

**TITLE:** Amendment 70 - Change of Zoning from Community Purpose to Urban Mixed Use Zone at 10-16 Wellington Street, Launceston (CT133230/0)

**FILE NO:** SF7390

**AUTHOR:** Iain More (Town Planner)

**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

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**DECISION STATEMENT:**

To determine rejection or initiation of Amendment 70 to the Launceston Interim Planning Scheme 2015, change the zoning from Community Purpose Zone to Urban Mixed Use Zone at 10-16 Wellington Street, Launceston (CT133230/1).

**PLANNING APPLICATION INFORMATION:**

Applicant: 6ty°  
Area of the Site: 10-16 Wellington Street, Launceston (CT133230/1)  
Existing Zone: Community Purpose  
Existing Use: Educational and Occasional Care  
Receipt Date: 9 October 2021

**RECOMMENDATION:**

That Council, pursuant to the former:

1. section 34(1)(b) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 70 to change the zoning from Community Purpose Zone to Urban Mixed Use Zone at 10-16 Wellington Street, Launceston (CT133230/1).
2. section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegates to the Chief Executive Officer its functions under section 35(1) of the *Land Use Planning and Approvals Act 1993*, to certify the draft amendment to the Launceston Interim Planning Scheme 2015, as shown below:

# Launceston Interim Planning Scheme 2015

## AMENDMENT 70

Rezoning of 10-16 Wellington Street, Launceston from Community Purpose to Urban Mixed use

Amend the interim planning scheme maps as below:



Zoning  Urban Mixed use

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

Michael Stretton  
 Chief Executive Officer

Date

Service Layer Credits:

3. section 38(1) of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition to be 28 days.

*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. This application assessment and recommendation has therefore been made under those transitional provisions.*

## REPORT:

### 1. INTRODUCTION

An application was lodged under section 33 of the former *Land Use Planning and Approvals Act 1993* (the Act), by 6ty° for an amendment to the Launceston Interim Planning Scheme 2015, to change of zoning from Community Purpose Zone to Urban Mixed Use Zone at 10-16 Wellington Street, Launceston (CT133230/1).

The planning submission, titled *Planning Submission - Section 33 Application, Request for a Planning Scheme Amendment - TAFE Launceston Campus - 10-16 Wellington Street, Launceston*, prepared by 6ty°, dated 6 October 2021 is contained in Attachment 1.

This will be referred to as the *Planning Submission* throughout the report.

The *Launceston Interim Planning Scheme 2015* will be generally referred to as *the Scheme* in this report.

### 2. 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*:

- (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 300 ; 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 the Council must consider when making a decision whether to reject or exhibit the application are listed in sections 32 of the Act and are set out in detail under section 8 of this report.

Section 38 of the Act sets out that after making a decision on an application made under section 32 is to be publicly advertised for a period of 28 days:

- 38. *Public exhibition of draft amendment*
  - (1) *After giving to the Commission a copy of a draft amendment of a planning scheme and the instrument certifying that the amendment meets the requirements specified in section 32, the planning authority must –*
    - (a) *cause a copy of the draft amendment to be placed on public exhibition for a period of 28 days or a longer period agreed to by the planning authority and the Commission; and*
    - (b) *advertise, as prescribed, the exhibition of the draft amendment.*
  - (2) *If the period referred to in subsection (1)(a) includes any days on which the office of the planning authority is closed during normal business hours in that part of the State where the planning scheme to be amended applies, that period is to be extended by the number of those days.*

### **3. SUBJECT SITE AND SURROUNDING USES**

The site is located at 10-16 Wellington Street, Launceston (CT133230/1) and is currently zoned Community Purpose.

The site is established, containing several two-storey buildings all previously utilised by TAFE Tasmania. The site contains car parking and is well vegetated. Being a corner lot on Wellington and Paterson Streets, pedestrian access is gained through both of these frontages, with vehicular access through Queen Victoria Museum and Art Gallery Road via Paterson Street. The site is fully connected into reticulated services.

