



City of  
**LAUNCESTON**

# **SPECIAL COUNCIL MEETING AGENDA**

**SPECIAL COUNCIL MEETING  
THURSDAY 8 JANUARY 2026  
10:30 AM**

---

Notice is hereby given that the Special Meeting of the City of Launceston Council will be held at the Council Chambers, Town Hall, St John Street, Launceston:

Date: 8 January 2026

Time: 10:30 am

---

### Certificate of Qualified Advice

#### Background

To comply with section 65 of the *Local Government Act 1993* (Tas):

1. A General Manager must ensure that any advice, information or recommendation given to the Council, or a Council committee, is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
2. A Council or Council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless -
  - (a) the General Manager certifies, in writing -
    - (i) that such advice was obtained; and
    - (ii) the General Manager took the advice into account in providing general advice to the Council or Council committee; and
  - (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the Council or Council committee with the General Manager's certificate.

#### Certification

I certify that:

- (i) the advice of a qualified person has been sought where required;
- (ii) this advice was taken into account in providing general advice to the Council or Council committee; and
- (iii) a copy of the advice, or a written transcript or summary of advice provided orally, is included with the agenda item.



**Sam Johnson OAM**  
Chief Executive Officer

---

## VIDEO and AUDIO STREAMING of Council MEETINGS

The video and audio of open sessions of ordinary Council meetings and special Council meetings that are held in the Council Chambers at Town Hall, will be streamed live via the Council's meeting stream channel on YouTube.

Video and audio streaming and recording of this Council Meeting, except for any part held in Closed Session, will be made in accordance with our Video and Audio Streaming of Meetings Policy - 17-Plx-017.

This Council Meeting will be streamed live to and can be accessed at:  
[www.launceston.tas.gov.au/Council/Meetings/Watch-and-Listen](http://www.launceston.tas.gov.au/Council/Meetings/Watch-and-Listen)

The audio-visual recording equipment will be configured in a way which avoids coverage of the public gallery area and Council will endeavour to ensure images in this area are not streamed. However, Council expressly provides no assurances to this effect and by entering or exiting the Council Chamber or by remaining in the public gallery area, it is assumed that consent has been given to the Council to broadcast images and audio recordings.

The Mayor or their representative will provide notice that the meeting will be recorded through live streaming. By attending a Council meeting, attendees will be taken to have consented to their image, speech or statements being live streamed.

For further information, please refer to our Video and Audio Streaming of Meetings Policy and our Privacy Policy available at:  
<https://www.launceston.tas.gov.au/Council-Region/Legislation-and-Policy/Policy>

## PUBLIC COMMENT ON AGENDA ITEMS

When attending the Council Meeting, you will be asked if you wish to comment on an item in the Agenda. Prior to debate on that Agenda Item, you will be invited by the Chair to move to the public microphone at the doors to the Council Chambers and state your name and address.

Please note the following important information:

- Each item on the Agenda includes a Recommendation prepared by a Council Officer.
- You may speak for up to two minutes, either for or against the Recommendation.
- You may not ask questions or enter into debate with Councillors or Council Officers.
- Your statement is not to be defamatory, inappropriate or abusive, or be intended to embarrass any person, including Councillors or Council Officers.
- The Chair may direct you to stop speaking if you do not follow these rules, or if your statement repeats points that have already been made.
- Audio from our Council Meetings is streamed live via YouTube.

Your respectful contribution is welcome and appreciated.

**LEGISLATIVE TERMINOLOGY - GENERAL MANAGER**

**At the City of Launceston, the title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993 (Tas)*. For the avoidance of doubt, *Chief Executive Officer* means *General Manager* for the purposes of the *Local Government Act 1993 (Tas)* and all other legislation administered by or concerning Council.**

---

**ORDER OF BUSINESS**

**1. OPENING OF MEETING - STATEMENT, ATTENDANCE AND APOLOGIES .....6**

**2. COMMENCEMENT TIME OF MEETING .....7**

**2.1. Commencement Time of Meeting .....7**

**3. DECLARATIONS OF INTEREST .....8**

**4. PLANNING AUTHORITY .....9**

**4.1. Development Application DA0312/2025 - 160-172A Bathurst Street - Change  
        of Use to a Medical Centre, Physiotherapy Consultancy, and Gymnasium .....9**

**5. MEETING CLOSURE .....40**

**1. OPENING OF MEETING - STATEMENT, ATTENDANCE AND APOLOGIES**

*Local Government (Meeting Procedures) Regulations 2025 - regulation 8*

An audio visual recording is being made of the meeting.

All persons attending the meeting are to be respectful of, and considerate towards, other persons attending the meeting.

Language and conduct at the meeting that could be perceived as offensive, defamatory or threatening to a person attending the meeting, or listening to the recording, is not acceptable.

**2. COMMENCEMENT TIME OF MEETING**

**2.1. Commencement Time of Meeting**

*Local Government (Meeting Procedures) Regulations 2025 - Regulation 7(1) - A meeting is not to start before 5.00pm unless otherwise determined by absolute majority or by the Council committee by simple majority.*

*This decision requires an absolute majority of Council.*

**RECOMMENDATION:**

That Council:

1. By absolute majority, pursuant to regulation 7(1) of the *Local Government (Meeting Procedures) Regulations 2025*, determines that this Special Council Meeting is to start at or as soon as possible after 10.30am on Thursday 8 January 2026.

**3. DECLARATIONS OF INTEREST**

*Local Government Act 1993 (Tas) - section 48*

*Local Government (Meeting Procedures) Regulations 2025 – regulation 39(1)(f)*

*(A Councillor must declare any interest that the Councillor has in a matter before any discussion on that matter commences).*

#### 4. PLANNING AUTHORITY

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 4 - Planning Authority.

##### 4.1. Development Application DA0312/2025 - 160-172A Bathurst Street - Change of Use to a Medical Centre, Physiotherapy Consultancy, and Gymnasium

**FILE NO:** DA0312/2025

**AUTHOR:** Jen Welch (Senior Town Planner)

**APPROVER:** Chelsea van Riet (Executive Leader Community Assets and Design)

#### DECISION STATEMENT:

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

#### PLANNING APPLICATION INFORMATION:

<b>Applicant</b>	Philp Lighton Architects Pty Ltd
<b>Site</b>	160-172A Bathurst Street (also identified as 164 Bathurst Street). Certificates of Title 100993/1 and 2, 106835/1, 223249/1, 169196 /1 and 2
<b>Proposal</b>	DA0312/2025 - Business and Professional Services and Sports and Recreation - Change of use to a medical, physiotherapy consultancy and gymnasium, including associated works at 160-172A Bathurst Street Launceston.
<b>Zoning</b>	Commercial Zone
<b>Codes</b>	C1.0 Signs Code C2.0 Parking and Sustainable Transport Code C3.0 Road and Railway Assets Code C14.0 Potentially Contaminated Land Code C15.0 Landslip Hazard Code
<b>Use Class</b>	Business and Professional Services, and Sports and Recreation.

