

**TITLE: 1A George Town Road, Newnam - Rezone the Land from Recreation to Inner Residential**

**FILE NO:** SF6960

**AUTHOR:** Luke Rogers (Town Planner)

**DIRECTOR:** Leanne Hurst (Director Development Services)

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**DECISION STATEMENT:**

To determine the rejection or initiation of Amendment 57 to the Launceston Interim Planning Scheme 2015, to rezone the land at 1A George Town Road, Newnam from Recreation to Inner Residential.

**PLANNING APPLICATION INFORMATION:**

Applicant: Unify SDA Housing Pty Ltd  
Property: 1A George Town Road, Newnam  
Current Zoning: Recreation  
Receipt Date: 09/09/2019

**RECOMMENDATION:**

That Council:

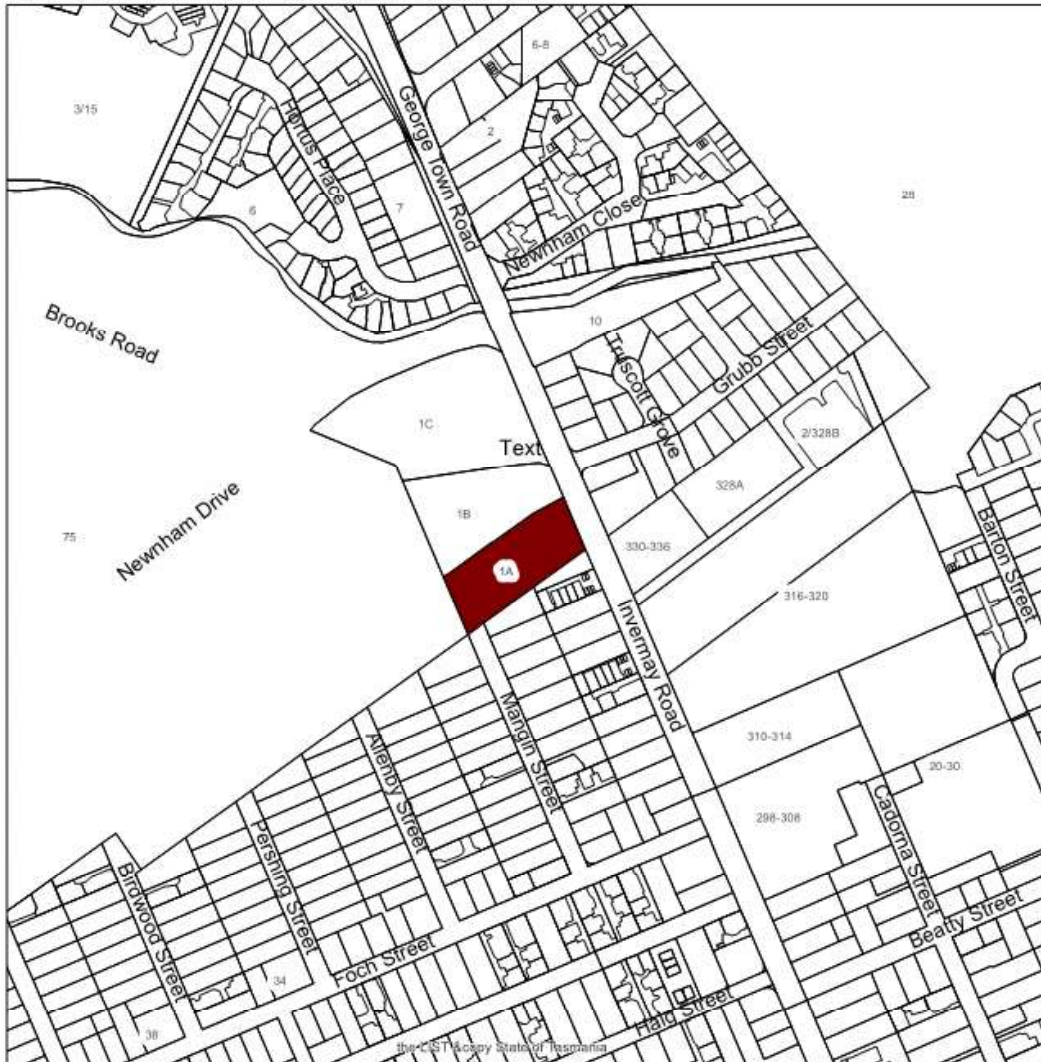
1. pursuant to the former sections 33(3) and 34(1)(a) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 57 to change the zoning at 1A George Town Road, Newnam from Recreation to Inner Residential.
2. pursuant to the former section 35 (1)(a) of the *Land Use Planning and Approvals Act 1993*, certify the draft amendment as shown below:

# Launceston Interim Planning Scheme 2015

## AMENDMENT 57

Rezoning from Recreation Zone to Inner Residential  
(1A George Town Road Lot 2 RP 137221)

Amend the interim planning scheme maps as below:



Zoning



11.0 Inner Residential

Louise Foster  
Director  
Corporate Services

THE COMMON SEAL  
of Launceston City  
Council was hereunto  
affixed in the presence of: -

Leanne Hurst  
Director Development  
Services

Date

*Note: Councillors are advised that under Schedule 6 - Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act)*

2015 - Parts 2A and 3 of the former provisions remain in force until a Local Planning Schedule comes into effect for the municipal area and this application assessment and recommendation has therefore been made under those transitional provisions.

