



City of
LAUNCESTON

SPECIAL COUNCIL MEETING MINUTES

**SPECIAL COUNCIL MEETING
TUESDAY 23 DECEMBER 2025
10:30 AM**

File No: SF2346
KH

Your Ref: Special Council Meeting

16 December 2025

Sam Johnson OAM
Chief Executive Officer
City of Launceston
PO Box 396
LAUNCESTON TAS 7250

Dear Sam,

Special Meeting of Council - 23 December 2025

In accordance with regulation 5 of the *Local Government (Meeting Regulations) 2025* (Tas) which states:

5. *Convening council meetings*
 - (2) *The mayor of a council may convene -*
 - (a) *an ordinary meeting of the council; and*
 - (b) *a special meeting of council.*

I request that you make the necessary arrangements to convene a Special Meeting of Council on 23 December 2025 to discuss Development Application DA0312/2025 - 160-172A Bathurst Street - change of use to a medical centre, physiotherapy consultancy, and gymnasium.

Yours sincerely



Councillor Matthew Garwood
Mayor

The Special Meeting of the City of Launceston Council was held at the Council Chambers, Town Hall, St John Street, Launceston:

Date: 23 December 2025

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 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 was streamed live to and can be accessed at:
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>

The following information was provided to members of the public in respect of attendance at the Council Meeting.

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.

Present:

Mayor Councillor M K Garwood
Deputy Mayor Councillor D H McKenzie
Councillor A G Harris
Councillor T G Walker
Councillor J J Pentridge
Councillor A J Palmer
Councillor S Cai
Councillor A J Britton
Councillor K M Preece
Councillor R A I Marsden

In Attendance:

Sam Johnson OAM (Chief Executive Officer)
Lynda Robins (Acting Executive Leader Community Assets and Design)
Jane Lewis (Executive Leader Strategy and Innovation)
Kelsey Hartland (Team Leader Governance)
Taylor Murphy (Administration Officer - Governance Support)
Philippa Glover (Acting Senior Leader City Development) (Agenda Item 4.1)
Jen Welch (Senior Town Planner) (Agenda Item 4.1)
Sonia Smith (Team Leader Infrastructure Development) (Agenda Item 4.1)

Apologies:

Councillor D C Gibson
Councillor L M McMahon

ORDER OF BUSINESS

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1. OPENING OF MEETING - STATEMENT, ATTENDANCE AND APOLOGIES

Local Government (Meeting Procedures) Regulations 2025 - regulation 8

The Mayor, Councillor M K Garwood, opened the meeting at 10.30am and provided the following statement:

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.

Following the statement the Mayor noted apologies from Councillor Councillor D C Gibson and Councillor L M McMahon.

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.

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 Tuesday 23 December 2025.

DECISION: 23 December 2025

MOTION

Moved Councillor A J Palmer, seconded Councillor A G Harris.

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 Tuesday 23 December 2025.**

CARRIED 10:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor A G Harris, Councillor T G Walker, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai, Councillor A J Britton, Councillor K M Preece and Councillor R A I Marsden
AGAINST VOTE: Nil

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).

No Declarations of Interest were identified as part of these Minutes.

4. PLANNING AUTHORITY

The Mayor, Councillor M K Garwood, announced that 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 11 - 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:

Applicant	Philp Lighton Architects Pty Ltd
Site	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
Proposal	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.
Zoning	Commercial Zone
Codes	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
Use Class	Business and Professional Services, and Sports and Recreation.
Standards assessed through performance criteria	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

Public Notification	29 November 2025 to 15 December 2025
Representations	7
Deemed Approval	8 January 2026

RELEVANT LEGISLATION:

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

PREVIOUS COUNCIL CONSIDERATION:

N/A

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, eg 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 & 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 (& 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 Manager of 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, 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.

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>>

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.

Jen Welch (Senior Town Planner), Phillipa Glover (Acting Senior Leader City Development) and Sonia Smith (Team Leader Infrastructure Development) were in attendance to answer questions in respect of this item. A table of questions asked by Councillors during debate is provided after the decision.

Louise Millwood spoke against the Recommendation.

Carmen Frelek spoke against the Recommendation.