<b>Standards assessed through performance criteria</b>	17.3.2 Discretionary uses P1 C1.6.1 Design and siting of signs P1 C1.6.2 Illuminated signs P1 C2.6.5 Pedestrian access P1 C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction P1
<b>Public Notification</b>	29 November 2025 to 15 December 2025
<b>Representations</b>	7
<b>Deemed Approval</b>	8 January 2026

**RELEVANT LEGISLATION:**

*Land Use Planning and Approvals Act 1993*  
Tasmanian Planning Scheme - Launceston

**PREVIOUS COUNCIL CONSIDERATION:**

Special Meeting - 23 December 2025 - Development Application DA0312/2025 - 160-172A Bathurst Street - Change of Use to a Medical Centre, Physiotherapy Consultancy, and Gymnasium

**RECOMMENDATION:**

That in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme - Launceston, a permit be granted for Business and Professional Services and Sports and Recreation - Change of use to a medical, physiotherapy consultancy and gymnasium, including associated works at 160-172A Bathurst Street, Launceston, subject to the following conditions:

**1. ENDORSED PLANS & DOCUMENTS**

The use and development must be substantially in accordance with the endorsed plans and documents to the satisfaction of the Senior Leader City Development unless modified by a condition of the Permit:

- a. Site Plan - DA, Philp Lighton Architects, DA002, 164 Bathurst St Launceston, Rev B, 17/09/2025.
- b. Existing Plan - DA, Philp Lighton Architects, DA003, 164 Bathurst St Launceston, Rev B, 17/09/2025.
- c. Demolition Plan - DA, Philp Lighton Architects, DA004, 164 Bathurst St Launceston, Rev B, 17/09/2025.
- d. Lower Ground Floor Plan - DA, Philp Lighton Architects, DA005, 164 Bathurst St Launceston, Rev B, 17/09/2025.
- e. Upper Floor Plan - DA, Philp Lighton Architects, DA006, 164 Bathurst St Launceston, Rev B, 17/09/2025.
- f. Roof Plan - DA, Philp Lighton Architects, DA007, 164 Bathurst St Launceston, Rev B, 17/09/2025. - Amended plans required
- g. Ceiling Plan - DA, Philp Lighton Architects, DA008, 164 Bathurst St Launceston, Rev B, 17/09/2025.
- h. Building Elevations - DA, Philp Lighton Architects, DA009, 164 Bathurst St Launceston, Rev B, 17/09/2025. - Amended plans required
- i. Building Section - DA, Philp Lighton Architects, DA010, 164 Bathurst St Launceston, Rev B, 17/09/2025.

- j. Site Plan, Woolcott Land Services, V 1.0, page no 1, 18/03/25.
- k. Development Application - Further Information Request, Philp Lighton Architects, 164 Bathurst St Launceston.
- l. Traffic Impact Assessment, Traffic and Civil Services, v. Final #3, 10/25.
- m. Infrastructure Report, Collective Consulting, Keiser Launceston Redevelopment, v 01, 20/11/25.
- n. Overall site plan, Collective Consulting, C100, Keiser Launceston Redevelopment, Rev C, 30/10/25
- o. Existing site/demolition plan, Collective Consulting, C101, Keiser Launceston Redevelopment, Rev D, 20/11/25
- p. Infrastructure plan, Collective Consulting, C401, Keiser Launceston Redevelopment, Rev F, 20/11/25
- q. Civil works plan, Collective Consulting, C501, Keiser Launceston Redevelopment, Rev D, 30/10/25
- r. Vehicle turning movements - sheet 1, Collective Consulting, C701, Keiser Launceston Redevelopment, Rev A, 30/10/25
- s. Vehicle turning movements - sheet 2, Collective Consulting, C702, Keiser Launceston Redevelopment, Rev A, 30/10/25
- t. Sections and Details - sheet 1, Collective Consulting, C801, Keiser Launceston Redevelopment, Rev C, 30/10/25
- u. Sections and Details - sheet 2, Collective Consulting, C802, Keiser Launceston Redevelopment, Rev C, 30/10/25
- v. Sections and Details - sheet 3, Collective Consulting, C803, Keiser Launceston Redevelopment, Rev C, 30/10/25
- w. Kieser LED Illuminated fabricated letters, Bounce LED, 01/07/25.
- x. External signage, CS&G, Kieser Launceston, v3, page 1-3, 5/8/25.

## **2. AMENDED PLANS REQUIRED**

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Senior Leader City Development to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed and will then form part of the Permit. The amended plans must show:

- a. Screening of rooftop mechanical plant.
- b. A lighting plan demonstrating provision of lighting for the external car park.

Amended plans should include identification information such as updated revision numbers, revision date and revision description. The changes are to be highlighted in red clouds or a format agreed with the planning officer.

## **3. USE OF SHELL TENANCY**

The shell tenancy shown on the plans is not to be occupied until a permit is obtained for the use of the tenancy.

## **4. ILLUMINATED SIGNS HOURS OF OPERATION**

Illuminated signs are only to be illuminated from 7am to 7pm Monday to Friday and 7am to 1pm Saturday.

**5. EXIT DOOR ONTO EXISTING LANEWAY**

Prior to the construction of the exit door onto the existing laneway, a right of way must be established on the applicable certificate of title to provide legal access.

**6. LIGHTING OF CAR PARK**

The lighting of the car park area must be located and designed with suitable baffles so that no direct light is emitted outside the boundaries of the site.

**7. 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.

**8. DELIVERY HOURS**

Deliveries to and from the site by heavy vehicles (including trade waste collection) must only occur between:

- a. 7 am and 9 pm Monday to Saturday.
- b. 8 am and 9 pm Sunday and Public Holidays.

**9. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2025/01137-LCC dated 25/11/2025 and attached to the permit.

**10. BUSINESS HOURS**

The operation of (specify all components, e.g. factory, shop, warehouse except office use) must be confined to:

- a. 7 am and 9 pm Monday to Saturday.
- b. 8 am and 9 pm Sunday and Public Holidays.

**11. HOURS OF CONSTRUCTION**

a) Unless otherwise approved in writing by the Senior Leader Health and Compliance construction activities must only be carried out between the hours of:

- i. Monday to Friday - 7 am to 6 pm; and
- ii. Saturday - 8 am to 6 pm.

b) Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed state-wide (Easter Tuesday excepted).

**12. SIGNAGE CONTENT (STATIC)**

Content of the sign may be updated or changed without separate approval of Council, subject to:

- a. The structure, location and size of the signage not changing.
- b. The content of the signage relating to the site.
- c. Compliance with the requirements of the planning scheme.

**13. SIGN MAINTENANCE (STATIC)**

The signs must be constructed and maintained in good condition to the satisfaction of the Council.

**14. SIGN ILLUMINATION (STATIC)**

The illuminated signs permitted by this permit must have a maximum luminance level of 1200 nit and must only be illuminated during the operating hours of the business.

Flashing or intermittent lighting must not be used in the signs permitted by this permit.

**15. DAMAGE TO Council INFRASTRUCTURE AND ASSETS**

The developer is liable for all costs associated with the repair of damage to Council infrastructure and assets resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to Council infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

**16. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE**

Prior to commencing any works in (or requiring the occupation of) the Road Reserve the applicant must receive written authorisation from the Road Asset Owner within the City of Launceston.

This includes but is not limited to occupying space with skip bins, construction equipment, hoarding, scaffolding, the use of machinery and facilitating service connections.

Any implementation of temporary traffic controls will also require written approval.

**17. SINGLE STORMWATER CONNECTIONS**

All proposed new pipelines must be connected to the existing internal drainage network for the property. It is not permitted to have multiple connections to Council's stormwater mains.

**18. VEHICULAR CROSSINGS (AND ASSOCIATED FOOTPATH WORKS)**

No works to install, remove or modify a vehicular crossing are to be undertaken without the issue of a Vehicular Crossing Permit for the works. Modification of a vehicular crossing includes any widening of the kerb layback or the driveway apron, in any form whatsoever.

Remove redundant vehicular crossings in Crown Street and Frankland Street

An application for such work must be lodged electronically via the Council eServices web portal or on the approved hard copy form.

