

11.4. PSA-LLP0011 - Substitute Draft Amendment - Rezone 10 Dolerite Drive, Kings Meadow to Local Business Zone

FILE NO: PSA-LLP0011

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APPROVER: Chelsea van Riet (Executive Leader Community Assets and Design)

DECISION STATEMENT:

To consider and determine a development application pursuant to the *Land Use Planning and Approvals Act 1993*.

PLANNING APPLICATION INFORMATION:

Applicant: 6ty Pty Ltd
Address: 10 Dolerite Drive, Kings Meadow
Existing Zones: Commercial Zone
Existing Use: Vacant Land

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston
Northern Tasmania Regional Land Use Strategy

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting - Thursday 19 June 2025 - Item 11.1

- Initiated Combined Draft Amendment DA0124/2023 / PSA-LLP0011, to insert a Site Specific Qualification into the LAU-Site-Specific Qualifications table within the Local Provisions Schedule to amend the qualification within the use table for General Retail and Hire to allow a supermarket up to 1,000m² in size, at 10 Dolerite Drive, Kings Meadows; and
- Approved DA0124/2023 - General Retail and Hire - Construction of a new supermarket, car parking, landscaping, and pedestrian access

Council Meeting - Thursday 11 September 2025 - Item 11.1

- Consider the representations in the 40K report to the Tasmanian Planning Commission subsequent to the public exhibition period for the combined draft planning scheme amendment to the Launceston Local Provisions Schedule and permit application.

RECOMMENDATION:

That Council:

1. pursuant to and in accordance with 40K of the *Land Use Planning and Approvals Act 1993*, considers the merit of any representations received during public

exhibition of the planning scheme amendment PSA-LLP0011 and rezoning of land to the Local Business Zone;

2. recommends to the Tasmanian Planning Commission that the Substitute Draft Amendment PSA-LLP0011 as included in Attachment 1 be approved.

REPORT: APPLICATION FOR PLANNING SCHEME AMENDMENT

1. SUMMARY

This report has been prepared to meet the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA) to prepare a S40K Report to the Tasmanian Planning Commission 'the Commission' about the 'Substitute Draft Amendment' PSA-LLP0011 to rezone 10 Dolerite Drive, Kings Meadow to the Local Business Zone, as shown in Attachment 1.

The original application for a Combined Draft Amendment included use and development for a supermarket. In the Commission's Decision (Attachment 4), it was found that the area would benefit from the essential services that the supermarket provides and would not compromise the industrial land supply in the municipality. However, the draft amendment for a Site Specific Qualification in the Commercial Zone did not meet requirements of 32(4) the Act and the Commission was required to refuse the planning permit for the supermarket.

As an alternative, the Commission found that the Local Business Zone would be suitable for the site and directed Council (refer Attachment 2) to exhibit the Substitute Draft Amendment to rezone the site for 28 days.

Three (3) representations were received within the exhibition period for the Substitute Draft Amendment that were not in support, and a further representation was received following the completion of exhibition that was in support. The detailed concerns raised within the representations have been considered and summarised below. The main themes are predominantly general statements related to whether the Section 34 LPS Criteria of LUPAA have been met and whether the Local Business Zone was appropriate to the site.

No matters have been raised in representations that have not already been considered in detail by the Commission in relation to the Combined Draft Amendment; except for the Tasmanian Planning Policies. The Tasmanian Planning Policies 'TPPs', came into effect on 1 July 2026. An assessment of the Substitute Draft Amendment has been considered in Attachment 5 to this report. The amendment is found to satisfy the criteria of the TPPs. There are no changes recommended to the Substitute Draft Amendment following consideration of the representations, and it is considered to meet the requirements of LUPAA. Council is recommended to support the approval of the Substitute Draft Amendment as included in Attachment 1.

Council's recommendation in response to the 40K report will be considered by the Commission to determine the application. Subject to the Commission approving the Substitute Draft Amendment a separate application will be required for the use and development of the land.

2. BACKGROUND

At its meeting on 19 June 2025 Council initiated the 'Combined Draft Amendment', a scheme amendment to the Local Provisions Schedules (LPS) under Section 40(T) of the *Land Use Planning and Approvals Act 1993*.

The Draft Amendment was initiated and exhibited for the following application description 'Combined Draft Amendment DA0124/2023 / PSA-LLP0011, to insert a Site Specific Qualification into the LAU-Site-Specific Qualifications table within the Local Provisions Schedule to amend the qualification within the use table for General Retail and Hire to allow a supermarket up to 1,000m² in size, at 10 Dolerite Drive, Kings Meadows; and Approved DA0124/2023 - General Retail and Hire - Construction of a new supermarket, car parking, landscaping, and pedestrian access'.

Three Representations were received during the initial public exhibition for the combined amendment and permit application. At the Council meeting on 11 September 2025, Council considered the representations and determined to further supported the Combined Draft Amendment.

The Commission held hearings into the Combined Draft Amendment in May 2026. A substantial amount of evidence was tendered to the Commission for their consideration. The evidence related to technical and strategic planning matters, traffic, and retail hierarchy and economic demand.

Following this a request was made by the Commission (01/06/2026) for further submissions on the following matters:

- the suitability of applying the Local Business Zone to the site, and
- whether such application would meet the LPS criteria under section 34(2) of the Act.

A response submission was made by Council officers (Attachment 3, 15/06/2026), that concluded the following:

Council continues to support the development of the proposed convenience supermarket at the Site and use of an appropriate mechanism to deliver this outcome. While there are concerns with the application of the Local Business Zone, in light of the controls in the State Planning Provisions and the characteristics of the Site, these concerns are mitigated and can be managed. An amendment to rezone the land to Local Business Zone has been assessed and is considered to meet the LPS Criteria.

The Commission made a determination on 25 July 2026 as follows:

Under section 40N(1)(c)(i) of the Land Use Planning and Approvals Act 1993, the draft amendment is rejected and the planning authority is directed to submit a substitute draft amendment to the Commission.

The permit is refused under section 42B(1)(d) of the Land Use Planning and Approvals Act 1993.

The Draft Amendment was rejected as the Commission was not satisfied that the Site Specific Qualification (SSQ) in the Commercial Zone met the requirements of Section 32(4)(b) of LUPAA as the particular qualities of the site were not unique to the area of land. In accordance with S42B, the Commission had to make a decision about the permit, and as the amendment was not approved a refusal was issued.

In its Reasons for Decision, (referred to herein as 'the Commissions Decision') on the Combined Draft Amendment (Attachment 4), the Commission considered the suitability of the Local Business Zone (paragraphs 61-76) in response to submissions by the Applicant, the Representors and Council. The Commission ultimately determined that:

The Commission agrees with the planning authority and the applicant that the Local Business Zone is suitable for the site by allowing retail and essential services near residential neighbourhoods while addressing a community need within a catchment that is currently underserved.

The Commission also acknowledges the procedural concerns raised by the representor. The Commission notes that procedural fairness ought to be accorded to all parties in the process. The process under section 40N(1)(c)(i) of the Act requires the planning authority to prepare a draft, exhibit the draft amendment, provide the Commission with a section 40K report on representations and the hearing will be reconvened to the substitute draft amendment.

Directions were received from the Commission on 11 August 2026 to publicly exhibit the 'Substitute Draft Amendment' to Rezone 10 Dolerite, Drive, Kings Meadows to Local Business Zone. As required by S40G and 40H of LUPAA, Council then advertised the Substitute Draft Amendment for 28 days between 24 August 2026 and 21 September 2026. Exhibited documents include the instrument in Attachment 1, and directions of the Commission in Attachment 2.

3. REPRESENTATION ASSESSMENT

Three (3) representations were received within the exhibition period for the Substitute Draft Amendment and another was received on the 22 September. The matters raised in all representations received are set out and addressed in the table below. The response has been written in accordance with the format as specified by the Tasmanian Planning Commission and satisfies S40K(2)(c) of LUPAA.

Summary of representation 1: The representor provided detailed written support including evidence that was provided to the Commission on 12 June 2026, prior to direction to exhibit the Substitute Draft Amendment. (a) The site is well suited to the application of the Local Business Zone. (b) The Substitute Draft Amendment would be consistent with the Tasmanian Planning Commission's Guideline No. 1 - Local Provisions Schedule (LPS): Zone and Code Application, the 'Section 8A Guidelines'. (c) The Substitute Draft Amendment would be consistent with the Northern Tasmanian Regional Land Use Strategy, particularly RAC-P9. (d) The application of the Local Business Zone satisfies the criteria of 34(2) of LUPAA. Importantly it satisfies the statutory mechanism of PAC-P9.
Officer response to representation 1: Representation was received outside of the exhibition period. The representor is in support of the Substitute Draft Amendment. The evidence provided was considered and supported in the Commission's Decision in its determination to direct Council to exhibit the Substitute Draft Amendment.
Merit of representation 1: This representation contains merit and consideration, and no changes are recommended to the Substitute Draft Amendment.
Summary of representation 2:

- (a) The current proposal is materially different from the proposal considered by the Commission. The previous application was for a Site Specific Qualification (SSQ) to retain the Light Industrial Zone.
- (b) The statutory planning framework is directly relevant. Questions whether there is sufficient strategic and statutory planning basis for the removal of land from the Light Industrial Zone and applying the Local Business Zone.
- (c) The change to the industrial zoning is particularly significant. The Substitute Draft Amendment would remove 4,416m² parcel of land from the light industrial land supply at Connector Park.
- (d) The regional activity centre hierarchy is relevant. The amendment should considered the Northern Tasmanian Regional Land Use Strategy (NTRLUS) particularly RAC-A2 and RAC-P9.
- (e) A rezoning has consequences beyond the present developer and proposal. This is my main concern with the substitute amendment. Consideration should be given to what the Local Business Zone could consider over the longer term.
- (f) Commercial development is appropriately located and should avoid the gradual erosion of industrial land through individual rezoning decisions.
- (g) Has a sufficient strategic and statutory planning basis been demonstrated for permanently removing 10 Dolerite Drive from the Light Industrial Zone and introducing Local Business zoning into an established industrial precinct?

Officer response to representation 2:

- (a) The Commission's Decision (paragraph 17) found 'that the SSQ does not meet the requirements under section 32(4)(b) of the Act'. Rezoning of the land consistent with the SSPs is an appropriate alternative to the SSQ.
- (b) The Commission's Decision (paragraph 78) found 'the Local Business Zone is suitable for the site by allowing retail and essential services near residential neighbourhoods while addressing a community need within a catchment that is currently underserved.' In making this determination consideration was given in the assessment of the Combined Draft Amendment, which considered the impact of developing the site for a supermarket in the Industrial Zone.
- (c) The strategic impacts on the Light Industrial Zone were considered in Council's assessment of the Combined Draft Amendment (p 62, agenda 19/06/25) in relation to various industrial strategies and found that the rezoning of single lot of 4,413m² would not impact on the strategies.
- (d) The Commission's Decision (paragraph 59) finds that the requested amendment is 'as far as practicable, consistent with the regional strategy's policies regarding activity centres.'
- (e) The application of the Local Business Zone could facilitate use and development to meet the identified needs of the local community, as supported by retail assessments that were provided as evidence to the Commission. Future use and development would be required to comply with the standards of the Local Business Zone.
- (f) There are no specific strategies, policies or legislative requirements that require the separation of Local Business Zones from Light Industrial Zones.
- (g) The strategic impacts on the Light Industrial Zone was considered in the assessment of the Combined Draft Amendment as outlined in response to c) above.

Merit of representation 2:

The representor has not raised any matters that have not been considered by Council or the Commission in previous assessments. This representation does not merit any changes to the Substitute Draft Amendment.

Summary of representation 3:

- (a) The proposal does not meet the criteria of section 34(2) of LUPAA.
- (b) The site does not meet the criteria LBZ1-3 of the Section 8A guidelines and does not qualify for the introduction of the Local Business Zone.
- (c) The amendment is inconsistent with the NTRLUS through the strategic directions for commercial zones and activity centres.
- (d) The introduction of the Local Business Zone would encumber the business and commercial activities of Connector Park.
- (e) Food Services is a discretionary use in the Light Industrial Zone and should be considered as a supporting or allied use to support the precinct. The need for the introduction of a Local Business Zone is not made out by the applicant. The implications for the introduction of the Local Business Zone is the opportunity to expand unqualified discretionary uses resulting in the potential future land use conflict.

The proposed rezoning is therefore fundamentally at odds with the Light Industrial Zone purpose and is flawed.

Officer response to representation 3:

- (a) The Commission's Decision accepted Council's response submission (Attachment 3), that found that the application of the Local Business Zone was consistent with Section 34(2) of the Act, with the exception of the TPPs, which are now in effect. A response to the TPPs has been included in Attachment 5.
- (b) The Commission's Decision accepted Council's response submission (Attachment 3), which undertook a further review of the Local Business Zone in accordance with the Section 8A guidelines and found that it would be suitable.
- (c) The Commission's Decision (paragraph 78) found 'the Local Business Zone is suitable for the site by allowing retail and essential services near residential neighbourhoods while addressing a community need within a catchment that is currently underserved.' In making this determination consideration was given in the assessment of the Combined Draft Amendment, which considered the impact of developing the site for a supermarket in the Light Industrial Zone.
- (d) It is unclear from the representation, what aspect of the Local Business Zone would encumber the business and commercial activities of Connector Park. As in c) above the area is underserved by retail and essential services and the zone on site would meet the needs of the Connector Park and the surrounds.
- (e) The Substitute Draft Amendment would change the status of Food Services use class to 'no permit required' in the Local Business Zone, from the existing discretionary status in the Light Industrial Zone. The existing 18.3.2 Discretionary uses standard would require the use to demonstrate that it would 'not compromise the use or development of the land for industrial activities with minimal or managed off site impacts'.

Consistent with the Zone Purpose 14.1.1 of the Local Business Zone, the zone is intended to provide services that 'meet the needs of a local area'. These needs could reasonably be considered to include access to food services. The SPPs have been drafted with consideration to adjoining zones, there is no specific strategic, policy or legislative mechanism that identifies a conflict between the Local Business Zone and the Light Industrial Zone.

Merit of representation 3:

The representor has not raised any matters that have not been considered by Council or the Commission in previous assessments. This representation does not merit any changes to the Substitute Draft Amendment.

Summary of representation 4:

- (a) The planning authority ought to take steps to withdraw the Substitute Draft Amendment, as Council's planner changed their opinion in evidence to the Commission. The planning authority is not obliged to proceed with the amendment if the overarching purpose is no longer pursued by the planning authority or original applicant.
- (b) Residential and Visitor Accommodation uses result in a risk of a land use conflict between residential and industrial precincts.
- (c) Other permitted uses with high potential for land use conflict; educational and occasional care, hotel industry, and community meeting and entertainment.
- (d) Subdivision/strata potential resulting in multi-tenancy development and increased traffic.
- (e) No strategic planning work has been completed by Council to demonstrate that the site can be developed in accordance with the Section 8a Guidelines. The rezoning could facilitate local shops and businesses to establish. As the amendment no longer includes the permit there is not guarantee of a supermarket being developed. Council and the proponent have both previously provided evidence that the Local Business Zone would be an inappropriate way of enabling the proposed supermarket.
- (f) The amendment is inconsistent with Schedule 1 objectives of the Act.
- (g) The amendment does not satisfy the TPPs for Industry, Business and Commercial.
- (h) The amendment is inconsistent with policies of the NTRLUS.

Planner's response to representation 4:

- (a) Council's planning officer provided a more detailed review to the Commission on the appropriateness of the Local Business Zone at the direction of the Commission (Attachment 3). This approach is consistent with supporting the development of a convenience supermarket on the site, this is consistent with the City of Launceston Strategic Plan to 'position Launceston as a business-friendly city'. Ultimately the planning mechanism to achieve this, either as a rezoning or an SSQ, is to be determined by the Commission. Withdrawing the application would prevent the site from being developed to meet the needs of the local area.
- (b) The Commissions Decision accepted Council's response submission (Attachment 3), that concerns with sensitive uses on the site are ameliorated by the codes of the scheme, and that furthermore the highest and best use of the site would be for commercial activity rather than for sensitive uses.
- (c) As above, potential for sensitive uses, including educational and occasional care would be addressed through codes. The SPPs have been drafted with consideration to adjoining zones, there is no specific strategic, policy or legislative mechanism that identifies a conflict between the hotel industry, and community meeting and entertainment and the purpose of the Light Industrial Zone. Furthermore, the inclusion of these uses on the site could reasonably be considered to meet the needs of the local area, consistent with the Local Business Zone purpose.
- (d) The subdivision of the land is limited by the access and frontage subdivision standards, furthermore the intensity of use and development is limited by the area in the Local Business Zone. Increases in traffic are addressed through the standards of the Parking and Sustainable Transport Code, and the Road and Railway Assets Code, which are both SPPs that are not being modified by the Substitute Draft Amendment.
- (e) The Commissions Decision accepted Council's response submission (Attachment 3), which undertook a further review of the Local Business Zone in accordance with the Section 8A guidelines and found that it would be suitable.

(f) and (g):

The Commissions Decision accepted Council's response submission (Attachment 3), that found that the application of the Local Business Zone was consistent with Section 34(2) of the Act, with the exception of the TPPs, which are now in effect. A response to the TPPs has been included in Attachment 5.

(h) The Commissions Decision (paragraph 78) found 'the Local Business Zone is suitable for the site by allowing retail and essential services near residential neighbourhoods while addressing a community need within a catchment that is currently underserved.' In making this determination consideration was given to the policies of the NTRLUS.

Merit of representation 4:

The representor has not raised any matters that have not been considered by Council or the Commission in previous assessments. This representation does not merit any changes to the Substitute Draft Amendment.

4. STATEMENT ON THE SATISFACTION OF THE LPS CRITERIA

Section 40K(2)(d) of LUPAA requires a statement as to whether the Substitute Draft Amendment of an LPS meets the LPS criteria.

Advice was provided to the Tasmanian Planning Commission (Attachment 3) assessing the Local Business Zone with respect to Section 34(2) of LUPAA. At the time of the assessment the TPPs had not yet come into effect. An assessment of the relevant TPPs has been included in Attachment 4 to this report. The findings are that the substitute amendment satisfies the relevant criteria of the TPPs.

In review of the representations received and the TPPs, the substitute amendment is considered to satisfy the LPS Criteria, without modification.

5. CONCLUSION

There are no changes recommended to the Substitute Draft Amendment following consideration of the representations. The LPS Criteria of LUPAA are met by the Substitute Draft Amendment. Council is recommended to continue to support the approval of the Substitute Draft Amendment as included in Attachment 1.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:

The Tasmanian Planning Scheme - Launceston contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such the economic, environmental and social impacts have been considered.

STRATEGIC DOCUMENT REFERENCE:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston
Northern Tasmania Regional Land Use Strategy

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The Author and Executive Leader Community Assets and Design have no interests to declare in this matter.

ATTACHMENTS:

1. PSA-LLP0011 - Substitute Draft Amendment - Certified Instrument [11.4.1 - 1 page]
2. PSA-LLP0011 - Substitute Draft Amendment - Direction to Exhibit [11.4.2 - 1 page]
3. PSA-LLP0011 & DA0124/2023 - Council response to directions [11.4.3 - 7 pages]
4. PSA-LLP0011 & DA0124/2023 - Commission Decision and reasons [11.4.4 - 20 pages]
5. PSA-LLP0011 - Substitute Draft Amendment - Tasmanian Planning Policies [11.4.5 - 7 pages]
6. CONFIDENTIAL - PSA-LLP0011 - Substitute Draft Amendment - Representations - CONFIDENTIAL - DO NOT PUBLISH [11.4.6 - 61 pages]

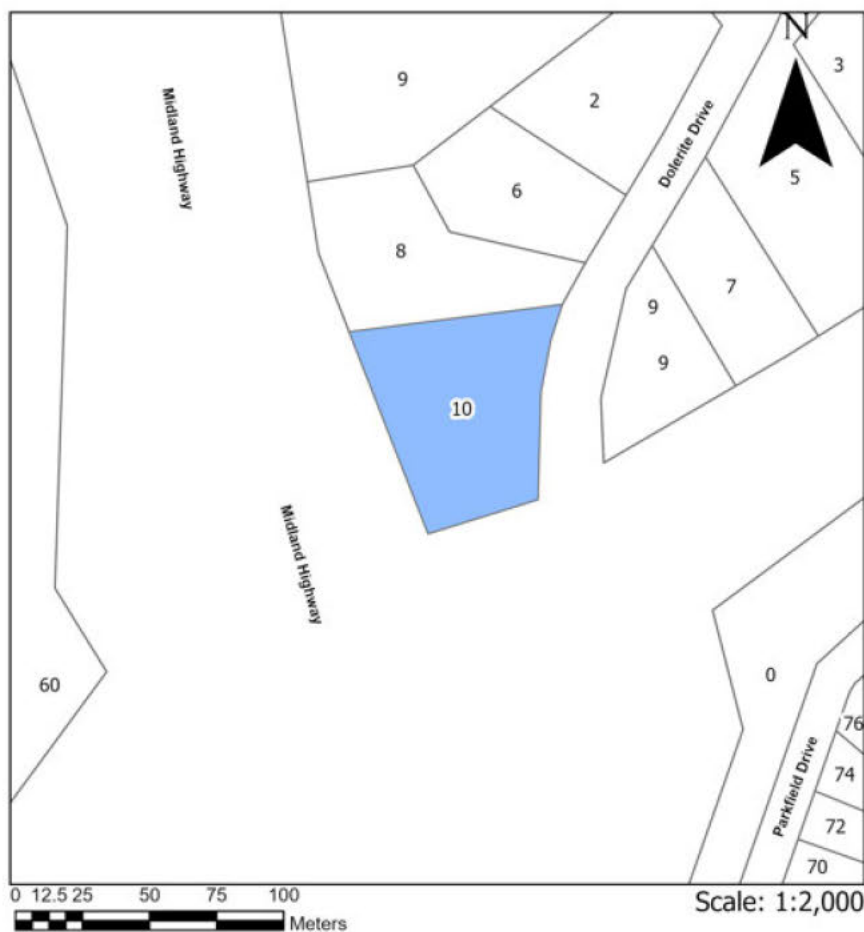


TASMANIAN PLANNING SCHEME - LAUNCESTON Amendment PSA-LLP0011

Rezone 10 Dolerite Drive, Kings Meadows from Light Industrial to Local Business, as described below:

Title included: CT 181165/1

Amend the Launceston Local Provisions Schedule zone map as below:



Zoning
Local Business Zone

TASMANIAN PLANNING COMMISSION

Our ref: DOC/26/92182
Officer: Paola Barlund
Phone: 03 6165 6835
Email: tpc@planning.tas.gov.au

11 August 2026

Mr Sam Johnson
Chief Executive Officer
Launceston City Council
Town Hall, 18-28 St John Street
LAUNCESTON TAS 7250

By email: contactus@launceston.tas.gov.au
jen.welch@launceston.tas.gov.au

Dear Mr Johnson,

Tasmanian Planning Scheme - Launceston
Direction to exhibit
Substitute draft amendment PSA-LLP0011
Rezone 10 Dolerite, Drive, Kings Meadows to Local Business

Thank you for the instrument for the substitute draft amendment PSA-LLP0011 to the Launceston Local Provisions Schedule received on 30 June 2026.