The site is located within the Launceston Central Area, on the outskirts of the CBD, approximately 300m west of the City centre. Directly adjoining the property to the north is



the Queen Victoria Museum and Art Gallery, to the west is Royal Park, to the south over Paterson Street is the former TAFE Tasmania campus which has recently sold and to the east is the commencement of the central business district containing a mix of uses such as housing, offices, accommodation, business, food services, retail and the fire station.

The site is located on the state and local heritage register and is surrounded almost entirely by other heritage listed places.

The following images outline the subject site aerial as well as its proximity to the Urban Mixed Use Zone.



Figure 1 - Subject Site (Source: SAM)

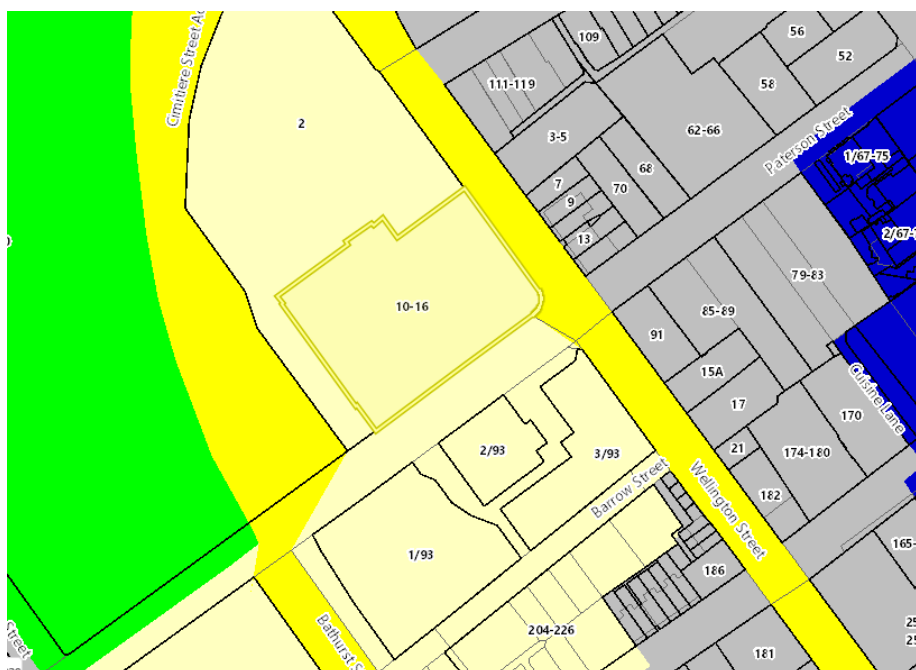


Figure 2 - Subject Site (highlighted) and its proximity to the surrounding Urban Mixed Use Zone (grey)

The only overlays over the site are those of heritage nature.

## **4. EXISTING CONDITIONS ON THE SITE**

### **4.1 Heritage Values**

The site is listed in the Local Historic Heritage Code under the Scheme and is a listed property on the Tasmanian Heritage Register.

### **4.2 Scenic Values**

The subject site is not shown on the Scheme overlay maps as being within a scenic protection overlay or a scenic road corridor.

### **4.3 Natural Values**

The subject site is not shown on the Scheme overlay maps as containing any natural values, being a fully developed urban lot.

### **4.4 Land Capability**

The site is not located within a rural area and as such land capability is not relevant.

### **4.5 Contamination**

The site is not listed as a contaminated site under the scheme.

## **5. ENVIRONMENTAL HAZARDS**

### **5.1 Bushfire**

The subject site is not shown on the Scheme overlay maps as being within a bushfire prone area.

### **5.2 Flood Hazard**

The subject site is not shown as being subject to a flood risk on the Scheme overlay maps.

### **5.3 Landslip**

The site is not listed as being within a landslip area under the scheme.

## **6. PROPOSAL**

The proposal seeks to amend the Launceston Interim Planning Scheme 2015 (the scheme), by changing the zone from Community Purpose to Urban Mixed Use.

