

19 April 2024

Tasmanian Planning Commission
Level 3, 144 Macquarie Street
HOBART TAS 7001

Dear Sir/Madam

**PSA-LLP0002 & DA0439/2022 - 9 ROSE LANE, SOUTH LAUNCESTON -
RESPONSE TO SITE-SPECIFIC QUALIFICATIONS**

Council are in receipt of the Commission letter dated 28th March 2024 requesting comments on the operations of proposed new provisions and new mapping. Councils response to the requests are highlighted below

1. The planning authority is to provide comment to the Commission on the SSQs below:

Reference Number	Site Reference	Folios of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions
LAU-8.2	9 Rose Lane, South Launceston	159336/1 247578/2 200709/1	A modification for this site to the Use Table is to: (a) delete the No Permit Required Use Class Residential; (b) delete the qualification for the Permitted Use Class Residential; and (c) insert a qualification	General Residential Zone - clause 8.2 Use Table

			for the Permitted Use Class Residential: “If not for a single dwelling.”	
<p><u>Response:</u> The change would essentially prohibit single dwellings and make every other residential use discretionary. It is unclear what this change would achieve and whether or not this approach aligns to the zone purpose.</p>				
LAU-C14.1	9 Rose Lane, South Launceston	159336/1 247578/2 200709/1	<p>An additional Acceptable Solution and Performance Criterion for this site is:</p> <p>A2 No acceptable solution</p> <p>P2 For a sensitive use, or a specified use listed in Table C14.1, the land is suitable for the intended use, having regard to the need for the introduction and maintenance of measures to manage the risk from contamination.</p>	Potentially Contaminated Land Code - clause C14.5.1 Suitability for intended use
LAU-C14.2	9 Rose Lane, South Launceston	159336/1 247578/2 200709/1	An additional Acceptable Solution and Performance Criterion for this site:	Potentially Contaminated Land Code clause C14.7.1 Subdivision for sensitive use

			<p>modification to clause 14.7.1 Subdivision for sensitive use to include:</p> <p>A2 Subdivision of land is consistent with a use approved under clause 14.5.1 and the measures required to be implemented to manage the risk from contamination.</p> <p>P2 Subdivision of potentially contaminated land does not adversely affect remediation and protection measures likely to be necessary for the intended use or development.</p>	
<p><u>Response:</u> Council are aware that the site is contaminated, but would prefer an approach that would ensure certainty on the standard that needs to be achieved rather than relying on a more generalised discretion. Council see this as a technical standard that needs to be achieved, rather than a provision that we are required to exercise discretion on.</p> <p>Council would recommend a new site specific clause with the following acceptable solution, and no performance criteria.</p> <p><i>The Director of the Environment Protection Authority or an accredited environmental auditor, has determined that the land is suitable for the intended use and/or development, and that the land has either been remediated, or that the land is suitable for the intended use and/or development, having regard to the need for</i></p>				

the introduction and maintenance of measures to manage the risk from contamination.

Council believe that this is a simpler and more certain mechanism to achieve the desired outcome. In addition, if this standard was achieved, there would be no need for the modifications to the General Residential Zone, which would simplify the amendment further.

2. Additionally, the planning authority is to provide an overlay plan that shows the relevant parts of the property at 9 Rose Lane, South Launceston in the Potentially Contaminated Land Code.

Please see attached.

If you have any queries in relation to this application, please do not hesitate to contact me on (03) 6323 3318 or maria.lasso@launceston.tas.gov.au.