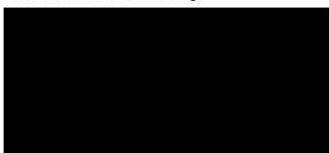
I have reviewed the instrument and am satisfied it meets the requirements of the *Land Use Planning and Approvals Act 1993* (the Act). The substitute draft amendment has therefore been certified by the Commission under section 40P(3)(a) of the Act and is included at Attachment A.

Consequently, the Commission directs the planning authority to publicly exhibit the substitute draft amendment for 28 days in accordance with the provisions of sections 40G and 40H of the Act.

Exhibition of the substitute draft amendment must commence as soon as practicable.

If you require further information, please contact Paola Barlund, Planning Adviser, on 6165 6835.

Yours sincerely



John Ramsary
Executive Commissioner

Attachment A - certified instrument

Level 3, 144 Macquarie Street Hobart Tasmania GPO Box 1691 Hobart TAS 7001
Ph: 03 6165 6828 Email: tpc@planning.tas.gov.au
www.planning.tas.gov.au

File No: PSA-LLP0011 & DA0124/2023

15 June 2026

Tasmanian Planning Commission
Level 3, 144 Macquarie Street
Hobart TAS 7000

Dear Mr Howlett,

Tasmanian Planning Scheme - Launceston Draft amendment PSA-LLP0011 and permit DA0124-2023 10 Dolerite Drive, Kings Meadows

I am writing in response to your letter from the 1 June 2026 to further consider the proposed Combined 40T scheme amendment.

Council appreciates and supports the Tasmanian Planning Commission's (the Commission) preliminary view "that a convenience retail facility to meet the needs of the adjoining industrial area and local residential areas can be justified".

Councillors have endorsed the permit application for use and development and the amendment and, as such, Council continues to support a mechanism that would facilitate the permit's progress.

The following response has been prepared in relation to the queries from the Commission:

To assist the further consideration of this matter, the Commission requests the parties to provide submissions on:

- *the suitability of applying the Local Business Zone to the site, and*
- *whether such application would meet the LPS criteria under section 34(2) of the Act.*

In response to the suitability of the Local Business Zone

For background, it is understood that in early consultation with the Applicant, Council officers considered the appropriateness of a site-specific qualification (**SSQ**) to the alternative of applying an established zone of the State Planning Provisions.

The SSQ was considered preferable as it would specifically facilitate the proposed convenience supermarket and, if that did not proceed, any alternative use or development of 10 Dolerite Drive (the **Site**) would be consistent with the rest of the surrounding Light Industrial Zone (**LIZ**).

Furthermore, the Local Business Zone (**LBZ**) was not considered to be the preferred amendment option, due to the increased range of uses that would be facilitated by a change in zoning, particularly the permitted status of Residential use in the LBZ.

The following is a review of the suitability of the LBZ. The LBZ would be consistent with *Guideline No. 1 Local Provisions Schedule (LPS): zone and code application* 'TPC Guidelines' (Tasmanian Planning Commission, 05/2025). The concern raised is for the following zone purpose:

14.1.4 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

The LBZ permits residential, and visitor accommodation uses consistent with this purpose statement. Additionally, the LBZ permits educational and occasional care use. Table 1 below compares the status of all uses within the LBZ and the existing LIZ; as can be seen, there are several changes to the status of uses.

Table 1: Comparison of the status of use classes in the respective zones

USE	Local Business Zone	Light Industrial Zone
Bulky Goods Sales	Permitted	Discretionary with qualifications
Business and professional services	No permit required	Prohibited
Community Meeting and Entertainment	Permitted	Discretionary
Crematoria and Cemeteries	Prohibited	Discretionary
Custodial facility	Prohibited	Prohibited
Domestic Animal Breeding, Boarding or Training	Prohibited	Prohibited
Educational and Occasional Care	Permitted	Discretionary with qualifications
Emergency Services	Permitted	Permitted
Equipment and Machinery Sales and Hire	Discretionary	Permitted
Extractive Industry	Prohibited	Prohibited
Food Services	No permit required	Discretionary
General Retail and Hire	No permit required	Discretionary if for alterations or extensions to existing General Retail and Hire.

Hospital Services	Prohibited	Prohibited
Hotel Industry	Permitted	Prohibited
Manufacturing and Processing	Discretionary	Permitted
Motor Racing Facility	Prohibited	Prohibited
Natural and Cultural Values Management	No permit required	No permit required
Passive Recreation	No permit required	No permit required
Pleasure Boat Facility	Permitted if for a boat ramp	Prohibited
Port and Shipping	Prohibited	Permitted
Recycling and Waste Disposal	Prohibited	Permitted if for a container refund facility Discretionary with qualifications
Research and Development	Permitted	Permitted
Residential	No permit required if for home based business. Permitted if: (a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and (b) not listed as No Permit Required. Discretionary if not listed as No Permit Required or Permitted.	
Resource Development	Discretionary if for food or beverage production.	Discretionary
Resource Processing	Prohibited	Prohibited
Service Industry	Discretionary	Permitted
Sports and Recreation	Discretionary	Discretionary
Storage	Discretionary	Permitted
Tourist Operation	Discretionary	Prohibited
Transport Depot and Distribution	Discretionary with qualifications	Permitted
Utilities	No permit required for minor utilities Discretionary if not listed as No Permit Required.	No permit required for minor utilities. Discretionary if not listed as No Permit Required.
Vehicle Fuel Sales and Service	Discretionary	Permitted
Vehicle Parking	Discretionary	Discretionary
Visitor Accommodation	Permitted If located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises. Discretionary if not listed as permitted	Prohibited

The main concerns with a change to the LBZ are as follows:

1. The use standards of the LBZ at clause 14.3.1 and LIZ at clause 18.3.1 are intended to meet the objective "*That uses do not cause ... unreasonable loss of amenity to residential zones*". These standards would not protect the amenity of any residential use on the Site.
2. The LBZ would potentially facilitate sensitive uses on a lot bound on two sides by LIZ, which creates the potential for conflict with uses meeting the zone purpose.

Under the standards of the LBZ, a permitted application could be lodged for a sensitive use; including residential, visitor accommodation, child care, or school at 10 Dolerite Drive. The LBZ only includes clause 14.4.6 Dwellings for residential amenity within the LBZ, and this is not the same level of amenity as facilitated for dwellings that would be provided in the General Residential Zone. However, this is consistent with all other Business Zones where there are limited controls for residential amenity.

In terms of concerns for sensitive uses, these are somewhat ameliorated by codes of the scheme, including the Road and Railway Assets Code and the Attenuation Code, requiring assessment in response to the following:

- The Site is almost entirely within the 50m road attenuation area of the Midlands Highway and would be subject to C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area.
- The Site would fall within the attenuation of an existing activity listed in Table C9.1 and subject to C9.5.2 Sensitive use within an attenuation area; at 7 Connector Park Drive - Metal fabrication 500m.

Based on these standards, the land at 10 Dolerite Drive, would be constrained for a sensitive use due to standards imposed by its proximity to the Highway and the metal fabrication use.

Setting aside the scheme constraints to the potential for sensitive use, such a development is considered unlikely for the following reasons;

- The proximity of the Site to the industrial estate diminishes its marketability and desirability for sensitive uses.
- If a permit was granted for the development, it seems likely it would be realised by the Applicant.

- As demonstrated through the market analysis, development for a commercial activity is likely to be the highest and best use of the Site.

In summary, it is considered suitable to apply the Local Business Zone to the Site.

Response to section 34(2) of the Act

The following is a response to Section 34 LPS Criteria (2), as if the Site was in the LBZ. This has been prepared with regard to the previous evidence adduced in support of the amendment.

(a) contains all the provisions that the SPPs specify must be contained in an LPS; and

- The application of the LBZ would not change any standards of the SPPs.

(b) is in accordance with section 32 ; and

- The application of the LBZ would be in accordance with all provisions of section 32 and would remove the requirement to assess the application in response to (3) and (4) as a SSQ.

(c) furthers the objectives set out in Schedule 1 ; and

- The application of the LBZ would be generally consistent with the Objectives of the *Land Use Planning and Approvals Act 1993* (Tas) (the **Act**) as addressed in the Section 38 Report (Council Agenda, Item 11.1, 29 June 2025). The exception is responses that reference the SSQs. The application of the LBZ as the mechanism for delivering the use and development would be in greater conformity with the objectives of the Act.

(d) is consistent with each State policy; and

- The application of the LBZ would not result in any changes to the Council's responses in the Section 38 Report.

(da) satisfies the relevant criteria in relation to the TPPs; and

- The TPPs are not yet in effect.

(e) as far as practicable, is consistent with the regional land use strategy (RLUS), if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and

- The application of the LBZ would still be generally consistent with evidence provided by Council in response to all the policies of the RLUS. The following discussion is further to RLUS policy RAC-P9.
- The RLUS does not map all LBZ in Launceston Map D.1 Regional Framework Plan as they would fall within a 'Local (sic) or Minor Centre' within the Activity Centre Hierarchy, as described in Table E.2. As such, the local nature of the zone demonstrates that it is consistent with not resulting in 'out-of-centre' development. The consistency is supported by the Purpose Statement of the LBZ '14.1.1 To provide for business, retail, administrative, professional, community and entertainment functions **which meet the needs of a local area**' (emphasis added); this is consolidated with the Zone Application Guidelines of the LBZ as detailed in the TPC Guidelines.

(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

- The application of the LBZ would be consistent with the response to the *City of Launceston Strategic Plan 2025-2035*, as provided in evidence provided on the 1/12/2025 for the Planning Authority.

(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

- The application of the LBZ would not result in any changes to the Council responses in the Section 38 Report.

(h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.

- Not Applicable.

In summary, it is Council's submission that application of the LBZ would meet the LPS Criteria under Section 34(2) of the Act.

In conclusion, Council continues to support the development of the proposed convenience supermarket at the Site and use of an appropriate mechanism to deliver this outcome. While there are concerns with the application of the LBZ,

in light of the controls in the State Planning Provisions and the characteristics of the Site, these concerns are mitigated and can be managed. An amendment to rezone the land to LBZ has been assessed and is considered to meet the LPS Criteria.

Yours sincerely



Jen Welch

Coordinator Planning Assessments

TASMANIAN PLANNING COMMISSION

DECISION

Planning scheme	Tasmanian Planning Scheme – Launceston
Amendment	PSA-LLP0011 - insert a new site specific qualification to allow the General Retail and Hire Use Class as Discretionary with the qualification 'a supermarket up to 1,000m ² in size' in the Light Industrial Zone at 10 Dolerite Drive, Kings Meadows.
Permit	DA124-2023 – provides for a supermarket
Planning authority	Launceston City Council
Applicant	6ty Pty Ltd for Connector Properties Pty Ltd
Date of decision	25 July 2026

Decision

Under section 40N(1)(c)(i) of the *Land Use Planning and Approvals Act 1993*, the draft amendment is rejected and the planning authority is directed to submit a substitute draft amendment to the Commission.

The permit is refused under section 42B(1)(d) of the *Land Use Planning and Approvals Act 1993*.



Roger Howlett
Delegate (Chair)



Kevin Hazell
Delegate



Ross Lovell
Delegate

REASONS FOR DECISION

Background

Amendment

The draft amendment proposes to insert a site-specific qualification to allow the General Retail and Hire Use Class as Discretionary with the qualification 'a supermarket up to 1,000m² in size' in the Light Industrial Zone at 10 Dolerite Drive, Kings Meadows.

Permit

The permit provides for supermarket of 1,000m² and associated signage.

Site information

The site is located at 10 Dolerite Drive, Kings Meadows (folio of the Register 181165/1), occupying a land area of 4,416m². The site is located at the Connector Park, which comprises 30 industrial lots. The area is zoned Light Industrial and Landslip Hazard (low hazard band), Bushfire-prone Hazard Areas, and Airport Obstacle Limitation Area overlays apply to the site. The site is vacant and contains no vegetation. The site is partially covered by the Southern Gateway Specific Area Plan to the west.

The Connector Park is surrounded by two major transport networks of the Midland Highway to the west and the Kings Meadows Link to the south.

The site is accessed via Dolerite Drive with approximately 73m frontage to Dolerite Drive. The adjoining land to the north and south of the industrial estate is zoned General Residential and Low-Density Residential. The site has established connections to reticulated water, sewer and stormwater infrastructure.

Issues raised in representations

Three representations were received during the exhibition period. The representors raised the following issues:

- compliance with the Northern Tasmania Regional Land Use Strategy
- compliance with the Launceston City Council Corporate Strategic Plan 2014-2024
- compatibility with the purpose of the Light Industrial Zone
- lack of demonstrated demand for a supermarket
- impact on retail hierarchy
- removal of industrial land
- impacts on traffic, and
- suitability of the area for walking and cycling.

The draft amendment was referred to TasWater under sections 56S and 56O of the *Water and Sewerage Industry Act 2008*.

In response, TasWater advised they had no objection to the draft amendment and provided a submission to the planning authority notice (SPAN), providing conditions to be included with any permit.

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The Traffic Impact Assessment (TIA) provided by the applicant was referred to the Department of State Growth (DSG).

Planning authority's response to the representations

The planning authority considered the representations and resolved to amend the draft amendment instrument to insert the words 'gross floor area'. Furthermore, the planning authority recommended to amend the permit to require amended plans to be submitted.

The planning authority recommended that the Commission approve the combined amendment and permit in accordance with the recommended changes to the permit and instrument.

Date and place of hearing

The hearing was held at the Converge meeting room, Verge Hotel, at 50 Tamar Street, Launceston on 14-15 December 2025.

Appearances at the hearing

Planning authority:	Ms Jennifer Welch, Coordinator Planning Assessments, Launceston City Council
	Mr Marc Edwards, Special Council for Launceston City Council, Page Seager Lawyers
	Ms Emma Keller, Principal Consultant - Property Economics & Analytics, Collier
Applicant:	Ms Jennifer O'Farrell, Barrister, McLean McKenzie and Topfer for Connector Property Pt Ltd
	Mr Alexander McKenzie, Solicitor, McLean McKenzie and Topfer for Connector Property Pt Ltd
	Mr George Walker, Town Planner, 6ty°for Connector Property Pt Ltd
	Mr Kurt Ainsaar, Executive Director, Urban Enterprise for Connector Property Pt Ltd
	Ms Debbie Pintarich, Connector Pty Ltd
	Mr Richard Burk, Director, Traffic and Civil Services Pty Ltd
	Mr David Baxter, Director, DRB Retail Oty Ltd t/a Baxter's IGA
Representors:	Ms Catherine Scott, Barrister, Derwent & Tamar Chambers for Michael French
	Ms Mea Quartararo, Lawyer, Abetz Curtis for Michael French
	Michael French
	Sarah French

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Mr Mark Petrusma, Senior Associate, Ratio for Michael French

Ms Michelle Schleiger, Town Planner, Woolcott Land Services for Michael French

Mr Ian Churchill, Manager, Economics and Retail Macroplan for Michael French

Site Visit

A site visit was undertaken prior to the hearings.

Consideration of the draft amendment

Statutory Requirements

1. Under section 40M of the *Land Use Planning and Approvals Act 1993* (the Act), the Commission is required to consider the draft amendment to the Tasmanian Planning Scheme - Launceston (LPS) and the representations, statements and recommendations contained in the planning authority's section 40K report, any information obtained at a hearing, and any technical matters.
2. A hearing was convened to assist the Commission consider the issues in the representations.
3. The Commission must also consider whether the draft amendment meets the LPS criteria as set out under section 34(2) of the Act:
 - (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 Safety Act 2019*.

Section 32(4)

4. If a site-specific qualification is proposed in a draft amendment, the Commission must also consider whether the proposal meets the criteria of section 32(4) of the Act. A LPS may only include a site-specific qualification (SSQ) if:
 - (a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or
 - (b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.
5. The planning authority and the applicant considered that the draft amendment met the test under section 32(4) (b).
6. Abetz Curtis Lawyers and Advisers for Mike French, (the representor) dated 26 March 2026, submitted that the site-specific qualification is not justified by 'unique spatial qualities'. The representor noted that the site is uniquely suited for industrial use, and the draft is driven by operator demand, not planning merit.
7. The representor submitted:

The site is clearly suitable for a number of uses. I reiterate that the site has spatial qualities that are particularly suited to industrial (or for Bulky Goods Sales) use and development, making the industrial land zoning appropriate for this site without any modification. By contrast, there is nothing about the site that is uniquely or particularly suited to the provision of a convenience supermarket aside from the default position of being vacant.
8. The planning authority, in their final submission, submitted that the site has "unique spatial qualities" due to its location between the Connector Park industrial estate, residential areas and major transport networks. The site is positioned at the edge of an industrial estate, reducing the likelihood of land use conflict and can be easily accessed from multiple directions.
9. However, the planning authority acknowledges that there are 3 nearby vacant lots with similar qualities, noting that:

the site's size, shape, access, and position relative to the Kings Meadows Connector and in the Connector Park Estate itself are sufficiently unique as to distinguish it from these other parcels.
10. McLean McKenzie and Topfer Barristers and Solicitors for Connector Property Pty (the applicant), in their final submission, stated:

The verb 'require' can have a range of meanings. It is defined as including:

 1. to have need of, depend upon; want

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2. to impose as a necessity; make necessary: this work requires precision.
 3. to make formal request (for); to insist upon
 4. to call upon or oblige (a person) authoritatively; order or command: to require someone to account for his actions.
11. Subsequently, the applicant noted the land does not necessarily 'require' qualities; it can also be considered 'having a need of', and s 32(4)(b) should not be interpreted literally, as land cannot strictly "require" provisions in an absolute sense. Instead, the provision should be understood in context and in line with the purpose of the Act. It is intended to act as a practical constraint, not a disguised prohibition. The applicant found that the appropriate test is whether the land is "in need of" site-specific provisions to achieve a sound planning outcome, rather than requiring it strictly.
12. Abetz Curtis Lawyers and Advisors for Michael French (the representor) in their final submission, dated 22 May 2026, noted that the proponent and the planning authority have not met the requirements of section 32(4)(b) of the Act and no justification was provided for departing from the state planning provisions (SPPs).
13. Specifically, the representor submitted:
- The justification against the test under section 32(4)(b) only relies on the site being a good commercial location for a supermarket, not on any deficiency in the existing planning framework, which is otherwise suitable and allows development.
 - The parties did not identify any unique qualities. The land has the same characteristics as the surrounding industrial land and does not require special provisions. There is also no evidence that the site is the only or last suitable site for a supermarket.
 - Location does not justify change: The site's "spatial qualities", meaning its location, support its current industrial zoning rather than a departure from it.
 - The proposed pedestrian pathway is unsafe and inaccessible, meaning the site relies on car access. Therefore, proximity to the pathway is not a relevant planning consideration with respect to the proposed SSQ.
14. The representor concluded that the statutory test requires that specific characteristics of the land necessitate unique provisions, not merely support a preferred outcome. There is no evidence exploring why a standard rezoning, such as a Local Business Zone, could not accommodate the proposed use.

Commission consideration

15. In relation to the test under section 32(4)(b) of the Act, the Commission finds that the particular qualities described by the applicant and the planning authority are common to other areas of land in the locality and industrial settings in general. The site's particular qualities related to its accessibility, co-location benefits, and active transport access do not require the additional or substituted provisions proposed. The Launceston municipal area includes

multiple sites and areas that are characterised by interfaces between residential and industrial uses that are accessible via the major road network.

16. The Commission agrees with the representor that the justification for the site against section 32(4)(b) test relies on the assumption that the site is suitable for commercial use, not the unique spatial qualities of the land itself. The commercial locational benefits do not equal the special qualities of the land. The site is a serviced corner lot, located within an industrial complex adjacent to the major road network. These qualities are not particular environmental, economic, social or spatial qualities that require special provisions to achieve the strategic planning outcome. In relation to the site having particular qualities related to its role within the retail hierarchy, the Commission considers that these qualities do not require the additional or substituted provisions proposed.
17. The Commission considers that the SSQ does not meet the requirements under section 32(4)(b) of the Act.

Regional land use strategy

18. The relevant regional strategy is the Northern Tasmania Regional Land Use Strategy (regional strategy). The planning authority and the applicant considered that the draft amendment is consistent with the regional strategy. In its report supporting the draft amendment, the planning authority noted that the site is located within a Supporting Consolidation Area.
19. The planning authority stated:

The site is separated from Priority Consolidation Areas and is uniquely located to support reliable and effective access, whilst allowing a reduction in vehicle dependency. The amendment will allow a new type of service for a cohesive community and does not detract or compromise the existing activity centre hierarchy.
20. With respect to the regional infrastructure network policies, the applicant noted that the proposal improves active transport connectivity via footpath and shared path connections. The site is fully serviced with water, sewer, stormwater and road access. Its co-location within the employment and visitor node and next to residential areas will have the potential to reduce dependence on private vehicle travel.
21. With regard to the industrial land policies, the planning authority noted that the draft amendment would not change the industrial zoning of the site and would allow for use that does not significantly impact the existing industrial land supply within the region or municipal area.
22. The planning authority concluded:

The SSQ will allow a use to occur that is currently prohibited, noting however that its spatial qualities and economic return place the site in prime position for a supermarket use to operate.

The Connector Park Estate still contains vacant sites with opportunity for industrial use to occur. There will be no land use conflicts with the proposed supermarket occurring within close

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proximity to existing or future industrial uses. The Connector Estate also contains multiple properties where future subdivision is possible, allowing further land to be available for future industrial uses. It is considered that the site is better suited for a supermarket use based on spatial and economic qualities, noting the reduction of this lot for industrial purposes is appropriate.

23. In relation to the Social Infrastructure and Community policies, the applicant also noted that the proposed amendment is anticipated to enhance community cohesion and social engagement within the industrial precinct and adjoining residential estates by introducing a retail component designed to serve as a central point of congregation, thereby fostering both passive and implicit forms of communal interaction.