Steven Simeon spoke for the Recommendation.

Kerry Haywood spoke against the Recommendation.

Tim Rixon spoke against the Recommendation.

Adam Smith spoke against the Recommendation.

Councillor A J Britton withdrew from the Meeting at 11:11 am

Councillor A J Britton re-attended the Meeting at 11:13 am

DECISION: 23 December 2025

MOTION

Moved Deputy Mayor Councillor D H McKenzie, seconded Councillor A G Harris.

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, eg 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 & 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 (& 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 Manager of 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, 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.

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>>

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.

LOST 5:5

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor A G Harris, Councillor A J Palmer and Councillor A J Britton
AGAINST VOTE: Councillor T G Walker, Councillor J J Pentridge, Councillor S Cai, Councillor K M Preece and Councillor R A I Marsden

COUNCILLOR	QUESTION	RESPONSE
Councillor D H McKenzie	Could the planning officers talk me through the 150 to 1,234 car movements and the relative safety of those based on the comments that have been made?	Senior Town Planner <i>We were provided with a Traffic Impact Assessment (TIA) prepared by a suitably qualified person and that found that the vehicle movements were acceptable in that location and within that street. There may be some issues on Bathurst and Frankland Street, but they are pre-existing issues not generated by this development.</i>
Councillor A G Harris	What is the basis for removing the two parking spaces on Crown Street?	Team Leader Infrastructure Development <i>The traffic report notes the increase in traffic coming in and out of the site. At the moment, the site is not operating, but previously it had an in and out arrangement. A lot of vehicle left that access. The first access from Crown Street is being removed as part of this plan. This means Crown Street becomes the sole two-way access point. The increased number of vehicle movements to facilitate entry and exit and the swept paths are why those have been identified for removal. When vehicles enter, they need to be able to turn fully in both directions. We do not want to restrict turning movements so that you cannot turn right or left turn from the site. We want full turning movements where they can be facilitated. With the increased traffic movements, that is what we aim to achieve.</i>
	Could the car park entry be made wider?	Team Leader Infrastructure Development <i>Possible but challenging. A wider door/entry impacts the internal car-parking layout and functioning aisle space and will likely reduce the number of spaces.</i> Senior Town Planner <i>Likely a heritage issue if doors are widened.</i>
	Can we, as planning authority, require the fire escape to be relocated to protect the garden, or is its location outside our remit?	Senior Town Planner <i>It is a Building Code requirement, not a Planning one. We cannot require relocation, but we suggested the applicant consider alternatives and advice to that effect is on the permit. The lane way is an existing right-of-way serving multiple properties.</i>

Councillor A J Britton	Can you clarify the calculation where 66 spaces are referenced, yet later only 34 are required?	Senior Town Planner <i>We must consider existing approved uses on the site, like the Another Computer Store and the NDIS office, the six provided spaces, and the existing shortfall. The total generated for all uses is 66. The new use contributes only its part, so on balance it ends up complying with the car parking requirements.</i>
	When a developer submits a Traffic Impact Assessment, do we do our own assessment or simply accept it?	Senior Town Planner <i>We confirm it is prepared by a suitably qualified person and to national standards, and our infrastructure team reviews it, especially where Council road assets are affected.</i>
	So, we did our own review?	Senior Town Planner <i>Yes we do our assessment plus review of the professional advice.</i>
	Can Council do anything such as a loading bay, to ensure Travenco Engineering Pty Ltd can continue unloading at their frontage?	Team Leader Infrastructure Development <i>Council approved a loading zone in August 2023 in response to enquiries and concerns from a business at that site. A request for a loading zone on the corner was not deemed safe and yellow lines were installed, and a loading zone further up the street was also installed.</i>
	Is there anything we can do to put a provision in now?	Team Leader Infrastructure Development <i>Future changes would need assessment by our transport team.</i>
Councillor K M Preece	Can someone clarify the statement from the website that states: "The City of Launceston will not support the change of a parking restriction for the benefit of a single business?"	Senior Town Planner <i>The assessment that we have made today is against a Planning Scheme and in the lodgement of the application consent was sought for the removal of those two parking spaces which was approved was assessed by our infrastructure department and it was deemed necessary for the safety and efficiency of that access.</i>
	So this statement that we have on the website is untrue, even though it is relating to the planning scheme - it is a false statement?	Chief Executive Officer <i>Today's assessment is under the planning scheme. Consent for removal of the two spaces was sought and approved as necessary for safety/efficiency. The website statement relates to general engineering/parking requests, not when council sits as a Planning Authority, thus it is not applicable here.</i>