All new works must be constructed to Council standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading non trafficable trenches to a trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg TasWater, Telstra and TasNetworks, etc.). Where applicable, any redundant crossovers and driveways must be removed once the new driveway and/or crossover works have been completed and use has commenced.

The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense. Where the driveway crossing works result in changes to existing parking restrictions (bay markings, linemarking and/or signage) these works must be undertaken by Council under an approved Traffic Facilities Plan with the cost of these works to be invoiced to the applicant/developer for payment.

#### **19. SOIL AND WATER MANAGEMENT PLAN**

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites. No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant. The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

#### **20. FACILITIES AND HIGHWAYS BY-LAW**

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.

#### **21. AMENITY - COMMERCIAL/INDUSTRIAL USE**

The construction phase and on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the works or materials; the emission of noise, artificial light, vibration, odour, smoke, dust, waste water, waste products, oil or any other source of nuisance.

#### **22. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)**

Prior to the commencement of excavation, earthworks or construction, a construction environmental management plan (CEMP) demonstrating that the proposal does not adversely impact on health and the environment must be submitted to the satisfaction of the Senior Leader Health and Compliance. The CEMP must address as a minimum:

- a) How noise from cement cutting and sand blasting will be managed; and
- b) How sediment and dust generation is to be monitored and mitigated from cement cutting and sand blasting; and
- c) How waste will be stored, transported and disposed of.

#### **23. EXTERIOR AND SECURITY LIGHTING**

Exterior lighting and security lighting is to comply with the Australian Standard AS4282 'Control of the obtrusive effects of outdoor lighting' or any subsequent versions.

## 24. DEMOLITION

The developer must:

- a) protect property and services which are to either remain on or adjacent to the site from interference or damage;
- b) not undertake any burning of waste materials or removed vegetation;
- c) remove all rubbish from the site for disposal at a licensed waste disposal site;
- d) dispose of any asbestos found during demolition in accordance with the Safe Work Australia 'How to Safely Remove Asbestos: Code of Practice, July 2020', or any subsequent versions of the document.

## 25. POTENTIAL SITE CONTAMINATION - NEW INFORMATION

Any new information which comes to light during demolition or construction works that has the potential to alter previous conclusions about site contamination must be notified to Council (and the Environmental Protection Authority if relevant) immediately upon discovery. Works on site must immediately cease until the new information has been assessed. Works can only recommence:

- a) once the site has been assessed by a site contamination practitioner certified under the Environment Institute of Australia and New Zealand Inc's Certified Environmental Practitioners (Site Contamination) scheme; and
- b) in accordance with any additional recommended control measures as specified by the site contamination practitioner.

## 26. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect or a licensed building practitioner, such as a building surveyor or a building designer, be consulted to determine the requirements for any associated building, plumbing or demolition work under the *Building Act 2016*.

## 27. ON-STREET PARKING PROVISION

Prior to commencing works, an investigation is to be undertaken to establish whether on-street parking can be provided where redundant vehicle crossings are to be removed on Frankland Street and Crown Street. Parking spaces are to be in accordance with Council standards and are to be constructed at the applicant's expense.

### Notes

#### A. General

*This permit was issued based on the proposal documents submitted for DA0312/2025. 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 Tasmanian Civil & Administrative Appeal Tribunal (TASCAT) is withdrawn 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.*

*The permit lapses after a period of two (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.*

**B. 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 enquiries as to whether the proposed development is affected, 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.*

**C. Appeal Provisions**

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Tasmanian Civil & Administrative Tribunal (TASCAT).*

*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 Tasmanian Civil & Administrative Tribunal (TASCAT) website [www.tascat.tas.gov.au](http://www.tascat.tas.gov.au) <<http://www.tascat.tas.gov.au>>*

**D. 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.*

**E. Neighbouring Vegetation**

*Consideration should be given to ensuring minimal disruption to existing vegetation on the northern and eastern elevations of the building.*

**F. Sale of food and beverages**

*If food and/or beverages are to be sold to visitors, the Food Act 2003 will apply and the operator must notify the Council prior to operating the food business.*

**G. Fixed Equipment Use**

*Use of fixed equipment (e.g. heat pumps, water pumps, swimming pool pumps) is subject to the Environmental Management and Pollution Control (Noise) Regulations 2016 or any subsequent versions of this regulation.*

**H. Cooling Towers**

*The owner of a cooling tower or warm water system is required to obtain registration with Council in accordance with the Public Health Act 1997 and comply with the 'Guidelines for the Control of Legionella in Regulated Systems' or any subsequent versions of the document.*

## **BACKGROUND:**

At the Special Council Meeting held on 23 December 2025, a motion to approve Development Application DA0312/2025 - 160-172A Bathurst Street - Change of Use to a Medical Centre, Physiotherapy Consultancy and Gymnasium was moved and received a tied vote of 5:5. Under regulation 32 of the *Local Government (Meetings Procedures) Regulations 2025*, a tied vote results in the motion being determined in the negative, so the motion was lost. No further vote was taken.

Items for decision by Council in their capacity of the Planning Authority require a positive determination to grant or refuse a Development Permit. Although the motion was decided in the negative, there was no determination to grant or to refuse the application as required under the *Land Use Planning and Approvals Act 1993*.

As a result of the tied vote, the planner's professional advice has been amended to include Condition 27. On-street Parking Provision. Accordingly, the Recommendation for Development Application DA0312/2025 - 160-172A Bathurst Street - Change of Use to a Medical Centre, Physiotherapy Consultancy and Gymnasium, remains substantially the same as the motion tabled at the Special Meeting held on 23 December 2025.

Councillors may choose to move a motion for refusal or an alternative motion with additional conditions, if the recommendation is unsupported.

A determination to grant or refuse the development permit is required on 8 January or the matter will be deemed approved with conditions to be set by the Tasmanian Civil and Administrative Appeal Tribunal (TASCAT).

## **ORIGINAL REPORT:**

### **1. THE PROPOSAL**

The proposed development is for the redevelopment of the existing building and change of use to medical, physiotherapy consultancy and gymnasium. The proposal includes demolition of the interior of the building, retention of the exterior and roof of the building and conversion to a two-storey building within the envelope. Two tenancies will be created, one with a yet undetermined use, and the other intended as a 'medical consultancy, physiotherapy and training purposes'.

The ground floor includes two tenancies, one is proposed to be vacant, while the other is for 'Keiser'. The Keiser tenancy includes a reception area, gym equipment, therapy and consulting rooms and amenities for staff and clients. Access to the Keiser tenancy is through a reception on the frontage to Frankland Street and there is a shared lobby that is accessed via the lower ground car park.

The lower ground floor will be for carparking, with some modifications to allow access from Crown Street. Modifications are proposed to the existing car park accessed from Frankland Street to improve accessibility and compliance with standards for parking. The proposal includes the removal of two on-street car parking spaces on Crown Street to facilitate vehicle access to the on-site car parking.

Signage is proposed on frontages to Crown Street, Frankland Street and the carpark on the corner of Bathurst and Frankland Street and includes illuminated signage.

The proposed hours of operation are 7am to 7pm Monday to Friday and 7am to 1pm Saturday.

## 2. LOCATION AND NEIGHBOURHOOD CHARACTER



160-172A Bathurst Street, Launceston (not to scale)

The subject site includes three tenancies, the existing trailer manufacturer to be redeveloped, the former computer store and a NDIS provider, with shared parking areas. The site has frontage to Frankland Street to the south, Bathurst Street to the east and Crown Street to the west. The existing building for redevelopment is a substantial industrial building with existing signage fronting onto Frankland and Bathurst Street.