The site was previously owned by TasTAFE. However, a strategic decision was made to centralise the majority of the northern education and training offerings into the Alanvale campus and as such the subject site was sold. Accordingly, the site is no longer fit for purpose for an educational use. As a community use is no longer required within that area, it needs to be considered what the site's best value and use would be for the City. In this instance, due to its proximity to the City and surrounding parklands, its best use is within another zone that would allow for a more robust and adaptive reuse of the site. In this instance the Urban Mixed Use zone is considered appropriate and is a logical step to ensure the site maximises its useability in a strategic context.

The new owner proposes to adaptively reuse the site for mixed residential, visitor accommodation, food service and hotel industry use. It is important to note that these changes are not proposed as part of this amendment, but will be subject to future development approvals should the change in zoning be adopted and subject to the provisions of the zone.

The majority of these uses are currently prohibited under the existing Community Purpose Zone and to ensure that these uses are able to occur over the site the Urban Mixed Use Zone is proposed.

## 7. LANDOWNER CONSENT

The land is owned by TasTAFE and consent was provided at time of lodgement.

## 8. CONSIDERATIONS FOR AN AMENDMENT

The relevant requirements of section 32(1) of the Act are outlined below:

### 32. Requirements for preparation of amendments

(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.*

### **Response (e):**

Pursuant to section 32(1)(e) of the Act, the Council must be satisfied that the proposed amendment, as far as practicable, avoids the potential for land use conflicts with use and development permissible under the Scheme applying to the adjacent area.

Any potential for land use conflict is dealt with under relevant provisions of the scheme. The change of zoning will allow new uses to occur over the site that were previously prohibited. However, due to the nature of these uses being not only permissible but encouraged within the Launceston Central Area, the potential for land use conflict is low. This is further encouraged by the surrounding land uses, being a community based museum, public park and educational uses.

The zoning change to allow new uses to occur will not conflict with the existing surrounding and adjacent area. It has been considered that the zoning will not impact on the amenity of adjoining and adjacent sites.

This is an area of Launceston where new active uses should be encouraged due to its proximity to the park and centre of town. The existing surrounding zoning and operating uses encourage new uses to occur, with the Urban Mixed Use Zone being a logical extension from the area over Wellington Street to the east.

***In regard to (ea), section 30O is considered in detail below:***

### 300. 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.*
- (3) *Subject to section 30EA, an amendment may be made to a local provision if –*
  - (a) *the amendment is to the effect that a common provision is not to apply to an area of land; and*
  - (b) *a planning directive allows the planning scheme to specify that some or all of the common provisions are not to apply to such an area of land.*
- (4) *An amendment may not be made under Division 2 or 2A to a common provision of a planning scheme unless the common provision, as so amended, would not be inconsistent with a planning directive that requires or permits the provision to be contained in the planning scheme.*
- (5) *Subject to section 30EA, an amendment of a planning scheme may be made under Division 2 or 2A if the amendment consists of –*
  - (a) *taking an optional common provision out of the scheme; or*
  - (b) *taking the provision out of the scheme and replacing it with another optional common provision.*

#### **Response (ea):**

The amendment concerns a local provision of the Scheme. An assessment of the Northern Tasmania Regional Land Use Strategy (NTRLUS) dated June 2021 has been undertaken and it is considered to be consistent.

The amendment does not propose to modify, remove or insert a common provision. The proposed change of zoning is considered to be a local provision and is able to be amended under Division 2 or 2A.

The amendment must also consider the requirements of section 20(1) of the Act as set below:

- (1) *A relevant decision -marker, in preparing, accepting, declaring or making a relevant scheme, or giving approval in relation to the making or approving of a relevant scheme, must, in the opinion of the relevant decision-maker –*
- (2)(a) *seek to further the objectives set out in Schedule 1 within the area covered by the scheme;*
- (b) *prepare the scheme in accordance with State Policies made under section 11 the State Policies and Projects Act 1993; and*
- (c) *.....*



- (d) *have regard to the strategic plan of a council referred to in Division 2 of Part 7 of the Local Government Act 1993 as adopted by the council at the time the planning scheme is prepared; and*
- (e) *have regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.*

## **Schedule 1, Part 1 - Objectives of the Resource Management and Planning System of Tasmania**

- (a) *to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.***

### **Response:**

The site does not contain any natural or physical resources, nor are there any ecological concerns. Therefore, the change in zoning will have no effect on natural or physical resources.