Commission consideration

24. The Commission is persuaded by the evidence provided by the planning authority and the applicant. The Commission finds that the draft amendment would not compromise industrial land supply at the municipal level and is located in an urban area connected to the serviced municipal network, consistent with policies regarding industrial and regional infrastructure networks.
25. The Commission finds that the draft amendment is, as far as practicable, consistent with the above regional policies.

Retail hierarchy and economic demand

26. With respect to the policies regarding regional activity centres, the planning authority considered that the draft amendment aligns with the relevant policies regarding activity centres and provides for economic demand.
27. In their further submission, dated 1 December 2025, the planning authority noted that the area has experienced significant population growth within the primary catchment, which includes land within a 1km radius of the site.
28. Figure 1 below shows the residential infill development within the primary catchment.



Figure 2: Aerial Imagery 2014 (source: City of Launceston)



Figure 3: Aerial Imagery 2024 (source: City of Launceston)

Figure 1. Residential infill development in Kings Meadows from 2014 to 2024

29. The planning authority submitted that the residential approvals for the primary catchment are as follows:
- Connector Park: 17 lot subdivision, approved 1999.
 - Oakden Park: 216 lot subdivision, approved 2019.
 - Mount Pleasant: 80 lot subdivision, approved 2009.
 - Sienna Place: 53 lot subdivision, approved 2016.
 - Dundas Street: 16 lot subdivision, approved 2019
30. The applicant considered the draft amendment against the regional strategy's Key Activity Centre Network Strategies. The applicant submitted that the use and development facilitated by the draft amendment will support and complement the established network of integrated activity centres within Launceston. The site is strategically positioned to service a defined primary catchment, encompassing the Connector Park Industrial Precinct, the Mount

Pleasant residential estate, and the recently developed Oakden Park residential estate.

31. The applicant noted that the request will provide a convenient and accessible service to the surrounding population and the workforce employed in the Connector Park. Accordingly, the proposal makes a positive contribution to the distribution of retail services and reinforces the overall activity centre hierarchy.
32. Figure 2 below illustrates the projected primary catchment and surrounding activity centres in the area.



Figure 2 Primary catchment and activity centres

33. The applicant noted the request is 'out-centre development' as the site is in an industrial area, not within a designated activity centre. The applicant submitted that the draft amendment will not compromise the activity centre hierarchy because it will not alter or reclassify the site within, disrupt the order of, or otherwise undermine the purpose of the established activity centre hierarchy under the regional strategy.
34. The applicant provided a Retail Assessment (the retail assessment), prepared by Urban Enterprise, dated February 2022, outlining that the retail use would generate approximately 8-12 more jobs compared to industrial uses.
35. The Retail Assessment concluded:

Based on the analysis detailed in this report, the proposed small supermarket (979sqm) at the subject site could be supported within the catchment without viably impacting existing supermarket traders within the sub-regional catchment; for the following reasons:

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- There are currently no supermarkets or convenience retailers operating within the subject site's primary catchment.
 - The scale of floorspace and type of retail goods that would be offered would not directly compete with the major supermarkets located in Kings Meadows, which would remain the highest order centre.
 - The total catchment's population is currently of a scale that could support another small supermarket in this location – with further growth projected in-line with the ongoing development of adjacent residential estates.
 - Beyond residents in the primary catchment, much of the proposal's trade is anticipated to originate from outside of the primary catchment, including transient workers and visitors to the Connector Business Park, as well as passing travellers using Kings Meadows Link.
36. Connmoto Group, in their further submission for Mr French, dated 2 December 2025, referred to the E.3 Regional Activity Centre Network Policies and the E3.1 Strategic Context. Connmoto Group submitted that Connector Park supports businesses requiring industrial zoning, including bulky goods retail.
37. The Connmoto Group concluded that:
- The Greater Launceston Plan (GLP) establishes a clear hierarchy of activity centres.
 - In GLP Connector Park is identified as a bulky goods precinct, not an activity centre.
 - The subject site is zoned industrial, intended to support employment-generating uses outside the Launceston Principal Activity Centre (PAC).
 - Retail use would displace opportunities for industrial development and associated employment within an established employment catchment.
 - Proximity to residential areas benefits industrial uses as much as retail uses.
 - Existing activity centres nearby (Kings Meadows MAC and Youngtown) have strong transport connections; and
 - Connector Park lacks public transport and pedestrian infrastructure.
38. Abezt Curtis Lawyers & Advisers for Michael French provided a Retail Needs & Economic Impact Assessment (Macroplan report), prepared by Macroplan, on 10 March 2026. The Macroplan report submitted that the policy RAC-P9 is the key driving regional policy in this instance.
39. The RAC- P9 states:

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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.

40. The Macroplan report noted that the main trade area has a very low residential growth forecast of 0.4% to 2041, meaning that future retail demand growth is limited. The Macroplan report outlined that the main trade contains approximately 12,730m² of Food, Liquor & Groceries (FLG) floorspace, including Coles and Woolworths, IGA Everyday Youngtown, Meadow Mews Plaza and multiple speciality food retailers. The Macroplan report indicates that resident demand for FLG floorspace is estimated at only 8,010m² (2025), rising to 8,750m² by 2041, leading to diverting trade from existing retailers and not generating new growth. For instance, the Macroplan report projected that IGA Everyday Youngtown will have 22.8% turnover loss of ~\$1.52m, and other retailers will incur turnover losses of approximately 10%.
41. The Macroplan report noted that the employment and economic benefits associated with the draft amendment would lead to \$5.5- \$7.7 million output and 13-18 full-time temporary jobs. During the operational phase, the proposal would generate 25 full-time jobs, leading to \$5.7m output annually. However, it is submitted that these benefits are partly or fully offset by job losses and revenue declines in existing businesses. The Macroplan report concluded that the proposed development is not supported by retail need, and it would cause high and unreasonable economic harm by undermining the established activity centre hierarchy.
42. McLean McKenzie and Topfer Barristers and Solicitors for the applicant provided a submission on 23 March 2026 from Urban Enterprise (Urban Enterprise report) as a response to the Macroplan report, dated 10 March 2026.
43. The Urban Enterprise report noted that the turnover assumptions in the Macroplan report for existing retailers are unreasonable and unrealistic, including:
 - speciality retailers (e.g. Kyeema Seafoods) are assumed to achieve higher turnover per square metre than small supermarkets; and
 - liquor outlets are assumed to achieve turnover levels significantly higher than comparable supermarkets.
44. The Urban Enterprise report concluded that the Macroplan report understated economic benefits and includes errors, including inconsistency between the

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estimated annual revenue of the proposed supermarket (\$7.68m), the lower “direct output” figures used in the impact assessment and underestimating employment numbers (20 full-time employees versus 24 full-time employees), and a failure to assess value-added, a standard economic impact metric. With regard to the catchment size, the Urban Enterprise report noted that the market share from the primary trade area is projected to be 25%.

45. The Response Statement of Evidence from Colliers (the Collier report), prepared for the planning authority, dated 23 March 2026, prepared by Emma Keller, supported the view that the supermarket would provide for community need.
46. Ms Keller submitted that the community need is demonstrated as follows:
 - Supermarkets are essential, non-discretionary services central to daily life and widely used by the community and support important community infrastructure.
 - The proposed supermarket meets a clear local need for accessible groceries in the surrounding area.
 - Economic evidence indicates there is sufficient retail demand to support the development.
 - An experienced supermarket operator’s willingness to establish a store at the site further confirms both economic viability and community need.
47. At the hearing, the policy RAC-P9 was discussed. The key discussion point was the potential community need associated with the draft amendment and the small size of the projected primary catchment of 25% of total demand of the proposal as outlined in the Urban Economics Report. Ms Emma Keller, for the planning authority, submitted that it depends on how the community is defined and noted that part of the community is Launceston as a whole, which includes primary and secondary catchments and passing trade. Ms Keller noted that her assessment considered the existing retail offerings in the area.
48. At the hearing, Mr Kurt Ainsaar, for the applicant, submitted that it is projected that 30% of the trade will come from secondary catchment, which is slightly higher than usual. This is due to its highly accessible location and the location of consumer-based surrounding businesses, such as Bunnings and excellent access to passing trade. With regard to the supermarket being a ‘local centre’, considering the large secondary catchment, Mr Ainsaar noted that the supermarket can serve both needs simultaneously.
49. At the hearing, Mr Ian Churchill, for the representor, submitted that the proposed supermarket would cause detriment in terms of trade impacts and offerings to the existing supermarket operators in the area. Mr Churchill noted that a supermarket between sizes 110-868m² is deemed a supportable size for the site, meaning its adverse impacts within this size scale can be considered reasonable on surrounding commercial operators. Mr Churchill emphasised that the higher end of the floor area, being 868m², can only be supported under the most optimistic scenario. Mr Churchill considered that the most reasonable outcome would be achieved with a supermarket of the size around 400m², and the size of 868m² will extremely likely produce an unreasonable outcome. Mr Churchill concluded that, in his assessment, he considered the secondary trade

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area/catchment for the proposed supermarket was smaller than other experts have considered.

50. With respect to adverse impacts on existing activity centres, the Collier report for the planning authority, submitted:

However, a key point of note here is that the NTRLUS highlights that the development should have no adverse impacts on existing activity centres, not individual retailers.

As I stated in my Response to Macroplan's Retail Assessment Peer Review (10 February 2026), "retail trading impacts are most appropriately considered on centres and centre hierarchies, not individual retailers" and "Launceston planning policy recognises impacts only at the activity centre level, and not at the individual retailer level. As such, no need exists to provide impact analysis on a store-by-store basis, contrary to what Macroplan have suggested. This focus on centre-wide impacts is also consistent with generally adopted industry practice and legal precedent (e.g. Gantidis vS KFC)."

51. The applicant also referred to the *Kentucky Fried Chicken Pty Ltd v Gantidis* (1979) High Court decision stating the following:

In Gantidis, Stephen J of the High Court explained there are limits on the extent to which economic viability is a relevant planning consideration. It is a relevant consideration to the extent that a proposal will threaten the viability of existing facilities, either due to physical or financial causes.

...

Gantidis means that the RAC-P9 does not allow the Commission to examine the impact on individual businesses' bottom-lines. Rather, it requires a consideration of whether they are businesses of a type which will fail such that there are inadequate facilities to provide amenity for localities. Thus, RAC-P9 can be applied at a general level, but not at a level which considers whether, for example, the Youngtown IGA will, of itself, fail.

52. In relation to the synergy with the employment hubs, the Collier report submitted that the site is located within the Connector Park, identified as an established employment hub. Convenience retail within an employment hub is considered appropriate supporting local workers, nearby residents and visitors to the area.

Commission consideration

53. The Commission agrees with the planning authority and the applicant that the draft amendment could provide some co-location benefits with the adjoining industrial uses and essential services to the adjoining residential areas.
54. The Commission accepts the view that the draft amendment can provide for community needs within primary and secondary catchments. The Commission accepts that the residential development in the Kings Meadows area has

occurred, and the nearby residential areas and people employed at the Connector Park would benefit from the essential services the supermarket provides. Whilst the growth that has occurred was contemplated within the regional land use strategy including in the setting of the retail hierarchy, the regional land use strategy recognises through RAC- P9 that out of centre development can be considered subject to assessment and overall net community benefit.

55. The secondary catchment/trade area forms part of the Launceston municipal area, and the location of the supermarket would provide services to people in the wider community.
56. The Commission accepts the comments from Mr Churchill that the size of the proposed supermarket is a key matter when considering its impact on the activity centre hierarchy and balanced provision of essential services. The Commission considers that a supermarket at the proposed size of 1,000m² may have adverse impacts on the surrounding retail operators, retail hierarchy and balanced provision of services.
57. With respect to the reasons of the *Kentucky Fried Chicken Pty Ltd v Gantidis* (1979) High Court decision, the Commission finds that the proposed supermarket would increase competition in the area, but this will not detract from the FLG offerings available in the nearby centres. The impact or competition threat to individual retailers is not a relevant town planning consideration as long as the proposal does not have unreasonable adverse impacts on the facilities available to the local community.
58. The economic impact on the individual retailers is a relevant consideration if it affects the activity centre hierarchy and provision of services in the area. However, the Commission notes that the site is surrounded by residential areas and has experienced residential infill development over the years. The surrounding area is lacking land zoned for the provision of the (FLG) floorspace within walking distance.
59. For the above reasons, the Commission finds that the request is, as far as practicable, consistent with the regional strategy's policies regarding activity centres.

Suitability of the Local Business Zone

60. Following the hearing, the Commission directed parties to provide submissions on the suitability of the Local Business Zone being applied and whether this would meet the LPS criteria under section 34(2) of the Act.

Suitability of the Local Business Zone

61. The planning authority provided a submission, dated 15 June 2026, in response to the Commission's direction. The planning authority considered that the Local Business Zone is suitable for the site. The planning authority submitted that the proposed Local Business Zone aligns with the Guideline No. 1 Local Provisions Schedule (LPS): zone and code application. The planning authority also considered that the zoning choice would support convenience retail use serving local and industrial areas and is likely to reflect the highest and best use of the land.

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62. The applicant, in their response submission dated 15 June 2025, agreed with the planning authority that the application of the Local Business Zone (LBZ), a zoning designation that allows retail and commercial uses within or near residential neighbourhood, is suitable for the site. This assumption is based on the surrounding residential catchment experiencing significant population and employment growth from 1,000 to 1,795 residents. The applicant further noted that there is no existing neighbourhood-scale supermarket or convenience retail in the area.
63. With regard to the suitability of the Local Business Zone, the applicant submitted that the proposed zone intends:
 - to provide local-scale retail, services, and employment uses
 - to provide convenience retail (everyday goods/services), and
 - to support community liveability and accessibility.
64. The applicant concluded that the Local Business Zone includes built-in planning controls to prevent impacts on the retail hierarchy, and although the Local Business Zone allows some sensitive uses:
 - associated noise, makes residential uses unlikely, and
 - the expected outcome is continued commercial/service use, not sensitive uses.
65. The key concerns raised by the planning authority in relation to the suitability of the Local Business Zone related to the allowable land uses, including sensitive uses such as residential, visitor accommodation and childcare. These land uses have the potential to create a land use conflict with the surrounding industrial area. However, the planning authority acknowledged, as demonstrated by the various retail assessments provided with the assessment, that the market conditions would 'favour' the commercial land use over sensitive land uses on the site.
66. However, the planning authority noted that the provisions of the codes in the SPPs, such as the Attenuation Code, would assist in mitigating adverse impacts on sensitive uses. Both Midlands Highway and certain industrial uses would be subject to the code.
67. The representor, in their submission, expanded the view on allowable sensitive uses under the proposed zone, noting potential amenity issues and potential operational restrictions on industrial companies in the area. This could constrain existing and future industrial uses and undermine the purpose of the Light Industrial Zone. The representor noted that land uses, such as Educational and Occasional Care and Community Meeting and Entertainment, will become permitted under the Local Business, and the planning authority would have little ability to prevent the introduction of these uses.
68. The representor concluded that the Local Business Zone allows a smaller lot of 200m² and multiple retail tenancies. The representor noted that based on the land area of the site, the site could be subdivided into 22 lots. The potential outcomes of the rezoning could include a cluster of shops and commercial uses, thereby evolving into a new activity centre.

LPS criteria under section 34(2) of the Act

69. In relation to the LPS Criteria, the planning authority submitted that the application of the Local Business Zone would not change any standards in the SPPs and would deliver that use and development would be in greater conformity with the Objectives of the Act. Similarly, with regard to the State Policies, the planning authority noted that rezoning the site to the Local Business Zone is consistent with the State Policies.
70. With respect to the relevant policies under the regional strategy, the planning authority submitted:
- The RLUS does not map all LBZ in Launceston Map D.1 Regional Framework Plan as they would fall within a 'Local (sic) or Minor Centre' within the Activity Centre Hierarchy, as described in Table E.2. As such, the local nature of the zone demonstrates that it is consistent with not resulting in 'out-of-centre' development. The consistency is supported by the Purpose Statement of the LBZ '14.1.1 To provide for business, retail, administrative, professional, community and entertainment functions **which meet the needs of a local area**' (emphasis added); this is consolidated with the Zone Application Guidelines of the LBZ as detailed in the TPC Guidelines.
71. In relation to the LPS criteria, the applicant submitted:
- The draft amendment therefore remains consistent with the structure and operation of the LPS framework envisaged by section 32 of the Act. It represents the spatial application of an existing planning control, rather than the creation of a bespoke planning control that would apply only to the site.
72. With respect to the Objectives of the Act, the applicant submitted that the rezoning would support sustainable land use by enabling a local service function within an existing, serviced urban area. The draft amendment would leverage established infrastructure, improve access to everyday goods and services, enhance community amenity, support local employment, and reduce travel demand. Overall, the draft amendment would promote efficient infrastructure use and improve liveability without expanding the urban footprint.
73. With respect to the regional strategy, the applicant submitted that applying the Local Business Zone would facilitate a small-scale convenience retail development is consistent with RAC-P9, as it addresses a clear and growing community need within an underserved catchment, supports the adjacent Connector Park employment precinct, and delivers net social and economic benefits.
74. The applicant noted that the rezoning would provide clear community benefits by improving access to everyday services, supporting local employment, and strengthening an existing employment precinct in an underserved growth area. The draft amendment would provide efficient use of serviced land within a designated growth and consolidation area and aligns with broader planning objectives.

Launceston Local Provisions Schedule
Draft amendment PSA-LLP0011 and permit DA0124-2023

75. The applicant concluded:
- Importantly, the Local Business Zone contains specific statutory provisions that require future retail development to be assessed against its potential impact on the activity centre hierarchy, thereby providing an appropriate mechanism through which the strategic intent of RAC-P9 can be implemented and maintained.
76. In relation to the policies regarding activity centres, the representor noted that the rezoning of the site to the Local Business Zone means that these policies will become even more relevant as the proposed zone has the potential to establish a new activity centre.
77. The representor submitted:
- (a) RAC-A2 provides that “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”;
 - (b) RAC-A16 directs the planning authority (or in this case the Commission) to “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”; and
 - (c) RAC-P4 has been mentioned above in relation to the creation of new neighbourhood and local centres, “where appropriate”.

Commission consideration

78. The Commission agrees with the planning authority and the applicant that the Local Business Zone is suitable for the site by allowing retail and essential services near residential neighbourhoods while addressing a community need within a catchment that is currently underserved.
79. The Commission also acknowledges the procedural concerns raised by the representor. The Commission notes that procedural fairness ought to be accorded to all parties in the process. The process under section 40N(1)(c)(i) of the Act requires the planning authority to prepare a draft, exhibit the draft amendment, provide the Commission with a section 40K report on representations and the hearing will be reconvened to the substitute draft amendment.

State Policies

State Policy on Water Quality Management 1997

80. The planning authority submitted that the request does not result in an increase in sediment transport to surface waters.

Launceston Local Provisions Schedule
Draft amendment PSA-LLP0011 and permit DA0124-2023

National Environmental Protection Measures

81. The planning authority noted that the relevant Codes in the planning scheme deal with issues related to environmental protection measures.

Commission consideration

82. The Commission accepts the planning authority's submissions on the State Policies and finds the draft amendment is consistent with the relevant State Policies.

Schedule 1 Objectives of the Act

83. In relation to the Resource Management and Planning System objectives, the Commission must consider the objectives under Part 1 and Part 2 of the Act. The Commission finds that the draft amendment does not further all the objectives set out in Schedule 1 of the Act, with specific reference to Schedule 1, Part 1 (b).
84. The Commission is not satisfied that the draft amendment furthers the objectives of Part 1 to provide for the fair, orderly, and sustainable use and development of the subject land, due to the proposed application of the SSQ. An orderly planning is consistent with the relevant requirements under the Act. The Commission considers that the draft amendment does not meet the requirements under section 32(4) (a) or (b), as discussed above.
85. The Commission finds that the draft amendment does not further the Objective under Schedule 1, Part 1 (b) for the reasons outlined above.

Modifications required to draft amendment

86. Under section 40M of the Act, the Commission must consider whether modifications to a draft amendment of an LPS ought to be made.
87. Based on the information provided, the Commission notes:
- The draft amendment does not meet the test under section 32(4) (a) or (b), and
 - The draft amendment does not further the Schedule 1 Objectives of the Act, in particular in relation to Schedule 1, Part 1 (b).

Decision under 40N(1)(c) to reject the draft amendment

88. The Commission rejects the draft amendment under section 40N(1)(c) for the reasons discussed above.
89. The Commission, in accordance with section 40N(1)(c)(i), directs the planning authority to rezone the site (FR 181165/1) to the Local Business Zone.

Decision on permit

90. The permit is refused under section 42B(1)(d) of the Land Use Planning and Approvals Act 1993.

Attachments

Annexure A - modified amendment

Launceston Local Provisions Schedule
Draft amendment PSA-LLP0011 and permit DA0124-2023

Annexure A

Modified amendment PSA-LLP0011, Tasmanian Planning Scheme – Launceston

Rezone 10 Dolerite, Drive, Kings Meadows, folio of the Register 181165/1 from Light Industrial Zone to Local Business Zone, as shown below:



Figure 1: Application of Local Business Zone to land at 10 Dolerite Drive, Kings Meadows

ATTACHMENT 5 - Response to Tasmanian Planning Policies

As required by Section 34 of the *Land Use Planning and Approvals Act 1993* (LUPAA), the following response is provided to the Tasmanian Planning Policies (TPPs) (v. 1, 1/07/2026). The TPPs came into effect on 1 July 2026 and were not previously considered in response to the Combined Draft Amendment.

LUPAA requires the following for Draft Amendments to the Local Provisions Schedule (LPS):

(2) The LPS criteria to be met by a relevant planning instrument are that the instrument –

...

(da) satisfies the relevant criteria in relation to the TPPs;...

The following are responses to strategies of the TPPs that are relevant to the Substitute Draft Amendment, as required to be considered in accordance with the principles for the implementation of the TPPs into LPSs (p10).

