

Kangaroo Bay Hotel

Draft Permit Conditions – Noise

Job No: 23012-3

Prepared by: Jack Pitt, NVC Pty Ltd

Date: 7 August 2026

NVC proposes the following draft noise conditions for the Kangaroo Bay Hotel Major Project. These conditions are intended to replace the Commission's draft conditions 10 and 15 in full. Conditions 1 to 5 apply a single numerical noise limit to all Hotel uses, and make the owner/operator explicitly responsible for monitoring, managing and rectifying noise, consistent with the Tasmanian Planning Commission's request that noise be self-managed by the developer rather than left for neighbouring residents to raise.

Note that the proposed construction hours are consistent with the recommended standard hours under the NSW Interim Construction Noise Guideline 2009.

OPERATIONAL NOISE CONDITIONS

1. GENERAL NOISE EMISSION LIMITS

1.1 The owner/operator of the Hotel is responsible for ensuring noise emitted from the Hotel, including all associated uses and activities, complies with the criteria in Condition 1.2. Compliance must be proactively monitored and managed by the owner/operator.

1.2 Noise emitted from the Hotel, measured at the boundary of any Residential zone (see Condition 1.4), must not exceed:

- 55 dB(A) (LAeq) between 7:00am and 7:00pm;
- 5 dB(A) above the background (LA90) level, or 40 dB(A) (LAeq), whichever is the lower, between 7:00pm and 7:00am; and
- 65 dB(A) (LAm_{ax}) at any time.

1.3 Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual 2008, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15-minute time interval.

1.4 For the purposes of these conditions, 'Residential zone' includes dwellings located on folios of the Register 110437/1, 110437/2 or 108454/1 at the date of approval of the Clarence Interim Planning Scheme on 1 July 2015 (lifted from the Kangaroo Bay Particular Purpose Zone to include dwellings on Kangaroo Bay Drive).

2. FIXED PLANT AND EQUIPMENT

2.1 Noise emitted from fixed mechanical plant and equipment associated with the Hotel, measured at any existing residential use in other ownership, must not exceed:

- 45 dB(A) between 7:00am and 10:00pm; and
- 40 dB(A) between 10:00pm and 7:00am.

2.2 The owner/operator is responsible for the ongoing maintenance of fixed plant and equipment to ensure the levels in Condition 2.1 are met for the life of the Hotel's operation.

3. AMPLIFIED SOUND – EXTERNAL AREAS

3.1 Amplified sound associated with the Hotel must not occur externally within the Green Plaza between 7:00pm and 7:00am, unless prior written approval is given by the Commission.

4. NOISE MONITORING, COMPLAINTS AND COMPLIANCE

4.1 Within 60 days of the commencement of use, a report from a suitably qualified acoustic engineer must be submitted to the Commission confirming compliance with Conditions 1 and 2.

4.2 Where the criteria in Condition 1 or 2 are exceeded, whether identified through the owner/operator's own monitoring, a complaint, or Commission audit, the owner/operator must engage a suitably qualified acoustic engineer to identify and implement mitigation and/or management measures within a timeframe agreed with the Commission.

4.3 The owner/operator must maintain a noise complaint register recording the date and time of each complaint, its nature (including the location of the complainant), and the action taken in response. The register must be made available to the Commission upon request.

4.4 The owner/operator must nominate a responsible person for noise management, contactable at all times the Hotel and/or associated uses are operating, and must investigate and respond to any noise complaint within 5 business days.

5. OPERATIONAL NOISE MANAGEMENT PLAN – FUNCTIONS AND EVENTS

5.1 In addition to Condition 1, any function, event or activity that is not part of the Hotel's General Operations (see Definitions) and that occurs, in whole or in part, between 7:00pm and 7:00am, must operate under an Operational Noise Management Plan approved by the Commission.

5.2 The Operational Noise Management Plan must be prepared by a suitably qualified acoustic engineer and submitted to and approved by the Commission as a Condition Endorsement prior to the commencement of any such use. The Operational Noise Management Plan must, but is not limited to:

- be based on the findings of an approved Noise Impact Assessment prepared by a suitably qualified acoustic engineer;
- specify noise limits for amplified and non-amplified music from the Hotel, consistent with Condition 1;
- include measures to ensure amplified and non-amplified noise limits are complied with;
- identify a nominated contact person responsible for managing noise during each event; and
- include noise complaint record-keeping and response protocols consistent with Condition 4.

CONSTRUCTION NOISE CONDITIONS

6. CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN

6.1 Prior to the commencement of works for the Project, a Construction Noise and Vibration Management Plan (CNVMP) must be prepared by a suitably qualified person and submitted to and endorsed by the Commission.

6.2 When endorsed, the CNVMP will form part of the permit and must be provided to the Planning Authority.

6.3 The CNVMP must be prepared in accordance with the Environmental Management and Pollution Control (Noise) Regulations 2016 (Tas) and the Environmental Management and Pollution Control Act 1994 (Tas), and must be certified by a suitably qualified person as being generally consistent with AS 2436-2010 Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites and the Interim Construction Noise Guidelines (New South Wales Department of Environment and Climate Change, July 2009), and with any relevant guidelines or standards referenced by those documents.

6.4 The CNVMP must detail activities likely to generate noise emissions and measures to mitigate impacts, including but not limited to:

- identification of a suitably qualified person, appointed as the Responsible Person(s) with respect to noise and vibration;
- training for workers and contractors in the use of equipment and carrying out works to minimise noise;
- avoiding, where reasonably possible, the use of radios or stereos outdoors;
- monitoring and rectification of any defective exhaust systems in trucks and machinery used on site;
- ensuring vehicles, plant and equipment are switched off when not in use;
- controlling working hours on site to 7:00am to 6:00pm on weekdays and 8:00am to 1:00pm on Saturdays, with no work on Sundays or public holidays;
- preparation of a communications plan to ensure the local community is advised of expected activities, coordinating scheduling and locations of noisy works around any critical user events where practicable; and
- use or implementation, where practicable, of sound damping measures on vehicles.

DEFINITIONS

General Operations: Uses associated with the day-to-day operation of the Hotel, including short-stay accommodation, and retail and restaurant uses.