- (b) *to provide for the fair, orderly and sustainable use and development of air, land and water.***

### **Response:**

The change in zoning will allow for underutilised site to allow for uses which are currently prohibited, within the context of the urban area of Launceston. The land is connected to all reticulated services, and will not impact on the sustainability of air, land or water.

- (c) *to encourage public involvement in resource management and planning.***

### **Response:**

The public will have the opportunity to comment on this proposal during the exhibition period which will run for 28 days, should the Council decide to exhibit the application. The Tasmanian Planning Commission may also decide to hold a public hearing to deal with the representations if any are received.

- (d) *to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c).***

### **Response:**

The proposal is to change the zoning of the site to allow for adaptive reuse from a zone that no longer serves the needs of the site. The reuse of the site will allow for mixed residential, visitor accommodation, food service and hotel industry use.

All of these uses contribute to economic development. Residential will allow housing for Launceston residents, who will contribute to the economy through its key location next to the CBD. Visitor accommodation will encourage visitors to attend the site and visit and contribute to the local economy, again, in close proximity to the CBD. Food services and hotel uses will allow new businesses to operate from the site, both providing jobs and attracting people into central Launceston.

These new uses clearly meet the objectives set out in paragraphs (a), (b), and (c).

- (e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.**

**Response:**

If initiated the amendment will also be advertised and assessed by the Tasmanian Planning Commission consistent with this objective. During the advertising period TasWater will also be notified of the proposal and will be able to make comment. The Tasmanian Heritage Council have been referred the application and provided a Notice of (no) Interest (Ref #6759 dated 16/11/2021) and is attached to this report.

**Schedule 1, Part 2 - Objectives of the planning process established by the Act**

The objectives of Part 2 must also be considered:

- (a) to require sound strategic planning and co-ordinated action by State and Local government.**

**Response:**

The amendment is consistent with the objectives of the Northern Tasmania Regional Land Use Strategy, Greater Launceston Plan and the Launceston Residential Strategy 2009-2029 (LRS).

- (b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land.**

**Response:**

The application for the change of zoning of the current Interim Planning Scheme and specifically allows new uses to occur over the site which are currently prohibited. Prior to any use occurring the relevant provisions of the scheme must be met which may require a planning permit.

- (c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.**

**Response:**

The effects on the natural environment have been considered, noting that there will be no change. All relevant codes addressing environmental considerations will still be applicable in any future development application.

- (d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels.**

**Response:**

The proposed amendment is consistent with the local, regional and state policies as assessed by this report.

- (e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals.**

**Response:**

No other proposal is made as part of this application. Any change of use in the future will be required to address all relevant criteria within the scheme.

- (f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation.**

**Response:**

The amendment will facilitate an opportunity for a mixed use development including residential, visitor accommodation, food services, and hotel industry. All of these uses contribute to the health and wellbeing of Tasmanians and visitor alike by providing a pleasant and safe environment for people to stay and gather.

- (g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest or otherwise of special cultural value.**

**Response:**

The site is listed as a local heritage place by the Tasmanian Heritage Council as well as the City of Launceston. As the proposal only seeks a change of zoning, there will be no impact on the aesthetic, architectural or historical interest or otherwise of special cultural value

- (h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.**

**Response:**

The amendment in itself will not alter any public infrastructure or other assets. Consideration of servicing the site and any future development will occur during the assessment of any future proposal.

- (i) to provide a planning framework which fully considers land capability.**

**Response:**

The site is not zoned Rural and therefore, land capability is not a factor in its assessment.

## **9 STATE POLICIES**

### **9.1 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. As the site is located outside of 1km from the coast, this policy is not applicable.

### **9.2 Protection of Agricultural Land 2009**

This policy is not relevant as the site is not zoned Rural and is not for agricultural purposes.

### 9.3 State Policy on *Water Quality Management* 1997

The provisions of this Policy area reflected in the E9.0 Water Quality Code in the planning scheme. The proposed site is outside of all triggers requiring assessment against this code or the policy.

