

Launceston CBD Building Height and Massing Study

Report to City of Launceston Council

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First report 7th November 2018

Revised report 10th May 2019

Background

The Launceston CBD Building Height and Massing study report was provided to Council in July 2018 and again in September 2018. It set out the methodology of the study, an analysis of the study area, a series of site-specific studies to test out how varying heights could affect the city and a series of recommendations on height and other related controls. The report was reviewed and in draft form was made publicly accessible with community and stakeholder comments sought.

Council undertook a series of stakeholder workshops and public consultation meetings as well as an online survey to ascertain community and business responses to the study. A number of individual submissions in response to the study were also made.

A separate report was then prepared and provided to Launceston City Council setting out the process, recommendations and the various community responses. That report was presented at a Councillors workshop. Following this, further discussions with council took place particularly in relation to how potential development above the 24 metre height limit recommendation should be managed.

The original study document has not been amended or updated as overall it was generally well received and while the final recommendations vary from those in the study, the analysis and basis of the study remain unchanged.

This final report makes recommendations based on the study findings and outcomes of the consultation, workshops and further discussions with Council and Council staff.

The building height and massing study considers a range of related but essentially separate issues about how the future of Launceston city should be managed.

The study focused on building heights and examined if the current controls could provide certainty about the future built form of Launceston while managing development applications for potentially larger development. The study considered whether a variation to the controls or new controls were required.

Council expressed a desire to facilitate suitable development and avoid adverse impacts on the character and quality of the city.

How high a building should be in any location is subjective, in that it depends on how a commentator views height and whether they believe that taller buildings could be acceptable or unacceptable. There are strongly held opinions in the community on building height as a stand-alone issue apart from the

design and setting, etc. of any particular development. There also appears to be an understanding that the impact of height is not solely related to the absolute measurement of height, but is a product of a range of factors including location, topography, built context and other considerations that are relevant to visual impact.

The report recommended adjustments to the acceptable solution heights and then maximum height limits in the four identified precincts. It also strongly recommended a set of controls or guidelines on how to fit new development into the city to achieve good design and urban outcomes.

The report also made comment on the desire to have good quality architecture in the city, although this was not a specific requirement of the brief.

There are two key issues arising from the study. One is what is the appropriate height limit for the city and the second is how to manage proposals that may seek greater height than that limit.

The study initially recommended a Planning Scheme Amendment process to address heights above the recommended maximum. This approach has been the subject of ongoing input, particularly from the Chamber of Commerce who have made submissions to Council against having a height control.

A key aspect of the final report address proposals that may seek heights in excess of 24 metres through provisions within the Planning Scheme. This is addressed in a new section of the report titled "Heights above the recommended maximum height control".

A further addition to the recommendations has been consideration of the overlay of the proposed heritage precinct controls for the city area. This is addressed in a new section of the report titled "Heritage Precinct Controls".

Public Consultation

The public consultation has been informative and interesting. There was a high level of involvement and feedback was provided via questionnaires, attendance at workshops and meetings and in a number of detailed written responses. It has been encouraging to see a strong community and business engagement with the study and an interest from almost all participants in achieving a sound outcome.

Of most interest are the detailed responses that a number of individuals and groups have provided. They provide insights into how some parts of the community see their city. They vary in response but do have some consistent themes.

Understandably there is concern from the general public (not organisations) that building heights may increase. There appears to be a general consensus that height should be limited and at levels that are less than were recommended. The 30 metre height limit proposed for precinct A was not clearly understood (it was perceived by some respondents as the recommended height limit across the whole city). However, even where the height limit recommendation of 24 metres was understood, it was considered in many responses to be too great.

The Chamber of Commerce and several other groups do not want to see maximum heights imposed but have also provided valuable input on achieving good design outcomes, irrespective of height.

The most consistent response has been the desire for 'design excellence' to be a key factor in determining new forms for the city, irrespective of potential height and scale. This was not part of the brief for the study but is very encouraging in that all groups appear to want the future of city

development to be of high quality. We are in agreement with this and if this were to be a key driver of future city controls it would change the way in which height controls may be considered.

Council Workshops

Council have participated in several workshops, with the former and new councillors, to discuss the study recommendations. The most recent workshop (November 14) reviewed the project and involved discussions around 'design excellence' and simplifying the study recommendations to adopt a single acceptable solution height, a single maximum height limit and the use of Scheme amendments to address major projects that may fall outside those controls.

It was generally agreed at that workshop that the term 'design excellence' should not be used as it does not accurately reflect the purpose of having design guidelines and that the term should be 'design guidelines' irrespective of whether they are embedded in the Scheme provisions or become a referenced document. This better reflects the purpose of guidelines which is to provide a clearer way of designing in the city for applicants and their architects, particularly around heritage places and a consistent way for Council to assess applications using the same criteria.