Yours sincerely



Iain More
Senior Town Planner - Policy & Projects

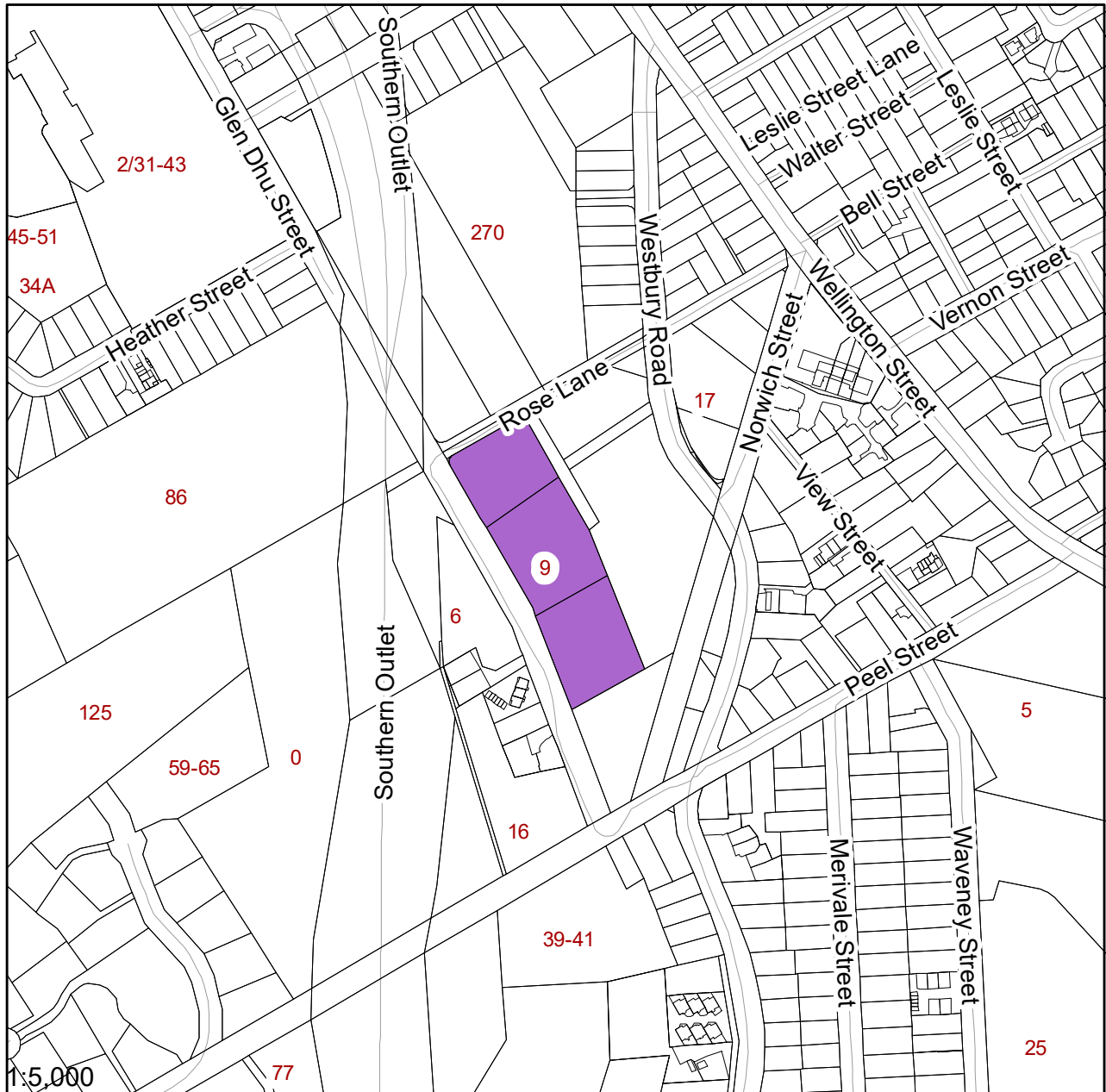
TASMANIAN PLANNING SCHEME - LAUNCESTON

Amendment PSA-LLP0002

Attachment

Apply the E2 Potentially Contaminated Land to 9 Rose Lane (C159336/1, CT247578/2, and CT200709/1)

Amend The Tasmanian Planning Scheme maps as Below:



Code Overlay



E2 Potentially Contaminated
Land

Date

Service Layer Credits: