



City of
LAUNCESTON

SPECIAL COUNCIL MEETING MINUTES

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

The Special Meeting of the City of Launceston Council was 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 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:

Deputy Mayor Councillor D H McKenzie
Councillor D C Gibson
Councillor A G Harris
Councillor T G Walker
Councillor J J Pentridge
Councillor A J Palmer
Councillor S Cai
Councillor K M Preece

In Attendance:

Sam Johnson OAM (Chief Executive Officer)
Chelsea van Riet (Executive Leader Community Assets and Design)
Zara Dawtrey (Senior Communications Officer)
Lucas Lim (Acting Team Leader Governance)
Taylor Murphy (Administration Officer - Governance Support)
Richard Jamieson (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)
Duncan Campbell (Team Leader Legal Services) (Agenda Item 4.1)

Apologies:

Mayor Councillor M K Garwood
Councillor L M McMahon
Councillor A J Britton
Councillor R A I Marsden

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1. OPENING OF MEETING - STATEMENT, ATTENDANCE AND APOLOGIES

Local Government (Meeting Procedures) Regulations 2025 - regulation 8

The Deputy Mayor, Councillor D H McKenzie, opened the meeting at 10.28am.

The Deputy Mayor noted apologies from Mayor Councillor M K Garwood, Councillor L M McMahon, Councillor A J Britton and Councillor R A I Marsden.

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.

DECISION: 8 January 2026

MOTION

Moved Councillor D C Gibson, seconded Councillor T G Walker.

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.**

CARRIED BY ABSOLUTE MAJORITY 8:0

FOR VOTE: Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor K M Preece

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 Deputy Mayor, Councillor D H McKenzie, 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 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:

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:

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, 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 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>>

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), Richard Jamieson (Senior Leader City Development), Sonia Smith (Team Leader Infrastructure Development) and Duncan Campbell (Team Leader Legal Services) 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.

Carmen Frelek spoke against the Recommendation.
Carol-Anne Horne spoke against the Recommendation.
Jim McLean spoke against the Recommendation.
Judy McLean spoke against the Recommendation.
Betty Hall spoke against the Recommendation.
Steven Simeon spoke for the Recommendation.
Tim Rixon spoke against the Recommendation.
Adam Smith spoke against the Recommendation.
Kerry Haywood spoke against the Recommendation.
Louise Millwood spoke against the Recommendation.
Madison Shepherd spoke against the Recommendation.
Maddy Rose spoke against the Recommendation.

MOTION 1

Moved Councillor D C Gibson, 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:

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- 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 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>>

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.

Neighbouring Vegetation

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

E. 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.

F. 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.

G. 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.

MOTION LAPSED AS DECISION WAS DEFERRED

DECISION: 8 January 2026

MOTION 2

Moved Councillor T G Walker, seconded Councillor J J Pentridge.

That Council, in accordance with regulation 24 of the *Local Government (Meeting Procedures) Regulations 2025*, defer this matter to be considered as part of the Ordinary Council Meeting on 19 February 2026.

CARRIED 8:0

FOR VOTE: Deputy Mayor Councillor D H McKenzie, Councillor D C Gibson, Councillor A G Harris, Councillor T G Walker, Councillor J J Pentridge, Councillor A J Palmer, Councillor S Cai and Councillor K M Preece
AGAINST VOTE: Nil

COUNCILLOR	QUESTION	RESPONSE
Councillor A G Harris	What does a deferral of two weeks hope to achieve when the main problem seems to be the volume of cars that might use Crown Street?	<p>Deputy Mayor, Councillor D H McKenzie <i>The extension of time is meant to be to until the 27 February 2026.</i></p> <p>Senior Leader City Development <i>There is a belief that the information that was provided about the volume of cars needs to be further investigated to see whether the development is likely to produce the reported number of cars. It is felt that the number was exaggerated and the applicant wants to re-interrogate that to see if it was actually the case.</i></p>

The Deputy Mayor, Councillor D H McKenzie, announced that Council no longer sits as a Planning Authority.

5. MEETING CLOSURE

The Deputy Mayor, Councillor D H McKenzie, closed the Meeting at 11.09 am.