all parking, access and manoeuvring areas in accordance with the relevant Australian Standard.	From the commencement of the use and at all times thereafter.
(d)	The applicant must provide suitable signage and line marking to provide for 'one- way' movement through the car park.	From the commencement of the use and at all times thereafter.
(e)	The applicant must make provision for all vehicles to enter and exit the site ( <b>via the existing Bell Street frontage</b> ) in forward gear.  <b>Note: No vehicle access is permitted via either the Bremer and/or Union Place frontages.</b>	From the commencement of the use and at all times thereafter.
(f)	The applicant must remove the existing driveway cross over on Bremer Street and reinstate concrete kerb and channel to match the existing profile. The footpath must be provided in accordance with condition <b>14</b> .	Prior to the commencement of the use.

**4. DRAFT CONDITIONS (New / Additional)**

In addition to the draft conditions provided, consistent with other similar proposals (for this use), it is recommended that additional conditional provisions be considered as follows;

<b>Acoustic Management</b>		
(a)	The premises must be designed and operated to ensure that the noise levels from activities conducted onsite are in accordance with the recommendation of the Noise Impact Assessment – Commonwealth Hotel Ipswich Qualitative noise impact assessment, as prepared by WSP Australia Pty Ltd (WSP) reference PS126226-ACO-MEM-001 Rev0 and dated 17 September 2021.	From the commencement of the use and at all times thereafter.
(b)	Unless otherwise agreed to in writing by the Assessment Manager, performers, musical instruments or devices used to amplify noise must not be located in any outdoor areas.	From the commencement of the use and at all times thereafter.

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(c)	In the event acoustic enclosures are required for external mechanical plant and equipment (including but not limited to air conditioning units, compressors, generators and the like) the applicant must ensure the enclosure is suitably ventilated and visually screened.	Prior to the commencement of the use.
(d)	The applicant must submit to the assessment manager certification from a suitably qualified acoustic consultant demonstrating that Parts (a) and (b) conditional requirements outlined above are being complied with.	Prior to the commencement of the use.

### RECOMMENDATION

Following review of the material provided and matters outlined above, I can confirm that I have considered:

- the Application Material for the application seeking approval for Material Change of Use - Business Use Extension (Hotel) at 5 Union Place, and 8 Bell Street, IPSWICH QLD 4305; and
- The draft Council recommendation that is proposed to be presented to the Growth, Infrastructure and Waste Committee/Full Council for its determination.

Therefore, in considering the material provided, it is my view that;

- The core issues related to the application have been appropriately dealt with through the recommended decision;
- With the exception of consideration for some additional conditional provisions (for clarification and consistency with other similar development approvals issued elsewhere within the Ipswich LGA), there are no additional issues that the panel has identified that should be dealt with in the recommended decision;
- The recommended decision is compliant with the relevant legislation and the assessment benchmarks outlined.

**On this basis, the panel is satisfied with the intention of the proposed Council recommendation, that being to recommend approval of the application subject to conditions.**

However, as detailed above, it is noted that the **panel recommends that further consideration by the Council in terms of the draft conditions** – to ensure the decision is completely robust.



Signature of IDRП Chairperson

Name: Craig Harte

Discipline: Planning (Chairperson)