The recommendations arising from the last Council workshop are set out at the end of this report.

Current Planning Development Controls

The current controls under the uniform planning scheme provisions are for an acceptable height with any further height allowable at the discretion of Council, having regard to a number of criteria. Currently there is no maximum height limit. Submissions from the public indicated that many respondents were not aware of this. The acceptable solutions now are predominantly 12 and 14.5 metres and are applied based on zoning.

Height controls are applied in isolation of other controls such as heritage, amenity, over shadowing and constructability. These controls have to be considered in their own right and may place greater constraints on a site than a simple height control. It is not possible to predict how other controls may affect height on a specific site as the parameters for a specific development cannot be known or anticipated.

It is also known that the Tasmanian Planning Scheme default for the CBD zone has an acceptable solution of 20 metres unless Council provide a response (such as that provided by this study) to support a different outcome. Based on the consultation an increase generally to 20 metres would meet community opposition and would not encourage design excellence.

The issue with having an acceptable solution for height and wanting design excellence is that once the acceptable height is satisfied, design excellence is not a factor considered by the current or proposed Planning Schemes unless additional criteria are brought in at a local level.

Zoning

Apart from minor adjustments to zone boundaries proposed in this report, it is recommended to retain existing zones across the SAP. The main zones within the SAP are Central Business and Urban Mixed Use with small areas of residential, utilities, recreation, open space and community purpose. The current controls on the recreation, open space and utilities zones remain applicable and are not proposed to change.

Managing heights above the recommended maximum height control

The study anticipated that there would from time to time be proposals that seek to develop above the 24 metre recommended height control. The study suggested that the easiest and most straightforward way to do this would be through a Planning Scheme amendment. The process involves both Council and a Proponent and as a result requires a degree of support from Council to proceed.

Any development within the city above 24 metres is likely to be controversial. This is already evident with the responses taking place to several developments within the city area that are above that height.

This is not to suggest that everyone would oppose a larger building, as the Chamber of Commerce and several other submissions argued for greater height. There are diverse and divergent views on the scale of buildings within the Launceston community, but the consultation and responses received confirmed that there is a strong resistance to buildings that are higher than the general scale of 2 - 5 storeys and a general community desire to limit height.

It is also necessary to look at the question of height as one of context rather than a simple numeric control. This assists in understanding if and then how a proposal for a higher building may be addressed.

Firstly, the study recognised that there will be a desire at some point to propose a building in the city that is higher than the recommended 24 metre limit. It has been argued that with appropriate design and within a suitable context that this could be potentially supported by Council. This resulted in the initial recommendation to use a Planning Scheme Amendment approach as it would provide certainty and is likely to be a quicker process than an approval (or refusal) and then an appeal process. However, the amendment process relies on support from Council and the objection raised to this approach was in part based on the removal of what could be seen as a 'right' to propose a development and have it assessed under the Planning Scheme.

There is no such 'right' as the Planning Scheme, in whatever form it appears at a particular point in time, sets the rules for development through a series of objectives and performance standards. Some of the 'rules' are prescriptive and set limits and others set standards to be met.

The Tasmanian Planning Scheme standard approach is one of the few in Australia that has not set maximum height limits. It is almost unthinkable in other cities not to have clear and precise height limits. Often those schemes allow some variation where it can be demonstrated that a breach of that control does not result in an adverse impact for reasons of heritage, amenity, streetscape, etc. Inevitably, in larger cities height controls are under consistent pressure to be relaxed.

Height limits are not about any one site and the value of development to the city. That cannot realistically be a factor in determining controls as there will always be an economic argument put forward as to why it is necessary to allow greater development. Rarely if ever are those arguments defensible or realistic.

The core reasons for strongly recommending a height control for Launceston are to protect and enhance the character and quality of the city that makes it such a desirable place to live, work and develop. It only takes one or two 'out of scale' developments to destroy what will increasingly be one of Launceston's greatest asset - its scale and quality. This was recognised by Jahn Gehl in his study of the city.

The height of 24 metres has been tested and carefully proposed. It does not meet everyone's needs but it appears to have strong community support. Having undertaken the analysis of the city we would be very uncomfortable promoting a higher height limit. However, recognising that there already are proposals for buildings in excess of 24 metres (permissible under the current Scheme controls) and may be more in the future, the matter to be considered is how best to manage those proposals.

If a Planning Scheme amendment process were not to be used (it is always available even if other provisions exist), it is possible to have a maximum height of 24 metres (that is an absolute height) and to require any proposal for a building of greater height to go through a different and specific process that is based on a different set of assessment criteria. These criteria would be broader than for buildings that complied with the height control and would consider the social, community and economic benefit of that development to Launceston. This is a different assessment to assessing the benefit for an owner or developer.

In its simplest form, if a building were proposed that exceeds the nominated height limit, it has to offer significant, measurable and tangible advantages to the city. These benefits could include:

- significant major community facilities or spaces,
- economic benefit to the city that cannot be achieved from a building complying with the 24 metre height control (not economic benefit to the development),
- significant employment that cannot be achieved from development complying with the 24 metre height control,
- providing a service or facility that the city would benefit from and is unlikely to be achieved otherwise,
- contribute a building or development that makes a cultural investment in the city (for example a MONA or major museum/cultural facility).

It would be incumbent on a proposal to establish how it achieves such benefits, what they are, how they are measured and how they are guaranteed. These controls and performance standards can be incorporated into the Planning Scheme. Ideally part of that process would be a suitable peer review of major projects.

It is important to establish a clear message to the community and potential developers that out of scale and unsuitable development is not consistent with the city or the Scheme provisions.

Heritage and Heritage Precinct Controls

Separate to this study, but covering a similar area, has been the mapping of city heritage precincts. While there are a considerable number of heritage precincts within the council area under consideration, the city precincts relate closely to the themes of the study and the boundaries are quite closely aligned to the four character and management precincts outlined in the study.

The protection of the heritage character of the Inner city is strongly supported and aligns closely with the recommendations of this report. It is recommended that, given the comprehensive coverage of heritage items and proposed precincts within the SAP that the whole of the SAP be a heritage conservation area with sub-areas related to the four precincts in the study.

Effectively replacing heritage precinct provisions with heritage character protection within the SAP will avoid confusion and will assist in managing the study area in a straightforward way in terms of the various planning controls.

It is also recommended that, for consistency, the heritage schedule in the Planning Scheme be updated to include places that have been recognised as significant but which are not included in the Scheme Schedule. ~~At present a number of significant sites are not protected by heritage listing.~~ The study mapping identifies these sites (based on earlier studies and site inspection) as significant even though they are not currently protected. They are proposed to be included as Local Heritage Places In the new Scheme (having been assessed as part of Stage 1 of the CoL Heritage List Review). In future work it is recommended that all heritage items be included on maps (State and local items) to provide a clear understanding of the extent of the heritage overlays in regard to the controls and guidelines that are to be developed in relation to heritage values.

Design Guidelines

The idea of 'design excellence' can be difficult to understand. Most people know what they like in a design when they see it built but we all have different tastes and consider different outcomes to be 'excellent', consequently we cannot rely on personal taste or opinion to determine design excellence.

'Design excellence' is an aspiration that all buildings will be well designed and will seek to contribute to the quality of the city. In terms of a planning scheme, design guidelines that support design excellence are a way to improve outcomes by requiring development to undertake considered design that responds to the site and context and offer something positive to the experience of the city, rather than just focus on commercial gain for the developer. This is not always seen in developments in Launceston but is a common requirement in many Australian and European cities.

The proposal in the study is to develop a series of guidelines that address the issues that a designer faces when designing a new built form in the city to assist with understanding contextual design. As every site is different and there is considerable variation in types of sites, locations, surrounding development etc, controls and guidelines need to reflect that diversity.

Once guidelines are established under a series of headings they will form a design checklist against which any development can be considered and assessed. The guidelines will provide a series of benchmarks against which a proposal can be considered.

Guidelines also provide a clear framework for an applicant to address to support their proposal as well as offering guidance on how to design within the city.

The guidelines would address issues such as how to:

- infill between adjoining sites of varying heights
- retain and manage streetscape views and identified views from key locations in the city
- infill corner sites, where greater height or scale may be possible
- design adjacent to heritage items, including how to articulate new built forms in relation to adjoining development
- understand street scale and form
- activate streetscapes at ground level

- design on large and deep sites to protect amenity and the scale and other values of adjoining sites
- manage larger block or site developments
- use materials that fit within the context and character of the city
- manage scale and form to integrate new built forms into the city
- integrate vehicular access to sites
- understand the topography of the city and how to site new development to minimise adverse scale and form impacts

This checklist would form an objective way to assess an application based on 'design excellence' and contextual 'fit' into the city.

If a proponent has successfully addressed these issues and the proposal fits with other planning scheme controls, irrespective of the actual design, the built form should be capable of approval.

The guidelines become a measurable way to determine all proposals. This can be set out in the discretionary controls so that the guidelines form part of the scheme assessment by reference.

The Study Recommendations

The study identified four city precincts that were broadly accepted in the submissions made. Base acceptable heights of 12 and 15 metres were proposed with local variations to address potential for development. The study then proposed maximum heights of 24 and 30 metres that are allowable through the discretionary process.

