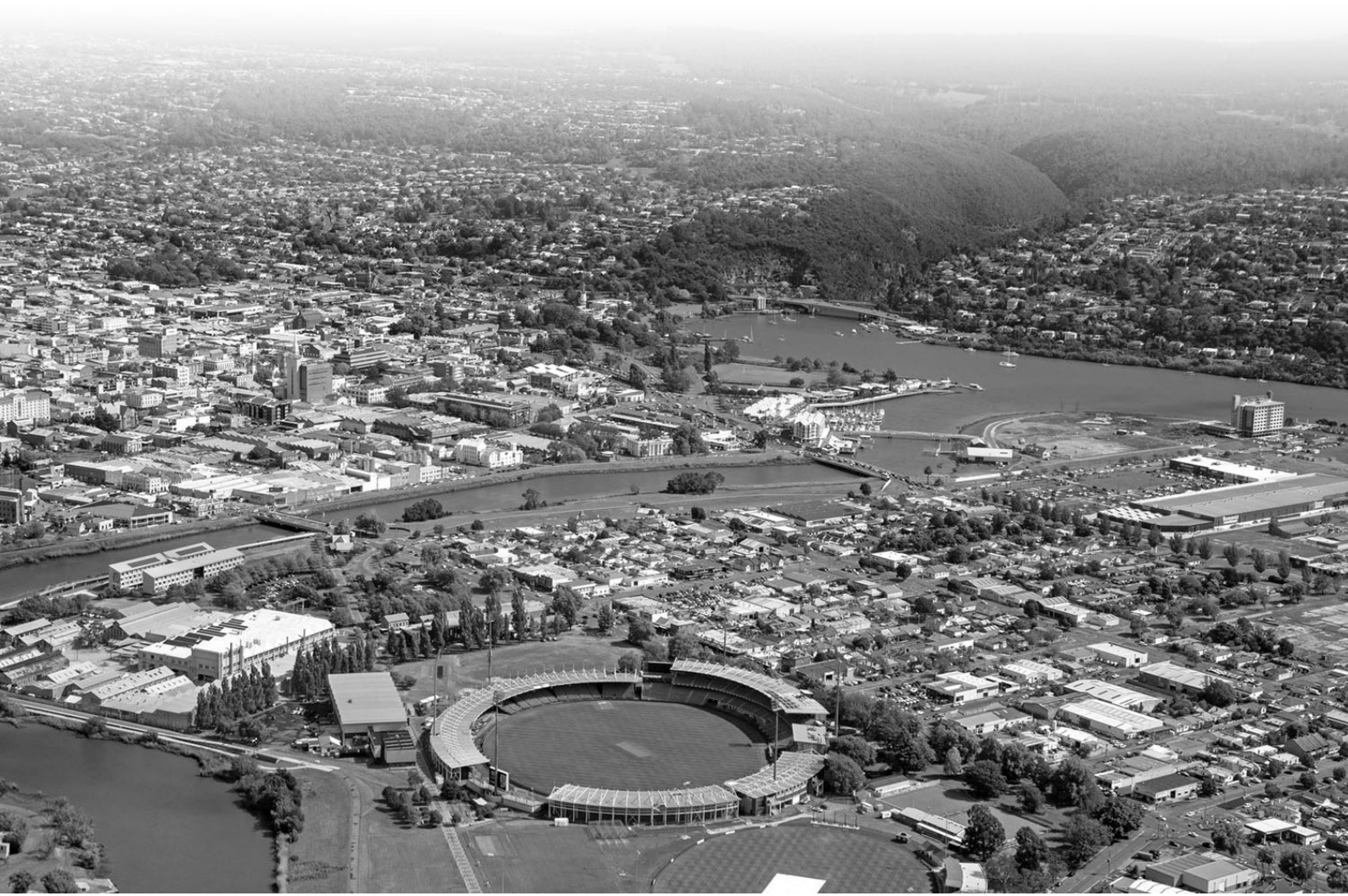


9 Rose Lane, South Launceston Section 40T Application

Supporting Planning Report

4 November 2022



ERA Planning Pty Ltd trading as ERA Planning and Environment

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1 Introduction

1.1 Purpose of the report

ERA planning and Environment (ERA) have been engaged to request an amendment to the *Tasmanian Planning Scheme – Launceston* (the planning scheme) pursuant to Sections 37 and 40T of the *Land Use Planning and Approvals Act 1993* (the Act). The proposal relates to land at 9 Rose Lane, South Launceston and the adjacent Rose Lane road reservation.

This report forms the basis of the application and has been prepared considering the provisions of the planning scheme, the requirements of the Act, and other relevant strategic documents.

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1.2 Proposal

The proposal includes a planning scheme amendment for rezoning and a planning permit application for development of the site.

The planning scheme amendment seeks to rezone the site to the community purpose zone. No changes to the applicable zone and code requirements are being sought. The rezoning proposal is discussed further in section 3.

Rezoning enables development of the site for a variety of business and professional services, including a medical centre, veterinary clinic and office space. The proposed development is for six detached, single storey buildings, each approximately 500 m² gross floor area and arranged around a central access and parking area. The development proposal is discussed further in section 4.

1.3 Title information

The proposal relates to land detailed in Table 1 below. Title documents are available at *Appendix A*. Land owner's consent is available at *Appendix B*.

Table 1: Title information

Address	Land owner	Title reference	Additional detail(s)
9 Rose Lane	OLSP Pty Ltd	159336/1	0.4 ha of vacant land in general residential zone
9 Rose Lane	OLSP Pty Ltd	247578/2	0.5 ha of vacant land in recreation zone
9 Rose Lane	OLSP Pty Ltd	200709/1	0.5 ha of vacant land in recreation zone
5 Rose Lane	City of Launceston	226165/2; 68237/1	Rose Lane Park

Rose Lane and Westbury Road	City of Launceston	NA	Reserved road. Includes several land parcels that have no title documentation, including 23/842.
Rose Lane	City of Launceston	217855/1	Rose Lane road reservation
Rose Lane	City of Launceston	210081/1	Rose Lane road reservation

2 Site and surrounds

2.1 Site

The site for the purposes of this application is at 9 Rose Lane, South Launceston, made up of three titles, being CT159336/1 (northern title) and CT247578/2 (central title) and CT200709/1 (southern title). The combined site area is roughly 1.4 ha. The land is predominantly vacant, excluding small stands of non-native trees in the east and south of the site, and is roughly sloping at a grade of around 6% from east to west. Some land filling has occurred in the northern part which has levelled out the site.

The site is in the general residential and recreation zones, and is in a bushfire-prone area, landslide hazard area and priority vegetation area, as defined by the planning scheme. This site context is depicted in Figure 1 and Figure 2. Site photos are available at Section 2.3.



Figure 1: Aerial image of site (source: LISTmap, accessed 1 June 2022)

2.1.1.1 Servicing

The site is in an area serviced by reticulated sewer and water, with existing mains located on Rose Lane. Stormwater is disposed of via the sewerage system.

2.1.1.2 Access

Road frontage to Rose Lane exists along the entire length of the sites northern and western boundaries, which provides sufficient opportunity for suitable site access points.

2.1.1.3 Natural values

The site is predominantly cleared of any vegetation, excluding small stands of introduced trees in the east and south which are not of conservation significance. No native vegetation prevails on the site. Despite this, the planning scheme identifies a priority vegetation area occurring on the site, as indicatively shown in Figure 2 below.

2.1.1.4 Land hazards

The site is partly located on a former landfill and is identified as potentially contaminated land. The site is also in a landslip hazard area that includes a section of medium-active landslip hazard, as indicatively shown in Figure 2 below.

2.1.1.5 Heritage

The site has not been identified as containing any Aboriginal or European heritage values. Part of Rose Lane Park, which adjoins the site, is a heritage listed Convict Cemetery, as indicatively shown in Figure 2 below.

2.1.1.6 Zoning and overlays

The site is zoned general residential and recreation under the planning scheme, as shown in Figure 2. The site is impacted by several overlays including bushfire-prone area, safeguarding of airports, landslip hazard and priority vegetation area. The general residential zoned land on the site is inside the Southern Gateway Specific Area Plan.