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## **REPORT:**

### **PART A - APPLICATION FOR PLANNING SCHEME AMENDMENT**

#### **1.1 Introduction**

An application has been made under sections 33 and 34 of the *Land Use Planning and Approvals Act 1993*, by Unify SDA Housing Pty Ltd, for a change of zoning to the Launceston Interim Planning Scheme 2015 from Recreation to Inner Residential.

#### **1.2 Background**

The aim of the proposed rezoning is to provide for disability housing and associated services on the site. The development of disability housing or other buildings is not included in the application and would be subject to future approval. The application is designed to meet the demand for modern and purpose-designed accommodation for people in the community living with severe disability who are currently living in inappropriate circumstances. This is intended as a form of assistance in alignment with the National Disability Insurance Scheme (NDIS).

The area in which the site is located has a range of different zones and land uses, the most notable of which are the Inner Residential zoned land to the south and south west of the site and the UTAS Campus to the west and north west of the site in a Particular Purpose Zone. The existing Recreation Zone includes the Mowbray Indoor Sport and Skate and the North Launceston Bowls Club. The North Launceston Bowls Club currently operates only one of two adjacent lawn bowls facilities, leaving a vacant site that can be utilised for residential development in the Inner Residential Zone.

#### **1.3 Proposed Amendment**

The proposed amendment seeks to change the zoning at 1A George Town Road, Newnham from Recreation to Inner Residential. The site is approximately 5,664m<sup>2</sup> in size, and the amendment proposes to rezone the entirety of the site to Inner Residential.

#### **1.4 Act Requirements**

The legislation allows for an amendment to the planning scheme under sections 32 and 33 of the *Land Use Planning and Approvals Act 1993* (the Act).

*(1) A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A) –*

- (a) . . . . .*
- (b) . . . . .*
- (c) . . . . .*
- (d) . . . . .*

*(e) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and*

*(ea) must not conflict with the requirements of section 30O; and*

*(f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.*

*(2) The provisions of section 20(2), (3), (4), (5), (6), (7), (8) and (9) apply to the amendment of a planning scheme in the same manner as they apply to planning schemes.*

*Section 20 also includes the following:*

*(a) seek to further the objectives set out in Schedule 1 within the area covered by the scheme; and*

*(b) prepare the scheme in accordance with State Policies made under section 11 of the State Policies and Projects Act 1993; and*

*(c) . . . . .*

The amendment must be decided under section 33(3) which reads:

### *33. Request for amendment of planning scheme*

*(3) A planning authority must, within 42 days of the receipt of a request or such longer time as the Commission may allow, make a decision as to whether or not to initiate an amendment of the planning scheme and serve on the person who made the request notice of its decision within 7 days of making the decision.*

*(3AA) If the planning authority decides under subsection (3) to initiate an amendment of a planning scheme after receipt of a request from a person under subsection (1), it must –*

*(a) initiate the amendment under section 34; and*

*(b) certify the draft amendment under section 35 –*

*within 42 days of receiving the request or such longer time as the Commission allows.*

The matters, which Council must consider when making a decision whether to reject or initiate the application for an amendment, are listed in section 32 (as stated above) of the Act.

## **2. Site and surrounding area**

The subject site is located at 1A George Town Road, Newnham. This is on the western side of George Town Road, between Newnham Drive and Foch Street. The site has an area of 5,556m<sup>2</sup> and an irregular shape that is generally rectangular. The primary access to the site is over two crossovers to George Town Road at the north eastern and south eastern corners of the site. There is an additional rear access to the south western corner of the site from Mangin Street.

The site adjoins the North Launceston Bowls Club to the north, which is also the owner of the subject site and is within the Recreation Zone. To the south of the site is the Inner Residential Zone, with Mowbray Tattoo and 22-24 Mangin Street adjoining the site in this zone. To the west of the site is a sports oval that is part of the University of Tasmania's Newnham Campus and is in Particular Purpose Zone 5. Below is a labelled zoning map of the site:





Figure 1- Zoning Map

The site is currently developed with two separate bowling greens that occupy the majority of the site. There are also associated clubroom facilities along the southern boundary for a length of approximately 60m. This building occupies an area of approximately 500m<sup>2</sup>. The other development on the site includes a gazebo, a garden shed, shade awnings, landscaping and fencing. The area of the site adjoining the frontage to George Town Road is developed with car parking for approximately 23 vehicles. Below is an aerial image of the site:



Figure 2 - Site Aerial Image Map

### 3. Existing conditions on the site

#### 3.1 Heritage Values

The subject land is not listed in Local Historic Heritage Code under the planning scheme or within a state listed property on the Tasmanian Heritage Register. Additionally, there are no adjoining heritage listed properties.

#### 3.2 Scenic Values

The site is not within a scenic road corridor or a scenic management area shown on the planning scheme overlay maps in Scenic Management Code. There is a section of the University of Tasmania (UTAS) Newnham Campus adjoining the site that is within the Tamar Estuary Scenic Management Precinct. The proposed amendment is not considered to affect that precinct.

### 3.3 Environmental Hazards

#### 3.3.1 Bushfire

The subject site is not located within a bushfire prone area shown on planning scheme maps in the Bushfire Prone Areas Code and does not contain significant bushfire prone vegetation. There is a section of the UTAS Newnham Campus adjoining the site that is within a bushfire prone area, however, the site is considered to be at minimal risk from bushfire.

#### 3.3.2 Riverine Inundation

The site is not located in a flood prone area or inundation area as shown on planning scheme overlay maps. There is not considered to be any flood risk on site.