TPPs	Council Response
1.0 Settlement	
1.1 Growth	
1.1.2 Objective To plan for settlement growth that allocates land to meet the existing and future needs of the community and to deliver a sustainable pattern of development.	The provision of a Local Business Zone on site has been identified by the Commission as consistent with the NTRLUS policies in meeting the needs of the local area. Connector Park and the surrounding residential areas of Oakden Park and Mount Pleasant are currently under served for retail services.
9. Identify the role and function of activity centres within settlements and encourage use and development that complements and supports that role and function.	Activity Centres have been defined through the NTRLUS. The Substitute Draft Amendment is for a Local Business Zone, which would be consistent with a 'Local (sic) or Minor Centre' defined in the NTRLUS (p 37)
1.2 Liveability	
1.2.2 Objective To improve the liveability of settlements by promoting a pattern of development that improves access to housing, education, employment, recreation, nature, health and other services that support the wellbeing of the community.	The proposal improves the liveability for the local area by providing much needed retail and essential services. The site is collocated with existing employment opportunities in the industrial estate and will have greater connectivity with the shared infrastructure pedestrian and cycle pathway to be constructed by Council.
1. Promote the location of residential use and development in	As identified in the Commission's Decision (paragraph 78) the residential

areas that are close to, or are well connected to, activity centres or secure and reliable employment sources.	areas surrounding the site are currently underserved for retail and essential services. The amendment will facilitate a local activity centre to meet the needs of the surrounding residential areas. .
5. Provide for connectivity within settlements, especially between residential areas, activity centres and open space networks, through a network of legible, safe and accessible infrastructure dedicated to active transport modes, including end of trip facilities.	As a consequence of the application for this amendment, grant funding has been sought and secured for a pedestrian and cycle pathway on Kings Meadow Link, which will improve connectivity between the site, Kate Reed Reserve, Mount Pleasant, Oakden Park.
4.0 Sustainable Economic Development	
4.6 Industry 4.6.2 Objective To protect industrial land, facilitate sustainable industrial use and development and ensure there is sufficient availability of suitable industrial land to meet the existing and future needs of Tasmania.	The Draft Amendment has been considered with respect to regional industrial strategies in the Council Agenda (19/06/2026). There has been no additional strategic studies completed since the amendment was initiated. Consistent with the previous assessment it is considered that the rezoning of the site to the Local Business Zone would not materially diminish the supply of Industrial Land needs of Tasmania. Further discussion is included in relation to Industry objective and strategies in response to the implementation of the TPPs below this table.
1. Strategically identify and protect land that is suitable for industrial use and development to meet the needs of future generations.	In the Commissions Decision (paragraph 24) it was found 'that the draft amendment would not compromise industrial land supply at the municipal level'. The area of land that is being rezoned is not considered to materially diminish the supply of Industrial Land needs in Tasmania.
2. Provide for at least a 15 year supply of industrial land, that is located within urban or settlement growth boundaries, or within close proximity to settlements, that is based on projected demand to meet the economic needs of Tasmania.	Existing studies into industrial land supply do not extend to 2041. However, the site to be rezoned, is of an area that it is not considered to materially impact on the land supply needs of Tasmania.
3. Identify and allocate land within urban or settlement growth boundaries, or within close proximity to settlements,	Connector Park has been identified within the <i>Launceston Industrial Strategy 2009-2029</i> (p. 30) as a prime

that is suitable for industrial use and development, considering: a) analysis of industrial activities and land supply at a regional or metropolitan level, including existing available land, potential for growth within, or adjacent to, existing centres, and the nature of current and future industrial activities; b) topography and physical site constraints; c) compatibility of surrounding land use; d) provision of adequate buffer areas to separate incompatible uses; e) access to workforce; f) supply chain relationships, including freight patterns, and proximity to existing freight networks, including high productivity and key local freight roads; g) the ability to and cost of, servicing with physical infrastructure; and h) environmental hazards and the impact on environmental values are avoided or can be appropriately managed.	location for new industry and purpose designed for industrial uses and is zoned accordingly. Further discussion is included in relation to this strategy in response to the implementation of the TPPs below this table.
5. Promote the protection of existing and future industrial land by preventing encroachment from incompatible use and development.	As identified in the <i>Launceston Industrial Strategy</i>, the precinct has an area of 24.6ha, the site has an area of 4,413m² occupying less than 2% of the entire estate. The total demand (p35) is identified as 193ha. The Substitute Draft Amendment encroaches into the industrial land, however the area of encroachment is minimal. The purpose of the Local Business Zone includes providing services that meet the needs of the local area. As identified in the Commissions Decision (paragraph 53) the 'amendment could provide some co-location benefits with the adjoining industrial uses and essential services to the adjoining residential areas'. To this effect the future use and development facilitated is compatible with the existing and future use of the industrial estate.
4.7 Business and Commercial	

4.7.2 Objective To promote business and commercial activities at a scale and intensity suited to the location to support diverse economic and employment opportunities and strengthen the State's economy.	As identified in the Commissions Decision (paragraph 78), the community need within the catchment is currently underserved for retail and essential services, and that the request is 'as far as practicable consistent with the regional strategies policies regarding activities centre' (paragraph 59). The size of area to be rezoned into the Local Business Zone as included in the Substitute Draft Amendment would not have a significant impact on the State's economy as a whole as it is intended to serve the needs of the local area.
1. Identify and allocate a sufficient supply of land within existing settlements or areas identified for future growth of settlements, to provide for commercial and business use and development based on existing and projected demands, considering: a) the nature and scale of the catchment being serviced; b) consumer demand and demographic forecast; c) efficient use of existing infrastructure; d) accessibility to existing transport networks and services; e) access to workforce; f) the activity centre hierarchy; and g) the regional settlement hierarchy.	Within the existing settlement the Commissions Decision (paragraph 78) has determined based on demand assessments that the surrounding area is currently underserved for retail and essential services. The Substitute Draft Amendment will enable the needs of the local area to be met and is consistent with the activity centre hierarchy as defined through the NTRLUS as a Local or Minor Centre.
2. Identify an activity centre hierarchy that is based on the scale, role, function and accessibility of activity centres.	The activity centre hierarchy is defined in Map D.1 and Table E.2 of the NTRLUS. As discussed in the Commissions Decision (paragraph 70) local centres in the Local Business Zone are not mapped in the strategy, however they would satisfy the description of Local or Minor Centre in Table E.2. The Substitute Draft Amendment would fall within the existing defined activity centre hierarchy of the NTRLUS.
3. Support the activity centre hierarchy by promoting complimentary use and development to strengthen efficiencies within activity centres and, where possible, avoid unnecessary competition between activity centres.	The Substitute Draft Amendment is for a local centre that meets the needs of the local area that is currently underserved. In the Commissions Decision (paragraph 57) it was found that the supermarket as included in the

	Combined Draft Amendment 'would increase competition in the area, but this would not detract from the Food Liquor and Groceries (FLG) offerings available in nearby centres'.
5. Support the redevelopment of commercial and business use and development in existing activity centres prior to considering the establishment of new activity centres, unless it is part of a new greenfield development or a natural progression of an existing activity centre, and is highly accessible to its catchment of users.	This strategy is largely consistent with policy RAC-P9 of the NTRLUS, which has been considered extensively by the Commission. No new activity centre was included in rezonings to facilitate greenfield development of Oakland Park, Mount Pleasant and Connector Park, as such the local area is currently underserved for retail and essential services.
8. Provide for small scale commercial or business opportunities in residential and industrial areas that meets the needs of local residents or workers, is conveniently located and, in the case of residential land, does not cause an unreasonable loss of residential amenity.	The Substitute Draft Amendment is for a Local Business Zone to meet the needs of the local residents and workers in a convenient location. As the site is surrounded by the Utilities Zone and the Light Industrial Zone the amendment will not result in impacts to residential amenity, rather it will provide for an unmet demand for retail and essential services convenient to the community.
9. Support mixed use, including residential uses, in activity centres that are highly accessible and where the potential for land use conflict can be managed.	The Substitute Draft Amendment is for the Local Business Zone, which provides a mix of uses consistent with the SPPs. As identified in Council's submission (Attachment 3), potential conflicting uses to the adjoining Light Industrial Zone are ameliorated through the application of the Attenuation Code and the Road and Railway Assets Code.
7.1 Public Engagement 7.1.2 Objective To improve and promote public engagement processes to provide for the community's needs, expectations and values to be identified and considered in land use planning.	The Combined Draft Amendment has been publicly exhibited, endorsed at a Council meeting where the public have an opportunity to participate, and been through a hearing process. The Substitute Draft Amendment has been publicly exhibited and is being considered at a Council meeting. Depending on the Commission further hearings will be held. In exhibiting the Substitute Draft Amendment, Council notified adjoining land owners and representors to the

	previous Combined Draft Amendment, in addition to notification requirements of the regulations. The planning process has been in accordance with legislated requirements.
--	---

In implementing the TPPs (p 11) it requires consideration of the following:

- 6) *Where the implementation of relevant strategies into a particular instrument causes competing interests to arise, resolution should be based on balanced consideration and judgement derived from evidence, having regard to:*
 - a) *the overall purpose of the TPPs;*
 - b) *an understanding of the overall combination of interests expressed through the TPPs;*
 - c) *the objective of strategies that are subject to competing interests;*
 - d) *alternate ways to achieve strategies that are subject to competing interests;*
 - e) *any relevant and applicable regional or local planning policies;*
 - f) *any characteristics of the land, subject to the competing policy interests, that may influence how the competing interests can be resolved or managed;*
 - g) *consideration of the regional and local context and how competing interests can be appropriately integrated at the regional, local or site specific level; and*
 - h) *the purpose of the applicable planning instrument.*

As discussed in response to 4.6.2 (3) it could be considered that competing interests have arisen between strategies of the TPPs for Industry. As the Launceston Industrial Strategy identified Connector Park as prime industrial land, this would satisfy the TPP strategy for allocation of land within urban boundaries that is suitable for industrial land. However, as identified in response to the objectives for Industry, the changes are consistent with meeting the needs for industrial land in Tasmania, and as identified by the Commission, the amendment would not compromise the industrial supply at a municipal and would provide for co-location benefits with industrial precinct.

The alternative would be for the application of a Site Specific Qualification, however the Commission has determined that this would not satisfy S32(4) of LUPAA. On balance, it is considered that the needs of the community and the extensive green

field development that has occurred in the local area is underserved for retail and essential services and is capable of being appropriately resolved and managed through the Substitute Draft Amendment. This is further demonstrated through the Commissions Decision (paragraph 25) that the Draft Amendment is, as far as practicable, consistent with the regional policies.

In conclusion, it is considered that the Substitute Draft Amendment satisfies the relevant criteria of the TPPs.

From: "George Walker" [REDACTED]
Sent: Tue, 22 Sep 2026 15:26:19 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Cc: [REDACTED]
Subject: Substitute Draft Planning Scheme Amendment PSA-LLP0011 to the Tasmanian Planning Scheme - Launceston Local Provisions Schedule
Attachments: 21.281 - Draft Amendment PSA-LLP0011 - Response to TPC Supplementary Information Request - Final.pdf

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Chief Executive Officer

SUBMISSION - PSA-LLP0011

Please acknowledge this email as written support for the above substitute amendment. We attach for your consideration information that was provided to the TPC in support of rezoning 10 Dolerite Drive to Local Business.

Please do contact me should any additional information be required.

Regards,

George



George Walker

Director | CEO

**Measured form
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RESPONSE TO SUPPLEMENTARY INFORMATION REQUEST

*Launceston
Draft Amendment PSA-LLP0011
and Permit DA0124-2023
10 Dolerite Drive, Kings Meadows*

Tasmanian Planning Commission

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CONFIDENTIAL Attachment 11.4.6 PSA-LLP0011 - Substitute Draft Amendment -
Representations - CONFIDENTIAL - DO NOT PUBLISH

Executive Summary

This statement has been prepared in response to the request from the Tasmanian Planning Commission for further submissions regarding the suitability of applying the Local Business Zone to the site and whether that zoning outcome satisfies the requirements of section 34(2) of the *Land Use Planning and Approvals Act 1993*.

The evidence¹ demonstrates that the south-western Kings Meadows locality has undergone significant residential and employment growth over the past two decades through the expansion of the Connector Park Industrial Precinct and the development of the Mount Pleasant and Oakden Park residential estates. Despite this growth, the primary catchment remains without a neighbourhood-scale supermarket or comparable convenience retail facility capable of meeting the day-to-day needs of residents, workers and visitors.

The assessment concludes that the site is well suited to the application of the Local Business Zone. The site occupies a highly accessible interface location between established residential communities, the Connector Park Industrial Precinct and the surrounding transport network and exhibits the characteristics of a local service location capable of supporting local-scale retail, business and service activities.

The statement also concludes that application of the Local Business Zone satisfies the relevant criteria contained within section 34(2) of the Act. In particular, the proposed Local Business zoning outcome is considered to be, as far as practicable, consistent with the Northern Tasmania Regional Land Use Strategy and the intent of RAC-P9. The evidence demonstrates a clear community need, a strong relationship with the Connector Park employment precinct and an overall social and economic benefit for the surrounding community.

Importantly, the Local Business Zone contains specific statutory provisions directed towards protecting the activity centre hierarchy and ensuring that future retail development does not compromise or distort the role and function of existing activity centres. As a result, the Local Business zone provides an appropriate statutory mechanism through which the strategic intent of RAC-P9 can be implemented and maintained through future development assessment.

Having regard to the evidence as a whole, it is concluded that the Local Business Zone provides an appropriate and strategically sound planning framework for the site and represents a suitable planning response to the established needs and characteristics of the surrounding residential and employment catchment.

¹ that has been submitted to date as part of the draft amendment.



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1. Introduction

This supplementary statement (**statement**) has been prepared in response to the Tasmanian Planning Commission's (**Commission**) request for further submissions following the hearing into Draft Amendment PSA-LLP0011 and associated development application DA0124/2023 relating to land at 10 Dolerite Drive, Kings Meadows (**site**).

Specifically, the Commission has requested further consideration of:

- the suitability of applying the Local Business Zone to the subject land; and
- whether application of the Local Business Zone would satisfy the Local Provisions Schedule (**LPS**) criteria contained within section 34(2) of the *Land Use Planning and Approvals Act 1993* (**Act**).

In its correspondence, the Commission have indicated a preliminary view that a convenience retail facility intended to serve the adjoining industrial area and surrounding residential catchment can be justified. The Commission has also indicated a preliminary view that the proposed Site-Specific Qualification (**SSQ**) may not satisfy section 32(4)(a) and (b) of the Act and sought submissions regarding the suitability of applying the Local Business Zone to the site.

This statement has been prepared having regard to those matters.

The planning rationale underpinning the draft amendment is founded on the evolution of the locality in which the site is situated over approximately the last two decades. During this period, the south-western Kings Meadows locality has undergone significant residential and employment growth through the establishment and consolidation of the Connector Park Industrial Precinct, the development of the Mount Pleasant and Oakden Park residential estates and subsequent residential subdivision within the broader catchment.

Retail evidence prepared by Urban Enterprise identifies that the primary catchment population was estimated at approximately 1,034 residents in 2021 and projected to increase to approximately 1,522 residents upon completion of identified residential development. Subsequent updates to the retail assessment indicate that the primary catchment population has continued to grow and is now estimated to comprise approximately 1,795 residents.

Furthermore, the primary catchment is not solely residential in nature. It includes the Connector Park Industrial Precinct, which has evolved into a significant employment and trade hub containing a substantial daily worker population, together with visitors and passing trade associated with the activities embedded within the industrial precinct. As a consequence, the catchment comprises both a permanent residential population and a substantial transient employment and visitor population that collectively generate demand for local convenience retail services.

Notwithstanding this growth, no neighbourhood-scale supermarket or comparable convenience retail facility has been established within the primary catchment. In this regard, the evidence demonstrates that the residential and employment catchment has expanded considerably while local convenience retail provision has remained absent. The primary purpose of the draft amendment has therefore been to address an identified deficiency in local convenience retail services and improve access to day-to-day shopping opportunities for residents, employees and visitors within the catchment.

Accordingly, this statement considers the purpose and intended application of the Local Business Zone having regard to the characteristics of the site, the characteristics of the surrounding primary catchment, the demonstrated need for local convenience retail services and the requirements of section 34(2) of the Act.

2. Local Business Zone and the Role of Local Convenience Retailing

2.1 Overview

The Local Business Zone (**zone**) provides a planning framework for business, retail, professional, community and service activities that meet the day-to-day needs of local communities. The purpose of the zone recognises that urban areas require access to a range of conveniently located goods and services and that appropriately scaled commercial activities play an important role in supporting the functionality, accessibility and liveability of surrounding communities.

The zone is intended to accommodate a broad mix of local-scale commercial and service activities, including retailing, food services, business and professional services, community facilities and other uses that contribute to the economic and social functioning of an area. General Retail and Hire, Food Services and Business and Professional Services are specifically identified as core use classes within the zone, by virtue of having a 'No Permit Required' status within the corresponding use table (Table 14.2).

2.2 Strategic Importance of Local Convenience Retailing

Convenience retailing is one of the principal functions facilitated by the zone.

Convenience retailing differs from higher-order retail formats in that it is focused on the provision of everyday goods and services required on a frequent and recurring basis. Typical convenience retail activities include supermarkets, grocery stores, pharmacies, takeaway food premises, cafés and other retail and service businesses that support day-to-day living.

The significance of convenience retailing extends beyond the simple provision of retail floorspace. From a land use planning perspective, convenience retailing contributes to the accessibility, efficiency and liveability of urban communities by ensuring that residents, workers and visitors can access essential goods and services within reasonable proximity to where they live, work and travel.

The Northern Tasmania Regional Land Use Strategy (**NTRLUS**) recognises the importance of planning for population growth, changing settlement patterns and the provision of services necessary to support sustainable and liveable communities. To this extent, the NTRLUS notes that it must be responsive to the changes, challenges and opportunities that will influence Northern Tasmania over the coming decades² and establishes economic development, liveability and integrated land use planning as fundamental regional planning objectives³.

In particular, Goal 1 of the Regional Strategic Planning Framework seeks to *facilitate economic development and productivity through integrated land use and infrastructure planning*⁴, while Strategic Direction G1.2 promotes a coordinated approach to infrastructure, transport and land use planning and Strategic Direction G1.3 seeks to provide appropriately zoned and serviced land to support employment and commercial activity⁵. Collectively, these provisions recognise that access to services, employment opportunities and supporting infrastructure is critical to sustaining regional growth and prosperity.

The NTRLUS further recognises that high levels of liveability are a key competitive advantage for Northern Tasmania. In this regard, the NTRLUS identifies *quality of life* advantages as a significant

² Page 4, NTRLUS.

³ Pages 8 - 10, NTRLUS.

⁴ Page 9, NTRLUS.

⁵ Pages 9 - 10, NTRLUS.

attraction for both people and businesses⁶ and acknowledges that *liveable communities, offering a high quality of life and that support health and wellbeing* are essential to attracting investment, supporting a skilled workforce and strengthening community wellbeing⁷. The NTRLUS also identifies sustained regional population growth as a key opportunity for the region⁸ and notes that Northern Tasmania continues to attract residents seeking access to major facilities and services⁹. A strong implication of the NTRLUS is that planning must respond to population and employment growth by ensuring communities are supported by appropriately located services, infrastructure and employment opportunities that contribute to their ongoing liveability and functionality.

Building on this theme, the NTRLUS identifies sustained population growth as a significant opportunity for Northern Tasmania and notes that the region continues to attract residents seeking access to employment, services and lifestyle advantages. The NTRLUS recognises that growth will continue to influence settlement patterns, demand for services and infrastructure requirements across the region. In this context, the NTRLUS emphasises the importance of planning for appropriately located services, infrastructure and employment opportunities to ensure that growing communities remain functional, well serviced and liveable.

Within this context, local convenience retailing performs an important community and economic function. In addition to providing access to everyday goods and services, convenience retail facilities contribute to the accessibility, efficiency and functionality of urban areas by:

- providing convenient access to routine shopping needs and supporting local employment opportunities;
- reducing the need for longer vehicle trips to access essential goods and services and improving the efficiency of daily travel patterns;
- supporting the self-sufficiency of residential and employment catchments and contributing to the liveability and functionality of surrounding communities.

These outcomes align closely with the objectives of the NTRLUS, which promotes economic development, integrated land use planning, local employment opportunities and the provision of appropriately located services and business activity to support the needs of growing communities.

2.3 Summary

The Local Business Zone is an important component of the broader land use planning framework on the basis that it provides a mechanism through which local-scale business, retail, service and employment-generating activities can be established to support the needs of surrounding communities.

A key function of the zone is to facilitate the provision of conveniently located goods and services that contribute to the accessibility, liveability and economic functioning of urban areas. Local convenience retailing is one example of this broader role, providing day-to-day goods and services that support residents, workers and visitors while contributing to local employment and reducing the need for longer trips to access routine shopping needs.

When viewed in the context of the broader objectives of the NTRLUS, the Local Business Zone provides an important planning tool for supporting growing communities through the provision of appropriately located services, employment opportunities and commercial activities. In doing so, it contributes to the creation of more accessible, functional and self-sufficient urban areas and assists in ensuring that communities are supported by the goods, services and infrastructure necessary to meet their day-to-day needs.

⁶ Page 8, NTRLUS.

⁷ Page 12, NTRLUS.

⁸ Page 10, NTRLUS.

⁹ Page 8, NTRLUS.

3. Suitability of the Site for Local Business Zone

3.1 Overview

The suitability of the Local Business Zone should be considered in the context of the location of the site, its relationship to surrounding land uses and the role it is capable of performing within the primary catchment. The zone is intended to accommodate local-scale retail, business and service activities that support the day-to-day needs of surrounding communities. In assessing its application to the site, it is therefore relevant to consider whether the characteristics and accessibility of the site and surrounding catchment support that function. Having regard to these matters, the site exhibits a number of attributes that make it well suited to the application of the Local Business Zone.

3.2 Site characteristics

The site occupies a strategic position within the south-western Kings Meadows locality at the interface of established residential areas, the Connector Park Industrial Precinct and the broader transport network. It is situated between the Mount Pleasant and Oakden Park residential estates and the Connector Park employment area, with direct access to the principal road connections that serve both communities.

Over the past two decades, the surrounding locality has experienced substantial residential and employment growth through the continued development of the Mount Pleasant and Oakden Park residential estates and the expansion of the Connector Park Industrial Precinct. As a result, the site is now located within a well-established urban catchment that accommodates a significant resident population, a substantial daily workforce and ongoing visitor activity. Its position within this broader urban structure therefore provides a high level of accessibility and exposure to existing daily movement patterns generated by residents, workers and visitors.

A defining characteristic of the site is its ability to serve multiple components of the primary catchment. Unlike land located wholly within a residential area or wholly within an industrial precinct, the site is positioned to provide a direct interface between these areas. Its location provides convenient access to established residential estates whilst also being readily accessible to the substantial workforce and business activity concentrated within the adjoining industrial area. The site therefore functions within a broader catchment context than would typically be associated with a neighbourhood-based location.