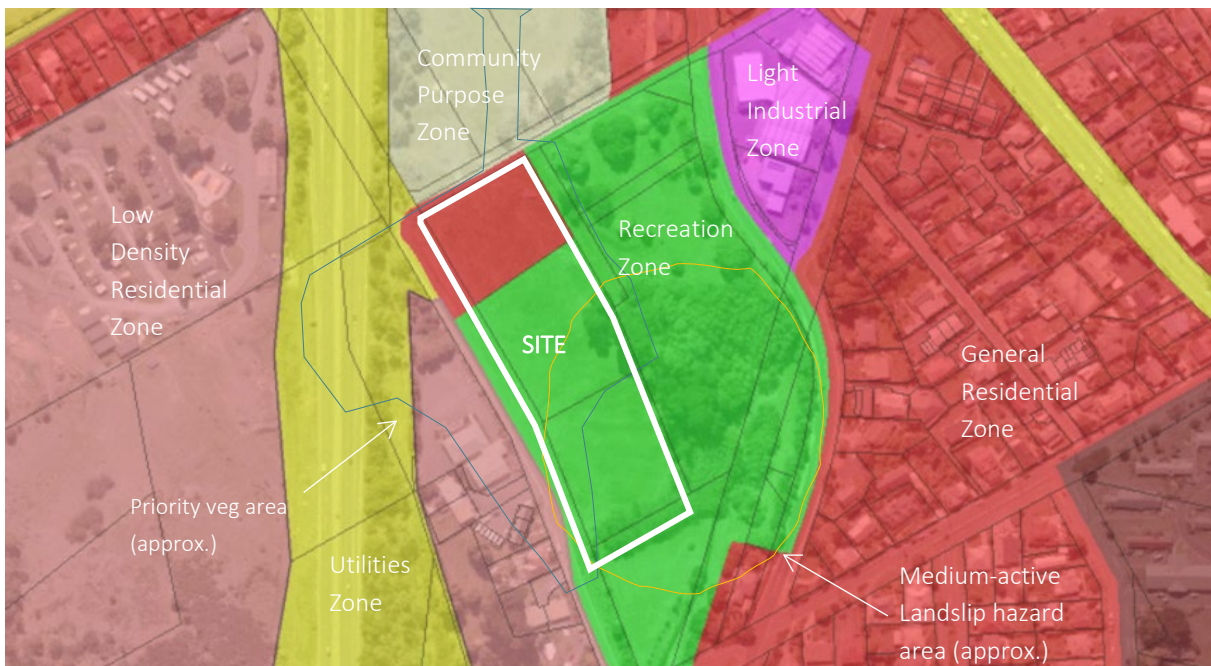


Figure 2: Zoning of site (source: LISTmap, accessed 5 July 2022)

2.2 Surrounding area

The site is located in South Launceston on the fringe of a mixed use corridor that broadly extends along Wellington Street. Land less than 200m from the site includes a mix of zones and uses including education (Glen Dhu Primary School, recreation (Rose Lane Park), business and professional services (Iron Mountain), manufacturing (Roberts), community meeting (Jehovah’s Witnesses congregation), visitor accommodation (Big Four Launceston Caravan Park), residential and utilities (Midland Highway). This surrounding context is depicted in Figure 2.



Figure 3: Aerial image of area surrounding site (source: LISTmap, accessed 1 June 2022)

2.3 Site photos



Photo 1: View of site from Rose Lane looking south (source: ERA, taken September 2021)



Photo 2: View towards site from Rose Lane looking north (source: ERA, taken September 2021)



Photo 3: View overlooking site from Rose Lane Park looking northwest (source: ERA, taken September 2021)



Photo 4: View overlooking site from former convict cemetery looking north (source: ERA, taken September 2021)



Photo 5: View towards site from corner of Rose Lane and Westbury Road looking southwest (source: ERA, taken September 2021)

3 Assessment of planning scheme amendment

3.1 Description of proposal

The proposal seeks to rezone the 1.4 ha site at 9 Rose Lane, South Launceston, and the adjacent Rose Lane road reservation, from general residential and recreation to community purpose. As shown in Figure 4, the proposed rezoning also seeks to tidy up the otherwise leftover portions of general residential and recreation zoning in the Rose Lane road reservation. No changes to the applicable zone and code requirements are being sought.

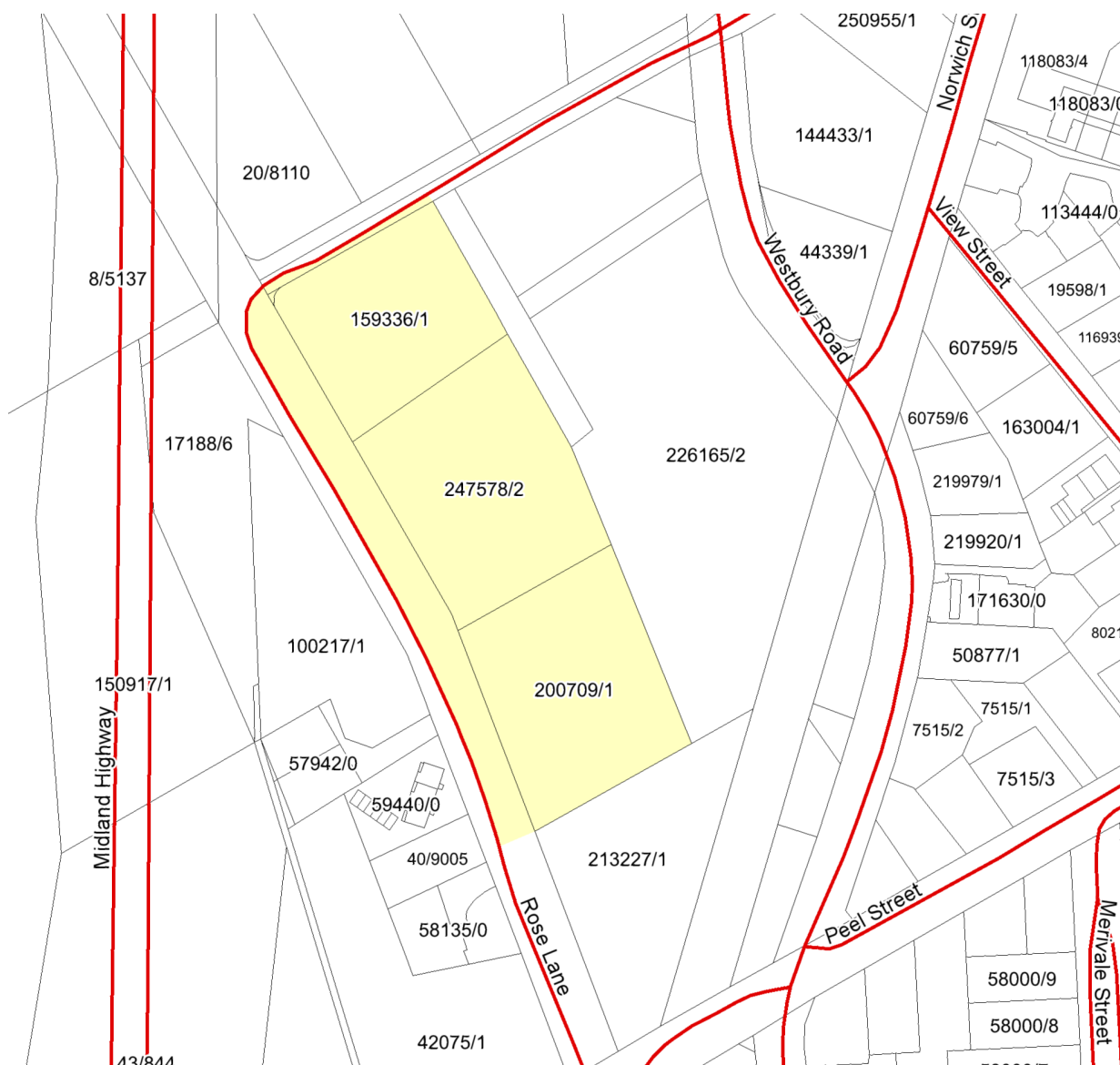


Figure 4: Area of land to be rezoned to the community purpose zone (source: InsightGIS)