#### 3.3.3 Landslip

The subject site is not listed in a landslide hazard area as shown on the planning scheme overlay maps in the Landslide Code. There are also no hazard bands shown over the site on landslip mapping by the State government. There is not considered to be any landslip risk at the site.

### 3.5 Infrastructure

The subject site has the ability to connect to relevant infrastructure services. There is a DN225mm sewer line that runs through the south western corner of the site and to the rear of the site. There is also a gravity sewer main that runs through the rear of the site. A DN200mm water main runs along the sites frontage to George Town Road. A DN900 stormwater line runs through rear of the site and discharges to Newnham Creek. This surrounding infrastructure gives the opportunity to for connections, however, the site is not currently connected to these services. The infrastructure services listed can be seen in the image below:



*Figure 3 - Infrastructure Services Map*

The site is also connected to the electricity network, and is located within the existing transport network.

Discussions with Council's Infrastructure Department have indicated that there are no objections to the rezoning of the land. The future development of the site is the point at which specific matters such as access to the public roads, stormwater discharge volumes and connection points will need to be addressed.

## 4. Proposal

The proposal seeks to amend the Scheme for rezoning of the subject land from Recreation Zone to Inner Residential Zone at 1A George Town Road, Newnham.

### 4.1 Landowner Consent

The land is owned by North Launceston Bowls and Community Club Inc. and consent to the application was provided on 8 July 2019.

### 4.2 Considerations for an Amendment

#### 4.2.1 Section 32

***(e) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area.***

#### Recreation Zone

The site is currently zoned Recreational and the land adjoining to the north will remain in the Recreation Zone. No permit required uses in the zone are Natural and cultural values management and passive recreation, and the permitted use is sports and recreation. The proposed rezoning would not impact on the ability of the current sports and recreation use to continue, or for future uses that are no-permit required or permitted to be undertaken. The proposal would alter the border between the Recreation and Inner Residential zones, rather than creating a new interface between these two zone types in this locality.

#### Inner Residential Zone

Land to the south of the site is currently zoned Inner Residential. The proposed rezoning would bring the subject site into alignment with the adjoining land, allowing compatible land uses to be carried out on a currently vacant and underutilised site. It is noted that the adjoining general retail and hire use at 451 Invermay Road is an existing non-confirming use. This use has co-existed with surrounding residential uses for an extended period without creating unreasonable conflict. The proposed rezoning would allow more residential use in close proximity to this use, however, it is not anticipated that there would be any conflict between this use and the future use of the subject site after rezoning.

#### Particular Purpose Zone 5 - University of Tasmania, Newnham Campus

Land to the west of the site is within a Particular Purpose Zone, specifically for the housing of the University of Tasmania's Newnham Campus. As the operation of universities can include a diverse range of specific activities, there are a wide range of uses that are able to be conducted on the adjoining lot. No permit required uses in the zone are Natural and cultural values management and passive recreation, and permitted uses are business and professional services, community meeting and entertainment, general retail and hire (if for a local shop or the sale of books, stationary and education equipment), education and occasional care, research and development, sports and recreation and utilities.

It is likely that the current use of the adjoining area as a sporting ground would continue, however there is the potential for further development of the university in the future. It is noted that the UTAS's Newnham Campus currently borders the Inner Residential Zone for practically the entire length of its south eastern boundary. Particular Purpose Zone 5 and the activities of the UTAS and the Australian Maritime College (AMC) campus has not been in conflict with the numerous residential uses adjoining the site to the south.

#### 4.2.2

**(ea) must not conflict with the requirements of section 30O.**

30(0) states:

*30O. Amendments under Divisions 2 and 2A of interim planning schemes*

*(1) An amendment may only be made under Division 2 or 2A to a local provision of a planning scheme, or to insert a local provision into, or remove a local provision from, such a scheme, if the amendment is, as far as is, in the opinion of the relevant decision-maker within the meaning of section 20(2A), practicable, consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the scheme applies.*

*(2) An amendment, of a planning scheme, that would amend a local provision of the scheme or insert a new provision into the scheme may only be made under Division 2 or 2A if –*

*(a) the amendment is not such that the local provision as amended or inserted would be directly or indirectly inconsistent with the common provisions, except in accordance with section 30EA, or an overriding local provision; and*

*(b) the amendment does not revoke or amend an overriding local provision; and*

*(c) the amendment is not to the effect that a conflicting local provision would, after the amendment, be contained in the scheme.*

#### Response:

The amendment is being made to the Launceston Interim Planning Scheme 2015. An assessment of the Northern Regional Land Use Strategy (NRLUS) 2018 has been undertaken, where it has been deemed it is consistent.

The proposal is not amending, removing, or inserting a common provision, but is for a change in zoning, which is considered to be a local provision and is able to be amended under Division 2 or 2A.

#### 4.2.3 Land Supply

Rezoning of the site would allow for residential infill development on an unutilised site within the Newnham area, and would result in a consistent pattern of development with the adjoining residential uses in Mowbray to the south. The proposed use of the site is for disability housing, which requires sites of considerable sizes in a residential context. There is a current lack of appropriately sized lots in the area that could accommodate the suggested use, and therefore the supply of more residential zoned land for the purpose is considered appropriate.