Based on observations made in various submissions there are a number of ways in which controls could be developed. We have refined our recommendations to reflect some of the more nuanced comments and set out in Appendix 1 options that were considered on how to best achieve control over the future character of the city, to provide for design excellence and to encourage development.

We remain convinced that a height limit is necessary and desirable. We recommend the height limit be simplified to a single height control of 24 metres. If provision within the Scheme is made to consider higher development, the need to consider slightly higher heights, as in Precinct A, is not necessary.

A 24 metre height limit allows for approximately 7 storeys of development which would cover most potential developments within the city area. More importantly, it establishes a limit that can be managed in terms of retaining the character and scale of the city while giving scope for development.

A change in recommendation relating to development above 24 metres has taken place after extensive review and discussion. The initial recommendation for higher development proposals was to use a Planning Scheme Amendment process. This option remains available to applicants but, an alternative that provides for an application to be made within the Planning Scheme framework has been included as a way to manage such project. A different set of assessment criteria are proposed for this category of applications.

The study did not promote 'design excellence' as a principal way to manage height, however that has arisen as a key theme during the consultation process and is included in our recommendations.

Perhaps the most critical part of the study affecting height controls is the recommendation that links heights to a series of guidelines on how to undertake development within the city so that each potential

development is contextually considered and managed. This can be achieved within the Planning Scheme by height and setback controls (amongst other controls) and by developing a set of design guidelines that could assist applicants and Council in approaching development. Design guidelines would address a range of issues apart from height and setback and would be based on achieving good design for all developments in the city. How they are included in the Planning Scheme requires further consideration.

A summary of key issues in relation to height is:

- i There should be a maximum height limit in the city that is the height that includes infrastructure, mechanical plant etc. For simplicity we are recommending that a common height be adopted across the study area of 24 metres to the highest part of any structure.
- ii Specific street frontage heights are proposed in all areas to ensure that infill and new development responds to the immediate contextual setting of the specific site. The current controls allow development to fit into the existing context and we recommend that this approach, with further nuance, be continued.
- iii An acceptable solution height does not need to be imposed if the design guidelines and the concept of design excellence were to apply to all development. A number of respondents noted that some buildings beneath the current acceptable height limit have an adverse impact on the character of the city and consequently there is an argument to support removing any acceptable height solution.
- iv Where an acceptable height is deemed to be necessary, it should be a relatively low height - less than was recommended in the report - to ensure that any building that has potential to have a detrimental impact on the quality of the city can be assessed against design criteria. An acceptable height of 9 metres is proposed.
- v If proposals greater than the 24 metre height limit are proposed they should be assessed under a specific and separate set of controls and performance standards. It is recommended that a further height limit not be imposed as the intent of the controls is for development to be within the 24 metre height limit unless there are compelling reasons for a larger development.
- vi Height should not be considered in isolation and a height limit does not mean that any particular development can be built to that height as there are numerous other controls and constraints that affect every site in the city.
- vii Launceston has a very high percentage of heritage buildings places and streetscapes that dominate the built form, scale and character of the city. This heritage context is a major constraint on how new buildings and elements can be developed to achieve a contextual 'fit' within the cityscape. The context of the city should be a key factor in setting out future controls and guidelines.

Potential Changes to Recommendations arising from the Public Consultation

There are several changes arising from the consultation process that we have explored. Our recommendations to Council are set out later in this report, for clarity we set out the areas that were reviewed as a result of the consultation process:

- 1 We are recommending that the use of 'design excellence' as a key control be incorporated into the planning scheme. This can be achieved by using design guidelines that could form part of or be referenced in the Planning Scheme provisions.¹ A framework for this was outlined in the study. They would set out how design takes place in the city irrespective of height. These guidelines require further exploration and testing against 'best practice' in similarly scaled cities elsewhere in the world. This would form part of a second stage of work to establish new controls.
- 2 We recommend that the controls as set out in the initial report to council need to be simplified to delete small variations in heights where there was identified potential for greater acceptable height in discrete areas. While the exercise of testing the capacity of the city to accommodate height has been valuable, for the purpose of controls, it is too complex. This would result in one acceptable height being applicable to a precinct or zone and any proposal beyond that being discretionary.
- 3 If design excellence is a key outcome, it should ideally be applied to all development. A number of comments and submissions noted that lower buildings that are poorly designed can have greater adverse impact on the character of the city than higher buildings of good design. While this is not a justification for larger buildings, it is a valid observation and would logically result in acceptable heights being lower than proposed as it will be difficult to apply guidelines to acceptable solutions. Theoretically, if design excellence is used as a principle control, there should be no acceptable height solution as all development should work within those guidelines. If an acceptable height is required to satisfy the broader requirements of the Planning Scheme, we would suggest a lower height of no greater than 9 metres across the whole study area. Alternatively, to ensure that design excellence applies to all projects, it could be added to the Planning Scheme separately to height controls.
- 4 While there were understandably divergent views on the use of an absolute height control between the general community and the small number of developers who made submissions, we remain convinced that it is necessary to establish height controls to manage the future character of the city. The general community view was for heights to be lower than recommended, but a maximum height of around 15 metres (as a number of submissions suggested) is an effective height of 4 storeys which we believe would be unduly restrictive in terms of development potential. There is a need for balance between height, character and encouraging investment in the city that offers scope for development. Design controls can provide council with the management tools necessary to retain the character of the city. As noted above, proposals for buildings of greater height will be addressed in the SAP with specific controls and performance criteria.
- 5 While there were, as noted above, differences in submissions in regard to how heights should be applied, the 30 metre maximum height in precinct A was clearly the most negatively received recommendation. However, it may also be useful to note that a number of people did respond more positively to this concept after attending workshops and meetings where greater understanding of the meaning of a maximum height limit was provided. On review, applying a constant height control across the whole of the study area has the benefits of consistency and simplicity and we are recommending that the 24 metre proposed height by generally adopted across the area.