To the north, are three terrace houses fronting Twining Street that are all listed on the Tasmanian Heritage Register. On the eastern side of the city block are six terrace houses facing Bathurst Street that are also on the Tasmanian Heritage Register. The city block has a central lane that is accessed from Twining Street and there is an informal parking area on the junction of Twining and Bathurst Street. The terrace houses have limited off-street parking and generally have vehicle access from the lane as they are built to the front boundaries.

To the east, the site is separated from the Launceston General Hospital by Bathurst and Wellington Street, Department of State Growth is the road authority for both of these roads. No crossing is available at the junction of these roads and Frankland Street.

To the south is Frankland Street, and a TasWater detention basin. The street provides unrestricted on-street car parking along the opposite side of the road.

To the west is Crown Street, a narrow street that has around a 9.1m road reserve, 5.2m carriage and footpaths on either side. The use and development on the other side of Crown Street is a mix of established commercial activities, backing on to recent residential development. The city block has undergone significant intensification of use and development in recent years.

### 3. PLANNING SCHEME REQUIREMENTS

The assessment against the Tasmanian Planning Scheme - Launceston is detailed in Attachment 1.

#### 3.1 Zone Purpose

##### 17.0 Commercial Zone

The purpose of the Commercial Zone is:

17.0.1 To provide for retailing, service industries, storage and warehousing that require:  
(a) large floor or outdoor areas for the sale of goods or operational requirements; and  
(b) high levels of vehicle access and parking for customers.

17.0.2 To provide for a mix of use and development that supports and does not compromise or distort the role of other activity centres in the activity centre hierarchy.

##### **Consistent**

The site has limited opportunity for uses that are specified in Purpose Statement 17.1.1 and permitted uses in 17.2 Use Table, as there is limited space to provide for a large floor area as well as a high level of parking.

The proposal provides for a mix of use and development that is consistent with its proximity to Launceston as the Principal Activity Centre.

The proposal is considered to be consistent with the purpose of the Commercial Zone.

##### 17.3.1 All uses

That uses do not cause an unreasonable loss of residential amenity to residential zones.

##### **Consistent**

The proposal is consistent with the objective through compliance with the Acceptable Solution.

A1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must be within the hours of:

- (a) 7.00am to 9.00pm Monday to Saturday; and
- (b) 8.00am to 9.00pm Sunday and public holidays.

<p><b>Complies</b> The site is within 50m of the Inner Residential Zone. The proposed use does not require access for commercial vehicles, however any vehicles that may be used are capable of being conditioned to comply with the Acceptable Solution.</p>
<p>A2 External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must:</p> <ul style="list-style-type: none"> <li>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</li> <li>(b) if for security lighting, be baffled so that direct light does not extend into the adjoining property in those zones.</li> </ul>
<p><b>Complies</b> The site is within 50m of the Inner Residential Zone. An external lighting plan has not been provided, however illuminated signage has been proposed.</p> <ul style="list-style-type: none"> <li>(a) External lighting is capable of being conditioned to hours of operation in accordance with the standard.</li> <li>(b) Security lighting is capable of being conditioned to be baffled in accordance with the standard.</li> </ul> <p>The proposal complies with the standard.</p>
<p>A3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>
<p><b>Complies</b> The site is within 50m of the Inner Residential Zone. Proposed hours of operation are capable of being conditioned to allow for commercial vehicles complying with the Acceptable Solution.</p>

### 17.3.2 Discretionary uses

<p>That uses listed as Discretionary do not compromise or distort the activity centre hierarchy.</p>
<p><b>Consistent</b> The proposed use is considered not to compromise the activity centre hierarchy as it is located on the edge of the Launceston Central Area and contributes to the function of Launceston as the Principal Activity Centre.</p>
<p>A1 No Acceptable Solution.</p>
<p><b>Relies on Performance Criteria</b> Mandatory discretion.</p>
<p>P1 A use listed as Discretionary must not compromise or distort the activity centre hierarchy, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the size and scale of the proposed use;</li> <li>(c) the functions of the activity centre and the surrounding activity centres; and</li> <li>(d) the extent that the proposed use impacts on other activity centres.</li> </ul>

**Complies**

The proposed use is for Business and Professional Services use class for consulting rooms for activities including medical consultancy and physiotherapy. Due to the proposed training area the proposal has also been considered for the Sports and Recreation use class for gymnasium and fitness centre.

The proposal includes a large open shell space with no specified use. An application will be required to seek approval for a use, this is considered appropriate to include as a condition on the permit.

The proposal is considered for its impacts on the activity centre hierarchy in response to the criteria as follows:

- a) The building is approved for an existing service industry use. The proposal would enable redevelopment and adaptive reuse of the existing building.
- b) The proposed use requires a large open floor plan to accommodate physiotherapy equipment.
- c) The site is on the edge of the Launceston Central Area and the use would contribute to the function of Launceston as the Principal Activity Centre. The role of the Principal Activity Centre is defined in the Northern Regional Land Use Strategy as follows:

*The primary hub for Northern Tasmania, the region and the Greater Launceston Area in terms of business, government administration, leisure, entertainment and tourism services providing a comprehensive range of services and facilities including public transport.*

*Provides high level of public amenity and quality urban design in both building design and provision of public spaces.*

The proposed activity is considered to be consistent with this role. As Launceston is the Principal Activity Centre all others are considered to function as subsidiary activity centres. The building is considered positive to the Council's cultural heritage.

d) the proposal is not considered likely to impact on other Activity Centres.

The proposal is considered to consolidate and reinforce the Activity Centre Hierarchy.

The proposal complies with the Performance Criteria.

**17.4.1 Building height**

That building height:

- (a) is compatible with the streetscape; and
- (b) does not cause an unreasonable loss of amenity to adjoining residential zones.

**Consistent**

The proposal is consistent with the objective through compliance with the Acceptable Solution.

A1 Building height must be not more than 12m.

**Complies**

The proposal includes additional plant on the site to a height of 9.3m, which is less than the height of the existing development and complies with the standard.

A2 Building height:

- (a) within 10m of a General Residential Zone, Low Density Residential Zone or Rural Living Zone must be not more than 8.5m; or
- (b) within 10m of an Inner Residential Zone must be not more than 9.5m.

**Complies**

The proposal includes additional plant on the site to a height of 9.3m, this development is not proposed within 10m of the Inner Residential Zone, complying with the standard.

17.4.2 Setbacks

That building setback:

- (a) is compatible with the streetscape; and
- (b) does not cause an unreasonable loss of amenity to adjoining residential zones.

**Consistent**

The proposed development does not change the existing building setbacks.

A3 Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone.

**Complies**

The proposed plant on the roof of the building would be setback in excess of 10m from the Inner Residential Zone.

17.4.3 Design

That building design is compatible with the streetscape.

**Consistent**

The proposal is consistent with the objective through compliance with the Acceptable Solution.

A1 Buildings must be designed to satisfy all the following:

- (a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;
- (b) mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, must be screened from the street and other public places;
- (c) roof-top mechanical plant and service infrastructure, excluding lift structures, must be contained within the roof or screened from public spaces and adjoining properties;
- (d) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places;
- (e) provide awnings over a public footpath if existing on the site or on adjoining properties; and
- (f) provide external lighting to illuminate external vehicle parking areas and pathways.

**Complies**

The proposed building satisfies the standard as follows:

- a) The pedestrian access to the building is clearly located on the Frankland Street frontage of the site.
- b) and c) mechanical plant is proposed on the roof of the building and will not be seen from adjoining properties. A condition is considered appropriate to ensure that it is screened from streets and public places.
- d) The proposal does not include any security shutters or grilles.
- e) There are no awnings over adjoining public footpaths and so therefore it is not required for the proposal.
- f) A condition is considered appropriate to ensure that lighting is provided to the external vehicle parking areas.