However, no planning application has been proposed as part of this application and the change of zoning must be appropriate on its merits alone. The site is approximately 5,664m<sup>2</sup> in size. This provides a theoretical lot yield of 18 lots, based on the acceptable solution 11.4.24 A1.1 of 300m<sup>2</sup> per lot. A site of this size also has the ability to support 16



multiple dwellings, based on the acceptable solution 11.4.16 A1 of 350m<sup>2</sup> site area per dwelling. The site is located in an Urban Growth Area that is designated for additional residential growth. There is limited residential zoned vacant land in the surrounding area, with the closest vacant lots, not owned by Council, being the following:

Address	Approximate Proximity to Site	Lot Size
5 Plumer Street, Mowbray	600m south west	766m <sup>2</sup>
46 Parua Road, Newnham	700m north east	733m <sup>2</sup>
38 Dover Street, Mowbray	755m east, south east	505m <sup>2</sup>
3 Rheims Street, Mowbray	800m east, south east	514m <sup>2</sup>
11 Dover Street, Mowbray	860m east, south east	516m <sup>2</sup>
7 Dalton Court, Mowbray	860m east, south east	502m <sup>2</sup>
6 Meadowbank Road, Newnham	865m north east	1,861m <sup>2</sup>
8 Meadowbank Road, Newnham	870m north east	612m <sup>2</sup>
10 Meadowbank Road, Newnham	875m north east	612m <sup>2</sup>

In addition to these lots, there is some potential for infill development to the rear of existing dwellings in the area. There is not considered to be a high supply of land in the area. The rezoning of the subject site would result in additional residential land in a growth area with a limited existing supply of land.

### 4.3 State Policies

#### 4.3.1 State Policy on the Protection of Agricultural Land 2009

The purpose of this Policy is to conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land.

The subject site is located within an existing urban area and is not in the vicinity of agricultural land. The land has no agricultural value. As such, the State Policy on Protection of Agricultural Land does not apply.

#### 4.3.2 State Coastal Policy 1996

The State Coastal Policy applies to Tasmania's coastal area, including all islands except for Macquarie Island. The coastal zone includes State Waters (as defined in the *Living Marine Resources Management Act 1995*) and all land to a distance of 1km from the high water mark. The subject site is located outside this distance. Therefore, this policy is not applicable.

#### 4.3.3 State Policy on Water Quality Management 1997

This Policy applies to all surface waters, including coastal waters, and ground waters, other than:

- (i) privately owned waters that are not accessible to the public and are not connected to, or flow directly into, waters that are accessible to the public; or
- (ii) waters in any tank, pipe or cistern.

The objectives of the policy are as follow:

- Focus water quality management on the achievement of water quality objectives which will maintain or enhance water quality and further the objectives of Tasmania's Resource Management and Planning System;
- Ensure that diffuse source and point source pollution does not prejudice the achievement of water quality objectives and that pollutants discharged to waterways are reduced as far as is reasonable and practical by the use of best practice environmental management;
- Ensure that efficient and effective water quality monitoring programs are carried out and that the responsibility for monitoring is shared by those who use and benefit from the resource, including polluters, who should bear an appropriate share of the costs arising from their activities, water resource managers and the community;
- Facilitate and promote integrated catchment management through the achievement of objectives (a) to (c) above; and
- Apply the precautionary principle to Part 4 of this Policy.

The site is fully serviced by reticulated stormwater services. The site is located approximately 170m from Newnham Creek and the stormwater connections available to the site would flow into this watercourse. The future development on the site will be required to address the provisions of the Interim Planning Scheme and to meet the requirements of the *Urban Drainage Act 2013*. This will be sufficient to ensure that the water quality of Newnham Creek, and its flows into the kanamaluka/Tamar Estuary, can be maintained.

As such, the objectives of this policy are met.

#### **4.3.4 National Environment Protection Measures (NEPM)**

NEPMs are also taken to be State Policies in Tasmania. NEPMs are made under Commonwealth legislation, and given effect in Tasmania through the *State Policies and Projects Act 1993*.

The NEPMs are as follows:

- Air Toxins;
- Ambient Air Quality;
- Assessment of Site Contamination;
- Diesel Vehicle Emissions;
- Movement of Controlled Waste between States and Territories;
- National Pollutant Inventory; and
- Used Packaging materials.

The Codes within the Scheme deal in detail with the relevant matters (noise and air quality) and the assessment of future development applications over the site would be undertaken against the appropriate Use and Development Standards.

Due to potentially contaminating activities taking place on adjoining sites, it is appropriate that the site has been assessed for potential contamination. The subject site adjoins two properties that have been previously used for potentially contaminating activities as listed in the Potentially Contaminated Land Code. These potentially contaminating activities include an aquaculture laboratory at the UTAS's Newnham Campus and fuel tanks at both the UTAS and 451 Invermay Road, Mowbray Tattoo. Their adjoining site at 451 Invermay Road was also contained a HEC substation/transformer that served the Mowbray trolley

bus, which also has the potential to cause contamination. Additionally there is a significant history of industrial and commercial activities that have taken place to the south east of the site, some of which were potentially contaminating. Below is a map showing lots where potentially contaminating activities have been known to have taken place:



Figure 4 - Potentially Contaminated Sites Map

A Preliminary Site Investigation, that was completed by Environmental Service and Design, was prepared and submitted as part of the application. The summary of the report stated the following:

*It was concluded that the development does not present a significant risk to potential receptors identified in the Conceptual Site Model (CSM).*

*As per Section E2.4.3 of the Launceston Interim Planning Scheme 2015:*

- *the site history and site visit confirmed that potentially contaminating activities did not impact the development.*

*As per NEPM Schedule B2, Section 2.1, it was concluded that:*

- *No further investigation is required.*

This conclusion is sufficient to suggest that there is no contamination risk for the site and any future residential use.