### 9.4 National Environment Protection Measures

Section 12A of the *State Policies and Projects Act 1993* states that a National Environment Protection Measure (NEPM) is taken to be a State Policy. The following, therefore, require consideration:

- Ambient air quality 2002
- Diesel vehicle emissions 2001
- Assessment of site contamination 1999
- Used packaging materials 1999
- Movement of controlled waste between States and Territories 1998
- National pollutant inventory 2000

The site is not listed as potentially contaminated and as the proposal is for a change of zoning, it is not considered the policy is relevant to the assessment of the application.

### 9.5 City of Launceston Corporate Strategic Plan 2014-2024

The City of Launceston Corporate Strategic Plan 2014-2024 (LSP) is prepared under the *Local Government Act 1993* (Tas). The assessment of the application has had regard to the LSP and is generally consistent with the principles and goals, which are outlined below:

#### **A city where people choose to live**

Goal 2: To promote Launceston as a unique place to live, work and play.

#### **Response:**

The change of zoning that will make permissible residential use directly meets the goal of where people choose to live. This will ensure there is future opportunity for residential use to occur, at a time where residential use is highly sort after.

#### **A city that values its environment**

Goal 5: To reduce the impacts on our natural environment and to build resilience to the changing intensity of natural hazards.

#### **Response:**

Development of the site will still be required to address the relevant clauses of the planning scheme that deal with natural hazards, noting that the site does not predominantly contain any natural hazards.

#### **A city building its future**

Goal 6: To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions.

#### **Response:**

The zoning amendment will ensure appropriate opportunities are present for new uses to occur over the site. It is considered the site is currently underutilised, especially given its proximity to the City. Any physical development will be required to address any requirements of the planning scheme through the planning application process.



## **A city that stimulates economic activity and vibrancy**

Goal 7: To develop a strategic and dedicated approach to securing investment in Launceston.

### **Response:**

The zoning will allow new uses to occur on site that are currently prohibited, including retail commercial and visitor accommodation. The potential for these new uses to occur on site will ensure there is opportunity for future investment in the City.

## **A secure, accountable and responsive Organisation**

Goal 8: To communicate and engage consistently and effectively with our community and stakeholders.

- To seek and champion collaboration to address major issues for Northern Tasmania
- To ensure decisions are made in a transparent and accountable way
- To continue to meet our statutory obligations and deliver quality services
- To continue to ensure the long-term sustainability of our Organisation

### **Response:**

The proposed amendment will go through the appropriate mechanisms under the *Land Use Planning and Approvals Act 1993*, which includes active community and stakeholder consultation through the formal exhibition process, should it be initiated.

### **9.6 Gas Pipelines Act 2000**

The gas pipeline is not available in proximity to the site. Therefore, the *Gas Pipelines Act 2000* is not applicable to the proposed development.

## **10. PLANNING STRATEGIES**

### **10.1 Greater Launceston Plan**

The Greater Launceston Plan (GLP) is a community vision and evidence-based framework for the sustainable development of Launceston and its surrounds over the next 20 years and beyond.

The GLP is directed to achieve five principal outcomes for the participating Councils and broader communities they represent:

- *provide a unified vision and consistent policy framework to support prosperity and sustainable development for existing and future communities in the greater Launceston area;*
- *provide an overarching metropolitan regional framework to coordinate planning and development in the municipalities that together make up the greater Launceston area;*
- *provide a regional view of development priorities within the greater Launceston area;*
- *identify key city projects to be undertaken by the participating Councils which will act as a focus for new investment and sustainable development opportunities in the greater Launceston area;*
- *facilitate a consistent approach to the implementation of planning and development policy and initiatives within the greater Launceston area.*

It has been considered that the proposed change of zoning meets the objective of the plan. The change of zoning will allow new use to occur on a site that will support

prosperity through new use by identifying an underutilised site that can positively contribute to the City.

## 10.2 Launceston Interim Planning Scheme 2015

There are 11 objectives of the current Interim Planning Scheme. Of these 11, two are relevant to the assessment of this amendment application.

