

Issue raised in representation	Response
NOISE	
Noise intrusion to nearby residents of 30 cars arriving at 4.30am with doors slamming and headlights.	Based on 19 arrival movements in a 10-min period (see GHD letter dated 25 September 2019), $L_{Aeq,10min}$ levels of between 48 and 54 dBA are predicted from arriving cars (this would be a worst-case scenario). This is commensurate with $L_{Aeq,10min}$ levels already in area (i.e. 46 to 53 dBA). Maximum short duration noise levels (L_{Amax}) of between 48 and 59 dBA are predicted from car doors closing, people talking and laughing and cars starting up; and between 56 and 67 from arriving cars. This is below existing maximum noise levels in area (i.e. 64 to 79 dBA).
Noise impacts to nearby residents from music and people stomping – queried the Acoustic Assessment which has found that this noise will not travel more than 30-40m	Amplified music noise impact was assessed. Stomping of feet is not expected to be significant, with regard to noise generation. With a concrete slab floor and floor covering in operational areas excitation of the masonry walls and radiation of noise from stomping is unlikely.
Noise levels were not tested inside the residential properties.	Assessment of environmental noise impact is conducted at the residential boundary or 1 m from the facade of a habitable structure.
Concern that noise study only looks at volume of sound and not frequencies. Gyms use very loud, very low frequency music which cannot be limited by double glazing or insulation.	This is not the case. Measurement of operational noise, prediction of facade transmission loss and prediction of overall noise were conducted using 1/3-octave band spectra between 50 Hz and 10 kHz. The amplification system used at the F45 premises at 67 George St doesn't produce significant low frequency noise and a similar system is expected at 23 Lawrence St.
The existing F45 Gym at 67 George Street has already demonstrated that it has disregard for neighbours by leaving the front door open and having music that can be heard on the streets	This is not a relevant consideration for this application and is an operational matter. It is noted that the proposed fitness studio effectively has an 'air lock' whereby there are two doors to pass through to get into the fitness studio unlike at George Street.
The proposed noise levels are from 85dB to 90dB. Please note that a rise of 3dB is an effective doubling of the volume experienced.	The recommended internal noise limit (i.e. limit within the operational space not at residential locations) is not a range. It is a single limit with a dBA and dBC value, the

	latter to ensure that excessive low frequency noise is not generated.
Double glazing and rubber floor matting will not impact higher frequency noise suppression and not lower frequency.	Measurement of operational noise, prediction of facade transmission loss and prediction of overall noise were conducted using 1/3-octave band spectra between 50 Hz and 10 kHz. High frequency noise emissions are typically controlled by ensuring openings are not present (e.g. windows and doors have proper seals and are closed) while the mass law calculations, with coincidence and shear wave effects and reduced radiation efficiency at low frequencies, address the transmission of low frequency noise through structures.
Representor has referred to the Environmental Management and Pollution Control (noise) regulations 2016 Table 1: Proposed Prohibited Hours of Use, Schedule 1, Part 4 Musical instrument or sound amplifying equipment and noted that the proposed hours of operation are outside of these.	This regulation doesn't apply as this is a commercial premises. See below from the regulation. 6. Equipment with noise restrictions relating to hours of use (1) A person must not operate equipment, or a machine, specified in Schedule 1 , on – (a) any residential premises; or (b) any site where construction, or demolition, that is not the construction or demolition of a public street, is taking place.
The acoustic report supporting the application was based on a simulated F45 fitness class, the recommendations of which are not consistent with other assessment by the same consultant for similar uses within Launceston.	Recommendations vary depending on the building being assessed and its ability to contain noise, the relative location of noise sensitive locations and the ambient noise environment.
The ability to implement an acoustic assessment that meets the amenity tests to nearby sensitive uses at Clause 23.3.2 P1 through planning permit conditions is questioned.	It is standard practice that an acoustic assessment provide recommendations in terms of development or operational requirements that form permit conditions. The acoustic assessment has clearly demonstrated that compliance with the standard can be achieved. Operational noise is predicted to be approx. 9 dBA below background noise levels (i.e. $L_{A90,10min}$ levels) at the most sensitive operational time (i.e. 0500 hrs on weekday mornings). At this level impact on amenity is not expected to be significant.

There should be no new windows in the northern façade to reduce noise impacts	The modelling results indicate that this is not necessary.
The acoustic assessment did not consider the full range of uses that could occur at the site under the Sport and Recreation Use class	<p>In accordance with Clause 8.4.2 of the Scheme <i>'a change from an individual use to another individual use whether within the same use class or not requires a permit unless the planning scheme specifies otherwise.'</i></p> <p>Should the current or a future owner wish to change the approved use from gymnasium to another of the uses that can occur under the Sport and Recreation Use class a permit would be required and it would be appropriate at that stage that an acoustic assessment address the specific nature of that use.</p>
GENERAL	
Queries whether there should be an archaeological assessment carried out if hotel wall and floor are to be removed.	The Tasmanian Heritage Council has granted a Certificate of Exemption for the proposed works.
Will the modern extension to the side of the hotel be in keeping	The portion of the building which is subject to the proposed works is a later addition to the Heritage Listed Hotel (approx. 2012). It currently reads as a later addition and the proposed works will improve the aesthetics by introducing more glazed elements into both the northern and southern facades.
States that representor knows that parking spots associated with 23 Lawrence Street are currently leased out	The property owner does currently lease some of the car parking spots to the Hotel proprietors, however subject to this DA being approved, the lease will change and the requisite number of car parking spaces i.e 13 will be leased to the operators of F45.
Queries why gym doors and windows can't remain closed at all times.	The Noise Assessment has recommended that the windows remain closed during classes. When classes aren't running, there will be no noise emission from the gym so there is no reason that the windows shall remain closed. The proponent would be comfortable if Council conditioned the permit to require windows to remain closed during class times.
There is no mention of double glazed windows on the plans	Double glazed windows are to be provided and it is suggested that this requirement form a permit condition to provide certainty to the representors.