The proposal complies with the Acceptable Solution.

17.4.6 Landscaping

That landscaping enhances the amenity and appearance of the streetscape where buildings are setback from the frontage.

**Consistent**

The proposal is consistent with the objective through compliance with the Acceptable Solution.

A1 If a building is set back from a road, landscaping treatment must be provided along the frontage of the site:

- (a) to a depth of not less than 5.5m; or
- (b) not less than the frontage of an existing building if it is a lesser distance.

**Complies**

No change is proposed to the existing setbacks of the building, which includes development to the frontage on both Frankland Street and Crown Street in compliance with the standard.

C1.0 Signs Code

The purpose of the Signs Code is:

C1.1.1 To provide for appropriate advertising and display of information for business and community activity.

C1.1.2 To provide for well-designed signs that are compatible with the visual amenity of the surrounding area.

C1.1.3 To ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.

**Consistent**

The proposal includes three (3) internally illuminated wall signs as follows:

- 1. Frankland Street, South Elevation - 5.8m wide x 2.1m high.
- 2. Bathurst Street, East Elevation - 7.7m wide x 1.2m high.
- 3. Crown Street, West Elevation - 7.7m wide x 1.2m high.

The proposed signs are considered to be consistent with the purpose of the signs code.

C1.6.1 Design and siting of signs

That:

- (a) signage is well designed and sited; and
- (b) signs do not contribute to visual clutter or cause an unreasonable loss of visual amenity to the surrounding area.

<p><b>Consistent</b></p> <p>The proposed signs are well designed and result in an overall reduction in the number of signs.</p>
<p>A1 A sign must:</p> <ul style="list-style-type: none"><li>(a) be located within the applicable zone for the relevant sign type set out in Table C1.6; and</li><li>(b) meet the sign standards for the relevant sign type set out in Table C1.6, excluding for the following sign types, for which there is no Acceptable Solution:<ul style="list-style-type: none"><li>(i) roof sign;</li><li>(ii) sky sign; and</li><li>(iii) billboard.</li></ul></li></ul>
<p><b>Relies on Performance Criteria</b></p> <p>The proposed signs are considered as follows:</p> <ul style="list-style-type: none"><li>(a) All proposed signs are wall signs, which are in the applicable zone in Table C1.6.</li><li>(b) The proposed signs are assessed in response to the requirements as follows:<ul style="list-style-type: none"><li>(i) None of the signs would extend beyond the wall.</li><li>(ii) All three signs would have an area exceeding 4.5m<sup>2</sup>, requiring assessment in response to the Performance Criteria.</li><li>(iii) None of the signs would exceed 25% of the wall area.</li></ul></li></ul> <p>A response is required to the Performance Criteria.</p>
<p>P1.1 A sign must:</p> <ul style="list-style-type: none"><li>(a) be located within an applicable zone for the relevant sign type as set out in Table C1.6; and</li><li>(b) be compatible with the streetscape or landscape, having regard to:<ul style="list-style-type: none"><li>(i) the size and dimensions of the sign;</li><li>(ii) the size and scale of the building upon which the sign is proposed;</li><li>(iii) the amenity of surrounding properties;</li><li>(iv) the repetition of messages or information;</li><li>(v) the number and density of signs on the site and on adjacent properties; and</li><li>(vi) the impact on the safe and efficient movement of vehicles and pedestrians.</li></ul></li></ul>
<p><b>Complies</b></p> <p>The proposed signs all exceed the dimensions specified in Table C1.6 and are considered in response to the criteria as follows:</p> <ul style="list-style-type: none"><li>(a) All proposed signs are wall signs, which are in the applicable zone in Table C1.6.</li><li>(b) The proposed signs are considered as follows:<ul style="list-style-type: none"><li>(i) the size and dimensions would be:  Sign 1 - 5.8m wide x 2.1m high, area = 6.96m<sup>2</sup>; this is smaller than the existing sign on Frankland Street, which has an area of 55m<sup>2</sup>  Sign 2 - 7.7m wide x 1.2m high, area = 9.24m<sup>2</sup>; this is marginally larger than the existing approved sign on Crown Street, which has an area of 9m<sup>2</sup>.  Sign 3 - 7.7m wide x 1.2m high, area = 9.24m<sup>2</sup>.</li><li>(ii) The building is a substantial sized industrial building and the size of signage is considered appropriate to this scale.</li><li>(iii) The signs face non-residential zones and would not impact on the amenity of surrounding properties.</li></ul></li></ul>

- (iv) There would be a single sign on each elevation, which is not considered to be unnecessary repetition. The proposal would result in less signs on the Frankland Street elevation than there is for the existing development.
- (v) The site is in an established urban area with various signage on surrounding commercial buildings.
- (vi) The signs will not impact on safe and efficient movement of vehicles.

In considering the responses to the criteria the signs are compatible with the existing signs and streetscape.

The proposal complies with the Performance Criteria.

A2 A sign must be not less than 2m from the boundary of any lot in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone or Landscape Conservation Zone.

**Complies**

The proposed signs are in excess of 2m from the Inner Residential Zone.

A3 The number of signs for each business or tenancy on a road frontage of a building must be no more than:

- (a) 1 of each sign type, unless otherwise stated in Table C1.6;
- (b) 1 window sign for each window;
- (c) 3 if the street frontage is less than 20m in length; and
- (d) 6 if the street frontage is 20m or more, excluding the following sign types, for which there is no limit:
  - (i) name plate; and
  - (ii) temporary sign.

**Complies**

The proposed signs are considered as follows:

- (a) There would be no change to the number of wall signs on Frankland and Crown Street. There are no existing wall signs on Bathurst Street.
- (b) Not applicable, no window signs are proposed.
- (c) Not applicable, street frontages exceed 20m.
- (d) The proposal reduces the number of signs on Frankland and Crown Street. The number of signs facing Bathurst Street do not exceed 6.

The proposal complies with the standard.

**C1.6.2 Illuminated signs**

That:

- (a) illuminated signs are compatible with the streetscape;
- (b) the cumulative impact of illuminated signs on the character of the area is managed, including the need to avoid visual disorder or clutter of signs; and
- (c) any potential negative impacts of illuminated signs on road safety and pedestrian movement are minimised.

**Consistent**

The proposed signs are considered to be consistent with the existing established streetscape.

A1 No Acceptable Solution.

**Relies on Performance Criteria**

Mandatory Performance Criteria.

P1 An illuminated sign must not cause an unreasonable loss of amenity to adjacent properties or have an unreasonable effect on the safety, appearance or efficiency of a road, and must be compatible with the streetscape, having regard to:

- (a) the location of the sign;
- (b) the size of the sign;
- (c) the intensity of the lighting;
- (d) the hours of operation of the sign;
- (e) the purpose of the sign;
- (f) the sensitivity of the area in terms of view corridors, the natural environment and adjacent residential amenity;
- (g) the intended purpose of the changing message of the sign;
- (h) the percentage of the sign that is illuminated with changing messages;
- (i) proposed dwell time; and
- (j) whether the sign is visible from the road and if so the proximity to and impact on an electronic traffic control device.