The proposed amendment is not considered affected by the other NEPMs.

## **5. Gas Pipelines Act 2000**

- The purpose of the Act are as follows;
- To create an effective, efficient and flexible regulatory system for the construction and operation of pipeline facilities and of pipelines for transporting natural gas and other substances to which this Act applies;
- To ensure as far as reasonably practicable security of supply for users of gas; and
- To protect the public from risks inherent in regulated activities.

There is a TasGas distribution pipe located to the south of the site along Invermay Road, as can be seen on the map below:



Figure 4 - TasGas Pipeline Map

This gas pipeline terminates approximately 35m from the subject site, between 447 and 449 Invermay Road. Specific steps are required if work is to be undertaken within 25m of a TasGas Distribution PE. Therefore, any future development on the site as a result of rezoning will not be impacted by the *Gas Pipelines Act 2000*.

## 6. Planning Strategies

### 6.1 Launceston Residential Strategy (LRS) 2009-2029

The LRS provides a strategy for housing within the Launceston municipality over the next 20 years. The strategy provides 22 specific policies that make up the overall residential strategy, a number of these are relevant to the proposal. Each of these policies outlines key issues that should be addressed to achieve desired outcomes. The compatibility of the proposal with various key issues for relevant policies is discussed below:

#### Policy 1 - Responding to Demographic Projections

##### Key Issues:

*The changing composition of our communities will have significant impact on future housing demand. Launceston's population is predicted to grow at a steady rate and to age significantly over the coming decades. Family structures are also changing with a trend towards smaller households. Council will allow greater flexibility to consider alternatives to single dwellings and encourage housing that caters for the particular needs of the elderly, small families, young people and singles.*

*Council will encourage co-location of housing and community services, either by encouraging community services to locate in residential areas or by seeking to increase residential density in areas that are already well serviced.*

##### **Comment:**

The proposed zoning change will create additional residential zoned land in an urban context, to respond to changing demographics. The purpose of the proposed zoning is to provide an alternate housing type that caters to a particular need, being supported housing for people with a disability. The site would provide for housing and a community service in an area that is well serviced.

## **Policy 2 - Environmental Sustainability**

### Key Issues:

*Council recognises that further extension of the city outwards into rural areas is less environmentally sustainable, as it contributes to loss of vegetation, decreased water quality, loss of agricultural capacity, and compromised scenic amenity. It also leads to increased traffic in the city. Increasing fuel costs are reducing market demand for rural and remote residential properties. The benefits of energy efficient and water sensitive housing are being increasingly recognised; appropriate location, design and layout can reduce transport and other costs and have positive environmental benefits.*

### **Comment:**

The site is located in an existing urban area, facilitating additional residential development away from the fringe of the city. The rezoning of the site allows for redevelopment of an unutilised site and the establishment of smaller housing as shown in the concept plans provided in support of the application.

## **Policy 3 - Social and Economic Factors**

### Key Issues:

#### *Council will:*

- *When planning for housing Council must identify and respond to emerging social and economic trends.*
- *The planning scheme directly impacts on the profitability of the construction industry and resultant levels of employment and investment in the Launceston municipality.*
- *An ageing population brings with it increased demand for access to community and social services, higher density residential development, renovations and redevelopments in inner areas, and need for retirement and residential aged care facilities.*
- *The location of housing and accessibility to transport, social, recreational and employment opportunities is directly related to levels of social exclusion. Council should ensure social inclusion is a key consideration in developing the settlement strategy.*
- *Housing affordability must be factored into future locations of housing growth.*
- *The long-term costs and efficiency of infrastructure will become an increasingly significant determinant of housing location and type.*

### **Comment:**

The proposal responds to the needs of the community by providing disability care facilities in an urban area that has access to infrastructure services. The site is also located in an area that is identified as walkable in the LRS and is connected to the public transport network. The provision of disability housing and social services in this area responds to community needs and increases social inclusion for vulnerable members of the community.

## **Policy 9 - Settlement Hierarchy**

### Key Issues:

*Council will adopt a six tier hierarchy of objectives to guide the location of future housing development. This hierarchy describes housing locations from the most to the least*



*socially, economically and environmentally desirable and should be used by Council to inform strategic choices.*

#### *Fully Serviced Residential Areas*

- 1. Locate new residential development on 'brownfield' sites that are in accessible locations on the CBD fringes or adjacent to district centres or neighbourhood centres; then,*
- 2. Increases density in existing residential areas where opportunities exist or where capacity for change has been identified, primarily through unit developments or redevelopment; then,*
- 3. Is located on vacant land in urban infill locations including undeveloped portions of existing residential areas and vacant land that is currently within a residential zone; then,*
- 4. Is located on the most appropriate vacant land on the edge of the urban areas; then,*

#### *Partly Serviced*

- 5. Is located in planned rural residential development in the most appropriate areas; then,*

#### *Unserviced Development*

- 6. Individual rural houses unconnected to a primary industrial use.*

#### **Comment:**

The site can be considered a 'brownfield' site as it is not currently being utilised but has previously been developed. While 'brownfield' most commonly refers to industrial or commercial sites, the term can apply to other sites. The redevelopment of the site would be in alignment with the settlement hierarchy policy. The site also would represent infill development between developed sites, although it is not currently vacant.

As determined above, the site and its desired future use are in alignment with key policies of the LRS. As such, the proposal is consistent with the strategy.