The strategic significance of this relationship is reinforced by the evidence, which identifies a substantial and growing catchment population, a significant concentration of employment activity and an absence of local convenience retail and service provision within the immediate locality. These characteristics collectively establish a clear relationship between the site and the day-to-day needs of the surrounding community. Accordingly, the site exhibits the attributes of a local service node, being highly accessible, centrally positioned relative to its primary catchment and capable of accommodating business, retail and service activities that support the routine needs of people already living, working and travelling within the locality.

These characteristics arise from the established pattern of urban development surrounding the site rather than from any proposed development outcome. The accessibility, visibility and relationship of the site to surrounding land uses and position within an established residential and employment catchment are enduring attributes that distinguish it from surrounding industrial land and support its suitability for a planning framework intended to facilitate local-scale business, retail and service activities. In this respect, the Local Business Zone would appropriately reflect both the functional role the site is capable of performing and the broader characteristics of the locality within which it is situated.

3.3 Potential for Sensitive Uses and Land Use Compatibility

Application of the Local Business Zone introduces the potential for a broader range of uses than those currently contemplated under the Light Industrial Zone, including certain uses that are regarded as more sensitive to surrounding activities. However, the likelihood of the site being developed for residential accommodation, educational facilities or similar sensitive uses is considered low having where consideration is given to the characteristics of the site and surrounding land use context.

To this extent, while the Local Business Zone provides limited restrictions on the establishment of residential and other sensitive uses, the site itself presents a number of factors that are likely to discourage such development for sensitive use. In this regard, the site is located at the interface of the Connector Park Industrial Precinct and is directly influenced by the operational characteristics of an established employment area, including industrial traffic, freight movements and commercial activity. It is also bounded by two significant transport corridors, being the Midland Highway and Kings Meadows Link, which generate high traffic volumes, heavy vehicle movements and associated noise throughout the day and evening.

These characteristics do not prevent sensitive uses from establishing on the site. However, they significantly diminish the desirability of the site for uses that typically seek a quieter, safer and more protected environment, such as residential accommodation, schools, child care centres and similar facilities. Conversely, these same characteristics are highly advantageous for retail, business and service activities that benefit from accessibility, visibility, exposure to passing traffic and proximity to both residential and employment catchments.

Relevantly, the Local Business Zone remains a mixed employment and service-based zone, accommodating a range of commercial and industrially-related activities in addition to retail uses. As such, application of the zone does not fundamentally alter the established employment character of the locality nor create a planning outcome that is principally directed towards sensitive land uses.

In practical terms, the role, accessibility and operating environment associated with the site are likely to continue directing development towards business, retail and service activities rather than residential or other sensitive uses. While the potential for such uses exists in theory, the site characteristics themselves provide a highly probable constraint on their establishment. Consequently, the potential for land use conflict arising from future sensitive uses is considered low to very low and are not considered to represent a significant impediment to application of the Local Business Zone at the site.

4. Section 8A Guidelines

The Tasmanian Planning Commission's Guideline No. 1 - Local Provisions Schedule (LPS): Zone and Code Application, issued under section 8A of the Act (**Section 8A Guidelines**), is relevant to the assessment of the proposed application of the Local Business Zone to the site. While the Section 8A Guidelines do not form part of the statutory assessment criteria under section 34 of the Act and do not operate as a separate test for determining the draft amendment, they provide useful guidance regarding the intended application of zones within the Tasmanian Planning Scheme and the circumstances in which particular zoning outcomes may be appropriate.

The Section 8A Guidelines are particularly relevant in the context of this assessment because they assist in interpreting the strategic role and intended function of the Local Business Zone and provide guidance on the circumstances in which its application may be appropriate. In doing so, they provide an important contextual source when considering whether the Local Business Zone represents a suitable planning framework for the site having regard to its characteristics, role and relationship to the surrounding locality.

Accordingly, the Section 8A Guidelines have been considered as a supporting strategic and interpretive document that assists in informing the assessment of zone suitability. However, they are not relied upon as determinative requirements in their own right. The primary consideration remains whether application of the Local Business Zone to the site represents an appropriate planning outcome and whether it satisfies the relevant requirements of section 34(2) of the Act.

4.1 Consistency with the Section 8A Guidelines - Strategic Purpose

The Section 8A Guidelines identify that the primary purpose of the Local Business Zone is to provide for business, retail, administrative, professional, community and entertainment functions that meet the needs of a local area. The zone is therefore intended to facilitate local-scale service and employment activities that support surrounding communities and provide access to day-to-day goods and services.

The evidence demonstrates that the intended function of the site aligns directly with this purpose. The proposed supermarket and associated local business activities are intended to serve the everyday needs of residents, employees and visitors within the primary catchment of the site and respond to a demonstrated deficiency in local convenience retail provision. The draft amendment is therefore consistent with the purpose contemplated by the Local Business Zone.

4.2 Strategic Need and Local Service Function

The retail evidence prepared by Urban Enterprise demonstrates that the primary catchment has experienced substantial residential and employment growth over an extended period. Growth associated with the Mount Pleasant and Oakden Park residential estates, continuing residential expansion within the broader catchment and the development of the Connector Park Industrial Precinct has generated a sizeable local population and worker catchment.

Despite this growth, no neighbourhood-scale supermarket or comparable convenience retail facility has been established within the primary catchment. The proposed Local Business Zone would facilitate a local service function that responds directly to this identified need and improves access to day-to-day retail services for the surrounding community.

Relevantly, the planning rationale is not directed toward the creation of a higher-order retail destination or competing activity centre. Rather, it seeks to provide local convenience retail services that support the existing residential and employment catchment.

4.3 Strategic Planning Intent and Council Endorsement

The Section 8A Guidelines recognise that the Local Business Zone may be appropriate where there is a strategic intention to expand retail or business activities, or where detailed local strategic analysis supports the proposed zoning outcome and that analysis is endorsed by the planning authority. In particular, LBZ4(b) contemplates application of the zone where strategic analysis demonstrates a need for local business activities and supports the role and function proposed for the land.

In this instance, the role of the site and the need for local convenience retail services within the catchment have been the subject of detailed planning, retail and economic analysis. That work has examined the growth of the surrounding residential and employment catchment, the existing pattern of retail provision and the capacity for a neighbourhood-scale supermarket to operate without compromising the activity centre hierarchy. The retail evidence has also been independently reviewed and considered through Council's assessment of the draft amendment.

A consistent finding emerging from that work is that the surrounding locality has developed incrementally over an extended period through the expansion of the Connector Park Industrial Precinct and the growth of the Mount Pleasant and Oakden Park residential areas. Whilst this growth has resulted in a substantial residential and employment catchment, it has occurred without the establishment of a local convenience retail offering capable of meeting the day-to-day needs of residents and workers. The strategic and retail evidence therefore identifies a deficiency in local service provision that has emerged as a consequence of the manner in which the locality has evolved.

Whilst the site is not specifically identified within a local strategy as future Local Business-zoned land, Council's support for the amendment following consideration of the planning, retail and economic evidence is indicative of a broader acceptance that the site is capable of performing a local retail and service function. Viewed in this context, Council's position suggests that the site is considered an appropriate location through which the identified deficiency in local convenience retail services may be addressed.

Accordingly, the proposed application of the Local Business Zone is supported by both detailed strategic analysis and a planning authority position that is consistent with the site performing a local business and service role within the broader Kings Meadows locality. These circumstances align closely with the strategic intent of LBZ4(b) and support the suitability of the Local Business Zone applying to the site.

4.4 Suitability of the Site for Local Business Activities

The site possesses a range of characteristics that support its function as a local business and service location.

It occupies a highly accessible position between established residential neighbourhoods and the Connector Park Industrial Precinct and is directly connected to the Kings Meadows Link and Midland Highway transport corridors. As a consequence, the site is capable of servicing both the resident population and the substantial daily worker population that exists within the catchment.

The visibility, accessibility and relationship of the site to surrounding urban development provide a logical basis for accommodating local retail, food service, professional service and other business activities contemplated by the zone which serve a local function. These characteristics are consistent with the role and function anticipated by the Local Business Zone.

4.5 Relationship to the Regional Activity Centre Network

Whilst the site is not located within a designated activity centre identified in the NTRLUS, this does not preclude application of the Local Business Zone.

The Section 8A Guidelines do not limit the zone exclusively to recognised centres within the activity centre hierarchy. Rather, they acknowledge that the zone may be applied where there is a strategic intention supported by local strategic analysis and endorsed by the planning authority.

Furthermore, the planning, retail and economic evidence establishes an identified need for a convenience retail facility to serve the surrounding residential and employment catchment. That conclusion has been reinforced through the assessment and review process undertaken to date.

In this regard, the Local Business Zone provides a recognised statutory framework specifically intended to accommodate local-scale retail and service functions.

4.6 Summary

Having regard to the purpose and application guidance contained within the Section 8A Guidelines, the Local Business Zone is considered to provide an appropriate and strategically robust zoning framework for the site.

The proposed zoning is supported by demonstrated retail need, detailed strategic analysis, planning authority endorsement and the locational characteristics of the site. It would facilitate local business and convenience retail services that respond to the needs of the surrounding residential and employment catchment and is therefore consistent with both the purpose and intended application of the Local Business Zone.

5. RAC-P9 - NTRLUS

5.1 Policy Context

RAC-P9 of the NTRLUS establishes the principal policy framework for assessing retail and commercial development occurring outside the established Regional Activity Centres Network. The policy seeks to discourage out-of-centre development that may undermine the activity centre hierarchy or integrated transport system, while recognising that such development may be appropriate where it responds to a demonstrated need, supports existing employment areas and delivers a net community benefit.

While RAC-P9 is expressed in the context of development assessment, its underlying policy intent is equally relevant to the proposed application of the Local Business Zone to the site. The purpose of the draft amendment is to facilitate a limited local convenience retail offering within an established employment precinct and growing residential catchment. Accordingly, it is necessary to consider whether the zoning outcome, and the retail activity it is intended to enable, is consistent with the objectives of RAC-P9.

In this regard, the key considerations are whether the proposed Local Business Zone responds to an identified community need, whether it would adversely affect the role and function of existing activity centres, whether it demonstrates a complementary or synergistic relationship with the Connector Park Industrial Precinct employment hub, and whether the overall social and economic benefits justify the proposed out-of-centre retail outcome. Each of these matters are addressed below.

5.2 Community Need

The evidence demonstrates a clear community need for a local convenience retail facility within the catchment served by the site. The surrounding locality has changed substantially over the last two decades through the establishment and growth of the Connector Park Industrial Precinct and the development of the Mount Pleasant, Oakden Park, Dundas Street, Sienna Place and Gudvar Street residential areas.

Urban Enterprise estimates that the primary catchment population has increased from approximately 1,034 residents in 2021 to approximately 1,795 residents in 2026, with further growth anticipated as remaining residential development is completed. This resident population is supplemented by the daily worker and visitor population associated with Connector Park.

Despite this growth, no neighbourhood-scale supermarket or comparable convenience retail facility has been established within the primary catchment. The site is therefore capable of addressing an existing service gap by providing day-to-day retail access for residents, employees and visitors already located within, or regularly travelling through, the primary catchment.

5.3 No Adverse Impact on Existing Activity Centres

The evidence does not identify an adverse impact on existing activity centres of a kind that would undermine the Regional Activity Centres Network. The proposed retail function is local and convenience-based, rather than a higher-order retail destination.

The Urban Enterprise evidence identifies the existing retail hierarchy and concludes that the scale and nature of the proposed supermarket can be supported without materially affecting the role or function of existing centres. The assessment also distinguishes impacts on individual traders from impacts on activity centres. For RAC-P9 purposes, the relevant matter that arises is not whether an individual business may experience competition, but whether the proposal would adversely affect the role, function or viability of an existing activity centre.

On the evidence, the Local Business Zone would enable a local service function that complements the surrounding residential and employment catchment without creating a new higher-order activity centre or altering the established activity centre hierarchy.

5.4 Synergy with the Connector Park Employment and Visitor Hub

The site has a strong functional relationship with the Connector Park Industrial Precinct. The precinct is an established employment and trade hub containing a range of industrial, commercial and large-format activities, including Bunnings and other trade-related businesses.

A local convenience retail facility at the site would support that employment hub by providing workers, business operators, customers and visitors with convenient access to food, groceries and everyday services before, during and after work. This is a synergistic relationship because the retail use supports the functioning and amenity of the employment precinct rather than competing with, displacing or constraining industrial activity.

The position of the site on the south-western perimeter of the Connector Park Industrial Precinct is also relevant. The site occupies a transitional location between the industrial precinct and the surrounding residential areas of Mount Pleasant Estate and Oakden Park and is directly accessible from Kings Meadows Link and Dolerite Drive. Residents of Mount Pleasant Estate already utilise Dolerite Drive and the broader Connector Park road network as part of existing daily travel patterns when accessing the wider transport network, employment areas and services beyond the estate (south of the residential estate). Consequently, access to the site would largely be derived from established vehicle movements already occurring within the locality, rather than introducing a new traffic function into the industrial precinct.

The location of the site allows convenient access for residents, workers and visitors without drawing significant volumes of general customer traffic deeper into the industrial area. Instead, it is positioned to intercept existing travel movements occurring between Mount Pleasant Estate, Oakden Park, the Connector Park Industrial Precinct and the broader Kings Meadows area. This interface position supports a complementary relationship between the proposed local retail function and the surrounding employment precinct, enabling the site to serve both the resident population and daily workforce while maintaining the operational function of the broader industrial area. In this respect, the site functions as a logical local service node located at the edge of the employment precinct rather than a destination retail use located within its core.

5.5 Integrated Transport Network

The site is highly accessible from the existing transport network, being located near Kings Meadows Link and the Midland Highway. Each corridor already carries substantial traffic movements and provide the site with strong exposure to existing trips.

The evidence indicates that a material proportion of trade is expected to be generated from people already travelling through the locality, including residents, workers, visitors to Connector Park and passing traffic. The proposal therefore has the potential to capture existing movements rather than generate entirely new destination-based travel.

The site is also associated with planned pedestrian and cycling infrastructure connecting Mount Pleasant Estate, Oakden Park and Kate Reed Reserve. This strengthens the relationship between the site, the surrounding residential catchment and the broader active transport network.

5.6 Social and Economic Impact Assessment

The economic evidence prepared by Urban Enterprise and reviewed by Colliers provides the type of assessment contemplated by RAC-A12. That evidence considers catchment population, retail expenditure, supportable floorspace, market share, impacts on existing centres and net community benefit.

The assessment identifies that the proposed supermarket is supportable within the catchment and would generate local employment and value-add outcomes. It would also improve access to day-to-day goods and services for a growing residential and employment catchment that presently lacks a comparable convenience retail facility.

The social benefit is also evident. In this regard, the Local Business Zone would facilitate a use that improves local access to essential goods, supports workers in the industrial precinct, reduces the need for longer routine shopping trips and improves the overall functionality and liveability of the surrounding urban area.

5.7 Relationship Between the Local Business Zone and RAC-P9

An important consideration in assessing consistency with RAC-P9 is that the policy objective of protecting the Regional Activity Centres Network is not only expressed within the NTRLUS, but is also directly reflected within the structure and operation of the Tasmanian Planning Scheme.

The purpose of the Local Business Zone expressly recognises the importance of maintaining the integrity of the activity centre hierarchy, requiring that the type and scale of use and development within the zone [to] *not compromise or distort the activity centre hierarchy*¹⁰. This demonstrates a clear policy linkage between the strategic intent of RAC-P9 (amongst other broader regional activity centre policies and actions) and the statutory controls that apply to the Local Business Zone.

This policy intent is not confined to the purpose statement of the zone. Clauses 14.3.2 and 14.3.3 establish specific assessment mechanisms intended to ensure that retail and commercial activities do not undermine the established retail hierarchy. Clause 14.3.2 requires discretionary uses to demonstrate that they will not compromise or distort the activity centre hierarchy, having regard to the characteristics of the site, the size and scale of the proposed use, the functions of surrounding activity centres and the extent of any impacts on those centres.

Similarly, Clause 14.3.3 specifically addresses retail impacts and requires General Retail and Hire and Bulky Goods Sales uses exceeding 250m² to demonstrate that they will not compromise or distort the activity centre hierarchy. In assessing this outcome, consideration must be given to whether the proposal broadens commercial and retail choice, the extent of impacts on other activity centres and any relevant local area objectives.

These provisions effectively represent the statutory implementation of the strategic intent embodied in RAC-P9. Whereas RAC-P9 seeks to discourage out-of-centre development that would adversely affect the activity centre network, clauses 14.3.2 and 14.3.3 provide the operational planning controls through which that objective is assessed and enforced at the development application stage.

This is an important consideration in the context of the proposed application of the Local Business Zone to the site. To this extent, even if the zone were applied, retail and commercial development on the site would not occur without further assessment against the relevant use standards of the planning scheme. Any further supermarket proposal (beyond which is captured within the permit associated with the draft amendment), expansion of retail floorspace, or future retail development would be required to demonstrate compliance with the retail impact and activity centre hierarchy provisions contained within the zone.

¹⁰ Zone Purpose Statement 14.1.2, Local Business Zone.

Accordingly, application of the Local Business Zone does not create an unrestricted opportunity for retail development. Rather, the zone contains specific statutory provisions that require future retail proposals to be assessed against their potential impact on the activity centre hierarchy, ensuring that the scale, nature and function of retail development remains consistent with a local service role and does not compromise the role and function of existing activity centres.

In practical terms, the Local Business Zone works consistently with the intent of RAC-P9. In this regard, RAC-P9 seeks to ensure that out-of-centre retail development does not adversely affect the activity centre hierarchy, while the Local Business Zone contains assessment provisions that require future retail and commercial development to demonstrate that it will not compromise or distort that hierarchy. As a result, applying the Local Business Zone to the site retains the existing protections for the activity centre network established by the NTRLUS and ensures that any future retail development is assessed against those considerations.

6. S34(2) LUPAA

The following assessment addresses each of the criteria in s.34(2) of the *Land Use Planning and Approvals Act 1993* in the context of the proposed application of the Local Business Zone to the site. The assessment draws upon the preceding assessment within this statement in addition to existing information and evidence that has been submitted as part of the draft amendment to date.

6.1 S34(2)(a)

In my opinion, the draft amendment satisfies section 34(2)(a) of the Act.

The draft amendment in the form of applying the Local Business Zone to the site does not seek to remove, alter or displace any mandatory State Planning Provision (**SPP**). Rather, it proposes the application of a zone expressly contemplated by the Tasmanian Planning Scheme (**TPS**) framework and supported by the SPPs. The amendment would continue to operate within the established structure of the TPS and would retain the full operation of all relevant SPPs including applicable codes, use standards and development standards.

The proposed Local Business Zone is a standard zone available under the TPS and its application would not result in any inconsistency with the mandatory content required to be included within the Launceston Local Provisions Schedule.

Accordingly, I am satisfied that the amendment contains all provisions required by the SPPs.

6.2 S34(2)(b)

In my opinion, the amendment is in accordance with section 32 of the Act.

The draft amendment will no longer seek to introduce a Site-Specific Qualification under section 32(3). Rather, it proposes the application of the standard Local Business Zone to the site through the Local Provisions Schedule (**LPS**) framework established by the State Planning Provisions.

Section 32(2) expressly contemplates that an LPS may contain maps, overlays and provisions providing for the spatial application of SPPs to particular land. The amendment operates in precisely this manner by applying an existing State Planning Scheme zone to a defined parcel of land within the municipal area.

Relevantly, the draft amendment no longer seeks to modify, substitute or add to the provisions of the SPPs. Nor does it rely upon the exceptional circumstances contemplated by section 32(4) for the application of a Particular Purpose Zone, Specific Area Plan or Site-Specific Qualification. Instead, the draft amendment utilises an established zone available within the TPS and applies that zone to land which exhibits the characteristics and intended function contemplated by the Local Business Zone.

The draft amendment therefore remains consistent with the structure and operation of the LPS framework envisaged by section 32 of the Act. It represents the spatial application of an existing planning control, rather than the creation of a bespoke planning control that would apply only to the site.

Furthermore, the evidence demonstrates that the intended role of the site is to accommodate local-scale retail, business and service activities that support the surrounding residential and employment catchment. The Local Business Zone is specifically intended to provide a statutory framework for those activities and therefore represents an appropriate planning mechanism through which that role may be facilitated.

Accordingly, I am satisfied that the amendment is in accordance with section 32 of the Act and therefore satisfies section 34(2)(b).

6.3 S34(2)(c)

In my opinion, the draft amendment furthers the objectives of Schedule 1 of the Act.

The draft amendment promotes the sustainable use and development of land by facilitating a local service function within an established urban area already provided with transport and utility infrastructure. The site is serviced by road, water, sewer and stormwater infrastructure and forms part of an identified urban growth area within the regional settlement framework.

The amendment also advances the objective of integrating environmental, social and economic considerations in planning decision-making. The evidence demonstrates that the proposal would improve access to daily goods and services, enhance community amenity, support employment activity within Connector Park and reduce the need for longer vehicle trips to existing activity centres for routine convenience shopping.

Overall, the draft amendment supports efficient utilisation of existing infrastructure and contributes to the liveability of surrounding residential areas without requiring expansion of the urban footprint.

I therefore consider that the amendment furthers the objectives established by Schedule 1 of the Act.

6.4 S34(2)(d)

In my opinion, the draft amendment is consistent with each relevant State Policy.

The site is located within an established urban area and is not affected by matters typically giving rise to State Policy considerations such as agricultural land, coastal land or significant environmental values. The planning evidence identifies that the site is a modified urban allotment devoid of natural values and not subject to heritage constraints.

The proposal does not conflict with the objectives of the State Coastal Policy, the State Policy on the Protection of Agricultural Land or the State Policy on Water Quality Management.

Accordingly, I am satisfied that the amendment is consistent with each relevant State Policy.

6.5 S34(2)(da)

At the time of preparing this response statement, the Tasmanian Planning Policies were not in effect. Consequently, there are no operative Tasmanian Planning Policy criteria against which the draft amendment can be assessed.

Accordingly, section 34(2)(da) is not applicable to the assessment of the draft amendment.

6.6 S34(2)(e)

In my opinion, section 34(2)(e) of the Act is the most pertinent of the statutory assessment criteria in the present circumstances.

Unlike the remaining s.34(2) criteria, which are largely procedural or administrative in nature, section 34(2)(e) requires consideration of whether the proposed Local Business zoning outcome is, as far as practicable, consistent with the strategic planning framework established by the NTRLUS. The planning and retail evidence establishes a strategic justification for the provision of local convenience retail services within the primary catchment.