### 10.2.1 Maintaining Launceston as the business and commercial heart of the region

#### **Response:**

The subclause of this objective is retail, business, and employment centres. The zoning change will allow a future mix of residential, visitor accommodation, food service and hotel industry use to occur on site, uses that are currently prohibited. This is vital considering the sites close proximity to the town centre, and maintain the area as the commercial heart of the region.

### 10.2.2 Managing growth for a changing population

#### **Response:**

The inclusion of residential use on the site will allow the opportunity for new forms of residential use and development to take place. The site is ideally located to allow for alternative forms of housing, and is easily accessible to community services and infrastructure.

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

The Launceston Residential Strategy 2009-2029 (LRS) provides a strategy for housing within the Launceston municipality over the next 20 years. The strategy focuses on five tiers of development. The most relevant to the current proposal is Tier 1 - Urban redevelopment for new houses in accessible locations.

The current zoning of the land is Community Purpose, which prohibits residential use. A change to the Urban Mixed Use zoning would allow residential development to occur through application. The site is within a fully serviced area.

The site is located within the Launceston Central Area as defined by the Regional Strategy, noted as the Principal Regional Activity Centre. The rezoning and location is considered to meet this tier, as it is within proximity to public transport and centre nodes, and is capable of achieving a mix of housing types and densities.

The current demand for residential lots has not been predicted by the strategy. However, projections for a high level growth scenario estimate a general population of 72,903 by 2024, whereas, the current population of Launceston, in 2021 is 80,916 according to the last census (Australian Bureau of Statistics, 2020). Accordingly, identifying underutilised and highly accessible development sites such as this that are fully serviced land accessible to identified centres, helps meet the requirements of the strategy.

For this reason the proposed change of zoning is considered to align to the strategic directions of the residential strategy.

## 10.4 Northern Tasmania Regional Land Use Strategy (RLUS)

The RLUS provides the strategic direction for the region (made up of eight municipal areas), over a 20 year time frame until 2032 and supports economic development and tourism activities. Part C of the RLUS defines four key strategic goals, being economic development, liveability, sustainability and strong governance.

The site is located within the Launceston Central Area, an urban growth area, within the regional framework. This land is within the developed urban settlement or in areas intended for urban development. G2.1.1 of the strategy identifies this area as:

- comprising land in established suburbs which is separate from Priority Consolidation Areas as shown in the Regional Framework Plan Maps G.1, G.2 and G.3;
- support reliable and effective transportation and reduce vehicle dependency;
- physically connect new urban settlements to existing communities wherever possible, or otherwise provide new development with direct transport linkages to established urban areas;
- promote cohesive communities;
- support a wide range of services and facilities;
- support access to existing or planned activity centres; and
- comprise a suitable and complementary mix of land uses to support the Regional Settlement Hierarchy and the Regional Activity Centre Hierarchy.

In order to ensure the above is considered, there are a number of policies and actions within the strategy. Relevant to this assessment:

- Regional Settlement Networks
- Housing Dwellings and Densities
- Integrated Land use and Transport
- Regional Infrastructure Network
- Regional Environment Policy

The Planning Submission has assessed the policies and actions relevant to the amendment in detail, referencing specialised reports and strategic information. The relevant policies and actions in the RLUS are detailed as follows:

**E2. Regional Settlement Network Policy**  
**E2.4 Specific Policies and Actions**

Regional Settlement Networks	
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.  RSN-A2

	<p>Land supply will be provided in accordance with the Key Principles through local strategy for Urban Growth Areas which include:</p> <ul style="list-style-type: none"> <li>• Priority Consolidation Areas</li> <li>• Supporting Consolidation Areas</li> <li>• Growth Corridor</li> <li>• Future Investigation Areas.</li> </ul> <p>RSN-A3          Apply zoning that provides for the flexibility of settlements or precincts within a settlement and ability to restructure underutilised land.</p>
<p>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.</p>	<p>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.</p> <p>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; <i>ageing in home</i> options should be provided.</p> <p>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.</p> <p>RSN-A7          Ensure all rural and environmental living occurs outside Urban Growth Areas.</p> <p>RSN-A8          Identify areas with existing mixed land use patterns, and/ or <i>Brownfield</i> areas adjacent to activity centres, for mixed use</p>