**Complies**

The proposed signs are all to be internally illuminated and are considered with respect to the criteria as follows:

- (a) The location of proposed signs is considered as follows:  
Sign 1 would be in the location of an existing externally illuminated sign facing Frankland Street.  
Sign 2 would be at the southern end of the east elevation, in the commercial end of the street.  
Sign 3 is at the southern end of the west elevation, in an established commercial area.
- (b) The sizes of proposed signs are:  
Sign 1 would be smaller than the existing sign - 5.8m wide x 2.1m high, area = 6.96m<sup>2</sup>  
Sign 2 would be 7.7m wide x 1.2m high, area = 9.24m<sup>2</sup>  
Sign 3 would be 7.7m wide x 1.2m high, area = 9.24m<sup>2</sup>  
Illumination of all signs is for internally illuminated acrylic lettering, limiting the extent of the overall illumination.
- (c) All signs are proposed to be internally illuminated, the intensity can be conditioned to manage potential impacts.
- (d) The hours of the operation can be conditioned to align with the proposed opening hours.
- (e) The purpose of the sign is to clearly advertise the activities of the proposed use.
- (f) The site is situated in an established commercial area with existing illuminated signs. The proposed signs are separated from adjoining residential properties and does not face them.
- (g) - (i) The proposal does not include changing messages.
- (j) The proposal has been referred to the Department of State Growth, and they do not have concerns with the impact on the road.

In considering the responses to the criteria the illumination of signs are not considered to result in an unreasonable effect on the safety, appearance or efficiency of the road, and is considered to be consistent with the existing established streetscape.

The proposal complies with the Performance Criteria.
A2 An illuminated sign visible from public places in adjacent roads must not create the effect of flashing, animation or movement, unless it is providing direction or safety information.
<b>Complies</b> The proposed sign does not include flashing, animation or movement, a condition will be included on the permit for ongoing compliance.

#### C2.0 Parking and Sustainable Transport Code

The purpose of the Parking and Sustainable Transport Code is: C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development. C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas. C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate. C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area. C2.1.5 To ensure that parking spaces and accesses meet appropriate standards. C2.1.6 To provide for parking precincts and pedestrian priority streets.
<b>Consistent</b> The proposal is considered to provide appropriate parking consistent with the objectives of the code.

#### C2.5.1 Car parking numbers

That an appropriate level of car parking spaces are provided to meet the needs of the use
<b>Consistent</b> The proposal is consistent with the standard through compliance with the Acceptable Solution.
A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if: (a) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: N = A + (C - B) N = Number of on-site car parking spaces required A = Number of existing on site car parking spaces

B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1  
C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.

### Complies

The use that has been applied for is both Business and Professional Services and Sports and Recreation. The standard is considered as follows:

- a) Not applicable, the site is not subject to a parking plan.
- b) Not applicable, the site is not within a parking precinct plan.
- c) Not applicable, the site is not subject to Clause C2.5.5
- d) The proposal is for a change of use, therefore:
  - i) Not applicable, the number of on-site car parking for existing uses does not exceed the number of spaces required.
  - ii) The number of required parking spaces for existing and proposed use are considered below:

A = number of existing on-site car parking spaces = 6 spaces are to be formalised in the parking area accessed from Frankland Street complying with the design and layout standards of the Scheme.

B = number of car parking spaces required for existing approved uses on the site, including all three tenancies, required the following number of car parking spaces:

- Business and Professional Services, office = 150m<sup>2</sup> @ 1 space per 40m<sup>2</sup> floor area = 3.75 spaces
- Service industry, trailer and electrical repairs= 1390m<sup>2</sup> @ 1 space per 80m<sup>2</sup> = 17.375 spaces
- General Retail and Hire, computer store = 480m<sup>2</sup> @ 1 space per 30m<sup>2</sup> = 16 spaces

B = 37.125 spaces for existing approved uses.

C = In accordance with Table C2.1 the existing and proposed use requires the following number of car parking spaces:

- Business and Professional Services, office = 150m<sup>2</sup> @ 1 space per 40m<sup>2</sup> floor area = 3.75 spaces
- General Retail and Hire, computer store = 480m<sup>2</sup> @ 1 space per 30m<sup>2</sup> = 16 spaces
- Business and Professional Services, consulting room = 7 practitioners @ 4 spaces per practitioner = 28 spaces
- Sports and Recreation, fitness centre = 359m<sup>2</sup> + 38m<sup>2</sup> @ 4.5 spaces per 100m<sup>2</sup> = 17.86spaces

C = 66 spaces required

Parking requirements for the shell tenancy have not been calculated, however a future permitted use in the tenancy such as storage would require = 516m<sup>2</sup> @ 1 space per 200m<sup>2</sup> = 2.58 spaces required.

N = number of on-site car parking spaces required = A + (C-B) = 6 + (66-38) = 34 car parking spaces required.

The proposal is for conversion of the existing parking accessed from Frankland Street to 6 parking spaces complying with design and layout standards of the scheme; and 30 spaces accessed from Crown Street. A total of 36 spaces would be provided by the development, where 34 spaces are required for the proposal.

The proposal complies with the Acceptable Solution.

#### C2.5.2 Bicycle parking numbers

That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.

##### **Consistent**

The proposal is consistent with the standard through compliance with the Acceptable Solution.

A1 Bicycle parking spaces must:

- (a) be provided on the site or within 50m of the site; and
- (b) be no less than the number specified in Table C2.1.

##### **Complies**

The proposal includes bicycle parking spaces meeting the standard as follows:

- (a) Bicycle spaces would be provided on site in the parking area accessed from Crown Street, complying with the standard.
- (b) The new use requires:
  - Business and Professional Services, Consulting rooms = 7 practitioners @ 2 spaces for each 8 practitioner = 2 spaces.
  - Sports and Recreation, fitness centre = No requirement.

The Shell Tenancy has not been provided with a use, however most permitted uses in the zone do not have a parking requirement.

The proposal is for only 4 spaces requiring assessment complying with the standard.

#### C2.5.3 Motorcycle parking numbers

That the appropriate level of motorcycle parking is provided to meet the needs of the use

##### **Consistent**

The proposal is consistent with the standard through compliance with the Acceptable Solution.

A1 The number of on-site motorcycle parking spaces for all uses must:

- (a) be no less than the number specified in Table C2.4; and
- (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.

##### **Complies**

The proposal has been assessed as requiring 34 car parking spaces as detailed in response to C2.5.1 A1, therefore according to Table C2.4 1 one motorcycle parking space is required. The proposal is for 2 motorcycle spaces in the parking area accessed from Crown Street, complying with the standard.

#### C2.5.4 Loading Bays

That adequate access for goods delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.

**Consistent**

In accordance with C2.3.3 the proposal is not for the specified uses and therefore the standard does not apply.

C2.6.1 Construction of parking areas

That parking areas are constructed to an appropriate standard.

**Consistent**

The proposal is consistent with the standard through compliance with the Acceptable Solution.

A1 All parking, access ways, manoeuvring and circulation spaces must:

- (a) be constructed with a durable all weather pavement;
- (b) be drained to the public stormwater system, or contain stormwater on the site; and
- (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.

**Complies**

The proposed parking areas are considered as follows:

- (a) No change is proposed to existing hard carparking areas construction.
- (b) Stormwater connections would be provided to parking areas.
- (c) Finishes of car parking areas would be consistent with the existing concrete and asphalt finishes.

The proposal complies with the standard.

C2.6.2 Design and layout of parking areas

That parking areas are designed and laid out to provide convenient, safe and efficient parking.

**Consistent**

The proposal is consistent with the standard through compliance with the Acceptable Solution.