Within this context, the most relevant policy consideration of the NTRLUS is considered to be RAC-P9, which addresses out-of-centre retail development. The policy recognises that out-of-centre retail outcomes may be appropriate where community need is demonstrated, existing activity centres are not adversely affected, synergy with existing employment hubs is achieved and an overall community benefit can be established through appropriate assessment.

In addressing these considerations, the following observations are made.

Firstly, there is a demonstrated community need for local convenience retail services within the primary catchment. The retail evidence identifies a substantial and growing resident population together with a significant daily worker population associated with the Connector Park Industrial Precinct. Notwithstanding this growth, the primary catchment remains without a neighbourhood-scale supermarket or comparable convenience retail facility.

Secondly, the application of the Local Business Zone will not adversely affect the role, function or viability of existing activity centres on the basis that the Local Business Zone embeds the very controls stipulated by the NTRLUS that are directed at protecting the activity centre hierarchy.

In this context, retail impact provisions at clause 14.3.3 of the Local Business Zone require relevant retail proposals to demonstrate that they will not compromise or distort the activity centre hierarchy, having regard to the extent of any impact on existing centres and the degree to which the proposal broadens retail choice within the locality. The effect is that any future retail development of a scale capable of affecting established centres cannot proceed without first satisfying this test at the development-assessment stage.

These provisions give practical effect to the strategic intent of RAC-P9, which seeks to discourage out-of-centre retail that would undermine the Regional Activity Centres Network. Applying the Local Business Zone is therefore consistent with RAC-P9. Rather than leaving the protection of the centre hierarchy to the strategic intent of the policy alone, the zone provides the statutory mechanism through which that intent is tested and enforced when corresponding use and development is proposed.

Thirdly, the draft amendment (now seeking to apply the Local Business Zone to the site) and proposed supermarket exhibit a strong functional relationship with an existing employment hub. The site occupies a strategic interface location between Mount Pleasant Estate, Oakden Park and the Connector Park Industrial Precinct and is positioned to serve both resident and worker populations. The proposed retail function would support employees, contractors, visitors and businesses operating within Connector Park and would therefore complement the ongoing operation of the precinct rather than compete with or constrain it.

This relationship is reinforced by the accessibility and position of the site within the existing transport network. Residents of Mount Pleasant Estate already utilise Dolerite Drive and the broader Connector Park road network as part of established travel patterns. Consequently, the proposal is capable of intercepting existing vehicle movements rather than creating a new destination-based travel demand. The site also benefits from proximity to planned active transport infrastructure connecting surrounding residential areas with Kate Reed Reserve and the broader locality.

Finally, the evidence demonstrates an overall community benefit arising from the proposal. The amendment would improve access to day-to-day goods and services, support local employment, strengthen the functionality of an established employment precinct and provide a local service outcome within a growing catchment that presently lacks such facilities. These benefits have been identified through detailed planning, retail and economic analysis and align with the broader liveability, accessibility and economic development objectives of the NTRLUS.

Beyond RAC-P9, the amendment is also consistent with the broader settlement and growth objectives of the NTRLUS. The site is located within an identified Urban Growth Area and Priority Consolidation Area and is serviced by existing infrastructure. The proposal therefore represents an efficient use of urban land and infrastructure within an established growth corridor.

Having regard to the evidence as a whole, I am satisfied that the proposed application of the Local Business Zone is, as far as practicable, consistent with the NTRLUS. In particular, the amendment satisfies the requirements of RAC-P9, which represents the principal strategic policy consideration relevant to the proposed zoning outcome.

Accordingly, the amendment satisfies section 34(2)(e) of the Act.

6.7 S34(2)(f)

The amendment has appropriate regard to the City of Launceston Strategic Plan 2025 - 2035.

The evidence demonstrates consistency with Council's objectives relating to prosperity, place-making, transport integration and community wellbeing. The proposal supports investment and economic activity within a growing urban area while improving access to services for surrounding residents and workers.

The draft amendment and proposed supermarket also complements Council's planned active transport initiatives and assists in creating a more complete and self-sufficient community within the Kings Meadows - Youngtown growth area.

Of particular relevance is Council's own strategic position regarding the amendment. Council's decision to initiate and support the amendment, following consideration of the supporting planning, retail and traffic evidence, is a significant indication of the planning authority's strategic intent for the land for local convenience-based retail.

For these reasons, I am satisfied that the amendment has proper regard to Council's Strategic Plan.

6.8 S34(2)(g)

The amendment raises no cross-boundary planning issues.

The site is wholly contained within the City of Launceston municipal area and no evidence has been presented identifying any inconsistency with planning schemes applying to neighbouring municipalities.

Accordingly, I am satisfied that the amendment satisfies section 34(2)(g) of the Act.

6.9 S34(2)(h)

The planning evidence identifies that the site is located approximately 11.5km from the nearest declared gas pipeline planning corridor. The site is therefore unaffected by any relevant gas safety requirements arising under the *Gas Safety Act 2019*.

I am therefore satisfied that the amendment has appropriate regard to the matters contemplated by section 34(2)(h) of the Act.

6.10 Summary

Having regard to the evidence as a whole, it is my opinion that the proposed application of the Local Business Zone to the site satisfies each of the criteria contained in section 34(2) of the Act.

In this regard, the draft amendment (which captures the application of the Local Business Zone to the site) responds to demonstrated community need, supports an existing employment precinct, remains consistent with the regional settlement and activity centre strategies, utilises existing infrastructure efficiently and provides an appropriate statutory framework through which future retail development can be assessed and controlled.

Accordingly, I consider the amendment satisfies the statutory requirements of section 34(2) of the Act to the degree that it is capable of being supported by the Commission.

7. Conclusion

This statement has considered the two matters raised for further assessment, namely the suitability of applying the Local Business Zone to the site and whether that zoning outcome satisfies the requirements of section 34(2) of the *Land Use Planning and Approvals Act 1993*.

The evidence demonstrates that the site is well suited to the Local Business Zone. It occupies a highly accessible interface location between established residential areas, the Connector Park Industrial Precinct and the surrounding transport network and serves a substantial and growing residential and employment catchment. The planning, retail and economic evidence identifies a clear deficiency in local convenience retail services within that catchment and supports the role of the site as a local retail and service location.

The assessment also concludes that application of the Local Business Zone satisfies the relevant criteria contained within section 34(2) of the Act. In particular, the proposed zoning outcome is considered to be, as far as practicable, consistent with the Northern Tasmania Regional Land Use Strategy, including RAC-P9. The evidence demonstrates a clear community need, a strong relationship with the Connector Park employment precinct and an overall social and economic benefit, while also confirming that the proposed retail function will not compromise or distort the activity centre hierarchy.

Importantly, the Local Business Zone contains specific statutory provisions that require future retail development to be assessed against its potential impact on the activity centre hierarchy, thereby providing an appropriate mechanism through which the strategic intent of RAC-P9 can be implemented and maintained.

Having regard to the evidence as a whole, it is concluded that the Local Business Zone provides an appropriate and strategically sound planning framework for the site and represents a suitable planning response to the established needs and characteristics of the surrounding (primary) catchment within the context of local convenience-based retail.



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P (03) _____

From: "Graham Dash" [REDACTED]
Sent: Wed, 2 Sep 2026 16:40:26 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Substitute Draft Planning Scheme Amendment PSA-LLP0011 – 10 Dolerite Drive, Kings Meadows 7249

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Chief Executive Officer
City of Launceston
PO Box 396
Launceston TAS 7250

Dear Sir,

I wish to lodge a formal representation objecting to Substitute Draft Planning Scheme Amendment PSA-LLP0011, which proposes to rezone 10 Dolerite Drive, Kings Meadows 7249, from the Light Industrial Zone to the Local Business Zone.

I make this representation as the owner and operator of BP Youngtown, an established local business servicing the Youngtown and Kings Meadows area. I also have a decades long history of operating businesses within this particular commercial corridor. As well as operating BP Youngtown, I was the Caltex franchisee at 90 Hobart Road, Kings Meadows 7249, for over 20 years, until Caltex decided to close that operation. That site has subsequently reopened as an OTR service station. In this time I have observed first hand the considerable changes in the commercial, retail, industrial and service-station environment in this part of Launceston.

My objection is not based on opposition to competition or to new businesses. Competition is a normal part of business. My concern is with the broader planning consequences of permanently changing the zoning of land within an established industrial precinct.

1. The current proposal is materially different from the proposal previously considered by the Commission.

The original PSA-LLP0011 proposal sought to insert a site specific condition into the Light Industrial Zone to allow a supermarket of up to 1,000m².

That proposal was considered by the Tasmanian Planning Commission (TPC), which rejected the draft amendment and refused the associated planning permit on 25 June 2026. The Commission subsequently directed the planning authority to prepare a substitute draft amendment.

The proposal now is materially different. Rather than retaining the Light Industrial zoning and introducing a site specific condition for a particular use, the substitute amendment proposes to rezone all of the

land itself to Local Business.

I believe this distinction is important.

A planning permit relates to a particular development proposal. A rezoning changes the statutory planning framework applying to the land and potentially enables a substantially wider range of future uses. The substitute amendment should be considered on its own merits and against the long-term consequences of the proposed Local Business zoning, rather than simply being regarded as a manoeuvre for achieving the development previously proposed.

2. The statutory planning framework is directly relevant.

The Tasmanian Planning Scheme is established under the Land Use Planning and Approvals Act 1993 (LUPAA) and consists of the State Planning Provisions together with Local Provisions Schedules. The Act therefore establishes a statewide statutory planning framework within which local zoning decisions are made.

An amendment to the Local Provisions Schedule is not simply a matter of whether a particular commercial development is considered desirable. It must be considered against the statutory requirements applying to amendments to Local Provisions Schedules, including the matters identified in section 34 of LUPAA with the relevant objectives, State Planning Provisions and regional planning framework.

The central question is not simply whether a commercial development could operate successfully at 10 Dolerite Drive, but whether there is a sufficient strategic and statutory planning basis for removing this land from the Light Industrial Zone and applying the Local Business Zone.

3. The change to the industrial zoning is particularly significant.

The original proposal considered by the Commission did not remove the site's Light Industrial zoning whereas the substitute amendment does.

That is an important change in planning circumstances.

In its consideration of the original proposal, the Commission considered issues concerning the availability of industrial land and accepted arguments that the original proposal would not compromise the municipal supply of industrial land, in part because the land would remain within the Light Industrial Zone.

That reasoning cannot be carried across to the substitute amendment without proper consideration.

The current proposal would permanently remove this 4,416m² parcel from the Light Industrial Zone and from the industrial land supply within Connector Park.

Connector Park is an established industrial precinct containing industrial lots and uses. I believe the strategic consequences of removing individual parcels from such a precinct deserve careful consideration, particularly where the replacement zoning is a broader

commercial zoning.

Industrial land and commercial land perform different functions in a planning system. Once industrial land is progressively converted to commercial use, it can be difficult to recreate appropriately located and serviced industrial land.

The amendment should demonstrate a sufficient strategic planning basis for the proposed change.

4. The regional activity centre hierarchy is relevant.

The Commission's June 2026 decision considered the regional planning framework concerning activity centres and out of centre developments.

The Northern Tasmanian Regional Land Use Strategy includes RAC-A2, which provides that 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".

The strategy also contains RAC-P9, concerning out of centre development. The Commission considered those provisions in its assessment of the original proposal. The Commission reached the view that the particular supermarket proposal could be justified in the circumstances then before it, however, the issue before Council now is much broader.

The current proposal is not simply permission for a 1,000m² supermarket. It proposes to create a Local Business Zone on all the land.

That raises a legitimate planning question as to whether the new zoning could facilitate a broader range of commercial activity and, over time, establish a new commercial concentration outside the established activity centre hierarchy.

The Commission's June decision itself records concerns raised during the earlier proceedings about the potential for Local Business zoning to accommodate multiple retail tenancies, smaller lots and a broader range of commercial uses.

Those consequences should be considered as part of the assessment of the substitute amendment itself.

5. A rezoning has consequences beyond the present developer and proposal. This is my main concern with the substitute amendment.

If the present developer proceeds with a particular supermarket proposal, that proposal can be assessed on its particular merits. A Local Business rezoning is different.

Once the land is rezoned, the zoning remains regardless of whether the current development proceeds, whether the land is subsequently sold, or whether a different development is proposed in the future.

The planning consequences therefore extend beyond the current proposal.

Council and the Commission should consider what the Local Business zoning could facilitate over the longer term, including the possibility of multiple commercial uses or future developments that may not have been contemplated by the original supermarket proposal.

In my view, that is the important distinction between the original amendment and the substitute amendment now being advertised.

6. My experience of the local area.

My experience has been that the distinction between industrial areas, established commercial centres and highway oriented service businesses is important to the orderly functioning of the area.

I don't suggest that commercial development should be prevented simply because it creates competition for existing businesses. Rather, the planning system should determine where commercial development is appropriately located and should avoid the gradual erosion of industrial land through individual rezoning decisions unless there is a clear strategic justification for doing so.

7. The strategic question.

In light of the above, the critical question for PSA-LLP0011 is:

Has a sufficient strategic and statutory planning basis been demonstrated for permanently removing 10 Dolerite Drive from the Light Industrial Zone and introducing Local Business zoning into an established industrial precinct?

In particular, the assessment should address:

- the statutory requirements for an amendment to the Local Provisions Schedule under LUPAA;
- the Schedule 1 objectives of LUPAA;
- the consistency with the State Planning Provisions;
- the relevant regional land-use strategy;
- the effect of the amendment on the established Regional Activity Centres Network and the principle of minimising out of centre development;
- the permanent loss of industrially zoned land;
- the cumulative effect of progressively introducing commercial uses into an industrial precinct; and
- the broader range of future commercial uses that could be facilitated by the Local Business Zone, irrespective of the current developer's intentions.

I recognise that the TPC's June 2026 decision directed the planning authority to prepare a substitute amendment involving the Local Business Zone. I do not suggest that this direction should be disregarded, however, the substitute amendment now before the public represents a materially different planning outcome from the original proposal because it changes the underlying zoning of the land and permanently removes it from the Light Industrial Zone.

I request that the City of Launceston and the TPC reject Substitute

Draft Planning Scheme Amendment PSA-LLP0011 and retain 10 Dolerite Drive within the Light Industrial Zone.

Graham Dash



Youngtown 7249

From: [REDACTED]
Sent: Mon, 21 Sep 2026 17:01:35 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Representation - PSA-LLP0011 - 10 Dolerite Drive Kings Meadows
Attachments: PSA LLP001 10 Dolerite Dr Sept 2026.pdf

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General Manager City of Launceston
Dear Sir,

Please see attached a representation lodged on behalf of our client Youngtown Pharmacy.

Regards,

John Ayers
JDA PLANNING PTY LTD
ABN 97 647 886 904
[REDACTED]

PO Box 347
Prospect 7250

Regards,

John Ayers
JDA PLANNING PTY LTD
ABN 97 647 886 904
M: [REDACTED]

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JDA PLANNING

Chief Executive Officer
City of Launceston
PO Box 396, LAUNCESTON TAS 7250
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**S.40G & 40H LAND USE PLANNING AND APPROVALS ACT 1993 –
Substitute Draft Planning Scheme Amendment PSA-LLP001 to the
*Tasmanian Planning Scheme – Launceston Local Provisions Schedule –
10 Dolerite Drive Kings Meadows PSA LLP001***

**Proposal: Rezone 10 Dolerite Drive, Kings Meadows to Local Business
Zone**

Submission in representation

JDA Planning Pty Ltd *obo* Youngtown Pharmacy

21.Sep 2026

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1.0 REPRESENTATION ISSUES

The Launceston Activity Centre Hierarchy confirms that the key commercial precincts are:
Launceston city centre;
Kings Meadows; and
Northern suburbs.

The proposed location is not identified as a local, minor or neighbourhood centre as is not appropriate for the introduction of a commercial zone as it fails to meet the necessary tests of the LPS criteria and section 8A guidelines.

1. The proposal does not meet the criteria of section 34(2) of LUPAA.
2. Industrially zoned land is inherently valuable in terms of its potential as an employment zone and economic generator. The erosion of available industrial land significantly impacts the provision of land for this purpose and circumvents the strategic imperative to protect and develop the Connector Park for this purpose.
3. The proposal suggests that to rezone the site will facilitate a new type of service? What will this be other than another local scaled commercial offering.
4. Rezoning of the site as now proposed to introduce the Local Business Zone is not based upon demonstrable strategic planning.
5. The Connector Park development was never intended to provide for other than light industrial development, and the relationship to the adjacent residentially zoned land is no more than providing a more direct access to the Kings Meadows Connector and the existing commercial service offerings.
6. The argument advanced to support the rezoning suggests that it is particular in its relevance and application to the site and that it has a direct functional relationship to the adjacent residential precincts. In terms of need, this has not been established by the application which has suggested that a supermarket at scale will provide a supporting service for the industrial estate and the wider residential areas.
7. The proposal is inappropriate given the proximity of the existing commercial services available within the catchment. The Kings Meadows Centre and local commercial zones at Youngtown, which is minutes from the Connector Park industrial estate and developing residential precincts.
8. The decisions to introduce residential development at both Mount Pleasant Estate and the land to the south, did not identify the need for commercial zoning to provide a lower order neighbourhood service given the proximity to these services within the Kings Meadows and Hobart Road/ Youngtown commercial/shopping precincts.
9. An argument suggesting that the supermarket at this location relieves a dependency on vehicle access has no weight. Given the spatial configuration of lots within the industrial estate and context of the development, vehicle access will be necessary to enable a level of convenience for existing operations within the Connector Park estate.

10. The establishment of the Mount Pleasant residential estate benefited from direct vehicular access through the industrial estate (Kings Meadows Link) providing direct connection with the Kings Meadows connector. The reason for this was the concern of council at that time of the 'rat run' which would have to be relied upon for access to the commercial precincts within the catchment. Since that time traffic to and from the Mount Pleasant estate is the preferred alternative route.
11. Food Services is a discretionary use in the Light Industrial Zone and be considered as a supporting or allied use to support the precinct a preferred use to service business within that zone of which there are many examples. The need for the introduction of a LBZ is not made out by the applicant. The implications for the introduction of the LBZ is the opportunity to expand unqualified discretionary uses resulting in the potential future land use conflict.

The proposed rezoning is therefore fundamentally at odds with the Light Industrial Zone purpose and is flawed. Clause 18.0 describes the primary function as follows:

18.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off site impacts are minimal or can be managed to minimise conflict with, or unreasonable loss of amenity to, any other uses.

18.1.2 To provide for use or development that supports and does not adversely impact on industrial activity.

The intent of the zone is unambiguous and the introduction of the proposed change is likely to prejudice primacy of the estate's function.

12. Section 8A provides the criteria related to the application and amendment of LPS zones in the operation of the Tasmanian Planning Scheme. The application does not meet the prerequisite qualifying criteria outlined at LBZ1, LBZ2, or LBZ3,

2.0 LPS CRITERIA Section 34(2) LUPAA

Section 34(2) LPS Criteria		
Paragraph	Requirement	Response
(a)	<i>contains all the provisions that the SPPs specify must be contained in an LPS.</i>	The proposal inserts a provision which is consistent with the SPP's.
(b)	<i>is in accordance with section 32</i>	The proposal does not meet the qualifying criteria of s.32, in that the application seeks to introduce an out of centre commercial use.
(c)	<i>further the objectives set out in Schedule 1.</i>	The proposal does not further the objectives of Schedule 1, in terms of fair and orderly development based upon a strategic overview supporting the introduction of the LBZ at this location.
(d)	<i>is consistent with each state policy.</i>	.N/A
(da)	<i>satisfies the relevant criteria in relation to the TPPs.</i>	Comment at section 4.0.
(e)	<i>as far as practicable, is consistent with the regional land use strategy, if any, for the proposal area in which is situated the land to which the relevant planning instrument relates.</i>	The proposal is not consistent with the regional land use strategy. The consideration of a site specific qualification, section 32(4) of LUPAA as a vehicle to allow the proposed development has been rejected by the Commission and the proposal to now introduce a LBZ does not meet the imperatives of the Regional strategy.
(f)	<i>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.</i>	The Council Strategic plan does not support the introduction of the LBZ which is otherwise specifically applied to commercial development which has been established and supports a residential catchment. The proposal is not within nor it is argued would it provide a use which is necessary to service adjacent residential precincts.
(g)	<i>as far as practicable, is consistent with and coordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates.</i>	The site is not adjacent another municipal area.

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2.1 s.8A LUPAA

Section 8A provides the criteria related to the application and amendment of LPS zones in the operation of the Tasmanian Planning Scheme. The key elements are:

LBZ1

The local Business Zone should be applied to land within the urban settlements which provides, or is intended to provide for the business, commercial and community functions within:

- (a) *Local shopping strips, or*
- (b) *Town centre for some smaller settlements.*

LBZ2

The Local Business Zone may be applied to:

- (d) *Local or minor Centres and the neighbourhood or Rural Town Centres in the Regional Activity Centre Hierarchy under the Regional Land use strategy of Northern Tasmania;*

LBZ3

The Local Business Zone may be used for groups of local shops and business in existing residential areas where there is a strategic intention to maintain such uses, and the provisions of the surrounding residential zones is not appropriate.

RESPONSE: The site does not meet the criteria LBZ1-3 and does not qualify for the introduction of the LBZ

3.0 STRATEGIC ANALYSIS

STRATEGIC ANALYSIS - LAND USE STRATEGIES

3.1 Northern Tasmanian Regional Land Use Strategy

The Northern Tasmanian Regional Land Use Strategy ('NTRLUS') was established under section 5A of the *Land Use Planning and Approvals Act 1993*. The NTRLUS is the regional plan for Northern Tasmania setting out high level strategy and a policy framework to facilitate and manage change, growth and development within the region.

Strategic Direction G1.1 Capitalise on the region's sources of competitiveness by future opportunities for sustainable competitive advantage.

- a) Facilitate innovation and capitalise on co-location in industry in strengthened clusters of economic and employment activity.
- b) Add value, diversify the economy and generate jobs.
- c) Develop the preconditions for business competitiveness through merit-based planning and development assessment processes that:
 - Flexibly consider the location of economic development having regard for the changing economic environment; and
 - Focus upon community specific outcomes and environmental impacts, rather than a standard based approach.
- d) Facilitate the needs of small business, including working from home and other flexible/non-traditional locations.
- e) Support high value-adding and downstream activities to natural resources including small scale manufacturing and processing enterprises.