3.1.1 Background to rezoning approach

Analysis has been undertaken to understand the most appropriate zoning and development for the site that meets planning requirements but also achieves commercial interests of the landowner. This has included an exploration of rezoning to general residential, urban mixed use, local business, light industrial, particular purpose, and community purpose. The results of this exploration are summarised as follows:

- Residential – there is known demand for residential development in the area. However, contamination assessments have revealed that the sites former use as a landfill presents an unacceptable risk to sensitive use on the site. Whilst there is potential for vapour mitigation measures to be employed, investigations have revealed these to be cost prohibitive for sensitive use to occur on the site.
- Urban mixed use, local business and light industrial – the landowner’s internal commercial/market analysis has identified a development opportunity for this site where demand exists for business and professional services. Although these zones would enable this, they also potentially enable several development outcomes that are arguably not appropriate for the site and are not compatible with the surrounding area. For example, bulky goods that are likely to require a large format built form with use reliant on heavy vehicles. To resolve these matters, a specific area plan would be required to accompany the rezoning proposal.
- Particular purpose – the landowner’s internal commercial/market analysis has identified a development opportunity for this site where demand exists for business and professional services. The particular purpose zone allows a tailored planning approach that controls the use and development outcomes of the site without the need for a specific area plan. This bespoke approach addresses some unique site opportunities/constraints and allows for future development flexibility. However, given that other existing zones enable business and professional services without the need for a tailored approach, it is questionable whether this approach is warranted.
- Community purpose - the landowner’s internal commercial/market analysis has identified a development opportunity for this site where demand exists for business and professional services. The community purpose zone allows for this use and development via a discretionary permit pathway without the need to alter the underlying zone provisions. The use and development opportunities for the site under the community purpose zone are appropriate for the area and this approach provides a seamless expansion of the existing community purpose zone adjoining the site. Potential contamination impacts of non-sensitive use on the site are can also be more easily mitigated relative to sensitive use.

Given the above, the community purpose zone is considered the most appropriate rezoning approach given the opportunities and constraints of the site.

3.2 Requirements of the Act

This planning scheme amendment application is made under Section 37 of the *Land Use Planning and Approvals Act 1993* (the Act). It requires:

- 1) *A person may request a planning authority to amend an LPS that applies to the municipal area of the planning authority.*
- 2) *A request under subsection (1) is to be in a form approved by the planning authority or, if a form has been approved by the Commission, is to be in that form.*

- 3) *A request under subsection (1) by a person to a planning authority to amend the zoning or use or development of one or more parcels of land specified in an LPS must, if the person is not the owner, or the sole owner, of the land –*
- (a) be signed by each owner of the land; or*
 - (b) be accompanied by the written permission of each owner of the land to the making of the request.*

Consent of the landowners has been provided in accordance with the requirements of the Act and is available at Appendix B.

Section 34(2) of the Act is relevant for a planning scheme amendment as it stipulates the assessment criteria to be met. The criteria are that the proposal:

- (a) contains all the provisions that the SPPs specify must be contained in an LPS; and*
- (b) is in accordance with section 32; and*
- (c) furthers the objectives set out in Schedule 1; and*
- (d) is consistent with each State policy; and*
- (da) satisfies the relevant criteria in relation to the TPPs; and*
- (e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and*
- (f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates; and*
- (g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and*
- (h) has regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.*

The following sections address the matters that are covered by the above-mentioned legislative requirements.

3.3 Assessment against Section 34(2)(a)

Section 34(2)(a) requires that the amendment result in a planning scheme instrument which contains all the provisions that the SPPs specify must be contained in an LPS. The proposal will not override existing provisions and will rely on the zone and code provisions in the SPPs. This criterion is met.

3.4 Assessment against Section 34(2)(b)

Section 34(2)(b) requires that the amendment is in accordance with Section 32, which prescribes the content requirements for local provisions schedules. The proposal meets these requirements given the proposal will not override the existing provisions and will rely on the zone and code provisions in the SPPs.

3.5 Assessment against Section 34(2)(c)

Section 34(2)(c) requires that the amendment furthers the objectives of the resource management and planning system set out in Schedule 1 of the Act. An assessment of the proposal against these objectives is provided in Table 2 below.

Table 2: Assessment against objectives of Schedule 1 of the Act

Part 1 Objective	Response
(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity	<p>With respect to genetic diversity, desktop review has identified that no threatened species or threatened vegetation communities have been identified on the site. The site does not contain any native vegetation and is predominantly cleared of all vegetation. It is acknowledged that the site is in the priority vegetation area overlay. However, given that subsequent development of the site would not involve clearance of native vegetation, all code requirements relating to biodiversity protection would be exempt.</p> <p>With respect to ecological processes, the site has the ability to be connected to reticulated services and stormwater will be disposed of via the sewerage system.</p>
(b) to provide for the fair, orderly and sustainable use and development of air, land and water	The land is part of the consolidation area in the urban growth area of greater Launceston. Rezoning the site as proposed provides an orderly development opportunity that maximises the sustainable use of existing land allowing more efficient use of infrastructure and resources.
(c) to encourage public involvement in resource management and planning	The draft amendment will be placed on public exhibition for a formal comment period. Representors will be provided the opportunity to provide additional input during a public hearing process. Any subsequent development of the site similarly will be placed on public exhibition.
(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)	Rezoning will facilitate potential uses on the site including a medical centre, veterinary centre, vocational training, and offices. Taking into account the responses provided to (a), (b) and (c) above, development to enable such uses can occur in sustainable manner that does not involve impact on natural values and contributes positively towards social and economic development in the Launceston urban growth area.
(e) to promote the sharing of responsibility for resource management and planning between the	The proposed amendment represents a process of shared responsibility between State government, local government, the land development industry

different spheres of Government, the community and industry in the State	and the community. All relevant bodies will be consulted as part of the planning approval process.
Part 2 Objective	Response
(a) to require sound strategic planning and co-ordinated action by State and local government	<p>The amendment implements sound strategic planning that has been undertaken for the region and municipality. This strategic planning has been coordinated through the <i>Northern Tasmania Regional Land Use Strategy</i> (NTRLUS) and Greater Launceston Plan (GLP).</p> <p>The site is inside the consolidation area of the urban growth area defined by the NTRLUS and GLP. Furthermore, the rezoning will enable use that contributes positively to an established need in the region, being medical and health facilities to support an aging population.</p>
(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	The proposed amendment does not affect the established system of planning instruments; it will allow for the future development of the land to be considered against the provisions of the planning scheme.
(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	<p>As demonstrated within this report, the environmental considerations relevant to the subject land have been considered. The site contains no identifiable natural values.</p> <p>The existing provisions of the planning scheme provide adequate safeguards regarding natural hazards. No further provisions are considered necessary.</p>
(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	The proposed amendment does not affect the attainment of this objective.
(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	The section 40T process ensures there is a consolidated approval process.

<p>(f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania</p>	<p>The proposed amendment will present opportunities for residents in the area to work and/or access additional essential services in proximity to their homes, potentially improving employment self-sufficiency and transport efficiencies in South Launceston. The amendment will not hinder the ability to secure a safe environment for future employees and residents in the area. Given that no changes to the underlying landslip and contamination codes are proposed, sufficient safety measures are in place to protect against unsuitable development proposals.</p>
<p>(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value</p>	<p>The subject land has not been identified as having heritage values.</p>
<p>(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.</p>	<p>The proposed amendment will support the orderly provision of and coordination of public utilities and other facilities.</p> <p>A traffic assessment undertaken to assess potential impacts of future development identifies that the proposed amendment would not adversely impact on public infrastructure and other assets. Subject to the scale and intensity of future development, minor road infrastructure upgrades may be recommended to improve the efficiency of the network. Such upgrades would be subject to approval from Council as landowner and infrastructure provider to ensure the orderly provision and coordination of utilities.</p> <p>Overall, there are adequate safeguards through the planning, building and plumbing permit application processes to protect public infrastructure in proximity to the site.</p>
<p>(i) to provide a planning framework which fully considers land capability.</p>	<p>The proposed amendment does not affect the attainment of this objective.</p>

3.6 Assessment against Section 34(2)(d)

Section 34(2)(d) requires that the amendment be consistent with each State policy. There are currently three state policies operational in Tasmania that articulate the government’s strategic policy direction.