	In addition (and whilst not necessary), the proponent would be happy with a condition that required the double glazed windows to be further upgraded in terms of acoustic attenuation properties (e.g laminated panel incorporated into double glazing unit)
Lighting and signage not included in DA	These elements will form part of a later DA. In order to comply with the permitted standards, lighting must not extend beyond title boundaries and any lighting installed will comply with this requirement.
New development not in harmony with existing streetscape	The new development improves the streetscape by introducing more glazed areas and fewer internal driveways than the current development.
Bicycle rack not shown on plans	A condition of permit can require the bicycle rack to be provided. It was intended to be provided but was omitted from the plans lodged with Council.
TRAFFIC	Please refer to attached letter from a Traffic Engineer which has assisted in response to the traffic issues raised in the representations.
Concern there will be car park congestion during changeover time for classes	As demonstrated in the attached Traffic advice, the proposal meets the requirements of Clause E6.5.1 A1 in terms of parking provision. However, a recommendation is made to mitigate the potential impact during class change over periods that classes commence on the hour and run for a maximum of 45 minutes to ensure there is time for the previous class participants to exit the site before the next class participants arrive. Should Council agree with this recommendation we would expect a condition to be reflected on the permit.
Representor states that associated car park is typically full and gym users will need to use on-street parking which is at a premium.	The current car park is not well policed and often used all day by commuters. This is partly due to the fact there is such a large number of car parks associated with the existing Tavern – well beyond the number required under the planning scheme.

	<p>Once the F45 gym is operational the property owners and business operators will need to monitor parking more closely to ensure that the car parks are available to the Tavern and Gym patrons only.</p> <p>Again, it is reiterated that the proposal meets the Acceptable Solution in relation to parking provision.</p>
<p>Concern about traffic safety of vehicles coming around the corner of Lawrence St turning into Cimitiere St. Concern for pedestrians travelling to the gym and their safety crossing the road.</p>	<p>The attached letter from GHD traffic engineers includes a review of the safety performance of the immediate area surrounding the development site.</p> <p>The crash history data suggests there is no particular issue that would be exacerbated by the changed use. There were no repeated crash types in the data to suggest any developing crash trends. Given that the traffic generation (compared to existing use) is primarily early morning when traffic volumes are much lower, traffic safety is even more unlikely to be impacted compared to the existing situation.</p>
<p>The driveway out of the gym car park is very close to the Lawrence St/Cimitiere St intersection which is unsafe.</p>	<p>No changes are proposed to the existing, approved access points. Furthermore, while they are located close to the signals, there are multiple options for access and egress which allows drivers to select the option they feel most comfortable with.</p>
<p>Concern that current car park is used by all day parkers not associated with businesses at the site.</p>	<p>It is the property owner's understanding that this may be occurring. Once the F45 is operational, the owner and operator will need to manage parking on site to ensure it is only available to site customers and clients.</p>
<p>The traffic movements have been underestimated</p>	<p>Section 2.1 of the attached GHD Traffic Engineer advice outlines the assumed traffic generation at 340 vehicle movements per day for the fitness centre and existing traffic generation of 360-450 per day for the bottle shop.</p> <p>This differs to the rates used in the DA report but still demonstrates that the proposed use has a lower generation rate than the existing use.</p>

	<p>The main difference in trip generating patterns due to the proposed development is related to the opening hours. The fitness centre will generate trips in the morning when the existing bottle shop would not typically have been open.</p> <p>However, the planning scheme deals with traffic movements on a per day basis on not during particular time periods.</p>
<p>Queries how much the business will expand over time and impacts that will have on parking availability.</p>	<p>Table E6.1 requires provision of parking on a floor area basis and it has been demonstrated that the proposal meets the Acceptable Solution in that regard.</p>
<p>It does not appear that the reasonable car parking needs of the proposal are provided for when assessed against the specific requirements of the performance criteria at Clause E6.5.1 P1.1</p>	<p>Clause E6.5.1 of the Planning Scheme requires that the parking supply on site be no less than 90% of the requirements of Table E6.1 and not exceeding the requirements of Table E6.1 by more than 2 spaces or 5% whichever is greater. The total parking requirements for the site will be as follows:</p> <ul style="list-style-type: none"> - Hotel Industry - <i>1 space per 20m² of floor area available to the public.</i> - Gymnasia - <i>1 space per 20m² of floor area available to the public.</i> <p>Given a hotel floor area (space available to the public) of around 415m² and a gymnasium floor rear of around 233 (noting that there is storage area not available to the public) the parking requirement under Table E6.1 is 32.4 parking spaces rounded up to 33. The acceptable solution therefore requires between 30 and 35 spaces to be provided on the site.</p> <p>Given a total supply of 30 spaces (16 in the front car park and 13 in the rear car park) the acceptable solution is met.</p>
<p>Queries around how service vehicles will access the site</p>	<p>Service vehicles can still access the site via Cimitiere Street. The loading location will</p>

	have to change but it is noted that in accordance with Clause E6.5.5 a dedicated loading bay is not required for uses with a floor area less than 1000m2.