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RESPONSE: A long-established principle of sound strategic planning recognises the need to appropriately allow for particular use within an area which supports and protects the overriding role of the applicable zone. This is particularly relevant in the case of Connector Park, which given its strategic position is adequately buffered from neighbouring residential use and unencumbered by incompatible use.

The estate is a key location for light industrial use which significantly value adds the local and regional economy.

In differentiating the commercial zones of Kings Meadows and Hobart Road/ Youngtown within the activity centre hierarchy, the balance between strategic planning precincts is reinforced and not eroded.

3.2 E Regional Planning Policies

Specific Policies and Actions

Policy	Action
Economic Development	
ED-A1 Develop economic development initiatives that support diversification of existing business, commercial and industrial sectors and reflect the directives of the State Government Population Growth Strategy (2015).	
ED-A2 Prepare and/or update municipal Economic Development Plans to strengthen the economic base of local governments and communities and support local strategies.	
RESPONSE: The proposal does not value add the existing zone hierarchy or provide to the residential precincts a service which is not currently provided at appropriate scale within the established Kings Meadows and Youngtown centres. The Connector Park Industrial park is strategically important in terms of local and regional initiatives providing employment and wealth generation both locally and to the region.	
Industrial Land	
ED-P2 Provide for land use planning and infrastructure networks to support the development of: • High value agriculture and food products; • Digital economy (including the NBN); • Vibrant, creative and innovative activity centres as places of employment and lifestyle; and • Diverse tourism opportunities ED-P3 Provide a 10-year supply of industrially zoned and serviced land in strategic locations	ED-A3 Identify suitably located land within planning schemes to be zoned for industrial and employment purposes, consistent with the Northern Tasmania Industrial Land Study (2014) and provide for the region to be well placed to capture economic opportunities. ED-A4 Analyse industrial land demand to 2040 and provide a sufficient supply of land zoned for industrial purposes, supported by adequate infrastructure and network requirements (transport, water, sewerage and energy).
RESPONSE: The Connector Park Industrial zone is a key element of the strategies for the necessary provision of industrial land opportunity, as evidenced by the extent of development since its establishment. The introduction of the LBZ has no relevance in this context to the function and role of the estate.	
E3.3 Key Activity Centre Network Strategies	

Representation PSA LLP0011 10 Dolerite Dr - JDA Planning

5

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Plan for the development of each activity centre relative to its identified function, role and anticipated catchment to: Create economic Growth by co-locating a mix of land uses.	
RESPONSE: The site is positioned within the established catchment in relation to which the introduction of the LBZ is contrary to the activity centre hierarchy.	

Specific Policies and Actions

Policy	Action
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-A2 Zoning and land use planning provisions are to minimise potential for decentralisation of functions outside of the Regional Activity Centre Network and reinforce the spatial hierarchy, role and function of centres.
RESPONSE: The proposed rezoning does not meet the accepted principle for the introduction of the LBZ and simply supplants the existing zone introducing the potential to erode the function of the Regional Activity Centre Network as the spatial separation and qualities of the subject site do not qualify it as suitable for the proposed amendment.	
RAC-P4 Promote and support the role of lower order activity centres, particularly neighbourhood and rural town centres. This will support and strengthen communities and encourage a viable population base for regional and rural settlements, while promoting the development of new neighbourhood and local centres within <i>Urban Growth Areas</i> , where appropriate.	RAC-A5 Provide for lower order activity centres to be sustained through a local residential strategy or development plans to create vibrant and sustainable regional and rural communities. It should strengthen their role and function, maintaining and consolidating retail attractions, local employment opportunities, public amenities and services.
RESPONSE: The proposed amendment will not strengthen the role of the established hierarchy and is not appropriate. In this context the proposal is more appropriately described as a 'spot' rezoning.	

AC-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	RAC-A13 Focus higher density residential and mixed-use development in and around regional activity centres and public transport nodes and corridors.
RESPONSE: The area does not perform the function of a local activity centre and is supported by the commercial development within the established catchment and existing activity centre zoning.	
RAC-P12 Regional Activity Centres should encourage local employment. In most instances this will consist of small-scale businesses servicing the local or district areas.	

Representation PSA LLP0011 10 Dolerite Dr - JDA Planning

6

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RESPONSE: The proposal is outside the Regional Activity Centre and has not been identified as a local, minor or neighbourhood centre. It is legitimately identified within the existing catchment.

RAC-A16 The planning authority shall have regard to the location of activity centres relative to existing or proposed principal public transport corridors in the consideration of planning scheme Amendments.

RESPONSE: As submitted the proposed site is well within the acceptable catchment of the established activity centre and cannot meet the criteria for rezoning to the LBZ classification.

4.0 TASMANIAN PLANNING POLICIES 2025

Sustainable Economic Development

Business and commercial

The objective of the policy *to promote business and commercial activities at a scale and intensity suited to the location to support diverse economic and employment opportunities and strengthen the State's economy* has direct relevance to the present application.

RESPONSE: The proposal to introduce the LBZ risk the unnecessary erosion of the role of Connector Park in the provision of an unencumbered employment and economic generator, identified as strategically important for the growth and prosperity of the region.

5.0 CONCLUSION

- 5.1 It is submitted that the proposed rezoning to LBZ is inappropriate failing to meet the criteria of section 34 of LUPAA or advance the objectives of Schedule 1 of the Act.
- 5.2 Relevantly, the area has not been identified as a local, minor or neighbourhood centre supporting the introduction of the LBZ in the context of s.8A of the Act *LBZ1*, *LBZ2* and *LBZ3*.
- 5.3 The essential purpose and role of the Connector Park industrial zone must be protected from the introduction of inappropriate land use which would otherwise serve no purpose in terms of the principal role of the current zone as an employment and economic wealth provider locally and to the region.
- 5.4 There is no identified strategic imperative for the introduction of the LBZ at this location which is adequately served by the existing centre.
- 5.5 For the reasons outlined it is considered appropriate to reject the proposed amendment.

John Ayers
JDA Planning Pty Ltd obo Youngtown Pharmacy

From: "Mea Quartararo" <[REDACTED]>
Sent: Mon, 21 Sep 2026 16:48:16 +1000
To: "Contact Us" <contactus@launceston.tas.gov.au>
Subject: Substitute draft planning scheme amendment PSA-LLP0011 – Rezone 10
Dolerite Drive, Kings Meadows
Attachments: Representation to LCC re 10 Dolerite Drive.pdf

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Good Afternoon,

Please find **attached** representation (and annexure) in respect of the above matter.

Regards,

Mea Quartararo
Senior Associate

t [REDACTED] • f [REDACTED]
ABETZ CURTIS • 83 Davey Street • Hobart • TAS 7000
mailto:[REDACTED] • www.abetzcurtis.com.au

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21 September 2026

Mr Sam Johnson
Chief Executive Officer
Launceston City Council
PO Box 396
LAUNCESTON TAS 7250
By Email only: contactus@launceston.tas.gov.au

Dear Sir,

**SUBSTITUTE DRAFT PLANNING SCHEME AMENDMENT PSA-LLP0011 – REZONE 10
DOLERITE DRIVE, KINGS MEADOWS TO LOCAL BUSINESS ZONE**

I refer to the abovementioned draft planning scheme amendment. This firm is instructed by Mr Michael French, and is instructed to lodge this representation on his behalf.

1. Introduction

- 1.1. 10 Dolerite Drive (**the Site**) is a currently vacant piece of land, located within the Connector Park industrial precinct.
- 1.2. The current substitute draft amendment arises out of an application to insert a new site-specific qualification into the Launceston Local Provisions Schedule (**LPS**), combined with an application for a planning permit to use and develop the Site for a supermarket, which application was heard and rejected by the Tasmanian Planning Commission (**TPC**) earlier this year.
- 1.3. In essence, our client submits that the current zoning of the Site within the Light Industrial Zone (**LIZ**) is entirely appropriate and ought not be disturbed. By contrast, applying the Local Business Zone (**LBZ**) to the Site as proposed will result in significant land use conflicts and traffic safety issues, is contrary to the LPS criteria in the *Land Use Planning and Approvals Act 1993* (**LUPAA**), and will result in poor planning outcomes.
- 1.4. As a result, our client submits that the planning authority ought to take steps to withdraw the draft amendment. If the draft amendment cannot be withdrawn, it is submitted that the Council cannot properly support the draft amendment in any subsequent steps before the TPC.
- 1.5. Considerable cost and time has already been spent canvassing these issues in submissions to both the planning authority and the TPC responding to the original application. Rather than repeat the extensive work which has already been done, our client relies on the materials previously filed, as the essential issues remain largely the same, save that references to s. 32(4) of LUPAA are no longer relevant.

ABETZ CURTIS
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- 1.6. To that end, this representation incorporates the following documents, of which the planning authority would already be aware, and which are available on the TPC's website:¹
- (a) peer review by Michelle Schleiger, dated July 2025;
 - (b) statement of evidence of Michelle Schleiger, dated December 2025;
 - (c) further statement of evidence of Michelle Schleiger, dated March 2026;
 - (d) statement of evidence of Mark Petrusma, dated 25 November 2025;
 - (e) further statement of evidence of Mark Petrusma, dated 10 March 2026; and
 - (f) further statement of evidence of Mark Petrusma, dated 24 March 2026.
- 1.7. Apart from the sections of these reports which addressed the specific permit application which has now been refused by the TPC, or s. 32(4) of LUPAA which does not apply to rezoning, the opinions and assessments provided in these reports address elements of the LPS criteria which remain applicable to the present proposal.
- 1.8. In addition, annexed to this representation is a comparison table prepared by Michelle Schleiger and previously submitted to the TPC, summarising the differences between the LIZ and the LBZ.

2. The effect of rezoning the Site to the LBZ

- 2.1. Annexed to this representation is a comparison table prepared by Michelle Schleiger of Woolcott Surveyors, which compares the provisions of the LBZ and the LIZ with reference to this site. Based on that comparison, it is obvious that the LBZ is completely inappropriate for this site. Some key differences are highlighted below.

Residential & Visitor Accommodation uses

- 2.2. Residential use is currently prohibited in the LIZ, but is permitted in the LBZ if located either above ground floor level or to the rear of premises.² In fact, 'encouraging' Residential and Visitor Accommodation use to support the viability of activity centres is one of the zone purposes within the LBZ.³ This site is large enough to accommodate multiple residences, in addition to commercial uses.
- 2.3. The risk of land use conflict between Residential use on this site and industrial uses in the surrounding industrial precinct is high. Residential use is a sensitive use, and the introduction of a sensitive use into the existing industrial precinct is likely to significantly restrict the development of new industrial uses within the surrounding precinct.
- 2.4. By virtue of cl. C9.5.1 within the Attenuation Code, activities with the potential to cause emissions are not permissible in proximity to existing sensitive uses, unless they are able to demonstrate compliance with the performance criterion P1. New sensitive uses may be developed within an attenuation area if they do not "interfere with or constrain" an existing activity which triggers an attenuation area. There is no capacity for the planning authority to consider the

¹ At <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/ap-lau-psa-llp0011>.

² If not located above ground floor level or to the rear of premises, Residential use is 'no permit required' if for a home-based business, and otherwise discretionary.

³ Per cl. 14.1.4 of the scheme.



potential of a new sensitive use to constrain or restrict *future* industrial uses within the surrounding industrial precinct when faced with an application for a new sensitive use. Therefore, the potential for this site to be developed for a sensitive use risks significantly constraining the utilisation of the industrial precinct for industrial uses in future.

- 2.5. Like Residential use, Visitor Accommodation uses are currently prohibited in the LIZ, but are permitted in the LBZ if located either above ground floor level or to the rear of premises. Visitor Accommodation may also be a sensitive use,⁴ and consequently trigger the provisions of the Attenuation Code.

Other permitted uses with high potential for land use conflict

- 2.6. Beyond Residential and Visitor Accommodation uses, there are several other types of use which are permitted or no permit required within the LBZ, and which are clearly unsuited to the area. Without attempting to be exhaustive, some notable examples include:
- (a) Educational and Occasional Care – this is currently discretionary in the LIZ *if* for an employment training centre or alterations or extensions to existing Educational and Occasional Care, and is otherwise prohibited. It is permitted, without qualification, in the LBZ. Examples of this type of use include a childcare centre, kindergarten, primary school, or secondary school, among others. The introduction of such a use to the subject site would be highly undesirable, given:
 - (i) the examples just mentioned are almost certain to be sensitive uses (childcare centre is specifically listed as an example of a sensitive use in Table 3.1 of the scheme), triggering the application of the Attenuation Code and thereby restricting new industrial uses within the industrial zone; and
 - (ii) such uses would inevitably draw more children into an industrial precinct where the Council has evidence before it that the road network around the subject site is **unsafe for pedestrians and cyclists**.⁵ Anything which risks increasing the presence of children in the area can only have negative – and potentially disastrous – consequences.
 - (b) Hotel Industry – this is currently prohibited in the LIZ, but is permitted, without qualification, in the LBZ. This use class encompasses the use of land to sell liquor for consumption on or off the premises, and examples include a hotel, bar or nightclub (among others). Again, given the available evidence that the road network in the immediate vicinity of the Site is unsafe for pedestrians, the potential introduction of greater numbers of *intoxicated* pedestrians can only make that situation worse.
 - (c) Community Meeting and Entertainment – this is currently discretionary in the LIZ, but is permitted in the LBZ. There is a high risk of land use conflict between Community Meeting and Entertainment and surrounding industrial uses due to potential vehicle numbers and numbers of pedestrians.
- 2.7. Because these uses would be permitted in the LBZ, the planning authority would have little ability to prevent the introduction of such uses, despite how undesirable they are on this site.

⁴ See *ACEN Robbins Island Pty Ltd v Circular Head Council* [2024] TASCAT 48 at [115]-[116].

⁵ This evidence was given by Mark Petrusma during the prior proceedings in relation to the SSQ, and remains relevant to this proposed rezoning. A copy of his assessment is **annexed** to this representation.



Subdivision/strata potential

- 2.8. Within the LBZ, subdivision is permissible (by way of acceptable solutions) down to a minimum lot size of only 200m². Based on land area alone, that means the subject site could be subdivided into 22 lots. Vehicle access and other considerations may reduce that number, but there is clearly potential for this lot to be subdivided into a *cluster* of LBZ lots, if the LBZ were applied to the subject site.
- 2.9. Even without that potential for subdivision, acceptable solutions within the LBZ allow General Retail and Hire uses (which are 'no permit required' within the LBZ), if the gross floor area *per tenancy* is not more than 250m². Thus, applying the LBZ to this site would open the door for the future development of a multi-tenancy retail complex on this site, significantly increasing vehicle, pedestrian and cyclist traffic within an industrial precinct.
- 2.10. As a result, applying the LBZ to the subject site has significant potential to turn it into a new activity centre in a short span of time, and without any strategic work having been done by the planning authority to plan for, or justify, such an outcome.

3. TPC's zone application guidelines

- 3.1. The TPC has published guidelines, pursuant to s. 8A of LUPAA, for the appropriate zoning of land. Those guidelines clearly weigh against the proposed rezoning in this case, as follows:

LBZ 1 The Local Business Zone should be applied to land within urban settlements which provides, or is intended to provide, for the business, commercial and community functions within:

- (a) *local shopping strips; or*
- (b) *town centres for some smaller settlements.*

- 3.2. The Site is not intended to provide for the business, commercial and community functions within local shopping strips or town centres. No strategic planning work done by the Council has identified any intention to develop this Site in that way.

LBZ 2 The Local Business Zone may be applied to:...

- (b) *Local or Minor Centres and the Neighbourhood or Rural Town Centres in the Regional Activity Centre Hierarchy under the Regional Land Use Strategy of Northern Tasmania; and...*⁶

- 3.3. The Site is not a local, minor, or neighbourhood centre. The planning authority has never indicated any intention for it to become such a centre, and no planning assessment has been done to support the merit or desirability of such an outcome.

LBZ 3 The Local Business Zone may be used for groups of local shops and businesses in existing residential areas where there is a strategic intention to maintain such uses, and the provisions of the surrounding residential zone are not appropriate.

- 3.4. As noted above, applying the LBZ to this site would pave the way for a group of local shops and businesses to be established, but neither the planning authority but there is no strategic planning

⁶ Paragraphs (a) and (c) omitted as they are not relevant for present purposes.



work which supports that outcome being either intended or desirable for this Site. This is not a Site within an existing residential area, and there is no known strategic intention to create such an outcome on this site.

LBZ 4 The Local Business Zone should not be used for individual, isolated local shops or businesses within residential areas, unless:

- (a) they are a use, or are of a scale, that is more appropriate for the Local Business Zone and there is an intention to maintain the use; or*
- (b) there is a strategic intention to expand the existing retail or business area in this locality consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.*

- 3.5. The application which started this process was originally to develop a supermarket on this Site. That application has been refused by the TPC. Currently, therefore, there is no proposed use of this Site connected with this rezoning application. If there *was* any proposed use associated with this rezoning, it would seemingly be that proposal for a single, isolated supermarket within an industrial precinct. While this is not a residential area, the general intention evidenced by this guideline remains relevant.
- 3.6. There is no evidence indicating that the proposed supermarket (if pursued) would be a use, or of a scale, that is more appropriate for the LBZ – on the contrary, the proponent and the Council both gave evidence before the TPC in the previous proceedings that the LBZ would be an **inappropriate** way of enabling the proposed supermarket.
- 3.7. There is no mechanism which would ensure the proposed supermarket is actually developed even if a permit were granted, or to ensure that if it is developed, it is also maintained in the long term rather than the land being redeveloped for other purposes in future.
- 3.8. Additionally, there is no strategic intention to expand the existing retail or business area in this location, let alone any intention supported by more detailed local strategic analysis endorsed by the relevant council.
- 3.9. For those reasons, the s. 8A guidelines clearly weigh against approval of the proposed rezoning.

4. LPS criteria

- 4.1. The LPS criteria are set out in s. 34 of LUPAA. An amendment to an LPS cannot be granted unless all of the LPS criteria are met. The LPS criteria include, relevantly:
 - (a) that the LPS furthers the objectives in Schedule 1 of LUPAA;
 - (b) that the LPS satisfies the relevant criteria in relation to the TPPs; and
 - (c) that, as far as practicable, the LPS is consistent with any relevant regional land use strategy.
- 4.2. Each of the above weighs heavily against the proposed rezoning, for the following reasons.

Schedule 1 objectives
- 4.3. The Schedule 1 objectives are addressed by Ms Schleiger in her prior reports, and her comments apply equally to the present version of the amendment.



4.4. To this can be added the following comments:

- (a) The proposed rezoning is inconsistent with objective (a) in Part 2 of Schedule 1, in that it seeks to rezone land in an ad-hoc, opportunistic way and opens the door to an entirely new activity centre arising in an industrial precinct without any *“sound strategic planning and co-ordinated action by State and local government”*.
- (b) The proposed rezoning is inconsistent with objective (f) in Part 2 of Schedule 1, in that it exacerbates significant traffic safety issues and so does not *“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”*.
- (c) The proposed rezoning is inconsistent with objective (h) in Part 2 of Schedule 1, in that it opens the door to a new activity centre emerging, absent any strategic infrastructure planning, in an area with significant known traffic safety issues, and so does not *“enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community”*.
- (d) Finally, the proposed rezoning is inconsistent with objective (i) in Part 2 of Schedule 1, in that it fails to fully consider land capability because it entirely ignores the suitability of this land for industrial uses, in accordance with its current zoning.

The TPPs

- 4.5. The TPPs were not in force at the time of the TPC’s consideration of this matter. The following provisions within the TPPs are relevant, and weigh strongly against the proposed rezoning:
- 4.6. Within section **4.6 – Industry**, the objective of which is to *“protect industrial land, facilitate sustainable industrial use and development and ensure there is sufficient availability of suitable industrial land to meet the existing and future needs of Tasmania”*:
 - 4.6.3(1) *“Strategically identify and protect land that is suitable for industrial use and development to meet the needs of future generations.”*
 - 4.6.3(2) *“Provide for at least a 15 year supply of industrial land, that is located within urban or settlement growth boundaries, or within close proximity to settlements, that is based on projected demand to meet the economic needs of Tasmania.”*
 - 4.6.3(5) *“Promote the protection of existing and future industrial land by preventing encroachment from incompatible use and development.”*
 - 4.6.3(7) *“Encourage the co-location of similar industrial uses within existing or future strategic industrial precincts.”*
- 4.7. Contrary to these policies, the proposed rezoning would take land which is ideally suited to, and currently zoned for, industrial use, and render it unavailable for that purpose. Worse, in doing so, the proposed rezoning would potentially sterilise *surrounding* industrial zoned land due to the provisions of the Attenuation Code discussed above.
- 4.8. This is particularly critical in light of the recent Department of State Growth Statewide Industrial Land Study, published in December 2025, which noted that Launceston is facing a shortfall in



industrial land of between 13.5 – 19.4 hectares.⁷ The Study also specifically notes the limited vacant land remaining in the Connector Park precinct,⁸ and advises that a key strategic principle for Launceston should be to “[p]reserve industrial land for appropriate uses and prevent commercial encroachment”.⁹

- 4.9. This is consistent also with Launceston City Council’s own Launceston Industrial Strategy 2009 – 2029, which notes that Connector Park specifically must “*be prioritised for new industrial development*”.¹⁰
- 4.10. Within section **4.7 – Business and commercial**, the objective of which is to “*promote business and commercial activities at a scale and intensity that is suited to the location to support diverse economic and employment opportunities and strengthen the State’s economy*”:
- 4.7.3(3) “*Support the activity centre hierarchy by promoting complimentary use and development to strengthen efficiencies within activity centres and, where possible, avoid unnecessary competition between activity centres.*”
- 4.7.3(5) “*Support the redevelopment of commercial and business use and development in existing activity centres prior to considering the establishment of new activity centres, unless it is part of a new greenfield development or a natural progression of an existing activity centre, and is highly accessible to its catchment of users.*”
- 4.11. Contrary to these policies, the proposed rezoning would divert commercial activity *away* from existing activity centres, by allowing the emergence of a new activity centre in an undesirable, isolated location, with no public transport access, and none of the efficiencies or strategic advantages which the activity centre network seeks to achieve.

NTRLUS

- 4.12. The relevant regional land use strategy, NTRLUS, has been addressed in both Mr Petrusma’s and Ms Schleiger’s prior reports, and their comments apply equally to the present version of the amendment.
- 4.13. To those comments can be added the following:
- (a) RAC-A2 provides that “*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*” – this proposed rezoning is directly contrary to RAC-A2, as it would decentralise functions outside the Regional Activity Centre Network;
 - (b) RAC-A16 directs the planning authority to “*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*” – this proposed rezoning is directly contrary to RAC-A16, as it would locate a potential new activity centre in an area with no public transport available; and
 - (c) RAC-P4 provides for the creation of new neighbourhood and local centres “*where appropriate*” – this proposed rezoning is directly contrary to RAC-P4, as no strategic

⁷ At page 8 of the Study.