The relevance of these policies to the proposed scheme amendment is addressed below.

3.6.1 State Policy on the Protection of Agricultural Land 2009

Assessment against the *State Policy on the Protection of Agricultural Land 2009* has not been provided. The site is already zoned for non-agricultural purposes (general residential zone and recreation zone) and is not in proximity to agricultural land.

3.6.2 State Policy on Water Quality Management 1997

The *State Policy on Water Quality Management 1997* is applicable as any future development will require stormwater runoff to be managed. Council's building and plumbing permit processes will manage stormwater flows in accordance with the *Urban Drainage Act 2013* and relevant Council policies. It is considered that these existing provisions are adequate to ensure future works are compliant with the *State Policy on Water Quality Management 1997*.

3.6.3 State Coastal Policy 1996

The site is more than one kilometre from the coast. Therefore, the proposal does not require assessment against the *State Coastal Policy 1996*.

3.6.4 National environmental protection measures

National Environmental Protection Measures (NEPMs) are developed under the *National Environment Protection Council (Tasmania) Act 1995* and outline objectives and protections for aspects of the environment. Section 12A of the *State Policies and Projects Act 1993* provides NEPMs with the status of a State Policy.

Seven NEPMs have been made to date that deal with:

- Ambient air quality;
- Air Toxins;
- Assessment of Site Contamination;
- Diesel Vehicle Emissions;
- Movement of Controlled Waste Between States and Territories;
- National Pollutant Inventory; and
- Used Packaging Materials.

The site is identified as potentially contaminated land under the planning scheme due to its former use as landfill. Therefore, the NEPM for assessment of site contamination is relevant to the proposal. The purpose of this NEPM relates to the establishment of a nationally consistent approach to the assessment of site contamination.

An Environmental Site Assessment has been prepared for the site in accordance with the NEPM and Environment Protection Authority Tasmania (EPA) standards. The ESA is available at *Appendix C*.

3.7 Assessment against Section 34(2)(da)

Section 34(2)(da) requires the amendment to satisfy the relevant criteria of the Tasmanian Planning Policies (TPPs). There are no TPPs currently in effect. Therefore, this section of the Act is not applicable to the proposal.

3.8 Assessment against Section 34(2)(e)

Section 34(2)(e) requires the amendment, as far as practicable, to be consistent with the regional land use strategy that applies to the area, being the *Northern Tasmania Regional Land Use Strategy* (NTRLUS). The NTRLUS sets out the policy basis to facilitate and manage change, growth and development to 2032. A suite of goals, strategic directions and regional policies provide a framework to achieve this.

The Greater Launceston Plan (GLP) is a community vision and evidence-based framework for the sustainable development of Launceston. It is given effect through the City of Launceston Strategic Plan 2014-2024. The GLP has informed the current version of the NTRLUS. Therefore, the GLP is of relevance to the assessment test against Section 34(2)(e) and is drawn upon where necessary.

An assessment of the proposed amendment against the relevant regional policies in the NTRLUS is provided below:

3.8.1 Regional settlement network

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).

The site is in the urban growth area of greater Launceston, specifically on the border between the priority consolidation area and supporting consolidation area. Infrastructure capacity exists in the area, subject to appropriately managing stormwater at the permit application stage. Land contamination constraints prevent the site from being a viable residential development option. Therefore, rezoning provides the flexibility necessary to restructure this otherwise underutilised land.

3.8.2 Regional activity centre network

RAC-P1 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.

RAC-P9 Discourage 'out-of-centre' development and provide for new development that supports the Regional Activity Centres Network and the integrated transport system.

Development applications that are 'out of centre' will only be considered if all of the following criteria are adequately addressed:

- Community need;
- No adverse impact on existing activity centres; and
- Synergy with existing employment hubs (i.e. health, education, research).

Overall, community benefit must be demonstrated through a social and economic impact assessment to reflect the strategic directions and policies of the RLUS.

RAC-P10 Provide for a range of land uses to be incorporated into activity centres appropriate to their role and function within the Activity Centres Hierarchy

The site is in the settlement area of greater Launceston, broadly forming part of an existing mixed use corridor between the Launceston principal activity centre and the Kings Meadows major activity centre, which contains the Launceston General Hospital. This is recognised as a 'high access' corridor in the Launceston Retail Audit and Activity Centre Strategy (the retail audit) which underpins the formulation of the NTRLUS. Furthermore, the retail audit calculated 20% of the region's office activities (including professional and business services, government offices, medial and healthcare services) are located in these areas outside the Launceston central area, predominantly in South Launceston. Given this context, and considering the modest scale of future development permissible on the site, the proposal is not characteristic of a typical out of centre development. Rather, the proposal provides for a synergy with an existing employment hub.

Given the location, scale, and type of use likely to occur on the site following rezoning, the proposal is considered to contribute positively towards the needs of the local community, without compromising the prevailing activity centre hierarchy. That is, the role of the Launceston principal activity centre as the primary hub of northern Tasmania for business, government administration, leisure and entertainment, and the role of Kings Meadows major activity centre to provide wide ranging services for the subregion with a strong focus on retail and commercial, will be maintained.

3.8.3 Regional infrastructure network

RIN-P3 Direct new development towards settlement areas that have been identified as having spare infrastructure capacity.

RIN-P7 Facilitate an efficient and convenient public transport system through land use planning.

The site is in an established settlement area identified for growth and supported by existing infrastructure with sufficient capacity. Rezoning would improve the mix of non-residential land uses in a corridor well serviced by public transport and in proximity to the local residential population it is largely intended to serve. Therefore, the proposal will contribute positively to the regional infrastructure network by improving land use and transport integration.

3.8.4 Regional economic development

ED-P4 Provide suitable training and education opportunities in response to identified regional challenges, including those concerned with:

- *An ageing population;*
- *Out-migration of younger generations;*
- *Low literacy/education/skilled workers;*
- *Lack of diversity in the economy;*
- *Lack of support and training facilities; and*
- *Affordability of affordable housing.*

The NTRLUS regional profile highlights challenges surrounding an ageing population and decreasing workforce, recognising that investment in education, medical and health facilities will be critical to retaining and attracting population in the region. The proposal provides for this by rezoning the site to enable such use.

3.8.5 Social infrastructure and community

SI-P1 Coordinate planning for social infrastructure with residential development.

SI-P2 Provide social infrastructure that is accessible and well-located to residential development, public transport services, employment and educational opportunities.

Rezoning allows for the future development of social infrastructure on the site, including health and education. This would be well located in proximity to nearby residential development and public transport, providing logical and coordinated land use planning. The implementation of such use would, however, be subject to market forces identifying which needs exist in the area.

3.8.6 Regional environment

OSR-P1 To provide for an integrated open space and recreation system that contributes to social inclusion, community health and well-being, amenity, environmental sustainability and the economy.

Rezoning will convert around 1.4 ha of land from the existing recreation zone to the community purpose zone. Although the site adjoins Rose Lane Park, the land is in private ownership. The site is not used for recreation, and is not identified as forming part of the open space network in the City of Launceston's Draft Open Space Strategy. The recreation zone forming the broader Rose Lane Park, including the heritage listed former convict cemetery, will remain over 3 ha in area.

NH-P1 Future land use and urban development is to minimise risk to people and property resulting from land instability by adopting a risk-managed based approach, consistent with Practice Note Guidelines for Landslide Risk Management 2007 and AGS (2007a) Guideline for Landslide Susceptibility, Hazard and Risk Zoning for Land Use Planning; AGS (2007e) Australian GeoGuides for Slope Management and Maintenance.

NH-P4 Where avoidance of hazards is not possible or the level of risk is deemed acceptable, best practice construction and design techniques and management practices are to be implemented.

Regarding both NH-P1 and NH-P4, the site is located on former landfill on sloping land that is part of a landslip hazard area. Geotechnical and contamination assessments have been completed to determine the suitability of development on the site given these hazards.