	redevelopment, and apply zones that provide for flexibility of use to support the activity centre and the role of the settlement.
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**Response:**  
 The proposal is for a change of zoning that will allow new uses to occur on the site that are currently prohibited. The Urban Mixed Use zone will allow for residential use and development opportunities within the identified Urban Growth area. Being an established and built site, as well as its proximity to the City, new and alternative forms of residential types will be able to occur. The site is currently serviced by water, stormwater, and sewer, is within walking distance to the region's main activity centre, being the Launceston CBD and is within easy walking distance to transport routes. The change of zoning will encourage new urban residential expansion around the activity centre.

<b>Housing Dwellings and Densities</b>	
<b>RSN-P5</b> 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.	<b>RSN-A10</b> 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.
<b>RSN-P7</b> In new development areas include a diversity in land uses, employment opportunities and housing types at densities that support walkable communities, shorter vehicle trips and efficient public transport services.	<b>RSN-A12</b> Encourage well-designed new urban communities through detailed planning provisions.

**Response:**  
 The site is located within a services area, and the change of zoning to Urban Mixed Use will ensure housing diversity on an appropriately located site in close proximity to the Principal Regional Activity Centre. New development and use changes will be subject to the provisions of the planning scheme, ensuring design is appropriately managed.

<b>Integrated Land use and Transport</b>	
<b>RSN-P8</b> New development is to utilise existing infrastructure or be provided with timely transport infrastructure, community services and employment.	<b>RSN-A14</b> 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.

**Response:**

The site is within an existing growth area, with easy access to existing transport infrastructure. The amendment is deemed to be consistent with the policies and actions detailed in the above table.

<b>Residential Design</b>	
<b>RSN-P15</b> In established urban areas where an existing urban or heritage character study has been undertaken and adopted by Council, provide for development that is consistent with that study and reinforces and enhances the strengths and character of the area in which it is set.  <b>RSN-P16</b> Achieve high quality design outcomes for all new prominent buildings and public spaces in the Launceston Central Business District, regional activity centres and transit communities.	<b>RSN-A17</b> Adopt and/or apply within infill and higher residential density areas any medium density guidelines developed by the State.  <b>RSN-A18</b> Develop and support a master plan for the Launceston CBD (being the CAD and inner city core areas as defined by the Launceston City Council planning scheme) to confirm and position the future strategic planning of the city as the Principal Activity Centre for Northern Tasmania.

**Response:**

Whilst not a greenfield site, it can be considered to be infill due to its ability to accommodate higher residential density within an inner City area.

<b>Housing Affordability</b>	
<b>RSN-P20</b> Provide a variety of housing options to meet diverse community needs, and achieve housing choice and affordability.	<b>RSN-A19</b> Review the community needs for housing provision and affordability.

**Response:**

Whilst any residential change of use will be subject to future development, the provision of a zone that will permit residential use to occur, in a variety of housing types and densities, is considered to be a positive step in ensuring sufficient housing supply and affordability.

<b>Regional Activity Centre Network Policy</b>	
<b>RAC-P1</b> Maintain and consolidate the Regional Activity Centres Network so future urban development consolidates and reinforces the spatial hierarchy of existing centres. This will be achieved through the reuse and redevelopment of existing buildings and land to integrate a mix of land uses including the coordinated provision of residential development, retail, commercial, business, administration, social and community facilities, public and active transport provision and associated infrastructure.	<b>RAC-A1</b> Integrate the Regional Activity Centres Network into government policy and strategies (including strategic plans, corporate plans, planning schemes and capital works programs).  <b>RAC-A2</b> Zoning and land use planning provisions are to minimise potential for decentralisation of functions outside of the Regional Activity Centres Network and reinforce the spatial hierarchy, role and function of centres.