¹ The Planning Scheme could reference another document that contains design excellence guidelines or those provisions could be added to the Scheme through a specific area plan.

How to Proceed

The earlier report to Council set out four possible ways to proceed. They related to the extent of change rather than how to amend the Planning Scheme. One was make no change and the other three set out various levels of change. They are set out in Appendix 1 to provide a background for the recommendations.

It is clear that whatever height controls are established that given the number of zones, heritage overlays and other controls covering the study area that the preferred planning pathway is to develop a Specific Area Plan (SAP) for the city area that allows a coherent and ordered set of planning controls to be set out.

It is also clear that a SAP would require a comprehensive reworking of controls to address general planning requirements, height, setbacks and the integration of new development into the existing context and character of the city.

There is the potential to include heritage precinct overlays in the SAP and address design guidelines and requirements. The precise form of future controls is to be developed as part of the second stage work.

Summary of Final Recommendations

There has been a long time frame for the project including preparing the initial study, community discussion, numerous workshops, submissions, lobbying and extensive review. A number of recommendations have been provided to Council at key points of the project and it is noted that there have been some changes in the approach and recommendations over that time. The final recommendations are based on the work and review that has taken place.

The summary of the recommendation to Council is:

Process

- 1 Prepare a Specific Area Plan for the City, as defined in the attached mapping, to establish the development and heritage controls and framework for the future.
- 2 Adjust the study area boundaries to remove small areas of the study area that should not be subject to these controls. This will allow these areas to remain in their current zonings with those more appropriate controls (refer to mapping for details).
- 3 Adopt the four study precincts that define the four character areas of the city and develop, where appropriate specific controls for each precinct.
- 4 Establish exemptions for minor works where the application of the design guidelines is not appropriate.
- 5 Consideration of design panels or other review processes be addressed separately as the recommendations arising from this study are independent of that consideration.

Height and Setbacks

- 6 Establish an acceptable height solution of 9 metres consistently across the study area except for recreation and park zones. Retain the existing height controls in the Scheme for recreation and park zones.

- 7 Establish a discretionary maximum height of 24 metres across the study area.
- 8 Develop specific controls and performance standards for any development that is proposed over 24 metres that establishes a community, city and economic benefit from undertaking that development. The controls will contrast with a development that complies with the 24 metre height control.
- 9 Establish street front height controls across the study area.
- 10 Establish street front setbacks for development above the street front height control on all sites.
- 11 Establish side and rear setback controls across the study area.

Heritage Controls

- 12 Establish separate heritage controls for the SAP that are specific to the requirements of each precinct and work with the Scheme heritage provisions and heritage controls.
- 13 Ensure that places identified in the study research and in earlier heritage studies as being of heritage significance are included as Local Heritage Places in the new planning scheme.
- 14 Clearly map heritage places of both State and Local heritage significance and heritage precincts. Identify within the heritage provisions that places of State heritage significance are managed separately under the Tasmanian Cultural Heritage Act.
- 15 Ensure that precinct controls and adjacency controls are prepared to address the separate State and local heritage listing framework.

Design Guidelines

- 16 Prepare development/design guidelines as set out in the study to inform the SAP.
- 17 Support and incorporate the concepts around design excellence into all future development in the city.

