

10.2. Amendment PSA-LLP0002 - Rezoning of land at 9 Rose Lane, South Launceston (described as CT159336/1, CT247578/2, CT217855/1, and CT200709/1) from the General Residential Zone and Recreation Zone to Community Purpose Zone, and Development Application DA0439/2022 - Subdivision - Consolidate three titles into one, including alterations to the road network; Business and Professional Services - Construction of six new commercial tenancies and associated car parking

FILE NO: PSA-LLP0002 and DA0439/2022

AUTHOR: Iain More (Senior Town Planner Policy and Projects)

GENERAL MANAGER APPROVAL: Dan Ryan (Community and Place Network)

DECISION STATEMENT:

To make a recommendation to the Tasmanian Planning Commission subsequent to the public exhibition period for a Draft Amendment to the Launceston Local Provisions Schedule.

PLANNING APPLICATION INFORMATION:

Applicant: ERA
Area of the Site: 9 Rose Lane, South Launceston (described as CT159336/1, CT247578/2, CT217855/1, CT200709/1, CT210081/1, CT226165/2 and CT68237/1)
Existing Zones: General Residential and Recreation
Existing Use: Vacant Land
Receipt Date: 10 September 2022
Representations: Nil

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Launceston Interim Planning Scheme 2015

PREVIOUS COUNCIL CONSIDERATION:

Council - 15 December 2022 - Agenda Item 9.3 - PSA-LLP0002 - Rezoning of land at 9 Rose Lane, South Launceston (CT159336/1, CT247578/2 and CT200709/1) from General Residential and Open Space to Community Purpose and DA0439/2022 to consolidate three titles into one.

Initiated Draft Amendment PSA-LLP0002 to the Launceston Local Provisions Schedule, to initiate Amendment PSA-LLP0002, to rezone land at 9 Rose Lane, South Launceston (described as CT159336/1, CT247578/2, CT217855/1 and CT200709/1 and approve DA0439/2022 - Subdivision - Consolidate four titles into one, including alterations to the road network; Business and Professional Services - Construction of six new commercial tenancies and associated car parking, at 9 Rose Lane, South Launceston.

RECOMMENDATION:

That Council:

1. in accordance with sections 40K and 42 of the *Land Use Planning and Approvals Act 1993*, considers the merit of each of the representations received to Draft Amendment PSA-LLP0002 and DA0439/2022;
2. amends Permit DA0439/2022:
 - a. Condition 1 be revised as follows:

1. ENDORSED PLANS AND DOCUMENTS

The use and development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Manager City Development unless modified by a condition of the Permit:

- a. Location Plan, prepared by Artas Architects, Drawing No. A001-Sk07, dated 19/10/2022.
 - b. Site Plan, prepared by Artas Architects, Drawing No. A002-Sk05, dated 12/09/2022.
 - c. Elevations, prepared by Artas Architects, Drawing No. A003-DA01, dated 05/07/2022.
 - d. Rose Lane Offices - Renders, prepared by Artas Architects, Drawing No. A730-Sk01.
 - e. Rose Lane Offices - Renders, prepared by Artas Architects, Drawing No. A731-Sk01.
 - f. Rose Lane Offices - Renders, prepared by Artas Architects, Drawing No. A732-Sk01.
 - g. Supporting Planning Report, prepared by ERA Planning and Environment, Version 3, dated 4 November 2022.
 - h. Traffic Impact Assessment, prepared by GHD, Version 5, dated 21 October 2022.
 - i. Landslide Risk Assessment, prepared by Scherzic, Ref: 7390B, dated 6 July 2022.
 - j. Environmental Site Assessment, prepared by ES&D, Ref: 7928, Version 4, dated November 2022.
 - k. Concept Servicing and Stormwater Report, prepared by AD Design + Consulting, dated 16/09/2022.
 - l. Water and Sewer General Arrangement, prepared by AD Design + Consulting, Drawing No. D-01-10-01, Revision B, dated 09/12/22
 - m. Stormwater General Arrangement, prepared by AD Design + Consulting, Drawing No. D-01-01-01, Revision B, dated 09/12/22.
- b. Amend the permit description as follows:

DA0439/2022 - Subdivision - Consolidate three titles into one, including alterations to the road network; Business and Professional Services - Construction of six new commercial tenancies and associated car parking, at 9 Rose Lane, South Launceston.

3. recommends to the Tasmanian Planning Commission that Draft Amendment PSA-LLP0002 and DA0439/2022 be approved with the recommended changes.

