



Council Agenda - 20 February 2020 - Agenda Item 9.2
Attachment 3 - Representations -23 Lawrence Street Launceston



From: Harley Russell 
Sent: Friday, 17 January 2020 11:36 AM
To: Contact Us
Subject: Re DA 0725/2019

Attention: Mr Michael Stretton,
General Manager,
City of Launceston,
Town Hall,
18-28 St John Street,
Launceston 7250

Dear Mr Stretton,

I wish to make a representation re DA 0725/2019 for an OsteoStrong studio at 23 Lawrence Street, Launceston. I support the application for an OsteoStrong studio, however there are two items in the proposed development that are of significant concern, and should be discussed and resolved for a better outcome.

(1)
3.2 Proposed Use and Development
3.2.1

. the existing plantings along the Cimitiere Street boundary will be replaced by a box hedge.

It is totally inappropriate to remove the two Pyrus calleryana (ornamental pear) which were part of the Glebe Green redevelopment, a project undertaken by Gunns Ltd (Mitre 10), Cimitiere Street residents and Parks and Gardens (LCC), and which were deemed to have no impact on traffic safety or impede advertising on the 23 Lawrence Street site. The similar trees further east along the Green were vandalised and replaced, hence some difference in height. City Park staff, under the recently retired Dale Poke, undertook to provide maintenance of the Glebe Green, and we have enjoyed a positive relationship. In the near future, we as residents wish to continue this ongoing relationship with Becks, Parks and Gardens (especially CityPark staff), LCC Urban Design and Heritage Planner (informal talks already) and Peter Dixon (current owner 23 Lawrence Street) re history, plantings and new initiatives.

(2)
3.2.4 Signage

I understand that signage is seen to be an integral part of advertising both for the location and identity of a business. In recent months we have seen 11 advertising panels placed on the west and south facades of the Becks Mitre 10 building, and with the proposed addition of extra signage for the OsteoStrong Development, I believe there should be further consultation and discussion as the site is subject to the Heritage Places Overlay. The trees on the Cimitiere Street boundary do not disadvantage or impede advertising for the development.

Your sincerely,
Harley Russell



The General Manager

17th January 2020

Launceston City Council 7250

Re: DA0725/2019 23 Lawrence Street LAUNCESTON TAS 7250

Dear Sir,

Again, I have concerns regarding the Change Of Use in the above mentioned Development Application. After DA0370/2019 was retracted it appears that the developer is trying a "back door" approach to the Change of Use. As I discussed with Laura Small I believe that for the proposed development should be under "Business and Professional Services" not "Sport and recreation".

1. Business and professional Services;
 - a. use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, residential support services, travel agency and veterinary centre.
2. Sports and Recreation;
 - a. use of land for organised or competitive recreation or sporting purposes including associated clubrooms. Examples include a bowling alley, fitness centre, firing range, golf course or driving range, gymnasium, outdoor recreation facility, children's play centre, swimming pool, race course, sports ground, and major sporting facility.

One would assume that all new clients would have to go through a consultation prior to receiving one on one coaching on specific equipment within the studio.

As I understand all existing Physiotherapy and Osteopathy practices have been classified under "Business and Professional Services". Most of, if not all, have consulting/treatment rooms as well as an exercise studio.

To Quote from the OstioStrong Web Site "*OsteoStrong® is not a gym*". OsteoStrong are on Facebook under "Medical & Health".

It is interesting to see on Page 14 of the DA under "Complies with P1", a reference to Canning Street still exists as it did in the previous DA.


After discussions with other concerned residents in the Glebe I also have reservations regarding the proposed changes to the existing established vegetation.


In conclusion I believe that this business would be a great fit for this site if the Change of Use is correct. I wish to be informed of any further meetings/changes regarding this development.

Yours Sincerely

Andrew Barnett





From: Greg Lear 
Sent: Sunday, 19 January 2020 6:40 PM
To: Contact Us
Subject: Development Application DA0725/2019 23 Lawrence Street LAUNCESTON TAS 7250

The General Manager
Launceston City Council 7250

Dear Sir,

I refer to the above mentioned Development Application (DA0725/2019 23 Lawrence Street) for the building of an OsteoStrong Centre on the site.