<p><b>RAC-P2</b>          Reinforce the role of the Launceston Principal Activity Centre as the primary focus for administration, government, business, commercial, cultural, high order retail goods (including bulk goods locations/precincts) recreational, arts and tourism activity for the region.</p>	<p><b>RAC-A3</b>          Reinforce the role of Launceston City as the region's Principal Activity Centre (PAC) and provide for it to be sustained and strengthened through the preparation of a master plan that:</p> <ul style="list-style-type: none"> <li>• Maintains and consolidates regional significant retail attractions and amenities by facilitating and encouraging new investment;</li> <li>• Supports regional level retail investment in the CBD and inner city areas;</li> <li>• Complements the other higher order regional activity centres; and</li> <li>• Facilitates the consolidation of bulky goods precincts within the City and the Greater Launceston Urban Area.</li> </ul>
<p><b>RAC-P10</b>          Provide for a range of land uses to be incorporated into activity centres appropriate to their role and function within the Activity Centres Hierarchy.</p>	<p><b>RAC-A13</b>          Focus higher density residential and mixed-use development in and around regional activity centres and public transport nodes and corridors.</p> <p><b>RAC-A14</b>          Planning scheme controls concerned with land use, built form and residential density should reflect the Regional Activity Centres Network.</p>
<p><b>RAC-P13</b>          Support effective access to a hierarchy of social facilities and amenities.</p>	<p><b>RAC-A16</b>          Have regard to the location of activity centres relative to existing or proposed principal public transport corridors in the consideration of planning scheme amendments, including rezoning proposals, as appropriate.</p>

### **Response:**

Launceston is considered to be the Principal Regional Activity Centre within the Regional Activity Centre hierarchy. As the site is within the Launceston Central Area, the change of zoning will contribute to this hierarchy. The new uses that will be able to occur on the site area considered beneficial and able to positively contribute to the region as a whole.

The site will allow the opportunity for higher density development to occur within the area, in close proximity to transport nodes and corridors. Being within the Urban Mixed Use zone will allow a range of mixed uses to occur that reflect the regional activity centre network. Being an existing underutilised site within the Launceston Central Area, it makes strategic sense to allow new active uses to occur.

## **11. 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 proposed amendment will be referred to TasWater if the amendment is initiated. Under section 56S(2) of the *Water and Sewerage Industry Act 2008*, the relevant regulated entity may provide comment during the public notification period.

## 12. REFERRALS

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Infrastructure Assets	Comments provided.
Environmental Health	Comments provided.
Natural Environment	N/A
Heritage/Urban Design	Comments provided
Building and Plumbing	N/A
<b>EXTERNAL</b>	
TasWater	Referral will occur if initiated.
State Growth	N/A
TasFire	N/A
Tasmanian Heritage Council	Notice of (no) Interest dated 16/11/2021.
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

## 13. CONCLUSION

The current provisions of the scheme do not currently permit new uses to occur over the site that would benefit the City. The change of zoning will allow for mixed residential, visitor accommodation, food service, and hotel industry use, uses that are currently prohibited within the zone.

As previously discussed within this report, the site is no longer fit for an educational use. Therefore, it needs to be considered what the sites best value and use would be for the city and region as a whole. In this instance, due to its proximity to the city and surrounding parklands, changing the zoning to Urban Mixed Use would allow the site to be utilised in a supporting role for the City, and is considered to be an appropriate zone to allow adaptive reuse.

The proposed amendment has been assessed as being supportive of the objectives of the Act and all relevant strategic planning documents.

It is, therefore, submitted that the draft amendment is consistent with the relevant (former) provisions of the *Land Use Planning and Approvals Act* so the amendment should be certified and exhibited accordingly.

## ECONOMIC IMPACT:

No significant economic impacts have been identified.



## **ENVIRONMENTAL IMPACT:**

No significant environmental 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*  
*Local Government Act 1993 (Tas)*

## **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 - General Manager Community and Place Network**

## **ATTACHMENTS:**

1. Locality Map - Amendment 70 - 10-16 Wellington Street, Launceston (*electronically distributed*)
2. Application Documents - Amendment 70 - 10-16 Wellington Street, Launceston (*electronically distributed*)
3. Instrument to certify - Amendment 70 - 10-16 Wellington Street, Launceston (*electronically distributed*)
4. Tasmanian Heritage Council - Notice of No Interest (Ref No. 6759 dated 16/11/2021) - 10-16 Wellington Street, Launceston (*electronically distributed*)