Figures

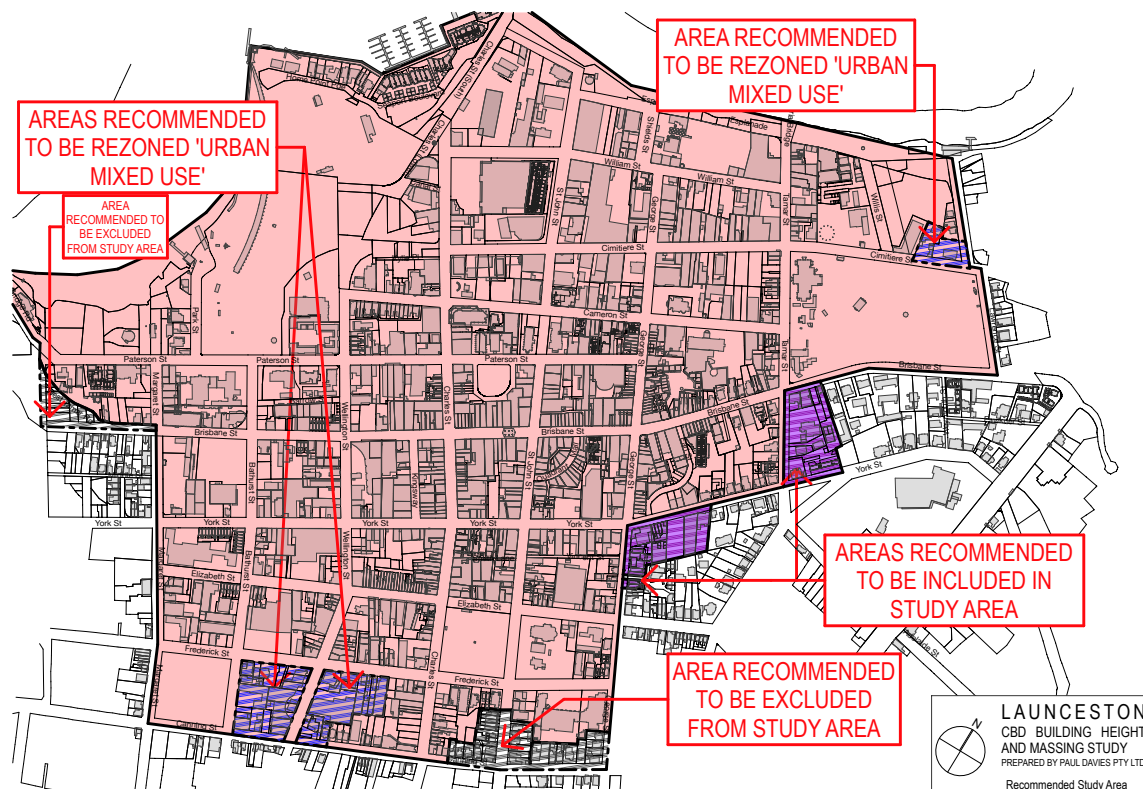


Figure 1: The study area boundary with recommended Boundary adjustments for the SAP. Note that there are minor additions and reductions of sites around the edge of the SAP to more accurately reflect the City area. Also note minor recommended zone adjustments to delete small areas of urban mixed use zoning that are within the eastern and southern edges of the SAP.