A Sport and Recreation development application for a F 45 Fitness Centre was made for 23 Lawrence Street last year (2019). That development was rejected by the Launceston City Council, with only one Councillor voting in support of the application.

On the 20 November, 2019 The Resource Management and Appeals Tribunal advised that the above-referenced F 45 development application had been withdrawn. I have carefully read the latest, current development application (DA0725/2019 23 Lawrence Street) that has been made by the same developer. In general, I support this latest application, however, with some reservations. One of which is that once an original classification has been changed for a property it potentially opens the door to that site's Heritage and associated protections being further altered or diluted.

The category of development under which this application has been made for this development, namely, 'Sport and Recreation' is not consistent with its planned use. OsteoStrong's advertising on its web site describes its operations as a "health solution" that provides "skeletal health conditioning". While it claims to be able to improve skeletal strength for, among others, athletes, its market is primarily aimed at the older demographic with osteoporosis concerns. This is supported by the research information provided on its site. It is based on its studies of "500 of its clients with an average age of 52" Hardly the average age of a typical athlete! The development is more closely described under the Use Class of a Business and Professional Services (medical centre or health clinic) or a Consulting Room (—— for services provided by a health or other therapies practitioner) OsteoStrong's stated aim is to improve skeletal health and to provide remedial therapy. It should therefore have been advertised as such.

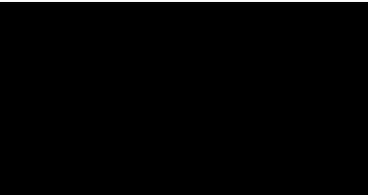
The vehicle entry and exit onto Cimitiere Street described in the development raises issues of safety. It is within a very short distance of traffic lights and a pedestrian crossing. Vehicles turning east into Cimitiere Street from lower Lawrence Street, through the traffic lights, could have their views impeded by any planned hedge. Vehicles existing from the parking lot could also impede traffic flowing into Cimitiere Street proper. I therefore request that a site visit be conducted to assess this issue.

In summary, my concerns with this development application is based on two issues. The appropriateness of the classification used for the proposed development. It is not what it claims to be. Particularly given the developer's previous lack of concerns for the owners of nearby residential dwellings (in which he stated at a public meeting that they could sell their houses if they didn't like that development) and his subsequent decision not to enter mediation over those concerns.

Please advise of any further matters that may involve this development proposal.

Yours sincerely,

Greg Lear



[REDACTED]

From: Rosemary [REDACTED]
Sent: Monday, 20 January 2020 3:40 PM
To: Contact Us
Subject: DA0725/2019 23 Lawrence Street LAUNCESTON TAS 7250

Attention: General Manager
City of Launceston, 7250

Dear Mr Stretton,

Re: DA0725/2019 23 Lawrence Street

I wish to say from the outset that I support the proposal that an OsteoStrong Centre opens at the rear of the Gunners Arms hotel, however I do have an issue with the application going ahead under Sport and Recreation. Surely Business and Professional Services would be more appropriate.

I believe that if the application is granted under Sport and Recreation there could be a possibility of a gym or similar opening in the future if OsteoStrong changed venues. Even the slightest possibility of this concerns me greatly.

I am very surprised that Peter Dixon is considering taking down the trees bordering the property in Cimitiere St. I have heard he has a love of trees and has planted 400+ on his own property. As he hires professionals to write his planning proposals, perhaps he isn't aware of this detail. Let's hope he changes the plan as there is no need to destroy existing healthy trees just to plant a hedge. Launceston needs many more trees, not less.

I would like to be kept in the loop as to the progress of this matter.

Yours sincerely

Rosemary Jones
[REDACTED]

[REDACTED]

From: Peter Serisier [REDACTED]
Sent: Monday, 20 January 2020 4:28 PM
To: Contact Us
Subject: Re DA0725/2019 23 Lawrence St Attention General Manager.

Attention Mr Michael Streeton,
General Manager, Launceston City Council.

Dear Mr Streeton,

We wish to make a representation on DA0725/2019, Change of Use to part of building to a fitness centre. We own [REDACTED] to this proposed development.. We also own another property in [REDACTED] Firstly may we point out that had this development application been for a change of use to 'Business and Professional Services', we would feel no need to comment. OestoStrong,(while we are not convinced fits into a heritage listed site), offers professional services which may be of great benefit to our community.