Councillor T G Walker	Given nearby inner residential properties (many without off street parking), were operating hours, lighting, traffic, signage and residential amenity considered?	Senior Town Planner <i>Yes. Use standards (hours of operation, amenity impacts) meet acceptable solutions. Car parking calculations show adequate on site parking for the new use; existing area shortfalls typical of inner urban areas are not part of this assessment.</i>
	Why was the management of the left turn from Bathurst onto Frankland street included in the assessment?	Senior Town Planner <i>The Traffic Impact Assessment identified issues there. We followed up with State Growth and our traffic engineers. Changes are not required for this application, they are existing deficiencies being looked at regardless of this development.</i>
Councillor A G Harris	We say 34 spaces are required for physio and gym combined, but only 30 are provided, why is that acceptable?	Senior Town Planner <i>We assessed two uses: consulting rooms (business and professional services) which is calculated by practitioners, and gym areas (sports and recreation) which is calculated by fitness center metrics. About 30 spaces are required for those two uses on the submitted plan.</i>
	Does this approval prevent future conversion to a more traditional, class based gym without returning to Council?	Senior Town Planner <i>The intention is less intensive physio supported use. However, the sports and recreation definition would allow a future gym use under the same approval scope.</i>
Councillor S Cai	What would the address on the business be? Will it still have the Bathurst street address?	Senior Town Planner <i>Tenancies are not changing so existing numbering remains. It is often referred to as 164 Bathurst Street. Addressing is an internal numbering matter, not a planning matter.</i>
	For medical DAs, it is usually four car parks per practitioner - does that apply here?	Senior Town Planner <i>Yes. We calculated consulting rooms by number of practitioners times four.</i>
	Group reformer style classes (6–8 clients per physio) would exceed four per practitioner - was that counted?	Senior Town Planner <i>That is why the gymnasium/Kieser machines area is calculated under sports and recreation (fitness center) metrics and not practitioner metrics.</i>

	Are there three other tenancies unoccupied, and were their parking needs included?	Senior Town Planner <i>There is this tenancy plus Another Computer Store (currently vacant) and another office. They have existing use rights and existing car parking demand; any future change of use would need a separate application.</i>
	Is there a drop off zone proposed?	Senior Town Planner <i>No, not proposed.</i>
Deputy Mayor, Councillor D H McKenzie	Is staff parking included in the 34?	Senior Town Planner <i>It is a base number and it does not differentiate between staff and clients. Spaces may be used as the operator sees fit.</i>
Councillor R A I Marsden	If all 15 staff park on site, is parking adequate for clients?	Senior Town Planner <i>That is for the operator to manage. If clients can not find spaces, it will affect their business. They will have to manage allocations and scheduling.</i>
Councillor T G Walker	How do we justify that the discretionary use does not compromise or distort the activity center hierarchy, having regard to site characteristics and size and scale?"	Senior Town Planner <i>We considered the Northern Tasmanian Regional Land Use Strategy expectations - principal activity centers provide a comprehensive range of facilities; adaptive reuse contributes to urban design and amenity. The use provides required parking in a location where many commercial sites cannot, so it is appropriate.</i>
	The use is listed as discretionary - how do we say that it does not impact the existing characteristics of the site?	Senior Town Planner <i>It also provides a high level of quality urban design and we find that the adaptive reuse of this building contributes to the character and amenity of the City of Launceston.</i>
Councillor J J Pentridge	If it not approved today will it go to tribunal?	Senior Town Planner <i>Yes.</i>

The Mayor, Councillor M K Garwood, announced that Council no longer sits as a Planning Authority.

5. MEETING CLOSURE

The Mayor, Councillor M K Garwood, closed the Meeting at 11:45 am.