

11.1. DA0124/2023 - PSA-LLP0011 - 10 Dolerite Drive, Kings Meadows - Combined 40T Scheme Amendment

FILE NO: DA0124/2023 and PSA-LLP0011

AUTHOR: Iain More (Senior Town Planner Policy and Projects)

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

DECISION STATEMENT:

To decide whether to reject or initiate and exhibit Combined Scheme Amendment DA0124/2023 (PSA-LLP0011) to the Launceston Local Provisions Schedule of the Tasmanian Planning Scheme.

PLANNING APPLICATION INFORMATION:

Applicant: 6ty° Pty Ltd
Address: 10 Dolerite Drive, Kings Meadows
Existing Zone: Light Industrial
Existing Use: Vacant

RELEVANT LEGISLATION:

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

RECOMMENDATION:

{recommendation-start}

That Council, pursuant to:

1. sections 37, 38, and 40T of the *Land Use Planning and Approvals Act 1993*, agrees to, and initiates scheme amendment PSA-LLP0011 to the Launceston Local Provisions Schedule to:
 - a. Insert a Site Specific Qualification into LAU-Site-Specific Qualifications table within the Local Provisions Schedule to amend the qualification within the use table for General Retail and Hire to allow a supermarket up to 1,000m² in size.
2. section 40F of the *Land Use Planning and Approvals Act 1993*, certifies Draft Amendment PSA-LLP0011 identified in Attachment 1.
3. sections 40G and 40H of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition be 28 days.
4. section 40Y of the *Land Use Planning and Approvals Act 1993*, approve DA0124/2023 - General Retail and Hire - Construction of a new supermarket, car parking, landscaping, and pedestrian access, subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

The use and development must be carried out 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) Cover Sheet, prepared by 6ty, Project No. 21.281, Drawing No. Ap00, dated 07/01/2025;
- b) Site Plan, prepared by 6ty, Project No. 21.281, Drawing No. Ap01, dated 07/01/2025;
- c) Floor Plan, prepared by 6ty, Project No. 21.281, Drawing No. Ap02, dated 07/01/2025;
- d) Roof Plan, prepared by 6ty, Project No. 21.281, Drawing No. Ap03, dated 07/01/2025;
- e) Elevations, prepared by 6ty, Project No. 21.281, Drawing No. Ap04, dated 07/01/2025;
- f) Sections, prepared by 6ty, Project No. 21.281, Drawing No. Ap05, dated 07/01/2025;
- g) Building Views, prepared by 6ty, Project No. 21.281, Drawing No. Ap06, dated 07/01/2025;
- h) Site Views, prepared by 6ty, Project No. 21.281, Drawing No. Ap07, dated 07/01/2025; and
- i) Traffic Impact Assessment, prepared by Traffic & Civil Services, dated March 2025.

2. ILLUMINATED SIGNAGE

No signage may be illuminated.

3. 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.

4. HOURS OF CONSTRUCTION

Construction works must only be carried out between the hours of 7am to 6pm Monday to Friday and 8am to 5pm Saturday and no works on Sunday or Public Holidays.

5. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2025/00467-LCC, dated 12/05/2025 and attached to the permit.

6. DRIVEWAY AND PARKING AREA CONSTRUCTION

Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must:

- a. Be properly constructed to such levels that they can be used in accordance with the plans;
- b. Be surfaced with an impervious all weather seal;
- c. Be adequately drained to prevent stormwater being discharged to neighbouring property;
- d. Be line-marked or otherwise delineated to indicate each car space and access lanes.

Parking areas and access lanes must be kept available for these purposes at all times and maintained for the life of the development.

7. AMENDED PLANS REQUIRED

Prior to the commencement of any work and use, amended plans must be submitted to show:

- a. The provision of access ramps within the car park to facilitate access between the car parking areas and the internal footpaths, such as at the location of the accessible parking spaces and the trolley bay.

Once approved by the Senior Leader City Development, these amended plans will be endorsed and will then form part of the Permit and shall supersede the original endorsed plans.

8. DAMAGE TO COUNCIL INFRASTRUCTURE & 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.

9. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of the Executive Leader Community Assets and Design is required prior to undertaking works where the works:

- a. require a road or lane closure;
- b. require occupation of the road reserve for more than one week at a particular location;
- c. are in nominated high traffic locations; or
- d. involve opening or breaking trafficable surfaces.

Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works shall form the explicit approval.

10. 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.

11. FILLING OF LAND

Site filling that exceeds a depth of 300 mm must comply with the provisions of AS3798 Guidelines on earthworks for commercial and residential developments current at the time of the application. Prior to the use commencing, a Civil Engineer must certify that all the works have been carried out in accordance Australian Standard AS 3798 and the endorsed plan.

12. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Executive Leader Community Assets and Design for approval. Such plans and specifications must:

- a. include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - i. provision of a 1.5m wide footpath along the Dolerite Drive frontage of the site between the site access and Kings Meadows Link.
 - ii. all alterations to existing services to ensure compliance of the proposed public footpath, including replacement of the existing stormwater V-grate at the southern end of the frontage with a manhole or other pedestrian-appropriate alternative.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- d. be accompanied by:
 - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion & Final inspections.

13. COMPLETION OF WORKS

All works must be carried out to Council standards and under the direct supervision of a suitably qualified and experienced civil engineer engaged by the owner and approved by the Council. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council standards will be required prior to issue of the Certificate of Practical Completion.

14. AS CONSTRUCTED PLANS

An "as constructed" plan must be provided in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Council's Community Assets and Design Team.

15. AMENITY

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

16. 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.

17. NO BURNING OF WASTE

No burning of any waste materials, including removed vegetation, generated by the development to be undertaken on-site. Any such waste materials are to be removed to a licensed waste disposal facility (e.g. Launceston Waste Centre), reclaimed or recycled.

18. WASTE MATERIALS

All waste materials generated by the activity are to be disposed of at an approved waste disposal facility or reclaimed/recycled if possible.

19. CONTROL OF DUST EMISSIONS

- a) Dust emissions from the land must be controlled to prevent environmental nuisance beyond the boundary of the land during development and use.
- b) Prior to the use commencing the site must be fully sealed, other than approved landscaping.
- c) The person responsible must maintain the site seal in good condition over the life of the operation.

20. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect, 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.

21. APPLICATION TO ALTER A STORMWATER SERVICE

An application must be made using the Council's eServices web portal, or on the approved form, and accompanied by the prescribed fee to install a new connection, or physically remove/relocate or alter an existing service connection.

All work must be carried out by a suitably experienced contractor and in accordance with Council standards. All costs associated with these contractors are to be borne by the applicant.

Notes

A. General

This permit was issued based on the proposal documents submitted for (insert application reference). 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>>

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. Food Businesses

All food businesses must be registered with council in accordance with the Food Act 2003 prior to commencing. Food premises fit out must comply with the National Construction Code TAS Part I4 or any subsequent versions of this document.

TASMANIAN PLANNING SCHEME - LAUNCESTON Amendment PSA-LLP0011

Amend LAU-Site-Specific Qualifications table within the Launceston Local Provisions Schedule as described below:

Reference Number	Site Reference	Folio of the Register	Description (modification, substitution or additional)	Relevant Clause in State Planning Provisions
18.2	10 Dolerite Drive, Kings Meadows	181165/1	Amend the qualification within the Use Table for General Retail and Hire to allow a supermarket up to 1,000m ² in size	Light Industrial Zone - 18.2 Use Table

THE COMMON SEAL of the
City of Launceston is affixed,
pursuant to the Council's resolution
in the presence of:-

Date:

Sam Johnson OAM
Chief Executive Officer

|

Instrument 1 - Site Specific Qualification

{recommendation-end}

{remove-from-minutes-end}

Phillipa Glover (Team Leader Planning Assessments) and Iain More (Senior Town Planner Policy and Projects) were in attendance to answer question in respect of this item.

George Walker (6ty°) spoke for the Recommendation

David Baxter (IGA) spoke for the Recommendation

DECISION: 19 June 2025

MOTION

Moved Councillor D C Gibson, seconded Deputy Mayor Councillor D H McKenzie.

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THE COMMON SEAL of the
City of Launceston is affixed,
pursuant to the Council's resolution
in the presence of:-

Date:

Sam Johnson OAM
Chief Executive Officer

|

Instrument 1 - Site Specific Qualification

CARRIED 8:1

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A E Dawkins, Councillor A G Harris, Councillor J J Pentridge, Councillor A J Palmer and Councillor S Cai
AGAINST VOTE: Councillor Prof G Razay