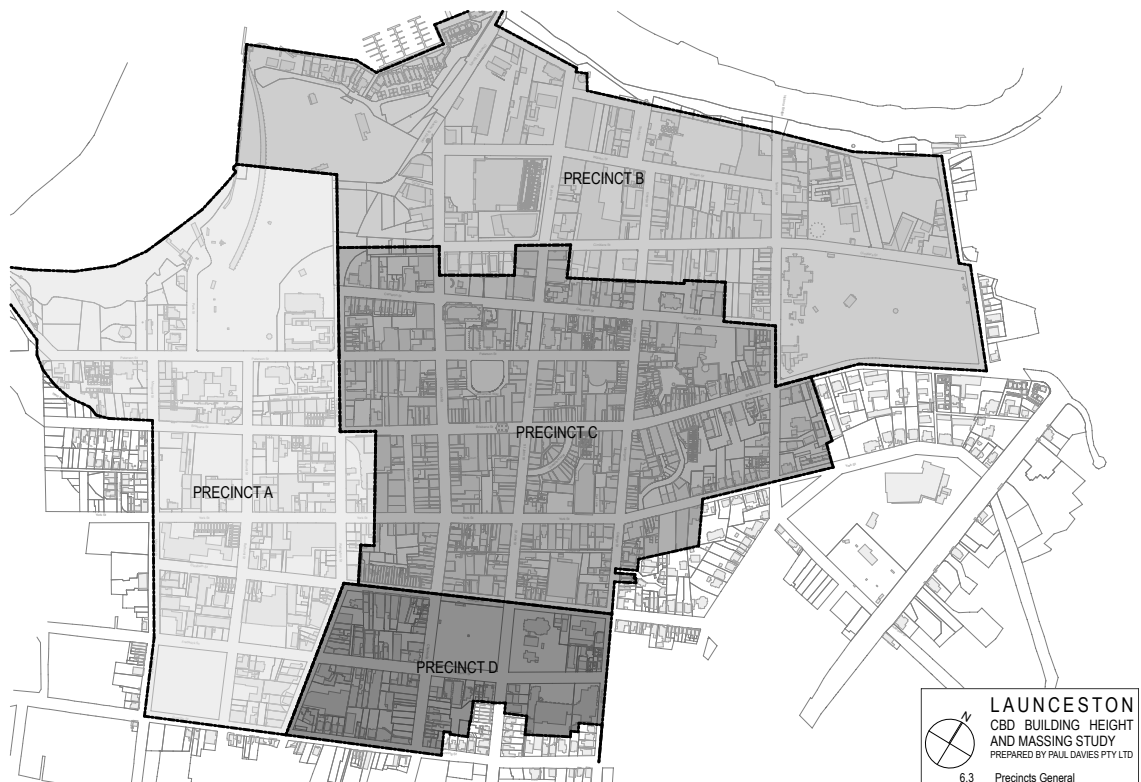


Figure 2: The recommended precinct boundaries within the SAP.

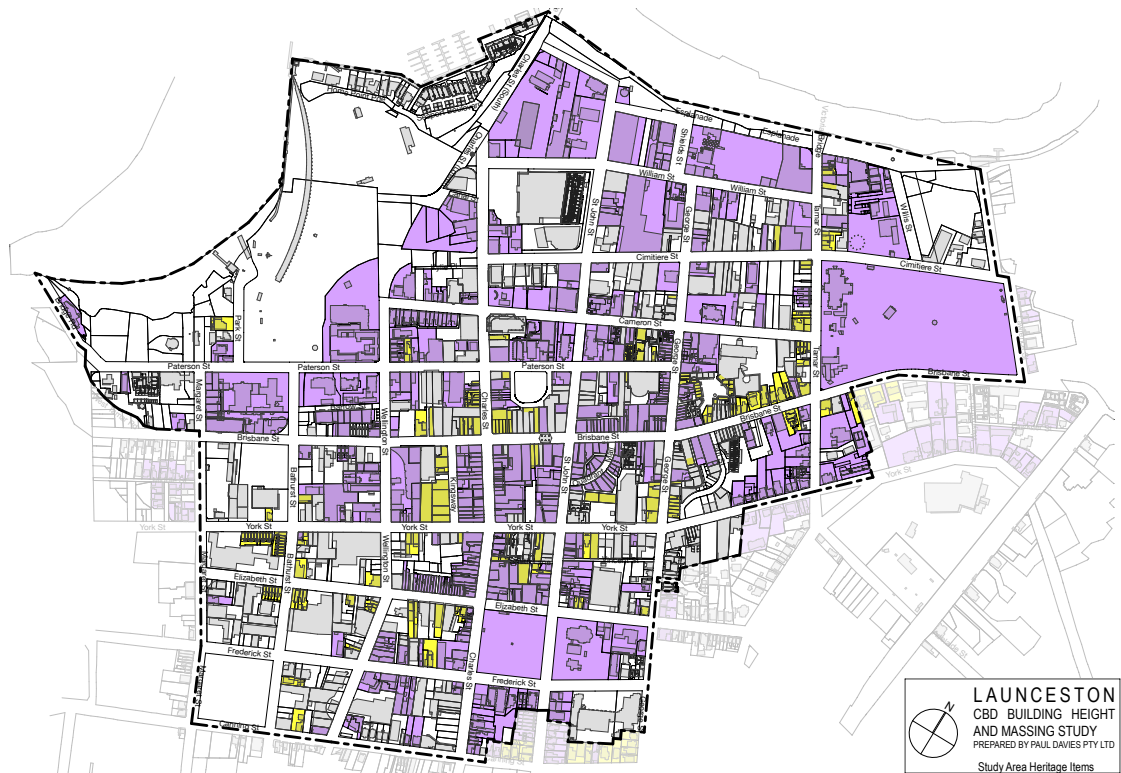


Figure 3: The heritage overlay of Heritage Items and places recommended to be considered as Heritage Items as part of the SAP.

Appendices

Appendix 1 - Options for future height controls

There are four principle options as to how controls could be implemented in the future:

- 1 Maintain the current controls including the unlimited discretionary height - status quo
- 2 Review current acceptable solution heights, adjust them to reflect the study and consultation findings and retain the unlimited discretionary height - minor Scheme amendment
- 3 Adopt either the current or reviewed acceptable heights and add height limits. The discretion would be limited by those heights - a more significant Scheme amendment
- 4 Remove acceptable solutions for height and make all applications discretionary with or without a height limit - a fundamental change to the Scheme framework

Onto this matrix can then be added other considerations such as:

- The use of design excellence as a principal method of development control
 - this was widely discussed and has clear advantages for the future of the city
 - it would need to be carefully defined and explained to ensure that it was not based simply on personal opinion
 - there would need to be a process for design review to assess the design quality or excellence of any proposal
- Development of detailed design guidelines in the form of a 'development control plan' that addresses how to add new development into the city to encourage design excellence.