A1.1 Parking, access ways, manoeuvring and circulation spaces must either:

- (a) comply with the following:
  - (i) have a gradient in accordance with *Australian Standard AS 2890 - Parking facilities, Parts 1-6*;
  - (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;
  - (iii) have an access width not less than the requirements in Table C2.2;
  - (iv) have car parking space dimensions which satisfy the requirements in Table C2.3;
  - (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;
  - (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and
  - (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or
- (b) comply with *Australian Standard AS 2890-Parking facilities, Parts 1-6*.

**Complies**

The existing carparking accessed from Frankland Street is unmarked and does not demonstrate compliance with the standards of (a) the proposal would bring the parking area into conformity with the standards. The proposed parking area accessed from Crown Street complies with the standards of (a).

All parking areas comply with the standard.

A1.2 Parking spaces provided for use by persons with a disability must satisfy the following:

- (a) be located as close as practicable to the main entry point to the building;
- (b) be incorporated into the overall car park design; and
- (c) be designed and constructed in accordance with Australian/New Zealand Standard *AS/NZS2890.6:2009 Parking facilities, Off-street parking for people with disabilities*.

**Complies**

The existing parking area accessed from Frankland Street is proposed to include a configuration that includes parking spaces for persons with a disability that complies with the standard.

C2.6.3 Number of accesses for vehicles

That:

- (a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;
- (b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and
- (c) the number of accesses minimise impacts on the streetscape.

**Consistent**

The proposal is consistent with the standard through compliance with the Acceptable Solution.

A1 The number of accesses provided for each frontage must:

- (a) be no more than 1; or
- (b) no more than the existing number of accesses, whichever is the greater.

**Complies**

The proposal reduces the number of accesses on both Frankland Street and Crown Street from two to one in compliance with the standard.

C2.6.5 Pedestrian access

That pedestrian access within parking areas is provided in a safe and convenient manner.

**Consistent**

The proposal is considered to provide appropriate pedestrian access.

A1.1 Uses that require 10 or more car parking spaces must:

- (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:
  - (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or
  - (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and
- (b) be signed and line marked at points where pedestrians cross access ways or parking aisles.

<p><b>Relies on Performance Criteria</b> The proposed use requires 10 or more parking spaces. Footpaths on the lower ground floor are 1.2m wide and do not have separation or signage complying with the standard. Assessment is required in response to the Performance Criteria.</p>
<p>A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>
<p><b>Relies on Performance Criteria</b> The parking area accessible from Frankland Street provides a parking space for a person with a disability, a footpath has not been provided for the space. Assessment is required in response to the Performance Criteria.</p>
<p>P1 Safe and convenient pedestrian access must be provided within parking areas, having regard to:</p> <ul style="list-style-type: none"><li>(a) the characteristics of the site;</li><li>(b) the nature of the use;</li><li>(c) the number of parking spaces;</li><li>(d) the frequency of vehicle movements;</li><li>(e) the needs of persons with a disability;</li><li>(f) the location and number of footpath crossings;</li><li>(g) vehicle and pedestrian traffic safety;</li><li>(h) the location of any access ways or parking aisles; and</li><li>(i) any protective devices proposed for pedestrian safety.</li></ul>
<p><b>Complies</b> The proposed pedestrian circulation in the existing parking area accessed from Frankland Street does not comply with footpath requirements of the acceptable solution and no footpath has been provided for the parking space for a person with a disability.</p> <p>The proposed pedestrian access has been considered in response to the criteria as follows:</p> <ul style="list-style-type: none"><li>(a) The proposal seeks to redevelop an existing building for a change of use where the existing parking configuration does not comply with the standard.</li><li>(b) The nature of the proposed use requires parking for longer appointments for staff and would not have the high pedestrian volumes of some other uses.</li><li>(c) and (d) The proposal provides the required number of parking spaces in two parking areas to reduce the frequency of vehicle movements. As identified in provided Traffic Impact Assessment, based on the estimated vehicle movements in the parking areas and reduced speed the crash risk is considered to be very low and to be adequate.</li><li>(e) There is no existing footpath for persons with a disability for approved uses. The proposed accessible space is an improvement on the existing parking configuration and provides for a safe pedestrian environment in the car park accessed from Crown Street.</li><li>(f) - (h) The parking area accessed from Crown Street provides access ways and parking aisles, however the parking area is generally a traffic calmed environment servicing only the users of the site.</li><li>(i) Footpaths in the parking area accessed from Crown Street are proposed to be marked with linework, structural columns and wheel stops will assist with separation for improved safety.</li></ul>

In considering the responses to the criteria, the proposed pedestrian access would be an improvement to the existing parking area and both parking areas would provide safe and convenient pedestrian access.

The proposal complies with the Performance Criteria.

#### C2.6.6 Loading bays

That the area and dimensions of loading bays are adequate to provide safe and efficient delivery and collection of goods.

**Consistent**

No loading bays are required for the proposed development.

#### C3.0 Road and Railway Assets Code

The purpose of the Road and Railway Assets Code is:

C3.1.1 To protect the safety and efficiency of the road and railway networks; and

C3.1.2 To reduce conflicts between sensitive uses and major roads and the rail network.

**Consistent**

The proposal is consistent with the objective by protecting the safety and efficiency of the road network.

#### C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.

**Consistent**

The proposed use and development are not considered to unreasonably effect the road network.

A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:

- (a) the amounts in Table C3.1; or
- (b) allowed by a licence issued under Part IVA of the *Roads and Jetties Act 1935* in respect to a limited access road.

**Relies on Performance Criteria**

The proposed use would result in the number of vehicles using the existing vehicle crossing on Crown Street to exceed the amount in Table C3.1, as specified in (a). (b) is not applicable. Assessment is required in response to the Performance Criteria.

P1 Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

- (a) any increase in traffic caused by the use;
- (b) the nature of the traffic generated by the use;
- (c) the nature of the road;
- (d) the speed limit and traffic flow of the road;
- (e) any alternative access to a road;
- (f) the need for the use;
- (g) any traffic impact assessment; and
- (h) any advice received from the rail or road authority.

**Complies**

The proposal results in vehicle movements using the site exceeding the Acceptable Solution, the effects on the road network are considered in response to the criteria as follows:

- (a) The provided TIA estimates that the increase in traffic from the proposed use would be between 120 to 1,234 vehicle movements per day from Crown Street.
- (b) The proposed use for consultancy rooms and fitness centre is consistent with uses that would be located within the Principal Activity Centre.
- (c) Crown street is 6m wide kerb to kerb with unregulated on-street parking on the western side of the road. The accompanying Traffic Impact Assessment includes the recommendation for the removal of two parking spaces on the street to allow for safe turning into the car park, these have been included in demolition plans. The proposal includes the removal of an access on Crown Street, and an access on Frankland Street to be removed as a condition of the permit. The removal of the accesses results in some improvement to the road network.
- (d) The speed limit on Crown Street is 50km/hour and flows in both directions.
- (e) The proposal includes the removal of an existing alternative access as the access to be used is in the preferred location.
- (f) The use involves the adaptive reuse of an existing building in an urban environment on the edge of the Principal Activity Centre.
- (g) A traffic impact assessment has been provided that finds that the proposal would not significantly impact on the road network.
- (h) Advice was provided to the applicant that City of Launceston and Department of State Growth were considering the management of the left turn from Bathurst Street onto Frankland Street and that no changes to either street were considered necessary for the proposed use.

In considering the responses to the criteria the proposed traffic accessing the site is considered not to result in unreasonable effect on the safety and efficiency of the road network.

The proposal complies with the Performance Criteria.

**C14.6.1 Excavation works, excluding land subject to the Macquarie Point Development Corporation Act 2012**

That works involving excavation of potentially contaminated land, excluding on land subject to the *Macquarie Point Development Corporation Act 2012*, do not adversely impact on human health or the environment.