⁸ At page 110.

⁹ At page 112.

¹⁰ At page 30.



planning work has been done to support this being an appropriate location for a new activity centre or to identify any need for such an activity centre.

5. Withdrawal of the proposed amendment

- 5.1. It is noted that neither the planning authority nor the applicant for the amendment originally wanted or supported the rezoning of this site to LBZ. The applicant's planning expert gave evidence before the TPC that:

Rezoning the site to Local Business is not considered to be sound strategic planning on the basis that, whilst the zone would allow for the supermarket use, it would also allow the (potential) introduction of sensitive (and other potentially conflicting) uses within the Connector Park industrial precinct including residential (unqualified Discretionary use), Visitor Accommodation (unqualified Discretionary use) and schools (unqualified Permitted use). The SSQ is therefore a superior amendment mechanism to address the need for a convenience supermarket in this location without adversely impacting on adjoining and adjacent industrial activity.¹¹

- 5.2. Similarly, Council's planner gave evidence to the TPC that:

In the TPS, the Local Business Zone, 14.2 Use Table, would facilitate uses that would preferably not be located within an established industrial precinct, including residential and visitor accommodation. Sensitive Uses in the precinct would not be appropriate, as discussed previously they could require assessment in response to the Attenuation Code.¹²

- 5.3. Later, Council's planner changed her opinion and supported the rezoning,¹³ noting that:

- (a) Applying the LBZ to the site would potentially facilitate sensitive uses (including residential, visitor accommodation, child care or a school) on a lot bound on two sides by LIZ, which creates the potential for conflict with uses meeting the zone purpose;
- (b) These concerns are "somewhat ameliorated" by the Road and Railway Assets Code and the Attenuation Code, and that the site would therefore be "constrained" for sensitive use due to its proximity to the Highway and an existing metal fabrication use; and
- (c) Development of the site for a sensitive use is "considered unlikely" because:
 - (i) the proximity of the site to the industrial estate diminishes its marketability and desirability for sensitive uses;
 - (ii) if a permit was granted to the applicant for a supermarket, it is likely that would actually be developed by the applicant; and
 - (iii) development for a commercial activity is likely to be the highest and best use of the Site.

- 5.4. These reasons are not a sound basis for rezoning the site to the LBZ, for the following reasons:

¹¹ George Walker 10 February 2026 statement of evidence, at [3.2.2].

¹² Jen Welch 1 December 2025 statement of evidence, at p. 10.

¹³ Submission to the TPC dated 15 June 2026.



- (a) The Attenuation Code restricts the development of new industrial uses with the potential to cause emissions near sites where there is already an established or approved sensitive use, and only restricts the development of new sensitive uses in proximity to existing emission-causing activities if the sensitive use would “*interfere with or constrain*” that existing activity – this does not prevent the development of sensitive uses on this site, but the development of any sensitive use on this site will constrain the development of the surrounding industrial land for industrial purposes.
 - (b) As for the road or railway assets code, this also restricts the development of new sensitive uses on this site, but those are still permissible if “*sited, designed or screened to minimise adverse effects of noise, vibration, light and air emissions from the ... road or rail network*”. This goes some way towards protecting the amenity of new sensitive uses developed on this site, but once again it does not prevent the development of such uses on this site, and it does nothing to mitigate the fact that the development of a sensitive use on this site will constrain the development of the surrounding industrial land for industrial purposes.
 - (c) The suggestion that the site is not desirable for sensitive uses, and that this will prevent any attempt to develop such uses here, is merely speculation. In any event, sensitive uses are not the only concern that arises from zoning this site LBZ. As explained earlier in this submission, there are other uses of this site which should not be located in this area, such as hotel industry uses or community meeting and entertainment uses. There is nothing which prevents such uses from being established on this site, and the attenuation code and road and railway assets code have no impact on this as they are not sensitive uses.
 - (d) The supermarket permit has been refused and there is no longer any application for a permit for the actual use of this site. Therefore, the planning authority must assess this rezoning proposal on its own merits, noting that the owner of the land could apply for a permit for anything permissible in the LBZ if the rezoning is approved.
 - (e) The suggestion that development for a commercial activity is likely to be the highest and best use of the site is unsupported by the evidence. The reports previously prepared by Michelle Schleiger and annexed to this representation make clear that the site is in fact ideally suited for industrial use, and there is no reason at all why it cannot be developed for that purpose.
- 5.5. It is noted that while the TPC directed the planning authority to prepare this substitute amendment, the planning authority is not obliged to proceed with it if the overarching purpose is no longer pursued by the planning authority or original applicant.
- 5.6. Section 40P(4) of LUPAA provides that, upon the TPC certifying a substitute amendment and directing the planning authority to advertise the substitute amendment, the planning authority is to comply with sections 40G and 40H in relation to the draft amendment, and Division 3 of LUPAA applies in relation to the draft amendment “*as if the draft amendment were a draft amendment that had been given to the Commission by the planning authority under section 40F(4)*”.
- 5.7. Because Division 3 applies to this amendment as though it were a draft amendment given to the TPC by the planning authority under s. 40F(4), and s. 40E is located within Division 3 of LUPAA, s. 40E applies to this amendment.
- 5.8. By s. 40E, a planning authority may at any time decide to withdraw a draft amendment of an LPS with the agreement of the person who originally requested that the draft amendment be prepared.



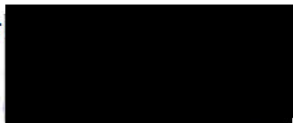
- 5.9. Given that a rezoning was not sought by the applicant, nor supported by the planning authority, until it was raised by the TPC, it would be appropriate for the planning authority to seek the applicant's consent to the withdrawal of the draft amendment. To proceed with the draft amendment if even the applicant does not support it would be a waste of time at ratepayer expense.

For those reasons, our client submits that the proposed rezoning cannot properly be supported, as it simply cannot be considered to meet the LPS criteria.

Yours faithfully

ABETZ CURTIS

Per



MEA QUARTARARO

email:

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June 2026

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Reviewed by

Please find a comparative table of zones on the following pages showing the Light Industrial Zone and the Local Business Zone.

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Light Industrial Zone	Local Business Zone	Comparison
Zone Purpose To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict with, or unreasonable loss of amenity to, any other uses. To provide for use or development that supports and does not adversely impact on industrial activity.	Zone Purpose To provide for business, retail, administrative, professional, community and entertainment functions which meet the needs of a local area. To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy. To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers. To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.	Both zones primarily provide for commercial or business type uses but the sector focuses are different and entail different activities. The LIZ focus is to maintain the use of the land for industrial purposes. The focus for the LBZ is to maintain the activity centre hierarchy. Given the attention paid to the activity centre hierarchy, the purpose of the LBZ is pertinent. The encouragement of activity at pedestrian levels should be questioned in particular regard to the road setting of the site. The encouragement of residential and visitor accommodation to the site should be questioned given that the neighbouring sites are for light industry. There is no guideline to direct the LIZ to be near residential use and development, but the LBZ should be applied to land within urban settlements, indicating that the LBZ is intended to have some level of compatibility with residential use and development.
No Permit Required	No Permit required	Comparison
	Business and Professional Services	No crossover of use
	Food Services	Discretionary in the LIZ
	General Retail and Hire	Discretionary in the LIZ and qualified to existing development only – no new discrete development.
Natural and Cultural Values Management	Natural and Cultural Values Management	
Passive Recreation	Passive Recreation	
	Residential <i>If for home-based business.</i>	Residential use in the LIZ can only occur only if shown as subservient to another allowable use.
Utilities	Utilities <i>If for minor utilities.</i>	
Permitted	Permitted	
	Bulky Goods Sales	Discretionary and qualified in LIZ
	Community Meeting and Entertainment	Discretionary in LIZ – potential high risk of land use conflict due to potential vehicle numbers and pedestrians.
	Educational and Occasional Care	This could allow such uses as a childcare centre on the site which could exacerbate vehicle and pedestrian use to the site. The use is discretionary and qualified in the LIZ to be associated with employment training. As an unqualified use, there is a high risk of land use conflict due to vehicle movements and nature of the use being for young people.
Emergency Services	Emergency Services	
Equipment and Machinery Sales and Hire		
	Hotel Industry	Hotel Industry is permitted in the LBZ and prohibited in the LIZ. The potential for this use and development as a permitted use on the site would bring many of the issues already discussed related to traffic and

		land use conflict. There is a high risk of land use conflict at the site due to these factors. If the use included overnight accommodation, nearby uses with nuisance factors (such as noise) and use of the access road, may cause conflict. Examples given for Hotel Industry are: a hotel, bar, nightclub, adult entertainment venue and tavern.
Manufacturing and Processing		Manufacturing and processing is permitted under the current zone and could be a neighbouring use and development to the subject site. This could bring noise or other nuisance factors that require distance to sensitive uses. The ability to undertake manufacturing and processing without potential complaint from sensitive uses could be compromised. See Comment for Attenuation Code.
Port and Shipping	Pleasure Boat Facility <i>If for a boat ramp.</i>	
Recycling and Waste Disposal <i>If for a container refund facility</i>		Recycling and waste disposal usually needs a large site and distance to sensitive uses. The activity can be very noisy and unpleasant.
Research and Development	Research and Development	
	Residential If: a. located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and b. not listed as No Permit Required.	A residence is permitted in the zone if built to the rear of a premises, or as a second storey. The site is sizeable and could accommodate more than one residence, either as a second floor, or by sacrificing car parking to the rear of the supermarket building. Further, if the supermarket was not developed, or demolished in the future, the lot could be developed to more intense residential use as permitted, under the right development circumstances.
Service Industry		See Comment for Attenuation Code.
Storage		Depending on the type of Storage, this can be compatible, but the use is not qualified, so can also include heavy vehicle haulage at all hours. Medium risk of land use conflict due to traffic.
Transport Depot and Distribution		As above, can include heavy vehicle haulage and at all hours. Medium risk of land use conflict due to traffic.
Vehicle Fuel Sales and Service		
	Visitor Accommodation <i>If located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises.</i>	As with residential use, Visitor Accommodation may be built and could be built together with the supermarket building. Depending on the nature of the use and open times etc, nuisance factors such as odour, light spill and noise can create land use conflict.
Discretionary Bulky Goods Sales <i>If for:</i>		

a. a supplier for Extractive Industry, Resource Development or Resource Processing;		
b. a garden and landscaping materials, trade or hardware supplier; or		
c. a timber yard.		
Community Meeting and Entertainment		
Crematoria and Cemeteries		The attenuation buffer is 300m under C9.0 Attenuation Code.
Domestic Animal Breeding, Boarding or Training		The attenuation buffer is 300m under C9.0 Attenuation Code.
Educational and Occasional Care		
If for:		
a. an employment training centre; or		
b. alterations or extensions to existing Educational and Occasional Care.		
	Equipment and Machinery Sales and Hire	Permitted in LIZ
Food Services		No permit required in LBZ
General Retail and Hire		
If for alterations or extensions to existing General Retail and Hire.		
	Manufacturing and Processing	Permitted in LIZ
Recycling and Waste Disposal		Depending on the nature of development, this can be a noisy use, and can cause high levels of nuisance to sensitive uses. Attenuation distances are dependent on the type of activity undertaken but can be up to 500m.
If for a:		
a. scrap yard; or		
b. waste transfer station, if not a container refund facility.		
	Residential	Although discretionary, residential use is achievable in the zone if not to the rear or second floor of a premises.
Resource Processing	Resource Processing	
	If for food or beverage production.	
	Service Industry	Permitted in the LIZ
Sports and Recreation	Sports and Recreation	
	Storage	Permitted in the LIZ
	Tourist Operation	Depending on the nature of development, this could represent a high level of land use conflict, although examples given are unlikely to occur on this site.
	Transport Depot and Distribution	This is permitted in the LIZ.
	If for:	As a discretionary use it would not be achievable as it would be the only lot in the zone, unless it was for a public transport facility.
	a. a public transport facility; or	
	b. distribution of goods to or from land within the zone.	
Utilities	Utilities	
	If not listed as No Permit Required.	
	Vehicle Fuel Sales and Service	Permitted in the LIZ
Vehicle Parking	Vehicle Parking	

	Visitor Accommodation <i>If not listed as Permitted.</i>	Depending on the volume of rooms, this could attract a high level of land use conflict. Apart from traffic, visitor accommodation can also generate high levels of pedestrian traffic as visitors may not have personal vehicles. As there is no public transport to the site, this could lead to undue pedestrian activity within the area.
Prohibited	Prohibited	
All other uses	All other uses	
		Although there is some crossover, the Permitted uses in the LIZ generally become Discretionary in the LBZ, but the LBZ can provide for residential use, visitor accommodation and Hotel Industry. Arguably, providing accommodation where there is an employment node is merited and allows for several conveniences and efficiencies, but the site is already well located in proximity to residential and accommodation use and development. Allowing these sensitive uses on the site would bring greater land use conflict in terms of vehicle and pedestrian movements, and residential amenity could not be protected within reason if industrial uses are allowed to continue <i>as of right</i> in the neighbouring zone.
Use Standards	Use Standards	Comparison
All Uses	All uses	
Acceptable solutions	Acceptable solutions	
Hours of operation within 50m of a residential zone 7am – 9pm Mon-Sat 8am-9pm Sunday	Hours of operation within 50m of a residential zone 7am – 9pm Mon-Sat 8am-9pm Sunday	Use standards are comparable and generally aim to protect any nearby residential uses.
External lighting within 50m of a residential zone must not operate within the hours: 11pm – 6am And security lighting must be baffled from direct light to an adjoining residential property.	External lighting within 50m of a residential zone must not operate within the hours: 11pm – 6am And security lighting must be baffled from direct light to an adjoining residential property.	
Commercial vehicle movements to a site within 50m of a residential zone confined to 7am – 9pm Mon-Sat 8am-9pm Sunday	Commercial vehicle movements to a site within 50m of a residential zone confined to 7am – 9pm Mon-Sat 8am-9pm Sunday	
Discretionary Uses	Discretionary Uses	
Performance criteria only	Performance criteria only	
A use listed as Discretionary must not compromise the use or development of the surrounding properties for industrial activities with minimal or managed off site impacts, having regard to: a. the characteristics of the site; b. the size and scale of the proposed use; and c. the function of the industrial area.	A use listed as Discretionary must: a. not cause an unreasonable loss of amenity to properties in adjoining residential zones; and b. be of an intensity that respects the character of the area.	The LIZ aims to protect the use of the land and surrounding land for industrial activities. The LBZ aims to protect residential amenity and be of a compatible intensity.

	Retail impact	
	Acceptable solution	
	The gross floor area for Bulky Goods Sales and General Retail and Hire uses must be not more than 250m ² per tenancy.	The supermarket included to the application is greater in area than 250m ² and the Performance criteria would apply.
	Performance criteria	
	Bulky Goods Sales and General Retail and Hire uses must not compromise or distort the activity centre hierarchy, having regard to: a. the degree to which the proposed use improves and broadens the commercial or retail choice with the area; b. the extent that the proposed use impacts on other activity centres; and c. any relevant local area objectives contained within the relevant Local Provisions Schedule.	The commercial and retail choice in the area would be improved (if the supermarket is developed), however, questions arise over what is 'the area' and do the existing bulky goods establishments become a part of that area? Does this then compound on the degree to the area distorting the activity centre hierarchy?
Development Standards for Buildings and Works	Development Standards for Buildings and Works	
Building height	Building height	
Acceptable solutions	Acceptable solutions	
Building height must be not more than 10m.	Building height must be not more than 9m.	Standards for building height are comparable.
Building height: a. within 10m of a General Residential Zone, Low Density Residential Zone or Rural Living Zone must be not more than 8.5m; or b. within 10m of an Inner Residential Zone must be not more than 9.5m.		
Setbacks	Setbacks	
Buildings must have a setback from a frontage of: a. not less than 5.5m; b. not less than existing buildings on the site; or c. not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.	Buildings must be: a. built to the frontage at ground level; or b. have a setback of not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.	Standards for setbacks are reasonably comparable, however buildings in the LBZ are encouraged to have no setbacks and promote interaction between the public realm and the premises. This would not be ideal in the setting where the roads are for through traffic and heavy vehicles.
Buildings must have a setback from an adjoining property within a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone of not less than: a. 4m; or b. half the wall height of the building, whichever is the greater.	Buildings must have a setback from an adjoining property within a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, of not less than: a. 4m; or b. half the wall height of the building, whichever is the greater.	
Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance	Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than	

of not less than 10m from a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone	10m from a General Residential Zone, Inner Residential Zone or Low Density Residential Zone.	
Fencing	Fencing	
Performance criteria	Performance criteria	
Common boundary fences with a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must not cause an unreasonable loss of residential amenity, having regard to: a. their height, design, location and extent; and b. the proposed materials and construction.	A fence (including a free-standing wall) within 4.5m of a frontage must contribute positively to the streetscape, having regard to: a. its height, design, location and extent; b. its degree of transparency; and c. the proposed materials and construction.	
	Common boundary fences with a property in a General Residential Zone, Inner Residential Zone or Low Density Zone, if not within 4.5m of a frontage, must: a. have a height above existing ground level of not more than 2.1m; and b. not contain barbed wire.	
Outdoor storage areas	Outdoor storage areas	
Acceptable solution	Acceptable solution	
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.	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.	
Landscaping		
Acceptable solution		
If a building is set back from a road, landscaping treatment must be provided along the frontage of the site: a. to a depth of not less than 5.5m; or b. not less than the frontage of an existing building if it is a lesser distance.		A development in the LBZ would not be made to landscape the frontage.
	Dwellings	
	Acceptable solution	
	A dwelling must have private open space that has an area not less than: a. 24m² with a minimum horizontal dimension of not less than 4m; or b. 8m² with a minimum horizontal dimension not less than 1.5m, if the dwelling is located wholly above ground floor level.	Dwellings are allowed in the LBZ. There are no standards for density, overshadowing or privacy/overlooking from multiple dwellings and vehicle access. The subject site is 4416m ² which would allow for several family sized homes, or high density residential development types, such as apartments.

		Residential is permitted if to the rear of a premises or above ground floor. The zoning could allow for multiple tenancies (retail etc.) on the site with second storey dwellings or dwellings to the rear of the site, as a mixed use scenario. While this represents excellent land use efficiencies in urban areas, the development potential would bring a high level of vehicle movements to the site and residential amenity would be compromised due to the neighbouring zones, (heavy vehicle use at all times and as-of-right) and proximity to the major road (Midland Highway). In the event that the supermarket is developed under this zone, the site would allow for other tenancies to be developed under lease or strata arrangement, further increasing urban activity to the site.
	Each dwelling must be provided with a dedicated and secure storage space of not less than 6m³.	
Development Standards for Subdivision	Development Standards for Subdivision	
Lot design	Lot design	
Acceptable Solutions	Acceptable Solutions	
Each lot, or a lot proposed in a plan of subdivision, must:	Each lot, or a lot proposed in a plan of subdivision, must:	Under the LBZ, lots of 200m² could be made. This is the standard applied to the Inner Residential Zone.
a) have an area of not less than 1,000m² and: i. be able to contain a minimum area of 15m x 20m clear of: a. all setbacks required by Clause 18.4.2 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and ii. existing buildings are consistent with the setback required by Clause 18.4.2 A1 and A2	a) have an area of not less than 200m² and: i. be able to contain a minimum area of 10m x 12m clear of: a. all setbacks required by clause 14.4.2 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and ii. existing buildings are consistent with the setback required by clause 14.4.2 A1 and A2;	The lot is 4416m² and based on land area alone could allow 22 lots, however, appropriate vehicle access and servicing may not allow for this but the land could be further developed under the zone, and any allowable use applied for.
		The LBZ is generally applied to allow local needs and services to be provided in proximity to residential areas, for convenience and to allow residents to access these needs on foot, or without a great deal of travel. The LBZ allows for a blend of residential and commercial uses, at scales that allow harmony between uses. That is, shops are generally smaller in scale and generate activity compatible with residential areas. The development potential afforded by the zone on this site is significant. If subdivided, multiple lots could be created, with the dependencies being on vehicle access and service connection. If not subdivided, multiple tenancies and residential development could be developed with shared access and service connections, and a lease or strata arrangement. There would be no need for any development to have regard to the LIZ, as there is no provision for this in the purpose of the zone or in any standards.

C9.0 Attenuation Code		Comment
Sensitive use within an attenuation area	Sensitive use within an attenuation area, must not interfere with or constrain an existing activity listed in Tables C9.1 or C9.2, having regard to: - the nature of the activity with potential to cause emissions including: - operational characteristics of the activity; - scale and intensity of the activity; and - degree of hazard or pollution that may be emitted from the activity; - the nature of the sensitive use; - the extent of encroachment by the sensitive use into the attenuation area; - measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions of the activity; - any advice from the Director, Environment Protection Authority; and - any advice from the Director of Mines.	Within the LIZ, uses with attenuation areas may be developed. They may not be existing at the time of a development application on the site at 10 Dolerite Drive, but if sensitive use was to occur on this site, future uses in the LIZ may be curtailed, or create a level of conflict due to the permitted status of a given development or for a discretionary use, which may also be affected by an attenuation buffer to a sensitive use. Attenuation distances for the following examples of listed activities, and the use class they may fall under, include: ■ Abrasive blasting – 100m (potentially part of Manufacturing and processing – Permitted) ■ Bakery – 200m ■ Beverage production (non-alcoholic) – 300m ■ Brewery or distillery – 200m ■ Ceramic Works – 300m (potentially part of Manufacturing and processing – Permitted) ■ Cidery – 300m or 500m (Resource Processing – Discretionary) ■ Crematoria – 300m (Discretionary in the LIZ) ■ Fibreglass manufacture – 300m (Manufacturing and processing – Permitted) ■ Joinery – 200m (Manufacturing and processing – Permitted) ■ Motor bodyworks – 100m (Service Industry) ■ Pre-mix bitumen plant – 500m (Manufacturing and processing) (Assuming not Level 2 which would be 1000m). ■ Surface coating – 300m (Service Industry) ■ Textile bleaching and dying – 500m (Manufacturing and processing) Existing residential development at the north of the LIZ area will already curtail some types of development. Sensitive use at the south of the LIZ, and within the industrial park, will further inhibit the use of the LIZ land.