A quick analysis on how this could look is:

1 Retain Current Scheme provisions

- not workable as the height is to be changed by the Planning Commission to increase acceptable heights to 20 metres unless there is a sound alternative
- 20 metres would not be acceptable to the general community nor be in line with the Gehl recommendations
- the 12 and 14.5 metre heights, while modest, do not work well where they are allocated and some adjustment should be considered
- unrestricted height will result in applications for buildings that will be considered to be out of scale with the desired city form.
- discretionary applications will require a much higher assessment framework
- this approach reduces certainty for the community and for applicants
- it will potentially invite proposals that are difficult and are likely to be costly to defend.

Not recommended.

2 Minor Scheme Adjustment

Apply 12 and 15 metre acceptable height limits across the whole area, retain discretionary height as is and introduce design excellence above acceptable height and introduce DCP controls for all sites.

A number of submissions noted that the varied heights were potentially complex and it may be better to simply adopt a single height or 2 heights with anything beyond these being discretionary.

There are advantages in this approach but it is more restrictive on development.

The addition of design excellence complicates this scenario as it would only currently apply to discretionary heights, consequently it may be more appropriate to lower the acceptable solution height to say 9 metres across the city area and make all development in excess of that discretionary height and subject to a design excellence process.

3 More significant Scheme Amendment

Apply revised acceptable heights (as discussed above) across the whole area and add absolute height limits at 24 metres, introduce design excellence for any application involving discretionary height and DCP controls for all sites and establish a separate set of controls for development that may exceed the 24 metre height limit.

- The variation to option 2 is the addition of a discretionary absolute height limit and the addition of controls as set out earlier in the report for developments that may wish to exceed the discretionary limit.
- The general absolute height of 24 metres proposed) was designed to accommodate scope for development - up to 7 storeys – with restrictions on how and where that could take place. This was seen as too restrictive in the Chamber of Commerce submission and too generous by most of the community submissions and surveys. Community submissions had a consensus of around 15 metres as a maximum.
- Responses from the community, when they allowed for taller buildings, appeared to support the idea of a scheme amendment approach, but this was not supported by the Chamber of Commerce as it relies too heavily on Council agreement. Consequently, after further input from Council it is proposed to add a further set of controls specific to development above their recommended height limit.
- The argument against height controls focussed on design excellence and how an excellent design no matter what height or scale, had potential to add to Launceston and limiting height was limiting design and potential. There is some merit in that argument provided there is a desire to see the city change character in the future by having taller buildings. It is agreed that design excellence assists in mitigating potential impacts but it does not address the fundamental question of whether the city wants or should have buildings above a certain height. The general community appear quite clear in their responses that they do not want to see the city increase significantly in height. We would suggest that there is a very high risk of irrevocably damaging the city by allowing inappropriate large-scale development and that the city's quality and value is as a largely low scaled place. We would encourage Council to protect the character and quality of the city as that is where the future economic, social and community value of the place rests.

- Retaining an open height limit does not address the broad concerns of the community in wanting clear and quite tight height controls nor does it provide certainty for developers. There is a need for a balance between allowing for reasonable development and maintaining the character and form of the city. This can be achieved by establishing height controls in combination with design excellence controls.

4 Remove acceptable solutions for height and make all applications discretionary with or without a height limit

- If there is a strong desire across the community for design excellence to be a key element, then it should not be limited to developments that are currently discretionary. It should be the base assessment for all development. Only then will the quality of built form in the city have the potential to improve. It then follows that all city development should be discretionary and design excellence should apply to all development in the CBD.
- If the removal of acceptable solutions for height is not palatable, a lower height of 9 metres across the whole study area could be implemented as the acceptable height so that most developments would require discretion.
- The matter of a height limit is then a decision on whether the council wishes to restrict future building heights to say 24 metres or is prepared to consider any proposal with the consequent potential impacts on city form. There is no right or wrong answer to the question but there are strong views expressed by the broader community that they do not want to change the fundamental character of the city (adding much larger buildings) even for good design.
- Gehl strongly recommended controlling height and setting relatively low limits. We suggest that 15 metres is too low and does not provide opportunity for innovative developments and that 24 metres is a generous height that will work for most future developments and which importantly protects the core scale values of the city.

Any of the above scenarios requires a detailed set of design controls/guidelines that at least at a most basic level need to be addressed and satisfied to achieve design excellence.