**Consistent**

The proposal is consistent with the objective through compliance with the Acceptable Solution.

A1 Excavation, excluding on land subject to the *Macquarie Point Development Corporation Act 2012*, must involve less than 250m<sup>3</sup> of site disturbance.

**Complies**

The proposal is for the reuse of the existing buildings and does not involve excavation exceeding 250m<sup>3</sup>. The proposal complies with the standard.

C15.0 Landslip Hazard Code

The purpose of the Landslip Hazard Code is:

C15.1.1 To ensure that a tolerable risk can be achieved and maintained for the type, scale and intensity and intended life of use or development on land within a landslip hazard area.

**Consistent**

The site is partially mapped in the medium and low landslip hazard band.

The proposed use is exempt in accordance with C15.4.1(a).

The proposed development is exempt in accordance with C15.4.1(d)(i)(a) and C15.4.1(d)(ii)(a).

C16.0 Safeguarding of Airports Code

The purpose of the Safeguarding of Airports Code is:

C16.1.1 To safeguard the operation of airports from incompatible use or development.

C16.1.2 To provide for use and development that is compatible with the operation of airports in accordance with the appropriate future airport noise exposure patterns and with safe air navigation for aircraft approaching and departing an airport.

**Consistent**

The proposed development does not result in an increase in height of development on the land.

**4. REFERRALS**

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Infrastructure Services	Conditions recommended.
Environmental Health	Conditions recommended.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
<b>EXTERNAL</b>	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2025/01137-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
TasNetworks	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 29 November 2025 to 15 December 2025. Seven (7) representations were received. The issues raised are summarised in the following table. All representations received for this application were circulated to Councillors.

**Comment - Impact on Road Network**

The proposed development would have an unreasonable impact on the road network for the following reasons:

- a) The proposed yellow line on Crown Street would have a detrimental impact on parking and service vehicles access adjoining commercial properties and would result in a reduction in business.
- b) Existing business on Crown Street relies on heavy combination vehicles between 19 and 26m in length for deliveries, which takes considerable time to safely park and unload vehicles. The number of vehicles using the business is likely to expand as their business continues to grow.
- c) The proposal will contribute to increased vehicle movements and safety of the road environment, particularly for existing businesses that have customers with limited mobility.
- d) Impact on traffic safety on Twining Street, which when on-street parking is occupied by vehicles is reduced to a single lane. The TIA has not adequately assessed the impact of the proposed development on Twining Street.
- e) High vehicle movements generated by the proposed use resulting in an unreasonable safety risk.
- f) The proposal has not considered the impact of conversion of shell space to residential units.
- g) The proposal should consider the cumulative impacts of traffic and pedestrian flow resulting from ongoing expansion of other developments including the Wellington Street Health hub, private Women's and Children's hospital, the Eye Hospital, and 24-hour Medical Centre, which would result in a traffic bottleneck at Bathurst and Franklin Street junction.

**Response**

*The concerns in relation to the impact on the road network are assessed and responded to in the through the standard on the Road and Railway Assets Code 'C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction'. The following is in response to specific road network concerns as numbered above:*

- a) *The proposal includes the removal of 2 on-street parking spaces. These are intended to improve vehicle manoeuvrability in the street, particularly for service vehicles. The loss is considered to be marginal to existing available on-street parking in the area.*
- b) *No application has been received for the expansion of businesses requiring increased service vehicle movements in the street, this would need to be assessed with respect to the standards of the scheme.*
- c) *There are no accessible car parking spaces located on public land near the subject site. Individual businesses are required to provide accessible parking to meet the needs of the use in accordance with the requirements of the National Construction Code.*
- d) *The provided Traffic Impact Assessment (TIA) has been prepared by a suitably qualified person in accordance with the requirements of the planning scheme. The TIA does not identify issues with Twining Street.*
- e) *Refer to Standard C3.5.1.*
- f) *The shell space is not able to be converted to residential units under current standards of the scheme as these are prohibited in the Commercial Zone. Future use of the space will be subject to a separate application.*

g) *The Standard is required to have regards to the demand generated by the proposed use, not carparking generated by separate development and use and the road network without having to consider all development use approved that may impact on the road network.*

**Comment - Car Parking numbers**

The proposed number of car parking spaces is insufficient to meet demand for the following reasons:

- a) Demand would not be able to be adequately met through available on-street car parking, due to it being used for all day parking for other uses including LGH staff.
- b) The closest bus stops are in excess of 750m from the site and would not provide an option for transport to the site.
- c) Reduction in available on-street parking would diminish options for accessible access for clients of an existing business.
- d) Negative impact on established businesses.
- e) The TIA has not adequately considered the impact from the cumulative impact on parking of businesses at 164 Bathurst Street.

**Response**

*The concerns in relation to the impact on the car parking are assessed and responded to in the standard of the Parking and Sustainable Transport Code 'C2.5.1 Car parking numbers'. The application is found to comply with the Acceptable Solution. The Traffic Impact Assessment provided included an over-estimate of the number of parking spaces required as it considered the proposed use class as entirely Sports and Recreation, where Business and Professional Services is also proposed. The following is in response to specific parking concerns as numbered above:*

- a) *Refer to Standard C2.5.1.*
- b) *Refer to Standard C2.5.1.*
- c) *There are no accessible car parking spaces located on public land near the subject site. Individual businesses are required to provide accessible parking to meet the needs of the use in accordance with the requirements of the National Construction Code.*
- d) *Refer to Standard C2.5.1.*
- e) *Existing carparking configuration on the corner of Falkland and Bathurst Street is informal and does not meet design and layout standards of the scheme.*

*The proposal improves the configuration of the existing car parking, while providing one accessible car parking space to meet the needs of the use.*

**Comment - Pedestrian access**

Increased traffic demand would severely increase pedestrian activity in and around Crown Street.

**Response**

*The purpose of the Parking and Sustainable Transport Code is to encourage walking as a means of transport in urban areas. The proposal reduces the number of crossovers onto Frankland Street, improving pedestrian amenity, bringing the application into greater conformity with standard 'C2.6.3 Number of accesses for vehicles'.*

**Comment - Construction Impacts**

The impact of construction for the duration of the development process including any road closures or obstructions.

**Response**

*This is not a planning matter. Works or activity within the road reserve would require the approval of Council before progressing. A Construction Management Plan included as a condition on the permit to demonstrate management of off-site impacts.*

**Comment - Impact on rear lane**

There is concern that the location of fire doors will impact on existing plantings within the rear lane and it was suggested that they be located where the existing fire doors are situated.

**Response**

*Two of the certificates of titles have a benefiting Right of Way over the existing lane. There are no specific standards in the scheme that include the protection of the vegetation, however advice can be included on the permit to the Applicant to consider measures to protect existing vegetation. A condition is considered appropriate for the legal access to be established for access to the Right of Way.*

**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.

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

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

**STRATEGIC DOCUMENT REFERENCE:**

*Land Use Planning and Approvals Act 1993*  
Tasmanian Planning Scheme - Launceston

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The Author and Executive Leader Community Assets and Design have no interests to declare in this matter.

**ATTACHMENTS:**

1. DA0312/2025 - Plans to be endorsed [4.1.1 - 134 pages]
2. DA0312/2025 - 160-172A Bathurst Street Launceston - TasWater SPAN [4.1.2 - 3 pages]
3. CONFIDENTIAL REDACTED - DA0312/2025 - 160-172A Bathurst Street Launceston - CONFIDENTIAL - Representations [4.1.3 - 21 pages]

**5. MEETING CLOSURE**