REPORT:

1. INTRODUCTION AND BACKGROUND

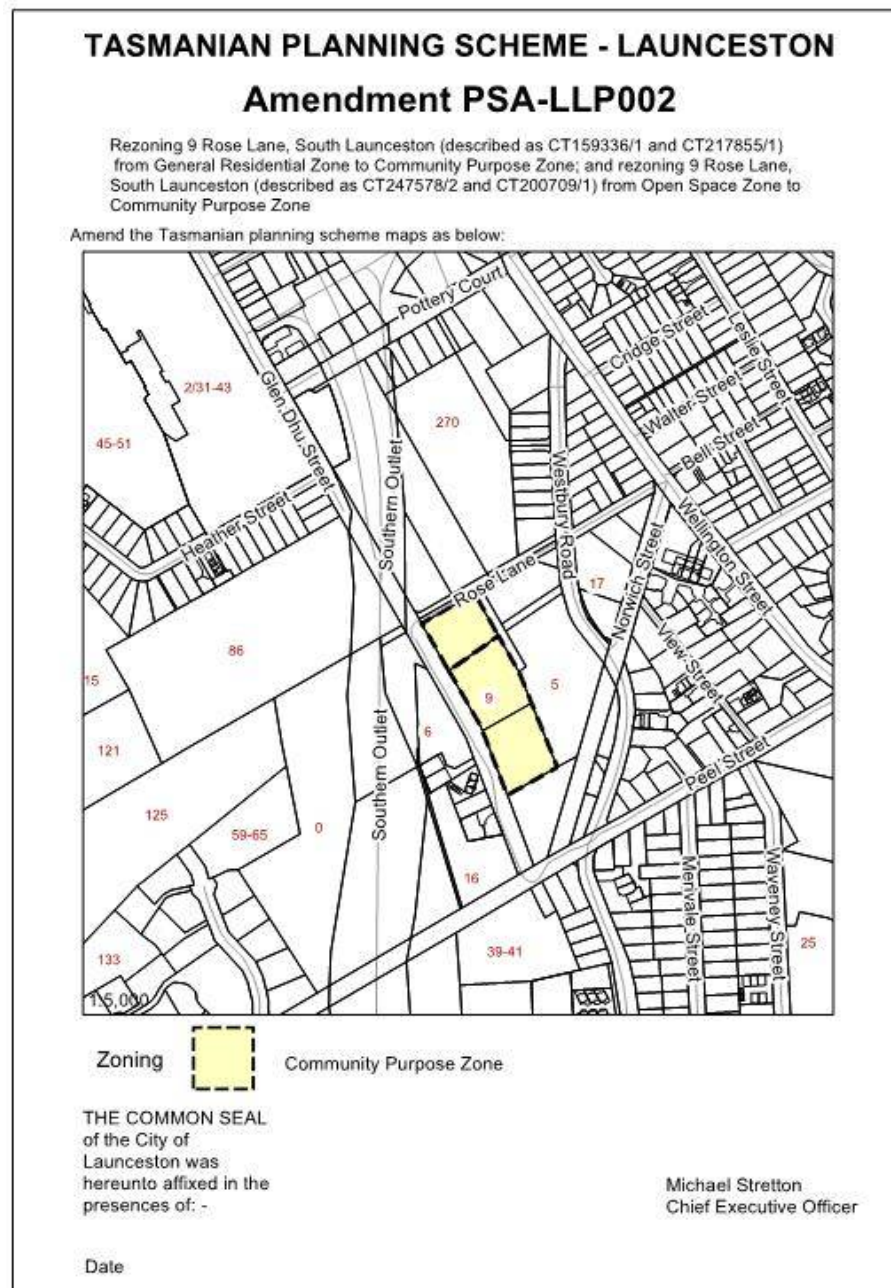
An application was lodged under sections 37, 38 and 40T of the *Land Use Planning and Approvals Act 1993* (the Act), by ERA Planning, for a rezoning and concurrent Development Application. The purpose of the scheme amendment is to facilitate the subdivision and development:



At its Meeting on 15 December 2022, Council resolved to:

1. pursuant to sections 37, 38 and 40T of the *Land Use Planning and Approvals Act 1993*, agrees to and initiate Amendment PSA-LLP0002, to rezone land at 9 Rose Lane, South Launceston (described as CT159336/1, CT247578/2, CT217855/1 and CT200709/1).

2. pursuant to section 40F of the Land Use Planning and Approvals Act 1993, certifies Draft Amendment PSA-LLP0002, as shown below:



3. pursuant with sections 40G and 40F of the Land Use Planning and Approvals Act 1993 determines the period for public exhibition to be 28 days; and 4. pursuant to sections 40T and 40Y of the Land Use Planning and Approvals Act 1993, approves DA0439/2022 - Subdivision - Consolidate four titles into one, including alterations to the road network; Business and Professional Services - Construction of six new commercial tenancies and associated car parking, at 9 Rose Lane, South Launceston.

2. SUMMARY OF REPRESENTATIONS

The application was advertised from 14 January until 8 February 2023. No representations were received during the public notification period. Notwithstanding, the Council was made aware of several omissions to the original application, which relate to incorrect endorsed documents, title consolidation and advertised plans. These changes have been incorporated into the permit through the following changes:

Condition 1 - Endorsed Plans and Documents

Plans cited in (b), (c), (e), (f), (l) and (m) are incorrect. The correct references are below highlighted in bold.

- a. Location Plan, prepared by Artas Architects, Drawing No. A001-Sk07, dated 19/10/2022.
- b. Site Plan, prepared by Artas Architects, Drawing No. A002-**Sk05**, dated 12/09/2022.
- c. Elevations, prepared by Artas Architects, Drawing No. A003-**DA01**, dated 05/07/2022.
- c. Rose Lane Offices - Renders, prepared by Artas Architects, Drawing No. A730-Sk01.
- e. Rose Lane Offices - Renders, prepared by Artas Architects, Drawing No. **A731**-Sk01.
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- g. Supporting Planning Report, prepared by ERA Planning and Environment, Version 3, dated 4 November 2022.
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- l. Water and Sewer General Arrangement, prepared by AD Design + Consulting, Drawing No. D-01-10-01, Revision B, dated 09/12/22**
- m. Stormwater General Arrangement, prepared by AD Design + Consulting, Drawing No. D-01-01-01, Revision B, dated 09/12/22**

This was an omission in writing the condition and it has been recommended that the endorsed documents condition be amended.

Title Consolidation

The planning report to Council references CT217855/1 as being part of the consolidation of four titles, which is also reflective in the description of the application. This is the very small corner remnant title (8m²) in the northwest of the site. The intention was for this lot to be retained within the road reserve. It is considered that this is a minor omission and does not affect the overall development. In particular, the title in question reflects the alterations to the road network. It is recommended that the description of the proposal be amended to read:

DA0439/2022 - Subdivision - Consolidate three titles into one, including alterations to the road network; Business and Professional Services - Construction of six new commercial tenancies and associated car parking, at 9 Rose Lane, South Launceston

Endorsed Documents

The Council was made aware that the endorsed renders and supporting planning report were superseded versions. Notwithstanding, the renders were not required to make an assessment of the proposal and the endorsed version of the planning report was sufficient to make an assessment. As such, it is still considered appropriate for the application to proceed to the Commission for decision.

4. CONCLUSION

No representations were received and there are no reasons for the Council not to proceed with the Draft Amendment PSA-LLP0002 and DA0439/2022.

ECONOMIC IMPACT:

The amendment to the Launceston Local Provisions Schedule has been assessed against the requirements of the Act. The Tasmanian Planning Scheme - Launceston and the Launceston Local Provisions Schedule also contain provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.

ENVIRONMENTAL IMPACT:

The amendment to the Launceston Local Provisions Schedule has been assessed against the requirements of the Act. The Tasmanian Planning Scheme - Launceston, and the Launceston Local Provisions Schedule also contain provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.

SOCIAL IMPACT:

The amendment to the Launceston Local Provisions Schedule has been assessed against the requirements of the Act. The Tasmanian Planning Scheme - Launceston, and the Launceston Local Provisions Schedule also contain provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such social impacts have been considered.

STRATEGIC DOCUMENT REFERENCE:

Land Use Planning and Approvals Act 1993

Tasmanian Planning Scheme - Launceston and Launceston Local Provisions Schedule

Northern Tasmania Regional Land Use Strategy (NTRLUS) 2021

Greater Launceston Plan (GLP) 2014

Launceston Residential Strategy (LRS) 2009-2029

City of Launceston Corporate Strategic Plan 2014-2024

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

ATTACHMENTS:

1. DA0439/2022 - section 40K Report - Amended Permit [**10.2.1** - 11 pages]