My major concern with change of use to the Sports and Recreation classification is that this includes the full range of gymnasia and fitness centres ,which means the site can change to a more intensive activity with the same use class that would impact nearby sensitive uses with no additional assessment required by Council other than a possible change in operating times. Given that in the last application for an F45 Gym a 5.15 am start time was recommended by the LCC Town Planner, the nearby residents could be put in this situation once again if OestoStrong decided in the future to vacate the site.

To continue with other concerns, we note light emissions are not addressed in this proposal . Lighting will be required and this will create impacts that will effect the amenity of nearby sensitive uses due to the hours of operaton and lack of mitigation measures proposed..How will light wash and spill be addressed.?

There is no indication in the proposal that windows will be double glazed or how any other sound proofing measures will be undertaken.Double glazing was proposed as an imposed condition recommended by the LCC Town Planner in regard to the F45 proposal. As the northern wall with its proposed windows is only 15.87 m from the boundary of our property, we would prefer that the openings of the northern wall be removed and the walls be treated to minimise sound transfer to our property. This will minimise the risk of sound transfer in the event OsteoStrong are replaced later on by a gym offering classes with loud music

No restrictions to the maximum number of clients allowed on the property at one time is offered. We feel this needs to have a condition put in place. Is OsteoStrong planning on holding group sessions in the future ?

A safe access for service vehicles must be provided for in a Commercial Zone.,However the keg storage and access to the Gunners Arms will be blocked off by the new extension and and the added car parking [spaces.at](#) the end of the southern wall. . This dilemma is not addressed in this current development application although it was acknowledged in the last DA for the F45 gym and conditioned.

Finally in regard to heritage ,may we respectively remind the LCC Heritage advisor that the whole of 23 Lawrence Street site is listed (encompassing all 5 titles) ,not just the hotel.It is listed on both the Tasmanian Heritage Register and also as being of local heritage significance on the LCC register. The multiplicity of titles at 23 Lawrence Street means the hotel and the proposed development must rely on the

present 5 titles remaining in single ownership. The Gunners Arms c 1886 is a significant element in the streetscape and indeed the whole of the proposed Cimitiere Street Precinct. . The Burra Charter ,2013 defines 'setting' as the immediate and extended environment of a place which is of cultural significance. Hence the removal of the two ornamental pear trees which are part of the Glebe Green redevelopment is not appropriate as it will expose the carpark and the signage of the proposed business extensively to Cimitiere Street .. We believe that decisions about this heritage site and its proposed listing as a heritage precinct , needs to consider how changes to this site will impede the carrying out of this proposed protection to this area . In other words forward planning is needed !

Yours faithfully ,
Nancy and Peter Serisier.



[REDACTED]

[REDACTED]

[REDACTED]

From: Lou Finney [REDACTED]
Sent: Tuesday, 21 January 2020 2:54 PM
To: Planning Queries <Planning.Queries@launceston.tas.gov.au>
Subject: FW: 23 Lawrence street DA0725/2019

I am sending this email again knowing it is late.

But as you will see from the following email I did "attempted" to send this on Sunday – I am hoping you may take this excuse into consideration – but understand if this is not possible.

You will see from the address I had further problems today and have just spoken to Warren who suggested I use this email address.

Thanking you

regards

Louise Finney

From: Lou Finney [REDACTED]
Sent: Sunday, January 19, 2020 3:58 PM
To: contactus@launceston.gov.au
Subject: Attention Mr Stretton Re DA0725/2019

The General Manager

17th January 2020

Launceston City Council 7250

Re: DA0725/2019 23 Lawrence Street LAUNCESTON TAS 7250

Dear Mr Stretton,

I write to you about my apprehension for the Change of Use for the above application. I believe that "Business and Professional Services" would be suitable and I would have no objections for a business such as "OsteoStrong" in this area under that classification, and see no reason for it to change to a "Sport and Recreation" classification.

After hearing the history of the tree and planting over the years to establish a friendly environment for the mix of residential and businesses in the Glebe area, I also have a problem with this established vegetation being removed.

I therefore don't agree with this change of classification and cutting down of foliage and trees just to see more advertising in this area.

Yours Sincerely,

Louise Finney.

Director
Marlou Pty Ltd

[REDACTED]