## **6.2 Northern Regional Land Use Strategy (NRLUS) 2018**

The NRLUS is the statutory regional plan for Northern Tasmania and sets out strategies and policies to facilitate and manage change, growth and development until 2032. The site of the proposal is identified as being within an Urban Growth Area in Map D.1 - Regional Framework Plan. Specifically within a Priority Consolidation Area.

D.2.1.1 States the following in relation to the Priority Consolidation Area:

- *Comprising land in established urban areas focused on the Launceston Central Area as defined in the Regional Framework Plan Map D.1; and*
- *Support a broadened range of housing accommodation types and provide improved access, services, amenity and liability.*

D.2.1.3 states the following key principle;

- *Opportunities to increase the capacity of existing Urban Growth Areas should be given higher priority than to their expansion.*

E.2.3. states the following key settlement network strategies;

- *Support sustainable growth in identified Urban Growth Areas.*

- *Contain settlements within identified Urban Growth Areas with a focus on consolidating and developing the Greater Launceston Area...*
- *Support development of the Greater Launceston Area consistent with the Regional Framework Plan Maps D.1, D.2 and D.3 to promote efficient function, servicing and future development of the area.*
- *Consolidate existing land use patterns and identify infill opportunities within existing settlements and urban centres, and around activity centres and key public transport nodes and networks.*

The site is within an established urban area and allows a broader range of housing types to be supported, namely disability housing in this case. The proposal would increase the capacity of the area, rather than allowing its expansion. It represents sustainable growth in an identified Urban Growth Area, and can be seen as consolidating and developing the Greater Launceston Area. The proposal identifies an infill opportunity within an existing settlement within Map D.1 and further develops an area near an activity centre and transport networks.

The proposed rezoning is considered to be in alignment with these key principles and strategies contained within the policy.

The NRLUS further outlines specific policies and related actions in E.2.4. Those policies and actions that are relevant to the proposal are outlined below.

<b>Policy</b>	<b>Action</b>	<b>Planner Comment</b>
RSN-P1 Urban settlements are contained within identified Urban Growth Areas. No new discrete settlements are allowed and opportunities for expansion will be restricted to locations where there is a demonstrated housing need, particularly where spare infrastructure capacity exists (particularly water supply and sewerage).	RSN-A1 Provide an adequate supply of well-located and serviced residential land to meet projected demand. Land owners/developers are provided with the details about how development should occur through local settlement strategies, structure plans and planning schemes. Plans are to be prepared in accordance with land use principles outlined in the RLUS, land capability, infrastructure capacity and demand.	The proposed rezoning is consistent with this action.  The land is well located and serviced and will assist in meeting projected demand.
	RSN-A2 Land supply will be provided in Urban Growth Areas identified as: Priority Consolidation Areas; Supporting Consolidation Areas; or Growth Corridor.	The proposed rezoning is consistent with this action.  The site is within a Supporting Consolidation Area.
	RSN-A3 Apply zoning that provides	The proposed rezoning is consistent with this

	for the flexibility of settlements or precincts within a settlement and the ability to restructure under-utilised land.	action.  The site is currently underutilised; the proposed zoning would provide further flexibility for redevelopment.
RSN-P2 Provide for existing settlements to support local and regional economies, concentrate investment in the improvement of services and infrastructure, and enhance quality of life.	RSN-A4 Provide for the long term future supply of urban residential land that matches existing and planned infrastructure capacity being delivered by TasWater, specifically in parallel with existing water and sewerage capacity and required augmentation to meet urban development growth and capacity - both residential and industrial.	The proposed rezoning is consistent with this action.  The proposed rezoning is in an area that is serviced by existing TasWater infrastructure. The application was referred to TasWater and no capacity concerns were raised.
	RSN-A5 Provide a diverse housing choice that is affordable, accessible and reflects changes in population, including population composition. Ageing populations and single persons should be supported to remain in existing communities as housing needs change; 'ageing in home' options should be provided.	The proposed rezoning is consistent with this action.  The applicant for the proposal is Unify SDA Housing and the rezoning is to allow the development of specialised disability housing. This housing type would further diversify the housing stock and reflect the changes and requirements of the population, specifically in the area of disability.
	RSN-A6 Encourage urban residential expansion in-and-around the region's activity centre network to maximise proximity to employment, services and the use of existing infrastructure, including supporting greater public transport use and services.	The proposed rezoning is consistent with this action.  The site is located approximately 500m from a major activity centre identified in Map D.1, and will allow for urban residential expansion.
	RSN-A7 Ensure all rural and environmental living occurs	N/A

	<p>outside Urban Growth Areas.</p> <p>RSN-A8 Identify areas with existing mixed land use patterns, and/or 'brownfield' areas adjacent to activity centres, for mixed use redevelopment, and apply zones that provide for flexibility of use to support the activity centre and the role of the settlement.</p>	<p>The proposed rezoning is consistent with this action.</p> <p>The site of the proposal can be considered as a 'brownfield' site as it is developed but has been abandoned/unused.</p>
<p>RSN-P5 Encourage a higher proportion of development at high and medium density to maximise infrastructure capacity. This will include an increased proportion of multiple dwellings at infill and redevelopment locations across the region's Urban Growth Areas to meet residential demand.</p>	<p>RSN-A10 Apply zoning provisions which provide for a higher proportion of the region's growth to occur in suitably zoned and serviced areas. The application of Urban Mixed Use, Inner Residential and General Residential Zones should specifically support diversity in dwelling types and sizes in appropriate locations.</p>	<p>The proposed rezoning is consistent with this policy and action.</p> <p>The proposal is to apply the Inner Residential Zone to the site and is to facilitate the development of medium or high density supported housing.</p>
<p>RSN-P6 Focus higher density residential and mixed-use development in and around regional activity centres and public transport nodes and corridors.</p>	<p>RSN-A11 Clearly identify settlement boundaries at the local level for all significant activity centres.</p>	<p>The proposed rezoning is consistent with this policy and action.</p> <p>The site is located in close proximity to an activity centre and to a public transport corridor.</p>
<p>RSN-P8 New development is to utilise existing infrastructure or be provided with timely transport infrastructure, community services and employment.</p> <p>RSN-P9 Apply transit oriented development principles and practices to the planning and development of transit nodes, having regard for local circumstances and character.</p>	<p>RSN-A14 Prioritise amendments to planning schemes to support new Urban Growth Areas and redevelopment sites with access to existing or planned transport infrastructure. This will support delivery of transit oriented development outcomes in activity centres and identified transit nodes on priority transit corridors.</p>	<p>The proposed rezoning is consistent with this action.</p> <p>The proposal is an amendment of the planning scheme to redevelop a site with a public transport corridor and bus stop immediately adjacent to it on George Town Road.</p>

<p>RSN-P10 Plan new public transport routes, facilities and high-frequency services to provide safe and convenient passenger accessibility, and to support the interrelationship between land use and transport.</p>		
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The consistency with NRLUS has been demonstrated. Therefore, the Inner Residential Zone could be applied to the subject site.

## 7.0 Launceston Interim Planning Scheme 2015

The primary intent of the amendment is to rezone the site to facilitate future development of the land for disability housing and associated services. The proposal is to zone the land Inner Residential.

### 7.1 Inner Residential Zone (Proposed zoning)

#### 11.1 Zone Purpose

##### 11.1.1 Zone Purpose Statements

###### 11.1.1.1

*To provide for a variety of residential uses and dwelling types close to services and facilities in inner urban and historically established areas, which uses and types respect the existing variation and pattern in lot sizes, set back, and height.*

The proposed zoning change would allow for residential development and use on a site that is close to services, facilities and a historically established area. Any future development of the site would need to respect the variation and pattern in lot sizes, set back and height.

###### 11.1.1.2

*To provide for compatible non-residential uses that primarily serve the local community.*

The suggested use of the site by Unify SDA Housing Pty Ltd includes disability services that can serve the local community. The primary use of the site, however, is to be residential.

###### 11.1.1.3

*To allow increased residential densities where it does not significantly affect the existing residential amenity, ensure appropriate location of parking, and maintain vehicle and pedestrian traffic safety.*

The suggested use of the site will be a residential use with density greater than the surrounding area. The relative size of the site, however, provides the opportunity for a development that allows this greater density while not significantly affecting existing residential amenity.



#### 11.1.1.4

*To maintain and develop residential uses and ensure that non-residential uses do not displace or dominate residential uses.*

The suggested use of the site is primarily residential, with other associated uses that will not displace or dominate the residential use.

#### 11.1.1.5

*To provide for development that provides a high standard of amenity and contributes to the streetscape.*

Any future proposal for development would need to address the contribution to amenity and streetscape.

### **11.2 Use Table**

The use table for the Inner Residential Zone lists residential uses (that are not single dwellings) as discretionary uses. This includes multiple dwellings, communal residences and respite centres, which are the most likely residential sub-uses to be required by Unify SDA Housing Pty Ltd. The proposed zone is the most appropriate for housing of the type desired by the applicant.

### **11.3 Use Standards**

The use standards relate to other uses that are not primarily residential. As the proposed rezoning is to allow residential use on the site, and other uses are likely to be ancillary, the existing use standards will not apply.

### **13.4 Development Standards**

The following development standards apply for the physical development of residential buildings that are not single dwellings.

11.4.7 Site coverage

11.4.8 Building height

11.4.9 Frontage setbacks

11.4.10 Rear and side setbacks

11.4.11 Walls on boundaries

11.4.12 Location of car parking

11.4.13 Overlooking

11.4.14 North-facing windows

11.4.15 Daylight to windows

11.4.16 Density control of multiple dwellings

11.4.17 Private open space for multiple dwellings

11.4.18 Site facilities for multiple dwellings

11.4.19 Common property for multiple dwellings

11.4.20 Streetscape integration and appearance

11.4.21 Outbuildings and swimming pools

11.4.22 Earthworks and retaining walls

11.4.23 Development for discretionary uses

These would be assessed at an application stage should the development of disability housing be proposed. The site layout, size and conditions are sufficient to ensure that the

proposed use could be designed and delivered within the development standards of the zone.

If alternative use and development were to take place on the site there are a number of development options. The site provides the ability to provide 16 multiple dwellings under the acceptable solution 11.4.16 A1. The site also has the ability to be subdivided into 18 lots under acceptable solution 11.4.23 A1.1. If a different proposal were brought on the site, the development standards would be applied assessed at that point.

## **7.2 Codes**

### **E1.0 Bushfire Prone Areas Code**

As the site is not located within 100m of 1ha of bushfire prone vegetation, and is not covered by the planning scheme overlay map, the code does not apply.

### **E2.0 Potentially Contaminated Land Code**

The site is adjacent to two lots that have been known to have been used for potentially contaminating activities. However, a Preliminary Site Investigation by Environmental Service and Design that was provided in support of the application confirms that potentially contaminating activities have not impact the site. As such, any future use or development would be exempt from assessment against the provisions of the code.

### **E3.0 Landslide Code**

As no landslide overlays or hazards exist over the subject site, the code does not apply.

### **E4.0 Road and Railway Assets Code**

There are currently three separate access points to the site, two being to George Town Road and one being to Mangin Street. Any future development would be unlikely to require any additional accesses, however, the use of these accesses would likely increase. The scale of that increase would determine what steps would be needed to meet the requirements of the code.

### **E5.0 Flood Prone Areas Code**

As no flooding overlays or hazards exist over the subject site, the code does not apply.

### **E6.0 Parking and Sustainable Transport Code**

The code applies to all development, and would apply to the future residential development on the site. There is currently a car parking area along the frontage of the site and there is ample space on the site for the provision of parking and associated facilities to meet the needs of any future use.

### **E7.0 Scenic Management Code**

As no scenic management overlay exists over the subject site, the code does not apply.

### **E8.0 Biodiversity Code**

As no biodiversity overlay exists over the subject site, the code does not apply.

### **E9.0 Water Quality Code**

As the subject site is not within 30m of a watercourse, the code does not apply.

### **E10 Open Space Code**

The proposed future development of the site does not include subdivision, however, if there was a future proposal for subdivision on the site then the code would be triggered. In that instance it would be determined if open space should be provided in accordance with the code or if a cash-in-lieu payment would be allowed in accordance with the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

#### **E11 Environmental Impacts and Attenuation Code**

The site is not within any buffer area of uses that would trigger the code.

#### **E12 Airports Impact Management Code**

The site is not within the obstacle limitation surfaces and as such, the code does not apply.

#### **E13 Local Historic Cultural Code**

The site is not on the local heritage register and as such, the code does not apply.

#### **E14 Coastal Code**

The code only applies to coastal environments and as such, the code does not apply.

#### **E15 Telecommunications Code**

The code only applies to telecommunications facilities and as such, the code does not apply.

#### **E16 Invermay/Inveresk Flood Inundation Area Code**

The site is not within a flood area and as such, the code does not apply.

#### **E17 Cataract Gorge Management Area Code**

The site is not within the Cataract Gorge Management Area and as such, the code does not apply.

#### **E18 Signs Code**

The signs code would only be relevant to any future applications that included signage.

#### **E19 Development Plan Code**

The site is not located within the development plan code overlay and as such, the code does not apply.

### **8. Draft Local Provision Schedules - State-wide Planning Scheme**

The City of Launceston Council has endorsed draft Local Provision Schedules in alignment with the implementation of the State-wide Planning Scheme. The draft provisions have been made in accordance with the Zone Application Guidelines provided by the Tasmanian Planning Commission. The proposed zoning for the area under the draft Local Provision Schedules are shown below:



Figure 5 - Draft LPS Zoning Map

The site is proposed to remain in the Recreation Zone, however, the proposed zoning for the LPS did not generally recommend rezoning of individual sites. It is also noted that the area to the south of the site is proposed to be rezoned to General Residential, rather than the current Inner Residential Zone. The potential to recommend the site be rezoned to General Residential in anticipation of this likely change was considered. However, in assessing the proposed rezoning it was suitable to take into account the current provisions, policies and zoning, rather than pre-emptively apply the General Residential Zone to respond to a situation that may not eventuate.

## 9. Referral Agencies

Under section 56S(1) of the *Water and Sewerage Industry Act 2008*, a planning authority must refer a draft amendment to the relevant regulated entity. The application was referred to TasWater for comment on 20 September 2019. TasWater provided a Submission to Planning Authority Notice on 23 September 2019 and raised no objections or conditions to the proposed rezoning. However, under section 56S(2) the relevant regulated entity may provide comment during the public notification period if an amendment is initiated by the Council.

## 10. REFERRALS

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Infrastructure Assets	The proposal was referred to Infrastructure and no objections were raised.
Environmental Health	The proposal was referred to Environmental Health and no objections were raised.
Parks and Recreation	N/A
Heritage/Urban Design	N/A
Building and Plumbing	N/A
<b>EXTERNAL</b>	
TasWater	No Objections
DIER	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A

EPA	N/A
Aurora	N/A

## 11. Conclusion

The application for the amendment seeks to change the zoning from Recreation to Inner Residential. The amendment is supported based on the following:

- (1) Land use conflicts will be minimal; and
- (2) The proposed amendment and planning application have been assessed as being supportive of the objectives of the Act, NRLUS, relevant policies, and the Scheme.

### ECONOMIC IMPACT:

No significant economic impacts have been identified.

### ENVIRONMENTAL IMPACT:

No significant economic impacts have been identified.

### SOCIAL IMPACT:

No significant social impacts have been identified.

### STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015  
*Land Use Planning and Approvals Act 1993*  
Launceston Residential Strategy 2009-2029  
Northern Regional Land Use Strategy

### BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Leanne Hurst: Director Development Services

### ATTACHMENTS:

1. Locality Map - Amendment 57 - 1A Georgetown Road, Newnham (*electronically distributed*)
2. Scheme Amendment Supporting Report - 1A Georgetown Road, Newnham (*electronically distributed*)



3. Preliminary Site Investigation - 1A Georgetown Road, Newnham (*electronically distributed*)
4. Draft Preliminary Concept - 1A Georgetown Road, Newnham (*electronically distributed*)
5. TasWater SPAN - 1A Georgetown Road, Newnham (*electronically distributed*)