The geotechnical assessment concluded that development of the site presents zero risk to life and property. Any subsequent development in a landslip hazard area will be subject to the requirements of the Landslip Hazard Code of the planning scheme. The geotechnical assessment is available at *Appendix D*.

Several contamination assessments have occurred to investigate the risk associated to use and development on the site resulting from its former use as a landfill. The initial contamination assessments were completed for a former proposal concept investigating residential potential for the site. These concluded that sensitive use on the site would only present an acceptable risk if significant vapour mitigation strategies were to be employed. Subsequent investigations revealed that potential vapour mitigation would be time and cost prohibitive and present a high level of risk to development viability. However, development viability and risk is highly improved for non-sensitive use.

Any subsequent development on the site will be subject to the requirements of the Potentially Contaminated Land Code of the planning scheme. The contamination assessments are available at Appendix C.

LSA-P1 Consider the value of protecting the scenic and landscape amenity of key regional tourism routes having regard to the routes identified in Map E3 and local circumstances, as well as the:

- *Importance of scenic landscapes as viewed from major roads and tourist routes/destinations as contributing to economic basis of the tourism industry as well as local visual amenity;*
- *Importance of natural/native vegetation in contributing to scenic values of rural and coastal areas generally, with particular emphasis on prominent topographical features; and*
- *Need to protect skylines and prominent hillsides from obtrusive development/works.*

The site is partly inside the Southern Gateway Specific Area Plan (SAP), which seeks to protect the scenic and landscape amenity of the southern approach into Launceston. The site is at a low point in the surrounding topography and below/behind a vegetation buffer that traverses the edge of the Midland Highway. Given this context, rezoning and subsequent development would have no discernible impact on the scenic and landscape amenity of the southern approach. Any subsequent development in the SAP area will also be subject to the relevant requirements of the SAP.

3.9 Assessment against Section 34(2)(f)

Section 34(2)(f) requires the amendment to have regard to the *City of Launceston Strategic Plan 2014-2024* (the strategic plan). It is also worth noting that the strategic plan has been formulated to align with high level goals and outcomes sought under the Greater Launceston Plan, and is informed by detailed strategies such as the City of Launceston Economic Development Strategy.

The strategic plan outlines seven strategic priorities for the municipality. The relevance of each to the proposed amended is detailed below.

Strategic priority 1: We connect with our community and our region through meaningful engagement, cooperation and representation.

The scheme amendment process is relevant to this priority, where the draft amendment is made available for public comment and representors are invited to attend a public hearing process.

Strategic priority 2: We facilitate prosperity by seeking out and responding to opportunities for growth and renewal of our regional economy.

The proposed amendment will facilitate potential use on the site including, education, health and community services. The City of Launceston's Economic Development Strategy recognises such use as key enablers of economic development and prosperity. The landowner's internal market appraisal has also identified demand for such uses in the area. Therefore, the proposal directly contributes to the attainment of this strategic priority.

Strategic priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

The scheme amendment process is relevant to this priority, where the draft amendment will follow established assessment procedures.

Strategic priority 4: We value our City's unique identity by celebrating our special heritage and culture, and building on our competitive advantages to be a place where people choose to live, work and visit.

Although not listed under any state or local heritage registers, part of the site is in the Southern Gateway Specific Area Plan (SAP). The application of the SAP recognises the amenity value that the Southern approach to Launceston contributes towards the identity and character of the municipality. The amendment proposal does not seek to change the provisions applicable to the site. Therefore, the requirements of the SAP will remain applicable to future development.

Strategic priority 5: We serve and care for our community by providing equitable and efficient services that reflects needs and expectations of our community.

The proposed amendment will facilitate potential use on the site including education, health and community services. The landowner's internal market appraisal has also identified demand for such uses in the area. The provision of these services will help to support health and wellbeing outcomes for the municipality. Therefore, the proposal directly contributes to the attainment of this strategic priority.

Strategic priority 6: We protect our environment by caring for our unique natural assets and amenity, and sensitively managing future development opportunities.

Although not containing any natural values of conservation significance, part of the site is in the Southern Gateway Specific Area Plan (SAP). The application of the SAP recognises the amenity value that the Southern approach to Launceston contributes towards the identity and character of the municipality. The amendment proposal does not seek to change or rescind the SAP provisions applicable to the site. Therefore, the requirements of the SAP will remain applicable to future development.

Strategic priority 7: We are a City planning for our future by ensuring our approach to strategic land use, development and infrastructure investment is coordinated, progressive, and sustainable.

Strategic infrastructure and land use planning for greater Launceston is detailed in the NTRLUS and the Greater Launceston Plan (GLP). The proposal will reinforce broader strategic planning for the site to form part of the consolidation area in the urban growth area, integrating established land use, transport and infrastructure investments in the area.

Broadly speaking, the site is part of the fringe of a mixed-use corridor that extends along Wellington Street. This presents a context where numerous land uses exist in the area and there is a prevailing variability. The proposed rezoning to community purpose use would theoretically enable several permitted land uses on the site, including recreation, community meeting and entertainment, crematoria and cemeteries, educational and occasional care, emergency services, hospital services, and utilities. Many of these uses are already directly adjoining the site. Additional uses that could potentially occur subject to Council's discretion include business and professional services, food services, general retail and hire if for a market, residential if for aged care, and tourist operation. Almost all of these uses already exist within an 800 m catchment of the site. In addition, the underlying zone provisions require discretionary planning approval to be sought from Council for any of these uses that have the potential to generate conflicts at certain scales.

Given the above context, the potential for land use conflict is minimal and rezoning to community purpose would not introduce land use that is out of character with the surrounding area.

3.10 Assessment against Section 34(2)(g)

At the time of writing this report, two adjoining municipalities have an LPS that is in effect, being Meander Valley and West Tamar. The proposed amendment seeks to amend the current zoning to the Community Purpose Zone, which will have no impact on the operation of an LPS in effect in an adjoining municipal area.

3.11 Assessment against Section 34(2)(h)

Section 34(2)(h) requires the amendment to have regard to the safety requirements set out in the standards prescribed under the *Gas Safety Act 2019*. The amendment has no impact on the ability to achieve these safety requirements. The site is also not in proximity to a gas pipeline. Therefore, the requirements of the *Gas Pipelines Act 2000* are not applicable.

4 Assessment of development

4.1 Description of proposal

The proposed development is for six detached, single storey office buildings, each approximately 500 m² gross floor area, arranged around a central access and parking area, and curtailed by landscaping. The office buildings will be leased to tenants operating the following uses on the site:

- Medical centre (business and professional services)
- Veterinary centre (business and professional services)
- Legal services (business and professional services)
- Accounting services (business and professional services)
- Office space (business and professional services)
- Dental clinic (business and professional services)

In addition to the internal driveway and parking servicing the office buildings, the proposal involves new pedestrian footpaths and road pavement widening on parts of Rose Lane, Rose Lane Park and Westbury Road. As recommended in the traffic impact assessment provided in support of the proposal, these works will provide for improved access to the site from Westbury Road.

The proposal also includes a grassed dog exercise area in the south of the site that is to be available to the public but also utilised by the veterinary centre.

Proposal plans are available at *Appendix E*, which include indicative signage details and a suite of architectural renders that are for illustrative purposes only. The site will be consolidated into a single title, plus a 2 m strip of land dedicated to future road widening.

4.2 Statutory controls

The assessment of the development component of this Section 40T application is undertaken on the basis that the proposed amendment has been approved and the site is zoned community purpose.

The planning permit application is subject to the provisions of the *Tasmanian Planning Scheme - Launceston* (the planning scheme).

Development on the site is potentially subject to the following provisions of the planning scheme.

- Community purpose zone - use status
- Community purpose zone - zone purpose statements
- Community purpose zone - zone use standards
- Community purpose zone - zone development standards
- Community purpose zone - zone subdivision standards
- Parking and Sustainable Transport Code
- Road and Railway Assets Code
- Natural Assets Code

- Bushfire-prone areas code
- Potentially contaminated land code
- Landslip Hazard code
- Safeguarding of Airports Code
- Southern Gateway Specific Area Plan

It is important to note that some of provisions listed above may not be applicable to the proposal, or may be exempt from requiring assessment. Nevertheless, assessment discussion has been presented below to provide clarity.

