

29 June 2023
Reference: 1819-070

Michael Hogan, Delegate (Chair)
Tasmanian Planning Commission
GPO Box 1691
HOBART TAS 7001

By email: tpc@planning.tas.gov.au

Dear Michael

**RESPONSE TO TPC DIRECTIONS
DRAFT AMENDMENT PSA-LLP0002 AND PERMIT DA0439-2022**

We have reviewed your letter dated 15 June 2023 directing the planning authority to provide additional submissions in relation to draft amendment PSA-LLP0002 and permit DA0439-2022 at 9 Rose Lane, South Launceston. As applicant, ERA Planning and Environment (ERA) has also considered the matters raised and provides the following response.

1. Regional land use strategy

The assessment test at Section 34(2)(e) of the *Land Use Planning and Approvals Act 1993* (the Act) requires that an amendment, as far as practicable, is consistent with the regional land use strategy. The planning authority and ERA have provided separate responses addressing how the proposed amendment meets this test.

To clarify, ERA has undertaken a broad assessment against the policies in the Northern Tasmania Regional Land Use Strategy (NTRLUS). In particular, the assessment has considered the NTRLUS as a holistic document and balances the draft amendment against all policies. In other words, individual policies and actions are not taken as absolute requirements. As a result, we submit that an assessment approach which seeks to assess an amendment request against individual policies as if they were individual assessment tests (like a planning permit assessment process) is not the correct approach.

Despite the above, ERA provides the following supplementary commentary in addition to the assessment provided in the supporting planning report dated 4 November 2022. The below commentary should be read in conjunction with the supporting planning report to undertake a holistic assessment of the draft amendment rather than an exhaustive assessment against each individual policy and action.

Integrated land use and transport

RSN-P11 *Coordinate land use and transport planning and the sequence of development with timely infrastructure provision.*

RSN-P12 *Connect active transport routes to improve accessibility and encourage transport use by a broader range of people.*

The site is in the urban growth area of greater Launceston, specifically on the border between the priority consolidation area and supporting consolidation area. The site is inside a nominal 400 m walkable catchment of existing public transport infrastructure. The proposal involves the delivery of new road infrastructure where required, including an active transport link from the site to the nearby public transport infrastructure. Overall, the proposal presents an infill development opportunity that supports the integration of land use and transport by providing for new essential services that are accessible via multiple transport

modes, including an important arterial road connection (Westbury Road) between the suburbs of Prospect and Prospect Vale with central Launceston.

Key activity centre network strategies

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 RLU.

RAC-P13 Support effective access to a hierarchy of social facilities and amenities.

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 that 20% of the region's office activities (including professional and business services, government offices, medical 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.

The proposal responds to a known community need recognised in the regional profile in the NTRLUS. That is, a need for increased medical and health facilities, including in out of centre locations. Specifically, this need seeks to enable direct services to a population that are increasingly dependent on aging in place due to supply shortages of appropriate alternative housing choices. In other words, over time, more aged persons need new health services close to their homes as they are unable to secure alternative housing options close to existing services.

Additionally, the proposed rezoning is to Community Purpose and not a business or mixed-use zone available in the SPPs, being the zones primarily intended to implement the applicable activity centre strategy¹. While the Community Purpose Zone does allow for business and professional services, it is restrictive in terms of general retail and hire uses (more so than the General Residential or Recreation Zones which currently apply to the site) and only allows for Food Services as discretionary (which is the same as the current zoning). It also does not support the broader range of uses possible in the suites of zones intended to be used to implement the activity centre hierarchy.

In summary, 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. 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.

¹ As per the Section 8A Guidelines, Local Provision Schedule (LPS) zone and code application

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 to Community Purpose 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.

2. Southern gateway specific area plan

The part of the site zoned general residential, being northernmost title 159336/1, is inside the Southern Gateway Specific Area Plan (SAP). The amendment does not seek any changes to the extent or application of the SAP.

The purpose of the SAP is as follows:

LAU-S14.1.1 To protect the southern approach into Launceston city and municipality from intrusive or inappropriate development.

LAU-S14.1.2 To allow for inevident [sic] development that complements the existing undeveloped and rural character of the area.

LAU-S14.1.3 To maintain the vegetative screening alongside major roads.

The southern approach into Launceston city, as it relates to the site, occurs along Midland Highway at a higher elevation than the site and screened from direct view via vegetation that runs the length of the road corridor. The approach is also experienced visually whilst travelling in a motor vehicle at speeds approaching 90 km/hr. The SAP is in place to protect the visual qualities of this approach.

The rezoning of the land to Community Purpose from General Residential represents a change from one type of urban zoning to another type of urban zoning. The development standards between the two are sufficiently similar that the development outcomes under the zone provisions are not substantially different. For example, the permitted building height in the General Residential Zone allows up to 8.5 metres while the Community Purpose Zone allows up to 10 metres. The boundary setback requirements in the General Residential Zone are less than the acceptable solution in the Community Purpose Zone. For comparison, the permitted standards are reproduced in Table 1.

Table 1 - Comparison of permitted standards between zones

Permitted building standards	General Residential Zone	Community Purpose Zone	Recreation Zone
Height	8.5 m	10 m	10 m
Setback (primary frontage)	4.5 m	5 m	5 m

In our submission there is nothing to suggest that the rezoning of the land to Community Purpose is any less compatible than the current zoning. The potential development under the Community Purpose Zone will achieve a similar scale and bulk and would not result in development that is apparent from the southern approach. In any event, the SAP will continue to apply to the land, providing an additional layer of planning controls that is not inconsistent with the underlying zoning.

Should the SAP boundary be extended to cover the entire Community Purpose zone on the site, this same conclusion is reached, but with even more certainty. The development standards in the current Recreation Zone are the same as the Community Purpose Zone.

The planning authority and ERA have undertaken independent assessments of the proposed development application (reference DA0439-2022) against the relevant requirements of the SAP. Council's assessment can be found on pages 82 to 83 of the planning authority section 40T report dated 15 December 2022. ERA's assessment can be found at Section 4.2.13 of the supporting planning report dated 4 November 2022. Both

assessments are part of the existing support materials provide to the TPC and conclude that the proposal meets the requirements of the SAP.

We welcome the opportunity to clarify matters further.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M O'Brien', followed by a long horizontal flourish line.

Mark O'Brien
Principal Planner