4.2.1 Use status

The proposal seeks to develop the site for business and professional services use.

Business and professional services use is defined as:

use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, travel agency and veterinary centre.

The proposed medical centre is a permitted use in the community purpose zone pursuant to clause 27.2 use table. All other proposed tenancies are discretionary.

4.2.2 Zone purpose

The proposal seeks to develop the site for permitted and discretionary use. Therefore, the proposal has been assessed against the zone purpose for the community purpose zone. The zone purpose in clause 27.1 of the planning scheme is as follows:

27.1.1 To provide for key community facilities and services including health, educational, government, cultural and social facilities.

27.1.2 To encourage multi-purpose, flexible and adaptable social infrastructure..

The proposed development contributes to the provision of essential, local scale health facilities for the area. As such, the proposal meets the zone purpose.

4.2.3 Zone use standards

The proposal has been assessed against the use standards in the community purpose zone. Table 3 details the assessment.

Table 3: Assessment against zone use standards

PLANNING SCHEME REQUIREMENT	
Acceptable solutions	Performance criteria
Clause 27.3.1 Non-residential use	
<p><i>A1</i></p> <p><i>Hours of operation of a use, excluding Emergency Services, Hospital Services, Natural and Cultural Values Management, Passive Recreation or Utilities, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of:</i></p> <p><i>(a) 8.00am to 8.00pm Monday to Friday;</i></p> <p><i>(b) 9.00am to 6.00pm Saturday; and</i></p> <p><i>(c) 10.00am to 5.00pm Sunday and public holidays.</i></p>	<p><i>P1</i></p> <p><i>Hours of operation of a use, excluding Emergency Services, Hospital Services, Natural and Cultural Values Management, Passive Recreation or Utilities, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to an adjacent residential use having regard to:</i></p> <p><i>(a) the timing, duration or extent of vehicle movements; and</i></p> <p><i>(b) noise, lighting or other emissions.</i></p>
<p><u>Planner response</u></p> <p>The proposal seeks to apply for the permitted hours under the acceptable solution. To ensure compliance, it is suggested that a condition be placed on any planning permit granted, limiting hours of operation to those permitted.</p> <p>Subject to suitable condition(s), the proposal meets the acceptable solution A1.</p>	
<p><i>A2</i></p> <p><i>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation and Utilities and flood lighting of Sports and Recreation facilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone, must:</i></p> <p><i>(a) not operate between 9:00pm and 6:00am, excluding any security lighting; and</i></p> <p><i>(b) if for security lighting, must be baffled so that direct light does not extend into the adjoining property.</i></p>	<p><i>P2</i></p> <p><i>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation and Utilities and flood lighting of Sports and Recreation facilities, within 50m of a General Residential Zone, Inner Residential Zone, and Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</i></p> <p><i>(a) the level of illumination and duration of lighting; and</i></p> <p><i>(b) distance to habitable rooms of an adjacent dwelling.</i></p>
<p><u>Planner response</u></p> <p>The proposal does not include external lighting other than that necessary for security purposes. It is suggested that a condition be placed on any permit granted to ensure that security lighting is baffled to not direct light towards adjoining properties.</p>	

Subject to suitable condition(s), the proposal meets the acceptable solution A2.	
<p>A3</p> <p><i>Flood lighting of Sports and Recreation facilities on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not operate between 9.00pm and 6.00am.</i></p>	<p>P3</p> <p><i>Flood lighting of Sports and Recreation facilities on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zone, having regard to:</i></p> <p><i>(a) the necessity of floodlighting for the Sports and Recreation use;</i></p> <p><i>(b) the frequency of the Sports and Recreation event;</i></p> <p><i>(c) whether the event is of a special nature;</i></p> <p><i>(d) the duration of the event; and</i></p> <p><i>(e) any lighting required to set up and pack up for the event.</i></p>
<p><u>Planner response</u></p> <p>The proposal does not include flood lighting for a sports and recreation facility. Therefore, this clause is not applicable.</p>	
<p>A4</p> <p><i>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Hospital Services, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of:</i></p> <p><i>(a) 7.00am to 6.00pm Monday to Friday; and</i></p> <p><i>(b) 9.00am to 5.00pm Saturday, Sunday and public holidays.</i></p>	<p>P4</p> <p><i>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Hospital Services, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zone having regard to:</i></p> <p><i>(a) the time and duration of commercial vehicle movements;</i></p> <p><i>(b) the number and frequency of commercial vehicle movements;</i></p> <p><i>(c) the size of commercial vehicles involved;</i></p> <p><i>(d) manoeuvring by the commercial vehicles, including the amount of reversing and associated warning noise;</i></p> <p><i>(e) any noise mitigation measures between the vehicle movement areas and the residential zone; and</i></p> <p><i>(f) the existing levels of amenity.</i></p>

Planner response

The proposal seeks to apply for commercial vehicle movements limited to the permitted hours under the acceptable solution. It is suggested that a condition be placed on any planning permit granted to ensure compliance.

Subject to suitable condition(s), the proposal meets the acceptable solution A4.

4.2.4 Zone development standards

The proposal has been assessed against the development standards in the community purpose zone. Table 4 details the assessment.

Table 4: Assessment against zone development standards

PLANNING SCHEME REQUIREMENT	
Acceptable solutions	Performance criteria
Clause 27.4.1 Building height	
<i>A1</i> <i>Building height must be not more than 10m.</i>	<i>P1</i> <i>Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to:</i> <i>(a) the topography of the site;</i> <i>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</i> <i>(c) the bulk and form of proposed buildings;</i> <i>(d) the apparent height when viewed from the road and public places;</i> <i>(e) any overshadowing of adjoining properties or public places; and</i> <i>(f) the need to locate the building on the site.</i>
<u>Planner response</u> Building heights are less than 10m above natural ground level. The proposal meets the acceptable solution at A1.	
Clause 27.4.2 Setback	
<i>A1</i> <i>Buildings must have a setback from a frontage of:</i> <i>(a) not less than 5m; or</i>	<i>P1</i> <i>Buildings must have a setback from a frontage that is compatible with the streetscape, having regard to:</i>

<p><i>(b) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties, whichever is the lesser.</i></p>	<p><i>(a) the topography of the site;</i> <i>(b) the setbacks of buildings on adjacent properties;</i> <i>(c) the height, bulk and form of existing and proposed buildings; and</i> <i>(d) the safety of road users.</i></p>
<p><u>Planner response</u></p> <p>The office buildings are setback less than 5m from the secondary frontage to Rose Lane and there are no buildings on adjoining lots. Therefore, the proposal does not meet the acceptable solution and requires assessment against the performance criterion.</p> <p>The streetscape of Rose Lane features both vacant land and buildings with frontage setbacks that range between 2 m and 5 m. The proposal provides a minimum frontage setback of 4.9m to Rose Lane, which is inside the range of setbacks prevailing in the streetscape.</p> <p>The proposal meets the performance criterion P1.</p>	
<p>A2</p> <p><i>Buildings must have a setback from side and rear boundaries adjoining a General Residential Zone, Inner Residential Zone or Low Density Residential Zone not less than:</i></p> <p><i>(a) 3m; or</i> <i>(b) half the wall height of the building, whichever is the greater.</i></p>	<p>P2</p> <p><i>Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties within a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, having regard to:</i></p> <p><i>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</i> <i>(b) overlooking and reduction of privacy to adjoining properties; or</i> <i>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</i></p>
<p><u>Planner response</u></p> <p>The proposal does not include any side or rear boundaries adjoining a general residential zone, inner residential zone or low density residential zone. Therefore, this clause is not applicable.</p>	
<p>A3</p> <p><i>Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone.</i></p> <p><i>(Exemption also applies pursuant to clause 4.6)</i></p>	<p>P3</p> <p><i>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses, having regard to:</i></p>

	<p>(a) the characteristics and frequency of emissions generated;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site and location of adjoining sensitive uses; and</p> <p>(d) any proposed mitigation measures.</p>
<p><u>Planner response</u></p> <p>It is likely that plant would be located on the rooftops of each office buildings. Regardless, the title boundary of 9 Rose Lane is more than 10m from the nearest general residential zone, inner residential zone, or low density residential zone. Therefore, the proposal meets the acceptable solution A3.</p>	
<p>Clause 27.4.3 Fencing</p>	
<p>A1</p> <p>No Acceptable Solution.</p> <p>(Exemption also applies pursuant to clause 4.6)</p>	<p>P1</p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must:</p> <p>(a) provide for security and privacy while allowing for passive surveillance of the road; and</p> <p>(b) be compatible with the streetscape, having regard to:</p> <p>(i) its height, design, location and extent;</p> <p>(ii) the topography of the site; and</p> <p>(iii) traffic volumes on the adjoining road.</p>
<p><u>Planner response</u></p> <p>The proposal does not include fencing. It is possible that safety balustrades may be included where level differences require this (subject to detailed design), however, this is capable of meeting the exemption under clause 4.6. Therefore, this clause is not applicable.</p>	
<p>Clause 27.4.4 Outdoor storage</p>	
<p>A1</p> <p>Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.</p>	<p>P1</p> <p>Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.</p>
<p><u>Planner response</u></p> <p>The proposal includes two, shared onsite waste storage areas that are likely to be partly visible from Rose Lane. Therefore, the proposal does not meet the acceptable solution and requires assessment against the performance criterion. The waste storage areas are located away from visitor access points to buildings and are as far as practicable from Rose Lane, whilst still providing safe and convenient access for waste removal</p>	

vehicles. The location of the onsite waste storage areas are shown on proposal plans at *Appendix E*. The proposed waste storage areas will not cause an unreasonable loss of visual amenity.

4.2.5 Zone subdivision standards

The proposal has been assessed against the subdivision standards in the community purpose zone.

Table 5: Assessment against zone subdivision standards

PLANNING SCHEME REQUIREMENT	
Acceptable solutions	Performance criteria
Clause 27.5.1 Lot Design	
<p>A1</p> <p><i>Each lot, or lot proposed in a plan of subdivision, must:</i></p> <p><i>(a) have an area of not less than 600m² and:</i></p> <p><i>(i) be able to contain a minimum area of 10m x 15m, with a gradient not steeper than 1 in 5, clear of:</i></p> <p><i>a. all setbacks required by clause 27.4.2 A1 and A2; and</i></p> <p><i>b. easements or other title restrictions that limit or restrict development; and</i></p> <p><i>(ii) existing buildings are consistent with the setback required by clause 27.4.2 A1 and A2;</i></p> <p><i>(b) be required for public use by the Crown, a council or a State authority;</i></p> <p><i>(c) be required for the provision of Utilities; or</i></p> <p><i>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</i></p>	<p>P1</p> <p><i>Each lot, or lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</i></p> <p><i>(a) the relevant requirements for development of buildings on the lots;</i></p> <p><i>(b) existing buildings and the location of intended buildings on the lots;</i></p> <p><i>(c) the topography of the site;</i></p> <p><i>(d) the presence of any natural hazards;</i></p> <p><i>(e) adequate provision of private open space; and</i></p> <p><i>(f) the pattern of development existing on established properties in the area.</i></p>
<p><u>Planner response</u></p> <p>The proposed lot for future road widening is required for use by Launceston City Council. The proposed consolidation of titles seeks to combine all existing titles on the site, which is in the community purpose zone. The proposal meets the acceptable solution at A1(b) and (c).</p>	
<p>A2</p> <p><i>Each lot, or lot proposed in a plan of subdivision, must have a frontage or legal connection to a road by a right of carriageway of not less than 10m.</i></p>	<p>P2</p> <p><i>Each lot, or lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</i></p>

	<p>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</p> <p>(b) the topography of the site;</p> <p>(c) the functionality and useability of the frontage;</p> <p>(d) the anticipated nature of vehicles likely to access the site;</p> <p>(e) the ability to manoeuvre vehicles on the site;</p> <p>(f) the ability for emergency services to access the site; and</p> <p>(g) the pattern of development existing on established properties in the area.</p>
<p><u>Planner response</u></p> <p>The proposed lot for future road widening and the consolidated lot for the site are afforded a road frontage more than 10m. The proposal meets the acceptable solution at A2</p>	
<p>A3</p> <p><i>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</i></p>	<p>P3</p> <p><i>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</i></p> <p>(a) the topography of the site;</p> <p>(b) the length of the access;</p> <p>(c) the distance between the lot or building area and the carriageway;</p> <p>(d) the nature of the road and the traffic; and</p> <p>(e) the pattern of development existing on established properties in the area.</p>
<p><u>Planner response</u></p> <p>The proposed lot for future road widening and the consolidated lot for the site are provided with vehicular access to/from Rose Lane in accordance with the requirements of Launceston City Council. The proposal meets the acceptable solution at A3.</p>	
<p>Clause 27.5.2 Services</p>	
<p>A1</p>	<p>P1</p> <p><i>No Performance Criterion.</i></p>

<p><i>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must:</i></p> <p><i>(a) be connected to a full water supply service if the frontage of the lot is within 30m of a full water supply service; or</i></p> <p><i>(b) be connected to a limited water supply service if the frontage of the lot is within 30m of a limited water supply service,</i></p> <p><i>unless a regulated entity advises that the lot is unable to be connected to the relevant water supply service.</i></p>	
<p><u>Planner response</u></p> <p>The proposed lot for future road widening is for utilities. The consolidated lot is to be connected to a full water supply service. The proposal meets the acceptable solution at A1.</p> <p>A concept servicing plan and stormwater report by ADDC is provided in Appendix G.</p>	
<p>A2</p> <p><i>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</i></p>	<p>P2</p> <p><i>Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.</i></p>
<p><u>Planner response</u></p> <p>The proposed lot for future road widening is for utilities. The consolidated lot is to be connected to the reticulated sewerage system. The proposal meets the acceptable solution at A2.</p> <p>A concept servicing plan and stormwater report by ADDC is provided in Appendix G.</p>	
<p>A3</p> <p><i>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</i></p>	<p>P3</p> <p><i>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:</i></p> <p><i>(a) the size of the lot;</i></p> <p><i>(b) topography of the site;</i></p> <p><i>(c) soil conditions;</i></p> <p><i>(d) any existing buildings on the site;</i></p>

	<p>(e) any area of the site covered by impervious surfaces; and</p> <p>(f) any watercourse on the land.</p>
<p><u>Planner response</u></p> <p>The proposed lot for future road widening is for utilities. The consolidated lot is capable of connecting to a public stormwater system. The proposal meets the acceptable solution at A3.</p> <p>A concept servicing plan and stormwater report by ADDC is provided in <i>Appendix G</i>.</p>	

4.2.6 Parking and sustainable transport code

The Parking and Sustainable Transport Code applies to all use and development. The proposal includes onsite parking for residents and visitors to the site and does not rely on street parking. A Traffic Impact Assessment by GHD is provided in *Appendix F* which addresses the relevant code requirements.

Due to the increase in vehicle trips to and from the site, the TIA recommends minor pavement and footpath upgrades to parts of Rose Lane and the intersection of Rose Lane and Westbury Road. Concept design details depicting these road upgrades are provided in the proposal plans at *Appendix E*.

4.2.7 Road and railway assets code

The Road and Railway Assets Code is applicable to development involving a new vehicle crossover. The proposal includes three new vehicle crossovers. A Traffic Impact Assessment by GHD is provided in *Appendix F* which addresses the relevant code requirements.

Due to the increase in vehicle trips to and from the site, the TIA recommends minor pavement and footpath upgrades to parts of Rose Lane and the intersection of Rose Lane and Westbury Road. Concept design details depicting these road upgrades are provided in the proposal plans at *Appendix E*.

4.2.8 Natural Asset Code

The site identified on planning scheme overlays as containing a priority vegetation area. However, the mapping appears to be based on outdated data as the site is predominantly vacant compacted gravel and managed lawn with no native vegetation. The definition of priority vegetation at clause C7.3.1 specifically refers to native vegetation. Therefore, the disturbance of non-native vegetation resulting from this proposal is not applicable to assessment against the natural assets code. The proposal includes the removal of four pine trees, as shown in the proposal plans at *Appendix E*.

4.2.9 Bushfire-prone areas code

This proposal is not seeking approval for the storage of hazardous chemicals or explosives on the site above manifest quantities. Therefore, although the site is identified as being bushfire-prone, the requirements of the Bushfire-Prone Areas Code are not applicable to the proposed development which does not involve subdivision or a use that is hazardous or vulnerable. If subsequent tenancy/lease arrangement reveal the need for medical facilities to store above manifest quantities of hazardous chemicals or explosives, it is understood that additional permits will be required. Specifically, this includes bushfire hazard requirements under the *Building Act 2016* pursuant to the Director's Determination – Bushfire Hazard Areas.

4.2.10 Potentially contaminated land code

The site has been identified as potentially contaminated land due to the potential presence of landfill. An Environmental Site Assessment (ESA) by Environmental Service and Design (ES&D) and a vapour mitigation assessment by Core Environmental Projects (formerly EPG Australia) is provided in *Appendix C* which addresses the relevant code requirements.

It is recommended that a condition be placed on any permit granted ensuring that appropriate vapour mitigation design is endorsed by a suitably qualified person to the satisfaction of Council. Additional detail is available at *Appendix C*.

4.2.11 Landslip Hazard Code

Part of 9 Rose Lane is in the landslide hazard area overlay, as shown in Figure 2 above. A series of geotechnical assessments have been undertaken by Scherzic Ground Investigations for various proposals over the site. The assessments conclude that risk to life and risk to property at the site is virtually impossible and zero respectively. The geotechnical assessments are available at *Appendix D*.

4.2.12 Safeguarding of Airports Code

The site is in the 320 m AHD obstacle limitation area of the Launceston Airport. The site and development would reach a maximum height of less than 70 m AHD. Therefore, the proposal is exempt from assessment against the code pursuant to clause C16.4.1(a).

4.2.13 Southern Gateway Specific Area Plan

Part of the site, being the northern most title 159336/1, is in the Southern Gateway Specific Area Plan (SAP). It is plausible that minor glimpses of the development could be seen from Midland Highway on the southern approach into Launceston. Therefore, assessment against the SAP is provided in Table 5.

Table 6: Assessment against Southern Gateway SAP

PLANNING SCHEME REQUIREMENT	
Acceptable solutions	Performance criteria
Clause LAU-S14.7.1 Visual impact	
<p><i>A1</i></p> <p><i>Development for an alteration or extension to an existing building must:</i></p> <p><i>(a) have a gross floor area of not more than 20% of that existing at the effective date;</i></p> <p><i>(b) have a building height of not more than the existing building;</i></p> <p><i>(c) have external building finishes:</i></p> <p><i>(iii) with a light reflectance value not more than 40%;</i></p> <p><i>and</i></p>	<p><i>P1</i></p> <p><i>Development must not be intrusive and must be compatible with the existing treed and rural character of the southern approach, having regard to:</i></p> <p><i>(a) the visual impact on skylines and vistas when viewed from a major road;</i></p> <p><i>(b) the proximity of development to a major road;</i></p> <p><i>(c) the bulk and form of buildings including materials and finishes;</i></p>

<p><i>(iv) not in bold or bright colours.</i></p>	<p><i>(d) the potential for current or proposed vegetation to provide screening;</i></p> <p><i>(e) the need to clear existing vegetation;</i></p> <p><i>(f) the location of development to facilitate the retention of existing vegetation;</i></p> <p><i>(g) the impact of any clearing required for hazard management or infrastructure; and</i></p> <p><i>(h) any earthworks for cut or fill</i></p>
<p><u>Planner response</u></p> <p>The development involves new buildings. Therefore, the proposal does not meet the acceptable solution and requires assessment against the performance criterion.</p> <p>Part of the site, being the northern most title 159336/1, is in the SAP overlay. Due to topography, vegetation screening, and speed of approach, the development will largely not be seen from Midland Highway along the southern approach into Launceston. If visible, the development would only be partly seen through existing vegetation rather than above it. That is, the prevailing treed skyline and vistas along the southern approach will be maintained. This is compatible with the existing character of the southern approach, where built form can be partially seen below the skyline and among vegetation.</p> <p>The proposal meets the performance criterion P1.</p>	
<p>Clause LAU-S14.7.2 Vegetation</p>	
<p><i>A1</i></p> <p><i>Buildings and works must be separated from a prominent tree by a distance of not less than 4m.</i></p>	<p><i>P1</i></p> <p><i>Buildings and works must not detract from the existing landscape character, having regard to:</i></p> <p><i>(a) the potential impact on the life of the prominent tree;</i></p> <p><i>(b) the likely future need to remove the prominent tree;</i></p> <p><i>(c) the location of development to avoid the removal of prominent trees;</i></p> <p><i>(d) The physical characteristics of the site;</i></p> <p><i>(e) the requirements for any hazard management;</i></p> <p><i>(f) the specific requirements of the development; and</i></p> <p><i>(g) any earthworks for cut or fill.</i></p>
<p><u>Planner response</u></p>	

<p>Development in the SAP overlay is separated from prominent trees by a distance greater than 4m. Although the proposal does include removal of four pine trees, these are outside the SAP overlay. The proposal meets the acceptable solution A1.</p>	
<p>A2</p> <p><i>Building and works must not result in the removal or destruction of screening vegetation or prominent trees.</i></p>	<p>P2</p> <p><i>Removal of screening vegetation or prominent trees must not detract from the existing treed and rural character of the southern approach, having regard to:</i></p> <p><i>(a) the visual impact on skylines and vistas when viewed from a major road;</i></p> <p><i>(b) the location of development to avoid the removal of screening vegetation or prominent trees;</i></p> <p><i>(c) the bulk and form of buildings including materials and finishes;</i></p> <p><i>(d) the need to clear existing vegetation;</i></p> <p><i>(e) the potential to provide replacement vegetation;</i></p> <p><i>(f) the requirements for any hazard management;</i></p> <p><i>(g) the need for infrastructure services;</i></p> <p><i>(h) the specific requirements of the development; and</i></p> <p><i>(i) any earthworks for cut or fill.</i></p>
<p><u>Planner response</u></p> <p>Development does not result in the removal or destruction of screening vegetation or prominent trees in the SAP overlay. The proposal meets the acceptable solution A2.</p>	
<p>Clause LAU-S14.7.3 Signage</p>	
<p>A1</p> <p><i>There are no billboard, third party or illuminated signs proposed.</i></p>	<p>P1</p> <p><i>No Performance Criterion.</i></p>
<p><u>Planner response</u></p> <p>The proposal includes indicative signage details but does not formally propose any signage. Therefore, this clause is not applicable.</p>	

5 Conclusion

The site at 9 Rose Lane and adjacent Rose Lane road reservation, South Launceston, is in the urban growth area of greater Launceston, on the periphery of a mixed-use corridor that forms part of the priority consolidation area.

The proposal seeks the combined rezoning and development of the site pursuant to Section 40T of the former provisions of the *Land Use Planning and Approvals Act 1993*. Rezoning will convert the site from general residential and recreation, to community purpose. Development will involve six commercial buildings for business and professional services use including a medical centre, veterinary centre, dental clinic and professional offices.

The proposal has been assessed as meeting the relevant strategic and statutory planning requirements. The community purpose zone presents a logical conversion of land that is consistent with land use in the area, and does not introduce land use conflict. Moreover, the rezoning allows for the proposed development to address a specific strategic need for more medical facilities in greater Launceston. The use and development of the site as proposed is largely compliant with the acceptable solutions of the *Tasmanian Planning Scheme – Launceston*. Where discretionary assessment is triggered against the applicable performance criteria, this is largely related to code requirements. The application is supported by assessment reports, prepared by suitably qualified persons, that address the planning scheme requirements.

Based on the information provided in this report, it is submitted that there is sufficient justification to support the case for a combined rezoning and development as proposed.

Appendix A Title documents

Appendix B Owner's consent

Appendix C Contamination assessment

Appendix D Geotechnical assessment

Appendix E Proposal plans

Appendix F Traffic impact assessment

Appendix G Concept servicing plans and stormwater report

